



Planning Advisory Committee Report

Report Number:	PLAN2025-002
Meeting Date:	January 15, 2025
Title:	Official Plan Amendment and Zoning By-law Amendment, 2475 Housey's Rapids Road, Conc. 13, Part Lot 31 Registered Plan: 57R-9199 Part 1, Dalton Township, Kevin M. Duguay of KMD Community Planning and Consulting Inc. (Andrew & Carolyn Faria)
Description:	Amendments to the City of Kawartha Lakes Official Plan and Township of Dalton Zoning By-law 10-77 to enable a future consent application to sever land to create a new lot intended for the purpose of a detached residential dwelling.
Type of Report:	Information Report for the purposes of the statutory Public Meeting under sections 22 and 34 of the Planning Act, RSO 1990, chapter P.13
Author and Title:	Amanda-Brea Watson, MCIP, RPP, and Lindsay Nooren, MCIP, RPP, Dillon Consulting on behalf of the City of Kawartha Lakes

Recommendation:

That Report PLAN2025-002, **Official Plan Amendment and Zoning By-law Amendment, 2475 Housey's Rapids Road, Conc. 13, Part Lot 31 Registered Plan: 57R-9199 Part 1, Dalton Township, Kevin M. Duguay of KMD Community Planning and Consulting Inc. (Andrew & Carolyn Faria)** be received for information.

Department Head: _____

Application Summary:

The applicant is seeking to create a new lot for a detached residential dwelling via a future consent application to sever a portion of 2475 Housey's Rapids Road (Subject Land)¹. An amendment to the City of Kawartha Lakes Official Plan is required to create a special policy area that permits lot creation within the Waterfront Designation with a minimum lot area of 4,000 square metres and a minimum lot width of 31.35 metres on the portion of the Subject Land that is proposed to be severed.

An amendment to the Township of Dalton Zoning By-law 10-77 is required to rezone a portion of the Subject Land that is proposed to be retained from the "Rural General (RG) Zone" to a "Rural General Exception (RG-X) Zone" to reduce the minimum lot area requirement for the balance of the land. The effect of these applications will change minimum lot area requirements and policies to enable a future consent application to sever land to create a new lot intended for the purpose of a detached residential dwelling.

Owner:	Andrew & Carolyn Faria
Applicant:	Kevin M. Duguay of KMD Community Planning and Consulting Inc.
Property Description²:	Legal Description: Conc. 13, Part Lot 31 Registered Plan: 57R-9199 Part 1
	Municipal Address: 2475 Housey's Rapids Road
Zoning By-law:	'Waterfront', 'Rural', and 'Environmental Protection' in Schedule 'A-8' in the City of Kawartha Lakes Official Plan
Lot Area:	'Rural General (RG) Zone' and 'Limited Service Residential Exception One (LSR-1) Zone' in Schedule 'B' in the Township of Dalton Zoning By-law 10-77, as amended
Servicing:	5.53 ha (13.67 ac.)
Access:	Water: Individual private well

¹ See Schedule 1 – Proposed Concept Plan

² See Schedule 2 – Site Mapping

	Sanitary: Individual private septic system Stormwater: Ditches/Swales
Existing Uses:	Municipal (Black River Road – KL Rd 6); Unimproved Road Allowance (PIN 631060086) Municipal (Muskoka) (Housey’s Rapids Road – Muskoka Rd 6)
Adjacent Uses:	A portion of the Subject Land is currently Residential; the balance of the Subject Land is vacant.
	North: Lands located in the Town of Gravenhurst
	East: Rural, Residential (vacant)
	South: Residential
	West: Residential (portion of land is vacant)

Application Process:

The Planning Division received the application submission package on June 10, 2024, which included the following reports and plans in support of the application:

- Planning Justification Report, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated June 2024;
- Official Plan Amendment Application, prepared by Kevin M. Duguay Community Planning and Consulting Inc, dated June 7, 2024;
- Zoning By-law Amendment Application, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated June 5, 2024;
- Official Plan Amendment and Zoning By-law Amendment Memo, prepared by Kevin M. Duguay Community Planning and Consulting Inc. dated June 5, 2024;
- Proposed Policy Exception, prepared by Kevin M. Duguay Community Planning and Consulting Inc.;
- Concept Site Plan, prepared by Eco Line Design Studies/Kevin M. Duguay Community Planning and Consulting Inc, dated March 9, 2024 (Updated - proposed dwelling);
- Archaeological Assessment Report, prepared by Northeastern Archaeological Associates Ltd., dated June 7, 2023;
- Hydrogeological Assessment, prepared by Cambium Inc, dated February 22, 2024;

- Functional Lot Grading Plan, prepared by Engage Engineering, dated January 18, 2024;
- Topographic and Legal Survey, prepared by C.T. Strongman Surveying Ltd., dated 2005;
- Site Area Photographs, prepared by Kevin M. Duguay Community Planning and Consulting Inc.;
- Site Plan Northwest of the Site (Faria Site Plan Rev 9) (Updated - Existing Dwelling), prepared by Two Stage Construction, dated June 1, 2017; and
- Sketch With Retained/Severed Lands comments (July 15, 2024), prepared by Kevin M. Duguay Community Planning and Consulting Inc.

Staff deemed the application 'complete' under the requirements of the Planning Act on November 25, 2024, and initiated Agency consultation on December 2, 2024 with a requested review period of the application submission package by December 16, 2024. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the applications through newspaper publication on December 26th, 2024.

As part of the application review, Planning Staff have provided the applicant with comments to address as they relate to the proposed lot configuration. The Subject Lands are within the 'Waterfront', 'Rural', and 'Environmental Protection' designations in Schedule A-8 of the City of Kawartha Lakes Official Plan. The current City of Kawartha Lakes Official Plan designations affecting this property permit lot creation. However, backlot development is generally be discouraged.

As per Policy 20.4.2, "Backlot development, generally defined as a second tier of development adjacent to the first tier of Waterfront lots, will generally be discouraged. In some locations, backlot will be permitted if it is a rounding out of development based on existing lots or where there is limited non-agricultural land between the existing waterfront development and an arterial road. Frontage on assumed public roads will be required and lot sizes will be required at a larger size than permitted for waterfront lots. Each back lot must have a minimum lot frontage of 200 metres and a minimum lot area of 2 hectares. These lot requirements apply to all lots that are not abutting water on a lake or river. The lots shall be wholly within 300 metres of the waters edge."

The lot frontage proposed for the severed lot is typically not appropriate as the frontage requested is approximately 30 metres, while the frontage for backlots is 200 metres. An Official Plan Amendment is required to create a special policy area that would enable

the future consent application to create a new lot intended for the purpose of a detached residential dwelling.

As proposed, the severance is not appropriate and would lead to overdevelopment of the waterfront area given the size.

Application Review³:

Planning staff is reviewing the application submission package including the Planning Justification Report that was prepared and filed in support of the applications, for consistency with provincial policies (including the Provincial Planning Statement, 2024), and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Official Plan must be consistent with applicable provincial policies and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of these applications was issued through a newspaper publication, and to agencies and City Departments which may have an interest in the applications. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

A final Preconsultation Report was provided on February 28, 2022.

Conclusion:

Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

Department Head: Leah Barrie, Director of Development Services

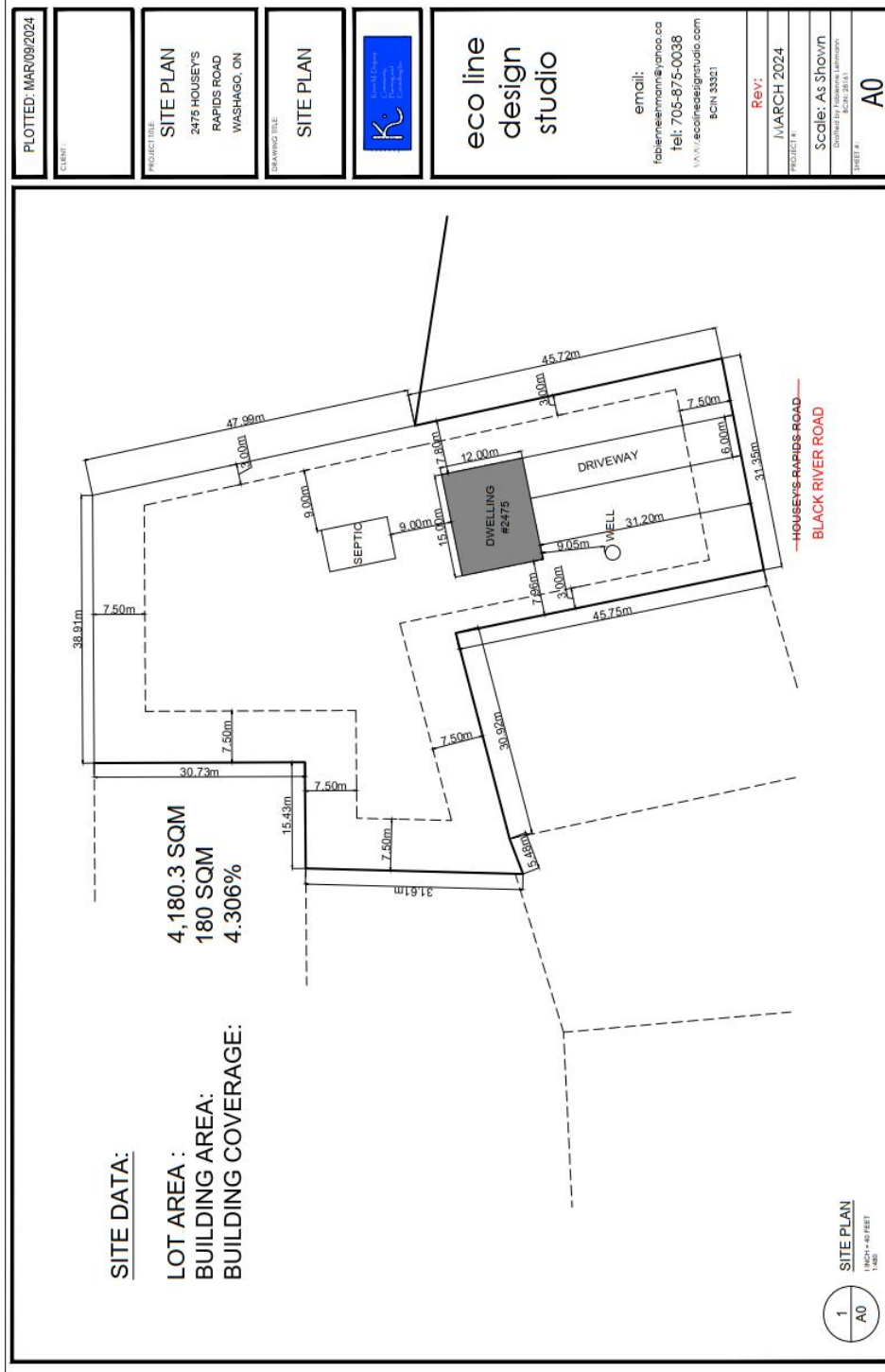
³ See Schedule 3 – Provincial and Municipal Land Use Framework

Official Plan Amendment and Zoning By-law Amendment, 2475 Housey's Rapids Road,
Conc. 13, Part Lot 31 Registered Plan: 57R-9199 Part 1, Dalton Township, Kevin M.
Duguay of KMD Community Planning and Consulting Inc. (Andrew & Carolyn Faria)

Department Head email: lbarrie@kawarthalakes.ca

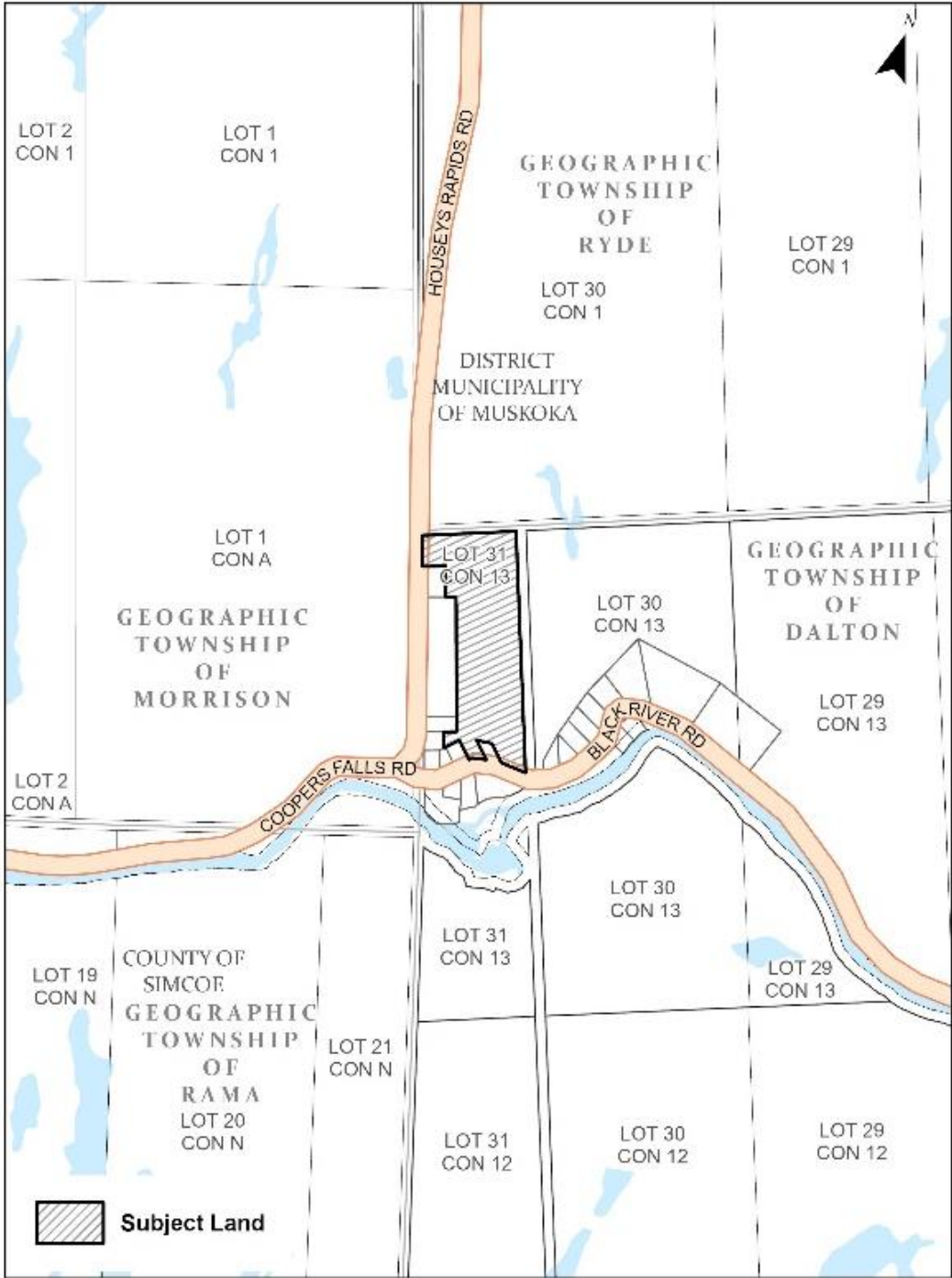
Department Files: D01-2024-008 & D01-2024-023

Schedule 1 – Proposed Concept Plan



Schedule 2 – Site Mapping

Location Map



Official Plan Amendment and Zoning By-law Amendment, 2475 Housey's Rapids Road, Conc. 13, Part Lot 31 Registered Plan: 57R-9199 Part 1, Dalton Township, Kevin M. Duguay of KMD Community Planning and Consulting Inc. (Andrew & Carolyn Faria)

Aerial Map



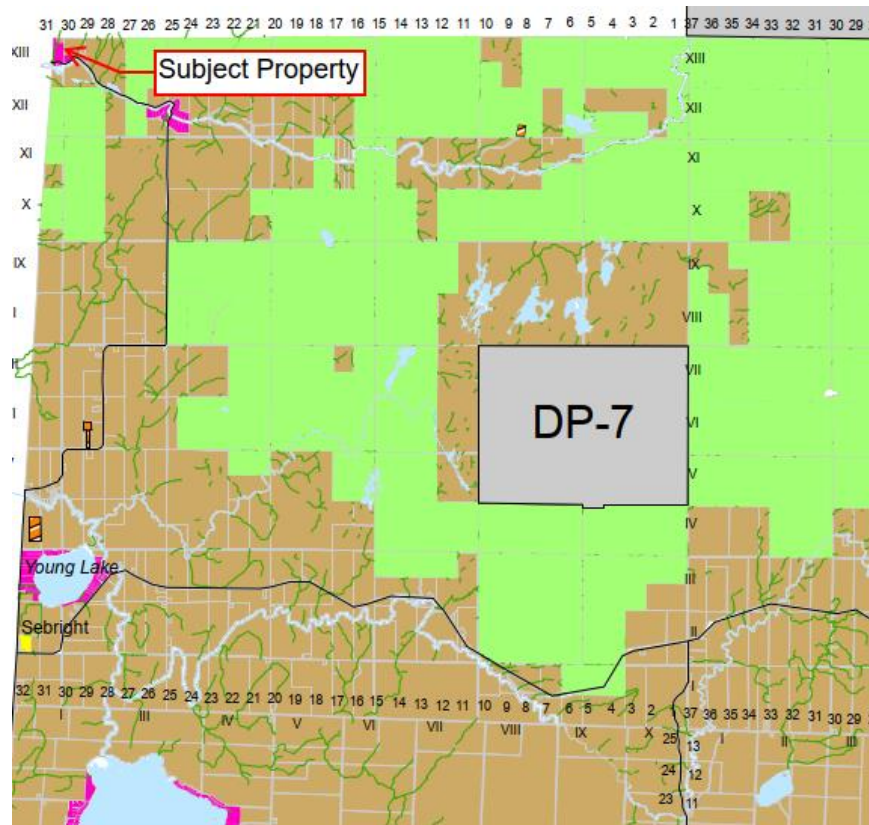
Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Planning Statement (PPS 2024)

On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The Provincial Planning Statement, 2024 (PPS 2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents.

City of Kawartha Lakes Official Plan

The Official Plan is the City's policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives. The Official Plan implements provincial policies and sets the municipal policy framework for applying the Zoning By-law.



Township of Dalton Zoning By-Law 10-77

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The Subject Land is currently zoned 'Rural General (RG) Zone' and 'Limited Service Residential Exception One (LSR-1) Zone' as indicated in the following schedule:

