

The Corporation of the City of Kawartha Lakes

Minutes

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

Chair O'Reilly called the meeting to order at 1:01 p.m. Mayor A. Letham, Councillors K. Seymour-Fagan, and A. Veale and M. Barkwell and T. Smith were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director C. Marshall, Supervisor of Development Planning S. Rea, Supervisor of Development Engineering C. Sisson, Planning Officer-Large Developments I. Walker, Planners II D. Harding and M. LaHay, and Senior Engineering Technician J. Newbery were also in attendance.

Absent: J. Willock

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

PAC2019-033

Moved By Mayor Letham

Seconded By M. Barkwell

That the agenda for the Wednesday, June 5, 2019 Planning Advisory Committee Meeting be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting

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

3.1 PLAN2019-032

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.

The Chair requested staff to advise on the manner of giving notice for the proposed Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Common Element Condominium, and Draft Plan of Subdivision. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Ms. Rea confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120m, and a sign was posted on the subject property. She summarized the application, explaining that it proposes 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 applicant has submitted a number of studies as detailed in her report, and an addendum was received today to justify compliance with the 2019 Growth Plan. She noted that staff are generally accepting of planning rationale provided by the applicant, however noted need for seeing more details. Ms. Rea summarized the comments received to date, as detailed in her report, noting that subsequent to the writing of the report additional comments were received from Shelley and Rob Trennum of 29 Eglinton Street who were generally supportive of the application but recommended collaborative efforts be established between the applicant, the Woods of Jennings Creek developer, and the City for an expedited extension of Alcorn Drive from its current terminus at Victoria Avenue to Lindsay Street North for a secondary access to the proposed subdivision. Staff are recommending that the application be referred back to staff for further review and processing until such time as all comments, issues and concerns have been addressed. She responded to questions from Committee members.

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

Bryce Jordan of GHD spoke on behalf of the applicant. He provided an overview of the application including the proposed layout and design of the townhomes, open space, and common area elements. He noted that the development will be

separated into 2 blocks, being the areas north and south of Alcorn Drive. He stated none of the townhomes fronting public roads of Lindsay Street North, and Alcorn Drive will have driveway access to those roads. He responded to concerns about proximity to the decommissioned Lindsay Landfill on the east side of Lindsay Street North, noting that the submitted Environmental Assessment noted that the landfill will not have any impact to the soil, or groundwater on the site. He also responded to traffic concerns stating that the traffic study notes that any increases of traffic will still allow for a safe level of operation at the existing area intersections, and that they intend to construct their portion of the Alcorn Drive extension.

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

William Howell, of 61 Cottingham Crescent, requested that the townhomes built along the boundary with the homes along Cottingham Crescent not be two storey, but rather single storey, noting privacy concerns. He also addressed concern about the potential loss of access to a footpath along the south end of the applicant's property.

Les Hebbard, of 67 Cottingham Crescent, reiterated Mr. Howell's comments adding that the loss of footpath would restrict access of local area residents to access William Street, the rail trail, and local businesses. He also requested that townhomes fronting Cottingham Crescent residents be only single storey.

No other persons spoke to the application.

3.2 PLAN2019-033

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

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

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted on the subject property. He summarized the application, explaining that as a condition of provisional consent, it proposes to rezone the retained

agricultural land to prohibit residential use and to further clarify how the lot containing the dwelling is to be used by rezoning it to a residential zone category. The application conforms to City of Kawartha Lakes Official Plan, the 2019 Growth Plan for the Greater Golden Horseshoe and is consistent with the 2014 Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be referred to Council for approval.

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

The applicant was not in attendance.

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

No persons spoke to the application.

3.3 PLAN2019-034

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

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

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted on the subject property. He summarized the application, explaining that it proposes 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. The application conforms to the City of Kawartha Lakes Official Plan, 2019 Growth Plan for the Greater Golden Horseshoe and is consistent with the 2014 Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report, no additional comments were

received. Staff are recommending that the application be referred to Council for approval. He responded to questions from Committee members.

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

Doug Carroll, of DC Planning Services, spoke on behalf of the applicant. He agrees with the report recommendation from staff, but recommended an amendment to the draft by-law to retain agricultural zoning on the southeast corner of the severed lot. He stated that this area should not be rezoned as Environmental Protection (EP), as that may halt any continued agricultural practices on the field in the southeast corner of the lot. He also noted a recommended textual amendment to the draft by-law recitals (Recital 2. A and B), as he thought it may cause confusion. Mr. Carroll responded to questions from Committee members.

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

No other persons spoke to the application.

3.4 PLAN2019-035

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

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

Mr. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted on the subject property. He summarized the application, explaining that it proposes 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 for a 20 year period. The application generally conforms to the Kawartha Lakes Official Plan, conforms with the Growth Plan and is consistent with the Provincial Policy Statement. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from Kawartha Conservation who noted the regulated areas on the property, and identified that if the garden suite is located within 15m

of the floodplain, it must be raised 0.3m. In consideration of the comments received, staff are recommending that the application be forwarded to Council for approval. He responded to questions from Committee members.

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

Lori Arskey, property owner, made herself available for questions, and posed a question to the committee of whether or not the 20 day appeal period would remain in place if the approval is for a second dwelling unit.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:58 pm.

4. Business Arising from Public Meeting

4.1 Item 3.1

PAC2019-034

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

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.

Carried

4.2 Item 3.2

PAC2019-035

Moved By M. Barkwell

Seconded By T. Smith

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.

Carried

4.3 Item 3.3

PAC2019-036

Moved By Councillor Seymour-Fagan

Seconded By Councillor Veale

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, as amended to permit an Agricultural Exception zone in the southeast corner of the benefitting lot, to prohibit development of structures on that portion of the lot, be approved and adopted by Council; and

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

Carried

4.4 Item 3.4

PAC2019-037

Moved By Councillor Veale

Seconded By T. Smith

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.

Carried

5. Deputations

6. Correspondence

7. City of Kawartha Lakes Reports

7.1 PLAN2019-011

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.

Mr. Walker confirmed that a Public Meeting on this matter was held on May 3, 2017 in accordance with the Planning Act. He summarized the application, explaining that it proposes to 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:

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

The application conforms to the Kawartha Lakes Official Plan, Growth Plan and is consistent with the Provincial Policy Statement. Mr. Walker summarized the comments received to date, as detailed in his report. Staff are recommending that the application be forwarded to Council for approval. He responded to questions from Committee members.

PAC2019-038

Moved By Councillor Veale

Seconded By Mayor Letham

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.

Carried

7.2 ENG2019-009

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

Ms. Sisson provided an overview of her report noting the history of the related development in the area. She stated that staff are recommending assumption of the roads, and stormwater management facility as per the draft by-law attached to her report.

PAC2019-039

Moved By M. Barkwell

Seconded By Councillor Veale

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.

Carried

8. Adjournment

PAC2019-040

Moved By Councillor Seymour-Fagan

Seconded By Mayor Letham

That the Planning Advisory Committee Meeting adjourn at 2:16 p.m.

Carried