



Planning Justification Report

Zoning By-law Amendment Application for Temporary Use

1235 Gail Park Drive

Township of Selwyn, County of Peterborough

ONE
COMMUNITY
PLANNING

Prepared by: One Community Planning Inc.

On behalf of: George Wilkinson

April 28, 2026



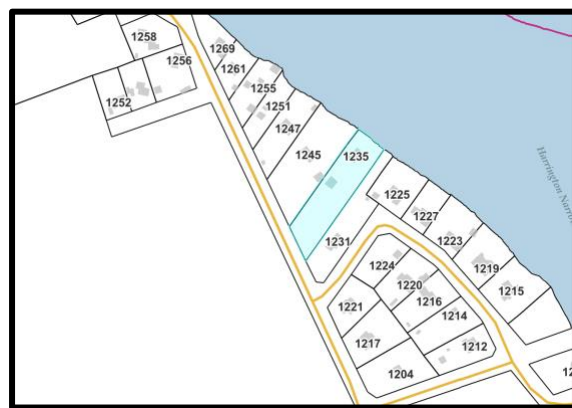
Planning Justification Report Zoning By-law Amendment Application- 1235 Gail Park Drive, Selwyn

Overview

This application seeks to request a Temporary Use By-law to permit, for a limited period of time, two dwellings on one property under the Lakeshore Residential Zone. The “existing” dwelling shall be removed within 60 to 90 days following the completion of the new dwelling.

Background

This application follows a formal pre-consultation with the Township of Selwyn staff, as well as Otonabee Region Conservation Authority (ORCA) on April 15, 2026. The subject property is zoned Lakeshore Residential (LR) and Lakeshore Constraint with an Official Plan designation of Lakeshore Residential and Environmental Constraint. The property is 1.36 acres in size with 43.1 metres of frontage onto Harrington Narrows in Buckhorn Lake. Similar uses to the subject property are located on adjacent lots.



County of Peterborough GIS, April 2026

The proposal for the application is that the existing dwelling will remain on-site while a proposed new dwelling is being built. The purpose is to provide lodging for the property owners during the time that the new house will be built. The proposed dwelling will be located 30 metres from the high water mark, providing a net benefit for the property, given that the existing dwelling is located approximately 15 metres from the high water mark.

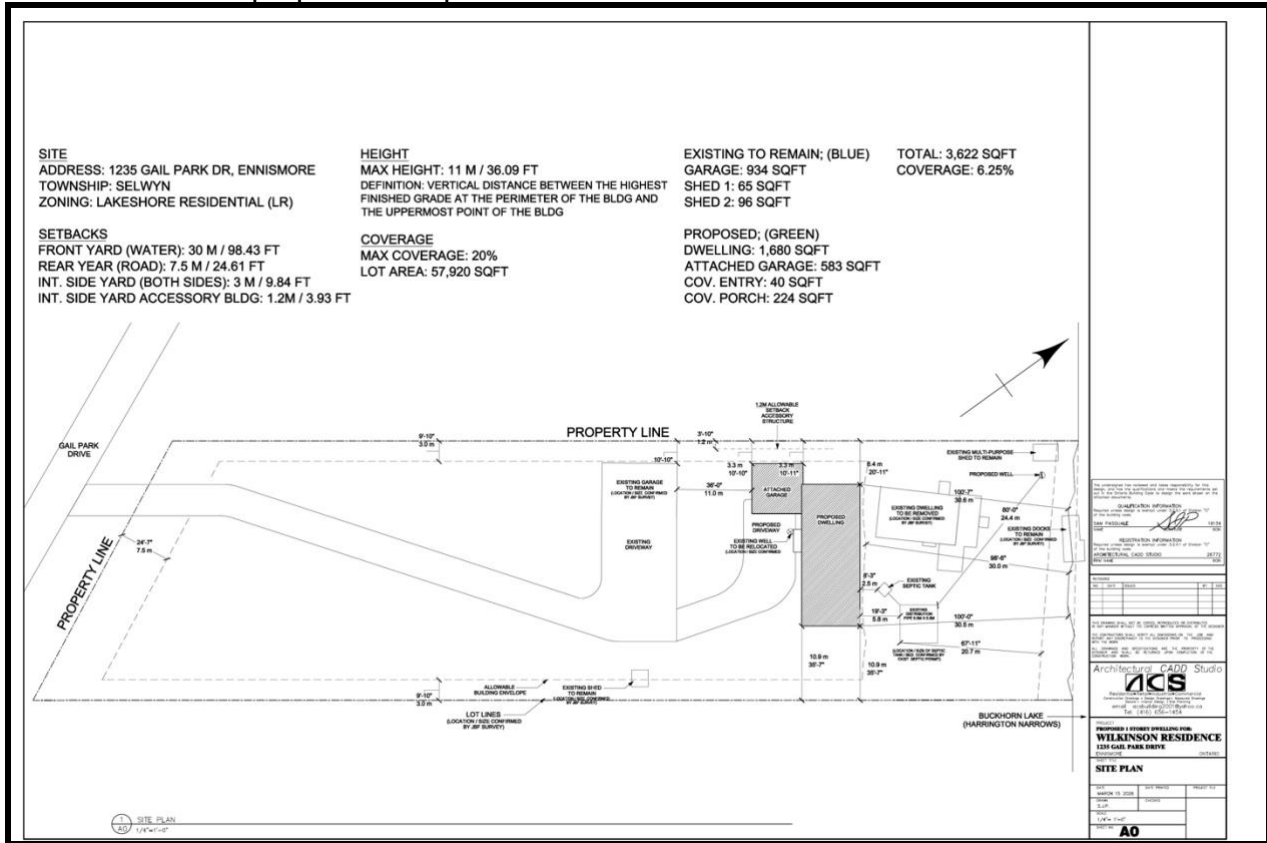
Studies/Reports

The Pre-consultation that took place on April 15, 2026 requested the following report:
- Planning Justification Report.

As confirmed by the Township Planner, an Archaeological Study was considered, but since the application is required for the existing dwelling and no physical development will be occurring with the application, an Archaeological Study is not appropriate. The proposed

dwelling, should the application be approved, will require only a building permit and would not trigger any additional studies.

See below for the proposed site plan:



Architectural CADD Studio, Site Plan March 2026

Planning Policy Discussion

In 2024, the Province of Ontario introduced the Provincial Planning Statement, which outlines policies and directives for development in Ontario. This application has been measured against the PPS and below outlines the policies specific to the subject property.

Provincial Planning Statement

The Provincial government released the Provincial Planning Statement (PPS) in 2024. This policy document is intended to provide planning direction for all of Ontario. The following policies from the PPS are relevant to this application:

Chapter 2.1 Planning for People and Homes

6. Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities

and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and

c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Chapter 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;

b) promoting regeneration, including the redevelopment of brownfield sites;

c) accommodating an appropriate range and mix of housing in rural settlement areas;

d) using rural infrastructure and public service facilities efficiently;

e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

g) conserving biodiversity and considering the ecological benefits provided by nature;

Chapter 2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:

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;

g) other rural land uses.

2. Development that can be sustained by rural service levels should be promoted.

3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

Opinion: The application for a temporary use is in keeping with the directives of the PPS as the property is located within rural areas, taking advantage of a natural resource and will be reliant on individual private septic and well.

County of Peterborough Official Plan

The County of Peterborough's Official Plan provides overarching policies for the eight (8) member municipalities, including the Township of Selwyn. The following policies are particularly relevant to this application:

Section 6.2.6.1 – Lakeshore Residential General Principles

Permanent single detached dwellings and cottages in shoreline areas along publicly maintained roads are the predominant use of land within the Lakeshore Residential designation.

Section 6.2.6.2 – Permitted Uses

The predominant use of land within the Lakeshore Residential designation shall be for permanent single-detached dwellings and seasonal cottages on public roads.

Section 6.2.6.3 – Lakeshore Residential Policies

c) General

The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wetbeach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality.

h) Lakeshore Residential areas shall be zoned in part for permanent use and in part for seasonal use. All new dwellings and cottages shall conform to the minimum standards of the Ontario Building Code.

Opinion: the subject property contains a permanent single detached dwelling. The intention to provide a temporary zone to permit the existing dwelling to remain while constructing the proposed dwelling is consistent with the policies of the Lakeshore Residential designation.

6.2.15.1 – Environmental Constraint General Principles

The Environmental Constraint Area designation includes those lands having inherent environmental hazards such as flood or erosion susceptibility, poor drainage, organic soils, instability of any other similar physical characteristic or limitation and includes other non-provincially-significant wetlands which, if developed upon, could result in the deterioration or degradation of the environment and cause property damage or loss of life....

The Township shall, wherever possible, endeavour to retain those lands designated as Environmental Constraint Areas in their natural state. The use of those lands shall respect the physical constraints and limitations in order to protect life and property, to minimize the alteration of the natural environment and, where appropriate, maintain the hydraulic capacity of the water courses and their related flood plains.

6.2.15.2 – Permitted Uses

The predominant use of land within the Environmental Constraint designations is the preservation and conservation of the natural environment.

6.2.15.3 – Policies

b) The boundaries of the Environmental Constraint Areas designation are conceptually delineated. The extent and exact location of the boundaries of the Environmental Constraint Areas shall be delineated in the implementing Zoning By-law in accordance with detailed

floodline mapping in consultation with the Otonabee Region Conservation Authority and the Ministry of Natural Resources...

Opinion: the area of the lot that is subject to the Environmental Constraint designation is located along the shoreline and is not impacted by the application for a temporary use.

Zoning By-law

The subject property is zoned Lakeshore Residential and Environmental Constraint. Under General Provisions (Section 3.41) – Second Units, the Comprehensive Zoning By-law states: 3.1g) That second units which are located in accessory buildings which are detached from the principal dwelling shall comply with the following: xii) Shall not be permitted in the Lakeshore Residential Zone.

The implementation of a Temporary Use By-law is done so through Section 39 of the Planning Act and allows property owners to use land/buildings for a purpose otherwise prohibited by zoning, generally for up to 3 years. The Temporary By-law requested would be to temporarily amend Section 3.1g)xii) to allow for a second dwelling to be located on the subject lot for a limited time (until the new dwelling has been completed). The existing dwelling would then be removed from the property within 60-90 days of the completion of the new dwelling.

The parcel of the property zoned Environmental Constraint will not be developed upon. The proposed new dwelling is to be located at 30 metres from the high water mark and will result in a benefit to the property over what is existing (15 metre setback to high water mark of the existing cottage).

A draft Temporary Zoning By-law for the purposes of this application are attached to this Planning Justification Report.

Conclusion

While the use of two dwellings is not permitted on a Lakeshore Residential property, a Temporary Use By-law will provide accommodation for the property owners for a limited period of time, after which the property resumes the original zoning.

The application conforms to the intent of the Provincial Planning Statement and the policies of the County of Peterborough's Official Plan, as well as generally conforming to the intent of the Comprehensive Zoning By-law. This application is representative of good planning and should be approved.



Laura Stone, Planner/Director

Draft Temporary Use Zoning By-law Amendment

The Corporation of the Township of Selwyn

By-law Number XXXX

A By-law to amend Zoning By-law 2009-021 by amending the zoning of lands located at 1235 Gail Park Drive, Roll No. 1516-010-101-38522, Concession 8, Lot 16 in the Geographic Area of Ennismore to allow a temporary use under Section 39 of the Planning Act.

WHEREAS the Council of the Corporation of the Township of Selwyn (the "Council") has the authority to pass temporary use by-laws pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

WHEREAS the Council has deemed it desirable to permit the temporary use of the lands described below for the purpose of permitting a second dwelling on the subject property

WHEREAS the temporary use conforms to the Official Plan for the County of Peterborough;

NOW THEREFORE the Council of the Corporation of the Township of Selwyn enacts as follows:

1.0 APPLICATION & DEFINITIONS

1.1. This By-law applies to the lands shown on "Schedule A" attached hereto (the "Subject Lands").

1.2. The definitions of the Township of Selwyn Zoning By-law 2009-021 apply to this By-law.

2.0 AMENDMENTS

2.1. That By-law 2009-021 is hereby amended by adding the following to Section 3.41:

“Notwithstanding any provisions of this By-law to the contrary, the lands known municipally as 1235 Gail Park Drive may be permitted two dwellings for a period not to exceed **three (3) years** from the date of the passing of this By-law.”

3.0 EXPIRY

3.1. Upon the expiry of the three-year period; the use of the subject lands shall revert to

the original zoning provisions.

4.0 EFFECTIVE DATE

4.1. This By-law shall come into force and take effect on the day of final passing, subject to the provisions of the *Planning Act*