

The Corporation of the City of Kawartha Lakes

By-Law 2024-

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

[File D01-2023-003 and D06-2023-027, Report PLAN2024-026, respecting Block 18 Plan 57M-759, Part of Lot 1, Concession 19 and Part of Lot 2, Concession 10, geographic Township of Verulam, now City of Kawartha Lakes - 1570194 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 recognize the historical placement of six (6) existing docks, and to permit the development of three (3) new docks on the shoreline property known as Block 18, Peller Court. The subject site in question is identified as Development Plan Area 5 (DP-5) and designated as Nature Reserve 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 _____.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024-_____.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Block 18 Plan 57M-759, Part of Lot 1, Concession 19 and Part of Lot 2, Concession 10, geographic Township of Verulam, now in the City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment No. ____ 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 30th day of April, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2024-____

The Corporation of the City of Kawartha Lakes

Amendment No. __ 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 add a Special Provision within the “Nature Reserve” land use designation to recognize the historical placement of six (6) existing docks and permit the development of three (3) additional docks on the property identified as Block 18, Peller Court, in the “Development Plan Area 5” designation of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The effect of the change would recognize the historical placement of six docks (and access pathways) within the Provincially Significant Wetland (PSW) along the shoreline area; permit an additional three docks and two additional access pathways within the PSW and shoreline area; and remove the beach as a permitted use. Land shown as Nature Reserve (NR) on DP-5 shall remain undisturbed in order to protect and preserve its ecological functions and processes and there shall be no dredging, filling, removal of vegetation or installation of walkways except under management practices deemed necessary or compatible with the preservation and protection of the ecological functions or processes on the lands within the Nature Reserve designation.

B. Location

The subject site has an area of approximately 1.43 hectares and is a shoreline property which abuts Pigeon Lake. The subject site has approximately 295 metres of shoreline frontage on Pigeon Lake. There are six (6) existing docks and access pathways that have been identified as historic structures. The property is legally described as Block 18, Plan 57M-579 Part of Lot 1, Concession 19 and Part of Lot 2, Concession 10, geographic Township of Verulam now City of Kawartha Lakes.

C. Basis

Council has enacted this Official Plan Amendment in response to an application submitted by D.M Wills Associates Limited on behalf of the owner to recognize the placement of six (6) existing docks and permit the development of three (3) new docks on the subject site. The land is located within Development Plan Area 5 (DP-5) – Szakacsi Subdivision Verulam, and is designated as Nature Reserve. The lands are also subject to an application for a Zoning By-law Amendment.

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 and 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 use and development conforms to the goals and objectives of the “Development Plan Area Five (DP-5)” and “Nature Reserve” designation, as amended, with a special policy provision 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 natural features.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text constitutes Amendment No. ____ of the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. The City of Kawartha Lakes Official Plan is hereby amended by adding a the following to Subsection 31.13 Development Plan Area Five (DP-5) Szakacsi Subdivision, Verulam.

“31.13.6 Notwithstanding Subsections 31.13.3., 31.13.4, and 31.13.5 of this Plan, on the land designated as Nature Reserve, described as Block 18 Plan 57M-579, Part of Lot 1 Concession 19, Part of Lot 2, Concession 10, geographic Township of Verulam, now City of Kawartha Lakes construction of 9 docks for access and storage for boats is a permitted use.

31.13.6.1 Notwithstanding Subsection 31.13, on land designated as Nature Reserve, described as Block 18 Plan 57M-579, Part of Lot 1 Concession 19, Part of Lot 2, Concession 10, geographic Township of Verulam, now City of Kawartha Lakes, a beach for the purpose of public recreation is not permitted.

F. Implementation and Interpretation

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