

The Corporation of the City of Kawartha Lakes

By-Law 2017-

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

[File D01-16-006, Report PLAN2017-062, respecting Part of Lots 6 and 7, Concession 2, geographic Township of Ops, Vacant Land on Elm Tree Road – 2042825 Ontario Inc.]

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 amend the land use policies to include a Special Policy which removes a portion of the subject land from the applicable requirements of Section 20.4.2, to facilitate the creation of eight (8) residential lots by plan of subdivision under Section 50 of the Planning Act to the property known municipally as Vacant Land on Elm Tree Road. An accessory use, such as a boathouse will be prohibited within the provisions of the implementing zoning by-law. The lots will be subject to site plan control to ensure the protection of natural features and archaeological artifacts.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 23.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is a portion of Part of Lots 6 and 7, Concession 2, geographic Township of Ops, now in the City of Kawartha Lakes, Vacant Land on Elm Tree Road.
- 1.02 **Amendment:** Amendment No. 23 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 _____,
2017.

Andy Letham, Mayor

Judy Currins, City Clerk

Schedule 'A' to By-law No. 2017-***

The Corporation of the City of Kawartha Lakes

Amendment No. 23 To The Official Plan - The City of Kawartha Lakes

Part A - The Preamble

A. Purpose

The purpose of the official plan amendment is to create a special policy which reduces the minimum lot frontage requirements for lot creation on the property identified as Vacant Land on Elm Tree Road, in the "Waterfront" designation of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment and draft plan of subdivision.

The effect of the change would permit a plan of subdivision to create eight (8) residential lots within the "Waterfront" designation of the subject land, with minimum lot frontages of 30 metres. No buildings or structures will be permitted within the 30 metre high water mark setback.

B. Location

The subject land has a lot area of approximately 72.6 ha. and is situated in the geographic Township of Ops, between Elm Tree Road and the Scugog River. The easterly portion of the subject land affected by this application has an area of approximately 6.5 ha. and is located at the northern end of O'Reilly Lane. The property is legally described as Part of Lots 6 and 7, Concession 2, geographic Township of Ops, now City of Kawartha Lakes.

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 an eight (8) lot plan of subdivision on a portion of the subject land. It is intended that a special policy be incorporated into the City of Kawartha Lakes Official Plan to facilitate a concurrent application for the creation of an eight (8) lot plan of subdivision under Section 50 of the Planning Act for a portion of the subject land known municipally as Vacant Land on Elm Tree Road. No buildings or structures will be permitted within 30 metres of the shoreline within the provisions of the implementing zoning by-law.

The land is designated "Prime Agricultural", "Waterfront" and "Environmental Protection" with "Significant Woodlands" and "Provincially Significant Wetlands" 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 and draft plan of subdivision.

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 Waterfront designation as set out in the City of Kawartha Lakes Official Plan.
3. The proposed use is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use with respect to the protection of the environment and the Kawartha Region Conservation Authority is satisfied with the Environmental Impact Study.

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. 23 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. The Official Plan for the City of Kawartha Lakes is hereby amended to add the following subsection.

20.7 SPECIAL PROVISIONS:

- “20.7.6. Notwithstanding Sections 20.4.2, 20.5.2, and 34.7 of this Plan, on Part of Lots 6 and 7, Concession 2, geographic Township of Ops, on lands designated as Waterfront, an eight (8) lot plan of subdivision, with a minimum lot frontage of 30 metres for each lot, may be established. No structures, including boathouses, shall be permitted within 30 m. of the high water mark. The lots in the plan of subdivision are subject to site plan control.”
3. Schedule ‘A-3’ of the City of Kawartha Lakes Official Plan is hereby amended by inserting a note that the lot is subject to Special Policy 20.7.6 of the Official Plan, as shown on Map ‘A’ as ‘Land to be Designated Waterfront – Subject to Special Policy 20.7.6’.

F. Implementation and Interpretation

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