



Planning Advisory Committee Report

Report Number:	PLAN2025-013
Meeting Date:	February 5, 2025
Title:	456 Lifford Road, Part of Lot 17, Concession 9, Geographic Township of Manvers, City of Kawartha Lakes Zoning By-law Amendment
Description:	Rezone the proposed Severed Land on the Subject Land from the Rural General (A1) Zone to a site specific Rural Residential Type One S26 (RR1-S26) Zone Rezone the proposed Retained Land on the Subject Land from Rural General (A1) Zone to a site-specific Rural General S48 (A1-S48) Zone to prohibit future residential dwellings, as per Official Plan policies
Type of Report:	Public Meeting
Author and Title:	Timothy Gouveia, Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendation(s):

That Report PLAN2025-013, **Application to Amend the Township of Manvers Zoning By-law 87-06 at 456 Lifford Road, Bethany - Shea**, be received for information;

That a Zoning By-law Amendment respecting application D06-2024-006, substantially in the form attached as Appendix D to Report PLAN2025-013, 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:	Adam and Marie Shea
Applicant:	Debbie Vandenakker, Planscape Inc.
Legal Description:	Part of Lot 17, Concession 9, Geographic Township of Manvers, now in City of Kawartha Lakes
Official Plan:	'Rural' in Schedule 'A-1' of the City of Kawartha Lakes Official Plan; 'Significant Woodlands' and 'Significant Wildlife Habitat' in Schedule 'B-1' of the City of Kawartha Lakes Official Plan
Zoning:	'Rural General (A1)' (Schedule 'A') in the Township of Manvers Zoning By-Law 87-06
Area:	41.7 ha. (103.04 ac.)
Site Servicing:	Private well and septic
Existing Uses:	Agricultural
Adjacent Uses:	North – Environmental Protection, Agricultural East – Agricultural South – Agricultural West – Agricultural

The applicant is proposing to rezone the property at 456 Lifford Road (Subject Land) as a condition of consent approval for the severance of a surplus farm dwelling under File No. D03-2024-025, that being to prohibit future residential development on the retained agricultural lands. The applicant proposes to rezone the proposed Severed Land on the Subject Land from the 'Rural General' (A1) Zone to a site-specific 'Rural Residential Type One S26' (RR1-S26) Zone to permit the surplus farm dwelling severance and recognize zoning deficiencies as well as to rezone the proposed Retained Land on the Subject Land from 'Rural General' (A1) Zone to a site-specific 'Rural General S48' (A1-S48) Zone to prohibit future residential dwellings, as per Official Plan policies.

The proposed Severed Land will continue to contain the existing dwelling and driveway.

Rationale:

Through the consent process for the lot severance, a Zoning By-Law Amendment application is required to rezone the Retained Land from the 'Rural General' Zone (A1) to a 'Rural General S48 Zone (A1-S48)' to prohibit future residential development and to

rezone the Severed Land from the 'Rural General' Zone to a site-specific 'Rural Residential Type One S26' (RR1-S26) Zone for the surplus farm dwelling and to recognize zoning deficiencies in the 'Rural Residential Type One' (RR1) Zone.

Policy Conformity

Provincial Planning Statement 2024 (PPS 2024)

The PPS 2024 provides a policy framework for land use planning within the Province of Ontario. Under Section 4.3.2 of the PPS, a principal dwelling associated with an agricultural operation is permitted. As per Policy 4.3.3.1(c), when a surplus dwelling results from farm consolidation, a new residential lot may be created provided it remains small and no new homes are permitted on the retained agricultural land. In this case, no new development is being proposed. The existing residential dwelling will remain, and the Zoning By-law Amendment seeks to align the land use with PPS policies by prohibiting future residential development on the Retained Land. This amendment supports the protection of farmland by preventing fragmentation and maintaining its long-term agricultural viability.

Furthermore, Section 4.1.1 of the PPS emphasizes protecting natural features. A portion of the Retained Land contains significant woodlands and significant wildlife habitat. However, no change to the activities on the Retained Land are proposed by the owner and not buildings or structures are proposed. Since farmland abuts these areas, no buffer is required.

The Zoning By-law Amendment proposes to rezone the Retained Land to a 'Rural General S48' (A1-S48) Zone, to prohibit future residential dwellings, as per Official Plan policies, aligning with PPS 2024 to protect agricultural uses. Additionally, the Zoning By-law Amendment proposes to rezone the proposed Severed Land on the Subject Land from the 'Rural General' (A1) Zone to a site-specific 'Rural Residential Type One S26' (RR1-S26) Zone to permit the surplus farm dwelling severance.

The Subject Land is serviced by a private well and septic system, are within the Kawartha Conservation Regulated Area.

City of Kawartha Lakes Official Plan (2012)

The Subject Land is designated 'Rural' in Schedule 'A-1' of the City of Kawartha Lakes Official Plan. A portion of the proposed Retained Land at the southernmost end of the Subject Land away from the existing structures is designated 'Significant Woodlands' and 'Significant Wildlife Habitat' in Schedule 'B-1' of the City of Kawartha Lakes Official

Plan. The application does not include any the construction of any buildings or structures, therefore, it will not affect the natural heritage features as defined under the Official Plan.

Kawartha Conservation has reviewed the proposal and confirmed that no natural hazards have been identified in the proposed severance area. An Environmental Impact Study (EIS) or Natural Heritage Evaluation (NHE) is not required, as the severance and existing uses comply with relevant policies.

In accordance with Section 16 of the CKLOP regarding the 'Rural' Designation, the City supports the consolidation of farms, allowing severances of surplus dwellings under certain conditions. Section 16.3.5 states that, "The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
- b) the residential lot meets the Minimum Distance Separation criteria;
- c) the dwelling is not required for farm employees; and
- d) any adjoining agricultural parcels owned by the applicant are merged into a single lot."

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 the criteria of a), b) and c) above are met and that the retained agricultural land be zoned to prohibit any residential use.

The proposed severance for the surplus farm dwelling meets these conditions. The Severed Land is approximately 1 hectare in size, which is within the required range. Minimum Distance Separation calculations have been provided that permit the creation of the Severed Land. MDS does not apply to severing surplus farm dwellings when existing or permitted livestock operations exist on the neighbouring lot, since the potential for impacts are already present.

Furthermore, Policy 16.3.6 specifies that when non-abutting farm parcels are consolidated; the retained agricultural land must be zoned to prohibit any new residential development, which the applicant is proposing to do.

Township of Manvers Zoning By-law 87-06

The Subject Land is currently zoned 'Rural General' (A1) Zone in Township of Manvers Zoning By-law 87-06. According to the provisions of the A1 Zone, a single detached

dwelling, along with agricultural uses, among others, are permitted. However, according to the Provincial Planning Statement and City of Kawartha Lakes Official Plan, the Retained Land must not be developed with a single detached dwelling. Consequently, a Zoning By-Law Amendment (ZBA) is necessary.

Accordingly, the zoning for the Retained Land will be amended to a site-specific 'Rural General S48' (A1-S48) Zone, which will explicitly prohibit any residential development, in accordance with the requirements established by Provincial and City planning policies.

Furthermore, the Zoning By-law Amendment proposes to rezone the proposed Severed Land on the Subject Land from the 'Rural General' (A1) Zone to a site-specific 'Rural Residential Type One' (RR1-S26) Zone to permit the surplus farm dwelling severance and recognize zoning deficiencies. Permitted uses in the RR1 Zone include a single detached dwelling. The minimum lot area of the proposed Severed Land will be approx. 10,000 m² (1 hectare), which is above the minimum lot area requirement of 2,045 m² in the RR1 Zone.

However, a Zoning By-law Amendment has been requested to recognize the zoning deficiencies for the lot frontage and side yard setback. Due to the location of the surplus farm dwelling to be severed, a reasonable width for a private driveway of 4.5 m has been identified and is by necessity approximately 273 m long. The Severed Land also includes a metal building accessory to the residential use that exceeds a floor area of 60 m². Therefore, a minimum 6-metre side yard setback is required, where approx. 5 metres is provided. This deficiency is also captured in the Zoning By-law Amendment in Appendix D of this Report.

Planning staff support the proposed Zoning By-Law Amendment as it aligns with the City's planning framework and fulfills the requirements of the consent approval process while safeguarding the environmental integrity of the retained lands.

Other Alternatives Considered:

No alternatives have been considered.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2024-2027 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 the strategic priorities, the proposed rezoning would facilitate lot severances that would protect and support agricultural land and agri-business and supports a healthy environment.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Consultations:

Development Engineering – Development Engineering Division reviewed the proposal and has no objections.

Building & Septic Division - The Building and Septic Division has reviewed the application and has no comments.

Enbridge Gas - Enbridge Gas has reviewed the application and has no comments.

Kawartha Conservation - Kawartha Conservation has reviewed the application and has no concerns with the proposed application.

Ministry of Transportation - The Ministry of Transportation has reviewed the application and has no comments.

Attachments:

Appendix A – Location Map

Appendix B – Aerial Map

Appendix C – Concept Plan (Consent)

Appendix D – Draft Zoning By-law Amendment and Schedule



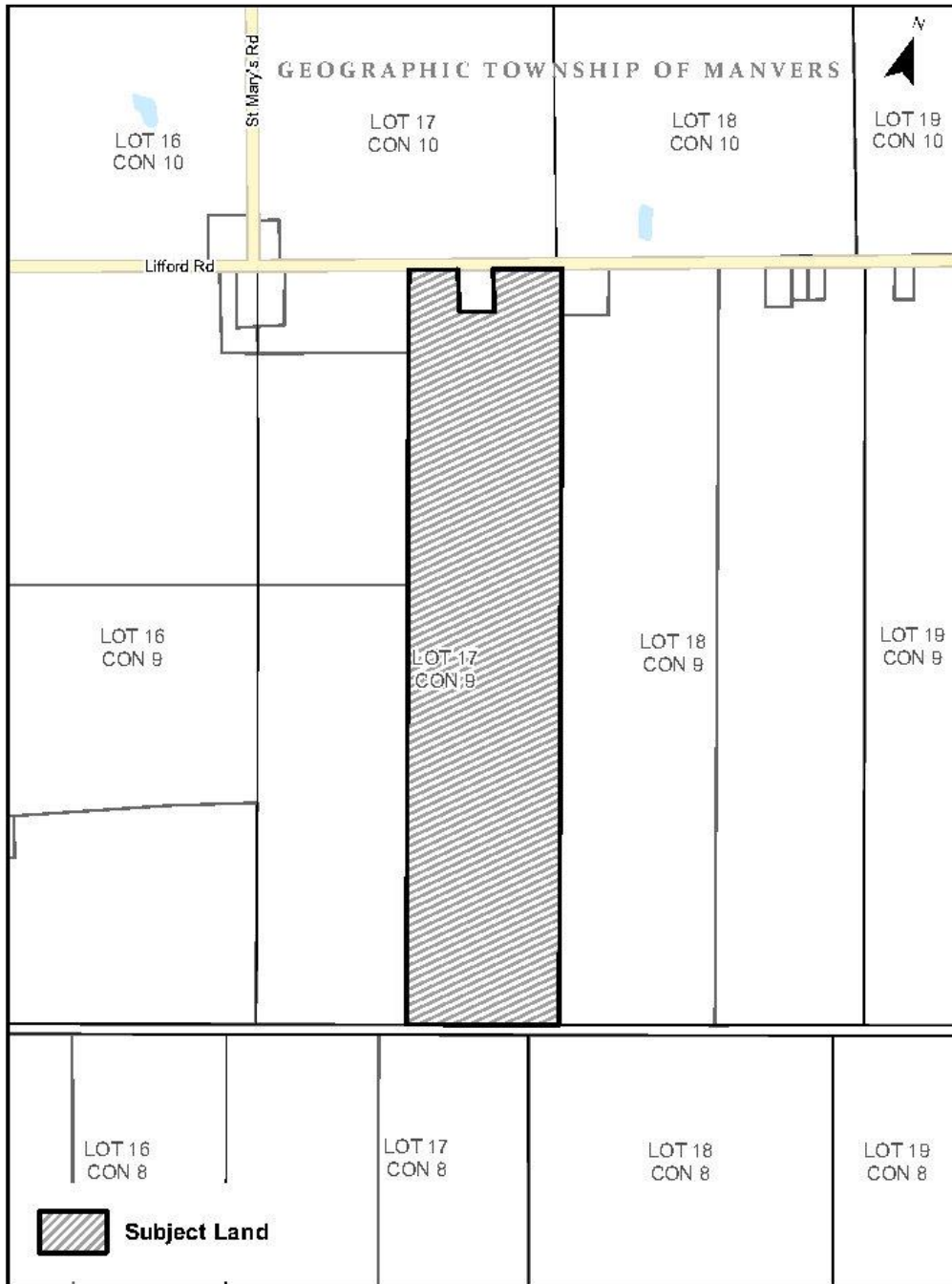
2025-XXX By-law to
Amend Township of

Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

Department File: D06-2024-006

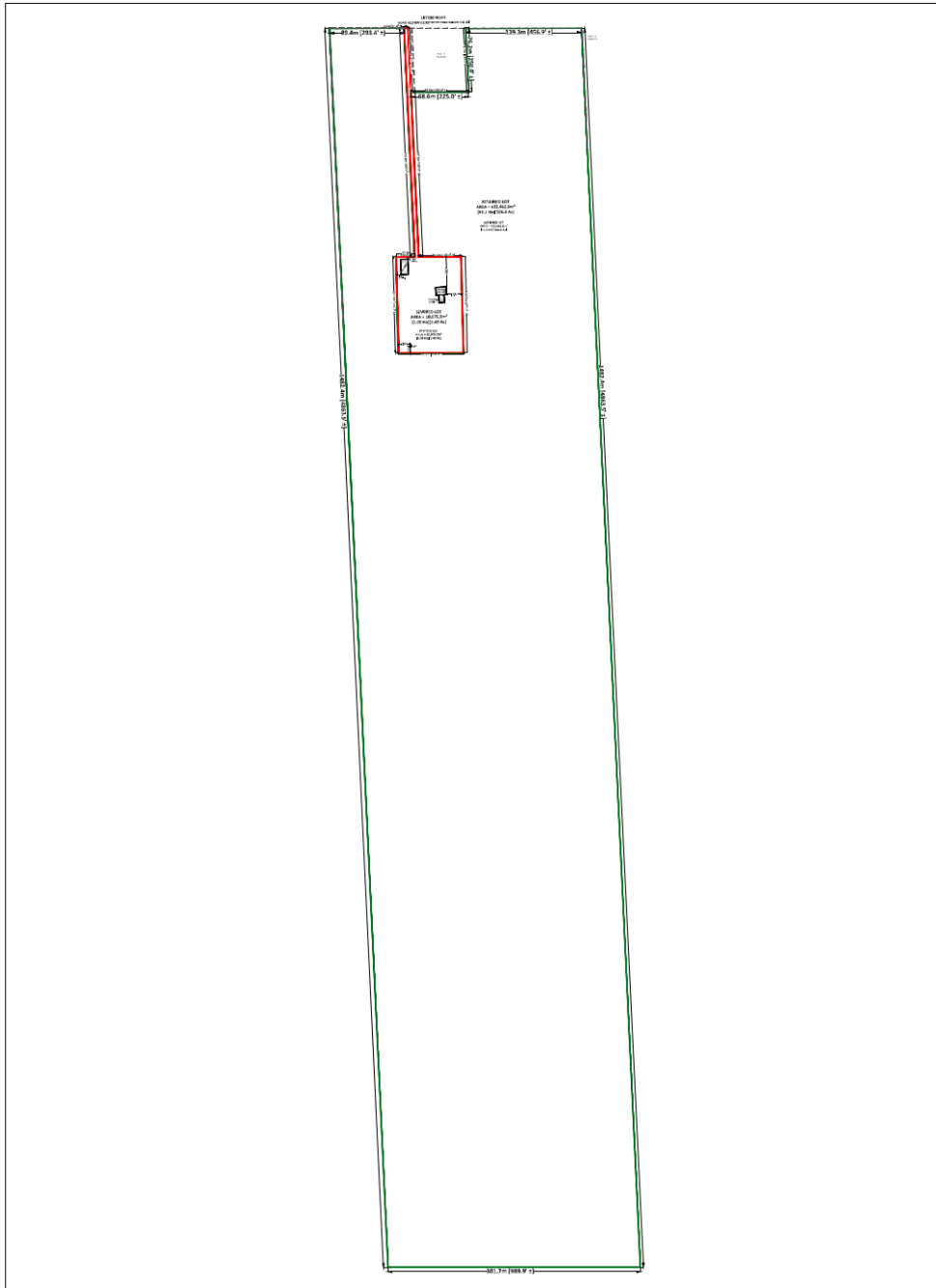
Appendix A – Location Map



Appendix B – Aerial Map



Appendix C – Concept Plan (Consent)



**SEVERANCE - ZONING
 AMENDMENT SKETCH**
 456 LIFFORD ROAD
 PART OF EAST 1/2 LOT 17, CONCESSION 9
 GEOGRAPHIC TOWNSHIP OF MANVERS
 CITY OF KAWARTHA LAKES
 SHEA

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NO.	DATE	REVISIONS	BY
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PLANSCAPE
LANDSCAPE ARCHITECTURE & PLANNING

SCALE	PROJECT NO.	DATE INITIATED	BY
N.T.S.	161300	AUGUST 22, 2023	JT

BASE MAP SOURCE:
 IBW SURVEYORS - 2023