

December 16th, 2025

618-1888 Bayview Avenue
Toronto, Ontario
M4G 0A7

Attention: **Cheryl Cowie**

Re: Response to Peer Review, *Scoped Environmental Impact Study (sEIS)*
Proposed Single Residential Development
1842 South Bayshore Road East, Stony Lake
Part of Lots 32 & 33, Concession 11 (Dummer)
Township of Douro-Dummer, County of Peterborough
ORE File No. 25-3545

Dear Ms. Cowie:

Oakridge Environmental Ltd. (ORE) is pleased to present this response to the peer review comments provided by Stantec Consulting Ltd. ("Stantec"), on behalf of Peterborough County, dated October 10th, 2025. Stantec's comments pertain to their review of our July 2025 report referenced below:

Scoped Environmental Impact Study (sEIS), Proposed Single Residential Development, 1842 South Bayshore Road East, Stony Lake, Part of Lots 32 & 22, Concession 11 (Dummer), Township of Douro-Dummer, County of Peterborough; Project No. 25-3545; July 24th, 2025.

Our report was intended to demonstrate that a single residential development (with attached garage) could be constructed without impacting nearby Key Natural Heritage Features (KNHF). A scoped assessment was completed, with a focus on nearby sensitive hydrological features, fish and fish habitat. A high level screening for Species at Risk (SAR) was also completed.

For ease of reference, the comments provided in Stantec's peer review letter are quoted below, followed by our response.

Comment #1

"Please note that the ToR was not included into the sEIS, nor was Stantec provided the ToR during the review and therefore, it was not confirmed that the sEIS met the

requirements of the ToR.”

And,

“Desktop studies and background review for wetlands, hydrology and SAR appears suitable for the overall scope of the sEIS. However, please note that there were no targeted wildlife surveys completed in support of the proposed development and in the absence of targeted surveys for SARs, if habitat is determined to be potentially present in the Subject Property, then Stantec assumes there is potential for the species to be utilizing the area.

The purpose and the scope for the sEIS was stated; however, the defined scope did not appear to fully address the commitments of the ToR, nor did the sEIS specifically meet the requirements outlined in the County OP (Section 4.1.3.1) including alternative development proposals and it was not clear what and why the sEIS was scoped.”

Response #1

A pre-consultation letter was prepared by the Township on March 27th, 2025 and states that an EIS must be completed, *“primarily to address the Provincially Significant Wetland (PSW) and waterbody adjacent the subject property.”* In addition, the letter states that *“the expert retained to complete the EIS prepare a terms of reference which the Township could review to ensure satisfactory”,* and that *“An EIS is required to address policy 4.1.8 of the PPS.”*

A proposed scope of work was prepared (by ORE’s Senior Ecologist, Rob West) which was circulated to the Township on June 3, 2025 by the proponent’s Senior Planner, Kevin McKrow, of WND Associates. Mr. McKrow followed-up with the Township through a phone call and it was stated that there were no comments regarding the proposed scope of work. As such, it was reasonably assumed that the proposed scope of work was satisfactory. A copy of the email that was sent by the proponent to the Township and the pre-consultation letter are attached in Appendix A.

The subject property possesses a very cultural-type setting which is not suitable habitat for Threatened or Endangered SAR. The property also does not possess the Ecological Land Classification types included in the Ecoregion 6E SWH criteria for Special Concern species. Given these conditions, it was determined that a single inspection would be sufficient. Therefore, the study was scoped to review the landscaped site and hardened shoreline conditions with respect to removal of the existing dwelling and construction of a single residential development. Nevertheless, ORE staff completed the site inspection with the intent of detecting those SAR observed in the pre-screen database queries.

ORE staff did not conduct multiple targeted inspections to detect Threatened or Endangered species, as the Township had not requested Section 4.1.7 of the PPS be addressed as part of

the scope of work. The Township was specific in their email response with regard to addressing Section 4.1.8 for adjacent lands. Section 4.1.8 of the PPS speaks to natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6, but does not include Endangered or Threatened species.

A scoped study typically does not include various inspections for SAR, especially when the terrestrial areas have already been cleared/alterd and any impact/influence on the PSW/Lake has already occurred. In cases such as this, the sEIS should focus on improving/enhancing the existing site conditions to mitigate historic shoreline clearing practices, as part of the application. Increasing the number of inspections to verify that there are no Threatened, Endangered or Special Concern species would have little to no influence on what can be done on the subject site to improve the conditions for these species.

Similarly, fish habitat associated with the Lake/PSW will only improve via recommended enhancements or improvements. The property owner understands that there are SAR, fish habitat, PSW, etc., associated with the waterway within the adjacent lands. However, if the recommended mitigation measures satisfy/address Section 4.1.8 of the PPS, we would argue that those enhancement measures will improve conditions for the SAR, resulting in a net benefit to those species.

ORE staff are unsure as to why the scope of work was not circulated to the County with respect to scoping the EIS. In any case, it was clear that a SAR component was not a requirement. As such, it is our opinion that the one (1) site inspection was sufficient to determine whether the new development would have any negative impact on those hydrological features in the adjacent lands, as defined via the scoping exercise with the Township and them asking us to satisfy Section 4.1.8 in PPS.

In regards to the County OP (Section 4.1.3.1) including alternative development proposals, ORE staff reviewed the proposal in the context that the proposed dwelling does not represent a negative impact on the subject property as the current development's location does not represent a negative impact to the adjacent waterway. Our analysis also included a review of the conditions between the existing residence and the shoreline. An alternative location would have been presented to the proponent, if the site possessed a natural shoreline and an existing protective vegetated buffer were present. In that case, locating the proposed dwelling further back from the shoreline would have made sense. However, the site does not possess any natural vegetated surfaces that would warrant maintaining a larger setback from the shoreline.

It is also our opinion that even if a 10 m or 15 m setback had been recommended, the existing owner would likely continue the existing lawn maintenance practices between the lakeshore and proposed development. As there is no applicable tree-cutting bylaw, it is possible that any future new property owners could remove the remaining trees to improve the lake vistas from

the new dwelling's location if it were constructed further back from the shoreline.

By allowing the dwelling to be located in its currently proposed location, the building envelope moves back from shoreline, maintains the existing views, and the sEIS can recommend improvements/enhancements, that will improve the overall ecological function of the property, thereby having a direct benefit to the adjacent lands features.

Comment #2

"In consideration of Section 4.1.8 of the PPS, analysis of the potential impacts from expanding the footprint within 30 m of Stony Lake and the PSW may have on the adjacent land does not appear to be comprehensive including areas which will be impacted and areas which may result in enhancement. It's Stantec's opinion that the sEIS does not suitably demonstrate conformance with Section 4.1.8 of the PPS."

Response #2

The sEIS demonstrated that constructing the new residence in the area of the existing dwelling will not impact Stony Lake nor the PSW. In fact, the shoreline distance to the unit will be increased and compensatory native trees will be planted to potentially off-set the removal of three (3) to five (5) mature trees (001 - confirmed; 002 - confirmed; 003 - to be confirmed; 018 - to be confirmed and 036 - confirmed), according to Landscape Plan. The reader is referred to the Landscape Plan to identify the location of the "confirmed" and "to be confirmed" tree removals and why they are referred to as such. The proposed dwelling represents a short-term construction impact - it does not represent a residual impact to the lake and PSW, as there is already a dwelling on-site overlooking the lake. Once the site alteration area is secure and vegetation is established on the surface, it only becomes a visible feature on the landscape, similar to the existing cottage/dwelling.

As illustrated in the proponent's plan, the septic system can be located outside the 30 m setback, which is the predominant residual (potential) impact feature on the property. By locating the septic system outside the 30 m setback, the distance to the lakeshore will be increased, achieving double the effluent path length in comparison to what is required by the Ontario Building Code (15 m). This type of measure, is what improves the overall condition of the site in relation to the Lake/PSW.

A revised constraints plan (Figure 6r) is included at the end of this response that includes a 30 m setback distance from the highwater mark. The area outside the 30 m setback is relatively narrow and would not contain both the proposed dwelling and the new septic system due to the property being a point-of-land and surrounded by Lake and PSW. Therefore, it is impossible for this site to demonstrate conformance with Section 4.1.8 of the PPS by

maintaining a 30 m distance to any/all development/site alterations on-site.

That being said, if we take a “least impact” approach, it would likely be best for the new dwelling to utilize the existing dwelling’s footprint entirely, rather than clear more vegetation (trees and lawn) to establish a new stand-alone dwelling envelope. If the footprint is removed entirely from where it is (i.e., to maximize the distance to the lakeshore), it will create a new disturbed area elsewhere on-site, albeit somewhat further removed from the lakeshore. If the point were entirely treed, we would recommend utilizing as much of the existing dwelling’s footprint to mitigate tree loss. However, considering the site has sporadic trees and the lakeshore report card is relatively poor, the location of the proposed dwelling is not overly relevant, as it will replace an existing structure. In any case, since the proposed location of the dwelling is further back from the shoreline than the existing structure is, the proposed development still represents an overall improvement to the existing condition on the property.

Comment #3

“There does not appear to be potential direct impacts to hydrological features on the lot; however, the overall disturbance within 30 m of Stony Lake and the PSW has increased from the existing development. The SAR assessment identified turtles (both SOCC and SAR turtles), which may potentially be utilizing the property and impacts to which need to be mitigated. However, there were no targeted surveys completed in support of the proposed development, and no consultation with the Ministry of the Environment, Conservation and Parks (MECP) is recommended in the sEIS; therefore Stantec is unable to determine that the sEIS is in conformance with Section 4.1.7 of the PPS regarding Threatened and Endangered species.”

Response #3

As mentioned earlier in Response #1, the Township specified that Section 4.1.8 of the PPS needed to be addressed in a *scoped* EIS, which does not include multiple surveys to detect Threatened and Endangered species.

If the proponent is willing to concede that SAR turtles are present within Stony Lake and enhance/improve the site conditions for them to nest on-site, then there is no need for MECP to be contacted. The disturbed area resulting from the proposed residence will not remove nesting habitat for SAR Turtles as the lawn area is available throughout the subject property and on numerous cottage properties on Stony Lake.

The subject site possesses both a man-made beach and 236 m of maintained lawn/hardened shoreline. ORE staff did not observe any turtle nests or shells on the property, suggesting

that turtles do not utilize the subject property for nesting purposes. Moreover, it is clear that the waterway is not the primary habitat of Blanding's Turtle, as it lacks the emergent vegetation. Regardless, if standard construction measures are applied that exclude turtles from entering the disturbed areas, they could continue to nest on-site during the construction period if they choose, without negative impacts. Once the new building is constructed, there would still be an abundance of lawn and beach materials to nest within on-site, if Blanding's Turtle so chooses.

As mentioned above, it is physically not possible to locate both the proposed larger dwelling and a new septic system outside the 30 m setback. It is ORE's opinion that the septic system represents more of a risk to any SAR turtles such as Blanding's Turtle than the larger dwelling would, as the septic system represents a potential long-term nutrient source to the lake which could incrementally impact the SAR turtles no matter where their primary habitat occurs in Stony Lake.

If the size of the development is an issue/concern, then additional compensatory trees could be planted to mitigate the larger footprint. Again, the planting of native trees and vegetation on a highly disturbed open property would benefit the turtles/wildlife associated with the lake/PSW.

Comment #4

"SAR was screened as part of the scope of the sEIS. Stantec acknowledges that in Section 12.1 (Development Envelopes and Constraints) indicated: "ORE staff did not identify any SAR on the subject site, within the waterways, or on neighbouring lands. All the species observed or overheard during the site inspection were common / secure species and not listed within either the SAR pre-screen databases or the SAR Ontario website. Therefore, it is not necessary to contact the Ministry of Environment, Conservation and Parks (MECP) to determine if there are any Endangered Species Act (ESA) 2007 requirements for the Development". However, only one site assessment was completed which appeared to be in the afternoon of June 30, 2025. No targeted surveys appeared to have been completed in support of the sEIS. Please note that SAR bats were not discussed in the sEIS. There are now seven (7) species listed as Endangered under the ESA 2007. Turtles were identified as potentially nesting on the property with Blanding's Turtle considered a protected species and ESA requirements. Stantec recommends that based on the lack of targeted surveys for SARs, potential for turtles to nest on the property and that bats were not discussed as part of the sEIS, consultation via an information gathering form (IGF) be considered."

Response #4

SAR bats are addressed in Response #5 below.

ORE staff agree that certain SAR turtles may incidentally occur within the PSW/Stony Lake off-shore areas from time to time. However, there was no evidence that the terrestrial areas or shoreline/off-shore area around the point-of-land is being used by any SAR Turtles as their primary habitat, as they were not observed in the waterway adjacent to the site. The lack of bottom vegetation in the nearshore area and emergent vegetation along the shore is likely why SAR Turtles such as Blanding's were not observed in the area of the subject property. The hardened bottom dominated by bedrock and rock rubble combined with the lack of soft muck/mud sediments would make it very difficult for turtles that rely on these conditions to dive and avoid predators. As such, the nearshore/offshore areas around the subject property do not possess suitable habitat for Blanding's Turtle. Consequently, contacting MECP simply because the turtle exists within the lake is not warranted, if there was no evidence of turtle nesting on-site. We already stated above that there is no primary habitat present around the lakeshore in the adjacent lands, therefore, turtles like Blanding's would not be impacted by the proposed new dwelling and septic system.

ORE staff are aware that lawn areas can be utilized by this species to nest and have contacted the Ministry in the past regarding the 30 m setback from nesting areas. However, every lawn area on Stony Lake has the potential to be Blanding's Turtle nesting habitat according to the *General Habitat Description for the Blanding's Turtle (Emydoidea blandingii)*. Therefore, the June 30th site inspection was sufficient to identify whether a turtle(s) recently nested within the subject property during the spring season of 2025. There is no reason to expect that conducting three (3) or more site inspections would identify the type of nesting turtles.

Consequently, the 30 m setback only applies to verified nesting sites of Blanding's Turtle. Furthermore, the ESA has recently changed to include protection measures for only the residence of the Threatened or Endangered species, and does not protect the habitat, unless the SAR has been directly observed or there is evidence to support the species being present. This is why we recommended the exclusion measures, rather than applying setbacks to known nesting locations or areas of confirmed habitat. That being said, the entire hardened shoreline condition likely factors into why turtles are excluded from entering the property, other than in the beach area which does not possess the rock-lined shoreline erosion measures. The beach will be unaffected by the proposed development and continue to be available for nesting turtles.

The only turtle species that could utilize the area off-shore of the subject property on a regular basis would be Northern Map Turtle, as it favours rocky shorelines where they can perch on logs, rocks or shoals. However, this species was not observed during the site inspection. Furthermore, it has a status of Special Concern and according to the Significant Wildlife

Habitat Mitigation Support Tool (SWHMiST), avoidance is the main objective. This can be achieved on-site via the existing proposal and the recommended measures to exclude this species during construction.

Comment #5

“Section 12.2 (Construction Mitigations) identified measures to reduce potential impacts related to vegetation and tree clearing/removal, and to migratory birds; however, there was no reference to potential impacts imposed upon SAR bats and/or mitigation measures. There appears to be some large trees which may require removal which is unclear if they could act as bat roosting habitat and/or require mitigation prior to clearing.”

Response #5

The proposed tree compensation in the sEIS would address the SAR bat and bat roosting concern with respect to bat roosting tree loss.

Furthermore, the proponent recently forwarded an October 2025 - Landscape Plan prepared by Kevin R. Post (Landscape Architect), that includes a tree preservation/removal illustration. According to the Plan, the trees to be removed are in good to fair condition, suggesting they are not considered snags. The only poor quality tree was a White Ash, that was likely impacted by the Emerald Ash Borer. ORE staff did not note any trees that contain cavities or loose bark.

The sEIS states that:

The contractor should identify how many trees in this area must be removed and apply the 5:1 compensatory tree ratio. The compensatory trees should be planted either within the floodplain or just outside the floodplain to naturalize the shoreline and enhance/improve the overall waterfront conditions.

The Landscape Plan also states that three (3) confirmed trees will be removed with the potential for two (2) more (depending on construction) as part of the tree expert's recommendations. For this purpose of this response, all five (5) trees (confirmed and conditional) will be replaced by thirty (30) compensatory native trees that can be planted proximal to the shoreline. The Landscape Plan illustrates a total of thirty (30) new native trees being planted to off-set the development proposal, which exceeds the 5:1 ratio.

The sEIS also states that the compensatory trees should be planted overlooking the shoreline areas which would ameliorate access the lake and PSW by bats for foraging purposes. The

compensatory trees can also be selected to include species that possess rough/furrowed bark.

To address the SAR bat and/or roosting bat concern, the “no tree/vegetation removal period” (which includes the Migratory/Breeding Bird Period - April 1st to August 31st each year) should extend to the end of November with respect to clearing trees. The intent is that roosting bats (common/secure or SAR status bats) would not be utilizing the trees between December and April 1st each year. The trees could be removed without impacting roosting bats as they would have returned to their hibernacula.

Additionally, the property owners could install two (2) bat rocket boxes overlooking the waterway to provide roosting habitat in the interim, while the compensatory native trees grow to a size where roosting is feasible.

The supplementary recommendations above typically satisfy MECP in regards to SAR bat concerns for subdivision applications.

Comment #6

“There is no recommended setback from the ordinary high-water mark of the proposed development. The sEIS only indicates that development will not occur within the floodplain identified by ORCA. Furthermore Section 12.1 indicates that: “Tree removal near, or at the shore also removed canopy cover which can open the spawning area to direct sunlight and sterilize fish spawning areas in the nearshore / littoral zone due to thermal impacts.” The development is proposed to encroach within approximately 8 m (as per Appendix A). Based on the site plan in Appendix A, it is unclear what specific tree removal is required and what sort of setback would be considered as retaining trees near Stony Lake.”

Response #6

There are so few trees in the area of the existing dwelling that removing a few will not sterilize the shoreline of fish spawning. The canopy cover during certain times of the day would cover about 14% of the total shoreline length, which is not significant. The majority of the taller trees that possess broad canopies will remain intact along the shoreline.

A Landscape Plan was recently provided by the proponent and a total of three (3) trees would be removed to allow for the building envelope of the new dwelling with the potential for two (2) others to be removed depending on excavations/grading, etc. The three (3) confirmed trees include an Eastern White Cedar, a Red Maple and a Paper Birch, the latter two (2) that may be conditionally removed are two (2) Eastern White Pine. For this purpose of this response, all five (5) trees (confirmed and conditional) will be replaced by twenty-five (25) native trees that

can be planted along the shoreline, creating a much improved condition for near-shore spawners. Consequently, the outcome for spawning fish and shoreline related wildlife will be considerably better. The Landscape Plan includes thirty (30) compensatory native tree plantings, which exceeds the 5:1 ratio recommendation in the EIS.

In regards to there being no setback from the highwater mark, applying a setback makes sense when there is an existing vegetated buffer to protect between the lakeshore and existing dwelling/proposed dwelling. In this instance, there is no vegetation buffer, only some sporadic mature tree species alongside the existing residence. The area between the existing residence and shore is mowed lawn and stone-lined erosion control. As such, the only potential negative impacts to the Lake/PSW would be associated with disturbances during the construction stage. Provided the building envelope is entirely constrained by standard construction Erosion Sedimentation Control (ESC) measures, the proposed dwelling will not negatively impact the lake/PSW.

The new dwelling is to be situated 3 m to 3.5 m further away from the highwater mark than the existing cottage/structure, which is an overall improvement. The fact that it remains outside the flood elevation is the more important criteria.

The sEIS considers the fact that the dwelling cannot be situated outside the 30 m setback, given the site's spatial limitations. Our report also takes into account the denuded conditions of the subject site. As such, provided the new residence is not constructed any closer to the lakeshore along with the recommended mitigation measures, it will be an overall improvement.

Comment #7

"In Section 12.1, the sEIS suggests the use of silt fence to also be utilized as a turtle exclusion fence. However, as per the recommended Reptile and Amphibian Exclusion Fencing (<https://www.ontario.ca/page/reptile-and-amphibian-exclusion-fencing>) the smooth face of the fence should face the water features and sediment fence should be installed in the opposite direction. Therefore, a sediment fence and an exclusion fence should both be installed if necessary."

Response #7

Considering the site is a point-of-land that juts out into Stony Lake, the exclusion fence would have to occur on all three (3) sides and not just the end. Therefore, we recommend installing heavy-duty silt fence to enclose the disturbed areas which include the building envelope for the proposed dwelling and the septic installation area. Given the added expense of heavy-duty silt fence to the project, ORE staff recommend renting or obtaining a single length of fence

that could be applied to the proposed dwelling's envelope, and once construction is sufficiently advanced, relocate the fence and apply it around the septic system location. Heavy-duty silt fence is an acceptable interim measure listed within the province's Reptile and Amphibian Exclusion Fencing website.

We trust that the preceding will address concerns raised by the peer review consultant for the County of Peterborough. Should there be any questions or concerns, please feel free to contact the undersigned.

Yours truly,
Oakridge Environmental Ltd.



Rob West, HBSoc.
Senior Ecologist
cc. File, att. Rev. Figure 6
& Appendix A



Scoped Environmental Impact Study (sEIS)
Proposed Single Residential Development
1842 South Bayshore Road East, Stony Lake
Part of Lots 32 & 33, Concession 11 (Dummer)
Township of Douro-Dummer, County of Peterborough

- Approximate Property Boundary [Peterborough County GIS, 2025]
- ORCA Floodplain (235.51 m) [Jason Cutajar, 2025]
- Shoreline Interface [ORE, 2025]
- Proposed Gravel Driveway (Revised) [Jason Cutajar, 2025]
- Proposed Dwelling & Garage (Revised) [Jason Cutajar, 2025]
- Proposed Septic (Revised) [Jason Cutajar, 2025]
- Existing Shed [Elliott and Parr, 2023]
- Existing Boathouse [Elliott and Parr, 2023]
- Existing Dwelling [Elliott and Parr, 2023]
- Recommended Light-duty Silt Fence (Revised) [ORE, 2025]
- Wetland (Provincially Significant)
- 30 m Water Setback [Jason Cutajar, 2025]
- Road
- Contour (5 m Intervals)

TITLE
Revised Constraints
[Revision Date - December 4th, 2025]



PROJECT # 25-3545	FIGURE NO. 6r
DATE December 2025	

Appendix A

Pre-consultation Notes and
Terms of Reference Email

Notes from Pre-consultation Meeting

Roll No.: 1522-020-005-57900

Address: 1842 South Bayshore Road East

Zoning: Limited Service Residential (LSR) & Provincially Significant Wetland (EC(P))

Official Plan Designation: Lakeshore Residential

Meeting Date: March 27, 2025

In attendance: Township Planning Consultants – Diana Keay, Manager, Planning Services, and Kate Steele, Junior Planner, D.M. Wills Associates Ltd.
CBO – Don Helleman
ORCA – Marnie Guindon, Planning & Regulations Officer
Owners/Applicant – Cheryl Cowie, Jess Labelle
Agent: Jason Cutajar, JCAD
Owner Planning Consultant – Kevin McKrow, Senior Planner, WND Associates
Building and Planning Administrator – Jenna Ward

Regrets: MTO – George Taylor
County of Peterborough – Planning, Development, and Public Works Staff

Proposal:

The applicant proposes to demolish the existing one-storey cottage and construct a new, enlarged two-storey cottage in the same vicinity. Given the configuration of the lot, it is not possible to comply with the water setback and position the septic tank in a policy specified location. The homeowner would like to construct the new cottage in the general vicinity of the existing cottage and will require relief from the required water setback.

Comments:

Township:

The Owner's Planning Consultant shared a brief slide deck providing some context on the subject property (GIS mapping, site photos, survey, land use designation and zoning) as well as the development proposal (site plan, conceptual elevations). The proposed dwelling would be located at a water setback of 11.25 metres to the north whereas the existing dwelling is located at a water setback of 6.43 metres to the east.

The Owner's Planning Consultant is of the opinion that the location of the proposed dwelling represents an improvement over the location of the existing dwelling given the increased water setback and notes that the proposed dwelling has been optimally located to remain outside of the Stony Lake floodplain and to minimize the necessary site alteration and vegetation removal to facilitate construction.

The septic system is proposed to be located outside of the minimum 30-metre water setback and would otherwise prevent the proposed dwelling from being located closer towards the interior of the lot.

The Owner's Planning Consultant is of the opinion that the proposed development and required relief from the minimum water setback could be addressed through a Minor Variance application.

The Township's Planning Consultant acknowledges previous correspondence between the Owner's Planning Consultant and the former Township Planner. The Township's Planning Consultant appreciates the improved eastern water setback but noted that the proposed dwelling is creating new encroachments to the north and south. The Official Plan requires a minimum water setback of 30 metres. Justification will be required for the encroachment into the 30-metre water setback.

The Township's Planning Consultant disagreed that a Minor Variance (MV) is the appropriate application to proceed with. Rather, an Official Plan Amendment (OPA) would be required to permit the proposed dwelling to encroach into said setback. A Zoning By-law Amendment (ZBA) would be required for the same.

The Township's Planning Consultant noted that an Environmental Impact Study (EIS) would be required in support of the OPA/ZBA to demonstrate that the proposed development would not result in any negative impacts on the water and shoreline and aquatic ecosystems. Lot grading and drainage plan to be submitted to indicate surface water flows across the property and ensure quality control of runoff entering Stony Lake.

The Township's Planning Consultant inquired as to whether any new accessory structures are to be constructed. The Agent noted that the existing boathouse and one storage shed are to be retained. One storage shed is to be removed to facilitate construction of the proposed dwelling.

The Owner's Planning Consultant sought clarification as to the requirement for an OPA and ZBA and noted other recent examples of recreational dwelling redevelopment which proceeded by way of an MV. The CBO noted these other redevelopments occurred on the existing footprint and did not encroach closer to the waterbody, in contrast to the subject development proposal.

The Township's Planning Consultant referenced Section 6.2.6.3 of the County's Official Plan which requires that all new development be set back a minimum of 30 metres from

the high-water mark and is of the opinion that the proposed development would not conform to this policy of the Official Plan given the further encroachment towards the waterbody in multiple directions. The proposed is considered new development rather than redevelopment given the expansion of the building footprint; therefore, the 30-metre water setback applies. The reduced water setbacks would need to be justified through the required Planning Justification Report (PJR) and OPA.

The Owner's Planning Consultant remains of the opinion that the encroachment into the 30-metre water setback would maintain the intent of the Official Plan and therefore the proposed development could proceed via MV.

The Township's Planning Consultant further explained that an OPA is required because the Official Plan establishes a specific numeric standard for the minimum required water setback, being 30 metres. As such, the intent of the Official Plan is that all new development meet this setback. The applicant must demonstrate that the proposed development meets the intent of this policy of the Official Plan; however, given that a numeric value has been assigned, this must be done by OPA rather than an MV.

Township Planning Consultant confirmed willingness to consider other comparables. Meeting to be scheduled following the release of the pre-consultation meeting minutes with the Township's Planning Consultant, CBO, and Owner's Planning Consultant to discuss comparables and determine the next steps.

The Agent inquired as to the requirements for the EIS. The Township's Planning Consultant suggested that the expert retained to complete the EIS prepare a terms of reference which the Township could review to ensure satisfactory.

The Agent inquired as to the timeline for OPA/ZBA applications. The Township's Planning Consultant explained that this would depend on the quality of the submission (e.g., strength of the arguments provided in the PJR, supportive outcome of required technical studies, etc.). Concurrent review of the OPA by the Township and County estimated to be approximately two months, comments from all agencies are likely to be provided within a month of receiving the complete OPA/ZBA application package.

Official Plan:

It is recommended that the Owner's Consulting Team review the County of Peterborough Official Plan, with a focus on Sections 4.4.3 and 6.2.6.3 which contain policies relating to waterfront areas throughout the County and policies for the Lakeshore Residential designation, respectively, and establish the minimum 30-metre water setback for all new development.

Zoning By-Law:

It is recommended that the Owner's Consulting Team review the Township of Douro Dummer Comprehensive Zoning By-law No. 10-1996, as amended, with a focus on

Sections 3.28 and 7 which contain provisions relating to legal non-complying buildings and the regulations of the Limited Service Residential (LSR) zone, respectively.

Provincial Planning Statement (PPS, 2024):

An EIS is required to address policy 4.1.8 of the PPS and an Archaeological Assessment is required to address policy 4.6.2.

Building Department:

The CBO appreciates that the proposed septic is located outside of the floodplain and the 30-metre water setback. No further comments regarding the construction of the proposed dwelling at this time. The CBO is to contact the Peterborough County Planning Department to request comments given that an OPA is required as currently proposed and the County is responsible for administering the processing of OPA applications.

ORCA:

ORCA requires the submission of a Lot Grading and Drainage Plan given the proximity of the proposed dwelling to the floodplain. No lot grading is permitted within the floodplain. ORCA noted that it would be preferable to shift the proposed dwelling towards the south to increase distance to the floodplain. Should the development proposal be amended as such, ORCA would be satisfied with a grading envelope shown on the site plan and buffer around the proposed dwelling.

ORCA does not require a Clean Water Act Notice but will require permits. Items considered in permit review include information regarding grading and re-stabilization of soil adjacent to the floodplain. Ensure no inadvertent expansion of floodplain and mitigation of soil erosion. ORCA will also require the installation of sediment and erosion fencing prior to the commencement of works on the property.

MTO:

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

County of Peterborough E&C:

Did not attend or send comments. The Owner is advised that the County of Peterborough will be circulated on any formal planning application.

First Nation:








Hiawatha FN requested that an Archaeological Assessment be completed in support of the required planning applications. Any shoreline or in-water works will require an Aquatic Archaeological Assessment. Hiawatha FN noted that the area is of high archaeological potential and many archaeological discoveries have been made in proximity to the subject property.

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. <https://parks.canada.ca/lhn-nhs/on/trentsevern/info/services-immobiliers-realty/development-land-use-planning>

Planning Review Tool:

Planning Review Tool (8)

8 Results Found	
	(1) Lakes - Small Scale (within 120 metres)
	(1) Lakes- Large Scale (within 120 metres)
	(1) Lakes - Local Scale (within 120 metres)
	(1) Lakes - Regional (within 120 metres)
	(2) Provincially Significant Wetlands (within 120 metres)
	(1) Aggregate Sand and Gravel (within 300 metres)
	(1) Floodplain (intersecting property)

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.](#)
- ☒ Engineered Drainage Plan/Storm Water Management [Lot Grading and drainage plan required by the Township and ORCA.](#)

- ☐ **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.) **Primarily to address the Provincially Significant Wetland (PSW) and waterbody adjacent the subject property.**
- ☒ **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** **Assess development proposal in the context of applicable provincial and local planning policies and regulations. Detailed rationale for proposed encroachment into minimum 30-metre water setback.**
- ☐ **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 <https://www.ptbocounty.ca/en/governing/official-plan-amemdmments.aspx>
- ☐ Minor Variance \$1580 <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>
- ☐ Preliminary Development Agreement Click or tap here to enter text.
- ☐ 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

Subject: FW: 1842 South Bayshore Road East - Proposed Development
From: Diana Keay <dikeay@dmwills.com>
Date: 2025-06-03, 10:50 a.m.
To: Emily Fitzgerald <efitzgerald@dourodummer.ca>
CC: "Kevin McKrow" <kmckrow@wndplan.com>

Hi Emily,

Please see below. Apologies, it appears that your old email was on my original email chain. Sorry about that!

Best,
Diana Keay, MCIP RPP
Manager, Planning Services

D.M. Wills Associates Limited
150 Jameson Drive · Peterborough, ON · K9J 0B9
Tel: (705) 742-2297 ext. 245 · Fax: (705) 748-9944

From: Kevin McKrow <kmckrow@wndplan.com>
Sent: June 3, 2025 10:43 AM
To: Diana Keay <dikeay@dmwills.com>; mguindon@otonabeeconservation.com
Cc: Don Helleman <delleman@dourodummer.ca>; Kate Steele <ksteele@dmwills.com>; Clinesmith, Jennifer <JClinesmith@ptbocounty.ca>; Jenna Ward <jward@dourodummer.ca>; Jason Cutajar <jason@jcad.ca>; Christa Lemelin <christa@oakridgeenvironmental.com>
Subject: Re: 1842 South Bayshore Road East - Proposed Development

Hi Diana and Marnie,

We are in the process of preparing our studies and plans for submission based on the Pre-consultation Checklist. One item which was discussed during our PAC meeting was the EIS Terms of Reference (ToR) and that it would be best to have a mutually agreed upon ToR for the EIS to assist with the future complete application review process.

Our client has retained Oakridge Environmental (ORE) who have prepared the following Terms of Reference for your review:

1842 South Bayshore Road East – EIS Terms of Reference

- ORE will compile relevant background information regarding the site (air photos, Official Plan Schedules, Zoning Schedules, topographic mapping, Ontario LIO database, etc). A high level screening for Species at Risk (SAR) will also be conducted (will include a review of various databases including Natural Heritage Information Centre, Ontario Breeding Bird Atlas, eBird, iNaturalist, Ontario Reptile and Amphibian Atlas, Fish ONLine). Background and SAR information will be reviewed for the subject site and a 120m radius.
- ORE staff will conduct one (1) site inspection in the current season that will be focussed on the proposed redevelopment envelope and any nearby sensitive features (within 30 m of the redevelopment envelope). Off-site features will be reviewed from property boundaries.

Terrain mapping will include a detailed assessment of vegetation communities, habitat, surficial soils, springs, recharge zones, etc. ORE staff will confirm the presence or absence of wetland/drainage features, and if located on-site, the features will be delineated and mapped (by GPS) in accordance with provincial protocols (ie. OWES).

Note: If a significant faunal species, sensitive/significant vegetation community or Natural Heritage Feature is detected, additional inspections may be necessary. Any required additional inspections will be confirmed with the owner. Also, should any part of the development concept/design be modified after the inspection is conducted, it may be necessary to conduct a follow-up inspection to update our field data.

- ORE staff will superimpose the proposed redevelopment footprint on a geo-referenced air photo. This information will be used to determine any areas of potential concern (i.e., constraints) on the subject site.
- Upon completing the preceding tasks, ORE will analyse and interpret the available data. The report will include technical illustrations, constraints, vegetation mapping, and photographs. The report will determine compliance with applicable policies, and will include recommendations necessary to mitigate impacts on any sensitive natural heritage features (ie. recommended setbacks, vegetation protection zones, etc).

As always, myself, Jason (our architect) and Christa (ORE) can make ourselves available for a call if it is easier to discuss any of the above points.

I know Christa and her team are into their field season of work and are trying to schedule this project in the coming weeks.

If you could review this scope and either confirm or provide your feedback by Friday that'd be appreciated on our end (and I'm sure Christa's as well!).

Regards,

Kevin McKrow, MCIP, RPP
Senior Planner



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