

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

PC2019-13

Wednesday, December 4, 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

1.	Call to Order and Adoption of Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting	
3.1	PLAN2019-066	4 - 17
	<p>An application to amend the Township of Somerville Zoning By-law 78-45 respecting Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, Geographic Township of Somerville, and identified as 466 Pinery Road - Christianopoulos</p> <p>Quadri Adebayo, Planner II</p>	
3.2	PLAN2019-068	18 - 33
	<p>Applications to amend the Town of Lindsay Official Plan and Town of Lindsay Zoning By-law 2000-75 on land described as Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, vacant land St. Joseph Road – 2645286 Ontario Inc.</p> <p>Janet Wong, Planner II</p>	
3.3	PLAN2019-069	34 - 49
	<p>An Application to amend the Village of Fenelon Falls Zoning By-law 89-25 respecting Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street - Kawartha Lakes Haliburton Housing Corporation</p> <p>Anna Kalnina, Planner II</p>	
3.4	PLAN2019-070	50 - 68
	<p>Applications to amend the City of Kawartha Lakes Official Plan and Township of Ops Zoning By-law 93-30 respecting Part Lot 22, Concession 7, Geographic Township of Ops, City of Kawartha Lakes, identified as 396 Highway 36 - Mike Redmond Septic Service Ltd.</p> <p>David Harding, Planner II</p>	
3.5	PLAN2019-071	69 - 79
	<p>An application to amend the Township of Verulam Zoning By-law 6-87 , respecting Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, Geographic Township of Verulam, City of Kawartha Lakes, identified as land behind 19 and 21 Kenhill Beach Road - Lamanna and Hartley</p> <p>David Harding, Planner II</p>	

3.6	PLAN2019-074	80 - 93
	An application to amend the Township of Fenelon Zoning By-law 12-95 respecting Part Lot 31, Concession 11, Geographic Township of Fenelon, identified as 467 Northline Road - Hughes Mark LaHay, Planner II	
4.	Business Arising from Public Meeting	
5.	Deputations	
5.1	PC2019-13.5.1	
	Leigh Mugford, Resource Manager, James Dick Construction Limited Relating to PLAN2019-062 (Item 7.1 on the agenda)	
6.	Correspondence	
7.	City of Kawartha Lakes Reports	
7.1	PLAN2019-062	94 - 114
	An application to amend the Township of Eldon Zoning By-law 94-14 on land described as Lots 30, 31, and 32, Concession 1, Geographic Township of Eldon, vacant land Rohallion Road - 676249 Ontario Ltd. Janet Wong, Planner II	
7.2	ENG2019-024	115 - 123
	Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay (Springdale Gardens Subdivision – Phase 2) Christina Sisson, Supervisor of Development Engineering	
8.	Adjournment	

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-066

Meeting Date: **December 4, 2019**

Public Meeting

Description: An application to amend the Township of Somerville Zoning By-law 78-45 to change the zone category on the northeast portion of the property from Environmental Protection (EP) Zone to Environmental Protection Exception (EP-**) Zone in order to regulate the existing development on that portion of the property that comprises a single detached dwelling, a storage building and dock installation as the only permitted uses, with specific development standards on land described as Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville, now City of Kawartha Lakes, identified as 466 Pinery Road (Alex Christianopoulos – Planning File D06-2019-036)

Ward Number: **2 - Somerville**

Author and Title: **Quadri Adebayo, Planner II**

Recommendation(s):

That Report PLAN2019-066, respecting Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville, and identified as 466 Pinery Road; Application No. D06-2019-036, be received;

That a Zoning By-law Amendment respecting application D06-2019-036, substantially in the form attached as Appendix F to Report PLAN2019-066, 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 contains an approximately 46.5 square metres detached dwelling built circa 1965 (MPAC). The owner advised that they assumed ownership of the property in 1996, following which a steel storage container (approximately 14.9 square metres in size) was placed on the property and then modified with wooden material additions plus roofing in order to convert it into a full time accessory structure for the storage of household and marine-related items. The addition (approximately 33.8 square metres) was flagged as being constructed without permit by the building division between January and February of 2019 through a complaint-driven enforcement process.

As the property carries an Environmental Protection (EP) Zone category which does not permit buildings or structures, a rezoning is required in order to recognize the development on the property.

Owner/Applicant:	Alex Christianopoulos
Legal Description:	Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville
Designation:	Rural and Environmental Protection in the City of Kawartha Lakes Official Plan
Zone:	Environmental Protection (EP) Zone within the Township of Somerville Zoning By-law 78-45
Lot Area:	6.68 hectares (16.5 acres) of which approximately 1,500 square metres (0.38 acres) is applicable to the portion of be rezoned
Site Servicing:	Private individual septic tank and lake water system
Existing Uses:	Residential
Adjacent Uses:	North: Pinery Road, Rural Residential and Environmental Protection East and South: Burnt River, Environmental Protection West: Pinery Road, Environmental Protection

Rationale:

The subject property is bounded by Pinery Road on the north and west sides, and as well bounded by Burnt River on the east and south sides respectively. The northeast section of the property to be rezoned is already disturbed as it contains a residential dwelling, an accessory building, a driveway, and other ancillary installations such as a propane tank and a dock, etc. The premise for residential development within the stated section of the property was already established since approximately 1965. The existing dwelling is considered legal non-conforming since it predates the Township of Somerville Zoning By-law which was enacted in 1978.

Notwithstanding the building enforcement matter in play, if the storage container and the adjoining addition were non-existent and newly proposed today, a rezoning will still be the appropriate planning route to follow in order to permit their installation on the property.

Kawartha Conservation (KRCA) has advised of no concerns provided the accessory structure functions as a boathouse for the storage of marine-related items. The property owner has confirmed same functionality for the accessory structure in alignment with the corresponding by-law definition for a boathouse. Following the above, planning considers the proposal for rezoning as good planning as it provides the opportunity to capture the existing zoning inconsistency on the subject property that could have inadvertently gone unnoticed and also allows the opportunity to place a zone category on the subject property that will regulate any future development.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019:

Section 2.2.9 indicates that development outside of settlement areas may be permitted where necessary for the management of resources, and provided site-specific location with approved zoning is placed. Section 4.2.2 provides for the protection of natural heritage features and biodiversity identified within official plans. The rezoning to recognize and regulate the existing development on the northeast portion of the environmentally protected land is consistent with these policies.

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

Provincial Policy Statement, 2014 (PPS):

Section 1.1.4 of the PPS provides that rural assets and the protection of the environment be leveraged as foundation for a sustainable economy and the conservation of biodiversity, and Section 3.1 directs development to areas outside the flood plain or wetland.

The application to rezone the disturbed portion of the subject land to permit the existing development is considered to meet these policies. The section identified for the rezoning is clearly delineated from the limits of the remaining undisturbed section of the property.

This will enable the long term protection of the undisturbed section for its environmental and social benefits. It will also limit buildings and structures which by their nature are required not to be in the environmental protection zone.

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

The subject land is designated Rural and Environmental Protection in the City of Kawartha Lakes Official Plan (Official Plan). The rural designation applies to

majority of the subject lands while the environmental protection designation applies to the watercourse (Burnt River) that traverses the property. The disturbed section of the subject land is contained within the rural designation which permits single detached dwellings and accessory uses. Whereas the Official Plan directs that prior to any site alteration on environmentally protected lands, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. KRCA has determined that no studies or evaluation is required for the boundaries of the section to be rezoned that abuts Burnt River.

While accessory buildings are contemplated as ancillary to principle uses in the Official Plan, this application will ensure that the accessory building does not impact the integrity of the abutting water body.

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

Zoning By-Law Compliance:

The whole property is zoned Environmental Protection (EP) Zone in the Township of Somerville Zoning By-law 78-45. The EP Zone does not permit buildings or structures, except for flood and erosion control and docks. As identified in the rationale above, the existing detached dwelling is considered legal non-conforming, while the accessory building would customarily warrant a rezoning for it to be permitted, and KRCA has been able to affirm no issues with the current development state of the disturbed portion of the property.

Therefore, the northeast (disturbed) portion of the subject property is to be rezoned from Environmental Protection (EP) Zone to Environmental Protection Exception Ten (EP-10) Zone. The Somerville Zoning By-law defines a boathouse as 'a detached accessory building, or structure which is designed or used for the sheltering of a boat or other form of water transportation and/or accessory use for the storage of household equipment incidental to the residential occupancy but shall not include habitable rooms'. For the purposes of applying the accompanying draft by-law for the rezoning and in fulfillment of KRCA requirements, the storage container together with the adjoining addition shall be recognized as a boathouse. The Zoning By-law amendment will formalize the development on the disturbed portion of the subject land, thus implementing the Official Plan policies (see Appendix F).

In consideration of the above, the application meets the intent of the Zoning By-law.

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 Recommendation(s) to the 2016-2019 Strategic Plan:

The City's Strategic Plan outlines Council's vision for the municipality. The vision consists of three main Strategic Goals: that of a vibrant and growing economy, an exceptional quality of life, and a healthy environment. The application may align with the healthy environment goal as it promotes the health and integrity of the wetland and floodplain.

Review of Accessibility Implications of Any Development or Policy:

Should a building permit be required, the accessibility standards established in the Building Code will be addressed prior to the issuance of a building permit.

Servicing Comments:

The existing building on the land is serviced by private individual septic tank and Lake water system.

Consultations:

Notice of this application was circulated to all land owners of record within a 500 metre radius, plan review agencies, and City Departments which may have an interest in the application. As of November 15, 2019, we have received the following comments:

Public Comments:

No comments were received.

Agency Comments:

On November 7, 2019, the Building Division advised that the property is currently in their permit system as an enforcement file, and that a building permit application needs to be made by the owner for the structures constructed without permit. Planning staff confirms that the zoning amendment will help to accelerate the enforcement process given that the appropriate zoning has to be in place before permits can be issued under the Ontario Building Code.

On November 11, 2019, the Community Services advised no concerns with the proposed application.

On November 14, 2019, the Engineering and Corporate Assets Department advised they have no objections or engineering requirements to the proposed application.

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 F will ensure the surrounding ecological function abutting the subject land is preserved in conjunction with the residential use and will implement Provincial and City policies.

Conclusion:

The application conforms to the provincial policies concerning the protection of natural heritage systems in rural areas. The application also conforms to the Rural and Environmental Protection designation policies in the City's Official Plan. Staff support the application based on the information contained in this report and the comments received as of November 15, 2019. Staff respectfully recommends that the application be referred to Council for APPROVAL.

Attachments:

Appendix A – Location Map

Appendix B – Aerial Photograph

Appendix C – Applicant Sketch

Appendix D – GIS Imagery of Approximate Area to be Rezone

Appendix E – Accessory Building Pictures



Appendices A-E to
PLAN2019-066.pdf

Appendix F – Draft Zoning By-law Amendment

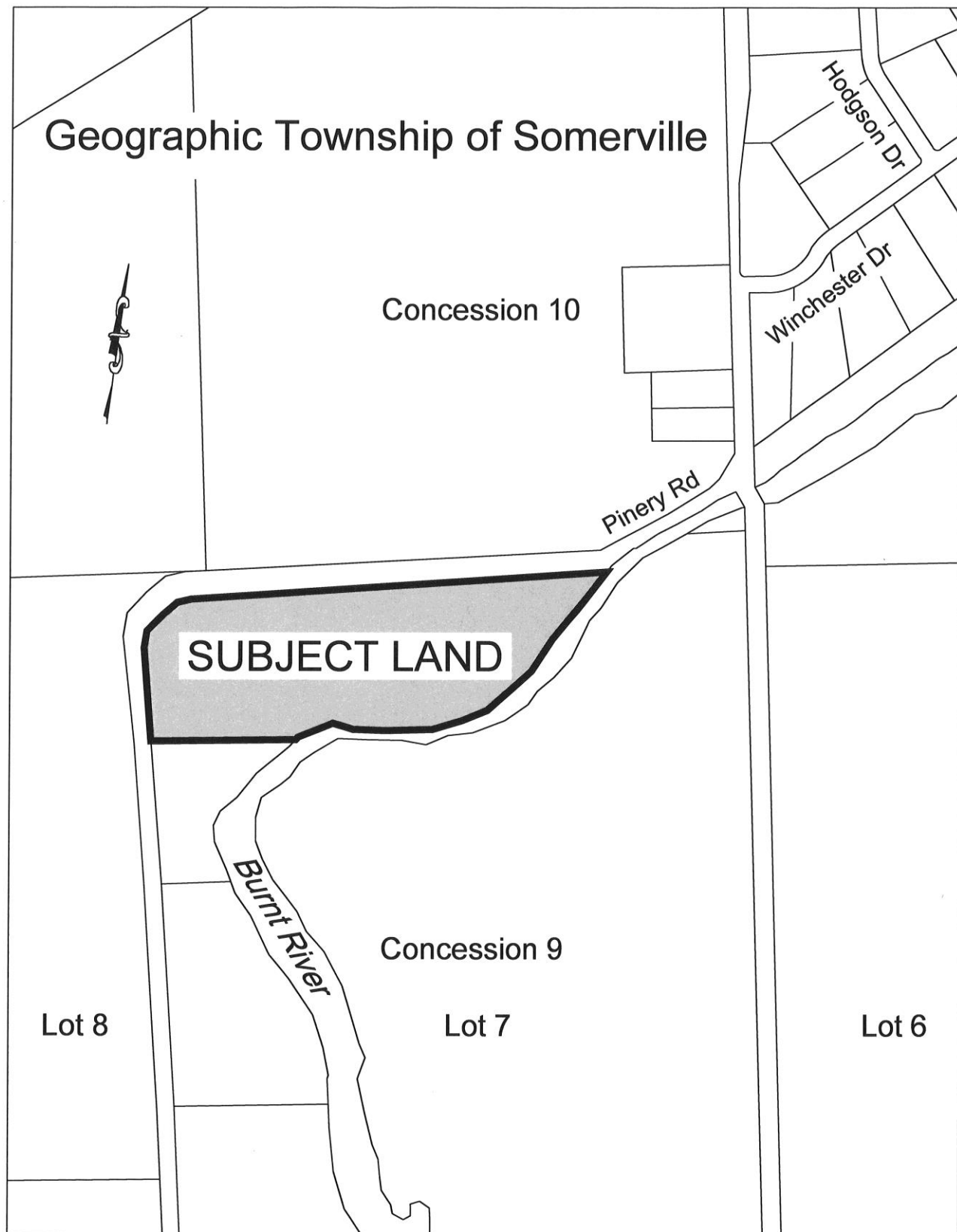


Draft Zoning
By-law.pdf

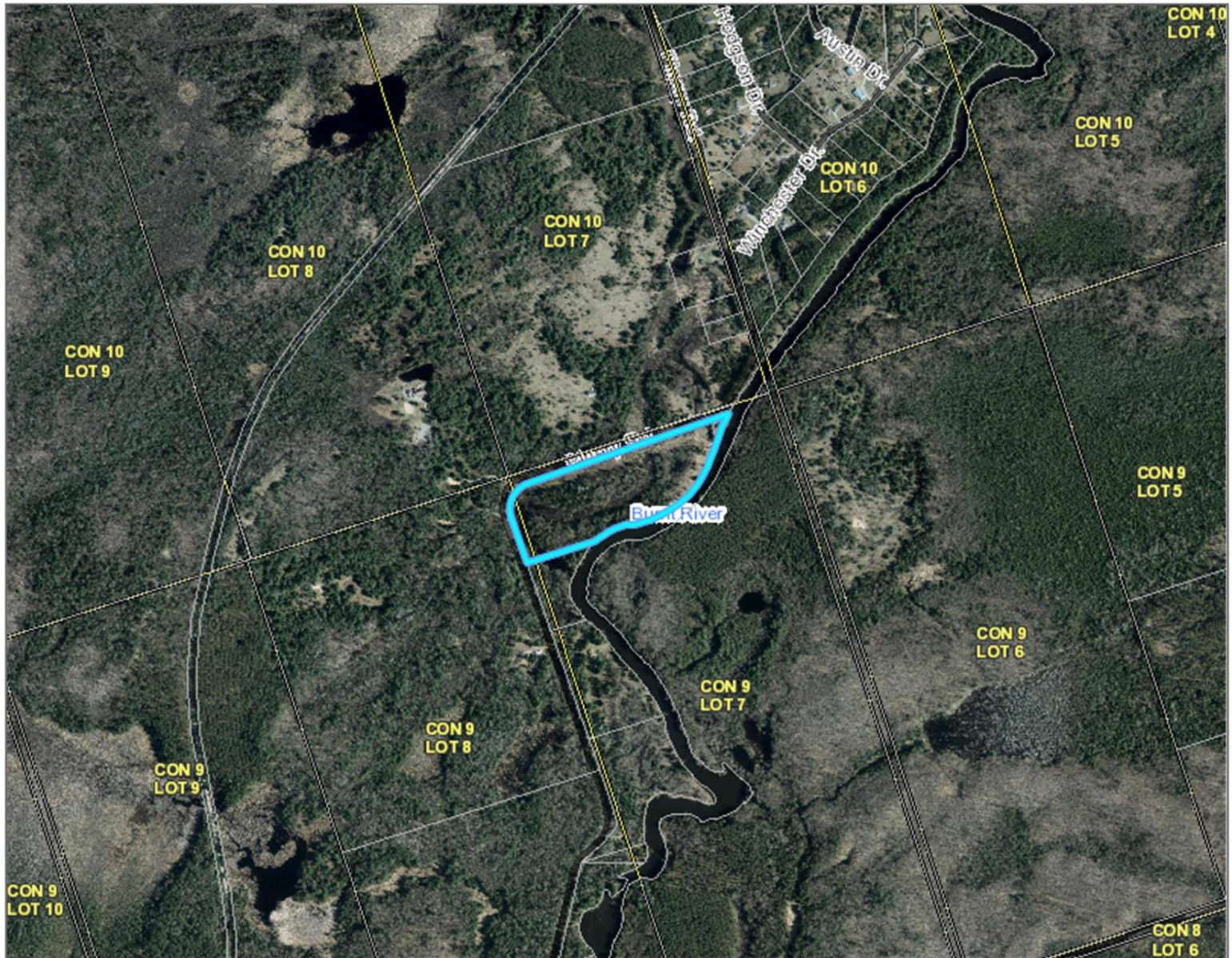
Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D06-2019-036



466 Pinery Road, geographic Township of Somerville



0.92

Kilometers

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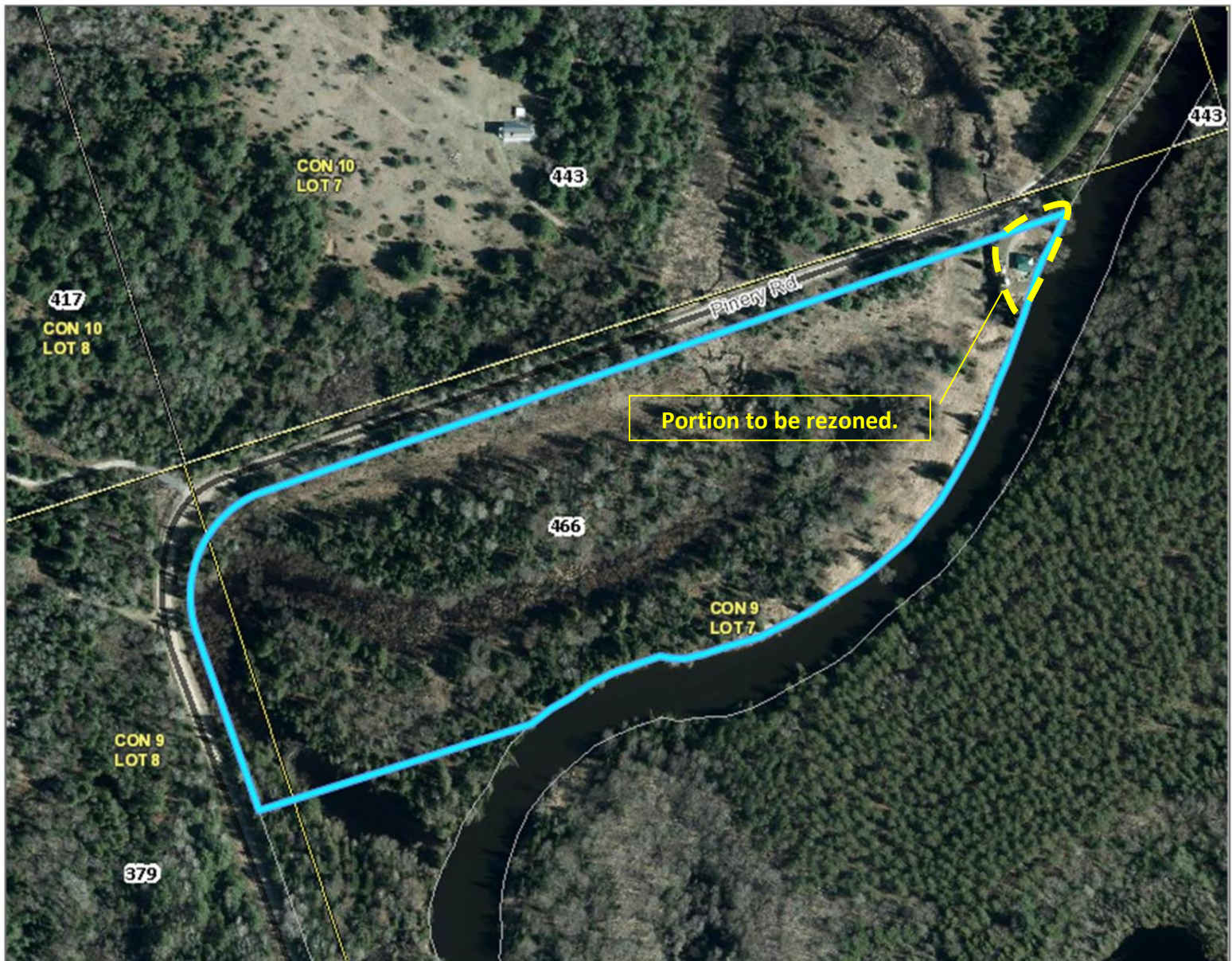


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466 Pinery Road, geographic Township of Somerville



0.23

Kilometers

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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 D06-2019-036, Report PLAN2019-066, respecting Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville, now City of Kawartha Lakes, identified as 466 Pinery Road - Alex Christianopoulos.

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 category and provisions relating to a specific parcel of land for the Environmental Protection Exception Ten (EP-10) Zone to regulate the development on the land;
4. A public meeting to solicit public input has been held.
5. 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 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville, now City of Kawartha Lakes.
- 1.02 **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 Environmental Protection Exception Ten (EP-10) Zone as shown on Schedule A attached to this By-law.
- 1.03 **Textual Amendment:** By-law No. 78-45 of the Township of Somerville is further amended to add the following to Section 7.3:
 - “10. Notwithstanding Subsection 7.1, on lands zoned EP-10 the following requirements shall apply:
 - a. the only permitted uses shall include:
 - i. one single detached dwelling,
 - ii. one storage building, and
 - iii. one dock
 - b. For the purposes of the EP-10 Zone, a storage building shall mean a private boat house.

Section 2:00 General Terms

- 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 December, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

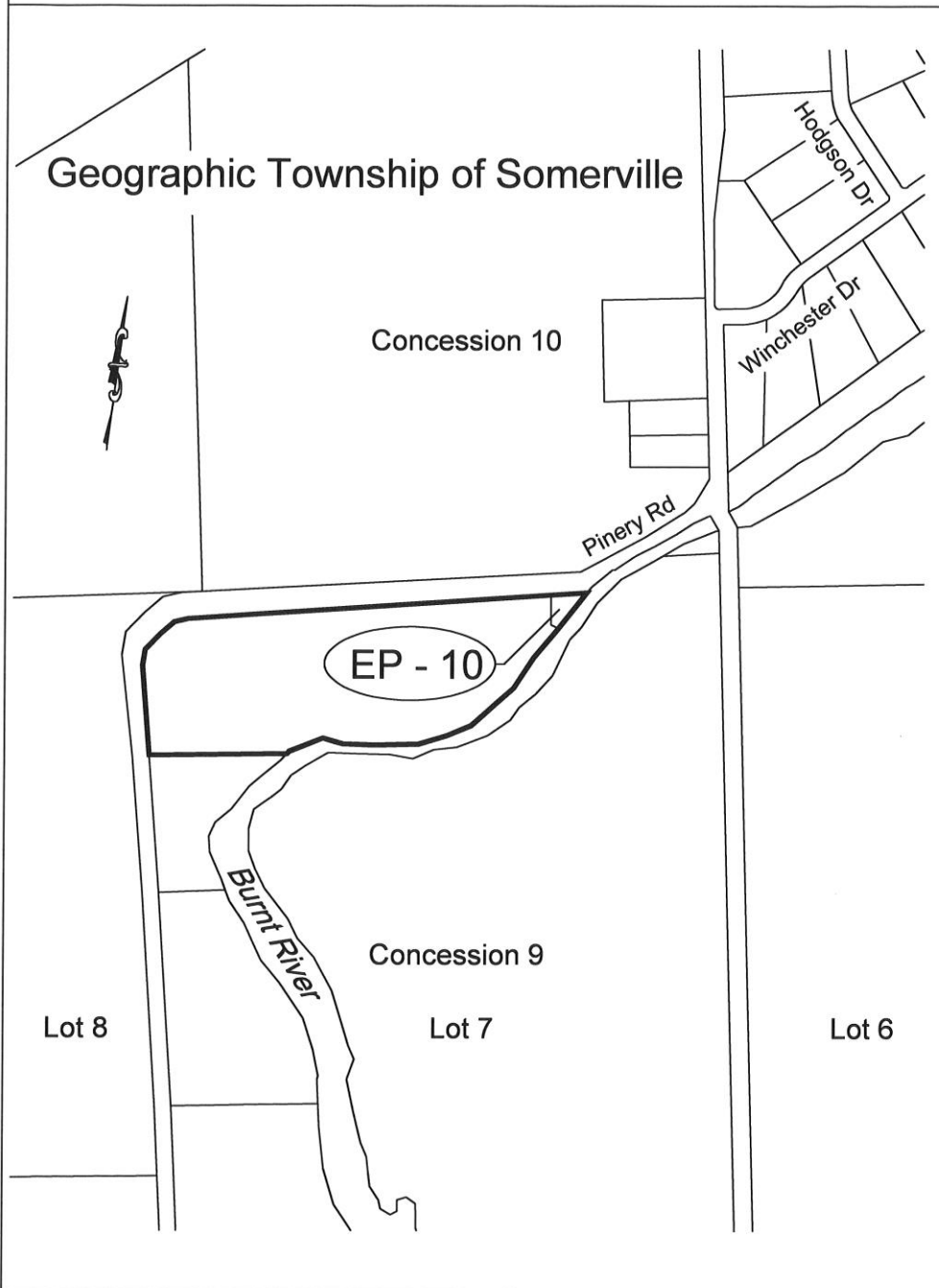
KAWARTHA LAKES

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 PLAN2019-068

Meeting Date: December 4, 2019

Public Meeting

Title: Applications to amend the Town of Lindsay Official Plan and Town of Lindsay Zoning By-law 2000-75 on land described as Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, vacant land St. Joseph Road – 2645286 Ontario Inc.

Description: Applications to amend the Town of Lindsay Official Plan from the Institutions and Community Facilities to Residential designation; and to change the zone category from Community Facility (CF) Zone to Residential – High Rise One – Special ** (RH1-S**) Zone to permit an eight (8) storey retirement residence use with 116 apartment units and 104 assisted living/independent living units with appropriate site specific zone requirements on land described as Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, vacant land at the north-west intersection of St. Joseph Road and Thornhill Road, (2645268 Ontario Inc.)

Ward Number: 5

Author and Title: Janet Wong, Planner II

Recommendations:

That Report PLAN2019-068, respecting Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, 2645286 Ontario Inc. (Fieldgate Commercial) – Applications D01-2019-005 and D06-2019-035, be received; and

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

That Report PLAN2019-068 respecting Applications D01-2019-005 and D06-2019-035 be referred back to staff to address 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.

Background:

The applicant has submitted applications to change the land-use designation from Institutions and Community Facilities to Residential; and to change the zone category from Community Facility (CF) Zone to Residential-High Rise One – Special ** (RH1-S**) Zone. The change will permit an eight (8) storey retirement residence for a total of 220 apartments and assisted living / independent living units along with associated parking and amenity space.

Owner:	2645286 Ontario Inc. (Fieldgate Commercial)
Applicant:	Fieldgate Commercial (c/o Stephanie Volpentesta)
Legal Description:	Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay
Official Plan:	Institutions and Community Facilities, Town of Lindsay Official Plan
Zone:	Community Facility (CF) Zone on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area:	1.37 ha. [William R, Coe Ltd, Ontario Land Surveyors]
Site Servicing:	Municipal sanitary sewer, storm sewer and water supply
Existing Uses:	Vacant
Adjacent Uses:	North: Wilson Fields – baseball diamonds and Optimist soccer fields East: Vacant South: Shopping Mall and Grocery Store West: City Thornhill Road Water Reservoir and Ontario Court of Justice

Rationale:

The 1.37 ha property is located at the north-west intersection of St. Joseph Road and Thornhill Road in the west quadrant of Lindsay. The property is within the flight contour zone of the Lindsay Municipal Airport (aerodrome). The subject land is currently vacant and has 67.6 m. of frontage on St. Joseph Road and 172.8 m. on Thornhill Road. The east quarter of the property is wooded, with the balance being regenerating field. St. Joseph Road is classified as a collector road. The entire property is within the catchment area of Ops 1 Municipal Drain.

The retirement residence will be comprised of 116 senior's rental apartment units and a combination of 104 units for assisted living and independent living. The resultant density would be 123 units/ha as the Town of Lindsay Zoning By-law specifies one (1) assisted living unit or independent living unit is considered to be 0.5 units for density purposes. The seniors' apartment units will have their own private kitchen and dining facilities; whereas the assisted living and independent living will have a common dining room for the residents. There will be a

combination of studio, one-bedroom, and two-bedroom units. Surface and one (1) level of underground parking will be provided on site with a total of 185 spaces proposed. An outdoor amenity area is proposed for resident use.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Lindsay Retirement Home Planning Report prepared by GHD, dated August 2019. This document discusses the appropriateness of the application in the context of the Growth Plan for the Greater Golden Horseshoe (2019), Provincial Policy Statement (2014), City of Kawartha Lakes Growth Management Strategy, Lindsay Official Plan, and Town of Lindsay Zoning By-law 2000-75.
2. Conceptual Plan and Building Elevations, prepared by Global Architect Inc., August 6, 2019
3. Landscape Plan, prepared by Ron Koudys Landscape Architects Inc., March, 2019
4. Topographic Survey, prepared by Coe Fisher Cameron Land Surveyors, January 7, 2019
5. Plan 57R-7657, prepared by William R. Coe Ontario Land Surveyors, July 26, 1996; Plan 57R-6394, prepared by B.A Nickerson Ontario Land Surveyor, March 7, 1991
6. Preliminary Geotechnical Investigation Report, prepared by Golder Associates Corporation, November 28, 2018. The report describes the general subsurface soil and shallow ground water conditions on site.
7. Water Balance Investigation, prepared by Golder Associates Corporation, May 21, 2019. The report discusses the potential for Low Impact Development (LID) mechanisms to be incorporated into the development of the site.
8. Preliminary Geotechnical Investigation, prepared by Golder Associates Corporation, May 24, 2019. The report assesses the need, impact, and mitigations measures due to dewatering during construction.
9. Functional Servicing Report, prepared by Counterpoint Engineering, August, 2, 2019. The report discusses and assesses the availability and provision of water, storm water, and sanitary servicing for the proposed development.
10. Traffic Impact Study, prepared by GHD, dated August 8, 2019. The report assesses impacts of traffic from the development on the surrounding road network.
11. Comprehensive Urban Design Analysis Report, prepared by Global Architect Inc., July 29, 2019. The report describes the site and building design contribution to the built form in the area and shadow impacts.

12. NAV Canada letter, July 26, 2019 responding to Aeronautical Assessment Form or Obstacle Evaluation by the applicant April 2, 2019.

Staff has reviewed the Planning Report filed in support of the proposed official plan and zoning by-law amendments. Staff cannot fully evaluate the appropriateness of the proposal at this time as responses from other City Departments and commenting Agencies have not been received. The Planning Division requires comments in order to form an opinion and recommendation with respect to conformity and compliance with applicable policies and zoning provisions. As such, Staff recommends that the applications be referred back to staff until such time as any concerns have been addressed.

Provincial Policy Conformity

Growth Plan for the Greater Golden Horseshoe (2019):

These lands are identified as being within the Settlement Area as well as being within the Built-Up Area of Lindsay. Section 2.2.1.2 indicates that the vast majority of growth will be directed to settlement areas that have a delineated built boundary; have existing municipal water and wastewater systems; and can support the achievement of complete communities. Section 2.2.2.2 indicates that minimum intensification targets are required to be met as approved until such time as the City's Official Plan is updated to comprehensively apply the policies of the Growth Plan (municipal comprehensive review).

These applications will need to conform to the policies of the Growth Plan particularly with respect to growth management.

Provincial Policy Statement (2014):

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Section 1.1.3 states that settlement areas shall be the focus of growth and development, where land use patterns are based on densities and a mix of land uses which efficiently use land and resources as well as are appropriate for and efficiently use existing or planned infrastructure.

Section 1.4.3 requires the City to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by: permitting and facilitating all forms of housing required to meet the social, health and well-being requirements; directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available; and promoting densities for new housing which efficiently use land, infrastructure, and support the use of transit.

Section 1.5 indicates the City is to promote healthy active communities through the planning and provision of a full range and equitable distribution of publicly-accessible built and natural settings for recreation.

Section 1.6.6 indicates that the preferred form of servicing in settlement areas is municipal sewage and water services. This Section also requires that storm water be managed such that contaminant loads and changes in the water balance are minimized; there is no increased risk to human health and safety as well as property damage; and use stormwater best management practices including stormwater attenuation and low impact development.

The property is not within or adjacent to natural heritage features nor other resources, including source water protection zones, as identified under Section 2 of the PPS or natural hazards as identified in Section 3.

It appears that the applications may be consistent with the PPS.

Town of Lindsay Official Plan Conformity:

The Town of Lindsay Official designation of Institutions and Community Facilities applies to this property until such time as the Lindsay Secondary Plan, currently under appeal to the Local Planning Appeal Tribunal, is approved. The Institutions and Community Facilities designation permits a range of major institutional uses, government, recreational, and cultural uses. Government type uses includes government funded nursing homes (long term care). Apartments are not a permitted use. Senior independent living and senior assisted living residences are considered to be senior citizen's homes (retirement homes) which are not government funded; thus would not be permitted uses. The applicant proposes to change the designation to Residential which permits apartments and senior citizen's homes.

With a density of 123 units/ha and the building being greater than four (4) storeys high, the proposed development would be required to comply with the High Density provisions of the Residential designation. The maximum density for High Density residential development is 125 dwelling units / gross ha. The Official Plan has a number of policies related to the height, density, and character of the development being in keeping with the surrounding uses; and locating higher density development on arterial or collector roads as well as having adequate servicing capacity for High Density Residential use. High density development is subject to site plan control.

The Official Plan also has policies related to:

1. adequate water and sewage servicing being available;
2. stormwater management being provided;
3. encouragement of energy conservation measures through building design and site planning;

4. noise levels from vehicular or air traffic shall not exceed specified levels unless noise abatement techniques are employed to reduce levels to an acceptable level; and

5. protection of the Lindsay Municipal Airport (aerodrome) from incompatible development due to noise. As well, new residential development or sensitive land uses shall be directed away from the flight paths of the aerodrome to ensure that future development and expansion of the airport is not compromised.

The applicant has supplied information (under review) regarding potential impact of development height on the flight paths. It is recommended that a noise study be prepared to demonstrate that noise impacts from air traffic is at or below an acceptable level for the proposed use or appropriate abatement techniques can be implemented. The City will need to obtain an external peer review of the noise study and the actual cost would be recovered from the applicant through Planning Division peer review fees.

City of Kawartha Lakes Growth Management Strategy

The City of Kawartha Lakes Growth Management Strategy was approved May 2011. The Growth Management Strategy identifies residential intensification targets for lands within the built boundary. It also indicated that no expansion of settlement boundaries is required as there is sufficient capacity within designated residential land. The Growth Management Strategy allocated 87 units to this property. The applicant is seeking 133 more units (60% increase) than currently allocated. The Lindsay Secondary Plan, currently under appeal to LPAT, designates the lands as Residential. The extent of the residential designated land within the Lindsay settlement area is an issue that is under appeal to LPAT.

The applications will need to demonstrate conformity with the Town of Lindsay Official Plan.

Zoning By-Law Compliance:

The subject land is zoned Community Facility (CF) Zone in the Town of Lindsay Zoning By-law 2000-75. The CF Zone does not include apartment or senior citizens' home as permitted uses. The applicant has submitted a Zoning By-law amendment to change the zone to Residential High-Rise One – Special ** (RH1-S**) Zone. The application would implement the proposed Official Plan amendment by changing the land use category to a zone which permits apartments and senior citizens' home and to account for on-site deficiencies to allow for the new building. The requested requirements are noted in the table below.

Item	By-law Requirement	Proposed
Min. front yard setback	12.0 m.	6.5 m.
Min. exterior yard setback 3.0 m. for each storey	24 m.	6.5 m.
Min. interior side yard setback 2.5 m. for each storey	20 m.	8.0 m.
Max. building height	18 m.	26 m.
Min. landscaped open space	40%	35%

A preliminary review of the plans indicates the following parking requirements will also need to be addressed.

Item	By-law Requirement	Required Parking	Proposed Parking
Residential Parking Requirement	Apartment: 1.1/unit plus 0.25/unit for visitors	157	
	Seniors Home: 0.5/bed or dwelling unit based on the maximum capacity	52	
	Total	209	185

The City will require further discussion with the applicant with respect to parking for a building that incorporates the range of proposed units as the Town of Lindsay Zoning By-law does not cover the integration of the types of residential units. Preliminary information indicates that the average occupancy for the independent living units will be higher than the 0.5 /bed but less than the maximum capacity. It is recommended that a parking analysis be provided to support the proposed 185 parking spaces based on experience with similar facilities.

The application appears to comply with all other relevant provisions of the Zoning By-law.

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 Recommendation 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 aligns with the exceptional quality of life as there would be improved walkability as well as the goal of a healthy environment through the utilization of Low Impact Development techniques as part of the treatment train for stormwater management.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The property is currently serviced with full municipal sewer, water, and stormwater. Development Engineering has advised that they have reviewed the proposal and confirm that conceptually the proposed servicing will be feasible and there would be no major issues with potential connection to water, sanitary and storm water systems. A detailed engineering submission will be required with the Site Plan Control application.

Consultations:

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date we have received the following comments:

Public Comments:

No comments from the public have been received to date of report preparation.

Agency Review Comments:

Building Division (November 5, 2019): advised that they have no concerns with the above noted applications.

Development Engineering Division (November 19 2019): advised that they have no objection to the proposed Official Plan amendment or the proposed Zoning By-law amendment.

Development Services – Planning Division Comments:

The appropriate documents in support of the application have been submitted and circulated to the appropriate agencies and City departments for review and comment. At this time, comments have not been received from all circulated agencies and City Departments or the public. Staff has recommended that additional supporting parking analysis and noise study documentation is required. Therefore, Staff recommends that the application be referred back to staff until such time as commenting agencies and/or City Departments have submitted comments, and any concerns have been addressed.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommends that the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from the public meeting, all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Attachments:



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photo
Appendix 'C' – Concept Site Plan
Appendix 'D' – Concept Building Elevations

Department Head E-Mail: cmarshall@kawarthlakes.ca

Department Head: Chris Marshall, Director of Development Services

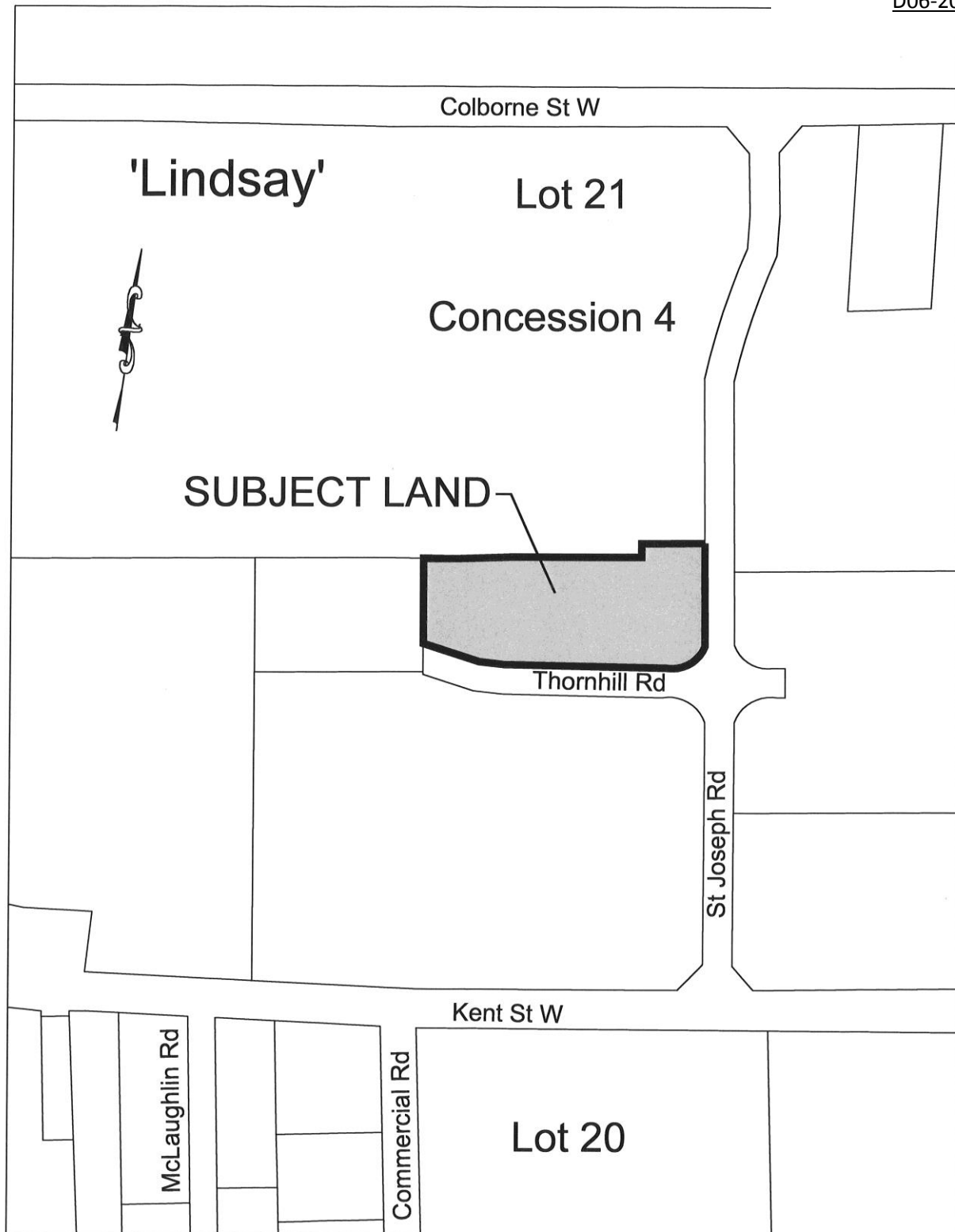
Department File: DO1-2019-005 and D06-2019-035

to

REPORT PLAN2019-068

FILE NO: DO1-2019-005

D06-2019-035





- Legend**
- Property ROLL#
 - Lots and Concessions
 - Road Centreline (2016 Needs)
 - Upper Municipalities
 - Lower Tier Municipalities

APPENDIX “ B ”
to
REPORT PLAN2019-068
FILE NO: DO1-2019-005
D06-2019-035

Notes
Notes

This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may not be accurate, current, or otherwise reliable.
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

0.23 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

APPENDIX “ D ”

to

REPORT PLAN2019-068

FILE NO: DO1-2019-005

D06-2019-035



2 NORTH BUILDING ELEVATION



1 EAST BUILDING ELEVATION



Detail view of building details



The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-069

Meeting Date: December 4, 2019

Public Meeting

Title: An Application to amend the Village of Fenelon Falls Zoning By-law 89-25

Description: A technical amendment to revise an existing permitted use from a senior citizens apartment dwelling house to allow an apartment dwelling house and to remove the (H) Holding provision. The property is described as Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street

Ward Number: Ward 3

Author and Title: Anna Kalnina, Planner II

Recommendation(s):

That Report PLAN2019-069, respecting Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street, Kawartha Lakes Haliburton Housing Corporation – D06-2019-032, be received;

That a Zoning By-law Amendment respecting application D06-2019-032, substantially in the form attached as Appendix D to Report PLAN2019-069, be approved and adopted by Council; and

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The subject land, municipally known as 106 Murray Street, is located on the west side of Murray Street and north of West Street South in the Village of Fenelon Falls (see Appendix 'A'). The applicant has submitted a Zoning By-law Amendment application to revise an existing permission for an apartment building. The existing zone permits a senior citizens apartment dwelling house. An amendment to the Zoning By-law is a technical amendment to not limit the use to seniors and permit an apartment building for a variety of tenants.

Owner:	Kawartha Lakes Haliburton Housing Corporation
Applicant:	Tim Welch Consulting Inc.
Legal Description:	Plan 100, Lots 124-126; 57R-6354, Part 1 former Village of Fenelon Falls
Designation:	Medium Density Residential in the Village of Fenelon Falls Official Plan
Zone:	Residential Type Five Exception 8 [R5-8(H)] Holding Zone on Schedule A of the Village of Fenelon Falls Zoning By-law 89-25
Lot Area:	0.61 ha (1.5 ac)
Site Servicing:	Municipal sanitary sewer, storm sewer and water supply
Existing Uses:	Vacant Land
Adjacent Uses:	North: Low density residential East: Murray Street and low density residential South: Low density residential West: Ultramar Gas Station and Motel, commercial

Rationale:

The application proposes a two-storey apartment building with thirty (30) units served by forty five (45) parking spaces. The proposed apartment building would offer 1, 2 and 3-bedroom configurations, as well as barrier free units. The proposed development would provide a mix of market rate and rent-geared to income housing units. The development would be serviced by municipal sewer and water infrastructure.

The proposed building is L-shaped and would be located on the northeastern portion of the property. The access to the property from Murray Street and the main access to the building are proposed at the southern end of the property. The main entrance to the building is proposed to face the proposed pick-up/drop-off area near the vehicular entrance to the parking lot. The design of the site is proposed to provide direct ease for pedestrian access; the site is proposed to be

barrier free and Accessibility for Ontarians with Disabilities Act (AODA) compliant.

The proposed site configuration is intended to reduce the visual impact of the development on surrounding uses by designing the building as an L shape to break up the massing of the building, locating the parking lot closest to the adjacent commercial use, and proposing a landscaped courtyard in the middle of the site. None of the units are proposed to have a direct view into an adjacent residential dwelling. Furthermore, the plantings of coniferous trees are proposed to provide privacy and screening for the adjacent low density residential dwellings. The building is proposed to be two-storeys tall, with a total building height proposed to be 7.75m. Therefore, shadows would be minimal on the adjacent properties. The materials of the proposed building use a mixture of stone, brick and siding, and would be consistent with the existing character of residential properties.

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 September 5, 2019.
2. Planning Justification Report, prepared by EcoVue Consulting Services Inc. dated August 6, 2019 was submitted in support of the application. This document discusses the appropriateness of the application in the context of the Provincial Policy Statement (2014), Growth Plan (2019), applicable Official Plan and Zoning By-law.
3. Urban Design Brief, prepared by Ronald Awde Architect dated August 2019. This document analyses compatibility of the building's design with neighbourhood's existing built form, identifies the proposed landscaping to offer shade and privacy, parking and paving, and street lighting.
4. Geotechnical Investigation, prepared by Concord Engineering dated November 27, 2018. This document reports on geology and site description, subsurface conditions, fieldwork and recommendations.
5. Hydrogeologic Investigation Report, prepared by GHD dated July 30, 2019. This document reports on findings from monitoring wells, available well records and previous test holes, hydraulic conductivity testing and a water balance evaluation.
6. Traffic Impact Brief, prepared by Tatham Engineering dated May 9, 2019. The brief reviews the proposed development from a transportation perspective, addressing site access, site traffic volumes, sight lines at the access point and the potential impacts to the adjacent road systems.

7. Site Servicing and Stormwater Management Design Brief, prepared by Tatham Engineering dated May 8, 2019. The document also contains a Sedimentation and Erosion Control Plan, and Phosphorous Budget.
8. Sketch Plan by Ronald Awde Architect dated February 20, 2019.
9. Site Plan and Details A1.01, prepared by Ronald Awde Architect dated November 27, 2018.
10. Shadow Study A1.02, prepared by Ronald Awde Architect dated November 27, 2018.
11. Exterior Elevations A3.01, prepared by Ronald Awde Architect dated November 27, 2018.
12. Topographic Survey, prepared by Coe Fisher Cameron Land Surveyors dated December 12, 2018.
13. Legal Survey, prepared by William R. Coe Limited dated October 28, 1990.

Staff has reviewed the Planning Justification Report that was prepared and filed in support of the application and has reviewed other supporting documentation provided in the context of evaluating the relevant Provincial and City of Kawartha Lakes Policies and Plans.

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.

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, provides that healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses (including affordable housing), promoting cost-effective development patterns, and improving accessibility to allow full participation by persons of all abilities.

Section 1.1.3 provides that settlement areas shall be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and mix of land uses which efficiently use land and resources, efficiently use the infrastructure and public service facilities which are planned or available, and support active transportation (Policy 1.1.3.1.a)). Policy 1.1.3.2.b)

provides that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment.

The subject land is located within the settlement area and is identified as a Residential Intensification Area in the City of Kawartha Lakes Growth Management Strategy, 2011. The underutilized subject land is proposed to be redeveloped, thereby, increasing the residential density in the area. The proposed development would be serviced by the existing municipal infrastructure, which would be a cost effective use of the available services.

Section 1.4 Housing of the PPS requires that the City maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment. Policy 1.4.3 requires that the City provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Policy 1.4.3 provides that the City shall implement minimum affordable housing targets (affordable to low and moderate income households) and permit and facilitate all forms of housing required to meet the social, health and well-being requirements, including special needs requirements.

The proposed development would provide new, affordable rental units, some of which would be barrier-free units. This development would provide a form of housing that is in high demand in the City of Kawartha Lakes. According to the City of Kawartha Lakes 2019 Housing and Homelessness Assessment Report, and the Canada Mortgage and Housing Corporation (CMHC) Rental Market Survey, vacancy rates have been below one percent (1%) in the City for the past two years.

Section 1.6.6 Sewage, Water and Stormwater, encourages development within settlement areas utilizing existing municipal sewage services and municipal water services. Policy 1.6.6.7 requires that stormwater management minimize contaminant loads; minimize changes in water balance and erosion; not increase risks to human health, safety and property damage; and maximize the extent and function of vegetative and pervious surfaces.

The proposed development would be serviced by an internal storm sewer and controlled and treated prior to being discharged into the municipal storm sewer system. Stormwater quality is proposed to be controlled through an oil grit separator, infiltration unit and enhanced grass swales and downspouts. Forty nine percent (49%) of the subject land is proposed to be landscaped, pervious surface.

Therefore, this application is consistent with the PPS.

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

Section 2.2.1 Managing Growth of the GP provides that growth should be directed towards delineated settlement areas that have existing municipal water and wastewater systems. More specifically, the GP requires that the City direct a minimum of thirty percent (30%) of all residential development to built-up areas.

The subject land is located within the Delineated Settlement Area of the former Village of Fenelon Falls and is within the Fenelon Falls Delineated Built Boundary. The proposed development will provide infill residential development that would support the City in meeting its intensification target of 30%.

Policy 2.2.1.4 of the GP requires that the City supports the achievement of complete communities by supporting a diverse range of housing options, including affordable housing to accommodate people at all stages of life and support a more compact built form.

The application contributes to the development of a complete community by proposing a medium density residential development which supports compact built form and increases the housing stock within a designated settlement area, by proposing to locate the development within a walking distance to existing services, and by proposing to facilitate the efficient use of the existing infrastructure. The development would also help the City meet its requirements of increasing and diversifying affordable rental housing options in the Village of Fenelon Falls.

Policy 4.2.9.1 of the GP encourages energy conservation for planned developments. This development is proposed to employ many of the Leadership in Energy and Environmental Design (LEED) and Passive House principles to minimize energy consumption or waste.

Therefore, this application conforms to the GP.

Village of Fenelon Falls Official Plan (Official Plan)

The subject land is designated Medium Density Residential on Schedule A Land Use Plan. The Medium Density Residential designation permits low rise apartments or other similar multiple-family forms of housing. Policy 3.4.5.c. provides that the maximum permitted height and density of a low rise apartment dwelling house shall be three (3) storeys and fifty (50) dwelling units per net hectare provided that, where adjoining lands are designated as Medium Density Residential, the overall density of development within the Medium Density Residential area as a whole does not exceed thirty seven (37) units per gross hectare.

This application proposes no change to the existing designation. The proposal would be two storeys high and would have a density of forty-nine (49) units per gross hectare, which does not exceed the requirements in the Official Plan.

Using MPAC information, City staff estimate the overall density within the Medium Density Residential area would increase to about twenty eight (28) units per gross hectare, which does not exceed the policy 3.4.5.c. of the Official Plan.

Policy 3.4.5.d. of the Official Plan requires that new development shall be designed and sited to minimize the effects on adjacent land uses, particularly low density residential uses through adequate buffer planting and screening, as well as effective spatial separation.

The development is proposed to have landscape planting strips ranging from 2.5 metres wide to 12.49 metres wide along the perimeter of the subject land. The application provides that most of the units will be facing the street and interior court. The low-density dwellings to the North would be screened with denser plantings of coniferous trees, privacy planting and a privacy fence. The property is located in the Site Plan Control area; therefore, the applicant would be required to submit a Site Plan Application through which, landscape buffering may be further refined.

Village of Fenelon Falls Zoning By-law 89-25

The subject land is zoned Residential Type Five Exception 8 [R5-8(H)] Holding Zone. The R5-8 zone permits only a senior citizens apartment dwelling house containing a maximum of 30 apartment dwelling units together with such other accessory uses as normally considered incidental and subordinate thereto.

The applicant has submitted a Zoning By-law Amendment application to allow an apartment dwelling that caters to persons of all ages. The proposed development meets or exceeds all of the requirements in the Village of Fenelon Falls Zoning By-law 89-25.

It is recommended that through this Zoning By-law Amendment, the (H) Holding Provision be removed. The (H) Provision was implemented in 1994 and had the effect of prohibiting development or site alteration until all necessary approvals have been obtained pursuant to Sections 41 and 42 of the Planning Act, R.S.O., 1990, c.P.13, as amended, and, a site plan agreement has been entered into with the Village of Fenelon Falls and registered on title of the subject lands.

The proposed development is subject to the Site Plan Control process and cannot proceed without a site plan agreement. Therefore, staff concludes that the (H) Provision is redundant and should be removed.

Site Plan Application Process

The applicant intends to submit a complete Site Plan application following approval and adoption of the Zoning By-law Amendment.

Housing Plans and Reports

The City has a number of housing related reference documents, including the 2017 Affordable Housing Framework, the 2019 Housing and Homelessness Assessment Report, and the 10 Year City of Kawartha Lakes Housing and Homelessness Plan.

The Affordable Housing Framework and the Housing and Homelessness Assessment Report explain that there are very limited rental housing units in the City and the units are becoming less affordable as rent increases surpass the rate of inflation. Over a fifth of all households in Kawartha Lakes are facing housing affordability issues.

The City of Kawartha Lakes Housing and Homelessness Plan vision is to provide adequate, stable, affordable, well maintained and diverse housing choices. The Plan provides that one of the City's goals is to increase the supply of affordable housing and outlines its objective to stimulate the creation of new purpose built rental housing in the City.

The proposed development upholds the vision, goals and objectives of these Housing Plans and Reports by increasing the rental stock, increasing the supply of affordable units and accessible units.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial/operational considerations unless Council's decision 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 Recommendation(s) to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies three Strategic Goals:

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

This application directly aligns with an exceptional quality of life strategic goal as it meets the Objective 2.2 Improved Wellness, Well-Being & Community Health by meeting its Action 2.2.3, which provides, Increase the supply of affordable housing. The proposed development would contribute to an increase in new affordable rental housing.

Servicing Comments:

The lot is serviced by full municipal services.

Consultations:

Notice of this application was circulated to persons within a one-hundred twenty (120) metre radius in accordance with the Planning Act, agencies and City Departments which may have an interest in the application. To date, we have received the following comments:

Public Comments

To date, one (1) party expressed an interest in the application, particularly in clarifying the number of proposed parking spaces.

Agency Review Comments

October 28, 2019	The Building Division has no concerns with the application. Comments on technical aspects are reserved to the Site Plan process.
October 31, 2019	The Engineering and Corporate Assets Department did a preliminary review of the supporting documentation. A detailed review and comments will be provided at the time of the Site Plan process. The City of Kawartha Lakes Infrastructure Guidelines must be adhered to.
November 11, 2019	The Community Services Department has no concerns or comments.
November 19, 2019	Kawartha Conservation provided that the subject property does not contain any natural heritage features or natural hazards of interest to Kawartha Conservation, and does not contain regulated lands. Kawartha Conservation has no objections to the approval of the Zoning By-law Amendment application. Kawartha Conservation will provide comments for the technical reports during the site plan stage.

Open House

The applicant held an Open House on November 26, 2018 between 6:30pm and 7:30pm at the Fenelon Falls Community Centre at 27 Veterans Way in Fenelon Falls. Residents within 120 metres of the proposed development were notified by the applicant via a flyer.

The applicant prepared boards showing preliminary site plan and elevation drawings of the development, a sign in sheet and a comment sheet. Ten (10) members of the public provided their contact information on the sign in sheet. One (1) member of the public provided their written comments in opposition of the development.

Public members that filled out the sign in sheet, but were not identified in the 120 metre circulation as part of the Zoning By-law Amendment, were notified of this Public Meeting.

Attachments:

The following attached documents may include scanned images of maps and drawings. If you require an alternative format, please call Anna Kalnina, Planner II, (705) 324-9411 extension 1393.

Appendix 'A' - Location Map



Adobe Acrobat
Document

Appendix 'B' - Proposed Site Plan and Details



Adobe Acrobat
Document

Appendix 'C' - Proposed Elevations



Adobe Acrobat
Document

Appendix 'D' - Draft Zoning By-law Amendment

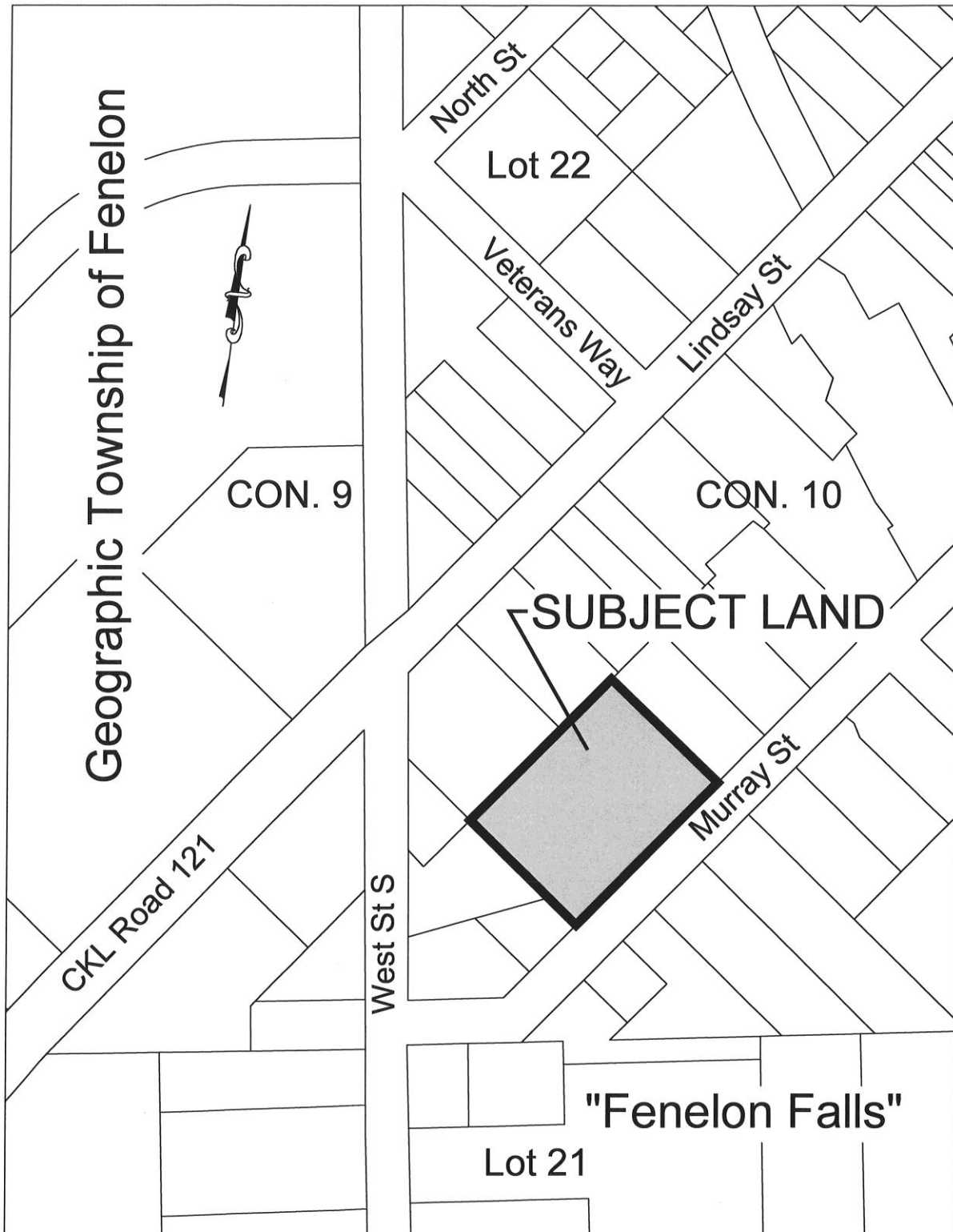


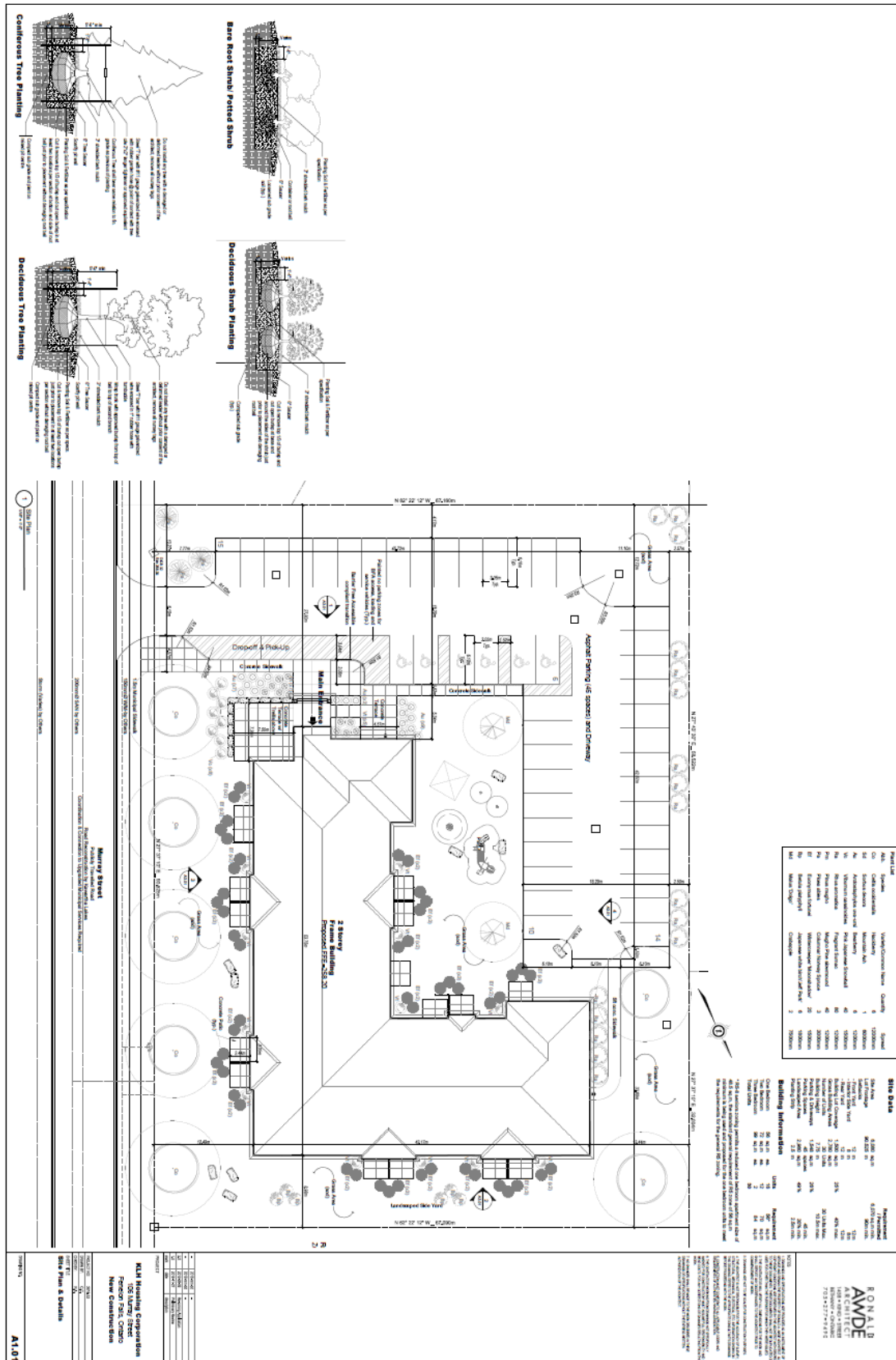
Adobe Acrobat
Document

Department Head E-Mail: cmarshall@kawarthlakes.ca

Department Head: Chris Marshall

Department File: D06-2019-032





The Corporation of the City of Kawartha Lakes

By-Law 2019 -

A By-Law To Amend The Village of Fenelon Falls Zoning By-Law No. 89-25 To Rezone Land Within The City Of Kawartha Lakes

[File D06-2019-032, Report PLAN2019-069, respecting Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street – Kawartha Lakes Haliburton Housing Corporation]

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. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a (H) Holding provision on any zoning category assigned to property. The purpose of the (H) Holding provision is to restrict the use of the property until conditions imposed by Council have been met.
3. The former Corporation of the Village of Fenelon Falls enacted By-law No. 94-15, which contained a (H) Holding provision relating to the use of the property.
3. Council has received an application to amend the categories and provisions relating to a specific parcel of land to revise an existing permitted use from a senior citizens apartment dwelling house to allow an apartment dwelling house and to remove the (H) Holding provision.
4. The conditions imposed by Council and shown in By-law No. 94-15 have been met.
5. A public meeting to solicit public input has been held.
6. Council deems it appropriate to rezone and to remove the (H) Holding provisions on 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 Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 89-25 of the Village of Fenelon Falls is further amended by revising Section 4.7.4.8 i. with the following:

4.7.4.8 R5-8 Zone

Notwithstanding any other provision of this By-law to the contrary, within the Residential Type Five Exception Eight (R5-8) Zone, as delineated on the Zone Map attached hereto as Schedule “A” and forming part of this By-law, no person shall use any land or erect, alter or use any building or structure except as specified hereunder, namely:

i. Permitted Uses

an apartment dwelling house containing a maximum of 30 apartment dwelling units together with such other accessory uses as normally considered incidental and subordinate thereto.

1.03 **Textual Amendment:** By-law No. 89-25 of the Village of Fenelon Falls is further amended by deleting Section 4.7.4.8 iv.

iv. Minimum Gross Floor Area Per Dwelling Unit

one bedroom apartment dwelling unit	48.5 square metres
two bedroom apartment dwelling unit	70 square metres

1.04 **Schedule Amendment:** Schedule ‘A’ to By-law No. 89-25 of the Village of Fenelon Falls is further amended to change the zone category from the Residential Type Five Exception Eight [R5-8 (H)] Holding Zone to the Residential Type Five Exception Eight (R5-8) Zone for the land referred to as ‘R5-8’, 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 and Section 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

THE CORPORATION OF THE CITY OF

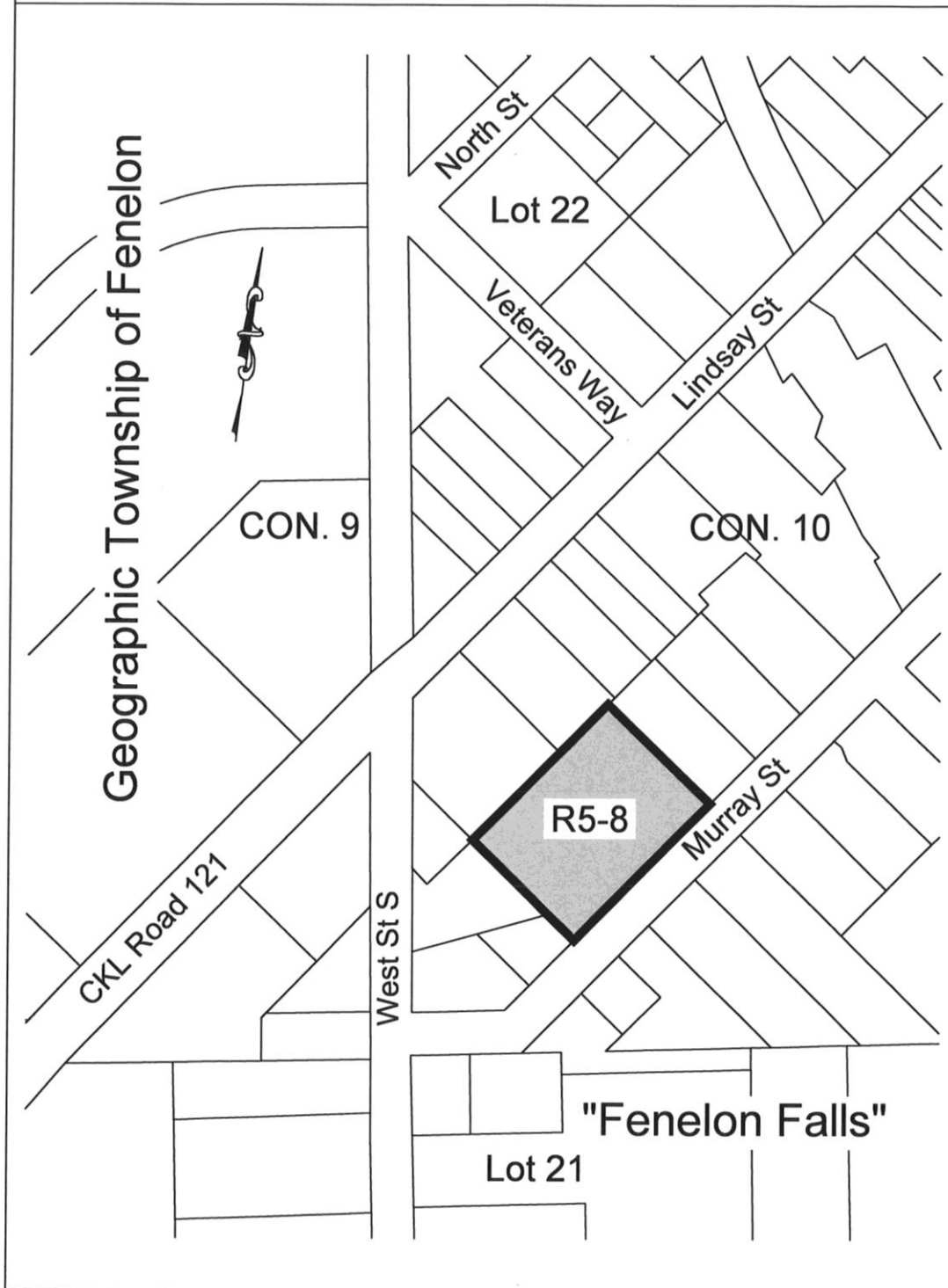
KAWARTHA LAKES

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 PLAN2019-070

Meeting Date: December 4, 2019

Regular Meeting

Title: Applications to amend the City of Kawartha Lakes Official Plan and Township of Ops Zoning By-law 93-30

Description: To add a self-storage facility use to the list of permitted uses and apply any applicable development standards at Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, now City of Kawartha Lakes, identified as 396 Highway 36 (Mike Redmond Septic Service Ltd.) – Planning Files D01-2019-002 and D06-2019-023

Ward Number: 5

Author and Title: David Harding, Planner II, RPP, MCIP

Recommendations:

That Report PLAN2019-070, respecting Part Lot 22, Concession 7, geographic Township of Ops, City of Kawartha Lakes, identified as 396 Highway 36 – Planning Files D01-2019-002 and D06-2019-023, be received;

That an Official Plan Amendment respecting application D01-2019-002, substantially in the form attached as Appendix D to Report PLAN2019-070, be approved and adopted by Council;

That a Zoning By-law Amendment respecting application D06-2019-033, substantially in the form attached as Appendix E to Report PLAN2019-070, 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 statutory public meeting was held by the Planning Advisory Committee on October 9, 2019, which adopted the following recommendation:

PAC2019-068

Moved By Councillor Seymour-Fagan

Seconded By M. Barkwell

That Report PLAN2019-056, respecting being Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, identified as 396 Highway 36 – Applications D01-2019-002 and D06-2019-023, be received; and

That the applications respecting the proposed Official Plan Amendment and Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

Carried

This report addresses that direction.

The proposal is to permit a self-storage facility use upon the subject property.

The property is located on the east side of Highway 36 in a commercial/industrial corridor. The property contains five buildings which house a variety of businesses, most of which are related to automobile sales or service: Pillsworth Service (Rustcheck), BJ Auto Electric, Mr. Transmission Newton Electric, Wood Mizer, dry storage, Rad Shop and Lindsay Auto Sales.

The storage facility use is proposed towards the front of the property upon the site of the former St. Dave's Diner building, which was destroyed by fire May 2016. The storage facility is proposed to consist of two buildings, each about 6.4 metres x 39.6 metres. The former diner site is currently being utilized as an area to display cars for Lindsay Auto Sales.

The applicant has submitted the following documentation in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Planning Justification Report prepared by Bob Clark, Clark Consulting Services, dated April 2019. This document discusses the appropriateness of the application in the context of the Growth Plan (2017), Provincial Policy Statement (2014), applicable Official Plan and Zoning By-law.
2. Topographic Survey prepared by Dearden and Stanton Ltd. dated April 17, 2019.
3. Sketch Plan prepared by Clark Consulting Services dated April 2019.

4. Sketch Plan with Topographic Survey and Land Cover prepared by Clark Consulting Services dated April 2019.

Owner: Mike Redmond, Mike Redmond Septic Service Ltd.
Applicant: Bob Clark, Clark Consulting Services
Legal Description: Part of Lot 22, Concession 7, Parts 1-3, Plan 57R-10704, geographic Township of Ops, now City of Kawartha Lakes
Official Plan: Highway Commercial within the City of Kawartha Lakes Official Plan
Zone: Highway Commercial (CH) Zone
Township of Ops Zoning By-law 93-30, as amended
Site Size: 2.196 hectares (5.43 acres)
Site Servicing: Two private individual sewage systems and municipal water
Existing Uses: Various Commercial/Industrial Businesses
Adjacent Uses: North: Vacant Land, Commercial, Industrial
South: Agricultural, Commercial, Industrial
East: Agricultural
West: Vacant Land, Industrial

Rationale:

Provincial Policies:

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. Settlement areas are the focus of growth, including re-development, which utilizes existing or planned infrastructure.

Section 1.1.3 states that it is in the interest of all communities to: use land and resources wisely, promote efficient development patterns, protect resources, promote green spaces, and ensure the effective use of infrastructure and public service facilities.

Section 1.1.3.1 and 1.1.3.2 further states that settlement areas are to be the focus of growth and development and their vitality and regeneration shall be promoted. Land use patterns to accomplish this vitality and regeneration are to be based on ideas such as providing for a density and mix of uses, and to explore opportunities for intensification and redevelopment of land.

Section 1.1.3.6 outlines the need to have development occur adjacent to existing built-up areas that also allows for the efficient use of land and public services.

Section 1.3 promotes the development and vitality of employment areas to meet the long term needs of the community, provide for a diversified economic base and encourage more compact development.

Section 3.1 directs development away from natural hazards in order to protect human life and property. The KRCA has reviewed the proposal and determined that there is safe ingress and egress to the site.

The application is consistent with the PPS.

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

The Growth Plan (GP) provides that growth should be directed towards settlement areas; utilize existing or planned infrastructure, and also supports providing for a mixture of land uses. Intensification is also encouraged to facilitate the better use of municipal infrastructure.

The GP also encourages the more efficient use of existing underutilized employment areas.

The proposed development will provide for the more intensive use of employment lands within the Lindsay settlement area, contributing to the more efficient use of existing infrastructure within a designated settlement area and contributing to the achievement of complete communities and compact built form.

Therefore, these applications conform to the policies of the Growth Plan.

City of Kawartha Lakes Official Plan (Official Plan)

The subject property is designated Highway Commercial within the City of Kawartha Lakes Official Plan (Official Plan).

The intent of the Highway Commercial policies is to accommodate commercial activities located along arterial roads. Such locations provide convenient access and exposure for customers.

Due to these locations, anticipated commercial uses are oriented towards automobile services, convenience retail, retail which requires large indoor/outdoor display/storage space, and accommodation for travelers.

An amendment has been submitted to introduce a special provision that would permit a self-storage facility use within the Highway Commercial designation. Such storage establishments are currently anticipated only within the Industrial designation.

It is recognized that while warehousing has historically been paired with manufacturing and other industrial operations as part of business production processes, it is also apparent that offering warehousing to the general public in the form of a self-storage facility establishment is a separate commercial activity that fulfills a market need, though it does not operate like a traditional commercial retail store, which makes such facilities incompatible with small-format

commercial uses that rely on high pedestrian traffic and proximity to other retail stores to attract customers.

Anticipated Highway Commercial designation uses include retail establishments that require substantial indoor/outdoor display/storage areas for their products or other services which attract passing drivers due to their scale like a motor vehicle service station, hotel, or drive-through eating establishment. These uses, by their design attract passing vehicles and also require individual parking lots so shoppers can park and use the good or service. Therefore, it is anticipated that the Highway Commercial lots must be larger to accommodate the larger commercial building and associated parking area. With each lot being larger and requiring its own parking lot, it is more unlikely that there will be pedestrian connectivity between abutting Highway Commercial parcels and also less likely that abutting parcels will offer similar goods or services to ensure potential customers visit multiple properties since the customer is driving.

Therefore, customers are likely to travel to a specific business to access a specific good or service and the resulting streetscape is vehicle oriented, with less attention paid to exterior building or streetscape design. Due to their function, Highway Commercial uses, including large-format commercial uses, have a somewhat more utilitarian and industrial appearance and function when compared to small format retail operations found within other designations. It is anticipated that the storage facility use will complement the intended highway commercial function of the Highway 36 corridor as it will function and look similar to the businesses that require more display and storage space to carry out their operations and will not impact the way that the Highway Commercial designation is intended to operate.

The proposed amendment meets the general intent and purpose of the Official Plan.

Zoning By-law Compliance:

The subject land is zoned Highway Commercial (CH) Zone in the Township of Ops Zoning By-law 93-30. The applicant has submitted a Zoning By-law Amendment application for consideration which proposes to rezone to a Highway Commercial Exception Zone to allow for the additional use of a self-storage facility business. The other permitted uses within the CH Zone, which include a motor vehicle dealership, an automobile service station, a building supply outlet and a business office related to sales, will remain.

The proposed addition is in keeping with the established permitted uses on the property, which have utilitarian/industrial components to their operations due to the work and/or repair functions of those types of businesses.

No development standards have been requested in the application and none are required.

The proposed development will be subject to site plan approval in order to review the details of design. The need to review these design details are noted in the

comments received from KRCA, Building Division and the Engineering and Corporate Assets Department.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial/operational considerations unless Council's decision to adopt or its 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 Recommendation(s) 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 aligns with the vibrant and growing economy strategic goal as it would add to the number of operating businesses within the City.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. The accessibility standards established through the Building Code will be shown on the subsequent construction drawings through the site plan approval process, which must be approved by the City prior to the issuance of a building permit.

Servicing Comments:

The property is serviced by two sewage systems and municipal water.

Consultations:

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date, we have received the following comments:

Agency Review Comments:

On September 17, 2019, the Engineering and Corporate Assets Department advised that a site layout will be required as part of the site plan circulation. Their office also confirmed that the municipal service connection process is underway.

On September 16, 2019 the Building Division advised that they have no concerns with the proposal, but will review the proposal to ensure it complies with Building Code requirements in the Site Plan circulation.

On September 24, 2019 the Alderville First Nation advised that the project will not have any impact on them as it is not within their treaty area.

On September 25, 2019, Enbridge Gas Distribution advised they do not object to the proposed applications and reserve the right to amend or remove development conditions.

On September 30, 2019, the Community Services Department advised that they have no concerns with the proposal.

On October 7, 2019, the Building Division – Part 8 Sewage Systems advised that as the proposed self-storage facility does not include an office or sanitary facilities for public use, they have no concerns since the proposed sewage flows for the property will remain the same.

On October 8, 2019, the Curve Lake First Nation advised that they would like to ensure that no adverse impacts to the adjacent creek and wetland and asked if the KRCA had commented.

On October 15, 2019 the Kawartha Region Conservation Authority (KRCA) advised that consistency with Section 3.1 of the Official Plan has been achieved for safe ingress/egress, all structures must be setback at least 15 metres from the Sinister Creek Tributary, and there are two submissions that will be required with the site plan circulation. The two submissions are: a lot grading and drainage plan and an erosion and sediment control plan for pre, during and post construction phases.

Public Comments:

No public comments were received at the time of writing of this report.

Development Services – Planning Division Comments:

The appropriate documentation in support of the applications have been submitted and circulated to the appropriate agencies and City Departments for review and comment, and comments from those offices have been received.

Consistency with the PPS and conformity with the GP and Official Plan have been demonstrated and staff supports the request to amend Section 21.3 of the Official Plan to add a special policy to facilitate the introduction of a storage facility use in a highway commercial designation and zone. The additional use requested is appropriate to be permitted on the subject property.

Conclusion:

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

Attachments:



Appendix A to
PLAN2019-070.pdf



Appendix B to
PLAN2019-070.pdf



Appendix C to
PLAN2019-070.pdf



Appendix D to
PLAN2019-070.pdf



Appendix E to
PLAN2019-070.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

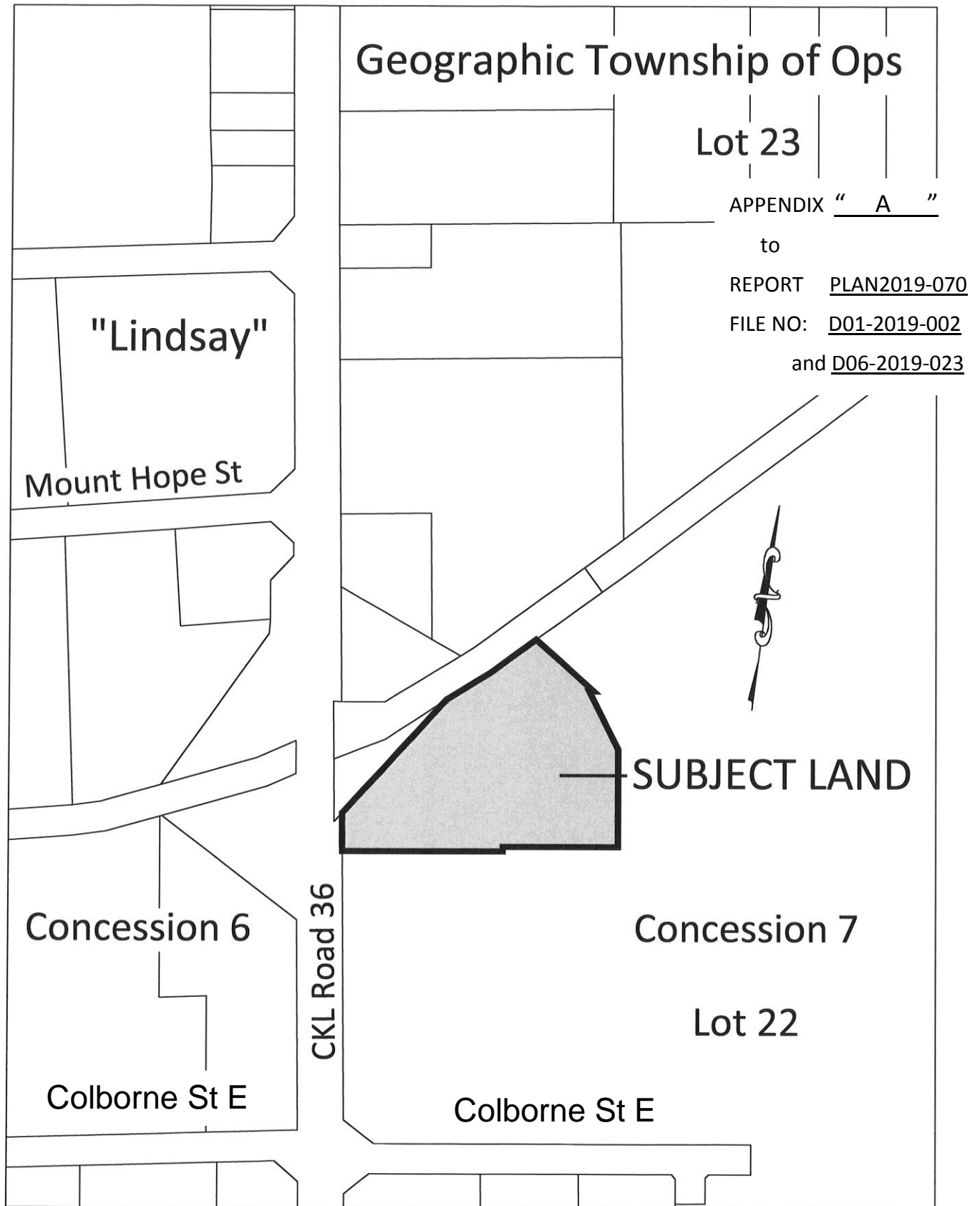
Appendix D – Draft Official Plan Amendment

Appendix E – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D01-2019-002 and D06-2019-023



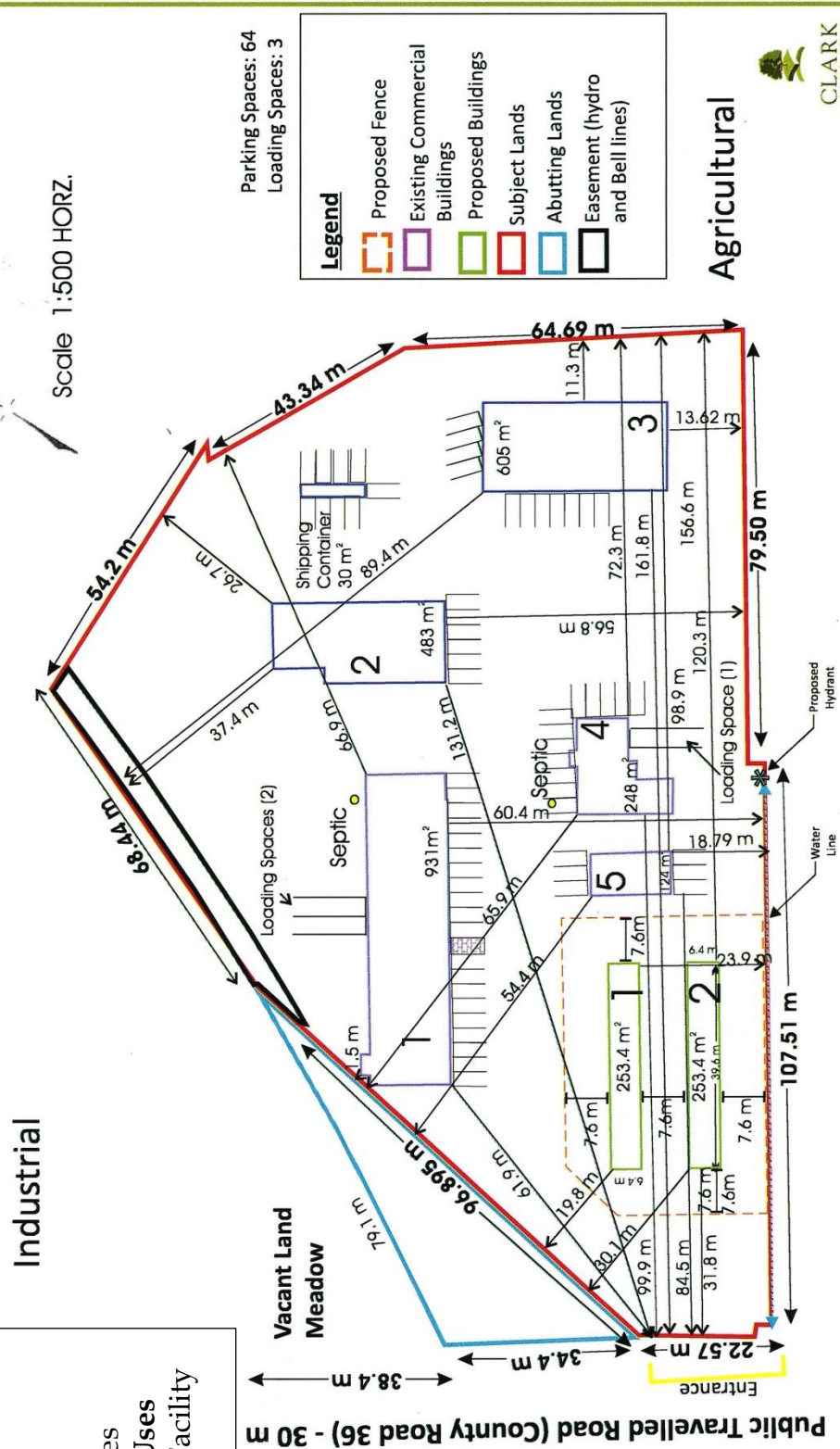
<h1>Lands</h1>	<p>PLAN OF SURVEY 2nd 1/4 Sec 16 T22N R12E S16E PART OF LOT 22, CONGRESSION 7 (GEOGRAPHIC TOWNSHIP OF OPES) CITY OF KAWARTHA LAKES PREPARED FOR: M. REDMOND SEPTIC SERVICE</p>	<p>DATE: 10/1/88 DRAWN BY: S. BIRD CHECKED BY: S. BIRD SCALE: 1"=500' (SEE)</p>
	<p>DEARDEN AND STANTON SURVEYORS 2000 LAND SURVEYORS 10000 HWY. 10, SUITE 108 CAMBRIDGE, ONT. N1R 5X7 PHONE: (505) 351-1811 FAX: (505) 351-1041</p>	<p>DRILLER: ONTARIO</p>

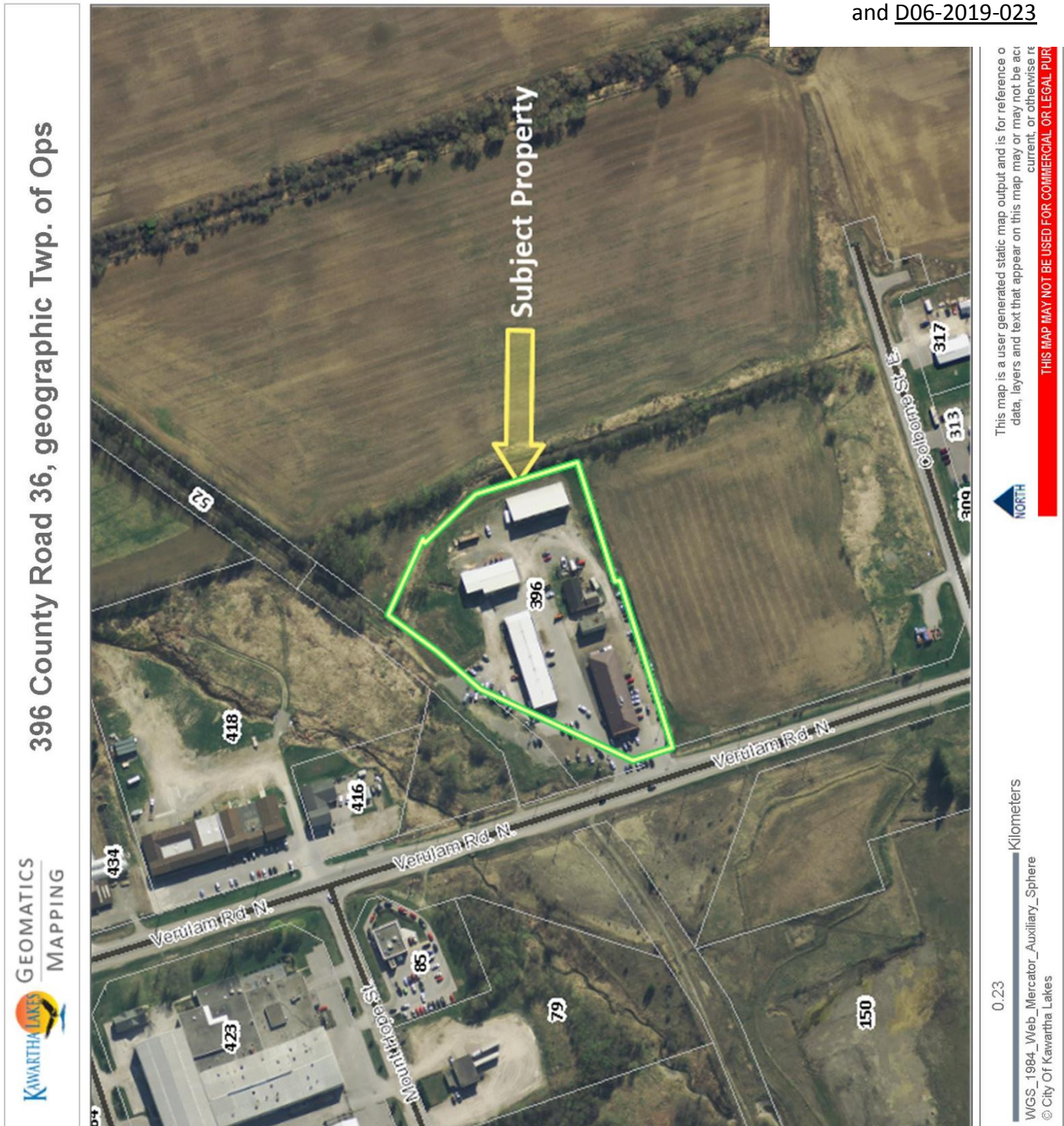
Existing Building Uses

- 1 – Newton Electric, Pillsworth Service (Rustcheck), BJ Auto Electric, Mr. Transmission
- 2 – Wood Mizer
- 3 – Dry Storage
- 4 – Rad Shop
- 5 – Lindsay Auto Sales

Proposed Building Uses

- 1 & 2 – Self-Storage Facility





to

The Corporation of the City of Kawartha LakesREPORT PLAN2019-070FILE NO: D01-2019-002and D06-2019-023**By-Law 2019-****A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes**

File D01-2019-002, Report PLAN2019-070, respecting Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, identified as 396 Highway 36 - Mike Redmond Septic Service Ltd.

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan to add a special provision to the Highway Commercial designation to permit a self-storage facility use in addition to the other uses permitted within the Highway Commercial designation.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 33.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, now in the City of Kawartha Lakes, identified as 396 Highway 36.
- 1.02 **Amendment:** Amendment No. 33 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

Section 2:00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 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

Schedule 'A' to By-law No. 2019-***

The Corporation of the City of Kawartha Lakes

Amendment No. 33 To The Official Plan – The City of Kawartha Lakes

Part A – The Preamble

A. Purpose

The purpose of the Official Plan Amendment is to create a special policy which would permit a self-storage facility use within the Highway Commercial designation in addition to the other permitted Highway Commercial uses. The land is also subject to an application for zoning by-law amendment.

The effect of the change would permit the operation of a self-storage facility use on the property in conjunction with other highway commercial uses.

B. Location

The subject land has a lot area of approximately 17,500 square metres and is known legally as Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, now City of Kawartha Lakes and identified as identified as 396 Highway 36.

C. Basis

Council has enacted this Official Plan Amendment in response to an application submitted by Clark Consulting Services on behalf of the owner, Mike Redmond Septic Service Ltd. to add a self-storage facility use to the permitted list of uses. It is intended that a special policy be incorporated into the City of Kawartha Lakes Official Plan to facilitate the addition of this permitted use.

The land is designated Highway Commercial and Environmental Protection as shown on Schedule A-3, of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The proposed use and amendment to the City of Kawartha Lakes Official Plan are justified and represent good planning for the following reasons:

1. The proposed use conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The proposed use conforms to the goals and objectives of the Highway Commercial designation as set out in the City of Kawartha Lakes Official Plan.
3. The proposed use is compatible and integrates well with the surrounding area.

4. The applicant has submitted background reports and documentation to demonstrate the appropriateness of the proposed use with respect to site servicing and the protection of the environment and the Kawartha Region Conservation Authority is satisfied with the proposal.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached Map ‘A’ constitutes Amendment No. 33 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

The Official Plan for the City of Kawartha Lakes is hereby amended as follows:

1. **21.3 Special Provisions:**
 - “21.3.3. On land designated Highway Commercial on Part of Lot 22, Concession 7, Parts 1-3, 57R-10704, in the geographic Township of Ops, a self-storage establishment is a permitted use in addition to the uses listed in Section 21.2.1.”
2. Schedule ‘A-3’ of the City of Kawartha Lakes Official Plan is hereby amended by inserting a note that the lot is subject to Special Policy 21.3.3 of the Official Plan, as shown on Map ‘A’ as ‘Subject to Special Provision 21.3.3’.

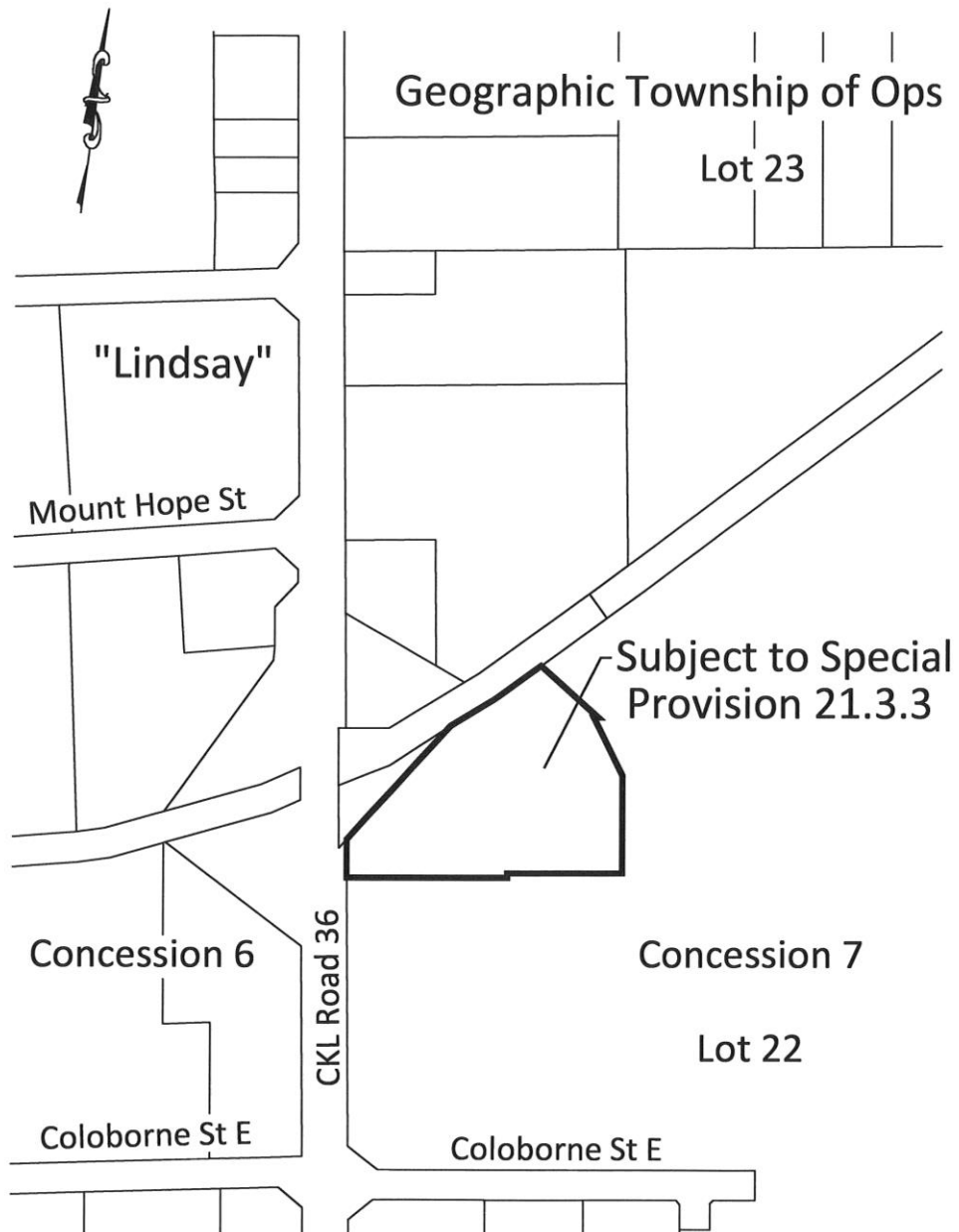
F. Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. 33
to the City of Kawartha Lakes Official Plan



to

REPORT PLAN2019-070FILE NO: D01-2019-002and D06-2019-023**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 D06-2019-023, Report PLAN2019-070, respecting Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, identified as 396 Highway 36 – Mike Redmond Septic Service Ltd.

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 add a self-storage facility use to the list of permitted 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 Part Lot 22, Concession 7, Parts 1-3, 57R-10704, 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 to add the following section to Section 10.3:

“10.3.17 Highway Commercial Exception Sixteen (CH-16) Zone

In addition to the permitted non-residential uses listed in Section 10.1.2, a mini-storage establishment is also a permitted use.”

1.03 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended to add the following definition to Section 19:

“Mini-Storage Establishment

A building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building or from a common hallway, designed to be rented or leased on a

short-term basis to the general public for private storage of personal goods, materials and equipment.”

- 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 Highway Commercial (CH) Zone to Highway Commercial Exception Sixteen (CH-16) Zone for the land referred to as ‘CH-16’, 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

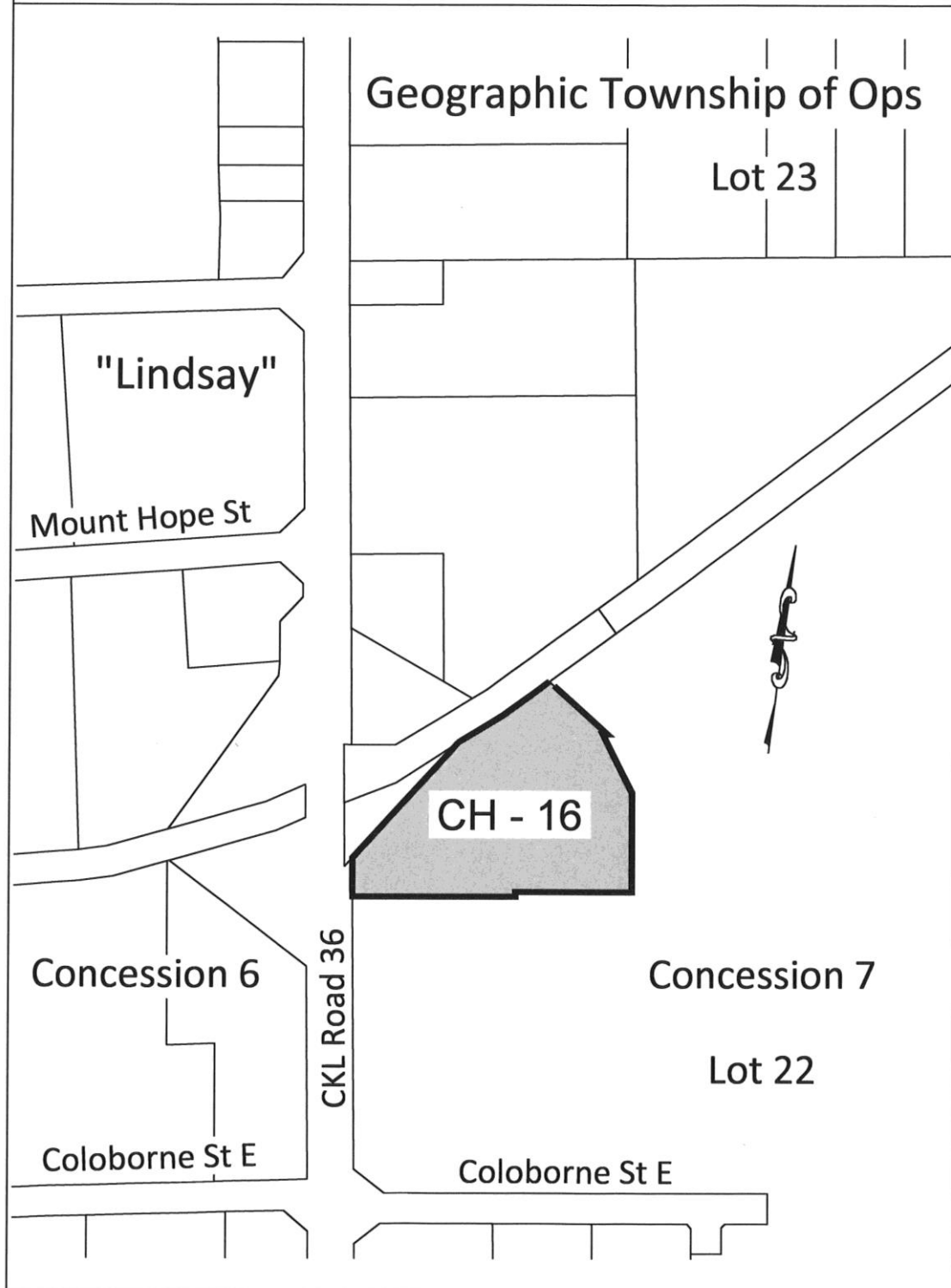
KAWARTHA LAKES

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 PLAN2019-071

Meeting Date: December 4, 2019

Public Meeting

Title: An application to amend the Township of Verulam Zoning By-law 6-87

Description: To permit backlot development and uses accessory to dwellings at 19 and 21 Kenhill Beach Road. The property is described as Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, City of Kawartha Lakes, identified as land behind 19 and 21 Kenhill Beach Road (Lamanna and Hartley) – Planning File D06-2019-033

Ward Number: 6

Author and Title: David Harding, Planner II, RPP, MCIP

Recommendations:

That Report PLAN2019-071, respecting Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, City of Kawartha Lakes, identified as land behind 19 and 21 Kenhill Beach Road – Planning File D06-2019-033, be received;

That a Zoning By-law Amendment respecting application D06-2019-033, substantially in the form attached as Appendix D to Report PLAN2019-071, 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 was previously two conveyable backlot parcels each belonging to the shoreline residential lots immediately across the road at 19 and 21 Kenhill Beach Road. The frontage of the backlots corresponded with the frontage of the shoreline lots. As such, the backlot used by 21 Kenhill Beach Road was smaller than the backlot used by 19 Kenhill Beach Road because 19 Kenhill Beach Road has more road frontage.

At some point, the current property owners acquired title to both 19 and 21 Kenhill Beach Road, along with the corresponding backlots. As 19 and 21 Kenhill Beach Road are each the whole of a lot within a registered plan of subdivision, those two lots could not merge on title. However, the two backlots are outside of the plan of subdivision, and did merge on title. The merger was detected when 19 Kenhill Beach was sold.

The owners of the subject property now wish to re-establish the two backlot parcels, and make them of near-equal size.

The applicant has submitted the following documentation in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Planning Brief prepared by EcoVue Consulting Services Inc. dated September 25, 2019. This document discusses the appropriateness of the application in the context of the Growth Plan (2017), Provincial Policy Statement (2014), applicable Official Plan and Zoning By-law.
2. Stage 1 & 2 Archaeological Assessment prepared by Earthworks Archaeological Services Inc. dated July 26, 2018.

Staff has reviewed the Planning Justification Report that was prepared and filed in support of the application and has reviewed other supporting documentation provided in the context of evaluating the relevant Provincial and City of Kawartha Lakes Policies and Plans.

Owners:	Dino and Pasquale Lamanna and Shannon Hartley
Applicant:	Tom deBoer, TD Consulting Inc.
Legal Description:	Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, now City of Kawartha Lakes
Official Plan:	Waterfront in the City of Kawartha Lakes Official Plan
Zone:	Rural Residential Type One (R1) Zone Township of Verulam Zoning By-law 6-87, as amended
Site Size:	Severed: 703.4 square metres Retained: 709.2 square metres
Site Servicing:	None

Existing Uses: Rural Land
Adjacent Uses: North: Shoreline Residential, Sturgeon Lake
East, West: Shoreline Residential Backlots
South: Forest, Agricultural

Rationale:

Provincial Policies:

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. Development on “Rural Lands” is intended to compliment and be compatible with the rural landscape and rural service levels. Limited residential development (including recreational dwellings) and resource-based recreational uses are permitted. The application will facilitate the re-separation of a shoreline backlot into two separate parcels that are to be utilized in conjunction with two existing shoreline lots each improved with a dwelling.

The backlots provide additional amenity and storage space for the shoreline lots. As the backlots will be used accessory to the shoreline lots, no new lots are being created that would cause an increase in rural service levels. Therefore, this proposal is consistent with the intent of development for recreational uses in the PPS.

Therefore, this application is consistent with the PPS.

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

Section 2.2.9 states that development outside of settlement areas may be permitted upon rural lands for resource-based recreational uses. The intent of the proposal is to add lands across a road to two shoreline residential lots that abuts the recreational resource of Sturgeon Lake.

Therefore, this application conforms to the policies of the GP.

City of Kawartha Lakes Official Plan (OP)

Land Use Designation: Waterfront

The Waterfront designation generally applies to lands abutting the City’s many lakes and rivers. The intent of the designation policies in Section 20 is to allow for limited development abutting the City’s recreational water resources. The designation anticipates that low density residential uses will be the primary built form and that proposed development is to be compatible with the scale of the recreational resource and surrounding shoreline character.

The application seeks to allow both 19 and 21 Kenhill Beach Road to own non-abutting lands across the road for storage purposes. In order to effect the consolidation of non-abutting lands, a consent agreement will be required as a condition of provisional consent to ensure the lot containing the dwelling as well as the backlot will always be conveyed as a single parcel of land. As the consent agreement will be in place, the proposal is treated as a lot line adjustment rather than lot creation.

The OP does not contain specific Waterfront policies to apply to lot line adjustments, but Section 33.3 does state that any parcel of land to be created should be appropriate for the uses proposed. The two residential backlot parcels to be created are of sufficient size to accommodate accessory uses.

Zoning By-law Compliance:

The subject property is zoned Residential Type One (R1) Zone in the Township of Verulam Zoning By-law 6-87.

The application seeks to rezone the subject property from Residential Type One (R1) Zone to Residential Type One Exception Twenty Seven (R1-27) Zone.

This will prohibit the construction of a dwelling on the parcel and permit only uses accessory to the shoreline lots across the road. This approach is consistent with how most of the backlots along Kenhill Beach Road are used.

The application further seeks to apply development standards to the two parcels to be created, such that residential accessory buildings may be constructed in the future. The parcels are of sufficient size to accommodate the size of the contemplated accessory building. Setback standards have been applied to ensure an accessory building of the area contemplated integrates into the streetscape and does not overwhelm the shoreline residential uses on the north side of the road.

Other Alternatives Considered:

No other 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 Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendation(s) 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 aligns with the healthy environment and exceptional quality of life goals as the application proposes to enlarge each shoreline residential lot by adding additional lands across the road.

Servicing Comments:

The subject property is un-serviced.

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, and Engineering and Corporate Assets Department raised no concerns as a result of the circulation.

Development Services – Planning Division Comments:

The comments that have been received from circulated agencies and City Departments indicate there is no concern with the application. The proposed Zoning By-law Amendment contained in Appendix D will contribute towards protecting the long term ecological health of Sturgeon Lake by ensuring the backlot is not developed with an additional dwelling. The proposal also adds to the existing functionality of the shoreline residential lots by providing them with additional storage and open amenity space.

Conclusion:

The application is consistent with the 2014 PPS, conforms to the 2019 GP and conforms to the Official Plan. Staff support the application based on the information contained in this report and the comments received as of November 21, 2019. Staff respectfully recommends that the application be referred to Council for Approval.

Attachments:



Appendix A to
PLAN2019-071.pdf



Appendix B to
PLAN2019-071.pdf



Appendix C to
PLAN2019-071.pdf



Appendix D to
PLAN2019-071.pdf

Appendix A – Location Map

Appendix B – Aerial Photograph

Appendix C – Sketch

Appendix D – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@kawarthalakes.ca

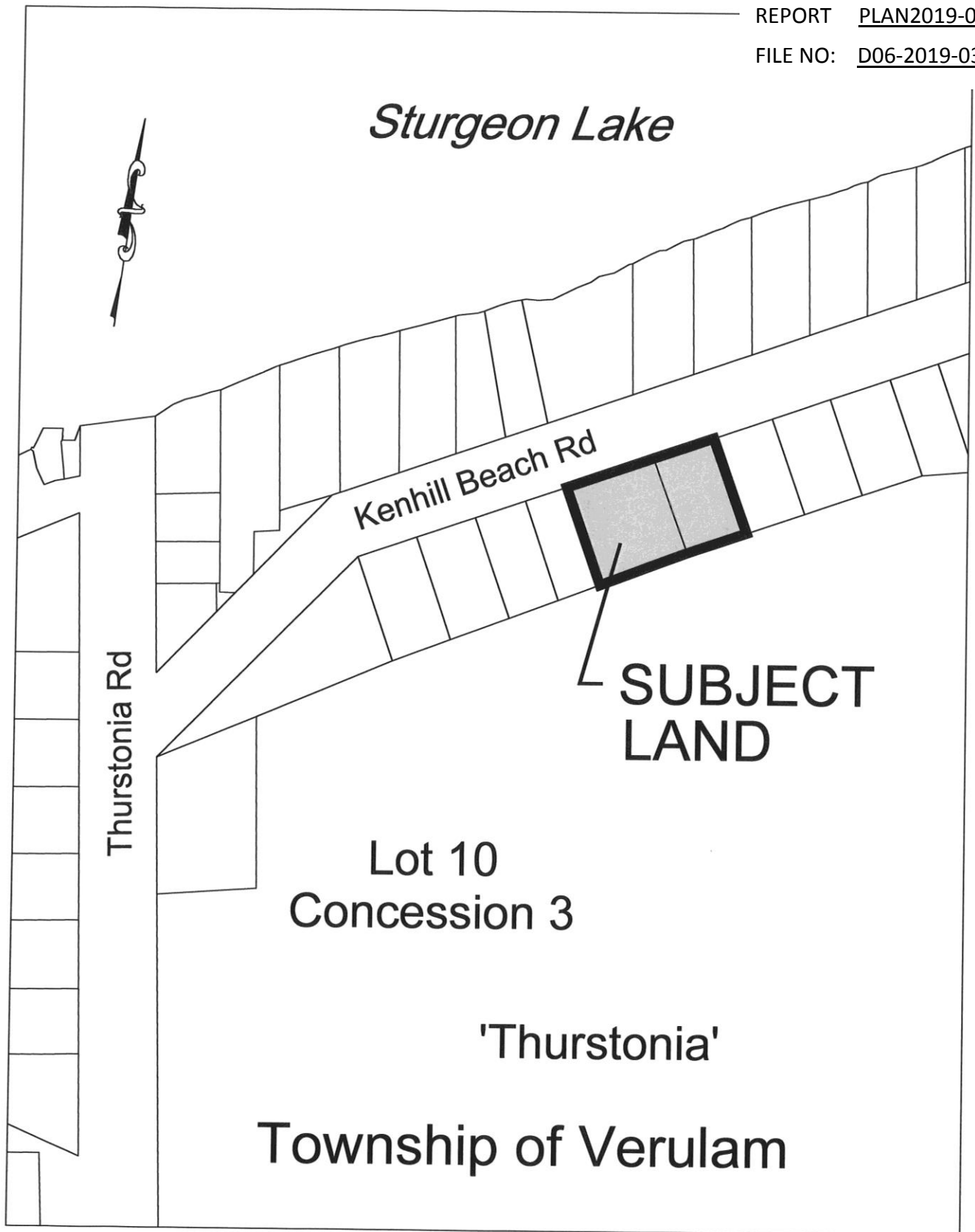
Department Head: Chris Marshall

Department File: D06-2019-033

to

REPORT PLAN2019-071

FILE NO: D06-2019-033



to

REPORT PLAN2019-071

FILE NO: D06-2019-033

**Land Behind 19 and 21 Kenhill Beach Road, geographic
Twp. of Verulam**



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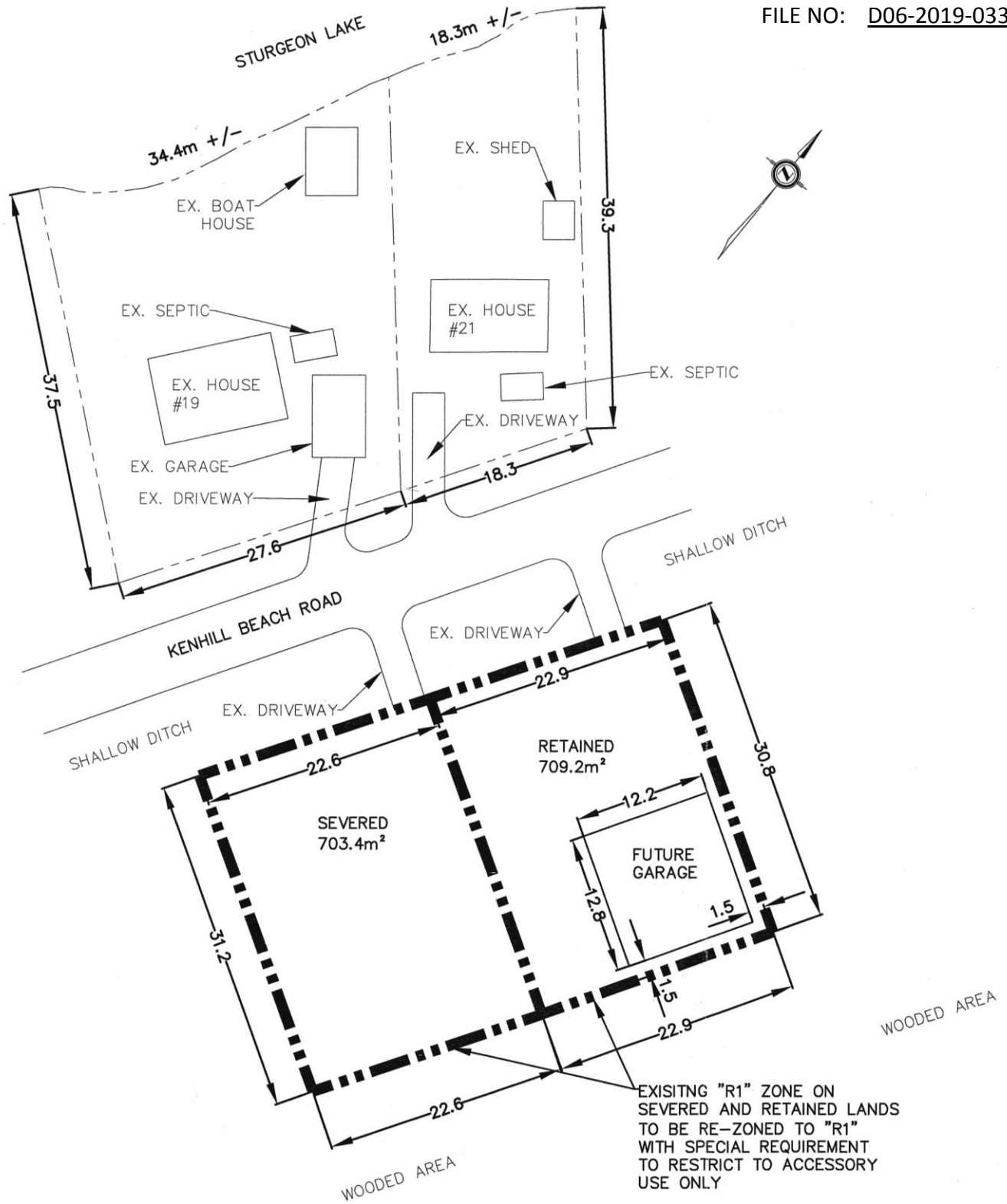
0.06 Kilometers
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© City Of Kawartha Lakes

APPENDIX " C "

to

REPORT PLAN2019-071

FILE NO: D06-2019-033



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

to
 REPORT PLAN2019-071
 FILE NO: D06-2019-033

**A By-Law To Amend The Township of Verulam Zoning By-Law Number
 6-87 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2019-033, Report PLAN2019-071, respecting Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, City of Kawartha Lakes, identified as land behind 19 and 21 Kenhill Beach Road - Lamanna and Hartley

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 (1) permit it to be subdivided into two parcels that can be individually owned by 19 and 21 Kenhill Beach Road, (2) allow the two parcels to be used accessory to the dwellings across the road at 19 and 21 Kenhill Beach Road and (3) establish applicable development standards on the two parcels for the residential accessory uses.
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 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law Number 6-87 of the Township of Verulam is further amended to add the following section to Section 8.3:

8.3.27 Residential Type One (R1-27) Zone

Notwithstanding the definition of Accessory, General Provisions Sections 5.1.2, 5.1.3, 5.1.4, and R1 Zone Sections 8.1 and 8.2, the following definitions, uses and provisions apply:

8.3.27.1 R1-27 DEFINITIONS

“Accessory”, when used to describe a use, building or structure, means a use, a building or a structure that is incidental subordinate and exclusively devoted to a main use,

building or structure located on an adjacent developed residential lot with water frontage.

8.3.27.2 R1-27 USES PERMITTED

- a. Accessory uses
- b. Neighbourhood park or parkette

8.3.27.3 R1-27 PROVISIONS

- | | |
|--|-------------------|
| a. Minimum Lot Area | 700 square metres |
| b. Minimum Lot Frontage | 22 metres |
| c. Minimum Front Yard Depth | 12 metres |
| d. Minimum Interior Side Yard Depth | 1.2 metres |
| e. Minimum Rear Yard Depth | 1.2 metres |
| f. Minimum Landscaped Open Space | 30% |
| g. Maximum Lot Coverage | 22.5 % |
| h. Maximum Number of
Accessory Buildings | 2 |
| i. Minimum Spatial Separation Between
Accessory Buildings | 1.2 metres |

- 1.03 **Schedule Amendment:** Schedule 'A' to By-law Number 6-87 of the Township of Verulam is further amended to change the zone category from Residential Type One (R1) Zone to Residential Type One Exception Twenty-Seven (R1-27) Zone for the land referred to as 'R1-27', 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

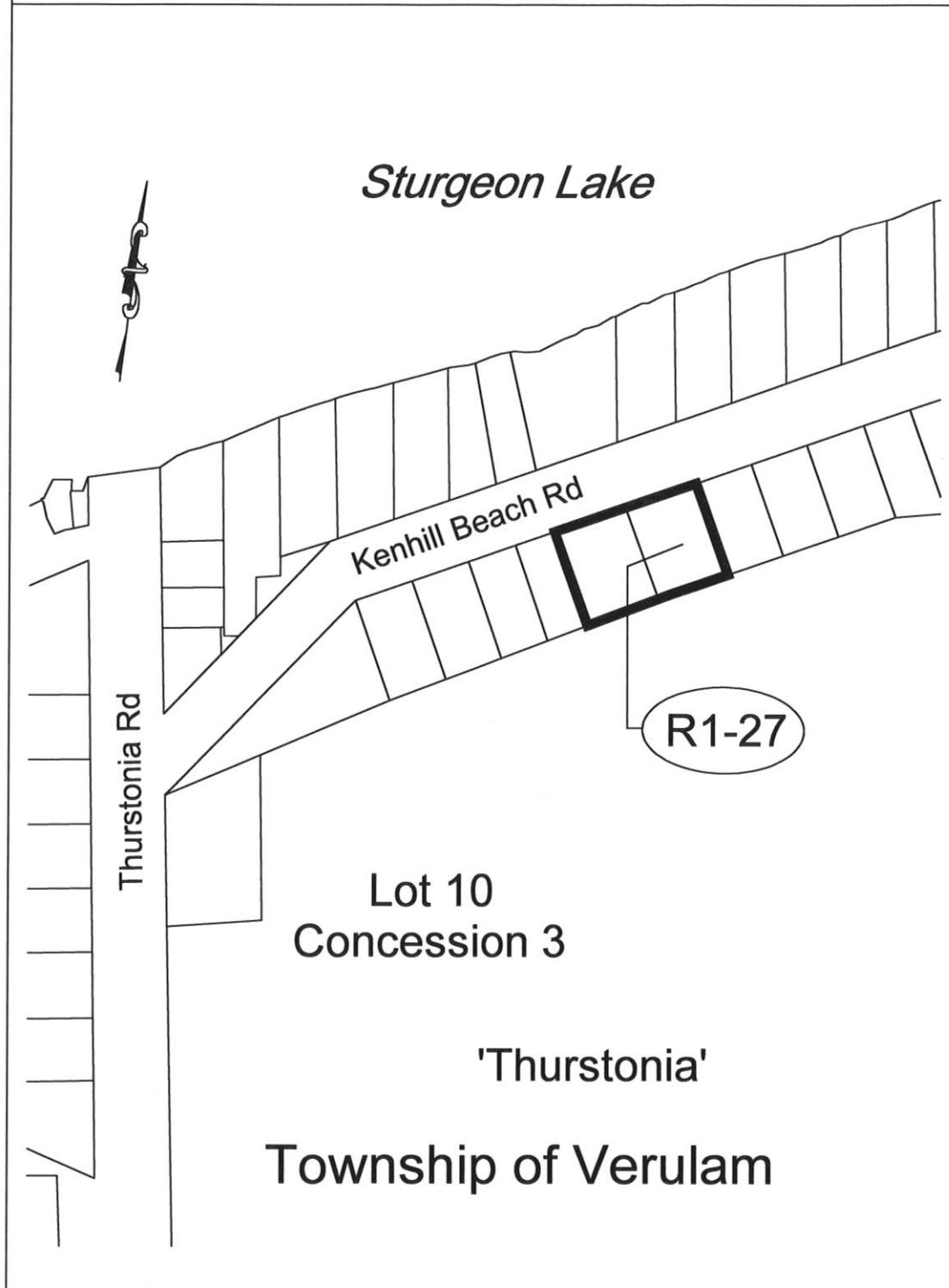
KAWARTHA LAKES

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 PLAN2019-074

Meeting Date: December 4, 2019

Public Meeting

Title: An application to amend the Township of Fenelon Zoning By-law 12-95

Description: To change the Agricultural (A1) Zone to the Agricultural Exception (A-**) Zone to permit a second dwelling unit within the existing dwelling, on Part Lot 31, Concession 11, geographic Township of Fenelon, 467 Northline Road (Hughes)

Ward Number: 3

Author and Title: Mark LaHay, Planner II

Recommendation(s):

That Report PLAN2019-074, respecting Part Lot 31, Concession 11, geographic Township of Fenelon, Application D06-2019-034, be received;

That a Zoning By-law, respecting application D06-2019-034, substantially in the form attached as Appendix D to Report PLAN2019-074 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:

Proposal:	To rezone the subject land from the Agricultural (A1) Zone to the Agricultural Exception (A1-**) Zone. The effect of the zoning amendment would be to permit an existing established second dwelling unit within the existing dwelling as an accessory dwelling unit on the property.
Owner/Applicant:	Brandon Hughes
Legal Description:	Part Lot 31, Concession 11, being Part 2, Plan 57R-2347, geographic Township of Fenelon
Official Plan:	Rural, within 120 m. of a Significant Woodland Natural Heritage Feature in the City of Kawartha Lakes Official Plan
Zoning	Agricultural (A1) Zone in the Township of Fenelon Comprehensive Zoning By-law No. 12-95
Site Size:	1.0 acre (0.40 ha.) - MPAC
Site Servicing:	The lot is serviced by a private individual well and a private individual sewage disposal system, which is shared with the accessory dwelling unit.
Existing Uses:	Rural Residential
Adjacent Uses:	North: Rural Residential/Agricultural East: Northline Road/Agricultural/Woodland South: Fell's Bay Road/Woodland/Agricultural West: Woodland/Rural Residential/Waterfront Residential

Rationale:

The owner has applied to permit a second dwelling unit within the existing dwelling on the subject land. The subject lands are located in a rural area north of the Village of Fenelon Falls and located on the northwest corner of Northline Road and Fell's Bay Road. The original single detached dwelling was built circa 1968 and updated as a semi-detached type dwelling in 1985 according to MPAC records. According to the application, this use may have existed since the late 1970s. The owner advised that one dwelling unit occupies an area of approximately 78 sq. m. (840 sq. ft.), while the second dwelling unit to be recognized as an accessory dwelling unit within the existing dwelling, occupies an area of approximately 49 sq. m. (528 sq. ft.).

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 September 5, 2019.
2. Agricultural Impact Brief and Minimum Distance Separation Report, prepared by Clark Consulting Services, dated August 22, 2019, which

evaluates the proposed zoning amendment in relation to the City's Official Plan and potential impacts to surrounding agricultural operations and establishes that recognition of the current use does not negatively impact local agricultural operations and the Minimum Distance Separation (MDS) requirements for Type 1 land uses have been met as these setbacks are not required to be applied where there is no increase in the sensitivity of the subject lands.

3. Lot Layout Sketch, prepared by Applicant, undated, illustrates existing buildings and structures, including the existing house with two dwelling units, driveway area, septic system and well and relative setbacks.
4. Sketch of Building Elevations, prepared by Applicant, undated, illustrates the dwelling elevations from each direction.

Staff has reviewed the Agricultural Impact Brief and MDS Report and generally accepts the rationale provided along with the conclusions given.

The effect of this application is to permit a second dwelling unit on the property. The applicant has indicated that the second dwelling unit is within the existing dwelling and shares the existing driveway access from Northline Road and shares the existing well and septic system that services the main dwelling.

According to the application, the owner has indicated in order to apply for a mortgage renewal, the second dwelling unit needs to be recognized as being permitted through the rezoning process.

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 units to be implemented through municipal Zoning By-laws. Second units are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas typically contained either within an existing main dwelling or within part of a building or structure (i.e. garage) ancillary to the main dwelling.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 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.

The subject land is located within of the Natural Heritage System mapping prepared by the Province, which does not apply until it has been implemented in

the City's Official Plan. The proposed development is within 120 metres of a key natural heritage feature, being significant woodlands within the Natural Heritage System and not within 120 metres of a key hydrologic feature.

Based on the information submitted and the comments provided by the KRCA referenced in the PPS section below, as there is no new development, it is anticipated that there will not be any negative impacts on the natural features or their ecological functions in relation to Natural Heritage Features, and therefore the application would appear to conform to the policies of 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.

Section 1.1.4.1 encourages conservation and redevelopment of existing housing stock on Rural Lands. Section 1.1.5 of the PPS provides policy with respect to rural lands and permitted uses, which include limited residential development that is appropriate for the available infrastructure and promotes development that is compatible with the rural landscape and can be sustained by rural service levels.

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. Significant Woodland has been mapped to the east and southwest of the subject land and the proposed use is within 120 metres from this Natural Heritage Feature. It would also appear that the location of the dwelling containing the second dwelling unit is outside the Kawartha Conservation (KRCA) regulated area. The KRCA previously advised based on comments obtained through pre-consultation that the proposed location of the second dwelling unit is outside their regulated area and would not require a permit. In addition, although within 120 metres of Significant Woodland, since there is no new development and Fells Bay Road to the south fragments this feature, KRCA advised that an Environmental Impact Study is not required. Furthermore, KRCA did not require circulation on this application. Therefore, 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.

Based on the above, it would appear that the application is consistent with the PPS.

Official Plan Conformity:

The subject land is designated Rural in the City of Kawartha Lakes Official Plan with a Significant Woodland Natural Heritage Feature located within 120 m. to the east and southwest of the subject land. Agricultural land impacts are minimized as the second dwelling unit is within the existing dwelling on land that is not permitted to be used for agricultural purposes. In addition, for the reasons outlined in the PPS Section above, as there is no new development, it is not anticipated that there will be negative impact on the natural features and ecological functions of the identified significant woodland natural heritage feature.

The Rural policies promote and protect agricultural lands from fragmentation and non-farm activities to ensure that non-agricultural uses and development is encouraged to locate within designated settlement areas. Apart from the primary permitted agricultural use, where farming uses exist, new uses that are compatible with and not hindering the agricultural use will be permitted. Permitted uses within this designation include limited low density single detached dwellings including uses permitted in the Prime Agricultural designation, which includes single detached dwellings accessory to the other permitted uses, garden suites, and secondary uses including kennels meeting certain criteria. Through pre-consultation, it was determined that an accessory dwelling unit is considered an accessory use to the existing dwelling. Therefore, an Official Plan amendment is not required.

The Rural policies also require that the minimum distance separation formulae will be used to ensure appropriate buffering to protect existing agricultural operations. The applicant has submitted an Agricultural Impact Brief and MDS Report and calculations, which concludes that there is no new impact on Agricultural uses and MDS setbacks do not need to be applied for Type 1 land uses in relation to the existing barns within the review area as there is no increase in the sensitivity of the use of the lands, which complies with these requirements. Furthermore, Planning Staff note that the Township of Fenelon Zoning By-law has a provision that exempts existing lots which are less than 4 ha. in area from the technical provisions of MDS I.

In consideration of the above, it would appear that this proposal would conform to the policies 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 second dwelling use as an accessory dwelling unit to the Agricultural (A1) Zone of the Township of Fenelon Zoning By-law 12-95 for the subject land. Section 8.2.1.7 of the A1 Zone directs development to the permitted uses and zone provisions of the Rural Residential Type One (RR1) Zone category for existing lots that are less than 1 ha. (2.47 ac.) in area. This zone category permits a single detached dwelling and does not permit a second

dwelling unit. If the application is approved, a second dwelling unit would be permitted in accordance with the implementing Zoning By-law, as an accessory dwelling unit within the existing dwelling. In addition, an amendment would be made to reduce the minimum dwelling unit gross floor area required to recognize the existing floor area of the second dwelling unit. The proposed application appears to comply with all other provisions of the zoning by-law.

Other Alternatives Considered:

No other alternatives have been considered at this time.

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 Recommendation(s) 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 goals as it provides housing options to supply affordable housing.

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 a private individual well and a private sewage disposal system, which is shared with the accessory dwelling. The Building Division Part 8 Sewage Systems Program advised the replacement sewage system has adequate capacity to accommodate the established second dwelling unit and the existing dwelling together.

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:

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

Agency Review Comments:

On November 11, 2019, the Community Services Department advised they have no comments or concerns.

On November 14, 2019, Development Engineering advised from an engineering perspective and further to the pre-consultation file D38-2018-073 they confirm they have no objection to the proposed Zoning By-law Amendment.

On November 15, 2019, the Building Division advised that documentation needs to be provided that a permit was issued to create a second unit or a building permit application would be required to create a second dwelling unit.

On November 18, 2019, the Building Division Part 8 Sewage System Program advised a replacement sewage system was completed in 2018 to repair a failing system serving the property. This sewage system has adequate capacity to accommodate the established second dwelling unit and the existing dwelling together. As such, they have no objection to the proposed zoning amendment.

Development Services – Planning Division Comments:

The comments that have been received from circulated agencies and City Departments indicate there is no concern with the application. Staff is also satisfied that the application meets applicable policy objectives. The supporting Agricultural Impact Brief and MDS Report demonstrate that the proposal complies with applicable MDS guidelines and is not impacting local agricultural operations. In this regard, Staff supports the application for a zoning amendment to permit a second dwelling unit as an accessory dwelling unit on the subject land.

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 Fenelon 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 zoning 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'
PLAN2019-074.pdf



Appendix 'B'
PLAN2019-074.pdf



Appendix 'C'
PLAN2019-074.pdf



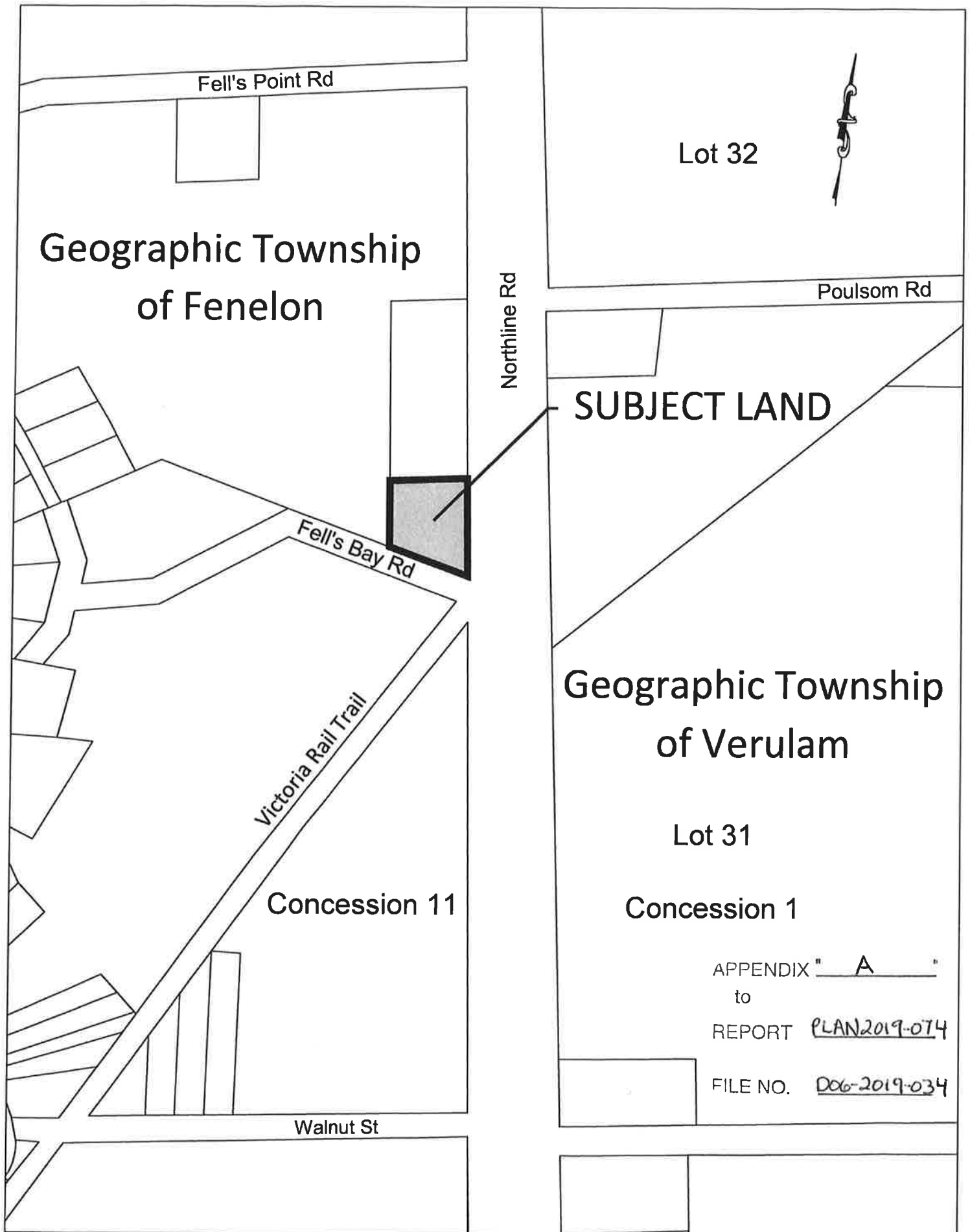
Appendix 'D'
PLAN2019-074.pdf

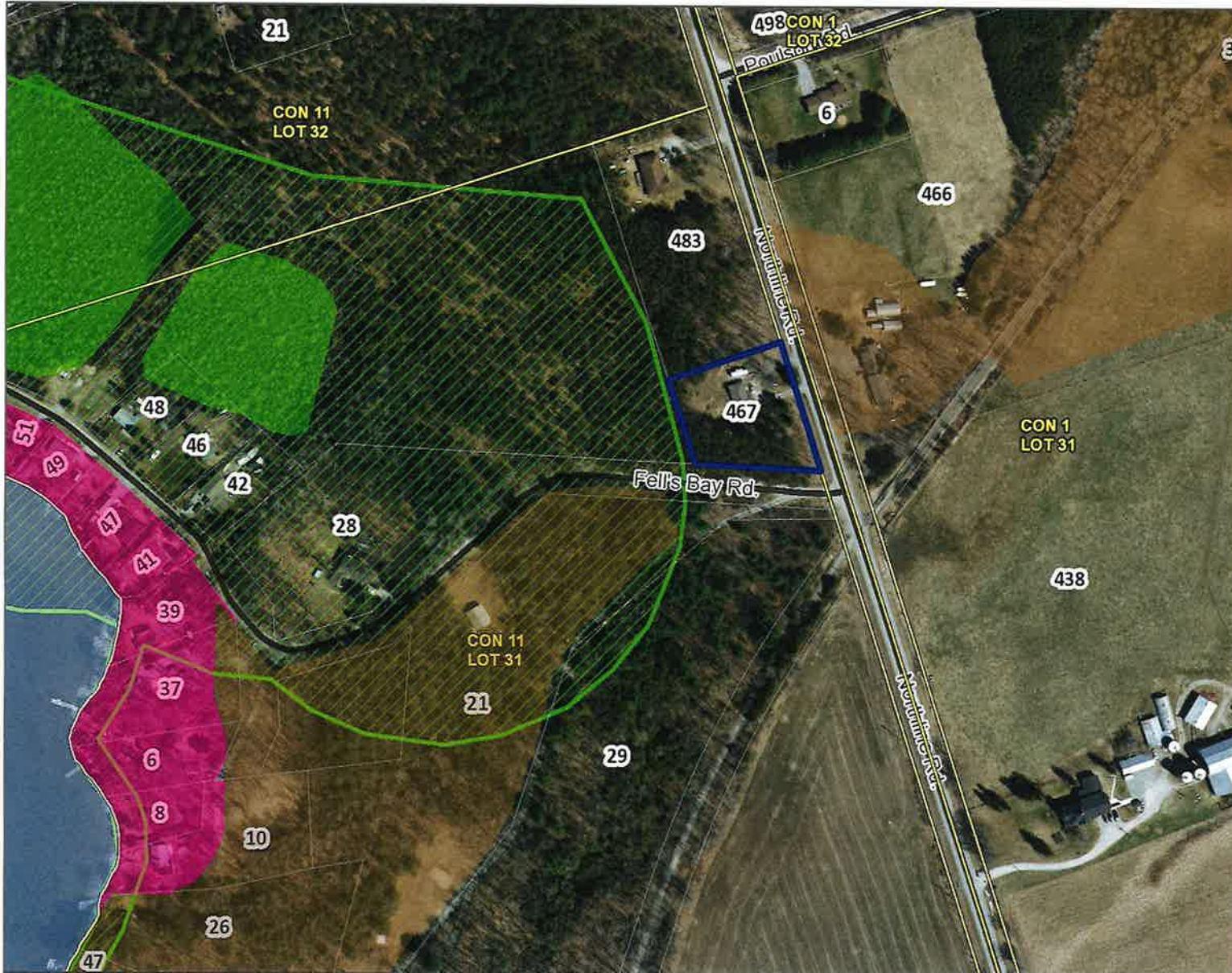
Appendix 'A' – Location Map
Appendix 'B' – Aerial Photograph
Appendix 'C' – Zoning By-law Amendment Sketch
Appendix 'D' – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D06-2019-034





Legend

- Water Body
 - Waterbodies
 - Unevaluated Wetlands
- Woodland
- Waterfront
- Property ROLL#
- Lots and Concessions
- Road Centreline (2016 Needs)
- Upper Municipalities
- Lower Tier Municipalities
- KRCA Regulated Areas

APPENDIX " B "

to

REPORT PLAN 2019-074

FILE NO. 006-2019-034

Notes

0.22

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

North ↑

APPENDIX " C "

to
REPORT PLAN 2019-074

FILE NO. 006-2019-034

INTERIOR

RECEIVED

SEP 05 2019

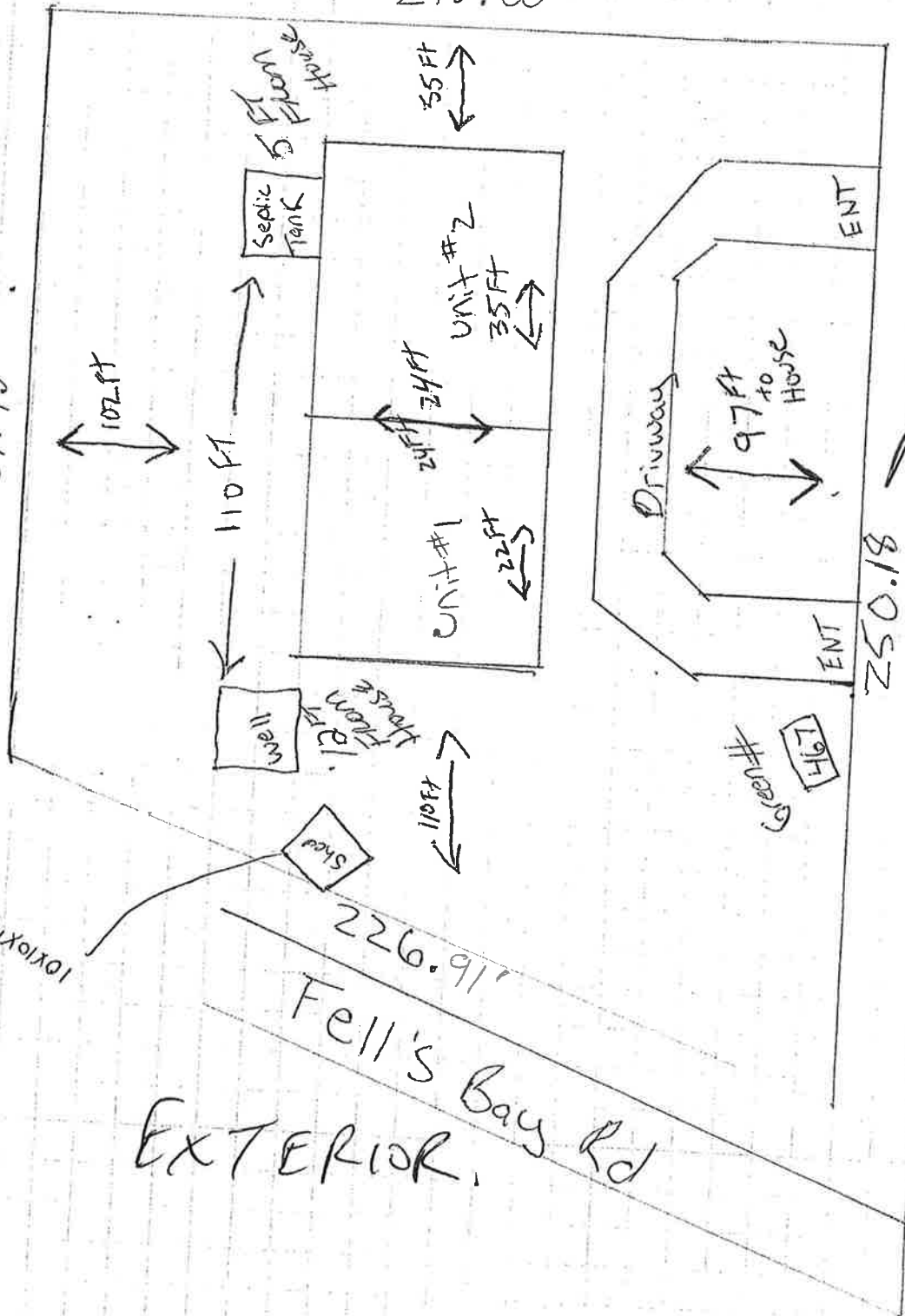
City of Kawartha Lakes
Development Services
Planning Division

SIDE 1

210.00'

REAR

167.48'



FRONT

Northline Rd

Fell's Bay Rd

EXTERIOR

By-Law 2019 -

A By-Law To Amend The Township of Fenelon Zoning By-Law No. 12-95 To Rezone Land Within The City Of Kawartha Lakes

File D06-2019-034, Report PLAN2019-074, respecting Part Lot 31, Concession 11, geographic Township of Fenelon, identified as 467 Northline Road – Hughes

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 the use of the land for a second dwelling unit within the existing dwelling to be used as an accessory dwelling unit.
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 31, Concession 11, being Part 2, Plan 57R-2347, geographic Township of Fenelon, City of Kawartha Lakes, and identified as 467 Northline Road.
- 1.02 **Textual Amendment:** By-law No. 12-95 of the Township of Fenelon is further amended to add the following section to Section 8.3:
 - "8.3.25 AGRICULTURAL EXCEPTION TWENTY-FIVE (A1-25) ZONE
 - 8.3.25.1 Notwithstanding subsection 3.18.2.1 and subsection 8.2.1.7, on lands zoned A1-25, a converted dwelling is also permitted with a maximum density of two (2) dwelling units.
 - 8.3.25.2 Notwithstanding subsection 8.2.1.7, the minimum gross floor area per dwelling unit shall be 49 sq. m."
- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 12-95 of the Township of Fenelon is further amended to change the zone category from the Agricultural (A1) Zone to the Agricultural Exception Twenty-Five (A1-25) Zone for the land referred to as 'A1-25', 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

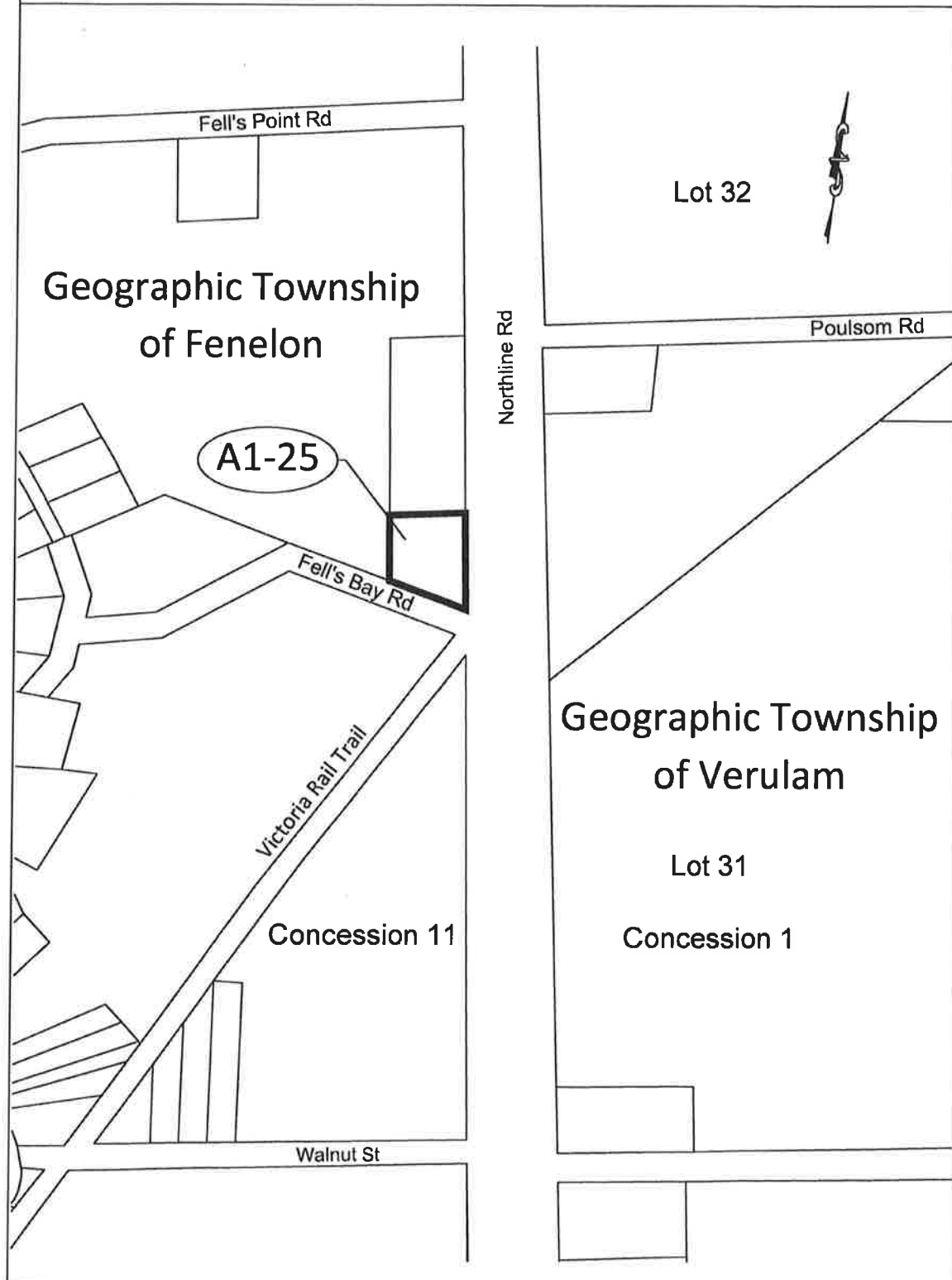
KAWARTHA LAKES

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 PLAN2019-062

Meeting Date: December 4, 2019

Regular Meeting

Title: An application to amend the Township of Eldon Zoning By-law 94-14 on land described as Lots 30, 31, and 32, Concession 1, geographic Township of Eldon, vacant land Rohallion Road - 676249 Ontario Ltd.

Description: To change the zone category on a portion of the property (0.8 ha.) from the Agricultural (A1) Zone to an Agricultural – Exception Thirty (A1-30) Zone to permit the establishment of an explosive storage facility to serve the local aggregate industry on land described as Lots 30, 31, and 32, Concession 1, Township of Eldon, City of Kawartha Lakes, identified as vacant land south side Rohallion Road (676249 Ontario Ltd).

Ward Number: 1

Author and Title: Janet Wong, Planner II

Recommendations:

That Report PLAN2019-062, an application to amend the Township of Eldon Zoning By-law 94-14, be received;

That application D06-2019-004, respecting a proposed Amendment to the Township of Eldon Zoning By-law to permit an explosive storage facility substantially in the form attached as Appendix 'E' to Report PLAN 2019-062 be approved and adopted by Council;

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

That in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment to include the use of the Holding (H) symbol with a condition for its removal that the development of an explosives storage facility be subject to site plan control, 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 these applications.

Background:

The statutory public meeting was held by the Planning Committee on April 10, 2019 and the following resolution was passed:

Moved By M. Barkwell; **Seconded By** Councillor Veale

Recommend That Report PLAN2019-020, respecting Lots 30, 31, and 32, Concession 1, Township of Eldon, and identified as vacant land south side of Rohallion Road, 676249 Ontario Ltd – Application D06-2019-004, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2019-004, be referred back 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

This report addresses that direction.

The applicant has submitted a rezoning application to allow 0.8 ha. of the 201 ha. property to be used for an explosives storage facility to service a number of local quarries in the City of Kawartha Lakes as well as Township of Ramara. A blasting contractor (Maxam) will have a small mobile office trailer, magazine, and equipment storage units on site from which about five (5) staff will operate with possible expansion to 10 staff. The trailer will be used for office work. Maxam will transport the required materials to the quarries where the blasting will occur, with staff generally leaving the site in the morning and returning in the afternoon. The safe storage and transportation of explosives is federally regulated under the Explosives Act and Explosives Regulation, 2013 under the Explosives Act. Licensing is issued by the Federal Ministry of Natural Resources (Natural Resources Canada). The Regulation identifies criteria for all aspects of explosives including storage, transport, and use. The Province also regulates the safe use of explosives through the Ministry of Labour Occupational Health and Safety Act.

Owner:	676249 Ontario Ltd (James Dick Construction Ltd)
Applicant:	Leigh Mugford, James Dick Construction Ltd.
Legal Description:	Lots 30, 31, and 32, Concession 1, geographic Township of Eldon
Official Plan:	Rural and Environmental Protection, City of Kawartha Lakes Official Plan
Zone:	Agricultural (A1) Zone on Schedule 'A' of the Township of Eldon Zoning By-law No. 94-14

Lot Area: 201 ha. [496 ac. – Applicant]
Site Servicing: No water and sewage disposal services currently exist
Existing Uses: Vacant – cattle ranching
Adjacent Uses: North: Rural and Quarry
East: Rural largely vacant, one residence
South: Rural vacant
West: Rural vacant (Township of Ramara)

Rationale:

The property is located at the southeast corner of the Mara-Carden Boundary Road and Rohallion Road (See Appendices A and B). The property is currently being used for cattle ranching as soil conditions are not suitable for crop production. Although mapping indicates the presence of a watercourse, the applicant has indicated that they inspected the property with the Kawartha Region Conservation Authority (KRCA) in 2018 and there is no wetland or watercourses in the vicinity of the proposed development. The southern side of the property is within a Source Water Protection area; however this does not extend to the location of the proposed facility.

The site for the proposed facility has been selected to comply with Explosives Regulation 2013 setback criteria from sensitive receptors including roads and dwellings. The type of explosives to be stored is considered non-sensitive, which means the materials will not detonate on their own.

Given that the current zoning does not permit the proposed use, the A1 Zone needs to be amended to permit the explosives storage facility comprised of an office, magazine, and storage equipment units associated with operating the business. Transport trucks will deliver materials to the site. To ensure site development is carried out in a manner that cover design matters such as driveway and entrance requirements, lighting, fencing, and grading, it is appropriate to consider site plan control to implement the proposal. This will ensure certain exterior design elements are adequately provided for and maintained, which can be secured through a Site Plan Agreement that is registered on title to the property. The use of the holding (H) symbol will ensure that this agreement is entered into prior to development and would not be removed until such time as the detailed plans are submitted that satisfy the requirement of City Departments.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to various City Departments and commenting Agencies for review:

1. Planning Justification Report prepared by Neal DeRuyter, MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC), dated August 2018. This document discusses the appropriateness of the application in the context of the Growth Plan for the Greater

Golden Horseshoe (2017), Provincial Policy Statement (2014), applicable City of Kawartha Lakes Official Plan and Township of Eldon Zoning By-law 94-14.

2. Preliminary Concept Plan, MHBC, June 2018
3. Species at Risk Assessment, Niblett Environmental Associates Inc., September 9, 2019. This report identified Bobolink and Eastern Meadowlark threatened species habitat in the vicinity of the proposed development as well as significant wildlife habitat for the Grasshopper Sparrow a species of special concern.
4. Revised Concept Plan, MHBC, November 5, 2019 (See Appendix C).

Staff has reviewed the Planning Justification Report and accompanying documentation filed in support of the proposed zoning by-law amendment. Staff has evaluated the appropriateness of the proposal as responses from other City Departments and commenting Agencies have been received. Further discussions have been conducted with the applicant to refine the proposal with respect to concerns raised and applicable policies and/or zoning provisions.

Provincial Policy Conformity

Growth Plan for the Greater Golden Horseshoe (2019):

This application must conform to the applicable policies of the Growth Plan (GP). Section 2.2.9 indicates development outside of settlement areas may be permitted:

1. the land use is not appropriate in settlement areas:
 - i) is compatible with the rural landscape and surrounding local land uses,
 - ii) will be sustained by rural service levels, and
 - iii) will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

There are seven licenced quarries within 5 km of the site. The proposed use will support the local quarry operations and is not a suitable use near or in settlement areas. Additional rural service requirements would not be anticipated. As only 0.8 ha of 201 ha will be used for the operation, the agricultural use would be able to coexist with the proposed use.

The property has been identified as being within the Provincial Natural Heritage System. The habitat of endangered species and threatened species is considered to be a natural heritage feature contributing to Provincial Natural Heritage. Significant wildlife habitat is also a natural feature that is to be protected for their economic, environmental and social benefits. The habitat for bobolink and eastern meadowlark, being two threatened bird species, has been identified on the property. The habitat of grasshopper sparrow is considered to be significant wildlife habitat as the bird is considered to be a species of special concern. Section 4.2.2.4 indicates that the Provincial Natural Heritage System for

the Growth Plan does not apply until it has been incorporated into the City Official Plan and until such time the current City Official Plan policies will apply. See comments below under Section 2 Provincial Policy Statement (2014) and City of Kawartha Lakes Official Plan Conformity.

The properties surrounding the subject lands are at least 80 ha. in size. There is one residence about 1.6 km to the east for the proposed storage area on one property on the east side of Bolsover Road. There are licenced quarry properties on the north side of Rohallion Road. The proposed facility is a safe distance from the dwelling as well as any sensitive receptors as required by the Explosives Act.

Therefore, this application appears to conform to the policies of the Growth Plan.

Provincial Policy Statement (2014):

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest. Healthy, integrated and viable rural areas should be supported through a number of approaches including promoting the diversification of the economic base and employment opportunities through services and the sustainable management of resources. Rural land uses are permitted on rural lands. Development that is compatible with the rural landscape, can be sustained by rural service levels, and supports a diversified rural economy by protecting agricultural and other resource-related uses should be promoted. The PPS Section 2.1 Natural Heritage policies apply as further detailed below. Development is to be directed away from areas of flood risk.

The aggregate industry is an important industry to the economy of the City, but can be a constraint to the surrounding use of land. The proposed facility is a land use that is compatible with and supports the local aggregate industry thereby efficiently using land and supporting the economy while co-existing with surrounding agricultural uses.

Of the natural heritage features or areas identified in Section 2.1 of the PPS, the habitat of threatened species as well as significant wildlife habitat have been identified on or adjacent to the development area. For the habitat of threatened species, commonly referred to as 'species at risk habitat', Section 2.1.7 indicates development and site alteration is only permitted when carried out in accordance with the Provincial Endangered Species Act. The Province has established habitat assessment guidelines as well as permitting procedures to protect the loss of species at risk habitat from development. The applicant has prepared a Species at Risk Assessment following accepted protocols, which confirms that of potential species at risk only bobolink and eastern meadowlark were found to be using the property. In accordance with Provincial requirements, as the area affected is less than 30 ha. the owner is required to submit a Notice of Activity prior to undertaking construction and is not required to be issued a benefit permit by the Province (Ministry of Environment, Conservation and Parks - MECP). The Notice of Activity serves to notify the Province that works will be undertaken and the nature of the project can be carried out with best management practices to

meet the intent of the Endangered Species Act. The KRCA has reviewed this report and found that it adequately characterized the birds and their habitat.

Section 2.1.5 indicates that development shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The Species at Risk Assessment indicates that the significant wildlife habitat for grasshopper sparrow is coincident with the habitat for bobolink and eastern meadowlark and the measures implemented as part of the Notice of Activity noted above will benefit this species. Thus there would be no negative impact.

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

City of Kawartha Lakes Official Plan Conformity:

The property is mainly designated Rural with Environmental Protection (EP), following watercourses based on Ontario Base Mapping, in the City of Kawartha Lakes Official Plan (CKLOP). The EP designation is intended to apply to provincially significant wetlands, watercourses and floodplains. As the KRCA has confirmed that there is no watercourse within the proposal's development limits, the EP policies of the CKLOP do not apply. No change to the CKLOP is required as policies allow for consideration of an alternate use permitted in the abutting land use designation.

Rural Designation

The location of the proposed facility is designated Rural. The Official Plan provides strategic direction for development of the City. An economic goal is to promote the growth and enhance the industrial base of the City in an environmentally, social and economically responsible manner. The Rural designation goals are:

1. to promote the growth and development of the City's agricultural and natural resources through a sound economic, social, and environmental framework.
2. protect agricultural land that is primarily class 4-7 for agricultural production from fragmentation, development and land uses unrelated to agriculture.
3. preserve and promote the rural character of the City and the maintenance of the natural countryside.

Permitted uses identified in the Official Plan are intended to provide direction on the policy intent and not intended to represent a complete list of permitted uses. The Rural designation states that the primary use will be agriculture in the form of ranching and forestry. New uses that are compatible with and do not hinder the agricultural use will be permitted.

The proposed use will allow ranching on the property to continue. There will be low traffic flow to and from the property similar to a farm operation. Only employees would be accessing the property. The low intensity, small scale commercial-industrial business within a 200 ha area would not significantly alter the rural character of this part of the City, appearing largely inactive for most of the day. In response to concerns with safe ingress/egress, the proposed

entrance to the facility has been relocated easterly 65 m. in order to comply with City Roads Division requirements for a safe access. Thus, the explosives storage facility would not adversely affect traffic movement and is a use appropriate to a low density rural location. Design requirements to minimize potential damage to City road infrastructure can be addressed through the use of site plan control. The use of a mobile office trailer with minimal disturbance to the land also means the land could readily revert back to agricultural use if the site is no longer required to serve the aggregate businesses.

Natural Heritage System

The CKLOP incorporates a description of features that are to be considered part of the Natural Heritage System. One feature is the habitat of threatened species, of which bobolink and eastern meadowlark habitat has been identified. The policy direction is that no new development will be permitted within significant habitat of threatened species. However development and site alteration may be permitted in adjacent areas provided that an Environment Impact Study (EIS) shows that the proposed development will have no negative impact on the species or habitat. As well, significant wildlife habitat has been identified for grasshopper sparrow, a species of special concern. CKLOP policy for significant wildlife indicates that development may be permitted if it has been determined through an EIS that there will be no negative impact. As noted above under the discussion of the Provincial Policy Statement, measures in accordance with Provincial requirements will ensure that there will be no negative impact on the species or habitat of these species. The use of the Holding provision (see below - Zoning By-law Compliance) will ensure that no development is undertaken prior to meeting the requirements of the Province with respect to the Endangered Species Act.

The application appears to be in keeping with the general policies of the City of Kawartha Lakes Official Plan

Zoning By-Law Compliance:

The subject land is zoned Agricultural (A1) Zone in the Township of Eldon Zoning By-law 94-14. The applicant has submitted a Zoning By-law amendment application for consideration. The application proposes to add a site-specific exception to the A1 Zone to permit, in addition to the permitted A1 Zone uses, an explosives storage facility on a portion of the property.

The application appears to comply with all other relevant provisions of the Zoning By-law.

Through the review, in conjunction with the applicant, it has been determined that the use of the Holding provision (H) would be appropriate, with removal of the H provision subject to registration of a site plan control agreement on title. This agreement would ensure that the development of the site implements suitable measures related to the issues raised with respect to the entrance and species at risk.

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 aligns with the vibrant and growing economy goals as it adds business support and strengthens the local aggregate sector. The proposal aligns with the goal of a healthy environment through the reduction in greenhouse gas production generated from vehicle traffic by creating a centralized explosives facility without adverse impacts on natural heritage features.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The lot is currently not serviced. Bottled water and a portable toilet facility will service the site.

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 and a public meeting was held on April 10, 2019. Written and oral comments were received from the public at the public meeting. To date we have received the following comments:

Agency Review Comments (initial circulation):

Building Division (March 13, 2019): advised that they have no concerns with the above noted application.

Building Division – Part 8 Sewage Systems (March 22, 2019): the site will not be serviced by a water supply (well or surface water) and the trailer will not be equipped with a bathroom or other fixtures for the office employees. A portable

privy will be required to be provided on the site for sanitary requirements to service the mobile trailer office.

Community Services Department (March 19, 2019): advised that they have no concerns or comments with respect to the application.

Development Engineering Division (March 19, 2019): advised that they have no objection and no requirements to permit the establishment of an explosive storage facility.

Kawartha Region Conservation (April 3, 2019): Advised that based on their mandate, there is no impact on natural heritage, natural hazards, or water quality/quantity. They did advise that Ministry of Environment, Conservation and Parks be contacted for species at risk that staff observed on the property.

Economic Development – Agriculture (April 9, 2019): Advised that they are supportive of this application.

Agency Review Comments (resulting from Public Meeting):

Public Works - Roads Division (August 29, 2019): Indicated that the use of Rohallion Road for access to the property with the driveway 65 m. (centreline of the entrance) from the corner of Rohallion Road and Mara-Carden Boundary Road along with an entrance culvert a minimum length of 15 m. would allow for trucks to safely turn into and out of the property.

Kawartha Region Conservation Authority (October 4, 2019); advised that the Species at Risk Assessment adequately characterized the habitat to determine the impacts. The owner will have to contact the Ministry of Environment, Conservation and Parks (MECP) to establish the use and requirements of a Notice of Activity Form.

Public Comments (from initial circulation):

Written and or oral comments were received from four people. Generally, the concerns raised were: poor notification sign location, liability insurance, site security, effect on species at risk, location more appropriate in another municipality, safe access to the site, need for a dedicated haul route for the transportation of explosives, and the proposal being a precursor to an aggregate licence. With respect to the public comments, the applicant has provided a letter response (See Appendix 'D'). Staff is accepting of the response.

Development Services – Planning Division Comments:

The appropriate documents in support of the application have been submitted and circulated to the appropriate agencies and City departments for review and comment. The application conforms to the Growth Plan and is consistent with Provincial Policy Statement. The application conforms to the City of Kawartha Lakes Official Plan. An explosives storage facility, as is the transport of explosives, is also subject to Federal Regulatory compliance. About 0.8 ha of the 201 ha property is to be rezoned to permit the proposed explosives storage

facility, and no negative impacts are anticipated from the proposed use. Staff recommends that the development be subject to site plan control to ensure entrance design measures are implemented and maintained into the future and Endangered Species Act compliance has been/will be implemented. As such the Holding Symbol should be placed on the subject lands such that the facility cannot be constructed prior to a site plan control agreement being registered on title.

In accordance with the City's Official Plan, prior to the removal of a Holding Symbol, the City needs to ensure that the owner or applicant has satisfied all requirements identified by the municipality or any other agency having jurisdiction to address any concerns. Some of the issues the site plan process will address are:

- siting of the proposed building and its elevations;
- site servicing;
- lot grading and drainage;
- driveway location and access;
- illumination;
- fencing; and
- site signage

Staff will ensure through this process that the construction and development respects the environment. The site plan process will also provide a mechanism to require performance securities to ensure the proposed development is constructed and maintained in accordance with approved plans, which the building permit process alone is not designed to control.

Staff respectfully recommends that in accordance with Section 34(17) of the Planning Act, Council consider the change to the proposed by-law with respect to imposing site plan control as a condition of removal of the Holding (H) symbol (See Appendix E). If Council choose to change the proposed zoning by-law to facilitate this minor amendment, a public meeting is not required for this procedure.

Conclusion:

Staff supports the application for Zoning By-law Amendment to change 0.8 ha of land to add an explosives storage facility based on the information contained in this report and the comments received, provided that as a condition of removal of the Holding (H) symbol, the property be subject to Site Plan Control. Staff respectfully recommends that the application, as amended, be referred to Council for APPROVAL.

Attachments:



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf



Appendix E.pdf

Appendix 'A' – Location Map

Appendix 'B' – Aerial Photo

Appendix 'C' – Revised Concept Site Plan

Appendix 'D' – James Dick Construction Ltd. Letter, November 6, 2019

Appendix 'E' – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@kawarthalakes.ca

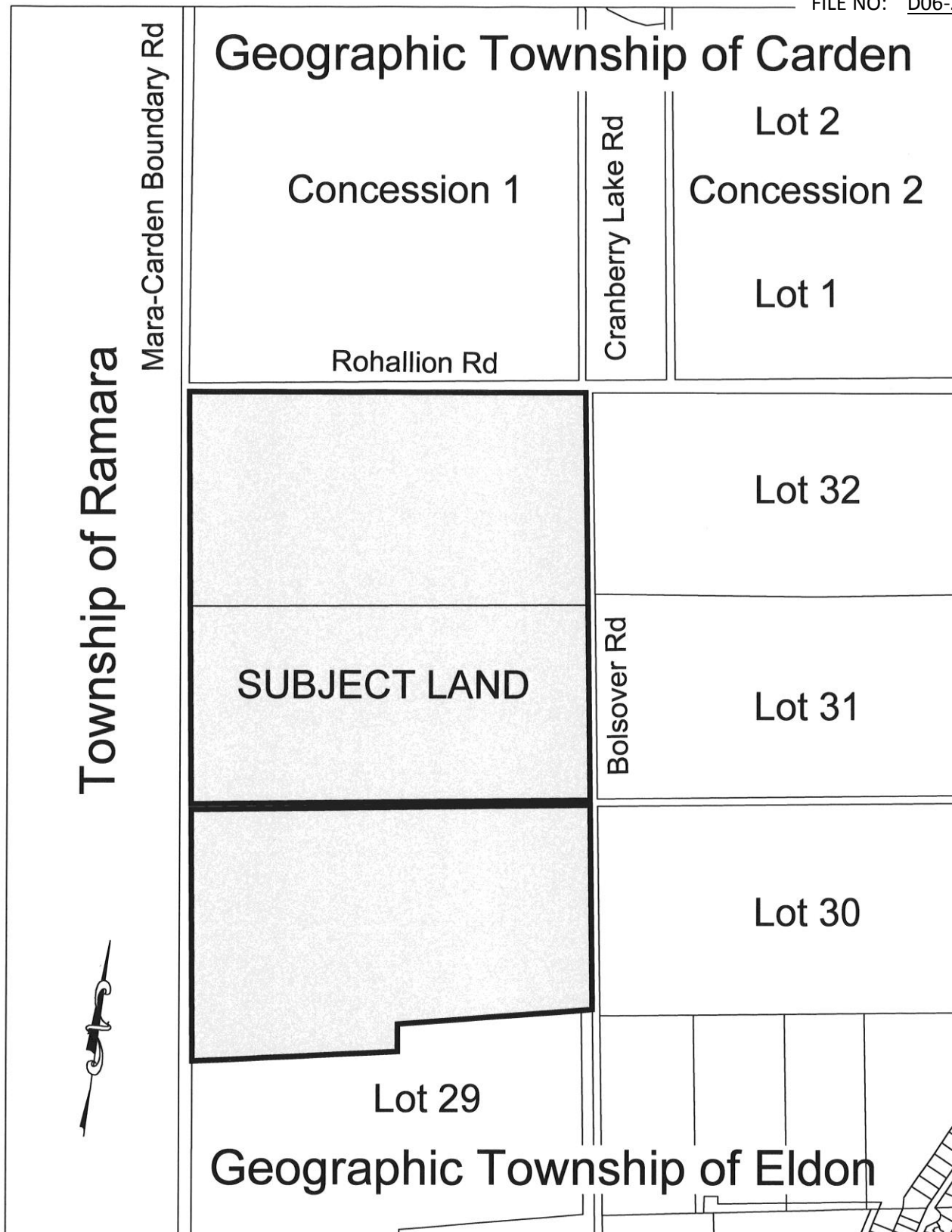
Department Head: Chris Marshall, Director of Development Services

Department File: D06-2019-004

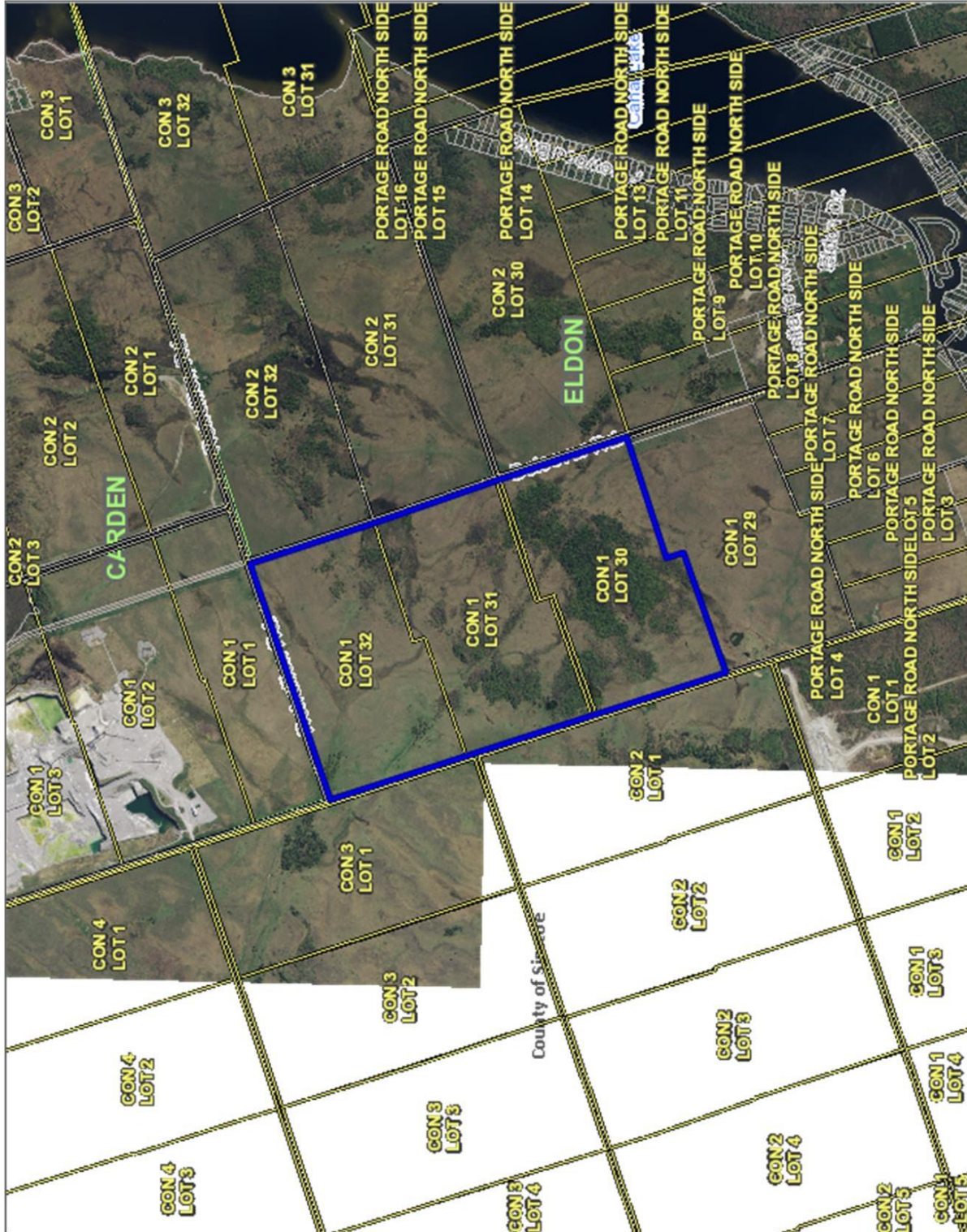
to

REPORT PLAN2019-062

FILE NO: D06-2019-004



Lots 30-32, Concession 1, Geographic Township of Eldon



1.83 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

Legend

- Property ROLL#
- Lots and Concessions
- Road Centreline (2016 Needs)
- Geographic Townships
- Upper Municipalities
- Lower Tier Municipalities
- Populated Places
- Water Labels

APPENDIX " B "

to

REPORT PLAN2019-062

FILE NO: D06-2019-004

Notes

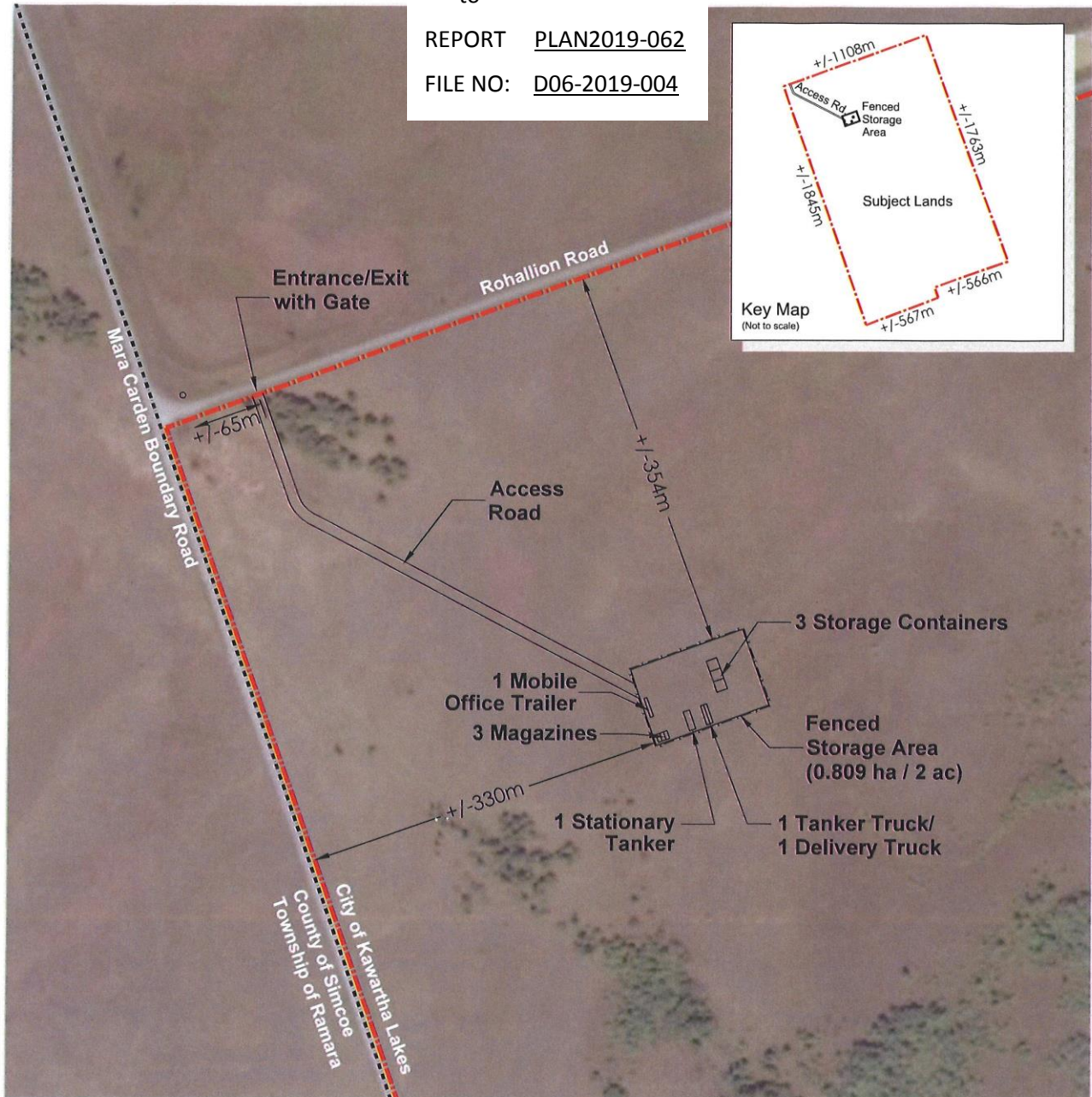
Notes

APPENDIX " C "

to


REPORT PLAN2019-062

FILE NO: D06-2019-004



Preliminary Concept Plan Proposed Explosives Storage Depot

LEGEND

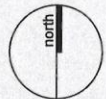
 Subject Lands

DATE: November 5, 2019

FILE: 9633N

SCALE 1 : 5,000

DRAWN: GC/DGS



James Dick Construction Limited
Part of Lots 30, 31 and 32, Concession 1
(former Geographic Township of Eldon)
City of Kawartha Lakes

Base Map Sources:
Imagery - Google Earth (August 22, 2016)

K:\9633N-JAMES DICK CONSTRUCTION-KAWARTHA LAKES-ROHALLION ROAD-CONCEPT
PLAN-CONCEPT PLAN NOVEMBER 2019.DWG

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
205-340 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



JAMES DICK CONSTRUCTION LIMITED



MAIL: P.O. Box 470, Bolton, Ontario. L7E 5T4
COURIER: 14442 Regional Road 50, Caledon, Ontario. L7E 3E2
TELEPHONE: (905) 857-3500 FAX: (905) 857-9085

Janet Wong, MCIP RPP
Planner II, Development Services - Planning Division
City of Kawartha Lakes
jwong@kawarthalakes.ca
180 Kent Street West, Lindsay, ON K9V 2Y6
Phone 705 324-9411 ext 1330
Toll Free 1-888-822-2225
Fax 705-324-4027

APPENDIX " D "

to

REPORT PLAN2019-062

FILE NO: D06-2019-004

November 6, 2019

Re: D06-2019-004 - 676249 Ontario Ltd. - Rohallion Rd Eldon – Summary Letter

James Dick Construction Limited (JDCL) has applied for a zoning amendment on approximately 0.8 hectares of the 201 hectare property on Rohallion Road in City of Kawartha Lakes (CKL) in order to permit a storage depot for blasting explosives services to be operated by Maxam, a company that specializes in this field around the globe.

A Planning Advisory Committee Meeting was held on April 10, 2019 at which the committee asked questions of both staff and the applicant. The public was present and there were a few questions brought up from members of the public. After the meeting the applicant approached the members of the public who spoke to give them answers to their questions and to give them a bit more information about the project. We believe this went well and the answers were generally satisfactory. The applicant also gave out business cards in case there were more questions they could follow up.

Subsequent to the meeting the applicant had retained the services of Niblett Environmental Associates Inc. (NEA) who performed a site survey and produced a report which was submitted to the City staff for review. The City had the Kawartha Conservation Authority review the report as well. The report dealt with the presence of bird species on site, if any impacts might occur from the proposed development and what procedures should take place to allow the development to proceed with regard to any species at risk. The conservation authority staff indicated that the report was adequate in its characterization of the species present and their habitats for the purpose of determining any potential impacts. The NEA report outlined that a compensation plan of replacing an equal area currently occupied by trees to be planted in grasses will be sufficient for the project to go ahead. The applicant's consultant will have to submit a Notice of Activity Form to MECP who will be administering the proposed compensation plan and any monitoring requirements.

A summary of various comments, questions and answers follows below. JDCL has provided answers to all questions from both staff and the public by email correspondence or in person at the meeting.

- CKL staff advised at the PAC meeting that the CKL Agricultural Development Officer had no concerns and that Kawartha Conservation had no concerns beyond the birds mentioned above which will be handled by the MECP. NEA will apply for the permit with MECP on behalf of the applicant.
- Comment from public regarding poor sign location – at the public meeting CKL indicated that they had placed a sign on the property as required for notification purposes which met the planning act notification requirements.
- The property is owned by the James Dick Construction Limited group of companies and both JDCL and Maxam will have insurance that would cover any liabilities from the operation of this business.
- Comment from the public regarding the existing farm entrance on the property being potentially too close to the intersection. After review, City staff requested the site entrance be moved to 65m from the stop sign at Rohallion Road and Mara Carden boundary. JDCL agrees with the new entrance location and requirements and has attached a revised Concept Plan showing the site with the entrance and driveway in the requested location.
- Comments from the public regarding safety and security of the site location, including potential of grass fires, or environmental contamination have been addressed in that there are federal regulations that govern these facilities that ensure there are appropriate storage magazines, containers, set back distances and security is in place to ensure public and environmental safety. The magazines have thick steel and insulated fire retardant walls – thus there is no risk of fire damage. Any chemicals are contained in approved containers that would house any spillage. The site will be on top of a gravel pad making any thing dropped on the ground easy to pick up and remove. The JDCL property is fenced, will be gated and signed as per regulations (sign will say Maxam, PPE required on site). There will be an alarm system on site that will contact a central dispatch that contacts a list of Maxam employees. If they can't be reached then local authorities are contacted. The local fire department receives a copy of the fire safety plan for the site and the local police receive a security plan for the site. These are confidential documents.
- Maxam conducts their own monthly site inspections and the NRCAN conducts inspections every 6 months with respect to the federal regulations.
- The site hours are typically 4am to 4pm and only basic lighting is used at the office and at the magazine, so there will not be any excessive light pollution.
- The public comment regarding the location should be in a different Township, in a quarry or closer to quarries has been addressed in that the site is located within 10 km of seven active quarry sites, see details in the Planning Analysis Report. The quarry blasting services that Maxam offers is a competitive business and a number of

companies have been serving the region for years. Not all quarries have this type of specialized expertise in-house and not all quarries want to or are able to have the service in house. These types of facilities have to be located in the rural areas, close to the quarries and due to setback requirements cannot be located in traditional industrial parks. That is why this is a viable and suitable location for this site, close to the customer base and minimizing the travel required on the roads.

- The comment that this depot might pave the way to establish a quarry on this site has been addressed at the public meeting and in correspondence. JDCL has no near future intention of trying to obtain an aggregate licence on this site as they have many years of aggregate reserves in the area already active. In addition a licence application would not be made any easier to accomplish with this use established on the property due to the large number of multidisciplinary studies required by the approvals process.
- The haul routes taken for the transportation of the explosives will only be on appropriate truck routes that allow truck traffic to the quarries. The road over the single lane bridge on Bolsover Rd toward the Bolsover community would not be on the truck route. The deliveries to the site are approximately once per week and the expected service activity would be for staff to arrive at the site in the morning and then leave and visit the customer site and then return at the end of the day. Thus very little traffic will be generated by the site.

I trust the information above is satisfactory for you to go ahead with finalizing your recommendation. If you have any further questions please let us know.

Yours truly,



Leigh Mugford
Resource Manager
James Dick Construction Ltd
lmugford@jamesdick.com
office 905-857-3500
cell 416-579-9426
fax 905-951-5521

to

REPORT PLAN2019-062FILE NO: D06-2019-004**The Corporation of the City of Kawartha Lakes****By-Law 2019 -****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 D06-2019-004, Report PLAN2019-062, respecting Part Lots 30, 31, and 32, Concession 1, geographic Township of Eldon, identified as vacant land Rohallion Road – 676249 Ontario Ltd]

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 an explosives storage facility 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 Lots 30, 31, and 32, Concession 1, geographic Township of Eldon, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 94-14 of the Township of Eldon is further amended to add the following section to Section 7.3:
 - “7.3.30 Agricultural Exception Thirty (A1-30) Zone
 - 7.3.30.1 In addition to the uses permitted in Section 7.1, an explosives storage facility, including associated office space, magazines and storage uses, as licensed under appropriate Federal explosives legislation and regulation shall also be permitted on lands zoned A1-30.
 - 7.3.30.2 On land zoned A1-30, the removal of the (H) Symbol shall require that the owner enter into a site plan agreement with the City for any development on land zoned A1-30.
- 1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 94-14 of the Township of Eldon is further amended to change the zone category from the Agricultural (A1) Zone to the Agricultural Exception Thirty - Holding [A1-30 (H)] Zone for the

land referred to as A1-30 (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

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2019.

MAYOR _____

CITY CLERK _____

Township of Ramara

Mara-Carden Boundary Rd

Geographic Township of Carden

Concession 1

Rohallion Rd

Cranberry Lake Rd

Lot 2

Concession 2

Lot 1

Lot 32

Lot 31

Lot 30

Lot 29

A1 - 30 (H)

Geographic Township of Eldon

The Corporation of the City of Kawartha Lakes
Planning Advisory Committee

Report Number ENG2019-024

Date: December 4th, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: 5

Title: Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay

Description: Springdale Gardens Subdivision – Phase 2

Author and Title: Christina Sisson, Supervisor, Development Engineering

Recommendation(s):

That Report ENG2019-0, **Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay**, be received;

That the Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Springdale Gardens Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, including requisite road dedication, substantially in the form attached as Appendix 'A' to Report ENG2019-024 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:

This property has been subject to several agreements since October 1959 (1969, 1974, and 1977) with the former Township of Ops and the County of Victoria. In 2012, the Owners, Springdale Gardens Properties Inc. entered into a Development Agreement with the City for Phase 2 to refine the number of lots, servicing locations and engineering design to match the road pattern established in earlier agreements. The cul-de-sac at the east end of Liam Street was made wider to accommodate servicing and operational needs of the City.

Further to a request from the Owners for the development, 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. 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 Development Agreement. The top course was placed in the fall of 2018, and a one year warranty period was placed. Subsequent inspections have confirmed that in accordance with the registered Development Agreement, all public services are eligible for assumption.

Phase 2 of Springdale Gardens Subdivision included the construction and installation of infrastructure on Liam Street, Newton Avenue, and Maloney Street.

The City, pursuant to the Development Agreements, is now obliged to assume the roads shown as Liam Street and Newton Avenue, Plan 383.

In addition, the dedication and assumption is required for Blocks A and B, Plan 383, the widenings of Angeline Street and the corresponding 0.3 metre reserves, the widenings of Liam Street, Plan 383, and Maloney Street and associated 0.3 metre reserve, Plan 383.

This development pre-dates the M-plan process, and the attached location plan is provided for reference as Appendix 'B'.

Assume as Highway:

Liam Street, PIN: 63205-0528
Newton Avenue, PIN: 63205-0536

Dedicate and Assume as Highway:

Angeline Street Road Widenings, PINs: 63205-0861 and 63205-0864
Angeline Street Road Widenings associated 0.3 metre reserves, PINs: 63205-0492 and 63205-0830
Liam Street Road Widenings, PINs: 63205-0841, 63205-0843, 63205-0845, 63205-0847, 63205-0849, 63205-0851, and 63205-0853
Maloney Street, PINs: 63205-0855, 63205-0857, and 63205-0859
Maloney Street associated 0.3 metre reserve, PIN: 63205-0856

In addition, the City will be assuming the operation and maintenance of the Stormwater Management Facility (Oil and Grit Separator) located within an easement at the east end of the cul-de-sac of Liam Street.

Rationale:

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

There are two remaining grading deficiencies related to swales between adjoining lots. The Owner has provided a cheque for the total of \$6000.00 for the correction of grading, in accordance with the Development Agreement.

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 Development 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 development agreement. The Owner has posted on the Daily Commercial News to comply with the required 60 day notice for the standard statutory declaration and the Construction Act.

Upon assumption of the Subdivision, the City will be responsible for the general maintenance of the street, underground servicing, and stormwater management

facility (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, Jennings Creek and ultimately, 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 411 metres of 150 mm diameter PVC watermain, 78 metres of 50 mm diameter watermain, 442 metres of 200 mm diameter PVC sanitary sewer, 299.4 metres of PVC storm sewer, 106 metres of concrete storm sewer, 502 metres of asphalt road, 374 metres of concrete sidewalk, and one STC-6000, an oil and grit separator (stormwater management facility).

Consultations:

Finance Division

Attachments:

Appendix A - Draft Assumption By-Law



Appendix 'A' - Draft
Assumption By-Law.d

Appendix B - Plan— Plan of Subdivision, Springdale Gardens Subdivision –
Phase 2



Plan - Springdale
Gardens - Phase 2.pc

Department Head E-Mail: jrojas@kawarthalakes.ca

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

Department File: D05-18

The Corporation of the City of Kawartha Lakes

By-law 2019-XXX

A By-law to Assume Liam Street, Plan 383, (PIN:63205-0528) and Newton Avenue, Plan 383, (PIN: 63205-0536), previously dedicated and conveyed to the municipality upon the registration of Plan 383, and to Dedicate and Assume Maloney Street, Plan 383, (PINs: 63205-0855, 63205-0857, and 63205-0859) and associated 0.3 metre reserve (PIN: 63205-0856), and more specifically described as Parts 28, 31, 32, and 33, Plan 57R-9054, and Road Widenings as part of Liam Street, Plan 383, (PINs: 63205-0841, 63205-0843, 53205-0845, 63205-0847, 63205-0849, 63205-0851, and 63205-0853), more specifically described as Parts 1 to 12, inclusive, Plan 57R-9889, Plan 383, and Road Widenings as part of Angeline Street, (PINs: 63205-0861 and 63205-0864), more specifically described as Blocks A and B, respectively, Plan 383, and the associated 0.3 metre reserves, (PINs: 63250-0492 and 63205-0830), Plan 383, Geographic Township of Ops, 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 Liam Street, Newton Avenue, and to dedicate and assume Maloney Street and associated 0.3 metre reserve and Liam Street widenings, and Angeline Street widenings and associated 0.3 metre reserves, Plan 383, Geographic Township of Ops, 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), located on an easement at the east end of Liam Street, Plan 383, Geographic Township of Ops, 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 Liam Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes
- b) The road known as Newton Avenue, Plan 383, Geographic Township of Ops, 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 registered easement at the east end of Liam Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes

Section 3.00: Highway Dedication and Assumption

3.01 **Dedication and Assumption:** The following lands are to be dedicated as highway and assumed by the City:

- a) The road known as Maloney Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes
- b) The 0.3 metre reserve associated with Maloney Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes
- c) The road widenings known as Liam Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes
- d) The road widenings known as Angeline Street, Plan 383, Geographic Township of Ops, City of Kawartha Lakes
- e) The 0.3 metre reserves associated with the Angeline Street road widenings, Plan 383, Geographic Township of Ops, City of Kawartha Lakes

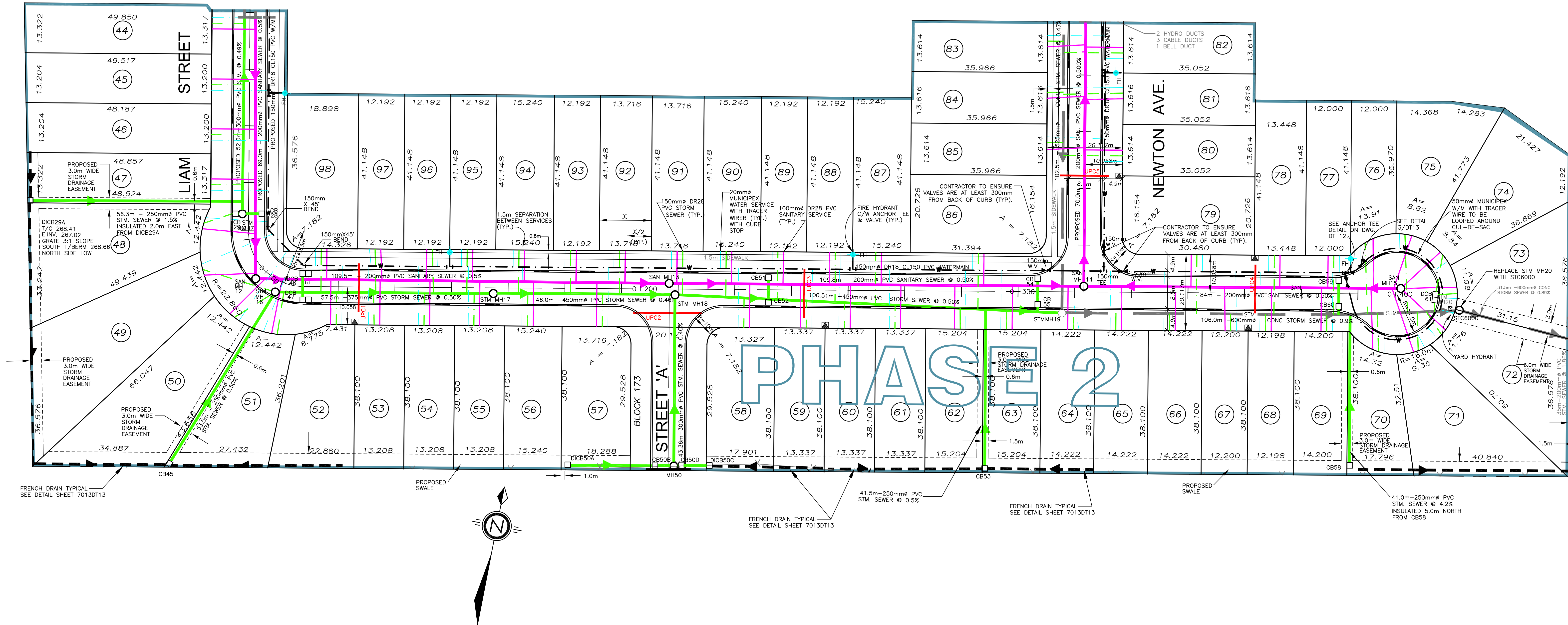
Section 4.00: Effective Date

4.01 **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 December, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



LEGEND

EXISTING FENCE
EXISTING TREE
PROPOSED STORM SEWER WITH MANHOLE
PROPOSED SANITARY SEWER WITH MANHOLE
SWALE/DITCH
EXISTING STORM SEWER WITH MANHOLE
EXISTING SANITARY SEWER WITH MANHOLE
EXISTING WATER MAIN
PROPOSED WATER MAIN
DIRECTION OF DRAINAGE
UTILITY DUCT
BELL PEDISTAL
CABLE T.V.
TRANSFORMER

BENCHMARK GEODETIC B.M. # G-17, TOWN OF LINDSAY TABLET IN TOP OF CONCRETE BOX CULVERT AT NORTHWEST CORNER OF CULVERT AT JENNINGS CREEK & ANGELINE STREET NORTH. ELEVATION = 262.722 TEMPORARY BENCHMARK TOP OF SOUTHWEST CORNER (PAINT MARK) OF CONCRETE SLAB OF BELL TELEPHONE PEDESTAL APPROX. 35 metres EAST OF INTERSECTION OF ANGELINE STREET NORTH & SPRINGDALE DRIVE. ELEVATION = 270.188 metres	REVISIONS <table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>COMMENTS</th></tr></thead><tbody><tr><td>1</td><td>SEPT. 18 /07</td><td>PER CKL SEP/07 COMMENTS</td></tr><tr><td>2</td><td>DEC. 18/07</td><td>REVISE UPCS, PEDS, AND STM. SEWER TYPE</td></tr><tr><td>3</td><td>JAN. 20/10</td><td>PER CKL DEC. 4/09 AND JAN. 4/10 COMMENTS</td></tr><tr><td>4</td><td>MARCH 10/10</td><td>PER CKL FEB. 8/10 COMMENTS</td></tr><tr><td>5</td><td>MAY 27/10</td><td>PER CKL MAY 3/10 COMMENTS</td></tr><tr><td>6</td><td>JULY 6/10</td><td>PER CKL JUN 11/10 COMMENTS</td></tr><tr><td>7</td><td>NOV 5/10</td><td>PER CKL SEP/10 VERBAL COMMENTS</td></tr><tr><td>8</td><td>APRIL 2011</td><td>PURDY AVENUE RENAMED LIAM STREET</td></tr></tbody></table>	NO.	DATE	COMMENTS	1	SEPT. 18 /07	PER CKL SEP/07 COMMENTS	2	DEC. 18/07	REVISE UPCS, PEDS, AND STM. SEWER TYPE	3	JAN. 20/10	PER CKL DEC. 4/09 AND JAN. 4/10 COMMENTS	4	MARCH 10/10	PER CKL FEB. 8/10 COMMENTS	5	MAY 27/10	PER CKL MAY 3/10 COMMENTS	6	JULY 6/10	PER CKL JUN 11/10 COMMENTS	7	NOV 5/10	PER CKL SEP/10 VERBAL COMMENTS	8	APRIL 2011	PURDY AVENUE RENAMED LIAM STREET	CITY OF KAWARTHA LAKES APPROVAL <table border="1"><thead><tr><th colspan="2">For Tendering</th></tr><tr><th>MANAGER</th><th>DATE</th></tr></thead><tbody><tr><td> </td><td> </td></tr><tr><th colspan="2">For Construction</th></tr><tr><th>MANAGER</th><th>DATE</th></tr><tr><td> </td><td> </td></tr><tr><th>DIRECTOR</th><th>DATE</th></tr><tr><td> </td><td> </td></tr></tbody></table>	For Tendering		MANAGER	DATE			For Construction		MANAGER	DATE			DIRECTOR	DATE			CITY ENGINEER'S SEAL <div></div>	ENGINEER'S SEAL <div></div>	CITY OF KAWARTHA LAKES ENGINEERING DEPARTMENT 180 KENT ST., LINDSAY ON. K9V 4S5, (705) 324-6182 EXT. 238 <table border="1"><thead><tr><th>DESIGNED BY:</th><th>DRAWN BY:</th><th>DATE:</th></tr></thead><tbody><tr><td>D. WELCH</td><td>J. LALONDE</td><td>APRIL 14, 2011</td></tr><tr><td>CHECKED BY:</td><td>APPROVED BY:</td><td> </td></tr><tr><td>B. BONNER</td><td> </td><td> </td></tr></tbody></table>	DESIGNED BY:	DRAWN BY:	DATE:	D. WELCH	J. LALONDE	APRIL 14, 2011	CHECKED BY:	APPROVED BY:		B. BONNER			SPRINGDALE GARDENS SUBDIVISION SITE SERVICING PLAN SCHEDULE 'A'	CONTRACT NO: 02-7013 SCALE: HOR. 1:500 VERT. N/A PAGE 2 OF 15 DRAWING NO. 7013SS01A
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