



Report to Council

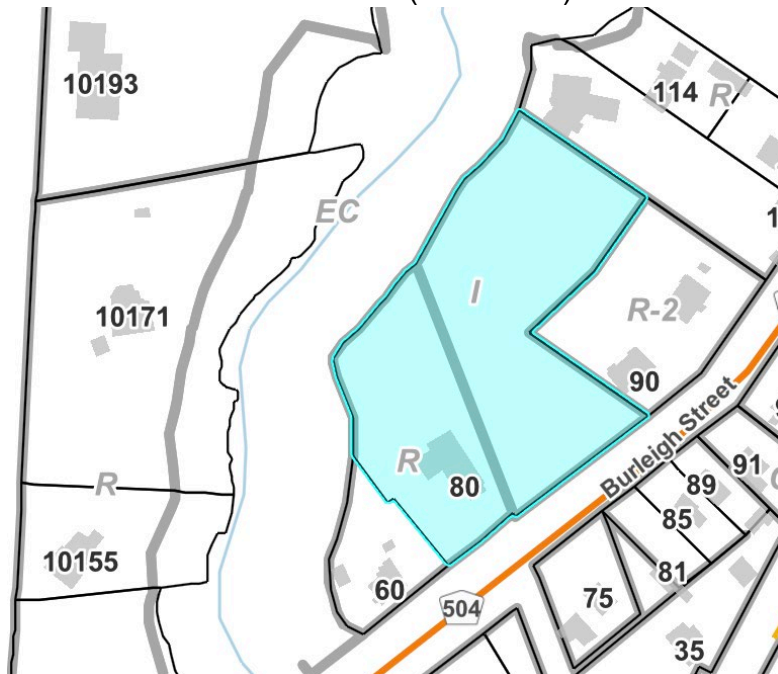
To: Mayor and Council Members
From: Laura Stone, Planning Consultant
Date: May 19, 2026
Subject: Zoning By-law Amendment Application ZA-03-26

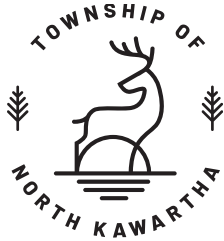
Recommendation:

That Council **approve** Zoning By-law Amendment Application ZA-03-26 to amend Schedule A8 to By-law #26-2013 to rezone the subject property in its entirety from Residential and Institutional to Institutional with exception to permit a daycare facility.

Background:

This application comes before the Township to initiate a rezoning of a split zoning property that is in the process of being purchased by Compass ELC, a local provider of daycare in Peterborough and Peterborough County. The property, as it exists, is zoned Residential and Institutional (see below).





Township of North Kawartha
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For the use of a daycare to be added to the zoning, a rezoning for the property in its entirety to Institutional with exception for a daycare use is required.

Property Information:

Address: 80 Burleigh Street
Roll No: 1536-020-201-16100
Owners: Gord Tucker
Agent: Compass ELC
Zone: Residential/Institutional
Official Plan Designation: Environmental Constraint and Hamlet

This property is located in the Anstruther Ward with frontage onto Eels Creek and Burleigh Street (Also known as County Road 620). No new built development is being contemplated at this time.

Planning Policy Discussion

Provincial Planning Statement

The Provincial government released the Provincial Planning Statement (PPS) in 2024. This policy document is intended to provide planning direction for all of Ontario. The following policies from the PPS are relevant to this application:

Chapter 2.1 Planning for People and Homes

6. Planning authorities should support the achievement of complete communities by:
 - a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Chapter 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the redevelopment of brownfield sites;



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- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- d) using rural infrastructure and public service facilities efficiently;
- e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- g) conserving biodiversity and considering the ecological benefits provided by nature;

Chapter 2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

Chapter 3.6 Sewage, Water and Stormwater

4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Chapter 5.2 Natural Hazards

8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.



Opinion: The rezoning of the subject property is consistent with the PPS.

Peterborough County Official Plan

The Official Plan for the County of Peterborough provides further policies on the direction of planning for the entirety of the County. The Township of North Kawartha is part of the County of Peterborough and relies on the Official Plan policies for decisions regarding Planning Act applications.

The following policies from the Official Plan are relevant:

6.2.3 Hamlet

6.2.3.1 – General Principles

The Hamlet designation refers to existing settlement areas which function as residential and commercial service nodes. They may contain a mix of residential, commercial, small scale industrial, public and institutional facilities.

6.2.3.2 – Permitted Uses

The predominant use of land within the Hamlet designation shall be for single detached residential dwellings with some limited provision for multiple unit dwellings. Other uses, which are considered necessary to serve the community or the surrounding rural area may be permitted such as schools, parks, churches, physicians' and dentists' offices and public or municipal facilities. This category may include retail and service commercial uses deemed necessary to serve the surrounding agricultural, rural and/or recreational areas and industrial uses, such as a builders' supply, feed mill, public garage, farm implement dealer which primarily serve the surrounding rural-agricultural community.

Section 6.2.15 Environmental Constraint

Section 6.2.15.1 General Principles

The Environmental Constraint Area designation includes those lands having inherent environmental hazards such as flood or erosion susceptibility, poor drainage, organic soils, instability or any other similar physical characteristic or limitation and includes other non-provincially-significant wetlands which, if developed upon, could result in the deterioration or degradation of the environment and cause property damage or loss of life. Where floodplain mapping is available, it has been used to delineate the boundaries of Environmental Constraint areas that are at risk of flooding within Asphodel-Norwood, Douro-Dummer, North Kawartha and Selwyn.

Section 6.2.15.2 Permitted Uses

The predominant use of land within the Environmental Constraint designation is the



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preservation and conservation of the natural environment. Uses such as outdoor recreation, forestry, conservation of soil or wildlife and passive agriculture outside of settlement areas shall be permitted where they do not aggravate an existing hazard or adversely affect the natural environment. Public or private parks shall also be permitted provided that they do not aggravate an existing hazard, require major land alteration, or adversely affect the natural environment.

Section 6.2.15.3 Environmental Constraint Policies

k) The predominant use of land within the Environmental Constraint designation is the preservation and conservation of the natural environment. Uses such as outdoor recreation, forestry, conservation of soil or wildlife and passive agriculture outside of settlement areas shall be permitted where they do not aggravate an existing hazard or adversely affect the natural environment. Public or private parks shall also be permitted provided that they do not aggravate an existing hazard, require major land alteration, or adversely affect the natural environment.

Opinion: Given that the development that is occurring is simply a change of use, the proposal for rezoning the property to Institutional with exception for a daycare use is in keeping with the County of Peterborough's Official Plan.

Zoning By-law

As noted, this property has split zoning. It is recommended to rezone to Institutional (I) for the entirety of the property with an exception to permit a daycare use.

Conclusion

The application to rezone the subject lot is consistent with the Provincial Planning Statement and the County's Official Plan and should be approved.

Financial Implications:

N/A

Attachments:

Site Plan

Notice