



Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0
Tel: 705-656-4445 | 1-800-755-6931 | Fax: 705-656-4446
www.northkawartha.ca

Report to Council

To: Mayor and Members of Council
From: Emily Fitzgerald, BES (Hons.)
Junior Planner, Township of North Kawartha
Reviewed By: Forbes Symon, RPP, MCIP
Senior Planner, Jp2g Consultants Inc.
Date: April 1, 2025
Subject: Report on Consent Applications B-13-25 and B-14-25 (Scaife)

Recommendation

That Council recommend approval to Peterborough County Land Division Committee for consent applications B-13-25 and B-14-25, subject to the conditions outlined in the closing of this report.

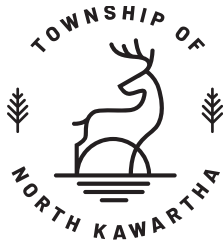
Subject Property

Municipal (911) Address:	12247 Highway 28
Roll Number:	1536-020-202-34800
Property Owner:	Robert Scaife
Agent:	David French
Lot and Concession:	Part of Lot 37, Concession 11
Ward:	Anstruther
Area:	+/- 8.9 ha (+/- 22 ac)
Frontage:	+/- 637 m (+/- 2,090 ft) along Highway 28; +/- 288 m (+/- 945 ft) along Trotter Road
Official Plan Designation:	Rural
Zoning:	Rural (RU)
Access:	Highway 28 (Provincial Highway)

Background

Consent applications B-13-25 and B-14-25 have been submitted by David French on behalf of the property owner, Robert Scaife, for the property located in Part of Lot 37, Concession 11, Chandos Ward, municipally known as 12247 Highway 28.

The subject property is currently developed for rural residential use in the form of a dwelling house and various accessory structures. Surrounding land uses are largely rural residential uses interspersed with a handful of agricultural uses, as well as a mineral aggregate extractive operation located on the eastern-adjacent property.

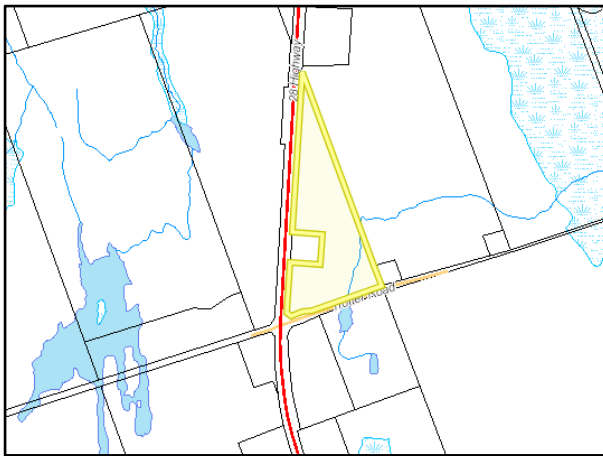


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A Preliminary Severance Review (PSR) was completed on August 29, 2024, prior to the applicant filing formal Consent applications with the County of Peterborough. The PSR found the proposed severances conform to applicable provincial and municipal planning policies; however, neither the severed nor retained parcels conform to the requirements of the Township's Zoning By-law.

Location Map



2023 Aerial Imagery



Proposed Consent

Consent applications B-13-24 and B-14-24 each propose to sever one vacant parcel from the subject property. Lot 1 would comprise an area of approximately 1.2 hectares (2.96 acres) with approximately 70 metres (230 feet) of frontage along Trotter Road. Lot 2 would comprise an area of approximately 1.0 hectares (2.47 acres) with approximately 88 metres (289 feet) of frontage along Trotter Road. The retained lot would comprise an area of approximately 6.7 hectares (16.6 acres) with approximately 130 metres (427 feet) and 480 metres (1,575 feet) of frontage along Trotter Road and Highway 28, respectively. It is anticipated that both severed lots will be developed for residential use in future. The Consent sketch is provided for reference in Attachment #3.

Planning Analysis

County of Peterborough Official Plan

The subject property is designated Rural in the Local Component of the County of Peterborough Official Plan for the Township of North Kawartha. In the Township of North Kawartha, lots existing as of January 1, 1990, are eligible for consent. A maximum of two lots may be severed from a lot existing as of said date. As noted in the PSR, it appears that the property existed prior to January 1, 1990, and has not yet received any consents; therefore, the lot appears to be eligible for consent for new lot creation.

Policies applicable to land division within the Rural Area provide that residential severances should be discouraged in favour of development in Settlement Areas. Regardless, residential



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severances in the Rural Area may be permitted, subject to meeting several criteria. The proposed severed lots maintain frontages on Trotter Road, being publicly owned and year-round maintained road. The proposed severed lots are anticipated to be of appropriate size and configuration to provide private individual sewage system for a future dwelling, as well as an acceptable entrance from Trotter Road. Given the surrounding servicing patterns, it is anticipated that there will be an adequate supply of potable water available to the proposed severed lots. As determined by the PSR, both severed lots meet the Minimum Separation Distance (MDS) requirements.

Local Component land division policies further require that the Township have regard for potential aggregate resources and existing aggregate operations in considering consent applications. Peterborough County GIS identifies a sand and gravel deposit across much of the subject property and an established mineral aggregate extractive operation on the eastern-adjacent property. Given that the resource is of tertiary quality and that other sensitive (i.e., residential) land uses already exist in proximity to the identified resource, further resource extraction beyond the existing operation is not likely to be feasible. The proposed severances are not anticipated to hinder the continuation of the existing operation.

The applications for consent are considered to maintain the intent of 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). As noted previously, the retained parcel would have an area of 6.7 hectares (16.6 acres) with frontages of 130 metres (427 feet) and 480 metres (1,575 feet) on Trotter Road and Highway 28, respectively. The retained parcel would be deficient from the minimum lot area requirement of the Zoning By-law; therefore, a rezoning of the retained parcel is required.

Where a lot created by consent in the RU zone is to be used for residential purposes, said lot may have a minimum lot area of 2 hectares (4.9 acres) and a minimum lot frontage of 60 metres (200 feet). As noted previously, Lot 1 would have an area of approximately 1.2 hectares (2.96 acres) and 70 metres (230 feet) of frontage along Trotter Road, while Lot 2 would have an area of approximately 1.0 hectares (2.47 acres) with 88 metres (289 feet) of frontage along Trotter Road. Although meeting the minimum frontage requirements for a severed lot in the RU zone, both severed lots would be deficient from the minimum area requirements. As such, a rezoning of both severed parcels is required. The rezoning would serve to change the zoning of both severed parcels from RU to Rural Residential (RR) under which both severed lots would meet the minimum lot area and frontage requirements.



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Concluding Comments

With respect to the above, should Council agree that these applications for consent are reasonable, the applications may be recommended to Peterborough County Land Division for approval subject to the following conditions:

1. That cash-in-lieu of parkland be paid to the Township for both severed lots in the amount of \$800.00 each;
2. That a sewage system review be completed for both severed lots to the satisfaction of the Township;
3. That an entrance permit be obtained from the Township for both severed lots; and,
4. That the retained lot and both severed lots be rezoned to the satisfaction of the Township.

Respectfully submitted,

Emily Fitzgerald, BES (Hons.)
Junior Planner
Township of North Kawartha

Attachments

Attachment #1 – Application Form B-13-25

Attachment #2 – Application Form B-14-25

Attachment #3 – Consent Sketch