

## **Planning Justification Report**

**Lot 6, Concession 3, Dysart  
Municipality of Dysart et al  
County of Haliburton**

**Applications for Consent and Zoning  
By-Law Amendment**

**D.M. Wills Project Number 23-85345**

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Partners in Engineering,  
Planning & Environmental Services

Peterborough

**October 2024**

**Prepared for:  
Todd Emmerson**



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## 1.0 Introduction and Objectives

D.M. Wills Associates Limited (Wills) has been retained by Todd Emmerson (Owner) to prepare this Planning Justification Report in support of two residential Consent to Sever applications and a subsequent Zoning By-law Amendment application for lands located in the Municipality of Dysart et al and the County of Haliburton.

The purpose of this report is to outline the nature of the proposed severances and evaluate the applications in the context of provincial and municipal policy including the Provincial Policy Statement, the County of Haliburton Official Plan (COP), the Municipality of Dysart et al Official Plan (DOP) and the Municipality of Dysart et al Comprehensive Zoning By-law (CZBL).

### 1.1 Consent for Severance Application

The Consent to Sever (Severance) applications seek approval to create two new residential lots with one retained lot from the Subject Property. It is our understanding that the Consent Applications are to be submitted to the Municipality for endorsement and then submitted to the County of Haliburton for final approval.

### 1.2 Zoning By-Law Amendment Application

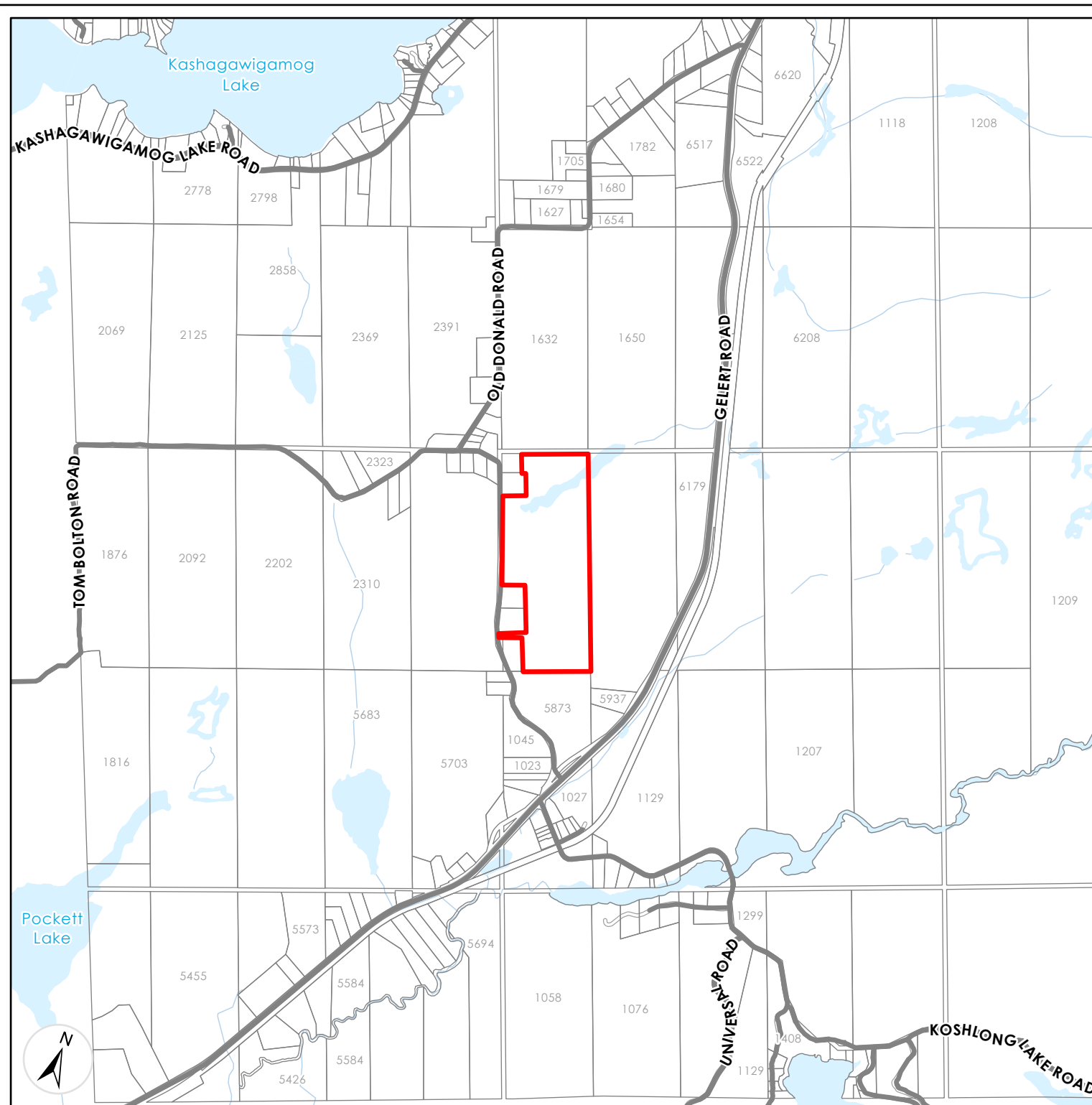
A Zoning By-Law Amendment (ZBA) application is anticipated as a condition of consent approval to support residential development on the severed and retained parcels and to bring the deficient lot area and frontage into compliance with zoning bylaw. The ZBA will also delineate existing environmental features in the Environmental Protection Zone.

## 2.0 Property Description

### 2.1 Site Location

The lands subject to this application are located on Part Lot 6, Concession 3, Municipality of Dysart et al (Municipality), within the County of Haliburton (County), herein referred to as the Subject Property. The Subject Property is located on the east side of Old Donald Road between 1176 and 1310, approximately 8 km southwest of the Village of Haliburton. Refer to **Figure 1 – Key Map**.

The Subject Property is approximately 34.59 hectares (85.48 acres) in total area with approximately 430 m of broken frontage on Old Donald Road. There are three existing entrances servicing the Subject Property. The property is currently undeveloped with significant coverage of natural features including woodlands and wetlands. The Subject Property is located within Ecoregion 5E – Georgian Bay Ecoregion.



## KEY MAP

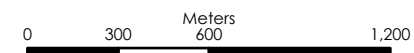
Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

Figure 1

### Legend



Subject Property



PCS: NAD 1983 UTM Zone 17N Scale: 1:25,000

### Data Sources

County of Haliburton, Municipality of Dysart et al.,  
Province of Ontario, Esri Canada, Esri, HERE, Garmin,  
SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

Created In:	ArcGIS Pro
Drawn By:	Ash More
Checked By:	Amanda Timmermans
Map Date:	7/26/23
Project Number:	85345

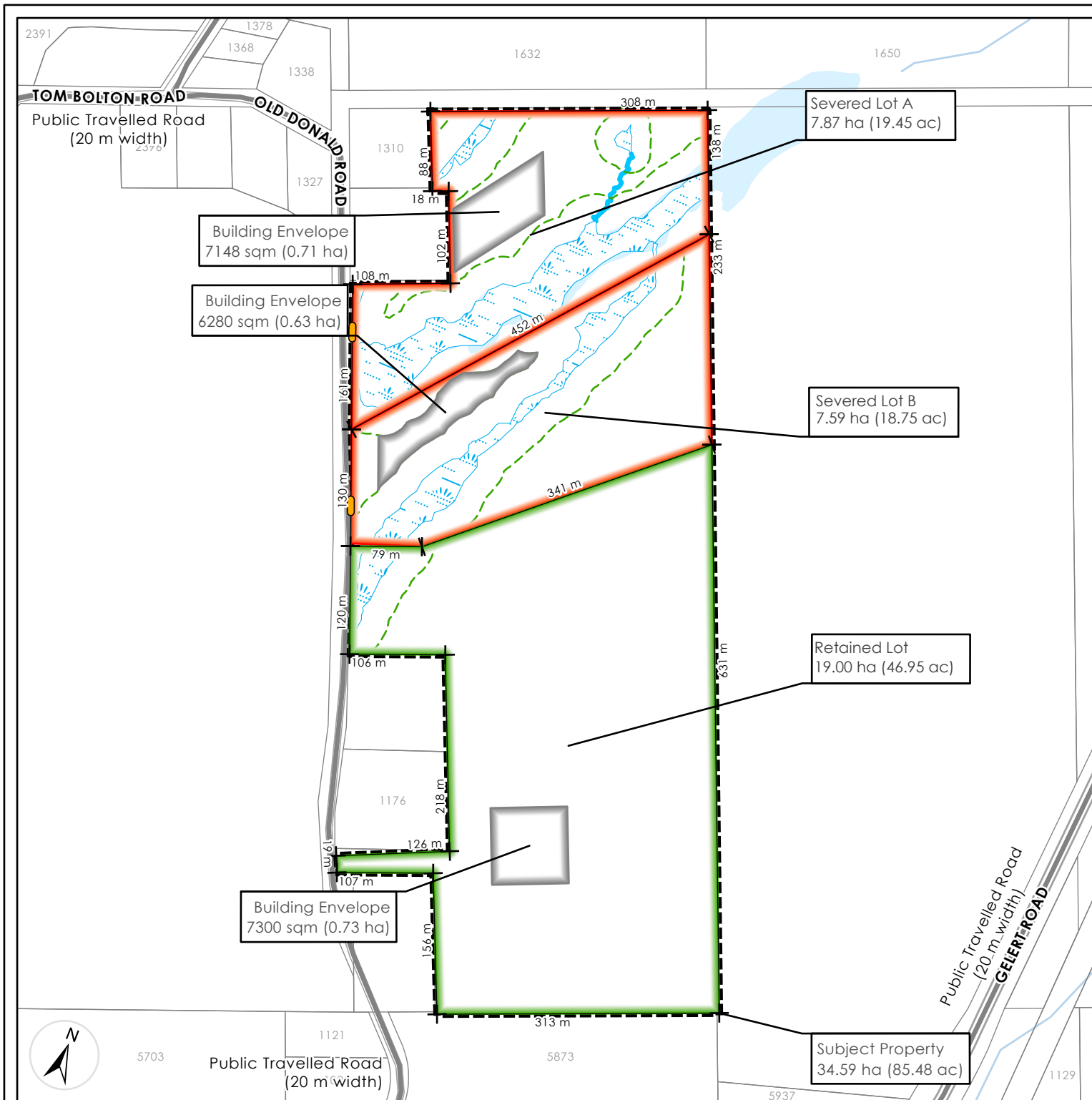


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## **2.2 Surrounding Land Uses**

The surrounding land uses are primarily rural and rural residential with significant coverage of natural heritage features (i.e., wetlands and woodlands, etc.). There are several rural residential properties located along Old Donald Road, with a residential cluster at the intersection of Tom Bolton Road. The large properties to the north, west and east are largely undeveloped rural lands with natural heritage features, including a watercourse, Provincially Significant Wetland (PSW), and woodlands. There are two residential lots to the north and three residential lots to the south along Old Donald Road. In addition, several tourist commercial uses, small home-based business and bed and breakfast establishments are located in the surrounding area. Refer to **Figure 2 – Surrounding Land Uses**.



## 3.0 Proposed Development and Project Background

### 3.1 Pre-consultation

The mandatory pre-consultation requirement was satisfied by email correspondence with Municipal and County Staff in the Fall of 2022. Confirmation was received from the Municipality on June 28, 2023. Refer to **Appendix B – Email Correspondence**.

County comments identified the wetlands, watercourse and deer wintering area on the Subject Property. An Environmental Impact Study/Site Evaluation Report was required for each lot to identify a suitable building and septic envelopes that will not impact any natural features.

Municipal comments required the submission of a Planning Justification Report, Site Evaluation Report/scoped Environmental Impact Study, and a Site Development Plan. The comments also noted the requirement for a ZBA application to address the deficient lot area and frontage of the severed lots. The Municipality also identified a closed landfill site (i.e. Donald Dump) located to the south of the Subject Property.

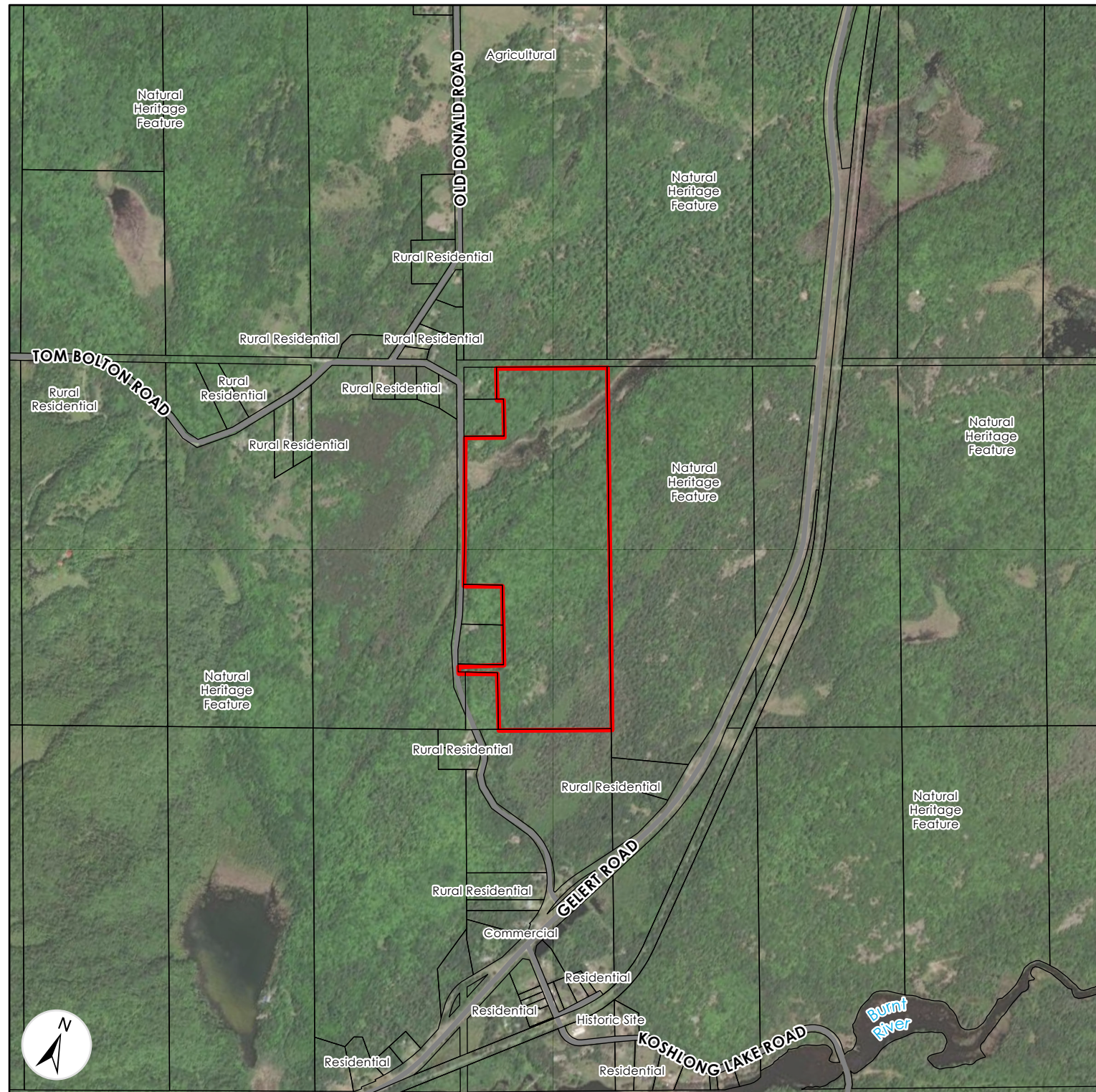
### 3.2 Consent to Sever Applications

The severance application proposes to divide the Subject Property into three larger parcels, with two severed and one retained. Lot A is proposed to have an area of 7.8 hectares with approximately 161 m of frontage on Old Donald Road. The lot is currently undeveloped and is proposed to be serviced by a private individual on-site well and septic system. Lot B is proposed to have an area of 7.5 hectares with 130 m of frontage on Old Donald Road. The lot is currently undeveloped and is proposed to be serviced by a private individual on-site well and septic system.

The retained lot is proposed to have an area of approximately 19 hectares with approximately 140 m of broken frontage on Old Donald Road. The lands are intended to remain undeveloped; however, a conceptual building envelope has been identified for demonstration purposes. Refer to **Table 1 – Proposed Lot Information** and **Figure 3 – Conceptual Severance Sketch**.

**Table 1 – Proposed Lot Information**

	Severed Lot A	Severed Lot B	Retained Lot
Lot Area	7.8 hectares (19.2 acres)	7.5 hectares (18.5 acres)	19 hectares (47 acres)
Lot Frontage	161 metres (528 feet)	130 metres (426.5 feet)	140 metres (459 feet)



# SURROUNDING LAND USES

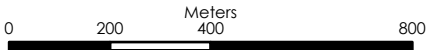
Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

Figure 3

## Legend

 Subject Property

Satellite Imagery Date of Capture  
6/13/2020



PCS: NAD 1983 UTM Zone 17N Scale: 1:15,000

Data Sources  
County of Haliburton, Maxar

Created In:	ArcGIS Pro
Drawn By:	Ash More
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Map Date:	7/26/23
Project Number:	85345



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### 3.3 Zoning By-law Amendment

The ZBA proposes to amend the zoning of the retained lands from 'Rural Type 1' (RU1) to 'Rural Type 2' (RU2) to recognize the deficient lot area and frontage. The RU2 Zone is subject to a limited range of rural uses.

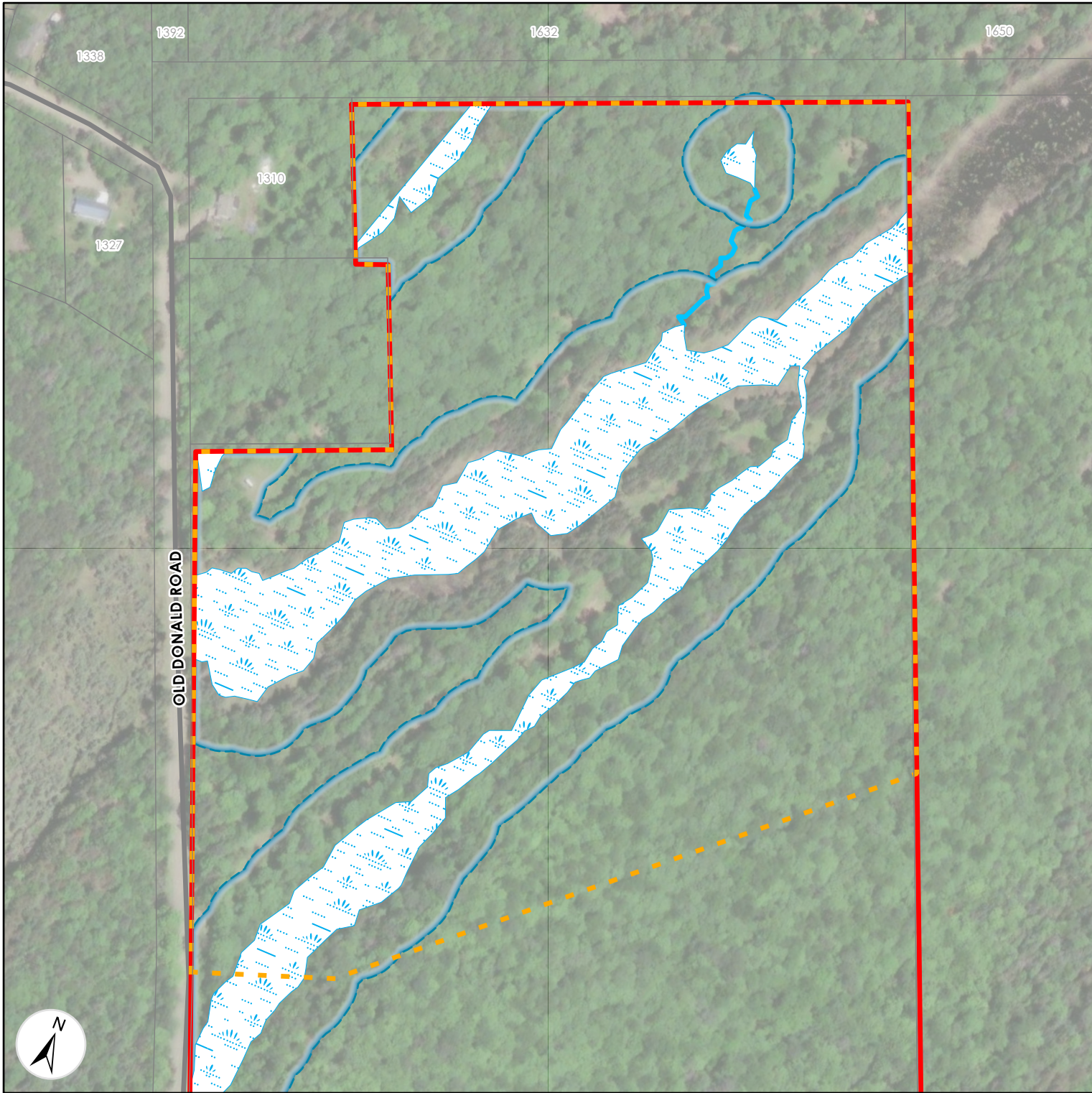
The ZBA also proposes to amend the zoning of the severed parcels from 'Rural Type 1' (RU1) to 'Rural Residential' (RR) to recognize the deficient lot area and frontage.

A portion of the severed and retained lands will be rezoned from 'Rural Type 1' (RU1) to 'Environmental Protection' (EP) Zone to recognize the wetlands, watercourses and buffers to these features. These natural features will be protected from development and site alteration.

### 3.4 Technical Report Summary

Wills was retained by Todd Emmerson to undertake an Environmental Impact Study (EIS) to address potential impacts associated with severing two parcels of land and retaining one lot on his property. Due to the presence of various natural heritage features within 120 m of the Subject Property, which include a watercourse, unevaluated wetlands, a Provincially Significant Wetland (PSW), unevaluated woodlands, and significant wildlife habitat (i.e. deer wintering area), an EIS was required.

Field investigations identified four unevaluated wetlands, two drainage features, species at risk and significant wildlife habitat. Refer to **Figure 4 – Constraints Map**. Provided the recommended mitigation measures are implemented, Wills does not anticipate any significant negative environmental impacts associated with the two severances.



# CONSTRAINTS MAP

Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

Figure 4

Legend


- Subject Property
- Delineated Wetland/Watercourse
- 30 m Buffer
- Drainage Feature
- Area of Assessment

0 30 60 120 Meters

PCS: NAD 1983 UTM Zone 17N Scale: 1:3,000

Data Sources  
Municipality of Dysart et al., County of Haliburton,  
Maxar, Microsoft

Created In:	ArcGIS Pro
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Map Date:	7/26/23
Project Number:	85345



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## 4.0 Policy Framework

The following provincial and municipal land use policy documents contain policies applicable to the proposed severances and subsequent ZBA:

- Provincial Policy Statement (2020)
- County of Haliburton Official Plan (2017)
- Municipality of Dysart et al Official Plan (2018)
- Dysart et al Comprehensive Zoning By-Law Amendment (2005-120)

### 4.1 Provincial

#### 4.1.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. *Section 3 of the Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. In general, the PPS seeks to promote appropriate development while protecting valuable resources and public health and safety.

Section 1 of the PPS outlines policies associated with future development and land use patterns. Sections 1.1.1 and 1.1.3 of the PPS state:

##### **1.1.1 Healthy, liveable and safe communities are sustained by:**

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment, institutional, recreation, park and open space uses to meet long term needs.*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

##### **1.1.4 Rural Areas in Municipalities**

*1.1.4.1 Healthy, integrated and viable rural areas should be supported by:*

- a) building upon rural character, and leveraging rural amenities and assets;*
- h) conserving biodiversity and considering the ecological benefits provided by nature; and*

*1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.*

### **1.1.5 Rural Lands in Municipalities**

*1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

*1.1.5.2 On rural lands located in municipalities, permitted uses are:*

- a) the management or use of resources;*
- c) residential development, including lot creation, that is locally appropriate;*
- e) home occupations and home industries;*
- g) other rural land uses.*

*1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*

*1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

Sections 2.1 of the PPS establishes policies regarding the protection of natural heritage features. Sections 2.1.1, 2.1.2, 2.1.4, and 2.1.8 of the PPS provides the following policy direction regarding development and natural heritage features:

### **2.1 Natural Heritage**

*2.1.1 Natural features and areas shall be protected for the long term.*

*2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

*2.1.4 Development and site alteration shall not be permitted in:*

- a) Significant wetlands in Ecoregion **5E**, 6E, and 7E;*

*2.1.5 Development and site alteration shall not be permitted in:*

- c) significant wildlife habitat;*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

### **3.1 Natural Hazards**

3.1.1 Development shall generally be directed ... to areas outside of

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
- c) hazardous sites.

3.1.8 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

## **4.2 Municipal**

### **4.2.1 County of Haliburton Official Plan (2017)**

The County of Haliburton Official Plan (HOP) applies to all the lands within Haliburton County and sets out land use policies to ensure that future planning and development will meet the specific needs of the community. It also provides guidelines to the County's local municipalities for the development of their official plans, zoning bylaws, community planning permit system by-laws and other planning instruments.

The Subject Property is designated 'Rural Land' on Schedule 'A' – Land Use of the HOP. Section 3.1 states that Rural Lands are all lands outside of the urban settlement areas (the Village of Minden, the Village of Haliburton and the Village of Cardiff) and rural settlement areas (West Guilford, Irondale, etc.). The predominant land uses within the Rural Lands designation are resource based recreational, the management and use of resources (forestry, mineral aggregate extraction), and limited residential development. Rural development is to be compatible with the rural landscape, is to be sustained by rural service levels and is to have consideration for the environment and natural features. Development and site alteration may be considered where the proposal is compatible with the existing rural landscape and planned rural development. Development shall be sustained by rural service levels and avoid the uneconomical expansion of municipal services.

## Section 5 - Environment

*5.3.1.1 The integrity and function of Natural Heritage features and areas will be protected, restored and enhanced for the long term.*

*5.3.1.2 Development and site alteration is not permitted within provincially significant wetlands as identified on Schedule A or as evaluated using the Ministry of Natural Resources and Forestry 'Ontario Wetlands Evaluation System - Northern Manual'.*

*5.3.1.3 Development and Site alteration shall not occur in the habitat of endangered and threatened species unless in accordance with provincial or federal regulations.*

*5.3.1.5 Many significant wildlife habitats in the County of Haliburton have not been identified or mapped. Other types of significant wildlife habitat beyond that identified on Schedule K may include other seasonal concentrations of animals, specialized habitats for wildlife, rare vegetation communities, and habitats of species of special concern. Significant wildlife habitat policies shall be applied to any area that is subsequently determined to be a significant wildlife habitat. MNRF's Significant Wildlife Habitat Technical Guide and Ecoregion Criterion Schedules for the Identification of Significant Wildlife Habitat shall be used by proponents of development to identify significant wildlife habitat during site-specific investigations.*

### 5.3.2 Natural Heritage

*5.3.2.1 Local official plans may identify areas of locally significant natural heritage features and areas including wetlands, wildlife habitat, fish habitat and areas of natural and scientific interest. Locally significant areas will be protected from incompatible development and local official plans will set appropriate development standards. The policies of 5.3.2 are not intended to limit the ability of agricultural uses to continue.*

*5.3.2.2 Development 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 2014 and local official plans, provided that there will be no negative impacts on the natural heritage features or on their ecological functions. Through an EIS the ecological function of the adjacent land must be evaluated, and it must be demonstrated that there will be no negative impacts. Existing known provincially significant natural features are shown on the schedules to this Official Plan. Locally significant features may be identified in local official plans.*

*5.3.2.3 Lands that are contiguous to a specific natural heritage feature or area are adjacent lands for the purposes of this plan. Adjacent lands include lands where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of adjacent lands within the County are as follows:*

*Natural Heritage Feature and Area Adjacent Lands Width  
(distance from the feature for considering potential negative impacts)*

- a) significant wetlands 120 m.
- b) significant wildlife habitat 120 m.

*The above adjacent land distances shall be included in local official plans unless the municipality creates and implements an approach which achieves the same objectives.*

*5.3.2.4 Not all potentially significant natural heritage features have been identified within the County. A site-specific evaluation (Site Evaluation Report) should be undertaken prior to planning approvals to determine the location of natural heritage areas and features and their ecological functions under any of the following circumstances:*

- a) creation of more than three lots through consent or subdivision;*
- b) construction of recreational uses that require large-scale modification of terrain, vegetation or both;*
- c) adjacent to watercourses, rivers, and lakes unless recent information exists at the County or local municipality;*
- d) adjacent to or in wetlands;*
- e) within adjacent lands as identified in the local official plans;*
- f) as identified by the County or local municipality during pre-consultation; and*
- g) change in land use, not including the creation of a lot, that requires approval under the Planning Act.*

*The Site Evaluation Report may lead to the requirement for an Environmental Impact Statement or other assessments or studies (Wetland Evaluation).*

*5.3.2.5 Where a natural heritage feature or area exists a more detailed assessment will be required to determine the location and nature of the feature and to determine if it is significant.*

### *5.3.3 Wetlands*

*5.3.3.1 The County of Haliburton, Ministry of Natural Resources and Forestry and Ducks Unlimited have undertaken an extensive mapping project to clarify the boundary of wetlands. Approval authorities shall use this mapping as a screening tool when reviewing development applications. Screening will be undertaken as follows:*

- a. Where a development proposal will extend into an area identified on the County wetland mapping, the applicant shall undertake a site assessment to accurately delineate the wetland boundaries.*
- b. If the proposed development is determined to occur adjacent to or within the wetland then the applicant will undertake an Environmental Impact Study*

demonstrating that there will be no negative impacts to the wetland feature or its ecological function.

c. If development is proposed on or within 120 metres of an unevaluated wetland that has characteristics or contains components that are typical of a provincially significant wetland, as determined through a site evaluation report prepared in accordance with Section 7.8.8 of this Plan, a wetland evaluation shall be prepared by a qualified professional and submitted to the Ministry of Natural Resources and Forestry for approval to determine if it is a provincially significant wetland;

d. Where a development proposal is located within the adjacent lands to a wetland, as set out in the local official plans and Provincial policy, the applicant shall undertake a scoped Environmental Impact Study demonstrating that there will be no negative impacts to the wetland feature or its ecological function; and

e. The Natural Heritage Reference Manual shall be the minimum guidance document for policy section 5.3.3 of this plan.

5.3.3.2 These assessments shall be completed prior to approval of the development proposal as it will form part of the complete application and shall be completed by a qualified professional.

#### 5.3.10.9 Wildland Fire

The Ministry of Natural Resources and Forestry generalized wildland fire assessment spatial data is to be used by the County of Haliburton in reviewing applications made under the Planning Act or Condominium Act for development and/or site alteration. This information is reflected on "Natural Hazards – Map 1" of this Official Plan.

5.3.10.9.1 Based on the MNRF wildland fire spatial data, properties which are identified as being located in areas of hazardous forest types (high or extreme risk) for wildland fire will be required to provide a "Wildland Fire Assessment Report" in support of an application for development or site alteration. Hazardous forest types for wildland fire are forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

#### Section 7.15 – Land Division

7.15.2 Land division by consent may be appropriate under certain circumstances. Local official plans shall include criteria for the review of consents and a maximum provision that no more than three cumulative new lots (three new lots plus one retained) may be created through the consent process on any conveyable lot. Local municipal official plans may expressly limit new lot creation to less than three cumulative lots.

*7.15.3 The criteria for the review of consent applications to ensure the orderly development of the County and local municipalities shall include policies related to servicing, natural heritage features, adequate road access, water quality, drainage, size of parcel, traffic hazards, economic development, mineral aggregate resources and natural hazards.*

*7.15.5 In determining the necessity of lot creation for potential growth, within areas identified as rural, the local municipality and the County shall take into consideration the volume of development ready lots of record within the local municipality and the County. Table 3.3.6.A identifies the existing Rural Vacant Land supply.*

*7.15.6 New lot creation for all uses, except resource based recreational, shall be located on an existing municipal maintained road, unless a private road is developed to service the lands through a plan of condominium or is available to be maintained by a local road association or is a provincial resource access road.*

*7.15.7 All new development on a private road is required to prove access to a municipal maintained road.*

*7.15.8 For new lot creation, development, including the septic system tile bed, must be set back a minimum of 30 meters from the high-water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation. This setback shall not be subject to a minor variance which would lead to encroachment of development on the respective surface water feature(s).* 9.7 Lot of Record

*9.7.1 The date for determining an existing lot of record shall be established in the local official plan and shall not be reset at the time of official plan approval. Current dates for establishing a lot of record in each local municipality is:*

*Dysart et al. = July 11, 1977 (legal non-complying) and September 8, 2003 (for new lot creation)*

#### **4.2.2 Municipality of Dysart et al Official Plan (2018)**

The Municipality of Dysart et al Official Plan (DOP) guides and directs the use of land in the Municipality. The Subject Property is designated 'Rural Areas' and 'Environmental Protection Areas' on Schedule 'A' - Map 2 of the DOP. Refer to **Figure 5**. A Closed Waste Disposal Site is also identified south of the Subject Property on Schedule D – Infrastructure. In addition, the Subject Property has a Wildland Fire Hazard Classification of Low – D1 (Hardwood) and Moderate – M1/M2 Mixed woods according to Appendix A – Wildland Fire Assessment. The Subject Property also contains wetlands, lakes (waterbodies), and deer wintering area (Stratum 2) as identified on Schedule B – Natural Heritage Features and Areas to the DOP.

According to Section 2.1.7, the principal land uses in the rural portions of the Municipality will continue to be resource-based recreation, resource-based industrial

uses, and where appropriate, permanent residential uses. Forestry continues to be an important economic activity and source of employment in the Municipality. Although there is no prime agricultural land within the Municipality, agricultural uses and agri-tourism uses contribute to the local economy and are a valuable generator of community goods.

#### *4.1.2 – Growth and Development*

*Land uses in Rural Areas will occur in a manner that discourages scattered isolated development, protects natural heritage features and encourages the wise use and management of natural resources and resourced based-recreation activities. The development of existing vacant lots is to be supported and encouraged, prior to the creation of new lots in the Rural Areas.*

#### *4.6 Lot Size and Shape*

*Any lot to be created or further developed will be of a size and shape suitable:*

- to accommodate the proposed use in accordance with the relevant lot area and lot frontage provisions of the applicable zoning by-law.*
- to accommodate the proposed use in accordance with the findings of a site evaluation report or environmental impact assessment as required by Sections 5.2.4, 5.3.4, 9.1.2, or 14.7.2 and as described in Sections 17.5.2 and 17.5.3; and*
- to permit the siting of any buildings, structures, and other on-site amenities (including landscaping, buffer planting or other appropriate screening, entrances, parking, delivery, loading, and open storage) in accordance with the relevant provisions of the applicable zoning by-law.*

*For new lot creation, development, including the septic system tile bed, must be set back a minimum of 30 metres from the high-water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation. This setback shall not be subject to a minor variance which would lead to encroachment of development on the respective surface water feature(s).*

*Any lot to be created or further developed, but not to be immediately served by full municipal or communal sewage and water services, will be of a size and shape that meets all requirements of the applicable approval authority for the design, location, and use of individual on-site water supply and sewage disposal systems. These requirements will be on the basis of year-round use.*

*Environmental Protection Areas may be included as part of a lot. Lakes and Rivers Areas may not be included as part of a lot.*

#### 4.7 Road Access

##### 4.7.1 General Policy

*Where development is permitted, it will be subject to the establishment of, and have direct access to, a Provincial Highway, a County Road, or a Municipal Road that is fully maintained year-round by a public road authority.*

##### 4.13.3 Waste Disposal Sites

*Waste Disposal Sites are designated on Schedule "D" and are active and closed solid waste disposal sites identified by the Ministry of the Environment and Climate Change.*

*Council will not consider any application for development in a Waste Disposal Site unless the site has been closed continuously for 25 years before the date of application. Where a site has been closed for greater than 25 years, any application for development must be accompanied by approval from the Ministry of the Environment and Climate Change pursuant to Section 46 of the Environmental Protection Act, 1990.*

*Council will consider an application for development within 500 metres (1,640 feet) of a Waste Disposal Site, only if the applicant provides a waste disposal site compatibility report as described in Section 17.5.8. The application must comply with the Ministry of the Environment and Climate Change D-Series Guidelines, and in particular Guideline D-4.*

##### 4.15.2 Consents

###### 4.15.2.1 General Policy

*Where Council is satisfied that a plan of subdivision is not necessary for the proper and orderly development of land, the creation of lots by consent to sever may be considered.*

*Before recommending approval of a consent application to the County of Haliburton Land Division Committee, Council will ensure that the proposed development conforms to the provisions of this Plan, can be provided with the necessary services and amenities and will not adversely affect the economy or the environment of the Municipality.*

*When making an application for consent to sever land, an applicant will provide to the approval authority, all information required under Section 53 of the Planning Act and Ontario Regulation 197/96, as amended, as well as the information required by Section 9 of the County of Haliburton Official Plan.*

#### 4.15.2.2 Number of Lots Created

No consent should be considered that would cause the cumulative number of lots, which are severed from an original lot by consents granted on or after September 8th, 2003, to exceed three new lots (three severed parcels and one retained parcel). For the purposes of this policy the term "original lot" refers to a lot as it existed on September 8th, 2003.

#### 5.3.4 Significant Natural Heritage Features

Significant natural heritage features consist of the following.

- significant habitat of endangered and threatened species, identified by the Ministry of Natural Resources and Forestry (NHIC). These areas are listed in the municipal resource register described in Section 5.5. Where significant habitat of endangered and threatened species has not been comprehensively mapped or where no data is available, an EIS should be completed that also identifies appropriate measures to be undertaken to ensure that there will be no negative impacts on the natural features or the ecological functions of the habitat they support.

- critical fish habitat, which are fish spawning and nursery areas identified by the Ministry of Natural Resources and Forestry (NRVIS) or critical fish habitat identified in site evaluation reports on file with the Municipality. These areas are designated on Schedule "B". Where fish habitat has not been comprehensively mapped, all water features, including permanent and intermittent streams, head waters, seasonally flooded areas, municipal or agricultural drains, lakes and ponds will be screened by the approval authority for the presence of fish habitat. Where such fish habitat is identified or where no data is available, an EIS should be completed that also identifies appropriate measures to be undertaken to ensure that there will be no negative impacts on the natural features or the ecological functions of the habitat they support.

- provincially significant wetlands, identified by the Ministry of Natural Resources and Forestry (NRVIS). These areas are designated on Schedule "A".

- wetlands as identified on the County of Haliburton wetland mapping.

- significant wildlife habitat - deer wintering areas including Stratum 1 (core area) and Stratum 2 (broader area) identified by the Ministry of Natural Resources and Forestry (NRVIS). These areas are designated on Schedule "B".

- significant wildlife habitat - species of conservation concern, which are nesting sites of red shouldered hawk, great blue heron, and osprey identified by the Ministry of Natural Resources and Forestry (NRVIS). These areas are designated on Schedule "B".

- significant Areas of Natural and Scientific Interest (ANSI's), identified by the Ministry of Natural Resources and Forestry (NRVIS). When this Plan was adopted, there were

*no such areas in the Municipality. Any such areas identified in future will be designated on Schedule "B".*

#### *5.3.4.2 Where Development Not Permitted*

*Development and site alteration is not permitted in significant habitats of endangered and threatened species, and provincially significant wetlands.*

*All major development proposals in the Waterfront Area or Rural Area must be accompanied by an Environmental Impact Assessment (EIS) to determine the potential habitat of endangered and threatened species. If in the course of the development application and approval process, the applicant becomes aware that the subject lands include actual or potential habitat of endangered or threatened species, the applicant will advise the Municipality and the Ministry of Natural Resources and Forestry at the earliest opportunity.*

#### *5.3.4.3 Where Development May Be Permitted*

*Council will only consider an application for development or site alteration within the following areas where it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions:*

- significant wildlife habitat - deer wintering areas;*
- significant wildlife habitat - species of conservation concern; and*
- significant Areas of Natural and Scientific Interest (ANSI's)*

*Council will only consider an application for development or site alteration within critical fish habitat in accordance with Provincial and Federal legislation. Council will only consider an application for development or site alteration on adjacent lands to significant natural heritage features (as defined in Section 5.3.4.4), where it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions.*

*Except with respect to the wetlands shown on the County of Haliburton Wetland mapping, no Environmental Impact Study (EIS) is required if the applicant provides confirmation that the Ministry of Natural Resources and Forestry does not consider the subject lands to be within a significant natural heritage feature or its adjacent lands.*

*Within the Significant Wildlife Habitat - Deer Wintering Areas or the adjacent lands, where the proposed development is the creation of lots by consent, or is further development on no more than four abutting lots, in a Waterfront Area or Rural Area,*

*Council may exempt the applicant from having to submit an Environmental Impact Study only if the development approval includes a zoning by-law and consent agreement that requires:*

– in a Rural Area, minimum lot area of 1 hectare (2.5 acres), and at least 80% of the lot area will be maintained in a natural state. The Municipality will use the County of Haliburton Wetland Mapping as a screening tool when reviewing development applications. Screening will be undertaken as follows:

– Where a development proposal will extend into an area identified on the County of Haliburton wetland mapping, the applicant will undertake a site assessment to accurately delineate the wetland boundaries. The proponent will complete an evaluation of the wetland, using the MNRF Ontario Wetland Evaluation System protocol, or treat the wetland as a provincially significant wetland.

– Where a development proposal is located within the adjacent lands to a wetland identified on the County of Haliburton wetland mapping, the applicant will undertake a site assessment to accurately delineate the wetland boundaries and complete an Environmental Impact Study (EIS), satisfactory to the approval authority, demonstrating that there will be no negative impacts to the wetland feature or its ecological function.

– These assessments will be completed prior to the approval of the development proposal and will be completed by a qualified professional.

#### 5.3.4.4 Adjacent Lands

Adjacent lands contiguous to significant natural heritage features are lands within the following distances from the features:

– Provincially Significant Wetlands and Wetlands shown on the County of Haliburton mapping - 120 metres (394 feet);

– Significant Wildlife Habitat - Species of Conservation Concern - 150 metres (492 feet) from any nest or as applicable;

– All other features - 50 metres (164 feet).

However, for the purposes of a specific development application, the adjacent lands contiguous to a specific feature may be varied from these standards, where documented and justified to Council's satisfaction by an Environmental Impact Study (EIS).

### 13.1 Environmental Protection Areas

#### 13.1.1 Designation

Environmental Protection Areas consist of the following lands outside Algonquin Provincial Park:

- all wetlands, which are not provincially significant wetlands; and
- lands adjacent to lakes and rivers that have been or may be subject to flooding hazards, as described in Section 13.2. These have been mapped through air photo interpretation.

*Provincially significant wetlands are shown in a separate overlay designation on Schedule "A" to recognize their sensitivity.*

#### *13.1.3 Permitted Uses*

*Subject to Section 13.1.4, the following uses may be permitted: agriculture, conservation, horticulture, forestry, fish and wildlife management, private parks, outdoor recreational activities, and other uses that comply with the policies of Section 13.*

*The restrictions noted in Section 13.1.4 and 13.1.9 apply.*

#### *13.1.4 Development Restrictions*

*Despite anything else in this Plan, no lot will be created that is entirely within an Environmental Protection Area, or that does not have enough usable area in another designation to allow adequate building and tile field space, and safe access during a flood, consistent with the policies of that designation.*

*No construction of new buildings or structures, or site alteration, will be permitted in Environmental Protection Areas, except for:*

- *flood control, other water management, or erosion control structures or works.*
- *docks and marine facilities, that have been approved by the Municipality.*

*These will only be approved where they will not result in significant off-site impacts and where they can be safely protected from flooding. The Municipality may require an applicant to provide a technical study to the satisfaction of Council to justify any such approval.*

#### *14.4 Rural Residential Uses*

##### *14.4.1 Permitted Uses*

*The following limited residential uses may be permitted:*

- *single-unit and two-unit dwellings.*
- *secondary dwelling units.*
- *garden suites; and*
- *dwellings accessory to permitted non-residential uses.*

##### *14.4.2 Development Patterns*

*Applications to permit rural residential development will be accompanied and supported by a planning justification report, as required by the policies of the County of Haliburton Official Plan.*

*The development of existing vacant lots will be supported and encouraged, prior to the creation of new lots.*

*New development will be designed to achieve the servicing policies of Section 3.3 and the road access policies of Section 4.7. Where possible, direct access to residential development will be from cul-de-sacs, looped roads, or other roads not designed to carry through traffic.*

#### *14.4.3 Lot Standards*

*Except for backlots as described in Section 14.4.4, and where the policies of this Plan support the creation of lots for permanent rural residential use, lots will have a minimum lot frontage of 60 metres (197 feet) and a minimum lot area of 0.8 hectares (2 acres).*

#### *14.4.5 Zoning*

*Lots that are created for permanent rural residential use may be placed in a separate zone category to achieve the following objectives:*

- to recognize the minimum lot frontage and lot area requirements and establish appropriate regulations for their use; and*
- to implement increased minimum front lot line setback requirements in certain areas where the protection and preservation of the rural landscape, particularly vegetation buffers along rural roads, is important.*

*Other lots that are created for rural residential uses along Provincial highways, County roads and Municipal roads will be placed in a separate zone category. A minimum front lot line setback of 30 metres (98.5 feet) will apply. The following exceptions may be recognized:*

- lots that are near a settlement area; or*
- lots that are created as infilling or an extension to existing rural residential uses; or*
- as deemed appropriate by Council.*

# DYSART ET AL. OFFICIAL PLAN SCHEDULE A - MAP 2

Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

Figure 5

## Legend



Subject Property

## Schedule Legend



Rural Areas



Environmental Protection Areas



Public Recreation Areas



PCS: NAD 1983 UTM Zone 17N

Scale: 1:15,000

## Data Sources

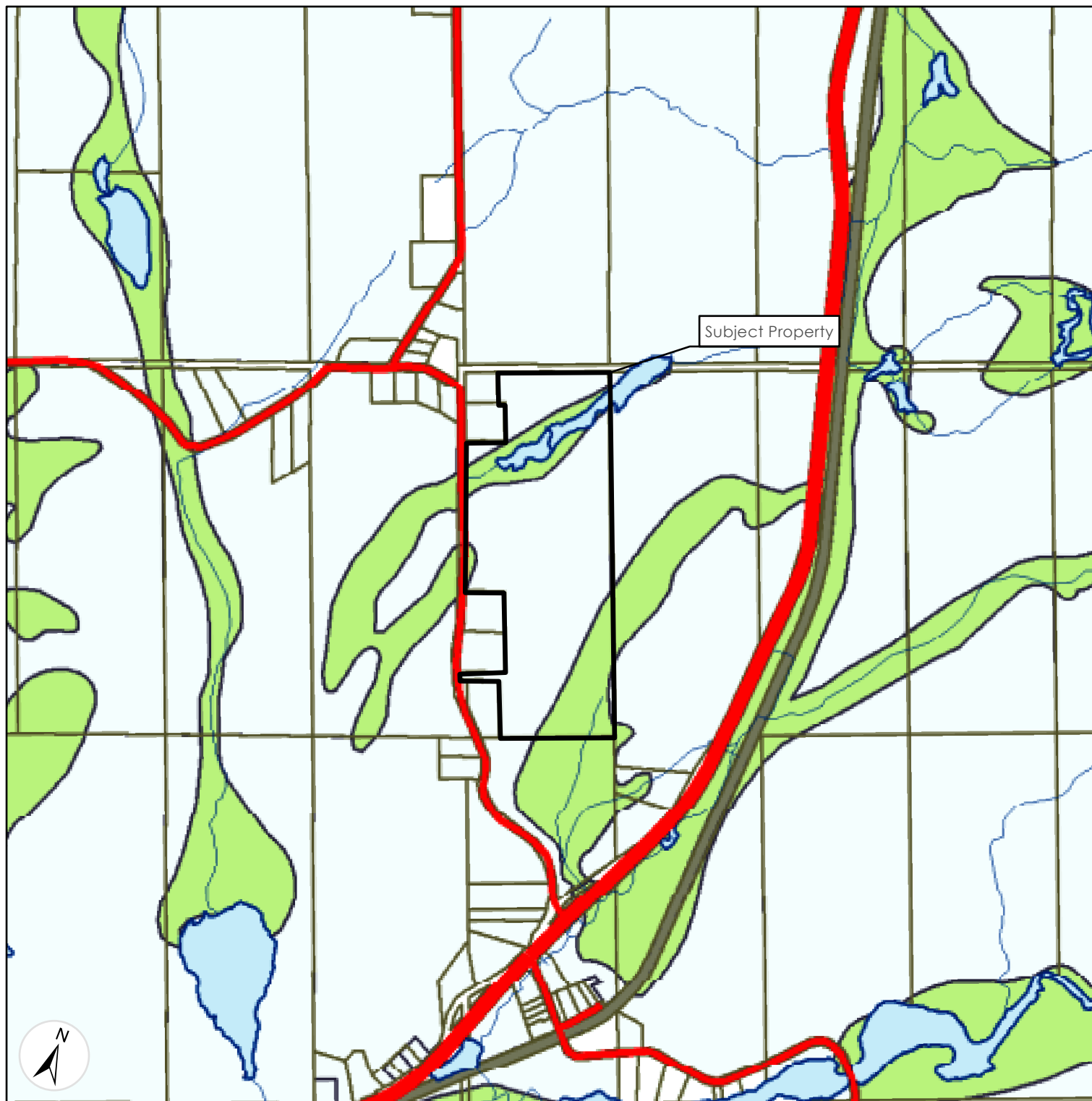
County of Haliburton, Corporation of the United  
Townships of Dysart et al.

Created In:	ArcGIS Pro
Drawn By:	Ash More
Checked By:	Amanda Timmermans
Map Date:	7/26/23
Project Number:	85345



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#### **4.2.3 Municipality of Dysart et al Comprehensive Zoning By-law 2005-120**

The Subject Lands are zoned 'Rural Type 1' (RU1) and 'Environmental Protection' (EP) according to Schedule 'A' Map 2 of the Municipality of Dysart et al Comprehensive Zoning By-law 2005-120 (CZBL). Refer to **Figure 6**.

In accordance with Section 9.1, permitted uses in the RU1 Zone include residential, including single-family dwelling, seasonal dwelling, private cabin, as well as non-residential uses, including bed and breakfast, conservation uses, firewood processing operation, fish and wildlife use, forestry use, home business/industry, private park, among others.

In accordance with Section 10.1, residential uses are not permitted in the EP Zone; however, limited non-residential uses and structures for conservation, flood and erosion control works and passive uses for the preservation and management of the natural environment may be permitted according to the zone provisions.

Given the insufficient lot area and frontage of the severed and retained lots, a zoning bylaw amendment will be required as a condition of severance approval. The retained lot is proposed to have an area of approximately 19 hectares which will comply with the provisions and permitted uses of the Rural Type 2 - RU2 Zone. Both severed parcels are proposed to be zoned Rural Residential (RR) and will conform to the zone provisions and permitted uses. Additionally, portions of the severed and retained lot will be rezoned from RU1 to the EP Zone in order to protect the wetlands, watercourses and their associated buffers identified in the EIS from any development and site alteration. See **Table 2 – CZBL Provision Requirements**.

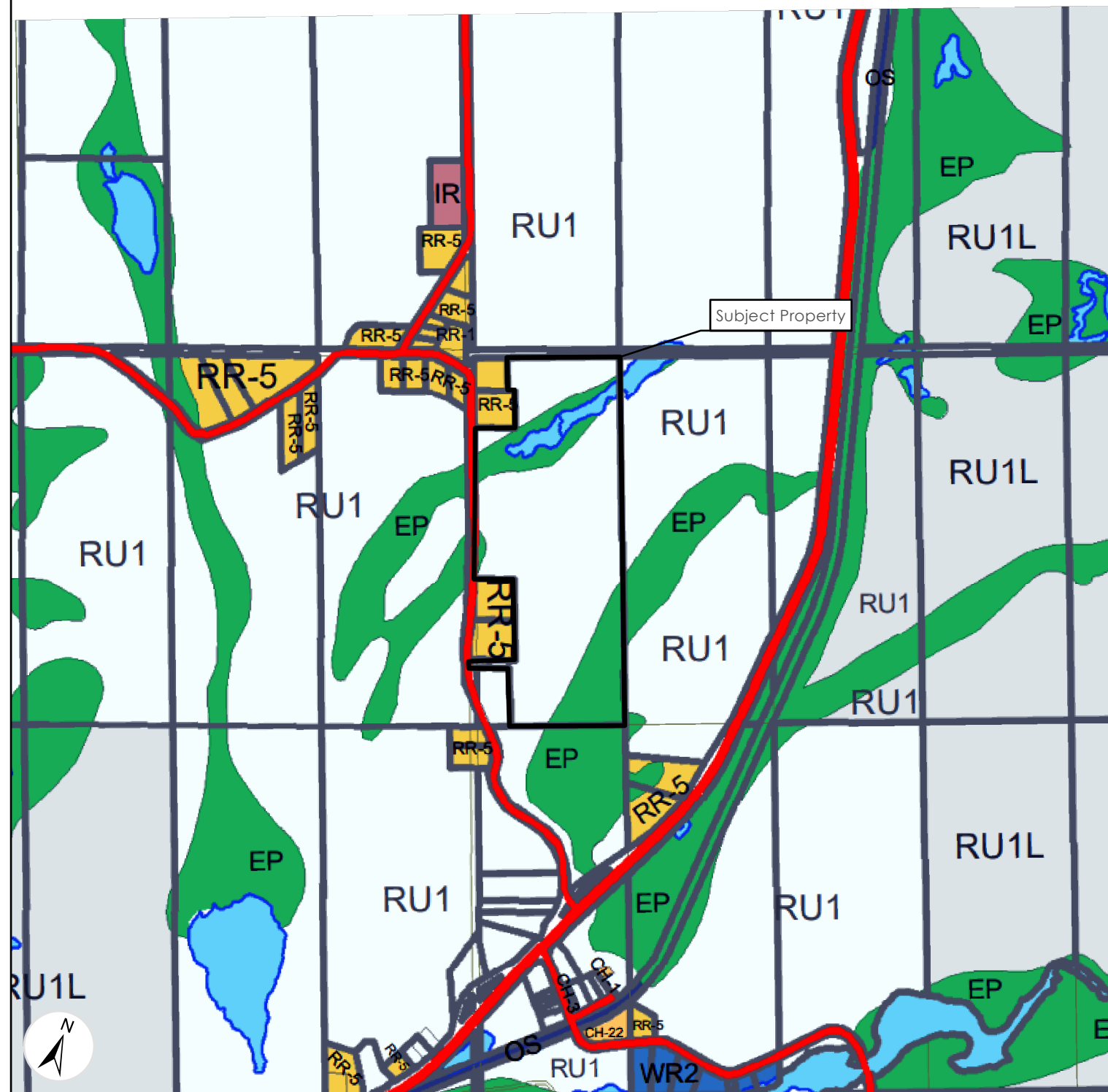
**Table 2 – CZBL Provision Requirements**

<b>Zone Provision Requirements</b>	<b>Rural Type 1 (RU1)</b>	<b>Proposed Rural Type 2 (RU2)</b>	<b>Proposed Rural Residential (RR)</b>
Lot area	20 ha	12 ha	8000 m <sup>2</sup>
Lot frontage	180 m	100 m	60 m
Water setback	30 m	30 m	30 m
Front lot line setback	13.5 m	30 m	10.5 m
Interior side lot line setback, main building	4.5 m	4.5 m	4.5 m
Interior side lot line setback, accessory structure	-	-	1 m
Exterior side lot line setback	13.5 m	13.5 m	10.5 m
Rear lot line setback, main building	9 m	9 m	7.5 m
Rear lot line setback, accessory structure	-	-	1 m
Lot coverage, maximum	10%	10%	20%
Dwellings per lot, max	1	1	1
Private cabins per lot, max	1	1	1
Total accessory buildings per lot, max	-	-	2
Dwelling unit area	55 m <sup>2</sup>	55 m <sup>2</sup>	55 m <sup>2</sup>
Structure height, maximum	-	-	9.5 m
Naturalized open space	-	-	60%

# **DYSART ET AL. ZONING BY-LAW 2005-120 SCHEDULE A - MAP 2**

Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

Figure 6



## **Legend**

Subject Property

## **Schedule Legend**

- EP - Environmental Protection
- RR - Rural Residential
- OS - Open Space
- WR2 - Waterfront Residential Type 2
- IR - Rural Institutional
- RU1 - Rural Type 1
- RU1L - Rural Type 1L
- CH - Highway Commercial



PCS: NAD 1983 UTM Zone 17N Scale: 1:15,000

## **Data Sources**

County of Haliburton, Corporation of the United Townships of Dysart et al.

Created In:	ArcGIS Pro
Drawn By:	Ash More
Checked By:	Amanda Timmermans
Map Date:	7/26/23
Project Number:	85345



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## 5.0 Planning Rationale

The proposed severances and associated zoning by-law amendment conform to the applicable provincial and municipal policies for rural land development as outlined above and summarized below.

Provincial policy allows for locally appropriate residential development, including lot creation on rural lands provided the development does not create any environmental or public health and safety concerns. Due to the presence of various natural heritage features on and within 120 m of the Subject Lands, which include a watercourse, unevaluated wetlands, a PSW, unevaluated woodlands, and a significant wildlife habitat (i.e. deer wintering area), an EIS was prepared to support the proposed severances and protect the identified wetlands, watercourses and their buffers.

Building envelopes have been identified in order to avoid any impacts to natural heritage features such as wetlands and drainage features as well as their 30 m buffers. Mitigation measures are recommended to confirm the building and excavation sites are clear of all species of concern. Wills does not anticipate any significant negative environmental impacts associated with the Project provided the environmental mitigation measures described in the EIS are implemented effectively throughout the construction period.

The Subject Property is identified as a low and moderate risk for Wildland Fire; therefore, it does not require a Wildland Fire Assessment or mitigation measures in accordance with both provincial and municipal policies. There is a closed landfill site identified within 500 m of the Subject Property; however, the proposed severances and building envelopes are proposed to be outside the area of influence. A waste disposal site compatibility report (D-4 Study) was not required by the County or Township during pre-consultation.

Lot creation up to three new lots is permitted from any conveyable lot that existed on September 8, 2003, in accordance with the HOP. As proposed, both the severed and retained lots are suitable size and shape for rural and residential uses and the minimum lot area and frontage as outlined in the DOP. In addition, the proposed lots and building envelopes are large enough to accommodate the design, location, and use of individual on-site water supply and sewage disposal systems and confirmation has been obtained from a local septic services company. See **Appendix C: Septic Hauler Letter**. The proposed severances are serviced by a municipally maintained road and will not create a traffic hazard or demand for the extension of municipal services. Therefore, the proposed severance applications conform to the severance and environmental policies of the HOP and DOP.

As proposed, the severed and retained lots have insufficient lot area and frontage to comply with the Rural Type 1 (RU1) Zone. The DOP allows for lots created for permanent rural residential use to be placed in a separate zone category to recognize minimum lot frontage and lot area requirements and establish appropriate regulations for the proposed use. Given the proposed lot area and frontage of the retained lands, a

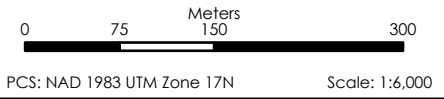
rezoning to Rural Type 2 (RU2) is appropriate for the ongoing recreational use and proposed residential use of the property. With approximately 7.5 hectares lot area, the proposed severed lots would not meet the lot area requirements for the RU2 Zone, and therefore, a rezoning to Rural Residential (RR) is more appropriate. The proposed severed parcels exceed the RR zone provisions. There are no proposed changes within the Environmental Protection (EP) Zones; however, the ZBA will rezone portions of the severed and retained lots to include the natural heritage features identified in the EIS. Refer to **Figure 7 – Proposed Zoning By-law Schedule**.



# Proposed Zoning By-law Schedule


Roll #4624-010-000-18500  
Lot 6, Concession 3  
Municipality of Dysart et al.  
County of Haliburton

- Legend
- Subject Property
  - EP Zone
  - Lands to be rezoned from RU1 to EP
  - Lands to be rezoned from RU1 to RR
  - Lands to be rezoned from RU1 to RU2



Data Sources  
County of Haliburton

Created In:	ArcGIS Pro
Drawn By:	MD
Checked By:	MS
Map Date:	October 2024
Project Number:	85345



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## 6.0 Closing

This report has been prepared in support of two residential consent to sever applications and a subsequent zoning by-law amendment application for lands located in Lot 6, Concession 3, Municipality of Dysart et al, within the County of Haliburton. This report provides an analysis of the applicable provincial and municipal policy documents in the context of the proposed development.

In accordance with both provincial and municipal policies, the severed and retained lots are an appropriate size to be compatible with the rural landscape and can be sustained by rural service levels, including private well and sewage disposal systems. The proposed severed lots have direct frontage and existing entrances onto a municipally maintained roadway. The proposed severances are not anticipated to create any significant negative environmental impacts or risk to public health and safety. Based on the background information, the features on site and the forgoing review of the relevant policies, it is our opinion that the proposed severance applications and subsequent zoning by-law amendment is consistent with and conforms to provincial and municipal policies and constitutes good planning.

Respectfully Submitted,

Written by:



Amanda Timmermans, B.A. (Hons.)  
Intermediate Land Use Planner

AT/DK/jh

Reviewed by:



Diana Keay, MCIP, RPP  
Manager, Planning Services

## Appendix A

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### Photographic Log





WILLS

Applications for Consent and Zoning By-Law Amendment – Photographic Log  
Lot 6, Concession 3, Dysart, Municipality of Dysart et al  
Page 1 of 9

**Project Name:**

Old Donald Road Consents  
Project No. 23-85345

**Site Location:**

Lot 6, Concession 3, Dysart, Municipality of  
Dysart et al, County of Haliburton

**Photo Number: 1**

**Date:**

November 15, 2023

**Direction Photo  
Taken:** East

**Description:**

Severed Lot A:  
Entrance to the  
property from Old  
Donald Road.



**Photo Number: 2**

**Date:**

November 15, 2023

**Direction Photo  
Taken:** North

**Description:**

Severed Lot A:  
Old Donald Road  
north of the site  
entrance.



**Photo Number:** 3

**Date:**

November 15, 2023

**Direction Photo  
 Taken:** Northeast

**Description:**

Severed Lot A:  
 Wetland from Old  
 Donald Road,  
 adjacent to the site  
 entrance.



**Photo Number:** 4

**Date:**

November 15, 2023

**Direction Photo  
 Taken:** South

**Description:**

Severed Lot A:  
 Marked property  
 line between  
 adjacent property  
 to the north



<b>Photo Number:</b> 5
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> North
<b>Description:</b>  Severed Lot A: Area of recommended building envelope



<b>Photo Number:</b> 6
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> East
<b>Description:</b>  Severed Lot A: Sloped terrain east of the recommended building envelope



**Photo Number:** 7

**Date:**

November 15, 2023

**Direction Photo  
 Taken:** Northwest

**Description:**

Severed Lot A:  
 Sloped terrain, south  
 of the building  
 envelope at the  
 property boundary



**Photo Number:** 8

**Date:**

November 15, 2023

**Direction Photo  
 Taken:** West

**Description:**

Severed Lot A:  
 Sloped terrain, south  
 of the building  
 envelope looking  
 back towards the  
 road, driveway to  
 the left of the flag



<b>Photo Number:</b> 9
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> Northeast
<b>Description:</b>  Severed Lot B: Entrance to the property from Old Donald Road.



<b>Photo Number:</b> 10
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b>
<b>Description:</b>  Severed Lot B: Old Donald Road north of the site entrance.



<b>Photo Number:</b> 11
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b>
<b>Description:</b>  Severed Lot B: Old Donald Road south of the site entrance. Utility line along the east side of Old Donald Road.



<b>Photo Number:</b> 12
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> East
<b>Description:</b>  Severed Lot B: Proposed driveway location looking towards recommended building envelope.



<b>Photo Number:</b> 13
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> North
<b>Description:</b>  Severed Lot B: Recommended building envelope area, located on the ridge between wetlands.



<b>Photo Number:</b> 14
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> East
<b>Description:</b>  Severed Lot B: Slope of the ridge to the east of the recommended building envelope area.



<b>Photo Number:</b> 15
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> West
<b>Description:</b>  Severed Lot B: Slope of the ridge to the west of the recommended building envelope area.



<b>Photo Number:</b> 16
<b>Date:</b> November 15, 2023
<b>Direction Photo Taken:</b> East
<b>Description:</b>  Retained Lot: Entrance to property from Old Donald Road.



**Photo Number:** 17

**Date:**

November 15, 2023

**Direction Photo  
Taken:** North

**Description:**

Retained Lot:  
 Looking north on  
 Old Donald Road  
 from the retained  
 parcel entrance.



**Photo Number:** 18

**Date:**

November 15, 2023

**Direction Photo  
Taken:** South

**Description:**

Retained Lot:  
 Looking south down  
 Old Donald Road  
 from the retained  
 parcel entrance.



## **Appendix B**

---

### **Email Correspondence**



## Amanda Timmermans

---

**From:** Kris Orsan <korsan@dysartetal.ca>  
**Sent:** June 28, 2023 9:21 AM  
**To:** Amanda Timmermans; Adam Kozlowski  
**Cc:** Shyan Mirhassani; Alana L. Lacy; Tammy Wilson  
**Subject:** RE: Possible 2 new lots from 4624 010 000 18500 Old Donald Road  
**Attachments:** Donald Dump Location.JPG

Good morning, Amanda,

The comments below will suffice for the submission requirements with the municipality related to the severance proposal.

One additional item that I would like to identify is the subject property is within a waste disposal buffer area (see attached image). Please address this in your Planning Justification Report required with your submission. See section 4.13.3 of the municipal official plan.

If you have any further questions, please do not hesitate to let Adam or myself know.

Kind regards,

Kris.

---

**From:** Amanda Timmermans <atimmermans@dmwills.com>  
**Sent:** Tuesday, June 27, 2023 2:27 PM  
**To:** Adam Kozlowski <akozlowski@haliburtoncounty.ca>; Kris Orsan <korsan@dysartetal.ca>  
**Cc:** Shyan Mirhassani <smirhassani@dmwills.com>; Alana L. Lacy <alacy@haliburtoncounty.ca>; Tammy Wilson <twilson@dysartetal.ca>  
**Subject:** RE: Possible 2 new lots from 4624 010 000 18500 Old Donald Road

You don't often get email from [atimmermans@dmwills.com](mailto:atimmermans@dmwills.com). [Learn why this is important](#)

**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.

Good afternoon, just wanted to follow-up on my below email to see if you have had a chance to take a look. We'd like to move ahead with the pre-con or formal submission as soon as possible.

### Amanda Timmermans, B.A.(Hons)

Intermediate Land Use Planner  
D.M. Wills Associates Limited  
Tel: (705) 742-2297 ext. 237  
Cell: (705) 768-4571

---

**From:** Amanda Timmermans  
**Sent:** Wednesday, June 21, 2023 9:52 AM  
**To:** [akozlowski@haliburtoncounty.ca](mailto:akozlowski@haliburtoncounty.ca); [korsan@dysartetal.ca](mailto:korsan@dysartetal.ca)  
**Cc:** Shyan Mirhassani <[smirhassani@dmwills.com](mailto:smirhassani@dmwills.com)>; [alacy@haliburtoncounty.ca](mailto:alacy@haliburtoncounty.ca); [twilson@dysartetal.ca](mailto:twilson@dysartetal.ca)  
**Subject:** RE: Possible 2 new lots from 4624 010 000 18500 Old Donald Road

Good morning Kris & Adam,

Todd Emmerson has retained our services to assist him with his consent applications and subsequent zoning applications. I just wanted to confirm with the County and the Township if the below emails constitute the mandatory pre-consultation required for these applications? We have conducted the constraints analysis for the wetland areas, completed most of the field work and will be finalizing the consent sketch in the coming weeks. Can you let us know if you need to have an opportunity to review the revisions before we submit? The lot lines will be going directly through the wetland areas, however, there are developable areas outside the features and their associated buffers large enough for a dwelling and private well/septic, and none of the driveways or entrances intersect the wetland/watercourse features.

Looking forward to working with the County and Township on this project.



**Amanda Timmermans, B.A.(Hons)**  
**Intermediate Land Use Planner**

**D.M. Wills Associates Limited**

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Tel: (705) 742-2297 ext. 237 · Fax: (705) 748-9944

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---

**From:** Stephanie MacLaren <[stephmaclaren@gmail.com](mailto:stephmaclaren@gmail.com)>

**Sent:** Tuesday, June 20, 2023 7:17 PM

**To:** Todd Emmerson <[temmerson916@gmail.com](mailto:temmerson916@gmail.com)>; Amanda Timmermans <[atimmermans@dmwills.com](mailto:atimmermans@dmwills.com)>; Shyan Mirhassani <[smirhassani@dmwills.com](mailto:smirhassani@dmwills.com)>

**Subject:** Re: Possible 2 new lots from 4624 010 000 18500 Old Donald Road

Forwarding pre-consult comments from both tiers...email contacts embedded in email

On Fri, Nov 11, 2022 at 9:05 AM Todd Emmerson <[temmerson916@gmail.com](mailto:temmerson916@gmail.com)> wrote:

----- Forwarded message -----

**From:** Kris Orsan <[korsan@dysartetal.ca](mailto:korsan@dysartetal.ca)>

**Date:** Thu, Nov 10, 2022 at 11:50 AM

**Subject:** RE: Possible 2 new lots from 4624 010 000 18500 Old Donald Road

**To:** Adam Kozlowski <[akozlowski@haliburtoncounty.ca](mailto:akozlowski@haliburtoncounty.ca)>, Todd Emmerson <[temmerson916@gmail.com](mailto:temmerson916@gmail.com)>

**Cc:** Alana L. Lacy <[alacy@haliburtoncounty.ca](mailto:alacy@haliburtoncounty.ca)>, Tammy Wilson <[twilson@dysartetal.ca](mailto:twilson@dysartetal.ca)>

Good morning Todd,

The municipality can provide the following preliminary comments:

- Proposal will be subject to a Planning Justification that includes an analysis of how the proposal is consistent with the Provincial Policy Statement and conforms to the provisions of the County of Haliburton Official Plan and the Dysart et al Official Plan.
- Proposal will be subject to a Site Evaluation Report including scoped EIS to address Deer wintering, wetland areas, and possible species at risk and habitat on the property.
- Proposal will be subject to a Site Development Plan showing proposed building envelopes for proposed lots.
- Please label the final sketch by labelling "severed lot" and "retained lot" for the proposed lots.
- Existing zoning is Rural Type 1 (RU1) zone, the proposed lots do not meet the minimum requirements for lot frontage or lot area. The proposed will be subject to a zoning by-law amendment.
- Pending recommendations of the Environmental study, the proposed may be subject to a severance agreement or site plan agreement.
- Subject to Parkland Dedication fee.
- And subject to additional conditions which may be raised during the review of the application.

Please note the foregoing is for your information only and it should be clearly understood that you must satisfy yourself with respect to the success of an application to the appropriate approval agency. Consultation with neighbouring property owners and other agencies that may have an interest, is advised.

The Municipality reserves the right to make further comments and/or require further conditions upon a review of a complete application, additional information, public input and/or any site visit that may be conducted. The recommendations from the required background reports may affect the success of an application.

Provincial Policies, Official Plan Policies and By-law provisions do change from time to time. The policies that are in effect at the time that the application is made to the appropriate approval agency will apply.

Kind regards,



Kris Orsan, CPT

Senior Planner

Municipality of Dysart et al

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

Tel: (705) 457-1740 ext. 626

Fax: (705) 457-1964

[korsan@dysartetal.ca](mailto:korsan@dysartetal.ca)

*Municipality of Dysart et al*



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**From:** Adam Kozlowski <[akozlowski@haliburtoncounty.ca](mailto:akozlowski@haliburtoncounty.ca)>

**Sent:** October 14, 2022 2:11 PM

**To:** Todd Emmerson <[temmerson916@gmail.com](mailto:temmerson916@gmail.com)>

**Cc:** Kris Orsan <[korsan@dysartetal.ca](mailto:korsan@dysartetal.ca)>; Alana L. Lacy <[alacy@haliburtoncounty.ca](mailto:alacy@haliburtoncounty.ca)>

**Subject:** Possible 2 new lots from 4624 010 000 18500 Old Donald Road

Hi Todd – we've taken a look at the property and provided some info on the proposed new lots. The sketch is attached.

The northernmost lot would have an area of 8.3 hectares (20.5 acres) with 360 feet of frontage on Old Donald.

The lot to the south would have an area of 6.3 hectares (15.5 acres) with 570 feet of frontage on Old Donald.

County Official Plan comments:

-There is a wetland and watercourse that bisects both of the proposed new lots. An Environmental Impact Study/Site Evaluation Report is required for each lot to identify suitable building and septic envelopes that will not impact any natural features. This study is done by an environmental consultant.

-Deer Wintering Area is identified along the west area of the severed lots. A Deer Wintering assessment will be required. This assessment can be part of the above Environmental/Site Evaluation study.

I've also CC'ed Kris Orsan, Senior Planner with Dysart for municipal comments.

Once you've received all the comments and if you decide to proceed, we can organize a zoom meeting to go over the requirements, process and timing.

**Adam Kozlowski, MCIP, RPP**

***Senior Planner***

County of Haliburton

Box 399 Minden, Ontario K0M 2K0

Phone: 705-286-1333 ext. 248

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## Appendix C

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### Septic Hauler Letter





December 6, 2023

To Whom It May Concern,

In regard to the 2 lots being severed by Todd Emmerson, we at Total Site Services know that with the size of these two properties there will be no issues putting in a standard septic system on either property and there will not be an issue getting septic trucks down the driveways to empty.

The lot sizes are adequate for these 2 things to take place, should the properties be purchased.

If you have any questions or concerns, please feel free to reach out to us.

Thank you.

Joanna Casey  
Admin Assistant  
Total Site Services  
705-457-9558