



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 of the Township of North Kawartha
From: Emily Fitzgerald, BES (Hons.)
Junior Planner for the Township of North Kawartha
Reviewed By: Forbes Symon, RPP, MCIP
Senior Planner, Jp2g Consultants Inc.
Date: April 1, 2025
Subject: Report on Zoning By-law Amendment Application ZA-03-25

Recommendation

That subject to any public or agency comments received, Council approve Zoning By-law Amendment application ZA-03-25.

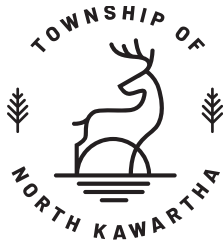
Subject Properties

Municipal (911) Address:	56 Tucker's Road
Roll Number:	1536-020-202-29100
Property Owners:	Mary-Lyn and Philip Moore
Applicant	EcoVue Consulting Services Inc. c/o Aditya Srinivas
Lot and Concession:	Part of Lots 34 and 35, Concession 7
Ward:	Anstruther
Area:	31.4 hectares (77.6 acres)
Frontage:	200 metres (656 feet) along Tucker's Road
Official Plan Designation:	Rural/ Environmental Constraint
Zoning:	Rural (RU)/Environmental Constraint (EC)/Lake (L)
Access:	Tucker's Road (Township Road)

Background

Zoning By-law Amendment application ZA-03-25 has been submitted by Aditya Srinivas, for the property located in Part of Lots 34 and 35, Concession 7, in the Anstruther ward, municipally known as 56 Tucker's Road. The application has been submitted in fulfillment of the conditions imposed on Consent application B-17-24 which was granted provisional approval on September 5, 2024. The purpose of the Consent application is to create one new lot. The Consent sketch is provided in Attachment #2.

The property is currently developed for residential and farm uses in the form of a dwelling house, barns, and various accessory buildings. The property is serviced by a private individual

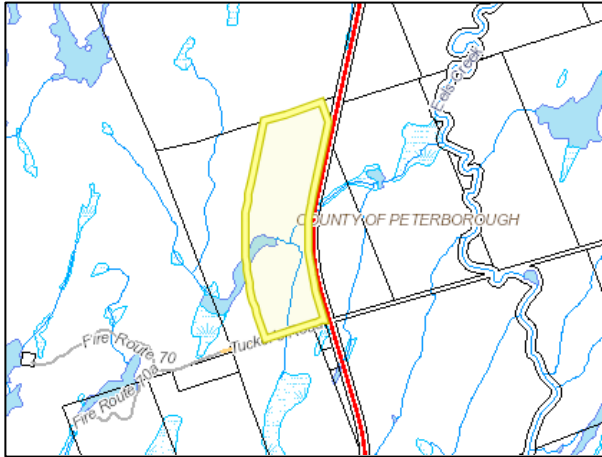


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septic system and well. It is anticipated that the severed parcel will be developed for residential use in future; however, no new development is proposed together with this Zoning By-law Amendment application.

Location Map



2023 Aerial Imagery



Proposed Amendment

The purpose of application ZA-03-25 is to adjust the zone boundaries of the Rural (RU) and Environmental Constraint (EC) zones on the property to reflect the accurate delineation of wetlands, watercourses, and their associated buffer areas as identified through the Environmental Impact Study (EIS) submitted in support of the Consent application. The application would further serve to recognize a deficient lot area for the retained parcel. A sketch illustrating the proposed zoning changes is provided in Attachment #3.

Planning Analysis

The Planning Act stipulates that decisions on planning matters, including zoning by-law amendments, must be consistent with the Provincial Planning Statement (PPS) and conform to the Official Plan.

Provincial Planning Statement, 2024

Under the policies of the Provincial Policy Statement (PPS), the subject property is considered rural lands. On rural lands, agricultural uses and residential development where site conditions allow for the long-term provision of sewage and water services with no negative impacts, are permitted. Development is to be sustained by existing rural service levels and shall be appropriate to the existing or planned infrastructure.

The existing use of the subject property conforms to those permitted under the PPS, as does the anticipated residential use of the severed parcel. The additional low-density residential use to be serviced by private individual servicing systems is not anticipated to result in a strain on



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existing rural service levels or infrastructure. The application is therefore considered consistent with the PPS.

County of Peterborough Official Plan

Local Component for the Township of North Kawartha

The subject property is designated Rural and Environmental Constraint under the Local Component of the Official Plan for the Township of North Kawartha. As aforementioned, the property is developed for residential and farm uses. Policies of the Rural designation permit a range of agricultural uses. Although residential development is generally directed towards designated hamlet areas, low density residential uses limited to one single-detached dwelling per lot are permitted within the Rural designation. The portion of the property designated Environmental Constraint remains undeveloped.

General Natural Environment policies of the County of Peterborough Official Plan (s. 4.1.3) encourage the protection and enhancement of natural features and ecological systems, such as wetlands, watercourses, and wildlife and fish habitat. The proposed rezoning would serve to amend the Environmental Constraint (EC) zone boundaries on the property in accordance with the natural feature delineation completed as part of the Environmental Impact Study (EIS) prepared in support of the Consent application. As such, the proposed rezoning would offer protection to natural features present but not currently identified by County and Township mapping.

Policies of the Rural designation (s. 6.2.2.3) also require that all new development meet the provincial Minimum Distance Separation (MDS) requirements. Based on the MDS arc determined during the process of the Consent application, a building envelope suitable for the anticipated residential use is available on the severed parcel.

Based on the foregoing, the application is considered to conform to the general intent of the Official Plan.

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

The subject property is zoned Rural (RU) and Environmental Constraint (EC). As noted previously, the application would adjust the EC zone boundaries in accordance with the EIS delineation of wetlands, watercourses, and their associated buffers on the property. As such, portions of the property would be rezoned from RU to EC as well as the reverse, while other portions would retain their existing zoning, as shown in Attachment #3. As such, the proposed rezoning is intended to prevent future development and disturbance within the identified natural features.

The minimum lot frontage and lot area requirements of the Rural (RU) zone are 90 metres (295 feet) and 10 hectares (25 acres), respectively. The retained and severed parcels would have frontages of 200 metres and 400 metres, respectively and both would exceed the minimum frontage requirement of the RU zone.



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As per Section 3.16 of the Zoning By-law, lands zoned Environmental Constraint (EC) are not considered towards the total lot area. Excluding lands zoned and to be rezoned EC, the retained parcel would have an area of 5.82 hectares (14.4 acres), deficient from the minimum lot area requirement of the RU zone. Despite the lot area deficiency, the retained parcel would maintain sufficient area and configuration to allow for the continuation of the existing uses. Similarly excluding lands zoned and to be rezoned EC, the severed parcel would have an area of 10 hectares, meeting the minimum lot area requirement of the RU zone.

Based on the foregoing, the application is considered to uphold the general intent and purpose of the Zoning By-law.

Public and Agency Comments

Notice of application ZA-03-25 was circulated to neighbouring property owners and commenting agencies in accordance with the statutory requirements of the Planning Act on March 12, 2025. A notice was posted on the property on the same day.

Agency comments have been received from MTO noting that the subject property is located within its permit control area and MTO approvals and permits would be required prior to the construction or alteration of any buildings or structures.

At the time of writing this report, no public or agency comments were received, other than those discussed above. Any comments received will be provided to Council prior to or during the public hearing.

Financial Implications

No financial implications are anticipated as a result of approval of application ZA-03-25.

Concluding Comments

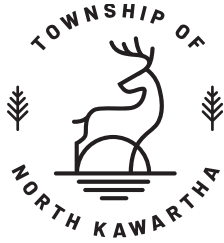
Zoning By-law Amendment ZA-03-25 seeks to rezone the subject properties in fulfillment of conditions associated with Consent application B-17-24. Based on the foregoing analysis, Staff are of the opinion that the application is consistent with the applicable land use planning policies and as such, represents good planning. It is therefore recommended that application ZA-03-25 as proposed be approved.

All of which is respectfully submitted,

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

Attachments

Attachment #1 – Notice of Public Meeting



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Attachment #2 – Consent Sketch

Attachment #3 – Draft Amendment to Zoning By-law