



Township of Douro-Dummer Agenda for a Committee of Adjustment Meeting

Friday, November 29, 2024, 9:30 a.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.

Hybrid Meetings

Regular and Special meetings of Council are being held in person and electronically. Regular Meetings are recorded and live-streamed on the Township YouTube channel. Special Meetings will be recorded and live-streamed where feasible.

To watch the meeting live or access a recording please visit the Township's YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

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

	Pages
1. Call to Order by Chair:	
2. Disclosure of Pecuniary Interest:	
3. Approval of Minutes:	
3.1 Committee of Adjustment Minutes - November 1, 2024	1
4. Minor Variance Applications:	
4.1 A-03-24 (Dybka-Richards-Conley), Planning-2024-28	5
Applicant: Edward Joseph and Halinka Christina Dybka Property Description: Part Lot 32, Con.9, Dummer 1442 Miles Shore Road East Roll No: 1522-020-005-44800	
5. Next Meeting Date: To be Announced	
6. Adjournment	

Minutes of the Township of Douro-Dummer Committee of Adjustment Meeting

November 1, 2024, 9:30 AM
In person and Electronic Meeting Site

Present:
Chair - Jim Patterson
Member - Harold Nelson
Member - Rod Manley
Member - Mark Porter
Member - Robert Lamarre

Staff Present
Secretary-Treasurer/Acting Clerk - Martina Chait-Hartwig
Planner - Christina Coulter

1. Call to Order by Chair:

The Chair called the meeting to order at 9:31 a.m.

2. Disclosure of Pecuniary Interest:

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

3. Approval of Minutes:

3.1 Committee of Adjustment Minutes April 12, 2024

Resolution Number 07-2024

Moved By: Harold Nelson

Seconded By: Rod Manley

That the Minutes from the Planning Committee Meeting, held on April 12, 2024, be received and approved, as circulated. Carried

4. Minor Variance Applications:

4.1 A-02-24 (Qadir) Report, Planning-2024-25

Township Planner, Christina Coulter reviewed the report.

In attendance: Owner Altaf Qadir and Agent Khyber Khattak

Comments Received: Bell Canada did not identify any concerns with the application.

The Engineering and Construction Division of Planning, Development and Public Works Department for Peterborough County had no objections, comments or concerns with respect to the application.

The Otonabee Region Conservation Authority ORCA indicated that the application is consistent with Section 3.1 of the Provincial Policy Statement referencing Natural Hazards.

The development does not appear to create new or aggravate existing hazards and the subject property is not located within an area that is subject to the policies contained in the Trent Source Water Protection Plan.

The Otonabee Region Conservation Authority ORCA noted that permits from their agency are not required since the property is not subject to Ontario Regulation 41/24, ORCA's "Prohibited Activities, Exemptions and Permits" regulation.

Verbal comments:

Prior to the meeting, the Owner of 420 Douro Seventh Line identified a few concerns with respect to the creation of the severed lots. The concerns can be summarized as follows:

- Potential impacts on water quantity;
- Possibility of increased traffic volumes and speed;
- Unsafe entrances for the new lots;
- Permitting lot creation on good farm land;

- Reducing the lot size for agricultural operations;
- Length of ownership of the property; and
- Minimum Distance Separation (MDS) from existing livestock facilities.

The Owner indicated that they did not submit a formal objection to the County of Peterborough through the severance application process, however, was aware that another neighbour had objected.

Senior Staff of the Township have not identified any concerns.

Resolution Number 08-2024

Moved By: Robert Lamarre

Seconded By: Mark Porter

That the Committee review and consider all verbal and written comments received regarding Minor Variance Application File A-02-24;

That the Committee approve Minor Variance Application A-02-24 as requested, to address a condition of the decisions for Peterborough County Land Division Files B-49-23 and B-55-23 and to bring the retained parcel into compliance with the Zoning By-law. This variance is deemed to be minor in nature and is appropriate for the development of this land. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Approval is recommended with no conditions.

Carried

5. Next Meeting Date: To be Announced

6. Adjournment

Resolution Number 09-2024

Moved By Mark Porter

Seconded By Rod Manley

That this meeting adjourn at 9:45 a.m.

Carried

Chair, Jim Patterson

Secretary-Treasurer, Martina Chait-Hartwig

Minor Variance Report

Application No.: A-03-24
Applicant: Edward Joseph and Halinka Christina Dybka
Agent: Holly Richards-Conley
Property Description: Part Lot 32, Con. 9 (Dummer)
1442 Miles Shore Road E
1522-020-005-44800

Purpose of Application:

The subject property is zoned Limited Service Residential (LSR) as illustrated on Schedule B9 to By-law No. 10-1996, as amended.

The Owners received consent from Peterborough County Land Division for a lot addition, File B-70-23 and the Certificate was issued on June 21, 2024. The Owners now wish to demolish the existing two-storey detached dwelling with a ground floor area of 182.3 square metres and construct a new two-storey detached dwelling with a ground floor area of 286.48 square metres.

The new dwelling is proposed to be located generally within the footprint of the foundation of the existing dwelling and will not be located any closer to the water than currently exists. The existing dwelling is non-complying with a water yard setback of 12.7 metres and the new construction is proposed to be setback 13 metres. Given the substantial demolition and change in shape, size and floor area, the proposed construction will no longer enjoy non-complying status and requires relief from the By-law to recognize a reduced water yard setback.

The purpose of the minor variance is to permit a reduction of the 30 metre water yard setback for the proposed new construction, recognizing the existing deficient water yard with the closest point being setback 13 metres and no further encroachment being made, as shown on the site plan prepared by JBF Surveyors, dated October 30, 2024 and attached to this Report.

The proposed development also includes the demolition of two sheds, the rebuilding of a two-storey frame building by the water, the installation of a new septic to the east of the proposed dwelling, and the construction of an approximately 105 square metre detached accessory garage, all of which are not part of the minor variance application.

Notice of the public meeting was given on November 13, 2024 by ordinary mail and/or e-mail to all prescribed persons and public bodies and to every person and public body that has provided a written request for Notice.

Notice of the public meeting was circulated by ordinary mail to every owner of land within 60 metres of the subject property on November 13, 2024. Signs were posted on the subject property on the water frontage, on the property at the intersection of Miles Road and Miles Shore Road East and on the County Road 6 frontage at the entrance to Miles Road. The Notice was also posted on the Township Website.

The giving of Notice complies with the applicable Regulation of the Planning Act.

Agency Comments:

Comments were received from Otonabee Region Conservation Authority (ORCA). A copy of ORCA's comments are attached to this Report and further referenced below.

As of the writing of this Report, there have been no additional written or verbal comments received from the prescribed persons or public bodies.

Public Comments:

As of the writing of this Report, there have been no written or verbal comments received from members of the public.

Staff Comments:

The application was circulated to Senior Staff on November 13, 2024. As of the writing of this Report, there were no concerns identified by Senior Staff.

Pre-Consultation:

A pre-consultation meeting was held on November 23, 2023. The meeting included Township Staff; Holly Richards-Conley, Agent; Marnie Guindon, Otonabee Region Conservation Authority (ORCA) and Ken Scullion, County of Peterborough.

The pre-consultation identified additional information to be provided regarding the final proposal along with potential supporting study requirements for a complete Planning Act application.

In particular, ORCA noted the subject property is regulated due to the presence of floodplain from Stony Lake which is confined mostly to the shoreline and there is potential for a slope hazard. It was stated that it would be important to keep all of the vegetation along the slope because it is helping to stabilize the slope. ORCA requested to undertake a site visit to examine the slopes.

Following the site visit, ORCA stated that since the entire slope is proposed to be regraded to accommodate a walkout, a slope stability study as well as engineered drawings would be required. A Geotechnical Investigation Report was prepared by Cambium Inc., dated March 12, 2024, and submitted in support of the application. A copy is attached to this Report. Permit No. 2024-215 was issued by ORCA on October 31, 2024, for the proposed work and a copy is attached to this Report.

The property is adjacent to Stony Lake. Since the existing dwelling was constructed in approximately 1890, it is likely that no archaeological assessment was undertaken at that time. Therefore, archaeological potential exists and a Stage 1 and 2 Archaeological Assessment was requested.

The Owners engaged Northeastern Archaeological Associates Limited (Northeastern) who completed a Stage 1 and 2 Assessment of the entire property. The Assessment dated November 5, 2024, noted that Stage 1 research indicated the property is of high archaeological potential, as outlined by the Standards and Guidelines for Consulting Archaeologists (MTC 2011), because of its proximity to water and registered archaeological sites as per standard 1.3.1.

The Stage 2 Assessment did not result in the discovery of any material of cultural significance. Given this, Northeastern recommended that no further archaeological assessment be required on the subject property. If any archaeological resources should be discovered during the course of development, all excavation must stop immediately, and an archaeologist must be contacted.

At the time of the pre-consultation in 2023, the Growth Plan for the Greater Golden Horseshoe was applicable and a Natural Heritage Evaluation that identified a 30 metre Vegetation Protection Zone (VPZ) was required. However, Staff noted that the proposed Provincial Planning Statement no longer contained the 30 metre VPZ requirement although the Province had not provided a timeline for approval of the new legislation.

Effective October 20, 2024, the Growth Plan and the Provincial Policy Statement were consolidated into one document called the Provincial Planning Statement (PPS, 2024). The PPS, 2024 is considered a policy statement for the purpose of Section 3 of the Planning Act. All municipal decisions, as well as comments, submissions or advice affecting planning matters, are required to be consistent with the PPS, 2024 pursuant to subsections 3(5) and 3(6) of the Planning Act.

A Planning Justification Report (PJR) was prepared by Kevin M. Duguay, Community Planning and Consulting Inc., in support of the Application. The PJR reviewed the policies of the PPS, 2024 and concluded the Application is consistent with the policy directives. A copy of the PJR is attached to this Report.

Since the proposed dwelling is not completely being built on the same footprint, Township Staff identified that justification would be required as to why the proposed structure cannot be built on the same footprint and why the proposed dwelling cannot be setback further away from the deficient water setback. The PJR states that the proposed building location does not reduce the existing water yard setback. The proposed building location is influenced by:

- The existing right-of-way traversing the property;
- Existing overhead hydro lines; and
- Topographical features.

The PJR concluded that the Application successfully addresses the four (4) tests for evaluating a minor variance application as set forth in Section 45 (1) of the Planning Act.

Planning Review:

Section 45 of the Planning Act provides the tests that must be satisfied to support a minor variance application. The tests are as follows:

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The subject property is designated Lakeshore Residential and the portion subject to severance file B-70-23 is designated Rural on Schedule 'A4-3' to the Official Plan (OP). Amendments to the OP are not required for minor deviations from the land use designation boundaries (S. 8.1 (d)), therefore Staff have applied the Lakeshore Residential designation to the entire property.

The Lakeshore Residential designation permits permanent single detached dwellings and cottages on private roads subject to the provisions of the Zoning By-law (Ss. 6.2.6.1).

Section 6.2.6.3 (c) states that the preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wetbeach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality. The Application submission includes a Shoreline Restoration Plan which states the majority of the property will remain untouched during the demolition and construction of the new dwelling. While some small cedars and one large mature white pine will be removed, the planting plan provided in Appendix 1 indicates sweet gale and white cedar are proposed to replace the vegetation that will be removed. A copy of the Shoreline Restoration Plan is attached to this Report.

Section 6.2.6.3 (c) of the OP states that "structures legally existing as of the date Official Plan Amendment No. 3 comes into effect (October 22, 2008) that do not comply with the required water setback provision that require replacement due to structural defects or destruction by fire or other natural causes or by permission of the Township will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law, and where the enlargement does not further encroach into the 30 metre water setback."

As noted in the PJR and on the JBF survey, the proposed construction will not further encroach into the 30 metre water setback.

Section 6.2.6.3 (c) of the OP permits open decks to encroach into the 30 metre setback provided it is demonstrated the encroachment does not negatively affect the waterfront environment. The JBF survey illustrates that the closest development to the shoreline will be the proposed open deck with a set back of 13 metres. The proposed dwelling will be setback further at 14 metres. The shoreline restoration plan together with the

conditions of ORCA permit No. 2024-215 will ensure the waterfront environment is maintained.

Section 6.2.6.3 (c) of the Official Plan further states “minor variances or zoning changes to accommodate proposed expansions of a structurally-permanent nature to existing structures and/or septic systems that further reduce any applicable minimum water setback shall not be permitted unless it is a matter of public health and/or safety.” The JBF survey illustrates that the proposed septic system will meet the minimum 30 metre water yard setback.

Section 4.4.3 of the OP states that “local municipalities may authorize minor variances from the 30 metre setback requirement, without the variance being considered to be inconsistent with the general intent and purpose of the local plan, in the following situations:

- on a lot existing on the date this Official Plan Amendment No. 3 comes into effect;
- the addition to an existing building.”

Given the subject property (lot) existed on the date OPA No. 3 came into effect (October 2008), and the proposed construction is generally located on the same footprint, is not further encroaching into the 30 metre setback, a shoreline restoration plan has been provided and an ORCA permit issued, the proposed variance meets the general intent and purpose of the Official Plan.

2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?

The subject property is zoned Limited Service Residential (LSR) as illustrated on Schedule B9 and amended by By-law No. 2024-01. A single detached recreation dwelling is a permitted use in the (LSR) Zone (S. 7.1.1) and must comply with the regulations outlined in Section 7.2.1 of By-law 10-1996, as amended.

The existing dwelling is considered a non-complying structure since it does not meet the required 30 m water yard setback (Ss. 7.2.1 (h) & 22.156).

The Owners desire to demolish the entire dwelling and while the new dwelling is proposed on part of the existing footprint, it will not be the same shape, size or floor area and therefore the dwelling will lose its non-complying status. As a result, Section 3.28 of the By-law (Non-Complying Buildings or Structures) would no longer be applicable.

While the By-law requires a minimum water yard setback of 30 metres, the closest point of the existing structure is setback 12.7 metres. The proposed construction will be setback a minimum of 13 metres at the closest point. To provide some flexibility for the development, Staff recommend that the variance recognize the existing setback of 12.7 metres. In all other respects, the proposal complies with the Zoning By-law and the application meets the general intent and purpose of the Zoning By-law.

3. Is the proposed use desirable for the appropriate development or use of the land?

The proposed use is desirable and appropriate to the development of the subject land.

The PJR identifies that the 30-metre minimum water yard setback cannot be complied with under Section 7.2.1(h) of the Township's Zoning By-law due to:

- The existing right-of-way traversing the property;
- Existing overhead hydro lines; and
- Topographical features.

While the existing right-of-way was released under PE417341, the overhead utility lines still impact the proposed dwelling from locating further away from the shoreline. As illustrated on the attached site plan, the existing cottage is located 12.7 metres from the edge of the water at its closest point. The proposed cottage will be located 13 metres from the edge of the water, representing an improvement to the existing standard for the new development.

The expansion/enlargement will be located to the rear (south) and east side of the existing cottage and further away from the water. The air photo attached to this Report along with the photos provided in the Shoreline Restoration Plan illustrate the location of the proposed construction will not impact the view of the lake from adjacent properties and the proposed dwelling will be appropriately screened from surrounding properties.

The Geotechnical Investigation Report determined the slope is deemed to have low potential for instability. Since the slope is comprised of bedrock, no setbacks were required from a geotechnical perspective. Cambium states that "provided all footings for the proposed structure are founded on the shallow unweathered bedrock, the loading of the new development will have no detrimental impact on the slope and vice versa. If the bedrock is sloped, any foundation footings/piers should be dowelled/anchored into clean bedrock."

The Report recommends that "a Cambium Technician be on Site to inspect the bedrock at footing depth prior to placement of footings and the basement slab to ensure that the subsurface conditions are similar to those identified during this inspection and that the bedrock is adequately unweathered, and free of voids and fractures. Cambium can also inspect the bedrock to estimate bearing capacity values and inspect dowels/anchors."

Given the findings and recommendations of the Geotechnical Investigation Report and the Shoreline Restoration Plan, Staff recommend that the issuance of a building permit include the recommendations of the Geotechnical Investigation Report and that prior to the building permit final inspection being given, the Township's Chief Building Official is satisfied that the Shoreline Restoration Plan attached to this Report has been implemented.

4. Is the variance minor?

The proposed variance is minor in nature.

The PJR identifies that proposed development will otherwise conform with the regulatory provisions of the Township Zoning By-law.

The required minimum water yard setback is 30 metres. The existing two-storey frame dwelling is set back 12.7 metres at the closest point and represents a non-complying structure. The proposed dwelling will be setback 13 metres, increasing the water yard setback by 30 centimeters.

Conformity to PPS, 2024:

In their correspondence dated November 19, 2024, ORCA states the Geotechnical Investigation Report has determined the slope is stable and to have low potential for instability. The reconstruction of the dwelling will remove the shoreline slope hazard and tie the foundation into the underlying bedrock. Therefore, ORCA is of the opinion that the application is consistent with Section 5 of the Provincial Policy Statement (PPS) [referencing the protection of public health and safety].

Application of Four Tests:

The Committee should state in the decision how the application meets/or does not meet the four tests:

- 1) The application is (or is not) minor in nature.
- 2) The application is (or is not) desirable and appropriate to the development of this land.
- 3) The application meets (or does not meet) the general intent of the Official Plan.
- 4) The application meets (or does not meet) the general intent of the Zoning By-law.

Summary:

The Committee will need to decide if the request is considered minor, that it is desirable and appropriate development of this parcel, and that the use intended meets the general intent of the Official Plan and Zoning By-law.

After hearing public comment and considering all written submissions, the Committee has the following options:

1. approve the minor variance with no conditions;
2. approve the minor variance with conditions;
3. defer the minor variance for further consideration at a later date; or
4. reject the minor variance.

Recommendation:

That the Committee review and consider all verbal and written comments received regarding Minor Variance Application File A-03-24;

That the Committee approve Minor Variance Application A-03-24 to recognize a minimum water yard setback of 12.7 metres, for the life of the structure, to facilitate the issuance of a building permit for the construction of a new, two-storey detached dwelling with a gross floor area of approximately 440.64 square metres as shown on the site plan prepared by JBF Surveyors, dated October 30, 2024 attached to the Decision as Schedule 'A' and to bring the proposed construction into compliance with the Zoning By-law.

This variance is deemed to be minor in nature and is appropriate for the development of this land. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Approval is conditional on the following:

- i. Obtaining any necessary permits from ORCA, Douro-Dummer Building Department and any other required ministry/agency;
- ii. That the issuance of a building permit for the proposed dwelling include the following recommendations of the Geotechnical Investigation Report prepared by Cambium Inc., dated March 12, 2024:
 - a) a Cambium Technician be on Site to inspect the bedrock at footing depth prior to placement of footings and the basement slab to ensure that the subsurface conditions are similar to those identified during this inspection and that the bedrock is adequately unweathered, and free of voids and fractures. Cambium can also inspect the bedrock to estimate bearing capacity values and inspect dowels/ anchors.
- iii. That verification from an Ontario Land Surveyor be provided to the Township's Chief Building Official after the structures are framed to confirm that all applicable setback requirements have been met and to ensure compliance with any relief granted by this decision of the Committee;
- iv. That prior to the building permit final inspection being given, the Township's Chief Building Official is satisfied that the Shoreline Restoration Plan attached as Schedule 'B' to this Decision has been implemented; and
- v. That if any archaeological resources should be discovered during the course of development, all excavation must stop immediately, and an archaeologist must be contacted.

Report Approval Details

Document Title:	A-03-24 (Dybka-Richards-Conley).docx
Attachments:	<ul style="list-style-type: none"> - A-03-24 - Meeting Notice.pdf - A-03-24 - Application_Redacted.pdf - A-03-24 9097_SKETCH-For Submission(1) (Site Plan).pdf - A-03-24 8785_SRPR1 (Surveyor's Real Property Report).pdf - A-03-24 Planning Justification Report.pdf - A-03-24 Cambium 2024-03-14 RPT - GEO - Miles Shore Road.pdf - A-03-24 Elevation.pdf - A-03-24 - Air Photo.pdf - A-03-24 Shoreline Restoration Plan-Dybka V2.pdf - A-03-24 ORCA Permit PPRD-2599 1442 Miles Shore Road East 2024-215 SIGNED AND AUTHORIZED.pdf
Final Approval Date:	Nov 21, 2024

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

Martina Chait-Hartwig

Todd Davis



Township of Douro-Dummer Committee of Adjustment

Notice of Public Meeting Minor Variance Application A-03-24

Take Notice that the Council of the Township of Douro-Dummer will hold a public meeting of the Committee of Adjustment to consider a proposed minor variance under Section 45 of the Planning Act, R.S.O. 1990, as amended.

Date and Time: Friday, November 29, 2024 at 9:30 a.m.

Location: Council Chambers of the Municipal Office
894 South Street, Warsaw ON and
Electronic Meeting Site

Public Hearing: While the meeting will be held in person, 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. To participate in this electronic meeting in real time, please contact the Secretary/Treasurer by email at mchaithartwig@dourodummer.ca, no later than 4:00 p.m. on the day prior to the scheduled meeting and you will be provided with an invitation to join the meeting using your computer or telephone. Although it is possible for members of the public to "attend" a meeting electronically, and provide verbal submissions, we encourage you to communicate with the Committee by forwarding written comments in support or in opposition to mchaithartwig@dourodummer.ca.

If you wish to view the public meeting in real time, but do not wish to speak to the application, the meeting will be hosted on the Townships YouTube Channel at: https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A?app=desktop. The meeting will also be recorded and available after the meeting for public viewing on the same platform.

Location of Subject Lands: Part Lot 32, Con. 9 (Dummer)
1442 Miles Shore Road E

Property Roll Number: 1522-020-005-44800

Related Applications: Peterborough County Land Division Consent Application File B-70-23.

The lands subject to the minor variance application are shown on the following Key Map.

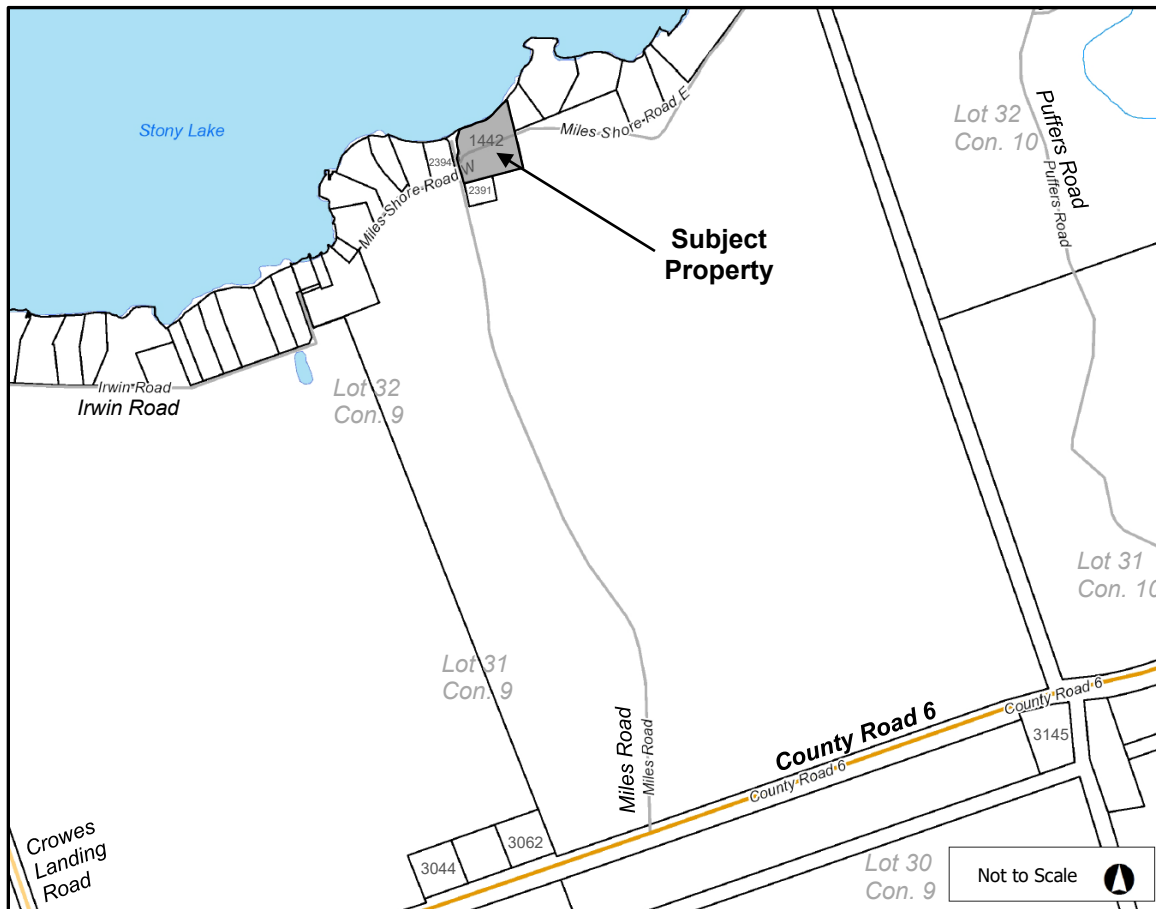
Additional Information relating to the proposed minor variance is available by contacting the undersigned and is available for public inspection online at: <https://www.dourodummer.ca/modules/news/en>

A Copy of the Notice of Decision of the Committee will be sent to the Applicant and to each person who appears in person or by counsel at the hearing and who has filed with the Clerk a written request for notice of the decision.

Accessibility: If you have accessibility needs and require alternative formats or other accommodations, please contact the undersigned.

Privacy Disclosure: All written submissions, documents, correspondence, e-mails or other communications (including your name and address) are collected under the authority of the *Planning Act* and become part of the public record and may be made available for public viewing or distribution. Please note that by submitting any of this information, you are providing the Township with your consent to use and disclose this information as part of the planning process.

Key Map:



Purpose of Application:

The subject property is zoned Limited Service Residential (LSR) as illustrated on Schedule B9 to By-law No. 10-1996, as amended.

The Owners received consent from Peterborough County Land Division for a lot addition, File B-70-23 and the Certificate was issued on June 21, 2024. The Owners now wish to demolish the existing two-storey detached dwelling with a ground floor area of 182.3 m² and construct a new two-storey detached dwelling with a ground floor area of 286.48 m².

The new dwelling is proposed to be located generally within the footprint of the foundation of the existing dwelling and will not be located any closer to the water than currently exists. The existing dwelling is non-complying with a water yard setback of 12.7 m and the new construction is proposed to be setback 13 m. Given the substantial demolition and change in shape, size and floor area, the proposed construction will no longer enjoy non-complying status and requires relief from the By-law to recognize a reduced water yard setback.

The purpose of the minor variance is to permit a reduction of the 30 m water yard setback for the proposed new construction, recognizing the existing deficient water yard with the closest point being setback 13 m and no further encroachment being made, as shown on the site plan prepared by JBF Surveyors, dated October 30, 2024.

The proposed development also includes the demolition of two sheds, the rebuilding of a two-storey frame building by the water, the installation of a new septic to the east of the proposed dwelling, and the construction of an approximately 105 m² detached accessory garage, all of which are not part of the minor variance application.

The Right to Appeal:

Any person may attend the public meeting and make written and/or verbal submissions either in support of or in opposition to the proposed minor variance. To make arrangements to attend the virtual meeting please contact the Clerk by email at mchaithartwig@dourodummer.ca no later than 4:00 p.m. on the day prior

to the scheduled meeting. It is the responsibility of the interested member of the public to have technology in place to connect to the meeting.

If you are aware of any person interested in, or affected by this application who has not received a copy of this Notice, you are requested to inform that person of this hearing. If you wish to make written comments on this application, your comments must be forwarded to the Clerk by e-mail to mchaithartwig@dourodummer.ca no later than 4:00 p.m. on the day prior to the scheduled meeting.

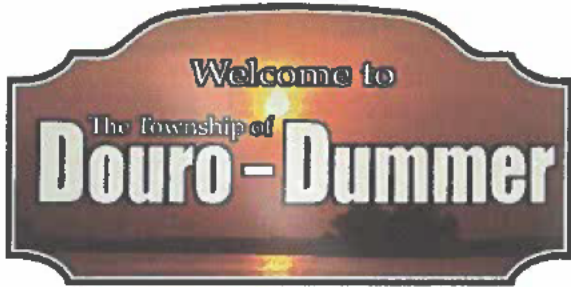
If you fail to participate in the hearing and/or submit written comments, the hearing will proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice of the proceedings.

Notwithstanding the above, subsection 45(12) of the Planning Act defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal.

Dated this 13th day of November, 2024 at the Township of Douro-Dummer.

Martina Chait-Hartwig, Clerk
Secretary/Treasurer, Committee of Adjustment
705-652-8392 Ext. 210
mchaithartwig@dourodummer.ca

Christina Coulter
Planner
705-652-8392 Ext. 226
ccoulter@dourodummer.ca



Office Use Only	
File No.	A-03-24
Variance from By-law No.	
Date Submitted	Oct 31, 2024
Date Fee Received	Oct 31, 2024
Date Application Deemed Complete	
Roll No.	020-005-44800

Township of Douro-Dummer Application for

 Minor Variance s. 45 (1) Permission s. 45 (2)
(Section 45 (1) & (2) of the Planning Act, R.S.O. 1990, c. P.13, as amended)

The undersigned hereby applies to the Committee of Adjustment for the Township of Douro-Dummer under section 45 of the Planning Act for relief, as described in this application, from By-law No.10-1996, as amended.

1.0 Applicant Information

Registered Owner(s): Edward Joseph and Halinka Christina Dybka
(Please Indicate Name(s) Exactly as Shown on the Transfer/Deed of Land)

Address: [REDACTED]
[REDACTED]
[REDACTED]

Phone: (home) _____
Phone: (cell) [REDACTED]

Email: [REDACTED]
Phone: (work) _____
Fax: _____

2.0 Agent Information

Authorized Agent (if any): Holly Richards-Conley (Black Point Construction Services)

Address: 195 Barcroft Rd.
Lakehurst, ON
K0L 1J0

Phone: (home) _____
Phone: (cell) 705-772-0792

Email: holly@blackpointservices.com
Phone: (work) _____
Fax: _____

3.0 Legal Description / Location of the Subject Land

County Peterborough		Township Douro-Dummer	Ward (Former Township) Dummer
Concession Number(s) 9	Lot Number(s) 32	Legal Description: 01442-Miles Shore Road East	
Registered Plan No:	Lot(s)/ Block No. BLK 6	Civic/911 Address: 1442 Miles Shore Rd. East	
Reference Plan No:	Part Number(s):	Are there any easements or restrictive covenants affecting the property?	
Date subject land was purchased by current		2022	

4.0 Land Use, Zoning and Official Plan Designation

Criteria:	Subject Property
Official Plan Designation ¹ (e.g. Rural, Hamlet, Commercial)	Lakeshore Residential
Zoning Classification ¹ (e.g. Rural (RU), Hamlet (HR))	LSR
Existing Use (e.g. seasonal residential, commercial, open space)	Residential
Length of Time Existing Uses have continued	Unknown
Proposed Use (e.g. permanent residential, home-based business)	Residential
Is your property within a vulnerable area as defined by the Source Water Protection Plan? (yes ² or no)	No

¹ Please consult with the Municipal Office to identify Official Plan Designation and Zoning Classification

² If yes, a clearance notice from the Risk Management Official is required to be submitted with your application

5.0 Relief Requested from Zoning By-law

Please identify the relevant zone provision/standard and relief required to support the proposal:

Section of Zoning By-law 2010-55	Zone Provision/Standard	Proposed Standard	Relief Required
[Example] Section 3.1.6	9 m Side Yard Setback	7 m Side Yard Setback	2 metres
Section 7.2.1 h)	30m water setback	13m water setback	17 meters

6.0 Purpose/Reason of the Application

Please describe the proposal and explain why it is not possible to comply with the zone provisions/standard set out in the Township’s Zoning By-law. (If additional space is required, please attach a separate sheet)

Due to topographical features on the property and the presence of main hydro transmission lines,
we cannot locate the proposed dwelling any farther from the water.

7.0 Property Characteristics, Access and Servicing Information

Lot Area	5628.64 sq. m	(acres, hectares, ft ² , m ²)
Lot Depth	Irregular	(feet/metres)
Lot Frontage	75.90m	(feet/metres)

Access to Subject Property –		<input checked="" type="checkbox"/> Existing	or	<input type="checkbox"/> Proposed
<input type="checkbox"/> Municipal Road – maintained year round		<input checked="" type="checkbox"/> Private Road		
<input type="checkbox"/> County Road		<input type="checkbox"/> Right-of-way		
<input type="checkbox"/> Provincial Highway		<input type="checkbox"/> Water		
<input type="checkbox"/> Other public road (Specify):				
Name of Road/Street:		Miles Shore Rd. East		
If access to the land is by water only:				
Where are parking and docking facilities:				
Approximate distance from subject land:				
Approximate distance from nearest public road:				

7.0 Property Characteristics, Access and Servicing Information (Continued)

Please provide a brief description of the property taking into account factors such as: soil type and depth, lot configuration, steep slopes or low-lying areas, natural features and any other item that may impact the proposed development. Also, please include a description of the use of lands surrounding the lot. Please provide photographs of the property.

The property is very well vegetated, with a mix of seasonal and coniferous native vegetation.

The property is quite flat from the Southern lot line to the Northern side of the existing dwelling. There, the property drops off significantly towards the lake.

The surrounding properties are residential.

Water Supply:

- Existing
- Proposed

Please identify the type of water supply serving the subject property:

- Privately-owned/operated individual well
- Privately-owned/operated communal well
- Publicly-owned/operated piped water system
- Lake or other water body
- Other (specify): _____

Storm Drainage:

- Existing
- Proposed

Please identify the type of storm drainage serving the subject property:

- Sewers Ditches Swales
- Other (specify): Natural Drainage

Sewage Disposal:

- Existing
- Proposed

Please identify the type of sewage disposal serving the subject property:

- Privately-owned/operated individual septic system
- Privately-owned/operated communal septic system
- Publicly-owned/operated sanitary sewage system
- Privy
- Other (specify): _____

If the sewage disposal system is proposed, have you obtained a permit from the Township of Douro-Dummer? Yes or No

Permit Number: _____

8.0 Existing and Proposed Structures: Dimensions

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey completed by an Ontario Land Surveyor is required.

Existing Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height	Date Constructed
Please see attached appendix							

Please place an asterisk (*) beside any existing structure that will be demolished.

Lot Coverage (in metric and percentage)

	Existing	Proposed
Principle Use (i.e. Dwelling)	Please see attached appendix	
Accessory Structures		
Total		

Proposed Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height
Please see attached appendix						

Will the proposal add any of the following?

	Yes	No	If yes, please provide:	Existing	Proposed
Total Living Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Size	345.60 sq. m	477.06 sq. m
Bedrooms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Number	Unknown	4
Bathrooms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Number	Unknown	3
New Plumbing Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Number of Fixtures	Unknown	+/-20

Appendix

Further to the Planning Application
For
Dybka
1442 Miles Shore Road East, Douro-Dummer

8.0 Existing and Proposed Structures: Dimensions

Existing Structures

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height	Date Constructed
1 Dwelling (To be demolished) 1 Storey Frame Building (Attached to dwelling) (To be demolished)	172.80 sq. m	345.60 sq. m	2	±19m	±10.3m	Unknown	Unknown
2 Plastic Shed (To be demolished)	9.50 sq. m	-	1	±4m	±2.40m	Unknown	Unknown
3 Frame Shed	9.70 sq. m.	-	1	±3.76m	±2.62m	Unknown	Unknown
4 2 Storey Frame Building and Overhang (By Water) (To be rebuilt)	39.82 sq. m	64.16 sq. m	2	±9.24m	±4.44m	Unknown	Unknown
5 Deck Attached to 2 Storey Frame Building (By water)	18.47 sq. m	-	-	Irregular Shape		-	Unknown
6 Frame Shed and Lean-to (To be demolished)	16.28 sq. m	-	1	Irregular Shape		Unknown	Unknown
8 Frame Shed	53.41 sq. m	-	1	±8.63m	±6.20m	Unknown	Unknown

Lot Coverage (in metric and percentage)

Total Lot Area: 6035.60 sq. m.

Lot Coverage	Existing	Proposed
Principle Use	172.8 sq. m (2.86%)	286.48 sq. m (4.75%)
Accessory Structure	150.58 sq. m (2.49%)	212.52 sq. m (3.65%)
Total	323.38 sq. m (5.35%)	545.37 sq. m (8.27%)

Proposed Structures

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height
Dwelling	286.48	440.64 sq. m	2	24.69m	15.54m	8.32m to midpoint
Detached Garage	105.15 sq. m	-	1	12.19m	9.14m	4.5m to midpoint



9.0 Existing and Proposed Structures: Setbacks

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey by an Ontario Land Surveyor is required.

Existing Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)
Please see attached appendix						

Please place an asterisk (*) beside any existing structure that will be demolished.

Proposed Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)
Please see attached appendix						

Note: Information regarding the definitions of the requested dimensions and setbacks can be obtained from the Township’s Zoning By-law 2010-55.

10.0 Other Planning Applications

Please indicate if the subject land is or has been the subject of an application under the Planning Act.

Type of Planning Application	Yes	No	File Number	Status
Approval of Plan of Subdivision (under Section 51)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Unknown
Consent (Severance) (Section 53)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B70-23 & B71-23	Approved
Minor Variance (Section 45)	<input type="checkbox"/>	<input type="checkbox"/>		
Other:	<input type="checkbox"/>	<input type="checkbox"/>		

11.0 Other Information:

Please provide any additional information that you feel may be relevant in the review of this application on additional pages as necessary, including and required studies.

9.0 Existing and Proposed Structures: Setbacks

Existing Structures

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water Yard	Other
Dwelling (To be demolished)	12.7m	±42.8m	45.27m (E)	13.82m (W)	12.7m	
1 Storey Frame Building (Attached to dwelling) (To be demolished)	-	-	40.75m (E)	-	-	
Plastic Shed (To be demolished)	-	-	-	9.18m (W)	-	
Frame Shed	5.6m	-	-	1.70m (W)	3.4m	
2 Storey Frame Building (By Water) (To be rebuilt)	0.6m	-	18.6m (E)	-	0.6m	
Deck Attached to 2 Storey Frame Building (By water)	0.1m	-	-	-	0.1m	
Frame Shed and Lean-to (To be demolished)	-	-	-	-	-	
Frame Shed	-	12.65m	67.19m (E)	4.95m (W)	-	

Proposed Structures

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water Yard	Other
Dwelling	13m (To Deck)	-	38.64m (E)	13.97m (W)	13m	
Detached Garage	43.9m	12.71m	48.31m (E)	20.97 (W)	43.9m	

12.0 Authorization by Owner:

I/We See Attached Authorization, being the owner(s) of the subject land, hereby, authorize _____ to be the applicant in the submission of this application.

Signature _____

Date _____

Signature _____

Date _____

13.0 Freedom of Information:

For the purposes of the Freedom of Information and Protection of Privacy Act, I/We authorize and consent to the use by or the disclosure to any person or public body or publishing on the Municipal website any information that is collected under the authority of the Planning Act for the purposes of processing this application.



Owner/Applicant/Agent Signature

2024-10-31

Date

Owner/Applicant/Agent Signature

Date

14.0 Access to Property:

I/We Holly Richards-Conley (Authorized Agent), hereby, authorize the members of the Committee of Adjustment or their agent(s)/representative(s) to attend at the property subject to the Application(s) located at [*insert address*] 1442 Miles Shore Rd. East.



Owner/Applicant/Agent Signature

2024-10-31

Date

15.0 Declaration of Applicant:

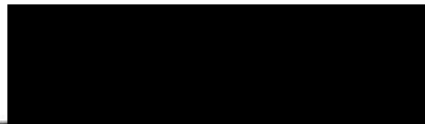
I/We Holly Richards-Conley of the Town of Lakehurst in the
(name of owner(s)/agent(s) (city in which you reside)

County of Peterborough in Ontario solemnly
(County/Upper-tier municipality, if applicable) (Province/Territory)

declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Declared before me at the Township of Douro-Dummer in the County of Peterborough this 31 day of October, 2024.



Signature of Commissioner, etc.

Martina Chalt-Hartwig
Clerk
Commissioner of Oath
Township of Douro-Dummer

To be signed in the presence of a Commissioner for taking affidavits



Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

This application must be accompanied by a fee of \$1580.00 plus the ORCA Fee to be paid in cash, Interac or cheque made payable to the Treasurer of the Township of Douro-Dummer.

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

File Name/No. _____

Roll No. _____

Affidavit

In the Matter of a **Minor Variance** application to the Committee of Adjustment of the Township of Douro-Dummer,

I/We, Holly Richards-Conley, make oath and say that:
[Print Owner/Applicant/Agent name]

1. I am: *[Place a clear mark within the square opposite one of the following paragraphs that describes capacity of deponents.]*

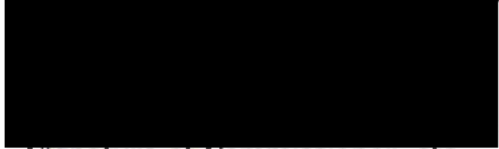
- the applicant or one of the applicants in the Application(s).
- the authorized agent acting in this matter for the applicant or applicants.
- an officer of the corporate applicant named in the Application(s).

2. On or before the *[Insert date]* TBD, I will ensure that the notice or notices of the Application(s) provided to me (or the Applicant, as the case may be) by the Secretary-Treasurer of the Committee of Adjustment of the Township of Douro-Dummer have been posted so as to be clearly visible and legible from a public highway, or other place to which the public has access, at every separately assessed property in the area that constitutes the subject land of the Application(s) or, where posting on the property was impractical, at a nearby location so as to adequately indicate to the public what property is the subject of the Application(s).

Should the notice(s) be removed, by any means from the posting area(s), I will immediately contact the Secretary-Treasurer of the Committee of Adjustment for replacement copies of the notice(s).

Declared before me at the Township of Douro-Dummer in the County of Peterborough

this 31 day of October, 2024.



Signature of Commissioner, etc.
Martina Chalt-Hartwig
Clerk
Commissioner of Oath
Township of Douro-Dummer

To be signed in the presence of a Commissioner for taking affidavits



Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

Note: Failure to post the notices, as required by this Affidavit, may result in additional costs and/or delays with your application.



Township of Douro-Dummer

Planning Application Costs Acknowledgement Form

I/We, Holly Richards-Conley
[Print Owner/Applicant/Agent name]

do hereby acknowledge and agree that the payment of the fee that is submitted with this application for a Minor Variance, as being an application fee only, will be used to defray the costs of processing this application, and;

do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with the processing of this application that exceed the amount of the application fee, including, but not restricted to, Professional Planning Fees, Engineering Fees and Legal Fees, in addition to the municipal costs associated with this application, and;

do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with any Appeal to the Ontario Land Tribunal with respect to this application.

Dated this 31 day of October, 2024.

[Redacted Signature]

Owner/Applicant/Agent Signature

****** written consent from the applicant will be obtained prior to any such additional costs being incurred.



Client Authorization Form

I/We Halinka & Edward Dybka grant Black Point Construction Services (Holly Richards-Conley) the authority to act on my/our behalf in obtaining zoning information, consulting with local municipal authorities (such as municipal governments, agencies, PPH, conservation, Parks Canada, and MNRFP), submitting and obtaining all relevant permits, and submitting planning applications for my property located at:

Street Address: 7 Elstree Rd / 1442 Miles Shore Road East

City: Etobicoke / Douro-Dummer Postal Code: M9A 3Y9 / K0L 2H0

By checking "Yes" below, I/we grant permission to the mentioned agents and representatives to use photos of the projects for marketing/media purposes. **Checking "No" does not prevent Black Point Construction Services from taking photos of your property, as some authorities/agencies require on-site photos for planning and permit purposes.**

- Yes, we give permission for photos to be used for media purposes
 No, we do not give permission for photos to be used for media purposes

Disclaimer:



When submitting planning or permit applications, please be aware that Black Point Construction Services will check the box authorizing municipal staff and/or council members and other relevant agency staff to conduct site visits and take photos of your property. We will also consent on your behalf that your personal information will be collected, used by and disclosed to any person or public body under the Planning Act's authority to process planning applications.

Black Point Construction also assumes no liability for work conducted by the Property Owner(s), General Contractor(s), and/or Sub-Contractor(s) at the mentioned property. Therefore, to the maximum extent permitted by law, the property owner agrees to indemnify, protect, and defend Black Point Construction against claims, damages, losses, and expenses, including attorney's fees and charges, arising from the actions or inactions of the Property Owner(s), General Contractor(s), and/or Sub-Contractor(s). Please be aware that Black Point Construction is not responsible for organizing building permit inspections.

By signing below, you acknowledge that you have read and understood the contents of this document.

Authorized signature(s):

If there are multiple names listed on the tax bill as owners, a signature must be provided for each name listed.

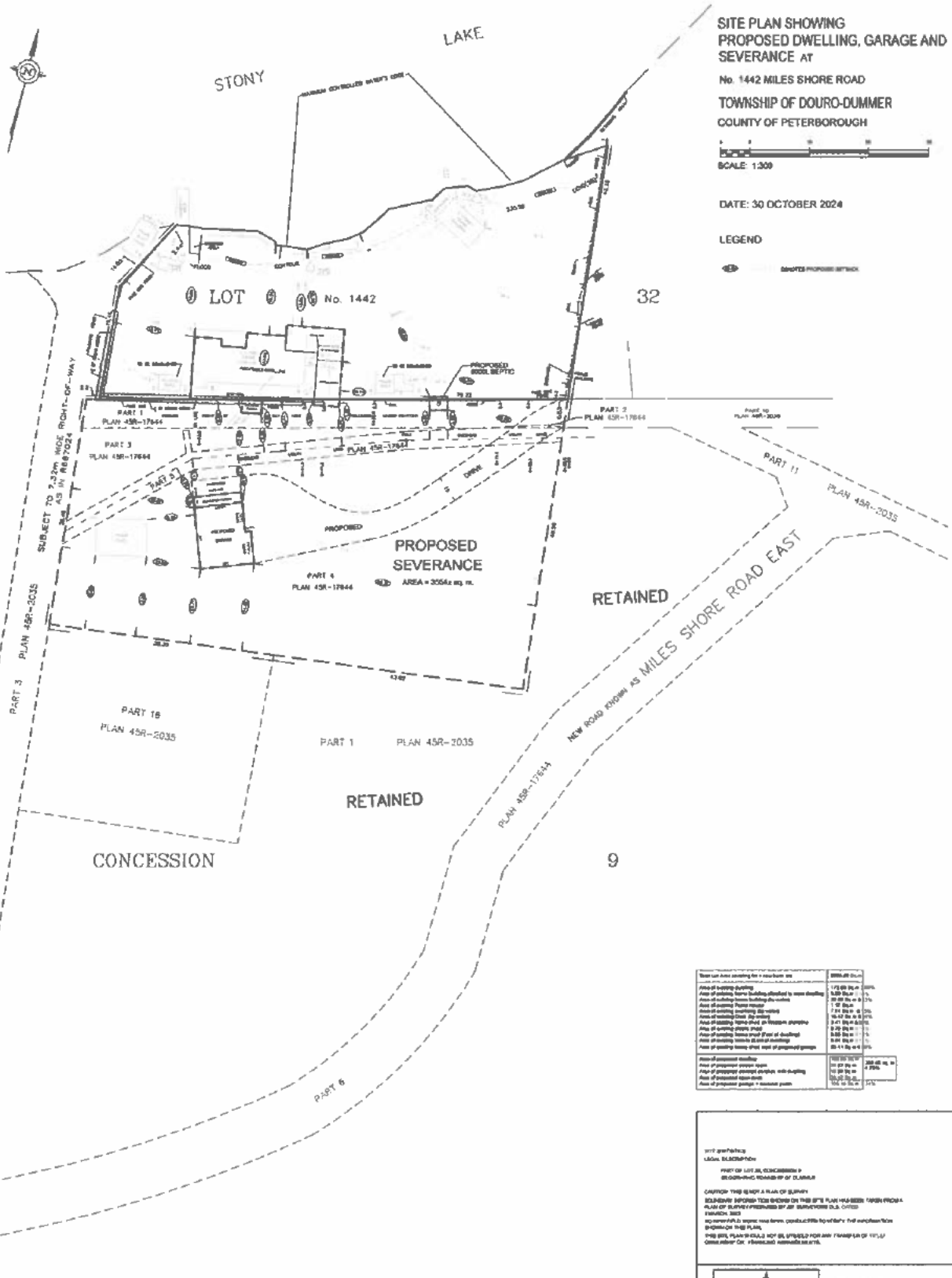
 _____
 _____

Date: August 24, 2023

Black Point Construction Services
195 Barcroft Rd.
Lakehurst, ON K0L 1J0
(705) 772-0792
holly@blackpointconstruction.com

METRIC:
 METRIC DIMENSIONS IN THIS PLAN ARE IN METERS AND
 SHALL GOVERN OVER ANY DIMENSIONS IN FEET.

CAUTION: THIS IS NOT PLAN OF SURVEY



SITE PLAN SHOWING
 PROPOSED DWELLING, GARAGE AND
 SEVERANCE AT

No. 1442 MILES SHORE ROAD
 TOWNSHIP OF DOURO-DUMMER
 COUNTY OF PETERBOROUGH



DATE: 30 OCTOBER 2024

LEGEND

--- PROPOSED SEVERANCE

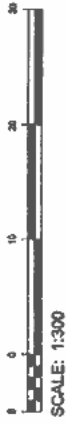
Item	Description	Area (sq. m)	Area (sq. ft)
1	Area of lot	172.00	172.00
2	Area of building dwelling	172.00	172.00
3	Area of parking space building attached to main dwelling	172.00	172.00
4	Area of building terrace building attached to main dwelling	172.00	172.00
5	Area of building swimming pool	172.00	172.00
6	Area of building detached garage	172.00	172.00
7	Area of building detached garage	172.00	172.00
8	Area of building detached garage	172.00	172.00
9	Area of building detached garage	172.00	172.00
10	Area of building detached garage	172.00	172.00
11	Area of building detached garage	172.00	172.00
12	Area of building detached garage	172.00	172.00
13	Area of building detached garage	172.00	172.00
14	Area of building detached garage	172.00	172.00
15	Area of building detached garage	172.00	172.00
16	Area of building detached garage	172.00	172.00
17	Area of building detached garage	172.00	172.00
18	Area of building detached garage	172.00	172.00
19	Area of building detached garage	172.00	172.00
20	Area of building detached garage	172.00	172.00
21	Area of building detached garage	172.00	172.00
22	Area of building detached garage	172.00	172.00
23	Area of building detached garage	172.00	172.00
24	Area of building detached garage	172.00	172.00
25	Area of building detached garage	172.00	172.00
26	Area of building detached garage	172.00	172.00
27	Area of building detached garage	172.00	172.00
28	Area of building detached garage	172.00	172.00
29	Area of building detached garage	172.00	172.00
30	Area of building detached garage	172.00	172.00
31	Area of building detached garage	172.00	172.00
32	Area of building detached garage	172.00	172.00
33	Area of building detached garage	172.00	172.00
34	Area of building detached garage	172.00	172.00
35	Area of building detached garage	172.00	172.00
36	Area of building detached garage	172.00	172.00
37	Area of building detached garage	172.00	172.00
38	Area of building detached garage	172.00	172.00
39	Area of building detached garage	172.00	172.00
40	Area of building detached garage	172.00	172.00
41	Area of building detached garage	172.00	172.00
42	Area of building detached garage	172.00	172.00
43	Area of building detached garage	172.00	172.00
44	Area of building detached garage	172.00	172.00
45	Area of building detached garage	172.00	172.00
46	Area of building detached garage	172.00	172.00
47	Area of building detached garage	172.00	172.00
48	Area of building detached garage	172.00	172.00
49	Area of building detached garage	172.00	172.00
50	Area of building detached garage	172.00	172.00

NOTE: THIS IS NOT A PLAN OF SURVEY
 IT IS A PRELIMINARY PLAN ONLY
 IT IS NOT TO BE USED FOR ANY PURPOSES
 WITHOUT THE WRITTEN PERMISSION OF JBF SURVEYORS

JBF SURVEYORS
 3177 LANSFIELD ROAD, BOX 30
 LANSDALE, ONT. L9S 3R0
 PHONE: 705-862-8186
 INFO@JBF.SURVEYORS.COM
 WWW.JBF.SURVEYORS.COM
 PREPARED BY: JBF SURVEYORS

METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 3.281.

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY OF
PART OF LOT 32
CONCESSION 9
GEOGRAPHIC TOWNSHIP OF DUMMER
TOWNSHIP OF DOURO-DUMMER
COUNTY OF PETERBOROUGH



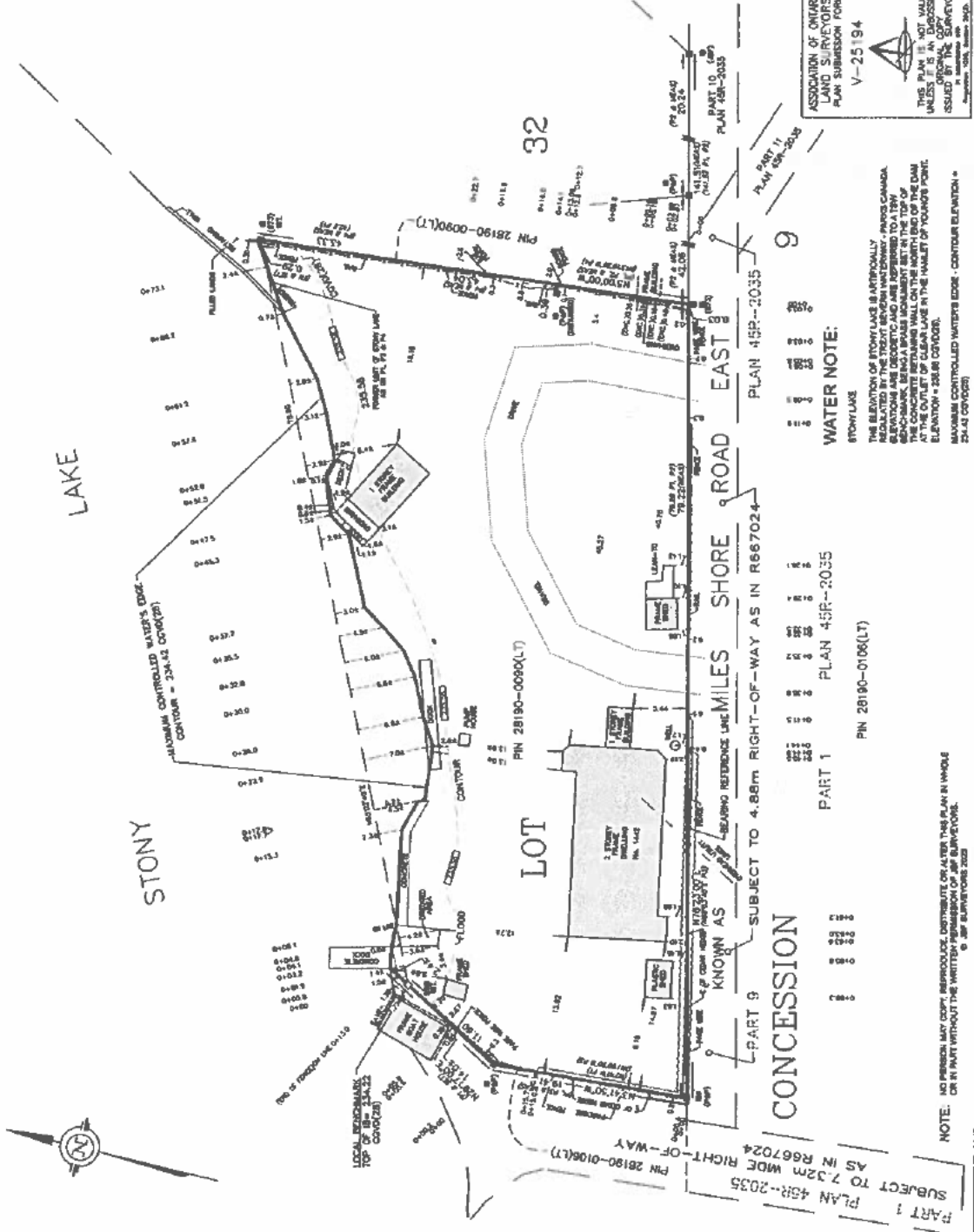
PART 2 - REPORT SUMMARY
THIS PLAN HAS BEEN PREPARED FOR THE USE OF:
EDWARD AND YOUNG/OSHA
REGISTERED EASEMENTS AND/OR RIGHTS OF WAY,
TOGETHER WITH AN EASEMENT OVER LANDS DESCRIBED BY RESURVEY.
NOTABLE FEATURES:
PORTION OF FRAMES LOCATED WEST OF EXISTING PROPERTY LINE,
PORTION OF FRONT LOT OF FRONT LANE AS COMPARED TO CONTROLLED
WATERS EDGE;
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS;
NOT CERTIFIED BY THIS REPORT

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1) THIS SURVEY AND PLAN ARE CORRECT AND ARE
IN ACCORDANCE WITH THE SURVEYORS ACT, THE
SURVEYORS ACT AND THE LAND TITLES ACT AND
THE REGULATIONS MADE UNDER THEM.
2) THE SURVEY WAS COMPLETED ON 11 JANUARY, 2023
CHRISTOPHER S. BIRCHALL
ONTOLOGICAL SURVEYOR

- LEGEND**
- DENOTES SURVEY MONUMENT, SOLID
 - DENOTES SURVEY MONUMENT, PLANTED
 - WTT DENOTES WITNESS
 - AP DENOTES J.S. PULSIFER, SURVEYORS, O.L.S.
 - PAP DENOTES W.A. BIRCHALL, O.L.S.
 - PT DENOTES W.A. BIRCHALL, O.L.S.
 - CONV02 DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1988
 - ENC DENOTES ENCHONCHMENT
 - P1 DENOTES PLAN OF SURVEY BY PEIRCE & PEIRCE, O.L.S.
 - P2 DENOTES PLAN OF SURVEY BY PEIRCE & PEIRCE, O.L.S.
 - P3 DENOTES PLAN OF SURVEY BY PEIRCE & PEIRCE, O.L.S.
 - P4 DENOTES FIELD NOTES BY W.A. BIRCHALL, O.L.S., DATED 29 SEPTEMBER 1962.
 - P5 DENOTES FIELD NOTES BY W.A. BIRCHALL, O.L.S., DATED 23 SEPTEMBER 1961.
 - P6 DENOTES FIELD NOTES BY W.A. BIRCHALL, O.L.S., DATED 23 SEPTEMBER 1961.



JBF SURVEYORS
3177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-662-8196
INFO@JBFSURVEYORS.COM
WWW.JBFSURVEYORS.COM
PROJ. # 8786



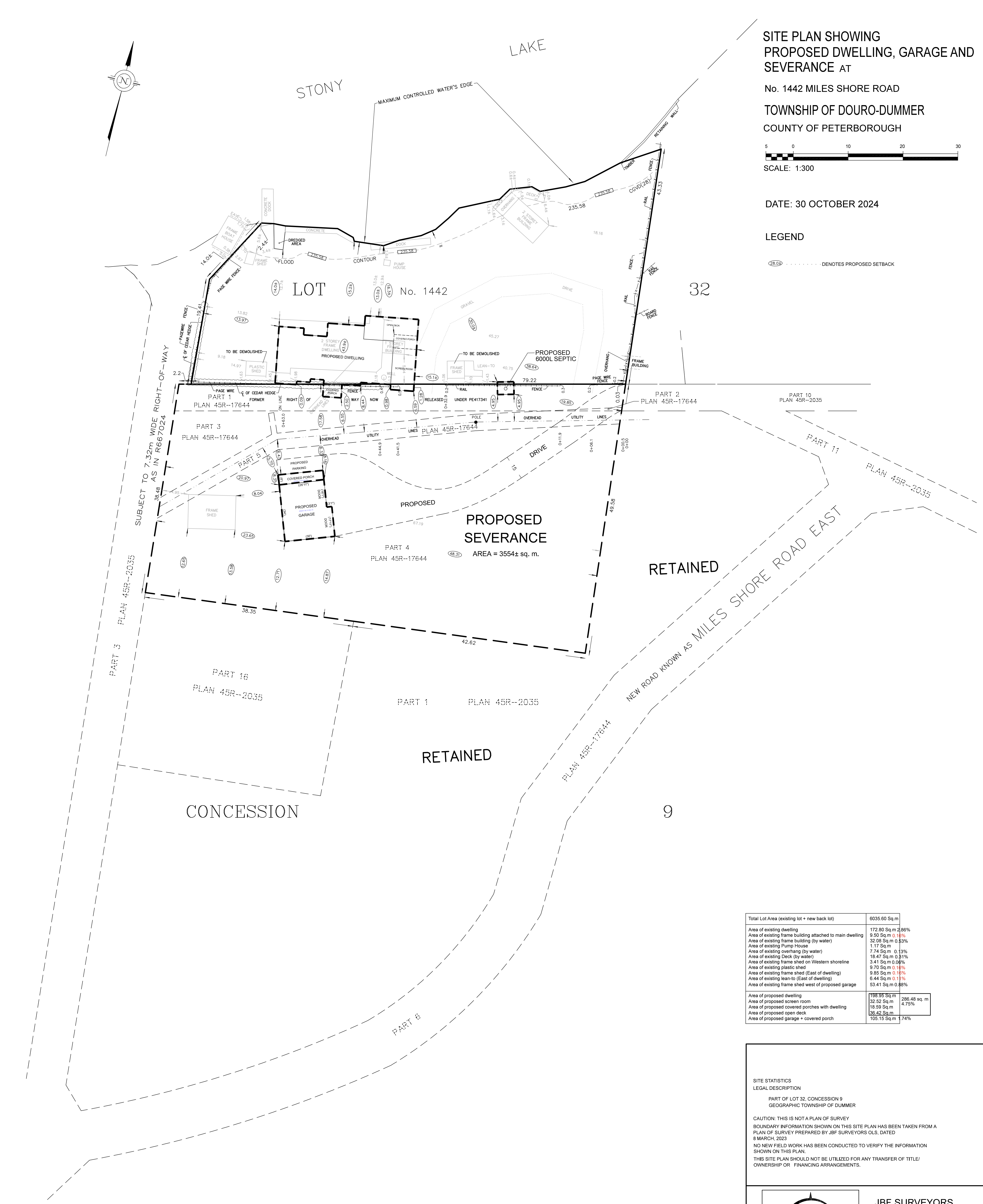
ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-25194
THE PLAN IS NOT VALID
UNLESS IT IS APPROVED
ISSUED BY THE SURVEYOR
GENERAL ON 11 JANUARY 2023

WATER NOTE:
STONY LAKE
THE POSITION OF PROPERTY LINE IS APPROXIMATELY
REGULATED BY THE TROUT STREAM WATERWAY, PAROIS CANADA.
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO A TBM
BENCHMARK BEING A BENCH MARK SET IN THE TOP OF A
WOODEN POST LOCATED AT THE OUTLET OF CLEAR LAKE IN THE HAMLET OF YOUNG'S POINT.
ELEVATION = 258.88 (CONV02).
MAXIMUM CONTROLLED WATERS EDGE - CONTOUR ELEVATION =
254.42 (CONV02)

NOTE:
NO PERSON MAY COPY, REPRODUCE OR OTHERWISE USE ALL OR PART OF THIS PLAN IN WHOLE
OR IN PART WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.
© JBF SURVEYORS 2023

METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CAUTION: THIS IS NOT PLAN OF SURVEY



**SITE PLAN SHOWING
PROPOSED DWELLING, GARAGE AND
SEVERANCE AT**

No. 1442 MILES SHORE ROAD

TOWNSHIP OF DOURO-DUMMER

COUNTY OF PETERBOROUGH



SCALE: 1:300

DATE: 30 OCTOBER 2024

LEGEND

..... DENOTES PROPOSED SETBACK

**PROPOSED
SEVERANCE**

AREA = 3554± sq. m.

RETAINED

CONCESSION

RETAINED

9

Total Lot Area (existing lot + new back lot)	6035.60 Sq.m
Area of existing dwelling	172.80 Sq.m 2.86%
Area of existing frame building attached to main dwelling	9.50 Sq.m 0.16%
Area of existing frame building (by water)	32.08 Sq.m 0.53%
Area of existing Pump House	1.17 Sq.m
Area of existing overhang (by water)	7.74 Sq.m 0.13%
Area of existing Deck (by water)	18.47 Sq.m 0.31%
Area of existing frame shed on Western shoreline	3.41 Sq.m 0.06%
Area of existing plastic shed	9.70 Sq.m 0.16%
Area of existing frame shed (East of dwelling)	8.85 Sq.m 0.15%
Area of existing lean-to (East of dwelling)	6.44 Sq.m 0.11%
Area of existing frame shed west of proposed garage	53.41 Sq.m 0.88%
Area of proposed dwelling	195.95 Sq.m
Area of proposed screen room	32.52 Sq.m
Area of proposed covered porches with dwelling	18.59 Sq.m
Area of proposed open deck	36.42 Sq.m
Area of proposed garage + covered porch	286.48 sq. m 4.75%
	105.15 Sq.m 1.74%

SITE STATISTICS
LEGAL DESCRIPTION
PART OF LOT 32, CONCESSION 9
GEOGRAPHIC TOWNSHIP OF DUMMER

CAUTION: THIS IS NOT A PLAN OF SURVEY
BOUNDARY INFORMATION SHOWN ON THIS SITE PLAN HAS BEEN TAKEN FROM A
PLAN OF SURVEY PREPARED BY JBF SURVEYORS OLS, DATED
6 MARCH, 2023

NO NEW FIELD WORK HAS BEEN CONDUCTED TO VERIFY THE INFORMATION
SHOWN ON THIS PLAN.

THIS SITE PLAN SHOULD NOT BE UTILIZED FOR ANY TRANSFER OF TITLE/
OWNERSHIP OR FINANCING ARRANGEMENTS.



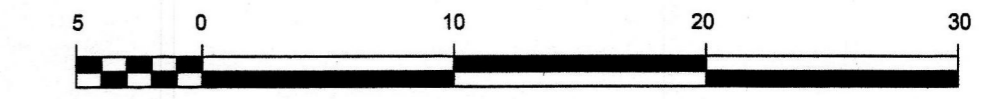
JBF SURVEYORS
3177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-652-5198
INFO@JBF.SURVEYORS.COM
WWW.JBF.SURVEYORS.COM
PROJ. # 9097 SITE PLAN SEV SKETCH

NOTE: NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JBF SURVEYORS.
© JBF SURVEYORS 2024

METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S REAL PROPERTY REPORT

**PLAN OF SURVEY OF
PART OF LOT 32
CONCESSION 9
GEOGRAPHIC TOWNSHIP OF DUMMER
TOWNSHIP OF DOURO-DUMMER
COUNTY OF PETERBOROUGH**



SCALE: 1:300

PART 2 - REPORT SUMMARY
THIS PLAN HAS BEEN PREPARED FOR THE USE OF:
EDWARD AND HYLINKA DYBKA
REGISTERED EASEMENTS AND/OR RIGHTS OF WAY:
TOGETHER WITH AN EASEMENT OVER LANDS DESCRIBED IN R656136.
NOTABLE FEATURES:
PORTION OF FRAME BUILDING LOCATED WEST OF EASTERLY PROPERTY LINE.
POSITION OF FORMER LIMIT OF STONY LAKE AS COMPARED TO CONTROLLED WATER'S EDGE.
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
NOT CERTIFIED BY THIS REPORT

SURVEYOR'S CERTIFICATE

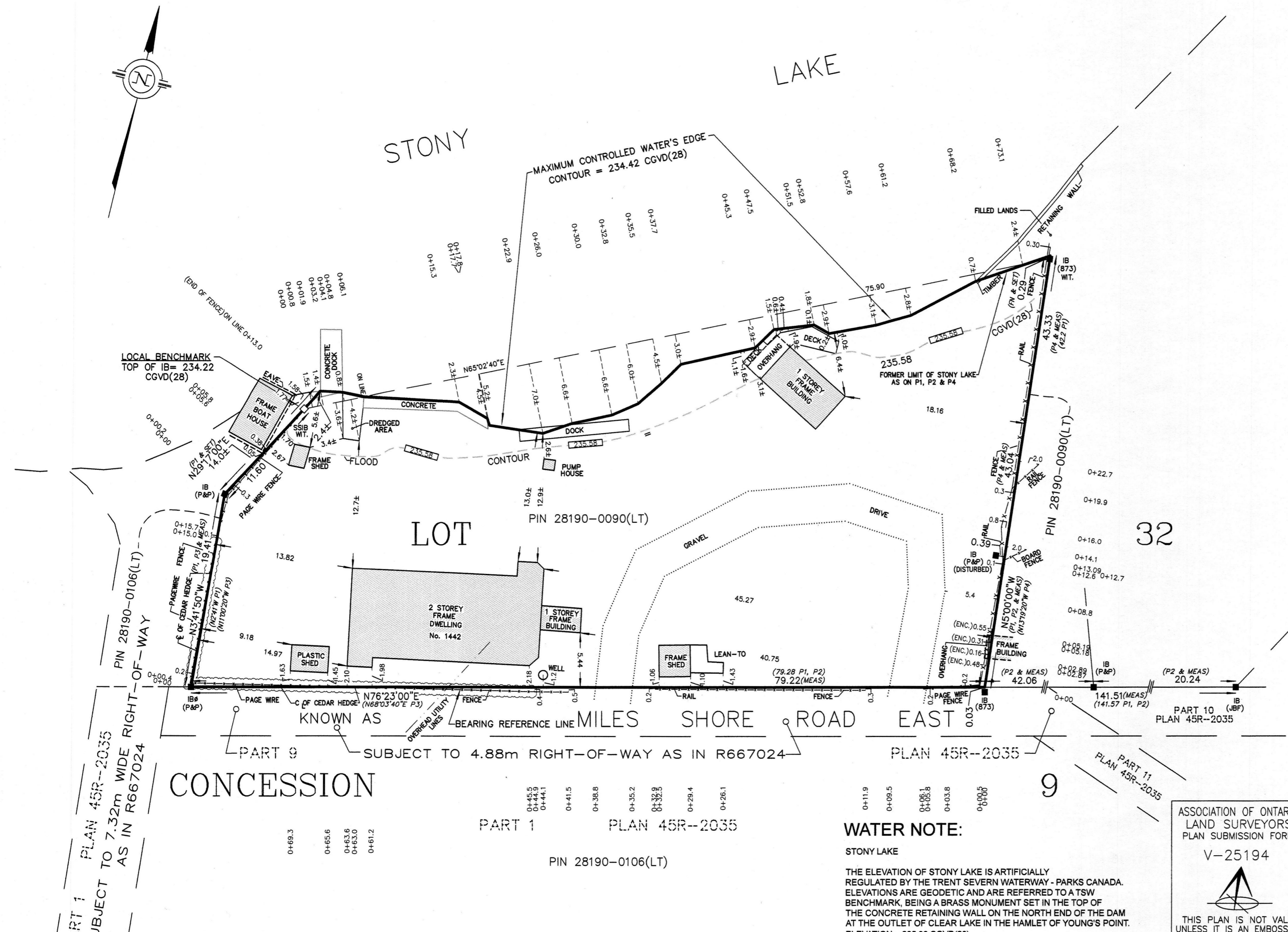
I CERTIFY THAT:
1) THIS SURVEY AND PLAN ARE CORRECT AND ARE IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2) THE SURVEY WAS COMPLETED ON 11 JANUARY, 2023

SIGNED AT LAKEFIELD, ONTARIO
THIS 8TH DAY OF MARCH, 2023
Christopher E. Musclove
CHRISTOPHER E. MUSCLOW
ONTARIO LAND SURVEYOR

LEGEND

- DENOTES SURVEY MONUMENT, FOUND
- DENOTES SURVEY MONUMENT, PLANTED
- WIT DENOTES WITNESS
- JBF DENOTES J.B. FLEGUEL SURVEYORS, O.L.S.
- P&P DENOTES PIERCE & PIERCE, O.L.S.
- 873 DENOTES W.A. BENINGER, O.L.S.
- CGVD(28) DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1928
- ENC. DENOTES ENCROACHMENT
- P1 DENOTES PLAN OF SURVEY BY PIERCE & PIERCE, O.L.S. DATED 24 AUGUST 1950
- P2 DENOTES PLAN OF SURVEY BY PIERCE & PIERCE, O.L.S. DATED 2 DECEMBER 1950 (REVISED 30 MAY 1955)
- P3 DENOTES PLAN 45R-2035
- P4 DENOTES PLAN OF SURVEY BY W.A. BENINGER, O.L.S., DATED 23 SEPTEMBER 1992.
- FN DENOTES FIELD NOTES BY W.A. BENINGER, O.L.S., DATED 23 SEPTEMBER 1992.

BEARINGS SHOWN HEREON ARE PRESUMED TO BE ASTRONOMIC AND ARE DERIVED FROM THE NORTHERLY LIMIT OF THE RIGHT-OF-WAY AS SHOWN ON P2, HAVING A BEARING OF N76°23'E.



WATER NOTE:

STONY LAKE
THE ELEVATION OF STONY LAKE IS ARTIFICIALLY REGULATED BY THE TRENT SEVERN WATERWAY - PARKS CANADA. ELEVATIONS ARE GEODETIC AND ARE REFERRED TO A TSW BENCHMARK, BEING A BRASS MONUMENT SET IN THE TOP OF THE CONCRETE RETAINING WALL ON THE NORTH END OF THE DAM. AT THE OUTLET OF CLEAR LAKE IN THE HAMLET OF YOUNG'S POINT. ELEVATION = 235.96 CGVD(28).

MAXIMUM CONTROLLED WATER'S EDGE - CONTOUR ELEVATION = 234.42 CGVD(28)

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM

V-25194

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
in accordance with Regulation 1026, Section 29(3).



JBF SURVEYORS
3177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-652-6198
INFO@JBFSURVEYORS.COM
WWW.JBFSURVEYORS.COM

PROJ. # 8785

NOTE: NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JBF SURVEYORS.
© JBF SURVEYORS 2023

PART 1 PLAN 45R-2035
SUBJECT TO 7.32m WIDE RIGHT-OF-WAY AS IN R667024



Kevin M. Duguay
Community
Planning and
Consulting Inc.



Planning Justification Report - Minor Variance Application 1442 Miles Shore Road East, Township of Douro-Dummer

Introduction

This Planning Justification Report (PJR) has been prepared at the request of Ms. Holly Richards-Conley, in support of a Minor Variance Application (MVA) to be filed with the Township of Douro-Dummer Committee of Adjustment regarding the waterfront property known municipally as 1442 Miles Shore Road East.

The Property



The Property

(Source: County of Peterborough GIS Website, October 2024)

The Minor Variance Application (MVA)

The MVA is required to permit the proposed construction of a replacement dwelling and an associated detached accessory building (garage).

Ms. Holly Richards-Conley retained my professional services on behalf of her Clients (Dybka). To prepare this PJR, I was provided and considered the following:

- Property Survey; illustrating the proposed replacement dwelling and detached accessory building (garage) – JBF Surveyors;
- Shoreline Restoration Plan; prepare by Ms. Holly Richards-Conley;
- Various pre-application correspondence between Ms. Holly Richards-Conley;
- Various pre-application correspondence between Ms. Holly Richards-Conley and Township Planning Staff;
- Site-Area Photographs;
- County Official Plans;
- Township Zoning By-law; and
- Provincial Planning Documents.

The MVA is summarized as follows:

Relief is sought from the LSR – to reduce the minimum water-yard setback of 30 metres to 13 metres, being Section 7.21 (h) of the By-law.

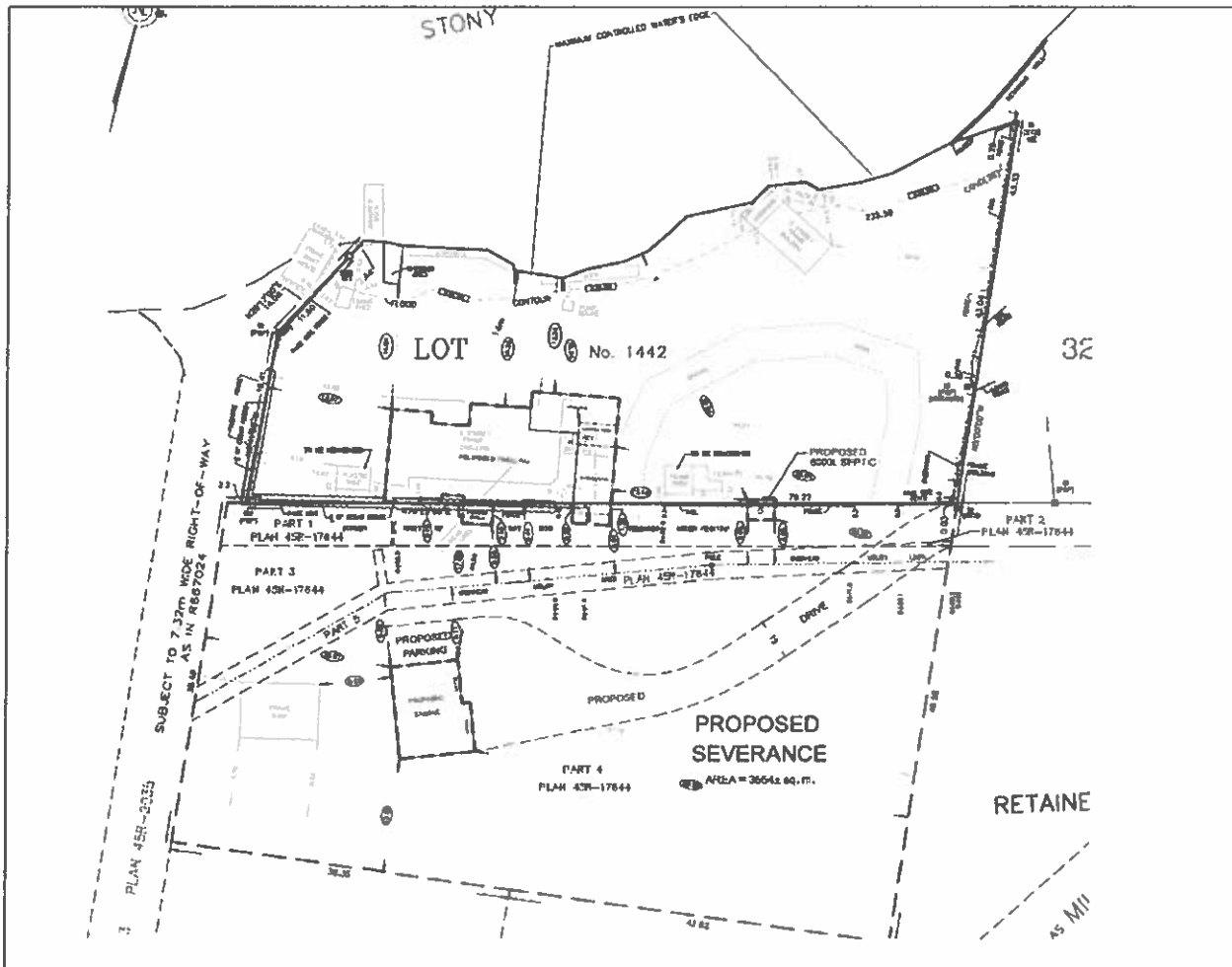
(Note: The existing dwelling has a setback of 12.7 metres).

The MVA is required as a condition of a 2023 property severance (File B-70-23), which served to add lands to the property. Said lands were acquired by way of a lot addition from the adjacent easterly property (File B-70-23).

The proposed building location does not reduce the existing water-yard setback. Moreover, the proposed building location is influenced by:

- The existing right-of-way traversing the property (east to west orientation);
- Existing overhead Hydro power lines; and
- Topographical features.

The Proposed Development



(Source: JBF Surveyors, October 2023)

Analysis

County of Peterborough Official Plan

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

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

Policy	Details, Planning Opinion
2.4	<p>Local Zoning By-laws</p> <p>When this Plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to the Planning Act. The Amendments to the zoning by-laws should occur after the local Official Plan has been amended to conform to this Plan.</p> <p>Opinion: The proposed redevelopment of the property will meet the regulatory provisions of the Township Zoning By-law, with the singular exception of the water-yard setback regulation.</p>
4.4	<p>Shoreland Areas and the Waterfront</p> <p>Shoreland Areas generally include all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway. Lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas are considered to be part of the Shoreland Areas. All lands that are less than 150 metres from shore but which do not physically or functionally relate to the Shoreland Areas are not considered to be part of the Shoreland Areas. The entire areas of islands are normally considered to be part of the Shoreland Areas. The Shoreland Area shall not extend into any Settlement Area identified in this Plan or into prime agricultural and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 of this Plan.</p> <p>Opinion: The property enjoys a waterfront setting on the south part of the Stony Lake shoreline.</p>
4.4.1	<p>Goal</p> <ul style="list-style-type: none"> • to improve and protect the waterfront areas in Peterborough County as a significant cultural, recreational, economic and natural environment resource and enhance land areas adjacent to the shore. <p>Opinion: The MVA is supported by a "Shoreline Restoration Plan" which demonstrates conformity with this policy.</p>
4.4.2	<p>Objectives</p> <ul style="list-style-type: none"> • to permit sustainable shoreland development that allows for limited growth of existing and new tourist developments and innovatively designed residential developments;

	<ul style="list-style-type: none"> • to recognize and preserve to the greatest extent possible the character of waterbodies and lands adjacent to the shoreline with limited, low density backlot development where such development is permitted; • to ensure that the built form along the shoreline is not overly concentrated or dominating to the detriment of the natural form; <p>Opinion: The proposed redevelopment of the property demonstrates conformity with the policy provisions of Section 4.4.2. The limited development associated with the replacement dwelling and detached garage (building coverage) together with the general natural setting and proposed Shoreline Restoration Plan creates an overall responsible and appropriate development form and approach.</p>
4.4.3	<p>Policies</p> <ul style="list-style-type: none"> • The character of Shoreland Areas is linked to the natural and built form associated with the lakes and rivers in the County. For the most part, the natural form includes vegetated shorelines with thin soils over bedrock. The built form includes predominantly residential development interspersed with some commercial developments including resorts and marinas. The Shoreland Areas are generally associated with leisure, recreation, water supply, support for fisheries and wildlife habitat. As such, development occurring in the Shoreland Areas should enhance and protect, where possible, those qualities that contribute to the area’s character; • Tree cover and vegetation is encouraged to be retained along the shoreline to uphold the visual and environmental integrity of waterfront areas. Where development is proposed along shoreline areas, local official plans should contain policies relating to the incorporation of a natural undisturbed buffer between the water’s edge and the development. Any such buffer shall be stipulated as being a specific depth from the water’s edge and be represented as a percentage of the water frontage. • Local municipalities may authorize minor variances from the 30 metre setback requirement, without the variance being considered to be inconsistent with the general intent and purpose of the local plan, in the following situations: <ul style="list-style-type: none"> – on a lot existing on the date this Official Plan Amendment No. 3 comes into effect;

	<p>→ the addition to an existing building.</p> <ul style="list-style-type: none"> • Where new development is being considered by the local municipality, the County and commenting agencies, significant frontage requirements, building and facility setbacks, as determined by the local municipalities in cooperation with the appropriate authority shall be maintained by the local municipalities to assure long term safety of the structures and minimize further shoreline development; <p>Opinion: The proposed redevelopment of the property demonstrates conformity with the policy provisions of Section 4.4.2. The limited development associated with the replacement dwelling and detached garage (building coverage) together with the general natural setting and proposed Shoreline Restoration Plan creates an overall responsible and appropriate development form and approach.</p>
6.2.6	Lakeshore Residential
6.2.6.1	<p>General Principles</p> <p>Permanent single-detached dwellings and cottages in shoreline areas along publicly maintained roads are the predominant use of land within the Lakeshore Residential designation. However in the Township of Douro-Dummer, permanent single-detached dwellings and seasonal cottages may also be permitted on private roads and deeded right-of-ways subject to the provisions of the Township's Zoning By-Law. This designation provides for the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary. For the purposes of this plan, the terms "cottage" and "seasonal residence" are used interchangeably.</p> <p>Opinion: A replacement dwelling is proposed to be constructed within the north part of the property.</p>
6.2.6.2	<p>Permitted Uses</p> <p>The predominant use of land within the Lakeshore Residential designation shall be for permanent single-detached dwellings and seasonal cottages on public roads. This category may include retail and service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of the lakeshore residents.</p>
6.2.6.3	<p>Lakeshore Residential Policies</p> <p>a) The intent of this category is to make provision for permanent single</p>

detached dwellings and seasonal cottages based on public road access. This designation also provides policies to guide the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary.

c) General The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wet-beach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality. In this regard, structures permitted in the Lakeshore Residential designation, including leaching beds of septic systems, on lots created by consent or plan of subdivision after the date Official Plan Amendment No.3 comes into effect, shall be set back a minimum of 30 metres from the shoreline of any lake or major watercourse (i.e. Trent River, Eels Creek, Otonabee River, Rice Lake, Crowe River, Indian River, White Lake) in order to ensure adequate protection from changes in water level and flooding and to ensure maintenance of water quality and the protection of fish and wildlife habitats. Applications to create lots within the Lakeshore Residential designation, either by consent or plan of subdivision, shall demonstrate that this 30 metre setback requirement can be met on the proposed lot(s).

Opinion: A Shoreline Restoration Plan has been prepared in support of the Application. Whilst the otherwise required minimum water-yard setback of 30 metres is not being provided (nor is same technically feasible), the Plan clearly illustrated conformity with the intent of this policy.

The shoreline area will remain in a natural condition and will include replacement vegetation as required by the proposed new dwelling construction.

Permitted Exceptions

Notwithstanding anything in this section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 metre setback without a minor variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e. deck width, area, etc.).

Opinion: The existing non-conforming water-yard setback is 12.7 metres. The proposed new dwelling will have a 13 metres

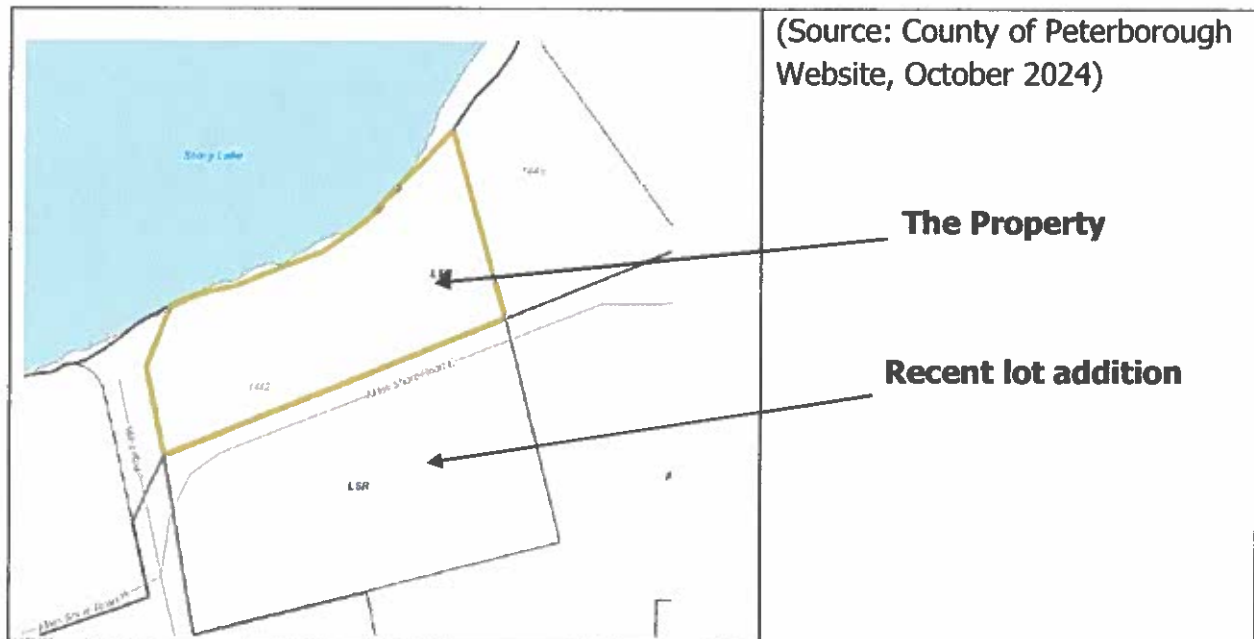
	water-yard setback. This new setback is subject of the MVA.
	<p>Existing Structures</p> <p>Minor variances or zoning changes to accommodate proposed expansions of a structurally-permanent nature to existing structures and/or septic systems that further reduce any applicable minimum water setback shall not be permitted unless it is a matter of public health and/or safety.</p> <p>Opinion: The existing non-conforming water-yard setback is 12.7 metres. The proposed new dwelling will have a 13 metres water-yard setback. This new setback is subject of the MVA.</p>

In summary, it is my professional opinion that the Minor Variance Application is in keeping with the general purpose and intent of the policies of the Pre-July 2022 County of Peterborough Official Plan.

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

The property is zoned LSR – Limited Service Residential.

Zoning Map Detail



For purposes of this MVA, I considered the LSR – Limited Service Residential Zone.

Regulatory relief is sought to permit a water-yard setback of 13 metres, which exceeds the current water-yard setback of 12.7 metres.

Minor Variance – Relief Sought

Relief is sought from the LSR – to reduce the minimum water-yard setback of 30 metres to 13 metres, being Section 7.21 (h) of the By-law.

(Note: The existing dwelling has a setback of 12.7 metres).

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

It is my professional opinion that the Minor Variance Application is in keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law.

2024 Provincial Planning Statement (2024 PPS)

Since the November 23, 2023 Pre-Consultation Meeting, the Province of Ontario has enacted the 2024 Provincial Planning Statement. This Planning document replaces the 2020 Provincial Policy Statement and the 2020 A Place to Grow; Growth Plan for the Greater Golden Horseshoe. The 2024 PPS came into full force and effect on October 21, 2024. Accordingly, I have considered this document and offer some commentary insofar as how the subject MVA related with same.

Policy	Details, Planning Opinion
2.5	<p>Rural Areas in Municipalities</p> <p>1. Health, integrated and viable <i>rural areas</i> should be supported by:</p> <p>d) using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently;</p> <p>g) conserving biodiversity and considering the ecological benefits provided by nature;</p> <p>Opinion: A replacement dwelling and associated detached accessory building (garage) are proposed as part of the redevelopment of the property, which builds upon the existing</p>

	<p>rural character. Additionally, the Shoreline Restoration Plan serves the conserve/improve upon the ecological benefits provided at this property and its waterfront setting.</p>
2.6	<p>Rural Lands in Municipalities</p> <p>1. On rural lands located in municipalities, permitted uses are:</p> <p>b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);</p> <p>Opinion: The MVA serves to permit a replacement dwelling (and an associated detached accessory building), having an existing resource-based setting.</p>
	<p>2. Development that can be sustained by rural service levels should be promoted.</p> <p>Opinion: The property already benefits from current Township (and related) services.</p>
3.6	<p>Sewage, Water and Stormwater</p> <p>4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.</p> <p>Opinion: The property will continue to rely upon private water and waste-water services. A new septic facility is anticipated to accommodate the replacement dwelling.</p>
4.1	<p>Natural Heritage</p> <p>1. Natural features and areas shall be protected for the long term.</p>

In summary, it is my professional planning opinion that the Minor Variance Application is consistent with the policy directives of the 2024 Provincial Planning Statement.

Summary

Section 45 (1) of the Planning Act sets forth 4 (four) tests that are to be applied for the purpose of evaluating a Minor Variance Application.

1. Is the Variance Minor in Nature?

The Minor Variance is required to permit a water-yard setback of 13 metres. Section 6.2.1 (h) requires a minimum setback of 30 metres. This water-yard requirement cannot be realized due to specific property conditions; including:

- The exiting right-of-way traversing the property;
- Overhead Hydro power transmission lines; and
- Topographical context

The water-yard setback is being increased from that of the existing cottage setback.

It is my Professional Planning Opinion that the Application is Minor in nature.

2. Is the Variance desirable and appropriate for the use of land?

The Minor Variance Application is necessary to permit the proposed redevelopment of the property. A "replacement" dwelling and an associated detached accessory building are proposed, organized in a manner respectful of the setting/context of the property and its adjacent land uses.

It is my Professional Planning Opinion that the Minor Variance is appropriate and desirable for the use of the property.

3. Do the Variances maintain the general intent and purpose of the Zoning By-law?

The Minor Variance Application is required to permit a water-yard setback of 13 metres. It is acknowledged that the existing water-yard setback is 12.7 metres. Accordingly, the water-yard setback is being enhanced, but not to the full extent as otherwise required by Section 6.2.1 (h) of the Township Zoning By-law.

It is my Professional Planning Opinion that the Minor Variance maintains the general intent and purpose of the Township of Douro-Dummer Zoning By-law.

4. Do the Variances maintain the general intent and purpose of the Official Plan?

The proposed replacement dwelling is a form of land use contemplated by the Official Plan. The proposed overall approach to development is respectful of the resource-based setting of the property.

It is my Professional Planning Opinion that the Minor Variance Application maintains the general intent and purposes of the County of Peterborough Pre-July 2022 Official Plan.

It is my professional opinion that the Application satisfies the 4 (four) tests prescribed in Section 45(1) of the Planning Act, and furthermore that the Application is:

- Consistent with the policy directives of the 2024 Provincial Planning Statement; and
- **Is Representative of Good planning.**

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP

Geotechnical Investigation Report

Miles Shore Road



March 12, 2024

Prepared for:
Welsh Custom Homes

Cambium Reference: 19793-001

CAMBIUM INC.

866.217.7900

cambium-inc.com



Table of Contents

1.0	Introduction.....	1
2.0	Slope Stability Inspection.....	2
3.0	Development recommendations.....	5
4.0	Erosion Control	6
5.0	Closing	7
6.0	Standard Limitations.....	8

List of Appended Figures

- Figure 1 Site Location Map
- Figure 2 Site Plan and Borehole Location Map
- Figure 3 Cross Sections

List of Appendices

- Appendix A MNRF Slope Inspection Record & Slope Rating Chart
- Appendix B Test Pit Logs
- Appendix C Site Photographs



1.0 Introduction

Cambium Inc. (Cambium) was retained by Welsh Custom Homes (Client) to complete a slope stability study at 1448 Miles Shore Road East, in the township of Douro-Dummer, Ontario, on Stoney Lake (Site), as illustrated in Figure 1. The study was required in order to assess the stability of the existing slope and determine an adequate setback for the proposed development of a new structure, based on the Ontario Ministry of Natural Resources and Forestry (MNR) "Geotechnical Principles For Stable Slopes" (June 1998). It is understood that the proposed structure is to be located in the location of the existing structure, identified in Figure 2, and is to have a walkout basement slab approximately 3.0 m lower in elevation than the current elevation at the top of the slope. The structure is to be founded on bedrock.

An existing boathouse structure is situated to the east of the existing residential building at the base of the slope, adjacent to the water. It is understood that the Client intends to replace the existing structure with a new structure in the same location. Inspections were also carried out on the slope adjacent to this structure and assessed for potential instability.



2.0 Slope Stability Inspection

An on-site visual inspection of the slope was completed on April 14, 2024. The inspection included a visual assessment of the site, test pits, hand augers, completion of a slope inspection record and slope rating chart, and a brief survey of the slope using a Sokkia RTK survey unit. Three cross sections of the slope were generated and are presented in Figure 3. Section A-A' and Section B-B' extends through the slope on either side of the proposed/existing residential structure, whereas Section C-C' extends through the slope adjacent to the proposed/existing boathouse. The field investigation work is summarized below with the Inspection Record and Rating Chart provided in Appendix A, test pit logs provided in Appendix B and site photographs presented in Appendix C.

The slope in question at the Site is generally defined as the inclination that extends from the shoreline of Stoney Lake to the top of the approximately 5.4 m high, 2 Horizontal to 1 Vertical (3H:1V) slope. The land at the top of the slope is relatively flat with minimal drainage over slope.

Test pits were advanced by the Client at the top of the slope on both the east and west sides of the existing residential structure. Excavations revealed 0.3 m to 1.4 m of topsoil and fill overlying metasedimentary Precambrian bedrock. Bedrock was encountered at 1.4 m below existing grade (mbeg) in TP101-24, on the east side of the existing structure. The overburden soils were mainly silty gravelly sand fill with limestone screenings used at surface for the driveway. The septic tank was visible in the northwest corner of the test pit. Bedrock was found to be mostly competent bedrock with some thin areas of fissile rock that could easily be removed by the excavator. Bedrock bedding had a strike of 89 degrees and dip of 61 degrees, providing evidence that the bedrock was dipping down into the slope, with no associated failure plane in line with the slope itself. Bedrock was encountered at 0.3 mbeg in TP102-24, on the west side of the existing structure. The overburden soils were entirely topsoil. The bedrock was found to be weathered and easily excavatable to a depth of 0.8 mbeg, where massive, competent bedrock was encountered. Bedrock bedding had a strike of 75 degrees



and dip of 61 degrees, providing evidence that the bedding planes were again perpendicular to the slope.

Hand augers were advanced within the face of the slope, which revealed topsoil and gravelly sand soils overlying bedrock at a depth of approximately 0.6 m. Exposed bedrock outcrops were visible in several locations along the shoreline of the property.

As per the appended Slope Inspection Record and Slope Stability Rating Chart found in Appendix A, the total ratings value sums to 20 for the slope in front of the residential structure and 18 for the slope situated behind the existing boathouse, with the understanding that that the slope is comprised mostly of bedrock, with a thin cover of soil. Given that much of the site is underlain by bedrock, the slope has a low potential for instability. Specific items of interest that contribute to this rating are outlined below:

1. Slope Inclination

- based on surveyed data, the slope has inclinations ranging from 2H:1V to 3H:1V, giving a rating value of 0.

2. Soil Stratigraphy

- The slope consists mainly of bedrock, with a thin cover of topsoil and sand soils, generally no thicker than 1.5 m, giving a rating of 0.

3. Seepage from Slope Face

- At the time of the investigation, there was no apparent seepage from the slope face giving a best-case rating of 0.

4. Slope Height

- Based on survey data, the height of the existing slope is 6.0 m, resulting in a rating of 4.

5. Vegetation Cover on Slope Face

- The top of the slope was vegetated with grasses and sparse cedars and pine trees; the face of the slope was vegetated with grasses, sparse cedars and pine trees of



mixed ages, as well as common saplings; the bottom of the slope was vegetated with sparse, older growth cedar and pine trees; resulting in a rating of 4.

6. Table Land Drainage

- A road with ditch prevents surface water from reaching the slope. The area at the top of the slope is relatively flat allowing for negligible drainage over the slope with no signs of active erosion, giving a rating of 0.

7. Proximity of Watercourse to Slope Toe

- Stoney Lake is located at the base of the slope, resulting in a rating of 6.

8. Previous Landslide Activity

- No apparent previous landslide activity was observed at the time of the investigation, giving a best-case rating of 0.

Based on the visual inspection, the slope is characterized as having a low potential for instability and no further investigation is required. Many of these features are evident in the Test Pit Logs and Site Photographs found in Appendix B and Appendix C, respectively.



3.0 Development recommendations

Based on the assessed low potential for instability, it is Cambium's recommendation that the slope is considered stable in both the location of the existing residential building, as well as that of the existing boathouse. Section 4.3.2 of the MNRF Technical Guide indicates that only a site inspection is required for sites that have low potential for instability, where no existing structure, or proposed inhabitable development, is located within a distance equal to the height of the slope from the slope crest. This caveat is typically understood to apply to slopes comprised of soil, not bedrock, and as such, is not applicable at this site.

As the slope is deemed to have low potential for instability and the slope is comprised of bedrock, no setbacks are required from a geotechnical perspective. Provided all footings for the proposed structure are founded on the shallow unweathered bedrock, the loading of the new development will have no detrimental impact on the slope and vice versa. If the bedrock is sloped, any foundation footings/piers should be dowelled/anchored into clean bedrock.

We recommend that a Cambium Technician be on Site to inspect the bedrock at footing depth prior to placement of footings and the basement slab to ensure that the subsurface conditions are similar to those identified during this inspection and that the bedrock is adequately unweathered, and free of voids and fractures. Cambium can also inspect the bedrock to estimate bearing capacity values and inspect dowels/anchors.



4.0 Erosion Control

During construction, care should be taken to retain as much of the vegetation on the slope as possible and erosion control measures should be put in place to maintain the stable slope, including revegetation of the slope if any bushes are removed and ensuring that there is no concentration of runoff from downspouts or construction activities down the slope.




5.0 Closing


Please note that this work program and report are governed by the attached Qualifications and Limitations. If you have questions or comments regarding this document, please do not hesitate to contact the undersigned at (705) 742-7900.

Respectfully submitted,

Cambium Inc.

DocuSigned by:

0B68D45279A94B7...

Stuart Baird, P.Eng.
General Manager - Geotechnical

DocuSigned by:

933CC186AE884A5...

Brian Peterkin, M.Eng., P.Geo.
Senior Project Manager.

SEB/bjp

\\cambiumincstorage.file.core.windows.net\projects\19700 to 19799\19793-001 Welsh Custom Homes - GEO Slope - 1448 or 1442 Miles Shore Rd Douro Dummer\Deliverables\Report - GEO\Final\2024-03-14 RPT - GEO - Miles Shore Road.docx



6.0 Standard Limitations

Limited Warranty

In performing work on behalf of a client, Cambium relies on its client to provide instructions on the scope of its retainer, and, on that basis, Cambium determines the precise nature of the work to be performed. Cambium undertakes all work in accordance with applicable accepted industry practices and standards. Unless required under local laws, other than as expressly stated herein, no other warranties or conditions, either expressed or implied, are made regarding the services, work or reports provided.

Reliance on Materials and Information

The findings and results presented in reports prepared by Cambium are based on the materials and information provided by the client to Cambium and on the facts, conditions and circumstances encountered by Cambium during the performance of the work requested by the client. In formulating its findings and results into a report, Cambium assumes that the information and materials provided by the client or obtained by Cambium from the client or otherwise are factual, accurate and represent a true depiction of the circumstances that exist. Cambium relies on its client to inform Cambium if there are changes to any such information and materials. Cambium does not review, analyze or attempt to verify the accuracy or completeness of the information or materials provided, or circumstances encountered, other than in accordance with applicable accepted industry practice. Cambium will not be responsible for matters arising from incomplete, incorrect or misleading information or from facts or circumstances that are not fully disclosed to or that are concealed from Cambium during the provision of services, work or reports.

Facts, conditions, information and circumstances may vary with time and locations and Cambium's work is based on a review of such matters as they existed at the particular time and location indicated in its reports. No assurance is made by Cambium that the facts, conditions, information, circumstances or any underlying assumptions made by Cambium in connection with the work performed will not change after the work is completed and a report is submitted. If any such changes occur or additional information is obtained, Cambium should be advised and requested to consider if the changes or additional information affect its findings or results.

When preparing reports, Cambium considers applicable legislation, regulations, governmental guidelines and policies to the extent they are within its knowledge, but Cambium is not qualified to advise with respect to legal matters. The presentation of information regarding applicable legislation, regulations, governmental guidelines and policies is for information only and is not intended to and should not be interpreted as constituting a legal opinion concerning the work completed or conditions outlined in a report. All legal matters should be reviewed and considered by an appropriately qualified legal practitioner.

Site Assessments

A site assessment is created using data and information collected during the investigation of a site and based on conditions encountered at the time and particular locations at which fieldwork is conducted. The information, sample results and data collected represent the conditions only at the specific times at which and at those specific locations from which the information, samples and data were obtained and the information, sample results and data may vary at other locations and times. To the extent that Cambium's work or report considers any locations or times other than those from which information, sample results and data was specifically received, the work or report is based on a reasonable extrapolation from such information, sample results and data but the actual conditions encountered may vary from those extrapolations.

Only conditions at the site and locations chosen for study by the client are evaluated; no adjacent or other properties are evaluated unless specifically requested by the client. Any physical or other aspects of the site chosen for study by the client, or any other matter not specifically addressed in a report prepared by Cambium, are beyond the scope of the work performed by Cambium and such matters have not been investigated or addressed.

Reliance

Cambium's services, work and reports may be relied on by the client and its corporate directors and officers, employees, and professional advisors. Cambium is not responsible for the use of its work or reports by any other party, or for the reliance on, or for any decision which is made by any party using the services or work performed by or a report prepared by Cambium without Cambium's express written consent. Any party that relies on services or work performed by Cambium or a report prepared by Cambium without Cambium's express written consent, does so at its own risk. No report of Cambium may be disclosed or referred to in any public document without Cambium's express prior written consent. Cambium specifically disclaims any liability or responsibility to any such party for any loss, damage, expense, fine, penalty or other such thing which may arise or result from the use of any information, recommendation or other matter arising from the services, work or reports provided by Cambium.

Limitation of Liability

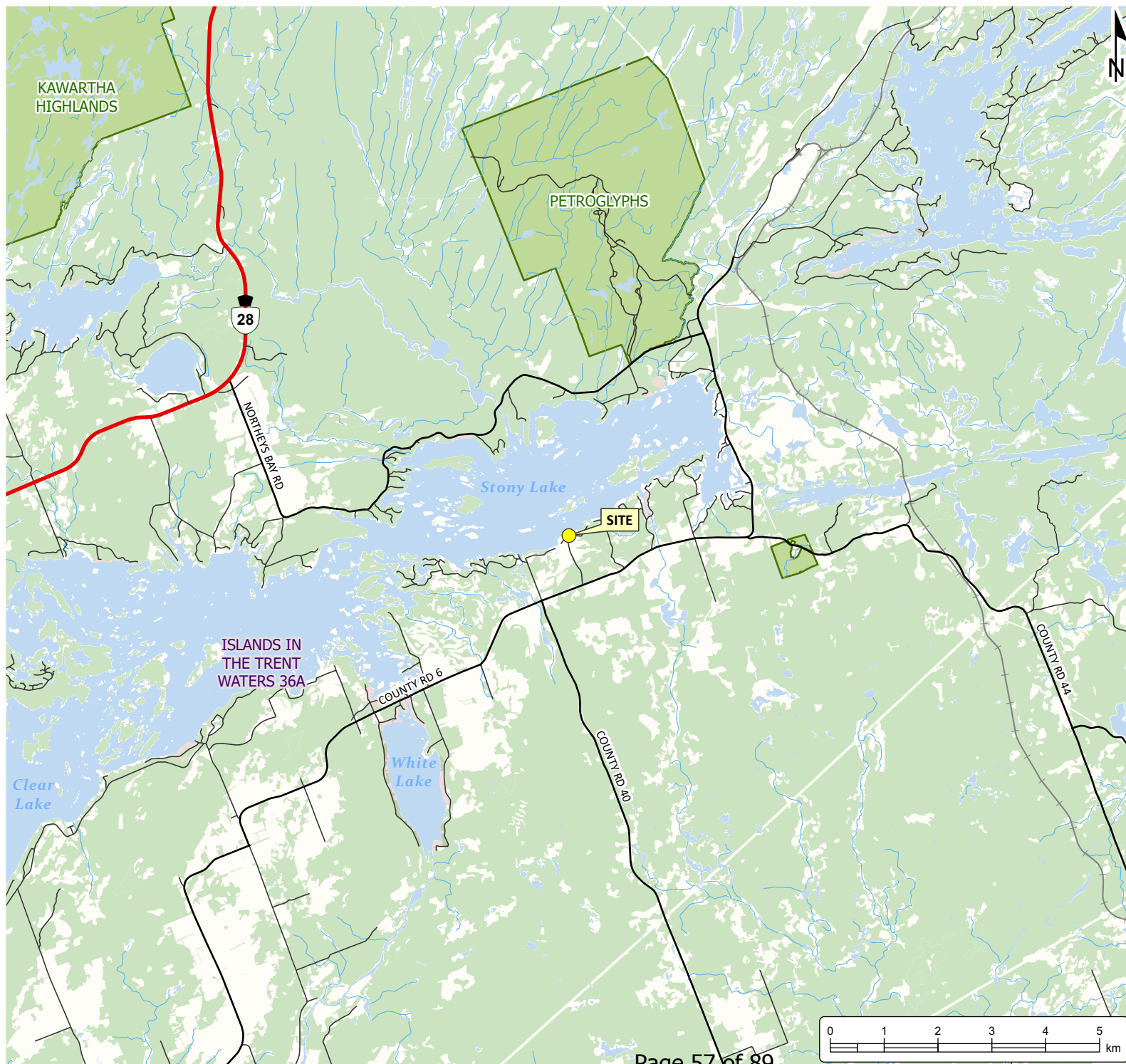
Potential liability to the client arising out of the report is limited to the amount of Cambium's professional liability insurance coverage. Cambium shall only be liable for direct damages to the extent caused by Cambium's negligence and/or breach of contract. Cambium shall not be liable for consequential damages.

Personal Liability

The client expressly agrees that Cambium employees shall have no personal liability to the client with respect to a claim, whether in contract, tort and/or other cause of action in law. Furthermore, the client agrees that it will bring no proceedings nor take any action in any court of law against Cambium employees in their personal capacity.



Appended Figures



SLOPE STABILITY ASSESSMENT
WELSH CUSTOM HOMES
 1442 Miles Shore Road
 Douro-Dummer, Ontario

LEGEND

-  Highway
-  Major Road
-  Minor Road
-  Railway
-  Watercourse
-  Water Area
-  First Nations Reserve
-  Provincial Park
-  Wooded Area
-  Built Up Area

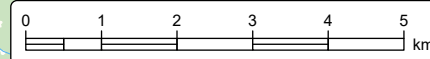
Notes:
 - This document contains information licensed under the Open Government License - Ontario.
 - Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
 - Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.



194 Sophia Street
 Peterborough, Ontario, K9H 1E5
 Tel: (705) 742.7900 Fax: (705) 742.7907
 www.cambium-inc.com

SITE LOCATION PLAN











Project No.: 19793-001	Date: February 2024
Scale: 1:100,000	Rev.: NAD 1983 UTM Zone 17N
Created by: MAT	Checked by: BP
Figure: 1	





SLOPE STABILITY ASSESSMENT
WELSH CUSTOM HOMES
 1442 Miles Shore Road
 Douro-Dummer, Ontario

LEGEND

-  Benchmark
-  Test Pit
-  Drilled Well
-  Edge of Water
-  Roadway
-  Contour Line (0.5m intervals)
-  Top of Slope
-  Cross Section
-  Building Footprint
-  Site (approximate)

Notes:
 - This document contains information licensed under the Open Government License - Ontario.
 - Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
 - Cambium Inc. makes every effort to ensure this map is free from errors but cannot be held responsible for any damages due to error or omissions. This map should not be used for navigation or legal purposes. It is intended for general reference use only.

Benchmarks:
 BM - Iron bar located at the south west property boundary with a given elevation of 100.0m rel.



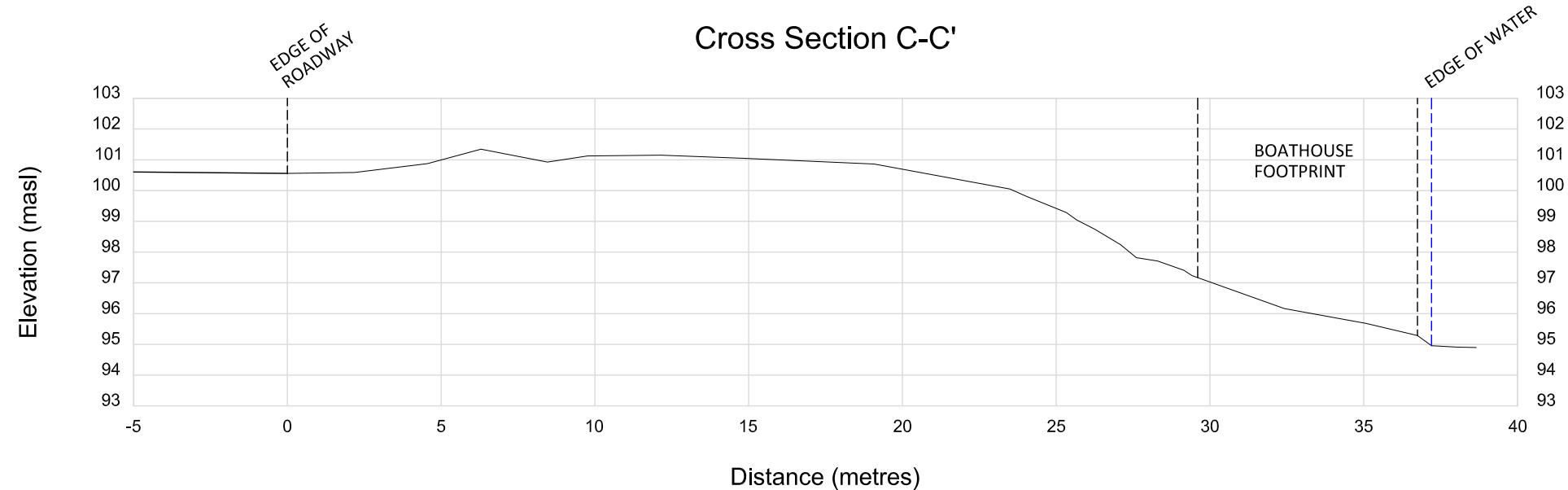
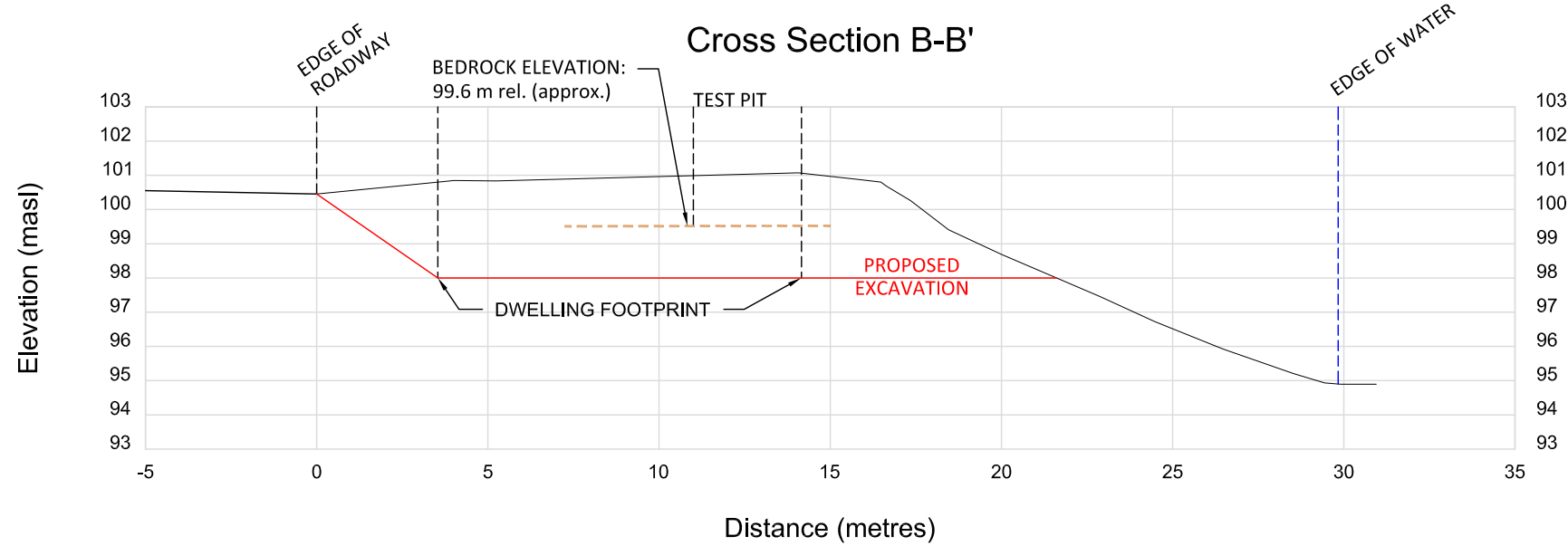
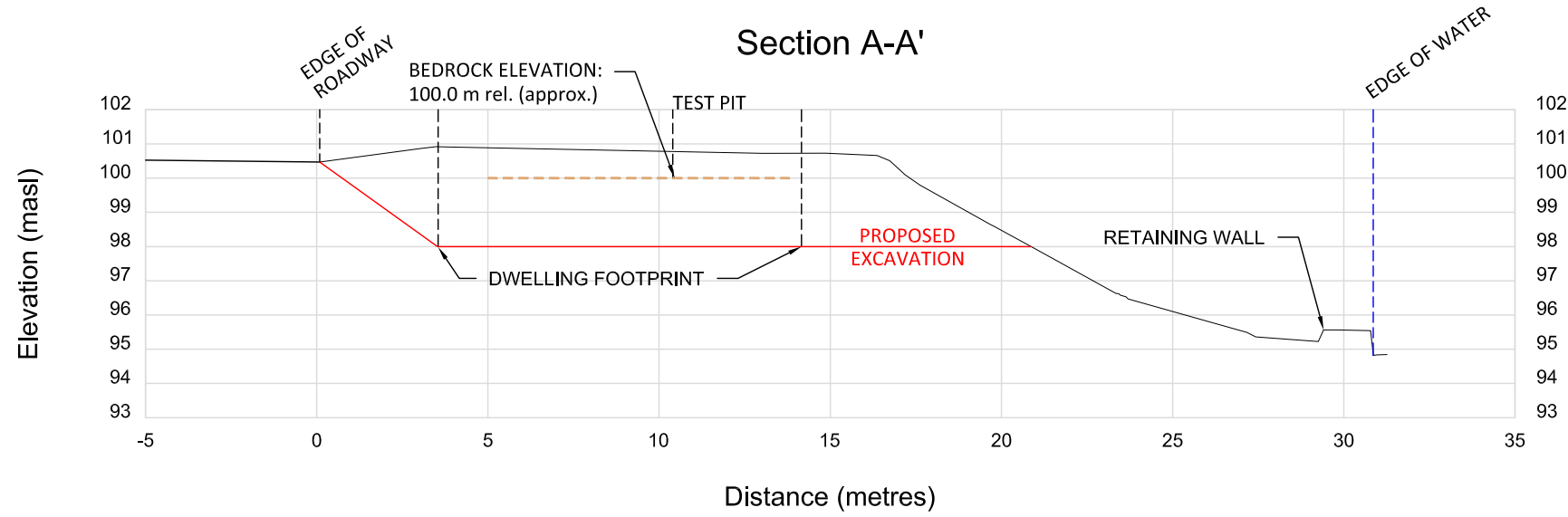
194 Sophia Street
 Peterborough, Ontario, K9H 1E5
 Tel: (705) 742.7900 Fax: (705) 742.7907
 www.cambium-inc.com

SITE PLAN

Project No.: 19793-001	Date: February 2024
Scale: 1:600	Rev.: Rev.:
Created by: MAT	Checked by: BP
Figure: 2	Projection: NAD 1983 UTM Zone 17N

SLOPE STABILITY ASSESSMENT
 WELSH CUSTOM HOMES
 1442 Miles Shore Road
 Douro-Dummer, Ontario

LEGEND



Notes:
 1. Survey completed by Cambium Inc. February 14, 2024.
 2. Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.
 Benchmarks:
 1. Elevations are relative to an iron bar located at the south west property corner with a given elevation of 100.00 m rel.



194 Sophia Street
 Peterborough, Ontario, K9H 1E5
 Tel: 705-742-7900 Fax: 705-742-7907
 www.cambium-inc.com

CROSS SECTIONS PROFILES

Project No.: 19739-001	Date: February 2024
Horizontal Scale: N/A	Vertical Scale: N/A
Drawn By: MAT	Checked By: BP
Figure: 3	

F:\19700 to 19739\19739-001 Welsh Custom Homes - GEO Slope - 1448 or 1442 Miles Shore Rd - Douro Dummer\Graphics\Drafting\2024-02-27 Slope Stability.dwg



Appendix A

MNRF Slope Inspection Record & Slope Rating Chart

SLOPE INSPECTION RECORD

TABLE 4.1 - Slope Inspection Record - Residential Structure				
1. FILE NAME/NO. 19793-001				
INSPECTION DATE: February 14, 2024				
WEATHER (circle):	<input checked="" type="checkbox"/> sunny	<input type="checkbox"/> partly cloudy	<input type="checkbox"/> cloudy	
	<input type="checkbox"/> calm	<input type="checkbox"/> breeze	<input type="checkbox"/> windy	
	<input type="checkbox"/> clear	<input type="checkbox"/> fog	<input type="checkbox"/> rain	<input type="checkbox"/> snow
	<input checked="" type="checkbox"/> cold	<input type="checkbox"/> cool	<input type="checkbox"/> warm	<input type="checkbox"/> hot
	estimated air temperature: -8 °C			
INSPECTED BY: Tim Paget				
2. SITE LOCATION (describe, main roads, features)				
SKETCH				
See attached figures				
3. WATERSHED				
4. PROPERTY OWNERSHIP (name, address, phone):				
1442 Miles Shore Road, Douro Dummer, ON				
LEGAL DESCRIPTION				
Lot	32			
Concession	9			
Township	Duoro-Dummer			
County	Peterborough County			
CURRENT LAND USE (circle and describe)				
- vacant: field, bush, woods, forest, wilderness, tundra				
- passive: recreational parks, golf courses, non-habitable structures, buried utilities, swimming pools				
- active: habitable structures, residential, commercial, industrial, warehousing and storage				
Two storey dwelling with multiple outbuildings				
- infrastructure or public use: stadiums, hospitals, schools, bridges, high voltage power lines, waste management sites				
5. SLOPE DATA:				
HEIGHT	<input checked="" type="checkbox"/> - 3-6 m	<input type="checkbox"/> - 6-10 m	<input type="checkbox"/> - 10-15 m	<input type="checkbox"/> - 15-20 m
	<input type="checkbox"/> - 20-25 m	<input type="checkbox"/> - 25-30 m	<input type="checkbox"/> - >30 m	
estimated height (m): 6 m				
INCLINATION AND SHAPE				
	4:1 or flatter 25% 14°	up to 3:1 33% 18°	<input checked="" type="checkbox"/> up to 2:1 50% 26°	
	up to 1:1 100% 45°	up to :1 200% 63°	steeper than :1 >63°	

SLOPE INSPECTION RECORD**6. SLOPE DRAINAGE (describe):**

TOP None. A road with a ditch prevents surface water from reaching slope. Runoff from north end of house may reach the top of slope.

FACE No visible drainage. Surface runoff only.

BOTTOM Lake at the bottom of the slope.

7. SLOPE SOIL STRATIGRAPHY (describe, positions, thicknesses, types)

TOP 0.30 m to 1.4 m of soil overlying precambrian bedrock. East side of slope is 1.4m of fill. West side is 0.30 m of topsoil. 0.50 m of weathered bedrock overlying competent bedrock.

FACE 0.10 m of topsoil overlying 0.50 m of gravelly sand, all overlying bedrock at 0.60 mbgs

BOTTOM Bedrock

8. WATER COURSE FEATURES (circle and describe)

SWALE, CHANNEL

GULLY

STREAM, CREEK, RIVER:

POND, BAY, LAKE

Lake at toe of slope

SPRINGS

MARSHY GROUND

9. VEGETATION COVER (grasses, weeds, shrubs, saplings, trees)

TOP grasses/mosses. Sparse pine and cedar trees

FACE sparse grasses, pine and cedar of mixed ages, saplings

BOTTOM Pine and cedar trees with sparse shrubs

10. STRUCTURES (buildings, walls, fences, sewers, roads, stairs, decks, towers)

TOP Two storey cottage, below ground septic tank at top of slope on east side.

FACE Steps with hand railings down the slope.

BOTTOM Decking to attach a floating dock on the eastern side. Concrete retaining wall at the toe of s

11. EROSION FEATURES (scour, undercutting, bare areas, piping, rills, gully)

TOP

FACE No erosion features observed during the inspection. The ground was snow covered, potentially hiding any existing features.

BOTTOM

SLOPE INSPECTION RECORD

12. SLOPE SLIDE FEATURES (tension cracks, scarps, bulges, grabens, ridges, bent trees)

TOP No slope slide features observed.

FACE No slope slide features observed. All trees remained upright and unbent.

BOTTOM No slope slide features observed. All trees remained upright and unbent.

13. PLAN SKETCH OF SLOPE

See additional report appendices

13. PROFILE SKETCH OF SLOPE

See additional report appendices

SLOPE STABILITY RATING CHART

Site Location:	1442 Miles Shore Road, Douro Dummer, ON	File No.	19793-001
Property Owner:		Inspection Date:	2024-02-14
Inspected By:	Tim Paget	Weather:	Sunny, Cold
Inspection Task - Residential Structure		Rating Value	
1. SLOPE INCLINATION			
Degrees	Horizontal:Vertical		
a) 18 or less	3:1 or flatter	0	
b) 18 to 26	2:1 to more than 3:1	6	
c) more than 26	Steeper than 2:1	16	
2. SOIL STRATIGRAPHY			
a) Shale, Limestone, Granite (Bedrock)		0	
b) Sand, Gravel		6	
c) Glacial Till		9	
d) Clay, Silt		12	
e) Fill		16	
f) Leda Clay		24	
3. SEEPAGE FROM SLOPE FACE			
a) None or near bottom only		0	
b) Near mid-slope only		6	
c) Near crest only or from several levels		12	
4. SLOPE HEIGHT			
a) 2 m or less		0	
b) 2.1 to 5 m		2	
c) 5.1 to 10 m		4	
d) more than 10 m		8	
5. VEGETATION COVER ON SLOPE FACE			
a) Well vegetated, heavy shrubs or forested with mature trees		0	
b) Light Vegetation; Mostly grass, weeds, occasional trees, shrubs		4	
c) No vegetation, bare		8	
6. TABLE LAND DRAINAGE			
a) Table land flat, no apparent drainage over slope		0	
b) Minor drainage over slope, no active erosion		2	
c) Drainage over slope, active erosion, gullies		4	
7. PROXIMITY OF WATERCOURSE TO SLOPE TOE			
a) 15 m or more from slope toe		0	
b) Less than 15 m from slope toe		6	
8. PREVIOUS LANDSLIDE ACTIVITY			
a) No		0	
b) Yes		6	
RATING VALUES TOTAL		20	
SLOPE INSTABILITY RATING		INVESTIGATION REQUIREMENTS	
1. Low Potential	<24	Site inspection only, confirmation, report letter	
2. Slight Potential	25 - 35	Site inspection and surveying, preliminary study, detailed report	
3. Moderate Potential	>35	Boreholes, piezometers, lab tests, surveying detailed report	
Notes:			
a) Choose only one rating value from each category; compare total rating value with above requirements			
b) If there is a waterbody (stream, creek, river, pond, bay, lake) at the slope toe, the potential for toe erosion and undercutting should be evaluated in detail and protection provided if required.			
c) For leda clay and rock slopes, additional evaluation must be carried out			

SLOPE INSPECTION RECORD

TABLE 4.1 - Slope Inspection Record - Boathouse				
1. FILE NAME/NO. 19793-001				
INSPECTION DATE: February 14, 2024				
WEATHER (circle):				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
sunny	partly cloudy			cloudy
calm	breeze			windy
clear	fog	rain		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
cold	cool	warm		
estimated air temperature:		-8	°C	
INSPECTED BY: Tim Paget				
2. SITE LOCATION (describe, main roads, features)				
SKETCH				
See attached figures				
3. WATERSHED				
4. PROPERTY OWNERSHIP (name, address, phone):				
1442 Miles Shore Road, Douro Dummer, ON				
LEGAL DESCRIPTION				
Lot	32			
Concession	9			
Township	Duoro-Dummer			
County	Peterborough County			
CURRENT LAND USE (circle and describe)				
- vacant: field, bush, woods, forest, wilderness, tundra				
- passive: recreational parks, golf courses, non-habitable structures, buried utilities, swimming pools				
- active: habitable structures, residential, commercial, industrial, warehousing and storage				
Two storey boathouse at toe of slope, driveway at top.				
- infrastructure or public use: stadiums, hospitals, schools, bridges, high voltage power lines, waste management sites				
5. SLOPE DATA:				
HEIGHT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- 3-6 m	- 6-10 m	- 10-15 m	- 15-20 m
	- 20-25 m	- 25-30 m	- >30 m	
estimated height (m): 5 m				
INCLINATION AND SHAPE				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	4:1 or flatter	up to 3:1	up to 2:1	
	25% 14°	33% 18°	50% 26°	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	up to 1:1	up to :1	steeper than :1	
	100% 45°	200% 63°	>63°	

SLOPE INSPECTION RECORD**6. SLOPE DRAINAGE (describe):**

TOP Minor drainage along driveway at the top of the slope

FACE No visible drainage. Surface runoff only.

BOTTOM Lake at the bottom of the slope.

7. SLOPE SOIL STRATIGRAPHY (describe, positions, thicknesses, types)

TOP 0.15 m of topsoil overlying 0.15 m of sand some gravel, all overlying bedrock at 0.30 mbgs.

FACE 0.20 m of topsoil overlying 0.30 m of gravelly sand, all overlying bedrock at 0.50 mbgs

BOTTOM Large boulders and 0.05 m of gravel overlying bedrock.

8. WATER COURSE FEATURES (circle and describe)

SWALE, CHANNEL

GULLY

STREAM, CREEK, RIVER:

POND, BAY, LAKE

Lake at toe of slope

SPRINGS

MARSHY GROUND

9. VEGETATION COVER (grasses, weeds, shrubs, saplings, trees)

TOP Grasses and sparse cedar and pine trees

FACE Grasses. Sparse cedar and pine trees of mixed ages. Saplings.

BOTTOM Sparse older growth cedar and pine

10. STRUCTURES (buildings, walls, fences, sewers, roads, stairs, decks, towers)

TOP Driveway at the top of the slope

FACE Steps down the slope.

BOTTOM Two storey boathouse at bottom of the slope next the lake. Residential building on the west

11. EROSION FEATURES (scour, undercutting, bare areas, piping, rills, gully)

TOP

FACE No erosion features observed during the inspection. The ground was snow covered, potentially hiding any existing features.

BOTTOM

SLOPE INSPECTION RECORD

12. SLOPE SLIDE FEATURES (tension cracks, scarps, bulges, grabens, ridges, bent trees)

TOP No slope slide features observed.

FACE No slope slide features observed. All trees remained upright and unbent.

BOTTOM No slope slide features observed. All trees remained upright and unbent.

13. PLAN SKETCH OF SLOPE

See additional report appendices

13. PROFILE SKETCH OF SLOPE

See additional report appendices

SLOPE STABILITY RATING CHART

Site Location:	1442 Miles Shore Road, Douro Dummer, ON	File No.	19793-001
Property Owner:		Inspection Date:	2024-02-14
Inspected By:	Tim Paget	Weather:	Sunny, Cold
Inspection Task - BOATHOUSE		Rating Value	
1. SLOPE INCLINATION			
Degrees	Horizontal:Vertical		
a) 18 or less	3:1 or flatter	0	
b) 18 to 26	2:1 to more than 3:1	6	
c) more than 26	Steeper than 2:1	16	
2. SOIL STRATIGRAPHY			
a) Shale, Limestone, Granite (Bedrock)		0	
b) Sand, Gravel		6	
c) Glacial Till		9	
d) Clay, Silt		12	
e) Fill		16	
f) Leda Clay		24	
3. SEEPAGE FROM SLOPE FACE			
a) None or near bottom only		0	
b) Near mid-slope only		6	
c) Near crest only or from several levels		12	
4. SLOPE HEIGHT			
a) 2 m or less		0	
b) 2.1 to 5 m		2	
c) 5.1 to 10 m		4	
d) more than 10 m		8	
5. VEGETATION COVER ON SLOPE FACE			
a) Well vegetated, heavy shrubs or forested with mature trees		0	
b) Light Vegetation; Mostly grass, weeds, occasional trees, shrubs		4	
c) No vegetation, bare		8	
6. TABLE LAND DRAINAGE			
a) Table land flat, no apparent drainage over slope		0	
b) Minor drainage over slope, no active erosion		2	
c) Drainage over slope, active erosion, gullies		4	
7. PROXIMITY OF WATERCOURSE TO SLOPE TOE			
a) 15 m or more from slope toe		0	
b) Less than 15 m from slope toe		6	
8. PREVIOUS LANDSLIDE ACTIVITY			
a) No		0	
b) Yes		6	
RATING VALUES TOTAL		18	
SLOPE INSTABILITY RATING		INVESTIGATION REQUIREMENTS	
1. Low Potential	<24	Site inspection only, confirmation, report letter	
2. Slight Potential	25 - 35	Site inspection and surveying, preliminary study, detailed report	
3. Moderate Potential	>35	Boreholes, piezometers, lab tests, surveying detailed report	
Notes:			
a) Choose only one rating value from each category; compare total rating value with above requirements			
b) If there is a waterbody (stream, creek, river, pond, bay, lake) at the slope toe, the potential for toe erosion and undercutting should be evaluated in detail and protection provided if required.			
c) For leda clay and rock slopes, additional evaluation must be carried out			



Appendix B
Test Pit Logs

TABLE 1: TEST PIT LOGS

GEO - Welsch Custom Homes - 1442 Miles Shore Road, Douro Dummer

Technician: Tim Paget

Cambium Reference No. 19793-001

Completed: Feb 14, 2024



Test Pit ID	Depth (mbgs ¹)	Soil Sample	% Moisture	Material Description	Depth (m)	DPT ² (Blows/150 mm)
TP101-24	0.00 - 0.20 0.20 - 0.50 0.5 - 1.40 1.4			FILL, Silty gravelly sand fill FILL, gravel - Limestone screenings used for driveway FILL, silty gravelly sand mixed with limestone screenings Precambrian bedrock - metaseds with bedding, some fissile areas exposed. Strike: 89° Dip: 61° Test pit terminated at 1.4 mbgs on precambrian bedrock. Notes: a. Septic tank visible in northwest corner of test pit. b. Bedding is dipping in the opposite direction of the slope.		
TP102-24	0.00 - 0.30 0.30 - 0.80 0.8			Topsoil, roots and organics Precambrian bedrock, weathered, fissile bedding, easily excavateable to 0.80 mbgs. Strike: 75° Dip: 61° Precambrian bedrock, less fissile, no longer easily excavateable. Test pit terminated at 0.80 mbgs on precambrian bedrock. Notes: a. Bedding is dipping in the opposite direction of the slope.		

1. mbgs = metres below ground surface

2. Dynamic probe penetration test, consisting of driving a 19 mm diameter steel rod 150 mm into the soil with an 8 kg hammer falling 750 mm.



Appendix C
Site Photographs



Photo 1 TP101-24. Various layers of fill overlying Precambrian bedrock. Concrete septic tank on left side of image



Photo 2 TP102-24. Bedded Precambrian bedrock dipping to the south. Slope is to the north.



Photo 3 TP102-24. Weathered fissile bedrock overlying competent bedrock. Weathered bedrock has been excavated and removed from test pit.



Photo 4 TP102-24. Competent bedrock exposed at 0.80 mbgs.



Photo 5 Top of slope and slope face along the north side of the house.



Photo 6 Concrete pier at the toe of the slope. Pier extends down to lake level.



Photo 7 Exposed bedrock between wooden decking and concrete pier at toe of slope.



Photo 8 TP101-24. Table land above slope was excavated to expose bedrock for investigation.



Photo 9 Table land above boathouse. The flat, bare snow covered area is a gravel driveway. Slope is to the north.



Photo 10 Top of slope/edge of driveway, boathouse structure visible in left side of image at the slope bottom.



Photo 11 Slope face at eastern edge of boathouse. Flattened snow covered area at entrance consists of decking.



Photo 12 Slope face at western edge of boathouse.



Photo 13 Shoreline at the bottom of the slope in front of boathouse.



Photo 14 Boathouse shoreline with gravel overlying shallow bedrock.



Photo 15 Exposed bedding in bedrock on boathouse shoreline.

PRELIMINARY ONLY

PRELIMINARY ONLY

PRELIMINARY ONLY

PRELIMINARY ONLY

NOTES:

- PLANS ARE IN ACCORDANCE WITH ONTARIO BUILDING CODE REQUIREMENTS DO NOT SCALE
- DIMENSIONS GOVERN
- WORKMANSHIP SHALL BE DONE IN GOOD BUILDING PRACTICE
- THE BUILDER SHALL VERIFY ALL DIMENSIONS AND SPECIFICATIONS PRIOR TO CONSTRUCTION
- MARYANNE NOFFKE DESIGN AND DRAFTING DOES NOT ASSUME LIABILITY IF DESIGN IS NOT FOLLOWED EXACTLY ANY CHANGES REQUESTED BY THE BUILDER AND/OR OWNER REQUIRE A RE-DESIGN BY MARYANNE NOFFKE DESIGN AND DRAFTING PRIOR TO CONSTRUCTION AS WELL AS NOTIFICATION OF THE BUILDING DEPARTMENT
- ANY VARIANCES FROM THE DRAWINGS SHALL BE THE RESPONSIBILITY OF THE BUILDER AND/OR HOMEOWNER



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

DRAWINGS INTENDED FOR CONSTRUCTION OR PERMIT REQUIRE A DIGITAL SIGNATURE AND THE WATERMARK REMOVED. ALL INFORMATION ON THESE DRAWINGS IS THE PROPERTY OF MARYANNE NOFFKE DESIGN AND DRAFTING. THESE DRAWINGS SHALL NOT BE COPIED OR REPRODUCED WITHOUT WRITTEN CONSENT OF MARYANNE NOFFKE DESIGN AND DRAFTING. IF AN INFINGEMENT OF THIS NATURE HAS OCCURRED, PLEASE CONTACT MARYANNE NOFFKE DESIGN AND DRAFTING

REVISION RECORD		
No.	Date	Description
1		
2		
3		
4		
5		



COMPANY BCIN#: 38619
331 Cemetery Road
Lakemhurst, Ontario, K0L 2J0
PHONE: 705-927-7804
MARYANNENOFFKE@HOTMAIL.COM

PROJECT:
DYBKA COTTAGE
COTTAGE
1448 MILES SHORE RD E
DOURO DUMMER, ON

DRAWING TITLE:
ELEVATION

DATE PLOTTED: October 29, 2024

SCALE: 1/4" = 1'-0"

DRAWN BY: MARYANNE NOFFKE
CHECKED BY: MARYANNE NOFFKE (35184)

SIGNATURE:

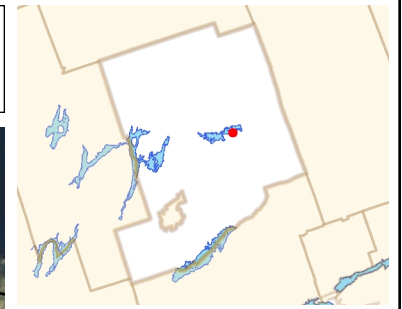
BHEET NUMBER:
PAGE 1/3

PRELIMINARY ONLY

PRELIMINARY ONLY

PRELIMINARY ONLY

PRELIMINARY ONLY



Legend

- Hydro Lines
- Roads < 50,000**
- PRIV ; Private; PRIV
- City Arterial
- City Collector and Local
- City Owned Unclassified
- Provincial
- County
- Township
- Water Access Only
- Outside Roads < 50,000**
- Major Roads
- Local Roads
- Peterborough Proposed Bypass
- First Nations
- Civic Address
- Parcel Fabric
- Parcel First Nations - Canada I
- Rivers**
- Intermittent
- Permanent
- Clean Water Act Policies Apply
- Provincially Significant Wetland
- Locally Significant Wetlands
- Non-evaluated Wetlands

1: 2,500



127.0 0 63.50 127.0 Meters

Notes

2023 air photo
NOT a legal survey

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Shoreline Restoration Plan

1442 Miles Shore Road East (Dybka)

Background

The proposed project entails removing an existing dwelling and constructing a new dwelling on a residential property on Stony Lake in the Municipality of Douro-Dummer. In addition to the dwelling, there is a new, proposed detached garage to the rear of the property.

Overview of Site

The property located at 1442 Miles Shore Road East, in Douro-Dummer contains an existing 173 sq. m 2-storey dwelling located 12.7m from the water, a 2-storey bunkie near the water, and several smaller accessory structures.

This property is very well-vegetated containing many large, mature Eastern white pine, Norway Spruce and White cedars.

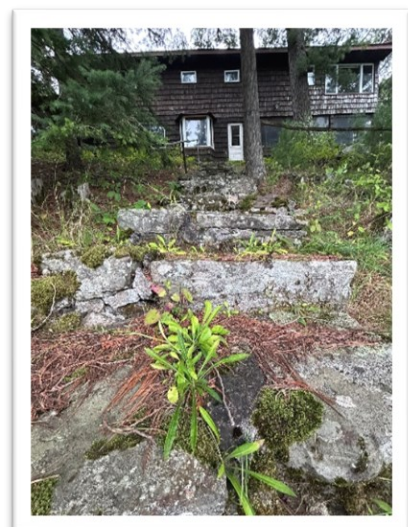
Proposal

The majority of this property will remain untouched during the demolition and construction of the new dwelling. Some small cedars and one large mature white pine will be removed between the cottage and the lake to accommodate a walk-out style bottom floor.

Catalogue of Existing Vegetation on Property along the Shoreline:

Eastern white pine, Norway spruce, White ash, Common Lady fern, American elm, Sweetgale, White cedar, White meadowsweet, White spruce, hemp dogbane, Yellow flag, Eastern hemlock, and common Juniper.

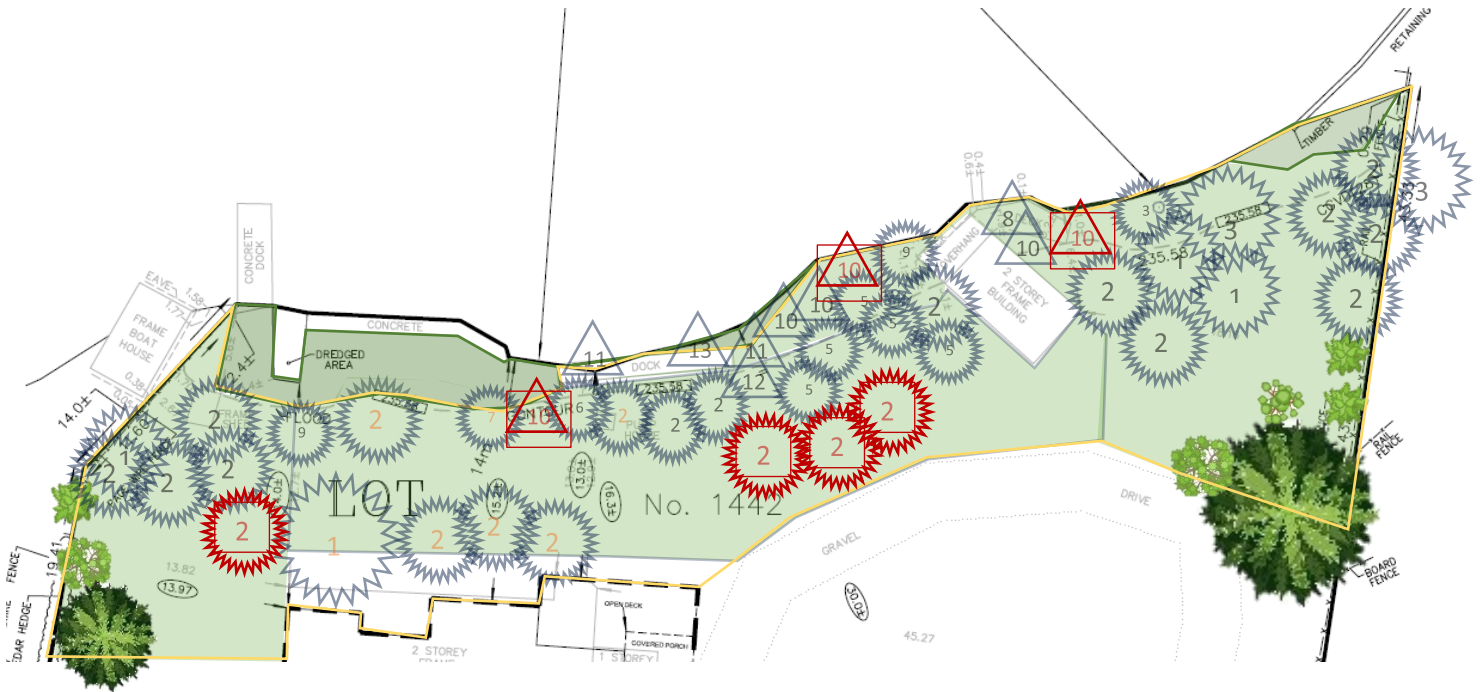
Property Photos:





Please see the attached Appendix 1, outlining the existing and proposed vegetative areas.

Appendix 1



Plant Species <i>(Noted in orange are the trees to be removed for construction)</i>	Noted by
Existing Vegetative Areas noted by green background	
Existing Grassy Areas	
Eastern White Pine (Existing)	1
White Cedar (Cypress) (Existing)	2
Norway Spruce (Existing)	3
White Ash (Existing)	4
White Spruce (Existing)	5
Eastern Hemlock (Existing)	6
Common Juniper (Existing)	7
Common Lady Fern (Existing)	8
American Elm (Existing)	9
Sweet Gale (Existing)	10
White Meadowsweet (Existing)	11
Hemp Dogbane (Existing)	12
Yellow flag (Existing)	13
Various Ground cover	
Sweet Gale (Proposed)	10
White Cedar (Proposed)	2



**ONTARIO REGULATION 41/24 –
PROHIBITED ACTIVITIES, EXEMPTIONS AND PERMITS**

PERMIT NUMBER: 2024-215

CACMS No.: PPRD-2599

Page 1 of 5

Permission has been granted to: Owner: Halinka and Edward Dybka Phone: 416-702-7044	Address: 7 Elstree Road Etobicoke, ON M9A 3Y9 Email: ed.dybka@ipsen.com
Applicant: Black Point Construction Services c/o Holly Richards- Conley Phone: 705-772-0792	Address: 195 Barcroft Road Lakehurst, ON K0L 1J0 Email: holly@blackpointservices.com
Property Location: Douro-Dummer Street Name: 1442 Miles Shore Road East	Ward: Dummer Roll Number: 152202000544800
Description of Proposed Work: To carry out the replacement of an existing dwelling (172.8 sqm) with a new dwelling (394.79 sqm) at 1442 Miles Shore Road East, per the approved documentation and conditions.	

**THIS PERMIT IS VALID ON THE ABOVE LOCATION ONLY FOR THE PERIOD OF:
10/31/2024 to 10/31/2026**
and at midnight of the date last mentioned this permit becomes null and void.

The Applicant and Owner, by acceptance of and in consideration of the issuance of this permit, agrees to the following conditions:

Project Specific Conditions

Mandatory

1. The permit holder shall maintain a copy of this permit on site and shall ensure that all individuals involved in carrying out the work are aware of the permit and its conditions.
2. The project shall be carried out as per the plans and reports (Schedule 'A') submitted in support of this application as they may be amended through conditions of this permit.

Erosion & Sediment Control

3. That the work be undertaken as per the conclusions and recommendations found in the Geotechnical Investigation Report for Miles Shore Road, prepared by Cambium Inc., Reference # 19793-001, dated March 12, 2024.
4. Prior to the commencement of filling, grading or other development activities, the applicant shall erect erosion and sedimentation controls sufficient to prevent sediment from washing off-site and into adjacent ditches, streams, watercourses or storm sewers. These controls shall be maintained in good working order and to the satisfaction of Conservation Authority staff until disturbed areas are stabilized. Additional controls shall be erected as may be requested by Authority staff or as conditions dictate following commencement of works.
5. All disturbed areas shall be seeded, sodded or stabilized in some other manner acceptable to Authority staff as soon as possible and prior to the expiry of this permit. Once the exposed areas are stabilized, the sediment controls are to be removed from the site.
6. Development shall be limited to the development envelope as approved and illustrated in supporting documentation listed in "Schedule A". Other than activities allowed under this permit, there shall be no filling nor encroachment of construction equipment or materials into adjacent natural areas, streams, flood plain lands, wetlands and valley lands.
7. It will be the proponent's responsibility to ensure that the sedimentation control measures are inspected daily and that any maintenance, including the removal of accumulated sediment, is carried out as required.
8. A heavy-duty silt fence barrier, installed to OPSD 219.130 specifications, shall be installed between the toe of the slope and Stony Lake, prior to the commencement of any works on the site.
9. The need for erosion and sediment controls are not static; such controls shall be installed, upgraded or amended as site conditions change, to prevent sediment releases to the environment.

General Conditions

1. Authorized representatives of the Otonabee Region Conservation Authority will be granted entry at any time into the subject lands and buildings of the permittee, in order to make such surveys, examinations, investigations, inspections or other arrangements which such representatives deem necessary.
2. The permittee agrees:
 - a) To indemnify and save harmless, the Otonabee Region Conservation Authority and its officers, employees, or agents, from and against all damage, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the permittee or agents, employees, or contractors relating to any of the particulars, terms or condition of this permit;
 - b) That this permit shall not release the permittee from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law;
 - c) That all complaints arising from the proposed works authorized under this permit shall be reported immediately by the permittee to the Otonabee Region Conservation Authority. The permittee shall indicate any action which has taken place or is planned to be taken, with regard to each complaint.
3. This permit shall not be assigned or assumed by any subsequent purchaser, transferee, or grantee without permission of the Otonabee Region Conservation Authority.
4. This permit does not absolve the permittee of the responsibility of obtaining necessary permission from applicable federal, provincial or local agencies.
5. The permittee agrees that should default be made by the permittee in compliance with, or satisfaction of, the enumerated conditions and/or submitted application, the Otonabee Region Conservation Authority may enter upon the property with respect to which conditional approval is granted and cause said conditions to be satisfied if necessary, the expense of which will be the sole responsibility of the permittee.



PERMIT NUMBER: 2024-215
CACMS No.: PPRD-2599
Page 4 of 5

Under Section 28 (12) of the Conservation Authorities Act R.S.O. 1990, Chapter C.27, as amended, an applicant has the right to request a Hearing before the Executive Committee if the applicant disputes one or more of the conditions imposed in this permit. If you wish to be issued subject to the conditions contained herein, please sign the waiver below.

I/we, the undersigned, have been notified of my/our right to a Hearing before the Executive Committee of Otonabee Region Conservation Authority to dispute one or more of the conditions contained herein and hereby irrevocably waive all rights to a Hearing before the Executive Committee of the Otonabee Region Conservation Authority.

Applicant Initials

I/we, the undersigned agree that should default be made by me/us in compliance with or satisfaction of these enumerated specific and general conditions and/or the submitted application, the Otonabee Region Conservation Authority may rescind the conditional approval granted herein such that any acts done by me/us for which approval is otherwise required are done without lawful authority and which render me/us liable to prosecution.

Date: November 1, 2024

Signature: _____

Owner/Agent

Application Approved:

Date: October 31, 2024

Signature: _____
Authorized Staff

Signature: _____
CAO or Manager, PR&PS

Schedule "A"
Approved Drawings & Reports

- Dybka Cottage, Design Drawings/Floor Plan, Prepared by Mary Anne Noffke Design & Drafting, Dated March 23rd, 2023, Sheet No. 1 to 5, Received by ORCA on October 17th, 2024.
- 1442 Miles Shore Road, Site Plan, Prepared by JBF Surveyors, Project No. 9097 SEV SKETCH, Received by ORCA on October 17th, 2024.
- Miles Shore Road, Geotechnical Investigation Report, Prepared by Cambium Inc., Dated March 12th, 2024, Reference No. 19793-001, Received by ORCA on October 17th, 2024.