

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2022-XXX**

### **A By-Law to Amend the City of Kawartha Lakes Official Plan to permit the severance of land within the City of Kawartha Lakes**

[File D01-2022-007, Report PLAN2022-065, respecting Concession 3, Lot 16, geographic Township of Verulam, 273 County Road 30 – Thomson]

#### **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 a severance of land located at 273 County Road 30. The severed parcel is proposed to be approximately 4,564 m<sup>2</sup> hectares and the retained is proposed to be approximately 25.8 hectares. The intent of the severance is to permit use of the land as a residential use. The lot to be severed is designated as Rural under the Official Plan.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 49.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022-XXX.

#### **Section 1:00 Official Plan Amendment Details**

- 1.01 **Property Affected:** The property affected by this By-law is described as Concession 3, Lot 16, geographic Township of Verulam, now in the City of Kawartha Lakes, identified as 273 County Road 30.
- 1.02 **Amendment:** Amendment No. 49 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 1st day of November, 2022.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule 'A' to By-law No. 2022-XXX**

The Corporation of the City of Kawartha Lakes

### **Amendment No. 49 to the Official Plan for 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 special policies for the property identified as 273 County Road 30.

The effect of these changes would permit consent of the subject land.

##### **B. Location**

The subject land has a lot area of approximately 26.3 hectares and is legally described as Concession 3, Lot 16, geographic Township of Verulam, now City of Kawartha Lakes and identified as 273 County Road 30. The subject land is designated “Rural” under the Official Plan.

##### **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 to permit the creation of a residential lot by consent. The severed lot area is approximately 4,564 m<sup>2</sup> with approximately 98.73 metres of frontage on County Road 30. The land is designated “Rural” as shown on Schedule A-3 of the City of Kawartha Lakes Official Plan.

The retained lot will be approximately 25.8 hectares with 356 metres of frontage on County Road 30. The land is designated Rural, as shown on Schedule A-3 of the City of Kawartha Lakes Official Plan.

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 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 use conforms to the goals and objectives of the “Rural” designation, as amended with a site-specific policy as set out in the City of Kawartha Lakes Official Plan.
3. The proposed use maintains the guideline criteria as set out by OMAFRA in the Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, Publication 851.

4. The proposed use meets the Minimum Distance Separation (MDS) requirements.
5. The proposed use is compatible and integrates well with the surrounding area.
6. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use with respect to key hydrologic features and agricultural impact.

## **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. 49 to the Official Plan for the City of Kawartha Lakes.

### **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:**

Section 16.4.6. Notwithstanding the Rural policies of Section 16 of this plan, on a portion of the subject land (addressed as 273 County Road 30) described as part of Concession 3, Lot 16, geographic Township of Verulam, a consent under Section 53 of the Planning Act may be granted for lot creation for residential uses other than a dwelling deemed surplus to a farming operation or a farm retirement lot for a bona fide farmer.

### **F. Implementation and Interpretation**

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