



PLANNING AND URBAN DESIGN

23 December 2025

Emily Fitzgerald, Planner
Township of Douro-Dummer
894 South Street,
Warsaw, Ontario
P.O. Box 92

Attention: Emily Fitzgerald, Planner

Dear Ms. Fitzgerald

**RE: 1842 South Bayshore Road East – Official Plan
Amendment and Zoning By-law Amendment
Application Resubmission**
WND File No.: 25.519
File No.: 15OP-2511 and R-03-25

WND Associates has been retained by the Owner of 1842 South Bayshore Road East (the “Subject Site”) in the Township of Douro-Dummer with respect to the submission of concurrent Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) Applications (“the Applications”) for redevelopment of a proposed detached recreational dwelling.

The Subject Site is along the south shoreline of Stoney Lake and has an area of 7,952 square metres in an irregular and peninsula-like configuration. The Subject Site currently contains an existing single-storey detached recreational dwelling, an accessory boathouse and a wood frame shed structure. The existing dwelling is setback a minimum of 6.43 metres from the east water yard. The Subject Site is designated Lakeshore Residential in the County of Peterborough Official Plan. The Subject Site is zoned Limited Service Residential under the Township of Douro-Dummer’s Zoning By-law 10-1996.

OPA and ZBA Applications (the “Initial Application”) were submitted on 29 July 2025 and deemed complete on 22 August 2025 and 28 August 2025 by the County and Township respectively. The OPA was required relative to the 30-metre water yard setback provision in the County’s Official Plan. The ZBA was required relative to relief for water yard setback and height with respect to the Township’s Zoning By-law.

Initial Application

The Proposed Development, with respect to the Initial Application, includes the demolition of the existing single-storey recreational dwelling along with demolition of the existing wood frame shed. The existing boat house located along the north shoreline of the property is proposed to remain and no further expansion is proposed as part of the application.

The Proposed Development is two storeys with a height of 9.21 metres. The lot coverage is 5.69%. Taken together with the existing boat house the total lot coverage is 7.45% (well below the 15% permitted).

The first floor (282.04 square metres in area) contains a combination of living and bedroom areas along with the proposed garage (79.45 square metres). The first floor also contains a walk-out landscaped terrace in the northeast portion of the footprint, a smaller landscaped terrace in the south portion of the footprint and there is a landscaped terrace front porch at the entrance. The second floor is comprised of bedrooms, hallway and storage space and associated washrooms, and has a total floor area of 274.70 square metres. The Initial Application included a proposal to plant new native trees at a ratio of 5:1 for each tree proposed to be removed.

With respect to water yard setbacks, the Initial Application proposed the following pattern of minimum setbacks:

- **North:** 12.05 metres to 16.66 metres
- **East:** 11.81 metres to 14.0 metres
- **South:** 16.96 metres

Revised Application and Resubmission

The Revised Application proposes a new two-storey detached recreational dwelling having the same lot coverage footprint, height and interior floor area as the Initial Application. The Revised Application was prepared in consultation with the retained arborist and landscape architect's tree inventory and planting plan, prepared by Beyond the Post, and is coordinated with the revised Architectural Plans.

The objective of this coordination between the architect and landscape architect was in direct response to the comments received from the County and Township and is summarized as twofold:

1. To reduce tree removals required to implement the proposed recreational dwelling.
2. To determine the appropriate location and native species of new trees through the preparation of a tree inventory and planting plan and to document each of the required tree removals.

The landscape architect determined that if no revisions were made to the Initial Application, then six (6) tree removals would be necessary and several additional trees may be injured. The landscape architect and architect attended separate site visits to the Subject Site to survey the feasibility of adjusting the location of the dwelling's footprint to optimize tree preservation and to reduce the need to remove several mature trees located further towards the interior of the lot outside of the 30-metre water yard setback.

In preparation of this resubmission, and through this coordination, it was determined that moving the dwelling approximately one metre towards the interior of the lot and rotating the dwelling clockwise several degrees would reduce the "confirmed" tree removals from six (6) trees to three (3) trees (with two white pines, Tree #003 and Tree #018 marked as conditional preservation, or to be injured only with root sensitive construction techniques and arborist supervision during construction). Further, the septic tank's orientation within the 30-metre water yard setback was also revised in consultation with the

landscape architect such that it is in a location which is not anticipated to injure existing trees or their associated root base, which generally extends much further from the trunk for mature trees, such as Tree #037, an 83cm trunk diameter white pine, with a root base largely within the area of the property outside of the 30-metre water yard setback.

The Landscape Plans illustrate the existing tree canopy which is shown as a hatched overlay on the Tree Inventory and Planting Plan. Notwithstanding the septic tank and hydro transformer, the majority of the area of the property outside the 30-metre water yard setback is occupied by existing tree canopy and the associated root bases of trees, which would be inappropriate and unnecessary to remove for new development where the Revised Application presents a less impactful and more appropriate alternative location that reduces tree removals.

The Revised Application provides compensatory trees. In total, three (3) trees are confirmed to be removed and thirty (30) new native species are proposed through targeted tree planting arrangements primarily within the 30-metre water yard setback. To be conservative, the EIS references removal of three (3) to potentially five (5) trees (the two additional trees are noted as “to be confirmed” tree removals although the arborist and landscape architect recommends supervision during construction and root sensitive construction techniques for these two trees). If these two trees, while anticipated to be injured, are considered as removals, a 6:1 compensatory tree planting ratio is maintained, which exceeds the previously recommended compensatory tree planting ratio of 5:1.

Please refer to the Landscape Plan which identifies “confirmed” and “to be confirmed tree removals” and why they are referred to as such including a description of the two trees which are considered for injury.

The water yard setbacks have increased as a result of the westward shift and clockwise rotation of the dwelling and are now proposed as follows:

- **North:** 12.73 metres to 17.87 metres
- **East:** 13.75 metres to 17.40 metres
- **South:** 18.11 metres

Comments Received on Initial Application

The following provides a general summary of the comments received in October 2025 following circulation of the Initial Application (this list is not exhaustive and all comments letters are to be reviewed individually as made available to WND Associates):

- **County of Peterborough Engineering and Construction:**
 - “...The Engineering and Construction (E&C) Division of Planning, Development and Public Works (PDPW) Department for Peterborough County has no objections, comments or concerns with respect to this application...”
- **Otonabee Region Conservation Authority:**
 - “...Therefore, it is the opinion of Otonabee Conservation that the application is consistent with Chapter 5 of the Provincial Planning Statement (PPS), referencing Natural Hazards...”

- *“...The development as proposed does not appear to create new or aggravate existing hazards provided the recommendation noted on Dwg. 25-016 pertaining to the installation of double silt fence with silts in between, along the lake frontage is maintained and remains in position until the site is entirely stabilized...”*
- *“Permits from this agency are required prior to any site alteration (including demolition) or construction on the property.”*
- *“...It has been determined that the subject property is in the following vulnerable area(s) and SPP policies do not apply. The proposed development is not subject to review by the Risk Management Official and a Restricted Land Use Notice is not required. required. • Intake Protection Zone 3 (low and/or moderate threats may be possible) • Highly Vulnerable Aquifer...”*
- **Enbridge:**
 - *“...Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.”*
- **Kawartha Pine Ridge District School Board:**
 - *“...Please accept this as a formal response from Kawartha Pine Ridge District School Board (KPR). KPR has completed a review of the applications, and it is our understanding that the application are intended to allow the establishment of a new seasonal cottage within the 30- metre water setback. KPR has reviewed the application and has not identified any concerns or issues related to our mandate with the proposed amendments...”*

Stantec Peer Review of Environmental Impact Statement

The Township retained the services of Stantec to peer review the Environmental Impact Statement (EIS) prepared by Oakridge Environmental (ORE). On 10 October 2025 Stantec issued comments on the EIS. The enclosed resubmission includes a revised EIS prepared by ORE in response to each of the comments received by Stantec.

Township of Douro-Dummer Planning Comments

Comments were received from the Township Planner on 6 October 2025. Through telephone and email correspondence with the County Planner, it was confirmed that these comments were coordinated between County and Township Planning Staff. A response to each of the comments received is provided in the table below:

Comment No.	Comment	Response
A-1	Architectural Drawing Set does not include a foundation plan. Additional information regarding the foundation is required to determine how the landscaped	The Revised Architectural Plans include a Foundation Plan (Plan A5).

Comment No.	Comment	Response
	terraces will be defined and regulated.	
SP-1	Site Plan does not provide a northern water yard setback to the existing dwelling.	The minimum northern water yard setbacks for the existing dwelling are shown on Plan A0.1.
SP-2	Site Plan does not provide a southern water yard setback to the existing dwelling.	The minimum southern water yard setbacks for the existing dwelling are shown on Plan A0.1.
SP-3	Site Plan does not provide setbacks to lot lines and structures for the proposed septic system.	The septic tank is setback 25 metres from the proposed dwelling. Please refer to Plan A0.
PRR-1	Section 3.3 of the Planning Rationale Report outlines other area properties in which to facilitate the demolition and replacement of the former dwellings, Planning Act applications (Minor Variance or Zoning By-law Amendment) were required. All examples provided either maintain or slightly improve the deficient water setbacks. Both 1604 Julia's Creek Road West and 1442 Miles Shore Road East were replaced generally within the same footprint. The building footprint of the new dwelling at 1304 Whetung Road was significantly expanded; however, the deficient water setbacks to the northern shoreline were not further reduced, and the southern wing of the new dwelling is located outside of the required 30-metre water setback to the western shoreline. The examples do not appear to reflect the subject development proposal given the expanded footprint and water yard encroachments.	<p>The examples were provided to demonstrate that new development, and not just expansion of legal non-conforming footprints, occurs along Stoney Lake within the 30-metre water yard setback.</p> <p>The examples were not provided to telegraph site-specific standards from one property onto the Subject Site.</p> <p>The examples were intended to illustrate that the Proposed Development is not the first of its kind to seek relief from the 30-metre water yard setback provision along Stoney Lake's shoreline. The Proposed Development fits harmoniously within the overall context of a rural recreational shoreline as demonstrated by the enclosed architectural renderings.</p>
PRR-2	Section 4.2 of the Planning Rationale Report notes that it is not possible to locate the dwelling closer towards the interior of the lot	There are several site and context-specific considerations relative to why it would not be appropriate to locate the dwelling towards the

Comment No.	Comment	Response
	<p>due to the location of the proposed septic system. Provide setbacks to septic system on the site plan as per comment SP-3 to support this statement.</p>	<p>interior of the lot. To supplement the Planning Rationale Report, these considerations include:</p> <ol style="list-style-type: none"><li data-bbox="861 523 1449 692">1. The septic tank is proposed to be located fully outside of the 30-metre water yard setback in a location which has already determined acceptable by ORCA Staff. No OPA or ZBA relief is required for the septic tank.<li data-bbox="861 734 1449 840">2. There is an existing hydro transformer located at the interior of the property outside of the 30-metre water yard setback.<li data-bbox="861 882 1449 1410">3. The location of the dwelling through the Revised Application has been optimized with input from the landscape architect to limit tree removals. The interior of the lot contains several mature trees which provide an important ecological function. All of which are proposed to remain (some of which are quite mature such as tree #37, a white pine, classified as good condition by the arborist, with an 83cm trunk diameter). This tree is proposed to be preserved through the Revised Application and its root base is considered by the arborist to extend significantly throughout the interior of the lot given the age of the tree.<li data-bbox="910 1453 1449 1769">4. It is more appropriate to redevelop the portion of the property as proposed which is primarily an existing manicured lawn, gravel driveway and partially within the same footprint of the existing dwelling (all of which provide a lesser ecological function than the portion of the lot located towards the interior which contains significantly more existing trees).<li data-bbox="861 1812 1449 1900">4. The dwelling is proposed in a location where it is directed away from the side yards of adjacent landowners and where no removals

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		<p>or pruning of boundary trees are necessary. In a rural recreational waterfront setting, this is a relevant consideration to avoid visual, noise, light and other disturbances which are buffered in a waterfront context by the tree canopy and associated vegetation between properties.</p> <p>In our opinion, and with respect to this particular response, the Revised Application has regard for all relevant matters of Provincial Interest under S. 2 of the Planning Act., which Council must have regard for in exercising its authority under the Planning Act: (a), (d), (e), (h), (n), (o), (p), (r).</p> <p>5. The location of the proposed dwelling and targeted clusters of new trees has been coordinated with respect to the (e), the conservation of energy, which is a matter of Provincial Interest. The Revised Application locates the dwelling where shade is optimized during the summer months to reduce consumption of energy for cooling.</p> <p>Please refer to the Revised EIS which is to be read concurrently to this letter.</p>
PRR-3	<p>Section 5.3 of the Planning Rationale Report provides justification in response to policy section 6.2.6.3 c). Within this policy section, “general” applies only to lots created subsequent to OPA No. 3 coming into effect (October 22, 2008). The response letter to the OPA/ZBA Application Completeness Review notes that the property has been in use for recreational residential purposes since approximately 1965. Given that the property has been consistently used</p>	<p>In our opinion, both the General policies and the Permitted Exception policies must be read as a whole.</p> <p>The first sentence of the underlined General sub-heading of 6.2.6.3c) applies to all properties in the Lakeshore Residential land use designation. It is this discrete policy objective which outlines the overall intent of a water yard setback to the reader. The second sentence in this paragraph, starting with “In this regard” introduces a more-specific topic related to new lot creation, which is linked to this earlier general policy. Following which, the reader is introduced to an underlined Permitted Exception sub-heading which cannot be read in isolation of the</p>

Comment No.	Comment	Response
	<p>and developed for recreational residential purposes since prior to October 22, 2008, the “permitted exceptions” paragraph is the appropriate portion of policy section 6.2.6.3 c) to address. Further rationale must be provided for the enlargement and further encroachments into the northern and southern water yards.</p>	<p>General policies as it is an exception to what was just introduced to the reader. Further, the next two sub-headings relate to Vacant Lots and Existing Structures.</p> <p>Over 90% of the Subject Site is located in the 30-metre water yard setback due to its peninsula-like shape.</p> <p>The Revised Application demonstrates, both qualitatively and quantitatively, that the General policy objectives of preservation of a naturally vegetated shoreline, reduction of visual impact and maintaining wildlife habitat can be furthered with the development of a new recreational dwelling within the 30-metre water yard setback.</p> <p>The Revised EIS included with this resubmission concludes no environmental impacts of the development and considers the 30 compensatory native trees proposed as providing net overall habitat benefits through significantly improving upon shoreline habitat where manicured lawn space exists today. A relevant excerpt from the EIS which demonstrates the furtherance of the policy objectives of Section 6.2.6.3 c) is as follows: <i>“...the planting of native trees and vegetation on a highly disturbed open property would benefit the turtles/wildlife associated with the lake/PSW.”</i></p>
PRR-3	<p>Section 5.4 of the Planning Rationale Report discusses the specific relief the ZBA application is requesting from the Zoning By-law. In addition to a reduced eastern water setback, the application also proposes reduced water setbacks in the northerly and southerly directions. Provide justification for the requested deviations from the zoning regulations (water setbacks and height).</p>	<p>Rationale for the reduced northern and southern water yard setbacks was included within the Planning Rationale Report.</p> <p>The Planning Rationale Report was to be read together with the EIS prepared by ORE. The EIS Addendum should be reviewed concurrently with which concludes a net overall habitat benefit from the proposed tree planting and no unmitigable environmental impacts as a result of the Revised Application or its footprint.</p>

Comment No.	Comment	Response
		<p>The Stantec peer review did not include any contrary evidence to EIS's conclusions relative to an analytical and quantifiable measure of adverse impact relative to the north, east and south water yard setbacks proposed. ORCA Staff have also reviewed the Application and determined that it is consistent with the 2024 Provincial Planning Statement and have no objections. We kindly request that municipal Staff review materials concurrently as the conclusions of consultants are coordinated between the various reports and plans.</p> <p>With respect to the relief proposed in the site-specific ZBA for an additional 21cm of height (9.0 metres is permitted and 9.21 metres is proposed), we have included renderings prepared in coordination between the architect and landscape architect.</p> <p>The 21cm additional height is required for a small roof ridge which is a result of maintaining a rational and well-designed traditional roof plan with consistent roof slopes which fits harmoniously within the context of other rooflines observed from other recreational dwellings along Stoney Lake.</p> <p>The renderings include the proposed new trees which provide appropriate screening. In our opinion, the additional 21cm of height is appropriately screened by existing and proposed trees and represents visually a near unrecognizable difference to what is permitted as-of-right when viewed from a distance on Stoney Lake or from neighbouring properties.</p>
sEIS-1	Section 12.0 of the sEIS recommends compensatory plantings in the water yards to protect and improve the shoreline area. Staff will be recommending that a Holding (H) Provision be placed on the zoning which requires the preparation of a compensatory	Please refer to the enclosed tree inventory and planting plan included within the Landscape Plans. This work has been advanced with the enclosed resubmission.

Comment No.	Comment	Response
	tree planting plan to the satisfaction of the Township.	
sEIS-2	Section 12.0 of the sEIS outlines a variety of recommendations to ensure the proposed development and use of the property do not result in any negative impacts to the adjacent waterbody and natural heritage features. Staff will be recommending that a Holding (H) Provision be placed on the zoning requiring that the Owner enter into a mitigation measures agreement with the Township.	Noted.

Enclosed Resubmission

The following revised studies and plans are enclosed with this digital resubmission of the OPA and ZBA Applications:

1. Cover Letter, prepared by WND Associates, dated December 23, 2025;
2. Draft Official Plan Amendment, prepared by WND Associates, dated December 23, 2025;
3. Draft Zoning By-law Amendment, prepared by WND Associates, dated December 23, 2025;
4. Revised Architectural Plans, prepared by Jason Cutajar Architectural Design, dated December 15, 2025;
5. Renderings, prepared by Jason Cutajar Architect Design, dated December 15, 2025;
6. Landscape Plans, prepared by Beyond the Post, dated December 15, 2025;
7. Revised Lot Grading and Drainage Plan, prepared by SiteplanTech, dated December 6, 2025; and,
8. Revised Environmental Impact Statement and Responses to Peer Review, dated December 16, 2025.

We trust the foregoing resubmission of the OPA and ZBA Applications sufficiently addresses comments received from the County and Township's Planning Departments and the Township's peer reviewer, Stantec.

It is our respectful submission that the OPA and ZBA, the Revised Application, the increased setbacks proposed and compensatory tree planting i) has regard for matters of Provincial Interest under S. 2 of the Planning Act, ii) is consistent with the 2024 PPS, iii) conforms to, and/ or maintains the intent of, to the County's Official Plan, when read as a whole, including to both the general and permitted exception policies of the Lakeshore Residential land use designation, and iv) is in the public interest and represents good planning.

Moreover, in our opinion, the OPA and ZBA, as revised and summarized through the EIS, with associated tree planting proposed, providing a net habitat function benefit to the property, and furthers the broad based policy objectives of the Official Plan relative to waterfront areas (Policy Sections 4.4.1, 4.4.2 and 4.4.3) and the Lakeshore Residential land use designation (Policy Chapter 6.2.6).

The OPA Application is required to seek relief from the 30-metre water yard setback policy of the Official Plan. As it has been demonstrated by the Initial Application, and the supplementary reports and plans provided in this resubmission of the Revised Application, the overall vision and objectives for development in waterfront areas and in the Lakeshore Residential land use designation, can be achieved and furthered through a development which seeks relief from the numeric 30-metre provision. As has been held by the Ontario Land Tribunal in numerous decisions, Official Plans should be flexible documents setting out general policy and are not intended to be prescriptive in their application.¹

We look forward to continuing to work amicably with County and Township Planning Staff on Draft OPA and ZBA instruments to implement the Proposed Development. We would be pleased to meet to discuss an appropriate Holding Provision for the ZBA or other targeted site plan conditions at the permit stage relative to securing the proposed tree planting, construction mitigation and other site improvements recommended by our client's technical consultants.

We kindly request that the Applications, and associated Staff Reports, are scheduled on the next available County and Township Council meeting dates in 2026 following 30 days of circulation of this resubmission in January 2026 to municipal and agency Staff.

Yours very truly,

WND associates
planning + urban design



Kevin McKrow, MCIP, RPP
Senior Planner

¹ [2072231 Ontario Limited v. The Corporation of the City of London, 2020 ONSC 4032 \(CanLII\)](#)
