



Report to Council

To: Mayor and Members of Council
From: Forbes Symon, RPP, MCIP
Senior Planner (Contract), Jp2g Consultants Inc.
Date: July 25, 2025
Subject: Report on Consent Applications B-59-25 & B60-25 (Tucker)

Recommendation

That Council recommend Deferral to Peterborough County Land Division Committee for consent applications B-59-25 and B60-25, to provide the applicant an opportunity to address the matter of Official Plan conformity.

Background

Consent applications B-59-25 and B60-25 are two of three applications that have been submitted by EcoVue Consulting Services on behalf of the owner Gord Tucker, for the property located in Part of Lots 23 and 24, Concession 16, in the Burleigh Ward, municipally known as 198 Jack Lake Road. A separate report deals with consent application B58-25, which is a lot addition consent. B59-25 and B60-25 are consent applications for the creation of new residential building lots.

The subject property is approximately 37.98 ha (93.8 ac) in size with 375 m (1,230 ft) of frontage on Jack Lake Road. The property is currently occupied by single detached dwelling on private services. Surrounding land uses are largely rural residential in nature.

It is acknowledged that the northern half of the subject property is located within the Hamlet of Apsley, with the southern half being designated "Rural" and Environmental Constraint" in the County Official Plan. The lands are zoned "Rural (RU)" in the Township Zoning By-law.

Proposed Consents

Consent applications B-59-25 and B60-25 propose to sever two residential building lots from the subject property, each with the following characteristics:

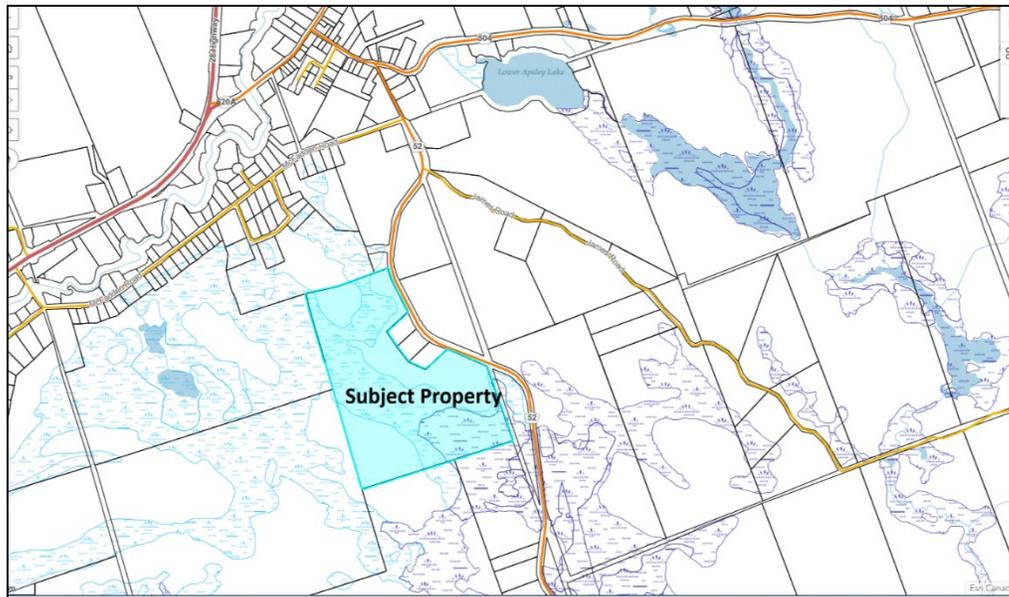
B59-25: proposed minimum lot area of 1.06 ha (2.6 ac) and 59.97 (196 ft) of frontage;



B60-25: proposed minimum lot area of 2.2 ha (5.4 ac) and 62 m (203 ft) of frontage.

The applicant has submitted a Planning Justification Report (PJR) in support of the consent applications. The Consent sketch is provided for reference in Attachment #3.

Location Map



Preliminary Severance Review

A Preliminary Severance Review (PSR) was completed on March 24, 2025, prior to the applicant filing the formal Consent applications with the County of Peterborough. The PSR was primarily focused on B59-25 and B60-25 which are proposed to be new residential building lots.

The preconsultation acknowledged that “Current OP policy prohibits more than two additional severed lots on the property from a landholding as it existed in 1990. The property already received 2 severances under this policy. However in the new draft County Official Plan, the property would be eligible for two additional lots, given that at least 15 years have elapsed since the date of last application. Since the new County OP is not yet in effect, the applicant is proposing to amend the current Official Plan to permit additional severances.

Planning Analysis

The applicant’s Planning Justification Report (PJR) makes the argument that, notwithstanding Official Plan conformity issues, the proposed applications are consistent with the Planning Act and Provincial Policy Statement.



County of Peterborough Official Plan

The northern half of the subject property is designated “Hamlet” (Apsley) and “Environmental Constraint” in the Local Component of the County of Peterborough Official Plan for the Township of North Kawartha. The southern half of the subject property is designated “Rural” and “Environmental Constraint”.

It is acknowledged that Section 6.2.2.5 Residential Consents in Rural Area, limits the number of rural severances to a maximum of two new lots since January 1, 1990. The applicant’s PJR acknowledges that there have been two severances since 1990 and are not eligible for additional severances under the current Official Plan. The PJR acknowledges that an Official Plan Amendment (OPA) will be required to permit the proposed development.

The PJR assessment of the current Official Plan policies and the proposed new County of Peterborough Official Plan is accepted as written.

The applications for two additional residential building lots does not conform to the Official Plan.

Township of North Kawartha Comprehensive Zoning By-law #26-2013

The subject property is zoned Rural (RU) in the Township’s Zoning By-law. For lots in the RU zone, the Zoning By-law requires a minimum lot area of 10 hectares (25 acres) and a minimum lot frontage of 90 metres (295 feet). Both the proposed residential lots will require an amendment to the Township Zoning By-law to place the proposed lots within the “Rural Residential (RR)” zone. The PJR confirms that the proposed two building lots will comply with the provisions of the RR zone.

The applications for consent will require an amendment to the Township’s Zoning By-law.

Concluding Comments

It is acknowledged that the applications for two new additional residential building lots have Official Plan conformity issues. These issues could either be addressed through a site specific Official Plan Amendment, or potentially through the new County of Peterborough Official Plan which is currently awaiting final approval from MMAH.

Notwithstanding the Official Plan conformity issues, it is the opinion of this Report that all other aspects of the consent applications B59-25 and B60-25 have merit, however the applications are premature.

It is recommended that Council request that the County Land Division Committee defer consideration of the residential building lot consent applications until the Official Plan conformity issues have been addressed.



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Respectfully submitted,

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Attachments

Consent Sketch



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Attachment

