

# Planning Justification Report

Part of Con 11 Lot 27 – 31, Con 10 Lot 27 – 31,  
Con 09 Lot 27 – 33, Con 08 Lot 27 – 31  
Geog. Twp. Of Harcourt The Municipality Of  
Dysart et al. County of Haliburton  
Prepared For 2463756 Ontario Inc.  
May 15, 2025

**This Planning Justification Report has been prepared in support of a Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment application affecting the subject lands, known legally as:**

**Part of Con 11 Lot 27 – 31, Con 10 Lot 27 – 31, Con 09 Lot 27 – 33, Con 08 Lot 27 – 31 Geog. Twp. Of Harcourt; The Municipality of Dysart et al., County of Haliburton**

**EcoVue Project No: 21-2170**



416 Chambers Street  
Peterborough, Ontario  
K9H 3V1  
PHONE // 705.876.8340  
TOLL FREE // 877.652.1466  
FAX // 705.742.8343  
EMAIL // [info@ecovueconsulting.com](mailto:info@ecovueconsulting.com)  
WEB // [www.ecovueconsulting.com](http://www.ecovueconsulting.com)

# Table of Contents

<b>1.0</b>	<b>BACKGROUND .....</b>	<b>1</b>
1.1	Proposed Development.....	2
1.2	Southern Phase.....	3
1.3	Site Description and Surrounding Land Uses.....	3
1.4	Natural Heritage and Hazard Features.....	4
1.5	Pre-consultation and Supplemental Information .....	5
<b>2.0</b>	<b>POLICY REVIEW .....</b>	<b>8</b>
2.1	Provincial Planning Statement (2024).....	9
2.1.1	Rural Areas in Municipalities.....	9
2.1.2	Rural Lands in Municipalities .....	9
2.1.3	Land Use Compatibility.....	10
2.1.4	Sewage, Water, and Stormwater Policies.....	11
2.1.5	Natural Heritage Policies .....	12
2.1.6	Cultural and archaeological heritage .....	13
2.1.7	Protecting Public Health and Safety.....	14
2.2	Local Planning Documents.....	15
2.2.1	County of Haliburton Official Plan.....	15
2.2.2	Municipality of Dysart et al. Official Plan .....	19
2.2.3	Municipality of Dysart et al Comprehensive Zoning By-law No. 2005-120.....	24
<b>3.0</b>	<b>SUMMARY .....</b>	<b>28</b>
<b>4.0</b>	<b>APPENDICES .....</b>	<b>30</b>
4.1	Appendix A: Pre-consultation Notes.....	31
4.2	Appendix B: Study: Subconsultant.....	32

# Figures

Figure 1 Site Location.....	6
Figure 2 Draft Plan.....	7
Figure 3 County of Haliburton Official Plan Map 'A'.....	17
Figure 4 Municipality of Dysart et al. Official Plan Schedule 'A' Map '6' (Dudley).....	22
Figure 5 Municipality of Dysart et al. Comprehensive Zoning By-law No. 2005-120 Schedule 'A' Map '6' .....	27

# Tables

Table 1 – Proposed Lots and Provisions.....	25
---	----





# 1.0 Background

This Planning Justification Report has been prepared on behalf of Robert Guo, in support of an application for a Plan of Subdivision, an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) on lands located in the Municipality of Dysart et al, in the County of Haliburton. The subject lands are located in Part of Lots 27-33, Concessions 8-12, in the Geographic Township of Harcourt (**Figure 1 – Property Location**).

The proponent intends to construct a 25-lot plan of subdivision consisting of seasonal single detached residential dwellings that will be accessed by Benoir Lake Road. These lots do not have direct water access, however, they will enjoy access to Elephant Lake via a condominium road and Block B within the proposed subdivision on the southern portion of the subject lands (Southern Phase). The OPA and ZBA are being proposed to recognize the proposed residential/recreational nature of the development and will rezone the lands to a site-specific Waterfront Residential Zone.

## 1.1 Proposed Development

---

The proposed plan of subdivision will occur on the east side of Benoir Lake Road in the northern portion of the subject lands. The development will consist of 25 lots which range in size from 0.65 hectares to 2.08 hectares. Lots 1-6 and 10 to 25 will all be accessed via Benoir Lake Road. Lots 7-9 will be access via a right-of-way at the rear of the lots. The proposed plan of subdivision is herein referred to as the “Northern Phase” as a separate application for plan of subdivision on the southern portion of the subject lands has also been submitted and is known as the “Southern Phase”. As previously mentioned, water access for the proposed Northern Phase will be gained via Block B in the Southern Phase subdivision. Block B is a common amenity area and boat launch block which will be owned and maintained as a common element within a condominium ownership structure. (**Figure 2**).

The total area to be developed for the plan of subdivision will be 39.53 hectares. It should be noted the total area within the subdivision will remain largely undeveloped as each lot will accommodate a single detached dwelling with private septic systems and wells. All lots have been designed with consideration for Benoir/Elephant Lakes, the topography, and the natural heritage features on site and adjacent to the site. The lot sizes vary based on the features present and the constraints.

As described herein, the plan of subdivision, OPA and ZBA submission includes a number of studies that have examined the site and surrounding lands to determine the exact location

of these constraints and features in order to properly located building envelopes and setbacks.

## 1.2 Southern Phase

---

The Southern Phase development consists of a 38-lot plan of subdivision on the southern lands of the subject property along the shore of Elephant Lake. Similar to this phase, the lots will each be occupied by a single detached dwelling with a private septic system and a well. Southern Phase contains a common element block that provides access to the Lake for the entirety of the Southern and Northern Phases.

## 1.3 Site Description and Surrounding Land Uses

---

The subject lands are located in Part of Lots 27-33, Concessions 8-12, in the former Township of Harcourt, Municipality of Dysart et al, County of Haliburton and are comprised of four (4) separate parcels, as shown on **Figure 1 – Site Location**. The subject lands are located adjacent on the eastern shore of Elephant Lake and channel (York River) between Benoir and Elephant Lakes. The combined properties are approximately 789.14 hectares (1,950 acres) in area with 3,084 metres (10,118 feet) of shoreline frontage.

The subject lands are predominantly covered with forest vegetation with some areas covered by Provincially Significant Wetland (PSW), unevaluated wetlands and watercourses. The site features rocky hills with significant elevation changes and topographical constraints, owing to its location on the Canadian Shield.

The subject lands are designated Rural Land and Provincially Significant Wetlands in the County of Haliburton Official Plan, designated Rural Areas, Waterfront Residential Areas and Environmental Protection Areas in the Municipality of Dysart et al. Official Plan and zoned as the Rural Type 1L (RU1L) Zone and Environmental Protection (EP) Zone in the Municipality of Dysart et al. 2005-120 (MDZBL). In order to permit the proposed 25 lots for single detached dwellings, the portions of the lands to be subdivided will be rezoned to a site-specific Waterfront Residential Zone.

The land uses surrounding the subject properties (i.e., within 500 metres) include predominantly rural, shoreline residential and shoreline commercial uses with scattered



natural heritage features, including wetlands, watercourses, and lakes. Specifically, the following uses are located on lands in each direction:

- North – Rural Lands and Shoreline Residential Uses;
- South – Rural Lands, Wetlands, Elephant Lake, and Shoreline Residential Uses;
- East – Rural Lands, Wetlands and Forest Vegetation; and
- West – Elephant Lake and Wetlands.

There is a private road (Marquis Drive) that connects from the southern terminus of Benoir Lake Road and runs in a north-south direction to the north of the property. This road is used to access additional shoreline properties fronting on Benoir Lake.

## 1.4 Natural Heritage and Hazard Features

---

According to provincial mapping and Schedule 'B' to the Municipality of Dysart et al. Official Plan, there are natural heritage and hazard features located on and adjacent to (i.e., within 500 metres of) the subject lands, including:

- Deer Wintering Habitat (Stratum I & II) as identified in the Municipality of Dysart et al. Official Plan;
- As per provincial mapping, there are four (4) watercourses located on the subject lands;
- Benoir Lake is located on the western boundary of the property;
- Elephant Lake and Baptise Lake are located to the south of the property;
- A PSW named Baptiste – Elephant Lake Wetland located on the southern portion of the subject lands and on adjacent lands;
- Unevaluated wetlands located on the southern portion of the subject lands and on adjacent lands and
- Steep slopes on and adjacent to the property.

Natural hazards and impacts to the natural features located within 120 metres of the proposed development area will be addressed in Environmental Impact Study (EIS) which has been submitted with the OPA, ZBA and plan of subdivision applications.



## 1.5 Pre-consultation and Supplemental Information

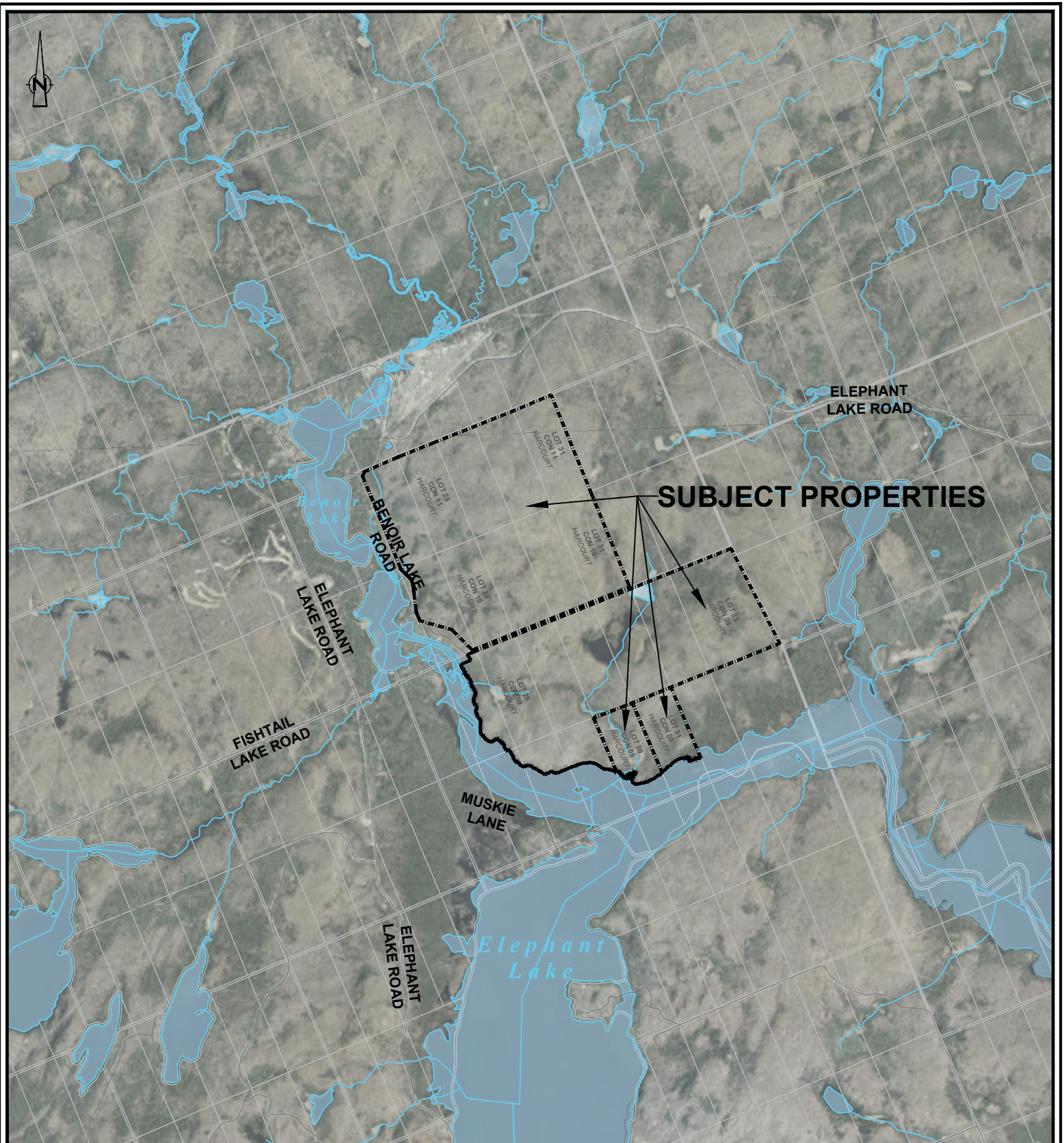
---

Although a formal pre-consultation meeting has not occurred, pre-consultation correspondence with the County and Municipality occurred in January 2021 and a copy of the correspondences can be found in **Appendix A**. The correspondence from the Municipality and County identified supplemental information that is required to be included with the Plan of Subdivision/ZBA application submission. The supplemental documents are listed below, along with a description of how each document has been included/addressed in the ZBA submission:

1. **Environmental Impact Study** – submitted
2. **Archaeological Assessment** – Stage 1 and Stage 2 Assessments submitted
3. **Site Evaluation Report** – submitted.
4. **Waste Disposal Compatibility Report** – submitted
5. **Stormwater Management and Erosion Control** – submitted
6. **Hydrogeology Study** – submitted
7. **Lake Trophic State Capacity Study** – submitted
8. **Flood Hazard Assessment** – submitted . the engineered flood line for Benoir and Elephant Lakes has been included on the Concept Plan (**Figure 2**). The proposed development will take place outside of the floodplain.
9. **Traffic Study** – submitted

It is noted that the above reports all consider the proposed plan of subdivision, as well as the proposed 38-lot plan of subdivision on the lands to the south.

It is our opinion that we have adequately provide the above-noted information with the ZBA application and Plan of Subdivision application and that the applications should be considered complete under Section 34 (10.1) and Section 51(24) of the *Planning Act*.



**FIGURE 1 - SITE LOCATION**





DRAFT PLAN STATISTICS				
LOT/BLOCK NUMBER	LOT FRONTAGE (m)	AREA (sq.m)	AREA (ha)	DESCRIPTION
LOT 1	60.3	16714.96	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 2	60.2	16841.81	1.68	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 3	60.0	16827.13	1.68	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 4	60.0	16812.96	1.68	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 5	60.0	16798.79	1.68	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 6	60.0	16784.62	1.68	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 7	60.0	16478.47	1.65	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 8	60.0	8580.84	0.86	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 9	62.0	6463.84	0.65	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 10	60.0	16725.52	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 11	60.0	16711.33	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 12	60.0	16697.14	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 13	60.0	16682.95	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 14	60.0	16668.75	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 15	60.0	16654.61	1.67	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 16	60.0	16640.39	1.66	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 17	60.7	16527.12	1.65	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 18	60.0	15277.11	1.53	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 19	62.7	13783.03	1.38	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 20	61.0	13611.81	1.36	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 21	60.0	14524.01	1.45	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 22	60.0	15495.45	1.55	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 23	60.0	16466.54	1.65	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 24	61.8	17434.26	1.74	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
LOT 25	70.0	20811.65	2.08	SINGLE DETACHED RESIDENTIAL, PRIVATE SERVICING
BLOCK A	0	2348.86	0.23	PROPOSED CONDO LANEWAY (PRIVATE) - 8 m WIDTH
TOTAL	1518.7	395363.94	39.54	

DRAFT PLAN OF SUBDIVISION

ALGONQUIN GARDEN

MR. GUO, ROBERT  
DIRECTOR  
2463756 ONTARIO INC.

PART OF  
CON 11 LOT 27 - 31  
CON 10 LOT 27 - 31  
CON 09 LOT 27 - 33  
CON 08 LOT 27 - 31

MR. TWP. OF HARCOURT  
THE MUNICIPALITY OF DYSSERT ET AL

OWNER'S CERTIFICATE

I hereby authorize EcoVue Consulting Services Inc. to prepare and submit this plan to the County of Haliburton

Signing Authority, 2463756 Ontario Inc.

Date

SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the lands to be subdivided on this plan and their relationship to the adjacent lands are accurately and correctly shown.

Kevin R.D. Smith

Date

Ontario Land Surveyor  
For: P.A. Miller Surveying LTD.

DEVELOPMENT DESCRIPTION

The proposed development land is located along Benoir Lake and Elephant Lake. On all the proposed lots, the building will be located on Waterfront Residential Area, as per the Official Plan Municipality of Dysart et al, approved on May 18, 2018.

SUBMISSION REQUIREMENTS

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51-17 (a-i) THE PLANNING ACT

- a) As shown on this Draft Plan
- b) As shown on this Draft Plan
- c) As shown on this Draft Plan
- d) Residential Subdivision
- e) As shown on this Draft Plan
- f) As shown on this Draft Plan
- f.1) N/A
- g) As shown on this Draft Plan and Plans by King EPCM
- h) Refer to report from King EPCM
- i) Refer to report from King EPCM
- j) As shown on this Draft Plan
- k) None
- l) As shown on this Draft Plan

SURVEY NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY STATIC GNSS OBSERVATIONS, SHOWN HEREON, BEARING OF N67°45'10"E, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS) v7.1 EPOCH 2010. GNSS BASELINE POST PROCESSED FROM LEICA REFERENCE STATION - HALIBURTON. FOR BEARING COMPARISONS, A ROTATION OF 1°59'50" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1 THROUGH P6 AND 2°02'25" COUNTER-CLOCKWISE ON P7.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 1.00017448. PROPERTY LINES ARE UNFENCED, UNLESS OTHERWISE NOTED.

FENCES ARE LOCATED ON PROPERTY LINES, UNLESS OTHERWISE NOTED.

TIES SHOWN TO THE WATER'S EDGE OF YORK RIVER ARE AT RIGHT ANGLES TO THE TRAVERSE LINE, UNLESS OTHERWISE NOTED.

SSIB'S PLANTED DUE TO INSUFFICIENT OVERBURDEN

CONTOUR INFORMATION AND LOT CONCEPT FROM KING EPCM.

FOR FULL SURVEY DETAILS REFER TO PLANS BY P.A. MILLER SURVEYING LTD.

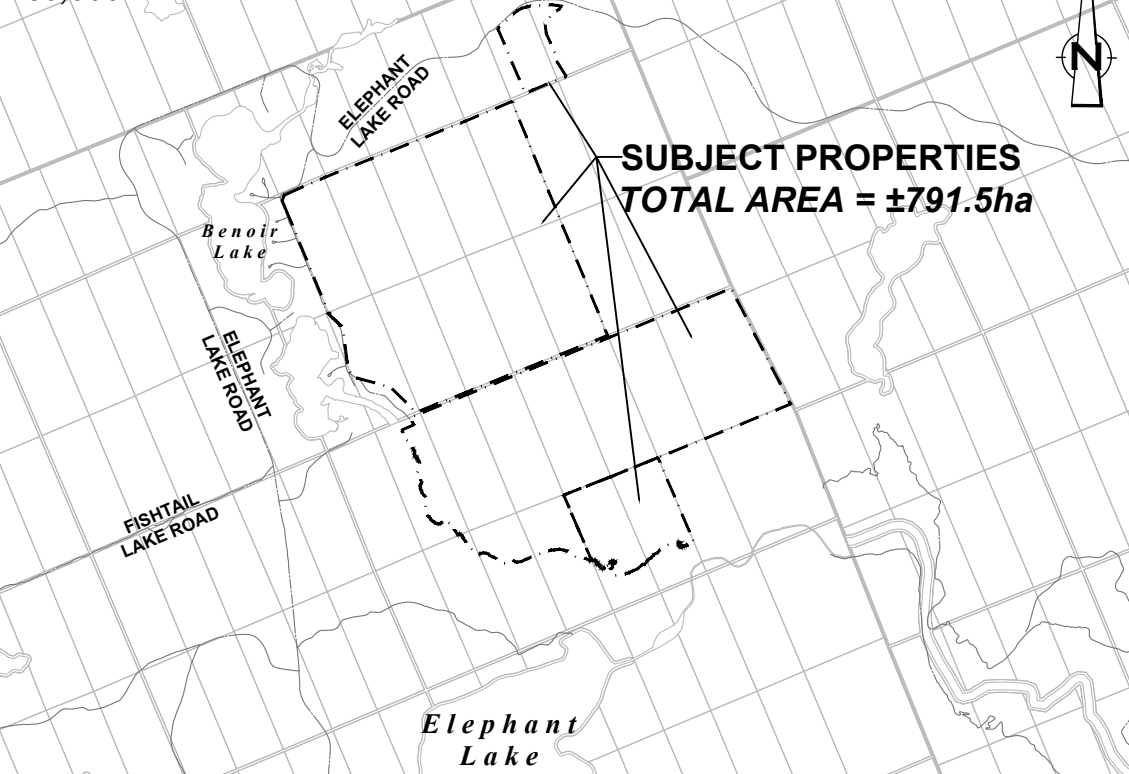
LEGENDS

- SUBJECT BOUNDARY
- EXISTING PARCEL
- EXISTING LOT AND CONCESSION FABRIC (APPROX.)
- WATERBODY
- EXISTING WATERCOURSE
- EXISTING WETLANDS (Unverified, retrieved from LIO)
- EXISTING WETLANDS (Provincially Significant, retrieved from LIO)
- EXISTING SIGNIFICANT WILDLIFE HABITAT
- 1:100 YEAR FLOODPLAIN BOUNDARY
- EXISTING CONTOUR ELEVATION (5m Interval)
- EXISTING GRAVEL DRIVE
- EXISTING MUNICIPAL ROAD
- PROPOSED LOT/BLOCK LINE
- PROPOSED PHASE LINE
- OTHER LANDS OWNED BY THE APPLICANT

REVISION HISTORY			
No.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	12.14.2023	MC
2	RESPONSE TO COMMENTS	04.25.2024	MC
3	RESPONSE TO COMMENTS	12.20.2024	PP
4	RESPONSE TO COMMENTS	05.07.2025	PP

Key Map

1:60,000



SUBJECT PROPERTIES  
TOTAL AREA = ±791.5ha

ECOVUE  
LAND USE PLANNING & DEVELOPMENT

416 Chambers Street  
Peterborough, ON K9H 3V1  
T 705.876.8340 | F 705.742.8343  
www.ecovueconsulting.com





# 2.0 Policy Review

Land use policies and regulations at the provincial level that affect the subject lands include the 2024 Provincial Policy Statement (PPS). At the municipal level, the County of Haliburton Official Plan, the Municipality of Dysart et al. Official Plan and Zoning By-law affect the subject lands. In this section of the report, the proposed Plan of Subdivision, OPA and ZBA will be reviewed in the context of the policies and provisions contained in these documents.

## 2.1 Provincial Planning Statement (2024)

---

The new 2024 Provincial Planning Statement (PPS) came into effect on October 20, 2024. This document replaces the 2020 Provincial Policy Statement and the 2020 A Place to Grow: Growth Plan for the Greater Golden Horseshoe. This document provides policy direction on matters of provincial interests as they are related to land use planning. The PPS is issued by the Province under Section 3 of the *Planning Act* and it is required that all decisions affecting planning matters “*shall be consistent with*” policy statements issued under the *Act*. Consideration has been given to the relevant provisions of the PPS with respect to the subject planning application.

### 2.1.1 RURAL AREAS IN MUNICIPALITIES

Section 2.5.1(a) states that “[h]ealthy, integrated and viable rural areas should be supported by ... building upon rural character and leveraging rural amenities and assets”. The proposed lots will be similar to, and consistent with the scale and character of other cottage development Along Benoir Lake Road. Furthermore, the proposed development will leverage Elephant Lake as a recreational resource for the proposed lots.

### 2.1.2 RURAL LANDS IN MUNICIPALITIES

Section 2.6 of the PPS speaks to rural lands in municipalities. It is stated in Section 2.6.1 that the permitted uses within rural lands shall include:

- a) *the management or use of resources;*
- b) *resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
- c) *Residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*



- d) *Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) *Home occupations and home industries;*
- f) *Cemeteries; and,*
- g) *Other rural land uses.*

The proposed development will consist of residential lot creation that will conform to surrounding land uses which include resource-based recreational uses in the form of recreational dwellings. Therefore, it is our opinion that the proposed development is “locally appropriate” lot creation for residential development, which is permitted within rural lands, as it can be accommodated without impacting natural features and can be adequately serviced with private septic systems and wells. Furthermore, the proposed development is also considered a “resource-based recreational use” as the proposed lots will utilize adjacent Elephant Lake as a recreational resource. As such, the proposed OPA, ZBA and plan of subdivision is consistent with Section 2.6 of the PPS.

### **2.1.3 LAND USE COMPATIBILITY**

Section 3.5 of the PPS addresses sensitive land. Specifically Section 3.5.1 states “[m]ajor facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. uses in proximity to major facilities such as industrial uses or landfills.”

A closed landfill was identified within 1,000 metres of the subject lands. A Garbage Landfill Review Report was prepared by King EPCM (included in the submission) to determine if there are any potential impacts from the landfill on the proposed use. As discussed in the Report, the closest point of the development is 1,200 metres from the landfill. Additionally, there are no direct surface or groundwater flows that connect between the subject lands and the landfill site. Based on this information, and as concluded in the report, there will be no impacts from the closed landfill on the proposed development.

Given the above, it is our opinion that the proposed development is consistent with Section 3.5 of the PPS.

## 2.1.4 SEWAGE, WATER, AND STORMWATER POLICIES

Policies related to Sewage, Water and Stormwater are found in Section 3.6 of the PPS. Section 3.6.4 states that, where municipal or communal sewage and water services are not available, private servicing is permitted provided that *"site conditions are suitable for the long-term provision of such services with no negative impacts."* Since the proposed 25 lots will each be serviced with private individual septic systems and wells, an assessment of possible negative impacts must be conducted in order to demonstrate consistency with Section 3.6.4.

The proposed lots will be of a suitable size to accommodate both a septic system and well. A Geotechnical and Hydrogeological Report, conducted by King EPCM and provided with the submission, notes that the soil conditions on the subject lands are suitable for private, individual septic systems with no negative impacts to soils or groundwater. In addition, a Lakeshore Capacity Assessment Report was also conducted by King EPCM. This report provides an analysis of potential impacts to Benoit/Elephant Lakes from phosphorus loading from the proposed concentration of septic systems associated with the proposed use. As noted in this report, the proposed development will not result in negative impacts to the lakes related to phosphorus based on lot sizes and minimum setbacks for septic systems from the shoreline.

Therefore, the site conditions are suitable for the long-term provision of individual private septic systems and wells on the proposed 25 lots.

Section 3.6.8 further details the criteria for stormwater planning, which focuses on ensuring stormwater management viability, reducing contaminants, including erosion controls, ensuring no impacts from a safety and environmental perspective, maximizing green space, and ensuring efficiency.

As detailed in the attached Stormwater Management Report, submitted by King EPCM, all stormwater will be directed to grassed swales and through the septic beds on each lot. Using these measures, stormwater quality and quantity can be adequately management on each lot. As noted in the report, there will be no impacts related to stormwater on adjacent properties or natural heritage features.

Given the above, it is our opinion that the proposed development is consistent with Section 3.6 of the PPS.

## 2.1.5 NATURAL HERITAGE POLICIES

Section 4.1 of the PPS states that natural features and areas shall be protected for the long term, and that development and site alteration shall not be permitted within significant natural areas and significant habitat of endangered or threatened species, except in accordance with provincial legislation and/or the demonstration of no negative impacts (where applicable). As detailed on the available mapping, the subject lands contain a portion of the Baptiste–Elephant Lake Provincially Significant Wetland, and Deer Wintering Areas.

As noted, an Environmental Impact Study (EIS), conducted by Cambium Inc., was undertaken on the subject lands. Cambium conducted a series of field surveys and determined that the site contains, or is adjacent to, fish habitat, a Provincially significant wetland (PSW), unevaluated wetlands, unnamed watercourses (which may contain fish habitat), and candidate significant wildlife habitat.

A description of the above features and associated proposed mitigation is provided below:

- Significant Wetlands

The aforementioned Baptiste–Elephant Lake PSW is located adjacent to the subject lands along the Elephant Lake shoreline abutting the proposed Block B development. Given that future development may have potential impacts this feature, the EIS recommends that a 30 metre setback be implemented and will be sufficient at mitigating any potential impacts.

- Watercourses

A number of watercourses are located throughout the subject lands and are shown in detail within Figures 2–7 of the EIS. Similar to the wetlands, it is recommended that a 30 metre setback from banks of all watercourses be implemented in order to protect the fish habitat associated with those features.

- Unevaluated Wetlands

There are six (6) unevaluated wetlands located within the subject lands. Although these wetlands may or may not be ecologically linked to the PSW, the EIS recommends a 30 metre development setback be applied to the lands surrounding the unevaluated wetlands in order to ensure their protection.

- Significant Wildlife Habitat

Significant wildlife habitat was also identified on the subject property. As per the submitted EIS, impacts can be mitigated through the buffers that are being implemented for the hydrologic features. Additionally, deer wintering areas are mapped on the entire site, however there was no evidence of core deer yarding activities within the two proposed development areas. As such, there are no anticipated negative impacts to the deer wintering habitat on the site as a result of the proposed development.

Within all setbacks, the EIS recommends that the buffer areas be maintain with existing forest cover and *"be allowed to naturally self-sustain (i.e. a buffer area where no vegetation removals or grading is allowed"*. Based on the size and configuration of the lots, there is sufficient space for the development of single detached dwellings on each lot beyond the proposed features and their associated setbacks. As discussed in Section 2.3.3 of this report, the features and buffers will be placed in an Environmental Protection (EP) Zone to ensure their long-term protection.

In addition to development setbacks, the EIS provides a number of other recommendations including restricting vegetation clearing to certain times of the year in order to avoid destruction of potential habitat for species at risk, as well as the installation and ongoing inspection of silt fencing during construction. Many of these conditions can be implemented through conditions of draft plan approval associated through the plan of subdivision.

Therefore, based on the foregoing, it is our opinion the proposal is consistent with Section 4.1 of the PPS.

## 2.1.6 CULTURAL AND ARCHAEOLOGICAL HERITAGE

Section 4.6 of the PPS addresses cultural and archaeological resources. Furthermore, Section 4.6.2 of the PPS states that *"Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved."*

The purpose of Section 4.6.2 is to ensure the protection of archaeological resources and to ensure that development and site alteration, as defined under the PPS, will not impact those resources. The subject lands were identified as a potentially archaeologically significant. As such, Stage 1 and 2 Archaeological Assessments were completed.

The Stage 1 assessment determined the need for a Stage 2 test pit survey was required. A Stage 2 test pit survey was conducted by Earthworks Archaeological Services, which did not yield any archaeological material on the site. The Stage 2 concluded that the subject lands do not contain any archaeological resources or areas of archaeological potential.

Therefore, the proposed development is consistent with Section 4.6 of the PPS.

## **2.1.7 PROTECTING PUBLIC HEALTH AND SAFETY**

Section 5.2 and 5.3 of the PPS address natural and man-made hazards, including flooding, erosion, unstable soils, forest fire, and human-made (contamination) hazards. It is noted that development shall avoid these hazard areas, with certain exceptions described in Section 3.0.

As discussed, there is flood plain associated with the shoreline of Elephant Lake, as well as several watercourses that flow into the lake. A Flood Hazard Assessment was completed in support of this proposal which concluded that the flood limit is recommended as 352.25 metres above sea level along the shoreline. All habitable structures will be located above this flood line and the proposed zoning will include required setbacks from the flood line to ensure no development takes place within the hazard area.

Furthermore, the Geotechnical Report provided with the submission includes an assessment of soil stability within the development area of the subject property. As noted in the report, there are no steep slopes or erosion hazards identified within the proposed lots.

Based on previous land uses, it is unlikely that the subject property contains any potential human-made hazards.

Given the above, it is our opinion that the subject proposal is consistent with the policies of Section 5.2 and 5.3 of the PPS.



## 2.2 Local Planning Documents

---

In addition to demonstrating consistency with Provincial planning policies, it is necessary that the proposal conform to the policies and provisions of the upper and lower-tier municipal planning documents. Therefore, the proposal must be examined in the context of the applicable policies of the County of Haliburton Official Plan (CHOP) and the Municipality of Dysart et al Official Plan (MDOP). The application is also subject to the Municipality of Dysart et al Comprehensive Zoning By-law 2005-120 (MDZBL).

### 2.2.1 COUNTY OF HALIBURTON OFFICIAL PLAN

The County of Haliburton Official Plan (CHOP) is a high-level document intended to direct development to appropriate lands within the County, while protecting important natural features, such as lakes, rivers, woodlands, and species habitat. The plan is also intended to provide opportunities for future growth and development within the County of Haliburton and its lower-tier municipalities, while maintaining the general character of the area. Applicable policies within the CHOP are addressed below.

#### 2.2.1.1 RURAL LANDS POLICIES

The subject lands are designated Rural Lands and Provincially Significant Wetland, as per Schedule 'A' to the CHOP (see **Figure 3 – County of Haliburton Official Plan Designation**). Section 3.2 of the CHOP indicates that the Rural Lands designation is generally intended to permit residential uses on lands that are not constrained/protected and to preserve the forested open space character of the rural landscape and waterways. These policies are further supported by the “permitted uses” section (Section 3.4) which allow limited residential development in Rural Lands. The proposed uses listed in Section 3.4 include resource-based recreational use (cottages or recreational dwellings) and limited residential development. As such, the proposal, which is a resource-based recreational use consisting of single detached recreational dwellings, conforms to the Rural Lands designation and associated permitted uses.

Section 3.3 contains policies applicable to Rural Lands, such as new lot development, conversion of agricultural lands, introduction of new uses, redevelopment, conversion of uses, condominium/subdivision applications, new residential development, aggregate development, strip and residential cluster development, and forest clearing. Applicable policies are outlined below.

*3.3.6.3 development applications proposed where municipal services are not available, on existing lots of record or new lots, shall be accompanied by evidence of the site's suitability to provide an adequate quality and quantity of water supply and that the site can accommodate an approved sanitary sewage disposal system.*

As discussed throughout this Report, the proposed development will be serviced by individual water systems and sewage disposal. Supporting studies have been provided that demonstrate that such private servicing for the proposed lots can be supported on site.

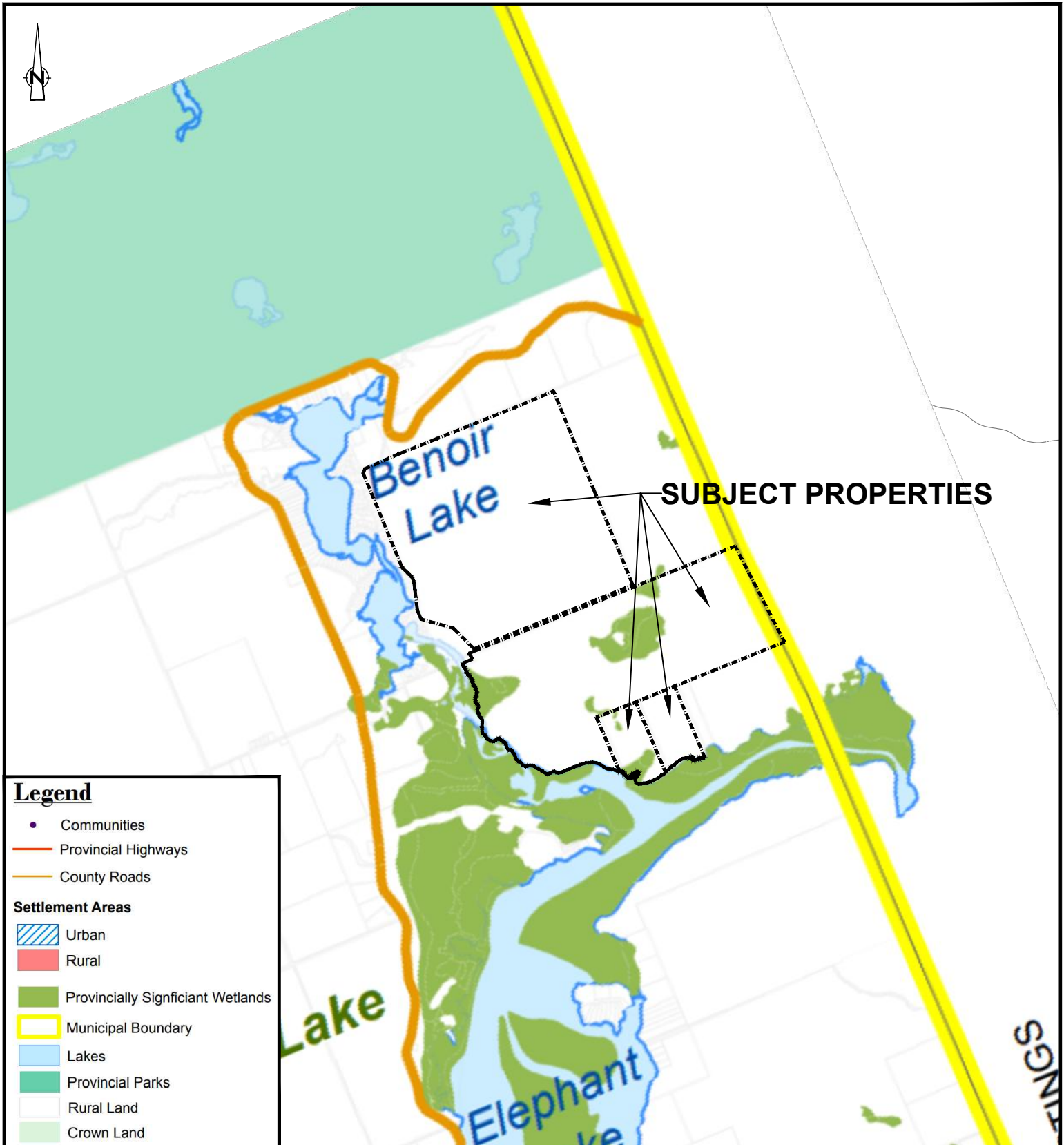
*3.3.6.4 adequate drainage outlets shall be available for storm water runoff.*

Adequate stormwater management facilities will be provided on site to direct stormwater runoff. As discussed, stormwater will be directed to grass swales and if any outflow, it may be safely directed towards the lake or wetland.

*3.3.6.5 Access to the development may be permitted from a public highway open and maintained on a year round basis and which is appropriate for the use proposed. Access must not result in traffic hazards due to poor sight lines or proximity to an intersection and must conform to Section 7.9 Transportation.*

Access to the property is gained via Benoir Lake Road. Lots 7-9 will be accessed via a common shared driveway.

*3.3.6.8 Applications to permit residential development will need to be supported by a planning justification report that addresses: a) how the policies of this Official Plan, the Provincial Policy Statement and the local municipal official plan are met; b) how the location is necessary to support the proposed uses; c) how the need for the proposed uses cannot be met by approved development in other locations in the County; d) how the new development is to be serviced; and e) how the proposed development conforms to the County of Haliburton Growth Management Plan 2014 and the implementing policies of this plan.*



### Legend

- Communities
- Provincial Highways
- County Roads

### Settlement Areas

- Urban
- Rural
- Provincially Significant Wetlands
- Municipal Boundary
- Lakes
- Provincial Parks
- Rural Land
- Crown Land

**ECOVUE**  
LAND USE PLANNING & DEVELOPMENT

PROJECT NO: 21-2170

DATE: SEPTEMBER 22, 2022

HORIZ. SCALE: 1:50,000

### FIGURE 3 - COUNTY OF HALIBURTON OFFICIAL PLAN

#### SCHEDULE "A" - LAND USE

ALGONQUIN GARDEN

MR. GUO, ROBERT

DIRECTOR 2463756 ONTARIO INC.

PART OF CON 11 LOT 27 - 31, CON 10 LOT 27 - 31, CON 09 LOT 27 - 33,

CON 08 LOT 27 - 31

GEOG. TWP. OF HARCOURT

THE MUNICIPALITY OF DYSERT ET AL

This Report describes how the proposed development meets the applicable Provincial policies as well as the local municipal official plan. Additionally, the subject lands can adequately accommodate the proposed use, and the site is an ideal location for resource-based recreational development. Through a lower-tier Official Plan Amendment (see below), the proposed development on the Northern lands will function as part of the waterfront and be considered an appropriate use. The proposed lots will be serviced with individual private wells and septic systems, as discussed herein.

### 2.2.1.2 ENVIRONMENT POLICIES

Section 5 of the CHOP addresses policies related to the natural environment and focuses on ensuring sustainable development and the protection of natural heritage resources within the County of Haliburton. Section 5.3 of the CHOP includes policies which apply to development, redevelopment, lot creation, and site alteration. Specifically, Section 5.3.2 states that municipalities shall identify “significant natural heritage features and areas including ... wildlife habitat, fish habitat and areas of natural and scientific interest”.

This Section further states that

*[d]evelopment and site alteration shall not be permitted on lands adjacent to natural heritage features identified in section 5.3.2.3 unless in accordance with policies of the Provincial Policy Statement [2020] and local official plans, provided that there will be no negative impacts on the natural heritage features or on their ecological functions.*

Section 2.1 of this report provides details related to the protection of natural heritage features on, and adjacent to the subject lands, in the context of the Provincial Policy Statement. As discussed, the proposed development will incorporate a series of mitigative measures, notably in the form of minimum setbacks, that will ensure no negative impacts to the natural heritage features or their ecological functions.

### 2.2.1.3 GENERAL POLICIES

The majority of Section 7 of the CHOP details general policies related the administration of servicing and access, sensitive uses, and economic development.

Policies regarding the establishment of water and septic services can be found in Section 7.3 and 7.4, respectively. These policies state that where municipal services are not available, lots shall be serviced via individual on-site systems. As stated above, individual lot servicing

will be provided. Furthermore, the proposed lots will have adequate space to accommodate individual private water and septic servicing, and technical studies submitted demonstrate that the private servicing will have “no negative impact” on the adjacent features and land uses. Additionally, the drawing package prepared by Gold Land Architects and Engineers provides lot layouts for each lot to demonstrate that a single detached dwelling and associated private servicing can be accommodated.

Access to the subject lands can be gained via Benoir Lake Road, which is municipally maintained road. Each lot will have a single entrance off Benoir Lake Road with sufficient frontage. Appropriate setbacks from the roads can be accommodated. As such, the proposal conforms to Section 7.9.4 (Local Municipal Roads) of the CHOP.

Therefore, it is our opinion that the proposed development conforms to the applicable policies

## 2.2.2 MUNICIPALITY OF DYSART ET AL. OFFICIAL PLAN

The Municipality of Dysart et al. Official Plan (MDOP) is a local land use planning document intended to direct development to appropriate lands within the Municipality. It provides land use designations which correspond with policies that outline how development will occur. The subject lands are designated Rural Areas, Waterfront Residential Area, Provincially Significant Wetland Overlay, and Environmental Protection Areas as per Schedule ‘A’, Map ‘6’ to the MDOP (see **Figure 4 – Municipality of Dysart et al. Official Plan Schedule ‘A’ Map ‘7’**). The proposed subdivision lots are primarily located within the Waterfront Residential Area designation, which is located along the shoreline of Elephant Lake.

As discussed, the proposed development requires an Official Plan Amendment (OPA) that will redesignate the lands to a site-specific policy designation. The purpose of the site-specific policy designation is twofold:

1. Section 4.15 of the MDOP states that the Municipality, “*generally*”, will not support plans of subdivision in Rural Areas. Given that most of the proposed development is designated Rural Areas, a site-specific Waterfront Residential Area designation is required to more appropriately reflect the proposed waterfront use of the lands and to facilitate the subdivision of land.



2. The proposed lots will not meet the minimum backlot standards set out in Section 14.4.4 of the MDOP. The site-specific designation will also permit the proposed lot configuration shown in the draft plan.

Further details and justification regarding these proposed site-specific permissions are discussed below.

### 2.2.2.1 GENERAL DEVELOPMENT POLICIES

Section 4 of the MDOP addresses General Development Policies applicable to all designations within the Municipality of Dysart et al, including policies relating to access, lot size and shape, servicing, and the submission of development applications.

Section 4.6 (Lot Size and Shape) includes policies related to the configuration of new lots. Specifically, the size and shape of a lot must be configured to properly accommodate the proposed use, the recommendations of an EIS (if applicable), and any required setbacks, buffer strips, or access requirements as per the provisions of the implementing Zoning By-law. As noted, the proposed lots will be of an appropriate size to accommodate future residential uses. Furthermore, the proposal complies with the Zoning By-Law requirements, subject to the approval of the concurrent ZBA application, as discussed in Section 2.3.3 of this report.

Section 4.6 further states that any development, including the installation of a septic system, must have a minimum 30-metre undisturbed setback from the highwater mark of a lake and that the lot size and shape must be configured to properly accommodate private water and septic services in the event that municipal services are not available. As noted previously, the proposed lots have sufficient lot area to accommodate proposed individual site servicing systems and their required setbacks. As such, it is our opinion that the proposed subdivision application meets the requirements of Section 4.6 of the MDOP.

Section 4.13.3 speaks to waste disposal sites. There is a closed landfill located just north of the subject property. As the subject lands are located within 500 metres of the landfill location, a Garbage Landfill Review Report was prepared to demonstrate there are no potential impacts to the proposed development. It was determined that there would be no impacts on the proposed development.

Section 4.15 speaks to Plans of Subdivisions and Condominiums. This Section states that “to avoid scattered, dispersed and isolated development in the Rural Areas designation, the

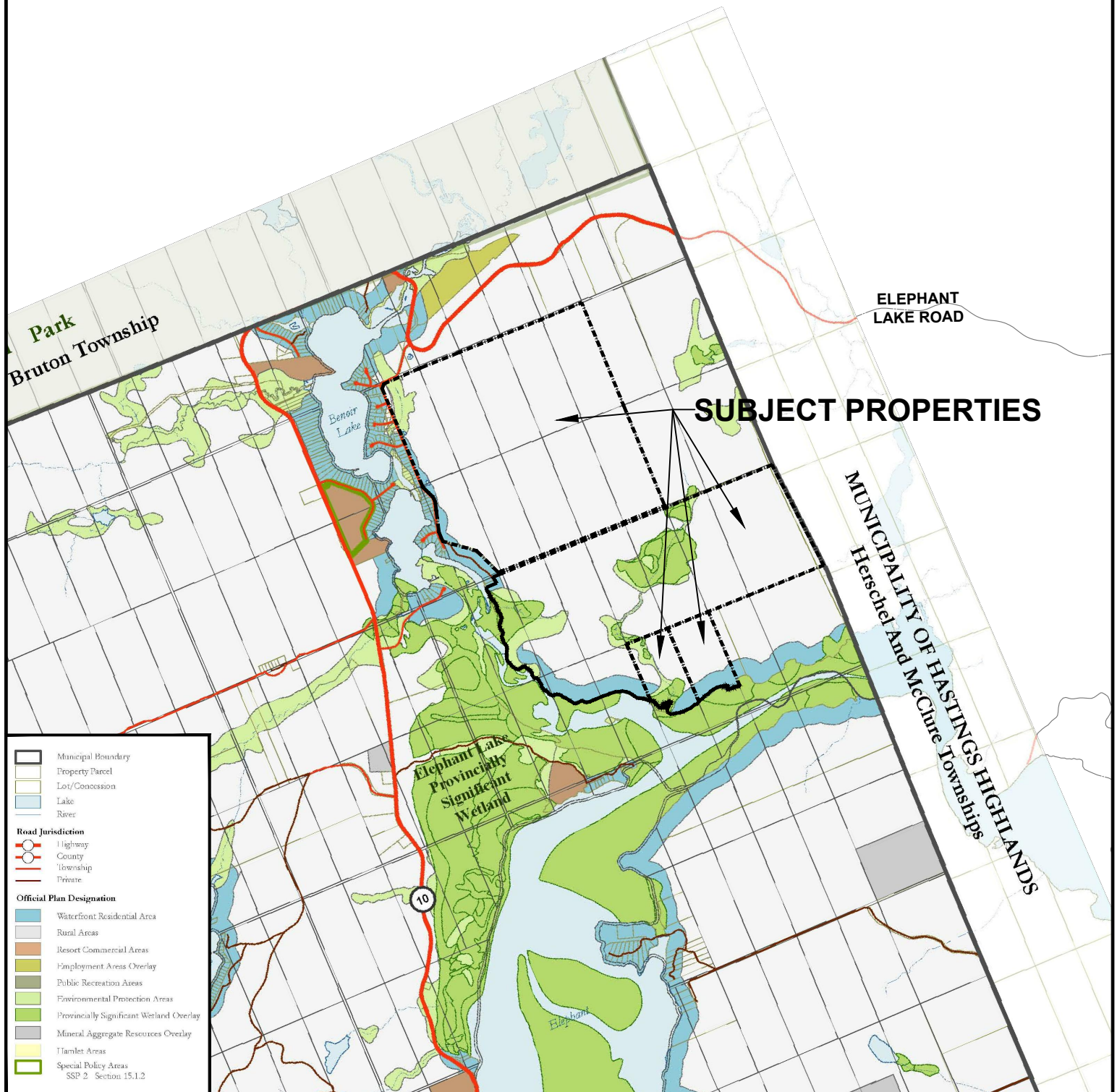
*Municipality will not generally support an application for a plan of subdivision or condominium in this designation.”* Given that most of the subject lands are located in the Rural Areas designation, a site-specific policy designation will be required to recognize the proposed development.

As discussed throughout this Report, it is the opinion of the authors that the proposed use on the subject lands can function as part of the Waterfront Residential Area (it should be noted that a portion of the subject lands are currently designated Waterfront Residential Area) Specifically, the proposed lots will have frontage on a municipally maintained road and gain access to the waterfront through the common access block (Southern Phase). Access to the common access block will be gained through a municipally maintained road and a future condominium road which connects the northern and southern lands. Further to this, the development is not representative of scattered or isolated development as it will be clustered with other waterfront residential development along the shores of Benoir Lake and Elephant Lake. As such, it is our opinion that the proposed OPA meets the spirit and intent of the MDOP.

#### **2.2.2.2 RURAL AREAS POLICIES**

While it is the intention to locate the proposed 25 lots entirely within the Waterfront Residential Area designation, portions of the proposed lots are designated Rural Areas as per Schedule ‘A’ Map 7 of the MDOP. However, it is our opinion that the proposed plan of subdivision should be considered to be located entirely within the Waterfront Residential Area designation based on the policies of Section 9.1.5, which are discussed below.

In order to provide clarity regarding the multiple designations on the property and to allow for site-specific backlot sizes in Section 14.4.4, the proposed OPA will redesignate the entirety of the proposed 25 lots to a site-specific special Waterfront Residential Area designation.



**FIGURE 4 - OFFICIAL PLAN OF DYSSERT ET AL**

**HARCOURT TOWNSHIP**

**SCHEDULE "A" - MAP 7**

**ALGONQUIN GARDEN**

**MR. GUO, ROBERT**

**DIRECTOR 2463756 ONTARIO INC.**

**PART OF CON 11 LOT 27 - 31, CON 10 LOT 27 - 31, CON 09 LOT 27 - 33,**

**CON 08 LOT 27 - 31**

**GEOG. TWP. OF HARCOURT**

**THE MUNICIPALITY OF DYSSERT ET AL**

**ECOVUE**  
LAND USE PLANNING & DEVELOPMENT

PROJECT NO: 21-2170

DATE: SEPTEMBER 22, 2022

HORIZ. SCALE: 1:50,000

### 2.2.2.3 WATERFRONT RESIDENTIAL AREA POLICIES

According to Section 9.1.1, the Waterfront Residential Area designation “*normally [consists] of developed or developable portions of shorelands to a depth of 150 metres (492 feet)*”. However, “[in] some cases, lands that are more than 150 metres from shore **but which physically or functionally related to the shoreline** are included in the Waterfront Areas” *[bold emphasis added]*.

Although portions of several lots extend beyond the Waterfront Residential Area designation and into the Rural designation on Schedule “A”, all lots within the plan of subdivision will functionally relate to the shoreline through the common element access block (within a plan of condominium) within the Southern Phase. Further, these lots are intended to be seasonal dwellings with frontage on a municipally maintained road and will be used for recreational purposes.

Furthermore, additional policies related to the Waterfront Residential Area designation found in Section 9 of the MDOP are applicable:

- Section 9.1.1 states the permitted uses in Waterfront Residential Areas are single unit dwellings and cluster development. Since single detached dwellings are being proposed as part of the subdivision application, the proposal conforms to Section 9.1.2 of the MDOP.
- Section 9.1.3 (Waterfront Residential Areas – Lot Standards) details that lots within the Waterfront Residential Areas must have a minimum lot frontage of 60 metres and a minimum lot area of 0.4 hectares (1 acre). The lots in Block B will meet or exceed the minimum lot area and minimum frontage requirements of the Waterfront Residential Areas. Therefore, it is our opinion that the proposal conforms to Section 9.1.3 of the MDOP.

Given that the Northern Phase lots are located behind an existing tier of shoreline development, it is understood the backlot policies of the MDOP apply. Section 14.4.4 requires backlots to have a minimum lot frontage of at least 100 metres and a minimum lot area of at least 12 hectares. As discussed above, these lots will functionally relate to the shoreline and as such, the lots have been designed within the typical requirements of shoreline lots within the Waterfront Residential Areas designation and based on the lot regulations of the Waterfront Residential Type 4L Zone. Therefore, the proposed lots do not meet this

requirement of the backlot policies. Therefore, an Official Plan Amendment will be required to provide relief from these provisions.

The proposed lots have a minimum frontage of 60.0 metres and a minimum lot area 0.65 hectares to a maximum lot size of 2.08 hectares. It is the opinion of the authors that these lots are of sufficient size and frontage to accommodate a single detached dwelling and associated private servicing. Furthermore, as discussed throughout this report, it is our intention that the lots will function as part of the waterfront through the common access to the water. As such, it is our opinion that these lots meet these requirements and therefore, the Official Plan Amendment should be considered.

Given the above, it is our opinion that the proposal conforms to the Municipality of Dysart et al. Official Plan.

### **2.2.3 MUNICIPALITY OF DYSART ET AL COMPREHENSIVE ZONING BY-LAW NO. 2005-120**

According to Schedule 'A', Map '8' to the Municipality of Dysart et al. Comprehensive Zoning By-law No. 2005-120 (MDZBL) the subject lands zoned the Rural Type 1L (RU1L) Zone and the Environmental Protection (EP) and a small portion is located within the Waterfront Residential Type 4L (WR4L) (see **Figure 5 – Municipality of Dysart et al Comprehensive Zoning By-law No. 2005-120 Schedule A – Map 8**)

It is proposed that the subject lands will be rezoned to a site-specific Waterfront Residential Zone which permits seasonal dwellings. We have used the provisions of the Waterfront Residential Type 4L Zone as a **basis** for the requirements. The WR4 Zone provisions were selected as they best reflect typical waterfront and recreational residential lot standards found throughout the County of Haliburton. **Table 1** details the proposed lots in consideration of a Waterfront Residential zone, and highlights that all provisions are proposed to be complied with.



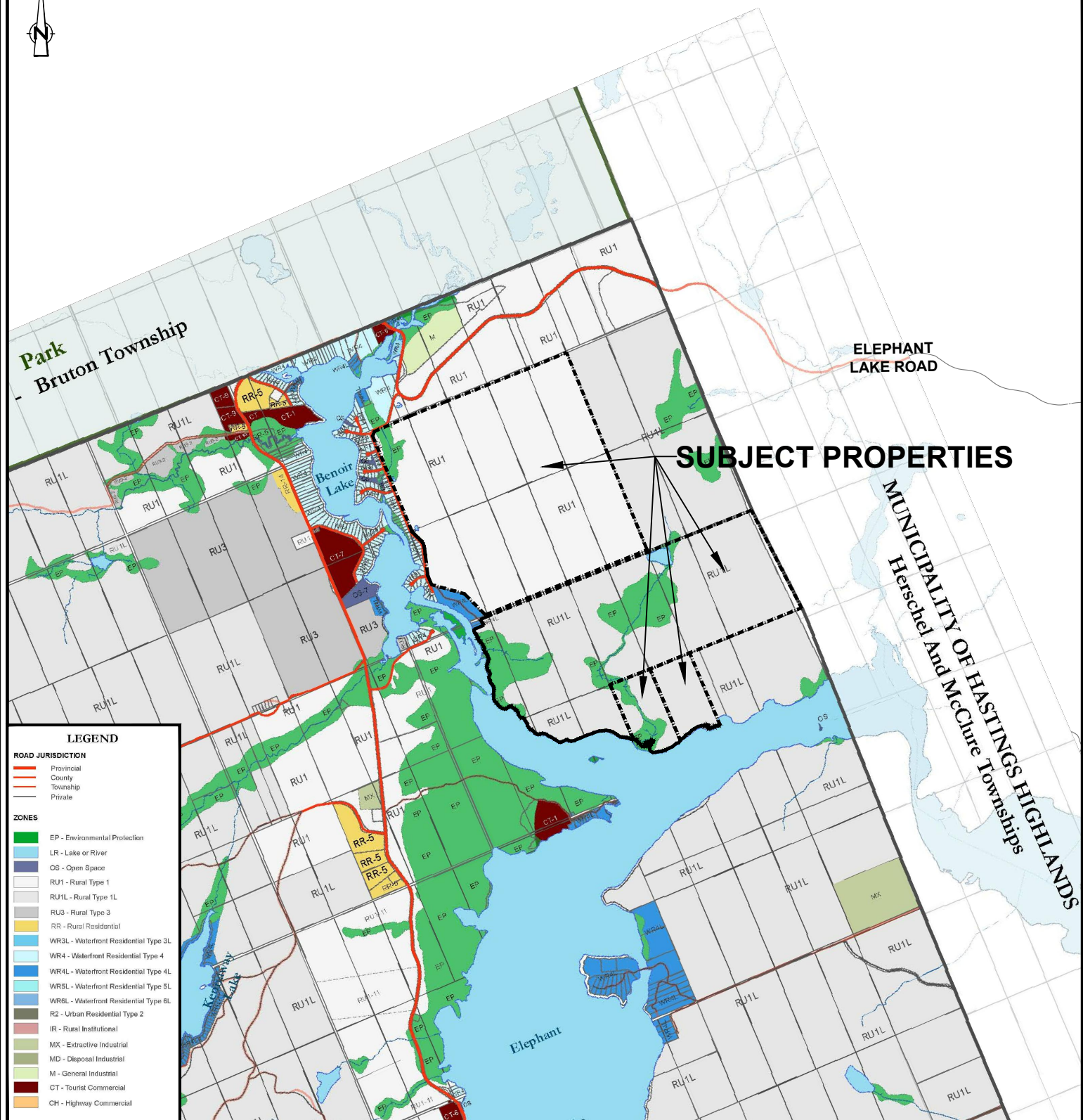
**Table 1 – Proposed Lots and Provisions**

Lot Regulation	Required (based on WR4)	Proposed Site-Specific Zone
Minimum Lot Area	4000 sq. m	4,000 sq. m
Minimum Lot Frontage	60 m	60 m
Maximum Dwelling per Lot	1	1
Private Cabins per Lot	1	1
Total Accessory buildings per lot	2	2
Minimum Water Setback, Leaching Bed	30 m	30 m
Minimum Water Setback, any other structure	20 m	20 m
Minimum Lot Line Setback, Front	7.5 (backlots)	Will Comply
	30 m (waterfront)	Will Comply
Minimum Lot Line Setback, exterior side yard	7.5 m	Will Comply
Minimum Lot Line Setback, interior side yard, main building	4.5 m	Will Comply
Minimum Lot Line Setback, interior side accessory building	1 m	Will Comply
Minimum Lot Line Setback, Rear Yard, Main Building	7.5 m	Will Comply
Minimum Lot Line Setback, Rear Yard Setback, Accessory Building	1 m	Will Comply
Minimum Building Separation	1 m	Will Comply

Maximum Lot Coverage	15%	Will Comply
Maximum Shoreland Coverage	15%	Will Comply
Minimum Dwelling Unit Area	55 sq. m	Will Comply
Dwelling Unit Area, Max percentage of lot area	17%	Will Comply

In addition to the Waterfront Residential Zone, it is also proposed that the mapped features and setbacks described in Section 2.1 of this report be rezoned to the Environmental Protection (EP) Zone.

As such, it is our opinion, that the proposed amendment to rezone the subject lands meets the intent of the Municipality of Dysart et al Zoning By-law.



**FIGURE 5 - ZONING BY-LAW OF DYSSERT ET AL**

**HARCOURT TOWNSHIP**

**SCHEDULE "A" - MAP 8**

**ALGONQUIN GARDEN**

**MR. GUO, ROBERT**

**DIRECTOR 2463756 ONTARIO INC.**

**PART OF CON 11 LOT 27 - 31, CON 10 LOT 27 - 31, CON 09 LOT 27 - 33,**

**CON 08 LOT 27 - 31**

**GEOG. TWP. OF HARCOURT**

**THE MUNICIPALITY OF DYSSERT ET AL**

PROJECT NO: 21-2170

DATE: SEPTEMBER 22, 2022

HORIZ. SCALE: 1:50,000



# 3.0 Summary

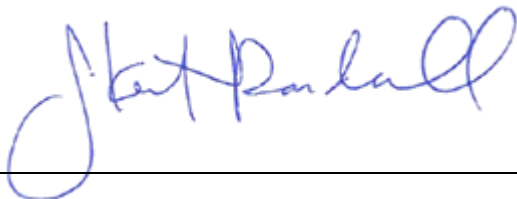
This planning report describes the proposed Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Plan of Subdivision in the context of the 2024 Provincial Planning Statement, the County of Haliburton Official Plan, the Municipality of Dysart et al. Official Plan, and the Municipality of Dysart et al. Zoning By-law. It is the opinion of the author that the proposed Plan of Subdivision application, Official Plan Amendment and Zoning By-Law Amendment application:

- Is consistent with the applicable policies of the 2024 Provincial Planning Statement;
- Conform to the policies of the County of Haliburton Official Plan and through the proposed amendment, the Municipality of Dysart et al. Official Plan;
- Meet the intent of the Municipality of Dysart et al. Zoning By-law.

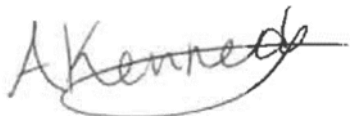
Given the above, it is our opinion that the proposed consent represents good planning and should be approved accordingly.

Respectfully submitted,

**ECOVUE CONSULTING SERVICES INC.**



J. Kent Randall B.E.S., MCIP, RPP  
Principal Planner



Ashlyn Kennedy B.E.S. MCIP, RPP  
Intermediate Planner





# 4.0 Appendices



## 4.1 Appendix A:

### Pre-consultation Notes

---



Tony Wang &lt;twang@kingepcm.com&gt;

---

**RE: Updated Drawings**

1 message

**Charlsey White** <cwhite@county.haliburton.on.ca>

Mon, Jan 18, 2021 at 4:11 PM

To: Jeff Iles <jiles@dysartetal.ca>, bob guo <ziduguobob@gmail.com>, Tony Wang <twang@kingepcm.com>, "galen.l@95development.com" <galen.l@95development.com>, Grace L <40parkwork@gmail.com>, Shenshu <szhang@taesarchitects.com>

Good Afternoon;

Jeff has created a comprehensive list below, thank you for this.

I agree that the EIS, SER and Archaeological studies will likely impact the design and lot configuration of the proposal.

To address your comments below that you are not creating any new private roads, please understand that you are. While the physical clearing may exist, the road has not been completed and is not part of the road network, it is a driveway not a road. The access will need to be formalized through the development process, road naming will need to take place as well as addressing in compliance with County by-law.

I look forward to reviewing once your studies have been completed.

Take care,

*Charlsey White, MCIP, RPP*

*Director of Planning/ Deputy CAO*

*County of Haliburton*

*(705) 286-1333*

*Please note as of February 8<sup>th</sup> 2021, my email address will change from [cwhite@county.haliburton.on.ca](mailto:cwhite@county.haliburton.on.ca) to [cwhite@haliburtoncounty.ca](mailto:cwhite@haliburtoncounty.ca). Please update your contact lists accordingly. Emails sent to [cwhite@county.haliburton.on.ca](mailto:cwhite@county.haliburton.on.ca) will still be delivered.*

**From:** Jeff Iles

**Sent:** January 14, 2021 1:38 PM

**To:** bob guo <[ziduguobob@gmail.com](mailto:ziduguobob@gmail.com)>; CharlseY White <[cwhite@county.haliburton.on.ca](mailto:cwhite@county.haliburton.on.ca)>; Tony Wang <[twang@kingepcm.com](mailto:twang@kingepcm.com)>; [galen.l@95development.com](mailto:galen.l@95development.com); Grace L <[40parkwork@gmail.com](mailto:40parkwork@gmail.com)>; Shenshu <[szhang@taesarchitects.com](mailto:szhang@taesarchitects.com)>

**Subject:** RE: Updated Drawings

Hi Bob,

Thank you for the updated proposal. Below are the comments from the Municipality of Dysart et al.

As per CharlseY's email dated December 14, 2020, "The order of operations for development are:

1. Official Plan Amendment (County of Haliburton is the approval authority),
2. Application for Subdivision/Condominium (County of Haliburton is the Approval Authority)
3. Zoning application and agreements (Mun. of Dysart is the approval authority)".

Here are my comments on the updated plans.

#### Site Plan: Block A

- The proposed 16 lots are backlots as per Section 14.4.4 of the Official Plan. The zoning by-law designation for backlots is Rural Type 2 (RU2) as opposed to a Waterfront Residential zoning.
- As per the OP, tile fields should be located outside of the shorelands (300 metres from the high water mark of lakes and rivers).
- Lots 1 to 14 appear to comply with the frontage requirements for backlots, which is 100 metres on a publically maintained road. Lot 15 appears to have partial frontage on a private road, while Lot 16 does not appear to front on a publically maintained road. The private road you have labeled as "existing public lane" is not a publically maintained road. Benoir Lake Road is Municipally maintained. Marquis Drive is a private road.
- Lots 12 and 16 do not appear to comply with the lot area requirements. This will need to be addressed via zoning amendment or minor variance.

#### Site Plan: Block B

- A 20 metre road allowance should be provided for the condominium road.
- The lots appear to comply with the required frontage and area requirements.
- The frontages for Lots 41 to 43 appears to be environmental protection (EP) areas. No buildings, structures or site alteration is permitted in environmental protection areas. This may limit the waterfront use of these properties.
- Other lots with large EP areas have limited developable area for residential purposes.

It is important to note that the studies required may alter the number of lots, lot configurations and development capabilities of the proposed development. These studies will guide proposed development.

Below is a list of studies as requested. This list is preliminary and subject to change, once staff have received the application and studies. Furthermore, the County of Haliburton may request additional studies.

**Studies:**

- Planning Justification Report including an analysis of how the project is consistent with Provincial Policy, and how it conforms to the County of Haliburton and Municipality of Dysart et al Official Plans;
- Public consultation strategy (Section 16.8 of OP)
- EIS – Section 17.5.2
  - Natural Heritage Features including PSW, Wetlands and floodplain delineation report, fish habitat, deer wintering areas, species at risk.
- Archaeological Assessment
- Site Evaluation report – Section 17.5.3
  - Including shoreland development capability
- Site Development Plan, siting buildings, structures, septic systems and onsite amenities/services
- Waste Disposal Compatibility Report
- Boating Capacity Study (at the discretion of Council)
- Storm Water Management and Erosion Control as per MECP guidelines (storm water management design manual 2003);
- Hydrogeology study to demonstrate that there is sufficient quality and quantity of water to service the proposed development, without impact to or from adjacent uses.
- Lake Trophic State Capacity study
- Flood Hazzard Assessment
- Traffic Study – This will involve the County of Haliburton. If the County does not require a traffic study, a written statement from the County Engineer that their requirements have been addressed.

If you have any further questions or concerns, please let me know.



Jeff Iles

Director of Planning and Land Information

Municipality of Dysart et al

135 Maple Ave. Box 389 Haliburton, ON, K0M 1S0

Tel: (705) 457-1740 ext. 625

Fax: (705) 457-1964

[jiles@dysartet.al.ca](mailto:jiles@dysartet.al.ca)

Municipality of Dysart et al



Bookmark us at: [www.dysartetal.ca](http://www.dysartetal.ca)

Find us on Facebook at: <http://www.facebook.com/Dysartetal>

Follow us on Twitter at: [www.twitter.com/dysartonline](http://www.twitter.com/dysartonline)

---

**From:** bob guo <[ziduguobob@gmail.com](mailto:ziduguobob@gmail.com)>

**Sent:** January 6, 2021 7:57 PM

**To:** Charley White <[cwhite@county.haliburton.on.ca](mailto:cwhite@county.haliburton.on.ca)>; Jeff Iles <[jiles@dysartetal.ca](mailto:jiles@dysartetal.ca)>; Tony Wang <[twang@kingepcm.com](mailto:twang@kingepcm.com)>; galen.l@95development.com; Grace L <[40parkwork@gmail.com](mailto:40parkwork@gmail.com)>; Shenshu <[szhang@taesarchitects.com](mailto:szhang@taesarchitects.com)>

**Subject:** Updated Drawings

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please contact the Help Desk if you require assistance.

Hello Jeff & Charsley

Happy New Year to you both.

Me and my team have had a chance to review your comments so far and after talking with our planner again, we have come up with a new set of drawings.

Additionally, we would also like to clarify that we will not be building any additional private roads. Both the shared access as well as the existing private access into the property are pre-existing, and we will only be widening them.

We would also like to start on some of the other required studies for this ZBA application(some of which from my understanding can take quite some time). Could you also provide us with a checklist of all the documents required for this purpose? This way, we can engage all the necessary experts for studies like environmental and geotechnical.

The abovementioned drawings are attached to this email.

Thanks,

Robert





416 Chambers Street  
Peterborough, Ontario  
K9H 3V1

PHONE // 705.876.8340

TOLL FREE // 877.652.1466

FAX // 705.742.8343

EMAIL // [info@ecovueconsulting.com](mailto:info@ecovueconsulting.com)

WEB // [www.ecovueconsulting.com](http://www.ecovueconsulting.com)