

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2019-058

Date: October 22, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 8 - Manvers

Title: Removal of Holding (H) Symbol for 166 Highway 7A

Description: To amend the Township of Manvers Zoning By-Law 87-06 to remove the Holding (H) provision to permit a residential use on the subject property zoned Rural Residential Type Two Special Exception 17 (RR2-S17) Zone described as Part Lot 3, Concession 8, geographic Township of Manvers, City of Kawartha Lakes, identified as 166 Highway 7A (Henderson)

Author and Title: Kent Stainton, Planner I

Recommendations:

That Report PLAN2019-058, **Removal of Holding (H) Symbol for 166 Highway 7A**, be received;

That Zoning By-Law Amendment application D06-2019-026 identified as 166 Highway 7A, City of Kawartha Lakes, as generally outlined in Appendix C to Report PLAN2019-058, be approved and adopted by Council; and

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

Owners/Applicant: Terry and Mark Henderson
Legal Description: Part Lot 3, Concession 8, geographic Township of Manvers
Official Plan: Prime Agricultural in the City of Kawartha Lakes Official Plan
Zone: Rural Residential Type Two Special Exception 17 Holding (RR2-S17)(H) Zone in the Township of Manvers Zoning By-law 87-06, as amended
Site Size: 2,509 sq. m. (0.62 acres - MPAC)
Site Servicing: Private well and septic systems
Existing Uses: Building used as a former place of worship, attached accessory building (garage)
Adjacent Uses: North: Highway 7A, Agricultural and Rural Residential
South: Rural Residential and Agricultural
East: Rural Residential, Commercial
West: Agricultural

Rationale:

The subject property is located within an existing cluster of rural residential lots within the community of Yelverton, which is situated within an agricultural area. The subject land contains a building formerly used as a church, and attached accessory building, being a garage which was sold by the United Church to another property owner in 2014 as it was no longer needed. The current owners who purchased the property in 2018, rezoned the property to convert the existing church building into a residential dwelling unit.

The RR2-S17(H) zone was applied to this property on February 19, 2019 (By-law 2019-034). The purpose of the Holding (H) symbol was to restrict the use of the property until conditions imposed by Council have been met. The condition imposed at that time involved a restriction on development until receipt of payment in lieu of 5 percent of the value of the land to be provided for park purposes prior to development as required by the Planning Act.

On August 16, 2019, the Planning Division received a complete application to remove the holding provision. On this basis, the owner has submitted the requisite payment; therefore it is appropriate for Council to consider removal of the Holding (H) provision for this lot.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

The application conforms to the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan).

Provincial Policy Statement, 2014 (PPS):

The proposal is consistent with the 2014 Provincial Policy Statement (PPS).

Official Plan Conformity:

Within the City of Kawartha Lakes Official Plan (OP), the subject property is designated Prime Agricultural. The designation permits agricultural, agriculture-related and agri-business uses, single detached dwellings accessory to other permitted uses, and recognizes clusters of residential lots and scattered residential lots as permitted uses within the zoning by-law, provided they existed prior to the adoption of the OP. It has been determined that this property is located within an existing cluster, therefore an OP amendment is not required, as it is in keeping with the intent of the OP policies.

Zoning By-law Compliance:

The property is zoned Rural Residential Type Two Special Exception 17 Holding (RR2-S17(H)) Zone in the Township of Manvers Zoning By-law 87-06, as amended. The RR2-S17 (H) zone permits a converted dwelling and a single detached dwelling including a reduced front yard setback for the existing structure. Any proposed use of the property requires conformity to the appropriate zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed by the owner to the Local Planning Appeal Tribunal. In the event of an appeal, there could be costs for legal representation and planning staff.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This application appears to align with the exceptional quality of life strategic goals as it increases the supply of affordable housing to attract new residents in the City of Kawartha Lakes.

Servicing Comments:

The lot is serviced by a private individual well and private septic system. The owner has applied to upgrade the sewage system to accommodate the proposed change of use.

Consultations:

Agency Comments:

On January 14, 2019, the Building Division advised that they have no concerns with the application.

On January 16, 2019, the Engineering and Corporate Assets Department advised that they have no objection to the proposed application.

On January 16, 2019, the Part 8 Sewage Systems Supervisor advised that the proposed change from community facility to residential will constitute a change in the total daily sewage flow for the property. The owner initiated an application for a sewage system permit to upgrade the system to accommodate the proposed changes. A sewage system upgrade can be accommodated on the property. As such, the Building Division – Sewage System Program has no objection to the proposed zoning amendment.

Development Services – Planning Division Comments:

Staff support this application based on the information contained in this report and the comments received to-date. As such, staff respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Kent Stainton, Planner I at (705) 324-9411 ext. 1248.

Appendix 'A' – Location Map



Appendix A
PLAN2019-058.pdf

Appendix 'B' – Zoning By-law Amendment Sketch



Appendix B -
PLAN2019-058.pdf

Appendix 'C' – Zoning By-law Amendment



DRAFT BY-LAW
2019- D06-2019-026

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Department File: D06-2019-026