

# 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 D01-2024-002, Report PLAN2024-048, respecting Part Lot A, Concession 1 and 2, Part of Lot 1, WB Range, former Township of Bexley, now the City of Kawartha Lakes and known municipally as 9 Farmingdale Lane – 1753255 Ontario Limited]

#### 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 implement a special Rural Designation policy provision that would support the creation of three new lots via a future consent application on a portion of the property approximately 5.5 hectares in area.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 55.

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 Part Lot A, Concession 1 and 2, Part of Lot 1, WB Range, former Township of Bexley, now in the City of Kawartha Lakes, known municipally as 9 Farmingdale Lane.
- 1.02 **Amendment:** Amendment No. 55 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 23rd day of July, 2024.

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Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

# **Schedule 'A' to By-law No. 2024-\_\_\_\_\_**

The Corporation of the City of Kawartha Lakes

## **Amendment No. 55 To The Official Plan – The City of Kawartha Lakes**

### **Part A – The Preamble**

#### **A. Purpose**

The purpose of the official plan amendment is to amend the City of Kawartha Lakes Official Plan to implement a special policy which would allow the creation of three new residential lots via a future consent application on the property identified as 9 Farmingdale Lane, in the “Rural” designation of the City of Kawartha Lakes Official Plan.

The effect of the change would permit up to three new residential lots to be created within the “Rural” designation of the subject land.

#### **B. Location**

The subject land has a lot area of approximately 86.7 hectares and has frontage on Homewood Park Road and Highgate Road in the former geographic Township of Bexley. The easterly portion of the subject land that is proposed to be affected by the future consent application has an area of approximately 5.5 ha. and would be accessed from Homewood Park Road. The property is legally described as Part Lot A, Concession 1 and 2, Part of Lot 1, WB Range, former geographic Township of Bexley, now City of Kawartha Lakes and identified as 9 Farmingdale Lane.

#### **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 implement a special policy which would permit the creation of three (3) new residential lots on the “Rural” designation portion of the subject land via a future consent application. It is intended that a special policy be incorporated into the City of Kawartha Lakes Official Plan to facilitate a future consent application for the creation of up to three (3) new residential lots under Section 53(12) of the Planning Act for a portion of the subject land known municipally as 9 Farmingdale Lane.

The land is designated “Rural” and “Environmental Protection” with “Locally Significant Wetlands”, “Significant Woodlands” and “Significant Wildlife Habitat” as shown on Schedules “A-7” and “A-5” respectively, 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 meets the Minimum Distance Separation (MDS) requirements.
4. The proposed use is compatible and integrates well with the surrounding area.
5. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use, and the applicant has acknowledged the need for a KARST assessment at the time of the consent application.

## **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. 55 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 32 Policy Exceptions.

“32.1.58 Notwithstanding any policies to the contrary, on lands located in Part Lot A, Concession 1 and 2, Part of Lot 1, WB Range, formerly in the geographic Township of Bexley, now the City of Kawartha Lakes, and identified as Rural on Schedule “A-7” , up to 3 new residential lots may be created on the subject lands within the ‘Rural’ designation, subject to the applicable policies of the Official Plan and provided that a Karst Assessment is completed at the time of the consent application.

- i. Prior to commencement of on-site works, the applicant shall demonstrate, to the satisfaction of the City, that the recommended mitigation measures detailed in the Environmental Impact Study, prepared by Oakridge Environmental Ltd., dated February 2019, and the Environmental Impact Study Addendum prepared by Oakridge Environmental Ltd., dated September 2022 have been implemented. ”

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

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