

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

PC2018-03

Wednesday, March 28, 2018

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Councillor Brian Junkin

Councillor Rob Macklem

Councillor Gord Miller

Councillor Patrick O'Reilly

Councillor Heather Stauble

Councillor Andrew Veale

Mike Barkwell

Debbie Girard

Accessible formats and communication supports are available upon request.

1.	Call to Order and Adoption of Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting	
4.	Business Arising from Public Meeting	
5.	Deputations	
6.	Correspondence	
7.	City of Kawartha Lakes Reports	
7.1	PLAN2018-003	3 - 15
	Ian Walker, Planning Officer - Large Developments An application to amend the Township of Verulam Zoning By-law to change the zone category to facilitate the creation of five (5) new residential lots for the property identified as Vacant Land on Rehill Drive, Verulam (Gurr)	
7.2	PLAN2018-029	16 - 29
	Ian Walker, Planning Officer - Large Developments An application to amend the Village of Bobcaygeon Zoning By-law to add a microbrewery as a permitted use and amend the development standards for the property identified as 30 King Street East, Bobcaygeon (Nichol)	
8.	Adjournment	

The Corporation of the City of Kawartha Lakes

Special Planning Advisory Committee Report

Report Number PLAN2018-003

Date: March 28, 2018
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: Ward 13 - Verulam

Subject: An application to amend the Township of Verulam Zoning By-law to change the zone category to facilitate the creation of five (5) new residential lots for the property identified as Vacant Land on Rehill Drive, Verulam (Gurr)

Author and Title: Ian Walker, Planning Officer – Large Developments

Recommendations:

RESOLVED THAT Report PLAN2018-003, respecting **Concession 3 Part of Lot 4, Geographic Township of Verulam, “Gurr – Application D06-17-021”**, be received;

THAT the zoning by-law amendment respecting application D06-17-021, substantially in the form attached as Appendix ‘D’ to Report PLAN2018-003, be approved and adopted by Council;

THAT in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The statutory public meeting was held by the Planning Advisory Committee on August 16, 2017 and following resolution was passed:

PC2017-037

Moved By Councillor Miller

Seconded By Councillor Veale

RECOMMEND THAT Report PLAN2017-051, respecting **Concession 3 Part of Lot 4, Geographic Township of Verulam, Gurr – Application D06-17-021**, be received; and

THAT Report PLAN2017-051 respecting Application D06-17-021 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed.

CARRIED

This report addresses that direction.

The applicant submitted an application to change the zone category to facilitate the severance of five (5) residential lots within the “Hamlet Settlement Area” designation; and to retain the remainder of the lot as a rural residential lot. The retained lot is partially within the “Hamlet Settlement Area” designation, with the remainder in the Rural and Environmental Protection designations. The public meeting was held on August 16, 2017. Based on the discussion at the public meeting and follow up discussion with the applicant, the application has been amended such that the proposed retained lot will be zoned as an “A1 Exception” zone, to protect the existing and future potential agricultural uses for the property.

Owner:	John Gurr
Applicant:	Kevin M. Duguay
Legal Description:	Concession 3, Part Lot 4, geographic Township of Verulam
Designation:	“Hamlet Settlement Area”, “Rural” and “Environmental Protection”, City of Kawartha Lakes Official Plan
Zone:	“General Rural (A1) Zone” on Schedule ‘B’ of the Township of Verulam Zoning By-law No. 6-87
Lot Area:	10.5 ha. [26.08 ac. – MPAC], of which approximately 2.06 ha is currently contemplated for the proposed lot creation
Site Servicing:	Private individual on-site sewage disposal and well
Existing Uses:	Vacant Land
Adjacent Uses:	North, East, and South: Agricultural West: Residential, Sturgeon Road

Rationale:

The property is located on the east side of Rehill Drive, to the east of Sturgeon Road, in the hamlet of Dunsford. See Appendix 'A'. It contains an accessory building on the southwest corner of the property, on one of the proposed lots to be severed. At the time of consent, the existing accessory building will be demolished or removed from the property. The proposed development would sever five new residential lots within the "Hamlet Settlement Area" designation of the Official Plan, and retain one lot in the "Hamlet Settlement Area", "Rural", and "Environmental Protection" designations. See Appendix 'B' and 'C'.

The applicant has submitted a Planning Justification Report and addendum letter, a Hydrogeological Investigation, and a revised lot concept plan in support of the application. Planning staff have reviewed the Planning Justification Report (PJR), addendum letter and revised lot concept plan filed in support of the proposed zoning by-law amendment. Comments have now been received from the appropriate agencies and departments in support of this application.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017:

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development (lot creation) is located within the Hamlet Settlement boundary of Dunsford. The new lots will be serviced by the existing municipal road, and private on-site sewage and water services. The GP allows limited growth when developed with private services.

Therefore, this application conforms to the policies of the Growth Plan.

Provincial Policy Statement, 2014 (PPS):

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure. Development and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed severed lots are not within or adjacent to any natural heritage features or species at risk (SAR) as identified in Section 2 of the PPS, and are not located within any natural hazards, as identified in Section 3 of the PPS. The applicant has agreed to place protective zoning around the watercourse which traverses the retained lot.

Therefore, this application is consistent with the policies of the PPS.

Official Plan Conformity:

The lot is designated “Hamlet Settlement Area”, “Rural”, and “Environmental Protection” on Schedule ‘A-5’ of the City of Kawartha Lakes Official Plan (OP). Portions of the abutting properties have been identified as “Significant Woodlands” on Schedule ‘B-5’ of the OP. The “Environmental Protection” designation applies to a watercourse which traverses the lot.

The proposed development (lots to be severed) is within the “Hamlet Settlement Area” designation, and the goals of this designation include:

- Recognizing existing hamlets, and supporting their function of providing limited residential uses; and
- Accommodating small-scale residential development within existing settlement areas.

Permitted uses include single detached dwellings and garden suites.

A portion of the lot to be retained is within the “Hamlet Settlement Area”, with the remainder in the “Rural” and “Environmental Protection” designations. The goals of the “Rural” designation include:

- Protecting land that is primarily Class 4-7 agricultural production from fragmentation, development and non-farm related uses; and
- Preserving and promoting the rural character of the City.

Permitted uses include agricultural, agriculture-related, limited low density single detached dwellings, and garden suites.

Section 19.3.13 of the OP states “that the minimum lot size should be 4,000 square metres when individual services are provided a hydrogeological study is required to confirm that there is an adequate supply of water”. The required study has been submitted, and staff concur that the study supports the creation of the proposed lots.

The retained lot will be rezoned to the “General Rural Exception Nineteen (A1-19) Zone” and the “Open Space (OS) Zone”. The “A1-19” zone will preserve the agricultural capability of the proposed retained lot, and the “OS” zone will protect the watercourse from future development.

As the hydrogeological study has been determined to be acceptable to the City, and the proposed retained lot will maintain the existing permitted agricultural uses, this application conforms to the policies of the OP.

Zoning By-Law Compliance:

The applicant has submitted a Zoning By-law Amendment application for consideration, to change the zoning on the property. The lot is currently zoned “General Rural (A1) Zone” in the Township of Verulam Zoning By-law 6-87. The applicant has agreed to amend the request, and the proposed change would implement a site-specific “Residential Type One Exception Twenty-Six (R1-26)

Zone” for each of the lots to be severed, and a “General Rural Exception Nineteen (A1-19) Zone” and “Open Space (OS) Zone” on the lot to be retained. The “OS” zone will provide a 15 metre buffer on each side of the watercourse which traverses the lot. The “R1” and “A1” exception zones would recognize site-specific development standards for each lot, and all other provisions of the respective zones would apply.

The “R1” zone permits a single detached dwelling; a seasonal dwelling; a home occupation; and a neighbourhood park or parkette. The “A1” zone permits a single detached dwelling and home occupation, and agricultural uses including a farm, a farm produce outlet, and forestry uses. In accordance with the goals and objectives of the “Rural” designation, the “A1-19” zone will permit agricultural uses on the retained lot.

Section 34(17) of the Planning Act permits Council to consider changes to a proposed Zoning By-law after the holding of a public meeting and determine whether any further notice is to be given. If Council decides that the proposed change to the Zoning By-law is minor, a further public meeting is not required. Council's decision as to the giving of further notice is final and not subject to review in any court.

The site is developed with an accessory building which was constructed circa 1981. At the time of the consent application, the accessory building will be required to be demolished or removed as a condition of consent. Therefore, no further recognition is required through this rezoning application.

All other provisions in the Zoning By-law would be maintained.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendments are appealed to the Ontario Municipal Board. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the vibrant and growing economy and healthy environment strategic goals as it increases the supply of housing to attract new

residents, and provides an opportunity to rezone the area surrounding the watercourse to protect and enhance water quality.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. The accessibility standards established in the Building Code will be shown on the subsequent construction drawings, which must be approved by the City prior to the issuance of a building permit.

Servicing Comments:

The lots will be serviced by private individual wells and septic systems.

Consultations:

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. A Public Meeting was held on August 16, 2017. As of March 19, 2018, we have received the following comments:

Agency Review & Public Comments:

July 14, 2017	The Building Division has no concerns with this application.
July 21, 2017	The Engineering and Corporate Assets Department confirms it has no objection to this application. Although they have no objection, they note a Development Agreement will be required at the consent stage.
July 28, 2017	Chippewas of Rama First Nation advised that it has received the notice of public meeting and has shared it with Council, and forwarded it on to the Williams Treaties First Nation Process Co-ordinator/Negotiator.
August 15, 2017	Kawartha Conservation (KRCA) advised that based on their review of the natural heritage, natural hazards, and water quality and quantity protection policies, they have no objection to the approval of this application.
November 15, 2017	The Community Services Department has no concerns.
February 22, 2018	The Building Division – Part 8 Sewage Systems program advised they have no issues with this rezoning application.

Development Services – Planning Division Comments:

The appropriate background information which has been submitted in support of this application has been circulated to the appropriate agencies and City Departments for review and comment. The application conforms to the 2017 Growth Plan and is consistent with the 2014 Provincial Policy Statement.

Conformity with the City’s Official Plan has also been demonstrated. The rezoning will facilitate the creation of five (5) residential lots within the Hamlet of Dunsford, and ensure the retained land complies with the Zoning By-law. All other zoning provisions within the “R1” and “A1” zones will be maintained.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend that the proposed Zoning By-law Amendment application be referred to Council for APPROVAL.

Attachments:

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix ‘A’ – Location Map



PLAN2018-003
Appendix A.pdf

Appendix ‘B’ – Concept Plan – Proposed Severed Lots



PLAN2018-003
Appendix B.pdf

Appendix ‘C’ – Lot Grading Plan – Proposed Retained Lot



PLAN2018-003
Appendix C.pdf

Appendix ‘D’ – Proposed By-law Amendment



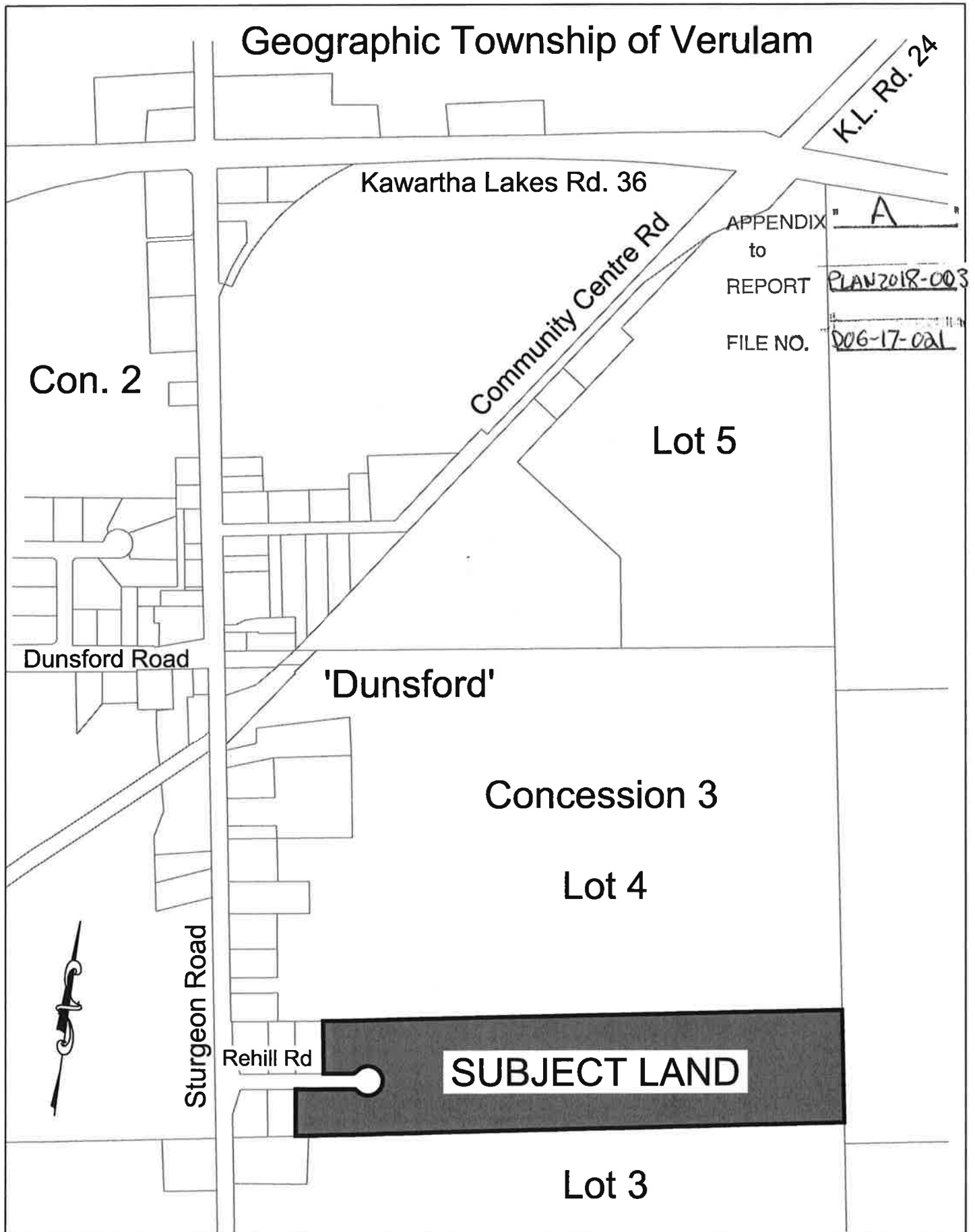
PLAN2018-003
Appendix D.pdf

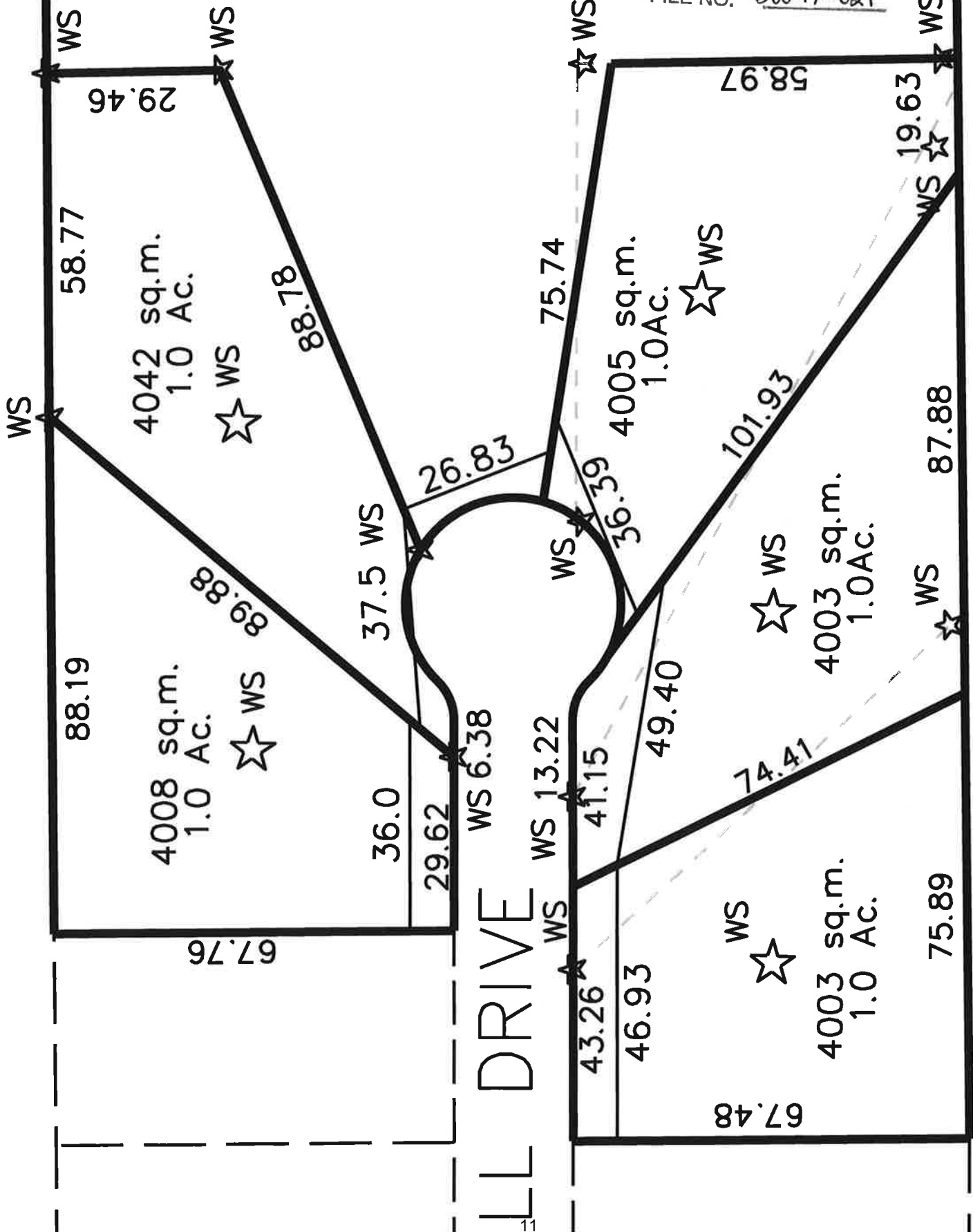
Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director, Development Services

Department File: D06-17-021

Geographic Township of Verulam





to

The Corporation of the City of Kawartha Lakes REPORT PLAN2018-003

By-Law 2018 -

FILE NO. D06-17-021
1/3

A By-Law To Amend The Township of Verulam Zoning By-Law No. 6-87 To Rezone Land Within The City Of Kawartha Lakes

[File D06-17-021, Report PLAN2018-003, respecting Concession 3 Part of Lot 4, Geographic Township of Verulam, identified as Vacant Land on Rehill Drive – Gurr]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit the severance of 5 residential lots on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-__.

Section 1:00 Zoning Details

1.01 **Property Affected:** The Property affected by this by-law is described as Concession 3 Part of Lot 4, Geographic Township of Verulam, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to add the following section to Section 8.3:

"8.3.26 On land zoned R1-26, the following requirements shall supersede the requirements of the R1 zone:

- | | | |
|----|----------------------|-----------|
| a. | Minimum Lot Area | 4000 sq.m |
| b. | Minimum Lot Frontage | 29 m |

All other requirements of the R1 Zone shall continue to apply."

1.03 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to add the following section to Section 19.3:

"19.3.19 On land zoned A1-19, the following requirements shall supersede the requirements of the A1 zone:

- a. Minimum Lot Area
i. farm 8.0 ha
ii. other uses 4000 sq.m
with a maximum lot area of 1 hectare used for residential purposes
- b. Minimum Lot Frontage
i. farm 26 m
ii. other uses 26 m

APPENDIX " D
to
REPORT PLAN 2018-003
FILE NO. D06-17-021
2/3

All other requirements of the A1 Zone shall continue to apply."

1.04 **Schedule Amendment:** Schedule 'B' to By-law No. 6-87 of the Township of Verulam is further amended to change the zone category from the "General Rural (A1) Zone" to the "Residential Type One Exception Twenty-Six (R1-26) Zone", "General Rural Exception Nineteen (A1-19) Zone", and "Open Space (OS) Zone" for the land referred to as 'R1-26', 'A1-19', and 'OS' respectively, as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

KAWARTHA LAKES

APPENDIX " D "
to
REPORT PLAN 2018-003
FILE NO. D06-17-021
3/3

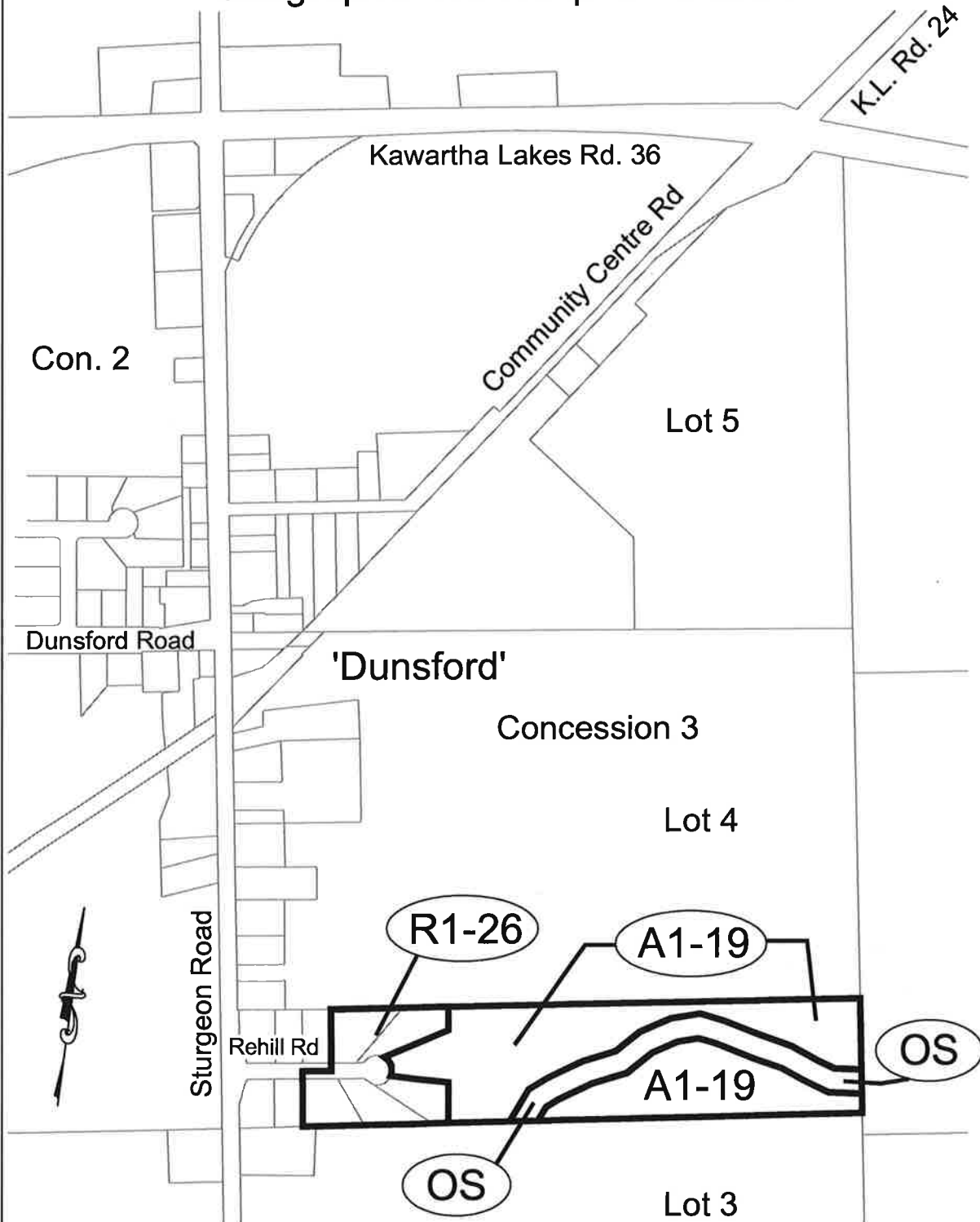
THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2018.

MAYOR _____

CITY CLERK _____

Geographic Township of Verulam



The Corporation of the City of Kawartha Lakes

Special Planning Advisory Committee Report

Report Number PLAN2018-029

Date: March 28, 2018
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: Ward 13 – Bobcaygeon

Subject: An application to amend the Village of Bobcaygeon Zoning By-law to add a microbrewery as a permitted use and amend the development standards for the property identified as 30 King Street East, Bobcaygeon (Nichol)

Author and Title: Ian Walker, Planning Officer – Large Developments

Recommendations:

RESOLVED THAT Report PLAN2018-029, respecting **Plan 11, Range 7 Part of Lot 9 East William Street, Former Village of Bobcaygeon, “Nichol – Application D06-17-030”**, be received;

THAT the zoning by-law amendment respecting application D06-17-030, substantially in the form attached as Appendix ‘C’ to Report PLAN2018-029, be approved and adopted by Council;

THAT in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The statutory public meeting was held by the Planning Advisory Committee on December 6, 2017 and following resolution was passed:

PC2017-049

Moved By Mayor Letham

Seconded By Councillor Miller

Recommend That Report PLAN2017-067, respecting **Plan 11, Range 7 Part of Lot 9 East William Street, Former Village of Bobcaygeon, Nichol – Application D06-17-030**, be received; and

That Report PLAN2017-067 respecting Application D06-17-030 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed.

CARRIED

A second regular meeting was held by the Planning Advisory Committee on February 14, 2018 and following resolution was passed:

PAC2018-012

Moved By Mayor Letham

Seconded By Councillor Junkin

Recommend That Report PLAN2018-016, respecting **Plan 11, Range 7 Part of Lot 9 East William Street, Former Village of Bobcaygeon, Nichol – Application D06-17-030**, be received; and

That the matter be referred back to staff for further review.

CARRIED

This report is in response to that direction.

The applicant submitted a Zoning By-law Amendment application to change the zone category from the “Central Commercial (C1) Zone” to a “Central Commercial Exception ** (C1-S**) Zone” on this property. The intent of the change is to permit a microbrewery as a permitted use, and to amend some of the development standards for the property subject to this application. The “C1” zone permits a range of similar commercial uses, including bakeries, restaurants, soda fountains, lunch counters, and liquor licenced establishments. A microbrewery is not a permitted use in any zone category. As such, a site-specific rezoning is required.

Owner: Scott Nichol

Applicant: Landmark Associates Limited – Darryl Tighe

Legal Description: Plan 11, Range 7 Part of Lot 9 East William Street, former Village of Bobcaygeon

Designation: “Urban Settlement Area” on Schedule ‘A-5’ of the City of Kawartha Lakes Official Plan; subject to the “Urban” designation policies of the Victoria County Official Plan

Zone: “Central Commercial (C1) Zone” on Schedule ‘A’ of the Village of Bobcaygeon Zoning By-law No. 16-78

Lot Area: 659.0 sq. m. [6,970.0 sq. ft. – MPAC], of which the entire site is currently contemplated for the development

Site Servicing: Municipal sanitary sewer, storm sewer and water supply

Existing Uses: Vacant Retail Commercial Store With Dwelling Unit Above

Adjacent Uses: North: Trinity United Church; Low Density Residential
East: Commercial Plaza
South: King Street East; LCBO; Commercial Plaza; Beer Store
West: William Street; Commercial; Residential

Rationale:

The property is located on the northeast corner of King Street East and William Street, in the central area of Bobcaygeon. See Appendix ‘A’. It contains an existing two storey stone building on the southwestern portion of the property, and a detached garage on the northwestern portion of the property. The revised proposal would convert the existing building to a microbrewery use, with the construction of a one storey addition on the north side of the existing building. The detached garage would be used for storage space, and the driveway and parking would traverse the eastern and northern portion of the site. See Appendix ‘B’.

The original concept was amended to reduce the request for some of the reliefs being sought through the Zoning By-law amendment. To date, the applicant has submitted a Planning Justification Report (PJR); a Functional Servicing Report (FSR); an amended Zoning By-law Amendment Concept Sketch, a Grading Plan, a Stormwater Management Report (SWM); and covering letter noting the modifications and rationale; and a Topographic Survey in support of the application. Staff has reviewed the Planning Justification Report (PJR) and accompanying documents filed in support of the proposed zoning by-law amendment. The Engineering and Corporate Assets Department have reviewed the FSR, SWM and Grading Plan; and Kawartha Region Conservation Authority (KRCA) has reviewed the Topographic Survey filed in support of this application.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017:

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development is located within the urban settlement of Bobcaygeon. The development will be serviced by the existing municipal roads, sewage, water and stormwater services. This application facilitates the efficient use of existing building stock within a designated settlement area.

Therefore, this application conforms to the policies of the GP.

Provincial Policy Statement, 2014 (PPS):

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure.

Redevelopment and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed development is not within or adjacent to any natural heritage features or species at risk (SAR) as identified in Section 2 of the PPS, and is not located within any natural hazards, as identified in Section 3 of the PPS.

Planning for sewage, water, and stormwater shall be in accordance with Section 1.6.6 of the PPS. This includes the efficient use and optimization of existing municipal sewage and water services in a sustainable manner, and the use of low impact development techniques for stormwater management. The applicant has now demonstrated that the stormwater management can be properly handled through the use of low impact development techniques.

Therefore, this application is consistent with the policies of the PPS.

Official Plan Conformity:

The lot subject to this proposal is located in the “Urban Settlement Area” designation in the City of Kawartha Lakes Official Plan (City OP), which requires the designations and associated land use policies of the Victoria County Official Plan (VCOP) apply until such time as the Bobcaygeon Secondary Plan (SP) is in force and effect. The “Urban” designation in the VCOP allows residential, recreational, institutional, cultural, commercial, and industrial uses, and development should proceed on the basis of the full range of municipal services provided.

Based on the location of this property, it is located in the business core area, which includes King Street East between Bolton Street (to the west) and the

Legion (to the east). The ‘General Commercial’ policies shall also apply to this property. The predominant use of land in the ‘General Commercial’ shall be retail and service commercial facilities including retail and service operations, clubs, places of amusement and recreation, and institutional uses. Dwellings shall also be permitted.

Section 5.3 of the VCOP encourages expanding and diversifying commercial developments to promote employment opportunities, and encourages the redevelopment of urban areas. The PJR notes that the proposal conforms to the relevant policies of the VCOP and maintains compatibility with surrounding land uses. Planning staff accept this analysis.

Zoning By-Law Compliance:

The applicant has submitted a Zoning By-law Amendment application for consideration, to change the zoning on the property. The lot is currently zoned “C1” zone in the Village of Bobcaygeon Zoning By-law 16-78. The application, as amended, will implement a site-specific “C1-S13” zone which permits the use of the property for a microbrewery, and recognizes several site-specific development standards for the property. See Appendix ‘C’. The proposed development standards are indicated in comparison to the existing “C1” zone standards in the table as follows:

Development Standard Relief Requested:	Existing Standards:	Applicant Modified Request for “C1-S13” zone Standards:
Definition (to be added to Section 2): “Microbrewery” means	Currently no definition	“A building or part thereof used for the brewing and retail sale of beer for public consumption on or off the premises; and includes the following as accessory uses: areas for sampling, retail display and retail sales”.
“C1” zone uses (in Section 11.1)	A range of commercial uses	Add a microbrewery as a permitted use, in addition to the existing permitted commercial uses
Maximum lot coverage (in Section 11.2)	60 %	35 %
Maximum number of dwelling units (in Section 11.3)	Maximum of 6	Maximum of 1, due to parking reduction

Development Standard Relief Requested:	Existing Standards:	Applicant Modified Request for “C1-S13” zone Standards:
Minimum Parking Requirements based on existing and proposed building area (in Section 3.13 a.)	A total of 11 spaces are required for all permitted uses, based on the Planning analysis	Requested: 6 (A minimum of 6 on-site spaces. A municipal parking lot is located within 85 m. of the subject lot).
Minimum Loading Space Requirements based on existing and proposed building area (in Section 3.14)	1 loading space is required for all permitted uses, based on the Planning analysis. It can be an existing parking space.	1 loading space equal to one parking space with 2.75 m. width; 5.2 m. length; and 14.3 sq. m. area
Landscaping Between Commercial zone and “O2” zone (in Section 3.15 a.)	Not less than 6 metres width; is reduced to 3 metres where a berm or opaque fence, 2 metres in height are constructed in conjunction with the landscaping	A 0.9 metre landscape buffer is requested with an opaque fence, 2 metres in height
Accessible parking space provisions (no applicable Section)	N/A (defaults to Site Plan Guide)	3.6 m. width; 6.0 m. length; 1.2 m. aisle width
Definition of “Parking Space” (in Section 2.92)	Not less than 2.5 m. width and 17 sq. m. area	2.75 m. width; 5.80 m. length; 15.95 sq. m. area; except where adjacent to a landscape buffer between the “C1-S13” zone and an “O2” zone, then reduced to: 5.2 m. length; 14.3 sq. m. area

The revised grading plan has demonstrated that a 0.9 m. buffer between the “C1-S13” zone and the “O2” zone on the abutting property can adequately address an existing drainage concern; therefore staff is supportive of the proposed reduction to the landscaping buffer.

The proposed concept of the new development has not changed since the application was submitted. Through a full zoning compliance review, additional minor development standards have been identified which require relief in the proposed respective zone categories. Section 34(17) of the Planning Act permits Council to consider changes to a proposed Zoning By-law after the holding of a public meeting and determine whether any further notice is to be given. If Council

decides that the proposed change to the Zoning By-law is minor; a further public meeting is not required. Council's decision as to the giving of further notice is final and not subject to review in any court.

The “C1-S13” exception zone would recognize site-specific development standards for the proposed microbrewery use, and all other provisions of the “C1” zone will apply.

Other Alternatives Considered:

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendments is appealed to the Ontario Municipal Board. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with all three strategic goals as it provides for a stronger more diversified economy, enhances tourism, improves walkability, and can utilize low impact development to retrofit the site.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. Accessible standards will be implemented through the Site Plan Agreement, and permits issued under the Ontario Building Code (OBC).

Servicing Comments:

The lot is connected to full municipal services within the Bobcaygeon municipal service area.

Consultations:

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. A Public Meeting was held on December 6, 2017, and a subsequent Planning

Advisory Committee Regular Meeting was held on February 14, 2018. As of March 19, 2018, we have received the following comments:

Agency Review & Public Comments:

November 6, 2017	The Building Division has no concerns with this application.
November 15, 2017	The Community Services Department has no concerns.
December 12, 2017	The Kawartha Region Conservation Authority (KRCA) has confirmed based on a topographic survey that this property is located outside the floodplain and outside the regulated area. No KRCA permits are required for the proposed development.
March 15, 2018	The Engineering and Corporate Assets Department has reviewed the current submitted materials, and advised that the post-development peak flows are similar to the pre-development peak flows. Based on the information provided, the Department can support the zoning by-law amendment.

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. The application conforms to the 2017 Growth Plan, and is consistent with the 2014 Provincial Policy Statement. Conformity with the City's Official Plan has also been demonstrated. The rezoning will facilitate the development of a microbrewery with a residential apartment above on the lot. All other zoning provisions within the "C1" zone will be maintained.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommends that the proposed Zoning By-law Amendment application be referred to Council for APPROVAL.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix 'A' – Location Map



PLAN2018-029
Appendix A.pdf

Appendix 'B' – Zoning By-law Amendment Concept Sketch – February 1, 2018



PLAN2018-029
Appendix B.pdf

Appendix 'C' – Proposed Zoning By-law Amendment



PLAN2018-029
Appendix C.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director, Development Services

Department File: D06-17-030

APPENDIX "A"
to
REPORT PLAN 2018-029
FILE NO. D06-17-030

'Bobcaygeon'

William Street

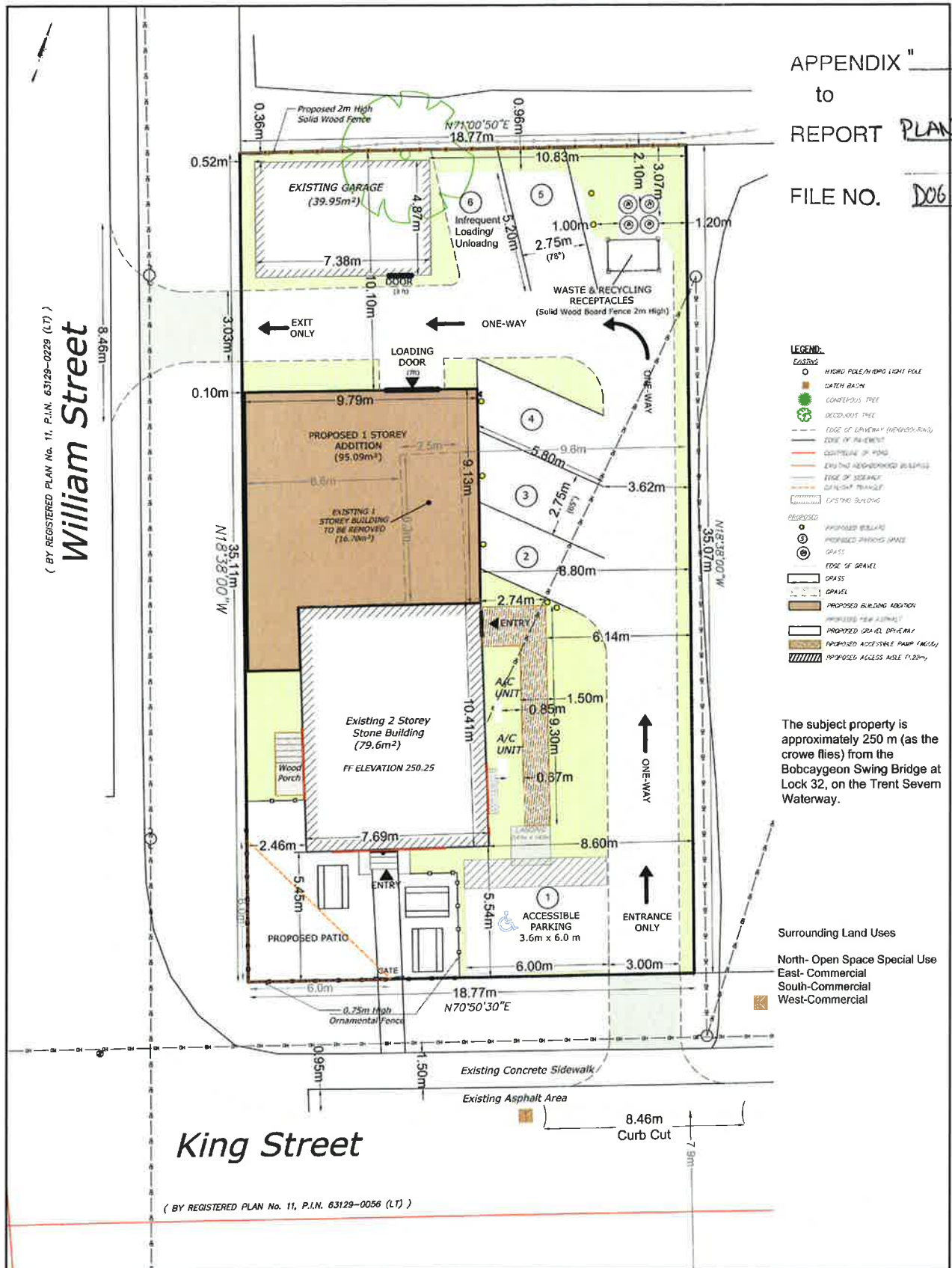
Need Street

SUBJECT LAND

King Street East



APPENDIX " B
 to
 REPORT PLAN 2018-029
 FILE NO. D06-17-030



**OLD DOG BREWING COMPANY
 ZONING BY-LAW AMENDMENT
 CONCEPT SKETCH
 30 KING STREET EAST
 FORMER VILLAGE OF BOBCAYGEON
 NOW IN THE CITY OF KAWARTHA LAKES**

Scale 1:150 metres



Amended February 2018
 September 2017

The Corporation of the City of Kawartha Lakes REPORT PLAN2018-029**By-Law 2018 -**FILE NO. D06-17-030
1/3**A By-Law To Amend The Village of Bobcaygeon Zoning By-Law No. 16-78 To Rezone Land Within The City Of Kawartha Lakes**

[File D06-17-030, Report PLAN2018-029, respecting Plan 11 Range 7 Part of Lot 9 East of William Street, former Village of Bobcaygeon, identified as 30 King Street East – Nichol]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a microbrewery use, and to amend the development standards on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-__.

Section 1:00 Zoning Details

1.01 **Property Affected:** The Property affected by this by-law is described as Plan 11 Range 7 Part of Lot 9 East of William Street, former Village of Bobcaygeon, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended by adding the following definition and renumbering Section 2 accordingly:

"MICROBREWERY means a building or part thereof used for the brewing and retail sale of beer for public consumption on or off the premises; and includes the following as accessory uses: areas for sampling, retail display and retail sales"

1.03 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended to add the following section to Section 11.5:

"m. Notwithstanding Sections 11.1, 11.2 b., 11.3, 3.13 a., 3.14, 3.15 a., and the definition of 'Parking Space' in Section 2.92, on land zoned C1-S13 the following requirements shall apply:

- i) A microbrewery shall be a permitted use;

to

- ii) Maximum lot coverage 35 % REPORT PLAN 2018-029
- iii) Maximum number of dwelling units 1
- iv) For the microbrewery use listed in i) above in conjunction with the permitted dwelling unit, the minimum number of parking spaces for both uses together shall be six (6) FILE NO. DOG-17-030
2/3
- v) A minimum of 1 loading space equal to one parking space not less than 2.75 m. in width, 5.2 m. in length, and not less than 14.3 sq. m. in area. Provided that this loading space shall be counted as part of the total number of parking spaces as required by iv) above
- vi) A parking space shall have a minimum width of 2.75 m., a minimum length of 5.8 m., and a minimum area of 15.95 sq. m., except where a parking space abuts the required landscape buffer, in which case the minimum length shall be reduced to 5.2 m. and the minimum area reduced to 14.3 sq. m.
- vii) A parking space used for accessible parking purposes shall have a minimum width of 3.6 m, a minimum length of 6.0 m., and an aisle with a minimum width of 1.2 m.
- viii) Where a "C1-S13" zone abuts an "O2" zone, when an opaque fence is provided in conjunction with the landscaping, a landscaped buffer may be reduced in width to 0.9 m.

All other requirements of the By-law shall apply to land zoned C1-S13.

- 1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 16-78 of the Village of Bobcaygeon is further amended to change the zone category from the "Central Commercial (C1) Zone" to the "Central Commercial Special Thirteen (C1-S13) Zone" for the land referred to as 'C1-S13', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF
KAWARTHA LAKES

APPENDIX
to
REPORT

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED
THIS _____ DAY OF _____ 2018.

FILE NO.

PLAN 2018-029

D06-17-030

3/3

MAYOR _____

CITY CLERK _____

