

to

The Corporation of the City of Kawartha LakesREPORT PLAN2018-071**By-Law 2018 -**FILE NO: D01-2018-003**A By-Law To Amend The City of Kawartha Lakes Official Plan To Re-Designate Land Within The City Of Kawartha Lakes**

File D01-2018-003, Report PLAN2018-071, respecting Part of Lot 17, Concession 3, geographic Township of Mariposa, identified as 408 and 422 Ranch Road

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c.P.13 authorizes 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 add a special provision to the Prime Agricultural designation policies as they apply on a portion of the subject land in order to facilitate the creation of a rural residential lot that is not deemed surplus to a farm operation as the result of a consolidation of farm land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment 31.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-__.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 17, Concession 3, geographic Township of Mariposa, City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment Number 31 of 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 ***, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2018-***

The Corporation of the City of Kawartha Lakes

Amendment Number 31 To The City of Kawartha Lakes Official Plan

Part A - The Preamble

A. Purpose

The purpose of the official plan amendment is to amend the "Prime Agricultural" land use designation within the City of Kawartha Lakes Official Plan to include a Special Policy on a portion of the subject land to facilitate the severance of a rural residential lot.

The effect of the change would permit a second existing dwelling to be severed from the agricultural lot, whereas the proposal would not currently be permitted in the Prime Agricultural policies of the City of Kawartha Lakes Official Plan as the second dwelling is not deemed surplus to the needs of a farm operation as a result of the consolidation of farm land.

B. Location

The subject land has an area of approximately 40.74 hectares and is legally identified as Part of Lot 17, Concession 3, geographic Township of Mariposa, City of Kawartha Lakes and municipally addressed as 408-422 Ranch Road. The portion of the subject land affected by this amendment has an area of approximately 0.54 hectares, contains a single detached dwelling, and is municipally addressed as 422 Ranch Road.

C. Basis

Council has enacted this Official Plan Amendment in response to an application submitted by EcoVue Consulting Services Inc. on behalf of the owner, Ann Muirhead. It is intended that a special policy be incorporated into the City of Kawartha Lakes Official Plan to facilitate an application for consent under Section 53 of the Planning Act to create a rural residential lot containing an existing dwelling on the portion of the property municipally addressed as 422 Ranch Road.

The land is designated "Prime Agricultural" as shown on Schedule "A-2" of the City of Kawartha Lakes Official Plan. The land is also subject to an application for a Zoning By-law Amendment.

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

1. The second dwelling was constructed in accordance with the provisions of the Mariposa Zoning By-law in effect at the time; and

2. The concurrent zoning by-law amendment, file D06-2018-011, ensures that the residential uses permitted on the balance of the property are restricted to one dwelling unit, reflecting the original farmhouse which remains, protecting the agricultural use of the land. In this way, the agricultural land is treated equally to an application to sever a dwelling surplus to a farming operation as a result of the consolidation of farm land.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B - The Amendment, consisting of the following Map 'A' constitutes Amendment Number 31 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

The City of Kawartha Lakes Official Plan is hereby amended as follows:

1. 15.4 SPECIAL PROVISIONS:

“15.4.4 Notwithstanding the Prime Agricultural policies of Section 15 of this Plan to the contrary, on a portion of land described as Part of Lot 17, Concession 3, geographic Township of Mariposa, a consent shall be permitted to create a rural residential lot on lands addressed as 422 Ranch Road containing an existing single detached dwelling, to be used for rural residential purposes”.

2. Schedule 'A-2' of the City of Kawartha Lakes Official Plan is hereby amended by inserting a note that the portion of the subject property containing the dwelling addressed as 422 Ranch Road lot is subject to Policy 15.4.4 of the Official Plan, as shown on Map 'A' as 'Subject to Special Provisions 15.4.4'.

F. Implementation and Interpretation

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

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. 31
to the City of Kawartha Lakes Official Plan

