

The Corporation of the City of Kawartha Lakes

Additional Agenda

Regular Council Meeting

CC2022-02

Tuesday, February 22, 2022

Open Session Commencing at 1:00 p.m. - Electronic Public Participation Meeting

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Tracy Richardson

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Patrick O'Reilly

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

Note: This will be an electronic participation meeting and access to Council Chambers will not be available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

14. By-Laws

14.1. By-Laws by Consent

*14.1.16. CC2022-02.14.1.16

3 - 7

By-Law to Amend The City of Kawartha Lakes Official Plan to Permit the Severance of Land within The City of Kawartha Lakes (614 Shamrock Road)

*14.1.17. CC2022-02.14.1.17

8 - 10

By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes (614 Shamrock Road)

The Corporation of the City of Kawartha Lakes

By-Law 2022-XXX

A By-Law to Amend the City of Kawartha Lakes Official Plan to permit the severance of land within the City of Kawartha Lakes

[File D01-2021-006, Report PLAN2022-005, respecting Concession 7, Lot 13, 57R5883, 57R6532, Parts 3 & 4, geographic Township of Emily, 614 Shamrock Road – Spence]

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 permit a severance of land located at 614 Shamrock Road. The severed parcel is proposed to be approximately 1.43 hectares and the retained is proposed to be approximately 13.76 hectares. The intent of the severance is to permit development of the severed land as a residential use. The lot to be severed is designated as Waterfront 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 44.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-203.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Concession 7, Lot 13, 57R5883, 57R6532, Parts 3 & 4, geographic Township of Emily, now in the City of Kawartha Lakes, identified as 614 Shamrock Road.
- 1.02 **Amendment:** Amendment No. 44 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 22nd day of February, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2022-XX

The Corporation of the City of Kawartha Lakes

Amendment No. 44 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 amend the “Rural” and “Waterfront” land use designations in the City of Kawartha Lakes Official Plan to include special policies for the property identified as 614 Shamrock Road. The lands are also subject to an application for zoning by-law amendment.

The effect of these changes would permit consent of the subject land, a “Rural” designated lot that is less than 40 hectares, and a “Waterfront” designated lot that is less than 2 hectares and has less than 200 metres of frontage.

B. Location

The subject land has a lot area of approximately 15.19 hectares and is legally described as Concession 7, Lot 13, 57R5883, 57R6532, Parts 3 & 4, geographic Township of Emily, now City of Kawartha Lakes and identified as 614 Shamrock Road. The “Rural” designated portion of the subject land affected by this amendment has an area of approximately 13.76 hectares and contains a residence, accessory buildings and a livestock facility. The “Waterfront” designated portion of the subject land is approximately 1 hectare, undeveloped and vacant.

C. Basis

Council has enacted this Official Plan Amendment in response to an application submitted by Clark Consulting Services on behalf of the Owner to permit the creation of a residential lot by consent. The lot area is approximately 1 hectare and fronts on Charlore Park Drive. The land is designated “Waterfront” as shown on Schedule A-3 of the City of Kawartha Lakes Official Plan. The lands area also subject to an application for a Zoning By-law Amendment.

The retained lot will be 14.2 hectares and fronts on Shamrock Road and Charlore Park Drive. The land is designated Rural, as shown on Schedule A-3 of the City of Kawartha Lakes Official Plan. The lands are also subject to an application for 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 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 “Prime Agricultural” designation, as amended with a site-specific policy as set out in the City of Kawartha Lakes Official Plan.
3. The proposed use maintains the guideline criteria as set out by OMAFRA in the Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, Publication 851.
4. The proposed use meets the Minimum Distance Separation (MDS) requirements.
5. The proposed use is compatible and integrates well with the surrounding area.
6. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use with respect to servicing, traffic and agricultural impact.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 44 to the Official Plan for the City of Kawartha Lakes.

E. Details of the Amendment

The City of Kawartha Lakes Official Plan and Schedule ‘A’ are hereby amended by adding a site-specific policy to the subject lands illustrated on Schedule ‘A’ and designated as “Rural” and “Waterfront” as follows:

- Section 16.4.5. Notwithstanding Section 16.3.8, for those lands designated “Rural” in part of Lot 13, Concession 7, geographic Township of Emily, the minimum lot size shall be 13.5 hectares.
- Section 20.7.6. Notwithstanding Section 20.4.2, for those lands designated “Waterfront” in part of Lot 13, Concession 7, geographic Township of Emily, the minimum lot frontage shall be 88 metres and the minimum lot area shall be 0.9 hectares.”

F. Implementation and Interpretation

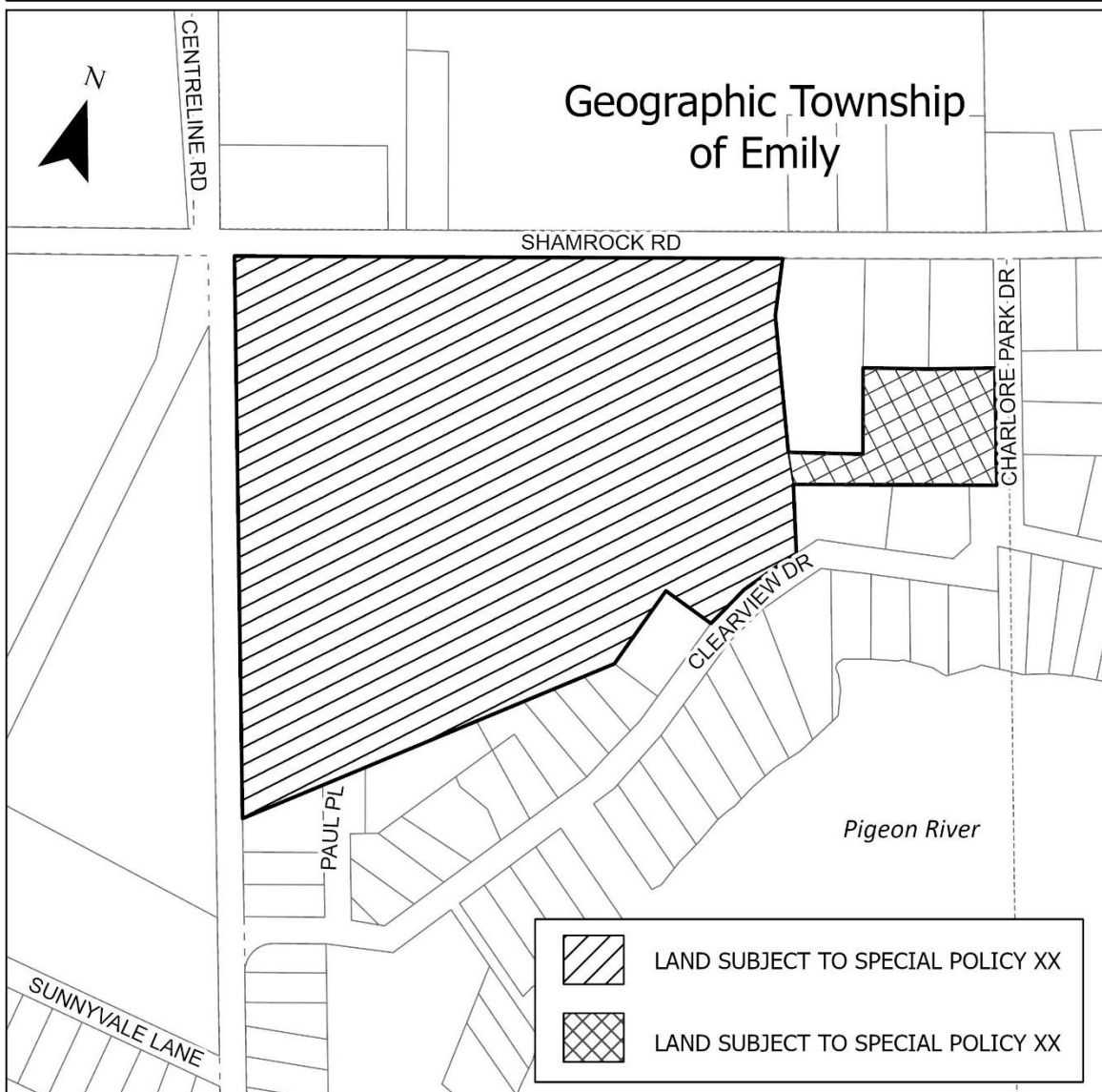
The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. XX

To the City of Kawartha Lakes Official Plan



The Corporation of the City of Kawartha Lakes

By-Law 2022-XXX

A By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes

[File D06-2021-031, Report PLAN2022-015, respecting Concession 7, Lot 13, 57R5883, 57R6532, Parts 3 & 4, geographic Township of Emily, 614 Shamrock Road – Spence]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to:
 - (a) facilitate the severance of the subject land;
 - (b) for the portion to be retained, rezone the parcel to acknowledge the lot size and existing uses.
 - (c) for the portion to be severed, rezone the lot to permit development of a residential use.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022-XXX.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Concession 7, Lot 13, 57R5883, 57R6532, Parts 3 & 4, geographic Township of Emily, now in the City of Kawartha Lakes, 614 Shamrock Road.
- 1.02 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended by adding the following subsections to Section 7.3:
 - “7.3 AGRICULTURAL EXCEPTION THIRTY-NINE (A1-39) ZONE
 - 7.3.9 Notwithstanding the zone provisions in the Agricultural (A1) Zone, to the contrary, within the Agricultural Exception Thirty-nine (A1-39) Zone, the minimum lot area shall be 14.2 hectares, and the minimum lot frontage shall be 88 metres.

7.3.10 Notwithstanding Section 3.18.1.4, the existing uses located within the lands the Agricultural Exception Thirty-nine (A1-39) Zone shall be recognized as legal non-conforming uses with all the rights and privileges as outlined in Section 3.4.

1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category on a portion of the property from Agricultural (A1) Zone to Agricultural Exception Thirty-nine (A1-39) Zone for the land referred to as A1-39, as shown on Schedule 'A' attached to this By-law; and, to change the zone category on another portion of the property from Agricultural (A1) Zone to Rural Residential Type Three (RR3) Zone for the land referred to as Agricultural (A1) Zone, as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 22 day of February, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2022.

MAYOR _____ CLERK _____

