

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Laidlaw
Report Number COA2022-084

Public Meeting

Meeting Date: December 1, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Bexley

Subject: The purpose and effect is to endorse the re-creation of a lot that has merged on title.

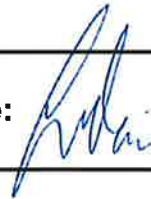
Relief sought:

1. Section 7.2.1.1 of the Zoning By-law requires a minimum lot area of 25 hectares. The existing undersized parcel is 17.45 hectares; the severed parcel is 10.31 hectares, and the retained parcel is 7.14 hectares.

The variance is requested at **(Vacant lands) Balsam Lake Drive** (File D20-2022-019).

Author: Leah Barrie, RPP Manager of Planning

Signature:



Recommendations

That Report COA2022-084 – Laidlaw, be received;

That minor variance application D20-2022-019 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** the lot configuration related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2022-084, which shall be attached to and form part of the Committee's Decision.
- 2) **That** the lot configuration related to the minor variance be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the companion consent application D03-2022-009.

This approval pertains to the application as described in report COA2022-084. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

| | |
|------------------------------|--|
| Proposal: | To endorse the re-creation of a lot that has merged on title |
| Owners: | Beverley Laidlaw |
| Applicant: | LLF Lawyers LLP (Emily McCaveney) |
| Legal Description: | Lots 2 and 4, RCP 566 |
| Official Plan ¹ : | Rural (City of Kawartha Lakes Official Plan, 2012) |
| Zone ² : | Rural General 'RG' (Township of Bexley Zoning By-law 93-09) |
| Site Size: | 17.45 hectares |
| Site Access: | Year-round municipal road |
| Site Servicing: | Not applicable |
| Existing Uses: | Vacant |
| Adjacent Uses: | Rural, woodlands, wetlands |

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The two adjacent vacant properties, both absent municipal addresses, have historically existed as separate lots of record. The properties inadvertently merged on a previous transfer due to a Planning Act violation, and needed to be re-created to complete a conveyance for land transfer/sale.

The application is consistent with the applicable policies of the Provincial Policy Statement (2020), and conforms to the applicable policies of the Growth Plan for the Greater Golden Horseshoe (2019) for rural land use, servicing and natural heritage and hazard features. The re-establishment of the parcels does not hinder the continued rural use of the lands, and does not add a new additional lot to the City's parcel inventory.

The variance maintains the general intent and purpose of the Official Plan.

¹ See Schedule 1

² See Schedule 1

The application upholds the goals and objectives of the City of Kawartha Lakes Official Plan (2012), in particular the Rural land use designation policies, as well as policies for significant wetland and woodland features.

The variance maintains the general intent and purpose of the Zoning By-law.

The application complies with the applicable provisions of Township of Bexley Zoning By-law 93-09, in particular the Rural General 'RG' Zone, with the exception of the minimum lot area requirement of 25 hectares. The resulting acreage is sufficient and appropriate for the permitted uses.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Phone: 705-324-9411 extension 1240

E-Mail: lbarrie@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Division File: D20-2022-019

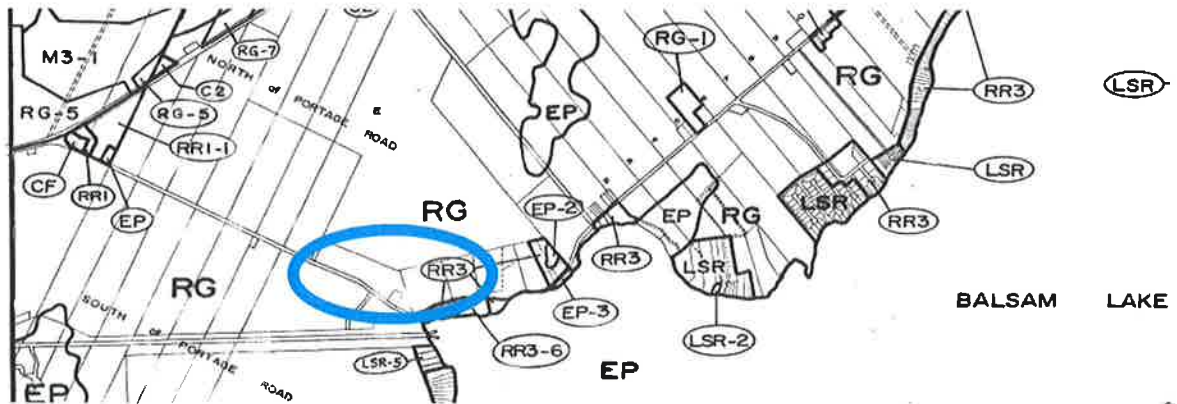
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



- 3.5. Natural Heritage System
- 16. Rural Designation

Township of Bexley Zoning By-law 93-09



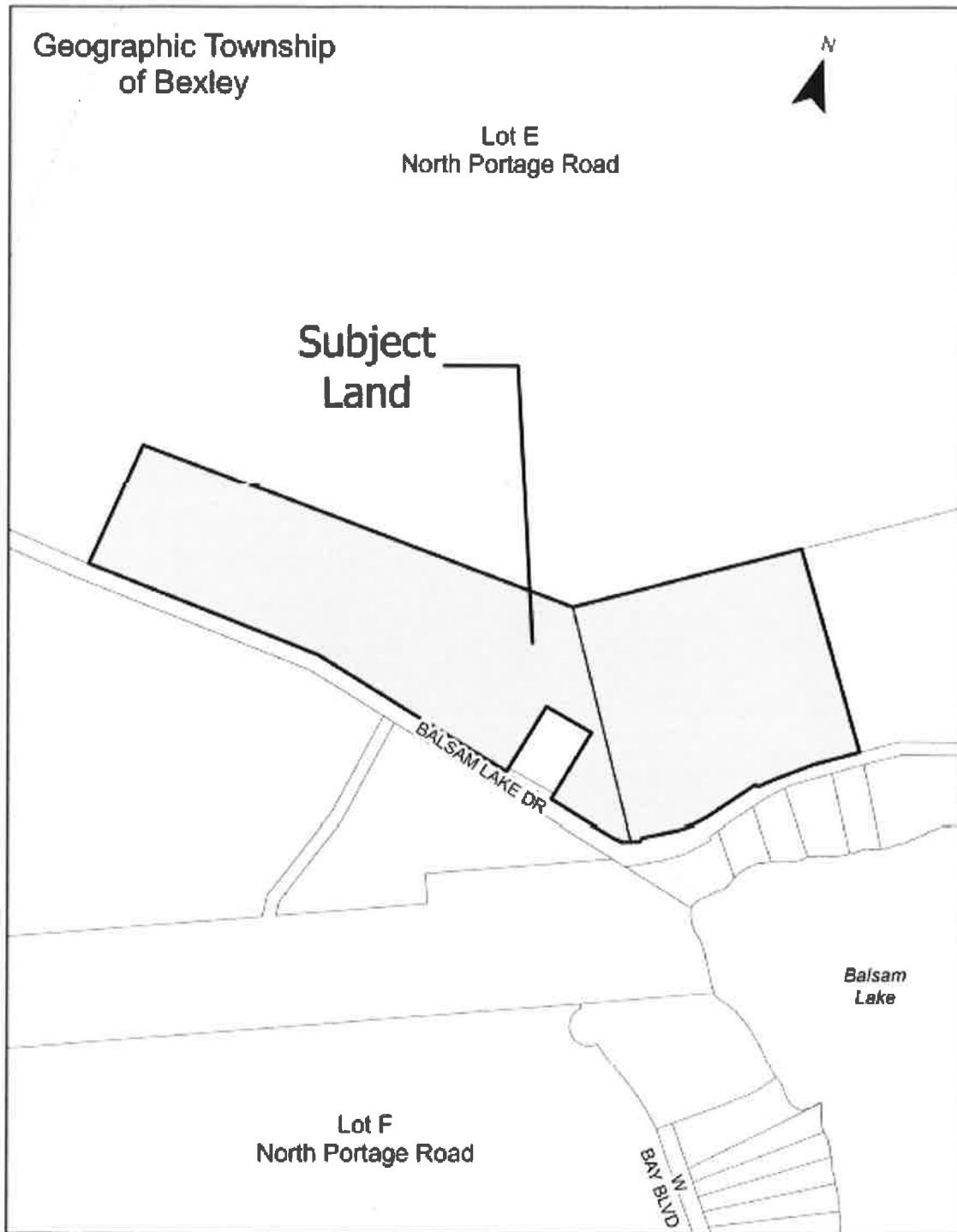
- Part 7 Rural General (RG) Zone
- 7.2.1.1 Lot Area (min.) 25 ha

to

REPORT COA2022-084

FILE NO: D20-2022-019

LOCATION MAP



to

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FILE NO: D20-2022-019

AERIAL PHOTO



to

REPORT COA2022-084

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APPLICANT'S SKETCH

