

Planning Justification Report

**1071 Moodie Drive
Township of Douro-Dummer
County of Peterborough**

D.M. Wills Project Number 11212-01



D.M. Wills Associates Limited
Partners in Engineering, Planning and
Environmental Services
Peterborough

**February 2026
Revised June 2026**

**Prepared for:
Thelma Flynn and Marc Moreau**



Table of Contents

1.0	Introduction and Objectives.....	1
1.1	Project Objectives.....	1
1.1.1	Purpose of Zoning By-law Amendment Application.....	1
1.1.2	Purpose of Planning Justification Report	1
2.0	Property Description	1
2.1	Property Location.....	1
2.2	Existing Development	1
2.3	Surrounding Land Uses.....	4
2.4	Proposed Development	6
3.0	Project Background.....	8
3.1	Notice to Comply.....	8
3.2	Pre-Consultation	8
3.3	Meeting with ORCA	8
4.0	Policy Framework	9
4.1	Provincial.....	9
4.1.1	Provincial Planning Statement, 2024.....	9
4.2	Municipal.....	14
4.2.1	County of Peterborough Official Plan, 1994	14
4.2.2	New County of Peterborough Official Plan, 2024	22
4.2.3	Township of Douro-Dummer Zoning By-law No. 10-1996	23
5.0	Planning Rationale.....	25
6.0	Draft Amendment	28
6.1	Draft Zoning By-law Amendment	28
7.0	Closing	30

Figures

Figure 1 – Key Map	2
Figure 2 – Existing Development	3
Figure 3 – Surrounding Land Uses	5
Figure 4 – Concept Plan	7
Figure 5 – Official Plan	21
Figure 6 – Zoning By-law	24
Figure 7 – Proposed Zoning By-law Schedule	29

Appendices

- Appendix A - Photographic Log
- Appendix B - Pre-Consultation Notes
- Appendix C - Meeting Minutes

1.0 Introduction and Objectives

D.M. Wills Associates Limited (Wills) has been retained by Thelma Flynn and Marc Moreau (Owners) to prepare this Planning Justification Report (PJR) in support of a Zoning By-law Amendment (ZBA) application to the Township of Douro-Dummer Comprehensive Zoning By-Law.

1.1 Project Objectives

1.1.1 Purpose of Zoning By-law Amendment Application

The ZBA application intends to rezone the subject property to a site-specific 'Shoreline Residential 269 (SR-269)' zone to permit an accessory boat storage structure on an existing undersized lot within an Environmental Constraint Area associated with the flood plain of Lake Katchewanooka.

1.1.2 Purpose of Planning Justification Report

The purpose of this report is to outline the nature of the proposed ZBA application and evaluate the proposed development in the context of provincial and municipal policy. This includes the Provincial Planning Statement, 2024 (PPS), County of Peterborough Official Plan, 1994 (COP), New County of Peterborough Official Plan, 2024 (NCOP) and Township of Douro-Dummer Comprehensive Zoning By-law 2000-21 (ZBL).

2.0 Property Description

2.1 Property Location

The land subject to the application is municipally addressed as 1071 Moodie Drive and legally described as Part of Lot 21, Concession 6 (Douro Ward), Lot 4, Plan 41, in the Township of Douro-Dummer (Township), County of Peterborough (County) and having Roll Number 1522-010-001-38000, herein referred to as the subject property.

The subject property is located northwest of the intersection of Highway 28, Peterborough County Roads 6 and 29. The subject property has an approximate area of 0.22 hectares (0.53 acres) with 27.94 metres (91.67 feet) of frontage along Moodie Drive and approximately 42.50 metres (139.44 feet) of shoreline frontage along Lake Katchewanooka. Refer to **Figure 1 – Key Map**.

2.2 Existing Development

The lands are currently developed in the form of a single-detached dwelling with an attached garage, which was constructed between April 2019 and March 2020. The original seasonal dwelling on the property was demolished on May 21, 2019. The dwelling is currently serviced by a private well and private septic system. Access to the property is provided from Moodie Drive, a year-round municipally maintained road. Refer to **Figure 2 – Existing Development** and **Appendix A – Photographic Log**.



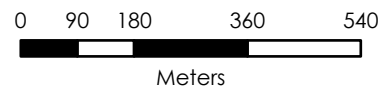
KEY MAP

1071 Moodie Drive
Township of Douro-Dummer

Figure 1

Legend

 Subject Property



WGS 1984 Scale 1:12,000

Data Sources
Esri Canada

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212

Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9
P. 705.742.2297
F. 705.748.9944
E. wills@dmwills.com



EXISTING DEVELOPMENT

1071 Moodie Drive
Township of Douro-Dummer

Figure 2

Legend

 Subject Property

0 5 10 20 30



Meters

WGS 1984

Scale 1:1,000

Data Sources

Esri Canada

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212



D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9

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

Microsoft, Vantor

2.3 Surrounding Land Uses

The surrounding land uses are predominantly waterfront residential and rural. The shoreline properties on Moodie Drive are developed primarily in the form of permanent and seasonal dwellings with private docks on Lake Katchewanooka, including the lots immediately abutting the subject property to the west and east. The property to the south of the subject property, across Moodie Drive, is a large rural lot with road frontage along County Road 29 and is developed in the form of a single detached dwelling. Refer to **Figure 3 – Surrounding Land Uses**.



SURROUNDING LAND USE

1071 Moodie Drive
Township of Douro-Dummer

Figure 3

Legend

 Subject Property

0 90 180 360 540



Meters

WGS 1984

Scale 1:12,500

Data Sources

Esri Canada

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212



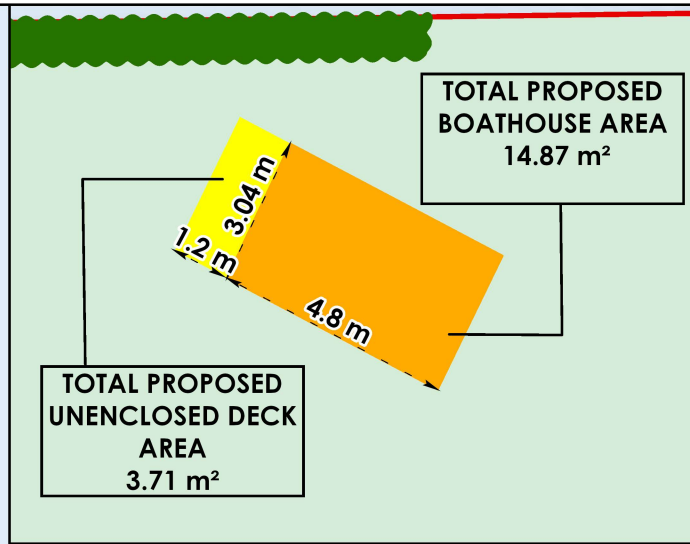
D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9

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

2.4 Proposed Development

As proposed, the Zoning By-law Amendment (ZBA) application intends to amend the Township Zoning By-law to permit the development of the proposed boat storage building within the shoreline area of Lake Katchewanooka.

The Owners are seeking to construct a new 14.87 m² (160 ft²) accessory boat storage building with an attached uncovered 3.71 m² (40 ft²) deck/platform. The structure is approximately 4.15 metres (13.6 feet) in height with partially open sides. The building will be used for the storage of small watercraft and ancillary equipment such as paddles, life jackets, and recreational water toys. The uncovered deck or platform is not intended to function as outdoor living space, seating area, or any other form of habitable use. It is intended to provide a practical surface next to the boathouse for temporarily storing canoes, kayaks, paddleboards, and similar watercraft to allow them to dry between uses and to facilitate handling and storage without placing equipment directly on the ground. Refer to **Figure 4 – Concept Plan**.



SITE STATISTICS TABLE				
ADDRESS:	1071 Moodie Drive Lakefield, ON K0L 2H0			
ZONE(S):	Shoreline Residential (SR)			
PROVISION	EXISTING	REQUIREMENT	PROPOSED	COMPLIANCE
MIN. LOT AREA	2,165 m ²	4,050 m ²	2,165 m ²	N
MIN. LOT FRONTAGE	27.94 m	60 m	27.94 m	N
MIN. SHORELINE FRONTAGE	42.50 m	60 m	42.50 m	N
MIN. REAR LOT LINE	N/A	15 m	66 m	Y
MIN. INTERIOR SIDE YARD	N/A	9 m	17.3 m (W), 1.95 m (E) Boathouse	N
MIN. WATER YARD	N/A	0 m	12 m	Y
MAX. BOATHOUSE AREA	N/A	80 m ²	14.87 m ²	Y
MAX. BUILDING HEIGHT	N/A	4.57 m	4.15 m	Y
MAX. ACCESSORY BUILDING COVERAGE	0.36 %	5 %	1.2 %	Y

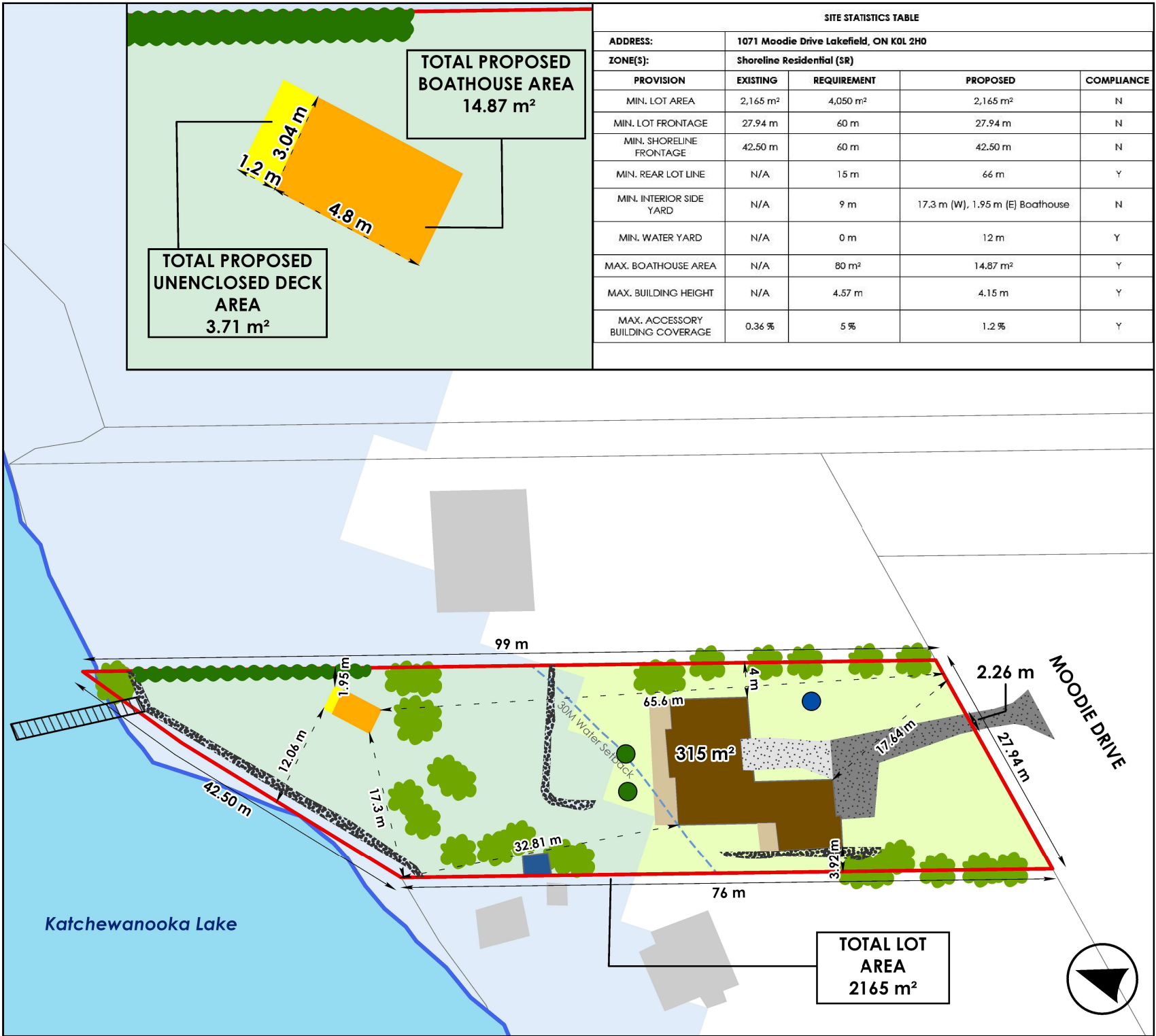
CONCEPT PLAN

1071 Moodie Drive
Township of Douro-Dummer

Figure 4

Legend

- Subject_Property
- Existing Dwelling
- Non-habitabal Deck
- Proposed Boathouse
- Existing Foot Path
- Existing Driveway
- Existing Landscaping
- Existing Shed
- Deck
- Dock
- Abutting Buildings
- Armour Stone
- ORCA High Water Level
- OHN Waterbody
- Septic
- Well
- Hedge
- Trees



Data Sources
County of Peterborough GIS
TD Consulting INC. Site Plan

Meters
0 3 5 10 15 20

NAD1983 UTM ZONE 17N SCALE: 1:599

Created In:	ArcGIS Pro
Drawn By:	NB
Checked By:	AT
Map Date:	6/9/2026
Project Number:	11212

WILLS
D.J.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9
P. 705.742.2297
F. 705.748.9944
E. wills@dmwills.com

3.0 Project Background

3.1 Notice to Comply

The Owners commenced construction of the accessory structure in July 2025 based on guidance received from a local contractor and the Township Building Department, that accessory structures less than 15 m² (160 ft²) do not require a building permit. The Owners received a verbal notice from the Township's Chief Building Official on July 31, 2025, due to a complaint from a neighbouring resident. Construction stopped immediately and communication with the Township and consulting planners commenced.

3.2 Pre-Consultation

The Owners completed a pre-consultation meeting with Township staff and agencies on August 28, 2025, to discuss the proposed development of a new boat storage building on the subject property. Township staff explained that while the County Official Plan generally prohibits development and site alteration on lands designated Environmental Constraint Area, however, where the lands are deemed not hazardous or environmental sensitive by the Conservation Authority the development may proceed in accordance with the adjacent land use designation (i.e. Lakeshore Residential), subject to an amendment to the Township Zoning By-Law.

The following was noted to be required to support the development along with the associated fees building permit, ORCA permit, Official Plan Amendment, Zoning Bylaw Amendment. Refer to **Appendix B – Pre-Consultation Notes**.

3.3 Meeting with Otonabee Region Conservation Authority

Following the receipt of the Pre-Consultation Notes from Township staff, the Owners reached out to Wills to assist with the planning applications and required reports. Wills participated in further discussions with Otonabee Region Conservation Authority (ORCA) staff on December 11, 2025, to confirm application requirements, discuss the need for OPA, and seek support for the planning approach.

ORCA did not agree that the proposed boat storage building should be considered a boat house as it is not physically connected to the shoreline by a marine rail or otherwise. The proposed location is within a known floodplain/flooding hazard, however, there is no suitable or feasible alternative location on the property. ORCA conceded that a site-specific zoning amendment would be required with sufficient rationale for the proposed location within the flooding hazard. ORCA also confirmed that the building would be exempt from development permits due to the size being less than 15 m² (160 ft²). No additional requirements or technical studies were required by ORCA. Refer to **Appendix C – Meeting Minutes**.

4.0 Policy Framework

The following provincial and municipal land use policy documents contain policies that relate to the proposed development of the subject property. The policy documents include the Provincial Planning Statement, 2024 (PPS), County of Peterborough Official Plan, 1994 (COP), New County of Peterborough Official Plan, 2024 (NCOP), and Township of Douro-Dummer Comprehensive Zoning By-law 2000-21 (ZBL).

The subject property is located within a rural lakeshore area of the Township of Douro Dummer. The COP identifies an Environmental Constraint Area on the property as it is located along the shoreline of Katchewanooka Lake.

4.1 Provincial

4.1.1 Provincial Planning Statement, 2024

The *Planning Act* requires that decisions affecting planning matters “*shall be consistent with*” policy statements issued under the Act, including the Provincial Planning Statement (PPS, 2024). The new PPS came into effect in October 2024 and replaces the Provincial Policy Statement, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. The PPS focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas and lands. Section 3 of the *Planning Act, R.S.O 1990 (Act)* requires that decisions affecting planning matters “*shall be consistent with*” policy statements issued under the Act.

Chapter 2 of the PPS provides policies and permitted uses for Rural Lands in Municipalities.

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.*

Chapter 4 of the PPS establishes policies regarding the wise use and management of resources including natural heritage features.

4. *Development and site alteration shall not be permitted in:*
 - a) *significant wetlands in Ecoregions 5E, 6E and 7E1; and*
 - b) *significant coastal wetlands.*
5. *Development and site alteration shall not be permitted in:*
 - a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*
 - b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
 - c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*
 - d) *significant wildlife habitat;*
 - e) *significant areas of natural and scientific interest; and*
 - f) *coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 4.1.4.b),*
unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
6. *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
7. *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
8. *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

Chapter 5 of the PPS establishes policies regarding natural hazards and protecting public health and safety.

5.1 General Policies for Natural and Human-Made Hazards

1. *Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.*

5.2 Natural Hazards

1. *Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance.*
2. *Development shall generally be directed to areas outside of:*

- a) *hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
 - b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
 - c) *hazardous sites.*
3. *Development and site alteration shall not be permitted within:*
- a) *the dynamic beach hazard;*
 - b) *defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);*
 - c) *areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*
4. *Planning authorities shall prepare for the impacts of a changing climate that may increase the risk associated with natural hazards.*
5. *Despite policy 5.2.3, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems:*
- a) *in those exceptional situations where a Special Policy Area has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or*
 - b) *where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.*
 - c) *6. Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:*
 - d) *an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;*
 - e) *an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations; or*
 - f) *uses associated with the disposal, manufacture, treatment or storage of hazardous substances.*
7. *Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate*

- floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry.*
8. *Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:*
- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;*
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;*
 - c) new hazards are not created and existing hazards are not aggravated; and*
 - d) no adverse environmental impacts will result.*

Flood fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flood plain: for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding Hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave effects and other water-related hazards;*
- b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:*
 - 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;*
 - 2. the one hundred year flood; and*
 - 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry; except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the*

standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave effects and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

One hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;*
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and*
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups. Other water-related hazards: means water-associated phenomena other than flooding hazards and wave effects which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.*

Two zone concept: means an approach to flood plain management where the flood plain is differentiated in two parts: the floodway and the flood fringe.

4.2 Municipal

4.2.1 County of Peterborough Official Plan, 1994

The subject property is described as Shoreland Areas and the Waterfront in the County of Peterborough Official Plan, 1994 (COP), which includes lands within 150 metres from the high water mark (HWM) of a waterbody or watercourse which functionally relate to the water (S.4.4). These areas are predominantly comprised of residential development for leisure, recreation, water supply, support for fisheries and wildlife habitat.

4.1.3.2 - Flood Plains

- *Areas which are either:
 - a) *rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards (unless it has been demonstrated that the area has safe access that is appropriate for the nature of the development and the natural hazard); or*
 - b) *located in a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding;**
- will be precluded from new development in local plans, in recognition of potential threats to life and property.*
- *Where a development proposal contains or abuts a steep slope, watercourse or shoreline in an area where no detailed floodplain mapping exists and where erosion hazard limits have not been defined, development will be subject to the establishment of flooding and erosion hazard limits by the appropriate Conservation Authority or the Ministry of Natural Resources in consultation with the local municipality;*
 - *Construction of buildings or structures, or creation of lots intended for building purposes will not be permitted within an identified flooding or erosion prone area except where a Special Policy Area has been approved or where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows. Those identified uses which are required by the County, local municipality, or other public agency must meet the requirements of the local municipality, the appropriate Conservation Authority, and/or the Ministry of Natural Resources, and federal ministries or agencies.*
 - *Notwithstanding the one-zone approach that is normally required in floodplains, the County recognizes that there are portions of floodplains which could potentially be safely developed with no adverse impacts. In these floodplain areas, as identified by the Conservation Authority(s), the Ministry of Municipal Affairs and/or the Ministry of Natural Resources, a two-zone approach to*

floodplain management will be encouraged. A two-zone approach requires the identification of a floodway and flood fringe zone, whereby new development in the floodway zone is prohibited or restricted to structures intended for flood or erosion control, or otherwise required by the County, local municipality or other public agency, and meet the requirements the local municipality and the Conservation Authority, Ministry of Municipal Affairs or the Ministry of Natural Resources; and new development in the flood fringe zone may be permitted subject to requirements for floodproofing to the regulatory flood level;

- The criteria used to consider and evaluate the feasibility of implementing a two-zone concept in particular floodplain areas by local municipalities, the appropriate Conservation Authority and the Ministry of Natural Resources, shall include but not be limited to:
 - flood susceptibility;
 - physical characteristics and environmental features of the floodplain and adjacent lands;
 - local need for development;
 - impact of development in the floodplain and the watershed area;
 - feasibility of floodproofing;
 - constraints on the provision of services (ie. watermains, sewers, drainage works, etc.);
 - accessibility;
 - changes in land use; and
 - administrative capability (staff availability and expertise for implementation of two zone concept);
- Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
 - a) an institutional use associated with hospitals, nursing homes, pre-school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works or erosion;
 - b) an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures or protection works or erosion; and
 - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances

4.4 Shoreland Areas and the Waterfront

4.4.3 Policies

- *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;*
- *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;*
- *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.*
- *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.*

Section 6 of the County Official Plan contains the local plan policies for Douro-Dummer. The subject property is designated as 'Lakeshore Residential' and 'Environmental Constraint Area' on 'Schedule A4-1' of the COP. The proposed boat storage building is proposed entirely within the Environmental Constraint Area in accordance with the floodplain mapping for Lake Katchewanooka. Refer to **Figure 5 – Official Plan**.

6.2.6 Lakeshore Residential

6.2.6.1 - General Principles

Permanent single-detached dwellings and cottages in shoreline areas along publicly maintained roads are the predominant use of land within the Lakeshore Residential designation. However in the Township of Douro-Dummer, permanent single-detached dwellings and seasonal cottages may also be permitted on private roads and deeded right-of-ways subject to the provisions of the Township's Zoning By-Law. This designation provides for the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary. For the purposes of this plan, the terms "cottage" and "seasonal residence" are used interchangeably.

6.2.6.2 - Permitted Uses

The predominant use of land within the Lakeshore Residential designation shall be for permanent single-detached dwellings and seasonal cottages on public roads. This category may include retail and service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of the lakeshore residents. Home occupations and Bed and Breakfasts may be permitted subject to an amendment to the implementing Zoning By-law to recognize same. Subdivisions and condominiums outside of settlement area boundaries for permanent residential use may only be permitted in site specific locations designated for such use as of June 16, 2006.

6.2.6.3 - Lakeshore Residential Policies

- a) *The intent of this category is to make provision for permanent single detached dwellings and seasonal cottages based on public road access. This designation also provides policies to guide the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary.*
- b) *The Township shall have regard to the following when considering an amendment to the Zoning By-law to permit a conversion:*
 - i) *The lot shall be adequately served by a year-round publicly-maintained road. No conversions shall be permitted on private roads unless otherwise permitted in this plan.*
 - ii) *The lot shall have adequate frontage and area as set out in the implementing Zoning By-law.*
 - iii) *The cottage has an adequate source of potable water supply whose year round use will not impair the supply of other nearby buildings and land uses and will satisfy the requirements of the Health Unit and/or the Ministry of the Environment.*
 - iv) *The cottage is suitable for conversion and can be brought up to the standard of the Ontario Building Code for a permanent home.*
 - v) *The cottage has a sanitary sewage disposal system suitable for year round operation and will satisfy the requirements of the Health Unit and/or the Ministry of the Environment.*
 - vi) *The conversion will not contribute singly or with associated uses to a demand for services which are not feasible or economic to provide and will place a financial burden on the Township.*
 - vii) *The use of holding tanks shall be discouraged.*
 - viii) *The township shall review reports from those agencies deemed appropriate and shall include the Building Inspector, Roads Engineer and School Board.*
 - ix) *The cottage shall not be located in a flood hazard area as determined by the Conservation Authority or appropriate agencies in consultation with the Township.*

c) General

The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wetbeach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality. In this regard, structures permitted in the Lakeshore Residential designation, including leaching beds of septic systems, on lots created by consent or plan of subdivision after the date Official Plan Amendment No.3 comes into effect, shall be set back a minimum of 30 metres from the shoreline of any lake or major watercourse (i.e. Trent River, Eels Creek, Otonabee River, Rice Lake, Crowe River, Indian River, White Lake) in order to ensure adequate protection from changes in water level and flooding and to ensure maintenance of water quality and the protection of fish and wildlife habitats. Applications to create lots within the Lakeshore Residential designation, either by consent or plan of subdivision, shall demonstrate that this 30 metre setback requirement can be met on the proposed lot(s).

Permitted Exceptions

Notwithstanding anything in this section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 metre setback without a minor variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e. deck width, area, etc.).

6.2.15 Environmental Constraint

6.2.15.1 - General Principles

The Environmental Constraint Area designation includes those lands having inherent environmental hazards such as flood or erosion susceptibility, poor drainage, organic soils, instability or any other similar physical characteristic or limitation and includes other non-provincially-significant wetlands which, if developed upon, could result in the deterioration or degradation of the environment and cause property damage or loss of life. Where floodplain mapping is available, it has been used to delineate the boundaries of Environmental Constraint areas that are at risk of flooding within Asphodel-Norwood, Douro-Dummer, North Kawartha and Selwyn.

Delineation of the floodplain mapping for Upper Buckhorn Lake, Lower Buckhorn Lake, Lovesick Lake, Stony Lake, Chemong Lake, Clear Lake, Katchewanooka Lake and Pigeon Lake was undertaken cooperatively between local Municipalities and Conservation Authorities through the National Disaster Mitigation Program.

The Township shall, wherever possible, endeavour to retain those lands designated as Environmental Constraint Areas in their natural state. The use of those lands shall respect the physical constraints and limitations in order to protect life and property, to minimize the alteration of the natural environment and, where appropriate, maintain the hydraulic capacity of the water courses and their related flood plains.

6.2.15.2 - Permitted Uses

The predominant use of land within the Environmental Constraint designation is the preservation and conservation of the natural environment. Uses such as outdoor recreation, forestry, conservation of soil or wildlife and passive agriculture outside of settlement areas shall be permitted where they do not aggravate an existing hazard or adversely affect the natural environment. Public or private parks shall also be permitted provided that they do not aggravate an existing hazard, require major land alteration, or adversely affect the natural environment.

6.2.15.3 - Environmental Constraint Policies

- a) The erection of buildings and structures or the placing or removal of fill of any kind whether originating on the site or elsewhere, shall be prohibited except where buildings or structures are intended for flood or erosion control, landscape stabilization or essential utilities. Those works shall be in accordance with the regulations and the approval of the Otonabee Region Conservation Authority or the Ministry of Natural Resources. Where no Conservation Authority regulations exist, the Township may seek the technical assistance of the Conservation Authority or respective Provincial Ministry when assessing applications for development involving Environmental Constraint Areas.
- b) The boundaries of the Environmental Constraint Areas designation are conceptually delineated. The extent and exact location of the boundaries of the Environmental Constraint Areas shall be delineated in the implementing Zoning By-law in accordance with detailed floodline mapping in consultation with the Otonabee Region Conservation Authority and the Ministry of Natural Resources.
- k) When areas designated Environmental Constraint are deemed not hazardous or environmentally sensitive by the Conservation Authority and/or the authority having jurisdiction, development may be permitted consistent with the adjacent land use designation, subject to an amendment to the Zoning By-law.**

7.8 Development On Existing Lots Of Record

7.8.1 In the case of existing lots of record which do not meet the minimum lot area and/or frontage requirement of the Zoning By-law, and subject to the discretion of the Township, development may be permitted provided:

- a) the lot meets the sewage disposal requirements of the Health Unit, and
- b) the lot is to be used in accordance with the relevant land use category of the Official Plan,
- c) the lot satisfies the requirements of the Conservation Authority or relevant authority with respect to floodplain management practices
- d) the lot meets the other lot provisions of the Zoning By-law, or if not, a minor variance or rezoning is successfully obtained for such deficiency
- e) the use complies with the Source Water Protection policies of Section 5.7

Development: for the purposes of Section 4.1.3.4,

- *the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, or works subject to the Drainage Act;*
- *activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site.*

NOTE: for other purposes of this Plan, "Development" shall mean:

- a) construction, erection or placing of a building or structure*
- b) a significant addition or alteration to an existing building or structure*
- c) a significant change use or intensity of use of an existing building, structure or premises*
- d) site grading, excavation, removal of topsoil or peat or the placement of fill*
- e) drainage works (maintenance to existing municipal or agricultural drains is not "development")*

Floodplain: the area, usually lowlands adjacent to a river or stream system, which have been or may be subject to flooding hazards experienced during a regional storm event or defined storm.

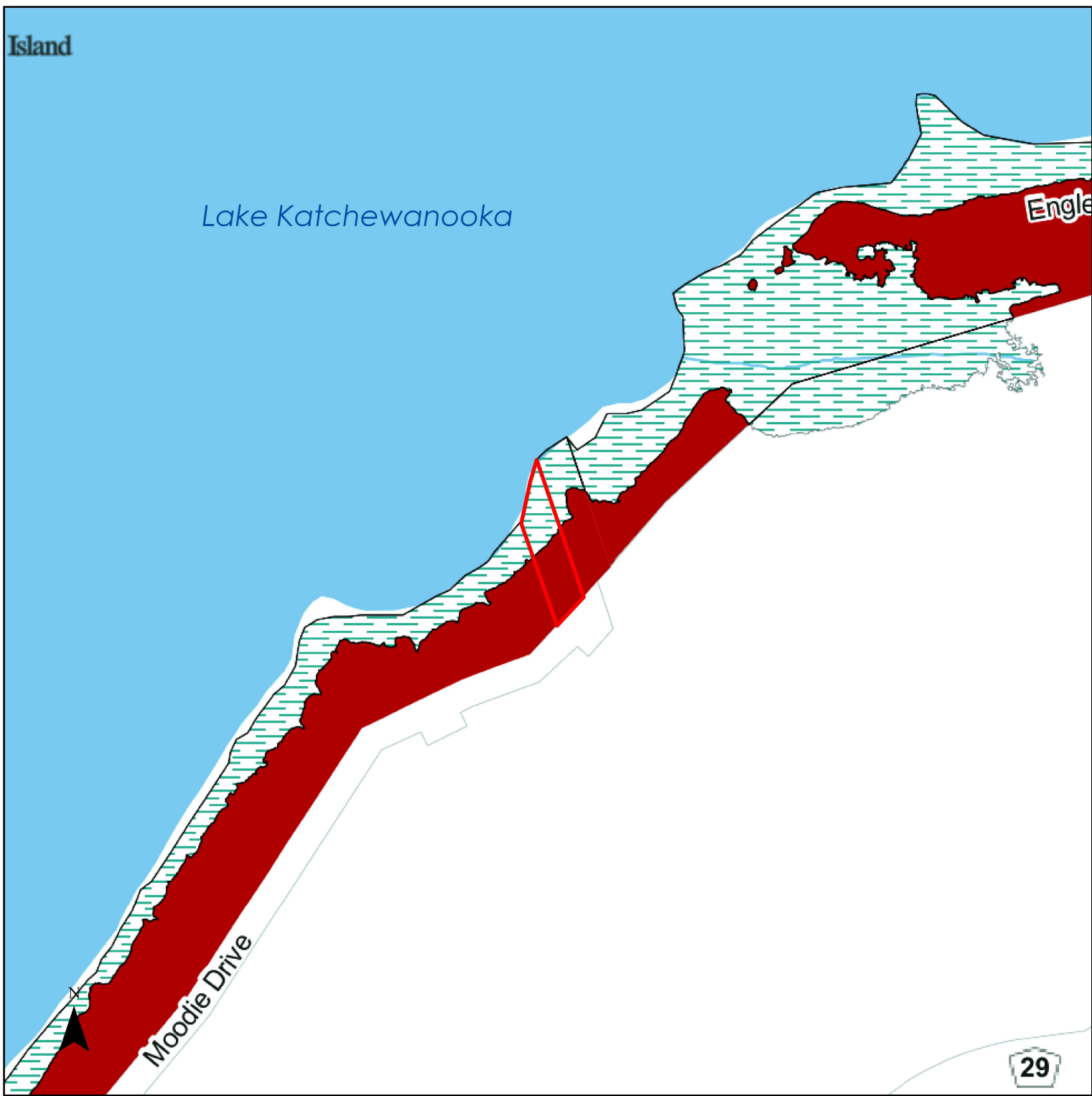
Shoreland: generally includes all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway and includes lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas;

Island

Lake Katchewanooka

Engle

Moodie Drive



OFFICIAL PLAN

1071 Moodie Drive
Township of Douro-Dummer

Figure 5

Legend

- Subject Property
- Designation**
- Environmental Constraint
- Rural
- Lakeshore Residential

No Scale

Data Sources

County of Peterborough GIS

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212



D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9

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

4.2.2 New County of Peterborough Official Plan, 2024

The subject property is designated 'Waterfront Residential' and located within the floodplain overlay on 'Map DD-4' of the New County of Peterborough Official Plan, 2024 (NCOP). Although the New County Official Plan, 2024 (NCOP), is not approved by the province yet, it was adopted by Township and County Council and provides key insight into key policy direction for the future growth of Peterborough County.

Waterfront Residential designation refers to lands contiguous to the shoreline of the County's waterbodies and watercourses that are developed in the form of permanent and seasonal residential uses or (S.4.1.4). Permitted uses include single-detached dwellings, low intensity recreational, bed and breakfast establishments, and home occupations (S.4.1.4.1). Development in this designation also includes 'resource-based recreational uses', which are functionally related to water resources (S.4.1.4.2.a)).

The floodplain overlay identifies areas of flooding and erosion within the County (S.6.4.1). Development is generally directed to areas outside of hazardous sites and hazardous lands, which are impacted by flooding hazards and/or erosion hazards (S.6.4.1.1). Section 6.4.1.3 of the NCOP prohibits development and site alteration within "areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard" and "a floodway regardless of whether the area of inundation contains high points of land not subject to flooding."

However, the NCOP permits development and site alteration in certain areas where "the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows" (S.6.4.1.5.b)).

In accordance with Section 9.4.2, a minimum 30-metre setback from the high water mark of all waterbodies is required where feasible. This setback is not applied in regard to permitted encroachments such as docks, boathouses, pumphouses and other marine facilities (S.9.4.4). Additionally, Lake Katchewanooka is not identified as an 'at-capacity' or sensitive waterbody as per Section 9.5 of the NCOP. Therefore, policies relating to recreational activities and development do not apply.

4.2.3 Township of Douro-Dummer Zoning By-law No. 10-1996

The subject property is zoned 'Shoreline Residential (SR)' on Schedule 'B3' of the Township of Douro-Dummer Zoning By-law No. 10-1996 (ZBL). Refer to **Figure 6 – Zoning By-law**.

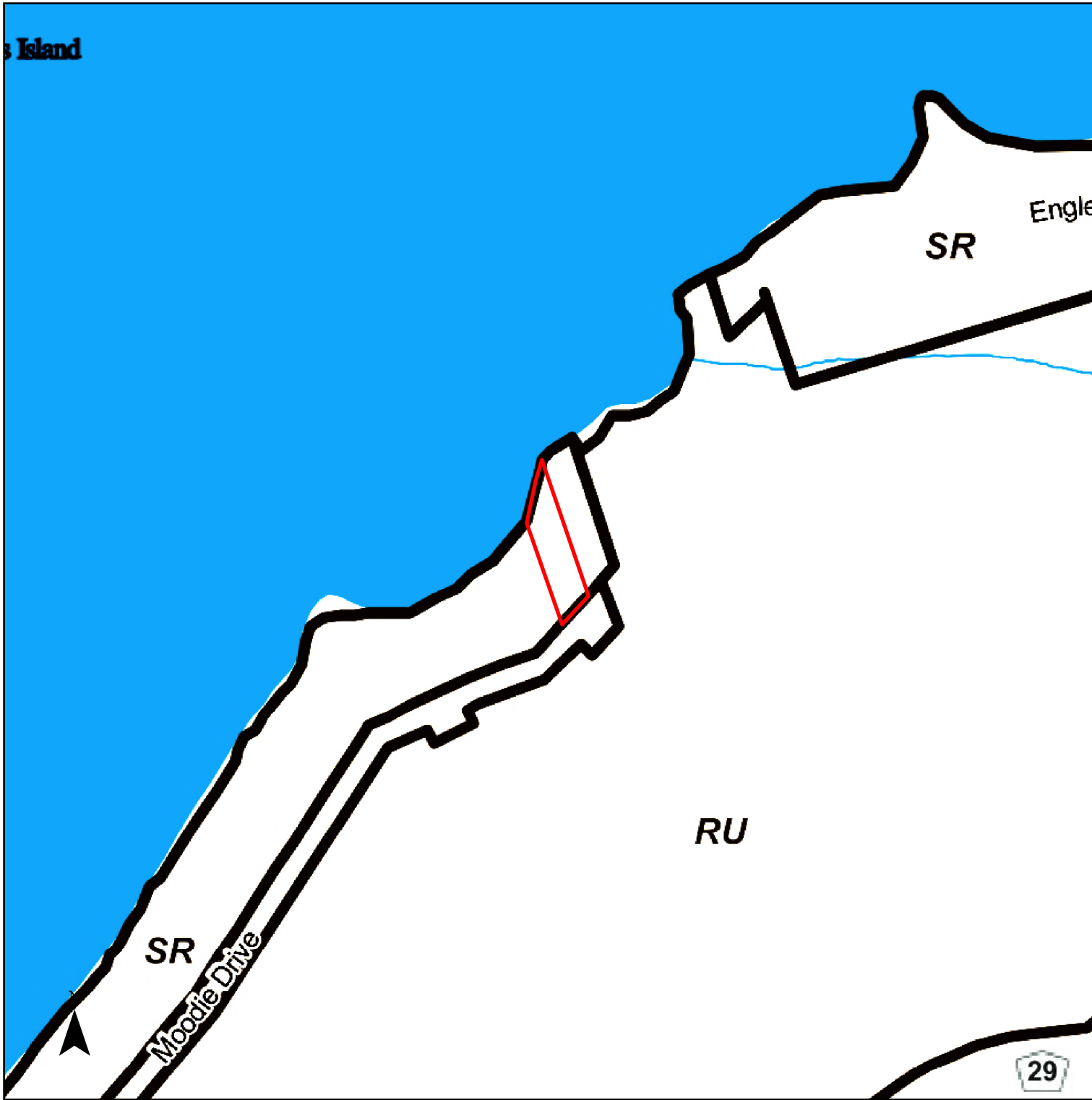
The SR zone permits the use of a single detached recreational dwelling, permanent single detached dwelling, Type 'A' home occupation and a secondary dwelling unit (S.6.1) on a lot providing for a minimum lot area of 4,050 m², road frontage of 60 metres and shoreline frontage of 60 metres (S.6.2.1). A residential use also requires a minimum of two parking spaces per dwelling unit (S.3.31.1).

The subject property is considered an existing undersized lot as per Section 3.11 of the ZBL and the existing dwelling benefits from a minor variance approved in 2019 for reduced side yard setbacks for the life of the structure and therefore, complies with the by-law.

The ZBL defines a 'boathouse or boat port' as a "*a single storey detached accessory building or structure designed and used to house, shelter, store or protect watercraft and/or related marine equipment; but shall not include any habitable space in or on the structure*" (S.22.23). A boathouse "*may be erected within a water yard to the surveyed property boundary or established high water mark in accordance with the following*:"

- a) *a maximum of one (1) boathouse, not exceeding a total area of 80 square metres shall be permitted on a lot;*
For clarity, there shall be no more than one boathouse associated with the primary use of the property.
- b) *Where the legal surveyed property boundary is not consistent with the established high-water mark; the lesser distance measured from either the high-water mark or property boundary to any part of a building or structure on the same lot shall prevail;*
- c) *the minimum setback to a side lot line shall be nine (9) metres;*
- d) *the height shall be measured from the established high-water mark; or in the case of an upland structure from the ground adjacent to the water yard;*
Notwithstanding any other provision of this By-law to the contrary; height shall be measured to the peak of the structure and shall not exceed 4.57 metres. A boathouse shall display a pitched roof design. No portion of the roof shall be of a flat roof design.
- e) *there shall be no decks, balconies or similar components attached or appurtenant to the structure;*
- f) *A boathouse or boat port shall be located entirely above the high-water mark.*
For clarity, a boathouse or boat port that extends over the bed of a lake or extends below the high-water mark shall not be permitted" (S.3.1.6).

Island



ZONING

1071 Moodie Drive
Township of Douro-Dummer

Figure 6

Legend

 Subject Property

Zoning

RU Rural

SR Shoreline Residential

No Scale

Data Sources

County of Peterborough GIS

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212



D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9

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

5.0 Planning Rationale

The following provides an analysis of the proposed Zoning Bylaw Amendment (ZBA) in the context of applicable provincial and municipal policy.

The zoning amendment is required to permit a 14.87 m² (160.06 ft²) accessory boat storage building and attached unenclosed 3.71 m² (39.93 ft²) deck within the Environmental Constraint Area designation associated with the shoreline of Lake Katchewanooka. The structure is accessory to an existing, single-detached dwelling, contains no habitable space and is intended for the storage of small watercraft and related recreational equipment. Its limited footprint, partially open design, and height of 4.15 metres (13.60 feet) will ensure that it remains subordinate to the principle dwelling and maintains the established waterfront character in the area.

From a provincial policy perspective, the proposal is consistent with the Provincial Planning Statement, 2024 (PPS), as required under Section 3 of the *Planning Act*. While the PPS directs development away from hazardous lands, it also provides flexibility where the effects and risks to public safety are minor, can be mitigated, and will not create or aggravate existing hazards. Section 5.2.3 of the PPS generally restricts development within flooding hazards, however, Section 5.2.5.b) provides an important exception. Permitting development within certain flood hazard areas where the *“development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.”*

The proposed boat storage building is a passive, non-habitable accessory structure that is functionally dependent on proximity to the shoreline. By its very nature, the storage of watercraft and recreational equipment must occur close to the waterbody where it is intended to be used. The building does not involve any fill placement, alteration of the existing grading, and is not anticipated to affect flood conveyance or storage of Lake Katchewanooka. Therefore, the proposal constitutes a minor, water-dependent development as contemplated by the PPS exception.

The PPS further recognizes that development may be permitted in flooding hazard areas where the effects and risks to public safety are marginal, can be mitigated in accordance with provincial standards, and where safe access is available. As previously noted, the proposed accessory structure will not have any habitable space and does not require vehicular access, emergency services, utilities, or year-round occupancy as a result. Therefore, it will not result in people being rendered inaccessible during flooding events, nor does it introduce a sensitive use prohibited under Section 5.2.6.

Furthermore, due to the undersized lot area and the on-site constraints, there is no logical or feasible location to develop outside of the floodplain. The subject property is a small, constrained waterfront lot that is largely captured within the mapped floodplain associated with Lake Katchewanooka. The existing dwelling and attached garage occupy the upland area or rear yard, with an access point to the water/front

yard from the driveway. The newer septic system occupies the only unencumbered location between the dwelling and the mapped floodplain. There is no other alternative location outside the floodplain that could appropriately accommodate the proposed accessory structure while also maintaining sufficient setbacks, access, and proximity to the shoreline.

The County of Peterborough Official Plan, 1994 (COP), designates the lands as both Lakeshore Residential and Environmental Constraint Areas. Section 4.1.3.2 precludes new development within floodways except where the development is limited to uses which by their nature must be located within the floodway, including flood and/or erosion control works or minor additions, or passive non-structural uses. This policy mirrors the PPS and reflects the recognition that certain water-dependent accessory structures cannot reasonably be placed outside the floodplain without undermining their function. The proposed structure is precisely such a use; it is accessory, small in scale, and functionally linked to the shoreline environment.

The Lakeshore Residential designation refers to shoreline areas for the development of permanent and seasonal dwellings or cottages (S.6.2.6) and promotes the preservation of naturally-vegetated shorelines, requiring a minimum setback of 30 metres from any lake or major watercourse (S.6.2.6.3.c)). A boathouse is permitted within the 30-metre setback of a lake or watercourse in the Lakeshore Residential designation provided that it is demonstrated there will be no negative impacts to the waterfront environment. Additionally, the proposed boathouse must meet the provisions of the Township Zoning By-law (S.6.2.6.3.c)).

Although Section 6.2.15 generally seeks to restrict buildings within Environmental Constraint areas, Policy 6.2.15.3.k) of the COP explicitly permits development where the Conservation Authority deems lands not hazardous or environmentally sensitive, subject to a ZBA and consistency with the adjacent land use designation. Through preconsultation, ORCA confirmed that while the proposed structure is located within the flooding hazard, it is exempt from a development permit due to its size and that no additional technical studies are required, thereby recognizing the minor nature of the proposal. ORCA further acknowledged that a site-specific zoning amendment with appropriate rationale would be an acceptable planning mechanism to bring the proposal into conformity with the COP. In this context, the proposal implements the flexibility contemplated by the COP while maintaining the overarching objective of protecting life, property, and environmental functions.

Although the New County Official Plan, 2024 (NCOP), is not approved by the province yet, it was adopted by Township and County Council and provides key insights into key policy direction for the intended future growth of Peterborough County. The NCOP designates the lands as Waterfront Residential with a floodplain overlay, similarly directing development away from hazardous lands but permitting limited forms of development where risks are minor and manageable. The proposed building is accessory, low intensity, and functionally related to the waterfront residential use. It does not extend below the high-water mark, does not constitute a major structural interference with the floodplain, and will not impede flood flows in the event of a significant storm event. Importantly, there is no feasible alternative location on the

property outside the mapped floodplain due to the lot size and configuration of existing development. The proposal represents a reasonable and proportionate use of the lands that is consistent with the character and use of the surrounding Waterfront Residential properties.

With respect to the characterization of the structure, the Township Zoning By-law No. 10-1996 (ZBL) defines a “boathouse or boat port” as a single-storey, detached accessory building or structure designed and used to house, shelter, store or protect watercraft and/or related marine equipment, and expressly excludes habitable space. The definition does not require physical attachment to the shoreline, a marine rail, or a boat slip. Nor does it require that the structure extend over or below the high-water mark to meet the definition. In fact, Section 3.1.6.f) specifically requires that a boathouse be located entirely above the high-water mark. The criterion for a boathouse is functional and that the building is designed and used for the storage and protection of marine watercraft. The proposed structure satisfies this definition in full. It is single storey, detached, accessory to primary residential use, and intended for the storage of small watercraft and related equipment for recreational use. The suggestion that a boathouse must be physically connected to the water via a marine rail or slip is not supported by the ZBL definition. From a land use planning perspective, classification must be grounded in the wording of the by-law, not in a narrower operational interpretation.

In conclusion, the proposed ZBA is consistent with the PPS and conforms to both the COP and NCOP. The structure qualifies as a boathouse within the meaning of the ZBL, is water-dependent by its nature, and falls within the express policy exceptions permitting small-scale, passive development within flood hazard areas. The development is minor in nature, clearly accessory to a permitted residential use, and appropriately scaled to the site. It does not introduce new or intensified risk within the floodplain. The development meets the intent of environmental and hazard management policies while allowing for reasonable use of privately-owned waterfront property. Therefore, the amendment represents good planning, balances public safety with reasonable waterfront uses.

6.0 Draft Amendment

6.1 Draft Zoning By-law Amendment

The proposed Zoning By-law Amendment will amend Schedule 'B3' of the Township of Douro-Dummer Zoning By-law No. 10-1996 and apply special regulations for permitted uses and relief from the general provisions. Refer to **Figure 7 – Proposed Zoning By-law Schedule**.

6.1.1 Draft Textual Amendment:

1. Schedule B3 to By-law No. 10-1996, as amended, is hereby further amended by changing the zone category on the property known municipally as 1071 Moodie Drive and more particularly described as Part of Lot 21, Concession 6 (Douro Ward), Lot 4, Plan 41 from the Shoreline Residential Zone (SR) to the Special District 269 Zone (S.D. 269) as shown on Schedule "A" attached hereto and forming part of this By-law.
2. Section 21 Special Districts is amended by the addition of subsection "21.269 Special District 269 Zone (S.D. 269)" immediately following subsection "21.268 Special District 268 Zone (S.D. 268)" which shall read as follows:

21.269 Special District 269 Zone (S.D. 269) – Roll No. 1522-010-001-38000

No person shall within any Special District 269 Zone (S.D. 269) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

21.269.1 Permitted Uses

21.269.1.1 All uses permitted in Section 6.1 of the Shoreline Residential Zone (SR) of By-law 10-1996, as amended.

21.269.2 Regulations for Permitted Uses

All regulations of Section 6.2 of the Shoreline Residential Zone (SR) of By-law 10-1996, as amended, shall apply with the following exceptions:



- a) Minimum Lot Area 2,165 m²
- b) Minimum Lot Frontage 27.94 m
- c) Minimum Shoreline Lot Frontage 42.50 m

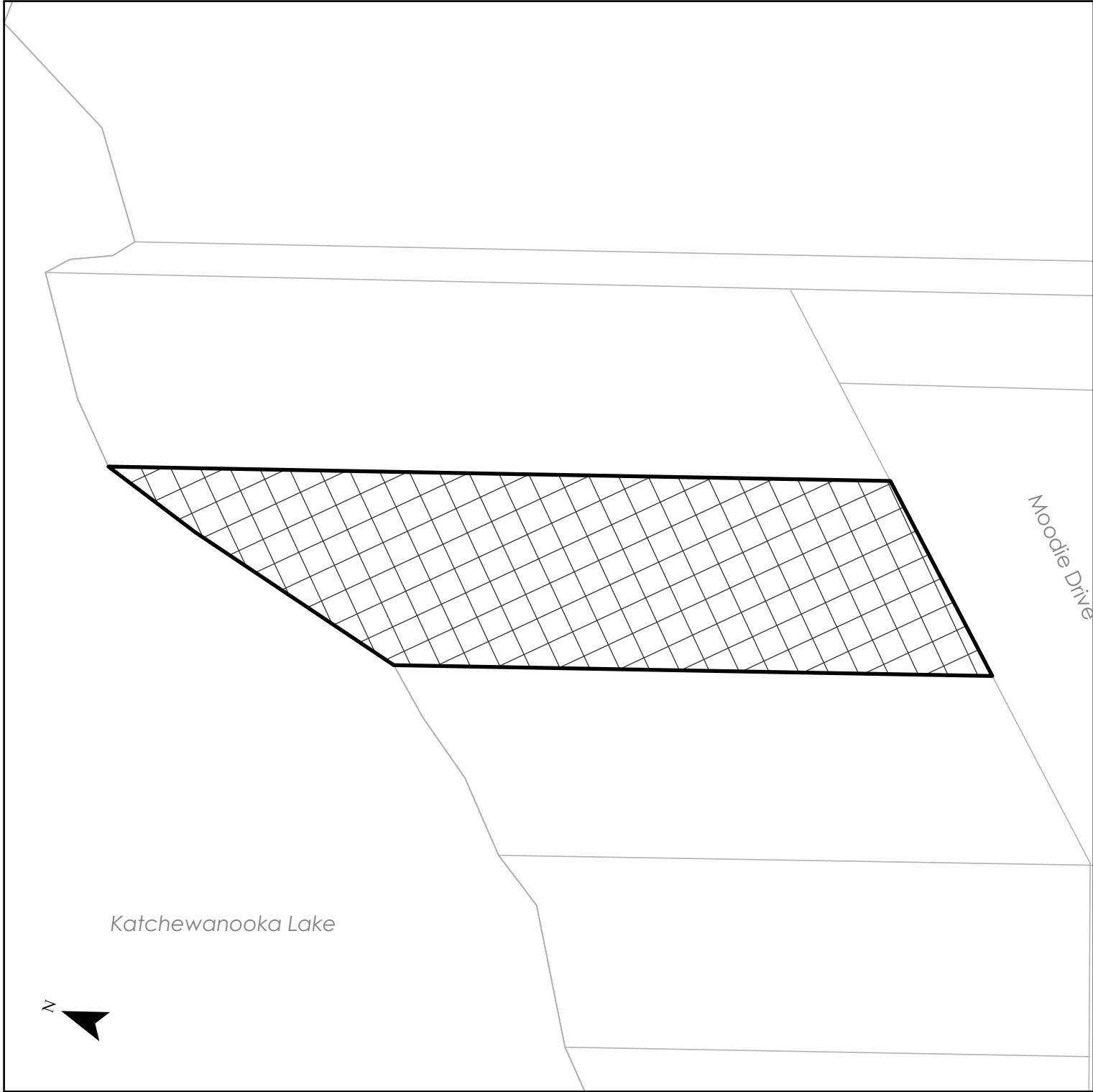
DRAFT ZONING BY-LAW

1071 Moodie Drive
Township of Douro-Dummer

Figure 7

Legend

-  Subject Property
-  Lands to be rezoned from 'Shoreline Residential (SR)' to 'Shoreline Residential XX (SR-XX)'




No Scale

Data Sources

Esri Canada

Created In:	ArcGIS
Drawn By:	MD
Checked By:	AT
Map Date:	November 2025
Project Number:	11212



D.M. Wills Associates Limited
150 Jameson Drive
Peterborough, Ontario
K9J 0B9
P. 705.742.2297
F. 705.748.9944
E. wills@dmwills.com

7.0 Closing

This report has been prepared in support of the ZBA application to facilitate the development of an accessory boathouse with an attached open deck within an Environmental Constraint Area associated with the flood plain of Lake Katchewanooka. Based on the background information and the foregoing review of the relevant policies, it is our opinion that the proposed amendment is consistent with and conforms to provincial and municipal policies and constitutes good planning.

Should you have any questions or wish to discuss this project further, please do not hesitate to contact the undersigned.

Respectfully Submitted,



Amanda Timmermans, B.A. (Hons)
Senior Land Use Planner

MD/AT/jh

Appendix A

Photographic Log



<p>Client Name: Thelma Flynn and Marc Moreau</p>	<p>Site Location: 1071 Moodie Drive Lakefield, ON K0L 2H0</p>
---	--

<p>Number: 1</p>
<p>Date: November 3, 2025</p>
<p>Direction: South</p>
<p>Description: Entrance and driveway looking towards Moodie Drive.</p>



<p>Number: 2</p>
<p>Date: November 3, 2025</p>
<p>Direction: West</p>
<p>Description: Driveway and garage entrance</p>



D.M. Wills Associates Limited

150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9

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

<p>Client Name: Thelma Flynn and Marc Moreau</p>	<p>Site Location: 1071 Moodie Drive Lakefield, ON K0L 2H0</p>
---	--

<p>Number: 3</p>
<p>Date: November 3, 2025</p>
<p>Direction: North</p>
<p>Description: Dwelling from the driveway / front yard.</p>



<p>Number: 4</p>
<p>Date: November 3, 2025</p>
<p>Direction: South</p>
<p>Description: Dwelling from the water yard.</p>



D.M. Wills Associates Limited

150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9

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

<p>Client Name: Thelma Flynn and Marc Moreau</p>	<p>Site Location: 1071 Moodie Drive Lakefield, ON K0L 2H0</p>
---	--

<p>Number: 5</p>
<p>Date: November 3, 2025</p>
<p>Direction: North</p>
<p>Description: Water yard.</p>



<p>Number: 6</p>
<p>Date: November 3, 2025</p>
<p>Direction: East</p>
<p>Description: Fence and trees abutting the eastern lot line.</p>



D.M. Wills Associates Limited

150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9

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

<p>Client Name: Thelma Flynn and Marc Moreau</p>	<p>Site Location: 1071 Moodie Drive Lakefield, ON K0L 2H0</p>
---	--

<p>Number: 7</p>
<p>Date: November 3, 2025</p>
<p>Direction: West</p>
<p>Description: Structures and trees abutting the western lot line.</p>



<p>Number: 8</p>
<p>Date: November 3, 2025</p>
<p>Direction: Northeast</p>
<p>Description: Shoreline frontage and dock on Buckhorn Lake.</p>



D.M. Wills Associates Limited

150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9

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

<p>Client Name: Thelma Flynn and Marc Moreau</p>	<p>Site Location: 1071 Moodie Drive Lakefield, ON K0L 2H0</p>
---	--

<p>Number: 9</p>
<p>Date: November 3, 2025</p>
<p>Direction: South</p>
<p>Description: Proposed boat shed.</p>



<p>Number: 10</p>
<p>Date: November 3, 2025</p>
<p>Direction: East</p>
<p>Description: Proposed boat shed.</p>



D.M. Wills Associates Limited

150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9

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

Appendix B

Pre-Consultation Notes



Notes from Pre-consultation Meeting

- Roll No.:** 1522-010-001-38000
- Zoning:** Shoreline Residential (SR)
- Official Plan Designation:** Lakeshore Residential, Environmental Constraint Area
- Meeting Date:** August 28, 2025
- In attendance:** Planner – Emily Fitzgerald
CBO – Don Helleman
Hiawatha FN – Tom Cowie
Owners/Applicants – Marc Moreau & Thelma Flynn
- Regrets:** ORCA – Marnie Guindon, Planning & Regulations Officer
County of Peterborough – Planning, Development & Public Works Staff

Proposal:

Based on the pre-consultation application, the property owners are proposing to construct a new boat storage building. Through discussion during the pre-consultation meeting, it is understood that the building is to function more as a gazebo with accessory storage for small watercraft (e.g., kayaks, canoes) and associated equipment (e.g., paddles, lifejackets, water toys, etc.). It is also understood that construction of the building is substantially complete and awareness of its noncompliance with the Zoning By-law arose once the Township received a complaint about the building.

Discussion:

The Owners provided a brief overview of the property and development underway.

The Planner identified the Official Plan designation and Zoning of the property. A substantial portion of the property is designated Environmental Constraint Area (ECA) under the Official Plan. The ECA designation corresponds to the mapped floodplain of Katchewanooka Lake.

The Planner explained that Official Plan policies generally prohibit development and site alteration on lands designated ECA; however, where the lands are deemed not hazardous or environmentally sensitive by the Conservation Authority, development may proceed in accordance with the adjacent land use designation (i.e., Lakeshore Residential), subject to an amendment to the Zoning By-law.

The Planner noted that the Planning & Regulations Officer from Otonabee Region Conservation Authority (ORCA) was unable to attend the meeting and did not provide comments due to technical difficulties with the circulation. The Planner noted that she would recirculate the pre-consultation application to ORCA and inquire as to whether

ORCA would support an exemption from the Official Plan policies prohibiting development in the ECA designation and confirm any additional application submission requirements or technical studies.

Tom Cowie of Hiawatha First Nation noted that given the minimal ground disturbance associated with the construction and that the ground disturbance has already occurred, an Archaeological Study is not required.

The CBO noted that a permit will be required for the gazebo. If construction materials and/or methods are outside of the OBC, as-built drawings must be stamped by a Professional Engineer.

The Planner noted that, if ORCA is supportive of the proposal, the Owners will be required to submit a Zoning By-law Amendment (ZBA) application to fulfill Official Plan policies regulating development in the ECA designation. A Planning Justification Brief will be required in support of the ZBA application to demonstrate that the development is in conformity with provincial and municipal policies and regulations and to justify the specific relief sought from the Zoning By-law. ORCA may have additional submission requirements.

The Owners inquired as to whether the Township could recommend a planning consultant. The Planner noted that the Township is unable to recommend a planning consultant but keeps a broad list of planning consultants around the Peterborough area. The Planner agreed to provide the list of planning consultants to the Owner after the pre-consultation meeting. It was recommended that the Owners wait to contact potential Planning Consultants until the pre-consultation notes have been prepared. This may assist the Planning Consultant in scoping the project appropriately.

The Owners inquired as to the process and timeline for application processing. The Planner noted that once the Owners and/or their Planning Consultant have prepared and submitted the application, the Township has 30 days to determine whether the application can be deemed complete. If so, the act of deeming complete begins the 90-day application processing timeline, during which a public meeting will be held, and Council will decide whether to approve the application. Following Council's decision is a 20-day appeal period. Building permit application preparation and submission can be done during the appeal period and review may begin during this time, but the permit cannot be issued until after the appeal period has expired and it is confirmed that no appeals have been filed.

Comments:

Planning Department:

Official Plan:

The subject property is designated Lakeshore Residential and Environmental Constraint Area in the Township's Official Plan. The portion of the property where the building is currently located is designated Environmental Constraint Area in accordance with the

mapped floodplain of Katchewanooka Lake. The Environmental Constraint Area designation generally prohibits development and site alteration (s. 6.2.15.3 a)), except for that which is necessary for flood or erosion control, landscape stabilization, or essential utilities.

Accessory structures related to recreational residential use are not considered to align with the permitted uses of the Environmental Constraint Area noted above unless they must locate within the flood hazard due to their nature (e.g., docks, pumphouses, boathouses with a wet slip or marine railway). A gazebo does not appear to meet this requirement and is not permitted as of right in the current location.

When lands designated Environmental Constraint Area are deemed not hazardous or environmentally sensitive by the Conservation Authority, development may be permitted in accordance with the adjacent land use designation, subject to an amendment to the Zoning By-law (s. 6.2.15.3 k)).

The adjacent land use designation is Lakeshore Residential. A gazebo is a permitted accessory use to a single detached permanent or recreational dwelling. Policies of the Lakeshore Residential designation generally require a 30-metre high-water mark setback for new buildings and structures; however, minor accessory structures as defined in the implementing Zoning By-law may be exempted (s. 6.2.6.3 c)).

Zoning By-Law:

The subject property is zoned Shoreline Residential (SR) in the Township of Douro-Dummer Comprehensive Zoning By-law No. 10-1996, as amended. A gazebo is a permitted accessory use to a single detached permanent or recreational dwelling.

Provincial Planning Statement (PPS, 2024):

Policy 4.6.2 of the PPS directs that planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

Section 5.2 of the PPS provides policies relating to Natural Hazards. Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards (s. 5.2.2). Development and site alteration shall not be permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding (s. 5.2.3 d)). Development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows (s. 5.2.5 b)).

Building Department:

Please refer to the comments noted in the discussion section above.

ORCA:

Did not attend the pre-consultation meeting but provided comments to the Planner afterward. It is ORCA's position that it would be inappropriate to apply Official Plan policy 6.2.15.3 k) given that the lands designated ECA are defined as hazardous lands under the Provincial Planning Statement (PPS) and that policy 5.2.3 under the PPS directs development outside of hazardous lands and floodplains.

MTO:

Did not attend or send comments. The Owners are advised that MTO will be circulated on any formal planning application.

County of Peterborough E&C:

Did not attend or send comments. The Owners are advised that County of Peterborough E&C will be circulated on any formal planning application.

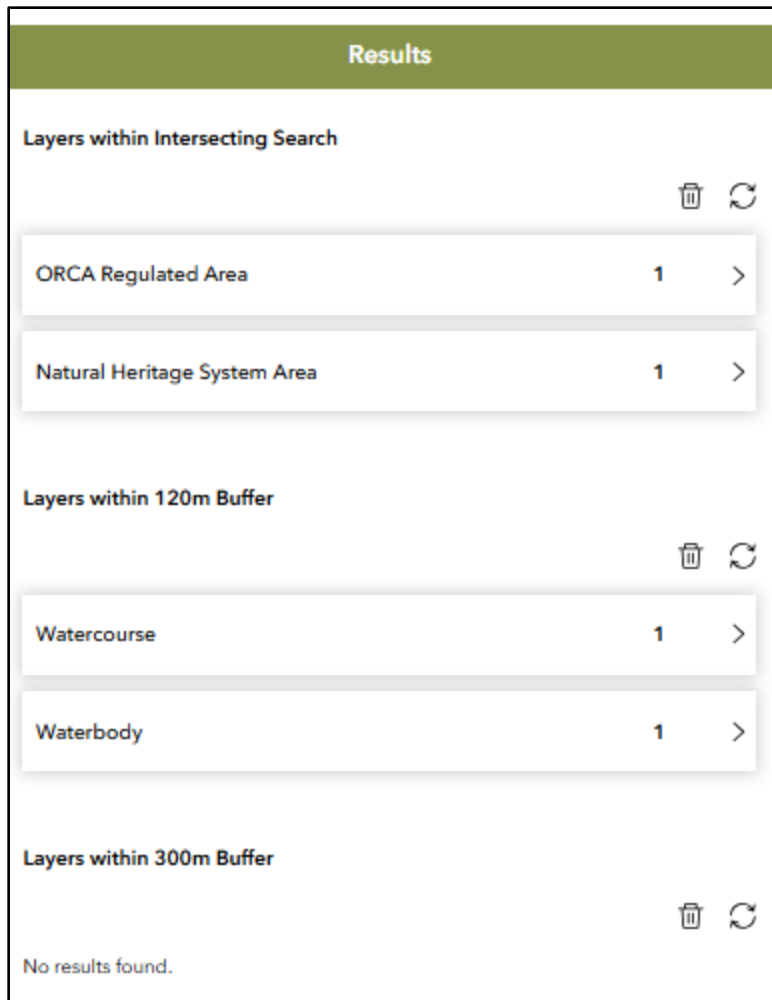
First Nation:

Tom Cowie attended the meeting on behalf of Hiawatha First Nation. An Archaeological Assessment is not required given the minimal ground disturbance and that said ground disturbance has already taken place. The Owners are advised that both Curve Lake First Nation and Hiawatha First Nation will be circulated on any formal planning application.

Trent Severn Waterway:

Did not attend or send comments. The Owner is advised that Trent Severn Waterway will be circulated on any formal planning application.

Planning Review Tool:



Please see checklist below regarding studies/reports that would be required. Where planning applications are required, a 'complete' application will include all technical reports/studies identified through the pre-con undertaken by a qualified professional and the corresponding reviews by the appropriate authority, agency and/or peer reviewers. Both the cost of the study and the peer review will be at the applicant's expense.

Pre-consultation Checklist for Development

- Servicing Options Report (for developer >5 units; letter or paragraph describing how developer arrived at servicing choice (i.e. private, communal, municipal) and why)) [Click or tap here to enter text.](#)
- Hydrogeological Studies to determine water quality and quantity and sewage servicing capabilities (in accordance with MOE guidelines and regulations) (If private individual systems are accepted, proponent to prepare a detailed hydro-g prior to planning approval. 95% of hydro-g's rec'd by MOEE are unacceptable) [Click or tap here to enter text.](#)

- Storm Water Management Plan** Click or tap here to enter text.
- Source Water Protection** (if in Vulnerable area, require RMO review – Terri Cox, Abigail Morkem, or HBM) Click or tap here to enter text.
- Market Analysis/Justification Study** Click or tap here to enter text.
- Environmental Impact Analysis** (when on a lake or river to determine impact on water quality, any shoreland development ≥ 25 lots or 50 or more tourist accommodation beds, wetlands, fish habitat (any development within 30 metres of the high water mark of all watercourses) wildlife, ANSI's etc.) Click or tap here to enter text.
- Archaeological Study** (known site; 3 or more new lots; on a watercourse, zba/opa for golf course)(if the site has already been fully disturbed and the location of the application is within the disturbed area then a study isn't usually required, same with projects that do not require excavation such as a slab on grade garage or addition Click or tap here to enter text.
- Planning Study/Analysis** **Planning Justification Report to be prepared by a qualified professional planner. Must demonstrate how the proposed development conforms to provincial and municipal policies and regulations and provide justification for relief sought from the provisions of the Zoning By-law.**
- Natural Resource Analysis** (aggregates, mineral non-aggregates, forests, etc.) Click or tap here to enter text.
- Noise Impact Study** Click or tap here to enter text.
- Traffic Study** Click or tap here to enter text.
- Agricultural Land Use Justification** Click or tap here to enter text.
- Review of Impact on Municipal/Other Services – fire, waste disposal, school busing, road conditions, etc.** (if the township requests) Click or tap here to enter text.
- Phase 1 Environmental Site Assessment** (generally for lands previously used for commercial and industrial uses) Click or tap here to enter text.
- Record of Site Condition** (converting from an commercial/industrial use to a sensitive (agricultural, residential, parkland or institutional) use) Click or tap here to enter text.

- Minimum Distance Separation Calculation (where barns exist within 1 km) Click or tap here to enter text.
- Peer Review Reimbursement Agreement Click or tap here to enter text.
- Official Plan Amendment \$2,975 <https://www.ptbocounty.ca/county-government/departments/planning-and-public-works/planning/official-plan/official-plan-amendments/>
- Minor Variance \$1610 <https://www.dourodummer.ca/en/planning-and-development/Minor-Variance-Application-01-2025---Fillable.pdf>
- Zoning By-law Amendment \$1685 <https://www.dourodummer.ca/en/planning-and-development/resources/Zoning-By-law-Amendment-Application-01-2025.pdf>
- ORCA Planning Review Fee <https://www.otonabeeconservation.com/permits-planning/review-of-planning-applications/planning-fees/>
- Development Deposit Click or tap here to enter text.
- Line of Credit Click or tap here to enter text.
- Preliminary Development Agreement for third party peer review of supporting studies fee \$1030 + \$5890 deposit

Appendix C

Meeting Minutes



Meeting Minutes – ORCA

Meeting Date:	December 11, 2025
Meeting Time:	1:00 PM
Recorder:	Michelle Duong
Meeting Location:	Zoom
Project Number:	25-11212-01

Requested Attendees

Amanda Timmermans	Intermediate Planner	Wills
Michelle Duong	Junior Planner	Wills
Marnie Guindon	Planning & Regulations Officer	ORCA
Donald Allin	Manager, Plan Review and Permitting Services	ORCA

Minutes

On December 11, 2025, Wills' Planner and Otonabee Region Conservation Authority (ORCA) staff engaged in further discussions regarding the proposed boatshed structure located at 1071 Moodie Drive, in the Township of Douro-Dummer, County of Peterborough.

A summary of the discussion is as follows:

- ORCA explained it does not provide a definition of a boathouse, however, they often reference wet slips or marine rails, as these are obvious construction elements that require the structure to be placed at a shoreline and within a flood hazard. In accordance with the PPS 5.2.5 b), the onus is on the applicant to demonstrate that it meets policy.
- Confirmed the location is within the mapped floodplain.
- If the structure is non-habitable and less than 15 m² no permits would be required from ORCA.
- No alternative location is feasible due to the undersized lot, location of existing septic system, well, and access around the house.
- ZBA with accompanying PJR making justification for location within the floodplain/flooding area and lack of feasibility of relocating the structure outside hazard area due to on-site constraints.

ORCA staff recommended the following changes to improve the proposal:

1. Staff inquired if changes could occur to the structure to alleviate the need for a Planning Act application
2. Clarify the description / nature of a 'boatshed' vs. 'boat house.'
3. Provide justification for why the structure must be situated along the shoreline as per the PPS.
4. Demonstrate that the flood storage capacity of the lake will not be negatively impacted.