



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Planning Justification Report (November 2025) - Zoning By-law Amendment Application 694 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 694 Birchview Road.

The Property

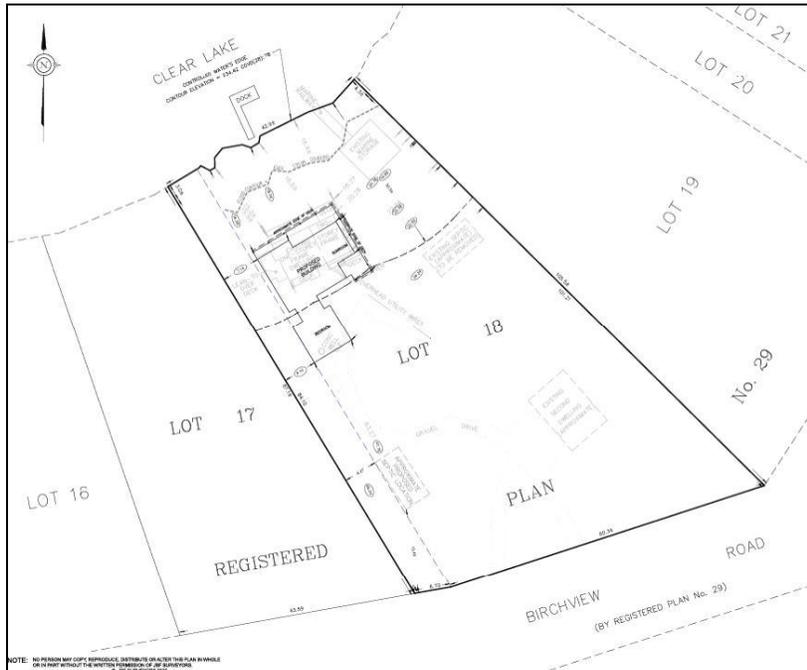


The Property

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

The property is located on the north side of Birchview Road, in an area of waterfront residential properties. The existing dwelling is located within the northern part of the property.

The Concept Plan



(Source: KMD Planning Inc, November 2025)

The ZBLA Application seeks to permit the replacement of the existing dwelling with a new dwelling to be located in the same area (generally) as the existing dwelling. All other built features will remain in place (land based and in-water).

The Zoning By-law Amendment (ZBLA) Application

The ZBLA is required to permit the replacement dwelling, which will not be located closer to the waterfront than the existing dwelling.

1. Section 6.2.6.3 – Existing Structures

Notwithstanding the provisions of Section 6.2.6.3 (Existing Structures) a replacement dwelling shall be permitted, as confirmed by the structural building report prepared by J.R Lean Engineering, providing the dwelling has a water-yard setback of 15 metres.

2. Section 6.2.1 (I)

Notwithstanding the provisions of Section 6.2.1 (I) the maximum building height shall be 9.67 metres (front of building – water-yard).

The replacement dwelling otherwise conforms with the regulatory provisions of Section 6.2.1 (Regulations for Permitted Uses – Shoreline Residential Zone).

Pre-Consultation

The ZBLA Application was subject of a Pre-Consultation – March 27, 2025 (See Attachment 'G' to this Report). The original concept development plan was modified, as reflected in the Concept Plans contained in Attachment 'E' to this Report.

The Pre-Consultation identified the requirement for three (3) background/technical Reports, all of which have been prepared in support of the ZBLA Application.

1. Environmental Impact Study – Sumac Environmental Consulting – September 2025

The EIS Report did not identify any environmental concerns as it would pertain to the proposed replacement dwelling. The series of Recommendations, as outlined in Section 8.2 (Recommendations) were offered, all of which can/will be implemented as part of the redevelopment process.

2. Archaeological Assessment Stage 1 - 2 – AMICK Consultants Limited, June 2025

The Archaeological Assessment Stage 1 -2 Report did not identify any archaeological resources – attributes. Additionally, the Assessment – Report has been filed with the Ministry of Citizenship and Multiculturalism (MCM) – June 24, 2025.

3. Structural Assessment Report

A Structural Assessment Report was prepared by Jacob R. Lean Engineering, which confirmed that the existing dwelling/building cannot be repaired or renovated to function as a permanent dwelling. Thus, a demolition of the existing dwelling can proceed.

Copies of the three (3) Reports are included as part of this PJR/ZBLA Application filing.

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

<p>2.3.1</p>	<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>
<p>2.5</p>	<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), 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 settlement area.</p>
<p>2.6</p>	<p>Rural Lands in Municipalities</p> <p>1. On rural lands located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> 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

	<p>and water services;</p> <p>Opinion: A replacement dwelling is proposed on a property enjoying a resourced based setting.</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 are sustained by rural service levels. The same scenario will apply post redevelopment.</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 common-place for all area residential properties.</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: The Sumac EIS Report did not identify any species-at-risk issues associated with the proposed redevelopment of the property.</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).

The property and the surrounding waterfront residential properties are designated as “Lakeshore Residential”.

Official Plan Map Detail



(Source: County of Peterborough Website, November 2025)

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>Opinion: The Sumac Environmental EIS Report confirmed that the proposed redevelopment of the property will not create an impact upon natural features, including the adjacent waterbody.</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.</p>

	<p>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>Opinion: The property enjoys a waterfront setting on the south part 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>Opinion: The proposed redevelopment of the property will not detract from the area natural environment – context, as per the Sumac Environmental EIS Report.</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>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. Moreover, the redevelopment is not an over-concentration of built form.</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

	<p>Areas should enhance and protect, where possible, those qualities that contribute to the area’s character;</p> <p>Opinion: The proposed redevelopment of the property demonstrates conformity with the policy provisions of Section 4.4.2.</p> <p>The limited development associated with the replacement dwelling, together with the general natural setting, as per the EIS Report recommendations will ensure a responsible and appropriate redevelopment form and approach.</p>
6.2.6	Lakeshore Residential
6.2.6.1	<p>General Principles</p> <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>
6.2.6.2	<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>Opinion: The property is currently developed/used for residential purposes. The redevelopment scheme incorporates a replacement dwelling to be located in the area of the existing dwelling.</p>
6.2.6.3	<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</p>

	<p>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 Ministry of the Environment.</p> <p>Opinion: The property (replacement dwelling) can be appropriately served by private water (drilled well) and wastewater (septic) facilities.</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>Opinion: The existing cottage/dwelling warrants replacement, as per the Structural Assessment Report. The proposed new dwelling is to be located in the same area of the existing cottage/dwelling.</p> <p>It is noted that the water-yard setback is less than the standard 30 metres requirement.</p> <p>The replacement dwelling respects the existing water-yard setback and represents a minimal disturbance to the property (only as it would relate to construction requirements).</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</p>

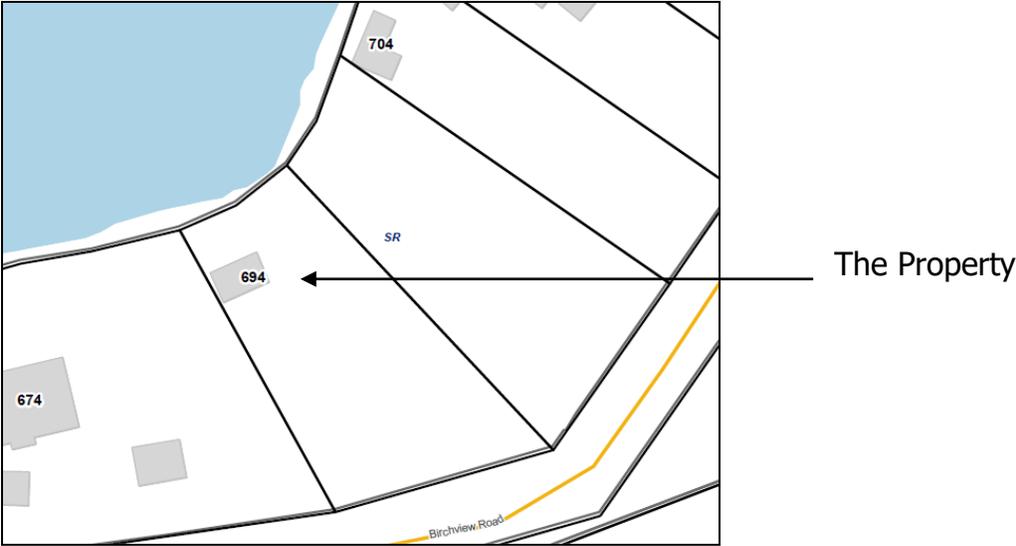
	<p>standards must be met (i.e. deck width, area, etc.).</p> <p>Opinion: The existing dwelling structure is non-conforming in terms of its setback from the Shoreline of Clear Lake. The proposed replacement dwelling respects this water-yard setback context.</p>
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In 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, November 2025)

The SR – Shoreline Residential zone permits residential uses, both seasonal and permanent types.

The Zoning By-law Amendment (ZBLA) Application

The ZBLA is required to permit the replacement dwelling, which will not be located closer to the waterfront than the existing dwelling.

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Notwithstanding the provisions of Section 6.2.6.3 (Existing Structures) a replacement dwelling shall be permitted, as confirmed by the structural building report prepared by J.R Lean Engineering, providing the dwelling has a water-yard setback of 15 metres.

2. Section 6.2.1 (I)

Notwithstanding the provisions of Section 6.2.1 (I) the maximum building height shall be 9.67 metres (front of building – water-yard).

The replacement dwelling otherwise conforms with the regulatory provisions of Section 6.2.1 (Regulations for Permitted Uses – Shoreline Residential Zone).

The proposed redevelopment otherwise conforms with regulatory provisions of the TZBL.

It is my Professional Planning Opinion that the Zoning By-law Amendment Application is in keeping with the general purpose and intent of the regulatory provisions of the Township of Douro-Dummer Zoning By-law.

Property Re-Development

The redevelopment of the property will adhere to the recommendations outlined in Section 8.2 of the EIS Report (Sumac).

Additionally, the redevelopment will be governed by the Building Permit and associated building construction process.

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:
 - i. Environmental Impact Study;
 - ii. Archaeological Assessment, Stage 1 – 2 Report; and
 - iii. Structural Assessment Report.
- **Is Representative of Good Planning.**

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP