



Planning Justification Report (March 2026) - Zoning By-law Amendment (ZBLA) Application 1182 Birchview Road, Township of Douro-Dummer

Introduction

This Planning Justification Report (PJR) has been prepared in support of a Zoning By-law Amendment (ZBLA) Application filed with the Township of Douro-Dummer Planning Department, regarding the residential waterfront property known municipally as 1182 Birchview Road.

The Property



The Property

(Source: County of Peterborough GIS Website, March 2026)

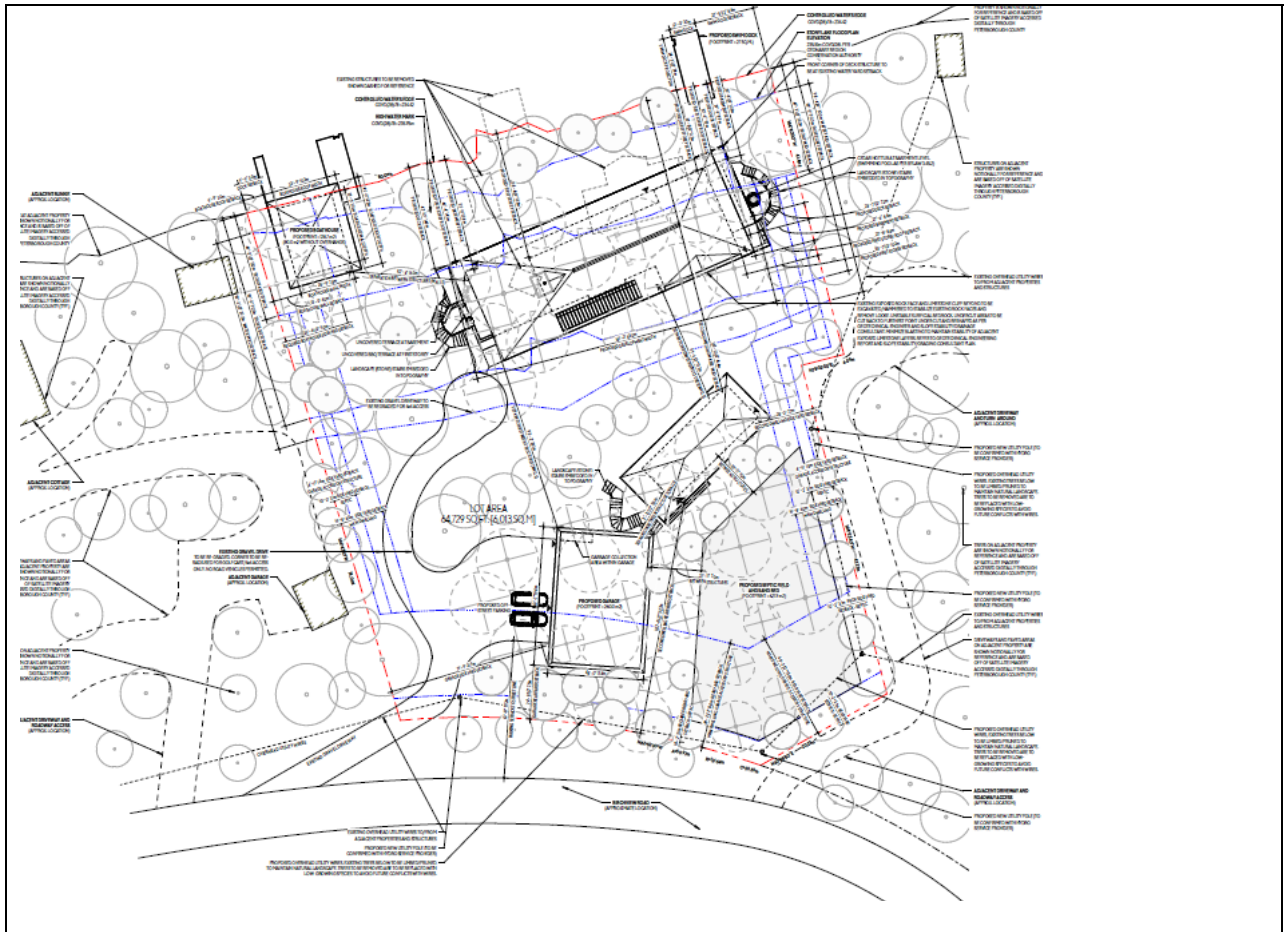
The property is located on the north side of Birchview Road, amongst a series of established waterfront residential properties. As developed, the property contains the following buildings and structures:

- a) Dwelling (Cottage), north part of the property;
- b) Boat House, north part of the property;

- c) Accessory Building (shed), north-mid part of the property; and
- d) Septic, northeast part of the property.

An overhead hydro line, serving the existing dwelling traverses the middle of the property from its southerly limit in a northerly diagonal direction to the rear of the existing dwelling. The overhead hydro line will be re-routed easterly and southerly to accommodate the proposed redevelopment of the property.

The Concept Plan



(Source: Akb Architects, February 2026)

The proposed re-development of the property is highlighted by the following buildings – structures and features:

- a) Replacement Dwelling, within the northern part of the property;
- b) Additional Dwelling Unit, mid-part of the property;

- c) Accessory Building (Garage) with a reconfigured driveway facility;
- d) Replacement (new) Septic Facility, within the south-east part of the property, having a considerably improved setback – 52 metres from the shoreline. The existing septic facility is located within the northeast part of the property in close proximity to the shoreline.
- e) Replacement Boathouse, within the north-west part of the property.

Development Summary

The lot area of the property is 6,013 square metres. The following table provides a summary of the proposed buildings:

Building Type	Building Area	Coverage
Principal Dwelling	534.9 square metres	8.9%
Detached Garage	260.8 square metres	4.34%
Additional Dwelling Unit	165.9 square metres	2.76%
Boathouse	128.5 square metres	2.14%

The existing septic facility is located to the east of the existing dwelling having a water-yard setback of approximately 4.5 metres. The proposed new septic has a water-yard setback of approximately 52 metres.

Pre-Consultation

The ZBLA Application was subject of a Pre-Consultation Meeting held August 28, 2025 (See Attachment 'G' for details). The Pre-Consultation Meeting identified specific studies – reports and plans – drawings to be prepared in support of the ZBLA Application, including:

- i. Planning Justification Report (PJR);
- ii. Slope Stability Analysis;
- iii. Archaeological Assessment, Stage 1 and 2;
- iv. Preliminary Grading Plan;

- v. Concept Plan, Survey and Preliminary Building Plans; and
- vi. Structural/Engineering Report.

The following is a summary of the fulfillment of the forgoing requirement:

Item	Source – Comments
PJR	KMD Planning Inc. In support of the ZBLA Application
Slope Stability Analysis	Cambium Inc. Addressed the redevelopment of the property, including the replacement dwelling – north part of the property.
Archaeological Assessment	Northeast Archaeological Associates Ltd. A Stage 1 and 2 Assessment, finding no archaeological attributes – assets.
Preliminary Grading Plan	Engage Engineering Preliminary Plan illustrating – confirming site grading, post – development scenario.
Concept Plan – Preliminary Building Plans	Akb Architects Included Concept Plan, Preliminary Landscaping Plan and Detailed Building Plans
Survey and Topographic Survey	JBF Surveyors Survey included existing structure and topographical details.
Structural Engineer Support	Jacob Lean Engineering A Structural Assessment of the existing cottage, confirming the overall poor condition of the building and its inability to be renovated.

Revisions were made of the proposed redevelopment program resulting in reductions in building areas, increasing the setback of the west side yard of the proposed house, with associated site design treatments – considerations.

I reviewed all reports – studies and plans – drawings for the purpose of the writing of this PJR and the ZBLA Application. Additionally, I worked closely with the Project Architect throughout the process leading up to and including the Pre-Consultation Meeting and throughout the organization/preparation of the PJ and ZBLA Application.

The Zoning By-law Amendment (ZBLA) Application

The following is a summary of the Zoning By-law Amendment Application.

To amend the current SR – Shoreline Residential zone, to SR – Shoreline Residential with a By-law Exception (# to be determined), to address the following regulatory provisions of the Township Zoning By-law.

1. Minimum Water Yard, to permit a Minimum Water Yard of 11.5 metres – main dwelling and 6.9 metres from the unenclosed deck of the main dwelling. It is noted that the existing dwelling has a water yard setback of 6.0 metres (ranging from 6.0 to 9.3 metres). It is also acknowledged that the existing dwelling is located outside of the established Floor Contour Elevation of 235.95 metres.

The proposed new dwelling is also located outside of the established Flood Contour Elevation.

In terms of main dwelling water yard setbacks, same range from 11.5 metres to 14.6 metres. Water yard setbacks from unenclosed deck features range from 6.9 to 14.6 metres, respectively.

2. Maximum Lateral Width of Expansion, to permit a lateral width of expansion of 192% of the existing structure.

The existing cottage dwelling has a width of 14.7 metres. The proposed new dwelling has a width of 43 metres.

3. Maximum Lot Coverage – Accessory Buildings, to permit a lot coverage of all accessory buildings, including the boathouse building, of 9.24%, comprised of the following:

- i. Garage – 260.8 square metres;

- ii. Additional Dwelling Unit – 165.9 square metres; and
- iii. Boathouse – 128.5 square metres.

The Total Building Coverage including the main dwelling and all accessory buildings is summarized as follows:

Main Dwelling 8.90% (539.9 square metres)

Accessory 9.24% (555.2 square metres)

Total: 18.14% (1,090.1 square metres)

It is acknowledged that the Township Zoning By-law permits a combined building coverage of 20% (main dwelling and accessory buildings).

4. Minimum West Side Yard – Boathouse, to permit a minimum west side yard of 4 metres for a boathouse and of 3 metres from the overhang of a boathouse.

The proposed boathouse will be located in the north-west part of the property having a proposed building setback from the west side lot of 4 metres from the west wall of said building.

There is an existing accessory structure (Bunkie – Sleeping Cabin) located west of the proposed boathouse, approximately 8.5 metres between this structure and the proposed boathouse.

5. Maximum Projection of Eaves of a Boathouse into a Side Yard, to permit an eave projection of 1.0 metre for a boathouse.

The proposed boathouse has a 1.0 metre eave overhang/projection along all sides of the building.

6. Minimum Setback – Accessory Structure (Garage Abutting a Street), to permit a minimum setback from a streetline (Birchview Road) of 7.5 metres for an Accessory Structure Garage.

The setback is associated with the south limit of the proposed garage and its distance from the Birchview Road streetline.

7. Maximum Building Height – Second Dwelling Unit, to permit a Maximum Building Height of a Second Dwelling Unit of 6.2 metres.

Analysis

2024 Provincial Planning Statement (2024 PPS)

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

Policy	Title, Details, Planning Opinion
2.3	Settlement Areas and Settlement Area Boundary Expansions
2.3.1	<p>General Policies for Settlement Areas</p> <p>1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.</p> <p>Opinion: The property does not form part of a designated settlement area.</p>
2.5	<p>Rural Areas in Municipalities</p> <p>1. Health, integrated and viable <i>rural areas</i> should be supported by:</p> <ul style="list-style-type: none">a) building upon rural character, and leveraging rural amenities and assets;d) using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently;g) conserving biodiversity and considering the ecological benefits provided by nature; <p>Opinion: The ZBLA Application seeks to permit the appropriate redevelopment of the property (replacement dwelling, replacement boathouse, an additional dwelling unit and detached garage), considerate of it's setting and relationship with the built environment, as well as area natural assets.</p>
	<p>2. In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.</p> <p>Opinion: The property does not form part of a designated rural</p>

	settlement area.
2.6	<p>Rural Lands in Municipalities</p> <p>1. On rural lands located in municipalities, permitted uses are:</p> <p>b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);</p> <p>c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;</p> <p>Opinion: A replacement dwelling and associated accessory structures/buildings are proposed on a property enjoying a resourced based setting (Clear Lake). The property is located within an area of established waterfront residential properties.</p>
	<p>2. Development that can be sustained by rural service levels should be promoted.</p> <p>Opinion: The property is currently developed and located in an area of several similar waterfront residential properties, which collectively are sustained by rural service levels. The same scenario will apply post redevelopment of the property.</p>
3.6	<p>Sewage, Water and Stormwater</p> <p>4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.</p> <p>Opinion: The property will continue to rely upon private water and waste-water services. This is commonplace for all area residential properties. A new septic facility is proposed to replace the existing facility located to the immediate east of the existing dwelling approximately 7.5 metres from the Clear Lake Shoreline.</p>

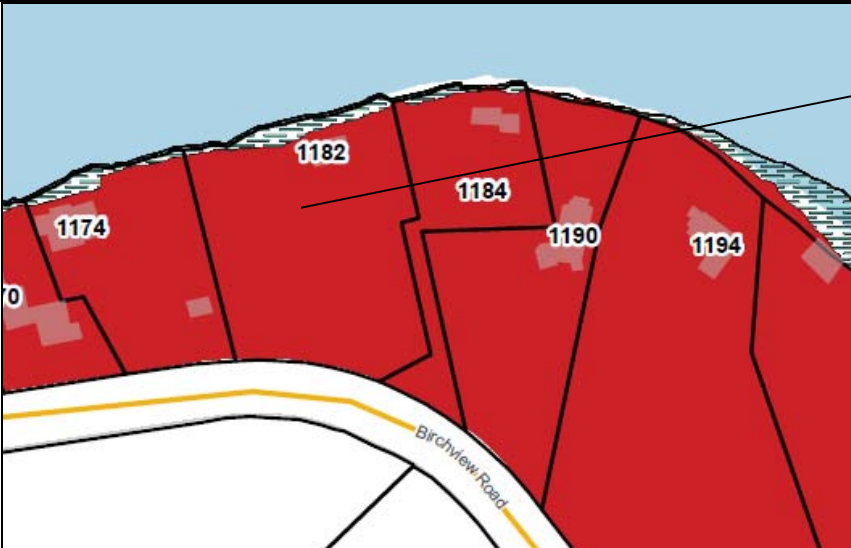
4.1	<p>7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.</p> <p>Opinion: No Environmental Report was required.</p>
4.6	<p>Cultural Heritage and Archaeology</p> <p>Planning authorities shall not permit <i>development</i> and <i>site alteration</i> on lands containing <i>archaeological resources</i> or <i>areas of archaeological potential</i> unless the <i>significant archaeological resources</i> have been <i>conserved</i>.</p> <p>Planning Opinion: The Archaeological Assessment Stage 1-2 Report completed in support of the ZBLA Application did not identify any archaeological attributes or assets.</p>

In summary, it is my Professional Planning Opinion that the Zoning By-law Amendment Application demonstrates consistency with the policy directives of the 2024 Provincial Planning Statement.

County of Peterborough Official Plan (COP)

For purposes of this PJR, I employed the Pre-July 2022 version of the County of Peterborough Official Plan (COP).

Official Plan Map Detail

	<p>The Property</p> <p>(Source: County of Peterborough Website, March 2026)</p>
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The property and the surrounding waterfront residential properties located on the north side of Birchview Road are designated as "Lakeshore Residential". The subject property also has a limited area of "Environmental Constraint Area" designation, along the north limit of the property.

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

Policy	Title, Details, Planning Opinion
4.1	<p>Natural Environment</p> <p>The County recognizes the important contribution that natural systems, natural heritage features and natural resources make to the social, economic, and environmental health of local municipalities. In this regard, the County has identified the following areas to ensure that the appropriate land use and resource management protection policies are applied to them.</p> <p>Planning Opinion: No Environmental Impact Report was required in support of the ZBLA Application.</p>
4.4	<p>Shoreland Areas and the Waterfront</p> <p>Shoreland Areas generally include all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway. Lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas are considered to be part of the Shoreland Areas. All lands that are less than 150 metres from shore but which do not physically or functionally relate to the Shoreland Areas are not considered to be part of the Shoreland Areas. The entire areas of islands are normally considered to be part of the Shoreland Areas.</p> <p>Planning Opinion: The property enjoys a waterfront setting on the south side of the Clear Lake shoreline.</p>
4.4.1	<p>Goal</p> <ul style="list-style-type: none"> • to improve and protect the waterfront areas in Peterborough County as a significant cultural, recreational, economic and natural environment resource and enhance land areas adjacent to the shore. <p>Planning Opinion: The proposed redevelopment of the property</p>

	<p>will not detract from the area natural environment. A comprehensive landscape plan has been prepared in support of the ZBLA Application, which when implemented will contribute positively to the natural context of the property.</p>
4.4.2	<p>Objectives</p> <ul style="list-style-type: none"> • to permit sustainable shoreland development that allows for limited growth of existing and new tourist developments and innovatively designed residential developments; • to ensure that the built form along the shoreline is not overly concentrated or dominating to the detriment of the natural form; <p>Planning Opinion: The property is currently developed for waterfront residential purposes. The proposed redevelopment scheme is respectful of the property’s relationship with the adjacent waterbody (Clear Lake). Moreover, the redevelopment is not an over-concentration of built form. The overall building coverage is reasonable and respectful of the topographical realities of the property.</p>
4.4.3	<p>Policies</p> <ul style="list-style-type: none"> • The character of Shoreland Areas is linked to the natural and built form associated with the lakes and rivers in the County. For the most part, the natural form includes vegetated shorelines with thin soils over bedrock. The built form includes predominantly residential development interspersed with some commercial developments including resorts and marinas. The Shoreland Areas are generally associated with leisure, recreation, water supply, support for fisheries and wildlife habitat. As such, development occurring in the Shoreland Areas should enhance and protect, where possible, those qualities that contribute to the area’s character; <p>Planning Opinion: The proposed redevelopment of the property demonstrates conformity with the policy provisions of Section 4.4.2.</p> <p>The re-development program represents an appropriate balance between both built and natural form.</p>
6.2.6	Lakeshore Residential
6.2.6.1	General Principles

	<p>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.</p>
<p>6.2.6.2</p>	<p>Permitted Uses</p> <p>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.</p> <p>Planning Opinion: The property is currently developed/used for residential purposes. The redevelopment scheme incorporates a replacement dwelling to be located within the north part of the property having an increased building water yard setback from Clear Lake.</p>
<p>6.2.6.3</p>	<p>Lakeshore Residential Policies</p> <p>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.</p> <p>b) The Township shall have regard to the following when considering an amendment to the Zoning By-law to permit a conversion:</p> <p>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.</p> <p>ii) The lot shall have adequate frontage and area as set out in the implementing Zoning By-law.</p> <p>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</p>

	<p>Ministry of the Environment.</p> <p>Planning Opinion: The property (replacement dwelling) can be appropriately served by private water (drilled well) and waste-water (septic) facilities. A new waste-water facility is proposed, located to the east of the proposed garage building. The new facility has a water yard setback of 52 metres.</p> <p>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</p> <p>Planning Opinion: The existing cottage/dwelling warrants replacement, as per the Structural Assessment Report. The proposed new dwelling in the northern part of the property, in the area of the existing dwelling and waste-water (septic) facility.</p> <p>It is noted that the water-yard setback is less than the standard 30 metres requirement.</p> <p>The replacement dwelling improves upon the existing water-yard setback.</p>
	<p>Permitted Exceptions</p> <p>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.).</p> <p>Planning Opinion: The existing dwelling structure is non-conforming in terms of its setback from the Shoreline of Clear Lake. The proposed replacement dwelling respects this water-yard setback context. It introduces a greater water yard setback of the majority of the replacement dwelling. It is acknowledged that the ZBLA Application seeks to increase a maximum permitted lateral width of the replacement dwelling.</p>

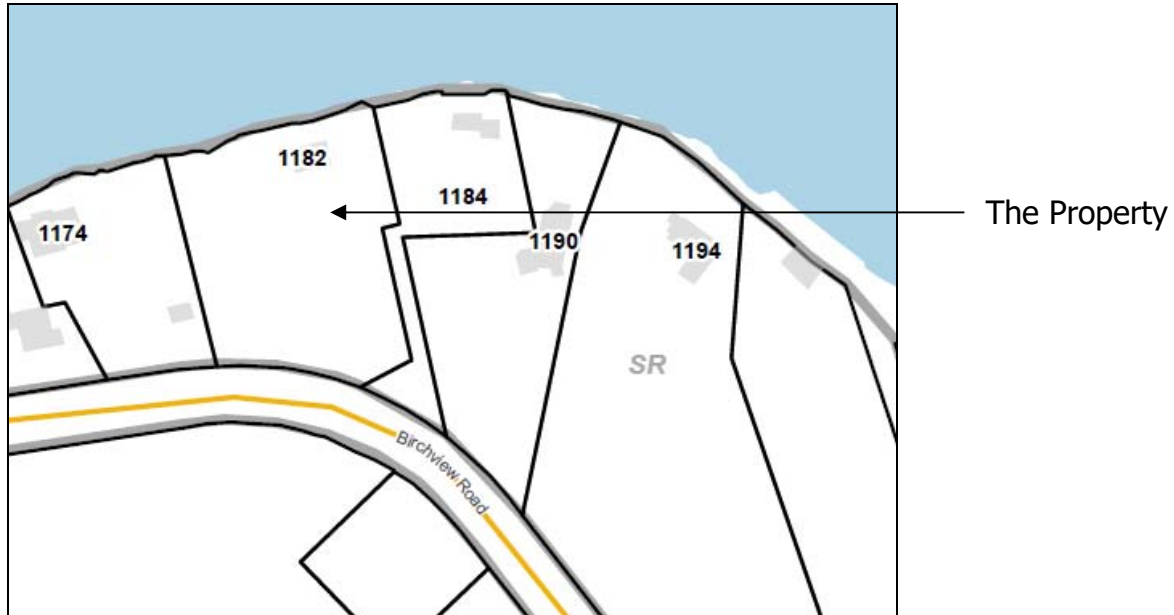
In summary, it is my Professional Planning Opinion that the Zoning By-law Amendment Application is in keeping with the policies of the Lakeshore

Residential designation of the County Official Plan, including relevant policies of the Lower Tier (Township of Douro-Dummer), respectively.

Township of Douro-Dummer Zoning By-law (TZBL)

The property is zoned SR - Shoreline Residential.

Zoning Map Detail



(Source: County of Peterborough Website, March 2026)

The SR – Shoreline Residential zone permits residential uses, both seasonal and permanent types and is commonly applied to waterfront residential properties along the north side of Birchview Road.

The Zoning By-law Amendment (ZBLA) Application

The ZBLA is required to permit the proposed replacement dwelling, an additional dwelling unit, garage and boathouse buildings.

The following is a summary of the Zoning By-law Amendment Application.

To amend the current SR – Shoreline Residential zone, to SR – Shoreline Residential with a By-law Exception (# to be determined), to address the following regulatory provisions of the Township Zoning By-law.

1. Minimum Water Yard, to permit a Minimum Water Yard of 11.5 metres – main dwelling and 6.9 metres from the unenclosed deck of the main dwelling. It is noted that the existing dwelling has a water yard setback of 6.0 metres (ranging from 6.0 to 9.3 metres). It is also acknowledged that the existing dwelling is located outside of the established Floor Contour Elevation of 235.95 metres.

The proposed new dwelling is also located outside of the established Flood Contour Elevation.

In terms of main dwelling water yard setbacks, same range from 11.5 metres to 14.6 metres. The water yard setbacks from the unenclosed deck features range from 6.9 to 14.6 metres, respectively.

2. Maximum Lateral Width of Expansion, to permit a lateral width of expansion of 192% of the existing structure.

The existing cottage dwelling has a width of 14.7 metres. The proposed new dwelling has a width of 43 metres.

3. Maximum Lot Coverage – Accessory Buildings, to permit a lot coverage of 9.23%, for all accessory buildings, including a boathouse building, comprised of the following:

- i. Detached Garage – 280.9 square metres;
- ii. Additional Dwelling Unit – 165.9 square metres; and
- iii. Boathouse – 128.5 square metres.

It is noted that the Total Building Coverage, including the main dwelling and all accessory buildings is 18.14%, summarized as follows:

Main Dwelling	8.90%	(534.9 square metres)
Accessory	9.24%	(555.2 square metres)
Total:	18.14%	(1,090.1 square metres)

It is acknowledged that the Township Zoning By-law permits a combined building coverage of 20% (main dwelling and accessory buildings), based upon the following:

- Main Dwelling – 15%; and
- Accessory Buildings – 5%.

The SR- Shoreline Residential zone permits a maximum building coverage of 15%. The By-law regulations do not differentiate between the main dwelling and an additional dwelling in terms of their maximum coverage or if the latter is considered an accessory dwelling for zoning regulatory purposes.

4. Minimum West Side Yard – Boathouse, to permit a minimum west side yard of 4 metres for a boathouse and of 3 metres from the overhang of a boathouse.

The proposed boathouse will be located in the north-west part of the property. The boathouse will have a proposed building setback from the west side lot line of 4 metres, as measured from the west wall of said building.

There is an existing accessory structure (Bunkie – Sleeping Cabin) located west of the proposed boathouse. This accessory building will be removed as part of the redevelopment of the property.

5. Maximum Projection of Eaves of a Boathouse into a Side Yard, to permit an eave projection of 1.0 metre for a boathouse.

The proposed boathouse has a 1.0 metre eave overhang/projection along all sides of the building.

6. Minimum Setback – Accessory Structure (Garage Abutting a Street), to permit a minimum setback from a streetline (Birchview Road) of 7.5 metres for an Accessory Structure (Garage).

The setback is associated with the south limit of the proposed garage and its distance from the Birchview Road streetline.

7. Maximum Building Height – Second Dwelling Unit, to permit a Maximum Building Height of a Second Dwelling Unit of 6.2 metres.

Analysis – Summary

The redevelopment program is comprehensive. A replacement dwelling, boathouse and waste-water facility are proposed. Additionally, the redevelopment program introduces an Additional Dwelling Unit and a detached Garage (Accessory Building).

The project development team has spent considerable time preparing, which strikes a necessary balance between natural and built form. The design elements of the main dwelling essentially blends into and with the natural topography of the property. Whilst said building has a greater width than the existing small-scale dwelling, it does not have a “bulk” of building massing as a consequence of building height. A greater building height is permitted by the regulatory provisions of the Township Zoning By-law. Rather than a 9 metre building height (2 storeys), the building program incorporates a lesser building height. The “overall” result of the forgoing is relevant in terms of how the proposed building relates to/with the natural context of the property.

The proposed Additional Dwelling Unit requires one (1) regulatory amendment; this being maximum building height. The modest increase in maximum building height is reasonable and is reflective of the overall building program – redevelopment of the property.

The proposed Garage (Accessory) Building requires one (1) regulatory amendment; this being the minimum setback of the building from the Birchview Road streetline. The south side of the proposed Garage building is 7.5 metres from the streetline, which is a reasonable building setback.

The proposed replacement Boathouse requires two (2) regulatory amendments

- a) Building Setback – west side lot line, reduce to 4 metres from the main dwelling and 3 metres from the roof overhang; and
- b) Projection of Eaves – permitting a 1 metre projection of eaves on all building sides.

Both regulatory amendments are reasonable and if approved, would not allow for an over-developed boathouse building.

Summary

It is my Professional Planning Opinion that the Zoning By-law Amendment Application is:

- In Conformity with the policy directives of the 2024 Provincial Planning Statement;
- In Keeping with the general purpose and intent of the policies and land use designations of the County of Peterborough Official Plan (July 2022 Version);
- In Keeping with the general purpose and intent of the regulatory provisions of the Township of Douro-Dummer Zoning By-law;
- Supported by the following Reports and Plans/Drawings:
 - i. Slope Stability Analysis;
 - ii. Archaeological Assessment, Stage 1 – 2 Report;
 - iii. Preliminary Grading Plan;
 - iv. Architectural Plans and property surveys; and
 - v. Structural Assessment Report.
- **Is Representative of Good Planning.**

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP