# The Corporation of the City of Kawartha Lakes

# Minutes

# 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

Deputy Clerk and Recording Secretary J. Watts called the meeting to order at 1:00 p.m. Mayor A. Letham, Councillors P. O'Reilly, K. Seymour-Fagan, and A. Veale and M. Barkwell, T. Smith, and J. Willock were in attendance.

Manager of Planning R. Holy, Manager of Economic Development R. Mustard, Development Planning Supervisor S. Rea, Planning Officer - Large Developments I. Walker, Planners II D. Harding and M. LaHay, and Planner I A. Warren were also in attendance.

Mr. Watts welcomed all in attendance and opened the meeting by describing the process for the appointment of the Chair and Vice-Chair including a brief description of the roles.

### 1.1 Appointment of the Chair

Deputy Clerk and Recording Secretary J. Watts called for the nominations for the position of Chair.

Councillor P. O'Reilly was nominated

Mr. Watts called a second time for nominations for the position of Chair.

Mr. Watts called for a third and final time for nominations for the position of Chair.

Mr. Watts declared nominations for the position of Chair for the Planning Advisory Committee closed.

Mr. Watts asked Councillor O'Reilly if he wished to let his name stand for Chair of the Planning Advisory Committee. He consented to the nomination.

Mr. Watts declared Councillor O'Reilly as Chair of the Planning Advisory Committee. Chair O'Reilly assumed his position as Chairperson of the committee.

### 1.2 Appointment of the Vice-Chair

The Chair called for the nominations for the position of Vice-Chair.

Councillor A. Veale was nominated.

The Chair called a second time for nominations for the position of Vice-Chair.

The Chair called for a third and final time for nominations for the position of Vice-Chair.

The Chair declared nominations for the position of Vice-Chair for the Planning Advisory Committee closed.

Chair O'Reilly asked Councillor Veale if he wished to let his name stand for Vice-Chair of the Committee. He consented to the nomination.

Chair O'Reilly declared Councillor Veale as Vice-Chair of the Planning Advisory Committee.

The Chair thanked the members of the committee for the appointment as Chairperson and he introduced the members of the committee and staff present in the meeting.

1.3 Adoption of the Agenda

**Moved By** Mayor Letham
**Seconded By** Councillor Seymour-Fagan

**That** the agenda for the Wednesday, January 16, 2019 Planning Advisory Committee Meeting be adopted as circulated and amended.

**Carried**

## 2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest noted.

## 3. Public Meeting

The Chair stated that, as required under the Planning Act, a public meeting is being held prior to the City of Kawartha Lakes Council making decisions on the following planning matters.

3.1 PLAN2019-001

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

The Chair requested staff to advise on the manner of giving notice for the proposed zoning by-law amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted the subject property. He summarized the application, explaining that it proposes to fulfill the conditions of a provisional consent that was granted on February 15, 2018 by the Committee of Adjustment. He stated that the lot that is to be created must be rezoned to recognize that the residential use is now the primary use instead of the accessory use, and the commercial lands rezoned to remove the potential to create a dwelling unit accessory to the within the commercial operation(s). The applicant has also applied to recognize the deficient parking available on-site. The application conforms to the Growth Plan, and the Victoria County Official Plan and is consistent with the Provincial Policy Statement, and Committee of Adjustment decision. Mr. Harding summarized the comments received to date, as detailed in his report. Staff are recommending that the application be put forward to Council for approval.

The Chair inquired if the applicant wished to speak to the application.

Kevin Duguay of Kevin M Duguay Community Planning and Consulting Inc spoke as the applicant on behalf of the owner. He stated that he agrees with the recommendations outlined in Mr. Harding's report. He also noted that there was a request from Parks Canada to obtain a licence for the portion of the duplex over the waterway, and that they were in the process of finalizing this administrative formality. He stated the licence will be filed with the City once obtained. He also stated that this application would facilitate the sale of the lands to any interested parties.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

3.2 PLAN2019-002

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.

The Chair requested staff to advise on the manner of giving notice for the proposed zoning by-law amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Walker confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted the subject property. He summarized the application, explaining that it proposes 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 application conforms to the Growth Plan and Kawartha Lakes Official Plan, and is consistent with the Provincial Policy Statement. Mr. Walker summarized the comments received to date, as detailed in his report, noting that comments were still outstanding from the Ministry of Transportation (MTO) who regulates entrances off Highway 35. He noted that the MTO would require left turn lanes off Highway 35 and Kawartha Lakes Road 48 if the proposed drive-through restaurant is a high volume restaurant, such as Tim Hortons. Staff are recommending that the application be referred back to staff until such time as all comments can be reviewed. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Kent Randall, of EcoVue Consulting, spoke on behalf of the applicant and the owners. He stated that the Wus were initially looking to develop the property into a Tim Hortons, however at this point Tim Hortons has decided to open in the new gas bar across Highway 35. As this is the case, and that a Tim Hortons is not the proposed drive-through restaurant, he did not think it would be a problem to obtain approval from the MTO. He responded to questions from Committee members.

The Chair inquired if anyone wished to speak to the application.

Martin Ledig, a Coboconk area resident, spoke saying that he was in support of this application. He stated that the additional jobs and extra services would be a benefit to the community, and tourist traffic the summer. He noted that if Tim Hortons opens on the other side of Highway 35, this development would split the

traffic and potential congestion. His conversations with other people in town have been positive about this application.

No other persons spoke to the application.

3.3 PLAN2019-004

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

The Chair requested staff to advise on the manner of giving notice for the proposed zoning by-law amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted the subject property. He summarized the application, explaining that it proposes 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 application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from the Agriculture Economic Development Officer noting negligible concerns with the minimum distance separations. He stated the expansion of the cemetery would also need to receive approval from the Bereavement Authority of Ontario. Staff are recommending that the application be referred back to staff until such time as comments have been received and reviewed by circulated agencies. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Gerald Hickson, Vice-President of the Mount Horeb Cemetery Board made himself available for any questions, and also requested that any fees associated with the rezoning be waived.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

The Public Meeting concluded at 1:32pm.

## 4. Business Arising from Public Meeting

4.1 Item 3.1

**PAC2019-001**
**Moved By** Councillor Veale
**Seconded By** Councillor Seymour-Fagan

**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.

**Carried**

4.2 Item 3.2

**PAC2019-002**
**Moved By** Mayor Letham
**Seconded By** M. Barkwell

**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.

**Carried**

4.3 Item 3.3

**PAC2019-003**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

**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;

**That** a Zoning By-law Amendment respecting application D06-2018-029 be prepared by staff and 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.

**Carried**

## 5. Deputations

5.1 PC2019-01.5.1

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

Kevin Duguay spoke as the Planning Consultant for the application on Item 7.1. He provided a brief history of the application and the property. He questioned that if consistency with the Provincial Policy Statement had been found by staff, then why would the application be recommended for denial. He stated that the applicants are only asking for a second residential unit to be permitted, and that the commercial zoning portion be retained. He mentioned that the building may remain vacant until a valid commercial use could be found, which would not promote the vitality of the downtown. He responded to questions from Committee members.

## 6. Correspondence

## 7. City of Kawartha Lakes Reports

7.1 PLAN2019-003

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

Mr. LaHay confirmed that a Public Meeting on this matter was held on May 9, 2018 in accordance with the Planning Act. He summarized the application, explaining that it proposes to permit two (2) residential dwelling units in an existing building that does not presently contain another permitted non-residential General Commercial (C1) Zone use. The application appears to conform with the Growth Plan and appears to be consistent with the Provincial Policy Statement. He stated that while the application appears to conform to the under-appeal Kawartha Lakes Official Plan and the associated Omemee Secondary Plan, the application does not appear to conform to the General Commercial designation within the in-effect Victoria County Official Plan. Mr. LaHay summarized the comments received to date, as detailed in his report, noting several pieces of correspondence from the community expressing frustration with residential uses in the Omemee downtown area, and conflicts with the Omemee Downtown Revitalization Plan. Staff are recommending that the application be denied. Mr. LaHay and Ms. Mustard responded to questions from Committee members.

**PAC2019-004**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

**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.

**Carried**

7.2 PLAN2019-005

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

Mr. Holy introduced the proposed changes to the Growth Plan for the Greater Golden Horseshoe, 2017, in the Province's first amendment. He noted proposed changes in Employment Planning, Settlement Area Boundary Changes, Small Rural Settlements, Agricultural and Natural Heritage Systems, and Intensification and Density Targets. He recommended that a letter be to sent to Minister of Municipal Affairs S. Clark, acknowledging support of the Peterborough and Northumberland resolutions supporting Kawartha Lakes'

Growth Plan initiatives at AMO. He responded to questions from the Committee members.

**PAC2019-005**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

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

**That** the Northumberland County and Peterborough County 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, be supported; and

**That** a letter sent to Minister Steve Clark, Minister of Municipal Affairs and Housing, respectfully requesting 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, be authorized.

**Carried**

## 8. Adjournment

**Moved By** Councillor Veale
**Seconded By** Councillor Seymour-Fagan

**That** the Planning Advisory Committee Meeting adjourn at 2:20 p.m.

**Carried**

**Recommendations made at the January 16, 2019 Planning Advisory Committee Meeting:**

**PAC2019-001**
**Moved By** Councillor Veale
**Seconded By** Councillor Seymour-Fagan

**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.

**PAC2019-002**
**Moved By** Mayor Letham
**Seconded By** M. Barkwell

**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.

**PAC2019-003**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

**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;

**That** a Zoning By-law Amendment respecting application D06-2018-029 be prepared by staff and 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.

**PAC2019-004**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

**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.

**PAC2019-005**
**Moved By** Mayor Letham
**Seconded By** Councillor Veale

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

**That** the Northumberland County and Peterborough County 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, be supported; and

**That** a letter sent to Minister Steve Clark, Minister of Municipal Affairs and Housing, respectfully requesting 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, be authorized.