

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

PC2019-06

Wednesday, June 5, 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	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting	
3.1	PLAN2019-032	4 - 19
	Sherry L. Rea, Development Planning Supervisor Applications to amend the Town of Lindsay Official Plan and Zoning By-law 2000-75 together with a Draft Plan of Common Element Condominium, and a Draft Plan of Subdivision for the property on Lindsay Street North described as Part of Lot 24, Concession 5, Geographic Township of Ops, and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay - 2573532 Ontario Inc.	
3.2	PLAN2019-033	20 - 30
	David Harding, Planner II An application to amend the Township of Ops Zoning By-law 93-30 on lands described as Part Lot 22, Concession 3, geographic Township of Ops, identified as 454 Colborne Street West - Jones	
3.3	PLAN2019-034	31 - 42
	David Harding, Planner II An application to amend the Township of Eldon Zoning By-law 94-14 on land described as Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, and partially identified as 1561 Kirkfield Road - Victor Webster Farms Ltd. and Leach	
3.4	PLAN2019-035	43 - 55
	Mark LaHay, Planner II An application to amend the Township of Mariposa Zoning By-law 94-07 on land described as Part Lot 19, Concession 7, geographic Township of Mariposa, identified as 115 Taylor's Road - Arksey	
4.	Business Arising from Public Meeting	
5.	Deputations	
6.	Correspondence	

7. City of Kawartha Lakes Reports

7.1 PLAN2019-011 56 - 70

Ian Walker, Planning Officer - Large Developments
An application to amend the Township of Ops Zoning By-law 93-30 on
land described as Concession 2, Part Lots 9 and 10, geographic
Township of Ops, identified as 35 Brook Street - BATL Management Inc.

7.2 ENG2019-009 71 - 77

Christina Sisson, Supervisor of Development Engineering
Assumption of Lisbeth Crescent and Tina Court, Lindsay

8. Adjournment

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-032

Date: June 5, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 5 – Lindsay

Title: Proposed Residential Development for 152 Townhouse Units, Lindsay Street North, Lindsay

Description: Applications to amend the Town of Lindsay Official Plan and Zoning By-law together with a Draft Plan of Common Element Condominium (16CD-19501) and a Draft Plan of Subdivision (16T-19501) to permit a residential plan of subdivision consisting of 2 blocks for a total of 152 townhouse units and 1 block for buffer lands from Distillery Creek. The plan of common element condominium will include internal road network, services and utilities, visitor parking, open space and easements (2573532 Ontario Inc.)

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

Recommendations:

That Report PLAN2019-032, Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007 be received; and

That Report PLAN 2019-032 respecting Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007 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 applications for an official plan amendment and zoning by-law amendment together with a draft plan of common element condominium and a draft plan of subdivision. The proposal is to permit a residential plan of subdivision consisting of two blocks for townhouse units with one block containing 55 residential units and a second block containing 97 residential units for a total of 152 residential units and a third block for buffer lands from Distillery Creek at the north end of the property. The plan of common element condominium will include internal road network, services and utilities, visitor parking spaces, open space and easements. The proposed development will be accessed from Lindsay Street North and from an extension of Alcorn Drive from the west and will be developed on full municipal services. The area of the applications represents 5.7 ha. (14.1 ac.). See Appendix 'A' and 'B'.

There are a number of design features common to both townhouse blocks:

1. A 7.4 m. wide private condominium road;
2. Significant areas of landscaped open space;
3. Bungalow (with loft) townhouse units facing Lindsay Street North and Alcorn Drive with detached garages. These units are accessed from the rear via the common element condominium road;
4. A combination of 2 storey and bungalow (with loft) front-loaded townhouses where the units do not face Lindsay Street North or Alcorn Drive;
5. Significant view-corridors into the site from the Victoria County Rail Trail (VCRT) through the use of open spaces and open-sided private roads abutting the VCRT;
6. Two private parking spaces per unit; and
7. Over 25% visitor parking spaces distributed throughout each block.

Owner:	2573532 Ontario Inc. c/o Andrew Salomon
Applicant:	Bryce Jordan on behalf of GHD
Legal Description:	Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, now City of Kawartha Lakes
Designation:	Residential and Future Residential on Schedule 'A' of the Town of Lindsay Official Plan.
Zoning:	Residential One (R1) Zone, Residential Two (R2) Zone and Future Residential (FR) Zone on Schedule 'A' of the Town of Lindsay Zoning By-law Number 2000-75
Lot Area:	5.7 ha. (14.1 ac.)

Site Servicing:	Full urban services are proposed including municipal water, sanitary sewer, stormwater management ponds, streetlights, sidewalks and curbs.
Existing Uses:	Vacant Land
Adjacent Uses:	North: Vacant land (Zoned Future Residential) East: Closed Lindsay landfill site and small community park (Pioneer Park) South: Residential lots fronting Cottingham Crescent West: VCRT and residential lots fronting William Street North)

Rationale:

The property is located on the west side of Lindsay Street North, in the north east quadrant of Lindsay. The property is bordered by Distillery Creek on the north, VCRT on the west, residential lots fronting Cottingham Crescent on the south and Lindsay Street North on the east. The proposal is for a low profile residential townhouse development with a common element condominium for internal road network, services and utilities, visitor parking spaces, open space and easements. See Appendix 'A' and 'B'.

The official plan amendment (OPA) is only required on the northern one-third of the property from the Future Residential designation to the Residential designation to correspond with the proposed zoning by-law amendment. The balance of the property is appropriately designated Residential to accommodate the proposed development.

The companion zoning by-law amendment (ZBA) proposes that the Residential One (R1) Zone, Residential Two (R2) Zone and Future Residential (FR) Zone be changed to the Residential Multiple One Special (RM1-**) Zone and Residential Multiple Two Special (RM2-**) Zone to permit the townhouses fronting either on a public street or a privately owned condominium road and to apply site specific development standards for the development.

The draft plan of subdivision will create the two residential blocks for the townhouses and one block for the buffer area adjacent to Distillery Creek. The individual 'lots' or 'parcels of tied land' (POTL's) that contain the townhouse units will be created by lifting part lot control under the Planning Act. The development of the townhouse blocks will be subject to site plan approval. The draft plan of common element condominium (CEC) will create the internal road network, services and utilities, visitor parking spaces, open space and easements which will complete the development. See Appendix 'C' and 'D'.

The southern portion of the subject land was draft approved in 1995 for 13 residential lots on an internal cul-de-sac accessed from Lindsay Street North. The current applications do not incorporate the 1995 draft approved lot fabric. It will be necessary for the City to formally close the file upon receipt of written confirmation from the owners that they no longer wish to proceed with fulfilling

the conditions of draft plan approval. This will be a condition of draft plan approval for the current applications.

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. Conceptual Plan for the proposed development prepared by FBP Architects Inc. and dated March 24, 2018.
2. Draft Plan of Subdivision prepared by GHD and dated November, 2018.
3. Draft Plan of Common Element Condominium prepared by GHD and dated July, 2018.
4. Compiled Boundary Plan prepared by Coe Fisher Cameron and dated November 20, 2017.
5. Topographic Plan of Survey prepared by Coe Fisher Cameron and dated June 26, 2018.
6. Planning Justification Report (PJR) prepared by GHD and dated December, 2018. The report discusses and assesses the proposal in the context of the 2014 Provincial Policy Statement, the 2017 Growth Plan for the Greater Golden Horseshoe, the Town of Lindsay Official Plan; the Council adopted and appealed Lindsay Secondary Plan and the Town of Lindsay Zoning By-law 2000-75.
7. Functional Servicing and Stormwater Management Report prepared by GHD and dated December 18, 2018. The report discusses and assesses the proposal in the context of functional servicing, grading and drainage matters and includes a functional servicing plan and a functional grading plan. The report also addresses floodplain mapping for Distillery Creek and Phosphorous Management techniques. Finally, the report assesses sanitary sewer servicing, municipal water supply and stormwater management.
8. Urban Design Analysis prepared by FBP Architects Inc. and dated January 22, 2019. The report discusses the context of the proposal based on proposed design, establishes a design vision, and provides design details for the development and general design guidelines and criteria for the proposed built form. The report concludes that the proposed development will be compatible with the surrounding land use and the VCRT. The proposed development is sympathetic to the existing stable residential neighbourhood to the west and south. Additionally, the height and massing of the proposed development has regard for the height and massing of the existing residential neighbourhoods.

9. Hydrogeological Assessment Report prepared by GDH and dated September 20, 2018. The report discusses and assesses the proposal in the context of hydrogeological functions of the site.
10. Preliminary Geotechnical Investigation Report prepared by GHD and dated September 20, 2018. The report examines the existing soil and subsurface conditions of the site.
11. Phase One Environmental Site Assessment prepared by GHD and dated July 6, 2018. The report discusses and assesses the proposal in the context of a number of on-site and off-site potentially contaminating activities being the former presence of a railway spur line, former adjacent landfill, adjacent hydro transformer and historic coal storage and other storage tanks.
12. Phase Two Environmental Site Assessment prepared by GHD and dated July 6, 2018. The report was prepared in order to file a Record of Site Condition (RSC) with the Ministry of the Environment, Conservation and Parks (MECP). The MECP has acknowledged the filing of the RSC on November 2, 2018. The final acceptance and registration of the RSC will be a condition of draft plan approvals.
13. Scoped Environmental Impact Study prepared by Niblett Environmental Associates Inc. and dated October, 2018. The report discusses and assesses the proposal in the context of species at risk, appropriate buffering from Distillery Creek together with recommended setbacks and any mitigated measures.
14. Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc. and dated June 29, 2018. The document provides a tree inventory together with tree removals and a tree preservation plan.

In addition to the above, Transportation Reports have been prepared for the East Jennings Creek Area and these reports contributed to the proposed extension of Alcorn Drive from Angeline Street North to Lindsay Street North. There will be a requirement for the urbanization of Lindsay Street North to municipally connect the Alcorn Drive with Lindsay Street North.

All the reports have been circulated to the applicable City departments and commenting agencies for review and comment. A number of comments and/or issues have been received by staff and forwarded to the applicant for review. Given the complexity of the application, Staff recommends the applications be referred back to staff until such time as all commenting agencies and/or City departments' comments/concerns have been addressed, and to permit further discussions with the applicant respecting conformity to applicable policies, as required.

Provincial Policies:

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan)

Effective May 16, 2019, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) replaced the 2017 Growth Plan for the Greater Golden Horseshoe (2017). The 2019 Growth Plan is part of the Provincial Government's *More Homes, More Choice: Housing Supply Action Plan*, which aims to address the needs of the Province's growing population, its diversity, its people and local priorities, and its local growth context. The intent of the new policy is to give local governments greater flexibility through policies with respect to intensification and Greenfield targets that aim to streamline the process for development approvals, introduces new policies for preserving provincially significant employment lands and revising policies related to rural settlement areas and how growth may be directed.

As the legislation is relatively new, the applicant has been requested to assess the proposed development for conformity with the policies of the 2019 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.

Staff has reviewed the Planning Justification Report (PJR) prepared by GHD in support the official plan and zoning by-law amendments and plans of subdivision and draft plan of common element condominium (CEC). Staff is generally accepting of the planning rationale and the concept of creating medium density residential development on this site. This is an opportunity to create housing in the municipality as an alternative to the creation of single detached dwellings which are prevalent in Lindsay. Staff agrees that the proposal promotes efficient development and land use patterns and supports compact urban form. The proposal promotes cost-effective development standards to minimize land consumption, servicing costs to the City and supports an opportunity for intensification.

The applicant has submitted the appropriate technical reports for consideration and review to demonstrate conformity with the PPS.

Official Plan Conformity:

The City of Kawartha Lakes Official Plan was adopted in September 2010 and included the subject property within the Urban Settlement Boundary of Lindsay as recommended by the Growth Management Study (GMS). The GMS allocated 134 units as Residential Greenfield. The Lindsay Secondary Plan was adopted by Council in June 2017 and is currently under appeal to the LPAT. The governing policy document is the Town of Lindsay Official Plan (LOP) and the applicant has requested a site specific OPA to permit the development. The southern two thirds of the subject land is designated Residential while the northern one third is designated Future Residential in the Town of Lindsay Official Plan (LOP). The applicant has requested that the land designated Future Residential be changed to Residential. Staff supports the request and confirms that the proposed development maintains the medium density requirement of less than 62 dwelling units per gross hectare.

Staff is accepting of the PJR and supporting material submitted as per official policy regarding land identified as being adjacent to a Waste Disposal Assessment Area (WDAA) and land identified as being adjacent to Hazard Land on Schedule 'D' – Natural Environmental Considerations Mapping of the LOP. Phase 1 and 2 Environmental Site Assessments have been completed on the property along with a Record of Site Condition. Reports conclude that there is no concern with contamination of the subject property as it is down gradient with regard to ground water movement.

Staff is also accepting of the PJR with respect to Section 5.3.5 of the LOP which requires the City to develop a housing strategy. In the interim prior to a housing strategy being in place, Council shall strive for 25% of all new development to be affordable to low and moderate income households. The PJR provides justification that at least 25% of the units in the development will be offered for sale at less than median sale price in the regional market place, being \$350,000.00.

Pursuant to Section 4.1.2.2 of the LOP, medium density residential developments shall meet the following criteria:

- a) The density, height and character of the development is in keeping with the adjacent uses;
- b) The height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area;
- c) The development shall be encouraged to have direct access to a County, arterial or collector road, where possible and appropriate;
- d) The water mains and sanitary sewers shall be capable of accommodating the development, or the developer has committed to extend services at no expense to the Town, subject to the phasing policies of this Plan;

- e) The development is adequately service by parks and school facilities in accordance with Section 4.6.3 of this Plan;
- f) In development incorporating walk-up apartments, block townhouse dwellings and similar medium-profile residential buildings, on site recreational facilities or amenities such as playground equipment maybe required to service the development;
- g) The development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized; and
- h) Except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services shall be prepared by the applicant and approved by the Municipal Engineer.

The PJR and supporting material demonstrates that the above noted criteria are supported although a more thorough review is currently being undertaken through the review of the supporting material by other Departments and agencies. The issue of the urbanization of Lindsay Street North needs to be addressed. Although access to the development will be via one entrance from Lindsay Street North in the south and Alcorn Drive in the north, the construction of Lindsay Street North to intersect with the extension of Alcorn Drive from the west needs to be confirmed. The applicable Departments will arrange for consultation with the applicant to discuss the requirements for the proposed development.

Zoning By-Law Compliance:

The land is zoned Residential One (R1) Zone, Residential Two (R2) Zone and Future Residential (FR) Zone in the Town of Lindsay Zoning By-law No. 2000-75. The applications propose both townhouse dwellings and multiple attached townhouse dwellings, which are permitted in the Residential Multiple One (RM1) Zone and Residential Multiple Two (RM2) Zone. Under a comprehensive zoning review, several exceptions are required to address the specific details of the proposed development. Staff recommends that the application for zoning amendment be referred back to staff to address further details of development such as minimum lot size, minimum front and rear yard setbacks, maximum lot coverage, permitted projections into the required yards for any open decks and specific development standards for those lots adjacent to Lindsay Street North.

Staff is supportive of site specific development standards to achieve an overall design that is attractive and functions as a complete neighbourhood providing easy access, good urban design, walkability and connectivity to streets, parks and walking trails and has regard for adjoining established neighbourhoods.

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 three Strategic Goals, being a Vibrant and Growing Economy, an Exceptional Quality of Life and a Healthy Environment.

The applications align with an Exceptional Quality of Life and a Healthy Environment. The proposal seeks to create 152 residential townhouses which will increase the supply of affordable housing, create a new neighbourhood, and provide for walkability and connectivity to the VCRT and the Woods of Jennings Creek Park. An underutilized neighbourhood park (Pioneer Park) is available to the development along with a proposed design for 'eyes on the park' from the west side of Lindsay Street North. An appropriate buffer area from Distillery Creek is proposed that will protect and possible enhance water quality and provide opportunity to utilize Low Impact Development (LID) techniques throughout the development.

Review of Accessibility Implications of Any Development or Policy:

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

Servicing Comments:

The Functional Servicing and Stormwater Management Report were circulated to the Engineering and Corporate Asset Division for review and comment. Preliminary comments received indicate that from an engineering perspective, they have no objection to the proposed OPA and ZBA to permit townhouse dwellings and no objection to the proposed draft plan of subdivision and draft plan of common element condominium. The Division provided preliminary comments that have been forwarded to the applicant for consideration. It is noted that a detailed Engineering review and comments will be provided at the time of draft plan of subdivision and draft plan of CEC approval.

Consultations:

Notice of these applications was circulated to persons within a 120 m. radius of the property, agencies, and City Departments which may have an interest in the application.

Public Comments:

To date, two parties have expressed an interest in the applications. A question was raised regarding potential leachates and methane gas migration given that there is a proposed storm water management pond that is located in close proximity to the closed landfill site. Staff has forwarded the enquiry to the applicant for review and comment. The second comment received was a telephone message regarding the number of entrances onto Lindsay Street North. Staff confirmed one entrance onto Lindsay Street North for the private condominium road at the south end of the property and the construction of the intersection of Alcorn Street with Lindsay Street North towards the north end of the property.

Agency Review Comments:

May 2, 2019	Hydro One; no comments or concerns regarding a preliminary review of issues affecting Hydro One's High Voltage Facilities and Corridor Lands only.
May 8, 2019	The Building Division has no concerns with the applications.
May 9, 2019	The Engineering and Corporate Assets Division has no objection to the OPA, ZBA, Draft Plan of Subdivision and Draft Plan of CEC. Additional comments will be provided as conditions of draft plan approval.
May 10, 2019	Fleet and Transit Services; no concerns. Once the roadway connectivity has been determined, Transit would begin the process of determining any extension of service. Service would not likely occur until the roadway has been assumed by the City.
May 14, 2019	Cable Cable; no conditions and/or objections.
May 16, 2019	Enbridge Gas Inc.; does not object to the proposed applications.

Development Services – Planning Division Comments:

The appropriate background information submitted in support of the applications has been circulated to the agencies and City Departments for review and comment. Given that the 2019 Growth Plan has recently been introduced, the applicant will prepare a supplementary brief to demonstrate conformity with the new Growth Plan policies. Staff recommends that the applications be referred back to staff until such time as all comments, issues and concerns have been addressed.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed OPA, ZBA and Draft Plans of Subdivision and CEC be referred back to staff for further review and processing until such time as all comments, issues 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 contact Sherry L. Rea, Development Planning Supervisor, (705) 324.9411 ext. 1331.

Appendix 'A' – Location Map



Appendix 'A' -
Location Map.pdf

Appendix 'B' – Proposed Concept Plan



Appendix 'B' -
Proposed Concept Plan.pdf

Appendix 'C' – Proposed Draft Plan of Subdivision



Appendix 'C' -
Proposed Draft Plan of Subdivision.pdf

Appendix 'D' – Proposed Draft Plan of CEC



Appendix 'D' -
Proposed Draft Plan of CEC.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca
Department Head: Chris Marshall, Director, Development Services
Department File: D01-2019-001, D04-2019-001, D05-2019-001 and
D06-2019-007

'Lindsay'

Scugog River

CON. 5

CON. 6

SUBJECT LAND

Lot 24

Lot 23

Alcorn Dr

Karen Dr

Whitney Ct

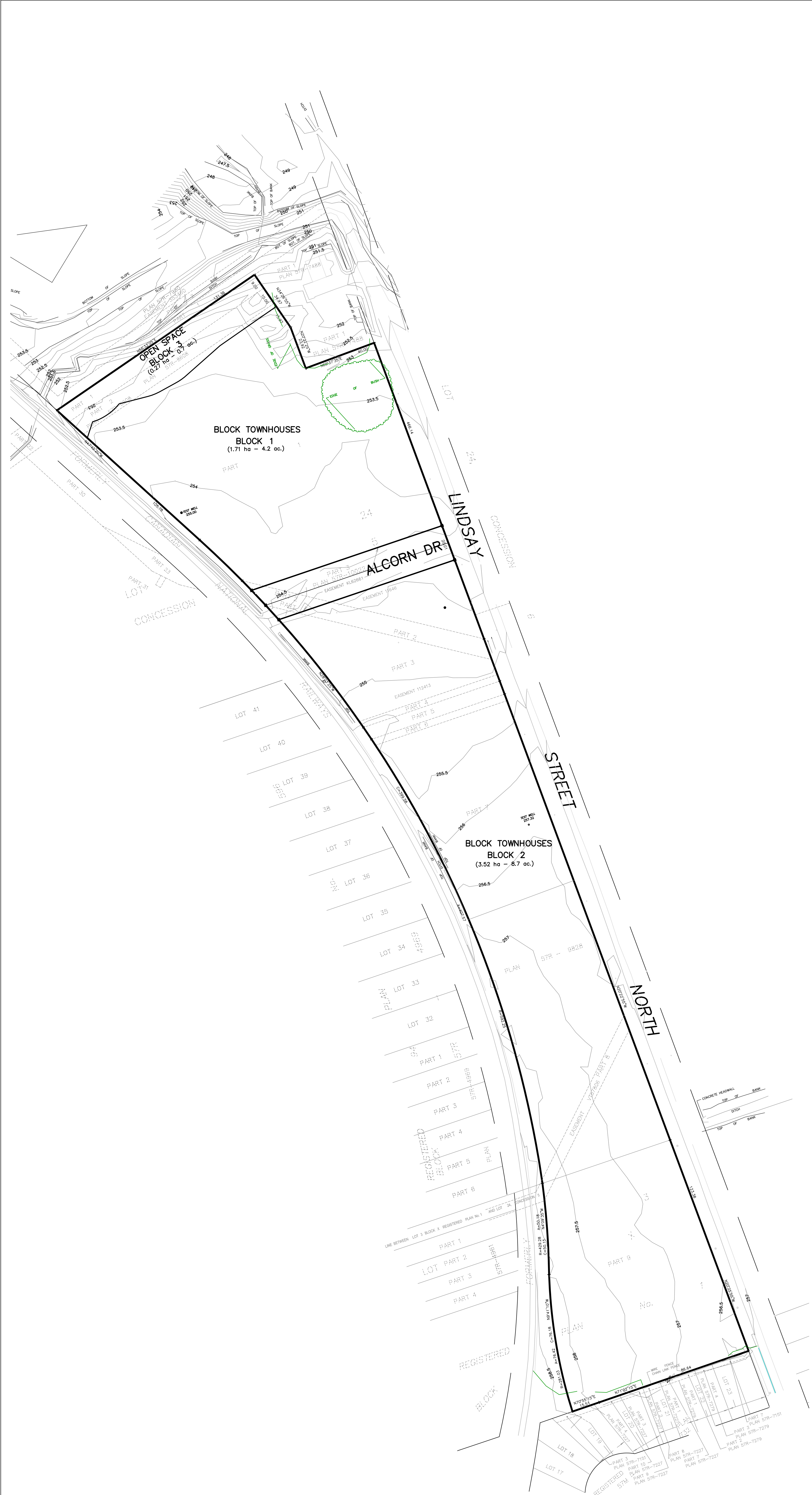
Found Av

Crestwood Av

William Street North

Cottingham Cr

Lindsay St N



KEY PLAN-Not to Scale

PROPOSED
DRAFT PLAN
OF SUBDIVISION OF
PART OF LOT 24
CONCESSION 5
GEOGRAPHIC TOWNSHIP OF OPS AND
PART OF LOT 3, BLOCK X
REGISTERED PLAN No. 1
TOWN OF LINDSAY
CITY OF KAWARTHA LAKES

SCHEDULE OF LAND USES:			
SITE STATISTICS:			
MEDIUM DENSITY RESIDENTIAL	BLOCKS	UNITS	AREA (ha)
BLOCK TOWNHOUSES (29 UNITS / ha)	1	55	1.71
	2	97	3.52
TOTAL # UNITS AND AREA RESIDENTIAL		152	5.23 ha
LAND USE BLOCKS		BLOCKS	AREA(ha)
OPEN SPACE		3	0.27
TOTAL AREA			5.50 ha
ROADS		LENGTH(m)	AREA(ha)
20.0 m R.O.W.		106	0.21
TOTAL AREA			0.21 ha
TOTAL AREA OF SUBMISSION			5.71 ha

ADDITIONAL INFORMATION UNDER THE PLANNING ACT

Under section 51(17) of The Planning Act information required by clauses A,B,C,D,E,F,G, & J shown on Draft and Key plans.

H) Piped municipal water supply
I) Sandy , Clay
K) All municipal services required
L) None

OWNER'S CERTIFICATE	SURVEYOR'S CERTIFICATE
WE, THE REGISTERED OWNERS OF THE SUBJECT LANDS, HEREBY AUTHORIZE GHD TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.	I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.
2573532 Ontario Inc.	COE FISHER CAMERON / (Subsidiary of J.D. BARNES LIMITED) ONTARIO LAND SURVEYORS
SIGNED: <i>[Signature]</i>	SIGNED: <i>[Signature]</i>
DATE: December 20, 2018	DATE: August 22, 2018

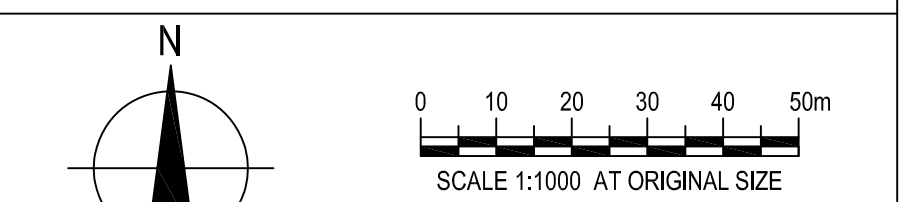
A	ORIGINAL SUBMISSION	A.G.	B.J.	B.J.	12/18
No.	Revision	Drawn	Job Manager	Project Director	Date

Drawing Revisions

Note: * indicates signatures on original issue of drawing or last revision of drawing

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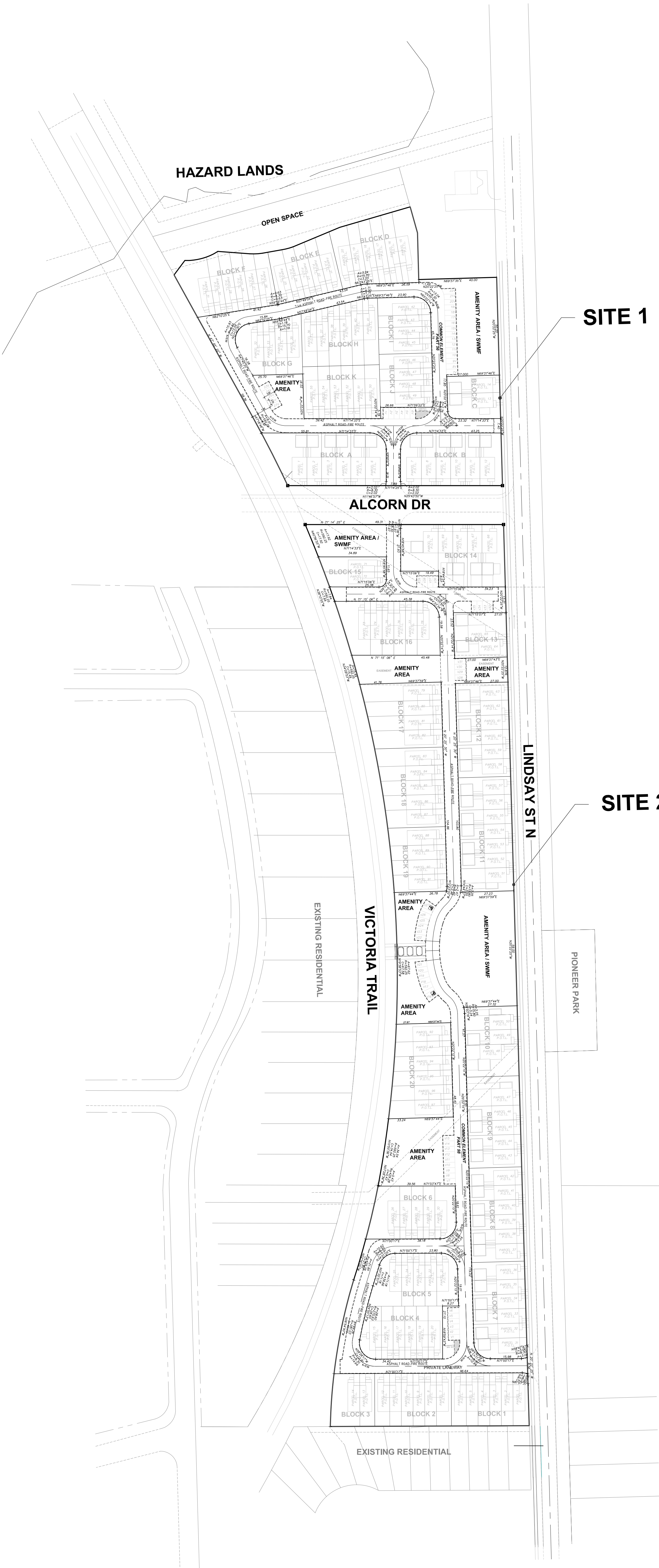


Client **2573532 Ontario Inc.**

Project **2000 LINDSAY ST NORTH**

Drawn	A.G.	Designer	B.J.
Drafting Check	B.J.	Design Check	B.J.
Date NOVEMBER 2018			

Project & Drawing No.		Original Size
11148821-DP1		Arch D
		Rev. A



KEY PLAN-Not to Scale

PROPOSED
COMMON ELEMENT CONDOMINIUM
OF SUBDIVISION OF
PART OF LOT 24
CONCESSION 5
GEOGRAPHIC TOWNSHIP OF OPS AND
PART OF LOT 3, BLOCK X
REGISTERED PLAN No. 1
TOWN OF LINDSAY
CITY OF KAWARTHA LAKES

SCHEDULE OF LAND USES:	
SITE 1 STATISTICS	
NUMBER OF PROPOSED PARCELS OF TIED LAND	= 55
AREA OF PROPOSED PARCELS OF TIED LAND	1.20 ha
P.O.T.L. - Denotes Proposed Parcel Of Tied Land	
COMMON ELEMENTS CONDOMINIUM	
Common Facilities and Services (PARCEL 56)	
7.0 m Wide Asphalt Paved Laneway	= 0.51 ha
Concrete Curbs	
Sidewalks	
Landscaped Areas	
Sanitary Sewer/Watermain and Facilities	
27 Visitor Parking Spaces	
Water Meter Room	
Community Mailbox	
Snow Storage Area	
Noise Fencing if required	
TOTAL AREA OF SITE 1	
	1.71 ha
SITE 2 STATISTICS	
NUMBER OF PROPOSED PARCELS OF TIED LAND	= 97
AREA OF PROPOSED PARCELS OF TIED LAND	2.28 ha
P.O.T.L. - Denotes Proposed Parcel Of Tied Land	
COMMON ELEMENTS CONDOMINIUM	
Common Facilities and Services (PARCEL 98)	
6.0 m Wide Asphalt Paved Laneway	= 1.24 ha
Concrete Curbs	
Sidewalks	
Landscaped Areas	
Sanitary Sewer/Watermain and Facilities	
39 Visitor Parking Spaces	
Water Meter Room	
Community Mailbox	
Retaining Wall	
Noise Fencing if required	
TOTAL AREA OF SITE 2	
	3.52 ha

ADDITIONAL INFORMATION UNDER THE PLANNING ACT

Under section 51(17) of The Planning Act information required by clauses A,B,C,D,E,F,G, & J shown on Draft and Key plans.

H) Piped municipal water supply
I) Sandy, Clay
K) All municipal services required
L) None

OWNER'S CERTIFICATE	SURVEYOR'S CERTIFICATE
WE, THE REGISTERED OWNERS OF THE SUBJECT LANDS, HEREBY AUTHORIZE GHD TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.	I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.
2573532 Ontario Inc.	COE FISHER CAMERON / (Subsidiary of J.D. BARNES LIMITED) ONTARIO LAND SURVEYORS
SIGNED <i>[Signature]</i>	SIGNED <i>[Signature]</i>
DATE December 20, 2018	DATE December 19, 2018

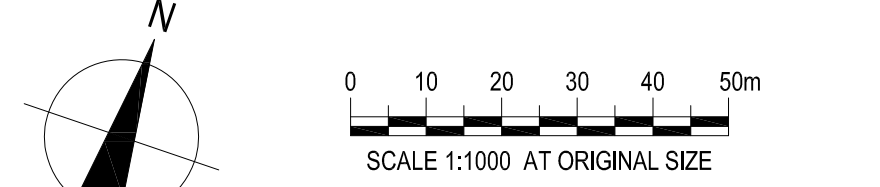
A	ORIGINAL SUBMISSION	A.G.	B.J.	B.J.	12/18
No.	Revision	Drawn	Manager	Project Director	Date

Drawing Revisions

Note: * indicates signatures on original issue of drawing or last revision of drawing

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E ytomail@ghd.com W www.ghd.com

Client

2573532 Ontario Inc.

Project

2000 LINDSAY ST NORTH

Drawn	A.G.	Designer	B.J.
Drafting Check	S.C.	Design Check	B.J.
Date	JULY 2018		

Project & Drawing No.

Original Size

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The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-033

Date: June 5, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: 5 - Ops

Subject: An application to amend the Township of Ops Zoning By-law 93-30 to change the zoning on the land surrounding the severed residential dwelling from Agricultural (A) Zone to a residential zone and to change the zoning on the balance of the property from Agricultural (A) Zone to an agricultural exception zone prohibiting further residential development on the retained agricultural land described as Part Lot 22, Concession 3, geographic Township of Ops, City of Kawartha Lakes, identified as 454 Colborne Street West (Jones)

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2019-033, respecting Part of Lot 22, Concession 3, geographic Township of Ops, and identified as 454 Colborne Street West – Application D06-2019-009, be received;

That a Zoning By-law Amendment respecting application D06-2019-009, substantially in the form attached as Appendix “D” to Report PLAN2019-033, be approved and adopted by Council; and

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The subject property is an agricultural lot that contains single detached dwellings and some outbuildings. The owners sought to sever the dwelling and two accessory buildings from the balance of the agricultural land. On May 14, 2019, the Director of Development Services granted provisional consent to application D03-2018-025 to sever an approximately 0.7 hectare (1.73 acre) residential lot and retain approximately 39.3 hectares (97.1 acres) of agricultural.

As a condition of provisional consent, the agricultural land to be retained is to be rezoned to prohibit residential use. To further clarify how the lot containing the dwelling is to be used; said lot is also being rezoned to a residential zone category.

Owner:	Laurie Jones
Applicant:	William Reesor
Legal Description:	Part of Lot 22, Concession 3, geographic Township of Ops
Official Plan:	Prime Agricultural in the City of Kawartha Lakes Official Plan
Zone:	Agricultural (A) Zone, in the Township of Ops Zoning By-law 93-30, as amended
Site Size:	Severed – 0.7 hectares Retained – 39.3 hectares
Site Servicing:	Severed – Private individual well and septic system Retained – None
Existing Uses:	Agricultural
Adjacent Uses:	North: Agricultural, Commercial East: Vacant Land in Urban Settlement Area South: Agricultural West: Agricultural

Rationale:

Prime agricultural land is to be protected and preserved from non-agricultural development or any other incompatible land use that may hinder existing or future agricultural operations. To fulfill a proposed condition of provisional consent that requires the prohibition of residential uses on the proposed retained agricultural land, the owner has submitted an application to amend the Zoning By-law that will, if granted, fulfill this condition. The farm operation that owns the property will farm it in conjunction with another non-abutting agricultural parcel located at 213 Opmar Road. The single detached dwelling on the subject land is deemed surplus to the needs of the farm operation.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

Section 2.2.9 states that development outside of settlement areas may be permitted where necessary for the management of resources such as agricultural lands. Section 4.2.6 provides for the protection of prime agricultural areas identified within official plans. The rezoning as a condition of consent to sever one of two dwellings from the agricultural land is consistent with the intent of these policies to protect agricultural lands.

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

Therefore, this application conforms to the Growth Plan.

Provincial Policy Statement, 2014 (PPS):

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

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

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

The majority of the subject land is designated Prime Agricultural in the City of Kawartha Lakes Official Plan (Official Plan). Although a small portion of the property that is designated Environmental Protection around the location of the Ops 1 Municipal Drain, no development is proposed near the Environmental Protection designation.

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

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

The City, through its Official Plan, recognizes the generally desirable practice of the consolidation of farms wherever possible. The City also recognizes that it is

not always possible to acquire abutting agricultural lots when consolidating an existing farm operation, and has established criteria in accordance with provincial policy to recognize this circumstance and protect the long term agricultural use of the land. One of the criteria is that the agricultural land be rezoned to prohibit any residential use.

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

Zoning By-law Compliance:

The subject land is zoned Agricultural (A) Zone in the Township of Ops Zoning By-Law 93-30. The lot to be retained exceeds the minimum lot frontage (135 metres) and area (37 hectare) requirements of the A Zone by proposing about 535 metres and 39.3 hectares respectively. An Agricultural Exception Nine (A-9) Zone is proposed on the retained land to protect the agricultural use of the land by prohibiting residential use in accordance with provincial and municipal policy.

Section 7.2.1.7 specifies that lots not exceeding 1 hectare that are created within the A Zone do not need a zone change, as they are deemed to automatically be subject to the requirements of the Rural Residential (RR) Zone even though they formally retain the A Zone category on the zone schedule. In order to minimize future confusion over how the severed lands containing the surplus residential dwelling at 454 Colborne Street West are to be used, the amendment also proposes to formally change the zoning on the lot to be created from A to RR. The severed lot exceeds the minimum lot frontage (38 metres) and area (0.28 hectare) requirements of the Rural Residential (RR) Zone by proposing about 80 metres and 0.73 hectares respectively. The dwelling on the proposed severed lot will comply with the applicable setback provisions of the RR Zone.

Other Alternatives Considered:

No alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the 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 Recommendations-) to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

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

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

Servicing Comments:

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

Consultations:

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. The Building Division, Building Division – Part 8 Sewage Systems, Enbridge Gas Inc., Ministry of Transportation, Community Services Department, and Engineering and Corporate Assets Department raised no concerns as a result of the circulation. No comments were received from the public.

Development Services – Planning Division Comments:

The application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. The application also conforms to the policies of the Official Plan. The proposed Zoning By-law Amendment contained in Appendix D will ensure the agricultural is preserved for agricultural use by introducing the A-9 Zone. All other A Zone provisions will be maintained as a result of this amendment. Zoning By-law Amendment also ensures that 454 Colborne Street West is zoned RR to avoid any future confusion as to how the parcel is to be used.

Conclusion:

The application conforms to and is consistent with the provincial policies concerning prime agricultural areas. The application also does conform to the Prime Agricultural designation policies in the City's Official Plan. Staff supports the application based on the information contained in this report and the comments received as of May 15, 2019. Staff respectfully recommends that the application be referred to Council for APPROVAL.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2019-033.pdf

Appendix 'B' – Sketches for Consent Application



Appendix B to
PLAN2019-033.pdf

Appendix 'C' – Aerial Photograph



Appendix C to
PLAN2019-033.pdf

Appendix 'D' – Draft Zoning By-law Amendment



Appendix D to
PLAN2019-033.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

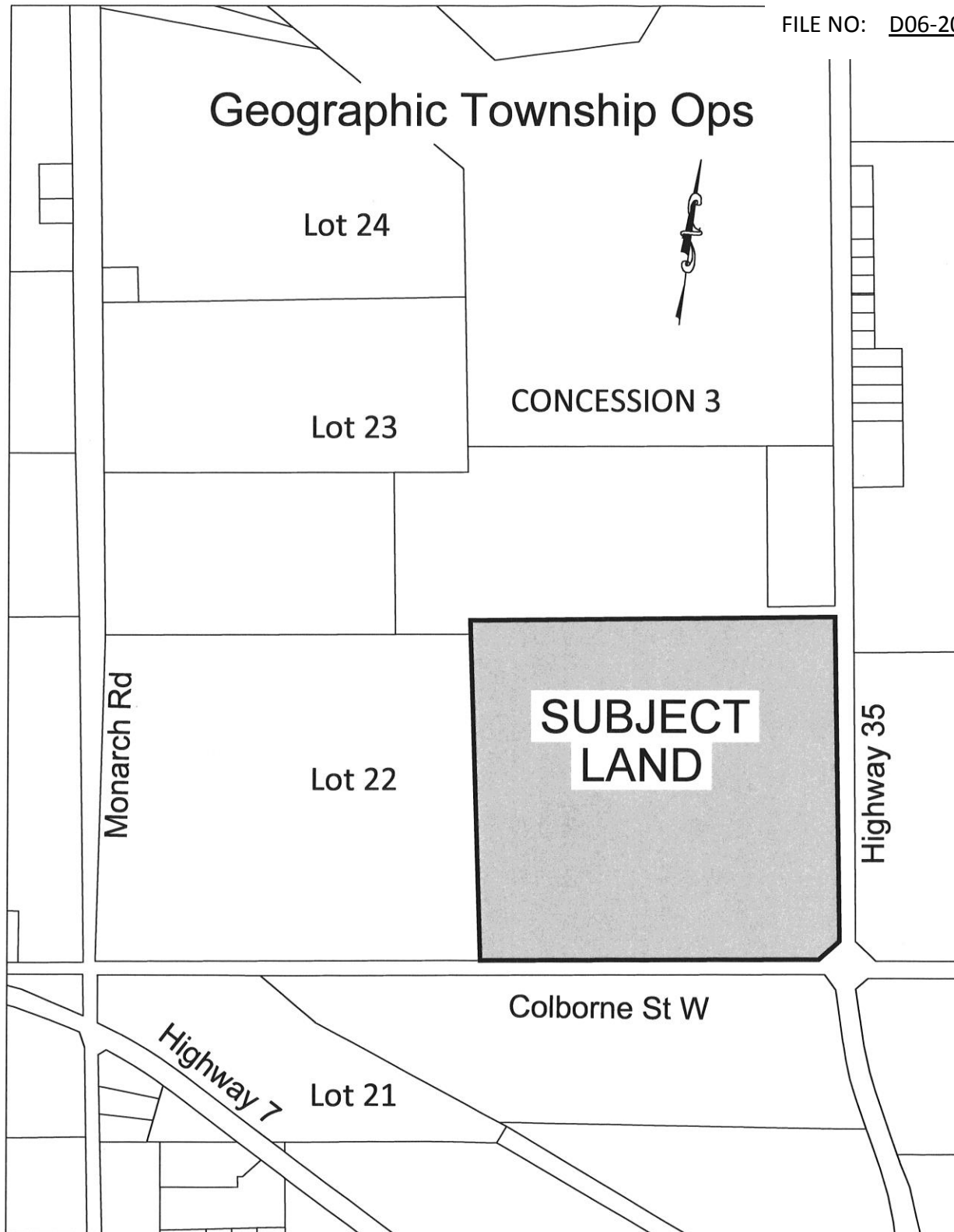
Department Head: Chris Marshall

Department File: D06-2019-009

to

REPORT PLAN2019-033

FILE NO: D06-2019-009



APPENDIX “ B ”

to

REPORT PLAN2019-033

FILE NO: D06-2019-009

454 Colborne Street West



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



0.46 Kilometers
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© City Of Kawartha Lakes



The Corporation of the City of Kawartha Lakes

to

REPORT PLAN2019-033

By-Law 2019 -

FILE NO: D06-2019-009

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

File D06-2019-009, Report PLAN2019-033, respecting Part Lot 22, Concession 3, geographic Township of Ops, identified as 454 Colborne Street West

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) rezone the land containing the dwelling to a residential zone category; and
 - (b) prohibit residential uses on the balance of the agricultural land;
 in order to fulfill a condition of provisional consent.
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 Part Lot 22, Concession 3, geographic Township of Ops, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category on a portion of the property from Agricultural (A) Zone to Rural Residential (RR) Zone for the land referred to as RR, as shown on Schedule 'A' attached to this By-law; and to change the zone category on the balance of the property from Agricultural (A) Zone to Agricultural Exception Nine (A-9) Zone for the land referred to as A-9, as shown on Schedule 'A' attached to this By-law.

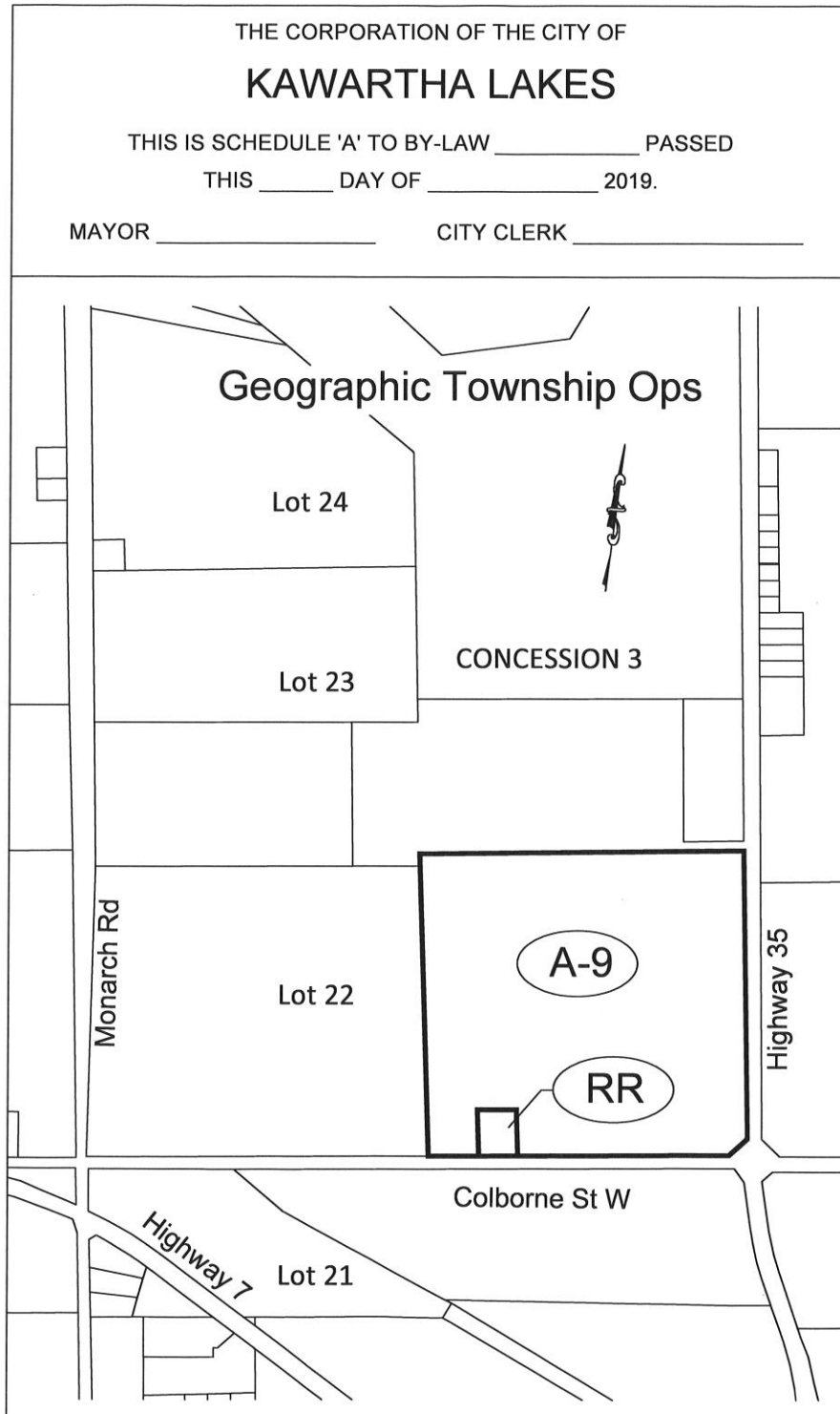
Section 2:00 Effective Date

- 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

Planning Advisory Committee Report

Report Number PLAN2019-034

Date: June 5, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: 1 - Eldon

Subject: An application to amend the Township of Eldon Zoning By-law 94-14 to rezone a portion of the subject lands from Agricultural (A1) Zone to an environmental protection zone and a residential zone on land described as Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, City of Kawartha Lakes, and partially identified as 1561 Kirkfield Road (Victor Webster Farms Ltd. and Leach)

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2019-034, respecting Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, and part of which is partially identified as 1561 Kirkfield Road – Application D06-2019-010, be received;

That a Zoning By-law Amendment respecting application D06-2019-010, substantially in the form attached as Appendix “D” to Report PLAN2019-034, be approved and adopted by Council; and

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The subject proposal is composed of two properties. One is a landlocked parcel owned by Victor Webster Farms Ltd. and the second an agricultural lot addressed as 1561 Kirkfield Road owned by Kevin and Jennifer Leach.

On November 29, 2018, the Committee of Adjustment granted provisional consent to application D03-2018-010 to sever approximately 3 hectares of agricultural land owned by Kevin and Jennifer Leach and add it to the lands owned by Victor Webster Farms Ltd. The purpose of the application is to provide the landlocked parcel owned by Victor Webster Farms Ltd. access to Kirkfield Road.

As a condition of provisional consent, the agricultural land to be added to the landlocked parcel is to be rezoned to permit one single detached dwelling and the benefitting lands are to be rezoned to an environmental protection zone to protect significant woodland as per the policies of the Lake Simcoe Protection Plan.

Owners:	Victor Webster Farms Ltd., and Kevin and Jennifer Leach
Applicant:	Alan Webster
Legal Description:	Part of Lots 39-42, South of Portage Road, geographic Township of Eldon
Official Plan:	Rural, Environmental Protection, Development Plan Area Nine within the City of Kawartha Lakes Official Plan
Zone:	Agricultural (A1) Zone, in the Township of Eldon Zoning By-law 94-14, as amended
Site Size:	Severed – 3 hectares Retained – 96 hectares
Site Servicing:	Severed – None Retained – Private individual well and septic system
Existing Uses:	Agricultural, Forest
Adjacent Uses:	North: Agricultural, Forest, Rural Residential South: Agricultural, Rural Residential East: Agricultural, Forest, Rural Residential West: Agricultural, Forest

Rationale:

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

The Growth Plan directs development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas.

Policy 4.2.3 identifies that development is not permitted within key natural heritage features, which includes significant woodlands. As per this policy and Lake Simcoe Region Conservation Authority's comments that were submitted as part of the circulation of the consent application, an environmental protection zone is being imposed on the portion of the subject lands which contain the significant woodlands.

Policy 2.2.9 permits development of residential uses in rural areas outside of rural settlement areas where such uses have been specified within an Official Plan. Within the City of Kawartha Lakes Official Plan, the area which is proposed to be rezoned to a rural residential zone is designated for estate residential style development.

Therefore, this application conforms to the Growth Plan.

Lake Simcoe Protection Plan (LSPP)

The property is located within the Lake Simcoe Watershed. The LSPP contains a series of policies to protect the long term health of the watershed.

Policy 6.23-DP of the LSPP states that development or site alteration is not permitted within a key natural heritage feature, which includes significant woodlands, unless it was permitted under Policy 6.45-DP. Policy 6.45-DP states that development or site alteration is permitted within the LSPP area if development was permitted upon the existing lot of record.

As the benefitting lot has no access to an improved street, development on the lot is not permitted. Therefore, Policy 6.45-DP does not permit development within the significant woodland feature once legal access to the landlocked parcel is provided.

Sufficient space exists on the lands to be added to the landlocked parcel to accommodate a building envelope. While the lands to be added were not originally intended to contain the building envelope, these lands are designated for development (see Official Plan section below), and are therefore a more appropriate location for development, especially given the presence of significant woodland. The protection of significant woodlands is reinforced by Policy 2.1.5 of the PPS.

The proposed zoning by-law amendment application conforms to the LSPP as development is proposed to be directed away from the significant woodlands.

Provincial Policy Statement, 2014 (PPS)

As stated in Policy 1.1.5, development within Rural Areas, particularly upon Rural Lands must be compatible with the rural landscape and sustained by rural service levels.

As a single detached dwelling is being proposed as a result of a lot line adjustment, the lot line adjustment is proposed to sever land at the northern edge of an agricultural operation, the rural landscape is being maintained and little change in demand for service would occur.

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

The majority of the subject land is designated Rural within the City of Kawartha Lakes Official Plan (Official Plan), with portions designated Development Plan Area Nine and Environmental Protection. The Environmental Protection portions appear to reflect the locations of watercourses. The application proposes no change to the lands with the Environmental Protection designation.

The Development Plan Area Nine (DP-9) designations are present within the eastern portion of the land to be added to the landlocked parcel. The DP-9 designation recognizes the historic anticipation of the lands to be used for development, primarily in the form of single detached homes on large lots. It is within this area where most of the land to be rezoned to a rural residential zone is found.

The balance of the two properties is within the rural designation. The linear access proposed to the landlocked parcel is within this designation. The designation permits lot line adjustments provided a new lot is not created. As a result of the proposed lot line adjustment, a minimum amount of land within the rural designation is proposed to be removed from agricultural production to facilitate access to the landlocked parcel. The proposed access route is at the north edge of the cultivated fields abutting a forest.

The Official Plan also contains policies pertaining to applications for land development within the Lake Simcoe Watershed as determined by the LSPP. The Official Plan recognizes that development and site alteration is not permitted within a natural heritage feature as per the LSPP if construction upon an existing lot of record was not permitted prior to the date the LSPP took effect. A building envelope close to Kirkfield Road, contained on the land to be added to the lot, exists. This area closer to the road, away from significant environmental features, is outside of the required buffer to the significant woodland feature and sited within an area which has been recognized within the City's Official Plan for potential future development. As such the building envelope closer to the road is a more appropriate location for future residential development.

The application conforms to the Official Plan.

Zoning By-law Compliance:

The subject lands are zoned Agricultural (A1) Zone within the Township of Eldon Zoning By-law 94-14.

The lot to be retained exceeds the minimum lot frontage (230 metres) and area (25 hectares) requirements of the A1 Zone by proposing about 1,110 metres and 96 hectares respectively.

The proposed zoning by-law amendment will, in part, re-zone the landlocked parcel owned by Victor Webster Farms Ltd. from A1 Zone to Environmental Protection (EP) Zone to protect the significant woodland from development. The zoning by-law amendment will also rezone the lands which shall be added to the landlocked parcel from A1 Zone to Rural Residential Type One (RR1) Zone to permit the construction of a single detached dwelling.

The section of the consolidated lot to be zoned Rural Residential Type One (RR1) Zone exceeds the minimum lot frontage (38 metres) and area (4000 square metre) requirements of the RR1 Zone by proposing about 45 metres and 3 hectares (30,000 square metres) respectively.

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 Recommendations 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.

Servicing Comments:

The dwelling on the agricultural land to be retained is serviced by a private sewage disposal system and well. A future single detached dwelling on the proposed consolidated lot would be serviced by a private sewage disposal system and well.

Consultations:

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. The Building Division, Community Services Department, and Engineering and Corporate Assets Department raised no concerns as a result of circulation. No comments were received from the public.

Development Services – Planning Division Comments:

The application conforms to the Growth Plan, LSPP, and the Official Plan and is consistent with the PPS. The application will permit the development of a single detached dwelling while also protecting a significant woodland feature from development. The application is appropriate and represents good planning.

Conclusion:

In consideration of the comments and analysis contained in this report, staff respectfully recommends that the application be referred to Council for APPROVAL.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2019-034.pdf

Appendix 'B' – Sketches for Consent Application



Appendix B to
PLAN2019-034.pdf

Appendix 'C' – Aerial Photograph



Appendix C to
PLAN2019-034.pdf

Appendix 'D' – Draft Zoning By-law Amendment



Appendix D to
PLAN2019-034.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

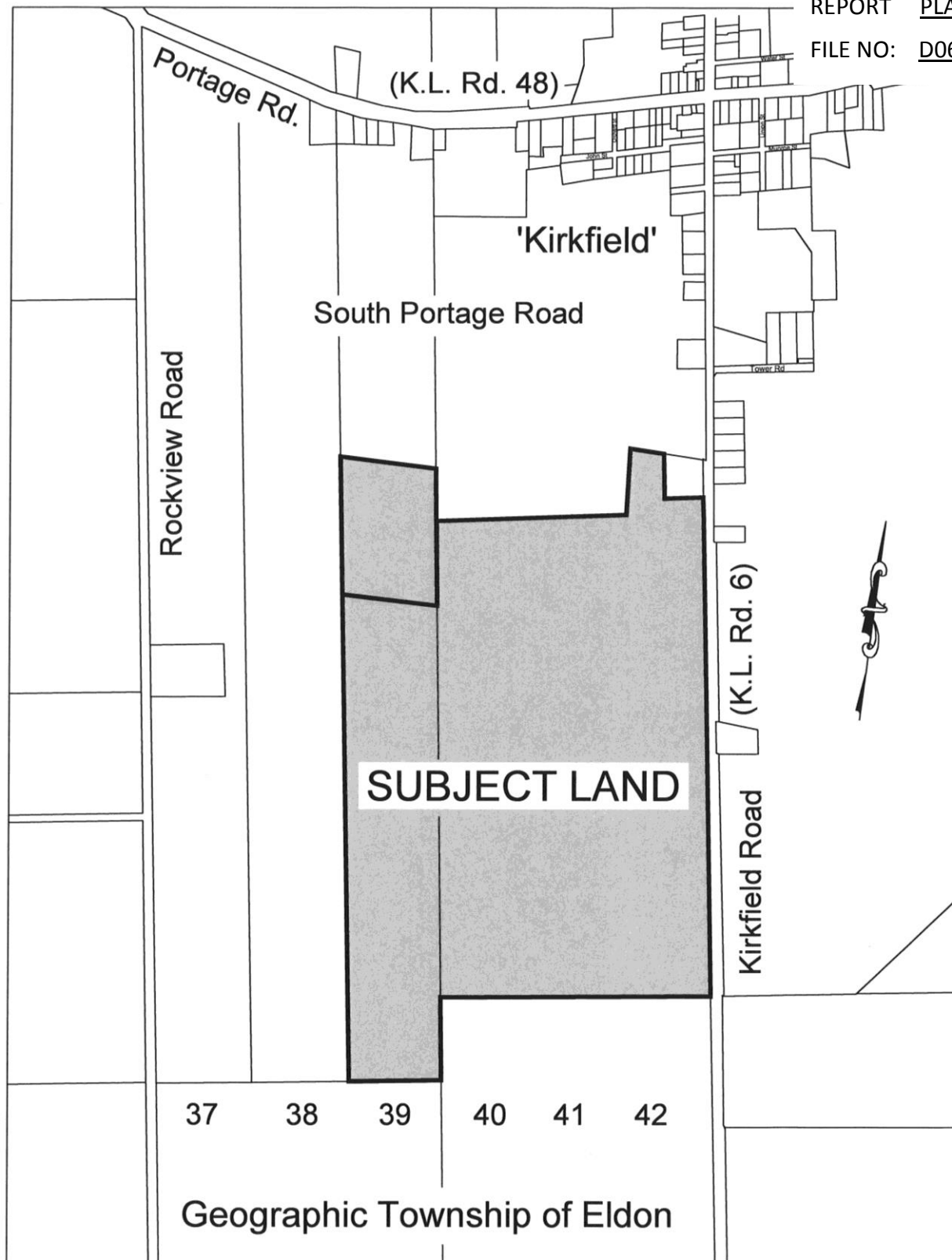
Department Head: Chris Marshall

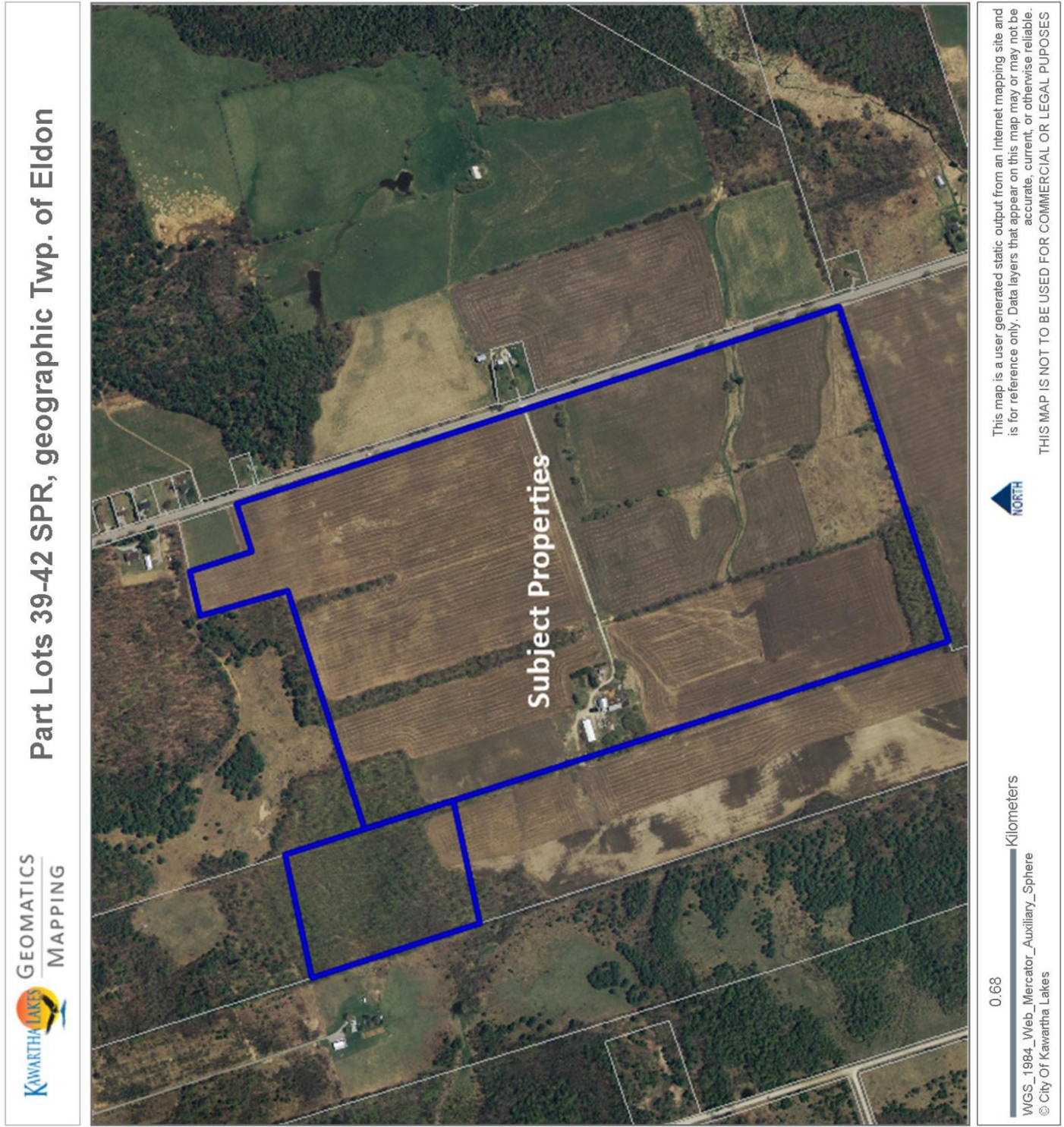
Department File: D06-2019-010

to

REPORT PLAN2019-034

FILE NO: D06-2019-010





APPENDIX " C "

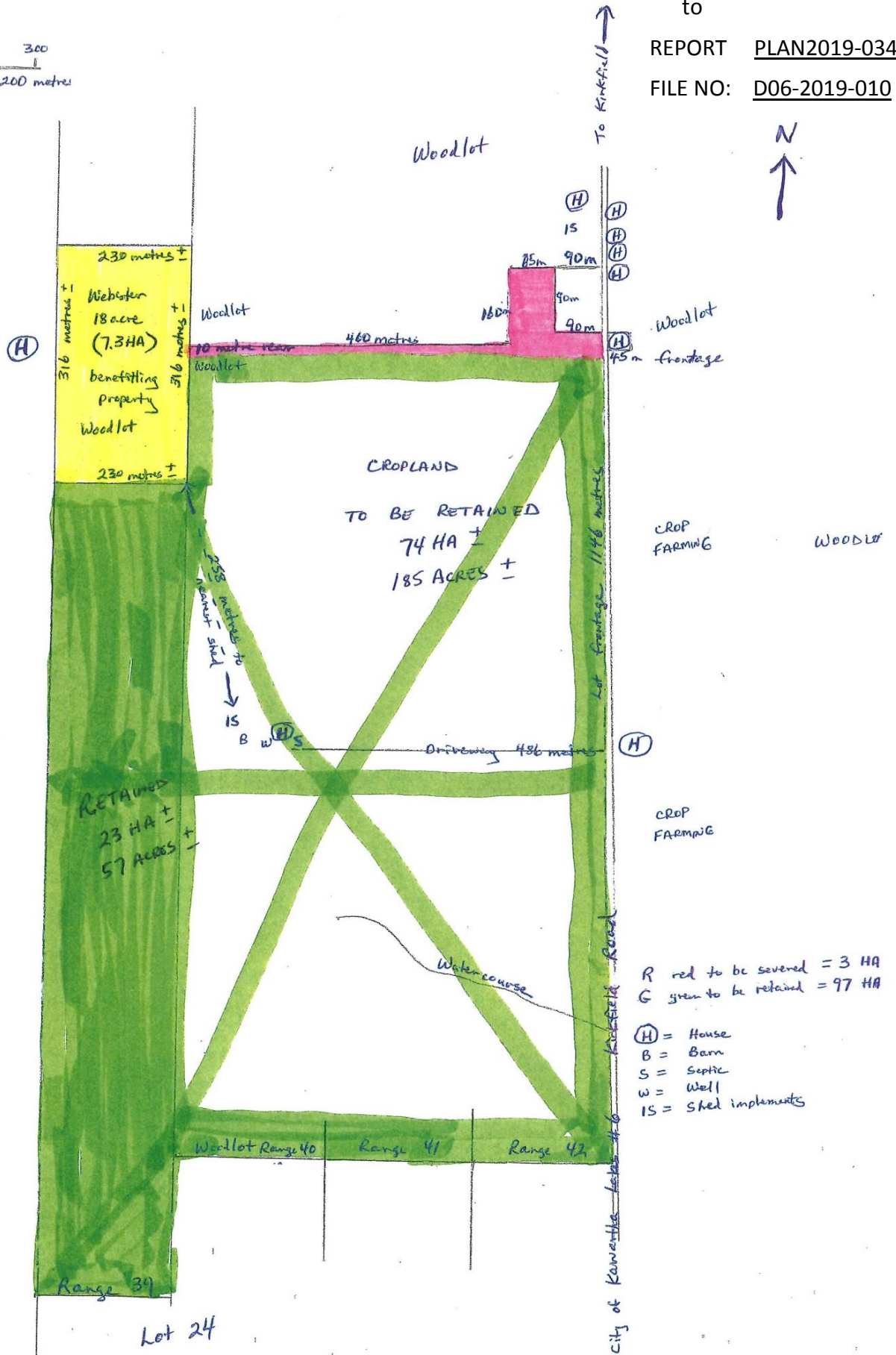
to

REPORT PLAN2019-034

FILE NO: D06-2019-010



Scale
100m 200 300
1 inch = 24 mm = 200 metres



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

to
 REPORT PLAN2019-034
 FILE NO: D06-2019-010

**A By-Law To Amend The Township of Eldon Zoning By-Law No. 94-14
 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2019-010, Report PLAN2019-034, respecting Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, partially identified as 1561 Kirkfield Road

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to two specific parcels of land to:
 - (a) rezone one lot to an environmental protection zone category; and
 - (b) rezone land to be added to the above-noted lot to receive environmental protection zoning to a rural residential zone category;
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 Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule ‘A’ to By-law No. 94-14 of the Township of Eldon is further amended to change the zone category on one property from Agricultural (A1) Zone to Environmental Protection (EP) Zone for the land referred to as EP, as shown on Schedule ‘A’ attached to this By-law; and to change the zone category on a portion of the other property from Agricultural (A1) Zone to Rural Residential Type One (RR1) Zone for the land referred to as RR1, 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

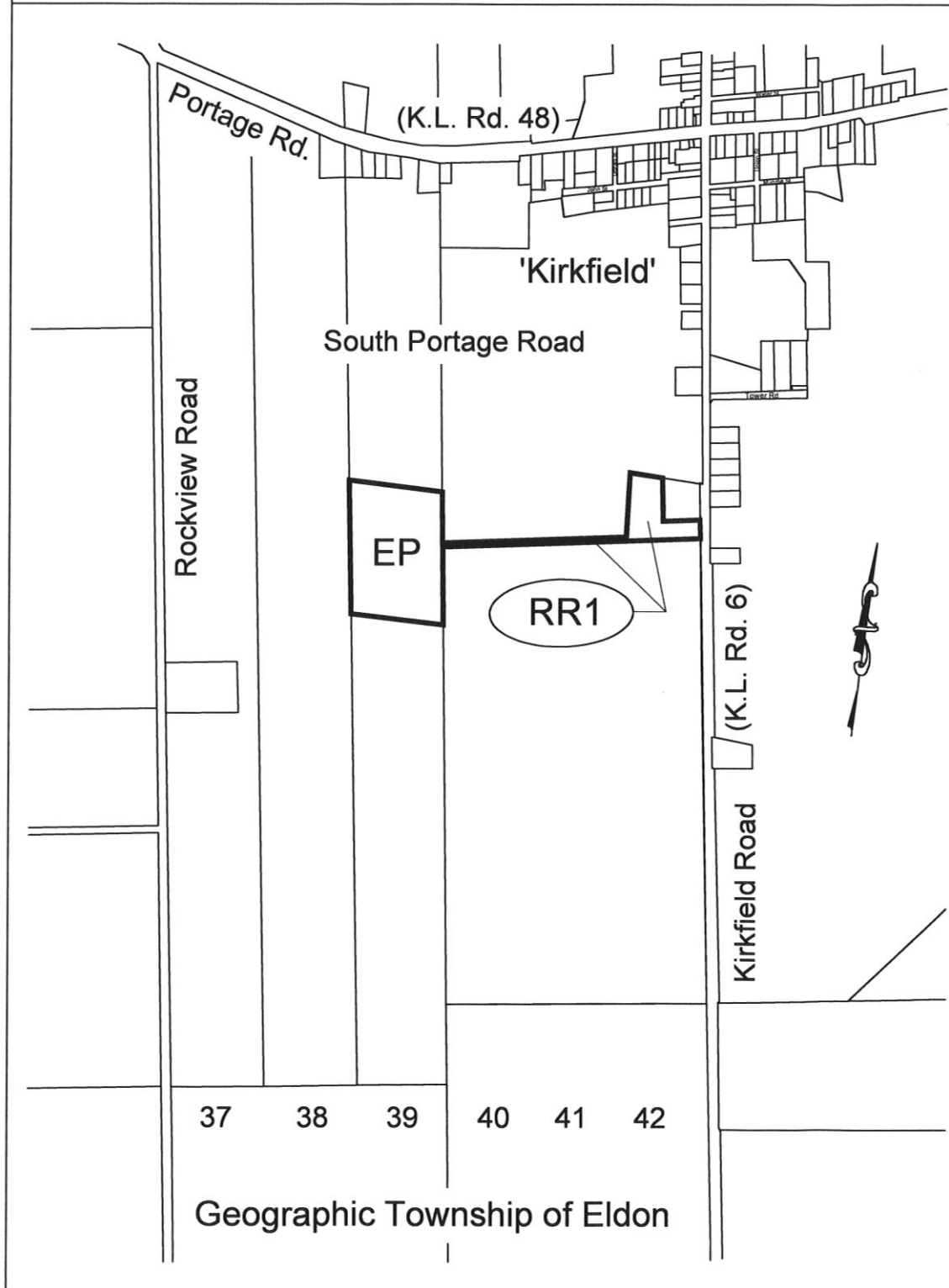
KAWARTHA LAKES

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 PLAN2019-035

Date: June 5, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 4 - Mariposa

Title: An application to amend the Township of Mariposa Zoning By-law 94-07

Description: To change the Agricultural (A1) Zone to the Agricultural Exception Thirty-Four (A1-34) Zone to permit a Garden Suite for up to 20 years, on Part Lot 19, Concession 7, geographic Township of Mariposa, 115 Taylor's Road (Arksey)

Author and Title: Mark LaHay, Planner II

Recommendations:

That Report PLAN2019-035, respecting Part Lot 19, Concession 7, geographic Township of Mariposa, Application D06-2019-011, be received;

That a Zoning By-law, respecting application D06-2019-011, substantially in the form attached as Appendix 'D' to Report PLAN2019-035 be approved and adopted by Council;

That staff be directed to prepare a "Garden Suite" agreement pursuant to Section 39.1 of the Planning Act, respecting this application; 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:

Proposal:	To rezone the subject land from the Agricultural (A1) Zone to the Agricultural Exception Thirty-Four (A1-34) Zone. The effect of the zoning amendment would be to permit a garden suite, which is a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to the existing detached dwelling, as a second dwelling unit on the property.
Owners:	Lori and Daryl Arksey
Legal Description:	Part Lot 19, Concession 7, RP 57R-5834, Part of Part 1, geographic Township of Mariposa
Official Plan:	"Prime Agricultural" in the City of Kawartha Lakes Official Plan
Zoning	"Agricultural (A1) Zone" in the Township of Mariposa Comprehensive Zoning By-law No. 94-07
Site Size:	24.6 acres (9.96 ha.) - MPAC
Site Servicing:	The lot is serviced by a private individual well and a private individual sewage disposal system. The proposed garden suite would be serviced by a separate existing private well and new septic system.
Existing Uses:	Agricultural with residence
Adjacent Uses:	North: Farmstead Road/Agricultural East: Taylor's Road/Agricultural South: Agricultural West: Agricultural

Rationale:

The owner has applied to permit a Garden Suite on the subject land. The subject lands are in a prime agricultural area and located southeast of the Hamlet of Oakwood on the south side of Farmstead Road and west side of Taylor's Road. The subject land currently contains a single detached dwelling with an attached garage, which was built in 2004 and a garage/shop which was built in 1991, according to MPAC records. A building permit for a new horse barn was issued in 2018, which has been constructed. The garden suite is proposed to be located north of the existing single detached dwelling and to the east of the new horse barn and will occupy an area of approximately 108.5 sq. m. (1168 sq. ft.). The garden suite dwelling structure is proposed to be a two module (double wide) mobile home, which is a portable dwelling structure, which will be winterized for year round use.

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 April 1, 2019.
2. Plans and Sketches for the Zoning By-law Amendment prepared by the Owner, undated.
3. Minimum Distance Separation (MDS) Report prepared by Clark Consulting Services, dated March 21, 2019.

Staff has reviewed the applicable City and Provincial policy objectives that are relevant to this application. Staff accepts the conclusions of the MDS Report that demonstrates the proposed Garden Suite use complies with the Minimum Distance Separation Provincial Formulae.

The Planning Act permits a Garden Suite for a maximum period of twenty (20) years and continues to permit Council to grant further extensions of not more than three years each, during which the temporary use is authorized.

The effect of this application is to permit the proposed Garden Suite for a period of up to twenty (20) years. The owner has indicated that the proposed Garden Suite will be located along an existing laneway that is connected to the main driveway for the existing dwelling but will rely on a separate new septic system and existing well to be shared with the new horse barn. Staff recommends that the owner enter into a Garden Suite Agreement with the municipality, which should be registered against title so that any subsequent owner will have notice that the use of the Garden Suite is temporary. The agreement will recognize the twenty (20) year timeframe.

A Garden Suite is a temporary dwelling which is intended to be portable, with bathroom and kitchen facilities and is ancillary to the existing dwelling on the lot. The 20 year period is appropriate as the structure complies with the definition of Garden Suite and the total time frame for the proposed garden suite would be in accordance with the timeframe permitted by the Planning Act. According to the application, the tenants of the Garden Suite are related to the owners of the property. The Garden Suite remains ancillary to the existing dwelling and meets the general intent and purpose of Section 39.1 of the Planning Act. Staff supports this application.

Applicable Provincial Policies:

The Planning Act, , R.S.O. 1990, c.P.13, provides a framework for municipalities to require policies within their Official Plans which support second dwelling units to be implemented through municipal Zoning By-laws.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan):

The 2019 Growth Plan directs development to settlement areas except where the policies of the Plan permit otherwise.

This application has been evaluated taking into consideration whether the proposed use is compatible with the rural landscape, can be sustained by rural service levels, and will not adversely affect the protection of agricultural uses and/or achieving long term compatibility relating to the interface of agricultural uses and non-agricultural users to minimize and mitigate adverse impacts.

Based on the information submitted with the application, the application appears to conform to the 2019 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.

The temporary residential use proposed on the subject property, which is currently zoned for agricultural purposes, is not anticipated to impact the subject or adjacent agricultural uses.

The applicant has submitted a MDS report, which concludes that MDS setbacks are met for Type 1 land uses in relation to the existing barns within the review area, which complies with the requirements of the PPS.

Section 2.1 of the PPS provides policy with respect to the Wise Use and Management of Resources to protect Natural Heritage features. Section 3.1 of the PPS provides policies for protecting public health and safety by directing development away from hazardous lands and sites that may be subject to flooding and/or erosion. Based on consultation, the KRCA has recommended the proposed location of the garden suite in order to provide a means of safe access/egress as well as a separate septic system for the horse barn and garden suite to prevent disturbance an aggravation to the watercourse and associated floodplain that would have resulted from upgrading the connection to the existing dwelling. Furthermore, the applicant has committed to establishing a 5 metre naturalized vegetated buffer on both sides of the watercourse. Therefore, with these measures, it is not anticipated there will any negative impacts on the natural features or their ecological functions nor would it appear there would be any concern for any natural hazards associated with this application.

Therefore, the application appears to be consistent with the PPS.

Official Plan Conformity:

The subject land is designated "Prime Agricultural" in the City of Kawartha Lakes Official Plan. No agricultural land will be impacted as the proposed garden suite will be located along an existing laneway that is connected to the main driveway providing access to the new barn. The proposal would appear to generally conform to the policies established for garden suites under Section 5.4 of the City of Kawartha Lakes Official Plan.

Zoning By-Law Compliance:

In order to permit the proposed use, a rezoning application has been submitted for consideration to add a temporary garden suite use to the Agricultural (A1) Zone for the subject land. If the application is approved, the use would be permitted for the timeframe specified by the implementing Zoning By-law.

The draft By-law establishes that the Garden Suite shall not exceed a gross floor area of 110 square metres and shall be permitted for a period of 20 years.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested 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 Recommendations To The 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

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

This application would align with the exceptional quality of life and healthy environment goals as it supports housing options to supply affordable housing and does not interfere with natural features and functions.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The lot is currently serviced by private individual wells and a private sewage disposal system. An application for a new sewage system permit has been made to ensure that the proposed garden suite can be established and serviced in the noted location. The Part 8 Sewage Systems Supervisor has observed that the property will be able to accommodate the proposed garden suite.

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. To date, we have received the following comments:

Public Comments:

As of the time of writing this report, no public comments were received.

Agency Review Comments:

On May 10, 2019, the Building Division advised that a Building permit is required for the installation of the "garden suite". In addition, Development charges are payable in the amount of \$6,529 and are generally collected at time of permit application. Permit fees will depend on the type of building and foundation proposed.

On May 13, 2019, Development Engineering advised from an engineering perspective, they have no objection to the proposed Zoning By-law Amendment and have no engineering requirements.

On May 14, 2019, the Community Services Department advised that they have no concerns or comments with respect to this application.

On May 16, 2019, Enbridge Gas Inc. advised they have no objection to the application.

On May 16, 2019, the Building Division Part 8 Sewage Systems Program advised they have no objection to the proposed zoning amendment as they have reviewed the property through an application for a sewage system permit to ensure that the proposed garden suite can be established and serviced in the noted location and have observed that the property will be able to accommodate the proposed garden suite.

Conclusion:

The application appears to conform to the policies of the 2019 Growth Plan and to be consistent with the Provincial Policy Statement and generally conforms to the policies of the City of Kawartha Lakes Official Plan. The application has been reviewed in consideration of comments from the circulated agencies, relevant

provincial policies, the City of Kawartha Lakes Official Plan, and the Township of Mariposa Zoning By-law. In consideration of the comments contained in this report, and provided that no additional information is raised at the Public Meeting that would alter the recommendations contained in this report, Staff respectfully recommends that the proposed rezoning application be referred to Council for **APPROVAL**.

Attachments:

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



Appendix 'A'
PLAN2019-035.pdf



Appendix 'B'
PLAN2019-035.pdf



Appendix 'C'
PLAN2019-035.pdf



Appendix 'D'
PLAN2019-035.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photograph
Appendix 'C' – Owner's Aerial Plan
Appendix 'D' – Draft Zoning By-law

Department Head E-Mail: cmarshall@kawarthalakes.ca

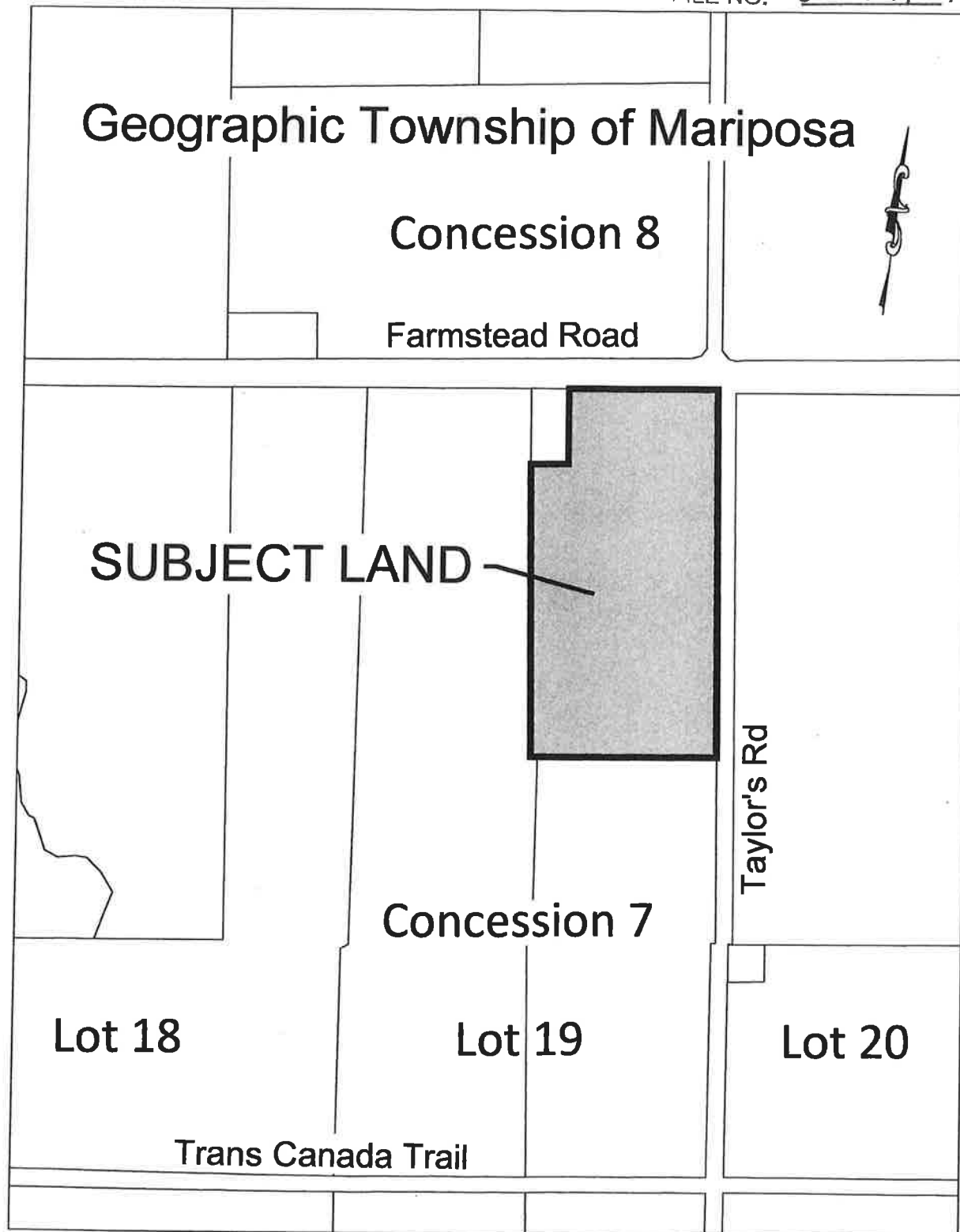
Department Head: Chris Marshall

Department File: D06-2019-011

to

REPORT PLAN2019-035

FILE NO. 006-2019-011



115 Taylor's Road, geographic Township of Mariposa



Legend

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

APPENDIX " B "

to

REPORT PLAN2019-035

FILE NO. 006-2019-011

Notes

0.46

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



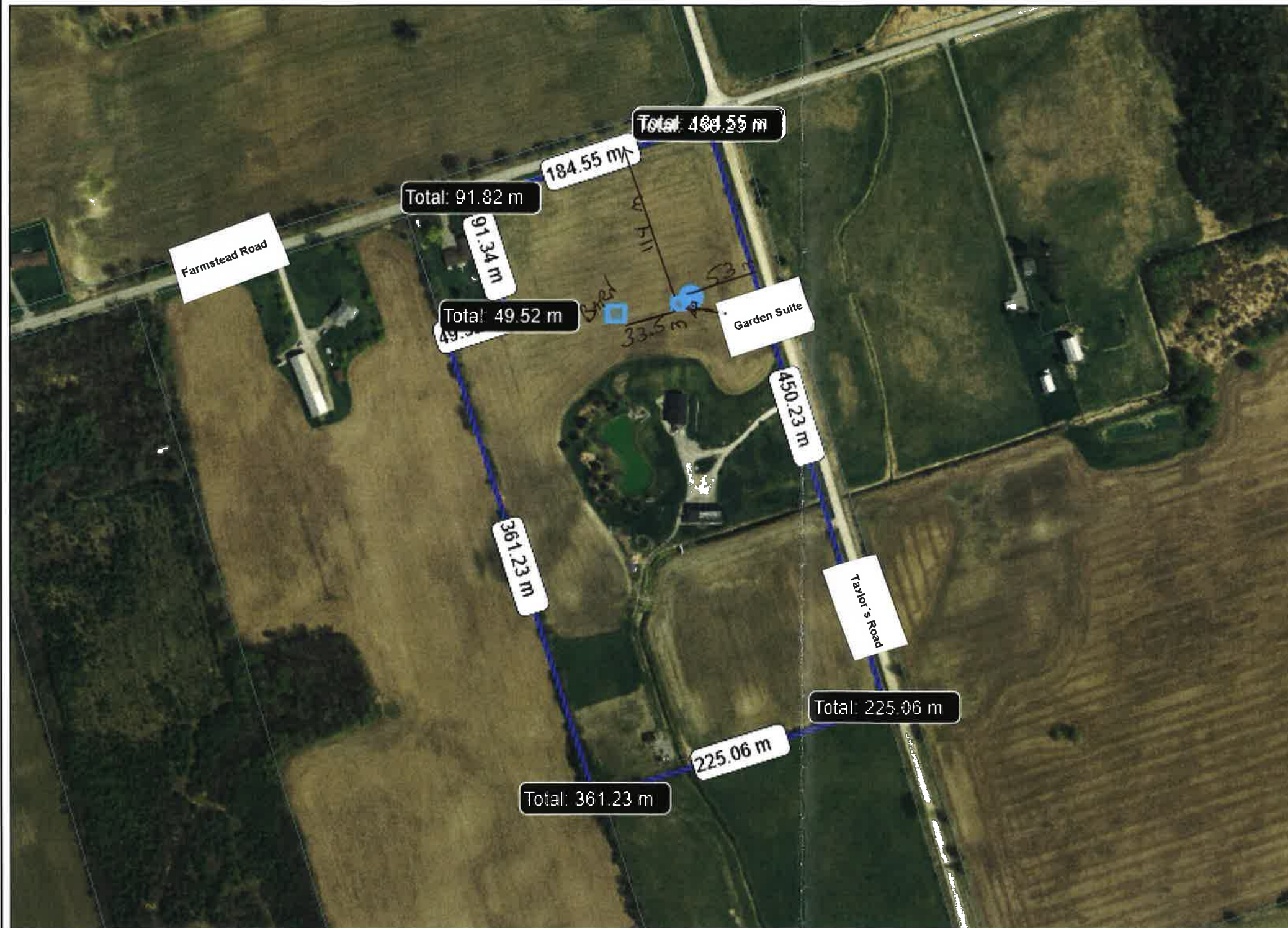
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



Barn to lot line measurements

Notes:



Legend

- Building as Symbol
- Building to Scale
- Airport
- Helipoint \ Hospital Helipoint
- Seaplane Base
- Ferry Route
- Trail Head \ Trail
- Railway \ Train Station
- Railway with Bridge
- Railway with Tunnel
- Road (Major → Minor)
- Winter Road
- Road with Bridge
- Road with Tunnel
- Primary, Kings or 400 Series Highway
- Secondary Highway
- Tertiary Highway
- District, County, Regional or Municipal Road
- Toll Highway
- One Way Road
- Road with Permanent Blocked Passage
- Road with Address Ranges
- Hydro Line, Communication Line or Unknown Transmission Line
- Natural Gas Pipeline, Water Pipeline or Unknown Pipeline
- Spot Height
- Index Contour
- Contour
- Wooded Area
- Wetland
- Waterbody
- Waterbody Elevation
- Watercourse
- Falls
- Rapids
- Rapids \ Falls
- Rapids
- Rocks
- Lock Gate
- Dam \ Hydro Wall
- Dam \ Hydro Wall
- Provincial \ State Boundary
- International Boundary
- Upper Tier \ District
- Municipal Boundary
- Lower Tier \ Single Tier
- Municipal Boundary
- Lot Line
- Indian Reserve
- Provincial Park
- National Park
- Conservation Reserve
- Military Lands

0 0.2 km

Projection: Web Mercator



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GARDEN SUITE
DIMENSIONS
11.6 m x 9.35

APPENDIX C
to
REPORT PLAN2019-035
FILE NO. 006-2019-011

The Corporation of the City of Kawartha LakesREPORT PLAN2019-035**By-Law 2019 -**FILE NO. D06-2019-011**A By-Law To Amend The Township of Mariposa Zoning By-Law No. 94-07 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2019-011, Report PLAN2019-035, respecting Part Lot 19 Concession 7, geographic Township of Mariposa, identified as 115 Taylor's Road – Arksey

Recitals:

1. Sections 34 and 39 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit the temporary use of the land for a Garden Suite.
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 Part Lot 19, Concession 7, Part of Part 1, 57R-5834, geographic Township of Mariposa, City of Kawartha Lakes, and identified as 115 Taylor's Road.
- 1.02 **Textual Amendment:** By-law No. 94-07 of the Township of Mariposa is further amended to add the following section to Section 8.3:

"8.3.34 AGRICULTURAL EXCEPTION THIRTY FOUR (A1-34) ZONE

8.3.34.1 In addition to the uses permitted in Section 8.1, on lands zoned A1-34, a garden suite is also permitted and is subject to the following provisions:

8.3.34.2 A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.

8.3.34.3 A "Garden Suite" shall not exceed a gross floor area of 110 square metres and shall be permitted for a period of twenty (20) years commencing on the date that the A1-34 Zone is in effect."

- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category from the Agricultural (A1) Zone to the Agricultural Exception Thirty-Four (A1-34) Zone for the land referred to as 'A1-34', 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 Sections 34 and 39 of the Planning Act, R.S.O. 1990, c.P.13.
- 2.02 **Expiry Date:** This By-law shall expire on the ** day of ***, 2039, in accordance with the provisions of Section 39.1(4) 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 _____

Geographic Township of Mariposa

Concession 8

Farmstead Road

A1-34

Concession 7

Lot 18

Lot 19

Lot 20

Trans Canada Trail

Taylor's Rd

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-011

Date: June 5, 2019
Time: 1:00 p.m.
Place: Council Chambers
Regular Meeting

Ward Community Identifier: Ward 7 – Ops

Title: Rezoning for Deer Run Golf Course

Description: An application to amend the Township of Ops Zoning By-law to add a restaurant use, modify the golf course use and amend the development standards of the 'Tourist Commercial Exception Two (CT-2) Zone' for the property identified as 35 Brook Street, Ops (BATL Management Inc.)

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

Recommendations:

That Report PLAN2019-011, **Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, BATL Management Inc. – Application D06-17-011**, be received;

That the zoning by-law amendment respecting application D06-17-011, substantially in the form attached as Appendix 'C' to Report PLAN2019-011, be approved and adopted by Council;

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

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The statutory public meeting was held by the Planning Advisory Committee on May 3, 2017 and the following resolution was passed:

PC2017-014

Moved By Mayor Letham

Seconded By Councillor Macklem

Recommend That Report PLAN2017-018, respecting Concession 2, Part Lots 9 and 10, geographic Township of Ops, “BATL Management Inc. – Application D06-17-011, be received; and

That Report PLAN2017-018 respecting Application D06-17-011 be referred back to staff to address the issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed.

CARRIED

This report addresses that direction.

The existing Tourist Commercial Exception Two (CT-2) Zone for the site currently permits a tourist camp with up to 125 camp sites, a management office and recreation facility, a 9-hole golf course, a golf driving range, a marine facility, and an accessory convenience store and laundry facility. The site has been developed with a 12-hole golf course, a driving range, a clubhouse with ancillary restaurant, and 26 trailer sites.

The proposal will amend the permitted uses and development standards in the ‘CT-2’ zone to facilitate an expansion of the existing tourist camp to a maximum of 102 campsites, by:

- a) Changing the 9-hole golf course use to a 12-hole golf course use to recognize the current golf course configuration;
- b) Adding an accessory restaurant use to the existing golf course;
- c) Reducing the minimum campsite area from 450 square metres per site to 180 square metres per site; and
- d) Reducing the minimum front yard setback from 106 metres to 75 metres.

Although the current By-law permits up to 125 camp sites, this proposal would result in a maximum of 102 camp sites in total. A Holding (H) provision will be applied to the zone category, to be removed upon the applicant successfully entering into a secured site plan agreement with the City. The site plan agreement will contain the appropriate provisions to ensure compliance with the

requirement for a minimum sixty (60) consecutive day shutdown each year, as the camp site use is not permitted year-round.

Owner:	BATL Management Inc. c/o Pina and Mario Santacroce
Applicant:	EcoVue Consulting Services Inc. – Kent Randall
Legal Description:	Concession 2, Part Lots 9 and 10, geographic Township of Ops
Designation:	Tourist Commercial and Environmental Protection on Schedule A-3, City of Kawartha Lakes Official Plan
Zone:	'Tourist Commercial Exception Two (CT-2) Zone' and 'Hazard Land (HL) Zone' on Schedule 'A' of the Township of Ops Zoning By-law No. 93-30
Lot Area:	44.8 ha. [105.0 ac. – MPAC], of which 3.16 ha. are contemplated for the tourist camp development
Site Servicing:	Private communal well and septic systems which includes approvals from the Ministry of the Environment, Conservation and Parks (MECP) in the form of an Environmental Compliance Approval (ECA) for systems greater than 10,000 Litres per day (L/day). Stormwater management approvals may also require MECP ECA approvals if there is direct discharge into a receiving waterbody.
Existing Uses:	The property is currently developed with a 12-hole golf course, driving range, a 26 site tourist camp, and ancillary uses including a clubhouse and restaurant
Adjacent Uses:	North: Mariposa Brook; Agricultural East: Mariposa Brook Provincially Significant Wetland (PSW); Mariposa Creek Trailer Park South: Vacant Land; Mariposa Brook PSW; Driveway for Mariposa Creek Trailer Park West: Elm Tree Road; Vacant Land; Rural Residential

Rationale:

The property is located on the east side of Elm Tree Road to the south of the Mariposa Brook. See Appendix 'A'. The site is developed with a 12-hole golf course, a driving range, a clubhouse with ancillary restaurant, and 26 trailer camp sites. The proposed re-development would remove the driving range, and create an additional 76 trailer camp sites for a total of 102 camp sites, representing a reduction of 23 sites from the number currently permitted by the By-law. See Appendix 'B'. The portion of the lot subject to this proposal is located in the 'Tourist Commercial' designation of the City of Kawartha Lakes Official Plan (Official Plan), which allows a tourist resort; resource based recreational

uses, recreational vehicle park, and accessory uses for the exclusive use of the travelling or vacationing public within the development.

The applicant submitted a number of reports and plans in support of the application, which were circulated to various City Departments and commenting agencies for review.

Provincial Policies:

Staff reviewed the Planning Justification Report and addendum letters prepared by EcoVue Consulting Services Inc. in support of the zoning by-law amendment and accepts the planning rationale with respect to conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and consistency with the 2014 Provincial Policy Statement (PPS). The application serves to permit a resource based recreational/commercial use that depends on a rural setting. The applicant has submitted the appropriate background information to justify the development.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan):

The 2019 Growth Plan provides that growth should be directed towards settlement areas, except where related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas. The policies in Section 2.2.9 of the 2019 Growth Plan relate to development in the Rural Areas. The applicant has submitted addendum updates to the original Planning Justification Report for conformity with first the 2017 Growth Plan updates, and recently the 2019 Growth Plan, which came into effect on May 16, 2019. Staff agrees with the interpretation of the policies relating to 2019 Growth Plan conformity.

Therefore, this application conforms to the 2019 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. In rural areas, permitted uses and activities shall relate to the management or use of resources, resource-based recreational uses, limited residential development, and other rural land uses.

Development and site alteration shall be directed in accordance with the policies of Section 2 (natural heritage and hydrologic features) and Section 3 (natural and man-made hazards) of the PPS. An Environmental Impact Study (EIS) was submitted and circulated to Kawartha Region Conservation Authority (Kawartha Conservation) for review and comment. Kawartha Conservation has confirmed

they have no objection to the proposed zoning by-law amendment as all proposed development will be a minimum of 30 metres from the wetland boundary.

Planning for sewage, water, and stormwater services shall be in accordance with Section 1.6.6 of the PPS. A hydrogeological report has been submitted and reviewed, confirming that the private communal systems will be sustainable, feasible, and protect human health and the natural environment, in accordance with the policies.

On this basis, the application is consistent with the policies of the PPS.

Official Plan Conformity:

The lot is designated Tourist Commercial and Environmental Protection on Schedule 'A-3' of the City of Kawartha Lakes Official Plan (Official Plan). Schedule B-3 of the Official Plan identifies Significant Woodlands and Provincially Significant Wetlands (PSWs) on and in the vicinity of the property. The Environmental Protection designation corresponds with the PSWs.

The portion of the property subject to this application is designated Tourist Commercial in the Official Plan. This designation permits the uses proposed in this application. No development is contemplated on land designated Environmental Protection.

Section 34.7 of the Official Plan established the entire City of Kawartha Lakes as a Site Plan Control Area applying to all uses except for agricultural, aggregate extraction, forestry, open space and single detached residential uses. Staff recommends that only the developable area be subject to site plan approval. A holding (H) provision is proposed for the developable area of the site, to be removed subject to entering into a site plan agreement with the City.

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

Zoning By-Law Compliance:

The lot is zoned 'Tourist Commercial Exception Two (CT-2) Zone' and 'Hazard Lands (HL) Zone' in the Township of Ops Zoning By-law 93-30. The portion of the lot subject to this application is in the 'CT-2' zone. The zoning by-law amendment will add an ancillary restaurant use and change the 9 hole golf course use to a 12 hole golf course use, to recognize the 2 already established uses. In addition, the development standards will be amended to reduce the minimum front yard setback to 75 metres and the minimum campsite area to 180 square metres per site, to allow an expansion of the existing permitted campsite use. The total number of permitted sites will be reduced from 125 campsites to 102 campsites, based on the proposal. See Appendix 'C'. All other provision of the 'CT-2' zone would continue to apply.

For clarity, the proposed changes are shown in the following table:

Development Standard	Current: 'CT-2' zone	Revised: 'CT-2(H)' zone
Permitted Uses	• 9 hole golf course	• 12 hole golf course • Accessory restaurant
Minimum front yard setback	106.0 metres	75.0 metres
Minimum campsite area	400 square metres	180 square metres
Maximum Number of Campsites	125 campsites	102 campsites
Holding (H) Provision	None	Subject to entering into a site plan agreement with the City

The applicant has submitted the appropriate technical reports and background studies to demonstrate compliance with the Zoning By-law and the proposed amendments. The original advertisement noted the requested change for the front yard setback was a minimum of 79 metres. In order to ensure the proposed development will provide an appropriate buffer to the environmental features, the proposed front yard setback is now 78.1 metres. The revised proposal is therefore now 75 metres, to ensure the development can be accommodated. To offset this reduction, an enlarged planting area will be required to establish a vegetated buffer between the development and the municipal road.

As previously noted above, staff recommends that the developable area be subject to site plan approval to address the details of development such as any access/entrance upgrade requirements (if necessary), parking, lighting (including dark sky initiatives), waste management, fire routes, timing of the minimum 60 consecutive day shutdown period, and landscaping. The owner will enter into an agreement with the City, to be registered on title, which will ensure that the development is properly constructed in accordance with the plans, and the recommendations in the reports and studies. Once the site plan agreement has been registered, the owners would apply to remove the Holding (H) zone, pay the prescribed fee, and a By-law to remove the holding (H) symbol would be prepared for Council's consideration.

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

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 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 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 the Healthy Environment strategic goals as it provides to enhance the City's tourism and recreational base; and can utilize Low Impact Development (LID) techniques where possible to protect and enhance water quality.

Review of Accessibility Implications of Any Development or Policy:

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

Servicing Comments:

The lot is serviced by a private communal well and septic system. The required expansion to the sewage disposal system has received an Environmental Compliance Approval (ECA) from the Ministry of the Environment, Conservation and Parks (MECP). Stormwater management ponds and drainage swales are proposed to accommodate stormwater and may also require MECP ECA approvals if they discharge directly into a receiving water body. The applicant will explore opportunities to incorporate Low Impact Development (LID) features through the detailed design at site plan control.

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 May 24, 2019, we have received the following comments:

Public Comments:

March 21, 2019	Ken Christie had previously advised that he and other neighbours were concerned the proposal could permit year round use of the tourist camp on the property and requested additional information. The most recent comments question that various hydrogeologists have claimed there is adequate water, but not provided any reasons for their conclusions. In addition, he notes several wells in the area went dry in the past summer.
----------------	--

Agency Review Comments:

April 7, 2017	The Building Division – Sewage System Program has no comments on the application, as the property generates greater than 10,000 Litres per day (L/day) sewage flow.
April 27, 2017	The Engineering and Corporate Assets Department has no comment for this amendment, as all concerns can be captured through the site plan review and agreement.
May 3, 2017	The Community Services Department has no concerns or comments.
May 4, 2017	Curve Lake First Nation identified that they are not currently aware of any issues that would cause concern with respect to their Traditional, Aboriginal and Treaty rights, however would like to be involved if any evidence of a native burial site is discovered through redevelopment of the site.
May 5, 2017	Chippewas of Rama First Nation identified that they received our notice, and shared it with their band Council.
November 16, 2018	Public Works – Environmental Sciences advised that the review of the hydrogeological reports indicates that the proposal will not impact on groundwater resources.
March 29, 2019	Kawartha Conservation advised they do not foresee an issue with approval of the zoning by-law, in principle, subject to ensuring that the development is shifted to bring all features (i.e. stormwater pond, etc.) away from the features.

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application was circulated to the appropriate agencies and City Departments for review and comment. This application conforms to the 2019 Growth Plan; is consistent with the 2014 Provincial Policy Statement, and conformity with the City's Official Plan has been demonstrated. The rezoning will permit the accessory restaurant use, recognize the 12 hole golf course use, and ensure the future development of the land complies with the Zoning By-law. All other zoning provisions within the 'CT' zone will be maintained.

Conclusion:

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

Attachments:

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

Appendix 'A' – Location Map



PLAN2019-011
Appendix A.pdf

Appendix 'B' – Proposed Concept Plan, dated April 2019



PLAN2019-011
Appendix B.pdf

Appendix 'C' – Proposed Zoning By-law Amendment



PLAN2019-011
Appendix C.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director, Development Services

Department File: D06-17-011

Geographic Township of Ops

APPENDIX "A"
to
REPORT PLAN 2019-011
FILE NO. D06-17-011

Cross Creek Rd

Monarch Rd

Birdie Rd

Lot 10

Concession 3

SUBJECT LAND

Brook St.

Lot 9

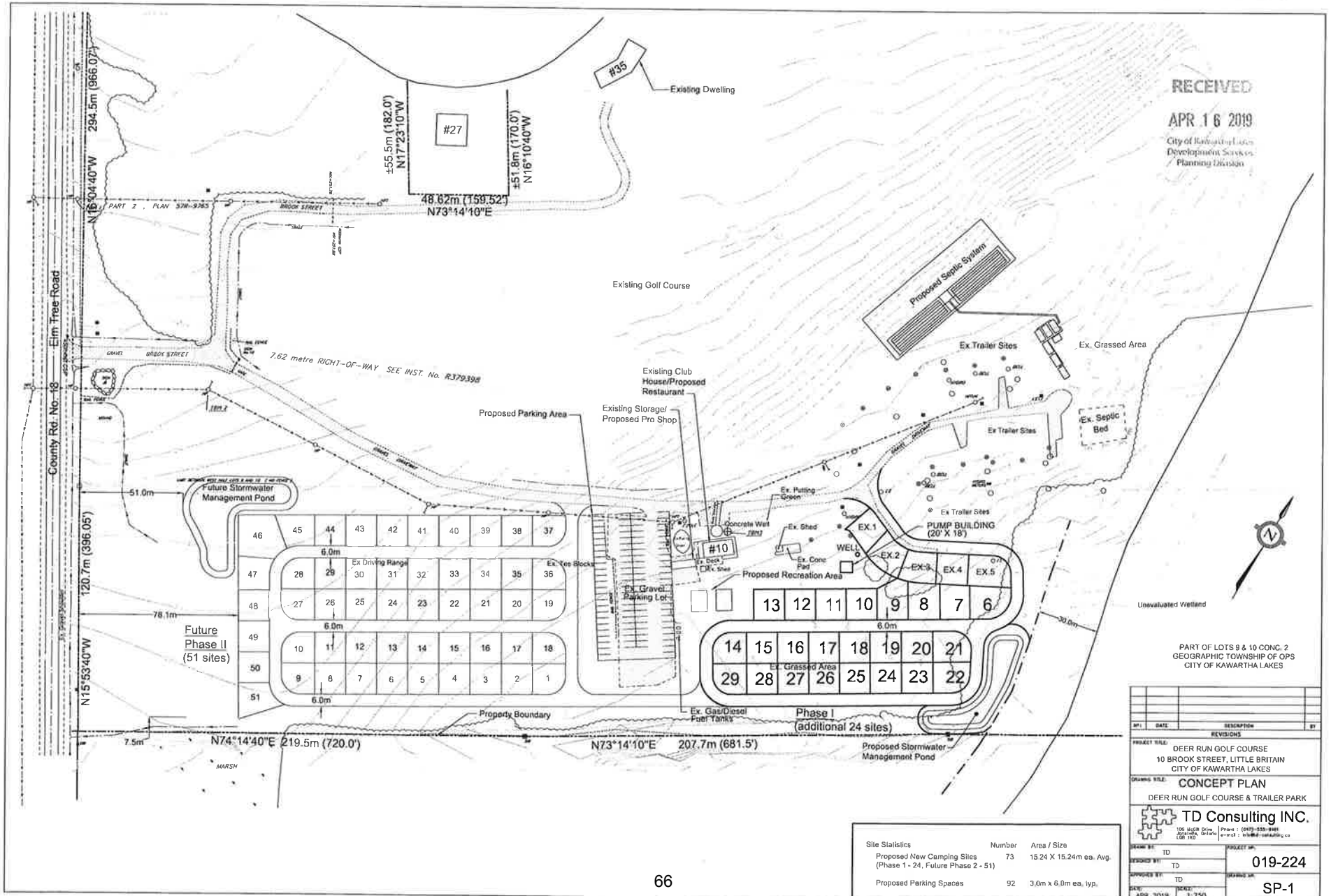
Lot 8

Concession 2

Elm Tree Rd. (K.L. Rd. 18)

Scugog River

River Rd.



The Corporation of the City of Kawartha Lakes

By-Law 2019 -

A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes

[File D06-17-011, Report PLAN2019-011, respecting Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, identified as 35 Brook Street – BATL Management Inc.]

Recitals:

1. Sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit additional uses and modify the development standards for a commercial campground on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended by deleting Section 11.3.2 and replacing it with the following:

"11.3.2 Tourist Commercial Exception Two - Holding [CT-2(H)] Zone

Notwithstanding the permitted uses and zone provisions in the Tourist Commercial (CT) Zone to the contrary, within the Tourist Commercial Exception Two - Holding [CT-2(H)] Zone, the following shall apply:

Residential Uses

- An accessory dwelling unit

Non-Residential Uses

- A tourist camp
- A tourist camp management office

- A tourist camp recreation facility
- An accessory convenience store
- An accessory laundry facility
- An accessory restaurant
- A golf driving range
- A 12-hole golf course
- A marine facility

Zone Provisions

Dwelling Units Per Lot (maximum):	1
Tourist Camp Lots (maximum):	102 camp sites
Front Yard (minimum):	75.0 metres
Exterior Side Yard (Minimum):	7.5 metres
Camp Site Area (minimum):	180 square metres
Planting Strip Width (minimum):	30 metres (front yard) 7.5 metres (other yards)

Planting Strip Location:

- A planting strip shall be required inside the perimeter of the land zoned CT-2, except for an 18 metre long strip abutting Elm Tree Road which shall be used for access to the property.
- The 30 metre front yard planting strip shall be required to be established through the decommissioning of the existing driving range prior to the development of the proposed second phase camp sites.

Open Storage Area Location	Prohibited in front yard
----------------------------	--------------------------

Tourist trailers shall not be permitted for use as a permanent residence by their owners and/or occupants. The owner of the tourist camp shall ensure that there is an annual mandatory minimum sixty (60) consecutive day shutdown period, the timing of which is to be implemented in the Site Plan Agreement. In addition, the owner of the tourist camp shall ensure that the annual mandatory 60 day shutdown is identified in the site license and occupation agreement for each tourist trailer, as originally signed and subsequently renewed on an annual basis.

In all other respects, the provisions for the Tourist Commercial (CT) Zone shall apply.

Until the holding (H) provision has been removed, the only permitted uses shall be those legally established commercial and residential uses

existing as of the date of the passing of this By-law, and including the accessory restaurant and 12-hole golf course.

On land zoned CT-2(H), the removal of the holding (H) symbol shall be in accordance with the following:

- The applicant has entered into a Site Plan Agreement with the City, and that the Agreement has been registered on title."

1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the Tourist Commercial Exception Two (CT-2) Zone to the Tourist Commercial Exception Two - Holding [CT-2(H)] Zone for the land referred to as 'CT-2(H)', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 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

C
4/4

THE CORPORATION OF THE CITY OF

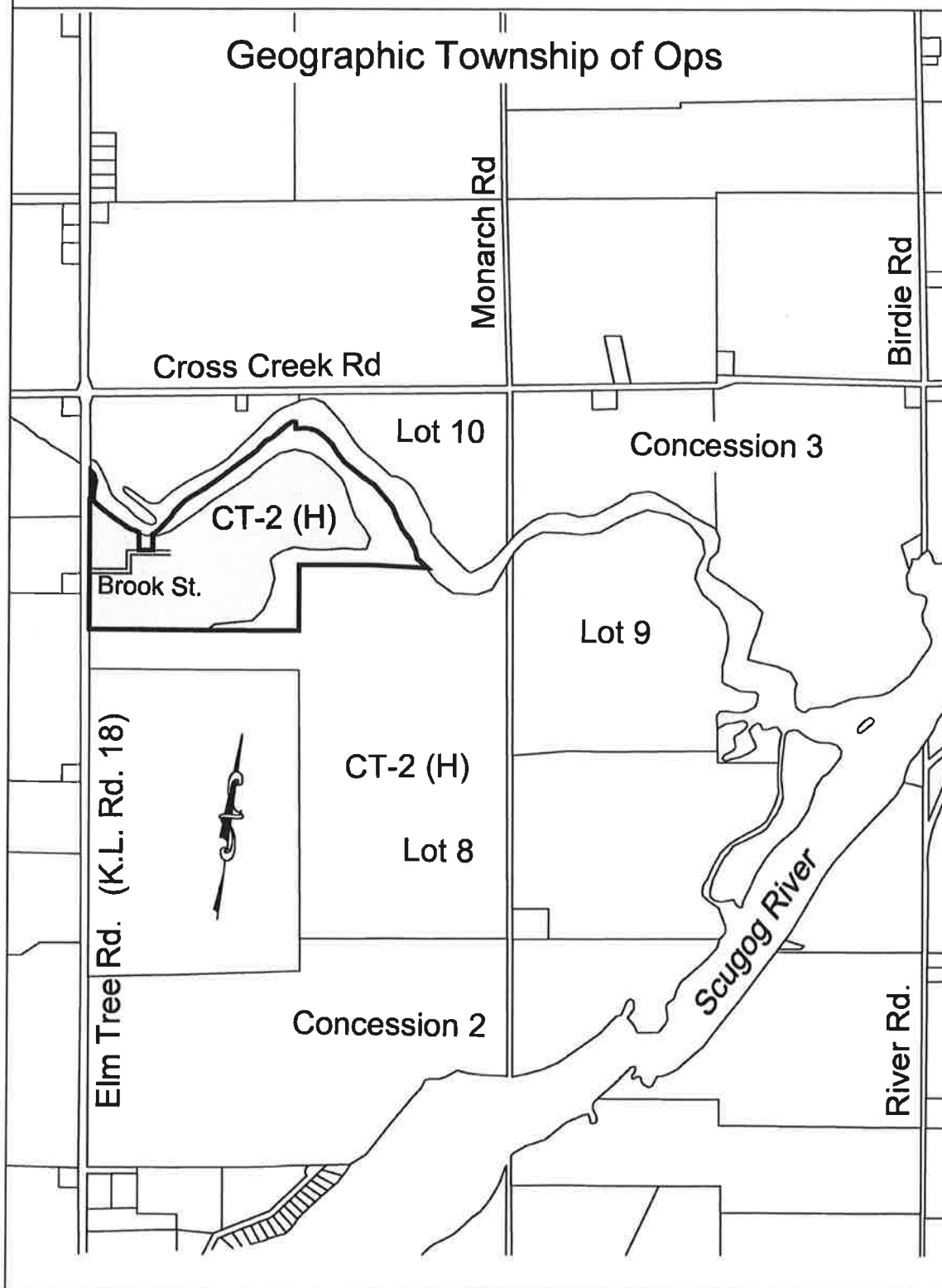
KAWARTHA LAKES

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 Number ENG2019-009

Date: June 5th, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: 5

Title: Assumption of Lisbeth Crescent and Tina Court, Lindsay

Description: Rexton Subdivision – Phase 2

Author and Title: Christina Sisson, Supervisor, Development Engineering

Recommendation(s):

That Report ENG2019-003, **Assumption of Lisbeth Crescent and Tina Court, Lindsay**, be received;

That the Assumption of Lisbeth Crescent and Tina Court, Lindsay, Rexton Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix ‘A’ to Report ENG2019-009 be approved and adopted by Council; and

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The City of Kawartha Lakes entered into a Subdivision Agreement with Rexton Developments Inc. for the subdivision, registered as Instrument KL11197, March 4th, 2008. Further to a request from the current Consulting Engineer for the development, Condeland Engineering Ltd., on behalf of the Owner, the Engineering & Corporate Assets Department is recommending formal assumption of the road and stormwater management facility and municipal water and sanitary infrastructure, within the Subdivision.

The servicing and the final lift of asphalt for the subdivisions were completed, deficiencies rectified, and inspected to the satisfaction of the Engineering Department. Security releases have occurred. A formal by-law is required for formal assumption.

The placement of top course asphalt and final repairs is subject to a minimum one year maintenance period in accordance with the registered Subdivision Agreement. The top course was placed in the fall of 2015, and a one year warranty period was placed based on the repairs required to be completed. Subsequent inspections have confirmed that in accordance with the registered Subdivision Agreement, all public services are eligible for assumption.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the following under Plan 57M-780:

Assume as Right of Way:

Lisbeth Crescent PIN: 63236-0173

Lisbeth Crescent 0.3 m reserve at Adelaide Street, PIN: 63236-0116

Tina Court, PIN: 63236-0174

In addition, the City will be assuming the operation and maintenance of the Stormwater Management Facility (Oil and Grit Separator) located within the existing unassumed George Street right-of-way at Albert Street.

A copy of Plan 57M-780 has been attached as Appendix 'B'.

Rationale:

The services in this development have been constructed and installed according to the plans and specifications as outlined in the Subdivision Agreement. Staff carried out inspections of this subdivision. To date, all deficiencies have been corrected, and the road is now in a condition to be assumed.

The Owner has requested assumption of the Public Services. The Engineer has certified the Public Services.

Other Alternatives Considered:

Council could decide not to proceed with assumption of the municipal infrastructure identified; however, this would not be consistent with our commitment through the Subdivision Agreement previously supported and is therefore, not recommended or supported by staff.

Financial/Operation Impacts:

The security for this subdivision has been reduced in compliance with the previous statutory declarations and works completed to date as per the registered subdivision agreement. The Owner has posted on the Daily Commercial News (April 3, 2019) to comply with the required 60 day notice for the standard statutory declaration and the Construction Act. The City will not reduce securities until the completion of the 60 days.

Upon assumption of the Subdivision, the City will be responsible for the general maintenance of the street and stormwater management facility and services (in addition to services already provided), and associated funds will need to be allocated in future budgets.

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

The City's 2016-2019 Strategic Plan outlines the strategic goals of a vibrant and growing community, an exceptional quality of life, and a healthy environment. This application aligns by offering new residents with the development of housing options that have connectivity and walkability. The oil and grit separator provides for some water quality control to protect the ultimate downstream receiver, the Scugog River.

Review of Accessibility Implications of Any Development or Policy:

The Subdivision has been completed to the City's standards at the time of execution of the Agreement.

Servicing Implications:

The Subdivision has been serviced in accordance with the approved design. This Subdivision consists of approximately 345.7 metres of 200 mm diameter PVC watermain, 350.1 metres of 200 mm diameter PVC sanitary sewer, 451.6 metres of concrete storm sewer, approximately 3539 square metres of asphalt road, and one 1500 mm diameter STC-5000, an oil and grit separator (stormwater management facility).

Consultations:

Building Division
Finance Division
Public Works Department

Attachments:

Appendix A - Draft Assumption By-Law



Draft Assumption
By-Law for Lisbeth Cr

Appendix B - Plan 57M-780 – Plan of Subdivision, Rexton Developments –
Phase 2



ENG2019-009
Appendix B.pdf

Department Head E-Mail: jrojas@kawarthalakes.ca

Department Head: Juan Rojas, P.Eng., PMP

Department File: D05-18-070

The Corporation of the City of Kawartha Lakes

By-law 2019-XXX

A By-law to Assume Lisbeth Crescent, Plan 57M-780 (PIN: 63236-0173), and associated Lisbeth Crescent 0.3 metre reserve at Adelaide Street, Plan 57M-780 (PIN: 63236-0116), Tina Court, Plan 57M-780 (PIN: 63236-0174), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes

Recitals

1. Subsection 31(4) of the *Municipal Act, 2001* authorizes Council to assume unopened road allowances or road allowances shown on registered plans of subdivision for public use, by by-law.
2. Council now deems it desirable to assume Lisbeth Crescent and Tina Court, Plan 57M-780, Geographic Town of Lindsay, the Corporation of the City of Kawartha Lakes as public highways in the City of Kawartha Lakes.
3. Council now deems it desirable to assume the Stormwater Management Facility (Oil and Grit Separator), unassumed George Street right-of-way at Albert Street, Geographic Town of Lindsay, in the City of Kawartha Lakes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-XXX.

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes.

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

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

- 1.02 **Interpretation Rules:**

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.

- 1.04 **Severability**: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Assumption of Services

- 2.01 **Assumption**: The following highways are assumed by the City:
- a) The road known as Lisbeth Crescent, Plan 57M-780, Geographic Town of Lindsay, City of Kawartha Lakes.
 - b) The road known as Tina Court, Plan 57M-780, Geographic Town of Lindsay, City of Kawartha Lakes.
- 2.02 **Assumption**: The following facility is assumed by the City:
- a) The stormwater management facility – oil and grit separator located in the unassumed George Street right of way at Albert Street, Geographic Town of Lindsay, City of Kawartha Lakes.

Section 3.00: Effective Date

- 3.01 **Effective Date**: This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this XX day of June, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

I certify that this Plan is registered
in the Land Registry Office for
the Land Titles Division of Victoria
at 2:00 pm on the 4th day of MARCH, 2007
and entered in the Parcel Register
Property Identifier 63236-0128(LT)
the required consents are registered
as Plan Document No. 63236-0128(LT)

"K. Coleman
Land Registrar

This plan comprises all of Pin 63236

FOUND SURVEY MONUMENT
SET SURVEY MONUMENT
UNABLE TO SET

PLAN OF SUBDIVISION OF
PART OF PARK LOT T
AND
PART OF PARK LOT D1
REGISTERED PLAN No. 8P
CITY OF KAWARTHA LAKES

Scale : 1 : 500
COE, FISHER, CAMERON
ONTARIO LAND SURVEYORS

LEGEND:

Bearings are astronomic and are referred to the Northerly limit of Mary Street
in accordance with Plan 57R-9184 having a bearing of N72°45'50"E

○ - Planted Survey Monument
● - Found Survey Monument
SIB - Standard iron bar
SSIB - Short standard iron bar
IB - Iron bar
Fence
P - Denotes Plan 57R-9526
(902) - Coe, Fisher, Cameron, O.L.S.

ALL SET BARS ARE IRON BARS UNLESS SHOWN OTHERWISE

OWNER'S CERTIFICATE:

THIS IS TO CERTIFY THAT:

1. Lots 1 to 39, both inclusive, Block 40 to Block 41, the streets namely Lisbeth and Tina Court have been laid out in accordance with my instructions.
2. The streets are hereby dedicated to The Corporation of The City of Kawartha Lakes as public Highway.

Dated the 10th day of December, 2007.

REXTON DEVELOPMENTS LTD.

M. Rocco
ROCCO FORGIONE

I HAVE AUTHORITY TO BIND THE CORPORATION

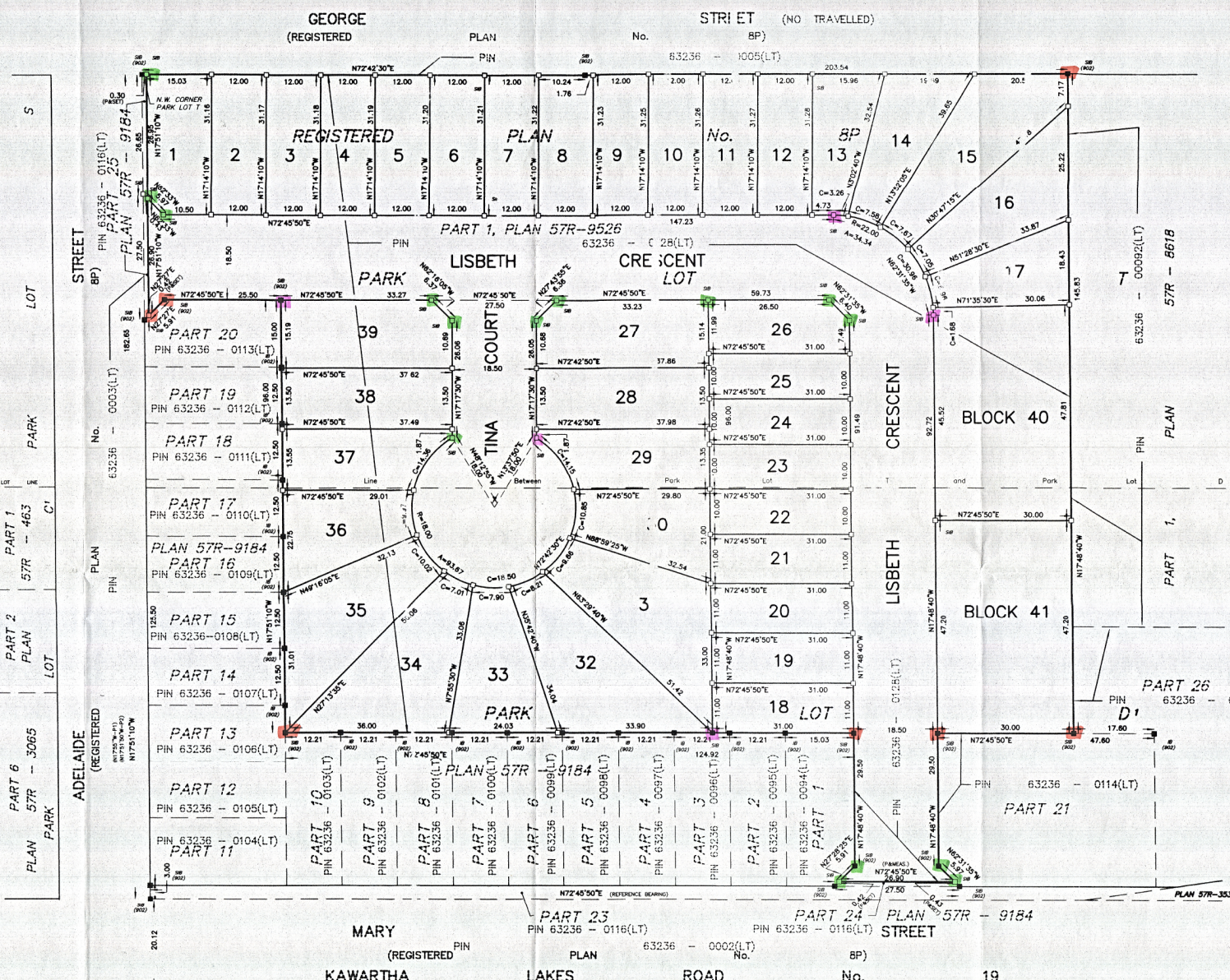
Approved under section 51 of the Planning Act, R.S.O. 1990 C.P. 13.
This 3 Day of March, 2007, R.O.

Gerald G. Hickson
Director of Development Services
City of Kawartha Lakes

SURVEYOR'S CERTIFICATE:

1. This survey and plan are correct and in accordance with The Surveys Act, The Surveyors Act and The Land Titles Act and the regulations made under them.
2. The survey was completed on the 8th day of November, 2007.

Dated: November 29, 2007 *Gerald G. Hickson*
GERALD G. HICKSON
ONTARIO LAND SURVEYOR



LOT	RADIUS	ARC	CHORD	BEARING
11	R=22.00	A=3.37	C=3.26	N77°00'40"E
14	R=22.00	A=7.61	C=7.58	N86°49'10"W
15	R=22.00	A=7.71	C=7.67	N88°52'10"W
16	R=22.00	A=7.08	C=7.05	N49°36'45"W
17	R=22.00	A=6.98	C=6.96	N31°17'40"W
BLOCK 40	R=22.00	A=1.68	C=1.68	N20°00'15"W
29	R=18.00	A=14.54	C=14.15	N53°33'35"W
30	R=18.00	A=11.02	C=10.85	N12°33'00"W

LOT	RADIUS	ARC	CHORD	BEARING
31	R=18.00	A=6.78	C=6.66	N00°30'30"E
32	R=18.00	A=8.29	C=8.21	N49°17'25"E
33	R=18.00	A=7.97	C=7.90	N75°09'20"E
34	R=18.00	A=7.05	C=7.01	N80°56'20"W
35	R=18.00	A=10.16	C=10.02	N53°32'40"W
36	R=18.00	A=10.10	C=9.97	N21°17'45"W
37	R=18.00	A=14.77	C=14.36	N18°17'05"E