



PARTNERS IN
ENGINEERING, PLANNING &
ENVIRONMENTAL SERVICES

August 17, 2023

Mr. Damien Schaefer
Municipal Services Office – Eastern Region
8 Estate Lane
Rockwood House
Kingston, Ontario
K7M 9A8

Via email: Damien.Schaefer@ontario.ca

Attention: Mr. Schaefer, Planner

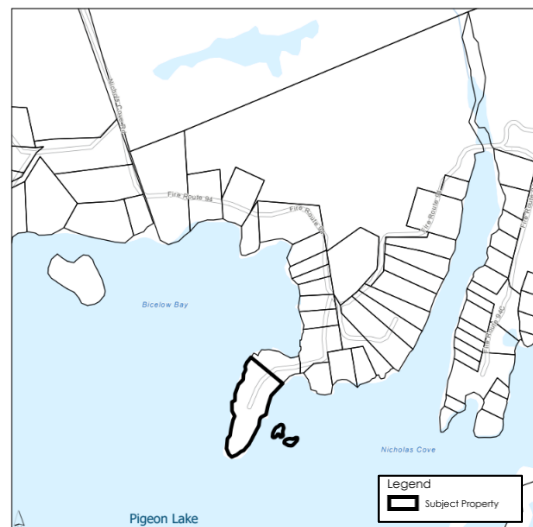
**Re: Request for Modification to County of Peterborough Official Plan
Council Adopted Version (June 2022)
11923811 Canada Corp. (Stephen Lennox)
ERO number 019-5908 | Ministry reference number 15-OP-227956**

Dear Mr. Schaefer,

D.M Wills Associates Limited (Wills) on behalf of our Client, 11923811 Canada Corp. - Stephen Lennox, has prepared this letter to respectfully request a modification to The County of Peterborough's Official Plan as adopted by their Council on June 29, 2022, and submitted soon after to the Ministry of Municipal Affairs and Housing (MMAH) for final approval. The modification request pertains to The Municipality of Trent Lakes Land Use Schedule [Map TL-2].

Our Client owns the property located on lands legally described as Part of Lot 16, Concession 13 in the Municipality of Trent Lakes, municipally known as 16 Fire Route 94A, Pigeon Lake (Subject Property). As currently proposed, the Subject Property is intended to be redesignated from Commercial to Waterfront Residential.

We are respectfully requesting that the Subject Property be designated Recreation Commercial by the MMAH to reflect the existing designation; to recognize the historical use of the property; and to reflect the proposed redevelopment for which the planning approvals process is currently underway.



Subject Property and Proposed Redevelopment

The area of the Subject Property is comprised of approximately 0.65 hectares (1.6 acres) of land with approximately 300 metres of irregular shoreline frontage, owing to the peninsular shape of the property.

The Subject Property currently contains ten (10) derelict former commercial cabins with two (2) septic holding tanks, and operated as a fishing resort during the period when the area served as a popular tourist region for visitors from the United States. The cabins were constructed in 1949 and the Subject Property operated as a tourist commercial resort from 1949 to the early 1980's at which point the operations ceased and have remained non-operational to present.

The Subject Property was rezoned from Tourist Commercial to Rural Residential in 2002, which appears to have been triggered by the severance of the neighbouring property to the north from the Subject Property. The Staff report from this rezoning (Report 2002-10) has yet to be located by Municipal Staff, and therefore in its absence we cannot confirm the applicant's intention or the opinion of Staff at the time regarding the use of the retained parcel (Subject Property).

Our client purchased the Subject Property in March of 2020, with the intent to redevelop it for tourist commercial purposes.

Existing Application – Municipality of Trent Lakes ZBA File No. 21-08

A pre-consultation meeting was held with Municipal Staff in 2020, where the proposal to redevelop the Subject Property for tourist commercial purposes was discussed. Municipal Staff noted that a Zoning By-law Amendment (ZBA) and Site Plan Agreement (SPA) would be required, in addition to several technical studies.

The ZBA application, including the requested supporting technical studies (*Environmental Impact Study; Phase I Environmental Site Assessment; Stage 1 & 2 Archaeological Assessment; Traffic Brief; Functional Servicing Review; Planning Justification Report and Conceptual Plan*), was submitted to the Township in March of 2021. Additional technical studies (*Hydrogeological Study; and Lot Grading & Drainage Plan*), were subsequently requested by the Municipality and upon their completion and submission, the Municipality issued a notice of complete application on February 4th, 2022.

Our Client originally proposed to remove all the existing cabins, save and except five (5) located on the northwestern portion of the property. The proposed redevelopment included demolishing, relocating, and reconstructing those five (5) cabins with each having ground floor areas of 1,000 square feet (92.9 m²) and containing a second storey, with a maximum height of 11m. Our client also proposed to construct a two-storey accessory dwelling (with a ground floor area of 2,002 square feet (185.9 m²) at the southern-most portion of the peninsula with an accompanying dry land boathouse being located on the northeastern shoreline.

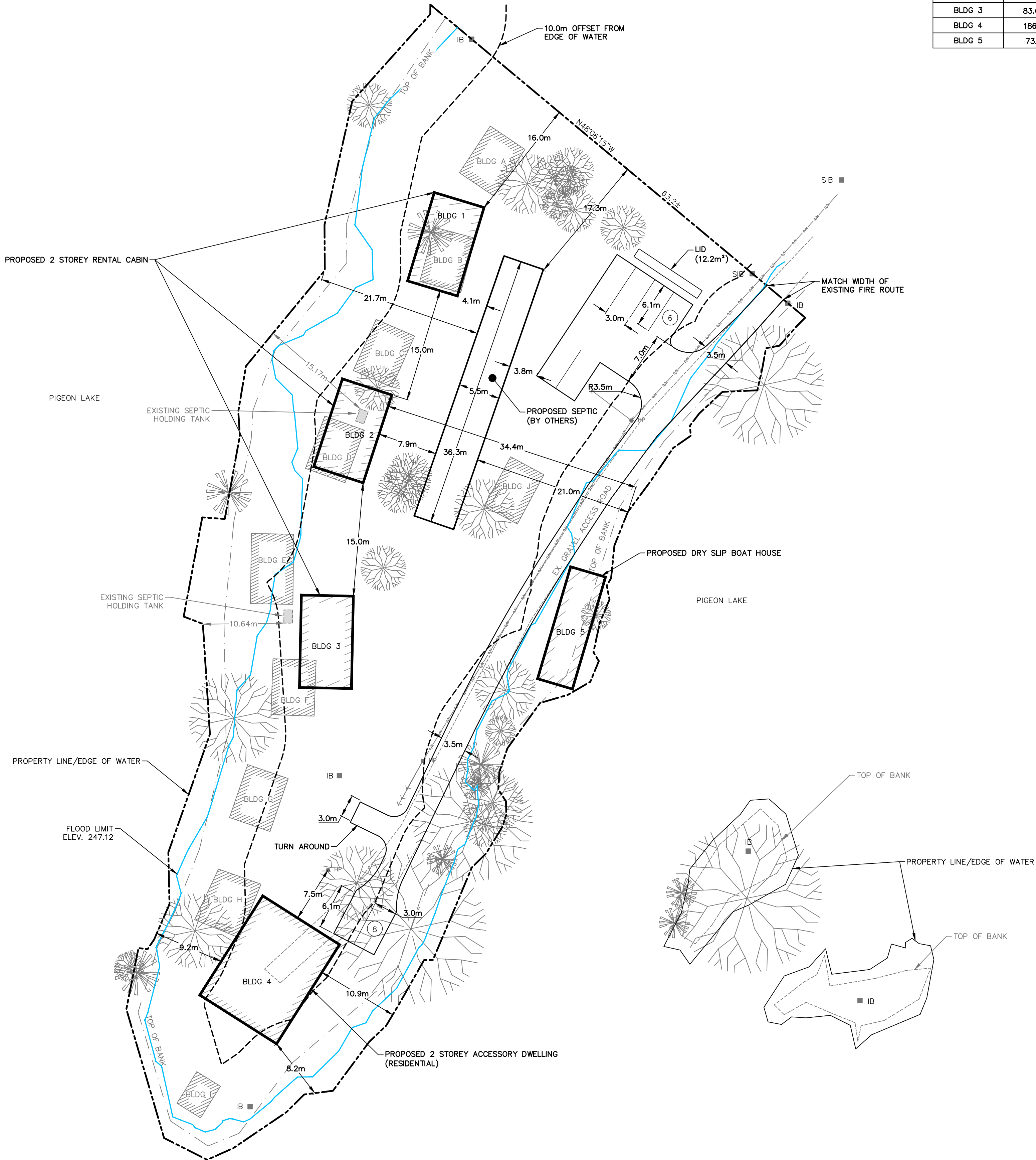
The ZBA application will facilitate rezoning the Subject Property from the Shoreline-Residential Private Access (SR-PA) Zone to a site-specific Special Tourist Commercial (TC-X) Zone to permit redevelopment including rental cabins, an accessory dwelling, and an on-site communal septic system (Waterloo Biofilter), with special exemptions for: setbacks to the high-water mark; minimum lot area; frontage on a public road; and accessory dwelling height.

Of importance to note is that all proposed redevelopment (save and except the dry land boathouse – which is permitted as of right) will increase the water yard setbacks from what the existing onsite structures provide, to the maximum extent possible. Due to the peninsular nature of the Subject Property, any redevelopment would require special exemption to the required setbacks from the high-water mark.

Upon receiving peer review and public comments in May and August of 2022 respectively, and the comments provided at the Statutory Public Meeting held on May 16th, 2023, our Client amended the original application by reducing the number of rental cabins from five (5) to three (3) and reducing the ground floor area of each from 1,000 square feet to 900 square feet. Please refer to the conceptual site plan drawing.

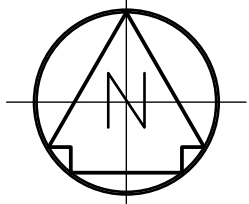
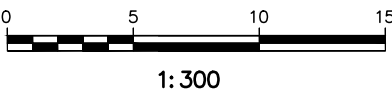
The amended conceptual site plan was submitted to the Municipality for their review on May 17th, 2023. To date, Municipal Staff have indicated that they are reviewing the application and intend to take a recommendation to Council in the near future.

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at: 85000 - Private: 85000-85099, 85099 - pigeon lake commercial cabins\02 drawings\current drawings\85099 - sp.dwg



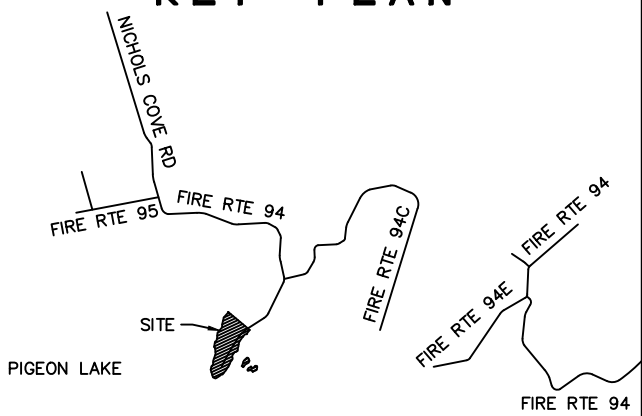
PROPOSED BUILDING	AREA		DIMENSIONS	FRONT SETBACK FROM WATER	REAR SETBACK FROM WATER
BLDG 1	83.62m ²	900.07ft ²	12.19m X 6.86m	11.0m	34.83m
BLDG 2	83.62m ²	900.07ft ²	12.19m X 6.86m	10.32m	33.40m
BLDG 3	83.62m ²	900.07ft ²	12.19m X 6.86m	12.18m	22.04m
BLDG 4	186.0m ²	2002.09ft ²	15.5m X 12.0m	18.0m	—
BLDG 5	73.9m ²	795.45ft ²	15.4m X 4.8m	0.5m	—

EXISTING BUILDING	AREA	SETBACK FROM WATER
BLDG A	40.8m ²	15.9m
BLDG B	41.3m ²	12.6m
BLDG C	40.9m ²	9.6m
BLDG D	40.9m ²	9.4m
BLDG E	51.7m ²	6.8m
BLDG F	42.0m ²	8.3m
BLDG G	41.7m ²	6.0m
BLDG H	46.1m ²	3.9m
BLDG I	18.1m ²	2.9m
BLDG J	36.9m ²	12.2m



TRUE NORTH

KEY PLAN



REVISIONS

No.	Description	Date
2	ISSUED FOR ZBA	03/03/21
1	CLIENT REVIEW	01/10/20

METRIC

Dimensions are in METRES and/or MILLIMETRES unless otherwise shown

LEGEND

TO BE READ IN CONJUNCTION WITH OFSD 100 SERIES



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E. wills@dmwills.com

Project Name/Location

PIGEON LAKE COMMERCIAL CABINS

16 FIRE ROUTE 94A, TRENT LAKES

Drawing Title

FIGURE 2 - CONCEPT SITE PLAN

Drawn By: S.F.	SCALE: Horz. 1:300	Vert. —
Designed By: M.B.	Plot Date: MAY 17, 2023	
Checked By: M.S.	Project No.: 85099	Sht. No.:
Engineer: — —	Dwg File No.: 85099 - SP	01

Existing Recreation Commercial Uses

For context, in reviewing the existing Tourist Commercial (TC) zoned properties in the Municipality, there are approximately 47 properties, 30 of which are located adjacent to Shoreline Residential – Private Access (SR-PA) zoned properties. The most common form of use being resorts/ rental cottages (13), recreational trailer parks (9), and marinas (7).

Of the 47 Tourist Commercial zoned properties in the Municipality, only 18 meet the required minimum lot area of 4.0 ha, and 22 are located on Pigeon Lake. It would appear that some of these properties have been appropriately redesignated Recreation Commercial in the County's new Official Plan.

The above serves to illustrate that the proposed redevelopment on the Subject Property is in character with the existing forms of recreation commercial uses in the Municipality and more specifically within the shoreline of Pigeon Lake, and as such, should maintain its Commercial designation in the form of a Recreation Commercial designation in the new County Official Plan.

Planning Rationale

Policies of the PPS promote leveraging rural amenities, diversifying the economic base and providing opportunities for diversified tourism opportunities that are compatible with the landscape and can be sustained by rural service levels. Communal servicing is permitted where municipal services are not available.

The PPS also requires development to have regard for the environment, cultural resources and natural hazards. Development is only permitted adjacent to certain natural heritage and hydrologic features where it has been demonstrated there will be no negative impacts. Likewise, development is to be directed outside of natural hazards such as floodplains, and human-made hazards (contaminated sites), unless demonstrated that there will be no adverse effects. Development is not permitted on lands containing archaeological resources.

The Growth Plan builds upon the policies of the PPS, and further directs that resource-based recreational uses, including commercial uses for visitors and seasonal accommodation, may be permitted provided they are compatible with the scale, character and capacity of the resource and landscape.

With respect to natural features, where redevelopment is proposed in shoreline areas, the Growth Plan requires such proposals to increase the vegetative protection zone, protect features and their functions and incorporate appropriate lot-level controls to reduce stormwater runoff. Development, as directed by the Growth Plan, is also to incorporate stormwater management controls which include low impact development and practices to minimize erosion and impervious surfaces.

As previously noted, the proposed redevelopment of the Subject Property includes the removal of ten (10) existing derelict cabins, to be replaced with three (3) new rental cabins, an accessory dwelling and dry land boathouse.

The proposed cabins will serve the visiting tourist economy, by building upon the amenity value provided by Pigeon Lake. The proposed cabins will also contribute to the greater economy of the area, with visitors to the cabins utilizing other related services in the area (i.e. restaurants, marinas), thereby meeting the policy direction of the PPS and the Growth Plan as it pertains to rural economies and assets. The proposed cabins and accessory dwelling are also compatible with the surrounding landscape, which is similarly largely dominated by seasonal uses.

The redevelopment of the property will serve to improve the aesthetic quality of development of the Subject Property, while maintaining a reduced scale which will ensure the existing character of the area is not impacted, likewise upholding provincial policy direction. Furthermore, as outlined in the traffic brief prepared in support of the application, the traffic generated by the proposed redevelopment will not impact the surrounding network and is likewise compatible with the scale and service level of the road network.

While a 30-metre setback from the shoreline cannot be achieved given the configuration of the Subject Property, the new cabins will be constructed within significantly improved setbacks to the high-water yard, increasing the natural vegetated area between the redevelopment and the shoreline. Moreover, the proposed redevelopment will be located outside of the identified floodplain. As indicated in the supporting studies, no impacts to natural features are anticipated as a result of the redevelopment, provided the recommendations in the report are adhered to. No human-made hazards / contamination was identified which would impede the redevelopment. Likewise, no archaeological resources have been discovered on the Subject Property.

The proposed redevelopment will utilize communal septic servicing; and will incorporate stormwater management controls as they pertain to quality of runoff. The proposed redevelopment and zoning by-law amendment application are therefore considered consistent with the PPS and conform to the Growth Plan.

By reducing the number of cabins on the Subject Property, and increasing the existing water yard setbacks, the proposed redevelopment and zoning by-law amendment will serve to improve the balance of built and natural form on the Subject Property. Further, while a 30-metre setback to the high-water mark is physically impossible on the property, the proposed redevelopment has been designed to increase the existing setbacks, while aiming to utilize as much as possible the existing developed footprints on the Subject Property.

The proposed redevelopment is therefore considered consistent with the PPS, conforms to the Growth Plan, and upholds the spirit and intent of the County and Municipality's Official Plan policies.

Conclusion

We wish to ensure that the existing application nearing the end of the planning approval process, on which our Client has heavily invested, is not hindered by the redesignation, and therefore inadvertently results in the need to restart the planning approvals process to include an Official Plan Amendment application.

As noted above, a notice of complete application was issued by the Municipality on February 4th, 2022, with the statutory public meeting being held on May 16th, 2023. Our Client is currently waiting for Municipal Staff to prepare a report back to Council with a recommendation.

As previously noted, the Subject Property is intended to be redesignated from the Commercial designation to the Waterfront Residential designation which does not reflect the intended use of the Subject Property. We are respectfully requesting that the Subject Property be designated Recreation Commercial to account for the historical use of the Subject Property and for the currently proposed redevelopment, for which the planning approvals process is nearing completion.

If Ministry staff have any further questions or require further clarification, I would be more than happy to schedule a time to review these comments and requested modification further.

I thank you on behalf of my Client, 11923811 Canada Corp. – Stephen Lennox, for your consideration of the above in your review of the County of Peterborough Official Plan.

Respectfully Submitted,



Katherine van Beek, MSc., MCIP, RPP
Intermediate Land Use Planner
D.M. Wills Associates Ltd.

cc: Stephen Lennox, 11923811 Canada Corp.
Dave Smith, MPP Peterborough - Kawartha