

The Corporation of the City of Kawartha Lakes

Amended Agenda

Planning Advisory Committee Meeting

PC2019-01

Wednesday, January 16, 2019

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Councillor Patrick O'Reilly

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Mike Barkwell

Tammy Smith

Jason Willock

Accessible formats and communication supports are available upon request.

1.	Call to Order and Adoption of Agenda	
1.1	Appointment of the Chair	
1.2	Appointment of the Vice-Chair	
1.3	Adoption of the Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting	
3.1	PLAN2019-001	4 - 18
	David Harding, Planner II An application to amend the Village of Bobcaygeon Zoning By-law 16-78 to rezone the portion of the property to recognize the reduced on-site parking available and prohibit residential use with the balance of the property is to be rezoned to recognize the duplex use within the building on the east side of the property described as Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon, identified as 31 Main Street - Rasmussen	
3.2	PLAN2019-002	19 - 30
	Ian Walker, Planning Officer - Large Developments An application to amend the Township of Bexley Zoning By-law to add a drive-through restaurant and convenience store as permitted uses, and to amend the development standards to allow the redevelopment of the property identified as 2926 CKL Road 48, Bexley - 2489613 Ontario Inc.	
3.3	PLAN2019-004	31 - 40
	Mark LaHay, Planner II An application to amend the Township of Ops Zoning By-law 93-30 to permit an addition to the existing cemetery to be located on the south portion of the subject land and to recognize the existing use associated with the place of worship on the north portion of the subject land at 117 Hillhead Road - Mount Horeb United Church	
4.	Business Arising from Public Meeting	

5. Deputations

5.1 PC2019-01.5.1

Kevin Duguay, Planning Consultant
Relating to Report PLAN2019-003 (Item 7.1 on the Agenda)

6. Correspondence

7. City of Kawartha Lakes Reports

7.1 PLAN2019-003 41 - 52

Mark LaHay, Planner II
An application to amend the Village of Omemee Zoning By-law 1993-15 to change the zone category to permit two (2) existing residential dwelling units in an existing building without a permitted non-residential use on land described as Part Lots 2 & 3, Plan 109, Former Village of Omemee, City of Kawartha Lakes, identified as 5 King Street East - Foley

7.2 PLAN2019-005 53 - 62

Richard Holy, Manager of Planning
2017 Growth Plan for the Greater Horseshoe Resolution

8. Adjournment

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-001

Date: January 16, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 2 - Bobcaygeon

Subject: An application to amend the Village of Bobcaygeon Zoning By-law 16-78 to rezone the portion of the property containing the business known as the Bobcaygeon Inn from Commercial Recreation (C3) Zone to a Commercial Recreation Special Zone to recognize the reduced on-site parking available and prohibit residential use. The balance of the property is to be rezoned from Commercial Recreation (C3) Zone to an Urban Residential Type Two Special Zone to recognize the duplex use within the building on the east side of the property. The property is described as Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon, City of Kawartha Lakes, identified as 31 Main Street (Rasmussen) – Planning File D06-2018-027.

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2019-001, respecting Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon, and identified as 31 Main Street – Planning File D06-2018-027, be received;

That a Zoning By-law Amendment respecting application D06-2018-027, substantially in the form attached as Appendix D to Report PLAN2019-001, 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 February 15, 2018, provisional consent was granted by the Committee of Adjustment for application D03-2018-027 to sever an approximately 297 square metre residential lot containing a duplex and retain approximately 2,311 square metres of commercial land containing the operation currently known as the Bobcaygeon Inn.

As a condition of provisional consent, the lot to be created must be rezoned for residential use, and the commercial lands rezoned to remove the potential to create dwelling units within the commercial buildings. The applicant has also applied to recognize the deficient parking available on-site.

Due to a change to a condition of consent, provisional consent approval shall now lapse December 11, 2019 instead of February 15, 2019.

The applicant has submitted the following report and plan in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Planning Justification Report prepared by Kevin M. Duguay, Community Planning and Consulting Inc., dated September 4, 2018. This document discusses the appropriateness of the application in the context of the Growth Plan (2017), Provincial Policy Statement (2014), applicable Official Plan(s) and Zoning By-law.
2. Draft Reference Plan prepared by Elliott and Parr (Peterborough) Ltd., dated August 24, 2018. This document records the placement of buildings and structures in relation to existing and proposed lot lines.

Owner:	Elizabeth Rasmussen
Applicant:	Kevin Duguay, Kevin M Duguay Community Planning and Consulting Inc.
Legal Description:	Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon
Official Plan:	"Urban" in the County of Victoria Official Plan
Zone:	"Commercial Recreation (C3) Zone", in the Village of Bobcaygeon Zoning By-law 16-78, as amended
Site Size:	Severed – 297 square metres Retained – 2,311 square metres
Site Servicing:	Municipal water and sewer to each lot
Existing Uses:	Residential (Duplex), Commercial (Bobcaygeon Inn)
Adjacent Uses:	North: Residential, Telecom Utility Building East: Big Bob Channel South: Open Space, Marina West: Residential, Commercial

Rationale:

The applicant has submitted an application to amend the Zoning By-law that will, if granted, fulfill condition 2 of provisional consent application D03-17-008.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017 (GP):

Relevant Policies: 2.2.1 Managing Growth

Relevant Sections: 2.2.1.2(d), 2.2.1.4

The Growth Plan (GP) provides that development is to be directed to settlement areas. A mix of housing options are encouraged to support the development of complete communities. The application conforms to the GP in that it is proposing to separate an existing residential building from a commercial use in a settlement area.

Provincial Policy Statement, 2014 (PPS):

Relevant Policies: 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, 1.1.3 Settlement Areas, 2.2.2 Managing Growth, 3.1 Natural Hazards

Relevant Sections: 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.6.6.2, 3.1.2

The subject property is within a settlement area. The PPS directs growth, development, and intensification to settlement areas for the efficient use of land, municipal services and infrastructure and to promote vitality. The duplex building on the eastern portion of the property is existing, and the building has separate water and sanitary services from the Bobcaygeon Inn.

The PPS also encourages a range and mix of residential units, and duplex units to add to the housing stock options within the community.

To address concerns put forward by the Kawartha Region Conservation Authority over the possibility that the property may be within a potential flood risk area, the Committee of Adjustment required the proposed retained lands be rezoned to prohibit the creation of a dwelling unit accessory to the commercial use.

Therefore, this application is consistent with the PPS as the application is recognizing the uses within the existing built form on the property and removing the potential to situate a new residential unit within a potential natural hazard area.

Victoria County Official Plan (VCOP)

Land Use Designation: Urban

As the Bobcaygeon Secondary Plan is under appeal, the County of Victoria Official Plan (VCOP) applies. The property is designated Urban within the VCOP. The designation anticipates a variety of uses to support the diverse needs of a complete community.

The subject property is part of the Bobcaygeon Central Business District, which contains medium density residential uses, institutional, and commercial uses in addition to some low density residential uses.

While the duplex use on the property is classified as a low density residential use, the property is located within an area that has a mix of commercial and residential uses and densities. The proposed residential lot and duplex use is not subject to the density requirement for a low density residential area as the neighbourhood cannot be classified as one.

The application conforms to the applicable policies of the VCOP as it is recognizing the varied uses and density established within the Bobcaygeon Central Business District.

While the Bobcaygeon Secondary Plan (Secondary Plan) is appealed to the Local Planning Appeal Tribunal and is not in effect, conformity with this document will also be reviewed to determine whether the proposal is consistent with Council's direction for the area. Within the Secondary Plan the property is designated Central Business District (CBD). The CBD is identified as a mixed use area where specialized retail commercial, office, and services are located. Improvement and revitalization within the CBD is encouraged by permitting a wide assortment of uses including: commercial, residential, institutional and cultural. The proposal is consistent with the Secondary Plan as it is recognizing the separate and distinct residential and commercial uses currently established on the lot.

Zoning By-law Compliance:

The subject property is zoned "Commercial Recreation (C3) Zone" in the Village of Bobcaygeon Zoning By-law 16-78.

The lot to be severed proposes to continue the duplex use within the residential building, which is currently accessory to the commercial operation, the Bobcaygeon Inn. Portions of the existing residential building partially encroach into the Front Street East municipal road allowance and Big Bob Channel. A condition has been included within the provisional consent approval to address any potential encroachment issues with the Trent Severn Waterway concerning these building/structure overhangs.

The applicant has applied for a site-specific zone category to recognize the residential building as a separate use. As part of the review of the application, the deficient lot area, lot coverage, and setbacks will also be addressed by staff within the draft zoning by-law amendment. The zone category is proposed as an exception to the Urban Residential Two (R2) Zone. The R2 Zone category permits a duplex use, and the proposal would comply with the lot frontage requirement of that zone category. The proposed residential lot complies with the residential parking requirement as four spaces can be provided.

On the portion of the property containing the Inn, the application proposes to remove the potential to establish an accessory residential use and recognize the existing deficient legal non-complying parking in the form of 12 on-site parking spaces. The applicant had applied to allow for 5 additional parking spaces to be permitted on municipal property, providing the Inn with a total of 17 spaces. However, Planning Division staff is of the opinion that if additional dedicated off-site parking spaces are required on municipal property to accommodate additional customer vehicles, this is a matter which should be addressed through Realty Services with possible license agreements rather than by zoning by-law amendment.

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 Local Planning Appeals Tribunal. 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 does not specifically align with any component of the Strategic Plan since the application is dealing with existing uses and buildings.

Servicing Comments:

The property is within the Bobcaygeon municipal service area. The residential building has municipal water and wastewater service connections independent from the commercial operation.

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, Community Services Department and Engineering and Corporate Assets Department raised no concerns as a result of the circulation. Parks Canada - Trent Severn Waterway advises that portions of the residential building appear to overhang the property line into the Big Bob Channel. A license is required for this encroachment. Condition 7 of the provisional consent decision addresses this concern.

No comments were received from the public.

Development Services – Planning Division Comments:

The application is consistent with the Committee of Adjustment's decision. The application is consistent with the PPS, and conforms to the GP and VCOP. The proposed Zoning By-law Amendment contained in Appendix D will ensure no future dwelling units may be constructed on the portion of the property to be retained.

Conclusion:

The application conforms to the GP, is consistent with the PPS with respect to their policies respecting settlement areas. The application also conforms with the Urban designation policies contained within the VCOP. Staff supports the application based on the information contained in this report and the comments received as of January 3, 2019. Staff respectfully recommends that the application be referred to Council for APPROVAL.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2019-001.pdf

Appendix 'B' – Sketches for Consent Application



Appendix B to
PLAN2019-001.pdf

Appendix 'C' – Aerial Photograph



Appendix C to
PLAN2019-001.pdf

Appendix 'D' – Draft Zoning By-law Amendment



Appendix D to
PLAN2019-001.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

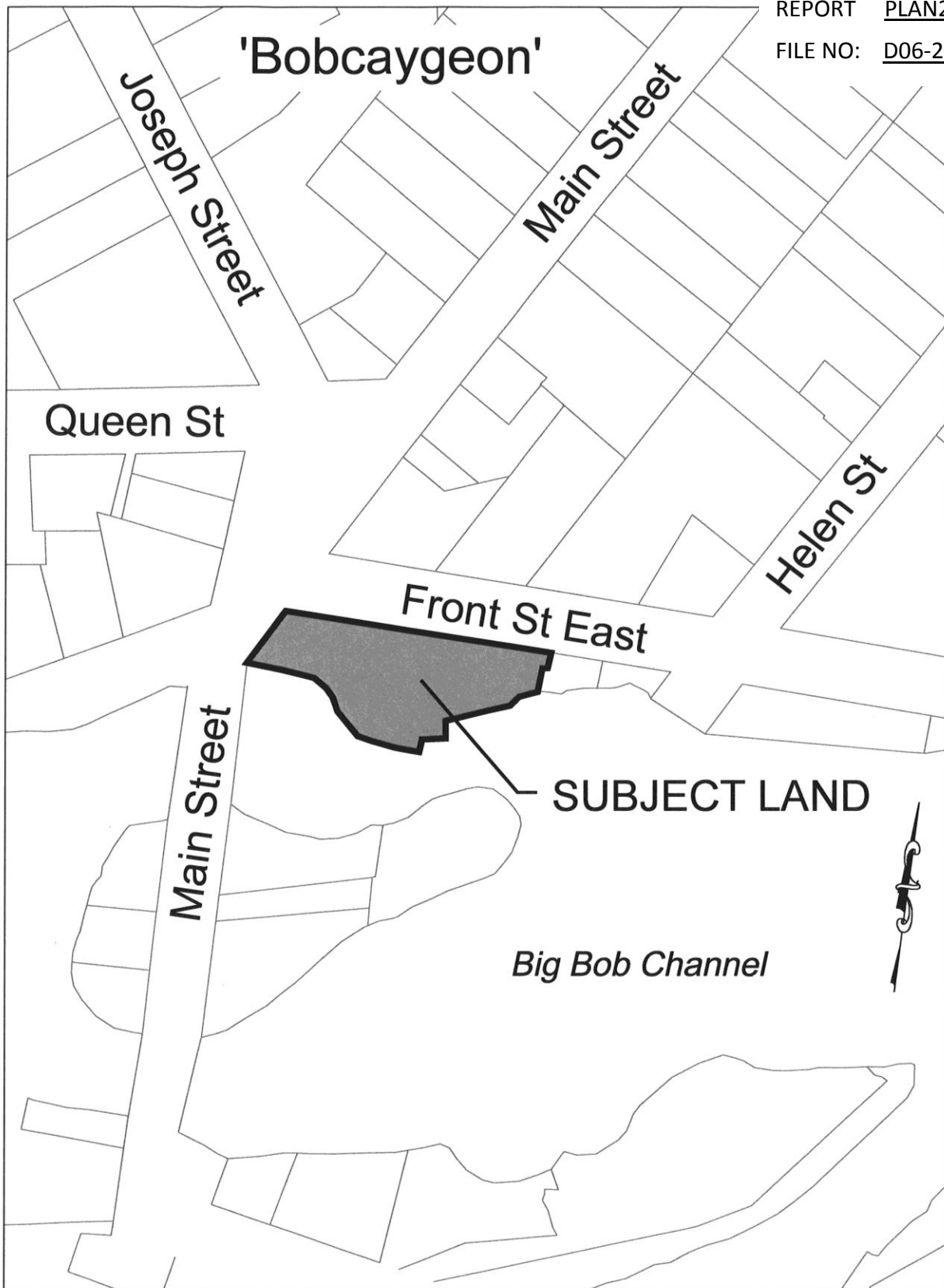
Department Head: Chris Marshall

Department File: D06-2018-027

to

REPORT PLAN2019-001

FILE NO: D06-2018-027



FILE NO: D06-2018-027





to

REPORT PLAN2019-001

FILE NO: D06-2018-027



to
REPORT PLAN2019-001
FILE NO: D06-2018-027

The Corporation of the City of Kawartha Lakes
By-Law 2019 -

A By-Law To Amend The Village of Bobcaygeon Zoning By-Law No. 16-78 To Rezone Land Within The City Of Kawartha Lakes

File D06-2018-027, Report PLAN2019-001, respecting Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon, identified as 31 Main Street.

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) recognize the residential use within the residential building on the land to be severed, and
 - (b) prohibit residential use and address the reduced parking on the balance of the property,
 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 2019-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block A and Part of Block B, S/S Front Street, Plan 70, former Village of Bobcaygeon, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended by adding the following subsection to Section 6.3:
 - “n. Notwithstanding Section 6.1, on land zoned R2-S14 only the following uses are permitted:
 - i. Duplex dwelling
 - ii. All uses permitted in the R1 Zone

Notwithstanding Section 6.2, on land zoned R2-S14 the following Zone provisions apply:

- iii.
 - a. Minimum lot area 322 sq. m.
 - b. Minimum lot frontage 21 m
 - c. Maximum height 11 m
 - d. Minimum floor area per dwelling unit 74 sq. m.
 - e. Maximum lot coverage limited to the building and structures existing on the date of passing of this by-law
 - f. Minimum front, side, and rear yards limited to the building existing on the date of passing of this by-law.
- iv. Modifications to the existing building which change the height and/or footprint and/or floor area are subject to the yard requirements within Section 6.2.
- v. New construction is subject to the yard and coverage requirements specified in Section 6.2”

1.03 **Textual Amendment:** By-law No. 16-78 of the Village of Bobcaygeon is further amended by adding the following subsection to Section 13.3:

- “d. Notwithstanding Section 13.1 and 3.3 (a), on land zoned C3-S4:
- i. a dwelling unit accessory to a use listed in Section 13.1 (a) to (j) is not permitted
 - ii. a minimum of 12 on-site parking spaces are to be provided for the permitted uses in operation on the date of passing of this by-law

All other requirements of the (C3) Zone and the By-law shall apply to land zoned C3-S4.”

1.04 **Schedule Amendment:** Schedule ‘A’ to By-law No. 16-78 of the Village of Bobcaygeon is further amended to change the zone category on a portion of the Property from “Commercial Recreation (C3) Zone” to “Urban Residential Type Two Special Fourteen (R2-S14) Zone” for the land referred to as ‘R2-S14’, as shown on Schedule ‘A’ attached to this By-law, and to change the zone category on the balance of the Property from “Commercial Recreation (C3) Zone” to “Commercial Recreation Special Four (C3-S4) Zone” for the land referred to as ‘C3-S4’, 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 ***, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

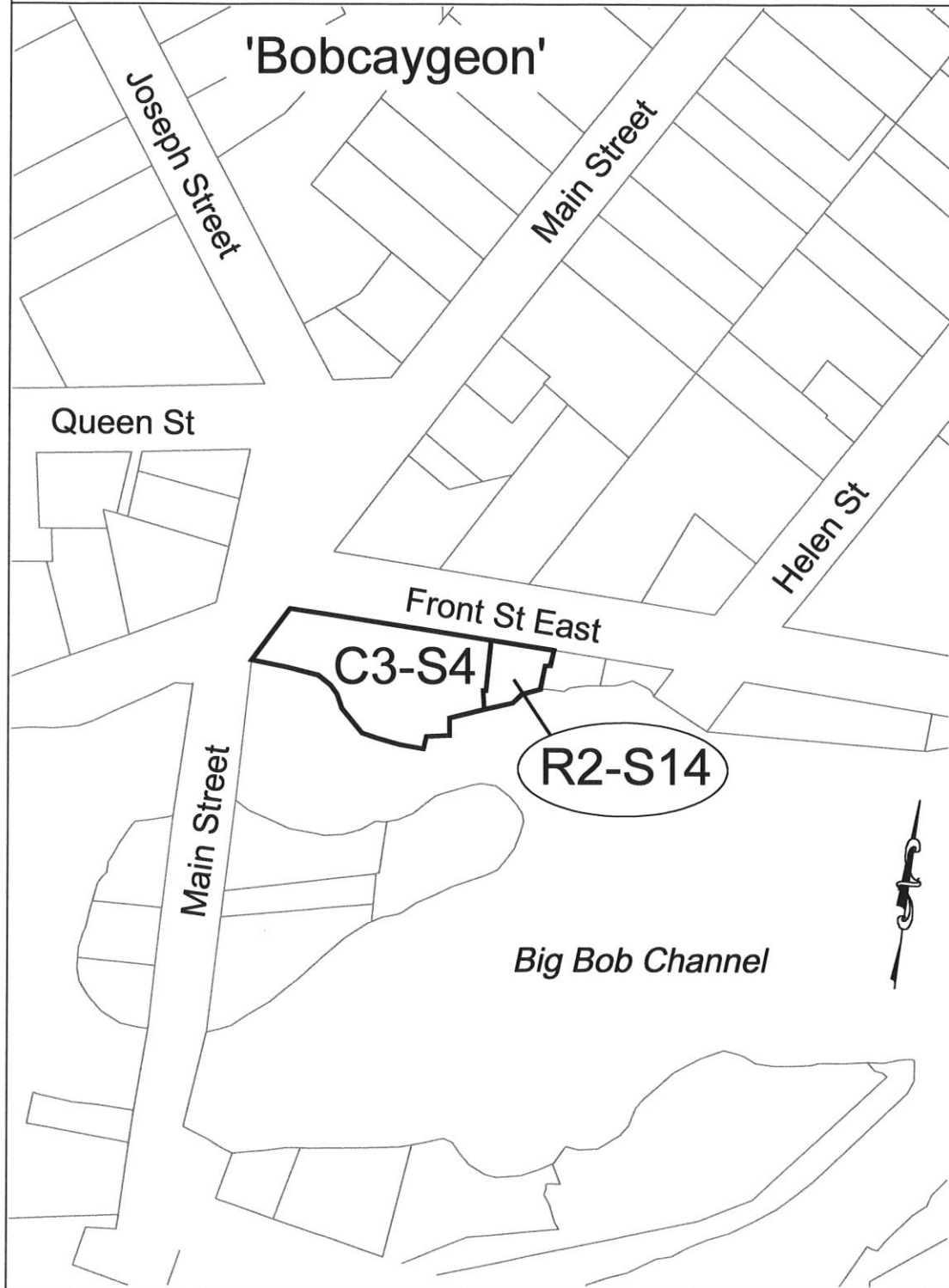
KAWARTHA LAKES

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

THIS _____ DAY OF _____ 2019.

MAYOR _____

CITY CLERK _____



The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-002

Date: January 16, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 1 – Coboconk (Bexley)

Title: Zoning By-law Amendment for Convenience Store

Description: An application to amend the Township of Bexley Zoning By-law to add a drive-through restaurant and convenience store as permitted uses, and to amend the development standards to allow the redevelopment of the property identified as 2926 CKL Road 48, Bexley (2489613 Ontario Inc.)

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

Recommendations:

That Report PLAN2019-002, Part of Lot 18, Gull River Range, Geographic Township of Bexley, 2489613 Ontario Inc. – Application D06-2018-025, be received; and

That Report PLAN2019-002 respecting Application D06-2018-025 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The applicant has submitted a Zoning By-law Amendment application on behalf of the owner, to amend the Highway Commercial (C2) Zone to include an exception zone. The intent of the exception zone is to add a drive-through restaurant and convenience store as additional permitted uses, and to amend certain development standards such as allowance of a loading space in a yard fronting a street, and reductions of the required parking, interior side yard setback, aisle width, and aisle width for the drive-through. The proposed rezoning will facilitate the redevelopment of the lot.

Owner:	2489613 Ontario Inc. c/o Jenny Wu
Applicant:	EcoVue Consulting Services Inc. c/o Nolan Drumm
Legal Description:	Part of Lot 18, Gull River Range, Geographic Township of Bexley
Designation:	Hamlet Settlement Area and Environmental Protection on Schedule A-7 of the City of Kawartha Lakes Official Plan
Zone:	Highway Commercial (C2) Zone on Schedule B of the Township of Bexley Zoning By-law Number 93-09
Lot Area:	6,837 square metres [1.74 acres – MPAC]
Site Servicing:	Municipal sanitary sewer, private individual well and ditches
Existing Uses:	Vacant Commercial Motor Vehicle Fuel Bar
Adjacent Uses:	North: CKL Road 48; Antiques Store East: Hwy 35; Motor Vehicle Fuel Bar with Convenience Store and Drive-through Restaurant; Beer Store South: Municipal Parkland West: Royal Canadian Legion Branch 519

Rationale:

The property is located at the southwest intersection of CKL Road 48 and Highway 35. See Appendix A. The property contains a two-storey vacant commercial building and gas pumps. The proposed redevelopment is to remove the existing structures and gas pumps, and construct a new two-storey motor vehicle fuel bar with associated convenience store, a restaurant, a drive-through restaurant, and an accessory dwelling unit on the second storey. See Appendix B. The lot is located within the Coboconk Hamlet Settlement Area designation of the City's Official Plan. The drive-through restaurant and convenience store are not permitted uses in the Highway Commercial (C2) Zone. As such, a rezoning is required.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to the various City departments and commenting agencies for review:

1. Planning Justification Report prepared by EcoVue Consulting Services Inc., dated June 8, 2018. The report discusses and assesses the proposal in context of the 2014 Provincial Policy Statement, 2017 Growth Plan, the City of Kawartha Lakes Official Plan, and the Township of Bexley Zoning By-law 93-09.
2. Traffic Impact Study prepared by Tranplan Associates Inc., dated May 24, 2018. The report discusses and assesses the proposal in context of any improvements required to the entrances and the intersection for this proposal.
3. Geotechnical Investigation Report prepared by Cambium Inc., dated August 30, 2017. The report examines the existing soil and subsurface conditions of the site.
4. Stormwater Management Design Brief prepared by C.C. Tatham & Associates Ltd., dated March 6, 2018. The report examines the stormwater management impacts.
5. Phase I and II Environmental Site Assessment Report prepared by Geo-Logic Inc., dated March 9, 2016. The report examines the potential for soil contamination from the previous uses.
6. Update to Phase One and Two ESA prepared by GHD, dated January 18, 2018. The report examines additional soil condition samples.
7. Plan Showing Topography prepared by EcoVue Consulting Services Inc., dated July 6, 2017.
8. Plan of Survey prepared by IBW Surveyors, dated October 13, 2017.
9. Elevations prepared by EcoVue Consulting Services Inc., dated August 2, 2018.

Staff recommends that the application be referred back to staff until such time as commenting agencies and/or City departments have submitted comments, and any concerns have been addressed, and to permit discussions with the applicant respecting conformity to applicable policies, if required.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan):

The Growth Plan provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development is located within the Hamlet Settlement boundary of Coboconk. The Growth Plan directs development to settlement areas, with limited growth in areas that are not serviced by existing or planned municipal water and wastewater systems. The lot is serviced by the existing municipal road and sanitary sewer, and private on-site water service. The redevelopment does not require a municipal water service.

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

Provincial Policy Statement, 2014 (PPS):

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

Redevelopment and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed development is not within or adjacent to any natural heritage features or species at risk (SAR) as identified in Section 2 of the PPS. A geotechnical investigation report has been submitted and reviewed by Kawartha Conservation (KRCA), to ensure there are no karstic or unstable soil conditions at the site. KRCA has confirmed the property is not located within any natural hazards, as identified in Section 3 of the PPS.

Planning for sewage, water, and stormwater shall be in accordance with Section 1.6.6 of the PPS. This includes the efficient use and optimization of existing municipal sewage and water services in a sustainable manner, and the use of low impact development techniques for stormwater management.

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

The lot is designated Hamlet Settlement Area and Environmental Protection on Schedule A-7 of the City's Official Plan (OP). The Environmental Protection designation applies to a watercourse which traverses the north and east lot lines. Permitted uses in the Hamlet Settlement Area designation include commercial, personal service uses that serve the hamlet, surrounding rural areas and tourism in the area. Development on individual services requires a hydrogeological study, to confirm there is an adequate supply of water. Commercial uses are planned as infilling in the existing commercial areas, to prevent infiltration into residential areas. A hydrogeological study was submitted, and the development is proposed in an existing commercial area.

On this basis, the application conforms to the OP.

Zoning By-Law Compliance:

The lot is zoned Highway Commercial (C2) Zone in the Township of Bexley Zoning By-law. The C2 zone permits a motor vehicle fuel bar, a restaurant, and one dwelling unit as part of a building containing another permitted use. A convenience store use and a drive-through restaurant are not permitted uses in the C2 zone. The application, as proposed, would implement a site-specific C2 exception zone which permits the drive-through restaurant and convenience store uses on the property, in addition to recognizing site-specific development standards for the property, as follows:

Development Standard	Requirements: “C2” zone	Requested: “C2-***” zone
Minimum interior side yard setback	12.0 metres	9.75 metres
Minimum aisle width	7.0 metres	5.4 metres
Minimum aisle width for drive-through	Not defined	3.0 metres
Minimum Parking Spaces For All Uses	A total of 74 spaces are required for all permitted uses, based on the Planning analysis	Minimum of 39 parking spaces for all uses
Density/Maximum Uses Per Lot	1.0 Floor Area Ratio (F.A.R.)	4
Loading Space Location	Not in any yard which adjoins or faces a street	In a yard which faces a street

It should be noted that the Planning Justification Report identifies that a total of 73 vehicles can be accommodated on the site: 39 parking spaces, 8 spaces at the fuel pumps, and 26 spaces in the drive-through queue. The property fronts on to a Provincial Highway, and as such, a 14 metre setback is required by the Ministry of Transportation Ontario (MTO).

Zoning By-law compliance will be established through a full review of this application.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

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

Relationship of Recommendations to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

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

This application aligns with the Vibrant and Growing Economy and Healthy Environment strategic goals as it provides for a stronger more diversified

economy, enhances tourism, and can utilize low impact development to retrofit the site.

Review of Accessibility Implications of Any Development or Policy:

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

Servicing Comments:

The existing dwelling is serviced by an on-site private sanitary sewage disposal system and individual well. No services are proposed for the observation tower structure.

Consultations:

Notice of this application was circulated to persons within a 500 metre radius of the property, agencies, and City Departments which may have an interest in the application. As of January 7, 2019, we have received the following comments:

Public Comments:

No comments received to date.

Agency Review Comments:

- | | |
|-------------------|---|
| December 3, 2018 | The Building Division has no concerns with the rezoning application. There will be issues to resolve at site plan circulation with respect to fire routes and on site water for firefighting. |
| December 13, 2018 | The Kawartha Region Conservation Authority (KRCA) advised that the property is outside of their defined watershed boundary, and therefore not regulated under Ontario Regulation 182/06. The geotechnical investigation report was reviewed and KRCA staff advised they have no issue with the approval of the rezoning. They request to be circulated on the subsequent site plan application to ensure any potential for unacceptable risk to public health or safety is addressed, due to the possibility of groundwater movement through the karst formation, as it may become a pathway for contamination. |
| December 21, 2018 | The Ministry of Transportation Ontario advised that they require an update to the Traffic Impact Study (TIS) in regards to the North Bound Left Turn (on Highway 35) and West Bound Left Turn (on CKL Road 48) lanes, which are |

December 21, 2018 required for a Tim Horton's, but not proposed for this development, to confirm if they are or are not required. The Technical Standards and Safety Authority advised they will not review and respond to the correspondences with respect to planning issues.

January 4, 2019 The Engineering and Corporate Assets Department has no objection to the rezoning from an engineering review perspective. All detailed engineering review comments will be provided at the time of site plan approval.

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. At this time, there are outstanding comments to be addressed by the applicant to address agency comments. Staff recommends that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Attachments:

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

Appendix 'A' – Location Map



PLAN2019-002
Appendix A.pdf

Appendix 'B' – Site Plan, dated June



PLAN2019-002
Appendix B.pdf

Appendix 'C' – North and South Elevations



PLAN2019-002
Appendix C.pdf

Appendix 'D' – East and West Elevations



PLAN2019-002
Appendix D.pdf

Department Head E-Mail:	cmarshall@kawarthalakes.ca
Department Head:	Chris Marshall, Director, Development Services
Department File:	D06-2018-025

Geographic Township of Bexley



Lot 20

Highway 35

APPENDIX " A "
to
REPORT PLAN 2019-002
FILE NO. DOG-2018-025

Lot 19

Gull River Range

Shadow Lake Rd #57

County Road #48

Pine Pt Cottage Rd

Lot 18

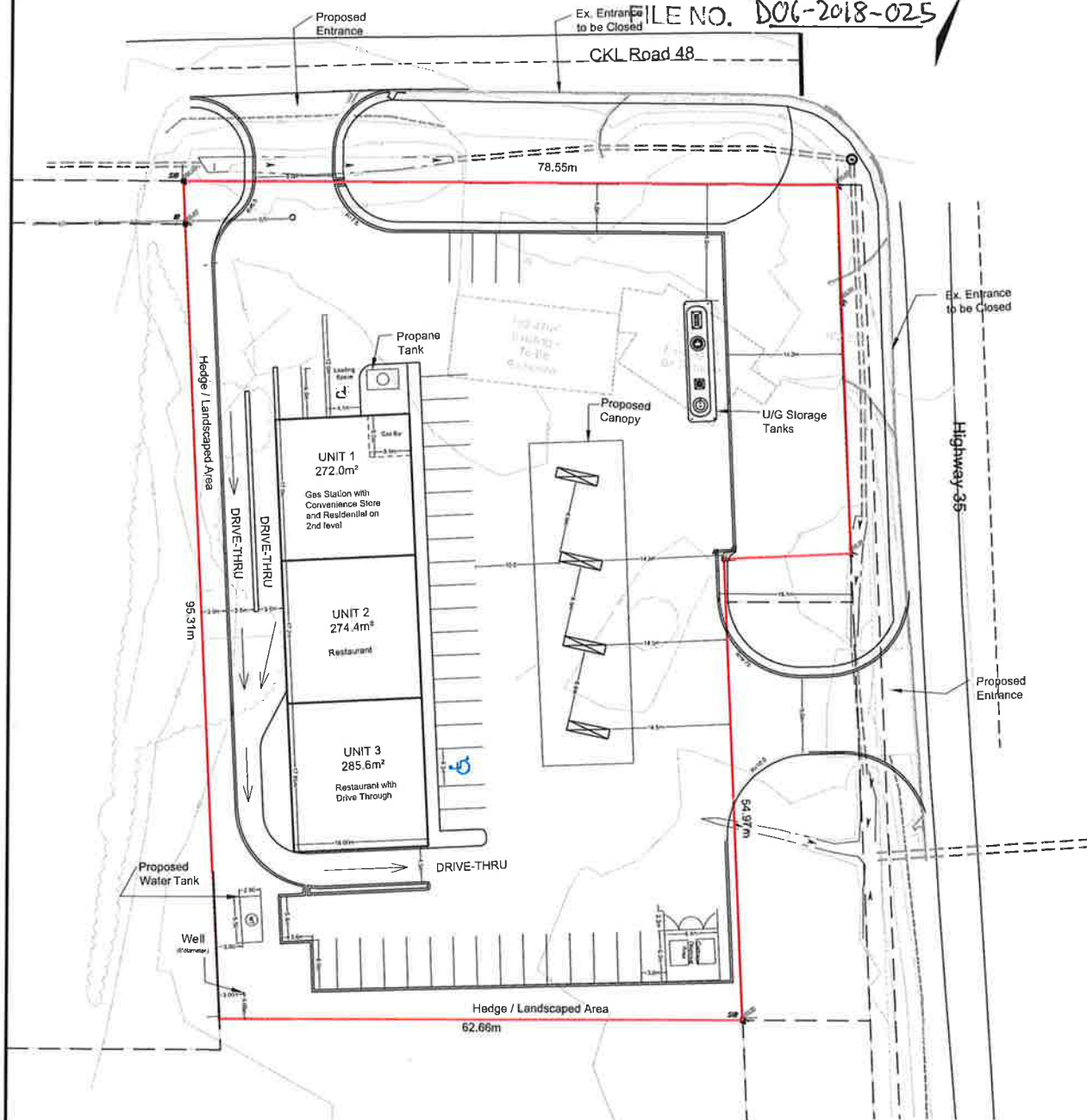
**SUBJECT
LAND**

Lot 17

'Coboconk'

Gull River

to



RECEIVED

JUN 22 2018

City of Kawartha Lakes
Development Services
Planning Division

LEGEND

- Subject Property
- Proposed Building Footprint
- Proposed Parking 2.8x6m (39)
- *Accessible Parking 3.5x6m (1)
- Gas Pump Island (4)
- Ex. Watercourse
- Ex. Wooded Area
- Loading Space 12x4.1m (1)



PROJECT NO: 17-1689

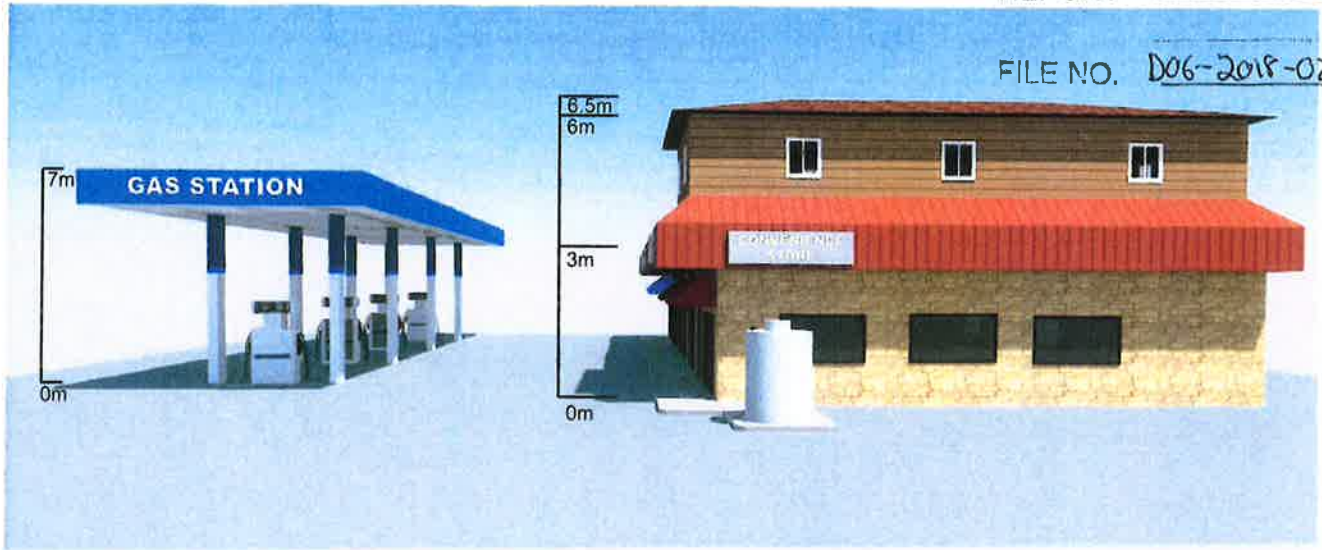
DATE: June 5 2018

HORIZ. SCALE: 1:500

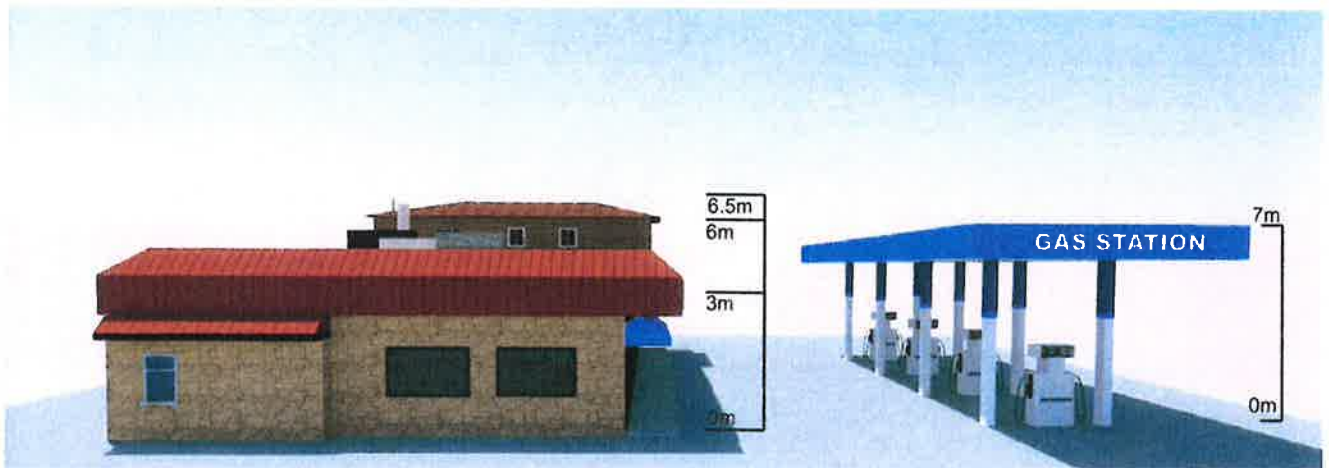
Concept Plan

Gas Station

Part of Lot 18, Gull River Range (Bexley)
City of Kawartha Lakes - 2926 County Road 48



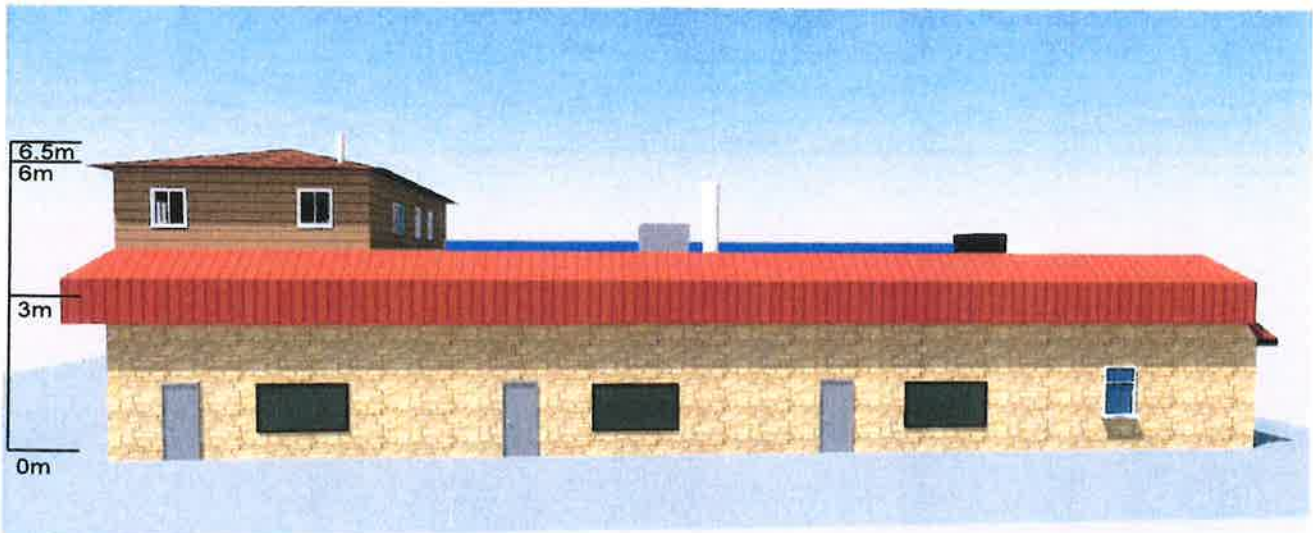
NORTH



SOUTH



EAST



WEST

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-004

Date: January 16, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 7 - Ops

Subject: An application to amend the Township of Ops Zoning By-law 93-30 to permit an addition to the existing cemetery to be located on the south portion of the subject land and to recognize the existing use associated with the place of worship on the north portion of the subject land at 117 Hillhead Road (Mount Horeb United Church)

Author and Title: Mark LaHay, Planner II

Recommendations:

That Report PLAN2019-004, respecting Part East Half of Lot 2, Concession 7, being Parts 1 to 3, Plan 57R-5147, geographic Township of Ops, and identified as 117 Hillhead Road – Application D06-2018-029, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2018-029, be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City Departments and that any comments and concerns have been addressed.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner:	Trustees of Mount Horeb United Church
Applicant:	Gerald Hickson of the Mount Horeb United Church Cemetery Board
Legal Description:	Part East Half of Lot 2, Concession 7, being Parts 1 to 3, Plan 57R-5147, geographic Township of Ops
Official Plan:	"Rural" in the City of Kawartha Lakes Official Plan
Zone:	"Agricultural (A) Zone" and "Open Space Two Exception (OS-2) Zone" in the Township of Ops Zoning By-law 93-30, as amended
Site Size:	0.429 hectares (1.060 acres - MPAC)
Site Servicing:	Privy
Existing Uses:	Place of Worship, accessory portable building and storage building, cemetery
Adjacent Uses:	North: Agricultural South: Agricultural East: Hillhead Road, Agricultural West: Agricultural

Rationale:

The subject property is located within a predominately agricultural area, and contains a church, related accessory buildings and a cemetery. A portable accessory building used for meetings is located close to Hillhead Road and an accessory storage building is located behind.

The only permitted uses on the middle part of the property are for a place of worship and cemetery. Notwithstanding the permitted uses, the owner wishes to have the accessory place of worship buildings used for meetings and storage recognized as a permitted use and also permit the south approximately 0.2 ha (0.5 ac.) part of the property to be used to accommodate the proposed expansion of the cemetery.

The applicant has submitted the following documents and plans in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Zoning By-law Amendment Application received August 31, 2018.
2. Sketch Plan for Zoning By-law Amendment prepared by Coe Fisher Cameron, Ontario Land Surveyors, dated August 15, 2018.
3. Minimum Distance Separation (MDS) Report prepared by Clark Consulting Services, dated August 21, 2018.

In addition, the following documents and plans were submitted with the application:

4. Letter from Gerald Hickson, Vice-President of the Mount Horeb Cemetery Board dated April 2, 2018 requesting to waive preconsultation. The request was granted by the Director of Development Services on November 15, 2018.
5. Letter from Gerald Hickson to Council dated December 29, 2017 requesting Council's approval for a cemetery addition along the south side of the existing Mount Horeb Cemetery. The letter request was accompanied by a copy of the existing Cemetery Plan, updated on September 9, 2005 by Coe Fisher Cameron, Ontario Land Surveyors, a copy of the proposed Cemetery Plan dated April 21, 1992, a copy of Reference Plan 57R-5147 deposited in 1988 and a copy of Instrument Number R257855 relating to the acquisition of the southerly Part 1 lands through Consent application (File B-232/87), which was perfected on October 18, 1988 for a lot addition to merge with the balance of the subject lands and a copy of Instrument Number R257856 relating to declaration of possession (quit claim) of the northerly Part 3 lands on Plan 57R-5147.

In order to fully evaluate this application, Staff is further reviewing the applicable City and Provincial policy objectives that are relevant to this application. At this time, staff cannot fully determine the appropriateness of the proposal as responses from all City Departments and commenting agencies have not been received.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017:

The Growth Plan directs development to settlement areas except where the policies of the Plan permit otherwise.

Prior to the updates to Provincial mapping to the Agricultural System noted below, under the Rural designation under the City of Kawartha Lakes Official Plan (CKLOP), the subject property would have been considered to be on Rural lands in a Rural Area within the Growth Plan. In this instance, Policy 2.2.9.3 provides for development outside of settlement areas provided the uses are compatible with the rural landscape, can be sustained by rural service levels, and will not adversely affect the protection of agricultural uses.

More recently, the subject land has been identified as a Prime Agricultural Area under Provincial mapping related to the Agricultural System for the Greater Golden Horseshoe (GGH). In order to have regard for the broader policies of this Provincial Plan, Section 4.2.6.3 provides direction to achieve long term compatibility relating to the interface of agricultural uses and non-agricultural users to minimize and mitigate adverse impacts. Section 4.2.6 encourages the

retention of existing lots of record for agricultural uses. No change is being made to acquire additional agricultural land in this regard, as the northern and southern portions have been part of the subject property under the church ownership having been registered in the Land Registry Office in 1989.

Provided the impacts between agricultural and non-agricultural uses can be minimized to protect agricultural lands for long term use, the application would conform to the Growth Plan.

Provincial Policy Statement, 2014 (PPS):

The 2014 Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns.

Under the existing Rural designation, Rural Lands policies 1.1.5.4 and 1.1.5.7 state that where non-agricultural and non-resource-related uses are contemplated, said uses are to be compatible with the rural landscape and are to be directed to areas that will minimize constraints on agricultural and resource uses. The subject property, zoned for institutional purposes, is not used for agriculture, and the additional uses are not anticipated to impact the adjacent agricultural uses.

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

As an identified Prime Agricultural Area under new Provincial mapping related to the Agricultural System for the GGH, in order to have regard for the broader policies of this Provincial Plan, Section 2.3.6 applies for non-agricultural uses in prime agricultural areas. Policy 2.3.6.1 b) only permits limited non-residential uses, provided all of the following are demonstrated:

1. The land does not comprise a specialty crop area;
2. The proposed use complies with the minimum distance separation formulae;
3. There is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be re-designated to accommodate the proposed use; and
4. Alternative locations have been evaluated, and
 - i. There are no reasonable alternative locations which avoid prime agricultural areas; and
 - ii. There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

In addition, under Policy 2.3.6.2, impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

The applicant has submitted a MDS report, which concludes it is appropriate to reduce the MDS setback requirement through the proposed zoning by-law amendment to accommodate the proposed expansion to the cemetery without creating any additional impact or creating any additional restriction on the current agricultural practices at the adjacent barn. Staff are reviewing the MDS report and applicable criteria for considering reductions in MDS setback requirements.

Provided it can be demonstrated that the above policies related to non-agricultural uses in prime agricultural areas, the application would be consistent with the PPS.

Official Plan Conformity:

Within the City of Kawartha Lakes Official Plan, the subject property is designated Rural.

The Rural designation encourages the development of uses that do not conflict with the agricultural community.

Although the place of worship and cemetery use is not specifically permitted within this designation, as the existing use predates the current Official Plan, Section 34.1 provides policies regarding existing uses, buildings or structures that were lawfully used on the date the Plan was adopted. In this regard, Council may decide that it is appropriate to recognize non-conforming uses and to permit the extension or enlargement to avoid unnecessary hardship. These uses can be recognized in an implementing by-law.

In this regard, the application could conform to the Official Plan provided matters such as possible relocation and improvements to make the use more compatible with surrounding uses are evaluated.

Zoning By-law Compliance:

The property is zoned "Agricultural (A) Zone" and "Open Space Two Exception (OS-2) Zone" in the Township of Ops Zoning By-law 93-30, as amended. The OS-2 Zone permits the place of worship and cemetery on the middle portion of the property. The application seeks to recognize existing accessory buildings related to the place of worship on the north portion of the subject land with an Open Space Exception (OS-**) Zone and also permit the south portion of the subject lands to be used for the proposed cemetery expansion. Staff are evaluating if a separate Open Space Exception Zone should be applied to the south portion limiting it to only cemetery use to further mitigate any potential adverse impacts on adjacent agricultural lands, which would be assist with conformity with the Growth Plan and Official Plan and consistency with the PPS.

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 Local Planning Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This section is completed outlining how the initiative, recommendation(s), and/or action within the Report contribute to the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

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

The proposal aligns with Goal 2 as it would provide the local congregation and their families with more opportunities for the longer term use of the property.

Servicing Comments:

There are no servicing implications.

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. As of January 4, 2019, we have received the following comments:

Public Comments:

No comments were received.

Agency Comments:

On December 18, 2018, the Building Division and the Arts, Culture and Heritage Economic Development Officer advised that they have no concerns with the application.

On January 4, 2019, the Engineering and Corporate Assets Department advised that they have no objection to the proposed application.

Development Services – Planning Division Comments:

At this time, comments have not been received from all circulated agencies and City Departments. Staff recommends that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Conclusion:

In consideration of the comments and analysis contained in this report, staff respectfully recommend that the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II, (705) 324-9411 ext. 1324.



Appendix 'A'
PLAN2019-004.pdf



Appendix 'B'
PLAN2019-004.pdf



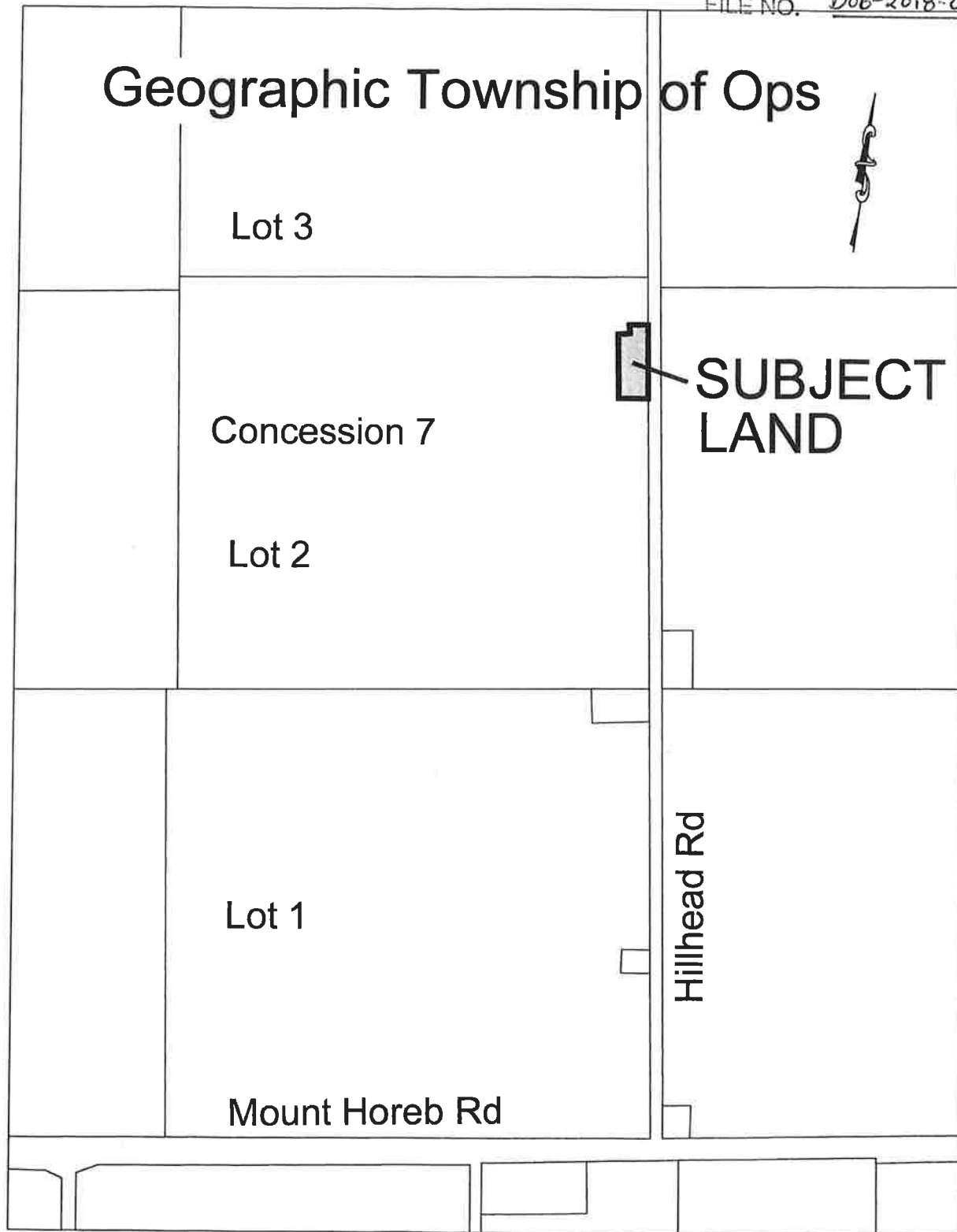
Appendix 'C'
PLAN2019-004.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photograph
Appendix 'C' – Zoning By-law Amendment Sketch

Department Head E-Mail: cmarshall@kawarthlakes.ca

Department Head: Chris Marshall

Department File: D06-2018-029



CON 7
LOT 3
161

632420117

CON 8
LOT 3
632430084

CON 8
LOT 2
97

632430121

632430085

Hillhead Rd.

632420128

CON 7
LOT 2
94

Legend

- ☐ Property ROLL#
- ☐ Property PIN#
- ☐ Lots and Concessions
- ☐ Road Centreline
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities
- ☐ KRCA Regulated Areas

APPENDIX " B "

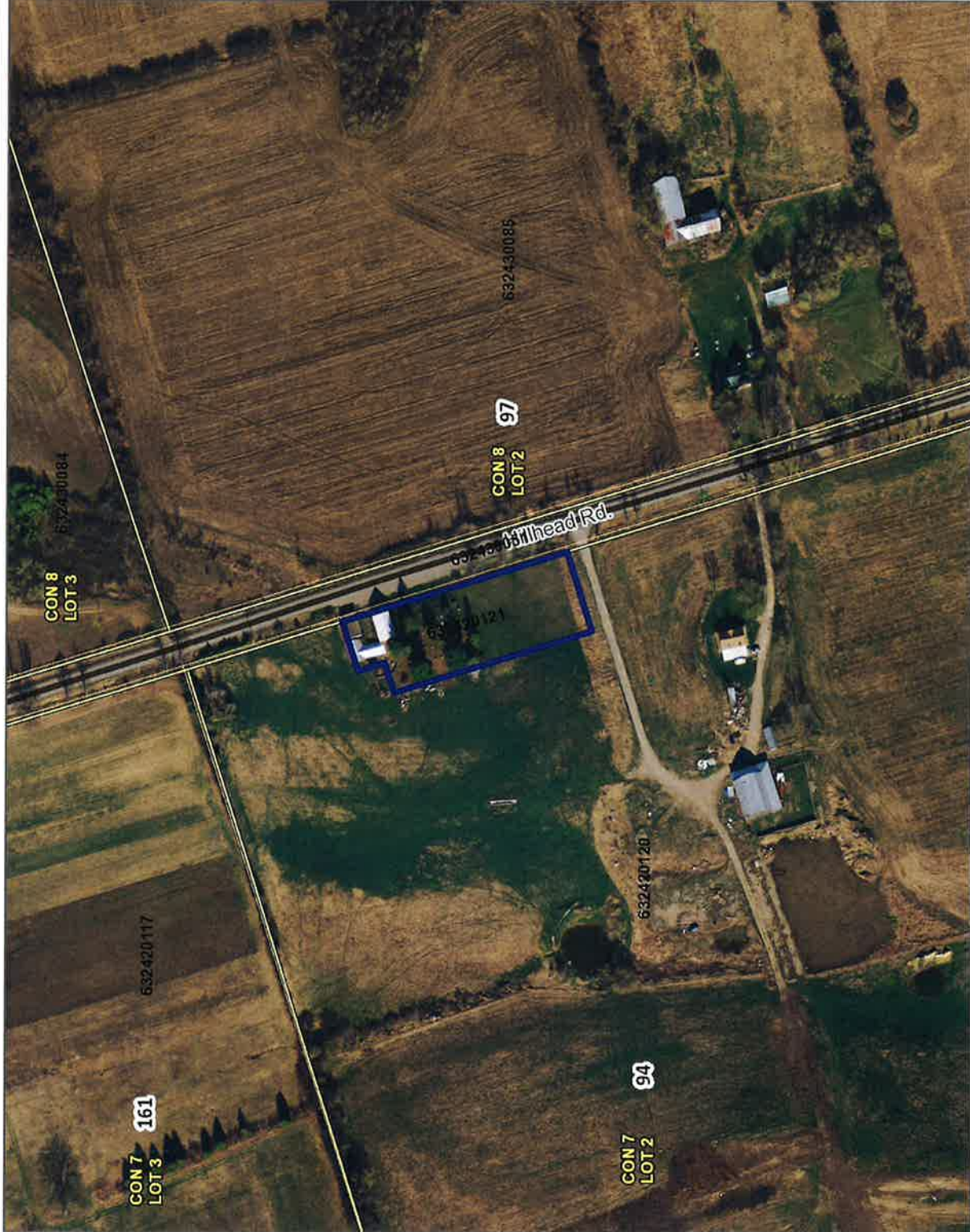
to

REPORT PLAN 2019-004

FILE NO. 006-2018-029

Notes

Notes



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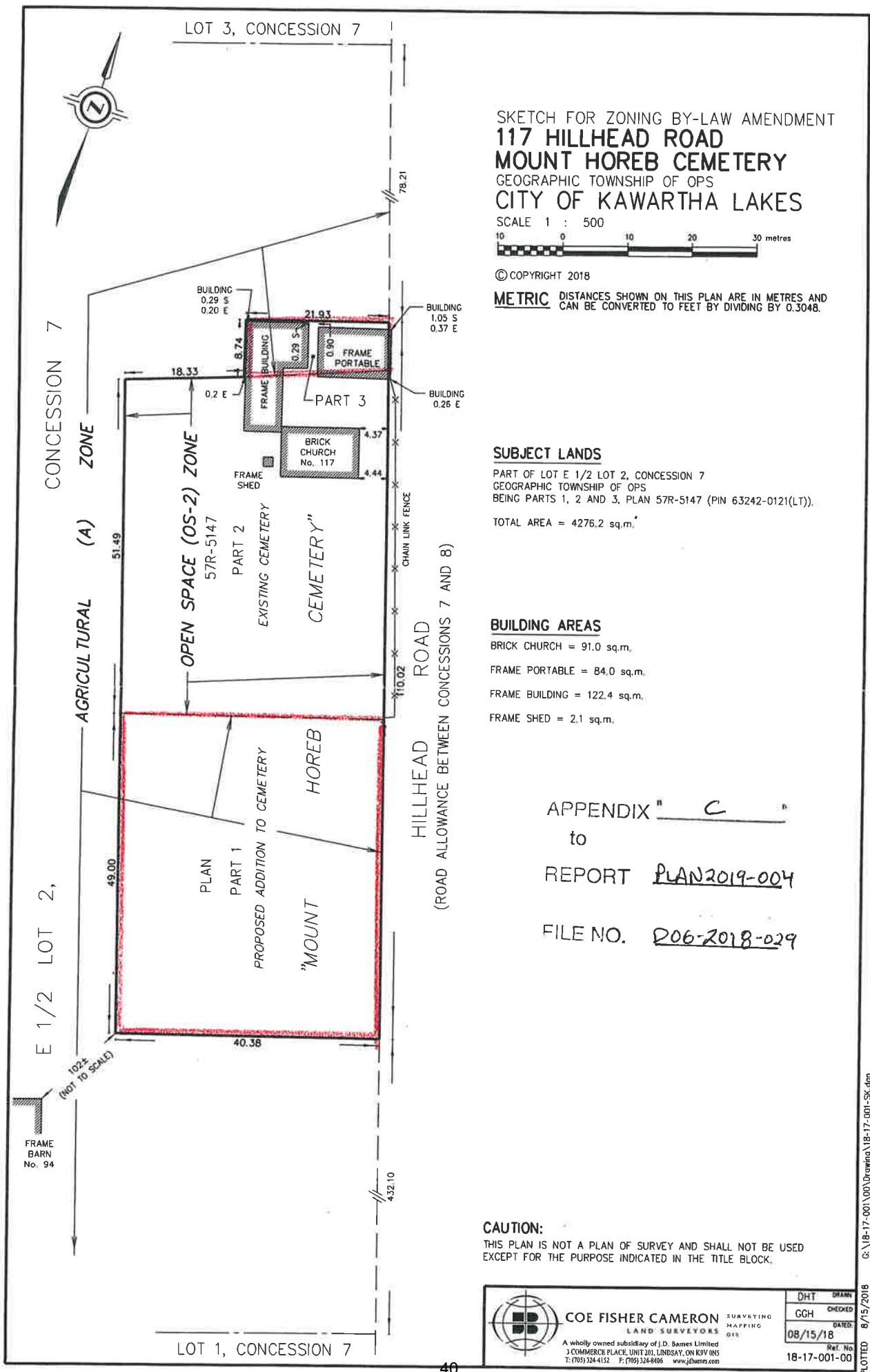
Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



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



SKETCH FOR ZONING BY-LAW AMENDMENT
117 HILLHEAD ROAD
MOUNT HOREB CEMETERY
 GEOGRAPHIC TOWNSHIP OF OPS
 CITY OF KAWARTHA LAKES

SCALE 1 : 500



© COPYRIGHT 2018

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SUBJECT LANDS

PART OF LOT E 1/2 LOT 2, CONCESSION 7
 GEOGRAPHIC TOWNSHIP OF OPS
 BEING PARTS 1, 2 AND 3, PLAN 57R-5147 (PIN 63242-0121(LT)).

TOTAL AREA = 4276.2 sq.m.

BUILDING AREAS

BRICK CHURCH = 91.0 sq.m.

FRAME PORTABLE = 84.0 sq.m.

FRAME BUILDING = 122.4 sq.m.

FRAME SHED = 2.1 sq.m.

APPENDIX C
 to
 REPORT PLAN2019-004
 FILE NO. D06-2018-029

CAUTION:

THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

	COE FISHER CAMERON LAND SURVEYORS <small>A wholly owned subsidiary of J.D. Barnes Limited 3 COMMERCE PLACE, UNIT 201, LINDSAY, ON K9V 0N5 T: (705) 324-4152 F: (705) 324-8486 www.jdbarnes.com</small>		SURVEYING MAPPING GIS	DHT GGH 08/15/18 Ref. No. 18-17-001-00
			CHECKED DATED:	
			08/15/18	
			PLOTTED 8/15/2018	

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-003

Date: January 16, 2019
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: 6

Title: An application to amend the Village of Omemee Zoning By-law 1993-15

Description: To change the zone category from General Commercial (C1) Zone to a General Commercial Exception (C1-*) Zone to also permit two (2) existing residential dwelling units in an existing building without a permitted non-residential use on land described as Part Lots 2 & 3, Plan 109, Former Village of Omemee, City of Kawartha Lakes, identified as 5 King Street East (Foley)

Author and Title: Mark LaHay, Planner II

Recommendation(s):

That Report PLAN2019-003, respecting Part Lots 2 & 3, Plan 109, Former Village of Omemee, and identified as 5 King Street East, Foley – Application D06-2018-012, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2018-012, be denied.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The statutory public meeting was held by the Planning Advisory Committee on May 9, 2018, which adopted the following recommendation:

PAC2018-024

Moved By Mayor Letham

Seconded By Councillor Veale

Recommend that Report PLAN2018-041, respecting Part Lots 2 & 3, Plan 109, Former Village of Omemee, and identified as 5 King Street East, Foley – Application D06-2018-012, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2018-012, be referred back to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed.

Carried

At the Council Meeting of May 22, 2018, Council adopted the following resolution:

CR2018-343

Moved By Councillor O'Reilly

Seconded By Councillor Veale

That the Minutes of the May 9, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted, save and except PAC2018-026.

Carried

This report addresses that direction.

The applicant has submitted a rezoning application to also permit two (2) residential dwelling units in an existing building that does not presently contain another permitted General Commercial (C1) Zone use.

Owner:	Shannon Foley
Applicant:	Kevin Duguay, KMD Community Planning & Consulting Inc.
Legal Description:	Part Lots 2 & 3, Plan 109, being Parts 2 and 3, 57R-1449, former Village of Omemee
Official Plan:	General Commercial, Victoria County Official Plan

Zone:	General Commercial (C1) Zone on Schedule 'A' of the Village of Omemee Zoning By-law No. 1993-15
Lot Area:	930.8 sq. m. [10,019 sq. ft. – MPAC]
Site Servicing:	Municipal sanitary sewer, storm sewer and private well water supply
Existing Uses:	Residential (2 dwelling units in existing building)
Adjacent Uses:	North: Church Street East, Residential East: Commercial, George Street North South: King Street East, Commercial West: Commercial, Sturgeon Street North

Rationale:

The property is located on the north side of King Street East (Highway 7), between Sturgeon Road, and George Street North, and backs onto Church Street East providing access for parking purposes, in the former Village of Omemee. The subject land is located in an area of mixed land uses, including commercial, retail, residential and public service. Previously, there were mixed residential and commercial uses in the building. The commercial use, formerly a restaurant /coffee gift house, no longer exists and was replaced with a dwelling unit for a total of two dwelling units within the building. This building, which is set back from the street, was originally constructed and used as a two-storey residential dwelling and was subsequently converted over time. The General Commercial designation predominately allows retail and service commercial facilities on the ground floor with both commercial and residential uses on the upper floors. The C1 Zone permits a range of commercial oriented uses, together with a maximum of two (2) dwelling units in a building containing a permitted non-residential use. An amendment to the Zoning By-law is necessary to also permit two (2) dwelling units without a permitted non-residential use.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Planning Justification Report prepared by Kevin M. Duguay, Community Planning and Consulting Inc., dated November 16, 2017. This document discusses the appropriateness of the application in the context of the Growth Plan (2017), Provincial Policy Statement (2014), applicable Official Plan(s) and Zoning By-law.
2. Supplementary Analysis Memorandum prepared by Kevin M. Duguay, Community Planning and Consulting Inc., dated February 28, 2018 with focus on policies of the pending Omemee Secondary Plan.
3. Excerpt of Property Survey, Concept Plan with Parking Location and Site Area Photographs.

Staff has reviewed the Planning Justification Report and accompanying documentation filed in support of the proposed zoning by-law amendment. Staff has

reviewed the applicable City policy objectives that are relevant in order to fully evaluate the appropriateness of this application.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe (2017):

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development is located within the Omemee settlement area. The GP envisions increasing intensification of the existing built-up area and supporting the achievement of complete communities by facilitating a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities and providing a diverse range and mix of housing options, including affordable housing. This application facilitates the efficient use of existing infrastructure within a designated settlement area and contributes to the achievement of complete communities and compact built form.

Therefore, this application appears to conform to the policies of the Growth Plan.

Provincial Policy Statement (2014):

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure. In addition, infilling and minor rounding out of existing development on partial services is permitted within settlement areas where site conditions are suitable in the long term with no negative impacts. Development and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed development does not appear to be within or adjacent to any natural heritage features or species at risk as identified in Section 2 of the PPS, and does not appear to be located within any natural hazards, as identified in Section 3 of the PPS. Therefore, the application appears to be consistent with the PPS.

Official Plan Conformity:

The General Commercial designation in the Victoria County Official Plan (VCOP) applies to this property as the policies in the proposed Urban Settlement Area designation in the City of Kawartha Lakes Official Plan (CKLOP) and the Central Business District designation in the Omemee Secondary Plan (SP), are both subject to appeal to the Ontario Municipal Board, now known as the Local Planning Appeal Tribunal. The predominate use of land in the General Commercial designation is retail and service commercial operations, business and professional offices, hotels, motels, automotive commercial uses and facilities, funeral homes, theatres, clubs, places of amusement and recreation and civic-institutional uses. It also permits the use of upper stories for both commercial and residential uses, provided adequate

servicing is available. Both the Urban Settlement area policies for General Commercial Uses of the CKLOP and the Central Business District policies in the SP are intended to also permit dwellings. The SP permits residential uses in free standing residential buildings or on the upper floors of buildings and/or behind the front portions of buildings, where appropriate; however the preferred form of development is for retail and office uses to be at grade. This is the future policy direction for the settlement area of Omemee.

The low density residential use would appear to be compatible with existing uses and would have adequate servicing that would not be anticipated to increase sewage flow beyond what is currently permitted, in keeping with the policies in the CKLOP related to rezoning. However, although the application appears to be in keeping with the general policies of the intended CKLOP and proposed SP for residential use of land within the settlement area of Omemee, these policies are currently under appeal and not yet in effect and therefore the application does not conform to the policies of the General Commercial designation within the in-effect Official Plan, being the VCOP.

Zoning By-Law Compliance:

The subject land is zoned General Commercial (C1) Zone in the Village of Omemee Zoning By-law 1993-15 (ZBL). The applicant has submitted a Zoning By-law Amendment application for consideration. The application proposes to add a site-specific exception to the C1 Zone, to permit in addition to the permitted C1 Zone uses, two (2) existing dwelling units within the building on the subject lot without a permitted non-residential use. A maximum of two (2) dwelling units is currently permitted under the above conditions; however, the C1 Exception Zone is required to recognize a residential only use.

The General Commercial (C1) Zone permits a variety of non-residential uses such as business and professional offices, retail stores and service shops and personal service shops and restaurants. The ZBL does not require a minimum floor area for these non-residential uses, nor does it stipulate where (i.e. ground floor or upper floor) the maximum of 2 dwelling units are permitted. It only stipulates that a maximum of 2 dwelling units is permitted provided you have a non-residential use. A conversion of part of the building for a permitted non-residential (i.e. commercial) use would make the subject land compliant with the zoning by-law.

The application requires the requested rezoning to the ZBL to permit the proposed use. However, the proposed rezoning does not fully conform to the in-effect Official Plan.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Local Planning Appeal Tribunal. 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 appears to align with the exceptional quality of life strategic goals as it increases the supply of affordable housing to attract new residents, and improves walkability in the City of Kawartha Lakes. However, it has not been sufficiently demonstrated that the application supports a vibrant and growing economy.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The lot is serviced by a private well and is connected to municipal sanitary and storm sewer services within the Omemee municipal service area.

Consultations:

Notice of this application was previously circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application and the statutory Public Meeting was held on May 9, 2018. As of January 4, 2019, we have received the following comments:

Public Comments:

On May 7, 2018, some 15 written public comments were received that were each provided to the Planning Department and subsequently forwarded to the Clerks Department for distribution to Planning Advisory Committee (PAC) members. Most of the comments were provided on a similar letter primarily objecting to the application on the basis of incompatibility with the vision for the community and the Downtown Revitalization Plan that was approved by Council with input from Planning. By shrinking the available downtown commercial space, the proposed amendment will further limit the ability to increase commercial growth, improve commercial prosperity and expansion within the downtown core. The Downtown Revitalization Program is designed to improve the streetscape and attractiveness of the village, increase commercial opportunities and expand tourism. The proposal is in direct conflict with the official plan, zoning, and the revitalization program; all of which are designed to improve, protect and grow Omemee's downtown commercial core. Another comment, not in opposition to the proposal, suggested the house should be zoned to recognize its historical significance and use it, primarily as a residence, and be locally owned and maintained.

On May 9, 2018, a longtime resident and business owner in Omemee provided a letter objecting to the proposed rezoning as one of the biggest stumbling blocks to enhancing the downtown core, if not the main stumbling block, is the lack of usable and accessible commercial space. Prior to the present building being converted, the lower level still maintained a business floor plan which included a commercial style kitchen, staff washroom, and customer washrooms with multiple stalls, front/back entrances and accessible ramp at the front of the building. The letter further advised that the Village of Omemee has been recognized as needing support through the Downtown Revitalization meetings that have been taking place over the last few years. To allow this change to take place would potentially further hinder the Village's growth from a business and economic standpoint, and possibly set precedence for the many other buildings on the Main Street using their spaces in violation of the zoning to request amendments that would further disintegrate the livelihood of the business economy in Omemee.

On May 16, 2018, the Owner of the subject property made a deputation request to the May 22, 2018 Regular Council Meeting requesting approval of the Zoning By-law Amendment as it was purchased on the basis of it being listed as a multi-family residence. The seller had renovated this property into two (2) functional residential units and had put an application in place to adjust the zoning to reflect this. The property is occupied by 2 reliable tenants that have made each unit their home. The proposed zoning change still allows commercial capability in the future.

On May 23, 2018, a letter was received signed by five additional residents and business owners of 19 and 20 George Street, 12 King Street, 18-20 King Street and 13 Victoria Avenue East. The letter was authored by a Downtown Dreams contestant who was unable to secure commercial space suitable to their needs. The contest was funded by the Ontario Ministry of Agriculture, Food & Rural Affairs and the City of Kawartha Lakes and sponsored by numerous businesses and offered small business owners the opportunity to win prizes to help open a small business. Many business owners have expressed their frustration in the appearance of Downtown Omemee due to the conversion of commercial spaces allowing residential renters.

Agency Review Comments:

On April 16, 2108, the Building Division advised that they have no concerns with the above noted application. Permits are required for the change of use.

On April 18, 2018, Engineering and Corporate Assets advised that Development Engineering has no objection to the proposed Zoning By-law Amendment to change the zone category from General Commercial Zone to a General Commercial Exception Zone to permit two existing residential units.

On April 20, 2018, Enbridge Gas Distribution advised they do not object to the proposed application.

On April 27, 2018, the Economic Development Division advised they are unsupportive of the proposed zoning changes. It is important to maintain the supply

of commercially zoned space to ensure the economic viability and vibrancy of Omemee. This expanded use would set a negative precedent.

On April 27, 2018, the Chippewas of Rama First Nation advised the application was shared with their Council and forwarded to the Williams Treaties First Nation Process Coordinator/Negotiator to determine if any action is required.

On May 2, 2018, the Community Services Department advised they had no comments or concerns with the application.

On September 24, 2018, a meeting was held with the Manager of Economic Development to further discuss the proposal. Another meeting relating to available residential and commercial space in downtown Omemee was held with the Manager of Economic Development and Staff, the Manager of Municipal Law Enforcement and the Manager of Kawartha Lakes Housing (KLH) – Housing Help Division on September 25, 2018. A number of competing interests were discussed. Economic Development was concerned with the potential for commercial spaces being used for residential use. The Downtown Dreams contest was rolled out for the purpose of looking for retail space available for a coffee shop. KLH was concerned with the low residential vacancy rate (<1%) for Omemee, while By-law Enforcement mentioned concerns relating to enforcement issues, which leaves landlords without income once residential spaces are vacated.

On December 14, 2018, a further meeting was held with the Director of Development Services, Manager of Planning and the Manager of Economic Development. Although the proposed rezoning would not preclude the establishment of a commercial use, conformity with the in-effect Official Plan remains an issue as is the previous issues raised regarding the conversion of potential retail space for residential purposes which is in conflict with the objectives of the Omemee Downtown Revitalization Plan, which has a focus on stimulating a community's economic, social and physical prosperity by encouraging the proper mix of public space and social uses combined with bustling commercial activity to create a vibrant and engaging environment for residents and visitors.

Development Services – Planning Division Comments:

Documents in support of the application have been submitted and circulated to the appropriate agencies and City departments for review and comment. Given that the more flexible policies of the CKLOP and SP are under appeal, and the proposed rezoning does not fully conform to the in-effect OP, the application may be considered premature. In addition, the goals of the Downtown Revitalization Plan for Omemee, approved by Council in March 2017, are to get business owners and organization collaborating, attract new, expanding and relocating businesses to downtown Omemee, improve the physical environment of the downtown and grow an animated, ecofriendly pedestrian town linking natural assets and businesses. Action Plans were also created to implement these goals, which include, as a high priority, identifying commercial properties not in commercial use. Given the issues

and concerns raised and identified in this report, Staff recommends the application be denied.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommends the proposed Zoning By-law Amendment application be denied as the application does not conform to the in-effect Official Plan nor the objectives of the Council approved Omemee Downtown Revitalization Plan.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II, (705) 324-9411 ext. 1324.



Appendix 'A'
PLAN2019-003.pdf



Appendix 'B'
PLAN2019-003.pdf



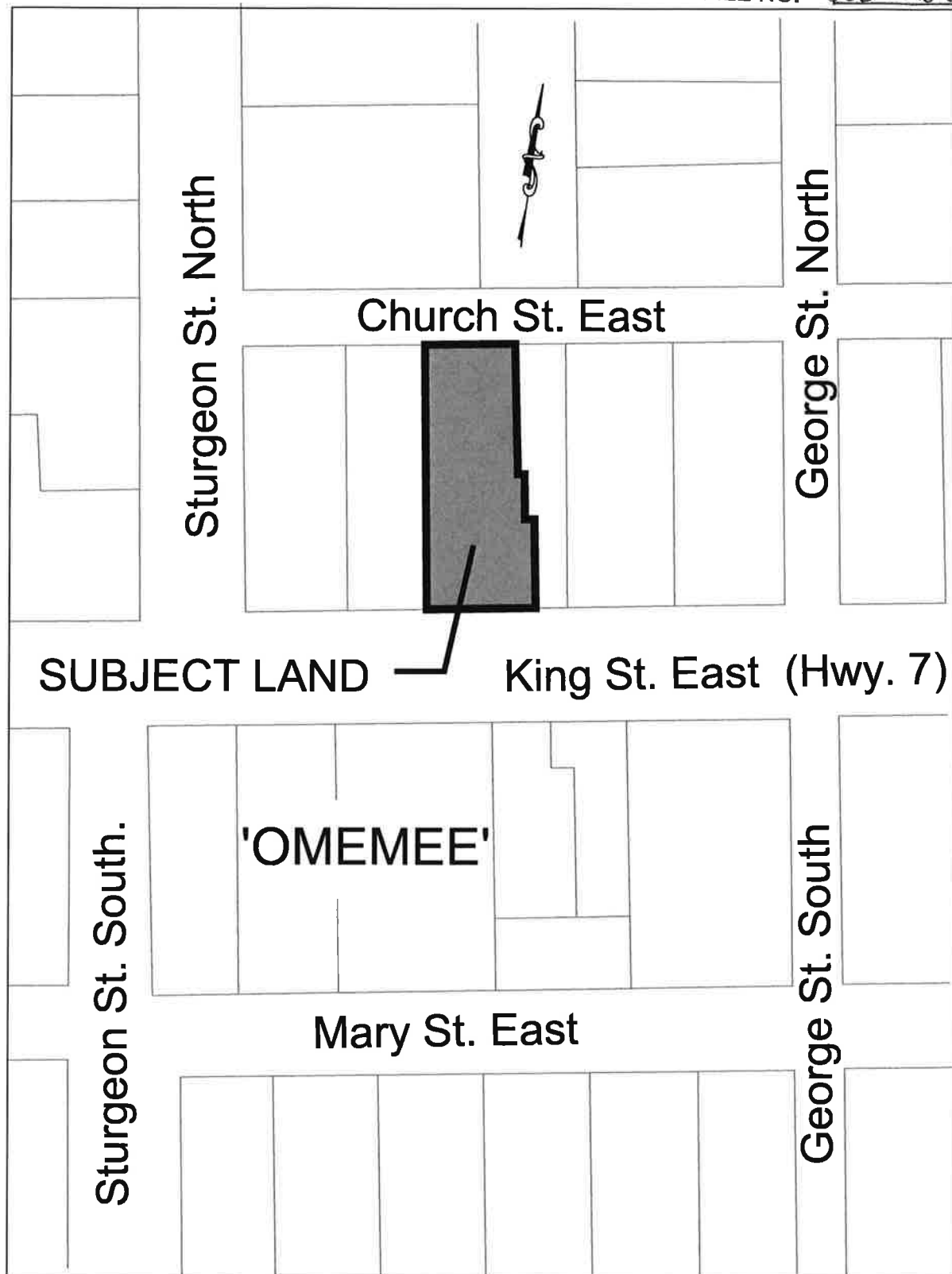
Appendix 'C'
PLAN2019-003.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photo
Appendix 'C' – Concept Site Plan with Parking

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D06-2018-012



5 King Street East, Village of Omeme



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

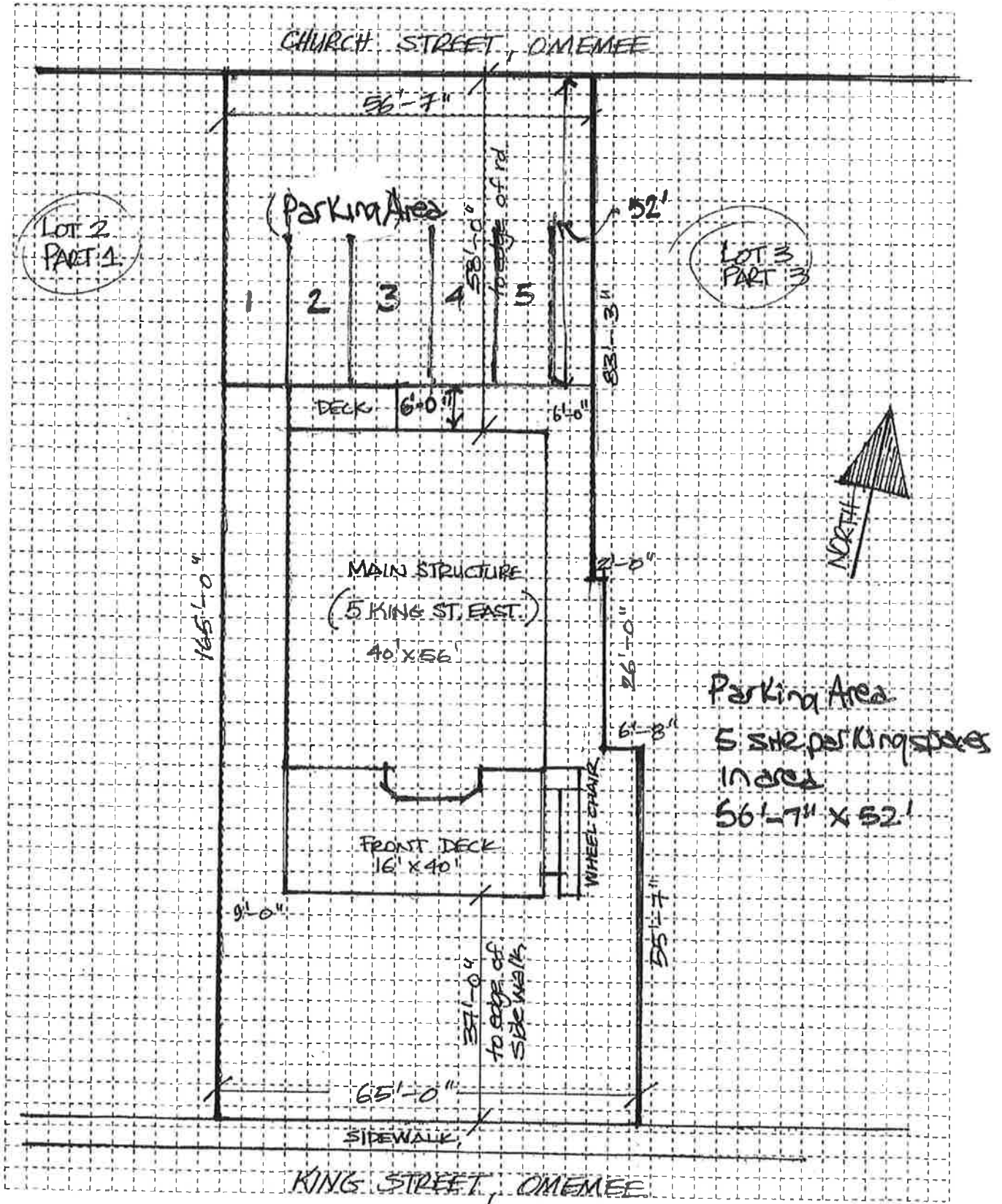
Legend

- Property ROLL#
- Property PIN#
- Lots and Concessions
- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- KRCA Regulated Areas

APPENDIX " B " to
REPORT PLAN 2019-003
FILE NO. D06-2018-012

Notes

CONCEPT PLAN W PARKING



The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-005

Date: January 16, 2019
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: All

Title: 2017 Growth Plan for the Greater Horseshoe Resolution

Author and Title: Richard Holy, Manager of Planning

Recommendations:

That Report PLAN2019-005, **Growth Plan for the Greater Horseshoe Resolution**, be received;

That the City of Kawartha Lakes Council supports the Northumberland County and Peterborough County's Resolutions respectfully requesting Minister Steve Clark, Minister of Municipal Affairs and Housing, to remove Northumberland and Peterborough Counties from the 2017 Growth Plan for the Greater Golden Horseshoe and that Northumberland and Peterborough Counties rely on the 2014 Provincial Policy Statement and their respective Northumberland and Peterborough County Official Plans and local municipal official plans to implement Provincial planning-related matters and to accommodate future growth and development; and,

That the City of Kawartha Lakes Council also authorize a letter to be sent to Minister Steve Clark, Minister of Municipal Affairs and Housing, to respectfully request removal of the City of Kawartha Lakes from the 2017 Growth Plan for the Greater Golden Horseshoe and that the City of Kawartha Lakes rely on the 2014 Provincial Policy Statement and City Official Plans to implement Provincial planning-related matters and to accommodate future growth and development.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

On October 17, 2018 the County of Peterborough adopted the following resolution regarding the Growth Plan for the Greater Golden Horseshoe. The resolution supports a similar resolution adopted by Northumberland County on September 19, 2018:

Be it resolved that County Council supports Northumberland County's resolution dated September 19, 2018 respectfully requesting Minister Steve Clark, Minister of Municipal Affairs and Housing, remove Northumberland County from the Growth Plan for the Greater Golden Horseshoe and that Northumberland County rely on the Provincial Policy Statement, Northumberland County Official Plan and local municipal official plans to implement Provincial planning-related matters and to accommodate future growth and development; and

Further be it resolved that County Council also authorize a letter being sent to Minister Steve Clark, Minister of Municipal Affairs and Housing, to respectfully request removal of Peterborough County from the Growth Plan for the Greater Golden Horseshoe and that Peterborough County rely on the Provincial Policy Statement, Peterborough County Official Plan and local municipal official plans to implement Provincial planning-related matters and to accommodate future growth and development.

Carried

The above resolutions were prepared by the Counties of Peterborough and Northumberland on the basis of the CKL delegation in August, 2018 at the AMO Conference. Appended to this report is the Briefing Note submitted to the Honourable Steve Clark, Minister of Municipal Affairs and Housing, for information and discussion purposes.

Rationale:

The City of Kawartha Lakes, County of Peterborough and County of Northumberland are located on the fringe of the Greater Toronto Area (GTA) and do not experience the same growth pressures as communities within the core of the GTA. For these three areas, the Growth Plan allocates annual growth of approximately 700 to 1,200 people per year resulting in the issuance of between 300-500 building permits per year. Notwithstanding, we are being asked to accommodate intensification and Greenfield densities that are more common to the 905 and 416 areas.

The City of Kawartha Lakes planning policies are governed by the 2017 Growth Plan for the Greater Golden Horseshoe and 2017 Oak Ridges Moraine Conservation Plan, which both became effective July 1, 2017.

The City has been working for the past 7 years on a series of Secondary Plans for Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and Woodville to enable the City to accommodate development to 2031. The work is based, in part, on the City's Growth Management Strategy which implemented the City's residential and employment growth allocation under the 2006 Growth Plan for the Greater Golden Horseshoe. These documents have been appealed to the Local Planning Appeal Tribunal for a consolidated hearing.

While the City of Kawartha Lakes has found the 2006 Growth Plan implementation process challenging, the new 2017 Growth Plan will have greater impacts on CKL's land use planning decisions for the following reasons.

- The 2006 Growth Plan was introduced 13 years ago and to a large extent, CKL didn't have sufficient time to implement this policy framework through the current Official Plan and Secondary Plan framework. Although the intention of the Growth Plan was to promote intensification while curbing Greenfield development, loss of agricultural lands, and employment land conversions, these issues are far more germane in the 416 and 905 areas in the Greater Golden Horseshoe than in our community. Although we are a low growth community, we are tasked with implementing the same policy framework applicable to high growth communities.
- The City currently has to direct 30% of all new residential growth existing within the Built Boundary (by existing Ministerial Order; 40% is the general target). As of July 1, 2017, CKL can use the targets in the approved and in effect Official Plan, but when the City does its next Municipal Comprehensive Review (MCR) for 2017 Growth Plan compliance, we must direct 60% of all new development. The target is phased in at 50% up to 2031 and reaches 60% between 2031 and 2041.
- The City currently has to achieve a target density of 40 persons and jobs per hectare for Greenfield development (by existing Ministerial Order; 50 persons and jobs is the general target). As of July 1, 2017, CKL can use the targets in the approved and in effect Official Plan, but when the City does its next Municipal Comprehensive Review (MCR) for 2017 Growth Plan compliance, we must use 80 persons and jobs unless granted an amended target through the MCR process. The target is phased in at 60 persons and jobs per hectare up to 2031 and reaches 80 between 2031 and 2041.
- The 2017 Growth Plan committed the Province to developing consistent land needs assessment methodologies for residential and employment land needs. To date, the Province has released the draft residential land needs assessment methodology but has not released employment land needs assessment methodology. From a preliminary review, the residential land needs assessment seems very complex and will be expensive to implement.

- The City's 2011 Growth Management Strategy (GMS) concluded that Lindsay had excess residential and employment lands to 2031. The 2017 Growth Plan has allocated to CKL population and employment growth targets of 7,000 and 3,000 respectively between 2031 and 2041; however, our study requirements will be similar to those Regions (Durham or York Regions) in the Greater Golden Horseshoe who are planning for population and employment growth in the hundreds of thousands. Given the City's low growth scenario, the City would prefer to utilize the existing study methodology and recommendations for growth to 2041.
- The 2017 Growth Plan contains new "excess lands" policies, which require the City to use the residential and employment land needs assessment methodologies to determine our land needs to 2041. Any excess residential and/or employment lands would then need to be removed or frozen to curb our land supply, possibly resulting in the removal of serviced lands for development purposes. The City has spent millions of dollars on expanding infrastructure into greenfield areas and upgrading infrastructure to accommodate intensification in our urban core areas at 2006 Growth Plan rates. Implementation of this policy has important financial implications for the City.
- If excess lands are identified at our current intensification and Greenfield development rates, we would then have to place serviced lands into a future development area until they are needed from a timing perspective. Given that we have used a Municipal Act Capital Charge mechanism to development Greenfield infrastructure in Lindsay, our cost recovery timeframes are expanded beyond our estimated timeframes for which higher interest charges are incurred.
- Should the City be required to adopt higher intensification and Greenfield development rates, the amount of excess lands identified through an updated GMS would increase. Not only would the City have to freeze development rights on excess lands, the upgraded infrastructure may not be able to accommodate increased intensification rates within the Built Boundary.
- The 2017 Growth Plan contains a new provision that creates hierarchies both between settlement areas based on the level of municipal servicing. Growth will therefore be directed to areas where cost effective extension of services reduces sprawl. This policy does limit the City's options for growth in partially serviced areas such as Omemee and Woodville.
- Overall, the 2017 Growth Plan does not provide sufficient policy flexibility in determining growth patterns that are suitable for the CKL context. Environmental, topographical and geological constraints aren't given sufficient allowance in developing urban boundaries and development policies that are suitable for our development context. Increased targets for intensification both within the Built Boundary and in Greenfield Areas enforce growth patterns that are present in a Regional context not ours. Urban sprawl is not a problem that we are facing in CKL.

The Agricultural and Natural Heritage Systems mapping for the Greater Golden Horseshoe was released on February 9, 2018 and immediately came into force and effect on this date. Many municipalities would have preferred to have a phase in period to conduct the necessary public consultation to implement these mapping systems. Of concern was the manner in which these mapping tools were implemented: while some consultation took place, the Province didn't release any background details. The City, in conjunction with the County of Peterborough, Region of Durham, Conservation Authorities, Ministry of Natural Resources and Forestry, relevant stakeholders, and the public, undertook a 5 year project to develop a Natural Heritage System (NHS), which was sent to the MNRF Natural Heritage Systems implementation group for inclusion into the NHS mapping. Unfortunately, this collaborative mapping system was not accepted by MNRF. The City remains supportive of planning principles such as intensification, agricultural land preservation, and environmental protection but feels that the Growth Plan's policy framework doesn't match the community goals and values and the financial capability to continually upgrade servicing to match the increased densities being proposed. The City believes that the 2014 PPS has sufficient guiding principles to allow the Province to achieve these goals in our communities, allowing sufficient flexibility to promote development that is in context with the community. The 2014 PPS could however be augmented with housing density targets at low (70%), medium (20%), and high density (10%) for development within the City.

Other Alternatives Considered:

No other alternatives were considered.

Financial/Operation Impacts:

Should the Province decide to not exclude the City from the 2017 Growth Plan, then we will need to budget for the necessary background studies to demonstrate conformity.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This recommendation would assist in fulfilling the Council Adopted Strategic Plan in the following areas, namely:

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

This would allow CKL to craft development policies that consider the City's unique considerations outlined above while protecting Provincial policy directions.

Servicing Comments:

Should the Province decide to not exclude the City from the 2017 Growth Plan, implementing the increased 2017 Growth Plan intensification and Greenfield density requirements could potentially lead to urban serviced land being frozen or removed for development purposes. This could lead to a longer cost recovery period for the City, especially if lands subject to the Northwest Trunk Municipal Act Capital Charge are affected.

Attachments:



Briefing Note re
Growth Plan 2018 AM

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director of Development Services

Department File: C10



CITY OF KAWARTHA LAKES
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Telephone Toll Free: 1-888-822-2225
Fax: (705) 324-5417
Website: www.kawarthalakes.ca

DATE: Wednesday, August 22, 2018
TIME: 12:30 p.m. – 12:45 p.m.
LOCATION: Westin Hotel, Oak Room

SUBMISSION TO: Honourable Steve Clark, Minister of Municipal Affairs
and Housing

SUBJECT: Impact of 2017 Growth Plan Policies
City of Kawartha Lakes (CKL)
County of Peterborough
Northumberland County

Recommendations:

That for slow/low growth single/upper tier municipalities, it is recommended that the Minister:

1. Remove slow/low growth single/upper tier municipalities from the Growth Plan (2017); or
2. Consider scoped Growth Plan 2017 implementation requirements and/or lesser standards for slow/low growth single/upper tier municipalities; or
3. Consider establishing in the Growth Plan (2017) a threshold rate of growth to trigger a land need assessment requirement for municipalities.

Background:

- The City of Kawartha Lakes, County of Peterborough and County of Northumberland are located on the fringe of the Greater Toronto Area (GTA) and do not experience the same growth pressures as communities within the core of the GTA. The Growth Plan allocates annual growth of approximately 1,000 to 1,200 people per year but in reality we are issuing 300-500 building permits per year. Notwithstanding, we are being asked to accommodate

intensification and greenfield densities that are more common to the 905 and 416 areas.

- Through the coordinated land use planning review, the Province released the 2017 versions of the Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and Niagara Escarpment Plan on May 18, 2017.
- CKL's planning policies are governed by the Growth Plan for the Greater Golden Horseshoe and Oak Ridges Moraine Conservation Plan, which both became effective July 1, 2017.
- CKL has been working for the past 7 years on a series of Secondary Plans for Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and Woodville to enable the City to accommodate development to 2031. The work is based, in part, on the City's Growth Management Strategy which implemented the City's residential and employment growth allocation under the 2006 Growth Plan for the Greater Golden Horseshoe. These documents have now been formally appealed to the Ontario Municipal Board for a consolidated hearing.

While the City of Kawartha Lakes has found the 2006 Growth Plan implementation process challenging, the new 2017 Growth Plan will have greater impacts on CKL's land use planning decisions:

- The 2006 Growth Plan was introduced 12 years ago and to a large extent, CKL didn't have sufficient time to implement this policy framework through the current Official Plan and Secondary Plan framework. Although the intention of the Growth Plan was to promote intensification while curbing greenfield development, loss of agricultural lands, and employment land conversions, these issues are far more germane in the 416 and 905 areas on the Greater Golden Horseshoe than in our community. Although we are a low growth community, we are tasked with implementing the same policy framework applicable to high growth communities.
- The City currently has to direct 30% of all new residential growth existing within the Built Boundary (by existing Ministerial Order; 40% is the general target). As of July 1, 2017, CKL can use the targets in the approved and in effect Official Plan, but when the City does its next Municipal Comprehensive Review (MCR) for 2017 Growth Plan compliance, we must use 60% unless we are granted an amended target through the MCR process. The target is phased in at 50% up to 2031 and reaches 60% between 2031 and 2041.
- The City currently has to achieve a target density of 40 persons and jobs per hectare for greenfield development (by existing Ministerial Order; 50 persons and jobs is the general target). As of July 1, 2017, CKL can use the targets in the approved and in effect Official Plan, but when the City

does its next Municipal Comprehensive Review (MCR) for 2017 Growth Plan compliance, we must use 80 persons and jobs unless granted an amended target through the MCR process. The target is phased in at 60 persons and jobs per hectare up to 2031 and reaches 80 between 2031 and 2041.

- The 2017 Growth Plan committed the Province to developing consistent land needs assessment methodologies for residential and employment land needs. To date, the Province has released the draft residential land needs assessment methodology but has not released employment land needs assessment methodology. From a preliminary review, the residential land needs assessment seems very complex and will be expensive to implement.
- The City's 2011 Growth Management Strategy (GMS) concluded that Lindsay had excess residential and employment lands to 2031. The 2017 Growth Plan has allocated population and employment growth targets of 7,000 and 3,000 respectively; however, our study requirements will be similar to those Regions (Durham or York Regions) in the Greater Golden Horseshoe who are planning for population and employment growth in the hundreds of thousands. Given the City's low growth scenario, the City would prefer to utilize the existing study methodology and recommendations for growth to 2041.
- The 2017 Growth Plan contains new "excess lands" policies, which require the City to use the residential and employment land needs assessment methodologies to determine our land needs to 2041. The City has spent millions of dollars on expanding infrastructure into greenfield areas and upgrading infrastructure to accommodate intensification in our urban core areas at 2006 Growth Plan rates. Implementation of this policy has important financial implications for the City.
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 2. Should the City be required to adopt higher intensification and greenfield development rates, the amount of excess lands identified through an updated GMS would increase. Not only would the City have to freeze development rights on excess lands, the upgraded infrastructure may not be able to accommodate increased intensification rates within the Built Boundary.

- The 2017 Growth Plan contains a new provision that creates hierarchies both between settlement areas based on the level of municipal servicing. Growth will therefore be directed to areas where cost effective extension of services reduces sprawl. This policy does limit the City's options for growth in partially serviced areas.
- Overall, the 2017 Growth Plan does not provide sufficient policy flexibility in determining growth patterns that are suitable for the CKL context. Environmental, topographical and geological constraints aren't given sufficient allowance in developing urban boundaries and development policies that are suitable for our development context. Increased targets for intensification both within the Built Boundary and in Greenfield Areas enforce growth patterns that are present in a Regional context not ours. Urban sprawl is not a problem that we are facing in CKL.
- The Agricultural and Natural Heritage Systems mapping for the Greater Golden Horseshoe was released on February 9, 2018 and immediately came into force and effect on this date. Many municipalities would have preferred to have a phase in period to conduct the necessary public consultation to implement these mapping systems. Of concern was the manner in which these mapping tools were implemented: while some consultation took place, the Province didn't release any background details. The City, in conjunction with the County of Peterborough, Region of Durham, Conservation Authorities, Ministry of Natural Resources and Forestry, and relevant stakeholders, and the public, undertook a 5 year project to develop a Natural Heritage System (NHS), which was sent to MNRF for inclusion into the NHS mapping. Unfortunately, this collaborative mapping system was not accepted by the MNRF.
- The City remains supportive of planning principles such as intensification, agricultural land preservation, and environmental protection but feels that the Growth Plan's policy framework doesn't match the community goals and values and the financial capability to continually upgrade servicing to match the increased densities being proposed. The City believes that the PPS has sufficient guiding principles to allow the Province to achieve these goals in our communities, allowing sufficient flexibility to promote development that is in context with the community. The PPS could however be augmented with housing density targets at low (70%), medium (20%), and high density (10%) for development within the City.

Additional funding and investment commitments for supporting infrastructure is needed from the Province to realize desired growth and development. This would include, but is not limited to, investment in municipal servicing and regional public transit expansions.