

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

PC2018-07

Wednesday, July 4, 2018

1:00 P.M.

Victoria Room

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	
3.1	PLAN2018-051 Community Improvement Plan Leah Barrie, Policy Planning Supervisor	3 - 73
3.2	PLAN2018-060 An application to amend the Township of Ops Zoning By-law 93-30 to prohibit the following on the proposed retained agricultural land: (1) residential use and (2) livestock within any of the existing buildings at 417 Fieldside Road (Walker) David Harding, Planner II	74 - 84
4.	Business Arising from Public Meeting	
5.	Deputations	
5.1	PC2018-07.5.1 Stephen Bedford Relating to Report PLAN2018-057, Item 7.1 on the Agenda	
6.	Correspondence	
7.	City of Kawartha Lakes Reports	
7.1	PLAN2018-057 Applications to amend the City of Kawartha Lakes Official Plan and the Township of Manvers Zoning By-law to permit a variety of on-farm diversified uses on land identified as 804 Highway 7A (Sutcliffe) Sherry L. Rea, Development Planning Supervisor	85 - 104
8.	Adjournment	

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2018-051

Date: July 4, 2018
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: All

Title: Community Improvement Plan

Description: The Strategic Community Improvement Plan (CIP) outlines the financial incentive programs and tools to business and property owners to encourage and support economic development in alignment with the City's strategic priorities over a 10-year period.

Author and Title: Leah Barrie, Policy Planning Supervisor

Recommendations:

That Report PLAN2018-051, **Community Improvement Plan**, be received; and,
That the draft CIP be referred back to Staff pending the outcome of the public consultation component, and that any revisions to the draft CIP be brought back to a subsequent Planning Advisory Committee meeting.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of March 20, 2018 Council adopted the following resolution:

CR2018-131

That staff be authorized to initiate a city-wide Community Improvement Plan (CIP) in accordance with the requirements of the Planning Act and as generally outlined in Report CAO2018-002.

Carried

This report is provided to update Council on the above-noted resolution.

Council's direction advances the City's Economic Development Strategy to develop, fund, and implement a Downtown Community Improvement Plan in 2018.

Funding has been made available by Kawartha Lakes Community Futures Development Corporation (KLCFDC) and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to encourage economic development through downtown revitalization efforts by business and property owners, provided the City has a CIP in place.

A CIP under the Planning Act (Section 28) and Municipal Act (Sections 106[3] and 365.1) enables Council to provide financial assistance to business and property owners, otherwise prohibited under the Municipal Act (Section 106[1]).

Rationale:

Plan Development

Staff initiated the 2018 city-wide CIP project by gathering and analyzing the data used to develop the preliminary draft CIP between 2014 and 2016 by the consultant of the day. It was determined that a substantial foundation of guiding documents, policies, public consultation, and program development had taken place. A number of options to advance and complete the project were assessed, and staff concluded appropriate internal resources were available to bring the draft document to 2018 standards in alignment with the City's priorities, programs and plans.

In addition to describing the suite of financial incentives, the CIP outlines complementary municipal programs and other services; administration, implementation and the application process; the planning policy foundation of the CIP; and the legislative framework that authorizes the establishment of a CIP and project area.

Staff worked with key stakeholders to prepare an updated draft CIP that would not only align with the City's strategic priorities, but also would offer a variety of financial tools and programs benefitting the City's diverse businesses and property owners. Following review by the City's Senior Management Team and other critical staff members, a revised draft CIP was circulated to stakeholders in the business community and subsequently has been made widely available to the public for review.

In accordance with the requirements of the Planning Act, notice of the July 4, 2018 Public Meeting was issued in a variety of newspapers and on the City's website. Pending completion of the public consultation period and revision to the draft CIP as deemed necessary, staff will recommend that Council adopt the CIP and associated project area by-law. Following a mandatory 20-day appeal period, the CIP will come into force and effect and provide the City with the legal authority to distribute funds in accordance with the CIP's eligibility criteria and conditions to successful applicants.

Project Area

The CIP extends city-wide. However, the Focus Areas identified on the Schedules to the By-law – including the downtown and main street areas of Bobcaygeon, Coboconk-Norland, Fenelon Falls, Lindsay, Omemee, and Woodville – are ideal candidates for CIP funding because of their ability to align with the City's strategic priorities: downtown revitalization, heritage conservation, improved accessibility, and creation or renovation of affordable housing in mixed-use buildings.

The project area can be revised through the life of the CIP, by Council approval of an amendment to the Community Improvement Project Area By-law.

Financial Programs

The financial incentive tools are categorized into 3 streams: Loans, Grants and Rebates. Section 5 of the CIP describes the tools, programs and eligibility criteria. All successful applicants will be required to enter into an Agreement with the City outlining the terms and conditions of funding.

Council may determine that certain programs are more desirable than others to achieve the City's goals at a particular time, and may choose to activate only those programs at that time. De-activated programs can be re-activated by Council throughout the life of the CIP through resolution, and need not undergo an amendment process.

An amendment process to both the CIP and By-law would be needed to change the eligibility criteria, add new programs or increase funds available through a given program.

Application Process

For the initial program roll-out, application intake is anticipated to commence in the fall 2018, following appointment of a Steering Committee. The Committee – comprised of advisory staff, and members of KLCFDC and Council – will provide oversight to the application process. In the future, application intake periods can be established based on interest, uptake and funding availability.

Applications will only be accepted for consideration following a pre-screening meeting with staff to discuss the proposed improvement project and the eligibility criteria. A merit-based system will be used to screen applications. Applications will be scored on a number of factors, for example location of project, alignment with the City's strategic priorities and consistency with planning documents. Funding will be awarded based on scoring and availability. Grants will be prioritized for applicants within communities that have participated in Downtown Revitalization workshops resulting in Action Plans for redevelopment. Loans and tax relief will be available to the broader community.

Successful grant awards under \$10,000 may be administered by the Director of Corporate Services. Grants exceeding \$10,000 and all loans will require Council approval before being administered.

Administration

An Action Plan for resource allocation and operationalization to implement the CIP is being developed to administer the program over its projected 10-year timeframe. Staff will review and monitor the program, and provide regular reports to Council to ensure the City's objectives for community improvement are being met. When Council determines that the CIP has been implemented to a satisfactory level, it may repeal the Plan and/or dissolve the Community Improvement Project Area through a By-law. Council may also extend the 10-year timeframe by By-law.

Other Alternatives Considered:

As identified under the Financial Programs section of this report (and described in Section 5 of the CIP), grants and tax relief are two additional financial incentives under consideration beyond the loan framework. Financial/Operation Impacts are discussed in the following section.

Financial/Operation Impacts:

KLCFDC has agreed to provide 50% of the total loan funding interest-free to the City. This funding has been secured through a promissory note with a 5-year payback period to KLCFDC. First re-payment will be due in 2019.

The City has agreed to match these loan funds by committing \$500,000 of the Contingency Reserve to this program. All loan funds will be managed through the City's Contingency Reserve, and replenished with interest as improvement loans are paid back.

The only financial impact to this initiative will be cash flow. Any City funds provided as a loan to approved applicants will be paid back, with cost recovery, and over a defined period of time. All loans will be registered on title and will have priority lien status should the party default. The loan program will be monitored to determine uptake and effectiveness.

Grants and tax relief programs would be funded through tax-supported budgets. Partner Funding when available would contribute to these programs.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

The recommendations within this report directly align with Council's goal to establish a Vibrant and Growing Economy by investing in community improvements that support local business and downtown revitalization and prosperity.

Review of Accessibility Implications of Any Development or Policy:

The Accessibility Co-ordinator has been involved in the consultation process.

Servicing Implications:

Staff in the Engineering & Corporate Assets and Public Works Departments has been involved in the consultation process.

Consultations:

Senior Management Team
Ministry of Agriculture, Food and Rural Affairs
Ministry of Municipal Affairs and Housing

Attachments:

Appendix A – Community Improvement Project Area & CIP By-law



2018.06.15 CIP
By-law.pdf

Appendix B – Community Improvement Plan



Draft CIP June 15
2018.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D00-99-014

The Corporation of the City of Kawartha Lakes

By-Law 2018-

A By-law To Designate Lands Within The City Of Kawartha Lakes As A Community Improvement Project Area And To Adopt A Community Improvement Plan

File D00-99-014, Report PLAN2018-051, respecting lands within the City of Kawartha Lakes

Recitals

1. Section 28(2) of the Planning Act, R.S.O 1990, as amended, provides that where there is an Official Plan in effect in a municipality that contains provisions relating to community improvement in the municipality, the Council of the municipality may, by by-law, designate all or part of an area covered by such an Official Plan as a Community Improvement Project Area.
2. Section 28(4) of the Planning Act, R.S.O. 1990, as amended, provides that a municipality may, by by-law, adopt a Community Improvement Plan (CIP) for a Community Improvement Project Area.
3. The Corporation of the City of Kawartha Lakes has an Official Plan in effect which contains provisions relating to community improvement.
4. A public meeting to solicit public input has been held.
5. Council deems it appropriate to adopt the CIP and Community Improvement Project Area.

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

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Director of Corporate Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
 - (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Details

- 2.01 **Property Affected:** The Property affected by this By-law includes all lands within the City of Kawartha Lakes.
- 2.02 **Project Area:** The Community Improvement Project Area, contained in Schedule 'A' to this By-law, a copy of which is attached to and forms part of this By-law, is hereby designated.
- 2.03 **Community Improvement Plan:** The Community Improvement Plan for the City of Kawartha Lakes, contained in Schedule 'B' to this By-law, a copy of which is attached to and forms part of this By-law, is hereby adopted.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Corporate Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 28 of the Planning Act, R.S.O. 1990, c.P.13., and shall remain in force for no less than 10 years, unless repealed before that date, being [redacted] day of [redacted], 2028.

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

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-Law 2018-____

The Corporation of the City of Kawartha Lakes

Community Improvement Project Area



CIP_Overall_25May2
018.pdf

Schedule 'B' to By-Law 2018-____

The Corporation of the City of Kawartha Lakes

Community Improvement Plan

Insert CIP



STRATEGIC COMMUNITY IMPROVEMENT PLAN



DRAFT

June 2018

Redesign | Rebuild | Revitalize

Through consultation with



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1.0 Executive Summary

The City of Kawartha Lakes **Strategic Community Improvement Plan** (“CIP”) has been prepared to provide a variety of financial incentive programs to business and property owners to encourage and support economic development in alignment with the City’s strategic priorities over a 10-year period. The financial programs and tools can be activated and de-activated at the discretion of City Council, and are subject to the availability of funding. The CIP applies City-wide with priority areas described in Sections 4 and 5. The financial tools are summarized in Section 5 and are described in Appendix B. Complementary municipal programs that support this CIP are described in Section 6. The administration of this CIP is described in Section 7 and outlines implementation, marketing, monitoring, amendments, and the application process that business and property owners will undergo to access municipal funding. This CIP builds upon numerous planning, urban design and economic development policies, initiatives and public consultation described in Appendix C, and should be read with regard to those Plans. In particular the City of Kawartha Lakes **Official Plan** provides for adoption of a CIP in order to encourage improvements that can redevelop community structure and promote economic growth.

The legislative authority behind this CIP is described in Appendix D. The **Municipal Act** prohibits municipalities from assisting businesses either directly or indirectly unless the assistance is provided for community improvement within a Community Improvement Project Area through Section 28 of the **Planning Act**.



Highway 35, Norland

2.0 Purpose of Community Improvement Plans

CIPs are a popular implementation tool for municipalities to fulfil strategies and policies around maintenance, rehabilitation and redevelopment for targeted areas. Through CIPs, Councils are empowered to make grants or loans to businesses and property owners within CIP project areas to pay for the whole or any part of the cost of rehabilitating the lands and buildings in conformity with the CIP. Successful CIP programs result in several dollars invested by property owners for every incentive dollar offered by the municipality. Through a CIP, the municipality can help to implement a coordinated plan for improvements across the community.

By directing and stimulating private sector investment, a CIP can be used to address topics ranging from building repair and heritage conservation, to brownfield redevelopment, to energy-efficiency, to affordable housing and accessibility. The Ministry of Municipal Affairs and Housing's CIP Handbook outlines the following purposes of Community Improvement Plans:

- Focus public attention on local priorities and municipal initiatives;
- Target areas in transition or in need of repair, rehabilitation, and redevelopment;
- Facilitate and encourage community change in a coordinated manner; and,
- Stimulate private sector investment through municipal incentive-based programs.

3.0 Purpose of the Kawartha Lakes CIP

This Strategic Community Improvement Plan for the City of Kawartha Lakes (“City”) will provide support to property and business owners in the designated areas who wish to improve their properties. This will generate interest, strengthen partnerships and trigger investment in the City. The cumulative result of property improvements in priority areas will be more vital and vibrant downtown and main street areas which will attract residents, visitors, and economic development. The cumulative impact of individual projects undertaken by property owners can be as influential as area-wide public works projects.

In alignment with City priorities, programs and plans, this CIP is aimed at:

- **Derelict building repairs and improvements to functionality**
- **Heritage districts and building restoration and improvements**
- **Affordable rental housing private space retrofits in mixed-use buildings**
- **Downtown mainstreet revitalization and enhancements**

This CIP includes a variety of financial incentive programs, including loans, grants and rebates aimed at addressing the City’s priorities and strategic goals. The programs cover a broad range of improvements from minor aesthetic updates to major structural upgrades, as well as the professional services that may be needed to prepare plans, studies or reports, and are summarized in the table below:

TABLE 1				
CITY PRIORITIES				
FINANCIAL INCENTIVE PROGRAMS	Derelict building repairs and improvements	Heritage district and building restoration and improvements	Affordable rental housing private space retrofits in mixed-use buildings	Downtown mainstreet revitalization and enhancements
Façade Improvement (Signage, Awning, Lighting, Landscaping, Exterior)	✓	✓	✓	✓
Trent-Severn Waterway (Façade Improvement, Marina Slips)	✓	✓		✓
Heritage Conservation (Interior, Exterior; Tax Relief)	✓	✓	✓	✓
Building, Fire and Electrical Code Improvements (Accessibility, Energy Efficiency)	✓	✓	✓	✓
Residential Upgrades and Conversion	✓	✓	✓	✓
New Business Construction (Start-Ups, Pop-Ups, Entrepreneurs)	✓	✓		✓
Outdoor Space (Patios, Art)	✓	✓		✓
Application Fees & Design Studies (Building, Planning, Development Charges)	✓	✓	✓	✓
Tax-Increment Financing	✓		✓	✓

This CIP encourages upgrades made to enhance the energy efficiency of buildings, comply with the Ontario Building, Fire and Electrical Codes, and implement the accessibility standards in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*. Renovations that improve or expand existing commercial or mixed commercial-residential space, or renovations that add residential units above existing commercial space, are expected. Other renovations may include façade improvements and new signage, as well as the conservation of cultural resources.

Improvement projects should take into account the existing precedents of desirable design elements and architectural materials from the immediate surroundings in each community, coordinated with the City's policy documents, described in Appendix C.



Colborne Street, Fenelon Falls

4.0 Community Improvement Project Area

In accordance with the Official Plan, a Community Improvement Project Area can be any area within the municipality, the community improvement of which, in the opinion of Council, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. Improvements are encouraged where clusters of commercial and mixed-use activities are in highest concentration to achieve the greatest community impact. Through the **Community Improvement Project Area By-law**, this CIP extends city-wide. However, the communities identified on **Schedules B through J** including the downtown and main street areas of Bobcaygeon, Coboconk-Norland, Fenelon Falls, Lindsay, Omemee, and Woodville, are ideal candidates for downtown revitalization, heritage conservation, improved accessibility, and creation or renovation of affordable housing in mixed-use buildings, and are included in the CIP Area By-law.



Monck Road, Norland

5.0 Financial Incentive Programs

5.1 Financial Tools

The financial incentive tools are categorized into 3 streams: **Loans**, **Grants** and **Rebates**. All programs are described in Section 5 and Appendix B. Council may determine that certain programs are more desirable than others to achieve the City's goals at a particular time, and may choose to activate only those programs at that time. De-activated programs can be re-activated by Council throughout the life of the CIP.

All programs and incentives are subject to eligibility criteria as described in Section 5.2. All successful applicants will be required to enter into an Agreement with the City outlining the terms and conditions of funding.

Community Partners, including Kawartha Lakes Community Futures Development Corporation and the Province of Ontario, are encouraged to support the CIP where priorities and funding scope are in alignment. Supplementary funding may be available through other programs, such as the City's Secondary Suite Program, Multi-Unit Rehabilitation Program and New Rental Housing Program; and, the Province's rebate program for development charges on new, purpose-built rental housing. CIP financial incentives may be stacked with other sources of funding, subject to any applicable terms.

5.1.1 Grant Program

Grants may be offered to offset the costs associated with redevelopment. In addition to companion grants identified under Section 5.1.2, eligibility for grants may be prioritized for applicants within communities that have participated in Downtown Revitalization workshops resulting in Action Plans for redevelopment.

Conditions

1. Grants may be combined, but a property may not exceed a maximum total of \$10,000 in combined grants for the duration of the CIP,

unless approved by Council. Multiple grants cannot be applied to the same project cost;

2. A property is only eligible to receive the Trent-Severn Facade Improvement Grant one (1) time throughout the duration of the CIP;
3. The applicant may be the registered property owner or tenant, or a person to whom such an owner or tenant has assigned the right to receive a grant; and
4. In accordance with an Agreement, payments will only be made after a project is completed to the satisfaction of the City.



Kent Street West, Lindsay

TABLE 2			
PROGRAMS	ELIGIBLE COSTS	FINANCIAL INCENTIVE TOOLS	
		G R A N T S	
		% Cost Covered	Maximum \$
Design Studies	Preparation of supporting architectural, engineering or site plans	50%	\$2,000
Planning Applications & Building Permits	Municipal portion (not Conservation Authority portion)	100%	N/A
Development Charges	DCs for new residential units (upper storey apartments in mixed use buildings; conversion of an existing dwelling into a B&B); Subject to passage of municipal by-law	100%	N/A
Signage Improvement	Business name, address, awnings, lighting	50%	\$1,500
Façade Improvement	Exterior treatment; architectural features; windows / doors / awnings; lighting; cleaning; re-design of storefront	50%	\$5,000
Trent-Severn Façade Improvement	As with Façade Improvement program; and, consistent with Parks Canada policy	50%	\$5,000
Marina Slips	Developing new marina slips or other boat docking infrastructure to accommodate day-use from boaters traveling on the Trent-Severn Waterway area; and, consistent with Parks Canada policy	50%	\$2,000
Building Repair & Renovation	Structural interior repairs; design restoration; code / safety upgrades	50%	\$4,000
Start-up / Entrepreneur Building Improvement	As with Building Repair & Renovation program; and, recipient of SBEC or similar government program	50%	\$2,000
“Pop-up” Business Construction	Costs to construct a seasonal or semi-permanent structure to house a new retail business; and, recipient of SBEC or similar government program	50%	\$2,000
Accessibility Improvement	Interior and exterior projects for improvement; and, in accordance with AODA	50%	\$4,000
Heritage Conservation	Costs to preserve, repair, or maintain heritage characteristics of properties designated under the OHA	50%	\$4,000
Outdoor Patio	Deck, patio, fencing, roll up or folding aluminum/glass garage doors or similar installations; subject to municipal public use agreement	50%	\$2,000
Outdoor Art	Costs to commission, purchase or install permanent outdoor art installations including but not limited to murals and sculptures; subject to municipal public use agreement	50%	\$2,000

5.1.2 Loan Program

Loans may range from as little as \$10,000 for projects such as façade improvements, to upwards of \$50,000 for more significant projects such as accessibility and other building upgrades. The funding may be amended over time, as approved by Council, based on interest and uptake. Funding for each initiative will be capped to ensure that loans are available to a maximum number of businesses.

A **Loan Increase Option** may be available to provide additional funding for improvements in accordance with accessibility, heritage or affordable housing legislation. Where the City has entered into a Loan Agreement for an improvement project in accordance with the policies of this CIP, the City may additionally offer a **companion grant** from Table 2 to the business or property owner as further incentive to undertake a supplementary project.

Conditions

1. The applicant must be the registered property owner to receive a loan.

TABLE 3			
PROGRAMS	ELIGIBLE COSTS	FINANCIAL INCENTIVE TOOLS	
See Table 2	See Table 2	L O A N S	
		Terms	Funding
		Low/no interest; Forgiveable	\$10,000 to \$50,000
		Accessibility, Heritage, Housing	Loan Increase Option
		Supplementary Project	Companion Grant

5.1.3 Rebate Program

Tax assistance may be available to eligible properties through passage of site-specific by-laws. Where improvements result in an increased property assessment and taxes, the City is authorized to rebate the municipal portion of the resulting property tax increase.

Conditions

1. A property is only eligible to receive a tax rebate one (1) time throughout the duration of the CIP;
2. The applicant must be the registered property owner to receive a tax rebate; and
3. In accordance with an Agreement, payments will only be made after a project is completed to the satisfaction of the City. In the case of tax rebates, payments will only be made after a project is completed to the satisfaction of the City and an appropriate re-assessment of property value has been conducted.

TABLE 4		
PROGRAMS	ELIGIBLE COSTS	FINANCIAL INCENTIVE TOOLS
		REBATES
Tax Increment Equivalent	Amount of the municipal portion of the resulting property tax increase; effective for 10 yrs	Year 1 = 100% rebate Year 2 = 90% rebate ... Year 10 = 10% rebate
Heritage Property Tax	Amount of the municipal portion of the resulting property tax increase; effective for up to 10 yrs	10-40% annually

5.2 Eligibility Criteria & Conditions

All improvement projects are subject to the following criteria and conditions to be eligible for any CIP program. Additional program-specific eligibility requirements are listed in Appendix B. All criteria and conditions will be discussed during the required pre-consultation meeting with City staff prior to applying for any funding program.

The Property

1. The property must be located within a designated CIP Project Area. Priority status may be given to properties within communities whose improvement proposals align most closely with the City's policy and design guidelines foundation.
2. The property must be a commercial, residential or mixed-use commercial/residential property, or be changing to one of these land uses as part of the proposed redevelopment.
3. The property and building(s) shall not have tax arrears, outstanding utility charges or any other legal claim, lien or order, including work orders that may adversely affect the title of the land.



Kent Street West, Lindsay

The Project

1. The project to be undertaken must contribute to community improvement in accordance with this CIP, as well as the Official Plan, any community-based Secondary Plan for the respective community, any Streetscape and Façade Design Guidelines and any other relevant, municipally-endorsed plans, studies, guidelines, or regulations.
2. Appropriate building permits and planning approvals shall be in place.
3. Upon approval and/or completion of a project, the City reserves the right to audit the costs associated with any of the works described by the approved CIP application, and any audits will be undertaken at the expense of the applicant.
4. Upon approval and/or completion of a project, the City reserves the right to inspect any properties/buildings that are part of the approved CIP application.

The Application

1. A “complete application” will include a completed application form, and supporting materials such as plans, studies, cost estimates and contracts, applicable reports, and any additional information required by the City.
2. A complete application must be approved by the City before work commences (applications for projects that have already begun will not be considered).

The Funding

1. The total amount of the financial incentives will not exceed the eligible project costs of the property improvements (clearance/demolition, construction, reconstruction and rehabilitation, or improvement of energy efficiency).
2. The City is not responsible for the costs associated with preparing a CIP application or any other related costs.
3. Should the applicant fall into default of any of the eligibility requirements or any other requirements of the City then the City may delay, reduce, or cancel the incentive, and may require

repayment of any of the incentive program benefits, at the discretion of the City.

4. Any program commitments may be cancelled if work does not commence within six (6) months of the City's approval of an application, or in accordance with an Agreement with the City.



Highway 35, Coboconk

6.0 Other Complementary Tools & Initiatives

The City may employ additional tools and incentives for projects that support municipal strategic directions or for projects that address a specific element of community improvement. Other tools that can be leveraged to advance community improvement goals include:

- Community Design Guidelines
- Business & Service Associations
- Property Standards By-law
- Non-financial Assistance
- Other municipal programs:
 - An on-going urban furniture program is in effect for replacing benches, garbage receptacles, and ornamental features in municipal parks. Many of the settlement areas have had urban design-related projects prepared or implemented in recent years, including beautification efforts like gardens, hanging baskets, seasonal displays, welcome signs, decorations, and banners.
 - **Community Partnership and Development Funds** provide funding opportunities for Beautification Projects, Culture Funding and Special Events.
 - **Legacy CHEST Funds** in Bobcaygeon and Lindsay are given to non-profit, community based organizations and individuals that provide programs, projects, services, or activities that

enhance the quality of life for residents in the areas of health, arts, culture, heritage, education and the environment.

- **50/50 Community Project Capital Funding Initiative** helps community organizations complete capital projects. This program provides for the betterment of City facilities and parks.

While not all of these are direct financial incentive programs that fall under Section 28 of the *Planning Act*, they are all tools that are often used to identify and promote priorities that support community improvement.

6.1 Community Design Guidelines

The City may develop Community Design Guidelines that articulate desirable building and design elements, to aid the applicant/owner, City staff and Council during the preparation and approval of plans and agreements. CIP applicants are encouraged to refer to Community Design Guidelines at the outset of any improvement project. The City may use the Guidelines as a tool for prioritizing project funding.

6.2 Business & Service Associations

6.2.1 Business Improvement Areas

The City has a Business Improvement Area (BIA) in place for downtown Lindsay. BIAs may be established in other communities as well – the authority to establish a BIA comes from the *Municipal Act* (Sections 204-215). The City may implement a BIA By-law and add a levy to the municipal tax on businesses within the designated improvement areas. The money gathered through this tax is earmarked for improvements to the area, such as purchase of new street furniture or marketing the area.

6.2.2 Chambers of Commerce

There are currently four Chambers operating across the City of Kawartha Lakes, including Bobcaygeon & Area, Coboconk Norland & Area, Fenelon Falls & District, and Lindsay & District, who support local business and provide leadership through marketing and promotion, discounts,

advocacy, networking and referrals, resource and information, and access to programs, partnership and best business practices. Member businesses are part of an overall effort to improve the local business environment, attract more residents and tourists, and promote sustainable economic development.

6.2.3 Service Clubs

A variety of long-standing Service Clubs operate across the City to support community improvement efforts through fundraising activities. Clubs such as the Lions and Rotary have contributed to streetscape and accessibility enhancements, as well as supportive housing initiatives.

6.3 Property Standards By-Law

The City's Municipal Law Enforcement Division is responsible for investigation and enforcement of the City's Property Standards By-law, which includes provisions for maintaining properties. The City may increase enforcement of the By-Law or review and amend the By-law, as needed, to maintain a high degree of property maintenance.

6.4 Non-financial Assistance

Complementary non-financial supports provided by the City's Small Business Entrepreneurship Centre include business plan and management plan development; coaching, guidance and training; hiring strategies and HR policies; insurance, regulations, licensing, and taxation; market research, marketing and sales plans; financial and cash flow development; referrals to professional and business organizations; and applying for other funding opportunities.

7.0 Administration

7.1 Implementation & Marketing

This CIP will be enacted by the approval of this document and the passing of the Community Improvement Project Area By-law by City of Kawartha Lakes Council. This CIP will be operationalized by establishing funding as necessary through the municipal budgeting process, and by continually seeking other sources of partner funding. Approval of all applications for financial incentives is at the absolute discretion of the City.

An essential part of successful implementation is a marketing strategy that effectively communicates the CIP programs to property and business owners, and residents. Regular advertising and education actively supports the program and works to achieve the City's priorities.



Bolton Street, Bobcaygeon

7.2 Application Process

Applicants are required to pre-consult with City staff to discuss their project, and ascertain all program details, eligibility, and timeframes. Complete applications for financial incentive programs will be reviewed by the City's CIP Steering Committee. The Committee will assess applications based on the eligibility requirements and guidelines. Projects may also be prioritized based on the strategic goals of the municipality and financial considerations. The Committee will make recommendations to the City as to whether or not an application should be approved.

7.3 CIP Agreement

If the submitted application is approved, the City and the applicant will enter into a CIP Agreement specifying the terms, duration, default, and any other provisions of the financial incentive program. Where the Agreement is between the City and a property tenant or business owner then the building owner must consent to the Agreement.

7.4 Monitoring and Amendments

This CIP will be monitored on an on-going basis to determine its effectiveness. Measureable criteria relating to CIP goals may involve increases in employment, retail uses, heritage designations, housing units, property tax revenues, and accessible properties; and, decreases in vacancy rates, housing waiting lists, and energy consumption.

The City may review this CIP periodically and amend it to ensure that the objectives of community improvement are being met. Amendments to the CIP may be required for the following reasons:

- Change or expansion in the Community Improvement Project Area;
- Change in the eligibility criteria;
- Addition of a new financial incentive program; and,
- Increase to a financial incentive program.

7.5 Dissolution of the CIP

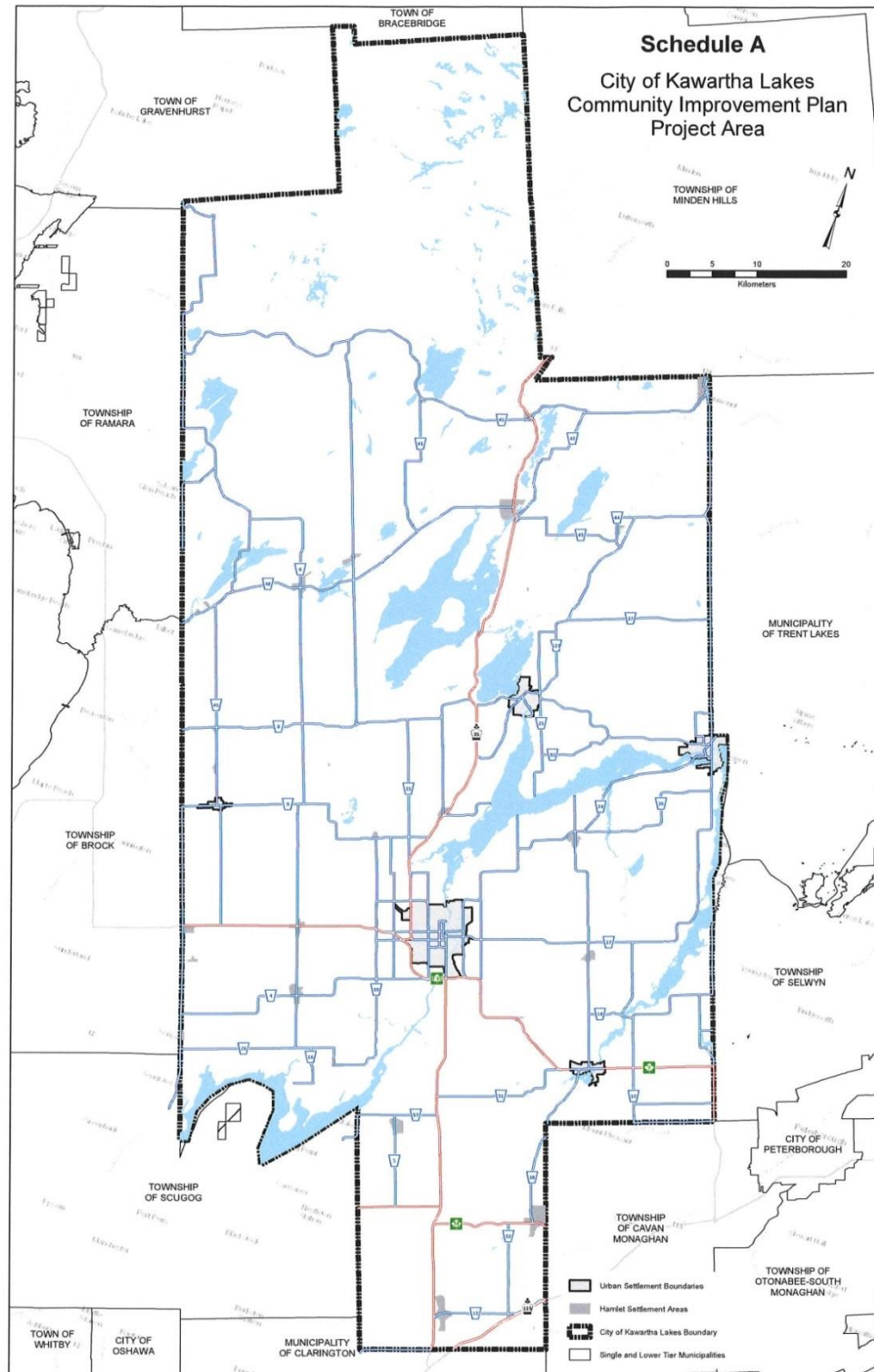
When Council determines that the CIP has been implemented to a satisfactory level, it may repeal the Plan and/or dissolve the Community Improvement Project Area through a By-law. Any financial incentive program enabled through this CIP can be discontinued at any time, but approved projects already receiving benefits when a financial incentive program is discontinued shall continue to receive benefits as per the Agreement with the City.



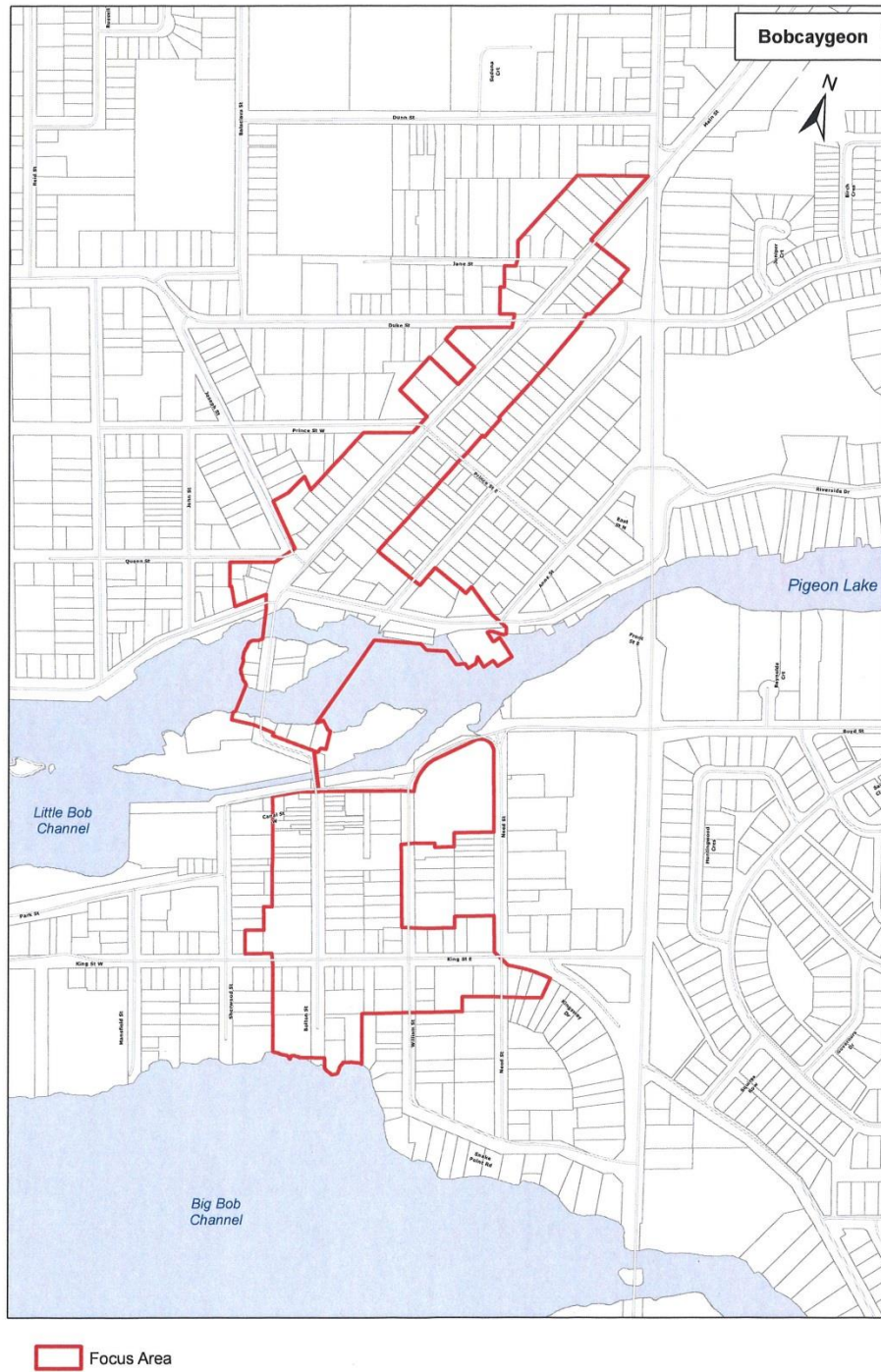
King Street, Woodville

APPENDIX A

Community Improvement Project Area By-law



SCHEDULE B Bobcaygeon



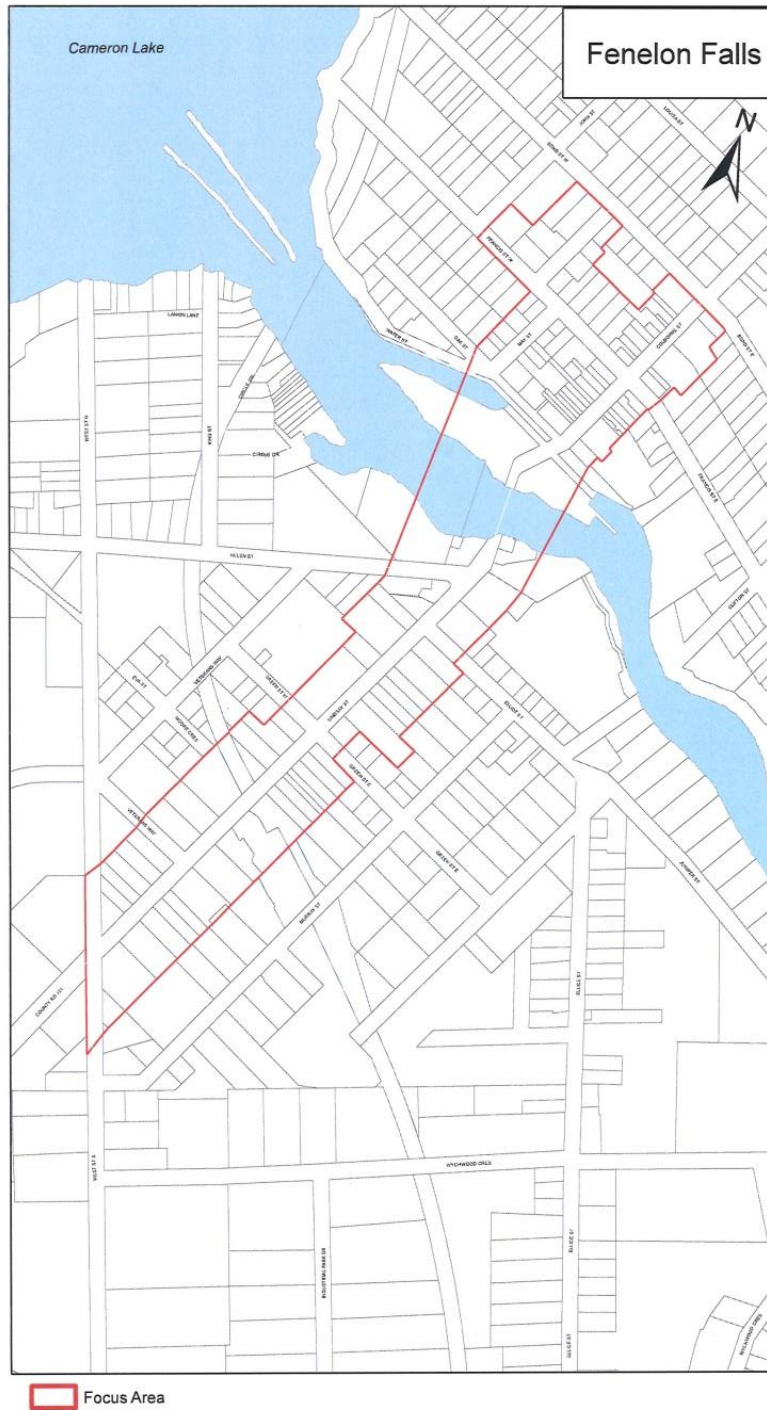
SCHEDULE C Coboconk



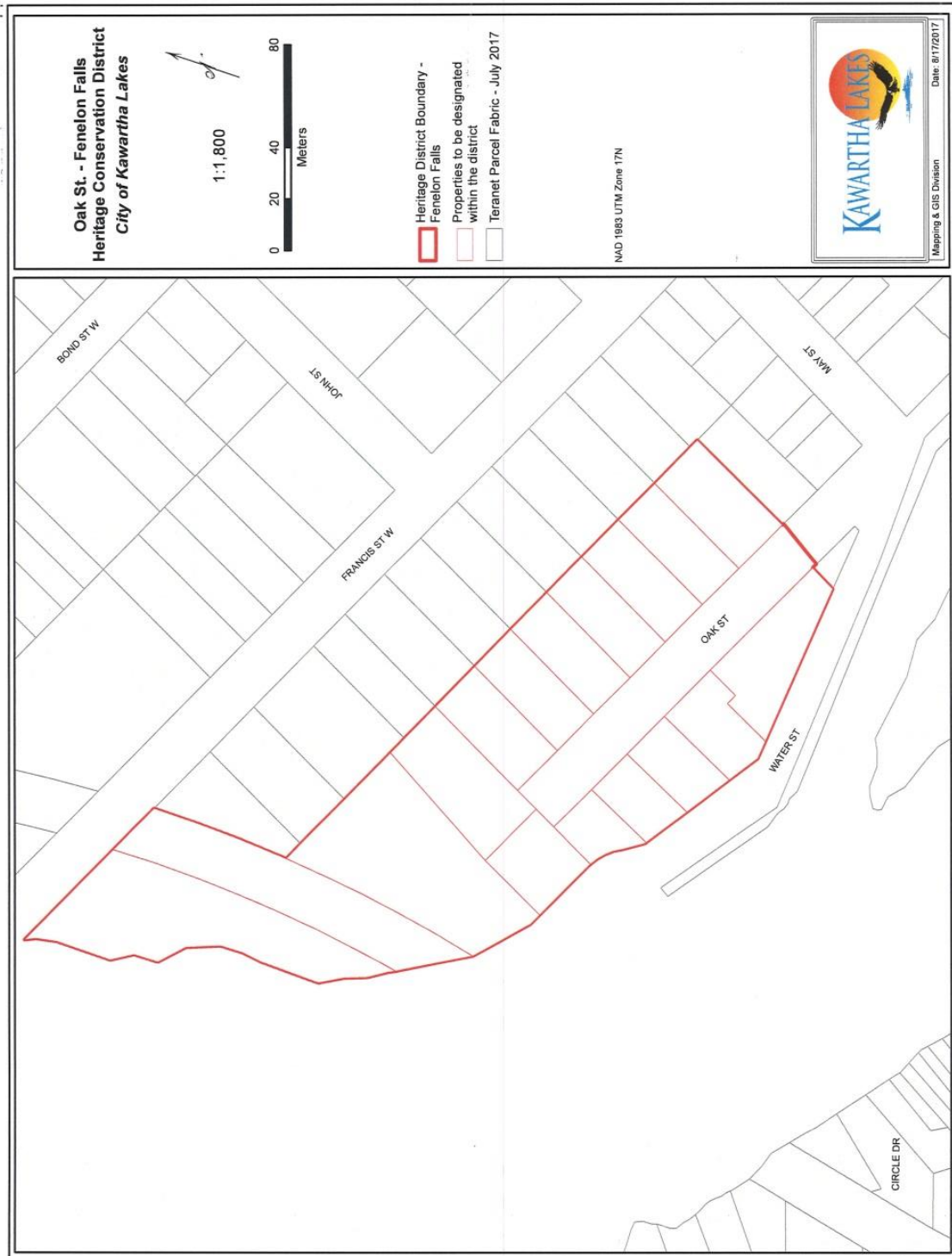
SCHEDULE D Norland



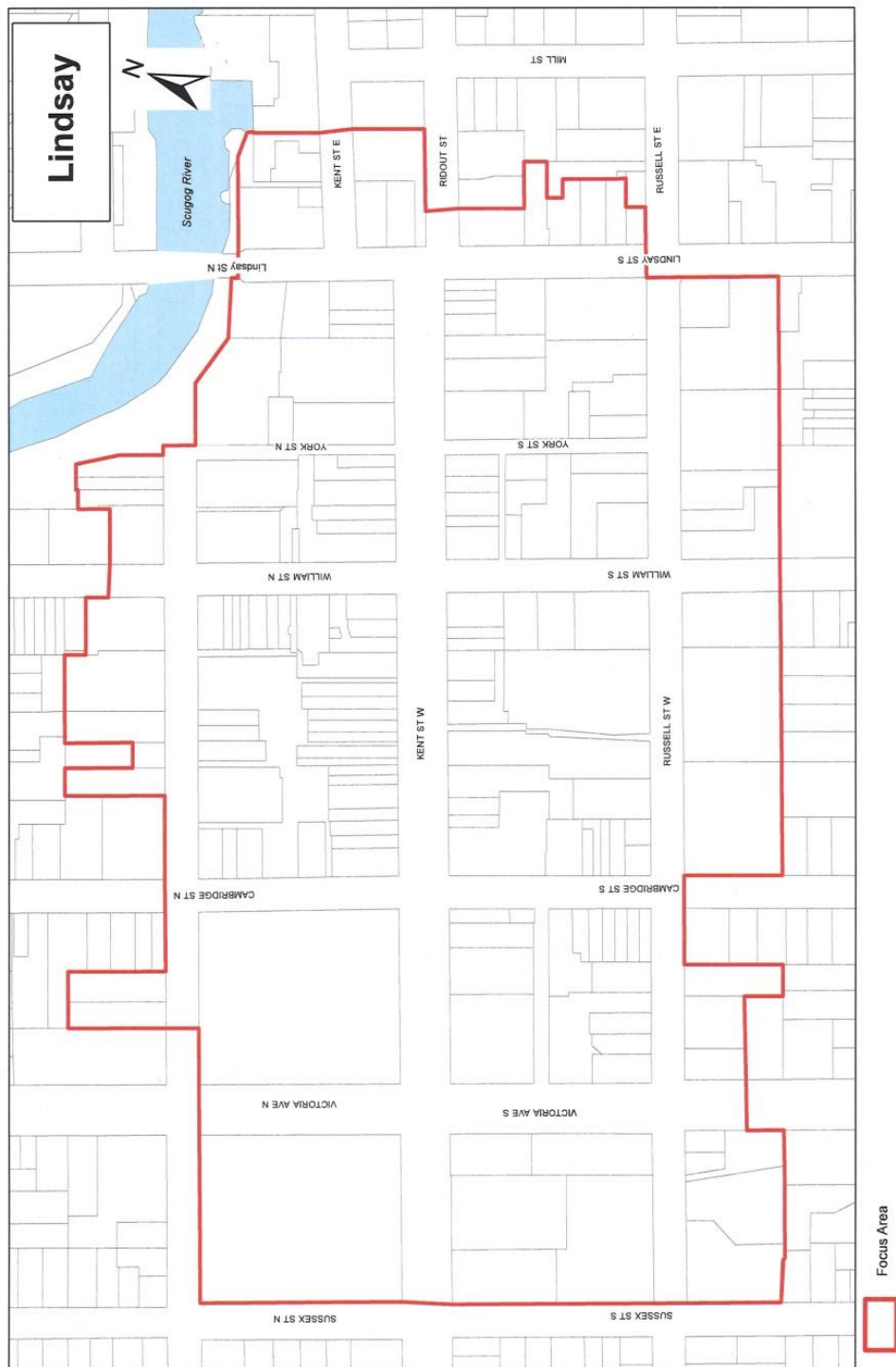
SCHEDULE E Fenelon Falls



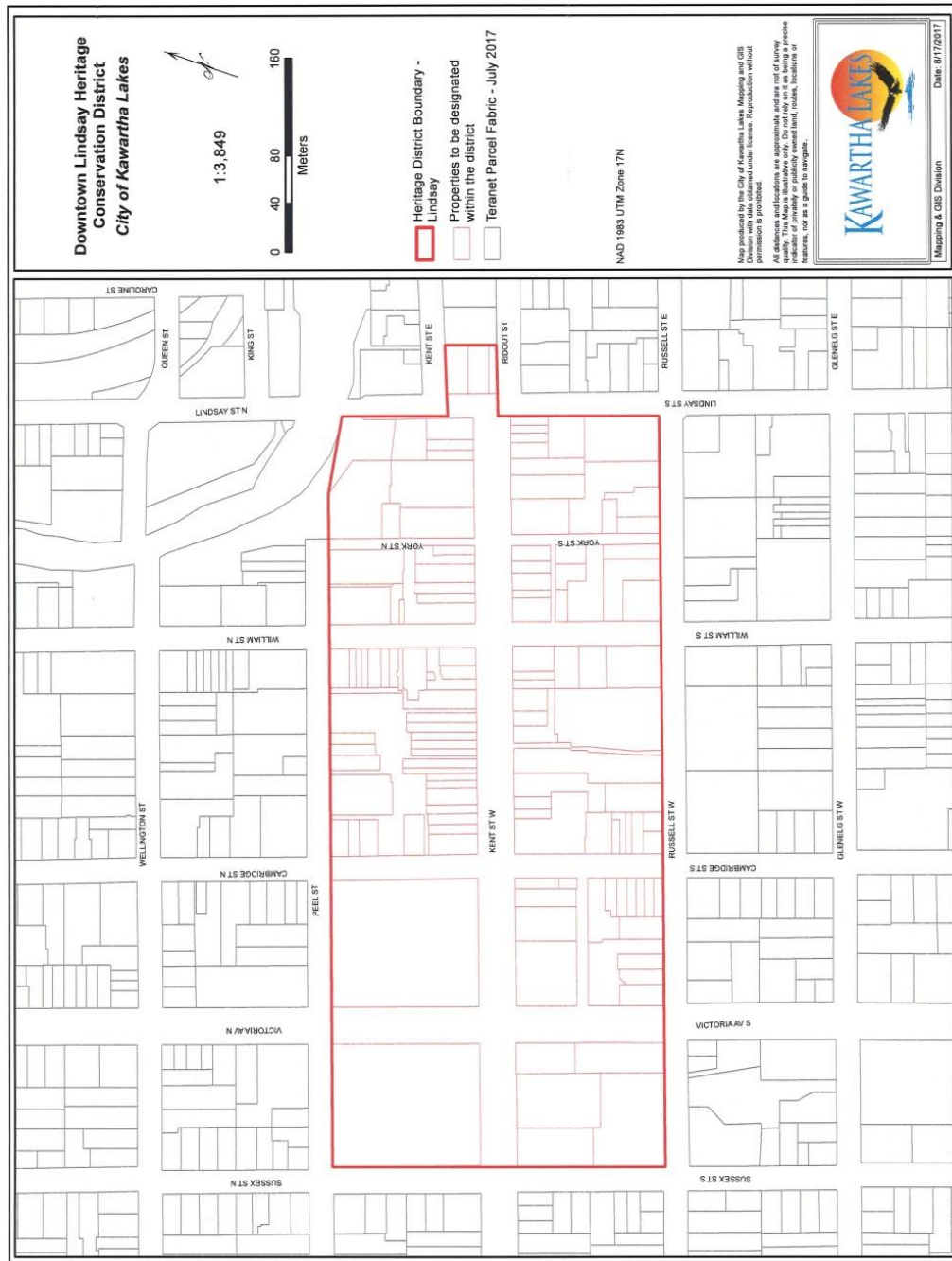
SCHEDULE F Fenelon Falls HCD



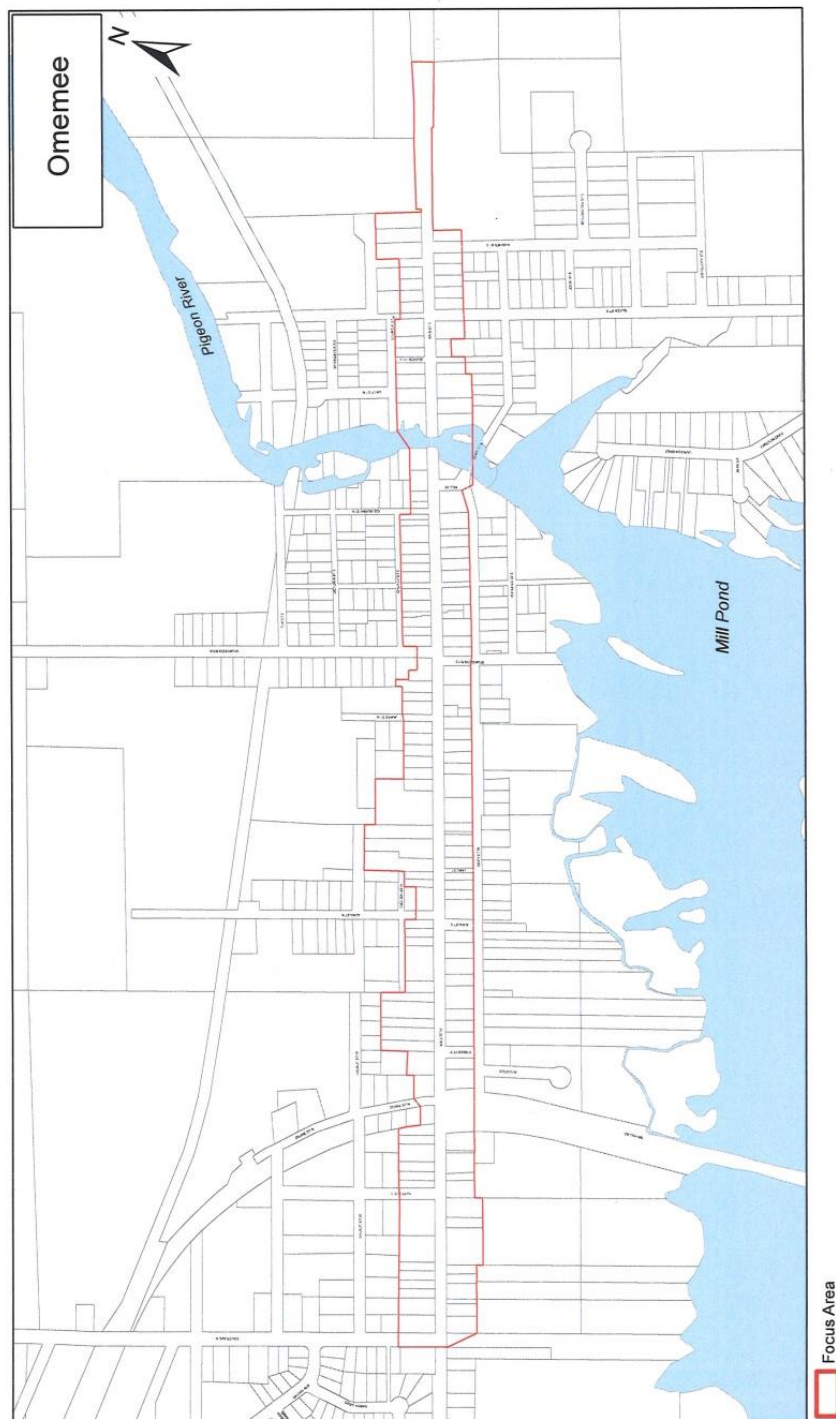
SCHEDULE G Lindsay



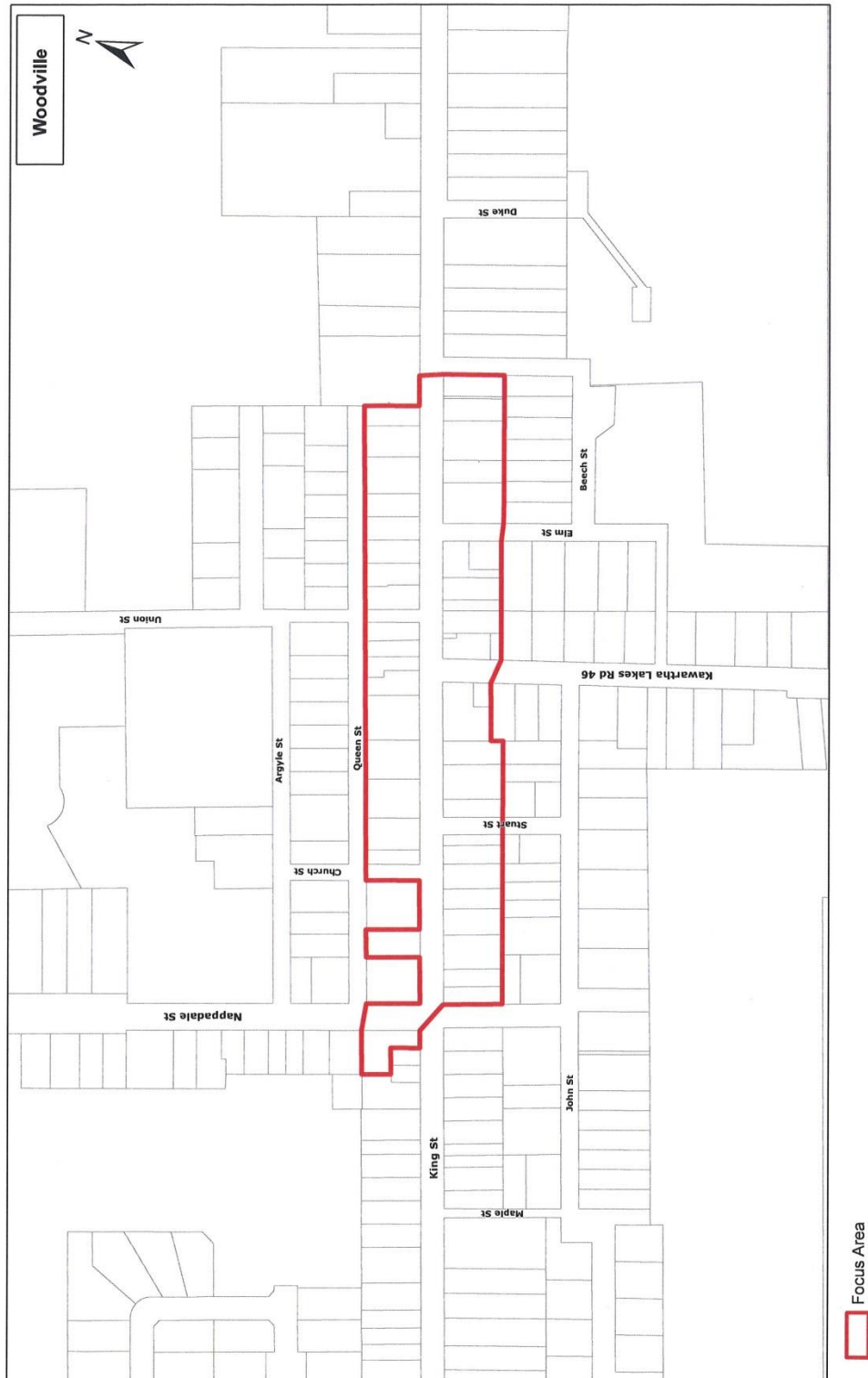
SCHEDULE H Lindsay HCD



SCHEDULE I Omemee



SCHEDULE J Woodville



APPENDIX B

Financial Incentive Programs

Design Studies

Project Phase: Planning / Design / Approvals

Objective/Strategic Directions

Encourage high quality design in accordance with the City of Kawartha Lakes Official Plan and Secondary Plans, for projects within the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$2,000

Eligible Costs:

Cost of preparation of architectural or engineering plans and site plans for building façade improvements, Building, Fire or Electrical Code retrofits, Accessibility retrofits, or landscaping and property infrastructure improvements.

Eligibility Requirements:

General Eligibility Requirements

Planning Applications & Building Permits

Project Phase: Planning / Design / Approvals

Objective/Strategic Directions

Reduce barriers to development. Alignment with Strategic Goal for a Vibrant and Growing Economy.

Percentage of Eligible Cost Covered

Maximum Amount

100%

N/A

Eligible Costs:

The municipal portion (not the Conservation Authority portion) of planning application fees and building permit and change of use permit fees.

Eligibility Requirements:

General eligibility requirements.

Development Charges

Project Phase: Planning / Design / Approvals

Objective/Strategic Directions

Encourage intensification in the CIP area. Increase the supply of affordable housing and increase the availability of overnight accommodations for tourists. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Maximum Amount

100%

N/A

Eligible Costs:

City of Kawartha Lakes Development Charges for:

- New residential units;
- Conversion of an existing residential building into a bed and breakfast.

Eligibility Requirements:

General eligibility requirements.

Signage Improvement

Project Phase: Construction / Implementation

Objective/Strategic Directions

Improve the appearance/aesthetic/consistency of businesses signage in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy.

Percentage of Eligible Cost Covered	Maximum Amount
50%	\$1,500

Eligible Costs:

Improvement or replacement of the business signage, street number, and/or awnings including:

- Removal of old signage;
- Purchase and installation of new signage or awnings; and,
- Lighting improvements associated with signage.

Eligibility Requirements:

General eligibility requirements.

Signage Improvement grant may be granted to a single property more than once, if the property is occupied by a new tenant or business.



King Street West, Omemee

Façade Improvement

Project Phase: Construction / Implementation

Objective/Strategic Directions

Improve and renew the exterior appearance/aesthetic of buildings in the CIP area with a focus on the front façade of the buildings. Alignment with Strategic Goal for a Vibrant and Growing Economy.

Percentage of Eligible Cost Covered	Maximum Amount
50%	\$5,000

Eligible Costs:

Costs to renew and update building façades with an emphasis on the front of buildings. The following costs are eligible:

- Restoration or replacement of exterior building treatments, such as brickwork/cladding/siding;
- Restoration or replacement of cornices, eaves, and parapets;
- Restoration or replacement of windows, doors and awnings;
- Restoration or replacement of exterior lighting;
- Exterior painting;
- Façade cleaning;
- Redesign of storefront or entrance modifications; and,
- Similar improvements and repairs that would improve the appearance of a building façade.

Costs that are eligible under the Signage Improvement grant are excluded from the Façade Improvement grant.

Eligibility Requirements:

General eligibility requirements.



Highway 35, Coboconk

Trent-Severn Façade Improvement

Project Phase: Construction / Implementation

Objective/Strategic Directions

Improve and renew the exterior appearance/aesthetic of buildings in the CIP area with a focus on the façade of buildings visible from the Trent-Severn Waterway area. Encourage tourism and leverage visitors associated with the Trent-Severn Waterway area. Alignment with Strategic Goal for a Vibrant and Growing Economy.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$5,000

Eligible Costs:

Costs to renew and update building façades facing the Trent-Severn Waterway area. The following costs are eligible:

- Restoration or replacement of exterior building treatments, such as brickwork/cladding/siding;
- Restoration or replacement of cornices, eaves, and parapets;
- Restoration or replacement of windows, doors and awnings;
- Restoration or replacement of exterior lighting;
- Exterior painting;
- Façade cleaning;
- Redesign of storefront or entrance modifications; and,
- Similar improvements and repairs that would improve the appearance of a building façade.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. The property must be abutting the Trent-Severn Waterway area.
- b. Façade improvements must be consistent with any policies and requirements outlined by Parks Canada pertaining to the Trent-Severn Waterway area as a National Historic Site.

Marina Slips

Project Phase: Construction / Implementation

Objective/Strategic Directions

Encourage the development of additional temporary docking spots for boaters travelling to/through the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

50%

Maximum Amount

\$2,000

Eligible Costs:

Costs associated with developing new marina slips or other boat docking infrastructure to accommodate day-use from boaters traveling on the Trent-Severn Waterway area.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Improvements must be consistent with any policies and requirements outlined by Parks Canada pertaining to the Trent-Severn Waterway area.



Bobcaygeon River, Bobcaygeon

Building Repair & Renovation

Project Phase: Completion

Objective/Strategic Directions

Encourage rehabilitation through building repairs, renovation and energy retrofits in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy, an Exceptional Quality of Life and a Healthy Environment.

Percentage of Eligible Cost Covered	Maximum Amount
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50%	\$4,000
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Eligible Costs:

Costs of upgrades to the physical interiors of buildings:

- Structural repairs to walls, ceilings, floors, and foundations;
- Interior restoration and design; and,
- Any other improvements that may bring a building up to code, or address health, safety, or risk management issues.

Eligibility Requirements:

General Eligibility Requirements.



King Street, Woodville

Start-Up / Entrepreneur Building Improvement

Project Phase: Construction / Implementation

Objective/Strategic Directions

Support entrepreneurs working with the Kawartha Lakes Small Business Entrepreneurship Centre. Encourage new businesses to locate in vacant buildings in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$2,000

Eligible Costs:

Costs of minor upgrades to the physical interiors of buildings:

- Structural repairs to walls, ceilings, floors, and foundations;
- Interior restoration and design; and,
- Any other improvements that may bring a building up to code, or address health, safety, or risk management issues.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Applicant must be a current recipient of the “starter company” or “summer company” program through the Kawartha Lakes Small Business Entrepreneurship Centre, or a similar program funded by the provincial or federal government.

“Pop-up” Business Construction

Project Phase: Construction / Implementation

Objective/Strategic Directions

Support entrepreneurs working with the Kawartha Lakes Small Business Entrepreneurship Centre. Encourage vibrant seasonal or semi-permanent uses in underutilized lots in the CIP area. Increase the speed of community improvement. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$2,000

Eligible Costs:

Costs to construct a seasonal or semi-permanent structure to house a new retail business.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Applicant must be a current recipient of the “starter company” or “summer company” program through the Kawartha Lakes Small Business Entrepreneurship Centre, or a similar program funded by the provincial or federal government.
 - b. Project must be located on a vacant or underutilized lot.
-



Accessibility Improvement

Project Phase: Construction / Implementation

Objective/Strategic Directions

Increase accessibility and walkability in CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

50%

Maximum Amount

\$4,000

Eligible Costs:

Costs of interior or exterior projects to improve accessibility for people with disabilities.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Project must be designed in accordance with the *Accessibility for Ontarians with Disabilities Act* and related standards and guidelines.



Kent Street West, Lindsay



Lindsay Street South, Lindsay

Heritage Conservation

Project Phase: Construction / Implementation

Objective/Strategic Directions

Encourage conservation of heritage characteristics for designated heritage properties. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

50%

Maximum Amount

\$4,000

Eligible Costs:

Costs to preserve, repair, or maintain heritage characteristics of properties designated under the *Ontario Heritage Act*.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Property must be designated under the *Ontario Heritage Act*.
- b. Project must address the heritage characteristics of the designated property.

Outdoor Patio

Project Phase: Construction / Implementation

Objective/Strategic Directions

Encourage the development of outdoor patios and similar “el fresco” dining opportunities in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$2,000

Eligible Costs:

- Costs for a deck, patio stones or a similar surface;
- Costs for fencing;
- Costs for roll up or folding aluminum/glass garage doors or similar installations to open up the building to the outdoors.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- a. Patio must be for use of business patrons of a commercial use or for the general public.



Colborne Street, Fenelon Falls

Outdoor Art

Project Phase: Construction / Implementation

Objective/Strategic Directions

Encourage permanent art installations in the public realm. Promote and support local arts and culture. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Maximum Amount

50%

\$2,000

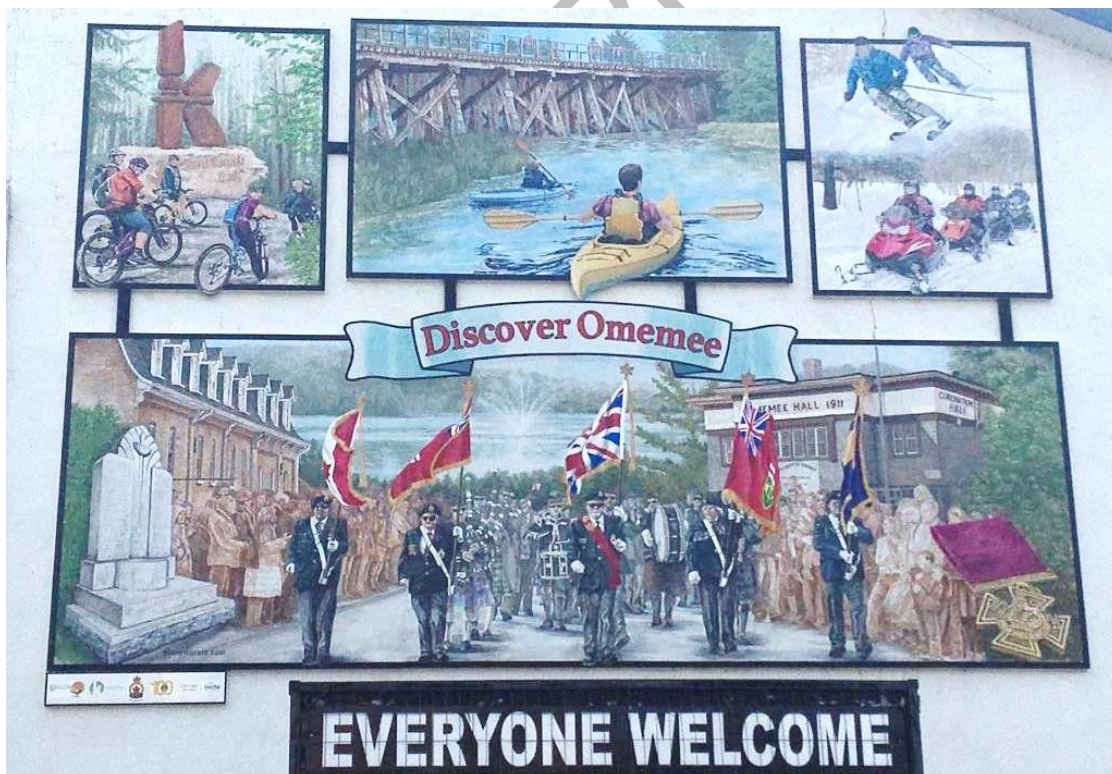
Eligible Costs:

Costs to commission, purchase or install permanent outdoor art installations including but not limited to murals and sculptures.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- Project must be located so as to be plainly visible from an adjacent public street or sidewalk.
- Project is subject to any applicable municipal public art policy in effect.



King Street East, Omemee

Tax Increment Equivalent Relief

Project Phase: Completion

Objective/Strategic Directions

Encourage redevelopment in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Tax rebate equal to the amount of the municipal portion of the resulting property tax increase

Maximum Amount

Rebate effective for 10 years following completion of eligible project:
 Year 1 = 100% rebate
 Year 2 = 90% rebate
 Year 10 = 10% rebate

Eligible Costs:

Where property improvements are undertaken in a manner supported by this CIP, and where those improvements result in an increased property assessment and taxes.

Eligibility Requirements:

General Eligibility Requirements.

Heritage Property Tax Relief

Project Phase: Completion

Objective/Strategic Directions

Encourage conservation of heritage properties in the CIP area. Alignment with Strategic Goal for a Vibrant and Growing Economy and an Exceptional Quality of Life.

Percentage of Eligible Cost Covered

Tax rebate equal to the amount of the municipal portion of the resulting property tax increase

Maximum Amount

10-40% annually for up to 10 years

Eligible Costs:

Where property improvements are undertaken in a manner supported by this CIP, and where those improvements result in an increased property assessment and taxes.

Eligibility Requirements:

In addition to the general eligibility requirements, the following additional eligibility requirements apply:

- Property must be designated under the *Ontario Heritage Act*.
- Project must address the heritage characteristics of the designated

property.

- c. By-law passed under Section 365.2 of the *Municipal Act* to provide tax relief in accordance with Grant Agreement
-



Oak Street, Fenelon Falls

APPENDIX C

Foundations of the Kawartha Lakes CIP

C.1 Green Hub CIP

The city-wide Green Hub CIP (2009) was developed to reinforce the City's Environment First Principle and to position the City as a centre for green development and technologies. The intent was to attract, through financial incentives, the development of businesses and industries that engage in environmentally significant activities, such as "green" technologies, services, and products; and, to address age and dilapidation of buildings through green construction and retrofits.

C.2 Official Plan

The Official Plan (2012) provides a policy framework for managing growth and land use decisions in the City of Kawartha Lakes for a 20-year horizon. The Official Plan encourages the provision of a wide range of affordable housing options; promotes the development of new businesses and economic activities, the expansion of existing businesses, and the improvement and revitalization of downtown cores; encourages the conservation and enhancement of cultural heritage resources; supports energy efficiency; protects the environment and agricultural areas; and identifies areas rich in natural resources.

Section 31.1 of the Official Plan explains that Secondary Plans for the Urban Settlement Areas of Bobcaygeon, Fenelon Falls, Lindsay, Omemee and Woodville will provide detailed policies addressing the growth management of the specific urban settlement areas. The **Community-based Secondary Plans** (2015) identify effective and efficient development patterns and opportunities, take into account current municipal conditions, reflect Provincial land use planning policy and implement the policies of the City of Kawartha Lakes Official Plan.

C.3 Accessibility Plan

The Accessibility Policy and the Multi-Year Accessibility Plan (2012-2017) demonstrate the City's commitment to identify, remove and prevent barriers to accessibility. The Plan addresses policy and procedure, customer service, information and communication, employment, transportation and built environment. Examples of the commitments the Plan makes as it relates to the built environment include improving sidewalk infrastructure; developing accessible streetscape and signage guidelines (i.e. way-finding); and, including a formula or percentage of inclusion of affordable, adaptable, accessible housing within planning documents.

C.4 Cultural Master Plan

The Cultural Master Plan (2013) recognizes that successful municipalities will be those that offer an appealing and attractive community, are diverse and welcoming, have interesting public spaces, celebrate public art and urban design, and understand linking these elements is the magnet to attract people and talent. A key direction is to strengthen connections between culture and economic development by supporting and growing start-up enterprises in underutilized downtown spaces, and by continuing to promote festivals and events in the City.

C.5 Integrated Community Sustainability Plan and Action Plan

The Integrated Sustainability Plan (ICSP) (2014) is a collection of goals and actions to improve the environment, economic, social, and cultural sustainability within the community of Kawartha Lakes. The Action Plan supports the ICSP by outlining an approach for implementing the actions identified in the ICSP.

C.6 Housing and Homelessness Plan

Further to the requirements in the *Housing Services Act* and the Provincial Long-Term Affordable Housing Strategy, the City of Kawartha

Lakes and the County of Haliburton completed the Housing and Homelessness Plan (2014-2023). The Plan identifies goals, objectives and actions to be achieved over its 10-year period. The Plan strives to increase the supply of affordable housing through second units, stimulate the creation of new purpose-built rental housing, and offset development charges and fees for new affordable housing.

C.7 Core Service Review

The City invests in projects that will improve services, protect public safety, maintain infrastructure, and enhance the quality of life for residents and visitors. A core service review process was undertaken in 2015 of all City services, departments and assets to determine how best to deliver the services that matter most to residents.

C.8 Corporate Strategic Plan

The vision for the City of Kawartha Lakes is “naturally beautiful, offering an exceptional lifestyle.” In light of the vision, the Strategic Plan (2016) identifies the City’s strategic goals and prioritizes actions for the years 2016 to 2019. The vision, strategic goals and actions guide the City’s operations and decision making. The strategic goals include a vibrant and growing economy; an exceptional quality of life; and, a healthy environment.

To advance the first goal, staff developed a comprehensive **Economic Development Strategy** (2017) that focuses on attracting and empowering residents and businesses. Through strategic goals, objectives and actions, the Economic Development Strategy engages the Economic Development division with the broader business community to work together to make a difference.

C.9 Streetscape and Façade Design Guidelines

The Design Guidelines (2017) were developed through comprehensive community consultation to create a common design vision for the four downtown revitalization areas of Coboconk-Norland, Fenelon Falls, Lindsay, and Omemee. Based on public input and the preferred theme

areas – nature and built heritage – the Design Guidelines identify place-making opportunities for each downtown revitalization area.

The **Downtown Revitalization Strategic Action Plans** (2017) build upon the background work and public input of the Design Guidelines, and are intended to be the blueprints for future revitalization efforts. The Action Plans incorporate the needs and desires of the communities; embrace and enhance the downtowns' strengths; address the weaknesses; prioritize the implementation of each of the communities' goals; and identify specific action plans to achieve those goals.

A precursor to the Design Guidelines and the Actions Plans is the **Omemee Downtown Revitalization Strategic Plan** (2006). The Strategic Plan was developed by the Omemee Business and Community Improvement Association (OBCIA), with support from the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and Kawartha Lakes Community Futures Development Corporation. OBCIA identified OMAFRA's Main Street Pilot Program as best suited to achieve the community's revitalization.

Recommendations, goals, objectives, and actions were included for economic development, marketing and promotion, organizational development, and physical enhancement. On-going monitoring reported on a number of positive changes, including an increase in the number of businesses and events in 2009.

C.10 Heritage Conservation District Plans

The City of Kawartha Lakes has designated two Heritage Conservation Districts (2017) – Downtown Lindsay and Oak Street in Fenelon Falls, predicated on the **Heritage Master Plan** (2012). Downtown Lindsay is widely recognized for its well-preserved Victorian architecture and its wide streets. Oak Street in Fenelon Falls is a rare example in the City of Kawartha Lakes of an early 19th century residential development.

APPENDIX D

Legislative Authority, Policy Framework and Urban Design Direction

D.1 Legislative Authority

For the purposes of this CIP all references to legislative Acts extend to subsequent amendments therein and/or their successors.

1.1 Municipal Act

The *Municipal Act* prohibits municipalities from assisting businesses either directly or indirectly (Section 106(1)) unless the assistance is provided for community improvement through Section 28 of the *Planning Act*.

Where a municipality has an approved CIP that contains provisions specifying tax assistance, Section 365.1 of the *Municipal Act* that operates within the framework of Section 28 of the *Planning Act*, allows municipalities to provide tax assistance for municipal purposes. Further, it allows municipalities to pass by-laws to provide tax assistance to eligible properties, in the form of a deferral or cancellation of part or all of the taxes levied on that property for municipal and education purposes during the rehabilitation and development periods of the property.

Similarly Section 365.2 specifies Heritage Property tax relief for locally designated heritage properties, subject to Agreement to protect the heritage features.

1.2 Planning Act

According to the *Planning Act*, Council may establish a Community Improvement Project Area for the area where community improvement is desirable. Community improvement within that area means:

“the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction,

reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.” (*Planning Act*, S.28(1)).

In the context of a CIP, municipalities may make grants or loans to owners of properties (or tenants with permission) within the CIP areas, to pay for the whole or part of eligible costs. The eligible costs may include:

“costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities” (*Planning Act*, S.28(7.1)).

The *Planning Act* requires that a public meeting be held before a CIP can be considered by Council for adoption. Public consultation and involvement helps build consensus and community support, provides education, and leads to a more comprehensive and meaningful program that is reflective of community goals. Engaging the public also ensures accountability around municipal financial incentives to private property owners.

D.2 Legislative Direction

2.1 Accessibility for Ontarians with Disabilities Act

The *Accessibility for Ontarians with Disabilities Act* sets out a process for developing and enforcing accessibility standards by 2025. Accessibility standards are laws that government, businesses, non-profits and public sector organizations must follow to become more accessible in five areas: customer service, access to information, public transportation, employment, and outdoor public spaces.

The requirements for buildings are outlined in the Ontario Building Code, including requirements for ramps, elevators and washrooms.

2.2 Development Charges Act

A development charge is a fee levied on new development to pay for growth-related capital infrastructure. The *Development Charges Act* governs the calculation and application of development charges in Ontario.

Section 5 of the *Development Charges Act* allows a municipality, through a development charge by-law, to provide for full or partial development charge exemptions for certain types of development. Any resulting shortfall cannot be made up through higher development charges for other types of development.

2.3 Promoting Affordable Housing Act

The legislation makes changes to multiple Acts, including the *Planning Act*, to help increase the supply and suitability of affordable housing. As the legislative commitment to the Province's Long Term Affordable Housing Strategy and the National Housing Strategy, the Act gives municipalities the option to implement inclusionary zoning; makes second units less costly by exempting them from development charges; gives local service managers more choice in how they deliver and administer services and programs; prevents unnecessary evictions and creates more mixed-income housing; and, requires services managers to gather data about homelessness.

2.4 Ontario Heritage Act

The *Ontario Heritage Act* gives municipalities powers to conserve, protect and preserve heritage buildings and archaeological sites in Ontario. Under Part V of the *Ontario Heritage Act* municipalities may designate an area that is of cultural value or interest as a Heritage Conservation District (HCD).

Notwithstanding Section 106(1) of the *Municipal Act* that prohibits municipalities from assisting businesses, Section 39(1) of the *Ontario*

Heritage Act allows Council to make grants or loans (up-front or on a tax-increment basis) to owners of designated heritage properties to pay for all or part of alteration subject to conditions.

Section 39(2) of the *Ontario Heritage Act* requires that the amount and interest rate of a loan be determined by Council and registered as a lien or charge against the land for a maximum period of 5 years.

D.3 Policy Framework

3.1 Provincial Policy Statement

The 2014 PPS sets the policy foundation for regulating the development and use of land in Ontario. Community Improvement Plans support PPS objectives for sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy. The CIP has been prepared to address the PPS, including policies to:

- Maintain and enhance the vitality and viability of downtowns and main streets
- Promote opportunities for intensification and redevelopment, including brownfields
- Increase energy efficiency, active transportation and transit use
- Improve accessibility for persons with disabilities and older persons
- Accommodate residential growth and create affordable housing
- Conserve significant building heritage resources and significant cultural heritage landscapes
- Optimize existing infrastructure and public service facilities

3.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan (2017) complements the PPS and works to manage growth, build complete communities, curb sprawl, and protect the natural environment.

The Plan identifies that by 2041, the City of Kawartha Lakes is anticipated to reach a population of 107,000 people and 32,000 jobs. In an effort to plan for and manage growth in the City, the Growth Plan identifies

Lindsay, Fenelon Falls, Bobcaygeon, and Omemee as settlement areas where the majority of future development will be directed. The CIP supports the Growth Plan policies.

3.3 Official Plan

Section 9 of the 2012 City of Kawartha Lakes Official Plan (OP) provides for the adoption of Community Improvement Plans. The stated objectives are “to encourage community improvements, which encompass both public and private sector opportunities for the maintenance, improvement, rehabilitation and redevelopment of community structure” (CKL OP 9.2(a)). Further to this, CIP Areas may be identified by Council and enacted by way of a Community Improvement Project Area by-law.

Section 9.3.4 of the OP identifies criteria for preparing and implementing CIP Areas, including:

- Evidence of a need to improve municipal services
- Ability of CIP to facilitate the clean-up and redevelopment of brownfield properties
- Phasing of improvements to coincide with other improvements
- A significant number of buildings showing signs of deterioration and need for repair or that would benefit from improvements in energy efficiency
- Need for improvements to visual appearance or aesthetics
- Ability of CIP to strengthen the economic base of the community

3.4 Secondary Plans

The Community-Based Secondary Plans for Bobcaygeon, Fenelon Falls, Lindsay, Omemee, and Woodville place an emphasis on downtown and main street development. Lindsay, Fenelon Falls and Bobcaygeon have thriving downtowns with historic buildings and Victorian architecture. These areas serve as tourist attractors as well as providing services for residents. Downtown areas of Omemee and Woodville are at smaller scales than Lindsay, Fenelon Falls and Bobcaygeon. The main streets of Omemee and Woodville reflect the culture and heritage of their respective communities, and are equally cherished by local citizens and visitors.

The Secondary Plans policies indicate that the improvement and revitalization of these downtown and main street areas shall be encouraged with provision for a wide range of commercial, institutional, business, residential and recreational uses. This is in keeping with provincial policy which directs municipalities to conserve significant cultural heritage and built resources as well as to develop mixed use, transit-supportive, pedestrian-friendly urban environments. This also honours the communities' desire to preserve cultural heritage, while providing recreational opportunities for local residents and tourists.

With respect to urban design, the Secondary Plans may provide guidance on:

- Gateways and Entries
- Built-Form
- Streetscapes
- Public Open Spaces

Renovation projects accessing financial incentives are expected to conform to urban design policies in effect.

D.4 Urban Design Direction

The CIP establishes the framework to incentivize property and business owners to make improvements to their individual buildings and properties. Collectively, individual property improvements contribute to an area's revitalization. Urban design elements connect properties to make areas attractive, functional and sustainable.

Each community has undergone a partial renewal implementing various urban design elements; the changes have contributed to a wider community understanding and acceptance of how urban design can help promote economic growth.

It is the intent of this CIP that property improvements align with and employ the urban design direction provided in the following documents and initiatives.

4.1 Streetscape and Façade Design Guidelines

The Guidelines add detail to what has already been planned and built, so that the vision for the downtown revitalization areas is incorporated into the public realm – a communal, physical streetscape as well as its constituent facades that support the street. A theme and style guide further helps to define a character for the areas. Each element of the streetscape should reflect the context and character of the City, and embody the values that define each area as a unique and progressive community – pedestrian-friendly, accessible, supportive, unified, attractive, vibrant, landscaped, and full of heart.

Streetscape components include vehicular and pedestrian circulation patterns; street greening and site furnishings as well as public art; decorative- and purpose-lighting and utilities; the built form and open spaces; pavement treatment; and, gateway elements that provide first impressions.

Structural façade components include base panels, display windows, entrance ways, doors, cornices, middle and upper facades, roof cornices, windows, corner quoins, and pilasters. Decorative façade elements include canopies and awnings, signage, shutters, lighting, seasonal adornment, and sidewalk retailing. Building materials and colour considerations are chosen to add heritage-value to properties.

The Guidelines apply the streetscape and façade components to demonstrate how buildings can be transformed.

4.2 Heritage Conservation District Plans

A heritage district is a distinctive urban setting that has significant historical and cultural value as a function of the age of its structures, its pattern of development, the history of its occupation, and the land uses it contains. Its special character gives it a ‘sense of place’.

The Act requires District Plans to contain a statement of objectives to be achieved through designation; a statement explaining the cultural heritage value or interest; a description of the heritage attributes and properties; policy statements, guidelines and procedures for achieving the objectives

and managing change; and, a description of minor alterations that owners can undertake without requiring municipal approval.

The District Plans manage change and preserve unique characters of the Lindsay and Fenelon Falls designated areas through policies and guidelines for redevelopment, alterations, additions, infill, and changes to streetscape. Heritage permits are required for exterior alterations to buildings or protected features of heritage designated properties within the districts. Alterations should maintain the integrity of a property's heritage value and complement its designated heritage attributes.

WORK IN PROGRESS

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2018-060

Date: July 4, 2018
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 14 - Ops

Subject: An application to amend the Township of Ops Zoning By-law 93-30 to prohibit the following on the proposed retained agricultural land: (1) residential use and (2) livestock within any of the existing buildings at 417 Fieldside Road (Walker)

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2018-060, respecting East Half of Lot 22, Concession 7, geographic Township of Ops, and identified as 417 Fieldside Road – Application D06-2018-018, be received;

That a Zoning By-law Amendment respecting application D06-2018-018, substantially in the form attached as Appendix “D” to Report PLAN2018-060, be approved and adopted by Council; 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:

On October 19, 2017, the Director of Development Services granted provisional consent to application D03-17-013 to sever an approximately 0.98 hectare (2.4 acre) residential lot containing a single detached dwelling and garage, and retain approximately 41.72 hectares (102.6 acres) of agricultural land. The retained land will be consolidated with non-abutting agricultural land belonging to the same farm operation. The dwelling on the land to be severed is considered surplus to the agricultural operation as a result a consolidation of farm land.

As a condition of provisional consent, the agricultural land to be retained is to be rezoned to prohibit residential use and to prohibit the existing barn from being used to house livestock. The barn is currently being used for storage.

Owners:	Gale Alvin Walker and Francis Anne Walker
Applicant:	Angus McNeil, Staples & Swain Professional Corporation
Legal Description:	East Half of Lot 22, Concession 7, geographic Township of Ops
Official Plan:	Prime Agricultural and Environmental Protection, in the City of Kawartha Lakes Official Plan
Zone:	Agricultural (A) Zone, in the Township of Ops Zoning By-law 93-30, as amended
Site Size:	Severed – 0.98 hectares Retained – 41.72 hectares
Site Servicing:	Severed – Private individual well and septic system Retained – None
Existing Uses:	Agricultural
Adjacent Uses:	North: Agricultural, Rural Residential East: Agricultural, Rural Residential, Wetland/Forest South: Agricultural West: Agricultural, Walsh Road Industrial Subdivision

Rationale:

The subject property is to the east of the Lindsay Urban Settlement Boundary, and is identified as prime agricultural land. Prime agricultural land is to be protected and preserved from non-agricultural development or any other incompatible land use that may hinder existing or future agricultural operations. To fulfill a condition of provisional consent that requires the prohibition of residential uses and livestock within the barn on the proposed retained agricultural land, the owner has submitted an application to amend the Zoning By-law that will, if granted, fulfill this condition. The farm operation that owns the property will farm it in conjunction with another non-abutting agricultural parcel at

628 Tracey's Hill Road. The single detached dwelling on the subject land is deemed surplus to the needs of the farm operation.

One or both owners also hold, either directly or through a numbered corporation, an interest in three additional agricultural parcels: 23 Highway 36, 2120 Little Britain Road, and 12 Woodview Road.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017:

Section 2.2.9 indicates development outside of settlement areas may be permitted where necessary for the management of resources such as agricultural lands. Section 4.2.6 provides for the protection of prime agricultural areas identified within official plans. The severance and subsequent rezoning to facilitate a consolidation of farm land is consistent with these policies to protect agricultural lands.

The Agricultural System for the Greater Golden Horseshoe, a document providing supplementary direction to the Growth Plan, also identifies the subject property as prime agricultural area. This document recognizes the importance of the agri-food sector to regional and provincial economies, and provides for increased land use planning consistency across municipalities.

Therefore, this application conforms to the policies of the Growth Plan as the Zoning By-law Amendment ensures the long term protection of prime agricultural land.

Provincial Policy Statement, 2014 (PPS):

Sections 2.3.1 and 2.3.3.2 provide that prime agricultural areas shall be protected for long term use, and all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

The application to rezone the proposed retained lands will protect the agricultural use of the property and surrounding agricultural practices from incompatible residential use. The lot to be retained is of sufficient area to sustain an assortment of agricultural uses and the PPS encourages the protection of all types and sizes of agricultural use.

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

The subject land is designated Prime Agricultural and Environmental Protection in the City of Kawartha Lakes Official Plan (Official Plan). The Environmental Protection designation is confined the northwest, reflecting the location of a tributary of Sinister Creek. No change is proposed to the area within the Environmental Protection designation.

Section 15.1 of the Official Plan provides that agricultural land that is primarily class 1-3 shall be protected from fragmentation, development and land uses unrelated to agriculture. One of the objectives of the Official Plan is to support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents.

This application proposes no change to the existing land uses, and the agricultural land will be preserved and protected for future agricultural use.

The City, through its Official Plan recognizes the generally desirable practice of the consolidation of farms wherever possible. The City also recognizes that it is not always possible to acquire abutting agricultural lots when consolidating an existing farm operation, and has established criteria in accordance with provincial policy to recognize this circumstance and protect the long term agricultural use of the land. One of the criteria is that the agricultural land be rezoned to prohibit any residential use.

Therefore, this application conforms to the applicable policies of the Official Plan.

Zoning By-law Compliance:

The subject land is zoned Agricultural (A) Zone in the Township of Ops Zoning By-Law 93-30. The lot to be retained exceeds the minimum lot frontage (135 metres) and area (37 hectares) requirements of the A Zone by proposing about 328.3 metres and 41.72 hectares respectively. The barn, located to the north of the proposed severed lot, exceeds the 15 metre interior side yard setback provisions of the A Zone by proposing a setback of approximately 28.48 metres. The purpose of the Zoning By-law Amendment (ZBA) is to protect the agricultural use of the land to be retained by prohibiting residential use in accordance with provincial and municipal policy. The amendment will also ensure the Minimum Distance Separation formulae are met, avoiding a future potential land use conflict between the residential lot and barn by prohibiting the placement of livestock within said building.

The ZBA proposes to rezone the portion of the lands to be retained from A to Agricultural Exception Nineteen (A-19) Zone to prohibit residential use and prohibit livestock within the barn.

The A Zone category provides that residential lots created within the said zone are subject to the requirements of the Rural Residential (RR) Zone category. The lot to be severed exceeds the minimum lot frontage (38 metres) and area (0.2 hectare) requirements by proposing about 39 metres and 0.98 hectares respectively. The dwelling on the proposed severed lot will comply with the applicable setback provisions of the RR Zone.

Other Alternatives Considered:

No alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision 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 Recommendation(s) to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This application would align with a vibrant and growing economy as it provides opportunity to expand the economic base by maintaining and expanding agricultural employment.

Servicing Comments:

The agricultural land is un-serviced. The existing single detached dwelling on the land to be severed is serviced by a private sewage disposal system and well.

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. The Building Division, Building Division - Part 8 Sewage Systems, and the Engineering and Corporate Assets Department raised no concerns as a result of circulation. No comments were received from the public.

Development Services – Planning Division Comments:

The application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. The application also conforms to the policies of the Official Plan. The proposed Zoning By-law Amendment contained in Appendix D will ensure the subject land is preserved for agricultural use. All other A Zone provisions will be maintained.

Conclusion:

The application conforms to and is consistent with the provincial policies concerning prime agricultural areas. The application also conforms to the Prime Agricultural designation policies in the City's Official Plan. Staff support the application based on the information contained in this report and the comments received as of June 19, 2018. Staff respectfully recommends that the application be referred to Council for APPROVAL.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2018-060.pdf

Appendix 'B' – Sketch for Consent Application – dated March 31, 2017



Appendix B to
PLAN2018-060.pdf

Appendix 'C' – Aerial Photograph



Appendix C to
PLAN2018-060.pdf

Appendix 'D' – Draft Zoning By-law Amendment



Appendix D to
PLAN2018-060.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

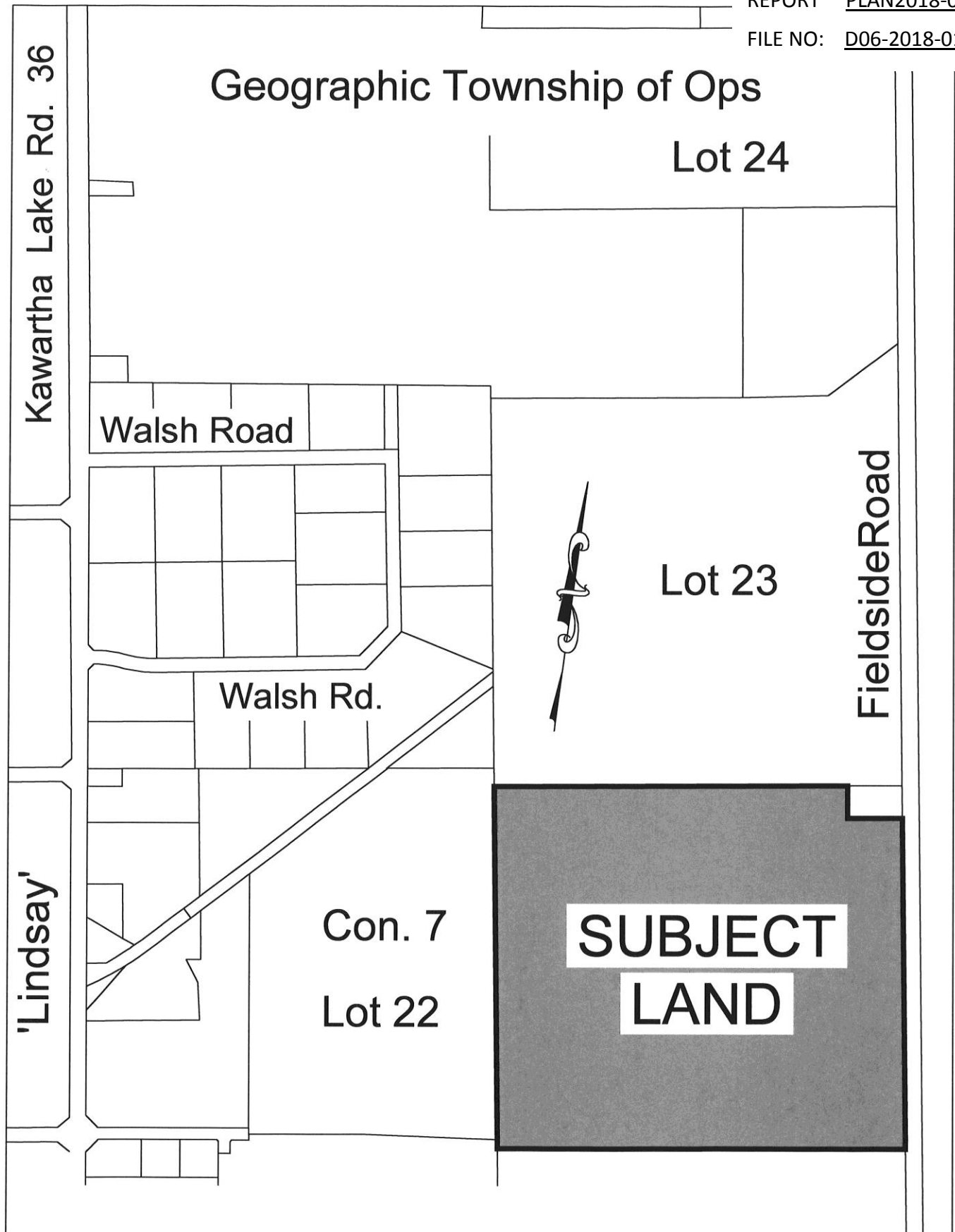
Department Head: Chris Marshall

Department File: D06-2018-018

to

REPORT PLAN2018-060

FILE NO: D06-2018-018



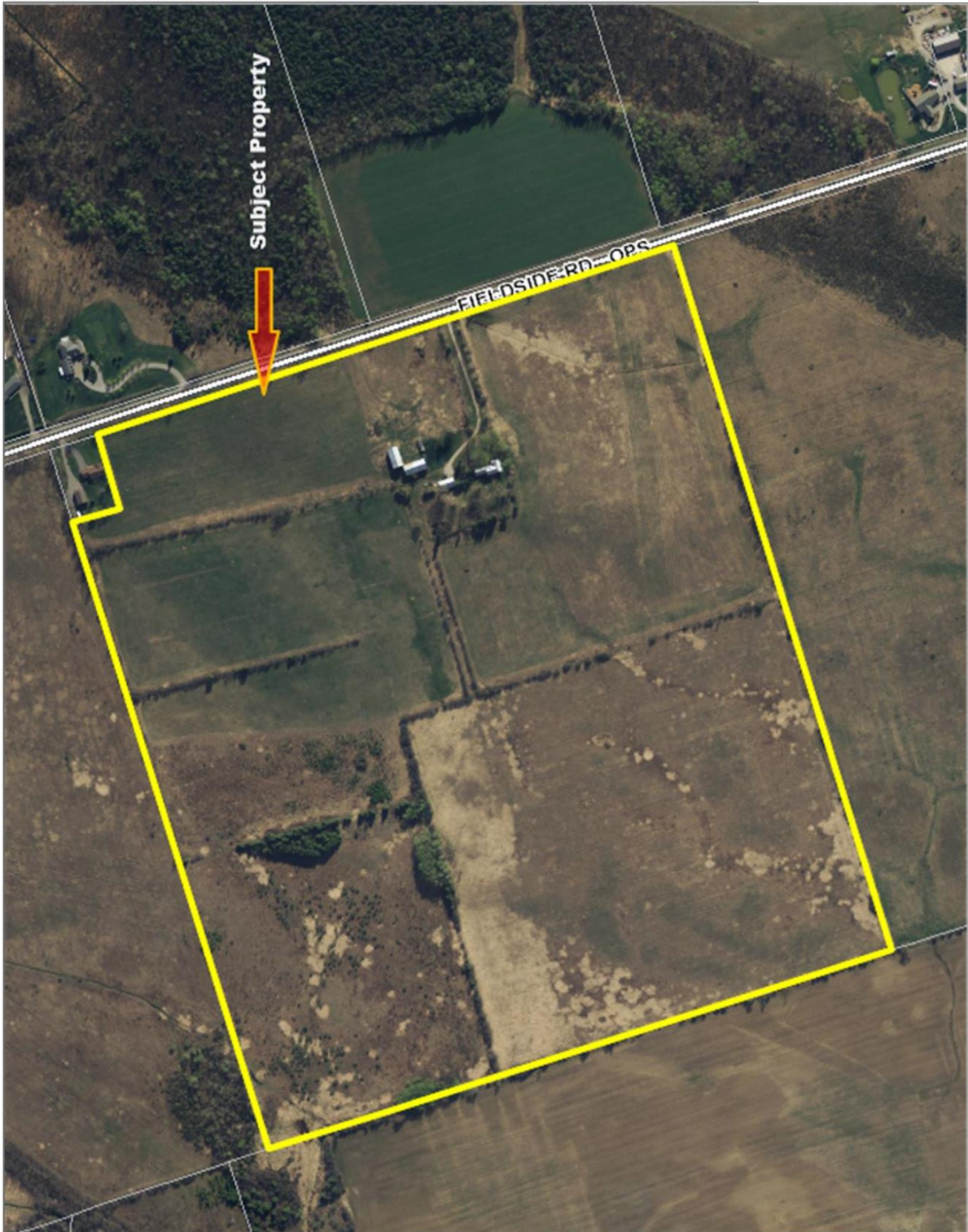


to

REPORT PLAN2018-060

FILE NO: D06-2018-018

417 Fieldside Road, geographic Twp. of Ops



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



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© City of Kawartha Lakes

The Corporation of the City of Kawartha Lakes

to

REPORT PLAN2018-060

By-Law 2018 -

FILE NO: D06-2018-018

**A By-Law To Amend The Township of Ops Zoning By-Law No. 93-30
To Rezone Land Within The City Of Kawartha Lakes**

File D06-2018-001, Report PLAN2018-060, respecting East Half of Lot 22, Concession 57, geographic Township of Ops, identified as 417 Fieldside Road

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:
 - (a) prohibit residential use on the subject land, and
 - (b) prohibit existing agricultural buildings from housing livestock, in order to fulfill a condition of provisional consent approval.
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 East Half of Lot 22, Concession 7, geographic Township of Ops, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended by adding the following section to Section 16.3:

“16.3.19 Agricultural Exception Nineteen (A-19) Zone

Notwithstanding the uses permitted in Section 16.1.1 and 16.1.2, in the A-19 Zone residential use is not permitted and buildings existing on the date of passing of this by-law may not be used to house livestock.”
- 1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 93-30 of the Township of Ops is further amended to change the zone category on a portion of the Property from “Agricultural (A) Zone” to “Agricultural Exception Nineteen (A-19) Zone” for the land referred to as ‘A-19’, 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.

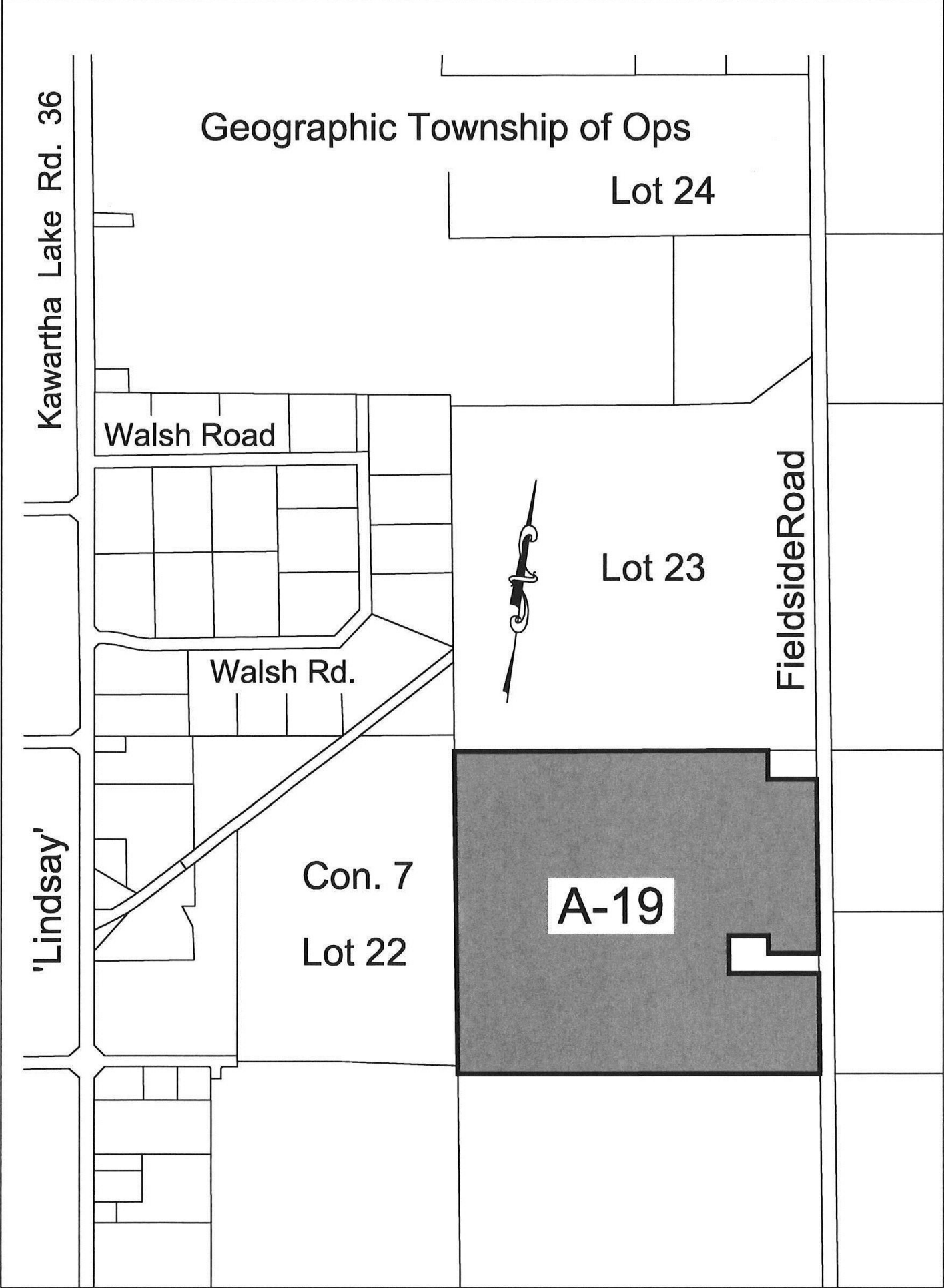
Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF
KAWARTHA LAKES

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

MAYOR _____ CITY CLERK _____



The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2018-057

Date: July 4, 2018
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: Ward 16, Manvers

Subject: Applications to amend the City of Kawartha Lakes Official Plan and the Township of Manvers Zoning By-law to permit a variety of on-farm diversified uses on land identified as 804 Highway 7A (Shawn Sutcliffe)

Author and Title: Sherry L. Rea, Development Planning Supervisor

Recommendations:

That Report PLAN2018-057, respecting Part of Lot 13, Concession 7, geographic Township of Manvers and identified as 804 Highway 7A, Application Nos. D01-2018-004 and D06-2018-013 be received;

That a By-law to adopt Official Plan Amendment Application D01-2018-004 respecting Part Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes, substantially in the form attached as Appendix D to Report PLAN2018-057, be approved and adopted by Council;

That a Zoning By-law Amendment Application D06-2018-013 respecting Part Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes, substantially in the form attached as Appendix E to Report PLAN2018-057, be approved and adopted by Council; 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 required statutory public meeting was held by the Planning Committee on April 11, 2018 and following resolution was passed:

Moved By Mayor Letham, Seconded By Councillor Miller

Recommend that Report PLAN2018-036, respecting Part of Lot 13, Concession 7, geographic Township of Manvers and identified as 804 Highway 7A, Application Nos. D01-2018-004 and D06-2018-013 be received; and, That the applications respecting the proposed Official Plan Amendment to the City of Kawartha Lakes Official Plan and the proposed Zoning By-law Amendment to the Township of Manvers Zoning By-law, be referred back to staff for further review and until such time as all comments have been received from circulated Agencies and City Departments.

Carried

This report addresses that direction.

The subject property is an agricultural parcel which contains a wedding and event venue together with a bed and breakfast on an operating farm known as Iron Horse Ranch. The proposal is to recognize the occurring value-added uses, on-farm diversified uses and agri-tourism uses on the farm. The area of the agricultural parcel is 39 ha.

These applications propose to amend the Prime Agricultural designation in the City of Kawartha Lakes Official Plan to include a Special Provision to permit on-farm diversified uses and to change the zone category from the Rural General (A1) Zone to the Rural General Exception Thirty-Seven (A1-S37) Zone. See Appendix A and B attached.

Owner: Shawn Sutcliffe

Applicant: Stephen Bedford, Stephen Bedford Consulting

Legal

Description: Part Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes

Official Plan: Designated Prime Agricultural and Environmental Protection on Schedule A-1 of the City of Kawartha Lakes Official Plan

Zone: Rural General (A1) Zone in the Township of Manvers Zoning By-law No. 87-06

Total Area: 39 ha.

Site Servicing: Existing individual wells and private sewage disposal systems

Existing Use: Existing farm with field crop operations together with a barn hosting wedding and corporate events, three private cabins and a single detached dwelling which includes a bed and breakfast

Adjacent Uses: North, South, East and West – Large Agricultural parcels with a number of residential properties fronting Highway 7A

Rationale:

The subject property is located on the south side of Highway 7A just west of Bethany and is developed with a single detached dwelling which includes a bed and breakfast with 34 parking spaces, a barn which includes 90 parking spaces to accommodate activities in the barn and several small un-serviced cabins. The balance of land is cash cropped and forested on the south side of the farm. Farming activities also include an apiary, an apple orchard with meadow and a goat shed. The owner currently operates Iron Horse Ranch which in addition to being an operating farm, includes a bed and breakfast facility and events that occur in the barn on a seasonal basis with the storing of straw, hay and farm implements during the fall, winter and spring seasons. See Appendix A and B attached.

In 2014, the Province of Ontario released the updated Provincial Policy Statement (PPS), which added on-farm diversified uses as a permitted use in prime agricultural areas. It is noted that the on-farm diversified uses shall be compatible with, and shall not hinder surrounding agricultural operations. Criteria for these uses have been developed by the Province and were presented in the previous Planning Report, PLAN2018-036.

Provincial Policies:

Staff reviewed the Planning Justification Report prepared by Stephen Bedford Consulting in support of the official plan and zoning by-law amendments and generally accepts the planning rationale with respect to conformity with the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and consistency with the 2014 Provincial Policy Statement (PPS). The applications serve to permit on-farm diversified uses that maintain the 5 guiding criteria set out in OMFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Official Plan Conformity:

The property is designated Prime Agricultural and Environmental Protection in the City of Kawartha Lakes Official Plan (OP). The Environmental Protection designation corresponds with a Significant Woodland in the south west portion of the property. The majority of the property is designated Prime Agricultural. This designation permits agricultural uses, agriculture-related uses, secondary uses, and agri-business uses, subject to criteria as set out in the Official Plan.

The applicant is requesting a Special Policy Area be applied to permit a broad range of on-farm diversified uses and agri-tourism uses (including pioneer cabins), as defined in the Provincial Policy Statement 2014. Without limiting the uses permitted they generally include: social events such as farm based educational programs, workshops on farm operations, gallery space, displays of farm equipment in a museum setting, dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions, and accommodations in un-serviced pioneer cabins and the bed and breakfast. All permitted uses are permitted to obtain liquor licenses. Specific provisions and development standards related to the uses shall be outlined in the implementing zoning bylaw. No development is contemplated on land designated Environmental Protection.

Section 34.7 of the OP established the entire City of Kawartha Lakes as a Site Plan Control Area applying to all uses except for agricultural, aggregate extraction, forestry, open space and single detached residential uses. Staff recommends that only the developed area be subject to site plan approval.

Zoning By-Law Compliance:

The land is zoned Rural General (A1) in the Township of Manvers Zoning By-law No. 87-06. The application proposes a site specific A1 Zone to permit on-farm diversified uses and agri-tourism uses and will list similar uses as identified through the Special Policy Area of the OP. The applicant acknowledges that the development proposal will maintain the provisions of the Zoning By-law including parking provisions.

Staff also recommends that the developable area be subject to site plan approval to address the details of development such as access/entrance requirements, parking, lighting (including dark sky initiatives), waste management, fire routes and landscaping. Once the site plan agreement has been registered, the owner would apply to remove Holding Zone, pay the prescribed fee and a By-law to remove the (H) symbol would be prepared for Council's consideration.

Issues Identified Through the Circulation Process:

There were a number of issues identified through the City's circulation process which includes commenting Agencies, City Departments and the public circulation and they are addressed as follows:

Environmental Issues Identified By KRCA

KRCA has reviewed the EIS prepared by Grace & Associates, dated October 2, 2017. KRCA accepts the recommendations contained in the report being:

1. A 120 metre radius of the last known location of the Eastern Meadowlark shall be maintained to represent adjacent lands significant habitat. The

property owner is encouraged to continue the existing farming practices on the property which allows this species to return each year.

2. A 15 metre natural setback shall be maintained between the unnamed watercourse at the southwest portion of the site. A 30 metre natural setback shall be maintained from the watercourse where groundwater base flow is prevalent, located about 40 metres downstream of the pond weir.
3. Best management practices shall be applied to this development by limiting negative impacts by
 - i. including diffuse directional lighting; and
 - ii. no introduction of exotic or invasive species for landscaping
4. During any future on-site activities associated with the additional, non-agricultural related uses, should any species at risk or their habitat be potentially impacted, MNRF should be contacted to discuss opportunities mitigation.
5. Any future construction activities associated with the non-agricultural activities shall be limited during the breeding season (April 15 to July 31). During this period, it is recommended that heavy machinery be minimized where possible. Workers shall be vigilant and check work areas for the presence of breeding birds and nest containing eggs and/or young.

KRCA confirms that they see no issue with the approval of these applications based on their consideration for natural heritage, natural hazards and water quality and quantity protection policies, provided the recommendations noted in the EIS are implemented by the proponent. Staff recommends that site plan approval is the proper process to ensure that the recommendations are implemented; however, for added assurance have included Recommendations 1 and 2 through the implementing Zoning By-law. See Appendix E attached.

Minimum Distance Separation

The City's Economic Development Agriculture Division raised concerns regarding the Agricultural Impact Assessment and the MDS calculations contained within. At issue were additional farming operations to be included in the calculations and clarification as to the number of animals contained at one of the circulated farming operations. The consultant, Clark Consulting submitted an Addendum which was circulated to the Agriculture Division for review. Subsequently, the Agriculture Division advises that they agree with the findings contained in the Addendum and confirms that their concerns have been addressed.

Concerns and Comments Raised Through the Public Process

Comments raised through the public process included noise, lighting, and concerns regarding meeting the intent of the PPS and the Regulations and Policy Provisions governing the use of Prime Agricultural land.

With respect to noise concerns, the applicant has submitted an Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. The report modelled 3 scenarios, small private events, wedding ceremony and wedding reception/banquet and concludes that with appropriate sound level restrictions (ie sound level feedback systems) in place for sound emissions from the barn, the guideline limits can be met at all receptors identified under all scenarios.

With respect to lighting, staff is recommending that the area of development be subject to site plan approval with a Holding provision to be applied through zoning amendment. Confirmation of lighting details will be confirmed through that process.

With respect to concerns regarding meeting the intent of the PPS and the Regulations and Policy Provisions governing the use of Prime Agricultural land, raised by Mr. John Dell, staff requested that Mr. Bedford prepare and submit a response which was circulated to Mr. Dell. See Appendix C attached.

While Staff is supportive of the efforts made by the applicant and the future owners of the property to address operational concerns, Staff continues to recommend that the developable area be subject to site plan approval which requires that the owners enter into a site plan agreement with the City to confirm the details of development and may include some operational issues.

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 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 Strategic Priorities:

The Council Adopted Strategic Plan identifies three Strategic Goals: A Vibrant and Growing Economy, An Exceptional Quality of Life and A Healthy Environment. These applications align with the Strategic Goal of a Vibrant and

Growing Economy. Residents and visitors to the City will have the opportunity to visit an operating farm that includes a farmhouse and barn that is capable of hosting events and social gatherings such as barn dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions; farm based educational programs, agricultural workshops and gallery space.

Review of Accessibility Implications of Any Development or Policy:

Should a building permit be required, the accessibility standards established in the Building Code will be addressed prior to the issuance of a building permit.

Servicing Comments:

No further comments were received with respect to the Functional Servicing Report and the Hydrogeological and Geotechnical Study that were circulated to appropriate City Departments and KRCA.

Development Services – Planning Division Comments:

The applications for Official Plan and Zoning By-law Amendment conform to the Growth Plan and are consistent with the 2014 Provincial Policy Statement. Conformity with the City of Kawartha Lakes Official Plan has been demonstrated and Staff recommends that the applications be APPROVED.

Consultations:

No additional comments were received subsequent to the preparation of the original staff report and the additional comments presented to the Planning Committee at the Public Meeting. Staff has continued to work with interested parties and the applicant.

Attachments:

The following attached documents may include scanned images of Appendices, maps and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor (705) 324-9411 ext. 1331.

Appendix A – Location Map



Appendix 'A' -
Location Map.pdf

Appendix B – Site Data Plan



Appendix 'B' - Site
Data Plan.pdf

Appendix "C" – Stephen Bedford Response to Dell Concerns



Appendix 'C' -
Bedford Response to

Appendix "D" - Draft Official Plan Amendment



Appendix 'D' - Draft
Official Plan Amendr

Appendix "E" - Draft Zoning By-law Amendment



Appendix 'E' - Draft
Zoning By-law Amen

E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department Files: D01-2018-004 and D06-2018-013

Geographic Township of Manvers

Hwy #7A

Twigg Road

APPENDIX "A"

to

REPORT

FILE NO.

PAN2018-057
DOI-2018-004
DOI-2018-013

Concession 8

Highway #7A

SUBJECT
LAND

Concession 7

Lot 11

Lot 12

Lot 13

Lot 14

Gray Road

Concession 6

Wild Turkey Rd.

Delivered by Email

May 11, 2018

Mr. Chris Marshall
Director of Development Services
City of Kawartha Lakes
26 Frances Street
Lindsay, ON K9V 5R8

APPENDIX " C "
to
REPORT RAU 2018-057
D01-2018-004
FILE NO. D06-2018-013

**Re: Official Plan Amendment & Zoning bylaw Amendment Applications
Iron Horse Ranch
Your Files D01-2018-004 and D06-2018-013**

Dear Mr. Marshall,

I very much appreciate receiving a copy of the email from Mr. JK Dell dated March 31, 2018 outlining his concerns with the applications as it provides an opportunity to respond to his concerns. Hopefully these explanations will put his mind at ease.

Our submissions point out that over the last few years the applicant has been holding events on the property in an attempt to evaluate potential on-farm diversified uses that might be appropriate for the property and provide the increase revenue needed to sustain the farm property. Those test events have given the owner the confidence that if these applications are approved that the uses proposed will be successful.

The owner has, from time to time offered the principal residence as a short term rental, a use that is available to any and all property owners in the City of Kawartha Lakes with no need for any planning approvals. The submissions also indicate that the dwelling will be used as a B & B, another use that is already available to all dwellings in the City of Kawartha Lakes with no planning approvals being necessary.

Mr. Dell discusses a length the operation at South Pond. The applications and submissions we are dealing with deals solely with the Iron Horse Ranch.

Mr. Dell also indicates that he has heard noise from events in the past that occurred at the Iron Horse Ranch. To ensure such a situation doesn't exist in the future the owner has engaged a noise consultant to recommend measures that could be taken to ensure noise from an event does not flow to

any receptors (houses) beyond Iron Horse. The recommendations of the consultant will be implemented.

Mr. Dell suggests that the property is being used as a contractors yard and a landscaper's yard. The owner is not in either business. There is no physical evidence of a contractor's yard or landscaping yard on the Iron Horse Ranch. Any heavy equipment that might have been seen at Iron Horse was only there as part of an activity at the farm. The owner does have an office within the dwelling unit for the businesses he does operate. These businesses only exist as an office use on the property that is already permitted, like all other properties in the City, as a home occupation. The air photo that forms part of the submission supporting the applications, clearly illustrates that there is no contractors yard on the 100 acre farm property. I am sure Mr. Dell will be comforted to know that none of the uses listed as "not on-farm diversified uses" exist or are proposed at Iron Horse.

The 2014 PPS

The first policy relating to agriculture in the PPS is to protect prime agricultural lands for long term use. These applications do that. The proposed uses do not take any presently cropped lands out of agricultural production. The dwelling will continue to be used as a farm dwelling as well as the additional proposed uses. The barn will continue, as it does now, to provide storage for equipment and crops during the winter months. No new buildings are proposed as part of the applications.

The PPS does not indicate who or how this land should be farmed, just that it should be protected for farming. The owner of Iron Horse is a bone fide farmer. Whether the land is rented to another farmer or farmed by an owner operator is not a consideration. Much of the City's farmland is rented to farm operators who are able to make a living because of the large number of acres they are farming, many of which are rented. The Iron Horse Ranch is both protected and farmed.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture

All of the types of events proposed take advantage of the incredible beauty and agricultural ambiance of the Iron Horse Ranch and surrounding countryside of the City of Kawartha Lakes. Activities both



inside and adjacent to the buildings, as well as in the fields, the pond, the woodlot all contribute to the beauty that will attract people to this property and to the other businesses in the City. Through previous test events the owner has learned that many of our guests seek and take advantage of accommodations elsewhere in the City. Some of the activities that will occur at Iron Horse could be held in other parts of the City but they would not provide the unique environment available at Iron Horse.

The proposed uses are not high water uses nor large effluent generators. Food services that might generate high water usage and effluent are not being requested in the applications. No commercial kitchen is proposed. The food services will be provided by 3rd party contractors and as such only a catering facility will be provided. The owner has been working with City staff to ensure that adequate sanitary services will be provided for the guests that visit the property. The existing wells on the property provide adequate and safe water for guests and once in full operation the wells will be regularly tested as required by the health unit.

The definition for “on farm diversified uses” includes “agri-tourism uses”. The various documents that have been prepared by the Province to both encourage and provide guidance to property owners to introduce these uses do not provide list of the uses that might be considered. Criteria are provided and a limited number of examples are also provided. The Province has wisely avoided providing a list of potential uses. As we all know the potential for new uses is endless and if any new use meets the criteria it will be of benefit to the farm and the agricultural community. The document Guidelines on Permitted Uses Publication 851 Section provides 5 Criteria against which proposals should be evaluated.

- Located on a farm
- Secondary to the principal agricultural use of the property
- Limited in area
- Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value added agricultural products
- Shall be compatible with, and shall not hinder, surrounding agricultural operations.

Each one of these is discussed in the Planning Justification Report submitted with the application. In every case the proposed uses for Iron Horse meet the Criteria.

Mr. Dell is also concerned about use creep. For instance, should at some time in the future the operation wanted to open a restaurant and introduce a commercial kitchen, I would anticipate that a zoning bylaw amendment would be required to be approved by Council.



Please let me know if you need anything further.

Yours truly,

A handwritten signature in black ink that reads 'Stephen Bedford'.

Stephen Bedford MCIP, RPP, PLE

CC: Mr. Shawn Sutcliffe
Sherry Rae, Development Planning Supervisor

to

The Corporation of the City of Kawartha Lakes

REPORT

By-Law 2018-

FILE NO.

A By-Law To Amend The City of Kawartha Lakes Official Plan to Add a
Special Provision to Land within The City Of Kawartha Lakes

[File D06-2018-013, Report PLAN2018-057, respecting Part Lot 13, Concession 7, geographic Township of Manvers, identified as 804 Highway 7A – Sutcliffe]

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan to amend the Prime Agricultural designation to include a Special Provision to permit on-farm diversified uses and agri-tourism uses on the land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 30.

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

Article 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The Property affected by this By-law is identified as Part of Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment No. 30 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

Article 2:00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 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 July, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

**Amendment No. 30 to the Official Plan
for the City of Kawartha Lakes**

Part A - The Preamble

A. Purpose

The purpose of the Official Plan Amendment is to add a Special Provision to the Prime Agricultural designation on Schedule 'A-1' of the City of Kawartha Lakes Official Plan. The land is also subject to an application for Zoning By-law Amendment.

The effect of the change is to permit on-farm diversified uses and agri-tourism uses on the property.

B. Location

The subject site has an area of approximately 39 hectares and is located on the south side of Highway 7A, just west of the Village of Bethany, in the geographic Township of Manvers, now City of Kawartha Lakes. The land is legally described as Part of Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by Stephen Bedford Consulting on behalf of Shawn Sutcliffe to permit on-farm diversified uses on the property. It is intended that a special policy be incorporated into the amendment to permit on-farm diversified uses and agri-tourism uses on the property. The property is developed with a single detached dwelling which includes a bed and breakfast with 34 parking spaces, a barn which includes 90 parking spaces to accommodate activities in the barn and several small unserviced cabins. The balance of land is cropped and forested on the south side of the farm. Farming activities also include an apiary, an apple orchard with meadow and a goat shed. The owner currently operates Iron Horse Ranch which in addition to being an operating farm, includes a bed and breakfast facility and events that occur in the barn on a seasonal basis with the storing of straw, hay and farm implements during the fall, winter and spring seasons.

The land is designated Prime Agricultural and Environmental Protection on Schedule "A-1" of the City of Kawartha Lakes Official Plan. The land is also subject to an application for Zoning By-law Amendment.

The development and amendment to the City of Kawartha Lakes Official Plan are justified and represent good planning for the following reasons:

1. The development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the 2014 Provincial Policy Statement.
2. The development conforms to the goals and objectives of the Prime Agricultural designation as set out in the City of Kawartha Lakes Official Plan.
3. The development maintains the guideline criteria as set out in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2015).
4. The development maintains the Minimum Distance Separations (MDS) from surrounding vacant and occupied barns.

5. The development conforms to the goals and objectives of the Environmental Protection designation as set out in the City of Kawartha Lakes Official Plan.
6. The site concept is compatible and integrates well with the surrounding area.
7. The applicant has submitted the selected background reports as set out in the Official Plan to demonstrate the appropriateness of the development with respect to servicing, traffic, agricultural impact and the environment.
8. The developed area of the property will be subject to Site Plan Control through the implementing Zoning By-law Amendment.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B - The Amendment, consisting of the following Map 'A' and text constitutes Amendment No. 30 to the Official Plan for the City of Kawartha Lakes.

E. Details of the Amendment

1. The Official Plan for the City of Kawartha Lakes is amended to add the following subsection.

15.4.3 On land designated Prime Agricultural and described as Part of Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lake and identified as 804 Highway 7A, on-farm diversified uses and agri-tourism uses are permitted.

Without limiting the uses permitted, they generally include:

social events such as farm based educational programs, workshops on farming operations, gallery space, displays of farm equipment in a museum setting, dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions, and accommodation in a limited number of un-serviced pioneer cabins and a bed and breakfast in the existing dwelling on the property as of the date of adoption of the By-law. All permitted uses are permitted to obtain liquor licenses.

Specific provisions and development standards related to the uses shall be outlined in the implementing Zoning By-law.

2. Schedule 'A-1' of the City of Kawartha Lakes Official Plan is hereby amended by inserting the note that the property is subject to Special Provision 15.4.3 of the Official Plan, as shown on Map 'A' as 'Subject Land'.

F. Implementation and Interpretation

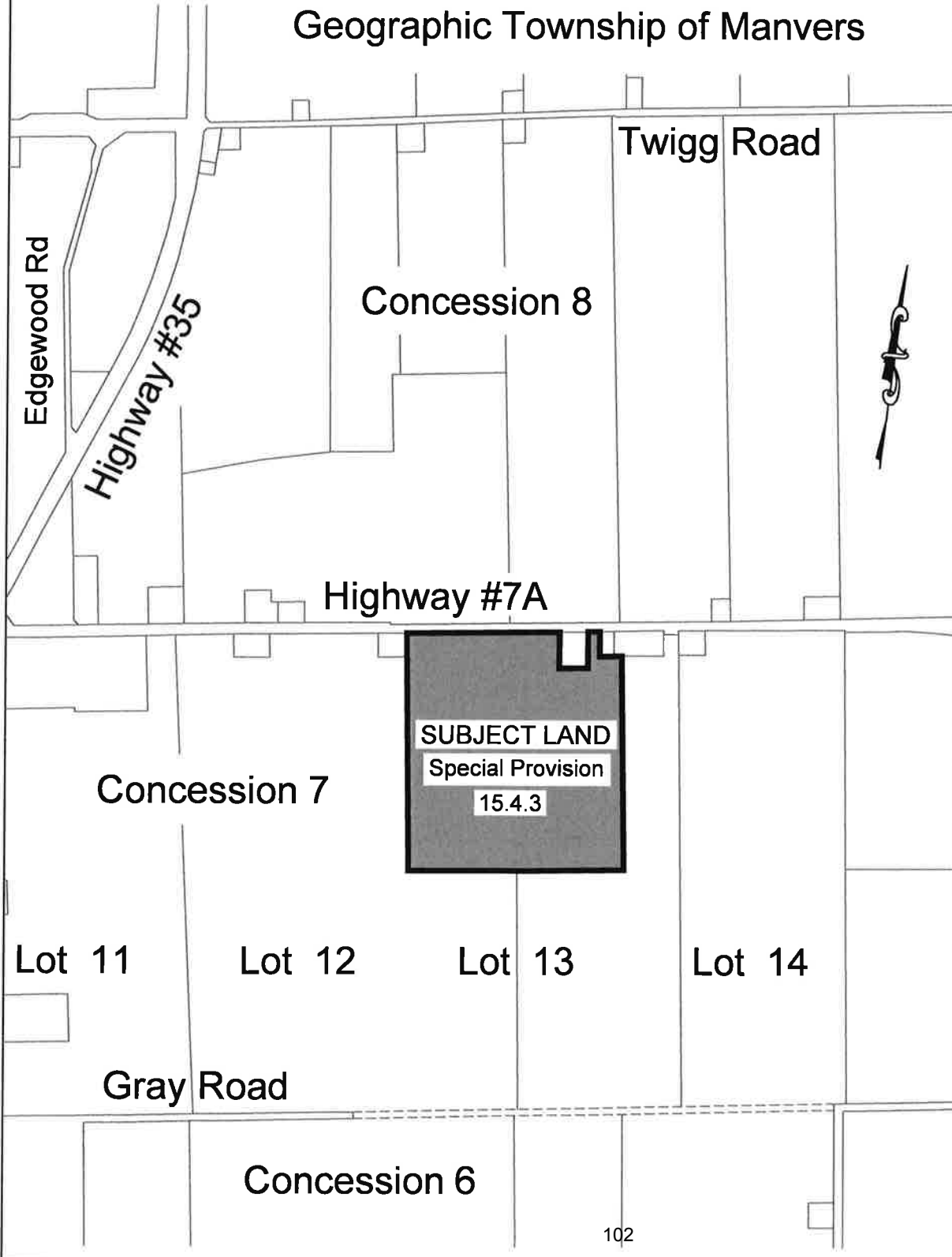
The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. 30
to the City of Kawartha Lakes Official Plan

Geographic Township of Manvers



The Corporation of the City of Kawartha Lakes

By-Law 2018-

A By-Law to Amend the Township of Manvers Zoning By-Law No. 87-06 to Rezone Land Within The City Of Kawartha Lakes

[File D06-2018-013, Reports PLAN2018-036 and PLAN2018-057, respecting Part Lot 13, Concession 7, geographic Township of Manvers, identified as 804 Highway 7A – Sutcliffe]

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 variety of on-farm diversified uses and agri-tourism uses 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 Part Lot 13, Concession 7, geographic Township of Manvers, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 87-06 of the Township of Manvers is further amended to add the following section to Section 10.4:

kk Notwithstanding the permitted uses and zone requirements for the A1 Zone, on land zoned A1-S37(H), the following shall apply:

In addition to the permitted uses in Subsection 10.1 land zoned A1-S37 may also be used for on-farm diversified uses and agri-tourism uses as defined herein:

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value added agricultural products.

Agri-tourism uses: means those farm related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Generally, and without limiting the permitted uses, on land zoned A1-S37, on-farm diversified uses and agri-tourism uses shall include; social events such as farm based educational programs, workshops on farming operations, gallery space, displays of farm equipment in a museum setting, dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions, and accommodation in a limited number of un-serviced pioneer cabins and a bed and breakfast in the existing dwelling on the property as of the date of adoption of the By-law. All permitted uses are permitted to obtain liquor licenses.

For the purposes of on-farm diversified uses and agri-tourism uses, Un-serviced pioneer cabins: means a building for sleeping, containing no

cooking or sanitary facilities and which is an accessory use to an on-farm diversified use or agri-tourism use. Un-serviced pioneer cabins are limited to 10 per property.

Notwithstanding the permitted uses and zone requirements for the A1 Zone, on land zoned A1-S37(H), the following environmental standards shall also apply:

- a) A 120 metre radius of the last known location of the Eastern Meadowlark shall be maintained to represent adjacent lands significant habitat.
- b) A 15 metre natural setback shall be maintained between the unnamed watercourse at the southwest portion of the site and any proposed development.
- c) A 30 metre natural setback shall be maintained from the watercourse where groundwater base flow is prevalent, located about 40 metres downstream of the pond weir.

On land zoned A1-S37(H), the removal of the (H) Holding Symbol shall be in accordance with the following:

- The Owner shall enter into a Site Plan Agreement with the City.
- The Owner shall upgrade the existing entrance to the satisfaction of the Ministry of Transportation.

- 1.03 **Schedule Amendment:** Schedule A to By-law No. 87-06 of the Township of Manvers is further amended to change the zone category from the Rural General (A1) Zone to the Rural General Exception Thirty-Seven Holding (A1-S37)(H) Zone for the land referred to as A1-S37(H), 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