



Planning Advisory Committee Report

Report Number:	PLAN2024-046
Meeting Date:	July 10, 2024
Title:	75 St. Albans Road Concession 7, East Part Lot 18 in the Township of Verulam, in the City of Kawartha Lakes, Zoning By-law Amendment Application (D06-2024-011)
Description:	Rezone a portion of the 'Subject Land' from General Rural (A1) Zone to General Rural Exception 15 (A1-15) Zone to prohibit residential use on agricultural land. The remainder of the 'Subject Land' will remain General Rural (A1) Zone for the existing residential use
Type of Report:	Public Meeting
Author and Title:	Lindsay Nooren, RPP, MCIP and Michael Hanifi, RPP, MCIP – Dillon Consulting Limited (City of Kawartha Lakes)

Recommendation(s):

That Report PLAN2024-46, **Amend the Township of Verulam Zoning By-law 6-87 at 75 St. Alban's Road**, be received for information; and

That a Zoning By-law Amendment respecting application D06-2024-011, substantially in the form attached as Appendix D to Report PLAN2024-046, **Amend the Township of Verulam Zoning By-law 6-87 at 75 St. Alban's Road**, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner:	Sia's Green Thumb Inc. c/o Santosh Patel, President
Applicant:	Doug Carroll, DC Planning Services
Legal Description:	Concession 7, East Part Lot 18, as in instrument R406498, in the Township of Verulam, in the City of Kawartha Lakes (75 St. Alban's Road)
Official Plan:	'Rural' in Schedule 'A-5' of the City of Kawartha Lakes Official Plan
Zoning:	'General Rural' (A1) Zone in the Township of Verulam Zoning By-law 6-87
Area:	Approx. 41 hectares total. Through the Consent application, approx. 1 hectare would be severed from the property to contain the existing dwelling and approx. 40 hectares would be retained as farmland
Site Servicing:	Private well and septic
Existing Uses:	Retained land includes farmland and severed land contains the existing dwelling, swimming pool, shed and septic system
Adjacent Uses:	North – Agricultural East – Agricultural South – Agricultural West – Agricultural

In 2023, the applicant applied for a Consent application to permit the creation of an agricultural surplus dwelling lot at 75 St. Alban's Road. The existing lands contain a single detached dwelling, swimming pool and shed on approximately 41-hectare (102 acres) of farmland. The farm operation owner resides in another dwelling and owns additional non-abutting farmland, and the dwelling subject to this application is surplus to his use. As a condition of provisional consent approval, a Zoning By-law Amendment application was submitted to rezone the retained lot to prohibit future single detached dwellings on agricultural land.

New development and construction are not proposed. The existing uses will remain the same and no new buildings and/or structures are proposed.

Rationale:

Through the Consent application, approximately 1.0 hectare (2.47 acre) would be severed from the farm parcel at 75 St. Alban's Road to contain the existing dwelling, swimming pool, shed and septic system with about 135 metres (449.9 feet) of frontage on St. Alban's Road and depth of about 75 metres (249.1 feet).

The retained parcel would consist of 40 hectares (98.8 acres) of farmland that would be rezoned from 'General Rural' (A1) Zone to 'General Rural Exception 15' (A1-15) Zone as part of this application, to prohibit future residential dwellings on the retained lands. The 'Subject Lands' containing the existing residential dwelling conforms to all provisions to the A1 zone, and the amendment applies to the agricultural lot only.

Policy Conformity

Provincial Policy Statement 2020 (PPS 2020)

The application is consistent with the applicable policies of the Provincial Policy Statement (2020). The PPS provides a policy framework for land use planning within the Province of Ontario.

As per Section 1.1.5.2 of the PPS, on rural lands located in municipalities, permitted uses include residential development, including lot creation that is locally appropriate. Further, as per Policy 1.1.5.5, development shall be appropriate to the infrastructure which is planned or available. No new development is proposed and the existing residential uses are permitted on rural lands.

Moreover, Policy 1.1.5.7 states that, opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Section 2.1 of the PPS includes policies related to natural heritage. Natural features and areas shall be protected for the long term, as per Policy 2.1.1. The application contains no natural hazards or natural heritage features of concern and has been reviewed by KRCA who have no concerns with the proposal.

As per Policy 2.3.4.1 c), lot creation for a residence surplus to a farming operation is permitted provided that the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The proposed rezoning, as a condition of consent approval, achieves this.

Growth Plan for the Greater Golden Horseshoe (2019)

The proposal conforms to the applicable policies of the Growth Plan for the Greater Golden Horseshoe (2019) for land use, servicing and natural heritage and hazard features. As per Policy 4.2.6.3 of the Growth Plan, where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. The proposed rezoning, as a condition of consent approval, helps mitigate any adverse impacts by protecting the retained farmland lot by prohibiting future single detached dwellings on agricultural land.

City of Kawartha Lakes Official Plan

The application upholds the goals and objectives of the City of Kawartha Lakes Official Plan (2012) Sections 3.5 - Natural Heritage Systems; 16 - Rural Designation, and Subsection 33.3 - Consents.

The 'Subject Lands' are designated Rural in the Official Plan. The Official Plan establishes 40 hectares as a minimum size for 'new' agricultural lots, in order to provide flexibility for future changes in the type of agricultural operation. The retained farm lot will be 40 hectares (98.8 acres) in size and includes all of the agricultural land currently in use, meeting the goals set out in the Official Plan. Further, as per Policy 16.3.6, dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided that the retained agricultural land be zoned to prohibit any residential use.

No new development is proposed as part of this application on the severed or retained parcels of land. The owner is required to apply to rezone the retained parcel to prohibit residential uses in the future.

Township of Verulam Zoning By-law 6-87

The 'Subject Lands' are currently zoned 'General Rural' (A1) Zone in the Township of Verulam Zoning By-law 6-87. The application complies with the applicable provisions of Zoning By-law, and in particular Section 19 – General Rural (A1) Zone. The by-law permits a General Rural (A1) lot for farm use to be a minimum size of 25 hectares.

As per Section 19.2 of the Zoning By-law, non-farm uses are required to be a minimum 2,050 square metres with a maximum lot area of 1 hectare for residential uses. Further, the minimum lot frontage is to be 36 metres. The proposed severed lot would be

approximately 1 hectare (2.47 acres) and have 135 metres of frontage on St. Alban's Road, in compliance with the by-law. Further, the existing dwelling is in compliance with the applicable setbacks, height, area and lot coverage requirements.

The proposed retained lot is approx. 40 hectares and complies with the applicable zoning provisions. However, the retained lot would be rezoned, through this Zoning By-law Amendment, to prohibit future dwellings.

Planning Staff are of the opinion that the Zoning By-law Amendment is appropriate.

Other Alternatives Considered:

N/A

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2024 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

In alignment with strategic priorities, the proposed rezoning would facilitate a lot line adjustment that would further protect farmland, which supports a healthy environment, and recognizes a surplus farm dwelling, which supports quality of life by promoted further housing options.

Financial/Operation Impacts:

N/A

Consultations:

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date, we have received the following comments:

Development Services Department - Planning Division reviewed the proposal and has no further comments.

Building and Septic Division reviewed the proposal and has provided no comments.

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Engineering and Corporate Assets Department reviewed the proposal and has provided no comments.

Kawartha Regional Conservation Authority reviewed the revised proposal and has provided no comments.

Conclusion and Recommendation:

The proposal represents good land use planning by protecting farmland by prohibiting future residential dwellings on the retained lands, in accordance with policies of the PPS, and the Growth Plan, Kawartha Lakes Official Plan, and Township of Verulam Zoning By-law.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2024-011, substantially in the form attached as Appendix 'D' to Report **PLAN 2024-046** be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Lindsay Nooren at dillonplanning@kawarthalakes.ca.

Attachments:

Appendix A – Location Map



APPENDIX A
D06_2024_011-Locat

Appendix B – Aerial



APPENDIX B.pdf

Appendix C – Sketch



APPENDIX C
2022.10.31-Sketch-7

Appendix D – Draft Zoning By-law and Draft Zoning By-law Schedule



APPENDIX D St
Albans Road Draft B

Department Head email: ibarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: D06-2024-011