

# **The Corporation of the City of Kawartha Lakes**

## **Additional Agenda**

### **Regular Council Meeting**

**CC2019-19**

**Tuesday, August 13, 2019**

**Open Session Commencing at 1:00 p.m.**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **Members:**

**Mayor Andy Letham**

**Deputy Mayor Doug Elmslie**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**Councillor Patrick O'Reilly**

**Councillor Tracy Richardson**

**Councillor Kathleen Seymour-Fagan**

**Councillor Andrew Veale**

**Councillor Emmett Yeo**

Accessible formats and communication supports are available upon request.

13. Planning Advisory Committee

\*13.2 Planning Advisory Committee Minutes

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**Planning Advisory Committee Minutes - August 7, 2019**

**That** the Minutes of the August 7, 2019 Planning Advisory Committee Meeting be received and the recommendations, included in Section 13.3 of the Agenda, be adopted.

13.3 Business Arising from Planning Advisory Committee Minutes

\*13.3.1 PAC2019-048

**That** Report PLAN2019-043, **Part of Lot 3, Concession 12, Geographic Township of Somerville, Burke – Application D06-2019-016**, be received;

**That** a Zoning By-law Amendment respecting application D06-2019-016, including a 30 metre development setback from the Burnt River, be prepared, 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.

\*13.3.2 PAC2019-049

**That** the deputation of Daniel Stone, regarding Report PLAN2019-045, be received.

\*13.3.3 PAC2019-050

**That** Report PLAN2019-044, respecting **22 Bayview Lane and Part of 1266 North Bay Drive, Geographic Township of Bexley; Application No. D06-2019-008**, be received;

**That** Zoning By-law Amendment respecting application D06-2019-008, substantially in the form attached as Appendix D to Report PLAN2019-044, 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.

\*13.3.4

PAC2019-051

**That** Report PLAN2019-045, respecting **Block C, Plan 466, geographic Township of Emily, City of Kawartha Lakes, Application No. D06-2019-005**, be received;

**That** a Zoning By-law, respecting application D06-2019-005, substantially in the form attached as Appendix D to Report PLAN2019-045 be approved for adoption by Council;

**That** Council adopt the Zoning By-law, respecting application D06-2019-005, following receipt of the required cash-in-lieu of parkland contribution; and

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

\*13.3.5

PAC2019-052

**That** Report ENG2019-016, **Municipal Infrastructure Design Guidelines – Annual Update**, be received;

**That** Staff replace the current 23.0 metre rural right-of-way cross-section with the proposed 20.0 metre rural right-of-way on the City's website to better reflect the City's requirements in the rural area; and

**That** Staff be directed to continue to monitor for any communication improvements and for any current legislative or regulatory enhancements requiring updates to the existing guidelines on the City's website.

\*13.3.6

PAC2019-053

**That** Report ENG2019-017, **Development Process and Subdivision Agreement Template Updates – Engineering and Corporate Assets**, be received;

**That** Staff be directed to incorporate the proposed changes to the template of the subdivision agreement from an Engineering and Corporate Assets perspective; and

**That** Staff be directed to continue to monitor for any improvements to the language in the template of the subdivision agreement to ensure there are opportunities to refine the timelines and clarity of language with the development process.

\*13.3.7 PAC2019-054

**That Report ENG2019-018, Registered Subdivision Agreement Status,**  
be received; and

**That** Staff be directed to continue to provide annual updates for  
continued communication and process improvement.

**17. By-Laws**

17.1 By-Laws by Consent

\*17.1.8 CC2019-19.17.1.8

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**A By-law to Amend the Township of Somerville Zoning By-law No. 78-  
45 to Rezone Land within the City Of Kawartha Lakes**  
(File D06-2019-016, Report PLAN2019-043 - 121 Cowpath Trail, Burke)

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Planning Advisory Committee Meeting**

**PC2019-08**

**Wednesday, August 7, 2019**

**1:00 P.M.**

**Victoria Room**

**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**

**Councillor Pat Dunn**

**Accessible formats and communication supports are available upon request.**

**1. Call to Order and Adoption of Agenda**

Vice-Chair Veale called the meeting to order at 1:00 p.m. Mayor A. Letham, Alternate Member Councillor P. Dunn and T. Smith, and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Supervisor of Development Planning S. Rea, Supervisor of Development Engineering C. Sisson, Planning Officer - Large Developments I. Walker, and Senior Engineering Technicians R. Perdue and K. Timms were also in attendance.

Absent:

- Chair O'Reilly
- Councillor Seymour-Fagan
- M. Barkwell

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

**PAC2019-047**

**Moved By** Councillor Dunn

**Seconded By** J. Willock

**That** the amended agenda for the Wednesday, August 7, 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 Vice-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 PLAN2019-043**

Ian Walker, Planning Officer - Large Developments

An application to amend the Township of Somerville Zoning By-law 78-45 on the property identified as 121 Cowpath Trail, Somerville - Burke

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

Mr. Walker confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted by the entrance to Cowpath Trail along the frontage on Burke Road. He summarized the application, explaining that it proposes to change a portion of the Environmental Protection (EP) Zone to a Limited Service Residential Exception (LSR-\*\*) Zone to permit a dwelling as a permitted use. The intent of the exception zone is to recognize any site-specific development standards. The proposed rezoning will facilitate the redevelopment of the lot with a new vacation dwelling. The application conforms to the Growth Plan. Consistency with the Provincial Policy Statement and conformity with the Official Plan are to be determined following further review of the application. Mr. Walker 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 several local residents. J. Platt and L. Stirling both wrote in support the application. G. Fraser, of Kinmount, identified concerns with notice requirements, how development can occur on protected lands, how by-laws are being enforced, and the environmental cost for the development. J. & B. Kuiper objected to the application stating that they wish to see further information. Kawartha Conservation provided revised comments regarding the natural heritage and natural hazards as per the City's Memorandum of Understanding, and recommended a 30m setback of all development from the Burnt River. Staff are recommending that the application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed. He responded to questions from Committee members.

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

Randy Burke spoke as the owner of the property. He provided an overview of the application, stating that he and his wife intend to construct the proposed building in full compliance with municipal requirements. He stated that the land is well drained and suitable to build on, and that there is no concern to fish habitat. He noted that they are willing to consider a 30 metre setback from the Burnt River for all development. He requested the committee receive the report, approve the application, and forward the draft by-law to Council for adoption. He responded to questions from Committee members.

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

No other persons spoke to the application.

**4. Business Arising from Public Meeting**

**4.1 Item 3.1**

**PAC2019-048**

**Moved By** Mayor Letham

**Seconded By** J. Willock

**That** Report PLAN2019-043, **Part of Lot 3, Concession 12, Geographic Township of Somerville, Burke – Application D06-2019-016**, be received; and

**That** a Zoning By-law Amendment respecting application D06-2019-016, including a 30 metre development setback from the Burnt River, be prepared, approved and adopted by Council; and

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

**Carried**

**5. Deputations**

**5.1 PC2019-08.5.1**

Daniel Stone, Thorstone Consulting Services

Relating to Report PLAN2019-045 (Item 7.2 on the Agenda)

Mr. Stone spoke on behalf of the applicant for Item 7.2, being report PLAN2019-045. He stated that they are in support of the staff recommendation at this time, and noted that this application proposes to protect the majority of the lot with an environmental protection zoning. He stated that environmental studies and archeological studies have been completed, and that the dwelling would be built in the north west area of the lot. He made himself available for any questions from committee members.

**PAC2019-049**

**Moved By** Councillor Dunn

**Seconded By** T. Smith

**That** the deputation of Daniel Stone, regarding Report PLAN2019-045, be received.



**Carried**

**6. Correspondence**

**7. City of Kawartha Lakes Reports**

**7.1 PLAN2019-044**

Quadri Adebayo, Planner II

An application to amend the Township of Bexley Zoning By-law 93-09 on the lot described as Part of Lots 37 and 38, North-West Bay Range, Concession 7, Bexley, identified as 22 Bayview Lane and Part of 1266 North Bay Drive - Mathews and Weind

Ms. Rea spoke on behalf of Mr. Adebayo stating that there are no additional updates to present other than what is identified in Mr. Adebayos's report. Staff are recommending that the application be referred to Council for approval. She responded to questions from Committee members.

**PAC2019-050**

**Moved By** Councillor Dunn

**Seconded By** Mayor Letham

**That** Report PLAN2019-044, **respecting 22 Bayview Lane and Part of 1266 North Bay Drive, geographic Township of Bexley; Application No. D06-2019-008**, be received;

**That** Zoning By-law Amendment respecting application D06-2019-008, substantially in the form attached as Appendix D to Report PLAN2019-044, 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**

**7.2 PLAN2019-045**

Mark LaHay, Planner II

An application to amend the Township of Emily Zoning By-law 1996-30 on the property identified as 19 Cardinal Road - Dalrymple

Ms. Rea spoke on behalf of Mr. LaHay and confirmed that a Public Meeting on this matter was held on April 10, 2019 in accordance with the Planning Act. She summarized the application, explaining that it proposes to change the Community Facility Exception One (CF-1) Zone to an appropriate Rural Residential Type Three (RR3-\*) Exception Zone to permit a residential use on the northwestern portion of the property and rezone the balance of subject property to an Environmental Protection (EP) Zone to protect the wetland area from development. The application conforms to the Growth Plan, and the Kawartha Lakes Official Plan, and is consistent with the Provincial Policy Statement. Ms. Rea summarized the comments received to date, as detailed in Mr. LaHay's report, noting that subsequent to the writing of the report additional comments were received from the new owners of neighbouring 17 Cardinal Street, stating that they are opposed to the application and have not had enough time to review all the supporting material. Staff are recommending that the application be forwarded to Council for approval, with the caveat that the by-law be approved after receiving the appropriate cash-in-lieu of parkland payment. She responded to questions from Committee members

**PAC2019-051****Moved By** Mayor Letham**Seconded By** Councillor Dunn

**That** Report PLAN2019-045, respecting Block C, Plan 466, geographic Township of Emily, City of Kawartha Lakes, Application No. D06-2019-005, be received; and

**That** a Zoning By-law, respecting application D06-2019-005, substantially in the form attached as Appendix 'D' to Report PLAN2019-045 be approved for adoption by Council; and

**That** Council adopt the Zoning By-law, respecting application D06-2019-005, following receipt of the required cash-in-lieu of parkland contribution; and

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

**Carried****7.3 ENG2019-016**

Christina Sisson, Supervisor of Development Engineering  
Municipal Infrastructure Design Guidelines – Annual Update

Ms. Sisson provided an overview of her report, noting the reasoning for the recommendation of replacing a 23m rural right of way with a 20m rural right of way. She also noted that Engineering would be providing additional guidelines for developers to create low impact development. She responded to questions from the committee members.

**PAC2019-052**

**Moved By** Councillor Dunn

**Seconded By** J. Willock

**That** Report ENG2019-016, **Municipal Infrastructure Design Guidelines – Annual Update**, be received;

**That** Staff replace the current 23.0 metre rural right-of-way cross-section with the proposed 20.0 metre rural right-of-way on the City's website to better reflect the City's requirements in the rural area; and

**That** Staff be directed to continue to monitor for any communication improvements and for any current legislative or regulatory enhancements requiring updates to the existing guidelines on the City's website.

**Carried**

7.4 ENG2019-017

Christina Sisson, Supervisor of Development Engineering  
Development Process and Subdivision Agreement Template Updates -  
Engineering and Corporate Assets

Ms. Sisson provided an overview of her report noting the five areas of modification to the subdivision agreement template being:

- changing language for development completion timelines
- adding the term 'substantial completion' to the language surrounding acceptance confirming deliverables
- amendments to security requirements, and security reductions
- aligning language regarding development charges with current City policies
- including references to sediment and erosion control

She responded to questions from committee members.

**PAC2019-053**

**Moved By** Mayor Letham

**Seconded By** T. Smith

**That** Report ENG2019-017, **Development Process and Subdivision Agreement Template Updates – Engineering and Corporate Assets**, be received;

**That** Staff be directed to incorporate the proposed changes to the template of the subdivision agreement from an Engineering and Corporate Assets perspective; and

**That** Staff be directed to continue to monitor for any improvements to the language in the template of the subdivision agreement to ensure there are opportunities to refine the timelines and clarity of language with the development process.

**Carried**

7.5 ENG2019-018

Christina Sisson, Supervisor of Development Engineering  
Registered Subdivision Agreement Status - Lots Exist

Ms. Sisson provided an overview of her report, noting that providing a status update to Council about developments where lots exist would help keep developers accountable, and provide transparency to the public. She responded to questions from the committee members.

**PAC2019-054**

**Moved By** Mayor Letham

**Seconded By** J. Willock

**That** Report ENG2019-018, **Registered Subdivision Agreement Status**, be received; and

**That** Staff be directed to continue to provide annual updates for continued communication and process improvement.

**Carried**

**8. Adjournment**

**PAC2019-055**

**Moved By** Councillor Dunn

**Seconded By** Mayor Letham

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

**Carried**

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2019 -**

### **A By-law to Amend the Township of Somerville Zoning By-law No. 78-45 to Rezone Land within the City Of Kawartha Lakes**

[File D06-2019-016, Report PLAN2019-043, respecting Concession 12 Part of Lot 3, Geographic Township of Somerville, identified as 121 Cowpath Trail – Burke]

#### **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 permit a mix of residential and environmental protection uses 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 Concession 12, Part of Lot 3, Geographic Township of Somerville, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 78-45 of the Township of Somerville is further amended to add the following section to Section 5.3:

5.3.16 LIMITED SERVICE RESIDENTIAL EXCEPTION FIFTEEN (LSR-15)  
ZONE  
(121 Cowpath Trail)

Notwithstanding article 18.18 a. and subsections 5.2 d. and 5.2 f., the following zone provisions shall apply to land zoned LSR-15:

- a. The minimum rear yard setback shall be 0 m; and
  - b. The minimum water setback shall be 30 m.
- All other provisions of the LSR zone shall apply.

1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 78-45 of the Township of Somerville is further amended to change the zone category from the Environmental Protection (EP) Zone to the Limited Service Residential

Exception Fifteen (LSR-15) Zone for the portion of the land referred to as 'LSR-15', 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.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

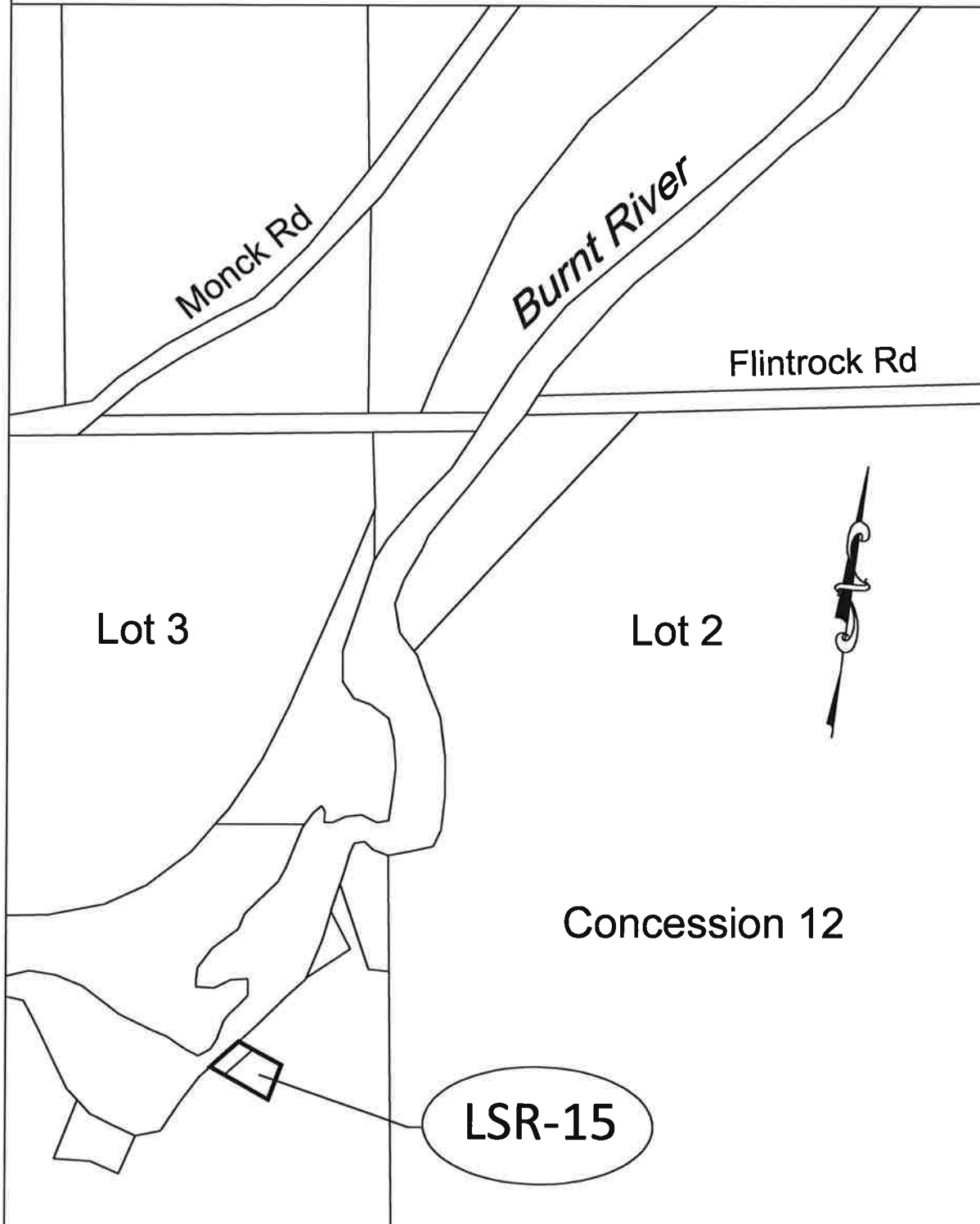
# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_



Geographic Township of Somerville