

The Corporation of the City of Kawartha Lakes
Minutes
Planning Advisory Committee Meeting

PC2021-03
Wednesday, March 10, 2021
9:00 A.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Deputy Mayor Patrick O'Reilly
Councillor Kathleen Seymour-Fagan
Councillor Andrew Veale
Mike Barkwell
Jason Willock
Alternate: Councillor Doug Elmslie

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1. Call to Order and Adoption of Agenda

Chairperson Councillor A. Veale called the meeting to order at 9:02 a.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillor and Alternate Member D.Elmslie, and Committee Members M. Barkwell and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Development Services C. Marshall, Supervisor of Development Engineering C. Sisson, and Planner II's J. Derworiz, D. Harding, and M. LaHay were also in attendance.

Absent: Councillor K. Seymour-Fagan

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

PAC2021-012

Moved By Mayor Letham

Seconded By Councillor Elmslie

That the agenda be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting Reports

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

3.1 PLAN2021-008

Zoning By-law Amendments for Cannabis Cultivation and Processing

Jonathan Derworiz, Planner II

3.1.1 Public Meeting

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

Mr. Derworiz confirmed that the required notice was given in accordance with the Planning Act, and published in two local newspapers, and on the City's website.

He summarized the report stating that the proposed Zoning By-law Amendment is comprised of new definitions, amendments to existing definitions, and new general provisions and zone requirements. Staff is proposing to incorporate these amendments into all of the City's 18 Zoning By-laws. The proposed amendments are generally in alignment with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Kawartha Lakes Official Plan. Mr. Derworiz summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from Michelle Clarke, and Dan Vanderzwet both expressing concerns with setback language in the amendments. Staff are recommending that the application be referred back to staff for further review and consideration until comments from the public meeting and agencies have been reviewed. He responded to questions from Committee members.

The Chair inquired if anyone wished to speak to the zoning by-law amendments.

Dan Vanderzwet, spoke as a business owner and farmer in Kawartha Lakes. He referred to his correspondence that he submitted to the committee, and noted concerns with setbacks either being from property line to property line or building to building. He noted that some sensitive land uses may occur elsewhere on a property, much closer than the location of the building, such as the example of a school yard where children play. He responded to questions from the committee members.

No other persons spoke at the Public Meeting.

The Public Meeting concluded at 9:41am.

3.1.2 Business Arising from the Public Meeting

PAC2021-013

Moved By Deputy Mayor O'Reilly

Seconded By M. Barkwell

That Report PLAN2021-008, **Zoning By-law Amendment for Cannabis Cultivation and Processing**, be received for information; and

That Report PLAN2021-008, Zoning By-law Amendment for Cannabis Cultivation and Processing, be referred back to staff to address issues raised through the public consultation process for further review until such time that all comments have been addressed.

Carried

3.2 PLAN2021-011

Application to Amend the Somerville Zoning By-law 78-45 at 41 Shadow Lake Road 16 – Park and Radford-Park

David Harding, Planner II

3.2.1 Public Meeting

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

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that on July 11, 2019 the Committee of Adjustment granted provisional consent to applications D03-2018-012, D03-2018-013, and D03-2018-014. Due to the pandemic, the applications lapsed. On January 15, 2021, the Director of Development Services granted provisional consent for the applications. As a condition of provisional consent, the subject lands are to be rezoned to establish the proposed uses for each parcel, unify and standardize applicable zone provisions and apply any applicable development standards. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the City of Kawartha Lakes Official Plan. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from Carl Brand and Stephanie Briley both expressing concerns with the types of potential development on the severed Shoreline Access Strip, and rear back lot. Staff are recommending that the application be forwarded to Council for approval. He responded to questions from Committee members.

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

Doug Carroll requested to wait to hear the comments from the members of the public, before responding. The Chair consented.

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

Stephanie Briley-Brand and Carl Brand of Lot 31 Shadow Lake Road 16 expressed concerns with the potential development on the shoreline access strip near their property stating that the strip is too narrow, forested, and the gradient too steep for development of a dock and/or accessory structures. They also posed questions regarding the potential uses of the proposed back lot.

The Chair permitted Mr. Carroll to speak as the applicant. He provided history to the application and the recommendations made at the Committee of Adjustment. Mr. Carroll also noted that the waterfront access strip would not permit the construction of a dwelling, only a dock, and an accessory structure.

Geoff Park, owner of the property, thanked the committee and staff for their assistance with the application.

No other persons spoke to the application.

The Public Meeting concluded at 10:01am.

3.2.2 Business Arising from the Public Meeting

PAC2021-014

Moved By Mayor Letham

Seconded By Councillor Elmslie

That Report PLAN2021-011, **Amend the Somerville Zoning By-law 78-45 at 41 Shadow Lake Road 16 – Park and Radford-Park**, be received;

That a Zoning By-law Amendment respecting application D06-2021-002, substantially in the form attached as Appendix D to Report PLAN2021-011, be approved and adopted by Council; and

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

Carried

4. Deputations

Member J. Willock left the Council Chambers at 10:02am and returned at 10:04am.

4.1 PC2021-03.4.1

Emma Drake, D.M. Wills

Relating to Report PLAN2021-012, Item 6.2 on the Agenda

Emma Drake of DM Wills Associates, spoke as applicant on behalf of Mark Connor, for Item 6.2 (Report PLAN2021-012). She stated that this application was presented to the committee in November, to rezone the property to permit the continued and expanded uses with site specific development standards. She stated that the application proposes reduced setbacks, reduced parking space requirements, and modified loading space and landscape requirements. She made herself available for any questions from the members of the committee.

4.2 PC2021-03.4.2

Amanda Dougherty, D.M. Wills

Relating to Report PLAN2021-010, Item 6.1 on the Agenda

Amanda Dougherty of DM Wills and Associates spoke as the applicant on behalf Bedard Sand and Gravel. She noted that they are looking to submit their Aggregate Resource Act licence application associated with this zoning by-law amendment as soon as possible. She supported the recommendation, however requested one slight change to the proposed Zoning By-law amendment noting that due to the proximity of another pit on another lot, a reduced setback on the western lot line be reduced to 0m, instead of the listed 15m. She responded to members of the committee.

PAC2021-015

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Elmslie

That the deputations of Emma Drake (Item 4.1), and Amanda Dougherty (Item 4.2), regarding matters on this agenda, be received.

Carried

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2021-010

Application to Amend the Mariposa Zoning By-law 94-07 at 1095 White Rock Road – Bedard Sand and Gravel Limited

Mark LaHay, Planner II

Mr. LaHay confirmed that a Public Meeting on this matter was held on August 12, 2020 in accordance with the Planning Act. He summarized the application, explaining that it is seeking a site specific zoning amendment to permit a proposed quarry operation for the extraction of limestone, which would occur in two phases along with a recyclables storage area as illustrated on the Quarry Operational Site Plan in the Report. The current use on the proposed site is a sand and gravel pit operation, which may occur simultaneously with the proposed quarry operation. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that no additional comments were received subsequent to the writing of the report. Upon further review and

discussion with the applicant, staff recommended that the proposed zoning by-law amendment also include recognition of the existing pit excavation setback of 0 metres abutting another existing pit operator and to also recognize an excavation setback of 5 metres for the proposed quarry along the west lot line. With this minor change, Staff are recommending that the application be referred to Council for approval. He responded to questions from Committee members.

PAC2021-016

Moved By Mayor Letham

Seconded By J. Willock

That Report PLAN2021-010, **respecting Part Lot 10, Concession 12, Geographic Township of Mariposa, Bedard Sand and Gravel Limited – Application D06-2020-004**, be received;

That a Zoning By-law, respecting application D06-2020-004, substantially in the form attached as Appendix C, as amended, to Report PLAN2021-010 be approved for adoption by Council;

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

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

Carried

6.2 PLAN2021-012

Application to Amend the Manvers Zoning By-law 87-06 at 174 Highway 7A - Connor

David Harding, Planner II

Mr. Harding confirmed that a Public Meeting on this matter was held on November 4, 2020 in accordance with the Planning Act. He summarized the application, explaining that it proposes to recognize the uses and to facilitate the expansion of the businesses on the property. As a result of this expansion, new development standards are being sought. The development standards will also allow for the placement of a third business (photography studio) within the expanded building. A photography studio is a permitted use upon the property. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the City of Kawartha

Lakes Official Plan. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of this report no additional comments were received. Staff are recommending that the application be referred to Council for approval. He responded to questions from Committee members.

PAC2021-017

Moved By Councillor Elmslie

Seconded By J. Willock

That Report PLAN2021-012, **Amend the Manvers Zoning By-law 87-06 at 174 Highway 7A - Connor**, be received;

That a Zoning By-law Amendment respecting application D06-2020-009, substantially in the form attached as Appendix D to Report PLAN2021-012, be approved and adopted by Council; and

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

Carried

7. Adjournment

PAC2021-018

Moved By Deputy Mayor O'Reilly

Seconded By Mayor Letham

That the Planning Advisory Committee Meeting adjourn at 10:24 a.m.

Carried