

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

Wednesday, July 9, 2025

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Doug Elmslie

Councillor Ron Ashmore

Councillor Tracy Richardson

Councillor Pat Warren

Mike Barkwell

Le Nguyen

Patrick O'Reilly

Andrew Veale

Jason Willock

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

To speak to a **"Public Meeting Report"**, either attend the meeting in person, or participate via Zoom by emailing agendaitems@kawarthalakes.ca and reference the item number in your email by **Wednesday, July 9, 2025 at 12:00 p.m.** To speak to a **"Regular and Returned Report"**, submit a completed [deputation request form](#) by **Monday, July 7, 2025 at 12:00 p.m.** You will then receive instruction from staff on how to participate either by Zoom or in person at the meeting. Anyone may provide written comments on any application by email to clerks@kawarthalakes.ca.

Limited seating in Council Chambers is available in Council Chambers for in-person attendance. Contact the City Clerk's Office at clerks@kawarthalakes.ca or 705-324-9411 ext. 1322 to confirm space, or to request links to participate electronically. Alternatively, access the meeting livestream on the Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> .

1.	Call to Order and Adoption of Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting Reports	
3.1	PLAN2025-037	4 - 13
	<p>Application to Amend the Township of Somerville Zoning By-law 78-45 at 87 Burke Road, Burnt River - Platt and Scherz Timothy Gouveia, Planner, RPP, MCIP (Dillon Consulting Limited) on behalf of the City of Kawartha Lakes</p>	
3.1.1	Public Meeting	
3.1.2	Business Arising from the Public Meeting	
	<p>That Report PLAN2025-037, Application to Amend the Township of Somerville Zoning By-law 78-45 at 87 Burke Road, Burnt River - Platt and Scherz be received for information.</p>	
3.2	PLAN2025-042	14 - 26
	<p>Application to Amend the Township of Ops Zoning By-law 93-30 at 155 Monarch Road, Lindsay - Redmond Julio Sarti Caldeira, Planning Technician, Dillon Consulting Limited on behalf of the City of Kawartha Lakes</p>	
3.2.1	Public Meeting	
3.2.2	Business Arising from the Public Meeting	
	<p>That Report PLAN2025-042, Application to Amend the Township of Ops Zoning By-law 93-30 at 155 Monarch Road, Lindsay - Redmond, be received for information;</p> <p>That a Zoning By-law Amendment respecting application D06-2025-008, substantially in the form attached as Appendix D to Report PLAN2025-042, be approved and adopted by Council; and</p> <p>That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.</p>	
4.	Deputations	

4.1 Diana Keay and Michelle Duong, D.M. Wills

Relating to Report PLAN2025-041 (Item 6.1 on the Agenda)

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2025-041

27 - 47

Applications to Amend the Kawartha Lakes Official Plan and Township of Emily Zoning By-Law 1996-30 at 54 Loop Line, Omemee - Maridean Acres Inc. (c/o Wellman)

Harane Jegatheswaran, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

That Report PLAN2025-041, **Applications to Amend the Kawartha Lakes Official Plan and Township of Emily Zoning By-Law 1996-30 at 54 Loop Line, Omemee - Maridean Acres Inc. (c/o Wellman)** be received;

That an Official Plan Amendment respecting application D01-2024-010, substantially in the form attached as Appendix D and E to Report PLAN2051-041, be approved and adopted by Council;

That a Zoning By-law Amendment respecting application D06-2024-025, substantially in the form attached as Appendix F and G to Report PLAN2025-041, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

7. Adjournment

Planning Advisory Committee Report

Report Number:	PLAN2025-037
Meeting Date:	July 9, 2025
Title:	Application to Amend the Township of Somerville Zoning By-law 78-45 at 87 Burke Road, Burnt River-Platt and Scherz
Description:	Amendment to enable the removal and reconstruction of a single detached dwelling at an increased distance from the shoreline at Part Lot 4, Concession 11, and Part 2, RP 57R-6881, Geographic Township of Somerville
Type of Report:	Information Report for the purposes of the statutory Public Meeting under section 34 of the Planning Act, RSO 1990, chapter P.13
Author and Title:	Timothy Gouveia, Planner, RPP, MCIP (Dillon Consulting Limited)

Recommendation:

That Report PLAN2025-037, **Application to Amend the Township of Somerville Zoning By-law 78-45 at 87 Burke Road, Burnt River- Platt and Scherz** be received for information.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Application Summary:

The applicant is seeking to remove the existing single detached dwelling on the site and construct a new single detached dwelling to be located at an increased distance from the shoreline¹. An amendment to Township of Somerville Zoning By-law 78-45 is required to change a portion of the subject lands from the "Environmental Protection (EP)" Zone to "Rural Residential Type Three (RR3)" Zone in order to facilitate the proposed redevelopment.

Owner:	Andrew Platt and Christina Scherz
Applicant:	EcoVue Consulting Services Inc. c/o Ashlyn Kennedy
Property Description²:	Legal Description: CON 11 PT LOT 4 AND RP;57R6881 PART 2; Geographic Township of Somerville
	Municipal Address: 87 Burke Road
Official Plan:	'Rural' in Schedule A-7 of the City of Kawartha Lakes Official Plan
Zoning By-law:	'Environmental Protection' zone in Schedule A of the Township of Somerville Zoning By-law 78-45
Lot Area:	8,697.63 m ²
Servicing:	Private water and septic systems
Access:	Municipal Road
Existing Uses:	Single detached dwelling
Adjacent Uses:	North: Agricultural, Burnt River
	East: Residential
	South: Burnt River
	West: Burnt River

¹ See Schedule 1 – Proposed Concept Plan

² See Schedule 2 – Site Mapping

Application Process:

The Planning Division originally received the application submission package on October 31, 2024 which was deemed incomplete. The application was resubmitted and received on May 9, 2025 which included the following reports and plans in support of the application:

- Application Resubmission Letter, prepared by EcoVue Consulting Services Inc., dated April 28, 2025;
- Cover Letter, prepared by EcoVue Consulting Services Inc., dated October 28, 2024;
- Zoning By-law Amendment Application, prepared by EcoVue Consulting Services Inc., dated April 29, 2025;
- Planning Justification Report, prepared by EcoVue Consulting Services Inc., dated September 24, 2024;
- Concept Plan
- Topographic Survey, prepared by Coe Fisher Cameron, dated January 29, 2021;
- Stage 1 & 2 Archaeological Assessment, prepared by Earthworks, dated May 13, 2024;
- Slope Stability Study, prepared by Cambium, dated December 20, 2021.

Staff deemed the application 'complete' under the requirements of the Planning Act on May 13, 2025, and initiated Agency consultation on May 15, 2025 with a requested review period of the application submission package by May 30, 2025. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the application through circulation of the Notice of Public Meeting on June 10, 2025. Due to the technical nature of the application a review of the Slope Stability Study is needed, carried out by the Kawartha Region Conservation Authority.

Staff are working with the applicant to address missing information relating to site access and any items that may arise as it relates to the Slope Stability Study. Once these matters have been addressed, the application can return to PAC.

Application Review³:

Planning staff is reviewing the application submission package including the Planning Justification Report that was prepared and filed in support of the application, for

³ See Schedule 3 – Provincial and Municipal Land Use Framework

consistency with provincial policies (including the Provincial Planning Statement, 2024), and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

The Preconsultation application Final Report (File Number D38-2021-091) was circulated to the applicant on September 10, 2021. The applicant's original intent was to rezone a portion of the subject property to recognize an existing single detached dwelling as a permitted use. This application proposes to recognize a single detached dwelling as a permitted use, however, with the intention of construction a new dwelling at an increased distance from the shoreline.

Conclusion:

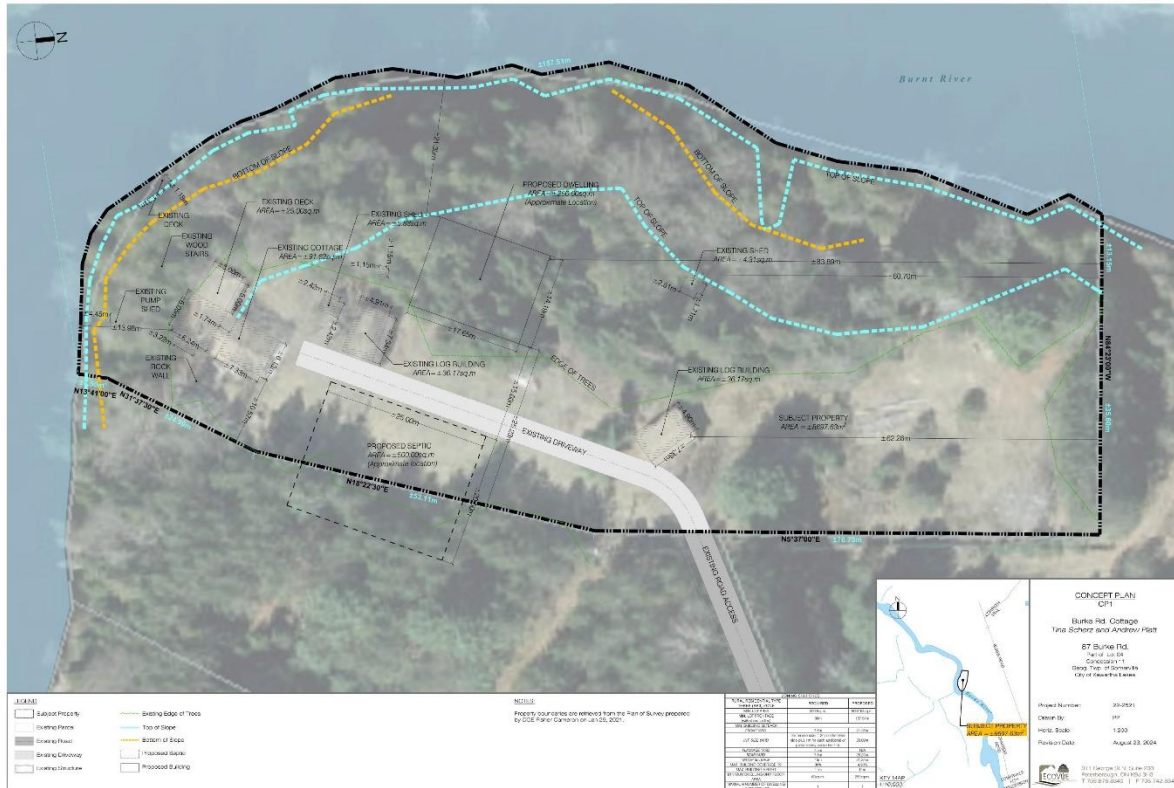
Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

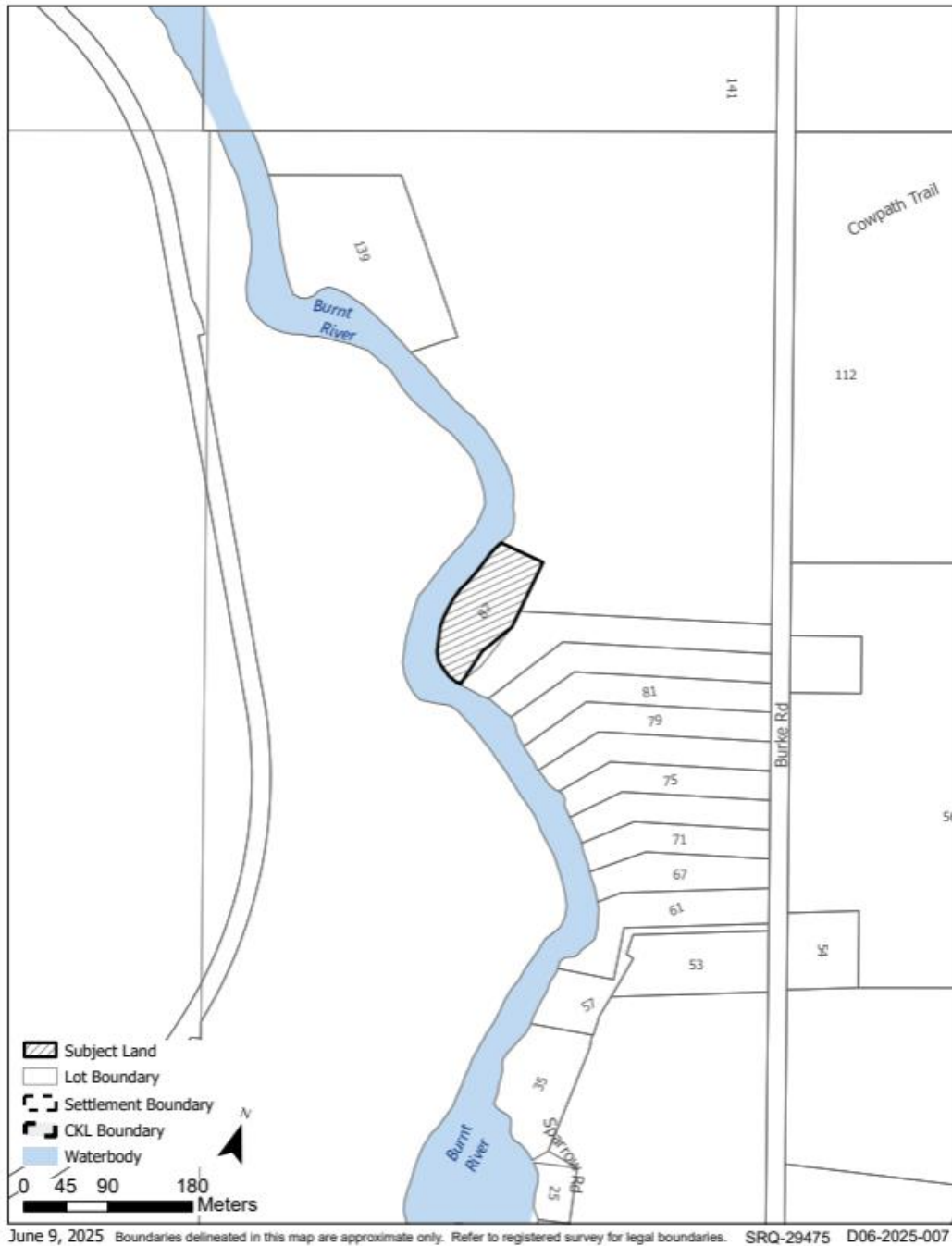
Department File: D06-2025-007

Schedule 1 – Proposed Concept Plan



Schedule 2 – Site Mapping

Location Map



Aerial Map



Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Planning Statement, 2024 (PPS)

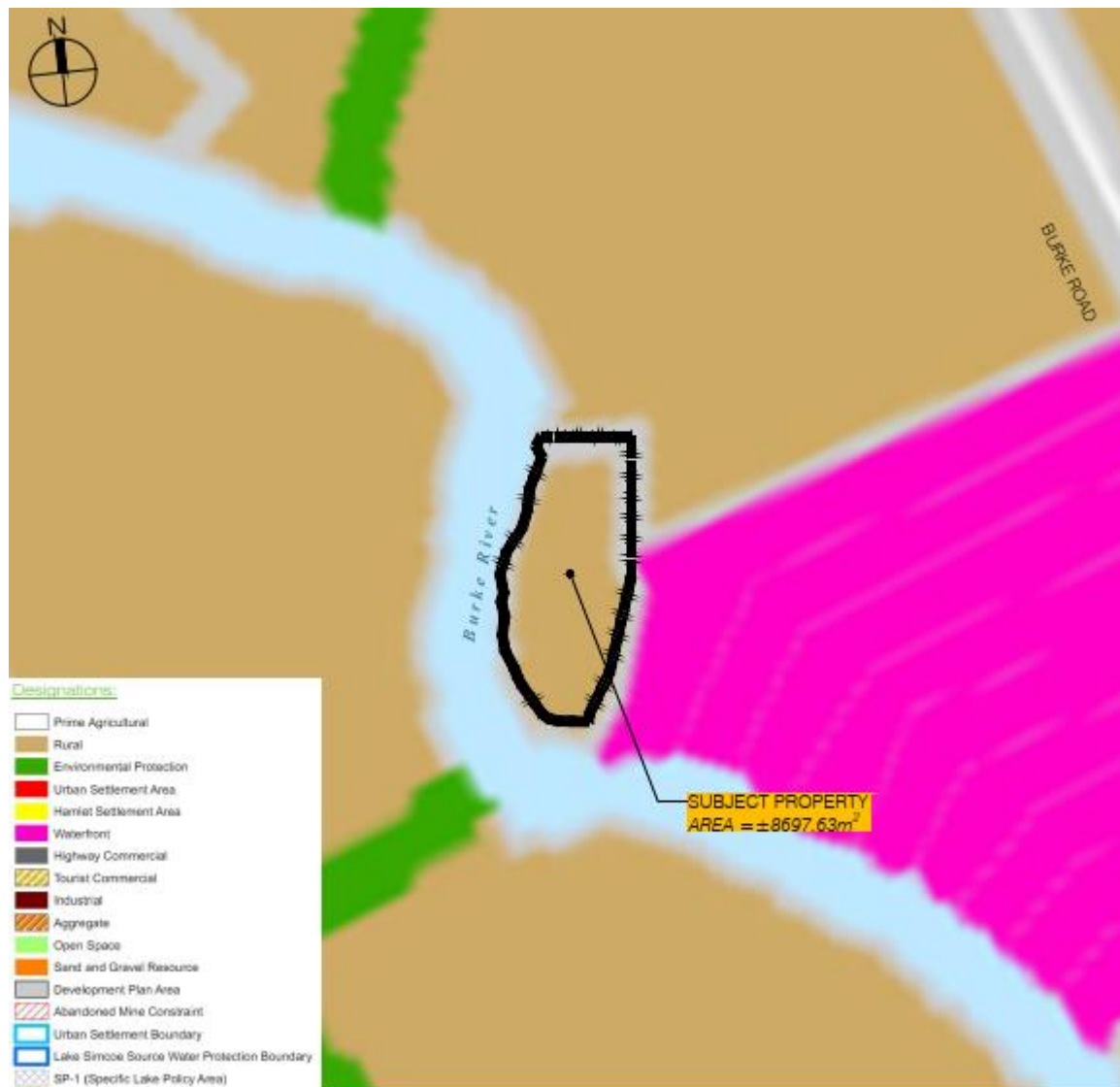
On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The PPS is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents.

City of Kawartha Lakes Official Plan

The Official Plan is the City's policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law.

The subject lands are designated Rural in the City's Official Plan:



Zoning By-Law – Township of Somerville Zoning By-law 78-45

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.



Planning Advisory Committee Report

Report Number:	PLAN2025-042
Meeting Date:	July 9, 2025
Title:	Application to Amend the Township of Ops Zoning By-law 93-30 at 155 Monarch Road, Lindsay - Redmond
Description:	Rezone portions of the Subject Land from the 'Agricultural (A)' Zone to a site-specific 'Agricultural Exception 23 (A-24)' Zone, in order to facilitate the severance of a surplus farm dwelling, and to prohibit residential development at Part Lot 13, Concession 2, Geographic Township of Ops
Type of Report:	Public Meeting
Author and Title:	Julio Sarti Caldeira, Planning Technician, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendations:

That Report PLAN2025-042, **Application to Amend the Township of Ops Zoning By-law 93-30 at 155 Monarch Road, Lindsay - Redmond**, be received for information;

That a Zoning By-law Amendment respecting application D06-2025-008, substantially in the form attached as Appendix 'D' to Report PLAN2025-042, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner:	Kimberly Ann Redmond and Leonard Arthur Redmond
Applicant:	William Frank Reesor
Legal Description:	Part Lot 13, Concession 2, Township of Ops, City of Kawartha Lakes, municipally known as 155 Monarch Road
Official Plan:	'Prime Agricultural', 'Aggregate Resource' and 'Environmental Protection' in Schedule 'A-3' of the City of Kawartha Lakes Official Plan
Zoning By-law:	'Agricultural (A)' Zone ('Schedule A') in the Township of Ops Zoning By-Law 93-30
Area:	Total Area of Subject Land: 40.59 ha. (100.30 ac.) Total Area of proposed Severed Lands: 1.00 ha. (2.47 ac.) Total Area of proposed Retained Lands: 39.59 ha. (97.83 ac.)
Servicing:	Private individual well, private individual septic tank, ditches
Access:	Municipal – Local (Monarch Road) and Arterial (Elm Tree Road)
Existing Uses:	Agricultural, Residential
Adjacent Uses:	North: Residential, Agricultural East: Agricultural South: Residential, Agricultural, Natural Features West: Residential, Agricultural, Natural Features

An amendment to the Township of Ops Zoning By-law 93-30 is required as a condition of consent approval for the severance of approximately 1.00 ha (Severed Land) of a surplus farm dwelling under File No. D03-2025-003. The Retained Land (approximately 39.59 ha.) will be rezoned from the 'Agricultural (A)' Zone to a site-specific 'Agricultural Exception 24 (A-24)' Zone to prohibit residential development on the Retained Land.

Rationale:

As part of the conditional approval for a Consent for Severance, a Zoning By-Law Amendment application is required to rezone the proposed Retained Land to an

'Agricultural Exception 24 (A-24)' Zone. This ensures the Retained Land remains agricultural and protects its natural features. Prohibiting future residential uses also protects areas identified as having high potential for sand and gravel resources. The Severed Land will remain as an 'Agricultural (A)' Zone, as it complies with the provisions of the Township of Ops Zoning By-law. No new development is proposed.

Policy Conformity

Provincial Planning Statement, 2024 (PPS 2024)

The PPS 2024 provides a policy framework for land use planning within the Province of Ontario. The 'Subject Lands' are serviced by a private well and septic system, are within the Kawartha Region Conservation Authority ('KRCA') Regulated Area and lie mostly in prime agricultural areas.

Under Section 4.3.2 of the PPS, in prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected. As per Policy 4.3.3.1(c), when a surplus dwelling results from farm consolidation, a new residential lot may be created provided it remains small and no new homes are permitted on the retained agricultural land. In this case, no new development is being proposed. The existing residential dwelling will remain, and the Zoning By-law Amendment seeks to align the land use with PPS policies by prohibiting future residential development on the remaining agricultural parcel. This amendment supports the protection of farmland by preventing fragmentation and maintaining its long-term agricultural viability.

The Zoning By-law Amendment proposes to rezone the Retained Land to an 'Agricultural Exception 24 (A-24)' Zone, aligning with the PPS 2024 policies to protect agricultural resources.

City of Kawartha Lakes Official Plan (2012)

The Subject Land is designated 'Prime Agricultural', 'Aggregate Resource' and 'Environmental Protection' according to Schedule A-3 of the City of Kawartha Lakes Official Plan (CKLOP). Additionally, Schedule B-3 indicates the presence of a small waterbody on the Retained Land.

In accordance with Section 15 of the CKLOP regarding the Prime Agricultural Designation, the City supports the consolidation of farms, allowing severances of surplus dwellings under certain conditions. Section 15.3.4 states that, "The City

recognizes as generally desirable the consolidation of farms wherever possible.

Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
- b) the residential lot meets the Minimum Distance Separation criteria;
- c) the dwelling is not required for farm employees; and
- d) the farm land is merged into a single lot."

As per Policy 15.3.5, "Dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided that the criteria of 15.3.4 a, b and c above are met and that the retained agricultural land be zoned to prohibit any residential use."

The proposed severance meets these conditions, as the proposed Severed Land is approximately 1.00 hectare (2.47 acres) in size, which is within the permitted range.

Section 17 of the CKLOP outlines that the Environmental Protection Designation applies to areas subject to flooding, Provincially Significant Wetlands (PSW), or other physical hazards. The Retained Land contains such designated areas aligned with the location of a watercourse, which falls under the Environmental Protection Designation. The Subject Land is within the jurisdiction of KRCA, who present no concerns regarding the approval of the Zoning By-law Amendment application. Since no development is being proposed, the application conforms to the City of Kawartha Lakes Official Plan (2012).

Section 24 of the CKLOP describes the goals and objectives for the Sand and Gravel Resource Designation, which aims to protect these resources from land uses incompatible with possible future extraction. Both the Retained and Severed Lands contains such designated areas, and the proposed rezoning prohibiting future residential uses conforms to the City of Kawartha Lakes Official Plan (2012).

Township of Ops Zoning By-law 93-30

The Subject Land is currently zoned 'Agricultural (A)' Zone in the Township of Ops Zoning By-law 93-30. According to the provisions of the Agricultural (A) Zone, a single detached dwelling, along with agricultural uses and accessory buildings and structures, are permitted. The Retained Land would be 39.59 ha. (97.83 ac.) in size and complies with the Agricultural Zone's minimum area requirement of 37 hectares.

It is the policy of the PPS 2024 and City of Kawartha Lakes Official Plan that a retained farm parcel resulting from a surplus dwelling severance shall be merged/consolidated with an abutting farm or be zoned to prohibit future dwellings on the farm lot. Consequently, a Zoning By-Law Amendment is necessary.

Accordingly, the Retained Land will be rezoned to an 'Agricultural Exception 24 (A-24)' Zone to explicitly prohibit any residential development, in accordance with the requirements established by Provincial and City planning policies.

Furthermore, Section 16.2 of the Township of Ops Zoning By-law 93-30 states, "Where a consent is given by the Land Division Committee to create a Residential lot, such lot may be used for a one-family house, provided that the new lot complies with the provisions of the Rural Residential (RR) Zone". The Severed Land complies entirely with the provisions of the RR Zone, and the Severed Land does not require any rezoning.

Planning Staff support the proposed Zoning By-Law Amendment as it aligns with the City's planning framework and fulfills the requirements of the consent approval process while safeguarding the environmental and agricultural integrity of the Retained Land.

Other Alternatives Considered:

No alternatives have been considered.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

In alignment with the strategic priorities, the proposed rezoning would facilitate lot severance that would further protect and support agricultural land and agri-business; supporting a healthy environment and promoting a vibrant and growing economy.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Consultations:

The Planning Division received the application submission package on May 7, 2025, which included the following reports and plans in support of the application:

- Planning Application, prepared by William Frank Reesor, dated May 6, 2025
- Sketch for Severance and Proposed Watermain Easement, prepared by Coe Fisher Cameron Land Surveyors, dated May 24, 2024
- Cover Letter, prepared by Heather Richardson, Staples & Swain Professional Corporation, dated May 7, 2025

Staff deemed the application 'complete' under the requirements of the Planning Act on May 14, 2025, and initiated Agency consultation on May 15, 2025, with a requested review period of the application submission package by May 29, 2025.

All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the applications through circulation of the Notice of Public Meeting on June 11, 2025.

The following comments were provided by agencies during the consultation period:

Planning – reviewed the proposal and has no concerns.

Development Engineering – reviewed the proposal and has no objections.

Building and Septic – reviewed the proposal and has no concerns.

Kawartha Region Conservation Authority - reviewed the proposal and expressed no concerns with the Zoning By-law Amendment.

Enbridge - reviewed the proposal and has no objections.

Alderville First Nation - Alderville First Nation rights in its Reserve and Traditional Territory and/or Treaty Territory include rights to hunt, fish and trap, to harvest plants for food and medicine, to protect and honour burial sites and other significant sites, to sustain and strengthen its spiritual and cultural connection to the land, to protect the Environment that supports its survival, to govern itself, sustain itself and prosper including deriving revenues from its lands and resources, and to participate in all

governance and operational decisions about how the land and resources will be managed, used and protected.

Conclusion:

The proposal represents good land use planning by facilitating the severance of a surplus farm dwelling in accordance with policies of the PPS, Kawartha Lakes Official Plan, and Township of Ops Zoning By-law 93-30.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2025-008, substantially in the form attached as Appendix 'D' to Report PLAN2025-042, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Julio Sarti Caldeira at dillonplanning@kawarthalakes.ca

Attachments:

Appendix A – Location Map (see below)

Appendix B – Aerial Map (see below)

Appendix C – Concept Plan (see below)

Appendix D – Draft Zoning By-law Amendment & Schedule



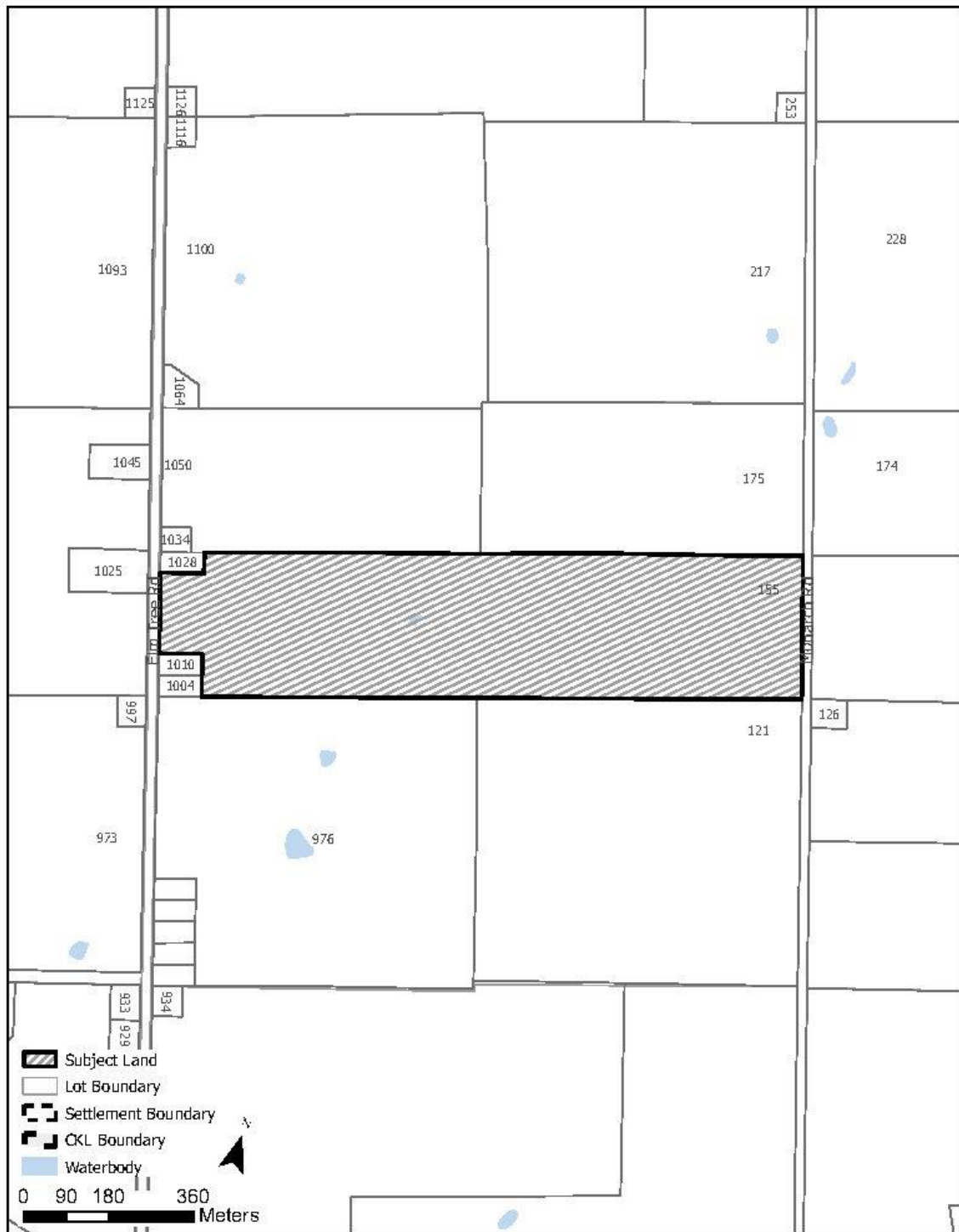
D06-2024-019 Draft
Zoning By-law-ZBA (

Department Head email: ibarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: D06-2025-008

Appendix A – Location Map

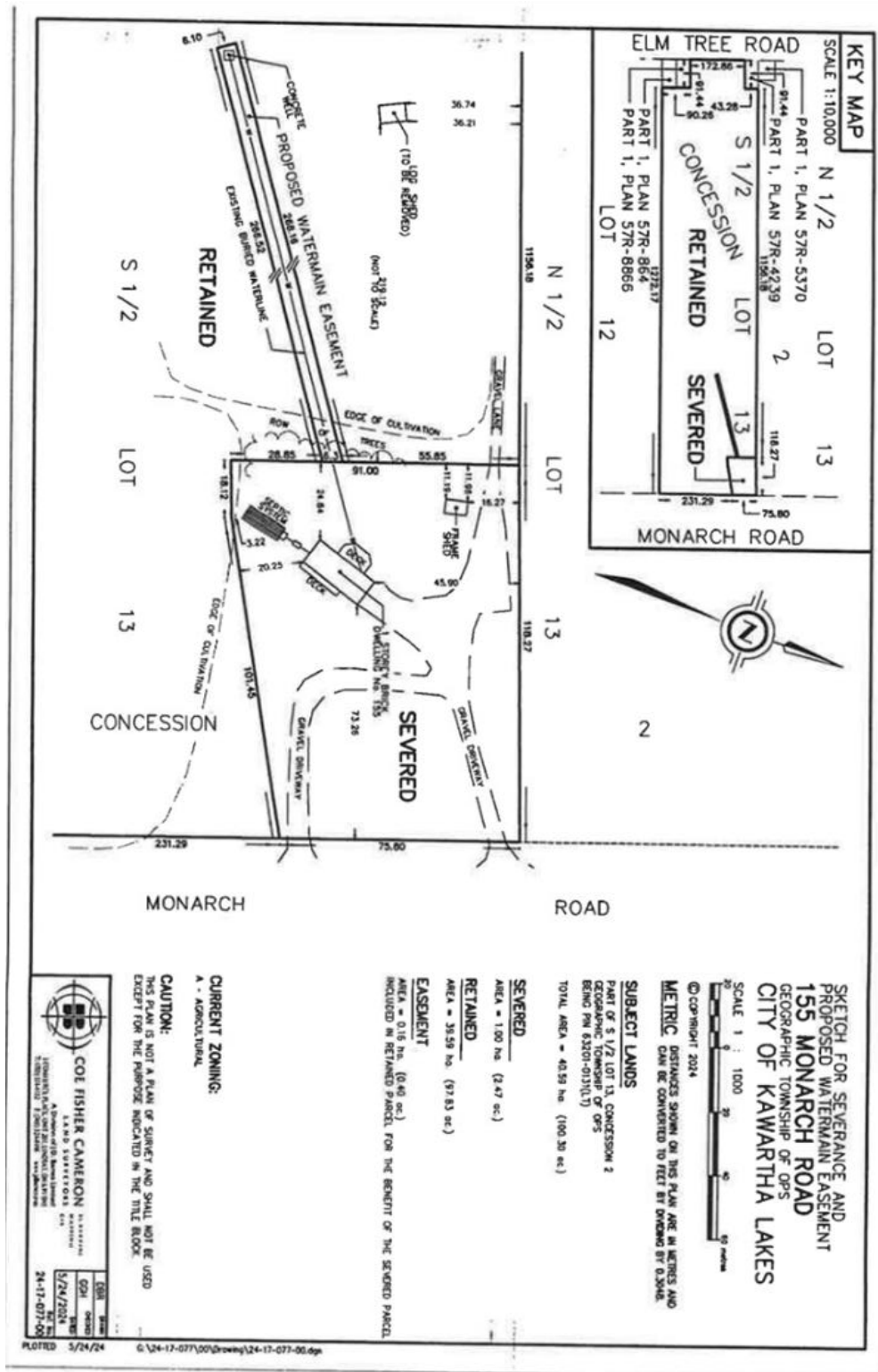


June 9, 2025 Boundaries delineated in this map are approximate only. Refer to registered survey for legal boundaries. SRQ-29569 D06-2025-008

Appendix B – Aerial Map



Appendix C – Concept Plan



The Corporation of the City of Kawartha Lakes

By-Law 2025 - [REDACTED]

A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes

[File D06-2025-008, Report PLAN2025-042, respecting 155 Monarch Road (Part Lot 13, Concession 2, Former Township of Ops, identified as 155 Monarch Road – Kimberly Ann Redmond and Leonard Arthur Redmond)]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to rezone a portion of the Subject Land from the 'Agricultural (A)' Zone to a site-specific 'Agricultural Exception 24 (A-24)' Zone. This would fulfill a condition of provisional consent for application D03-2025-003.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2025-[REDACTED].

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 13, Concession 2, Former Township of Ops, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended to add the following section to Section 16.3:

 '16.3.24 Agricultural Exception 24 (A-24) Zone

 a. Notwithstanding the permitted uses in subsection 16.1, on land zoned A-24, residential uses shall not be permitted.
- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the 'Agricultural (A)' Zone to the 'Agricultural Exception 24 (A-24)' Zone for the land referred to as 'A-24', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2025.

Douglas J.F. Elmslie, Mayor

Cathie Ritchie, City Clerk

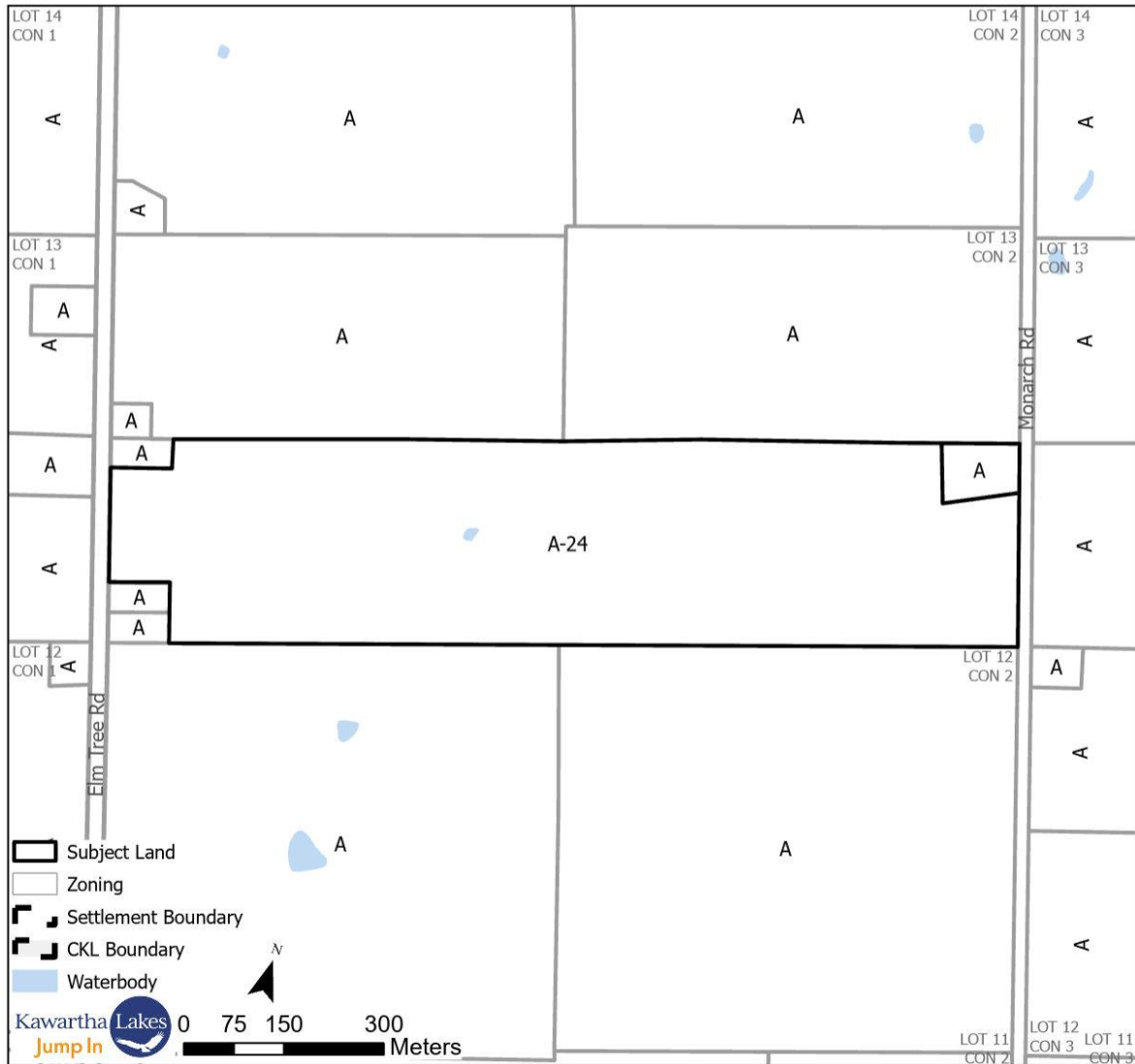
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2024.

MAYOR _____ CLERK _____



June 18, 2025

SRQ-29899 D06-2025-008



Planning Advisory Committee Report

Report Number:	PLAN2025-041
Meeting Date:	July 9, 2025
Title:	Applications to Amend the Kawartha Lakes Official Plan and Township of Emily Zoning By-Law 1996-30 at 54 Loop Line, Omemee - Maridean Acres Inc. (c/o David Wellman)
Description:	Applications to amend the City of Kawartha Lakes Official Plan and Township of Emily Zoning By-Law 1996-30 at Part Lot 20, Concession 4, Township of Emily, Diana Keay of D.M.Wills Associates Limited. (David Wellman) to facilitate a future consent application to sever land to create a new lot
Type of Report:	Regular Meeting
Author and Title:	Harane Jegatheswaran, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendation(s):

That Report PLAN2025-041, **Applications to Amend the Kawartha Lakes Official Plan and Township of Emily Zoning By-Law 1996-30 at 54 Loop Line, Omemee - Maridean Acres Inc. (c/o David Wellman)** be received;

That an Official Plan Amendment respecting application D01-2024-010, substantially in the form attached as Appendix D and E to Report PLAN2051-041, be approved and adopted by Council;

That a Zoning By-law Amendment respecting application D06-2024-025, substantially in the form attached as Appendix F and G to Report PLAN2025-041, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner:	Maridean Acres Inc. (c/o David Wellman)
Applicant:	D.M. Willis Associates Limited (c/o Diana Keay)
Property Description:	Legal Description: Part Lot 20, Concession 4, Geographic Township of Emily, City of Kawartha Lakes Municipal Address: 54 Loop Line
Official Plan:	'Rural', 'Sand and Gravel Resource' and 'Environmental Protection' in Schedule 'A-3' of the City of Kawartha Lakes Official Plan
Zoning By-law:	'Agricultural (A1)' Zone, 'Agricultural Exception Twenty-Three (A1-23)' Zone and 'Environmental Protection (EP)' Zone ('Schedule A') in the Township of Emily Zoning By-Law 1996-30
Lot Area:	Total area of subject lands: 35.1 ha. (86.75 ac.)
Servicing:	Water: Individual private well Sanitary: Individual private septic system
Access:	Municipal – Local (Loop Line)
Existing Uses:	Residential, Agricultural
Adjacent Uses:	North: Agricultural East: Agricultural, Waterfront, Natural Heritage Feature, Rural South: Agricultural, Rural, Natural Heritage Feature, Residential West: Agricultural, Rural, Natural Heritage Feature, Residential

Rationale:

The applicant is seeking to amend the City of Kawartha Lakes Official Plan to support a future consent application. The request is to create special policies that permit agricultural lands that are less than the minimum lot size of 40 hectares.

The request also includes amendments to the Zoning By-law to rezone the property to 'Agricultural Exception Forty-Five Holding (A1-45(H))' and 'Agricultural Exception Forty-Six (A1-46)' to facilitate the severance to create a new lot intended for the purpose of a detached residential dwelling and agricultural use – to permit the proposed reduced lot frontage and area of the retained lot; and, the proposed deficiencies in the minimum lot area, minimum lot frontage and minimum front setback of the severed lot.

The holding symbol would be removed once an archaeological assessment is completed and any cultural heritage concerns are resolved, thereby safeguarding the area's historical significance.

Rationale

The applicant has submitted the requisite reports and plans in support of the applications, which have been circulated to various City departments and commenting agencies for review and clearance.

Policy Conformity**Provincial Planning Statement, 2024 (PPS 2024)**

The Provincial Planning Statement, 2024 (PPS 2024) provides a policy framework for land use planning within the Province of Ontario. The 'Subject Land' is located outside of settlement areas, and are subject to Section 2.5.1 of the PPS, which recognizes the importance of rural areas to the economic success of the province. The proposed severance is located on lands which are not designated Prime Agricultural and as such the PPS does not discourage this proposed application. Additionally, technical nature of the application will ensure that the existing farm use will continue.

The proposed application is also in alignment Section 2.6.1.c which permits lot creation where site conditions are suitable for the provision of appropriate sewage and water services, which both the proposed retained and proposed servicing have. The application is also proposing development that can be sustained by rural service levels which ensures alignment with Section 2.6.2.

The subject land is located in Ecoregion 6E as there is a wetland that bisects the property, creating a natural divide. As directed by the PPS 2024, development and site alteration is not permitted in Ecoregion 6E (Section 4.1.4) which has forced the two sections of the property to act as two separate parcels. The parcels cannot function as one property, as travel between the south and north sides must be completed through Loop Line.

City of Kawartha Lakes Official Plan (CKLOP, 2012)

The subject land is designated 'Rural', 'Sand and Gravel Resources' and 'Environmental Protection' (EP) on Schedule 'A-3' of the CKLOP. The CKLOP aims to support farming operations in the City as it is recognized as an important component of the economy, a source of employment and a way of life for many rural residents (section 16.2.c). While the proposed severed and retained lots are intended to maintain their agricultural use, neither will meet the minimum lot size of 40 hectares (Section 16.3.8) and as such, relief from this provision is required.

The CKLOP allows consideration for consents when the property fronts on an assumed public road like Loop Line and where access may not create a traffic hazard due to limited sight lines which is accurate for the subject lands (section 33.3.3 and 33.3.4).

The proposed severance is intended to ensure that part of the subject land that is designated 'Environmental Protection' will not be affected as the retained lot will absorb the entirety of the EP designated area. This ensures the application is in compliance with section 17.3.2.

Section 24.3.1. permits agriculture as a use in the 'Sand and Gravel' designation which is the intent of the proposed severance.

The proposed Official Plan Amendment aligns with the goals and objectives of the City of Kawartha Lakes Official Plan. The redesignation and policy exception facilitate economic development by encouraging the existing agricultural use and respecting the intent of the 'Rural' designation. Therefore, the proposed amendment is consistent with the CKLOP's vision for sustainable agricultural economic growth.

Township of Emily Zoning By-law 1996-30

The Subject Lands are currently zoned Agricultural Exception 23 (A1-23) Zone in the Township of Emily Zoning By-law. The Zoning By-law Amendment seeks to rezone the property to 'Agricultural Exception 45 Holding (A1-45(H))' and 'Agricultural Exception 46 (A1-46)' to permit the proposed deficiencies resulting from a future severance.

The zoning by-law exception would be added to the A1 zone to allow for a reduced lot frontage of 80.1m and reduced lot area of 31.4 hectares on the retained lot as well as a reduced lot area of 3.7 hectares, reduced lot frontage of 114.7m and a reduced front setback of 21 metres on the severed lot. This modification supports the existing use of the lot while maintaining compatibility with the existing zoning framework.

Additionally, the proposed zoning for the Subject Lands will require a Holding (H) provision due to identified archaeological potential. Development or site alteration is prohibited until this provision is lifted. To remove the Holding symbol, an archaeological assessment must be completed by a licensed archaeologist, following the Standards and Guidelines for Consultant Archaeologists. The report must be submitted to the City and entered into the Ontario Public Register of Archaeological Reports, with recommendations confirming no further cultural heritage concerns or detailing conservation measures. Additionally, the application must demonstrate that the archaeologist engaged with the Williams Treaties First Nations to their satisfaction.

The proposed Zoning By-law Amendment, including the site-specific exception and the Holding provision, aligns with the intent of the Township of Emily Zoning By-law while addressing the unique characteristics of the proposed severance. The proposed severance though deviating from the dated by-law, are justified based on contemporary standards and the technical nature of the severance. The required archaeological assessment ensures the protection of cultural heritage resources. Therefore, the amendments are considered appropriate and support the orderly development of the Subject Lands.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the Kawartha Lakes Strategic Plan 2024-2027 by contributing a healthy environment as it aims to protect and preserve the natural areas on the property including the wetland and the existing farmland.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Consultations:

The Planning Division received the application submission package which included the following reports and plans in support of the application:

- Signed and Completed Zoning By-Law Amendment Application Form dated November 4, 2024 (Severed);
- Signed and Completed Zoning By-Law Amendment Application Form dated November 4, 2024 (Retained);
- Completed Official Plan Amendment Application Form;
- Site Plan, prepared by D.M Wills Associates Limited, dated October 31, 2024; and
- Planning Justification Report, inclusive of an Agricultural Impact Brief, Minimum Distance Separation calculations, Draft Official Plan and Zoning By-law schedules, prepared by D.M Wills Associates Limited, dated November 2024.
- Zoning By-law Amendment - Response Memo and Zoning Addendum, prepared by Michelle Duong, DM Willis, dated February 6, 2025;
- Notice of Request to Consult – Summary Statement, by Michelle Duong, DM Willis, dated February 10, 2025
- Comment Response Matrix – Transmittal Sheet, prepared by Michelle Duong, DM Willis, dated March 10, 2025; and,
- Planning Advisory Committee Information Report, prepared by Dillon Planning on behalf of the City of Kawartha Lakes dated January 15, 2025;

Staff deemed the application number D06-2024-025 'complete' under the requirements of the Planning Act on November 28, 2024, and initiated Agency consultation on December 2, 2024 with a requested review period of the application submission package by December 16, 2024. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment.

The following comments were provided by agencies during the consultation period:

Dillon Planning – dated April 28, 2025

It is recommended that the Agricultural zoning is maintained for the proposed severed lot, with an exception to accommodate any lot deficiencies. This approach will allow for the desired continued Agricultural use and proposed severance while addressing several concerns raised by the Economic Development Officer (Agriculture).

The proposed zoning on the Subject Lands would be subject to a Holding provision as the lands have been identified as having archaeological potential. No development or site alteration shall be undertaken on the subject property until the Holding provision is removed. The following shall be required in order to remove the holding symbol:

- a. An archaeological assessment of the property has been completed by a licensed archaeologist in compliance with the Standards and Guidelines for Consultant Archaeologists and a report has been submitted to the City and entered into the Ontario Public Register of Archaeological Reports with a recommendation of one of the following:
 - i. No archaeological site of cultural heritage value or interest has been identified and no further archaeological assessment is required;
 - ii. Any identified archaeological site is of no further cultural heritage value or interest and any impacts have been successfully mitigated;
 - iii. Any identified archaeological site of further cultural heritage value or interest is conserved and protected in a manner as detailed in the archaeological assessment.
- b. A complete application to remove the holding provision shall include documentation to confirm that the licensed archaeologist engaged with the Williams Treaties First Nations to their satisfaction in preparing and finalizing the archaeological report.

Should the applicant not wish to pursue a holding symbol on the zoning, an archaeological assessment report would be needed prior to a formal decision being made on the application.

City of Kawartha Lakes: Economic Development

Economic Development (Agricultural) – Dated April 24, 2025

Concerns include the potential impacts from fragmentation of agricultural lots and agricultural operations. Questions were raised regarding the intent of Zoning by-laws that permit two dwellings, and whether the intent was to prohibit their severance from one another. Agricultural zoning should be maintained on this piece of agricultural land.

Planning staff acknowledge the comments and concerns raised, and note that given the Official Plan Rural designation, the permissive PPS, 2024 land use framework, and the natural feature that effectively creates two (2) distinct parcels, that the application has technical merit without hindering the existing agricultural operation.

Alderville First Nation – dated April 7, 2025

There should be an archaeological assessment completed here – the proximity of the creek and wetland associated with Chemong Lake.

After further discussions between Dillon Planning staff and Dr. Julie Kapyrka, it has been determined that a Holding symbol can be placed on the property in place of conducting an archaeological assessment. This will ensure no development or site alteration shall be undertaken on the subject property until the Holding provision is removed and an archaeological assessment is completed.

Development Engineering Comments – dated March 14, 2025

No comments

Otonabee Conservation Comments – dated March 21st 2025

Otonabee Conservation mapping indicates that the subject property is traversed by hazardous lands due to the presence of Chemong Lake 25 Provincially Significant Wetland and a permanent unnamed watercourse. The existing building locations appear to be outside of the mapped natural hazards.

The revised Environmental Protection (EP) rezoning would have the effect of recognizing the hazards for the severed lot and is therefore consistent with Chapter 5 of the Provincial Planning Statement (PPS), referencing Natural Hazards.

Provincial policies dictate that development shall not create new or aggravate existing natural hazards. Otonabee Conservation has reviewed this application through our mandated responsibility under Ontario Regulation 686/21 and provide the following comments, technical support or information, and advice. Based on the information provided the proposed development will not create new or is proposing to aggravate existing hazards.

Otonabee Conservation has reviewed the application through a regulatory lens. Ontario Regulation 41/24 prohibits any development, interference with, or alteration within a flooding hazard, erosion hazard, hazardous lands, watercourse, wetland and/or their adjacent lands/areas of interference unless a permit has been issued by Otonabee Conservation under Section 28 of the Conservation Authorities Act.

Otonabee Conservation mapping indicates that the lands are partially subject to Ontario Regulation 41/24 Otonabee Conservation's "Prohibited Activities, Exemptions and Permits" regulation. No new development is currently being proposed but future development may require Otonabee Conservation permits prior to any site alteration or construction in those areas regulated by Otonabee Conservation.

Otonabee Conservation has reviewed the application to assess the applicability of the Trent Source Protection Plan (SPP) prepared under the Clean Water Act (CWA). The SPP came into effect on January 1, 2015, and contains policies to protect sources of municipal drinking water from existing and future land use activities that pose a significant drinking water threat.

It was determined that the subject property is not located within a vulnerable area that is subject to SPP policies. The subject property is located within the vulnerable area(s) listed below. Significant drinking water threats are not possible, and a Restricted Land Use Notice is not required.

- Intake Protection Zone 3
- Significant Groundwater Recharge Area
- Highly Vulnerable Aquifer

Conclusion and Recommendation:

The proposal represents good land use planning by preserving existing agricultural uses, fostering agricultural growth within the rural economy, and safeguarding environmentally sensitive areas in accordance with policies of the PPS 2024, City of Kawartha Lakes Official Plan, and Township of Emily Zoning By-law.

Staff respectfully recommends that the Zoning By-law Amendment and Official Plan Amendment respecting applications D01-2024-010 and D06-2024-025, substantially in the form attached as Appendix 'D', Appendix 'E', Appendix 'F', and Appendix 'G' to Report PLAN2025-041, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Dillon Planning at dillonplanning@kawarthalakes.ca.

Attachments:

Appendix A – Location Map – see following pages

Appendix B – Aerial Map – see following pages

Appendix C – Site Plan – see following pages

Appendix D – Draft Official Plan Amendment & Schedule



Appendix D
OPA.docx

Appendix E – Draft Zoning By-law Amendment & Schedule



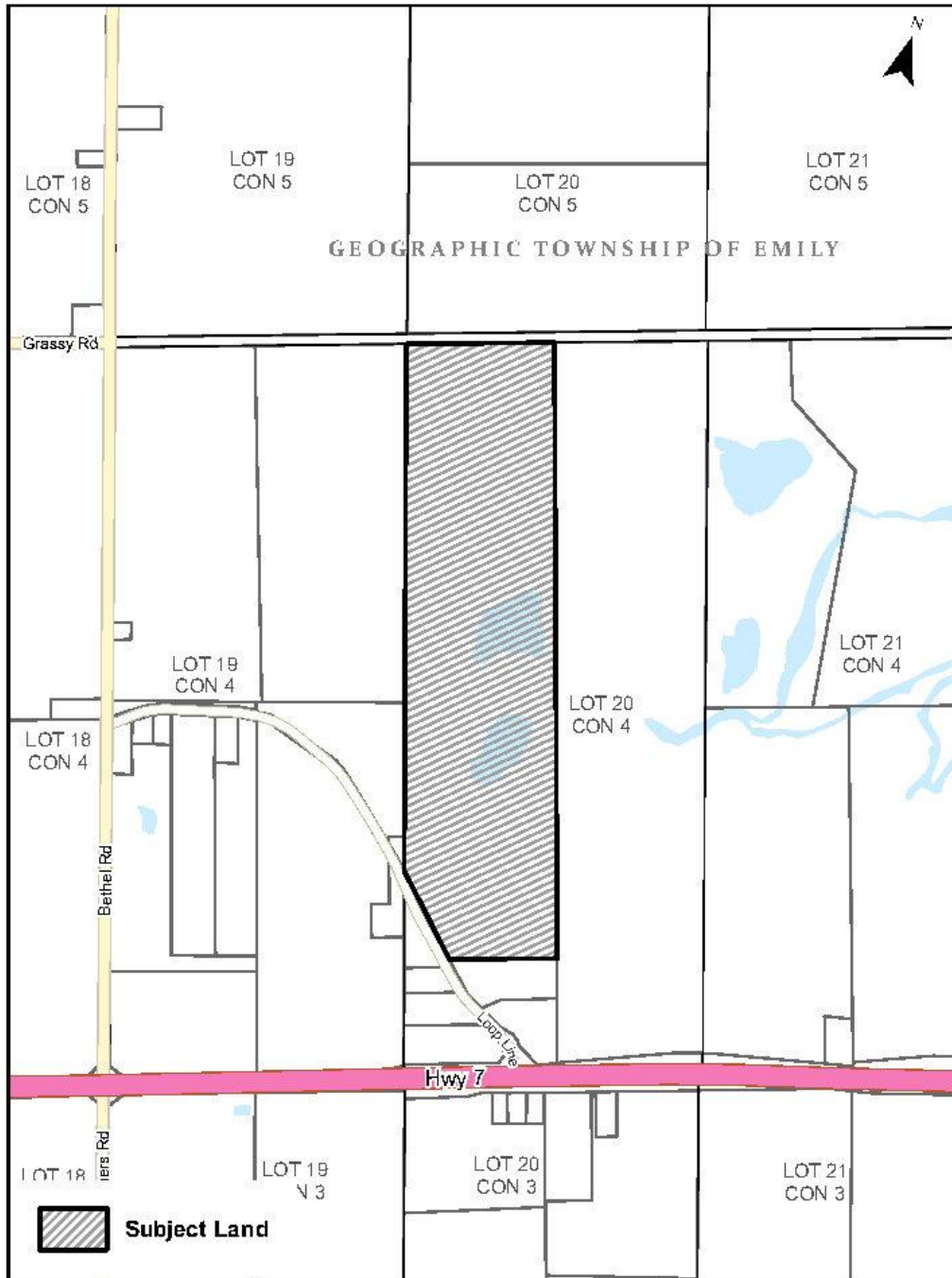
Appendix E
ZBA.docx

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: D01-2024-10 and D06-2024-025

Appendix A – Location Map

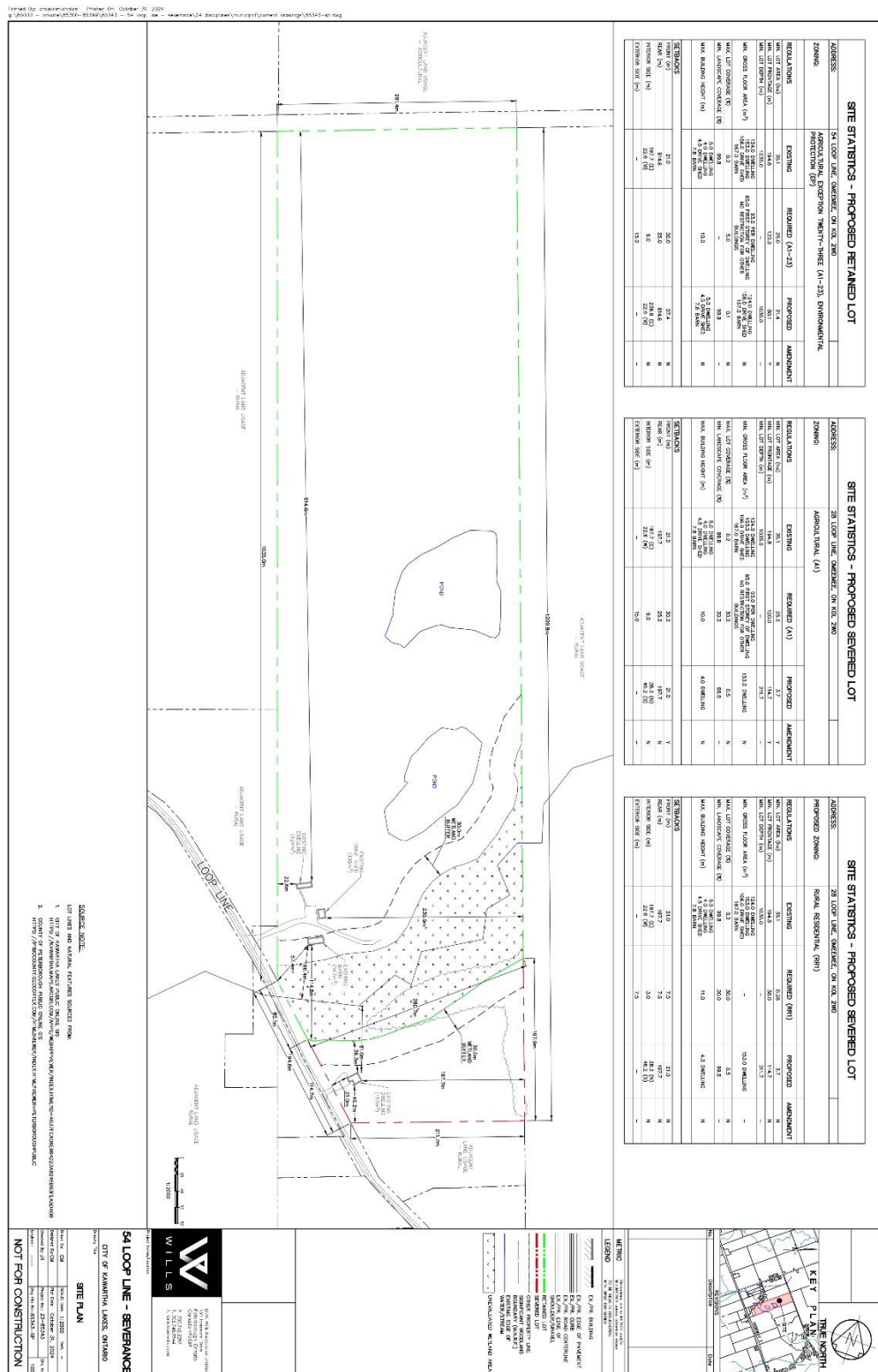


D06-2024-025 (MSM # SRQ_22420)

Appendix B – Aerial



Appendix C – Site Plan



The Corporation of the City of Kawartha Lakes

By-Law 2025-XX

A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes

[File D01-2024-010, Report PLAN2025-041, respecting Part Lot 20, Concession 4, Geographic Township of Emily, City of Kawartha Lakes, identified as 54 Loop Line - D.M. Willis Associates Limited]

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan to amend the land use policies to include a Special Policy which removes the subject land from the applicable requirements of Section 16.3.8, to address minimum lot area requirements to facilitate the creation of one (1) residential lot by consent for severance under Section 50 and 53 of the Planning Act to portions of the property known municipally as 54 Loop Line.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 61.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2025-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Part Lot 20, Concession 4, Geographic Township of Emily, now in the City of Kawartha Lakes, 54 Loop Line.
- 1.02 **Amendment:** Amendment No. 61 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

Section 2:00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13.

By-law read a first, second and third time, and finally passed, this ** day of _____, 2025.

Douglas J.F. Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2025-***

The Corporation of the City of Kawartha Lakes

Amendment No. 61 To The Official Plan – The City of Kawartha Lakes

Part A – The Preamble

A. Purpose

The purpose of the official plan amendment is to create a Special Policy Area to permit lot creation within the Rural Designation with a minimum lot area of 31.4 hectares and 3.7 hectares, respectively.

The effect of the change is a new lot intended for the continued use of a single residential dwelling and agricultural use via a concurrent consent application.

B. Location

The subject land has an area of approximately 35.1 hectares and is located between Highway 7 and Grassy Road, in the geographic Township of Emily. The north portion of the subject land affected by this application has an area of approximately 31.4 ha. and is located at the northern end of Loop Line. The south portion of the subject land affected by this application has an area of approximately 3.7 ha. and is located at the southern end of Loop Line. The property is legally described as Part Lot 20, Concession 4, Geographic Township of Emily, now City of Kawartha Lakes and identified as 54 Loop Line.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by D.M. Wills Associates Limited. on behalf of the owner to permit a contemplated land severance creating a new lot intended for the continued use of a single residential dwelling and agricultural use via a concurrent consent application.

The land is designated “Rural”, “Sand and Gravel Resource” and “Environmental Protection” as shown on Schedules “A-3” respectively, of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The proposed use and amendment to the City of Kawartha Lakes Official Plan is justified and represents good planning for the following reasons:

1. The proposed use/development conforms to the goals and objectives of the “Rural” designation as set out in the City of Kawartha Lakes Official Plan.
2. The proposed use is compatible and integrates well with the surrounding area.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 61 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. The Official Plan for the City of Kawartha Lakes is hereby amended to add the following subsections:

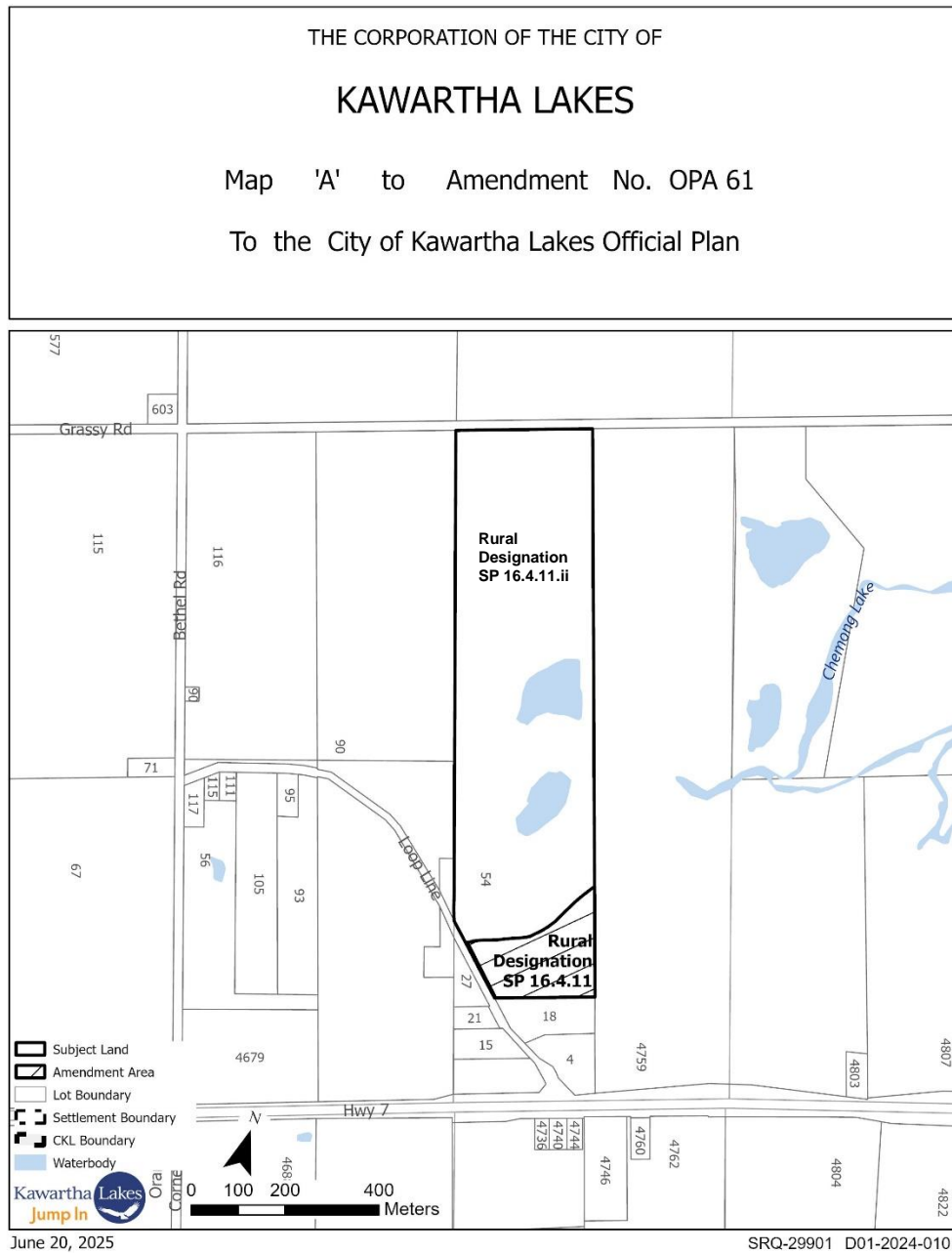
16.4 Special Provisions:

- “16.4.11.i Notwithstanding Section 16.3.8, the southern part of the property known municipally as 54 Loop Line (Emily), shall have a minimum lot area of 3.7 hectares.
 - 16.4.11.ii Notwithstanding Section 16.3.8, the northern part of the property known municipally as 54 Loop Line (Emily), shall have a minimum lot area of 31.4 hectares.”
2. Schedule ‘A-3’ of the City of Kawartha Lakes Official Plan is hereby amended by inserting a note that the lot is subject to Special Policy 16.4.11 of the Official Plan, as shown on Map ‘A’ as ‘Land to be Designated Rural – Subject to Special Policy 16.4.11.i and 16.4.11.ii’.

F. Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

Map A: Land to be Designated Rural – Subject to Special Policy 16.4.11



The Corporation of the City of Kawartha Lakes

By-Law 2025 - XX

A By-law to Amend the Township of Emily Zoning By-law No. 1996-30 to Rezone Land within the City Of Kawartha Lakes

[File D06-2024-025, Report PLAN2025-041, respecting Part Lot 20, Concession 4, Geographic Township of Emily, City of Kawartha Lakes, identified as 54 Loop Line - D.M. Willis Associates Limited]

Recitals:

1. Sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a proposed severance on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2025-XX.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 20, Concession 4, Geographic Township of Emily, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following subsection to Sections 7.3.45 and 7.3.46:

7.3.45 A1-45(H) Zone

Notwithstanding the permitted uses and zone requirements for the A1 zone, on land zoned A1-45(H), the following shall apply:

- a. The minimum lot area shall be 3.7 hectares.;
- b. The minimum lot frontage shall be 114.7 meters.;
- c. The minimum Front Setback shall be 21 meters.;
- d. Until the holding provision has been removed, No development or site alteration shall be undertaken on the subject property.

On land zoned A1-45(H), the removal of the (H) holding symbol shall be in accordance with the following:

- a. An archaeological assessment of the property has been completed by a licensed archaeologist in compliance with the Standards and Guidelines

for Consultant Archaeologists and a report has been submitted to the City and entered into the Ontario Public Register of Archaeological Reports with a recommendation of one of the following:

- i. No archaeological site of cultural heritage value or interest has been identified and no further archaeological assessment is required;
 - ii. Any identified archaeological site is of no further cultural heritage value or interest and any impacts have been successfully mitigated;
 - iii. Any identified archaeological site of further cultural heritage value or interest in conserved and protected in a manner as detailed in the archaeological assessment.
- b. A complete application to remove the holding provision shall include documentation to confirm that the licensed archaeologist engaged with the Williams Treaties First Nations to their satisfaction in preparing and finalizing the archaeological report.

7.3.46 A1-46 Zone

Notwithstanding the permitted uses and zone requirements for the A1 zone, on land zoned A1-46 the following shall apply:

- e. The minimum lot frontage shall be 80.1 meters.; and,
- f. The minimum lot area shall be 31.4 hectares.

- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category from the Agricultural Exception Twenty - Three [A1-23] Zone to the Agricultural Exception Forty – Five Holding [A1-45 (H)] Zone and Agricultural Exception Forty Six [A1-46], as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2025.

Douglas J.F. Elmslie, Mayor

Cathie Ritchie, City Clerk

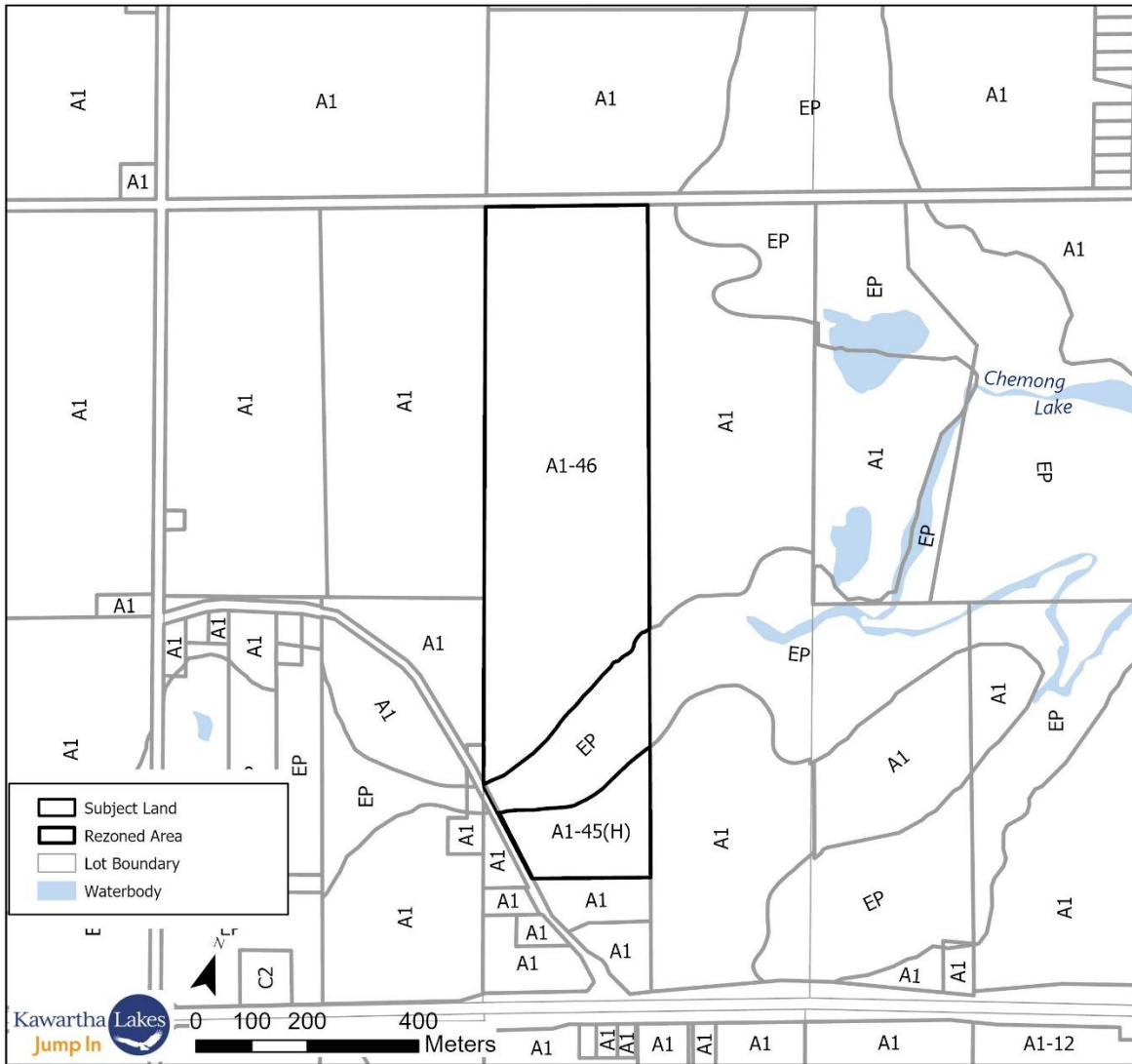
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2025.

MAYOR _____ CLERK _____



June 25, 2025

SRQ-29901 D06-2024-025