



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
Reviewed By: Darryl Tighe, M. Sc., RPP
Manager of Planning
Date: December 17, 2024
Subject: Report on Consent Application #B-78-24 (Deziel)

Recommendation

That Council recommend approval to Peterborough County Land Division Committee for consent application #B-78-24, subject to the conditions outlined in the closing of this report.

Subject Property

Municipal (911) Address:	177 Dick Martin Road
Roll Number:	1536-010-102-13000
Property Owner:	Denis Deziel
Agent:	N/A
Lot and Concession:	Part of Lots 22 and 23, Concession 14
Ward:	Chandos
Area:	+/- 28.2 ha (+/- 69.7 ac)
Frontage:	+/- 655 m (+/- 2,150 ft) along Dick Martin Road
Official Plan Designation:	Rural/Environmental Constraint Area
Zoning:	Rural (RU) / Environmental Constraint (EC)
Access:	Dick Martin Road (Township Road)

Background

Consent application #B-78-24 has been submitted by Denis Deziel, property owner, for the property located in Part of Lots 22 and 23, Concession 14, Chandos Ward, municipally known as 177 Dick Martin Road.

The subject property is approximately 28.2 hectares (69.7 acres) in area and has approximately 655 metres (2,150 feet) of frontage on Dick Martin Road, being a municipally owned and year-round maintained road. The subject property is currently developed for rural residential use in the form of one single detached dwelling, as well as the remnants of the former homestead dwelling. Surrounding land uses are largely rural residential uses and vacant rural lands. No

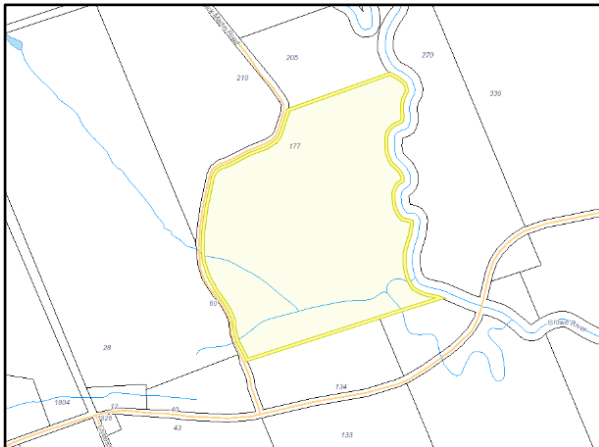


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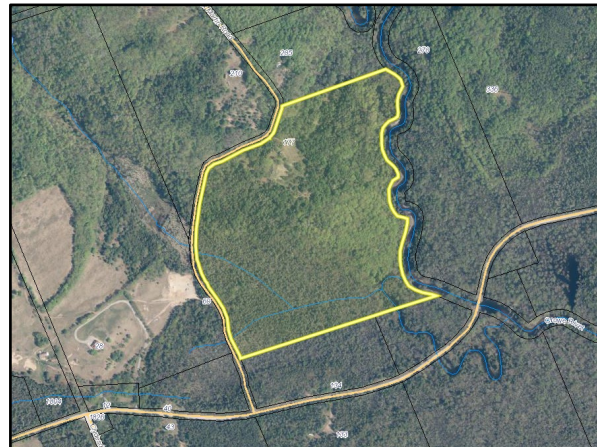
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Preliminary Severance Review (PSR) was completed prior to the applicant filing a formal Consent application with the County of Peterborough.

Location Map



2023 Aerial Imagery



Proposed Consent

Consent application #B-78-24 proposes to create one new lot from the subject property. The severed lot would comprise an area of approximately 3.7 hectares (9.2 acres) with 97.5 metres (320 feet) of frontage along Dick Martin Road and 112 metres (368 feet) of frontage along Crowe River. The retained lot would comprise an area of approximately 24.4 hectares (60.3 acres) with 556 metres (1,825 feet) of frontage along Dick Martin Road and 486 metres (1,595 feet) of frontage along Crowe River. The existing single detached dwelling would be located on the proposed severed parcel and all applicable building setbacks would continue to be met. The remnants of the former homestead dwelling would be located on the proposed retained parcel and would likewise exceed the required setbacks. No new development is proposed together with this application for consent.

Planning Analysis

County of Peterborough Official Plan

The subject property is designated Rural and Cultural Landscape in the County of Peterborough Official Plan and Rural and Environmental Constraint Area in the Local Component 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. Available information indicates 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 severances in the Rural Area may be permitted, subject to meeting several criteria. The



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proposed severed and retained lots maintain frontage on Dick Martin Road, being a publicly owned and year-round maintained road; therefore, no access issues or traffic hazards are anticipated, and solid waste disposal would be provided. The proposed retained lot is expected to be of appropriate size and configuration to provide private individual water and sewage servicing to a future dwelling, as well as to provide an acceptable entrance from Dick Martin Road. No livestock facilities are in proximity to the subject property; therefore, minimum distance separation formulae are not applicable.

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 within a portion of the subject 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, future aggregate extraction is not likely to be feasible. The Township is further required to have regard to the compatibility of development adjacent to environmentally sensitive lands. It is anticipated that the proposed retained parcel will be developed for low-intensity residential use in the future. Given the size and configuration of the proposed retained parcel, any future buildings or structures associated with residential use would be able to achieve a generous setback from the portion of the lot designated Environmental Constraint Area.

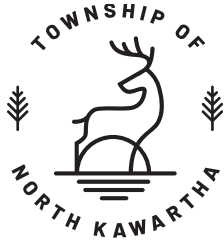
The consent application is considered to maintain the intent of the Official Plan.

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

The subject property is zoned Rural (RU) and Environmental Constraint (EC) in the Township's Zoning By-law. As per Section 3.16 of the Zoning By-law, where a lot contains multiple zones and one of said zones is the EC zone, any lands zoned EC are not considered towards the lot area. Where a lot has frontage on both a public street and a navigable waterway, the frontage on the navigable waterway is considered the lot frontage for the purpose of determining compliance with the Zoning By-law. In this frontage scenario, where the rear lot line abuts a public street, such lot line must be a minimum of 15 metres in length.

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). The retained parcel would have an area of 10 hectares (25 acres) excluding the lot area within the EC zone. As noted above, the retained parcel would have 486 metres (1,595 feet) of frontage along Crowe River and 556 metres (1,825 feet) of frontage along Dick Martin Road. The retained parcel maintains the minimum lot area and frontage requirements of the Zoning By-law, and a rezoning is not 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). The severed lot would have an area of 2.4 hectares (5.9 acres) excluding the portion of the lot zoned EC. As noted above, the severed lot would have frontages of 112 metres (368 feet) and 97.5 metres (320 feet) along Crowe River and Dick Martin Road, respectively. The



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severed parcel meets the minimum lot area and frontage requirements of the Zoning By-law, and a rezoning is not required.

Concluding Comments

With respect to the above, should Council agree that this application for Consent is reasonable, the application 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 the severed lot in the amount of \$800.00;
2. That a sewage system review be completed for the severed lot to the satisfaction of the Township; and,
3. That an entrance permit be obtained from the Township for the severed lot.

Respectfully submitted,

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

Darryl Tighe, M.Sc., RPP
Manager of Planning
Township of North Kawartha

Attachments

Attachment #1 – Application

Attachment #2 – Consent Sketch