

The Corporation of the City of Kawartha Lakes

By-Law 2020-__

A By-Law to Amend the City of Kawartha Lakes Official Plan to permit the severance of a 4.1 hectare parcel of Prime Agricultural land

[File D01-2020-004, Report PLAN2020-045, respecting Part of Lot 22, Concession 2, geographic Township of Ops – Wayne and Ann MacLeish]

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 permit the severance of Prime Agricultural land located at 1590 Elm Tree Road. The severed parcel is proposed to be approximately 4.1 hectares and the retained is proposed to be approximately 5.9 hectares. The intent of the severance is to facilitate use of the severed land as an agriculturally supportive trucking terminal use. The lot will be subject to site plan control.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 40

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-0XX.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Part of Lot 22, Concession 2, Geographic Township of Ops, now in the City of Kawartha Lakes, 1590 Elm Tree Road.
- 1.02 **Amendment:** Amendment No. 40 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 XX day of October, 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. 40 To The City of Kawartha Lakes Official Plan

Part A – The Preamble

A. Purpose

The purpose of the Official Plan Amendment is to permit the severance of the Prime Agricultural land located at 1590 Elm Tree Road. The lands are also subject to a Zoning By-Law Amendment application.

The effect of the change would permit the severance of lands resulting in a retained lot of approximately 5.9 hectares and a severed lot of approximately 4.1 hectares.

B. Location

The land to be severed is approximately 10 hectares and located at 1590 Elm Tree Road in the Geographic Township of Ops.

C. Basis

Council has enacted this Official Plan Amendment in response to an application submitted by D.M. Wills & Associated Limited on behalf of the property owner to permit the severance of the land and facilitate the development of an agricultural-supporting trucking terminal on the severed lot. The retained lot would continue operating as residential and agricultural with a single detached dwelling, livestock building and detached accessory building.

1590 Elm Tree Road is designated "Prime Agricultural" as shown on Schedule "A-3" of the City of Kawartha Lakes Official Plan and this designation will be maintained. This land is also subject to a Zoning By-law Amendment application.

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 development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The proposed development conforms to the goals and objectives of the "Prime Agricultural" designation as set out in the City of Kawartha Lakes Official Plan.
3. The proposed site concept is compatible and integrates well with the surrounding area.

4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed development with respect to servicing and the protection of the environment.

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. 40 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. Section 32 of the City of Kawartha Lakes Official Plan is hereby amended to include the following provision:

“32.1.54 Prime Agricultural lands at Part of Lot 2, Concession 22 in the Former Township of Ops may be severed resulting in a retained parcel of approximately 5.9 hectares and a severed parcel of approximately 4.1 hectares. The severed lot is to be used in accordance with Prime Agricultural policies as outlined in the City of Kawartha Lakes Official Plan.”

F. Implementation and Interpretation

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