



Township of Douro-Dummer Agenda for a Regular Meeting of Council

Tuesday, December 20, 2022, 5:00 p.m.
Council Chambers in the Municipal Building

Please note, that Council may, by general consensus, change the order of the agenda, without prior notification, in order to expedite the efficiency of conducting business.

Please contact the Acting Clerk if you require an alternative method to virtually attend the meeting. martinac@dourodummer.on.ca or 705-652-8392 x210

	Pages
1. Call to Order	
2. Land Acknowledgement	
3. Moment of Silent Reflection	
4. Disclosure of Pecuniary Interest:	
5. Adoption of Agenda: December 20, 2022	
6. Adoption of Minutes:	
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7. Consent Agenda (Reports voted upon by ONE motion) - No Debate: None	
8. Delegations, Petitions, Presentations or Public Meetings:	

8.1	Presentation - Awards to J. Murray Jones, Karl Moher and Shelagh Landsmann	
	A presentation of awards to J Murray Jones, Karl Moher and Shelagh Landsmann for their years of service to the Douro-Dummer community.	
8.2	Public Meeting - Official Plan Amendment OPA File No. 15OP-22006 (Robinson-Duguay), Planning-2022-11	17
	Removal of Extractive Industrial Designation	
	Part Lot 10, Concession 3, Douro Ward in the Township of Douro-Dummer, 1110 County Road 4	
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	Don Helleman, Temporary CBO, will present an overview of the Building Department.	
9.	Staff Reports:	
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9.5	Staff Recommendation Regarding Zoning By-law Amendment – File: R-17-21, Planning-2022-07	62
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10.	Committee Minutes and Other Reports:	
10.1	Deputy Mayor Nelson – Update on County Council Matters	
11.	Correspondence - Action Items:	
11.1	Municipality of Magnetawan and Municipality of Marmora Lake - Letters regarding Bill 23 Strong Mayor, Building Homes Act	132
	Letters from the Municipality of Magnetawan and the Municipality of Marmora Lake in opposition to Bill 23.	

12. **By-laws:**
- 12.1 **By-law 2022-58 - To designate the Township of Douro-Dummer as a Site Plan Control Area** 134
- Being a Bylaw to Designate the Township of Douro-Dummer as a Site Plan Control Area
- 12.2 **By-law 2022-59 - To Amend Zoning By-law - File R-17-21, Roll No: 1522-010-004-08100** 141
- A By-law to amend By-law Number 10-1996, as amended, otherwise known as "The Township of Douro-Dummer Comprehensive Zoning By-law" (File R-17-21, Roll No: 1522-010-004-08100, Paterson and Carrington)
- 12.3 **By-law 2022-60 - To Appoint an Alternate Member to Peterborough County Council** 144
- Being a By-law to appoint an Alternate Member to the Council of the County of Peterborough for the 2022-2026 Term of Council
13. **Account: None**
14. **Reports derived from previous Notice of Motions:**
15. **Notices of Motion: No Debate**
16. **Announcements:**
17. **Closed Session: None**
18. **Rise from Closed Session with or without a Report**
19. **Matters Arising from Closed Session**
20. **Confirming By-law: By-law 2022-61** 145
21. **Next Meeting:**
- Committee of Adjustment Meeting - January 13, 2023
Planning Committee Meeting - January 13, 2023
Regular Council Meeting - January 17, 2023
22. **Adjournment**

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

November 22, 2022, 9:00 AM

Council Chambers

894 South Street

Warsaw, ON K0L 3A0

Present:

- Mayor - Heather Watson**
- Deputy Mayor - Harold Nelson**
- Councillor, Douro Ward - Johnston**
- Councillor, Dummer Ward - Vervoort**
- Councillor at Large - Thomas Watt**

Staff Present:

- CAO, Elana Arthurs**
- Acting Clerk, Martina Chait-Hartwig**
- Acting Treasurer, Paul Creamer**
- Fire Chief, Chuck Pederson**
- Manager of Public Works, Jake Condon**
- Manger of Recreational Facilities, Mike Mood**
- Planner, Christina Coulter**

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 9:00 a.m. and stated the reason for the Special Meeting is to allow presentation from various departments to Council.

2. Land Acknowledgement:

The Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda:

Resolution Number 328-2022

Moved By: Councillor Watt

Seconded By: Councillor Johnston

That the agenda for the Special Council Meeting, dated November 22, 2022, be adopted, as amended. Carried

5. Delegations, Petitions or Presentations:

5.1 Departmental Presentations – Various Township Departments provided presentations to Council.

6. Adjournment

Resolution Number 329-2022

That this meeting adjourn 4:00 p.m.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

November 29, 2022, 9:00 AM

Town Hall

894 South Street

Warsaw, ON K0L 3A0

Present:
Mayor - Heather Watson
Deputy Mayor - Harold Nelson
Councillor, Douro Ward - Johnston
Councillor, Dummer Ward - Vervoort
Councillor at Large - Thomas Watt

Staff Present
CAO, Elana Arthurs
Acting Clerk, Martina Chait-Hartwig
Fire Chief, Chuck Paderson
Manager of Public Works, Jake Condon
Manager of Recreation Facilities, Mike Mood

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 9:05 p.m. and stated that the reason for the Special Meeting is to allow for a tour of the Township roads, facilities and parks as part of council orientation.

2. Land Acknowledgement:

The Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda:

Resolution Number 330-2022

Moved By: Deputy Mayor Nelson

Seconded By: Councillor Johnston

That the agenda for the Special Council Meeting, dated November 29, 2022, be adopted, as circulated. Carried

5. Delegations, Petitions or Presentations:

5.1 Swearing in of Dummer Ward Councillor

Adam Vervoort was sworn in as the Dummer Ward Councillor for the 2022-2026 term of Council.

5.2 Bus Tour - Roads, Facilities and Parks

A bus tour of the Township roads, parks, and facilities was conducted as part of council orientation.

6. Confirming By-law: 2022-54

Moved By: Councillor Watt

Seconded By: Deputy Mayor Nelson

That By-law Number 2022-54, being a By-law to confirm the proceedings of the Special meeting of Council, held on the 29th day of November, 2022, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

7. Adjournment

Resolution Number 331-2022

Moved By: Councillor Vervoort

Seconded By: Councillor Johnston

That this meeting adjourn 3:25 p.m. Carried

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

December 6, 2022, 1:00 PM

Township Douro-Dummer YouTube Channel

https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Present:

- Mayor Heather Watson**
- Deputy Mayor Harold Nelson**
- Councillor Thomas Watt**
- Councillor Adam Vervoort**
- Councillor Ray Johnston**

Staff Present

- CAO, Elana Arthurs**
- Acting Clerk, Martina Chait-Hartwig**
- Acting Treasurer, Paul Creamer**
- Fire Chief, Chuck Pedersen**
- Manager of Public Works, Jake Condon**
- Manger of Recreation Facilities, Mike Mood**
- Planner, Christina Coulter**
- Librarian, Maggie Pearson**

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 1:00 p.m. and stated that the reasons for the Special Meeting is to hold a Council training session and a discussion regarding the Draft 2023 Budget.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda:

Resolution Number 332-2022

Moved By: Deputy Mayor Nelson

Seconded By: Councillor Johnston

That the agenda for the Special Council Meeting, dated December 06, 2022, be adopted, as circulated. Carried

5. Delegations, Petitions or Presentations:

5.1 Paul Creamer, Treasurer - Council Training and Discussion regarding the Draft 2023 Budget

Resolution Number 333-2022

Moved By: Councillor Watt

Seconded By: Councillor Vervoort

The presentation from Paul Creamer, Treasurer, regarding the Draft 2023 Budget be received. Carried

6. Adjournment

Resolution Number 334-2022

Moved By: Deputy Mayor Nelson

Seconded By: Councillor Johnston

That this meeting adjourn at 3:41 p.m. Carried

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Minutes of the Regular Meeting of Council of the Township of Douro-Dummer

**December 6, 2022, 5:00 PM
Council Chambers
894 South Street
Warsaw, ON K0L 3A0**

Member Present: Mayor - Heather Watson
Deputy Mayor - Harold Nelson
Councillor at Large - Thomas Watt
Councillor, Douro Ward – Ray Johnston
Councillor, Dummer Ward – Adam Vervoort

Staff Present: CAO - Elana Arthurs
Acting Clerk - Martina Chait-Hartwig
Acting Treasurer - Paul Creamer
Manager of Public Works - Jake Condon

Staff Absent: Fire Chief - Chuck Pedersen
Manager of Recreation Facilities - Mike Mood
Temporary CBO - Don Helleman

1. Call to Order

With a quorum of Council being present, the Mayor called the meeting to order at 5:01 p.m.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgement and

3. Moment of Silent Reflection

Council observed a moment of silent reflection.

4. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

5. Adoption of Agenda: December 6, 2022

Resolution Number 335-2022

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Vervoort

That the agenda for the Regular Council Meeting, dated December 6, 2022, be adopted, as amended. Carried

6. Adoption of Minutes:

Resolution Number 336-2022

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the Minutes from the Special Council Meetings, held on October 4, 2022 and November 15, 2022 along with the minutes of the Regular Council Meetings, held on November 15, 2022, all be received and adopted, as circulated. Carried

7. Consent Agenda (Reports voted upon by ONE motion) - No Debate:

Resolution Number 337-2022

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the Consent Agenda for November, 2022 be received.

Carried

9. Other Business and Staff Reports:

9.1 Report and Capital Project Status - November 2022

Resolution Number 338-2022

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Watt

That the Report and Capital Project Status dated November 2022 be received.

Carried

9.2 Cloud permit Planning Module, Planning-2022-09

Resolution Number 339-2022

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the report, dated December 6, 2022, regarding Cloudpermit Planning Module be received; and

That Council direct Staff to proceed with the purchase of the Cloudpermit Planning Module for a minimum term of five (5) years.

Carried

9.3 Road Allowance Agreement – Paterson and Carrington, Planning-2022-10, Planning Department-2022-08

Resolution Number 340-2022

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the report, dated December 6, 2022, regarding Road Allowance Agreement – Paterson and Carrington be received and;

That the By-law be approved allowing the Mayor and Acting Clerk to execute the Road Allowance Agreement.

Carried

9.4 Supply and Delivery of Winter Sand, Public Works-2022-20

Resolution Number 341-2022

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the report, dated December 6, 2022, regarding the Supply and Delivery of Winter Sand be received and that RFT be awarded to Drain Bros. Excavating. Carried

9.5 Township COVID Vaccination Policy, C.A.O.-2022-32

Resolution Number 342-2022

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That Council rescind the COVID Vaccination Policy and send individual letters to each firefighter that has been affected by the Policy and invite them to return to their former position effective January 1, 2023. Further, that a letter be sent to the Douro-Dummer Volunteer Firefighter Association outlining Council's decision to rescind the Policy. Carried

10. Committee Minutes and Other Reports:

10.1 Update on County Council Matters

Resolution Number 343-2022

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the verbal report from Deputy Mayor Nelson regarding an update on County Council matters be received. Carried

10.2 Appointment of Council Members to Committees and Portfolios

Resolution Number 344-2022

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the report regarding the Appointment of Council Members to Committees and Portfolios be received and that the following appointments be made:

Mayor Watson

Committees:

Police Services Board

Arena Facilities Future Ad-Hoc Committee

Portfolios:

Infrastructure and Emergency Management

Business, Growth and Development

Deputy Mayor Nelson

Committees:

Committee of Adjustment/ Planning Committee

Short-Term Rentals

Portfolio:

Housing

Councillor At Large Watt

Committee:

Township of Douro-Dummer Public Library Board

Portfolio:

Heritage, Culture and Diversity

Councillor Douro Ward Johnston

Portfolio:

Recreation, Seniors and Health

Councillor Dummer Ward Vervoort

Committees:

Otonabee Region Conservation Authority Board

Portfolio: Environment and Sustainability

Carried

10.3 Planning Committee Minutes - October 20, 2022

Resolution Number 345-2022

Moved by: Councillor Johnston

Seconded by: Councillor Watt

That the minutes from the Planning Committee meeting held on October 20, 2022 be received and approved. Carried

11. By-laws:

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That By-law 2022-55, being a By-law to authorize the execution of a Road Allowance Agreement with Kathryn Carrington and David Patterson; and

That the By-law 2022-56, being a By-law to deem road allowance between Lots 20 and 21 and the parcel in front of Lot 20 and Designated Parts 1-4 on Plan 45R-17236 all on Registered Plan No. 11 to not be a Registered Plan of Subdivision;

Both be approved in open Council this 6th day of December, 2022 and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

12. Correspondence – Action Items:

12.1 Township of Lanark Highlands and Municipality of Huron Shares - Letters regarding Bill 3 Strong Mayor, Building Homes Act

Resolution Number 346-2022

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the letter in opposition from the Township of Lanark Highlands dated November 23, 2022, regarding Bill 103, Strong Mayor, Building Homes Act be received. Carried

12.2 Ministry of Municipal Affairs and Housing - Bill 23, More Homes Built Faster Act

Resolution Number 347-2022

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the letter from the Ministry of Municipal Affairs dated November 4, 2022, regarding Bill 23, More Homes Faster be received and supported.

Carried

12.3 City of Mississauga, Prince Edward County, Municipality of Trent Lakes and Municipality of Lambton Shores - Letters and Assessments regarding Bill 23, More Homes Built Faster

Resolution Number 348-2022

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the letters, comments and assessments in opposition from the City of Mississauga, Prince Edward County, Municipality of Trent Lakes and Municipality of Lambton Shores, dated November 17, 2022, November 15, 2022, November 24, 2022 and November 23, 2022, regarding Bill 23, More Homes Built Faster be received.

Carried

13. Notices of Motion: None

14. Announcements: None

15. Closed Session:

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That Council go into Closed Session for reasons under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25 (b) personal matters about an identifiable individual, including municipal or local board employees (Committee and Board Appointments) (5:28 p.m.).

Carried

16. Rise from Closed Session with or without a Report

Resolution Number 349-2022

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That Council come out of Closed Session with a report (6:53 p.m.):

That the following persons be appointed to the Committee of Adjustment/Planning Committee:

Robert Lamarre, Rod Manley, James Patterson and Mark Porter; and,

That the following persons be appointed to the Douro-Dummer Public Library Board:

Diane Bonner, Georgia Gale-Kidd, Sharon McKeiver, Darla Milne and Gary Rose;

Carried

17. Confirming By-law: Number 2022-57

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That By-law Number 2022-57, being a By-law to confirm the proceedings of the Special and Regular Meetings of Council, held on the 6th day of December, 2022, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto.

Carried

18. Adjournment

Resolution Number 350-2022

Moved by: Councillor Vervoort

Seconded by: Deputy Mayor Nelson

That this meeting adjourn at 7:01 p.m.

Carried

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Recommendation:

That Report Planning-2022-11, dated December 20, 2022, regarding OPA File No. 15OP-22006 (Robinson-Duguay) be received; and

That Council receive all comments related to OPA File No. 15OP-22006 (Robinson-Duguay); and further

That Council advise the County of Peterborough that the Township of Douro-Dummer supports proposed Official Plan Amendment File No. 15OP-22006 which represents Amendment No. 72 to the County Official Plan as described in the document prepared by the County of Peterborough Planning Department and attached to this Report.

Overview:

A complete application for the approval of an Official Plan Amendment (OPA) was submitted together with the required supporting documentation and was deemed complete by the County of Peterborough in correspondence dated July 11, 2022. The application was assigned file number 15OP-22006. This file represents OPA No. 72 to the County Official Plan. A copy of the Notice is attached to this Report.

The application applies to a property described legally as Part Lot 10, Concession 3, Douro Ward in the Township of Douro-Dummer, and known municipally as 1110 County Road 4. The property has an area of approximately 22.3 hectares (55 acres) and approximately 500 metres (1640.42 feet) of frontage on County Road 4. The property also abuts Douro Second Line for a distance of approximately 500 metres (1640.42) feet.

The OPA application proposes to re-designate a portion of the subject lands from the "Extractive Industrial" designation to the "Rural" designation in order to facilitate the creation of two new residential lots by way of consent (severance). A copy of Draft OPA No. 72 is attached to this Report.

Each severed parcel is proposed to be 0.4 hectares (1 acre) in size and located within the southeast portion of the property at the intersection of County Road 4 and Douro Second Line. Separate consent applications to create the lots will be required.

Driveway access is proposed from Douro Second Line and entrances will be confirmed through the Township Public Works Department once the formal severance applications are circulated. However, preliminary comments from the Manager of Public Works recommend that the entrance closest to County Road 4 be located a minimum of 50 metres from the intersection and the distance between the two entrances should be separated by a minimum of 30 metres.

In support of the application, the following documents were submitted:

- [Planning Justification Report, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated May 30, 2022;](#)
- [Scoped Environmental Impact Study, prepared by Beacon Environmental, dated May 2022;](#) and
- [Aggregate Assessment for Severances, prepared by WSP, dated May 2022.](#)

A Notice of Public Meeting dated November 28, 2022 was provided by ordinary mail to every owner of land within 120 metres of the subject lands. A copy of the Notice is attached to this Report. Two Notices were posted on the subject property, one on the County Road 4 frontage and one on the Douro Second Line frontage. The prescribed persons and public bodies were provided Notice via email. Finally, the Notice is available on the [County](#) and [Township](#) websites. The notice circulation complies with the requirements of the Planning Act.

Planning Staff from the County of Peterborough are present to speak to the peer review of the supporting documents, to Official Plan, Provincial Policy Statement and Growth Plan Conformity and to any comments received from the prescribed persons and public bodies.

Senior Staff from the Township were circulated for comment on November 28, 2022. In addition to comments received from the Manager of Public Works noted above, the Temporary CBO noted that the building envelope for the lot that is proposed closest to County Road 4 could be constrained due to the requirement for a minimum 15 metre front yard setback from Douro Second Line a minimum exterior side yard setback of 15 metres from County Road 4 and a minimum rear yard setback of 15 metres. This, along with any road widening requirements, should be considered when designing the lots at the formal severance application stage. There were no other comments or concerns were received.

As of the writing of this Report, Township Staff have not received any verbal or written comments from members of the public as they relate to this application.

Conclusion:

OPA No. 72 serves to change the land use designation on a portion of the subject property from "Extractive Industrial" to "Rural" to permit the development of two rural residential lots.

Upon receiving all comments related to OPA File No. 15OP-22006 (Robinson-Duguay); and with no concerns identified, it is recommended that Council advise the County of Peterborough that the Township of Douro-Dummer supports proposed Official Plan Amendment File No. 15OP-22006 which represents Amendment No. 72 to the County Official Plan.

Upon the completion of the Public Meeting for OPA File No. 15OP-22006 (Robinson-Duguay), the County Planning Department will prepare a technical report for consideration by County Council and the Township will be advised of the date it will be dealt with by County Council.

Financial Impact:

All costs related to the application are the responsibility of the Owner/Agent.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report Regarding OPA 15OP-22006 (Robinson-Duguay).docx
Attachments:	<ul style="list-style-type: none">- Notice of Complete Application.pdf- Draft OPA 72 to County OP.pdf- Notice_of_PM Dec20_15OP-22006 (Final).pdf
Final Approval Date:	Dec 12, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs



The Corporation of the County of Peterborough

Notice of Complete Application for Approval of Official Plan Amendment

Take notice that the Corporation of the County of Peterborough has received a complete application for an Official Plan Amendment in accordance with Section 22(6.4) of the *Planning Act*. The application has been assigned file number 15OP-22006.

Location

A key map is attached which indicates the location of the lands which are subject to the application. The lands are located in Part of Lot 10, Concession 3, Douro Ward, Township of Douro-Dummer, and are known municipally as 1110 County Road 4.

Purpose and Effect of the Application

The Official Plan currently designates these lands as “Extractive Industrial”. The proposed Official Plan Amendment application would remove the “Extractive Industrial” designation on a portion of the property in order to facilitate the creation of two new residential lots by way of consent (severance).

In support of the application, the following documents were submitted and are currently undergoing technical review:

- Planning Justification Report, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated May 30, 2022.
- A Scoped Environmental Impact Study, prepared by Beacon Environmental, dated May 2022.
- An Aggregate Assessment for Severances, prepared by WSP, dated May 2022.
- Preliminary Concept Plan – Lot Severances

The Right to Appeal

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough in respect of the proposed Official Plan Amendment before the approval authorities give or refuse to give approval to the Official Plan Amendment, the person or public body is not entitled to appeal the decision of the approval authority to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough in respect of the proposed Official Plan Amendment before the approval authorities make a decision regarding the amendments, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

A Public Meeting concerning this application has not yet been scheduled. Such meeting will be scheduled following the completion of the peer review of the supporting documents / studies / plans. A notice will be provided in due course advising the date, time and location of the public meeting.

To Be Notified

If you wish to be notified of the decision for the application, you must make a written request to the County of Peterborough at the address noted below.

Getting Additional Information

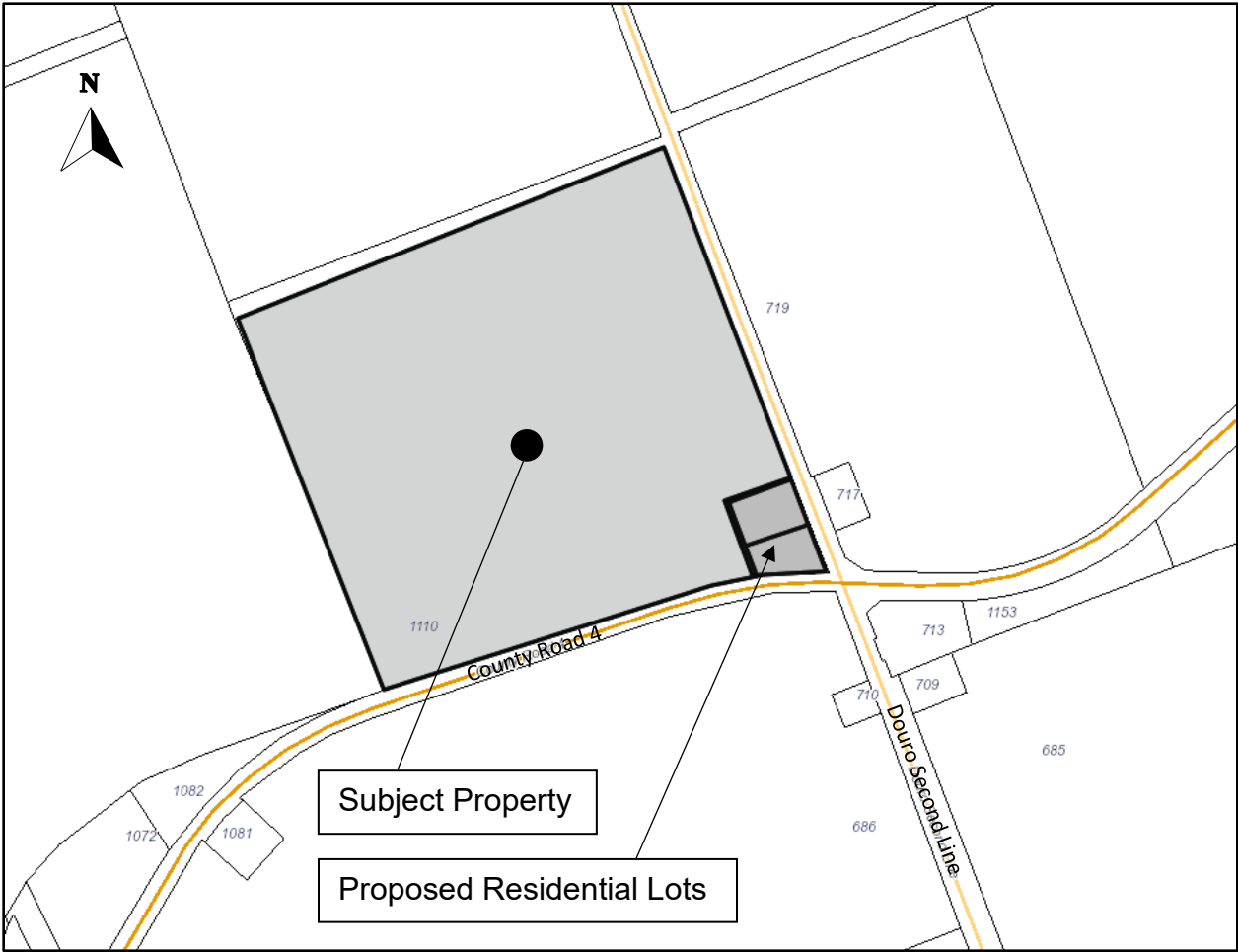
The application and supporting documents will be posted online shortly at the County's [website](#). Hard copies and additional information concerning the applications can be obtained by contacting the County of Peterborough.

This notice is circulated as a requirement of *The Planning Act* and is intended to provide the public and ministries / agencies with information related to the proposed amendment, in order to solicit public / agency input. This notice does not infer that the application is approved.

Contact Information

Malini Menon, Planner
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3
Tel: (705) 743-0380

Key Map



Amendment No. 72
to the
Official Plan of the
County of Peterborough

Kevin M. Duguay Community Planning and Consulting Inc.
for Sylvia and David Robinson
1110 County Road 4, Douro-Dummer
Part Lot 10, Concession 3, Douro Ward

Part B - The Amendment

All of this Part of the document entitled Part B - The Amendment consisting of the following text and schedule constitutes Amendment No. "72" to the Official Plan of the County of Peterborough.

Details of the Amendment

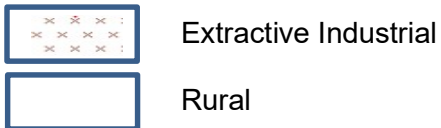
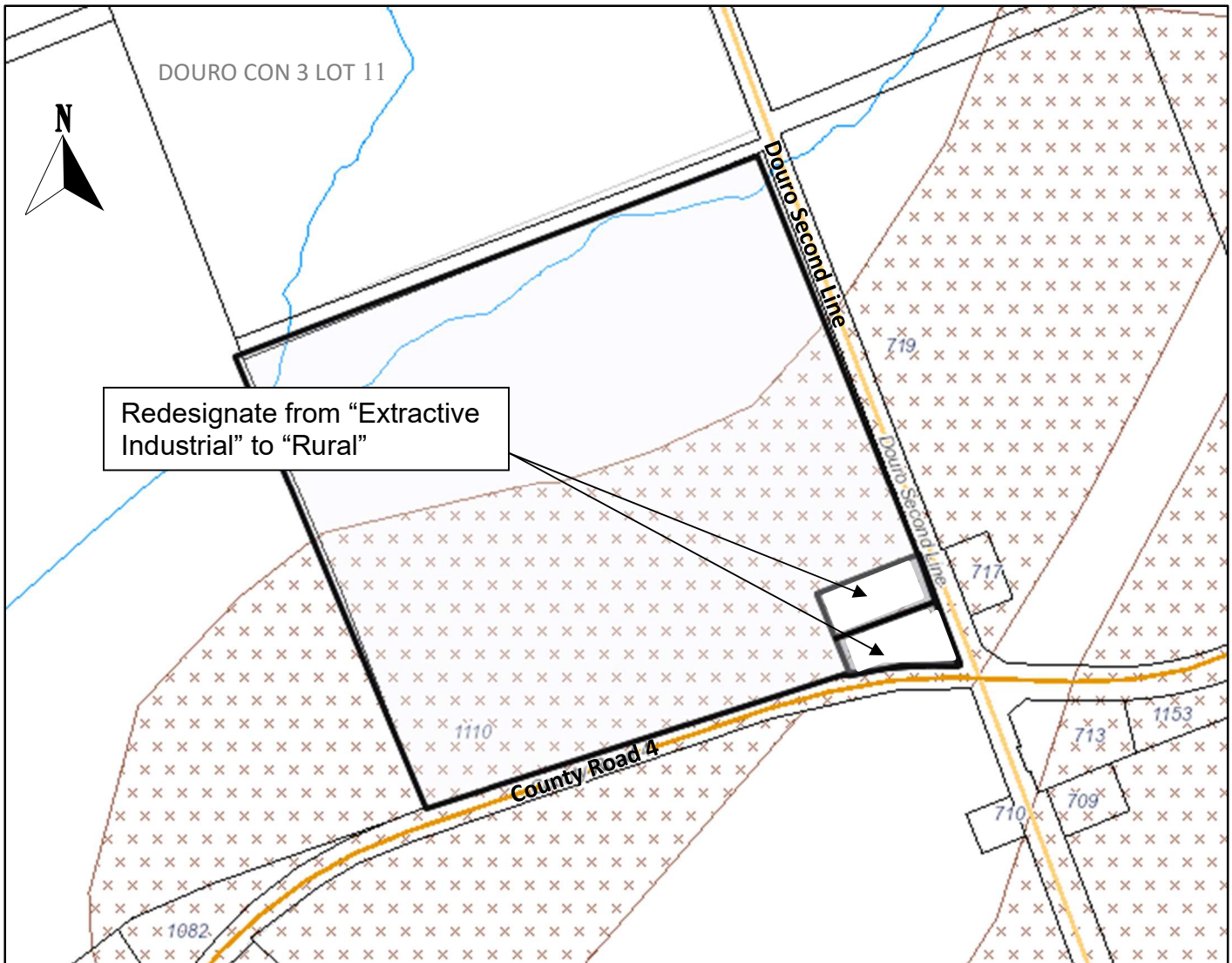
The Official Plan of the County of Peterborough is hereby amended as follows:

1. Schedule 'A4-1' Land Use and Transportation Plan , Douro Ward of the Official Plan of the Township of Douro-Dummer within the Official Plan of the County of Peterborough, is amended by redesignating a portion of the property located at Part of Lot 10, Concession 3, in the Geographic Township of Douro, in the Township of Douro-Dummer, from the "Extractive Industrial" designation to the "Rural" designation as shown on Schedule '1' attached hereto and forming part of this Amendment.

Implementation and Interpretation

The implementation and interpretation of Official Plan Amendment No. 72 shall be in accordance with the respective policies of the Official Plan of the County of Peterborough, as amended.

Schedule '1'
To
Official Plan Amendment No. 72
County of Peterborough Official Plan



Part C - The Appendices

The following appendices do not constitute part of Official Plan Amendment No. 68, but are included as information supporting the Amendment.

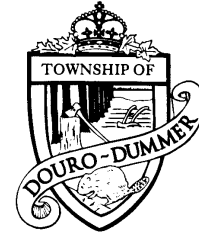
- **Appendix No. 1 Correspondence**
- **Appendix No. 2 Public Meeting Notice**
- **Appendix No. 3 Public Comments**
- **Appendix No. 4 Agency Comments**

Appendix No. 1 – Correspondence

None.



**The Corporation of the
County of Peterborough
and
The Corporation of the
Township of Douro-Dummer**



**Notice of Public Meeting for an
Official Plan Amendment**

Take notice that the Corporation of the County of Peterborough previously provided Notice of Complete Application for an Official Plan Amendment (OPA) in accordance with Section 22(6.4) of the Planning Act, R.S.O. 1990, as amended. The application has been assigned file number 15OP-22006.

And Take notice that the Council of the Township of Douro-Dummer will hold a public meeting as outlined below to consider the proposed Official Plan Amendment under Section 17 of the Planning Act, R.S.O., 1990 as amended.

Location

A key map is attached which indicates the location of the lands which are subject to the application. The lands are located in Part Lot 10, Concession 3, Douro Ward in the Township of Douro-Dummer, and known municipally as 1110 County Road 4.

Purpose and Effect of the Application

The proposed Official Plan amendment application would remove the "Extractive Industrial" designation on a portion of the property in order to facilitate the creation of two new residential lots by way of consent (severance).

In support of the application, the following documents were submitted and are currently undergoing technical review:

- Planning Justification Report, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated May 30, 2022
- Scoped Environmental Impact Study, prepared by Beacon Environmental, dated May 2022
- Aggregate Assessment for Severances, prepared by WSP, dated May 2022.

Statutory Public Meeting Information

The Corporation of the Township of Douro-Dummer will hold a Public Meeting on **Tuesday, December 20, 2022 at 5:00 p.m.** to consider the proposed Official Plan Amendment.

The meeting will be held in the Council Chambers of the Municipal Office located at 894 South Street, Warsaw ON.

Participation in the Public Hearing

While the meeting will be held in person, given the ongoing Covid-19 concerns, any person wishing to make written and/or oral submissions either in support of or opposition to the proposal is invited to make arrangements to attend the hearing virtually. In order to make arrangements to attend the virtual hearing please contact the Acting Clerk by email at MartinaC@dourodummer.on.ca no later than 9:00 a.m. on the day of the scheduled public hearing. You will be given guidance and instructions on how to attend via Zoom. It is the responsibility of those interested in attending to have the technology in place to connect to the hearing.

The Right to Appeal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the County of Peterborough in respect of the proposed OPA, to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough or Township of Douro-Dummer before the approval authorities give or refuse to give approval to the OPA, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough in respect of the proposed OPA before the approval authorities make a decision regarding the amendments, the person or public

body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information: relating to the proposed amendment is available on the Township Website <https://www.dourodummer.ca/modules/news/en> and on the County Website www.ptbocounty.ca. A copy of the Township Planner’s report and other relevant information will be posted on the Township’s website <https://www.dourodummer.ca/en/council-and-governance/agendas-and-minutes.aspx?mid=21136> prior to the Public Meeting.

Notification of Decision: If you wish to be notified of the decision for any or all of the applications, you must make a written request to the Township of Douro-Dummer or the County of Peterborough by mail, fax, email or drop box.

Contact:

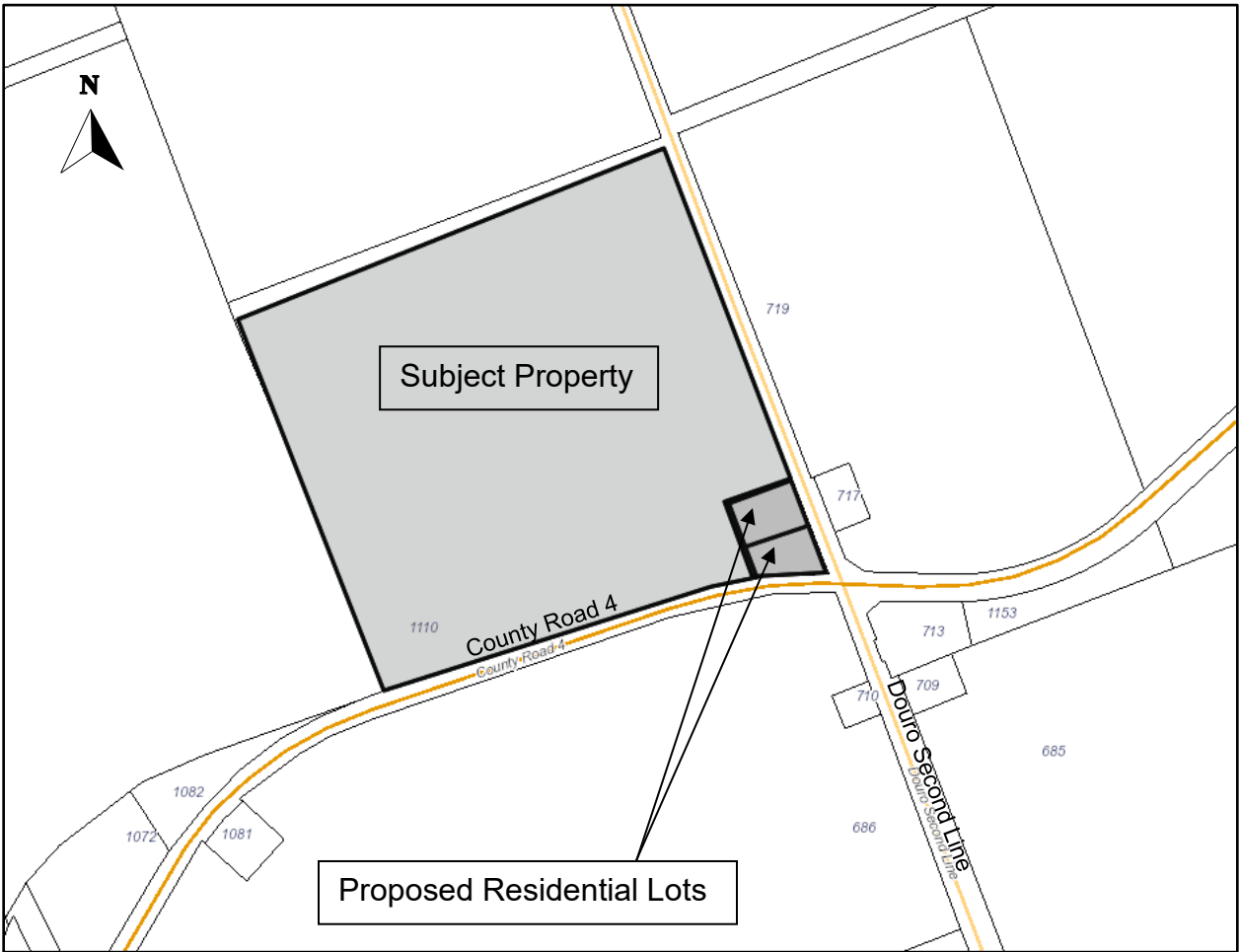
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3
Tel: (705) 743-0380
planning@ptbocounty.ca

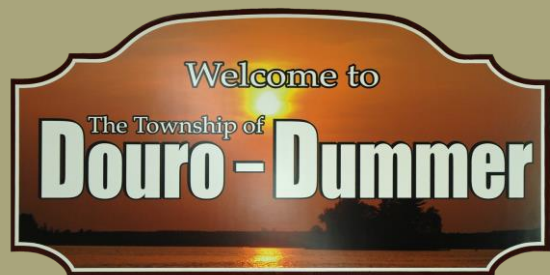
Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, ON K0L 3A0
Tel: (705) 652-8392
info@dourodummer.on.ca

Dropbox: Township Office Adjacent to the Front Door (no later than 4:00 p.m. on the day prior to the Public Meeting)

Dated this Monday, November 28, 2022.

Key Map





Council Orientation

Building Services and
By-Law Enforcement

December 20, 2022



Introduction

- Building Services and Bylaw enforcement is primarily responsible for the administration and enforcement of the Building Code Act and related Building Bylaw.
- Responsible for interpreting and enforcing the Zoning Bylaw, Property Standards Bylaw, Yard Bylaw, Noise Bylaw, Development Charges Bylaw and other various relatable Bylaws.
- Building Services Staff
 - Temporary Chief Building Official / By-law Enforcement Officer
 - Building Inspector I / By-law Enforcement Officer
 - Building Inspector I / By-law Enforcement Officer - Contract
 - Building Administrator
- Also responsible for being the primary health and safety representative.



What We Do

- Responsible for the administration and enforcement of the Building Code Act, the Ontario Building Code (OBC), and the related township Building By-law.
- Review plans for construction projects in conformance with the OBC and issue the related Building Permit
- Conduct field inspections for issued permits
- Conduct investigations under the authority various By-laws, such as the Zoning By-law, Property Standards By-law and others
- Discuss complaints and other issues related to the above with homeowners, neighbours and Council members and if necessary issue orders for compliance.



What We Don't Do

- We don't provide advice
- We don't design structures or buildings for people
- We can't refer specific people to do work for someone, however, we can direct them in how to find someone
- We don't enforce or make rules arbitrarily



Legislative Framework for Building Code matters

- The statute (the Building Code Act, 1992 (BCA)) is the high level legislation that sets out the rules and restrictions (the do's and don'ts) for the requirements to build buildings within the province.
- The regulation set forth in the statute is routinely amended and the most current version is the 2012 Ontario Building Code (OBC), O. Reg. 332/12, as amended.
- The Township has passed a By-law under Section 7 of the BCA to lay out the groundwork for how the Township should administer and enforce the Building Code.
- The By-law also sets out the classes of permits and how much to charge for each permit.
- Council's role with respect to the Building Code Act is to pass the By-law and adopt By-law appointing the Chief Building Official and other officers.



Building Services and By-Law Enforcement



QUESTIONS?

Township of Douro-Dummer

Report and Capital Project Status

- Directed by Council and/or CAO
- Directed by the Province/legislation
- Directed by an Agency

Report Status

Department	Date Requested	Directed By	Resolution/Direction	Est. Report Date
Public Works / CAO	May 17, 2022	Council	Speed Limit Reduction Request Policy & Follow up on Birchview Road Speed Study Report	March 2023
CAO	August 3, 2021	Council	Public Process to Address Short Term Rentals	Appointment of Committee Members Complete – Awaiting Council Appointment after Election
Building Department	December 21, 2021	Council	Building Department Customer Service Policy with Wait Times	February 2023 – Delayed due to Building Department Personnel Change
Corporate	May 3, 2022	Council	Future Gravel Resources	Winter 2023
Planning	June 7, 2022	Council/ Province	Bill 109 – Update to Site Plan Control By-law, Create Pre-Consultation By-law, ensure language in Official Plan allows for Peer Review as part of Complete Application	Changes pending release of final provincial regulations
Public Works	August 8, 2022	Committee of the Whole	Update Hard Top Policy with timelines for grandfathered roads	February 2023

Capital Project Status

Department	Capital Project List	Status
General Government	Demolition of Old House at Fifth Line - Waiting on bidder to pick up dismantle barn	Barn is removed – August 2022 Tender for house demolition and clean up – Required
General Government	New Sloped Roof - Town Hall	RFP in Spring 2023
General Government	Asset Management Plan	Ongoing
General Government	Computer Modernization	Ongoing
General Government	Finance Modernization	In progress – will continue into 2023
Building Department	Boat and Trailer	Deferred to 2023
Fire	Douro Station Reconfiguration	Ongoing
Fire	Station 2 Pumper	RFP Awarded
Fire	Equipment: - Bunker Gear - Extrication Tools - Fire Helmets - Vehicle Striker Kit - Vehicle Stair Kit	Items to be received throughout 2022

	<ul style="list-style-type: none"> - Lifting Air Bags - Ground Monitor - Forestry Pump - Electronic Sign 	
Transportation Services	One Ton Pickup Truck with snow plow	Awarded – Waiting on delivery
Parks and Recreation	Harvest Room Floor	To be completed December 2022
Parks and Recreation	Parks and Rec Master Plan - Implementation	On hold due to Covid-19
Parks and Recreation	Tables and Chairs	Report to Council – December 20, 2022
Parks and Recreation	Lime Kiln Restoration – 2022 Budget	Fall 2022

Recommendation:

That Report Planning-2022-12, dated December 20, 2022, regarding housekeeping amendments to the Site Plan Control By-law (By-law No. 2022-32) be received and; That at the appropriate time during the meeting Council pass the Revised Site Plan Control By-law as per the changes that are outlined in the attached track changes version.

Overview:

At the Council meeting on June 7, 2022, staff presented Report Clerk/Planning-2022-32 regarding Bill 109, the More Homes for Everyone Act, 2022. One of the changes enacted by the Bill is that the approval of Site Plan Control must be delegated to staff. In response to the staff report Council passed the following Resolution:

Resolution Number 185-2022

Moved by: Deputy Mayor Moher
Seconded by: Councillor Watt

That the report, dated June 7, 2022 regarding Bill 109, the More Homes for Everyone Act, 2022 be received and that staff be directed to complete the following:

- Bring forward an updated Site Plan Control By-law which delegates all Site Plan approvals to staff for the next Council meeting,
 - That staff prepare a Pre-Consultation By-law to assist in mitigating the application fees refund requirements and to have any changes in place by January 1, 2023
 - That staff work with the County of Peterborough to ensure that the language in the Official Plan is sufficient to ensure that the Township can request that peer reviews be completed prior to a Planning Act application being deemed complete.
- Carried

In response to the Resolution above staff prepared an amended By-law for Council's approval. The amended By-law, being By-law No. 2022-32 was approved by Council on June 21, 2022.

After having worked with the By-law, staff have noted some omissions and inconsistencies. Therefore, in an effort to clarify the intent of Resolution Number 185-2022 and specifically the first bullet point above, staff are recommending some minor amendments to By-law No. 2022-32. Any deletions are shown as a strikeout and additions are highlighted in blue in the attached track changes version of the By-law.

Conclusion:

The track changes By-law that is before Council will clarify the intent of Resolution Number 185-2022 and will repeal By-law No. 2022-32 and replace it with the new version. The Site Plan By-law, Guide and Application will need to be further updated in

the coming months in order to implement additional changes introduced through Bill 23, More Homes Built Faster Act, 2022 which received Royal Assent on November 28, 2022.

Financial Impact:

There is no financial impact associated with this Report.

Strategic Plan Applicability:

To ensure and enable an effective and efficient municipal administration.

Sustainability Plan Applicability:

N/A

Report Approval Details

Document Title:	Amendment to Site Plan Control By-law (Housekeeping).docx
Attachments:	- 2022-32- Site Plan Control Track Changes - Housekeeping.pdf - 2022-58- Site Plan Control - Housekeeping.pdf
Final Approval Date:	Dec 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

The Corporation of the Township of Douro-Dummer

By-law Number 2022-32

Being a By-law to Designate the Township of Douro-Dummer as a Site Plan Control Area

Whereas under the provisions of Section 41 (2) of The Planning Act, R.S.O. 1990, as amended, authority is granted to Councils of Municipalities to designate a site plan control area, where an Official Plan is in effect;

And Whereas Section 7.17.1 of the County of Peterborough Official Plan designates all lands in the Township as a Site Plan Control Area;

And Whereas Section 41 (13) of The Planning Act, R.S.O., 1990, as amended, provides authority for the Council of a Municipality to pass a By-Law prescribing certain classes of development to be exempt from Section 41 (4) and (5) of The Planning Act, 1990, as amended, and providing for the delegation of any of the Council's powers or authority as provided therein;

And Whereas the whole of the area covered by the Official Plan is designated as a site plan control area which is all within the limits of the Corporation;

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. In this by-law:
 - 1.1. **"Development"** means the construction, erection or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot;
 - 1.2. **"Corporation"** means The Corporation of the Township of Douro-Dummer;
 - 1.3. **"Owner"** means the owner of land whose interest in the land is defined and whose name is specified in the proper Registry of Land Titles Office;
 - 1.4. **"Person"** includes an owner;
 - 1.5. **"Gross Floor Area"** means the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of a cellar or subcellar, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level but excluding car parking areas

within the building and, for the purpose of this paragraph the walls of an inner court and shall be deemed to be exterior walls.

2. The whole of the area covered by the Official Plan for the Township of Douro-Dummer is designated as a site plan control area insofar as lands in all the zoning categories under the Township of Douro-Dummer Zoning By-law number 10-1996, as amended, save and except for those uses specifically exempted under section 4 of this by-law.
3. Within the various commercial, industrial and institutional, rural and agricultural zones, only projects of the following magnitude shall require site plan approval ~~by Council, the approval process has been delegated to the Chief Building Official and the Planner. Agreements shall be signed by the Clerk and the Mayor as per changes enacted by Bill 109:~~
 - 3.1. Any new commercial or industrial building or building addition, greater than 100 square metres of gross floor area;
 - 3.2. Any other new non-residential building, or building addition greater than 100 square metres of gross floor area;
 - 3.3. Any project as determined by Council the Chief Building Official and/or the Planner within an aggregate resource area;
 - 3.4. The approval process has been delegated to the Chief Building Official and the Planner. Agreements shall be signed by the Clerk and the Mayor as per changes enacted by Bill 109.~~All other projects may be approved by the Planner and the Chief Building Official.~~
4. The following projects shall be exempt from site plan control:
 - 4.1. Any construction or alteration of a single-family dwelling, duplex or semi-detached dwelling,
 - 4.2. Any building accessory to the uses described in paragraph 4.1 of this section;
 - 4.3. An inground or above ground swimming pool constructed in connection with the uses described in paragraph 4.1 of this section;
 - 4.4. Any new non-residential building including any accessory building less than 100 square metres of gross floor area;
 - 4.5. Any building addition less than 100 square metres of building area or floor area, whichever is greater;
 - 4.6. Any interior alteration to a building or change of use, but not a change of use to a group home;

- 4.7. Any agricultural and farm related buildings or structures that are ~~not~~ utilized in active farming operations;
 - 4.8. Any project which the Council of the Corporation by resolution specifically exempts from the application of the within By-law.
5. Notwithstanding the aforementioned exemptions, site plan control shall apply to:
- 5.1. Any project, as determined by the ~~Council for the Corporation of the Township of Deuro-Dummer~~ Chief Building Official and/or the Planner, which is the subject of a rezoning application or;
 - 5.2. Any project where site plan control is imposed as a condition of an application to the County Land Division Committee.
6. Notwithstanding any of the provisions of any By-law which may be inconsistent with the By-law, no person shall undertake any development in the site plan control area unless the ~~Corporation~~ Chief Building Official and Planner ~~has have~~ approved the following:
- 6.1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 7, subsection 7.1.
 - 6.2. Drawings showing plan, elevation and cross-section views for each building to be erected within a site plan control area which are sufficient to display:
 - 6.2.1. The massing and conceptual design of the proposed building;
 - 6.2.2. The relationship of the proposed building adjacent buildings, streets, and exterior areas to which members of the public have access; and
 - 6.2.3. The provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, but which exclude the following: the layout of interior areas, other than the interior walkways; stairs and escalators referred to in clause 6.2.3; the colour, texture and type of materials; window details; construction details; architectural detail and interior design.
7. As a condition to the approval of the plans and drawings referred to in Section 6, the Corporation may require the owner to:
- 7.1. Provide to the satisfaction of and at no expense to the municipality any or all of the following:
 - 7.1.1. Widening of highways that abut on the land;

- 7.1.2. Subject to The Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;
 - 7.1.3. Off street vehicular loading and parking facilities, either covered or uncovered access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;
 - 7.1.4. Walkways, including the surfacing thereof, and all other means of pedestrian access;
 - 7.1.5. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;
 - 7.1.6. Walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of the lands or the protection of adjoining lands;
 - 7.1.7. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials;
 - 7.1.8. Easements conveyed to the municipality for the construction, maintenance or improvements of watercourses, ditches, land drainage works and sanitary sewerage facilities on the land;
 - 7.1.9. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
- 7.2. Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or work mentioned in paragraph 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.1.6, 7.1.7, 7.1.8, and 7.1.9 of clause 7.1, including the removal of snow from access ramps and driveways, parking and loading areas and walkways;
- 7.3. Enter into one or more agreements with the municipality dealing with any or all of the facilities, works or matters mentioned in clauses 7.1 and 7.2 or with the provision and approval of the plans and drawings referred to in Section 6.
8. Any agreement entered into clause 7.3 of Section 7 may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of The Registry Act and The Land Title Act, any and all subsequent owners of the land.
9. Section 326 of The Municipal Act R.S.O., 1990, as amended, applies to any requirements made under clauses 7.1 and 7.2 of Section 7 and to any requirements made under an agreement entered into under clause 7.3 of Section 7.
10. Default:

- 10.1. Where the owner is directed or required by the By-law that any matter or things be done and such person defaults in doing such matter or thing, it may be done by the Corporation at its expense and the Corporation may recover the expense in doing it by action or the same may be recovered in like manner as municipal taxes.
- 10.2. Where the owner is in default in doing any matter or thing which the owner is directed or required to do by this By-law the owner is to be given written notice by prepaid registered mail to the owner's usual place of business or place of residence advising of the default and affording the owner not less than thirty (30) days to remedy the default.
- 10.3. Where the owner has been given notice of default by prepaid registered mail and the owner has failed to remedy the default within the time prescribed in the notice the owner is entitled to appear before a meeting of the Council in respect of such default before the Corporation proceeds under sub-section 10.1 of this section.
11. No building permit or permits are to be issued until:
 - 11.1. The plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the By-law are filed by the owner with the Corporation and approved by the Corporation, and;
 - 11.2. The perspective plans and drawings showing buildings, elevations and cross sections of industrial and commercial buildings and institutional buildings are filed by the owner with the Corporation and approved by the Corporation, and;
 - 11.3. The owner conveys to the Corporation lands for the widening of highways required by the Corporation, free of charge and with a title free of encumbrance, and;
 - 11.4. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, lands for a walkway where required by the Corporation, and;
 - 11.5. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, any easements required by the Corporation for its purposes, and;
 - 11.6. The owner files with the Corporation, for its approval, a lot grading plan showing all grading and changes in elevation or contour of land and disposal of storm, surface and waste water from the lands or any buildings or structures to be erected thereon;
 - 11.7. The owner has entered into any agreements required under Section 7.3.
12. No person shall:
 - 12.1. Block or impede access to land at the point of ingress or egress shown on the plans and drawings filed with the Corporation, and;

- 12.2. Park a vehicle on private property other than on the parking and loading access shown on the plans filed with the Corporation, and;
 - 12.3. Block or impede the use of walkways shown on the plans filed with the Corporation, and;
 - 12.4. Interfere with snow or ice removal directly or indirectly and without limiting the generality of the foregoing, no vehicle shall be parked so as to obstruct the removal of ice or snow from access ramps, driveways, parking areas and walkways shown on the plans filed with the Corporation, and;
 - 12.5. Change the grading or contour or elevation of land from that shown on the plans filed with the Corporation and approved by the Engineer of the Corporation without the consent in writing of the Engineer of the Corporation, and;
 - 12.6. Block or interfere with the disposal of or alter the normal drainage course for storm surface and waste water from land or buildings or structures unless alternative drainage is provided to the written satisfaction of the Engineer for the Corporation, and;
 - 12.7. Block or interfere with watercourse, watermains, ditches, land drainage works or sanitary sewerage facilities of the Corporation or of the County of Peterborough, whichever is the case, and;
 - 12.8. Permit floodlights from his land to illuminate neighbouring buildings where such illumination disturbs the sleep or privacy of the occupants of the buildings so illuminated, and;
 - 12.9. Fail to maintain walls, fences, hedges, trees, shrubs or other suitable groundcover shown on the plans filed with the Corporation, and;
 - 12.10. Fail to keep in good repair or uncovered all vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials as shown on the plans filed with the Corporation.
13. Notwithstanding the foregoing, no approval of site plans and elevation drawings for development or redevelopment in a site plan control area shall be approved unless or until proper drawings have been prepared, either by a qualified draftsman, surveyor, engineer or architect. Such drawings must be signed by the party preparing same. Such drawings must be legible. Extra copies of such drawings must also be provided in legal size and still be legible in case it is determined that a site plan agreement must be registered against the title to the owner(s) land.

14. Violations and Penalties

- 14.1. Any persons who violates any provision of the By-law or causes or permits a violation shall be guilty of an offence and, upon conviction therefore, shall be

liable for the penalties set out in Section 67 of The Planning Act, R.S.O., 1990.
Each day of violation shall constitute as offence.

15. Remedies

15.1. In case any building or structure is to be erected or altered or any part thereof is to be used, or any lot is to be used in contravention of any requirement of this By-law, such contravention may be retained by action in the instance of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or the Municipal Act in that behalf.

16. Validity

16.1. If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall no affect the validity of the By-law as a whole or any part hereof, other than the section, clause or provision so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses and provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions hereof shall have been declared to be invalid.

17. That this By-law shall come into effect on the date it is passed by the Council of Corporation of the Township of Douro-Dummer, subject to the applicable provisions of The Planning Act, R.S.O., 1990, as amended.

18. That By-law No. 2002-71 of the Township of Douro-Dummer is hereby repealed.

Enacted and passed this 21st day of June, 2022.

Mayor, J. Murray Jones

Clerk, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2022-58

Being a By-law to Designate the Township of Douro-Dummer as a Site Plan Control Area

Whereas under the provisions of Section 41 (2) of The Planning Act, R.S.O. 1990, as amended, authority is granted to Councils of Municipalities to designate a site plan control area, where an Official Plan is in effect;

And Whereas Section 7.17.1 of the County of Peterborough Official Plan designates all lands in the Township as a Site Plan Control Area;

And Whereas Section 41 (13) of The Planning Act, R.S.O., 1990, as amended, provides authority for the Council of a Municipality to pass a By-Law prescribing certain classes of development to be exempt from Section 41 (4) and (5) of The Planning Act, 1990, as amended, and providing for the delegation of any of the Council's powers or authority as provided therein;

And Whereas the whole of the area covered by the Official Plan is designated as a site plan control area which is all within the limits of the Corporation;

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. In this by-law:
 - 1.1. **"Development"** means the construction, erection or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot;
 - 1.2. **"Corporation"** means The Corporation of the Township of Douro-Dummer;
 - 1.3. **"Owner"** means the owner of land whose interest in the land is defined and whose name is specified in the proper Registry of Land Titles Office;
 - 1.4. **"Person"** includes an owner;
 - 1.5. **"Gross Floor Area"** means the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of a cellar or subcellar, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level but excluding car parking areas

within the building and, for the purpose of this paragraph the walls of an inner court and shall be deemed to be exterior walls.

2. The whole of the area covered by the Official Plan for the Township of Douro-Dummer is designated as a site plan control area insofar as lands in all the zoning categories under the Township of Douro-Dummer Zoning By-law number 10-1996, as amended, save and except for those uses specifically exempted under section 4 of this by-law.
3. Within the various commercial, industrial and institutional, rural and agricultural zones, projects of the following magnitude shall require site plan approval:
 - 3.1. Any new commercial or industrial building or building addition, greater than 100 square metres of gross floor area;
 - 3.2. Any other new non-residential building, or building addition greater than 100 square metres of gross floor area;
 - 3.3. Any project as determined by the Chief Building Official and/or the Planner within an aggregate resource area;
 - 3.4. The approval process has been delegated to the Chief Building Official and the Planner. Agreements shall be signed by the Clerk and the Mayor as per changes enacted by Bill 109.
4. The following projects shall be exempt from site plan control:
 - 4.1. Any construction or alteration of a single-family dwelling, duplex or semi-detached dwelling,
 - 4.2. Any building accessory to the uses described in paragraph 4.1 of this section;
 - 4.3. An inground or above ground swimming pool constructed in connection with the uses described in paragraph 4.1 of this section;
 - 4.4. Any new non-residential building including any accessory building less than 100 square metres of gross floor area;
 - 4.5. Any building addition less than 100 square metres of building area or floor area, whichever is greater;
 - 4.6. Any interior alteration to a building or change of use, but not a change of use to a group home;
 - 4.7. Any agricultural and farm related buildings or structures that are utilized in active farming operations;

- 4.8. Any project which the Council of the Corporation by resolution specifically exempts from the application of the within By-law.
5. Notwithstanding the aforementioned exemptions, site plan control shall apply to:
- 5.1. Any project, as determined by the Chief Building Official and/or the Planner, which is the subject of a rezoning application or;
- 5.2. Any project where site plan control is imposed as a condition of an application to the County Land Division Committee.
6. Notwithstanding any of the provisions of any By-law which may be inconsistent with the By-law, no person shall undertake any development in the site plan control area unless the Chief Building Official and Planner have approved the following:
- 6.1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 7, subsection 7.1.
- 6.2. Drawings showing plan, elevation and cross-section views for each building to be erected within a site plan control area which are sufficient to display:
- 6.2.1. The massing and conceptual design of the proposed building;
- 6.2.2. The relationship of the proposed building adjacent buildings, streets, and exterior areas to which members of the public have access; and
- 6.2.3. The provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, but which exclude the following: the layout of interior areas, other than the interior walkways; stairs and escalators referred to in clause 6.2.3; the colour, texture and type of materials; window details; construction details; architectural detail and interior design.
7. As a condition to the approval of the plans and drawings referred to in Section 6, the Corporation may require the owner to:
- 7.1. Provide to the satisfaction of and at no expense to the municipality any or all of the following:
- 7.1.1. Widening of highways that abut on the land;
- 7.1.2. Subject to The Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;

- 7.1.3. Off street vehicular loading and parking facilities, either covered or uncovered access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;
- 7.1.4. Walkways, including the surfacing thereof, and all other means of pedestrian access;
- 7.1.5. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;
- 7.1.6. Walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of the lands or the protection of adjoining lands;
- 7.1.7. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials;
- 7.1.8. Easements conveyed to the municipality for the construction, maintenance or improvements of watercourses, ditches, land drainage works and sanitary sewerage facilities on the land;
- 7.1.9. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
- 7.2. Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or work mentioned in paragraph 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.1.6, 7.1.7, 7.1.8, and 7.1.9 of clause 7.1, including the removal of snow from access ramps and driveways, parking and loading areas and walkways;
- 7.3. Enter into one or more agreements with the municipality dealing with any or all of the facilities, works or matters mentioned in clauses 7.1 and 7.2 or with the provision and approval of the plans and drawings referred to in Section 6.
- 8. Any agreement entered into clause 7.3 of Section 7 may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of The Registry Act and The Land Title Act, any and all subsequent owners of the land.
- 9. Section 326 of The Municipal Act R.S.O., 1990, as amended, applies to any requirements made under clauses 7.1 and 7.2 of Section 7 and to any requirements made under an agreement entered into under clause 7.3 of Section 7.
- 10. Default:
 - 10.1. Where the owner is directed or required by the By-law that any matter or things be done and such person defaults in doing such matter or thing, it may be done by the Corporation at its expense and the Corporation may recover the expense in doing it by action or the same may be recovered in like manner as municipal taxes.

10.2. Where the owner is in default in doing any matter or thing which the owner is directed or required to do by this By-law the owner is to be given written notice by prepaid registered mail to the owner's usual place of business or place of residence advising of the default and affording the owner not less than thirty (30) days to remedy the default.

10.3. Where the owner has been given notice of default by prepaid registered mail and the owner has failed to remedy the default within the time prescribed in the notice the owner is entitled to appear before a meeting of the Council in respect of such default before the Corporation proceeds under sub-section 10.1 of this section.

11. No building permit or permits are to be issued until:

11.1. The plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the By-law are filed by the owner with the Corporation and approved by the Corporation, and;

11.2. The perspective plans and drawings showing buildings, elevations and cross sections of industrial and commercial buildings and institutional buildings are filed by the owner with the Corporation and approved by the Corporation, and;

11.3. The owner conveys to the Corporation lands for the widening of highways required by the Corporation, free of charge and with a title free of encumbrance, and;

11.4. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, lands for a walkway where required by the Corporation, and;

11.5. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, any easements required by the Corporation for its purposes, and;

11.6. The owner files with the Corporation, for its approval, a lot grading plan showing all grading and changes in elevation or contour of land and disposal of storm, surface and waste water from the lands or any buildings or structures to be erected thereon;

11.7. The owner has entered into any agreements required under Section 7.3.

12. No person shall:

12.1. Block or impede access to land at the point of ingress or egress shown on the plans and drawings filed with the Corporation, and;

12.2. Park a vehicle on private property other than on the parking and loading access shown on the plans filed with the Corporation, and;

12.3. Block or impede the use of walkways shown on the plans filed with the Corporation, and;

- 12.4. Interfere with snow or ice removal directly or indirectly and without limiting the generality of the foregoing, no vehicle shall be parked so as to obstruct the removal of ice or snow from access ramps, driveways, parking areas and walkways shown on the plans filed with the Corporation, and;
- 12.5. Change the grading or contour or elevation of land from that shown on the plans filed with the Corporation and approved by the Engineer of the Corporation without the consent in writing of the Engineer of the Corporation, and;
- 12.6. Block or interfere with the disposal of or alter the normal drainage course for storm surface and waste water from land or buildings or structures unless alternative drainage is provided to the written satisfaction of the Engineer for the Corporation, and;
- 12.7. Block or interfere with watercourse, watermains, ditches, land drainage works or sanitary sewerage facilities of the Corporation or of the County of Peterborough, whichever is the case, and;
- 12.8. Permit floodlights from his land to illuminate neighbouring buildings where such illumination disturbs the sleep or privacy of the occupants of the buildings so illuminated, and;
- 12.9. Fail to maintain walls, fences, hedges, trees, shrubs or other suitable groundcover shown on the plans filed with the Corporation, and;
- 12.10. Fail to keep in good repair or uncovered all vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials as shown on the plans filed with the Corporation.
13. Notwithstanding the foregoing, no approval of site plans and elevation drawings for development or redevelopment in a site plan control area shall be approved unless or until proper drawings have been prepared, either by a qualified draftsman, surveyor, engineer or architect. Such drawings must be signed by the party preparing same. Such drawings must be legible. Extra copies of such drawings must also be provided in legal size and still be legible in case it is determined that a site plan agreement must be registered against the title to the owner(s) land.

14. Violations and Penalties

- 14.1. Any persons who violates any provision of the By-law or causes or permits a violation shall be guilty of an offence and, upon conviction therefore, shall be liable for the penalties set out in Section 67 of The Planning Act, R.S.O., 1990. Each day of violation shall constitute as offence.

15. Remedies

- 15.1. In case any building or structure is to be erected or altered or any part thereof is to be used, or any lot is to be used in contravention of any requirement of this

By-law, such contravention may be retained by action in the instance of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or the Municipal Act in that behalf.

16. Validity

16.1. If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part hereof, other than the section, clause or provision so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses and provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions hereof shall have been declared to be invalid.

17. That this By-law shall come into effect on the date it is passed by the Council of Corporation of the Township of Douro-Dummer, subject to the applicable provisions of The Planning Act, R.S.O., 1990, as amended.

18. That By-law No. 2022-32 of the Township of Douro-Dummer is hereby repealed.

Enacted and passed this 20th day of December, 2022.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Recommendation:

That the Clerk's Office-2022-19 report, dated December 20, 2022 regarding the appointment of an alternate member to County Council be received and that a By-law to appoint Councillor Watt as the alternate be passed at the appropriate time during the meeting.

Overview:

In 2019, the County of Peterborough approved a new policy to allow lower tier Council's to appoint an alternate member should the Mayor or Deputy Mayor be unable to attend a meeting without the seat being declared vacant.

The appointment must be made by By-law and will be in effect for the 4-year term of Council. If the alternate attends a County Council meeting they will receive a per diem from the County along with mileage as per the County's Remuneration By-law. A copy of the Council Alternate Member Policy CO-13 is attached to this report.

Conclusion:

In speaking to Mayor Watson, she wishes to have Councillor At Large, Tom Watt, be appointed as the Township of Douro-Dummer's alternate member for the 4-year term. For this appointment to take effect, Council must pass an Appointment By-law and send it to the Clerk of the County.

Financial Impact:

This report and appointment will not have a financial impact on the Township.

Strategic Plan Applicability:

To ensure and enable an effective and efficient municipal administration.

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Appointment of Alternate to County Council.docx
Attachments:	- CO-13 Council Alternate Member (002) - County of Peterborough.docx
Final Approval Date:	Dec 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Elana Arthurs



County of Peterborough

Policy Manual

Department:	Council	Approved Leadership Team:	March 20, 2019
Policy #:	CO-13	Originally Approved by Council:	April 3, 2019
Subject:	Council Alternate Member	Revised by Council:	
Related By-laws:	2019-34		

Policy Statement:

Bill 68 permits a lower tier Council to appoint one Alternate Member per term to sit in place of a person who is a member of both upper and lower tier Councils when a person is unable to attend a meeting.

Section 268 does not cover vacancies of a local Council where a seat has been declared vacant in accordance with Section 259 of the Municipal Act.

Purpose:

The purpose of this policy is to provide consistent application of an Alternate Member policy for members from a lower tier municipality appointed for the term of Council to attend an upper tier Council meeting in place of a regular upper tier member.

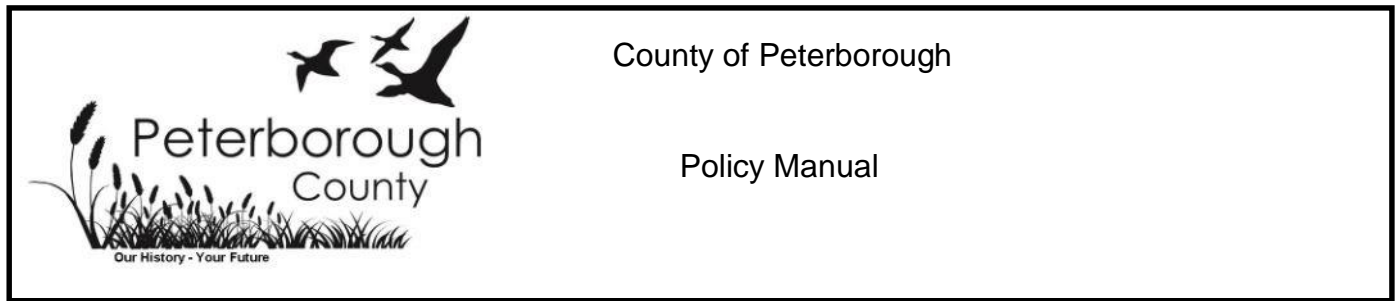
Scope:

An Alternate Member shall not take a seat on County Council until the Clerk of the County has received a certified copy of the Appointment By-law passed by the lower tier municipality naming the Alternate.

An Alternate Member may take their seat on County Council upon the County Clerk receiving a certified Appointment By-law passed by the lower-tier municipality which names the Alternate Member and the Alternate Member has taken the Oath of Office as administered by the County Clerk at the first meeting attended.

The County Clerk shall be notified of an Alternate Member's participation at least ten (10) days prior to the date of the meeting, where possible.

An Alternate Member's appointment shall be for the term of the Council that appointed them, or until their Appointment By-law is rescinded, or until such time as the Alternate Member's seat is declared vacant in accordance with Section 259 of the Municipal Act.



An Alternate Member may, in the absence of the elected member, participate at meetings of the County Council, however membership and voting rights, including weighted votes, are limited to only those privileges held by the County Councillor that the Alternate Member is representing.

An Alternate Member shall not represent a County Councillor at any Inaugural Meetings, or any County Council Board, Committee or Agency.

The appointment must be one member for the term of council and shall not be the appointment of an alternate head of council of the upper tier municipality.

An Alternate Member shall not be eligible for election to the County's Head of Council (Warden) or Deputy Warden, nor shall an Alternate Member assume the role of Warden or Deputy Warden when attending meetings of County Council.

An Alternate Member shall receive a per diem as well as mileage in accordance with the County's current per diem rate identified in the Remuneration By-law for any meetings of County Council he/she is required to attend in the absence of the elected member.

An Alternate Member shall not be eligible to be reimbursed for a convention, or seminar or training by the County.

An Alternate Member shall coordinate receipt of County Council Agendas and Minutes with the applicable Clerk of the lower tier.

An Alternate Member may attend Closed Session meetings. If the Alternate Member is required to have a copy of the Closed Session Agenda package for the purpose of participating in discussions, it will be provided to the member in coordination with the County Clerk.

An Alternate Member, while acting in their capacity, shall be governed by all applicable policies of County Council, such as but not limited to the Council Code of Conduct, Council-Staff Relations Policy and all other applicable Acts and Legislation and shall have access to applicable support resources such as but not limited to the Integrity Commissioner.

Review Cycle:

This Policy will be reviewed once a term of Council or as deemed necessary.

Recommendation:

That the Recreation Facilities-2022-10 report, dated December 20, 2022, regarding Tables and Chairs be received; and

That 40 tables be purchased from School House Products in the amount of \$9,200 + H.S.T. and freight and that the remaining budgeted money be placed into reserves for the future purchase of chairs.

Overview:

The Township of Douro-Dummer Recreation Facilities Department is looking to purchase new tables and chairs. The current tables and chairs are past their service life and a number of them have broken down or have deteriorating plastic. In 2019 the budgeted amount was expected to be sufficient to purchase new tables and chairs, although with the increase in costs, it would be prudent to replace the tables only and allocate the balance for the future purchase of chairs.

To bring the number of tables back up to original numbers staff is proposing to acquire 40 new tables. Staff have reviewed a number of commercial grade options from three suppliers to fit the Townships needs. Uline does not have a mid grade table, which would be preferred, the light duty tables are \$9,920.00 plus H.S.T and freight with a 2-year warranty. Global Industries medium duty tables are \$10,378.00 plus H.S.T and freight with a 15-year warranty. School House Products medium duty tables are \$9,200.00 plus H.S.T and freight with a 10-year warranty.

Conclusion:

Purchasing the tables now will allow for consistency which is optimal for users. It will also enable the remaining budgeted funds to be placed into reserves for the future chair purchases.

Financial Impact:

The financial impact for this will be \$9,200 plus H.S.T and freight. This will be funded from the \$14,730 budgeted for tables and chairs in the 2019 capital budget that has been carried forward.

Strategic Plan Applicability:

To develop and/or assist with the development and delivery of social and recreational programs as well as effectively maintaining and updating recreational facilities to promote healthy lifestyles and meet the broad range of community needs.

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Tables and Chairs.docx
Attachments:	
Final Approval Date:	Dec 13, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

Recommendation:

That Report Planning-2022-07, dated December 20, 2022, regarding Staff Recommendation Regarding Zoning By-law Amendment - File: R-17-21 (Paterson & Carrington) be received; and
That the Holding (H) Symbol be removed from the subject property; and further
That the By-law to enact the Amendment be passed at the appropriate time in the meeting.

Overview:

On behalf of the property owners David Paterson and Kathryn Carrington, their Agent, Ron Davidson Land Use Planning Consultant Inc., has applied to remove the Holding symbol and amend the zoning of their property located at 4034 Centre Road/County Road 32, being Roll No. 1522-010-004-08100.

The subject property is an existing vacant lot of record and is currently zoned the Special District 190 - Holding Zone (S.D. 190-H). The effect of the proposed Zoning By-law Amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

A copy of the draft By-law is attached to this Report.

A Public Meeting was held at the September 6, 2022 Regular Meeting of Council. A copy of the Planning Department 2022-08 Report from the Public Meeting is attached to this Report.

At the public meeting, concerns and objections were raised by Dean Bolton, 4030 County Road 32 and 4016 County Road 32, Allan Bolton 4014 County Road 32 and Brian Bolton 4026 County Road 32. The concerns raised related to flooding of their properties which are adjacent to the subject property.

Following the Public Meeting, a request for a site visit was made by Dean Bolton. Township Staff organized a site visit on September 28, 2022. The list below identifies the individuals who were invited to the site visit and whether they were in attendance:

Name	Title	Attended
Alanna Boulton	Realty Officer, Parks Canada	No
Chris Proctor-Bennett	P. Eng, Engineering Consultant/Peer Reviewer for the Township of Douro-Dummer	Yes

Doug Saccoccia	P.Eng, Manager, Engineering & Design, County of Peterborough	No
Jake Condon	Manager of Public Works, Township of Douro- Dummer	Yes
Brian Fawcett	Chief Building Official, Township of Douro- Dummer	Yes
Christina Coulter	Planner, Township of Douro-Dummer	Yes
Don Allin	Manager, Plan Review and Permitting Services, Otonabee Region Conservation Authority	Yes
Murray Davenport	P.Eng, Engineer for the Applicants	Yes
Kathryn Carrington and David Paterson	Applicants	Yes
Dean & Serena Bolton	Neighbour/Objector, 4030 County Road 32 and 4016 County Road 32	Yes
Tina & Brian Bolton	Neighbour/Objector, 4026 County Road 32	Yes

In advance of the site visit, the concerns regarding flooding were summarized by the objectors as follows:

- “1) **Where is the revised and approved drainage site plan (2013) for the diverted culvert at the end of the road?** We can see from the letter that ORCA sent to Richard Taylor (lawyer for the Hunters) in June 2013 that ORCA were not in favour of the initial plan as it was showing a culvert going directly into the river. However, in the follow-up email correspondence from September 2013, ORCA states that it has not received any response or revised plan, a plan they would need to see in order to approve the building of the road. Perhaps the township has a copy now, but is that the **original one** approved by ORCA in 2013?
- 2) **Were trees removed, sand dumped (in the marshy area) and man-made culverts dug before ORCA approved a second plan?** We remain very surprised at the fact that ORCA would have approved a revised plan that would lead to such flooding and pooling on our properties. Their original letter states that there were a number of areas that were not to be disturbed.”

A written presentation of the drainage concerns was distributed by the objectors to all parties in attendance at the September 28, 2022 site visit.

To address the above noted concerns, the parties agreed to some minor changes to the site plan which have been summarized as follows:

- A drainage ditch be shown extending along the existing roadside ditch on the Township Road Allowance directly into the Otonabee River. The side slopes of the proposed ditch are 5:1 so a lawn tractor can cut the grass on the side slope or cross the ditch as required.
- A dock on the shore of the Otonabee River in the area of the proposed ditch will be relocated.
- The existing driveway culvert be relocated to the location of the proposed driveway.
- An existing culvert to the west of the subject property be removed and the ditch filled in.

Following the site visit, the objectors requested the following additional information:

- “1. Would it be possible for the township engineer to provide us with a layman's diagram of how the water will flow from all the properties once the changes are made?
2. Will there be a documented summary of our meeting?
3. How can we get a copy of our concerns package into the R-17-21 file?”

The revised site plan was received from the Applicant's Engineer on Friday September 30, 2022. In response to item 1. above, the Applicant's Engineer also provided the objectors with a copy of the revised site plan highlighting the direction of the proposed drainage via e-mail dated October 3, 2022.

In response to item 2. above, this report, being, Report Planning 2022-07 serves as a documented summary of the site visit.

In response to item 3. above, a copy of the objectors concerns package is attached to this Report.

The revised site plan was circulated to ORCA and the Township Engineer, D.M. Wills for peer review on Monday October 3, 2022. Both the Township Engineer and ORCA offered additional comments on the Site Plan.

Based on the peer review comments, a further revised site plan submission was received from the Applicant's Engineer on October 12, 2022. This submission included the following:

- M.J. Davenport & Associates Ltd. Cover Letter dated October 12, 2022;

- Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021 - Revision No. 4, October 6, 2022;
- Drainage Area Plan Drawing No. 5883-03 (October, 2022) including 100-year Ration Method and Open Channel Flow Calculation for Proposed Drainage Ditch; and
- Erosion Control Plan Drawing No. 5883-EC (Revision No. 2 dated October 6, 2022).

A copy of the revised site plan submission is attached to this Report. The revised submission was peer reviewed by ORCA and D.M. Wills.

In correspondence dated October 28, 2022 ORCA indicated that the application has demonstrated consistency with Sections 2.1, 2.2 and 3.1 of the PPS and consistency with Sections 4.2.3 and 4.2.4. of the Growth Plan. ORCA indicated that permits will be required prior to any site alteration, construction or demolition. A notice has been issued from the RMO with respect to the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. A copy of ORCA's comments are attached to this Report.

In correspondence dated November 6, 2022 D.M. Wills indicated that all previous comments regarding the proposed Site Plan, Grading and Erosion Control design have been addressed. A copy of D.M. Wills comments are attached to this Report.

Given the extension of the drainage ditch within the Township Road Allowance and into the Otonabee River, Council authorized By-law No. 2022-55 which rescinded a 2014 Level of Municipal Services Agreement with the previous owners of the subject property and entered into a new Road Allowance Agreement with the current Owners. The Road Allowance Agreement has been registered as PE391982 on December 9, 2022 in the Land Registry Office. A copy of the Registration and Agreement is attached to this Report.

Given that the revised site plan was found to be acceptable to both ORCA and the Township Engineer, the site plan agreement was signed by the Owners, Mayor and the Acting Clerk and Registered with the Land Registry Office. A copy of the Agreement shall be provided with this Report.

With the registration of the Road Allowance Agreement and Site Plan Agreement, all of the conditions for the removal of the Holding Symbol from the Special District 190 Zone (S.D. 190) have now been satisfied.

Therefore, only a decision regarding the proposed Zoning By-law Amendment to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures remains.

Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):

The subject property is within 120 metres of the Otonabee River, a key hydrologic feature within the context of the Growth Plan. In accordance with Policies 2.1, 2.2 and 3.1 of the PPS and Section 4.2.4 of the Growth Plan, an Environmental Impact Study was required.

A Scoped Environmental Impact Study (sEIS) was prepared in support of the Application. The sEIS concluded that a building permit could be obtained, provided the recommended mitigation measures be included in the Site Plan and Planting Plan, and that a Mitigation Measures Agreement (or similar) be entered into between the Owners and the Township (S. 10.6).

The Otonabee Region Conservation Authority (ORCA) reviewed the sEIS and indicated that the Application has demonstrated consistency with Policy 3.1 of the PPS relating to natural hazards. Further, the Application has demonstrated consistency with Policies 2.1 and 2.2 of the PPS relating to natural heritage and water and Sections 4.2.3 and 4.2.4 of the Growth Plan relating to key hydrologic features, key hydrologic areas and key natural heritage features and lands adjacent to key hydrologic features and key natural heritage features.

The subject property was flagged for having archaeological potential due to the proximity (within 300 metres of a water source). A Stage 1 Archaeological Assessment was prepared by YNAS in support of the Application. The Archaeological Assessment concluded that significant intensive disturbance over the entire property had occurred and the potential of finding archaeological resources has been completely removed (S. 4.0). As a result, no further archaeological assessment was required.

The archaeological assessment and recommendations have also been reviewed by Curve Lake First Nation (CLFN), and in correspondence dated August 23, 2021 to YNAS, CLFN agreed with the findings and that no further assessment was required. CLFN indicated they had no further concerns, questions or comments.

In correspondence dated October 2, 2021, the findings of the archaeological assessment were accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI).

In this regard, the Application has also demonstrated consistency with Policy 2.6 of the PPS as it relates to cultural heritage and archaeology.

Conformity to Official Plan:

The subject lands are designated Rural and subject to site specific policies contained in Section 6.2.2.11 (d)(vi) as identified on Schedule 'A4-1' to the Township Official Plan.

The site specific policies were developed through Official Plan Amendment No. 14 in order to permit the development of a permanent single detached dwelling on an undersized lot which fronts onto an unopened/unassumed Municipal road allowance. Development of the property is subject to a Site Plan and Site Plan Agreement to the satisfaction of the Township (S. 6.2.2.11 (d)(vi)).

As mentioned previously, a Site Plan Agreement has been prepared [executed] and is attached to this Report. The Site Plan was peer reviewed and accepted by the Township's peer review consultant, D.M. Wills. from both the Engineering and Planning disciplines. The Site Plan was also reviewed and accepted by ORCA.

No building, structure, or other facility can be erected, altered, or placed on the subject lands except in accordance with Schedules 1 through 7 which are referenced in Section 3 of the Site Plan Agreement and on deposit with the Township.

With the successful registration of the Site Plan Agreement, Application R-17-21 complies with the Township Official Plan.

Conclusion:

The Owners have revised the site plan to redirect the flow of water away from the neighbours and directly into the Otonabee River as was agreed upon by all parties at the September 28, 2022 site visit.

The Site Plan and Site Plan Agreement along with the Road Allowance Agreement have been registered on title and the requirements for the removal of the Holding Symbol have been met.

The proposed Zoning By-law Amendment appears to conform to the Official Plan, is consistent with the PPS and conforms to the Growth Plan.

Financial Impact:

All costs related to the application for a Zoning By-law Amendment are the responsibility of the owner.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Recommendation Report regarding ZBA R-17-21-Paterson and Carrington.docx
Attachments:	<ul style="list-style-type: none"> - R-17-21 - Draft By-law.pdf - Bolton Drainage Concerns Submission (September 28, 2022).pdf - M.J. Davenport Site Plan Submission (October 12, 2022).pdf - Amended_2nd Sub_R-17-21 _Site Plan_4034_Centre_Road_ORCA PPLD-2019 a.pdf - D.M. Wills 88002 - 4034 Centre Road - 5th Sub Engineering Review (November 6, 2022).pdf - Report Planning Department-2022-08 (September 6, 2022).pdf - PE391982.pdf - PE391982_Instrument_Statement_61.pdf
Final Approval Date:	Dec 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

The Corporation of the Township of Douro-Dummer

By-law Number 2022-XX

**Being a By-law to amend By-law Number 10-1996, as amended,
otherwise known as "The Township of Douro-Dummer
Comprehensive Zoning By-law"**

Whereas By-law No. 2013-56, passed by Council on October 15, 2013, had the effect of placing a holding provision (H) on certain lands located within Part of Lot 10, Concession 9 of the former Township of Douro, (now the Douro Ward of the Township of Douro-Dummer) in the County of Peterborough, more particularly described as roll no. 1522-010-004-08100;

And Whereas the Township of Douro-Dummer has entered into a Road Allowance Agreement ('Level of Municipal Services Agreement') via By-law No. 2022-55, as passed by Council on December 6, 2022;

And Whereas the Township of Douro-Dummer has approved of the Site Plans and a Site Plan Agreement has been entered into;

And Whereas all other applicable provisions of Section 3.15 of By-law No. 10-1996, as amended have been complied with;

And Whereas pursuant to Section 36(4) of The Planning Act, R.S.O. 1990, as amended, a by-law may be passed by Council for removing a holding provision (H);

And Whereas By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

And Whereas Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

And Whereas the Council of the Township of Douro-Dummer deems it advisable to amend By-law No. 10-1996 as amended;

Now Therefore the Council of the Township of Douro-Dummer hereby enacts as follows:

1. The area affected by this By-law consists of land located at 4034 Centre Road, Douro Ward, in the County of Peterborough, as indicated on Schedule "A" attached hereto, and forming part of this by-law, more particularly described as:

Concession 9, Pt Lot 10, Blocks 7 to 8
Douro Ward
4034 Centre Road
Roll No.: 1522-010-004-08100

2. Section 21 – Special Districts is amended by deleting subsection "21.190, Special District 190 - Holding (S.D. 190-H) Zone" in its entirety and replacing it with the following:

21.190 Special District 190 Zone (S.D. 190)

No person shall within any Special District 190 Zone (S.D. 190) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

21.190.1 Permitted Uses

21.190.1.1 all uses permitted in the Residential Zone (R) of By-law 10-1996, as amended, shall apply.

21.190.2 Regulations for Uses Permitted in Section 21.190.1.1

All provisions and regulations of the Residential Zone (R) of By-law 10-1996, as amended, shall apply with the following exceptions:

21.190.2.1 Special Provisions

- a) Minimum Lot Area 2,700 m²
 - b) Minimum Lot Frontage none
 - c) Minimum Front Yard 6 m
 - d) Maximum Lot Coverage 17.3%
- e) For the purposes of this section the front lot line is deemed to be the line which separates the lot from the abutting unopened road allowance.
- f) Notwithstanding Sections 3.11 and 3.12 of this By-Law to the contrary, the construction of a permanent single detached dwelling may be permitted on an existing lot of record which is undersized and which abuts an unopened Township road allowance. Access to the lot will be provided via a driveway on the unopened road allowance which is constructed to standards satisfactory to the Township.

3. Schedule 'A1' of By-law No. 10-1996, as amended, is hereby further amended by removing the Holding Symbol from the lands identified as Roll No.: 1522-010-004-08100 as shown on Schedule "A" attached hereto and forming part of this By-law.

4. All other relevant provisions of By-law 10-1996, as amended, shall apply.

If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

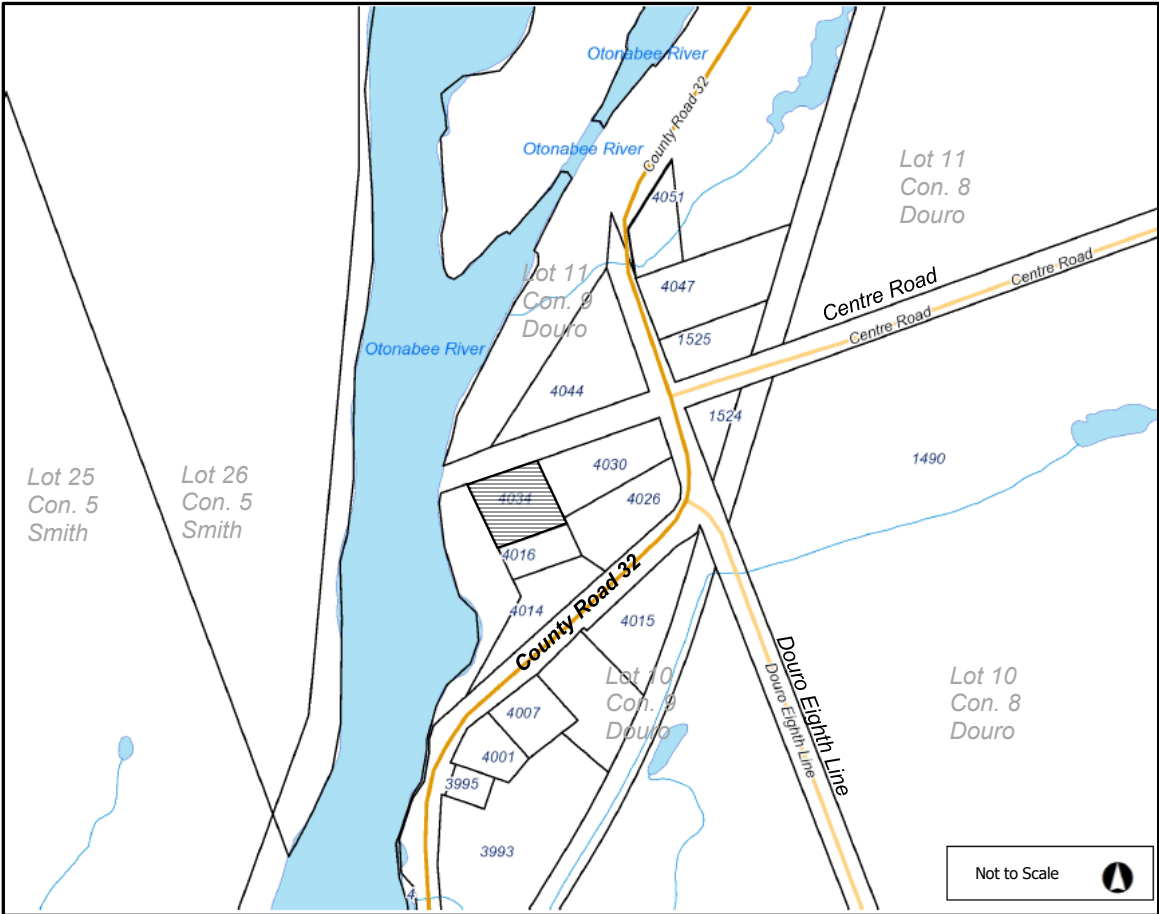
Passed in Open Council this _____ day of _____, 2022.


Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

File: R-17-21
Roll No.: 1522-010-004-08100

Schedule “A” to By-law 2022-XX



 **Property subject to the removal of the 'Holding Symbol (H)' and to remain zoned 'Special District 190 Zone (S.D. 190)'**

This is Schedule 'A' to By-law No. 2022-XX passed this _____ day of _____, 2022.

Mayor, J. Murray Jones

Acting Clerk, Martina Chait-Hartwig

Drainage Concerns Regarding Proposed Construction at
County Road 4034
Douro-Dummer

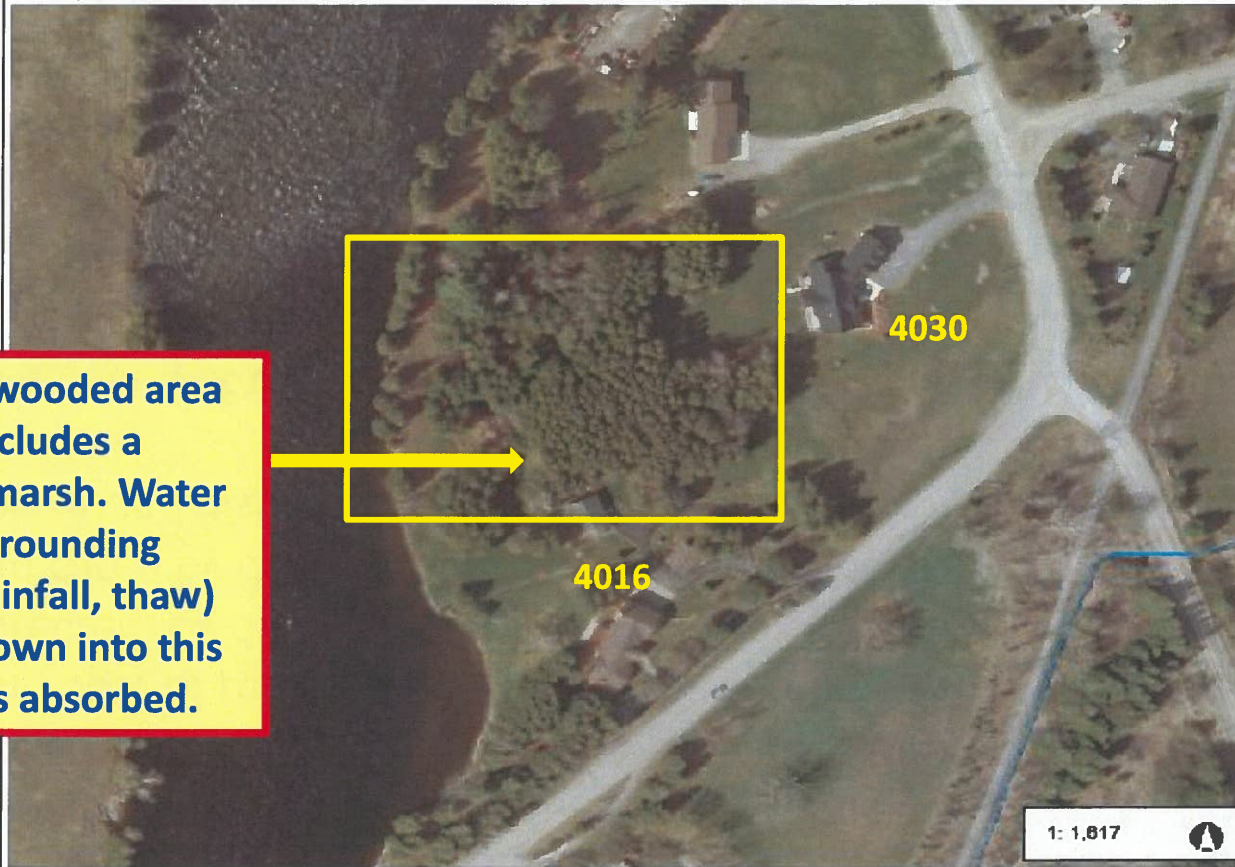
A Bit of Historical Context

- **2009** – Douro Council approves new lot (4034) for future construction and agrees that **water would be able to run freely without issues from surrounding areas** into the new lot; also agrees that only **underground hydro** would be allowed into the new lot

Note: *At the time, this area is covered in topsoil and grass, has a forested area as well as a small marsh area. Water flows from 4016, 4030 and surrounding area into the woods and is absorbed without issue.*



County of Peterborough



Heavily wooded area which includes a natural marsh. Water from surrounding areas (rainfall, thaw) drains down into this lot and is absorbed.

Legend

- First Nations
- Rivers
 - Intermittent
 - Permanent
- Regulated Provincial Parks
- DTM
 - High : 434.30
 - Low : -6099
- Hillshade
 - High : 254
 - Low : 0

2008

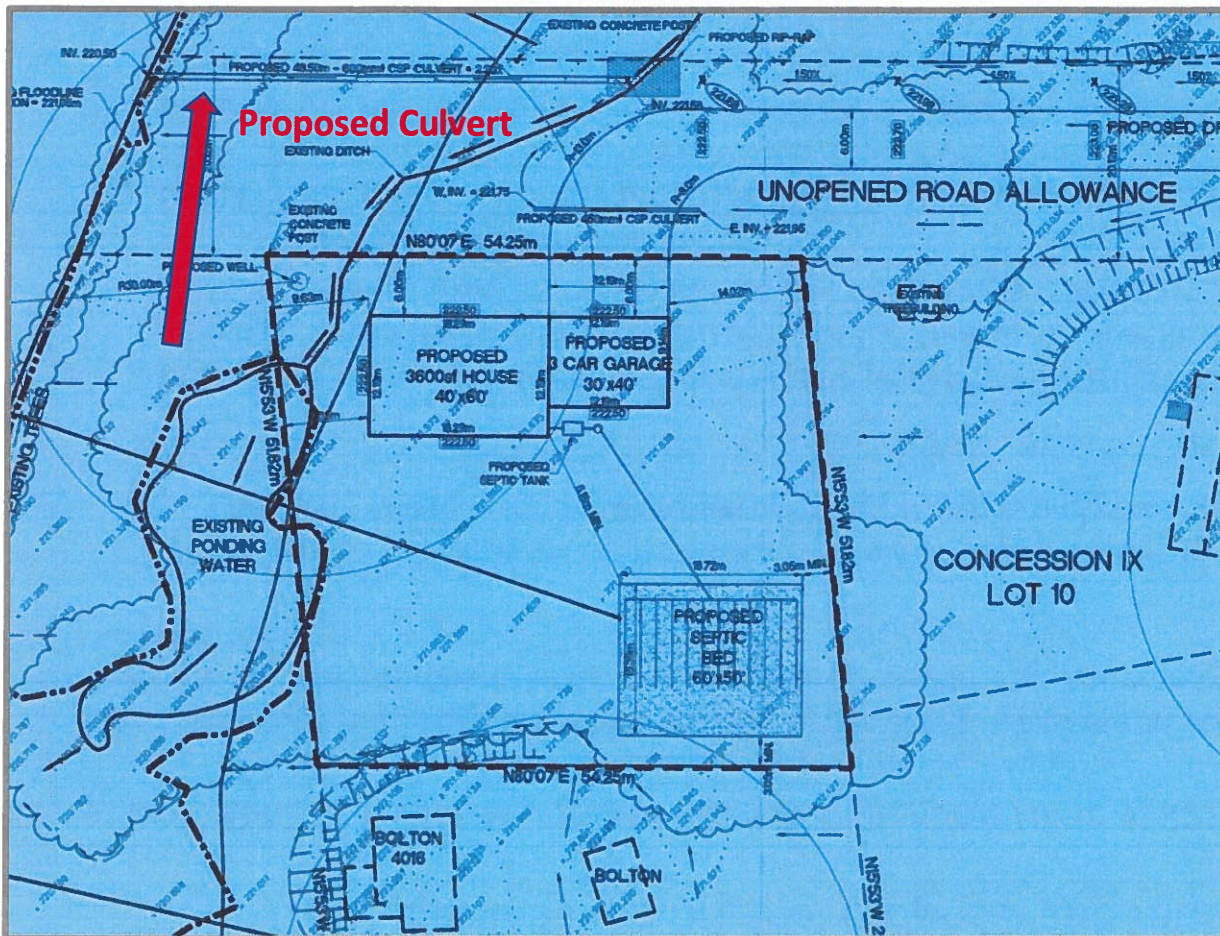
Notes

2008 view of lot 4034 in its natural state with trees and marsh area intact. Land absorbs all the water

3

- **2013** – Notice of road construction is given to neighbours and site plan map shows a road and a drain going directly into the river at the end of the new road.
- **Topsoil is stripped**, and **gravel** is added for the road. A ton of **sand** is added (**2014**) and **90% of the trees removed**. The **small marsh is also removed**, and water is directed, by ditches and culverts, towards 4016 INSTEAD of into the river as first indicated by diagram sent out. (***We later learn (2022) that ORCA had originally expressed displeasure with the diagram showing a drain leading into the river.***)
- We have yet to see the **ORIGINAL REVISED plan (2013)** with new culvert that ORCA must have approved ***prior to construction in 2014.***
- **Immediately**, we noticed extra water migrating towards 4016 (both during rainfall as well as during spring thaw) and the sump pump ran frequently.
- A request for help regarding the drainage issue was made to building official (via email and phone). **No resolution provided.**

Original Proposed Site Plan with Culvert 2013



- This original plan is submitted to ORCA for approval and is declined **(June 2013)** in its original form. A request for additional details and a revision to the proposed culvert is made by ORCA.
- Follow-up email correspondence between ORCA and lawyer for the Hunters **(September 2013)** indicates that **ORCA is still waiting for a revised plan before they can issue a permit.**

ORCA declines the original proposal and requests a revised plan

Excerpt from ORCA's response letter to Murray Davenport (June 4, 2013)

Additional details are required related to construction activities and the proposed infrastructure located outside the subject property limits. These items must be addressed prior to ORCA issuing a permit for construction.

- 1) An erosion and sediment control plan is required. This plan should detail the means of minimizing, pollution, sedimentation and erosion during construction and post construction. Best management

Page 1 of 2

practices shall be employed, including site, landscape, infrastructure and/or facility design, construction controls, and appropriate remedial measures. Specific requirements include;

- a. Silt fence along the perimeter of the "existing ponding area" and along the 30m set back, these areas shall remain undisturbed.
- 2) ORCA is not in support of the proposed 600mm culvert, which outlets directly into the Otonabee River. Runoff from the proposed driveway/unopened road allowance could continue to travel through the existing ditch/swale and into the "existing ponded water". A slight realignment of this ditch/swale would be preferred over a culvert directly into the Otonabee River.

ORCA requests follow-up and revised plan 3 months later (Sept. 2013)

Richard Taylor Law Office

From: Cara Scrimshaw [cscrimshaw@otonabee.com]
Sent: September 10, 2013 11:57 AM
To: richard.taylor.law@cogeco.net
Subject: FW: ORCA Comments
Attachments: 2013-050 Eng. Review (June 2013).pdf

Hi Richard,

ORCA has received the applicable fees for Mr. Hunter's permit application (thank you); however, it appears as though there are a couple of items outstanding per our last review of the most recent submission as I have no record of a response in the file. Please see the attached last set of comments sent to Murray Davenport back in June 2013. They are minor issues, but need to be addressed just the same. Once ORCA is in receipt of a revised plan satisfying ORCA's comments (4 copies), I will be able to turn the permit around quite quickly. If you have any questions, do not hesitate to contact me.

Where is the referenced required feedback and **revised plan** that ORCA requested in response to their concern about the original diagram Murray submitted? Perhaps it exists but we have yet to see a copy of it. Even if ORCA did approve the new culvert, the drainage issue remains.

7

Photo from
Google Earth Pro
showing area
OCTOBER 2014

Topsoil is
stripped, trees
removed, sand
and gravel
brought in.

Marsh area
is removed



Road is
constructed.

Drainage and
flooding issues on
nearby properties
begin after these
changes are made.

8

September 2015

- **Letter to Township** from Murray Davenport stating that road has been completed and that culvert into river was deleted as per ORCA's memorandum from **June 4, 2013**. (Text is blurry on letter due to reduction in PDF size for mailing purposes.)
- Should there not **also** be a reference to an approved **REVISED plan in this letter?** Again, perhaps it exists but where is it?

M.J. Davenport & Associates Ltd.
CONSULTING ENGINEERS AND PLANNERS
MURRAY J. DAVENPORT, P. Eng. MICHAEL W. DAVENPORT, P. Eng.

January 12, 2015

Township of Douro-Dummer
P.O. Box 92,
894 South Street,
Warsaw, ON
K0L 3A0

Attention: Mr. David Clifford
 Chief Administrative Officer

Re: T & R Hunter Lot
 Township of Douro-Dummer
 Project No. 11-D-4689

Dear David,

We, hereby, certify that the construction of the driveway from County Road No. 32 to the Hunter lot has been constructed on the unopened road allowance in accordance with the agreement signed with the Township of Douro Dummer and M.J. Davenport & Associates Ltd. Drawing No. 4689-01 revised "As Constructed."

The culvert discharging directly into the Otonabee River was deleted during construction as suggested by the Otonabee Region Conservation Authority in their memorandum dated June 4, 2013.

We are available to discuss this project at your convenience.

Yours truly,

M.J. DAVENPORT & ASSOCIATES LTD.

Murray J. Davenport, P. Eng.

c.c. Mr. Terry & Ms. Ruth Hunter
 Mr. Richard J. Taylor, Barrister, Solicitor, Notary Public

April 2017



Original owner continues to remove vegetation, further exacerbating drainage issues.

Potential Drainage Disaster is Averted in 2019

- Notice is given by Peterborough County indicating that drain work will be conducted on the east side of County Road 32 (**near entrance to 4030 and 4034**) and that **all excess water will be directed down the road allowance and then straight into the river** as per the Murray Davenport plan. Again, they show the plan **ON RECORD** as having a pipe going straight into the river.
- Knowing that the culvert into the river did NOT exist and had, instead, been diverted towards 4016, **Dean Bolton immediately contacted the county** about the drainage disaster that would unfold if the current plan remained intact. In the final hour, the plan was ditched, and the water was **directed to the Lock 24 drain ditch**. This close call underscores how problematic it has been not having an up-to-date REVISED plan on file from the start.

April 2020

This area floods regularly. There were no water drainage issues impacting house at 4016 County Road 32 prior to 2013.

Spring thaw issues are also a real issue at 4030 County Road 32 since the drainage pattern has been disturbed.

12

The lot at 4034 County Road 32 is sold

- Ruth and Terry Hunter sell their lot to Kathryn Carrington and Dave Paterson in 2020.
- Concerned about **unaddressed drainage issues** that have arisen in adjacent properties beginning in 2013 and progressively worsening, Brian, Dean, and Al Bolton write to the township. (See copy of letter in following two slides.) In their letter, they reiterate the importance of council ensuring their previously approved requests are (finally) honoured. They want the flooding problem addressed **before** the new owners begin to build on their new lot as construction without a resolution *first* will likely exacerbate the current drainage problem.

October 28, 2020

Letter of Concern – October 2020

Dear Mr. Condon;

We are writing this letter to request an investigation into a few important concerns our families have in relation to the property at **4034 County Road 32**, in Douro-Dummer formerly owned by Ruth and Terry Hunter and recently purchased by Dave and Kathy Paterson. This property lies adjacent to our three homesteads and our families share collective concerns related to: 1) **location of future power lines;** and 2) man-made **water drainage issues** in the area. While it is certainly not our intention to impose undue hardship on the Patersons, with the construction of their new home on the horizon and for the sake of everyone involved, it is important that these issues be addressed as soon as possible.

Back in 2012, Terry and Ruth Hunter sought to have their (former) lot approved to allow for the future construction of a home at some point. During that original council meeting, we (as adjacent property owners) requested that two issues be agreed to *before* we gave our consent for approval:

1. That only **underground hydro** would be allowed to service the lot
2. That the **natural drainage** from the adjacent lots that flowed through the south part of the Hunter lot would not be altered.

In preparation for Orca approval, the Hunters hired Murray Davenport (engineer) to design a site plan that would include drainage culverts as well as a road alongside the property. The design that was submitted to council by the Hunters was done without any consultation with any of us. The original Davenport plan showed water flowing from the adjacent lots through the south part of the Hunter lot and it indicated that water would flow through culverts, straight along the road allowance and directly into the **river**. After the road was constructed, somehow the original drainage plan changed. New culverts (not on the plan) were constructed that ran *parallel* to the river instead of into the river, completely changing the course of direction of the flowing water. Excess water in the area, beginning on the *other* side of the road at the former Mundell property (now owned by the McLean family) began flowing into these new culverts as did all other excess water from the Hunter lot and surrounding area directly towards the base of the small grey bungalow at 4016 County Road 32 (one of our properties). Compounding the problem was the fact that the natural marsh in the area was also destroyed and a ton of sand was added to the lot. Every spring since, the area around this grey house becomes overloaded with water, and the sump pump has to work 24/7 to prevent basement flooding.

Last summer, the Douro township began construction on a water diversion project directly in front of one of our homes (4032 County Road 32). The township began its initial construction plan (see **Appendix A**) while working on the assumption that the Davenport diagram showing a culvert the end of the road alongside the former Hunter property was accurate (see **Appendix C**). After consultation with the township by email (see **Appendix B**), the realization hit that the township had been working on the false assumption that culverts from the original Davenport plan *actually existed* at the end of the road. Once the error was discovered, thankfully the township changed course and a massive error (which could have *really* exacerbated flooding) was prevented. One has to wonder how on earth the 'new' Davenport plan (without a copy on record with the township) was ever approved by ORCA and/or Douro. Perhaps it never was.

In closing, we would like someone from the township (or perhaps, ORCA) to do a proper site assessment BEFORE additional construction on the lot at 4034 County Road 32 to ensure that none of our adjacent properties will bear the brunt of future drainage issues should the culvert system in place become overloaded with water. We also request confirmation that our original approved request for underground hydro cables on that lot be enforced. Thank you for your attention to this matter. Please contact us at your earliest convenience.

Sincerely,

Allan Bolton (4014 County Road 32; 705 740-5555)

Dean Bolton (4030 County Road 32 705 872-7712)

Brian Bolton (4026 County Road 32; 705 875-5820)

2020 - 2022

- New owners begin the process of clearing more trees from the land, adding large boulders (for foundation), and jumping through **unanticipated hoops** in order to ready the lot for the construction of their new home.
- One of the studies they are required to have completed is a Stage 1 **archaeological study of the land** to determine if any First Nation artifacts exist anywhere on their new property:

YORK NORTH ARCHAEOLOGICAL SERVICES INC.

1264 Bathurst Street, Peterborough, Ontario K9H 6X8

Telephone (705)-742-7301, Fax (705) 740-9095

Email ynas@cogeco.net

Website: ynas.ca

**STAGE 1 ARCHAEOLOGICAL ASSESSMENT FOR THE PROPOSED
DEVELOPMENT OF 4034 CENTRE ROAD IN PART LOT 10, CONCESSION 9,
DOURO-DUMMER TOWNSHIP PETERBOROUGH COUNTY, ONTARIO**

16

Archaeological Study Begins

- York North Archaeological Services (YNAS) complete their study of the lot and issue a report in August 2021
- The report references the fact that *the natural land has been so significantly disturbed from its original state that any potential trace of artifacts would have been removed prior to the study.* As such, a Stage 2 study is not recommended.

May 2021



17

Excerpt from YNAS Report August 2021

YNAS was also in communication with M.J. Davenport, who is planning and organizing the development of this property. Information was shared about the topsoil stripping. YNAS was informed that the Drain Bros. Excavating company were in charge of the topsoil stripping for Ruth and Terry Hunter (Figure 10, Plates 1, 2). The back-dirt pile that the current owners inherited was moved by them from the east edge of the property to the south edge. The Drain Brothers brought in 3 feet of sand gravel fill and spread it on the property. Plates 5. 9 Figure 10 show the culvert between the subject property and the newly constructed Centre Road (2014). Gravel fill was also brought in for this purpose to raise the roadbed.

In Communication with the Drain Bros. Excavating Company, it was confirmed that extensive topsoil stripping occurred in 2014, 3 feet of fill was added to extend Centre Road down toward the Otonabee River and onto the property(Figure 7). Trees were removed by both the former owners (2014) and the current owners (2020)

- Questions remain as to how the current flooding issues created by so much stripping of the land will be addressed IN ADDITION TO future problems caused by construction. Mature trees absorb a significant amount of moisture, and this absorption potential has been lost. Topsoil has been replaced by gravel.

Excerpt from YNAS Report August 2021

- YNAS report contains numerous references to excessively wet conditions on the lot. These conditions have worsened since 2013 and have not yet been addressed. A solution must be implemented before the lot is raised and construction begins so that flooding is not further exacerbated on nearby properties.

Excessively Wet Conditions:

Upon a Site Inspection, it was obvious that the Study Area was excessively wet. The culvert in between Centre Road and the property had a steady flow of water (Figure 10 Plates 9). The western edge of the property, toward the Otonabee River, has standing water (Plates 13, and 14). The water table is so high on this property such that the proponent must have a raised septic bed, and house. Plates 1, 2, 7, 8, 10-13 show the boulders brought in by the current owners and fill brought in by the former owners in order to build a raised foundation for the septic and house.

Under the *Standards and Guidelines for Consultant Archaeologists (2011)*, Section 2.1. Standard 2a,i subsection (i), this property would not need an assessment due to the severity of the wet conditions encountered here. The location relative to the slope and alterations to the property have caused or worsened drainage issues.

Excerpt from YNAS Report August 2021

The potential of finding archaeological resources has been completely removed due to major landscaping involving grading below topsoil. The land alterations were conducted in order to mitigate against the excessively wet conditions encountered on this property. Fill was added to the Study Area in the amount of 3 feet of sand and gravel. Given the high water levels the township has stipulated that both the septic bed and house have to be above grade. The proponent will have to bring in boulders and more fill to create a foundation that will house the raised septic system and even more fill to raise the house above the septic bed.

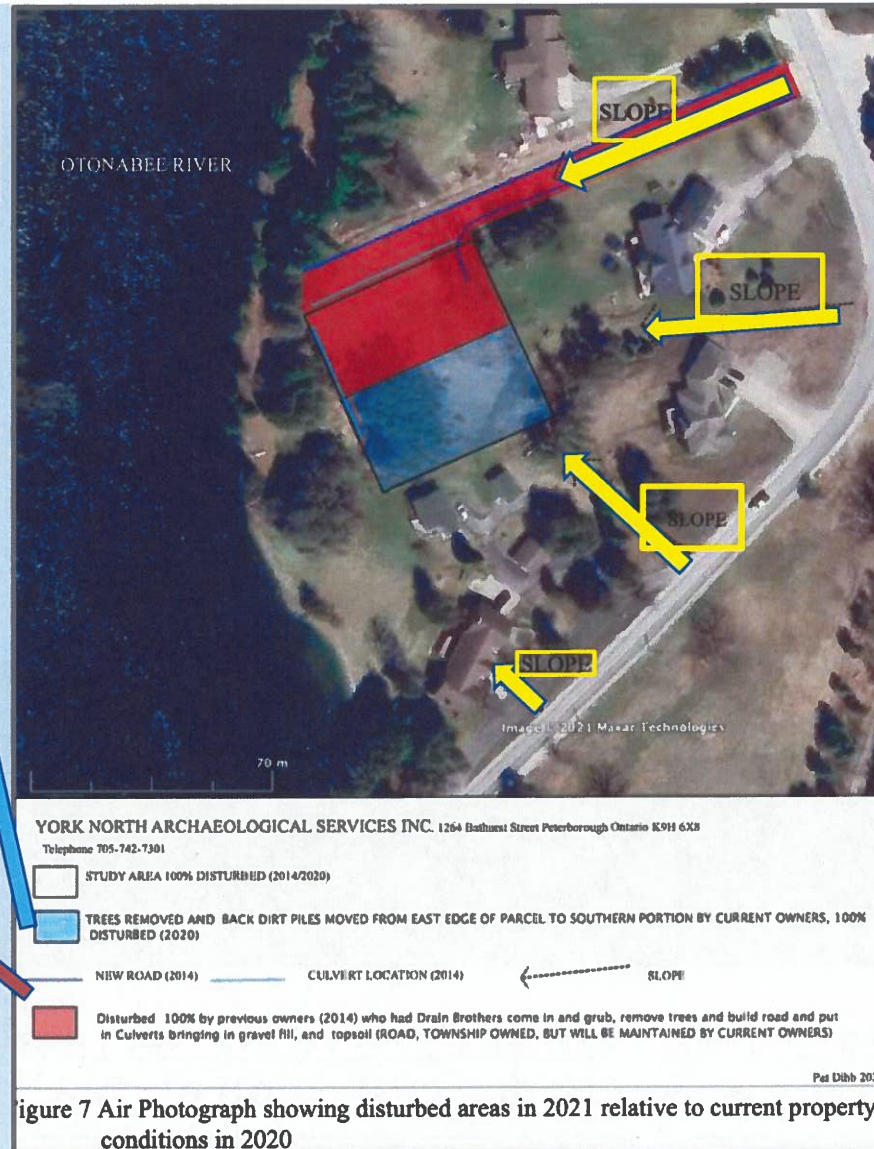
- Unfortunately, the land alterations have **NOT MITIGATED** the excessively wet conditions on the lots adjacent to 4034. **This unfortunate impact goes against the agreement with council signed in 2009.**

As the YNAS study shows, the natural drainage pattern slopes towards 4034. Water has been backing up and spilling over since 2014. If the land at 4034 is raised further for construction purposes, immediate mitigation efforts must be put in place first, not after the fact.

Picture obtained from YNAS report.

- Light blue indicates trees removed; back dirt piles moved by current owners; **100% disturbed.**

- Red area indicates **100% disturbed** area by original owners



Arrows indicate **slope of land and natural direction of water flow** (emphasis added in yellow)

*Stripping of topsoil and vegetation on lot, raising of land, addition of sand fill, ditches and culverts redirecting flow have caused flooding on adjacent lands since 2013. Further raising of the land **contrary to natural slope** without significant mitigation measures put in place *first* will cause increased flooding. 21

Picture from YNAS Report August 2021

Paterson Stage 1 Archaeological Assessment of 4034 Centre Road Douro-Dummer Township 36



Reference is made regarding standing water in the picture.

After a rainfall or a winter thaw, that standing water significantly increases in volume and spills back onto our properties located at 4016 and 4030 County Rd. 32.

Plate 14 View west along the western edge of the Study Area, note the standing water

Picture from YNAS Report August 2021

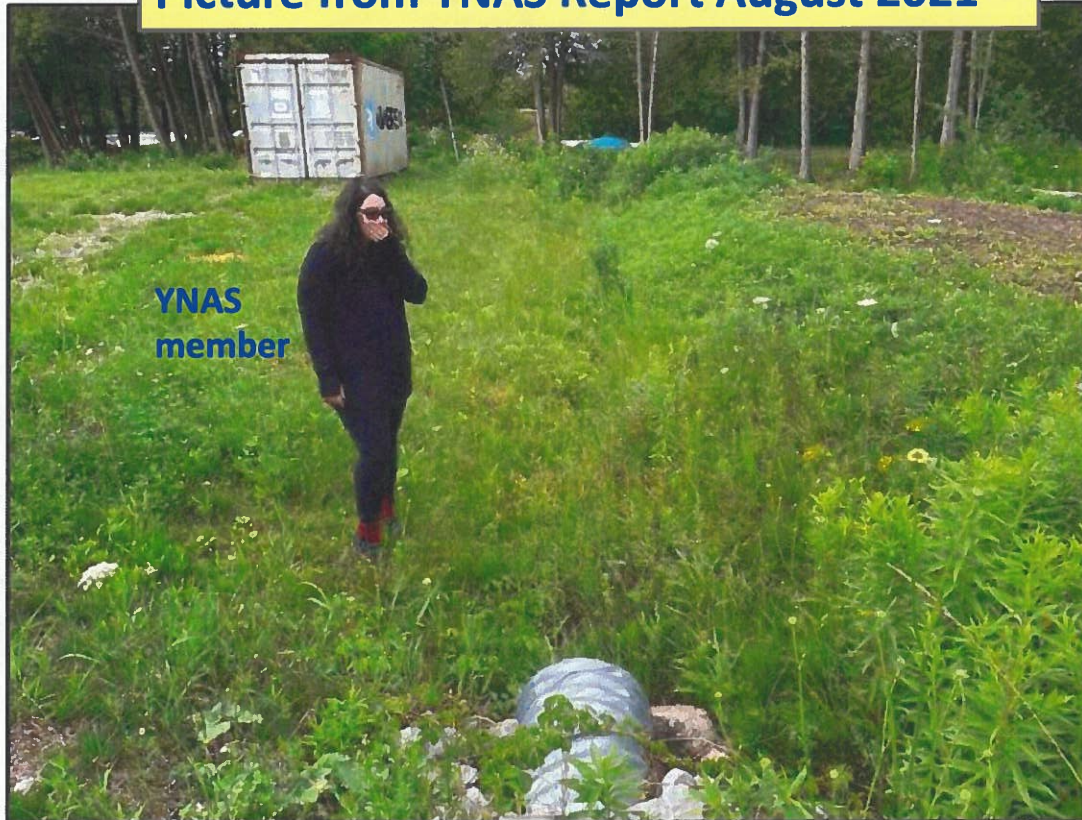


Plate 9 View along the northern edge of the property along the ditch to the right of the YNAS crewmember, the road to the right of the ditch has been infilled to raise it above the poorly drained soil in that area of the property

Change in appearance of the lot at 4034 County Road 32; 2011 - 2021

- Given such extensive stripping of the land (removal of trees, marsh, topsoil) and the addition of a culvert that now directs water *towards* 4016 instead of towards the river, it is not difficult to understand why we have such significant issues with flooding at our adjacent properties.

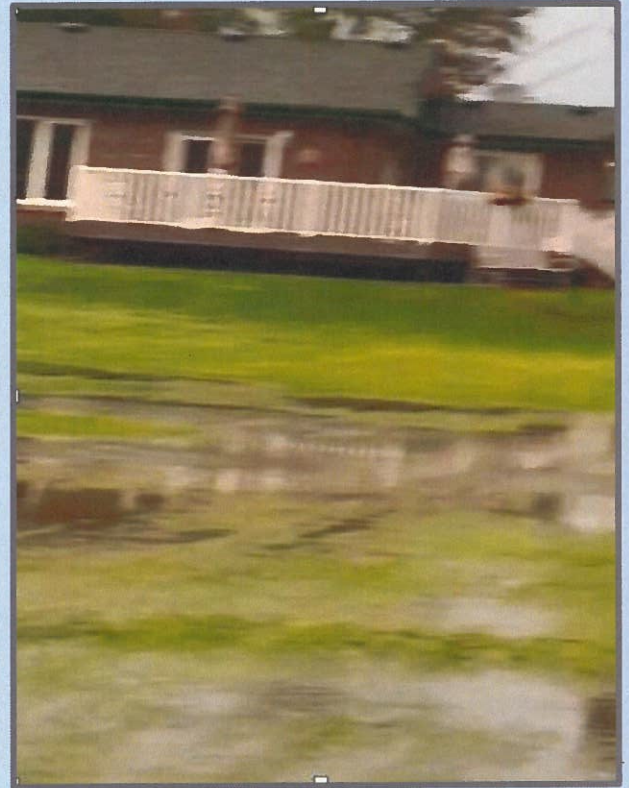
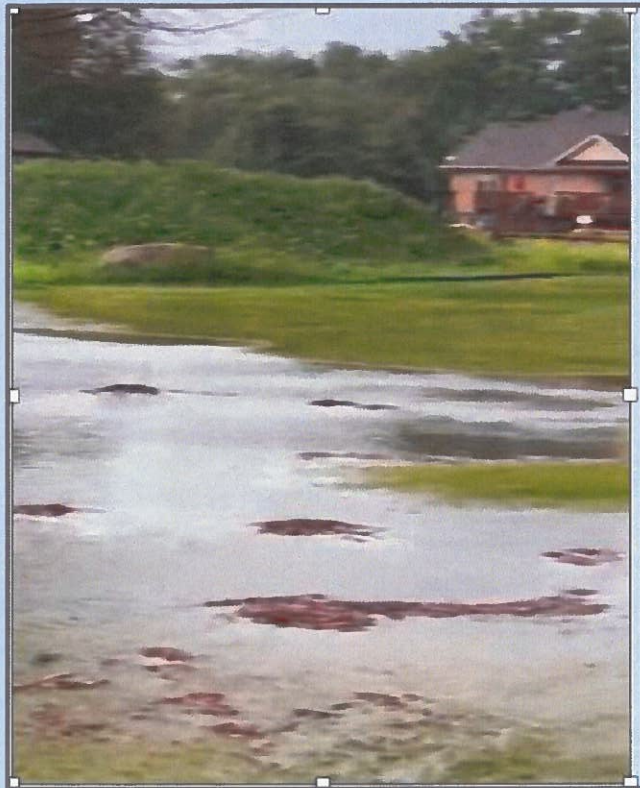


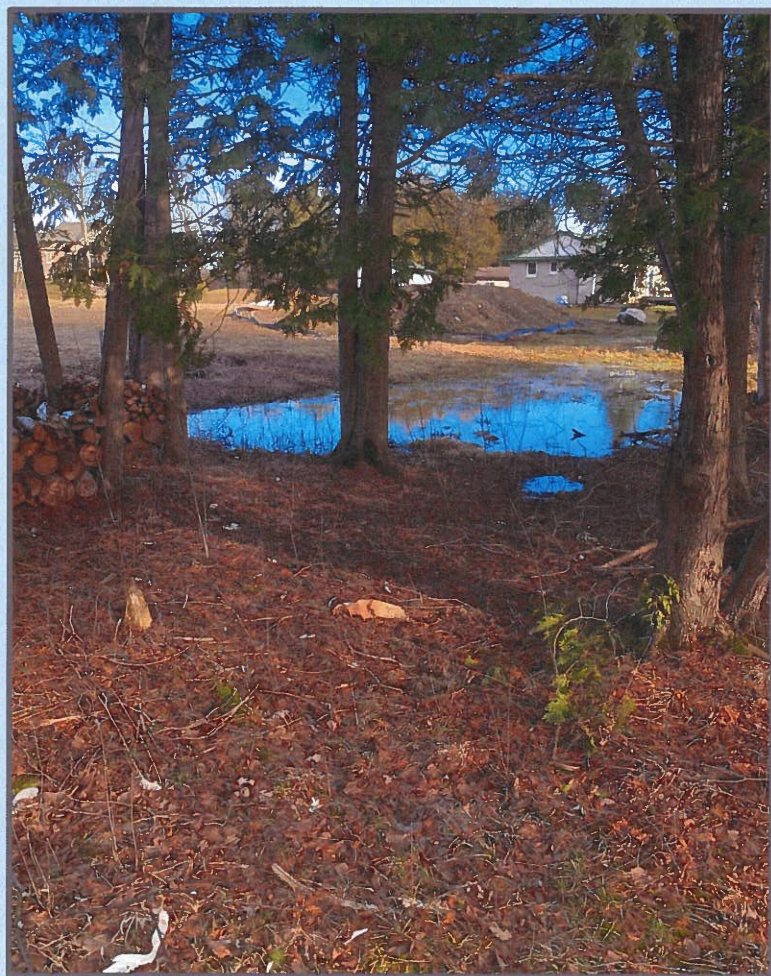
- The following slides contain **visual examples** of some of the flooding and drainage issues we have experienced over the years on our properties. Prior to the work the original owners did on their land, including the construction of the unassumed road in 2014, we did not have any issues with drainage.

July 18, 2021



26





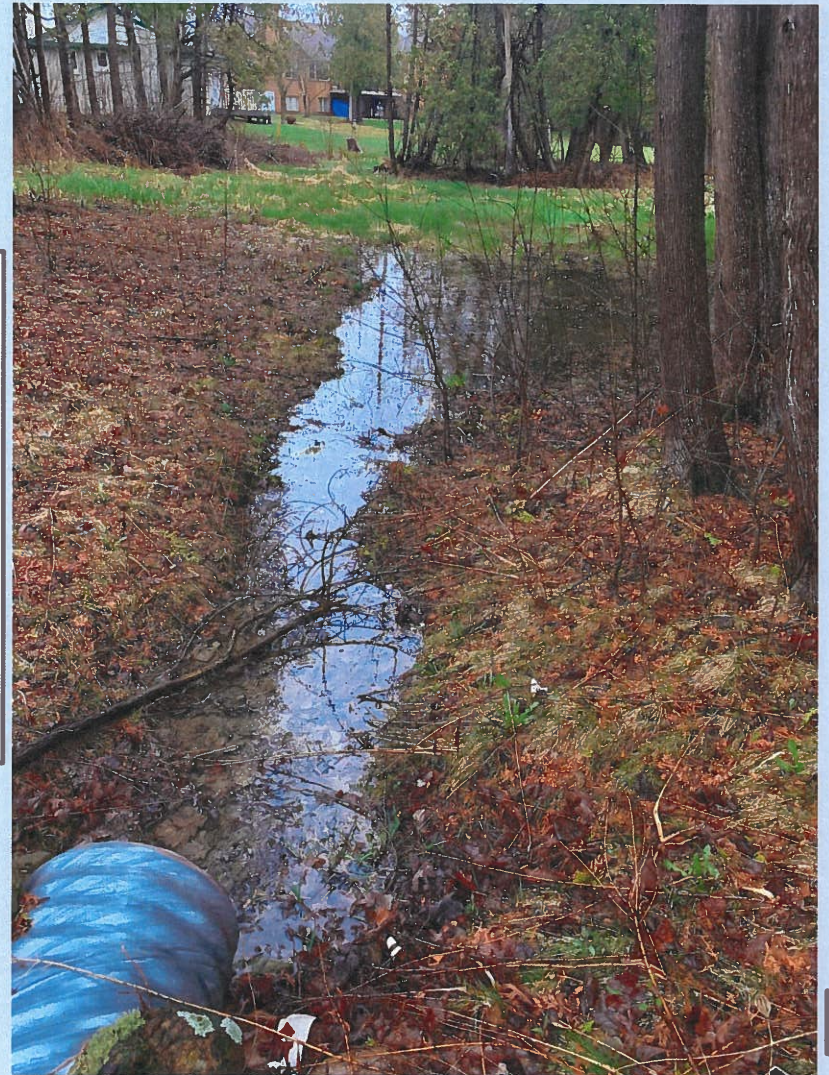
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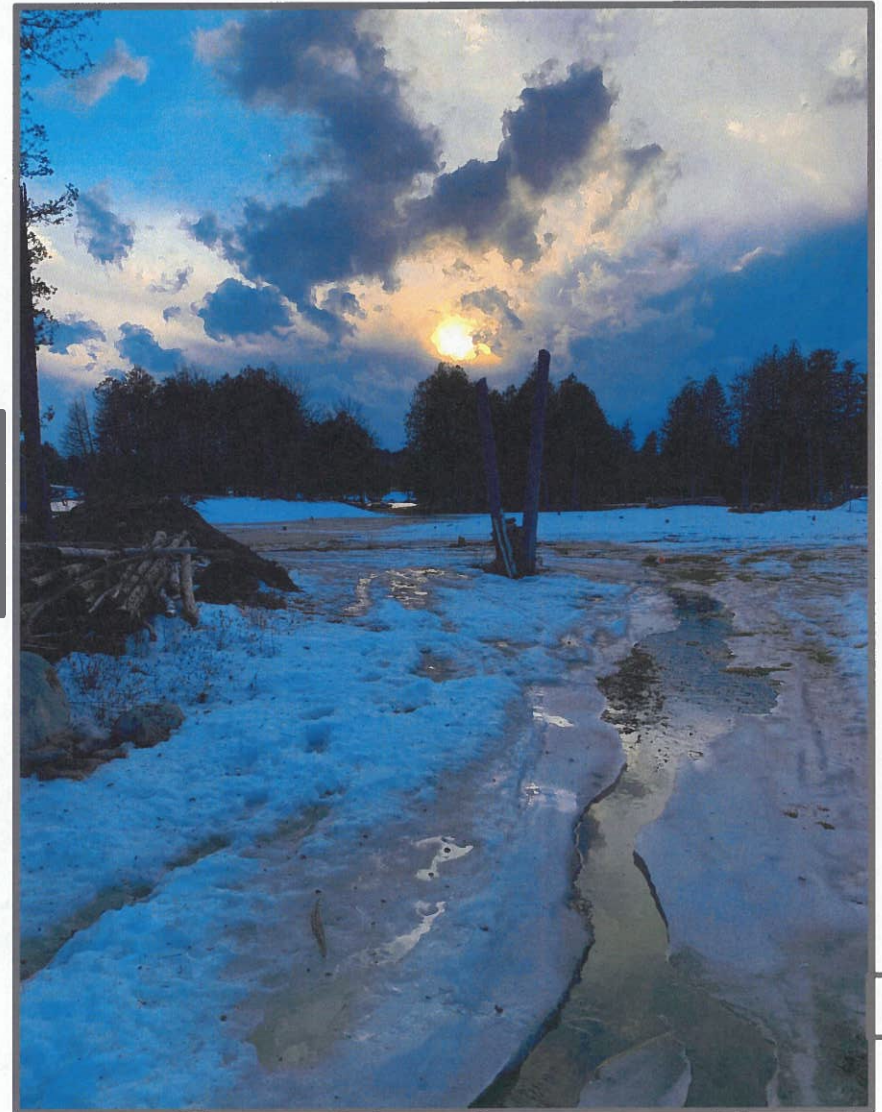


New Culvert
which directs
excess water
towards our
property at
4016 instead of
directly into the
river.





**Spring
Thaw
Issues**





Moving Forward

In conclusion, it **does not matter to us** who or what may be at fault with respect to the current drainage issues we have been experiencing since 2014. It is also not our intention to cause undue hardship for Kathryn Carrington and Dave Paterson. We are sure they are as concerned about potential flooding issues on their property as well. We do, however, expect there to be a satisfactory resolution to the current drainage problems we are experiencing before construction begins. The 2009 approval we signed at council stipulated that changes to the land located at 4034 would not impact our properties. It is clear from our documented history that we have valid concerns.

M.J. Davenport & Associates Ltd.

CONSULTING ENGINEERS AND PLANNERS

MURRAY J. DAVENPORT, P.Eng.

MICHAEL M. DAVENPORT, P.Eng.

October 12, 2022

Township of Douro-Dummer
894 South Street,
P.O. Box 92
Warsaw, ON
K0L 3A0

Attention: Ms. Christina Coulter
Senior Planner

Re: Paterson and Carrington - Site Plan Approval
4034 Centre Road, Bolton's Corners
Township of Douro-Dummer
Project No. 21-D-5883

Dear Christina,

Attached is a copy of the following drawings and calculations prepared in response to the D.M. Wills Associates comments dated October 4, 2022 and the Otonabee Region Conservation Authority comments dated October 5, 2022 submitted for your information:

1. Site Plan Drawing No. 5883-02.
2. Drainage Area Plan Drawing No. 5883-03.
3. Erosion Control Plan Drawing No. 5883-EC.
4. 100-year Rational Method and Open Channel Flow Calculation for Proposed Drainage Ditch.

D.M. Wills Associates Comments:

1. *The revision block should be updated to reflect the current submission and date.*

The revision blocks on the Site Plan and the Erosion Control Plan have been updated.

2. *Confirm the drainage area and 100-year flow directed to the proposed outfall ditch. A rough sketch and rational method calculations are sufficient to address this comment.*

Drainage Area Plan Drawing No. 5883-03 identifies the total catchment area and the landuse of the area flowing into the proposed outfall ditch. The 100-year rational method calculations and the open channel flow calculations attached to this letter indicates that the proposed outfall ditch has sufficient capacity to convey peak stormwater flows in excess of the calculated 100-year flow rates.

3. *The size and depth of rip-rap should be identified on the Site Plan.*

150mm diameter rip-rap with a design depth of 0.30 metres.

4. *An updated Erosion Control Plan is required and should include the external ditching.*

The Erosion Control Plan has been updated to show the external ditching. Light duty silt fence is proposed to be placed around the proposed outfall ditch and the culvert to be removed and replaced. A 0.20-metre-high pea stone bag flow check dam is proposed in the outfall ditch and will remain in place until the soils are stabilized and the outfall ditch vegetation is established.

Otonabee Region Conservation Authority Comments:

1. *Please add rip-rap Slope Protection details to the drawing.*
 - a. *What size of rip-rap is being placed?*
 - b. *What thickness of rip-rap layer?*
 - c. *There should be a scour protection measure placed under the proposed rip-rap?*

The specified rip-rap is a 0.30 metre depth of 150mm diameter rip-rap. The rip rap will be placed on non-woven terrafix filter cloth for scour protection.

2. *Please provide re-vegetation details for the ditch and slope.*

A note has been added to the Site Plan specifying that the proposed drainage ditch, side slopes and disturbed area around the drainage ditch shall be hydroseeded after final grading has been completed. Hydroseeding will establish and stabilize the underlying soil more quickly than seed and requires less initial maintenance than sod.

3. *Please include erosion and sediment control measured for the ditch and slope work.*

See response to D.M. Wills Associates comment Point #4 above.

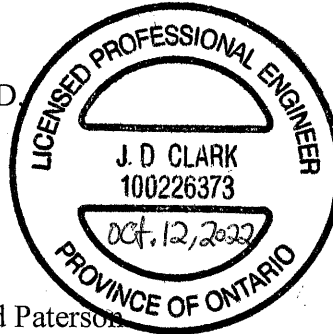
We are available to discuss this project at your convenience.

Yours truly,

M.J. DAVENPORT & ASSOCIATES LTD.



Jacob Clark, P.Eng.



c.c.: Ms. Kathy Carrington & Mr. David Paterson

M.J. Davenport & Associates Ltd.

CONSULTING ENGINEERS AND PLANNERS

MURRAY J. DAVENPORT, P.Eng.

MICHAEL M. DAVENPORT, P.Eng.

PATERSON & CARRINGTON **4034 Center Road, Bolton's Corners** **PROPOSED DITCH RATIONAL METHOD CALCULATION**

The peak flow capacity of the grass ditch proposed to be constructed northwest of the project site was analyzed using the Manning's equation for calculating open channel flow. The Rational Method was used to calculate the 100-year storm event peak flow rate expected to accumulate in the ditch based on the upstream catchment area. By demonstrating that the conveyance capacity of the proposed drainage ditch is greater than the calculated 100-year peak flow rate, it will be shown that adequate capacity of conveyance in the proposed ditch exists.

The watershed area directed to the proposed drainage ditch is based on the natural topography of the land determined by a topographical survey, by a visual field inspection and from Ontario Base Mapping taken from the County of Peterborough GIS application. The proposed grading of the subject site is used in determining the ditch drainage area. The watershed area draining into the proposed ditch is detailed on the Drainage Area Plan Drawing No. 5883-03.

The proposed drainage ditch is designed with a minimum flow depth of 0.47 metres, maximum 5:1 side slopes and a minimum longitudinal slope of 2.0 percent. It is assumed in the following calculations that the ditch lining will consist of unmaintained tall grass, making the 'n' value in the Manning's equation 0.050. The conveyance capacity of the proposed ditch has been evaluated at the section with the lowest depth of flow and the narrowest bottom section. This corresponds to the section of the ditch with the lowest conveyance capacity.

The detailed ditch capacity calculation using the Manning's equation are as follows:

Worst Case Grass Ditch Section (0.47m Depth, 3.0m Bottom Width):

$$\begin{aligned} Q &= \frac{1.0}{n} AR^{\frac{2}{3}} S^{\frac{1}{2}} \\ &= \left(\frac{1.0}{0.050} \right) (2.5145) (0.3227)^{\frac{2}{3}} (0.020)^{\frac{1}{2}} \\ &= 3.346 \text{ m}^3/\text{s} \end{aligned}$$

n = 0.050 (Manning's coefficient for unmaintained tall grass lined channels)

A = 2.5145m² (Area of cross-section of channel)

R = 0.3227m (Hydraulic radius)

S = 2.00% m/m (Lowest slope of proposed swale)

Rational Method – 100-Year Peak Flow Rate Calculations

Proposed Drainage Ditch:

The drainage area directed to the proposed ditch is approximately 1.679 hectares. The watershed length is 230 metres and the average watershed slope is 1.6%. The calculated time of concentration is 11.3 minutes using the Bransby-Williams Method for the watershed area. The minimum time of concentration is conservatively assumed to be 10 minutes for the urban subwatershed area. The peak flow rate expected to accumulate in the drainage ditch during the 100-year storm event is calculated using the Rational Method as follows:

$$\begin{aligned} Q &= 0.0028CiA \\ &= 0.0028 \times 0.41 \times 141.1 \times 1.679 \\ &= 0.272 \text{ m}^3/\text{s} \end{aligned}$$

Q = Peak runoff rate (m³/s)

C = 0.41 (Weighted composite runoff coefficient of drainage area - Table 1)

i = 141.1 mm/hr (10 minute - 100 Year Peterborough Airport rainfall intensity, mm/hr)

A = 1.679 ha (Drainage area, ha)

Table 1		
Drainage Ditch Weighted Composite Runoff Coefficient		
Surface	Area (sm)	Runoff Coefficient (C)
Impervious	2,104	0.90
Grass Landscaped	9,937	0.25
Gravel	2,285	0.80
Treed	2,467	0.25
Total	16,793	0.41

From the calculations demonstrated above, the proposed drainage ditch will provide adequate capacity of conveyance of calculated peak flow rates generated by all storm events up to and including the 100-year storm event.

NOTES:

1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
2. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT MIGRATION OF SILT AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING MUNICIPAL RIGHT-OF-WAY. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SILT AND SEDIMENT LADEN SURFACE WATER DOES NOT ENTER ANY WATERCOURSES OR ENVIRONMENTALLY SENSITIVE AREA, EITHER OVERLAND OR THROUGH THE STORM DRAINAGE SYSTEM. THE OWNER/BUILDER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
3. INTERIM GRADING MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBORING PROPERTIES. ROUGH GRADING OF THE PROPERTY SHALL BE COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED TO A PROTECTED OUTLET.
4. THE OWNER/BUILDER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVICING LOCATES PRIOR TO ANY WORKS.
5. ALL DISTURBED AREAS ON SITE ARE TO BE SODDED OR SEEDED OVER A MINIMUM OF 150mm OF TOPSOIL OR APPROVED EQUIVALENT.
6. THE PROPOSED DRAINAGE DITCH, SIDE SLOPES AND DISTURBED AREA AROUND THE DRAINAGE DITCH SHALL BE HYDROSEEDED AFTER EXCAVATION AND SHAPING IS COMPLETED.
7. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN FINAL GRADE AND TOP OF FOUNDATION WALL.
8. THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY ACKNOWLEDGES THAT ANY GRADING CHANGES THAT OCCUR THROUGH THE CONSTRUCTION THAT RESULT IN ADVERSE EFFECTS TO EXISTING ADJACENT PROPERTIES WILL REQUIRE AN AS-CONSTRUCTED SITE GRADING PLAN.

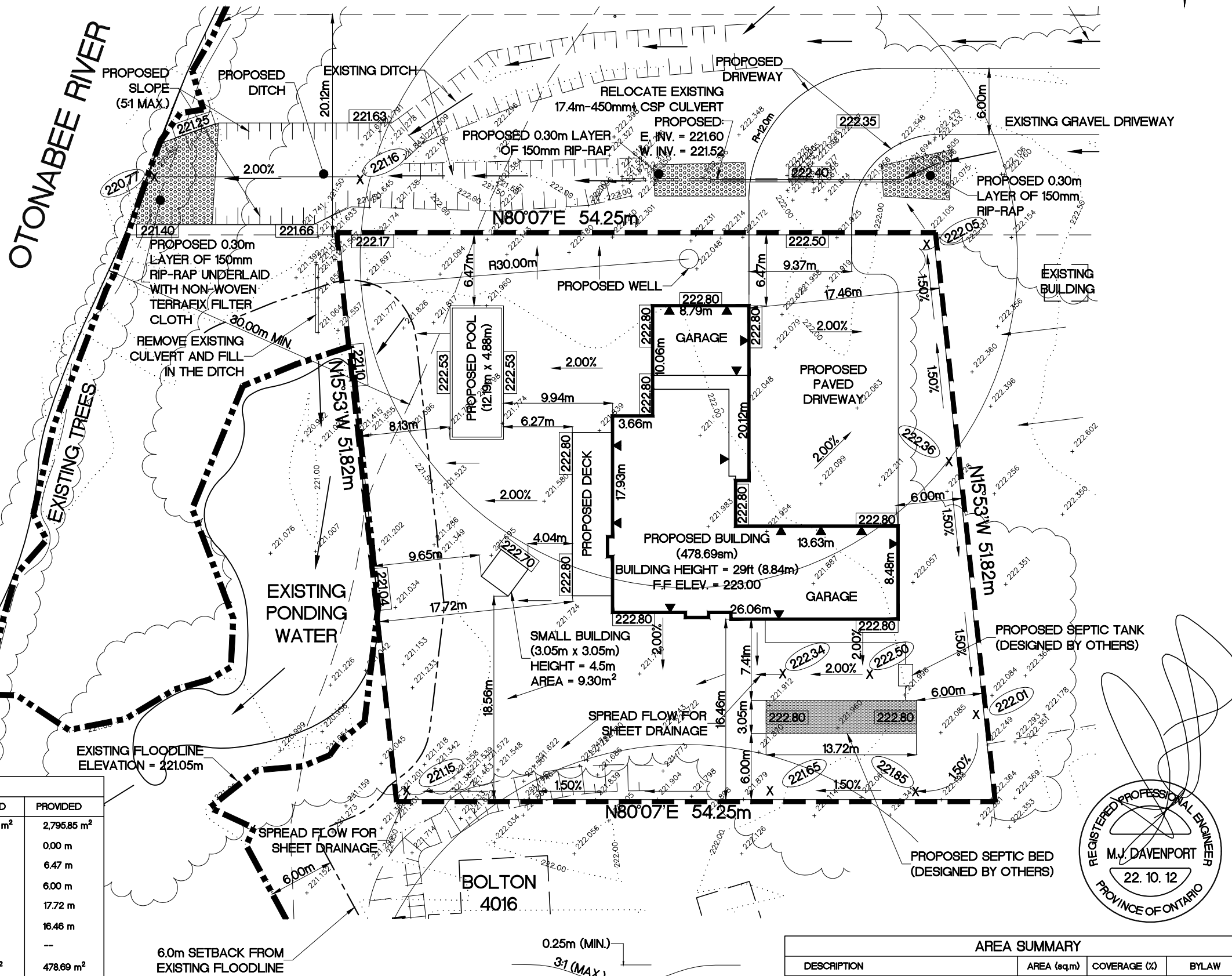
SCALE 1 : 400



NOTE:

1. THIS DRAWING MUST NOT BE INTERPRETED AS A LOCATION SURVEY PREPARED BY AN ONTARIO LAND SURVEYOR. THIS DRAWING IS FOR GRADING ONLY.

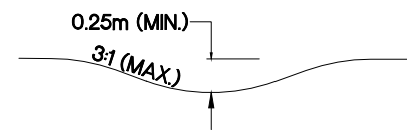
NOTE: UNDERGROUND HYDRO SERVICES TO COUNTY ROAD No. 32.



LOT SUMMARY

DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA	2,700 m ²	2,795.85 m ²
MINIMUM LOT FRONTAGE	0 m	0.00 m
MINIMUM FRONT YARD	6 m	6.47 m
MINIMUM INTERIOR SIDE YARD	6 m	6.00 m
MINIMUM EXTERIOR SIDE YARD	15 m	17.72 m
MINIMUM REAR YARD	15 m	16.46 m
MINIMUM WATER YARD	30 m	—
MINIMUM FLOOR AREA	100 m ²	478.69 m ²
MINIMUM FIRST STOREY FLOOR AREA	60 m ²	478.69 m ²
MAXIMUM LOT COVERAGE	15%	17.1%
MAXIMUM HEIGHT	9 m	8.84 m
MAXIMUM NUMBER OF DWELLINGS PER LOT	1	1

TYPICAL SWALE SECTION



AREA SUMMARY

DESCRIPTION	AREA (sq.m)	COVERAGE (%)	BYLAW
DETACHED DWELLING AND ATTACHED DECK	478.69	17.1%	15.0%
ACCESSORY STRUCTURES	68.79	2.5%	5.0%
LANDSCAPE	2,248.37	80.4%	
TOTAL	2,795.85	100%	

KEY PLAN

NO.	REVISIONS	DATE	BY	APP'D
4.	AS PER D.M. WILLS AND ORCA (04/10/22)	06/10/22	JC	MJD
3.	UNDERGROUND HYDRO NOTE REVISED	30/08/22	JC	MJD
2.	GARAGE IDENTIFIED	08/06/22	JZ	MJD
1.	AS PER TOWNSHIP OF DOURO-DUMMER COMMENTS (25/05/22)	26/05/22	JZ	MJD

BENCHMARKS

BM 1	ELEV. 224.784	(CGMD2878)
BRASS CAP ON THE CONCRETE OF EAST SIDE OF LOCK 24		
BENCHMARK No. 721414		

LEGEND

- 100.00 PROPOSED ELEVATION
- 100.00 PROPOSED SWALE ELEVATION
- PROPOSED DRAINAGE
- 3R PROPOSED NUMBER OF 200mm RISERS
- 100.00 EXISTING SWALE ELEVATION
- * 100.00 EXISTING ELEVATION TO REMAIN UNCHANGED

M.J. DAVENPORT & ASSOCIATES LIMITED

P.O. BOX 2452 STN MAIN, PETERBOROUGH, ONTARIO K9J 7Y8 TEL : (705) 745-6676 FAX : (705) 745-7326

PATERSON & CARRINGTON

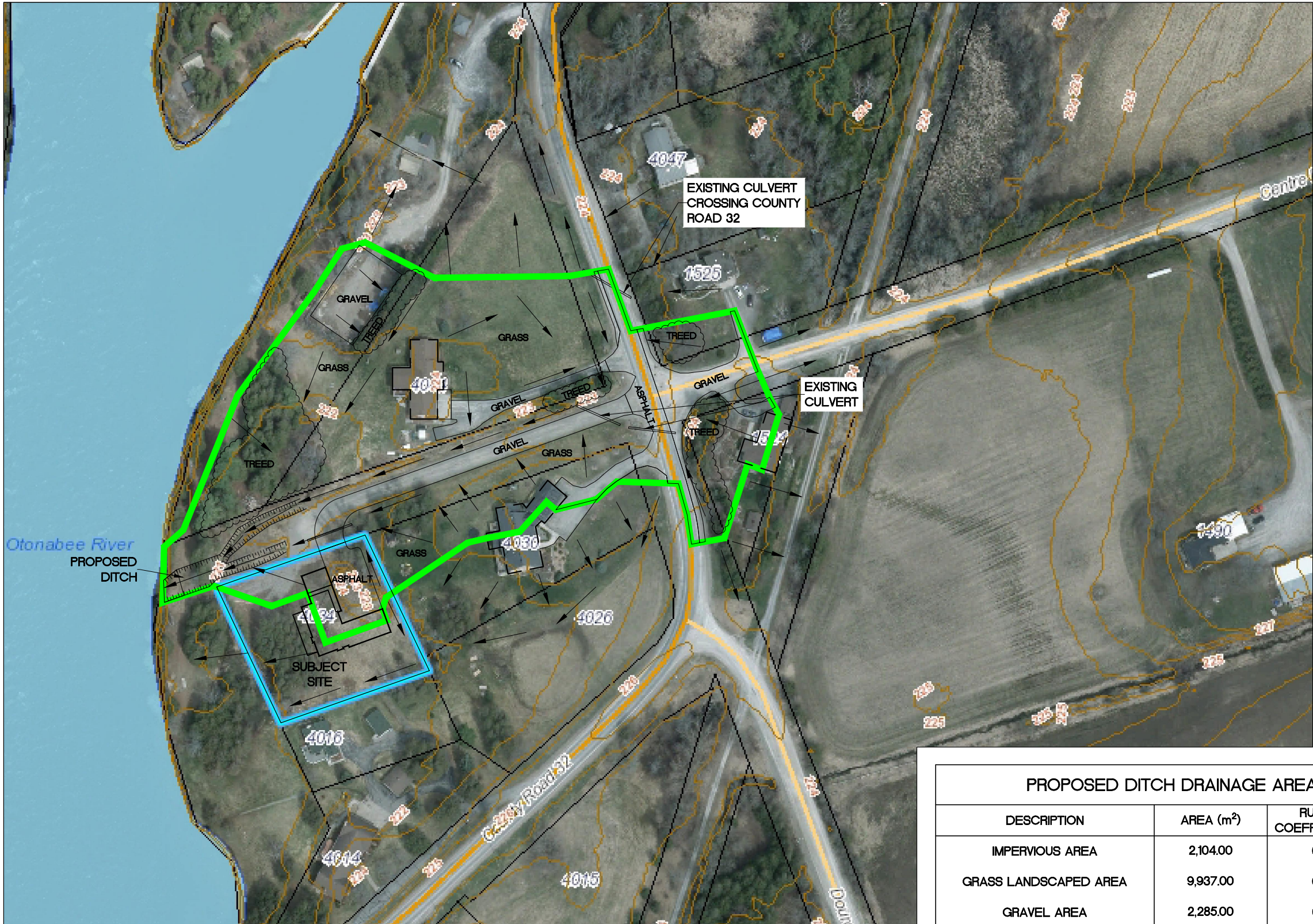
4034 CENTRE ROAD, BOLTONS CORNERS
LOT 10 CONCESSION IX
TOWNSHIP OF DOURO
COUNTY OF PETERBOROUGH

SITE PLAN

DESIGNED BY: M. J. DAVENPORT	SCALE: 1 : 400
DRAWN BY: J. ZHOU	
DATE: APRIL, 2021	DRWG. NO.: 5883-02B
PROJECT NO.: 21-D-5883	

NOTES:

1. THE WATERSHED AREA DIRECTED TO THE PROPOSED OUTLET DITCH IS BASED ON THE NATURAL TOPOGRAPHY OF THE LAND DETERMINED BY A TOPOGRAPHICAL SURVEY CARRIED OUT BY M.J. DAVENPORT + ASSOCIATES, A VISUAL FIELD INSPECTION AND FROM ONTARIO BASE MAPPING FROM THE COUNTY OF PETERBOROUGH GIS SYSTEM. THE PROPOSED GRADING OF THE PROJECT SITE WAS ACCOUNTED FOR IN THE WATERSHED AREA DETERMINATION.



NOTES:

1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
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0.20m HIGH PEA STONE
FILLED BAG CHECK
DAM IN PLACE UNTIL
DITCH VEGETATION IS
STABILIZED

LIGHT DUTY SILT
FENCE PER
OPSD 219.110

PROPOSED
SLOPE
(5:1 MAX.)

PROPOSED
DITCH

EXISTING DITCH

PROPOSED 0.30m LAYER
OF 150mm RIP-RAP

RELOCATE EXISTING
17.4m-450mm CSP CULVERT
PROPOSED:
E. INV. = 221.60
W. INV. = 221.52

PROPOSED 0.30m
LAYER OF 150mm
RIP-RAP

PROPOSED 0.30m
LAYER OF 150mm
RIP-RAP UNDERLAIN
WITH NON-WOVEN
TERRAFIX FILTER
CLOTH

LIGHT DUTY SILT
FENCE PER
OPSD 219.110

N15°53'W 51.82m

LIGHT DUTY SILT FENCE
PER OPSD 219.110

EXISTING
PONDING
WATER

EXISTING FLOODLINE
ELEVATION = 221.05m

BOLTON
4016

N80°07'E 54.25m

0.25m (MIN.)

3:1 (MAX.)

TYPICAL SWALE SECTION

SCALE 1 : 400



KEY PLAN

NO.	REVISIONS	DATE	BY	APP'D
2	AS PER D.M. WILLS AND ORCA (04/10/22)	06/10/22	JC	MJD
1	AS PER TOWNSHIP OF DOURO-DUMMER COMMENTS (25/05/22)	26/05/22	JZ	MJD

BENCHMARKS

BM 1 ELEV. 224.784
(CGVD2878)
BRASS CAP ON THE CONCRETE OF EAST SIDE OF LOCK 24
BENCHMARK No. 721414

LEGEND

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- 100.00 PROPOSED SWALE ELEVATION
- PROPOSED DRAINAGE
- 3R PROPOSED NUMBER OF 200mm RISERS
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PATERSON & CARRINGTON

4034 CENTRE ROAD, BOLTONS CORNERS
LOT 10 CONCESSION IX
TOWNSHIP OF DOURO
COUNTY OF PETERBOROUGH

EROSION CONTROL PLAN

DESIGNED BY:
M. J. DAVENPORT

DRAWN BY:
J. ZHOU

DATE:
APRIL, 2021

PROJECT NO.:
21-D-5883

SCALE:
1 : 400

DRWG. NO.:

5883-EC

LOT SUMMARY

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TOTAL	2,795.85	100%	



October 28, 2022

Christina Coulter
Planner
Township of Douro Dummer
Warsaw, ON, K0L 3A0

Re: Revised 2nd Submission
File: Removing the Holding Symbol (R-17-21) and Site Plan Approval,
Carrington and Paterson,
4034 Centre Road, Douro Ward;
Roll# 1522 010 004 08100; ORCA Files: PPLD-2219 and PPLD-2220

Dear Christina Coulter,

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the revised documentation related to circulated 2nd submission *Planning Act* application noted above.

The subject lands are currently zoned S.D. 190-H (Special District 190- Holding). The effect of this by-law amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

The purpose of the Site Plan application is to facilitate the registering of a site plan agreement on the property as a condition of the removal of the holding symbol.

Otonabee Conservation technical staff have reviewed the submitted documents:

- 'Scoped Environmental Impact Study (EIS)' prepared by Oakridge Environmental Ltd. (ORE Project #21-2979) October 2021
- 'Planning Report' prepared by Ron Davidson Land Use Planning Consultant Inc. dated December 13, 2021.
- 'Site Plan' (Drawing No. 5883-02B) prepared by M.J. Davenport & Associates Ltd. dated April 2021
Revision date October 6, 2022
- Response Letter - 4034 Centre Road (M.J. Davenport & Associates Ltd., April 14, 2022)

The Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, ON K9H 7M9
Phone: 705-745-5791 Fax: 705-745-7488
Email: otonabee@otonabeeconservation.com www.otonabeeconservation.com



- 5883-02B Site Plan – 4034 Centre Road (M.J. Davenport & Associates Ltd., stamped & signed April 13, 2022) Revision date October 6, 2022
- 5883-EC Erosion Control Plan – 4034 Centre Road (M.J. Davenport & Associates Ltd., stamped & signed April 13, 2022) Revision date October 6, 2022

Site Grading Plan

The April 13, 2022 site grading plan has been found to be satisfactory by ORCA technical staff.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

A review of the available information and the submitted site plan indicate that the flooding hazard of the Otonabee River abuts the western property line. **Therefore, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS 3.1.**

2. *The Authority has reviewed the application as a service provider to the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

A review of available mapping indicates the subject property is within 120 metres of the Otonabee River, a key hydrological feature (KHF). The VPZ includes the flooding hazard associated with this feature. The Site Plan demonstrates that all residential development is setback from the VPZ. ORCA staff recommend this setback is established in the Site Plan Agreement.

Technical staff generally agree with the recommendations outlined in the EIS.

Development and site alteration (including planting plan) should adhere to the recommendations (setbacks, ESC plan, timing windows) as illustrated on EIS Figure 7 and outlined in EIS Section 10.0. Rip Rap placement and the proposed ditching in the Right-of Way, are in keeping with the drainage plan to continue to direct overland drainage to the Otonabee River, and should be designed to the satisfaction of Douro-Dummer Township.

Therefore, given the submission of above noted comments, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS 2.1, 2.2 and GPPGH 4.2.3 and 4.2.4.

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any*

development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.

The above property is subject to Ontario Regulation 167/06, Otonabee Conservation 'Development, interference with wetlands and alterations to shorelines and watercourses' regulation. **Permits from this agency will be required prior to any site alteration, construction, or demolition.**


4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

The application was also reviewed in consideration of the SPP. It was determined that the subject property is located within an area that is subject to the policies contained in the SPP.

Risk Management Official (RMO) that the subject property is situated within a Vulnerable Area for a municipal drinking water source. A notice has been issued from the RMO.

Please contact me if you have any further questions or concerns.

Best regards,



Matthew Wilkinson
Planner



November 6, 2022

Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, Ontario
K0L 3A0

Attention: Christina Coulter, Planner

Dear Ms. Coulter,

**Re: 4034 Centre Road – Site Plan Approval
Township of Douro-Dummer
Drainage and Grading Review – 5th Submission
D.M. Wills Project No. 88002**

D.M. Wills Associates Limited (Wills) has been retained by the Township of Douro-Dummer to complete an Engineering Review of the proposed grading and drainage for the property located at 4034 Centre Road. The grading and drainage design is illustrated to the Site Plan and was provided to the Township in support of the proposed Site Plan Approval.

The following information was received and reviewed as part of the 3rd Submission Peer Review:

- Comment Response Letter, prepared by M.J. Davenport and Associates, dated October 12, 2022
- Revised Site Plan, prepared by M.J. Davenport and Associates Limited, dated October 4, 2022
- Revised Erosion Control Plan, prepared by M.J. Davenport and Associates Limited, dated May 26, 2022
- Drainage Area Plan, prepared by M.J. Davenport and Associates Limited, dated October 2022

All items were reviewed for the engineer review. A site visit was completed on March 3, 2022 and September 28, 2022.



D.M. Wills Associates Limited

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

P. 705.742.2297 F. 705.742.9744 E. wills@dmwills.com



4034 Centre Road, Engineering Review Comments
Page 2 of 2
November 6, 2022

Comments

Based on the information provided, all previous comments regarding the proposed Site Plan, Grading and Erosion Control design have been addressed. We have no additional comments at this time.

We trust that this information is suitable for your purposes. Please contact our office if you have any questions or require clarification.
Respectfully submitted,

A handwritten signature in black ink, reading 'Chris Proctor-Bennett'.

Chris Proctor-Bennett, P.Eng.
Assistant Manager, Water Resources

CPB

Recommendations:

That the Planning Department-2022-08 report, dated September 6, 2022, regarding Zoning By-law Amendment – File: R-17-21 be received; and
That Council receive all comments related to Zoning By-law Amendment File: R-17-21 (Paterson and Carrington); and
That the By-law to enact the amendment be brought forward to a future Council meeting for consideration.

Overview:

On behalf of the property owners David Paterson and Kathryn Carrington, their Agent, Ron Davidson Land Use Planning Consultant Inc., has applied to remove the Holding symbol and amend the zoning of their property located at 4034 Centre Road/County Road 32, being Roll No. 1522-010-004-08100.

The property is an existing vacant lot of record and is currently zoned the Special District 190 - Holding Zone (S.D. 190-H). The effect of the proposed Zoning By-law Amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

A copy of the draft By-law is attached to this Report.

A pre-consultation was held on June 15, 2021 and the following documents and studies were identified in support of the rezoning application:

- An Application for Site Plan Approval and a Site Plan Agreement be entered into between the Owners and the Municipality;
- A Municipal Services Agreement be entered into between the Owners and the Municipality;
- An Environmental Impact Statement (EIS);
- A Restricted Land Use Notice under Section 59 of the Clean Water Act;
- An Archaeological Assessment; and
- A Planning Report/Analysis.

The rezoning and site plan approval applications were received in December 2021 and [Notice of Complete Application](#) was provided on January 19th, 2022. The 'complete' applications included the following documents:

- [A Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021;](#)
- [A Scoped Environmental Impact Study \(sEIS\) prepared by Oakridge Environmental Ltd. \(ORE\), dated October 2021;](#)
- Restricted Land Use Notices issued under Section 59 of the Clean Water Act (attached to this Report);

- A Stage 1 Archaeological Assessment including [a First Nation Engagement Component](#) prepared by York North Archaeological Services Inc. (YNAS), dated August 18, 2021; and
- [A Planning Report/Analysis prepared by Ron Davidson Land Use Planning Consultant Inc., dated December 13, 2021.](#)

In 2014, the Township entered into a Municipal Services Agreement with the previous owners of the Property, Terry and Ruth Hunter. The Agreement outlined the terms under which the driveway was to be constructed and the responsibility for any maintenance/liability. The Agreement was authorized through By-law No. 2014-17. The Agreement is binding upon the heirs, successors and assigns of the Property Owners (Section 14 of the Agreement) and therefore, it is not necessary for the current owners to enter into a separate Municipal Services Agreement.

A copy of By-law No. 2014-17 and the Agreement are attached to this Report.

Confirmation that the road/driveway, which is located on the Municipal road allowance, was constructed to the satisfaction of the Township and was provided to Ruth Hunter in correspondence dated January 12, 2015 via the refunding of the balance of the original deposit referred to in Section 12 of the Agreement.

Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):

The subject property is within 120 metres of the Otonabee River, a key hydrologic feature within the context of the Growth Plan. In accordance with Policies 2.1, 2.2 and 3.1 of the PPS and Section 4.2.4 of the Growth Plan, an Environmental Impact Study was required.

As noted above, a sEIS was prepared in support of the Application. The sEIS concluded that a building permit could be obtained, provided the recommended mitigation measures be included in the Site Plan and Planting Plan, and that a Mitigation Measures Agreement (or similar) be entered into between the Owners and the Township (S. 10.6).

In correspondence dated February 18, 2022, the Otonabee Region Conservation Authority (ORCA) reviewed the sEIS and indicated that the Application has demonstrated consistency with Policy 3.1 of the PPS relating to natural hazards. Further, the Application has demonstrated consistency with Policies 2.1 and 2.2 of the PPS relating to natural heritage and water and Sections 4.2.3 and 4.2.4 of the Growth Plan relating to key hydrologic features, key hydrologic areas and key natural heritage features and lands adjacent to key hydrologic features and key natural heritage features.

While the rezoning application has demonstrated consistency with the PPS and conformity to the Growth Plan, ORCA Staff outlined a number of comments specific to the Site Plan and Planting Plan. These comments, together with the sEIS recommendation that a Mitigation Measures Agreement (or similar) be entered into between the Owners and the Township will need to be addressed prior to Site Plan Approval.

A copy of ORCA's correspondence is attached to this Report.

The subject property was flagged for having archaeological potential due to the proximity (within 300 metres of a water source). As noted above, a Stage 1 Archaeological Assessment was prepared by YNAS in support of the Application. The Archaeological Assessment concluded that significant intensive disturbance over the entire property had occurred and the potential of finding archaeological resources has been completely removed (S. 4.0). As a result, no further archaeological assessment was required.

The archaeological assessment and recommendations have also been reviewed by Curve Lake First Nation (CLFN), and in correspondence dated August 23, 2021 to YNAS, CLFN agreed with the findings and that no further assessment was required. CLFN indicated they had no further concerns, questions or comments. A copy of the CLFN correspondence is attached to this Report.

Upon the circulation of the Notice of Public Meeting, CLFN did request an opportunity to undertake additional screening of some of the material still on-site in the hope of "salvaging" any cultural heritage materials that may still be in the pile. The CLFN request has been forwarded to the Owners to follow-up with CLFN directly should they wish to allow further screening of the on-site materials.

In correspondence dated October 2, 2021, the findings of the archaeological assessment were accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). A copy of the MHSTCI correspondence is attached to this Report.

In this regard, the Application has also demonstrated consistency with Policy 2.6 of the PPS as it relates to cultural heritage and archaeology.

Conformity to Official Plan:

The subject lands are designated Rural and subject to site specific policies contained in Section 6.2.2.11 (d)(vi) as identified on Schedule 'A4-1' to the Township Official Plan.

The site specific policies were developed through Official Plan Amendment No. 14 in order to permit the development of a permanent single detached dwelling on an undersized lot which fronts onto an unopened/unassumed Municipal road allowance.

Development of the property is subject to a Site Plan and Site Plan Agreement to the satisfaction of the Township (S. 6.2.2.11 (d)(vi)).

A draft Site Plan Agreement has been prepared and is attached to this Report. The Site Plan has been peer reviewed by the Township's peer review consultant, D.M. Wills, from both the Engineering and Planning disciplines. A total of three submissions were presented to D.M. Wills. The final submission included:

- Revised Application to Amend Zoning By-law 10-1996;
- Comment Response Letter, prepared by Ron Davidson, dated June 8, 2022;
- Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021 and Revised May 26, 2022;
- Erosion Control Plan, prepared by M.J. Davenport and Associates Ltd., Drwg. No. 5883-EC, dated April, 2021 and Revised May 26, 2022;
- Conceptual Landscape Site Plan, Drwg. No. CL-1, prepared by M.J. Davenport and Associates Ltd. and Michael E. McGuire, Landscape Architect, dated June 18, 2022

Copies of the above are attached to this Report.

In correspondence dated June 30, 2022, D.M. Wills identified that all previous comments relating to the Engineering peer review component have been addressed. A copy of the June 30, 2022 D.M. Wills correspondence is attached to this Report.

In correspondence dated July 4, 2022, D.M. Wills identified that all previous comments regarding the Planning peer review component have been addressed. A copy of the July 4, 2022 D.M. Wills correspondence is attached to this Report.

With the successful registration of the Site Plan Agreement, Application R-17-21 will comply with the Township Official Plan.

Comments:

- Enbridge Gas Inc.: No objections to the application.
- KPRDSB: No concerns or issues related to their mandate.
- Dean Bolton, 4030 County Road 32: Objection to the initial Site Plan. Request for additional information and to be notified of all meetings pertaining to the Applications.

Conclusion:

Concerns with the Application were raised by the Owners of 4030 County Road 32. The issues were identified as early as the public meeting for OPA No. 14 (October 15, 2013). Specifically, issues were identified as they relate to drainage from the subject property onto adjacent properties and the request for the installation of underground hydro from County Road 32 to the subject property.

The Revised Site Plan, prepared by M.J. Davenport and Associates Limited, dated May 26, 2022, indicates that proposed drainage shall not impact adjacent properties and shall be contained on site or controlled to a protected outlet (Notes 1 and 3). The Township peer review consultant, D.M. Wills, has provided acceptance of the Revised Site Plan.

With respect to the request for the installation of underground hydro, the May 26, 2022 Revised Site Plan did not include any information regarding this utility. Township Staff requested that the underground hydro be noted on the Site Plan and a revised Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021 and Revised August 30, 2022 noting this requirement was received and is attached to this Report. The Revised Site Plan also identifies the attached garage being Revision No. 2, dated 08/06/22.

At this time, Township Staff are recommending that the By-law to enact the amendment be brought forward to a future Council meeting for consideration. This will provide Staff time to ensure the Site Plan captures comments related to the installation of hydro; to address and incorporate the mitigation measures recommended by the sEIS; and to fulfill the Site Plan Agreement, which is necessary to remove the Holding (H) Symbol from the S.D. 190 Zone.

Financial Impact:

All costs related to the application for a Zoning By-law Amendment are the responsibility of the owner.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report regarding Zoning By-law Amendment R-17-21 - Paterson and Carrington.docx
Attachments:	<ul style="list-style-type: none"> - R-17-21 - Draft By-law.pdf - PPLD-2019 and PPLD-2220 ORCA (February 18, 2022) -4034 Centre Road.pdf - Curve Lake Sign-off P156-0323-2021 Archaeological Assessment (August 23, 2021).pdf - ENTERED INTO REGISTER Archaeological Report for P156-0323-2021 (003).pdf - R-17-21 - Revised ZBA Application - Redacted.pdf - 1 June 8, 2022 letter.pdf - 3 Erosion Control Plan (R-17-21) (May 26, 2022).pdf - 6 Revised Landscape Plan (CL-1) (June 18, 2022).pdf - 4 Revised Site Plan (May 26, 2022).pdf - DM Wills - 88002 - 4034 Centre Road - 3rd Sub Engineering Review - June 30 2022.pdf - DM Wills -88002 - 4034 Centre Road - Third Planning Review - July 2022.pdf - 7 2021-D023-N2a (Source Water Zoning).pdf - 8 2021-D024-N2a (Source Water Site Plan).pdf - By-law No. 2014-17 (Constructed Roadway Agreement).pdf - Site Plan 5883-02B-August30-2022 (hydro notation).pdf - Carrington-Patterson - Draft Site Plan Agreement.pdf
Final Approval Date:	Aug 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

Properties

PIN

28177 - 0123 LT

Description

PT LT 10 CON 9 DOURO AS IN R688890; DOURO-DUMMER

Address

LAKEFIELD

PIN

28182 - 0091 LT

Description

RDAL BTN LOTS 10 & 11 CON 8 DOURO; RDAL BTN LOTS 10 & 11 CON 9 DOURO; W
1/2 RDAL BTN LOTS 10 & 11 CON 7 DOURO AKA CENTRE RD; DOURO-DUMMER

Address

LAKEFIELD

Consideration

Consideration \$0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Address for Service

894 South Street
PO Box 92,
Warsaw, ON K0L 3A0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation HEATHER WATSON, MAYOR AND MARTINA CHAIT-HARTWIG, CLERK;.

Party To(s)CapacityShare

Name

CARRINGTON, KATHRYN ANNE

Address for Service

1152 Scollard Road
Peterborough, ON K9H 0A7

This document is not authorized under Power of Attorney by this party.

Name

PATERSON, DAVID REFERICK

Address for Service

1152 Scollard Road
Peterborough, ON K9H 0A7

This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

I James Baird solicitor make the following law statement registration of the within agreement is authorized pursuant toSection41(7)(c) of The Planning Act, R.S.O. 1990 c. P13.

Signed By

James Lawrence Baird

332 Aylmer St. P.O. Box1146
Peterborough
K9J 7H4

acting for
Applicant(s)

Signed 2022 12 09

Tel 705-742-1674

Fax 705-742-4677

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

LLF LAWYERS LLP

332 Aylmer St. P.O. Box1146
Peterborough
K9J 7H4

2022 12 09

Tel 705-742-1674

Fax 705-742-4677

Fees/Taxes/Payment

Statutory Registration Fee	\$69.00
Total Paid	\$69.00

ROAD ALLOWANCE AGREEMENT

THIS AGREEMENT made this 08 day of December 2022.

B E T W E E N:

KATHRYN CARRINGTON and DAVID PATERSON

Hereinafter called the "OWNERS"

OF THE FIRST PART

- and -

**THE CORPORATION OF THE TOWNSHIP OF
DOURO-DUMMER**

Hereinafter called the "TOWNSHIP"

OF THE SECOND PART

-and-

WHEREAS the Owners have submitted an application to the Township for Site Plan Approval to construct a new single detached dwelling on the lands described on Schedule "A" attached hereto (the "Subject Lands");

AND WHEREAS the Township previously entered into an Agreement with former owners of the Subject Lands in 2014 (the "2014 Agreement") relating to the use of the unopened road allowance described on Schedule "B" attached hereto for the construction of a driveway to provide vehicular and pedestrian access to the Subject Lands;

AND WHEREAS some additional drainage works in connection with the proposed Site Plan are required to be completed by the Owners on the Township's unopened road allowance;

AND WHEREAS the Owners and Township are desirous to have one Agreement to govern all works benefitting the Subject Lands which are situated on the Township's unopened road allowance.

AND WHEREAS the Owners and the Township have agreed to set out and to be bound by the terms and conditions contained in this Agreement.

NOW THEREFORE BE IT RESOLVED that in consideration of mutual covenants hereinafter set out, the parties hereto agree as follows:

1. The recitals are true in fact and substance.

2. The Owners represent and warrant that they are the registered owners of the lands hereinafter described on Schedule "A" hereto.
3. The Township represents and warrants that it is the registered owner of the unopened road allowance lands hereinafter described on Schedule "B" hereto.
4. The Owners and Township agree that the 2014 Agreement between the Township and Terry and Ruth Hunter is hereby rescinded.
5. The Owners and Township are executing this Agreement in satisfaction of section 2 of the *Drainage Act*, R.S.O. 1990, c. D.17.
6. The Owners agree to take all actions, undertake all works and pay all associated expenses in reference to the construction and/or improvements to the driveway, ditching and check dam (the "road allowance works") required to service the new single detached dwelling on the Subject Lands. The Owners further acknowledge that they will be fully responsible for all continuing maintenance requirements relating to the driveway, ditching and check dam that the Township shall not be responsible for any maintenance or liability for the road allowance works.
7. The Owners shall not undertake any action to construct or open up the Township's unopened road allowance in any manner. At no time shall any cars be parked upon the unopened road allowance.
8. The Owners shall undertake no act to encumber the said unopened road allowance.
9. Nothing in this Agreement precludes the Township from undertaking any action, legal or otherwise, which would open the unopened road allowance, and have same made available for use as a public highway. In the event that the Township decides to open up the said road allowance and incorporate same into the Township road system as a public highway, this Agreement shall be at an end.
10. The Owners shall not be permitted to undertake any road allowance works until a Site Plan Agreement has been executed to the satisfaction of the Township with respect to the Subject Lands (the "Site Plan Agreement").
11. In reference to the completion of the road allowance works, the Owners shall:
 - (a) Obtain and satisfy requisite permit requirements from the Otonabee Region Conservation Authority ("ORCA");
 - (b) Notify the Clerk of the Township in writing at the commencement of any works on the Township's unopened road allowance in completion of the terms and conditions of this Agreement;
 - (c) Prior to commencing construction activities, the Owners' contractor shall provide the Township Clerk with a public liability insurance policy with limits of no less than \$2,000,000.00 per occurrence in which the Township is to be a named insured. In addition, the contractor shall provide a current Certificate from the Workers Safety Insurance Board confirming that the contractor is in good standing and a

- completed Declaration of Accessibility Compliance Form;
- (d) Arrange for their Engineer to keep the Manager of Public Works of the Township aware of aspects in reference to the construction schedule, and periodically review with the Manager of Public Works the nature and progress of the completion of the said works;
 - (e) Provide notification for a final inspection upon completion of the road allowance works, which notice shall be provided to the Township Clerk and to the Manager of Public Works for the Township and to ORCA;
 - (f) Upon notification of the final completion of the road allowance works, the Manager of Public Works shall undertake an inspection and advice of any specific concerns with respect to the road allowance works in accordance with the Site Plan for the Subject Lands;
 - (g) Upon completion of the road allowance works, the Engineer employed by the Owners shall provide certification to the Township that the road allowance works have been completed pursuant to the approved plans attached to the Site Plan Agreement.
12. The Owners acknowledge that the unopened road allowance is not now maintained by the Township.
 13. The Owners acknowledge that there is no obligation upon the Township to maintain the unopened road allowance providing access to the Subject Lands subsequent to the construction of buildings or subsequent improvement to existing buildings on the Subject Lands.
 14. The Owners specifically covenant and agree to accept the existing level of services as being adequate and acceptable.
 15. The Owners and Township agree that the estimated cost of the road allowance works are contemplated and set forth in the Site Plan Agreement and the Owners shall supply the required security to the Township pursuant to that Agreement.
 16. The Owners shall reimburse the Township for all of its legal, planning and engineering fees incurred by it with respect to this Agreement and the development contemplated herein. Without limiting the generality of the foregoing, the Owners acknowledge that this agreement shall be registered on title to the Subject Lands by the Township. Fees shall be payable by the Owners on receipt of a billing from the Township.
 17. This Agreement shall be binding upon the heirs, successors and assigns of the Owners. It is herein specifically acknowledged and agreed by the Owners that they shall provide actual notice of the subject Agreement to any potential purchaser, and shall also provide actual notice of the same to any real estate broker or agent that they might utilize in reference to the potential sale of the Subject Lands.
 18. The parties hereto acknowledge that they have read, understood, and obtained independent legal advice in reference to this Agreement and its terms and conditions.
 19. Any notice required to be given pursuant to this Agreement shall be in writing and sent

prepaid registered mail, or personally delivered, to the other party at the following address:

(a) Notice to the Owners shall be addressed to:

Kathryn Carrington and David Paterson
1152 Scollard Road,
Peterborough, ON K9H 0A7


(b) Notice to the Township shall be addressed to:

The Corporation of the Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, ON K0L 3A0

20. Nothing in this Agreement shall relieve the Applicants or Owner from compliance with all applicable municipal by-laws, laws and/or regulations or laws and/or regulations established by any other governmental body which may have jurisdiction over the lands identified on Schedule "A" and Schedule "B".
21. This Agreement shall be construed in accordance with the laws of the Province of Ontario.
22. Should any provision of this Agreement be found to be invalid by a Court of competent jurisdiction that provision shall be severable from the remainder of this Agreement and the remainder of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties have hereunto set their respective hands and seals.

SIGNED, SEALED & DELIVERED


Kathryn Carrington

Kathryn Carrington


David Paterson

David Paterson

**THE CORPORATION OF THE
TOWNSHIP OF DOURO-DUMMER**

Per:

Heather Watson, Mayor

Martina Chait-Hartwig, Acting Clerk
We have the authority to bind the Corporation.

SCHEDULE "A"

Lands owned by Owners

PT LT 10 CON 9 DOURO AS IN R688890; DOURO-DUMMER, being all of PIN 28177-0123 (LT).

SCHEDULE "B"

Lands owned by Township

**RDAL BTN LOTS 10 & 11 CON 9 DOURO; DOURO-DUMMER being part of PIN
28182-0091 (LT).**

RESOLUTION NO. 2022 – 332

DECEMBER 07, 2022

Moved by:

Seconded by:

WHEREAS the Council of the Municipality of Magnetawan receives the correspondence regarding Bill 23 the Build More Homes Faster Act;

AND WHEREAS Council appreciates and understands that the lack of attainable and affordable housing is an important issue facing the entire Province;

AND WHEREAS Bill 23 will have economic, social, and environmental implications that will affect several acts including but not limited to the *Conservation Authorities Act, Development Charges Act, 1997, Municipal Act, 2001, Ontario Heritage Act, Ontario Land Tribunal Act, 2021, Planning Act* and may make changes to the *Ontario Building Code* along with the financial burden that this legislation will have on municipalities and existing homeowners;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan concurs with York Region Council and many others that the legislative program under the umbrella of the Ontario Housing Supply Action Plan must be paused in order to have a more in-depth consultation with municipalities and other stakeholders;

AND THAT this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable David Piccini, Minister of the Environment, Conversation and Parks, the Honourable Graydon Smith, Minister of Natural Resources and Forestry, the Honourable Peter Tabuns, Leader of the Opposition and interim leader of the Ontario New Democratic Party, the Honourable John Fraser Interim Leader of the Ontario Liberal Party, the Honourable Mike Schreiner, Leader of the Green Party of Ontario, Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

Carried ☒ Defeated ☐ Deferred ☐

Sam Dunnett, Mayor

Recorded Vote Called by: _____

Recorded Vote

Member of Council	Yea	Nay	Absent
Bishop, Bill			
Hetherington, John			
Hind, Jon			
Kneller, Brad			
Mayor: Dunnett, Sam			



Knowing our heritage
we will build our future



Hon. Doug Ford, Premier of Ontario
Hon. Steve Clark, Minister of Municipal Affairs and Housing

SENT BY EMAIL

December 8, 2022

Re: Opposition to Bill 23, More Homes Built Faster Act

Further to the meeting on December 6, 2022, the Council of the Corporation of the Municipality of Marmora and Lake passed the following motion:

MOTION2022-293

Moved by Councillor Ron Derry
Seconded by Deputy Mayor Mike Stevens

Be it resolved that the correspondence from the County of Norfolk and the Town of Aurora dated November 17th and November 23rd, 2022, Re Opposition to Bill 23, More Homes Built Faster Act, 2022 be received; and

Further that Council of the Municipality of Marmora and Lake supports the resolution from the County of Norfolk and the Town of Aurora to request that the Government of Ontario halt the legislative advancement of Bill 23, More Homes Built Faster Act, 2022 to enable fulsome consultation with Municipalities and to request the Ministry of Municipal Affairs and Housing extend the commenting period for all components of the proposed Bill 23 to at least January 15, 2023 to allow for a more informed consultation period; and

Further that this resolution be circulated to the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Honourable Doug Ford, Premier of Ontario and all Ontario Municipalities.

Carried

I trust this is the information you require, however, should additional clarification be required do not hesitate to contact me at your convenience.

Sincerely,

Jennifer Bennett,
Deputy Clerk/Communications Director
613-472-2629 ext. 2232
jbennett@marmoraandlake.ca

Copy: Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

The Corporation of the Township of Douro-Dummer

By-law Number 2022-58

Being a By-law to Designate the Township of Douro-Dummer as a Site Plan Control Area

Whereas under the provisions of Section 41 (2) of The Planning Act, R.S.O. 1990, as amended, authority is granted to Councils of Municipalities to designate a site plan control area, where an Official Plan is in effect;

And Whereas Section 7.17.1 of the County of Peterborough Official Plan designates all lands in the Township as a Site Plan Control Area;

And Whereas Section 41 (13) of The Planning Act, R.S.O., 1990, as amended, provides authority for the Council of a Municipality to pass a By-Law prescribing certain classes of development to be exempt from Section 41 (4) and (5) of The Planning Act, 1990, as amended, and providing for the delegation of any of the Council's powers or authority as provided therein;

And Whereas the whole of the area covered by the Official Plan is designated as a site plan control area which is all within the limits of the Corporation;

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. In this by-law:
 - 1.1. **"Development"** means the construction, erection or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot;
 - 1.2. **"Corporation"** means The Corporation of the Township of Douro-Dummer;
 - 1.3. **"Owner"** means the owner of land whose interest in the land is defined and whose name is specified in the proper Registry of Land Titles Office;
 - 1.4. **"Person"** includes an owner;
 - 1.5. **"Gross Floor Area"** means the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of a cellar or subcellar, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level but excluding car parking areas

within the building and, for the purpose of this paragraph the walls of an inner court and shall be deemed to be exterior walls.

2. The whole of the area covered by the Official Plan for the Township of Douro-Dummer is designated as a site plan control area insofar as lands in all the zoning categories under the Township of Douro-Dummer Zoning By-law number 10-1996, as amended, save and except for those uses specifically exempted under section 4 of this by-law.
3. Within the various commercial, industrial and institutional, rural and agricultural zones, projects of the following magnitude shall require site plan approval:
 - 3.1. Any new commercial or industrial building or building addition, greater than 100 square metres of gross floor area;
 - 3.2. Any other new non-residential building, or building addition greater than 100 square metres of gross floor area;
 - 3.3. Any project as determined by the Chief Building Official and/or the Planner within an aggregate resource area;
 - 3.4. The approval process has been delegated to the Chief Building Official and the Planner. Agreements shall be signed by the Clerk and the Mayor as per changes enacted by Bill 109.
4. The following projects shall be exempt from site plan control:
 - 4.1. Any construction or alteration of a single-family dwelling, duplex or semi-detached dwelling,
 - 4.2. Any building accessory to the uses described in paragraph 4.1 of this section;
 - 4.3. An inground or above ground swimming pool constructed in connection with the uses described in paragraph 4.1 of this section;
 - 4.4. Any new non-residential building including any accessory building less than 100 square metres of gross floor area;
 - 4.5. Any building addition less than 100 square metres of building area or floor area, whichever is greater;
 - 4.6. Any interior alteration to a building or change of use, but not a change of use to a group home;
 - 4.7. Any agricultural and farm related buildings or structures that are utilized in active farming operations;

- 4.8. Any project which the Council of the Corporation by resolution specifically exempts from the application of the within By-law.
5. Notwithstanding the aforementioned exemptions, site plan control shall apply to:
 - 5.1. Any project, as determined by the Chief Building Official and/or the Planner, which is the subject of a rezoning application or;
 - 5.2. Any project where site plan control is imposed as a condition of an application to the County Land Division Committee.
6. Notwithstanding any of the provisions of any By-law which may be inconsistent with the By-law, no person shall undertake any development in the site plan control area unless the Chief Building Official and Planner have approved the following:
 - 6.1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 7, subsection 7.1.
 - 6.2. Drawings showing plan, elevation and cross-section views for each building to be erected within a site plan control area which are sufficient to display:
 - 6.2.1. The massing and conceptual design of the proposed building;
 - 6.2.2. The relationship of the proposed building adjacent buildings, streets, and exterior areas to which members of the public have access; and
 - 6.2.3. The provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, but which exclude the following: the layout of interior areas, other than the interior walkways; stairs and escalators referred to in clause 6.2.3; the colour, texture and type of materials; window details; construction details; architectural detail and interior design.
7. As a condition to the approval of the plans and drawings referred to in Section 6, the Corporation may require the owner to:
 - 7.1. Provide to the satisfaction of and at no expense to the municipality any or all of the following:
 - 7.1.1. Widening of highways that abut on the land;
 - 7.1.2. Subject to The Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;

- 7.1.3. Off street vehicular loading and parking facilities, either covered or uncovered access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;
- 7.1.4. Walkways, including the surfacing thereof, and all other means of pedestrian access;
- 7.1.5. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;
- 7.1.6. Walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of the lands or the protection of adjoining lands;
- 7.1.7. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials;
- 7.1.8. Easements conveyed to the municipality for the construction, maintenance or improvements of watercourses, ditches, land drainage works and sanitary sewerage facilities on the land;
- 7.1.9. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
- 7.2. Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or work mentioned in paragraph 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.1.6, 7.1.7, 7.1.8, and 7.1.9 of clause 7.1, including the removal of snow from access ramps and driveways, parking and loading areas and walkways;
- 7.3. Enter into one or more agreements with the municipality dealing with any or all of the facilities, works or matters mentioned in clauses 7.1 and 7.2 or with the provision and approval of the plans and drawings referred to in Section 6.
- 8. Any agreement entered into clause 7.3 of Section 7 may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of The Registry Act and The Land Title Act, any and all subsequent owners of the land.
- 9. Section 326 of The Municipal Act R.S.O., 1990, as amended, applies to any requirements made under clauses 7.1 and 7.2 of Section 7 and to any requirements made under an agreement entered into under clause 7.3 of Section 7.
- 10. Default:
 - 10.1. Where the owner is directed or required by the By-law that any matter or things be done and such person defaults in doing such matter or thing, it may be done by the Corporation at its expense and the Corporation may recover the expense in doing it by action or the same may be recovered in like manner as municipal taxes.

10.2. Where the owner is in default in doing any matter or thing which the owner is directed or required to do by this By-law the owner is to be given written notice by prepaid registered mail to the owner's usual place of business or place of residence advising of the default and affording the owner not less than thirty (30) days to remedy the default.

10.3. Where the owner has been given notice of default by prepaid registered mail and the owner has failed to remedy the default within the time prescribed in the notice the owner is entitled to appear before a meeting of the Council in respect of such default before the Corporation proceeds under sub-section 10.1 of this section.

11. No building permit or permits are to be issued until:

11.1. The plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the By-law are filed by the owner with the Corporation and approved by the Corporation, and;

11.2. The perspective plans and drawings showing buildings, elevations and cross sections of industrial and commercial buildings and institutional buildings are filed by the owner with the Corporation and approved by the Corporation, and;

11.3. The owner conveys to the Corporation lands for the widening of highways required by the Corporation, free of charge and with a title free of encumbrance, and;

11.4. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, lands for a walkway where required by the Corporation, and;

11.5. The owner conveys to the Corporation, free of charge and with a title free of encumbrance, any easements required by the Corporation for its purposes, and;

11.6. The owner files with the Corporation, for its approval, a lot grading plan showing all grading and changes in elevation or contour of land and disposal of storm, surface and waste water from the lands or any buildings or structures to be erected thereon;

11.7. The owner has entered into any agreements required under Section 7.3.

12. No person shall:

12.1. Block or impede access to land at the point of ingress or egress shown on the plans and drawings filed with the Corporation, and;

12.2. Park a vehicle on private property other than on the parking and loading access shown on the plans filed with the Corporation, and;

12.3. Block or impede the use of walkways shown on the plans filed with the Corporation, and;

- 12.4. Interfere with snow or ice removal directly or indirectly and without limiting the generality of the foregoing, no vehicle shall be parked so as to obstruct the removal of ice or snow from access ramps, driveways, parking areas and walkways shown on the plans filed with the Corporation, and;
- 12.5. Change the grading or contour or elevation of land from that shown on the plans filed with the Corporation and approved by the Engineer of the Corporation without the consent in writing of the Engineer of the Corporation, and;
- 12.6. Block or interfere with the disposal of or alter the normal drainage course for storm surface and waste water from land or buildings or structures unless alternative drainage is provided to the written satisfaction of the Engineer for the Corporation, and;
- 12.7. Block or interfere with watercourse, watermains, ditches, land drainage works or sanitary sewerage facilities of the Corporation or of the County of Peterborough, whichever is the case, and;
- 12.8. Permit floodlights from his land to illuminate neighbouring buildings where such illumination disturbs the sleep or privacy of the occupants of the buildings so illuminated, and;
- 12.9. Fail to maintain walls, fences, hedges, trees, shrubs or other suitable groundcover shown on the plans filed with the Corporation, and;
- 12.10. Fail to keep in good repair or uncovered all vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste materials as shown on the plans filed with the Corporation.
13. Notwithstanding the foregoing, no approval of site plans and elevation drawings for development or redevelopment in a site plan control area shall be approved unless or until proper drawings have been prepared, either by a qualified draftsman, surveyor, engineer or architect. Such drawings must be signed by the party preparing same. Such drawings must be legible. Extra copies of such drawings must also be provided in legal size and still be legible in case it is determined that a site plan agreement must be registered against the title to the owner(s) land.

14. Violations and Penalties

- 14.1. Any persons who violates any provision of the By-law or causes or permits a violation shall be guilty of an offence and, upon conviction therefore, shall be liable for the penalties set out in Section 67 of The Planning Act, R.S.O., 1990. Each day of violation shall constitute as offence.

15. Remedies

- 15.1. In case any building or structure is to be erected or altered or any part thereof is to be used, or any lot is to be used in contravention of any requirement of this

By-law, such contravention may be retained by action in the instance of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or the Municipal Act in that behalf.

16. Validity

16.1. If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part hereof, other than the section, clause or provision so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses and provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions hereof shall have been declared to be invalid.

17. That this By-law shall come into effect on the date it is passed by the Council of Corporation of the Township of Douro-Dummer, subject to the applicable provisions of The Planning Act, R.S.O., 1990, as amended.

18. That By-law No. 2022-32 of the Township of Douro-Dummer is hereby repealed.

Enacted and passed this 20th day of December, 2022.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2022-59

**Being a By-law to amend By-law Number 10-1996, as amended,
otherwise known as "The Township of Douro-Dummer
Comprehensive Zoning By-law"**

Whereas By-law No. 2013-56, passed by Council on October 15, 2013, had the effect of placing a holding provision (H) on certain lands located within Part of Lot 10, Concession 9 of the former Township of Douro, (now the Douro Ward of the Township of Douro-Dummer) in the County of Peterborough, more particularly described as roll no. 1522-010-004-08100;

And Whereas the Township of Douro-Dummer has entered into a Road Allowance Agreement ('Level of Municipal Services Agreement') via By-law No. 2022-55, as passed by Council on December 6, 2022;

And Whereas the Township of Douro-Dummer has approved of the Site Plans and a Site Plan Agreement has been entered into;

And Whereas all other applicable provisions of Section 3.15 of By-law No. 10-1996, as amended have been complied with;

And Whereas pursuant to Section 36(4) of The Planning Act, R.S.O. 1990, as amended, a by-law may be passed by Council for removing a holding provision (H);

And Whereas By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

And Whereas Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

And Whereas the Council of the Township of Douro-Dummer deems it advisable to amend By-law No. 10-1996 as amended;

Now Therefore the Council of the Township of Douro-Dummer hereby enacts as follows:

1. The area affected by this By-law consists of land located at 4034 Centre Road, Douro Ward, in the County of Peterborough, as indicated on Schedule "A" attached hereto, and forming part of this by-law, more particularly described as:

**Concession 9, Pt Lot 10, Blocks 7 to 8
Douro Ward
4034 Centre Road
Roll No.: 1522-010-004-08100**

2. Section 21 – Special Districts is amended by deleting subsection "21.190, Special District 190 - Holding (S.D. 190-H) Zone" in its entirety and replacing it with the following:

21.190 Special District 190 Zone (S.D. 190)

No person shall within any Special District 190 Zone (S.D. 190) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

21.190.1 Permitted Uses

21.190.1.1 all uses permitted in the Residential Zone (R) of By-law 10-1996, as amended, shall apply.

21.190.2 Regulations for Uses Permitted in Section 21.190.1.1

All provisions and regulations of the Residential Zone (R) of By-law 10-1996, as amended, shall apply with the following exceptions:

21.190.2.1 Special Provisions

- a) Minimum Lot Area 2,700 m²
 - b) Minimum Lot Frontage none
 - c) Minimum Front Yard 6 m
 - d) Maximum Lot Coverage 17.3%
- e) For the purposes of this section the front lot line is deemed to be the line which separates the lot from the abutting unopened road allowance.
- f) Notwithstanding Sections 3.11 and 3.12 of this By-Law to the contrary, the construction of a permanent single detached dwelling may be permitted on an existing lot of record which is undersized and which abuts an unopened Township road allowance. Access to the lot will be provided via a driveway on the unopened road allowance which is constructed to standards satisfactory to the Township.

3. Schedule 'A1' of By-law No. 10-1996, as amended, is hereby further amended by removing the Holding Symbol from the lands identified as Roll No.: 1522-010-004-08100 as shown on Schedule "A" attached hereto and forming part of this By-law.

4. All other relevant provisions of By-law 10-1996, as amended, shall apply.

If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

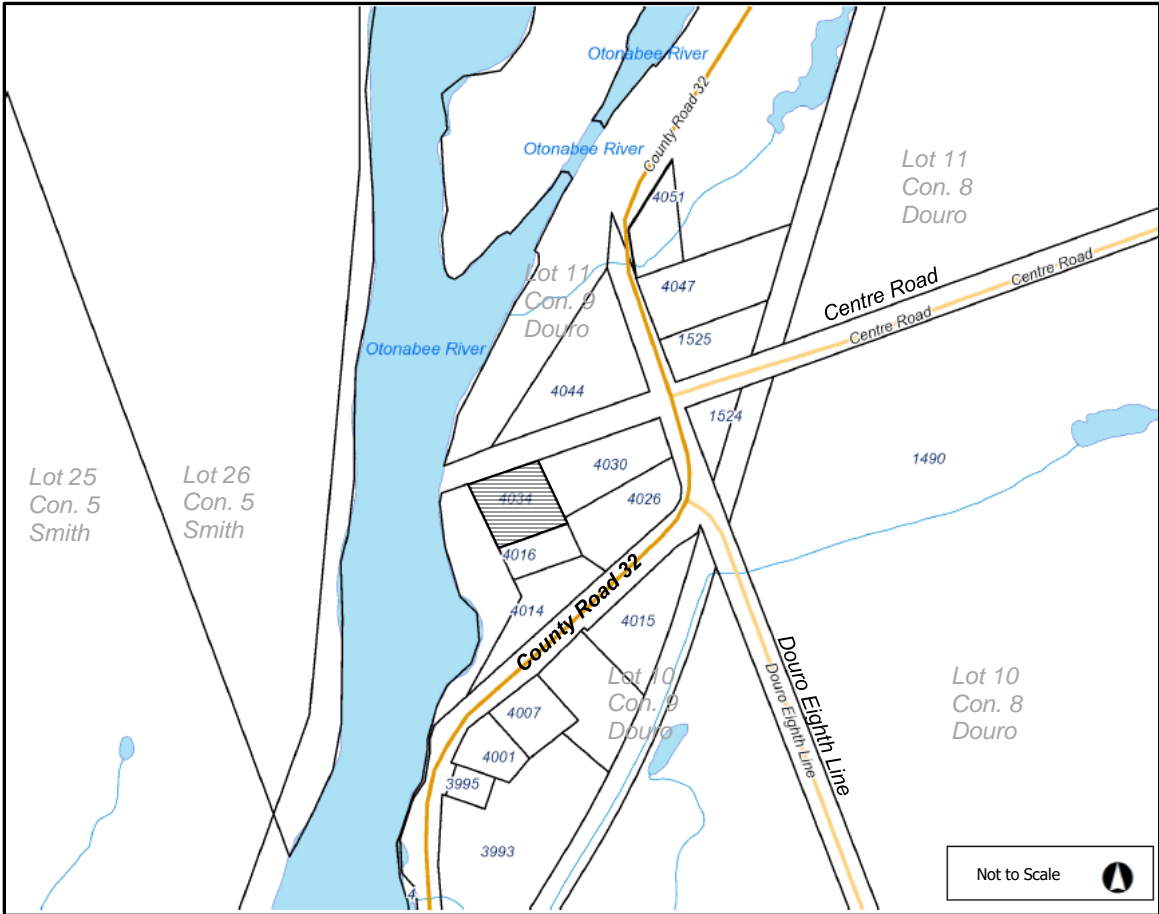
Passed in Open Council this _____ day of _____, 2022.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

File: R-17-21
Roll No.: 1522-010-004-08100

Schedule “A” to By-law 2022-59



 **Property subject to the removal of the 'Holding Symbol (H)' and to remain zoned 'Special District 190 Zone (S.D. 190)'**

This is Schedule 'A' to By-law No. 2022-59 passed this _____ day of _____, 2022.

Mayor, J. Murray Jones

Acting Clerk, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2022-60

**Appointment of an Alternate Member to the Council
of the County of Peterborough for the 2022-2026
Term of Council**

Whereas Section 268 of the *Municipal Act, R.S.O. 2001, c. 25* provides for the lower tier Council to act in place of a person who is a member of both the upper and lower tier councils when a person is unable to attend a meeting of the upper tier council for any reason;

And Whereas the Township of Douro-Dummer is a lower tier municipality and is part of the County of Peterborough, which is an upper tier municipality;

And Whereas Council deems it necessary to provide for the appointment of an alternate member to County Council when a member cannot attend a meeting;

Now Therefore the Council of the Township of Douro-Dummer enacts as follows:

1. That the be following person be appointed as an alternate to County Council for the Council term running from 2022-2026:

Tom Watt

2. That this by-law shall come into full force and effect on the 20th day of December, 2022.

Passed in open council this 20th day of December, 2022

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2022-61

Being a By-law of The Corporation of the Township of Douro-Dummer to confirm the proceedings of the Regular Meeting of Council held on the 20th day of December, 2022 in the Council Chambers.

The Municipal Council of The Corporation of the Township of Douro-Dummer Enacts as follows:

1. **That** the action of the Council at its regular meeting held on December 20, 2022 in respect to each motion, resolution, and other action passed and taken by the Council at its said meeting is, except where prior approval of the Local Planning Appeal Tribunal is required, hereby approved, ratified, and confirmed.
2. **That** the Mayor and the proper officers of the Township are hereby authorized to do all things necessary to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Acting Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

Passed in Open Council this 20th day of December, 2022.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig