

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

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

File D01-2019-006, Report PLAN2020-010, respecting Part Lots 11 and 12, Concession 7, geographic Township of Emily, 88 Centreline Road – Caton

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 include a Special Policy which amends the applicable requirements of the “Rural” land use designation under Section 16, to facilitate a lot severance by consent under Section 53 of the Planning Act to a portion of the property known municipally as 88 Centreline Road that contains an existing second detached dwelling that is considered surplus.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 37.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The portion of the subject property (addressed as 94 Centreline Road) affected by this By-law is described as Part Lot 11, Concession 7, geographic Township of Emily, now in the City of Kawartha Lakes, which is part of the property municipally known as 88 Centreline Road.
- 1.02 **Amendment:** Amendment No. 37 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 _____, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2020-***

The Corporation of the City of Kawartha Lakes

Amendment No. 37 To The Official Plan - The City of Kawartha Lakes

Part A - The Preamble

A. Purpose

The purpose of the official plan amendment is to amend the "Rural" land use designation in the City of Kawartha Lakes Official Plan to include a Special Policy to facilitate a future consent for the creation of a rural lot. The land is also subject to an application for zoning by-law amendment.

The effect of the change is to facilitate the severance of a portion of the subject land containing an existing second detached dwelling (addressed as 94 Centreline Road) that is considered surplus and establish appropriate zone provisions for the proposed severed and retained land through an implementing zoning by-law amendment.

B. Location

The subject land has a lot area of approximately 7.88 ha. (19.46 ac.) of which approximately 1.2 ha. (3 ac.) of the northern portion is proposed to be severed and is situated in the geographic Township of Emily, in a rural area and located north of Peace Road on the east side of Centreline Road and west of the Pigeon River. The property is legally described as Part Lots 11 and 12, Concession 7, geographic Township of Emily, City of Kawartha Lakes and identified as 88 Centreline Road.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by Tom deBoer of TD Consulting Inc. on behalf of the owner to permit the severance of a portion of the subject land with a surplus dwelling. It is intended that a special policy be incorporated into the City of Kawartha Lakes Official Plan to facilitate a subsequent application to sever a portion of the subject land (addressed as 94 Centreline Road) by consent under Section 53 of the Planning Act from the property known municipally as 88 Centreline Road.

The land is designated "Rural", "Waterfront" and "Environmental Protection" with "Provincially Significant Wetlands and "Significant Woodland" Natural Heritage Features, whereas the subject land proposed to be severed is designated "Rural", with a "Significant Woodland" Natural Heritage Feature as shown on Schedules "A-3" and "B-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 are justified and represent good planning for the following reasons:

1. The proposed use conforms or does not conflict with the relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The inclusion of a Special Policy to permit the severance of a portion of the subject land containing an existing second detached dwelling (addressed as 94 Centreline Road) that is considered surplus is deemed to conform to the intent of the objectives of the City of Kawartha Lakes Official Plan, as amended.
3. The proposed use is appropriate for the rural property, will not impact on agricultural uses in the area, and will be compatible with established land uses and development in the area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B - The Amendment, consisting of the following text constitutes Amendment No. 37 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. Section 16 - Rural Designation of the Official Plan for the City of Kawartha Lakes is hereby amended to add the following subsection.

16.4 SPECIAL PROVISIONS:

- “16.4.3. Notwithstanding the Rural policies of Section 16 of this Plan to the contrary, on a portion of the subject land (addressed as 94 Centreline Road) described as Part of Lot 11, Concession 7, geographic Township of Emily, a severance by consent under Section 53 of the Planning Act may be granted for an existing second detached dwelling that is considered surplus to the property known municipally as 88 Centreline Road.”
2. Schedule ‘A-3’ of the City of Kawartha Lakes Official Plan is hereby amended by inserting a note that a portion of the subject lot is subject to Policy Provision 16.4.3 of the Official Plan, as shown on Map ‘A’.

F. Implementation and Interpretation

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

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. 37

To the City of Kawartha Lakes Official Plan

