

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2020-035

Meeting Date: September 2, 2020

Public Meeting

Title: An application to amend the Township of Mariposa Zoning By-law 94-07

Description: An amendment to facilitate the severance of three residential lots from the balance of the agricultural land. The property is described as Part of Lots 14 and 15, Concession 9; Block J, Part Lots 8-17, Plan 80; Part 1, 57R-6577, geographic Township of Mariposa, City of Kawartha Lakes, identified as 1013 Eldon Road

Ward Number: 4

Author and Title: David Harding, Planner II, RPP, MCIP

Recommendation:

That Report PLAN2020-035, Part of Lots 14 and 15, Concession 9; Block J, Part Lots 8-17, Plan 80; Part 1, 57R-6577, geographic Township of Mariposa, City of Kawartha Lakes, identified as 1013 Eldon Road, “Vandenberg – D06-2020-017”, be received; and

That the application be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The subject property is an agricultural lot that contains a single detached dwelling, and agricultural buildings.

The owner is applying to rezone a strip of land abutting Eldon Road to residential use in order to facilitate the creation of three rural residential lots. One of the lots will contain the existing farmhouse. Each residential lot is proposed to be approximately 4,300 square metres.

In order to reduce conflicts between the new residential lots and the established agricultural use on the property, the use of the existing agricultural buildings is also proposed to be changed to prevent the keeping of livestock. Manure storage is also proposed to be prevented around said buildings.

The owners have submitted the following documentation in support of their proposal which was circulated for comment and review:

1. Functional Servicing and Stormwater Management Brief dated February 2020 prepared by M.V. Wilson Engineering Inc.
2. Hydrogeologic Investigation Report dated February 7, 2020 prepared by GHD.
3. Topographic Plan prepared by Coe Fisher Cameron Land Surveyors dated September 28, 2019.
4. Erosion & Sediment Control Plan dated February 19, 2020 prepared by M.V. Wilson Engineering Inc.
5. Site/Grading Plan dated February 19, 2020 prepared by M.V. Wilson Engineering Inc.

Owners: Bruce and Sharon Vandenberg

Legal Description: Part of Lots 14 and 15, Concession 9; Block J, Part Lots 8-17, Plan 80; Part 1, 57R-6577, geographic Township of Mariposa

Official Plan: Rural and Environmental Protection within the City of Kawartha Lakes Official Plan 2012

Zone: Agricultural (A1) Zone in the Township of Mariposa Zoning By-law 94-07, as amended

Site Size: Severed 1 – 4,309.4 square metres
Severed 2 – 4,322 square metres
Severed 3 – 4,315.3 square metres
Retained – 70.7 hectares (approx.)

Site Servicing	Severed 1 – Municipal water, and private individual septic system
	Severed 2 – Private individual well, municipal water, and private individual septic system
	Severed 3 – Municipal water, and private individual septic system
	Retained – Unspecified

Rationale:

Residential lot creation is to be directed towards the City's urban settlement and hamlet settlement areas.

Provincial Policies:

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

The Growth Plan directs growth to settlement areas. Growth in rural settlement areas that is not on full municipal services is to be limited. Focus on these areas is on more compact built form.

Such development is to be compatible with the rural landscape, not conflict with the protection of agricultural uses and be sustained by rural service levels.

The proposal is to add additional dwellings to the hamlet, and round out development along the Eldon Road corridor.

The proposal conforms to the Growth Plan as it is directing development to a rural settlement area.

Provincial Policy Statement, 2020 (PPS):

Rural areas are important to the economic success of the Province and the quality of life. The long-term protection of rural assets and amenities is essential for a sustainable economy.

Within rural areas, the PPS directs most development to rural settlement areas. Development is to efficiently utilize rural infrastructure, and build upon rural character. The proposal is within the Oakwood hamlet area and has access to municipal water.

The proposal is consistent with the PPS as it is directing development to a hamlet settlement area.

Official Plan Conformity:

The majority of the subject land is designated Prime Agricultural within the City of Kawartha Lakes Official Plan (Official Plan). Portions of the land are designated Hamlet Settlement Area. Development is solely proposed within the Hamlet Settlement Area.

This application proposes no change to the existing land uses, save to prohibit livestock and the manure store within and around the existing agricultural

buildings in order to avoid conflict with the residential lots to be created. The agricultural land will be preserved and protected for future agricultural use.

The City, through its Official Plan, recognizes the importance of small scale development within its hamlets that maintains the character of the community. Low density residential in the form of single detached dwellings is one of the built forms anticipated within this designation. Further, there are additional criteria laid out in the designation to ensure the development proposal is compatible with the hamlet. A full review of the documentation will be conducted to ensure conformity with these policies.

The application is under review for conformity with the Official Plan.

Zoning By-law Compliance:

The subject land is zoned Agricultural (A1) Zone in the Township of Mariposa Zoning By-Law 94-07.

An exception is proposed to the agricultural zone to ensure odor conflicts do not arise if residential lots are created nearby.

The lands along Eldon road within the hamlet area are also proposed to be rezoned for residential use in order to facilitate the future severance of the property into three lots.

Once the review of the application is complete and all comments received, a by-law will be put forward for consideration.

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 to the Local Planning Appeals Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendation(s) To The 2020-2023 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Priorities:

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

This application aligns with a vibrant and growing economy and exceptional quality of life as it provides opportunity to provide employment to trades involved

in home construction and to provide additional housing opportunities within a hamlet.

Servicing Comments:

The services on the agricultural land are unspecified. The single detached dwelling on one of the parcels to be severed should the zoning on the property be amended is serviced by a private sewage disposal system. There is a well on the property, but it is unknown at this time if or how it is used. Municipal water is available at the curb. It is unknown at this time if the dwelling is connected to the municipal water service. This information may be contained within the Functional Servicing Report, which remains under review. The other two lots to be proposed should the zoning on the property be amended would also be serviced by private individual sewage disposal system. It is anticipated that the lots will connect to the municipal water system. Further comments regarding servicing have yet to be received.

Consultations:

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. The Building Division raised no concerns as a result of the circulation. No comments were received from the public. Comments from all other agencies and department remain outstanding.

Development Services – Planning Division Comments:

The application appears to conform to the Growth Plan and to be consistent with the Provincial Policy Statement. Additional review and analysis is required to confirm conformity and consistency of those documents as well as the Official Plan, allow the submission of comment from circulated agencies and departments, and allow further review of the proposal in conjunction with the existing zone provisions to facilitate the crafting of the by-law amendment.

Conclusion:

Staff respectfully recommends that the application be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

Attachments:

Appendix 'A' – Location Map



Appendix A to
Report PLAN2020-03

Appendix 'B' – Aerial Photograph



Appendix B to
Report PLAN2020-03

Appendix 'C' – Grading Plan



Appendix C to
Report PLAN2020-03

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Department Head: Chris Marshall

Department File: D06-2020-017