

The Corporation of the City of Kawartha Lakes

Minutes

Planning Advisory Committee Meeting

PC2019-07

Wednesday, July 3, 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 1:02 p.m. Mayor A. Letham, Councillors K. Seymour-Fagan and A. Veale, and M. Barkwell, T. Smith, and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Manager of Planning R. Holy, Supervisor of Development Engineering C. Sisson, Planners II D. Harding and M. LaHay, Senior Engineering Technician R. Perdue were also in attendance.

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

PAC2019-041

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That the agenda for the Wednesday, July 3, 2019 Planning Advisory Committee Meeting be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

J. Willock declared a conflict for Item 3.2 (Report PLAN2019-040) as the applicant is a client of his.

No other declarations of pecuniary interest were declared.

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 PLAN2019-039

David Harding, Planner II

An application to amend the Township of Manvers Zoning By-law 87-06 on land described as Lot 2, Concession 12, geographic Township of Manvers, identified as 91 Fleetwood Road - Youngfield Farms Ltd.

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 application D03-2018-024 (granted on April 11, 2019), 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 and permit an accessory building within the front yard, said residential lot is also being rezoned to a rural residential zone category. The application conforms to City of Kawartha Lakes Official Plan, the 2019 Growth Plan and is consistent with the Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting no additional comments were received subsequent to the writing of the report. Staff are recommending that the application be referred to Council for approval.

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

Alex Heroux spoke on behalf of the applicant Kristen Soutar of Youngfield Farms Ltd, and made himself available for any questions from the committee.

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

No other persons spoke to the application.

3.2 PLAN2019-040

Mark LaHay, Planner II

An application to amend the Township of Fenelon Zoning By-law 12-95 on land described as Part Lot 12, Concession 7, geographic Township of Fenelon, identified as 356 Country Lane - Moore

J. Willock left the Council Chambers at 1:07 pm as per his previously declared pecuniary interest.

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 second dwelling on the subject land. The second detached dwelling is proposed to be located to the southeast of the existing single detached dwelling and will occupy an area of approximately 150 sq. m. (1615 sq. ft.) and is proposed to be a modular home structure. Conformity with the Growth Plan and consistency with the Provincial Policy Statement, which is intended to protect prime agricultural areas for long term agricultural use as defined, has not been determined at this time. He also noted that the application does not appear to conform to the Kawartha Lakes Official Plan, which does not include policies to support second dwelling units on prime agricultural designated land. However, there are policies in place in the Official Plan to support temporary second dwelling units in the form of garden suites. 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, noting the regulated areas on the property. Comments were also received from City's Agricultural Development Officer who was not supportive of the application expressing concerns about protecting prime agricultural lands. Based on the additional comments received (that were not taken into consideration at the time of writing the report) and the issues identified in the report, staff are not supportive of the application as submitted and are now of the opinion of recommending that the application be denied. Mr. Holy and Mr. LaHay responded to questions from Committee members.

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

Tom deBoer of TD Consulting Inc. spoke as the applicant. He provided a brief history of the application and expressed the difficulties experienced through the process. He noted the completion of the Agricultural Impact Assessment, Agricultural Brief and Minimum Distance Separation (MDS) Report, and stated that the agricultural lands lost for the second dwelling represents 3.5 round bales of hay loss to the farming operation per year. He recommended that the application be moved forward for approval. He responded to questions from Committee members.

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

Barry Dunn, of 338 Country Lane, spoke against the application stating that the proposed dwelling would be too close to his own. He expressed concern that the new driveway would be close to his property line removing his privacy, that the septic line is proposed to cross under a driveway, and the existing uses of the field on the east side of the property.

No other persons spoke to the application.

J. Willock returned to the Council Chambers at 1:30 pm.

3.3 PLAN2019-041

Mark LaHay, Planner II

An application to amend the Township of Manvers Zoning By-law 87-06 on land described as Part Lot 6, Concession 10, geographic Township of Manvers, identified as 344 Janetville Road - Kimball

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 rezone the subject land from the Rural General (A1) Zone to the Rural General Special Exception Forty (A1-S40) 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. The application generally conforms to the Kawartha Lakes Official Plan, conforms to the 2019 Growth Plan and is consistent with the Provincial Policy Statement. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from the Agricultural Development Officer who noted the application respects the protection of agricultural lands. Staff are recommending that the application be referred to Council for approval.

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

Curtis Kimball, owner, made himself available for any questions from the members of the committee.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:37pm.

4. Business Arising from Public Meeting

4.1 Item 3.1

PAC2019-042

Moved By Mayor Letham

Seconded By T. Smith

That Report PLAN2019-039, respecting Lot 2, Concession 12, geographic Township of Manvers, and identified as 91 Fleetwood Road – Application D06-2019-013, be received;

That a Zoning By-law Amendment respecting application D06-2019-013, substantially in the form attached as Appendix D to Report PLAN2019-039, be approved and adopted by Council; and

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

Carried

4.2 Item 3.2

J. Willock left the Council Chambers.

PAC2019-043

Moved By Mayor Letham

Seconded By M. Barkwell

That Report PLAN2019-040, respecting Part Lot 12, Concession 7, geographic Township of Fenelon, Application D06-2019-014, be received;

That the proposed Zoning By-law Amendment respecting Application D06-2019-014, 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; and

That upon further review and processing by staff, this application be referred back to the Planning Advisory Committee.

Carried

J. Willock returned to the Council Chambers

4.3 Item 3.3

PAC2019-044

Moved By Councillor Veale

Seconded By T. Smith

That Report PLAN2019-041, respecting Part Lot 6, Concession 10, geographic Township of Manvers, Application D06-2019-015, be received;

That a Zoning By-law, respecting application D06-2019-015, substantially in the form attached as Appendix D to Report PLAN2019-041 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 PLAN2019-026

Richard Holy, Manager of Planning

Request by James Roberts Webster, Charles Arthur Webster, Isabel Anne Luce, and David William Luce to enter into a Subdivision Agreement for Phase 4 of Plan of Subdivision 16T-04505, on land described as Part of Lot 30, Concession 6, geographic Township of Fenelon, identified as Elysian Fields

Mr. Holy presented an overview of his report stating that James Webster, as primary contact, has requested that the City prepare the required Subdivision Agreement for Phase 4 of the draft approved plan of subdivision. Phase 4 represents the creation of 12 (approximately 1 acre each) residential building lots (Lots 9 through 20 of the draft approved plan of subdivision) together with a 0.3m reserve on the southern side of the proposed road and the extension of the Elysian Fields road to serve this development. The lots will have specific provisions for boathouse construction and a 30m setback provision from the lake. He stated that the development meets all applicable policies, and the 2019 Growth Plan. The developer is posting 100% of the securities required, and the agreement states that Development Charges are to be paid at the

building occupancy stage. He recommended that the agreement be endorsed and approved by Council.

PAC2019-045

Moved By Councillor Seymour-Fagan

Seconded By J. Willock

That Report PLAN2019-026, respecting Part of Lot 30, Concession 6, former Township of Fenelon, Application No. D05-29-026, Elysian Fields, Phase 4 – 16T-04505, be received;

That Schedule D Summary of Estimated Costs, in Appendix C to Report PLAN2019-026 shall list 100% of the cost of all works to the satisfaction of the Director of Development Services and the Director of Engineering and Corporate Assets;

That the Subdivision Agreement for File No. D05-29-026 substantially in the form attached as Appendix C to Report PLAN2019-026, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents and subsequent Agreement(s) required by the approval of this Agreement.

Carried

8. Adjournment

PAC2019-046

Moved By Councillor Veale

Seconded By J. Willock

That the Planning Advisory Committee Meeting adjourn at 1:42 p.m.

Carried