

The Corporation of the City of Kawartha Lakes

Agenda

Planning Advisory Committee Meeting

PC2024-12

Wednesday, November 6, 2024

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Doug Elmslie

Councillor Ron Ashmore

Councillor Tracy Richardson

Councillor Pat Warren

Mike Barkwell

Patrick O'Reilly

Andrew Veale

Jason Willock

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To speak to a "**Public Meeting Report**" on this agenda either attend the meeting in person, or participate via Zoom by emailing agendaitems@kawarthalakes.ca and reference the report number in your email **by Wednesday, November 6, 2024, 2024 at 12:00 p.m.** To speak to a "**Regular and Returned Report**", you must submit a completed [deputation request form](#) **by Monday, November 4, 2024 at 12:00 p.m.** After we receive your request, you will receive instruction from staff on how to participate either by Zoom or in person at the meeting. Anyone may provide written comments on each application by email to clerks@kawarthalakes.ca.

Limited seating in Council Chambers is available in Council Chambers for in person attendance. Contact the City Clerk's Office at clerks@kawarthalakes.ca or 705-324-9411 ext. 1266 to confirm space, or to request links to participate electronically. Alternatively, access the meeting livestream on the Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> .

1.	Call to Order and Adoption of Agenda	
2.	Declarations of Pecuniary Interest	
3.	Public Meeting Reports	
3.1	PLAN2024-058	4 - 17
	Application to Amend the Mariposa Zoning By-law 94-07 at 220 Linden Valley Road, Woodville - Holcrest Farms Ltd. Raphael Romeral, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes	
3.1.1	Public Meeting	
3.1.2	Business Arising from the Public Meeting	
	That Report PLAN2024-058, Application to Amend the Mariposa Zoning By-law 94-07 at 220 Linden Valley Road, Woodville - Holcrest Farms Ltd., be received for information;	
	That a Zoning By-law Amendment respecting application D06-2024-021, substantially in the form attached as Appendix D to Report PLAN2024-058, be approved and adopted by Council; and,	
	That the Mayor and Clerk be authorized to execute the documents required by the approval of this application.	
3.2	PLAN2024-059	18 - 30
	Applications to Amend the Official Plan and Bobcaygeon Zoning By-law 16-78 at 75 Main Street, Bobcaygeon - 75 Maindev Inc. Raphael Romeral, and Amanda-Brea Watson, MCIP, RPP, Dillon Consulting Limited, Urban Planners on behalf the City of Kawartha Lakes	
3.2.1	Public Meeting	
3.2.2	Business Arising from the Public Meeting	
	That Report PLAN2024-059, Applications to Amend the Official Plan and Bobcaygeon Zoning By-law 16-78 at 75 Main Street, Bobcaygeon - 75 Maindev Inc., be received for information.	

Applications to Amend the Official Plan and Lindsay Zoning By-law 2000-75 at 400 Kent Street West, Lindsay - Nautical Land Group c/o George Whittington

Mark Fishman, and Lindsay Nooren, MCIP, RPP, Dillon Consulting Limited, Urban Planners on behalf of the City of Kawartha Lakes

3.3.1 Public Meeting

3.3.2 Business Arising from the Public Meeting

That Report PLAN2024-060, **Applications to Amend the Official Plan and Lindsay Zoning By-law 2000-75 at 400 Kent Street West, Lindsay - Nautical Land Group c/o George Whittington**, be received for information.

4. Deputations

5. Correspondence

6. Regular and Returned Reports

7. Adjournment



Planning Advisory Committee Report

Report Number:	PLAN2024-058
Meeting Date:	November 6, 2024
Title:	Zoning By-law Amendment, 220 Linden Valley Road, Part Lot 4, Concession 14, Geographic Township of Mariposa, City of Kawartha Lakes, Holcrest Farms Ltd.
Description:	Rezone portions the Subject Lands from the 'Agricultural (A1)' Zone to 'Agricultural Exception 44 (A1-44)' Zone and 'Environmental Protection (EP)' Zone in order to facilitate a surplus farm dwelling severance and lot deficiencies, prohibit residential development, and protect existing wetlands and woodlands
Type of Report:	Public Meeting
Author and Title:	Raphael Romeral, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendation(s):

That Report PLAN2024-058, Zoning By-law Amendment, 220 Linden Valley Road, Part Lot 4 Concession 14, Township of Mariposa, City of Kawartha Lakes, be received for information;

That a Zoning By-law Amendment respecting application D06-2024-021, substantially in the form attached as Appendix D to Report PLAN2024-058, be approved and adopted by Council; and,

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

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner: Holcrest Farms Ltd.

Applicant: Michael Smith Planning Consultants; Development Coordinators Ltd. c/o Gord Mahoney

Legal Description: Part Lot 4, Concession 14, Geographic Township of Mariposa, City of Kawartha Lakes, municipally known as 220 Linden Valley Road

Official Plan: 'Prime Agricultural' and 'Environmental Protection' in Schedule 'A-2'; 'Significant Woodlands' in Schedule 'B-2' of the City of Kawartha Lakes Official Plan (2012)

Zoning: 'Agricultural (A1)' Zone ('Schedule A') in the Township of Mariposa Zoning By-Law 94-07

Area: 56.37 ha. (139.29 ac.)

Site Servicing: Private well and septic

Existing Uses: Agricultural

Adjacent Uses: North – Environmental Protection, Agricultural
East – Agricultural
South – Agricultural
West – Agricultural

The applicant is proposing to rezone the property at 220 Linden Valley Road (Subject Lands) as a condition of consent approval for the severance of a surplus farm dwelling under File No. D03-2024-004. To fulfill a condition of the consent, that being to prohibit future residential development on the retained agricultural lands, the applicant proposes to rezone a portion of the Retained Lands to a 'Agricultural Exception 44 (A1-44)' Zone. Further, through the review of the application and in discussion with planning staff, the applicant is also proposing to rezone a portion of the Retained Lands to 'Environmental Protection (EP)' Zone on areas designated Environmental Protection in the Official Plan and areas identified as Significant Woodlands.

Through the consent process, the existing watercourse and woodland areas were identified as significant environmental features. The Lake Simcoe Region Conservation Authority has required the applicant to protect these areas through the 'Environmental Protection (EP)' Zone, consistent with the natural heritage policies in the Official Plan.

The Severed Lands will continue to contain the existing dwelling and driveway. There are two barns on the Severed Lands that are proposed to be removed.

Rationale:

This amendment will prohibit future residential development while preserving the agricultural use and protecting the existing natural features, including the watercourse and Significant Woodlands identified on the Retained Lands. The Severed Lands comply with the provisions of the Township of Mariposa Zoning By-law and therefore, the Severed Lands will remain as an 'Agricultural (A1) Zone'.

Policy Conformity

Provincial Planning Statement 2024 (PPS 2024)

The PPS 2024 provides a policy framework for land use planning within the Province of Ontario. The 'Subject Lands' are serviced by a private well and septic system, are within the Lake Simcoe Region Conservation Authority (LSRCA) Regulated Area and lie in prime agricultural areas.

Under Section 4.3.2 of the PPS, a principal dwelling associated with an agricultural operation is permitted. As per Policy 4.3.3.1(c), when a surplus dwelling results from farm consolidation, a new residential lot may be created provided it remains small and no new homes are permitted on the retained agricultural land. In this case, no new development is being proposed. The existing residential dwelling will remain, and the Zoning By-law Amendment seeks to align the land use with PPS policies by prohibiting future residential development on the remaining agricultural parcel. This amendment supports the protection of farmland by preventing fragmentation and maintaining its long-term agricultural viability.

Furthermore, Section 4.1.1 of the PPS emphasizes protecting natural features. A portion of the Retained Lands, containing a watercourse and significant woodlands, will be rezoned to an 'Environmental Protection (EP)' Zone to safeguard these features. Since farmland abuts these areas, no buffer is required.

The Zoning By-law Amendment proposes to rezone a portion of the Retained Lands to an 'Agricultural Exception 44 (A1-44)' Zone and a portion of the Retained Lands to an 'Environmental Protection (EP)' Zone, aligning with the PPS 2024 to protect both agricultural and environmental resources.

City of Kawartha Lakes Official Plan (2012)

The Subject Lands are designated 'Prime Agricultural' and 'Environmental Protection' according to Schedule A-2 of the City of Kawartha Lakes Official Plan (CKLOP).

Additionally, Schedule B-2 indicates the presence of Significant Woodlands on a portion of the Subject Lands. The woodlands fall within the area between the Carden Plain and the Oak Ridges Moraine (ORM), which is predominantly agricultural and rural in nature. The proposed severance does not occur within 120 meters of the significant woodland. The CKLOP contains policies similar to those in the Lake Simcoe Protection Plan (LSPP) for lands within the watershed. An Environmental Impact Study (EIS) or Natural Heritage Evaluation (NHE) is not required, as the severance and existing uses comply with these policies.

In accordance with Section 15 of the CKLOP regarding the Prime Agricultural Designation, the City supports the consolidation of farms, allowing severances of surplus dwellings under certain conditions. Section 15.3.4 states that, "The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
- b) the residential lot meets the Minimum Distance Separation criteria;
- c) the dwelling is not required for farm employees; and
- d) the farm land is merged into a single lot."

As per Policy 15.3.5, "Dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided that the criteria of 15.3.4 a, b and c above are met and that the retained agricultural land be zoned to prohibit any residential use."

The proposed severance meets these conditions, as the lot is approximately 0.6 hectares in size, which is within the required range. The Severed Lot is over 500 meters from the nearest livestock barn, and the dwelling is not needed for farm employees. Furthermore, Policy 15.3.5 specifies that when non-abutting farm parcels are consolidated, the retained agricultural land must be zoned to prohibit any new residential development, which the applicant is proposing to do.

Section 17 of the CKLOP outlines that the Environmental Protection Designation applies to areas subject to flooding, Provincially Significant Wetlands (PSW), or other physical hazards. The Severed Land itself does not contain any such designated areas; however, the Retained Land includes an area aligned with the location of the watercourse, which falls under the Environmental Protection Designation. A review of regulation mapping confirms that the Subject Lands are outside the Lake Simcoe Region Conservation

Authority (LSRCA) regulated areas and is not subject to floodplain, meander belt, or erosion hazards. Therefore, the proposed development conforms to the City of Kawartha Lakes Official Plan (2012).

Township of Mariposa Zoning By-law 94-07

The Subject Lands are currently zoned Agricultural (A1) in the City of Kawartha Lakes Zoning By-law 94-07. According to the provisions of the A1 Zone, a single detached dwelling, along with agricultural uses and accessory buildings and structures, are permitted. However, according to the PPS 2024 and City of Kawartha Lakes Official Plan, the Retained Land must not be developed with a single detached dwelling. Consequently, a Zoning By-Law Amendment (ZBA) is necessary. Furthermore, the policies also require the long-term protection of environmental features on the property.

Accordingly, the zoning for a portion of the Retained Land will be amended to a 'Agricultural Exception 44 (A1-44)' Zone, which will explicitly prohibit any residential development, in accordance with the requirements established by Provincial and City planning policies.

Furthermore, areas designated as Environmental Protection and those identified as Significant Woodlands will be rezoned to an 'Environmental Protection (EP)' Zone to ensure the preservation of these critical natural features.

Planning staff support the proposed Zoning By-Law Amendment as it aligns with the City's planning framework and fulfills the requirements of the consent approval process while safeguarding the environmental integrity of the retained lands.

Other Alternatives Considered:

No alternatives have been considered.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy

4. Good Government

In alignment with the strategic priorities, the proposed rezoning would facilitate lot severance that would further protect and preserve natural areas such as wetlands and woodlands, in addition to protecting and supporting agricultural land and agri-business; this supports a healthy environment.

Financial/Operation Impacts:

Not applicable.

Consultations:

Development Services – Planning Division reviewed the proposal and has no further comments.

Building and Septic – reviewed the proposal and has provided no comments.

Engineering and Corporate Assets Department reviewed the proposal and has provided no comments.

Lake Simcoe Region Conservation Authority - reviewed the proposal and has no concerns regarding the proposed Zoning By-law Amendment.

Kawartha Conservation - has reviewed the proposal with respect to natural hazards and water quantity and expressed no concerns with the Zoning By-law Amendment. It was noted that the property is located completely outside of a vulnerable area for municipal drinking water system where policies apply.

Enbridge - reviewed the proposal and has provided no comments.

Conclusion:

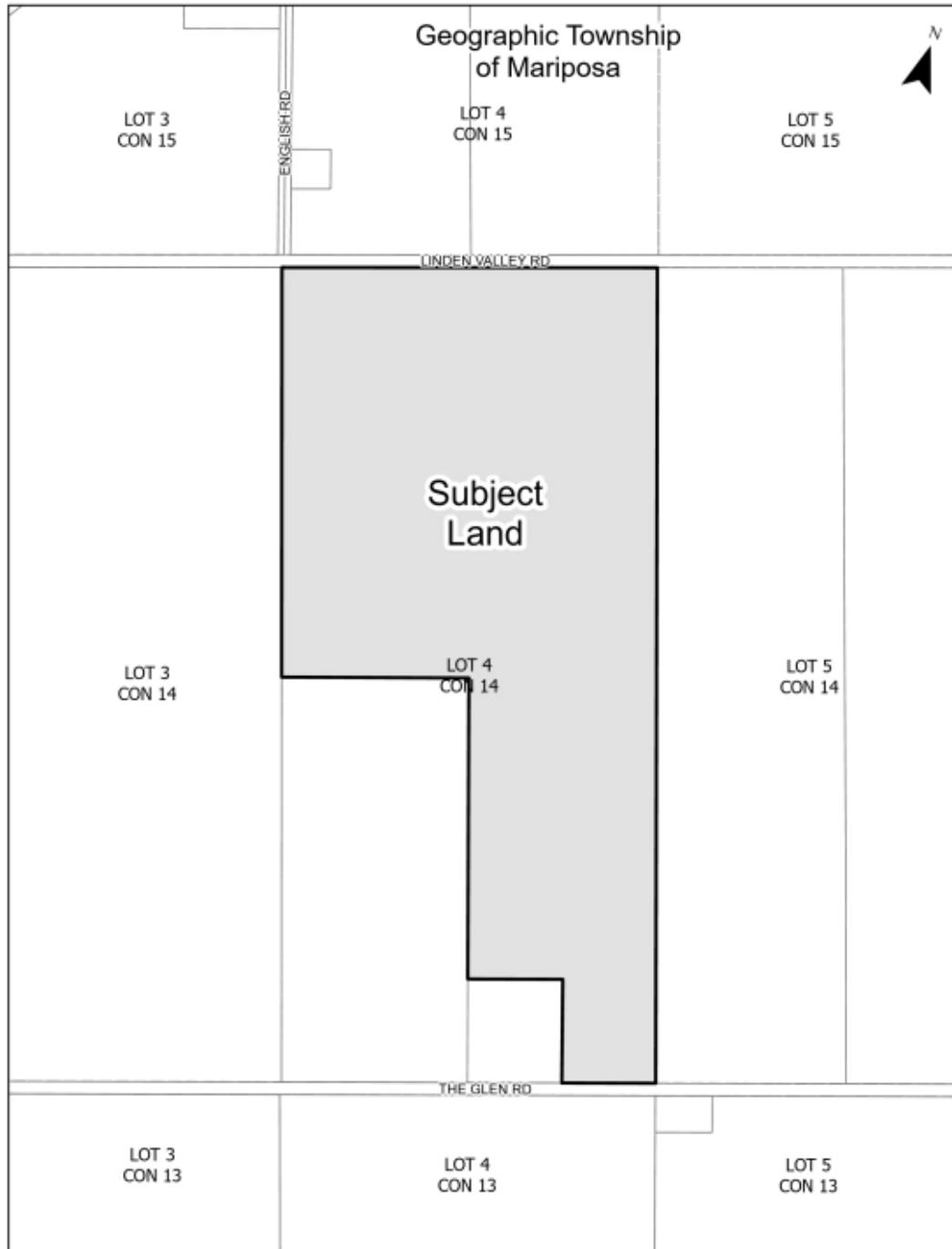
The proposal represents good land use planning by facilitating the severance of a surplus farm dwelling in accordance with policies of the PPS, Kawartha Lakes Official Plan, and Township of Mariposa Zoning By-law 94-07.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2024-021, substantially in the form attached as Appendix 'D' to Report PLAN2024-058, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Raphael Romeral at dillonplanning@kawarthalakes.ca

Attachments:

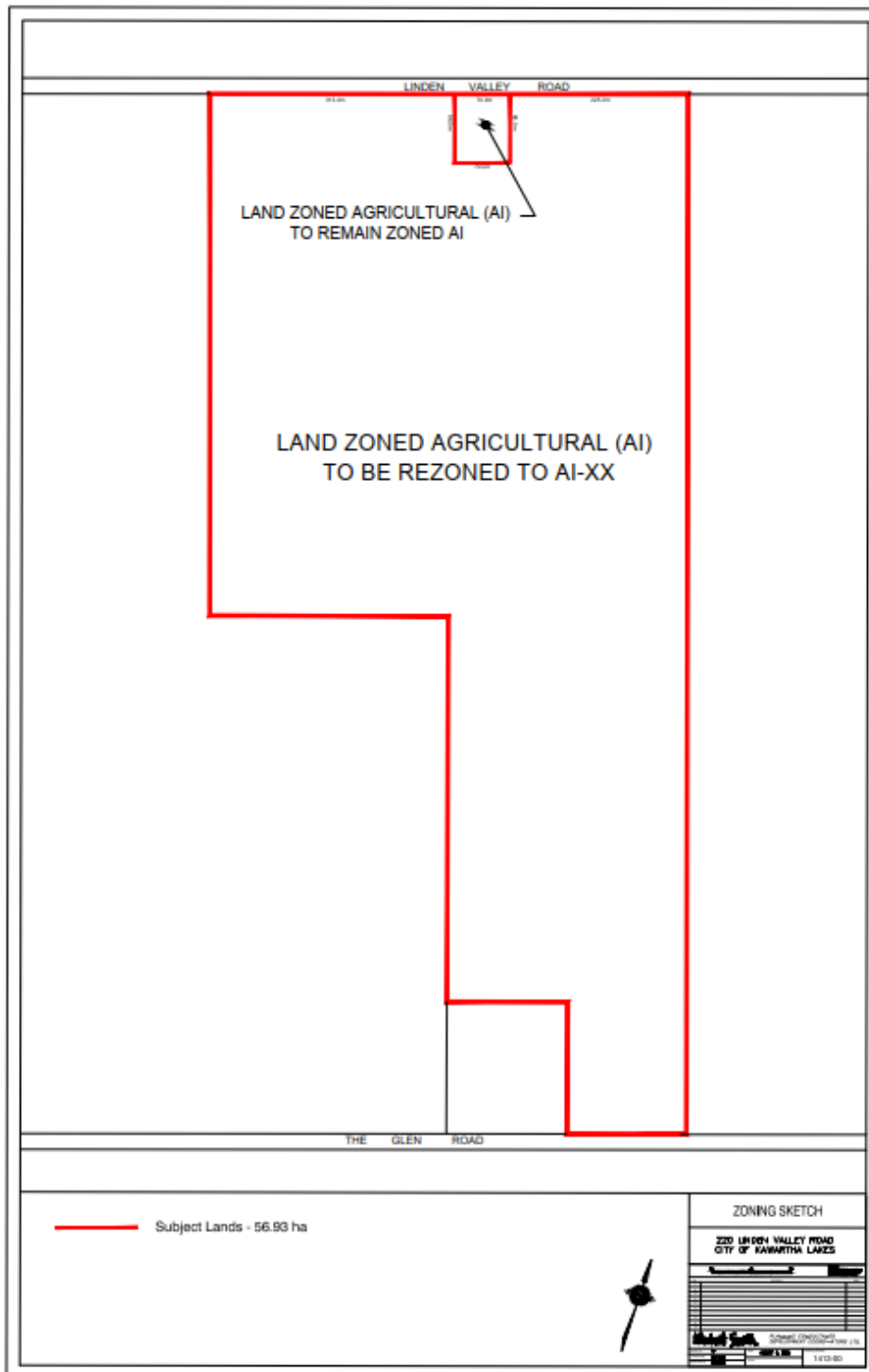
Appendix A – Site Mapping – Location Map



Appendix B – Aerial



Appendix C – Concept Plan (Consent)



Appendix D – Draft Zoning By-law Amendment & Schedule

The Corporation of the City of Kawartha Lakes

By-Law 2024 - ■

**A By-law to Amend the Township of Mariposa Zoning By-law No.
94-07 to Rezone Land within the City Of Kawartha Lakes**

[File D06-2024-021, Report PLAN2024-058, respecting Part Lot 4, Concession 14, Geographic Township of Mariposa, identified as 220 Linden Valley Road – Holcrest]

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 rezone the 'Subject Lands' from 'Agricultural' (A1) Zone to 'Agricultural Exception 44 Zone (A1-44)'; and 'Environmental Protection' (EP) Zone. This would fulfill a condition of provisional consent for application D03-2024-004.
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 2024-■.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 4 Concession 14, Geographic Township of Mariposa, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 94-07 of the Township of Mariposa is further amended to add the following section to Section 8.3
 - 8.3.44 **Agricultural Exception 44 (A1-44) Zone**
 - '8.3.44.1 Notwithstanding the zone provisions for the A1 zone, on land zoned A1-44, the following shall apply:
 - a. Residential uses shall not be permitted.
- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category from the 'Agricultural' (A-1) Zone to the 'Agricultural Exception 44 Zone (A1-44)' for a portion of the 'Subject Lands', as shown on Schedule 'A' attached to this By-law.
- 1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category from the 'Agricultural'

(A-1) Zone to the 'Environmental Protection' (EP) Zone' for a portion of the
'Subject Lands', as shown on Schedule 'A' attached to this By-law.

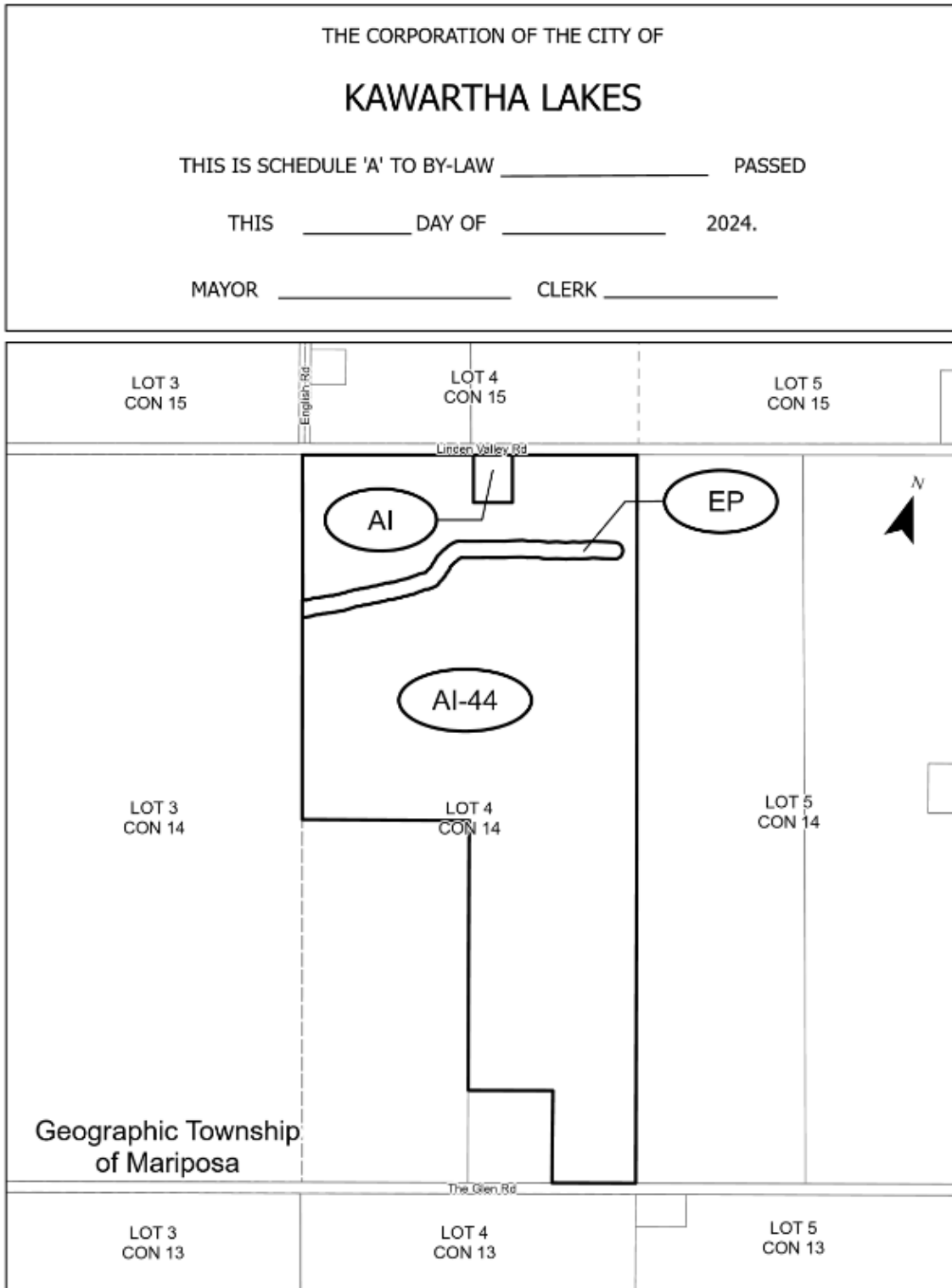
Section 2:00 Effective Date

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 ***, 2024

Douglas J.F. Elmslie, Mayor

Cathie Ritchie, City Clerk



INC-21051

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director

Department File: D06-2024-021

Planning Advisory Committee Report

Report Number:	PLAN2024-059
Meeting Date:	November 6, 2024
Title:	Official Plan Amendment & Zoning By-law Amendment, 75 Main Street (Lot 5 East of Main Street, Plan 70, Village of Bobcaygeon), 75Maindev Inc. (Kevin M. Duguay, KMD Community Planning and Consulting Inc.)
Description:	Amendments to permit the proposed development of a multiple-unit townhouse development (16 units contained in two (2) buildings). D01-2024-007 & D06-2024-016
Type of Report:	Information Report for the purposes of the statutory Public Meeting under section 16; and, further information for the purposes of a returning report under section 34 of the Planning Act, RSO 1990, chapter P.13
Author and Title:	Raphael Romeral, Dillon Consulting Limited and Amanda-Brea Watson, MCIP, RPP Urban Planners on behalf the City of Kawartha Lakes

Recommendation:

That Report **PLAN2024-059**, Official Plan Amendment & Zoning By-law Amendment, 75 Main Street (Lot 5 East of Main Street, Plan 70, Village of Bobcaygeon), 75Maindev Inc. (Kevin M. Duguay, KMD Community Planning and Consulting Inc.), be received for information.

Department Head: _____

Application Summary:

The applicant is seeking to develop a multiple-unit townhouse development (16 units contained in two (2) buildings)¹. An amendment to the Bobcaygeon Secondary Plan is required to permit the density of 78 units per net hectare (129 square metres of lot area per dwelling unit) in the Central Business District land use designation; and, an amendment to the Village of Bobcaygeon Zoning By-law 16-78 is required to change the 'Central Commercial (C1)' Zone to facilitate the proposal.

Please note that previous staff report PLAN2024-52 was received and presented for informational purposes to Planning Advisory Committee on September 11th, 2024 in order to fulfill the statutory public meeting requirement for the Zoning By-law Amendment application component of the proposed development. The re-zoning application is returning for further update.

The intent of the subject staff report PLAN2024-059 is to pair the Official Plan Amendment application component of the proposed development with the existing Zoning By-law Amendment application, and to present the re-designation application for informational purposes in order to fulfill its statutory public meeting requirement.

Owner:	75Maindev Inc.
Applicant:	Kevin M. Duguay, KMD Community Planning and Consulting Inc.
Property Description²:	Legal Description: Lot 5 East of Main Street, Plan 70; Village of Bobcaygeon Municipal Address: 75 Main Street
Official Plan:	'Urban Settlement Area' in Schedule 'A-5' of the City of Kawartha Lakes Official Plan; 'Central Business District' in Schedule F-2 of the Bobcaygeon Secondary Plan
Zoning By-law:	'Central Commercial (C1)' Zone (Schedule 'A') in the Village of Bobcaygeon Comprehensive Zoning By-law 16-78, as amended
Lot Area:	0.21 ha. (0.51 ac.)
Servicing:	Municipal Water; Sanitary Sewers; and Storm sewers
Access:	Municipal – Collector (Main Street)

¹ See Schedule 1 – Proposed Concept Plan

² See Schedule 2 – Site Mapping

Existing Uses:	Residential
Adjacent Uses:	North: Commercial (Business or professional offices)
	East: Residential (Single Family Detached Dwelling)
	South: Commercial (Retail stores, service shops)
	West: Residential (Multiple-unit townhouse)

Application Process:

Further to the Zoning By-law Amendment application submission package and application process described in PLAN2024-52, the Planning Division has since received the Official Plan Amendment application submission package on September 23, 2024, which included the following additional reports and plans in support of the application:

1. Planning Justification Report, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated September 23, 2024;
2. Planning Advisory Committee Report, prepared by the City of Kawartha Lakes, dated September 11, 2024;
3. Official Plan Amendment Summary, prepared by Kevin M. Duguay Community Planning and Consulting Inc.;
4. Application for Official Plan Amendment, prepared by Kevin M. Duguay; and
5. Memo, prepared by Kevin M. Duguay Community Planning and Consulting Inc., dated September 23, 2024.

Staff deemed the Official Plan Amendment application ‘complete’ under the requirements of the Planning Act on September 27, 2024, and initiated Agency consultation on September 27, 2024 with a requested review period of the application submission package by October 11, 2024. All of the reports and plans submitted as part of the Official Plan Amendment application have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the Official Plan Amendment application through circulation of the Notice of Public Meeting on October 10, 2024.

In response, a number of commenting partners have requested additional time to review the materials.

Application Review³:

Planning Staff is reviewing the Official Plan Amendment application submission package in conjunction with the previously submitted Zoning By-law Amendment application submission package, including the Planning Justification Report that was prepared and filed in support of the application, for consistency with provincial policies (including the Provincial Planning Statement, 2024), and conformity with the City of Kawartha Lakes Official Plan, Bobcaygeon Secondary Plan and applicable Zoning By-law.

As part of the review, Planning Staff have determined a number of outstanding issues, and are working with the applicant and relevant parties to address them.

In terms of the Zoning By-law Amendment, the applicant is requesting a reduction in the parking spaces provided for a residential use in the Bobcaygeon Zoning By-law from 2 per dwelling unit to 1 per dwelling unit. On-street parking was noted as a public concern at the previous Planning Advisory Committee meeting on this file on September 11, 2024, and in written correspondence from members of the public. There remains an issue with potential parking spillover onto Main Street. City Development Engineering Staff have also indicated that a more in-depth analysis of parking demand / accommodation is required. Planning Staff concur with this recommendation to ensure there is no potential issue with parking spillover. Parking alternatives have not been identified in the Traffic Brief as of yet.

Furthermore, the proposed development seeks to increase the maximum lot coverage from 30 percent to 46 percent. Comments from City Development Engineering noted that the 6-metre available width of the laneway between the townhouses is not sufficient to safely accommodate parking. This issue, coupled with the already larger lot coverage being sought, poses a challenge to site design that could have operational implications.

In terms of the Official Plan Amendment, the Bobcaygeon Secondary Plan is now in effect. Accordingly, the Victoria County Official Plan policies for the Subject Lands are no longer applicable. The Bobcaygeon Secondary Plan designates the Subject Lands and surrounding area on Main Street as 'Central Business District' and further discussions and review are required to confirm the proposed development fully conforms to the intent of the Secondary Plan in regards to increased density and overall

³ See Schedule 3 – Provincial and Municipal Land Use Framework

compatibility. Staff also wish to support on-going discussions between the proponent and the City's Human Services-Housing Division regarding the feasibility and implementation of at least two (2) affordable housing dwelling units as initially proposed.

Moreover, City Development Engineering staff noted that an evaluation of the servicing allocation based on the existing commercial zoning and proposed servicing requirements for the new proposed residential land use must be completed and updated in the Functional Servicing Report. This is to be completed for both water and sanitary servicing.

These outstanding issues will need to be addressed, as they have impacts to the overall zoning of the Subject Lands and permitted uses proposed through the Official Plan Amendment. Any change to the Official Plan must be consistent with applicable provincial policies, and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. 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. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

The Pre-Consultation Report dated August 26, 2022, proposed a multi-unit residential building consisting of 17 units, whereas this application proposes 16 townhouse units in two (2) buildings of rental tenure.

Conclusion:

Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits, and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

Department Head: Leah Barrie, Director of Development Services

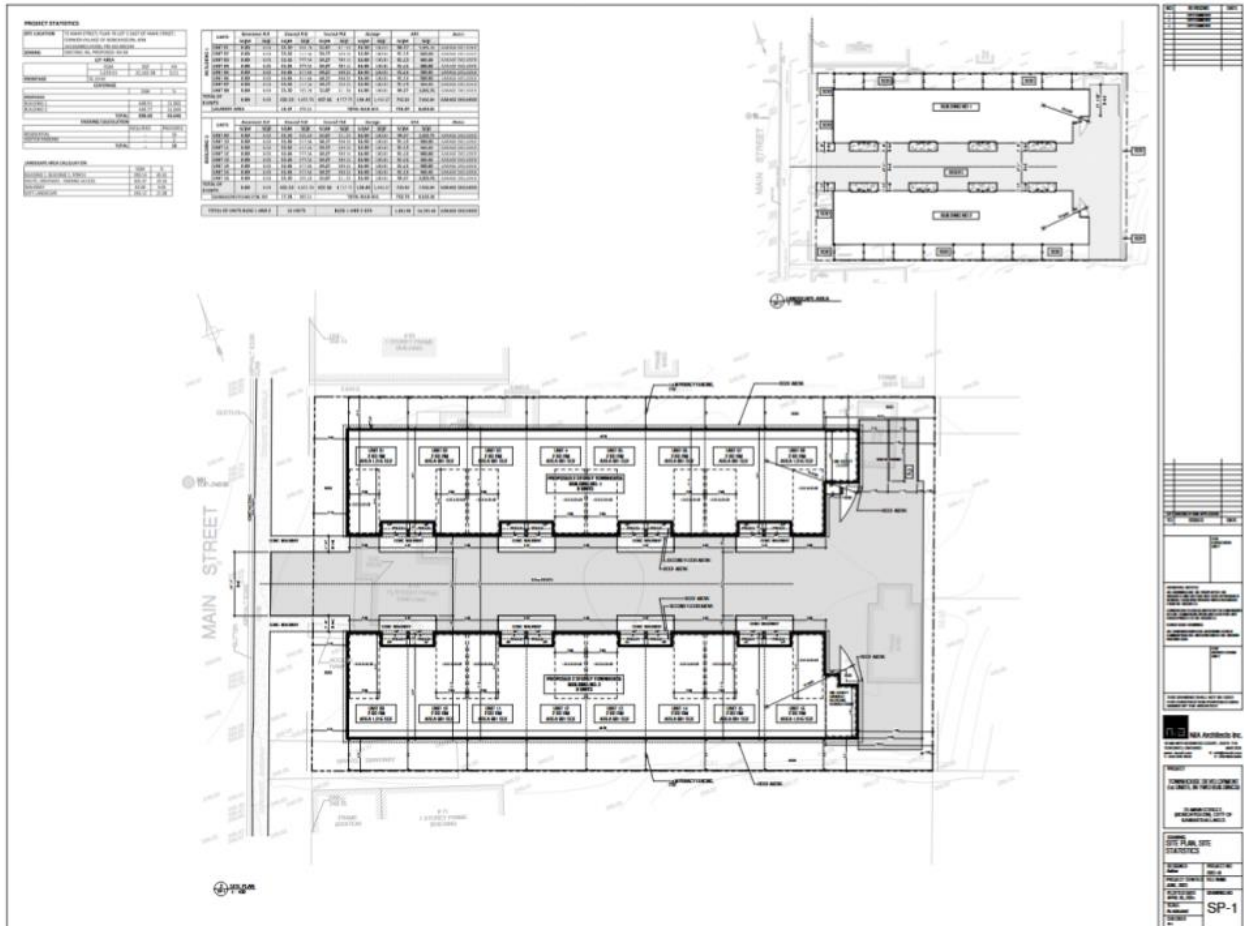
Department Head email: lbarrie@kawarthalakes.ca

Department File: D01-2024-007 & D06-2024-016

Schedule 1 – Proposed Concept Plan

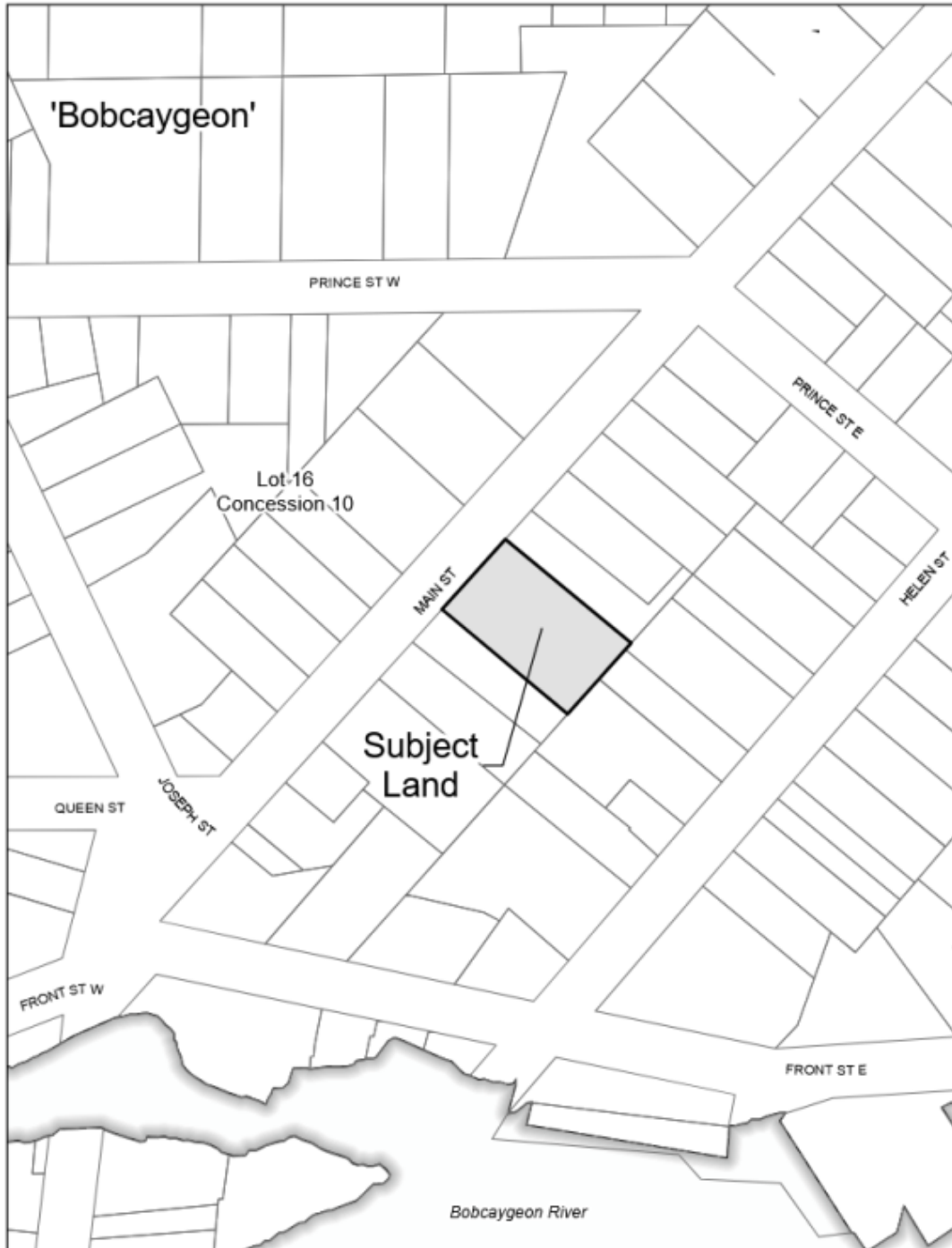


Official Plan Amendment & Zoning By-law Amendment, 75 Main Street (Lot 5 East of Main Street, Plan 70, Village of Bobcaygeon), 75Maindev Inc. (Kevin M. Duguay, KMD Community Planning and Consulting Inc.)

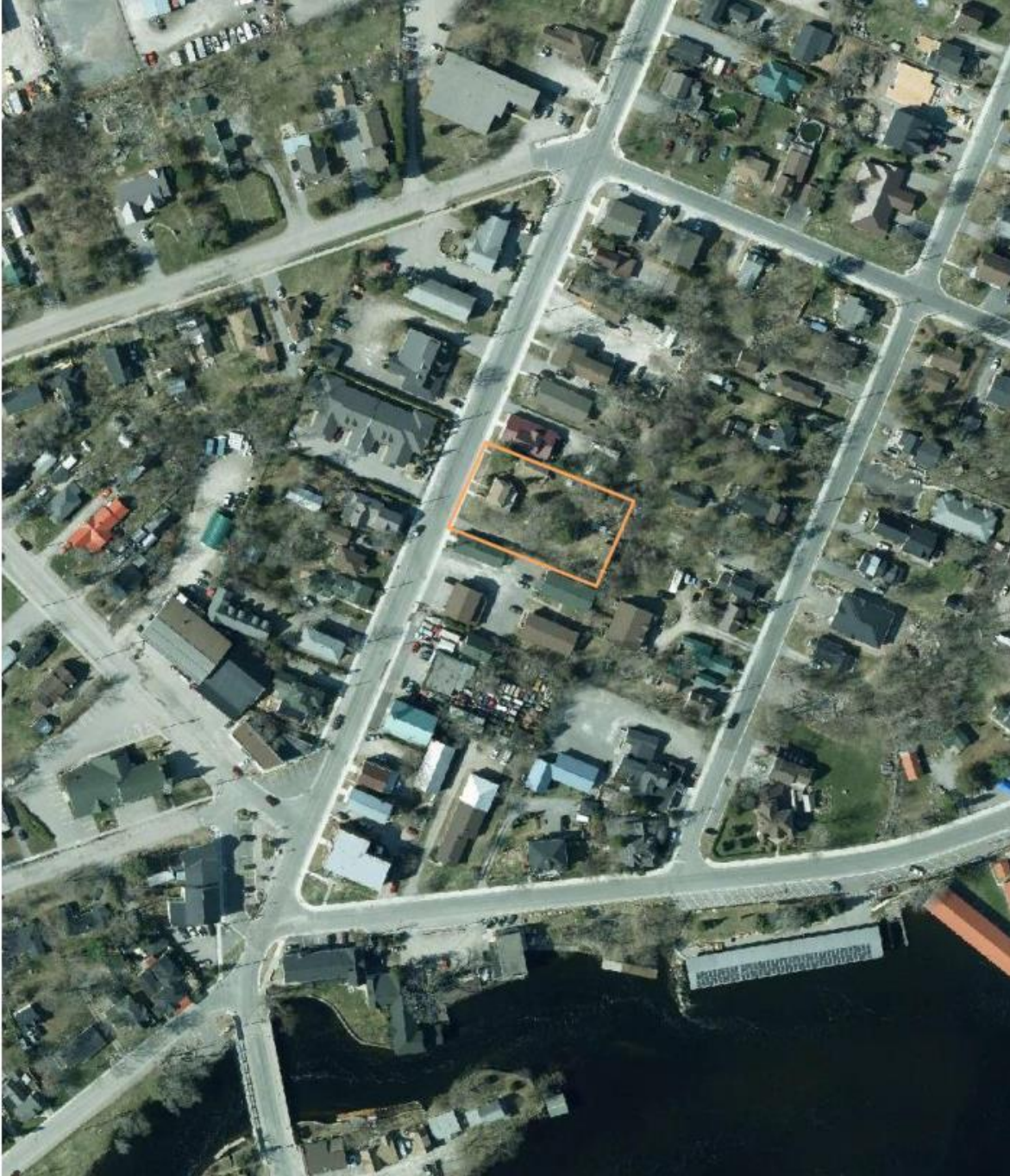


Schedule 2 – Site Mapping

Location Map



Aerial Map



Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Planning Statement (2024)

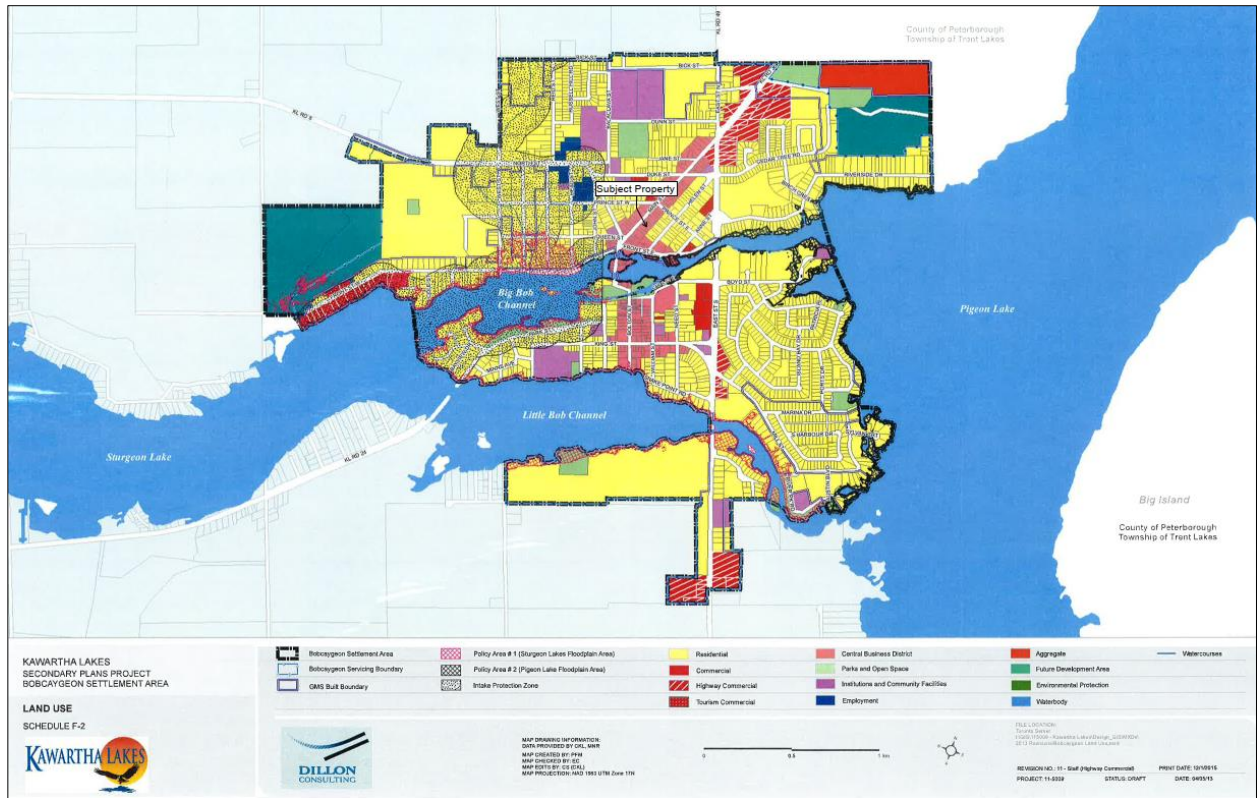
On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The Provincial Planning Statement 2024 (PPS 2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019.

City of Kawartha Lakes Official Plan

The Official Plan is the City's policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law. As such, the policies of the Bobcaygeon Secondary Plan within the City of Kawartha Lakes Official Plan now apply. The lands are designated

'Central Business District' as indicated in the following schedule:



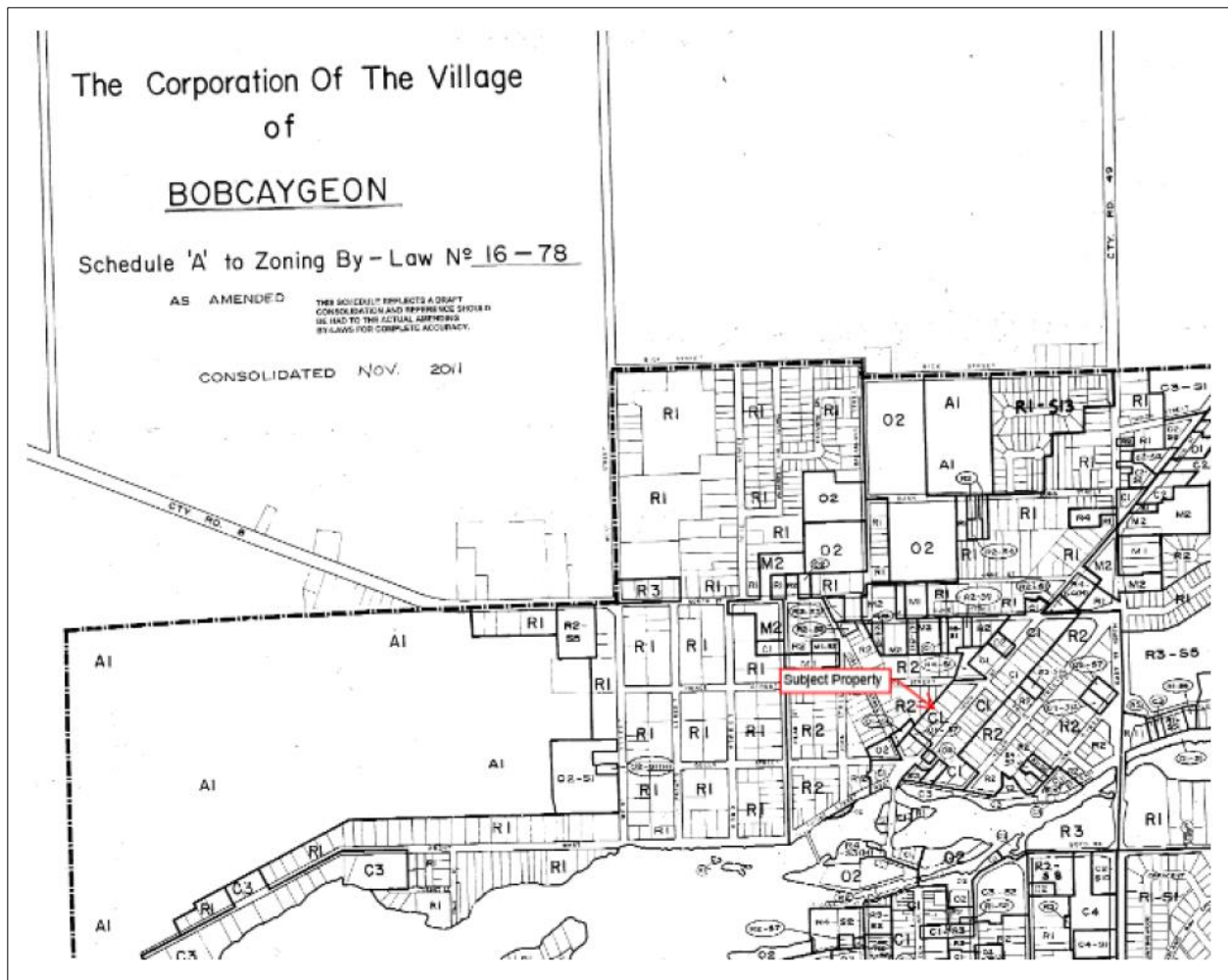
As per policy 31.3.3.2.2 of the Bobcaygeon Secondary Plan, “The predominant use of land in the Central Business District land use designation shall be a full range of retail and commercial uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings”.

Furthermore, the Bobcaygeon Secondary Plan (now in effect) permits a maximum of 60 dwelling units per net hectare according to Policy 31.3.3.1.4 - Medium Density Residential Development.

Village of Bobcaygeon Zoning By-law 16-78

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The lands are zoned 'Central Commercial (C1)' as indicated in the following schedule:





Planning Advisory Committee Report

Report Number:	PLAN2024-060
Meeting Date:	November 6, 2024
Title:	Official Plan Amendment & Zoning By-law Amendment, 400 Kent Street West, Nautical Lands Group c/o George Whittington
Description:	Application to amend the Lindsay Secondary Plan to redesignate a portion of the site to accommodate a supportive living housing development consisting of a four-storey apartment building with 76 apartment-style dwellings and a mix of amenity uses, and 47 bungalow townhouse dwellings – D01-2024-004; and, Application to amend the Town of Lindsay Zoning By-law 2000-75 from a 'General Commercial Exception 6 (GC-S6) Zone' to a 'Site-Specific Mixed Residential Commercial (MCR) Zone' - D06-2024-013
Type of Report:	Information Report for the purposes of the statutory Public Meeting under section 34 of the Planning Act, RSO 1990, chapter P.13
Author and Title:	Mark Fishman, Dillon Consulting Limited and Lindsay Nooren, MCIP, RPP Urban Planners on behalf of the City of Kawartha Lakes

Recommendation:

That Report **PLAN2024-060**, Official Plan Amendment & Zoning By-law Amendment, 400 Kent Street West (OPS CON 4 PT LOT 21 RP;57R7657 PARTS 2 AND 3 RP;57R8782 PT PART 2 RP;57R10078 PART 2 in the Town of Lindsay in the City of Kawartha Lakes), Nautical Lands Group c/o George Whittington, be received for information.

Department Head: _____

Application Summary:

The applicant is seeking to develop a portion of the lands at 400 Kent Street West (known as the 'Subject Land') to accommodate a supportive living housing development consisting of a four-storey apartment building with 76 apartment-style dwellings and a mix of amenity uses, and 47 bungalow townhouse dwellings¹. Amendments to the Lindsay Secondary Plan and Town of Lindsay Zoning By-law are required to facilitate the proposal.

Owner:	CP REIT ONTARIO PROPERTIES
Applicant:	Nautical Lands Group c/o George Whittington
Property Description²:	Legal Description: OPS CON 4 PT LOT 21 RP;57R7657 PARTS 2 AND 3 RP;57R8782 PT PART 2 RP;57R10078 PART 2
	Municipal Address: 400 Kent Street West
Official Plan:	'Commercial' in Schedule F-1 (Land Use) of the Lindsay Secondary Plan
Zoning By-law:	'General Commercial Exception 6 (GC-S6) Zone' (Schedule A) in the Town of Lindsay Zoning By-law 2000-75
Lot Area:	Subject Land - 2.25 ha (5.56 acres)
Servicing:	Water: City-owned/operated water system Sanitary: City-owned/operated sewage system Stormwater: Storm sewers
Access:	Provincial – Highway (Highway 35) Municipal – Arterial Road (Kent Street West) Municipal – Collector Road (St. Joseph Road)
Existing Uses:	Subject Land is currently vacant. The CP REIT Ontario Properties Limited ("Choice") lands immediately to the east are occupied by an existing Loblaws Grocery Store and Gas Station.

¹ See Schedule 1 – Proposed Concept Plan

² See Schedule 2 – Site Mapping

Adjacent Uses:	North: Residential/Institutional - Bloom Retirement Community. Parks and Open Space - Wilson Fields
	East: Commercial - Loblaws Grocery Store and Gas Station
	South: Commercial - Lindsay Square Mall
	West: Institutional - Ontario Court of Justice

Application Process:

The Planning Division received the application submission package on March 19, 2024, which included the following reports and plans in support of the application:

- Planning Justification Report, prepared by Nautical Lands Group, dated January 30, 2024 (revised September 27, 2024);
- Concept Site Plan, prepared by Nautical Lands Group, dated February 20, 2021 (revised September 20, 2024);
- Plan of Survey with Topography of South Half of Lot 21 Concession 4, City of Kawartha Lakes, prepared by Speight, Van Nostrand & Gibson Limited, dated March 5, 2001;
- Noise Impact Study, prepared by aeroustics, dated January 10, 2024;
- Stage 1 Archaeological Assessment, prepared by WSP, dated December 18, 2023;
- Traffic Operation Assessment, prepared by NexTrans Consulting Engineers, dated October 19, 2023;
- Cross Sections (Servicing Connections), prepared by ODAN-DETECH Consulting Engineers, dated November 24, 2023;
- Functional Servicing & Stormwater Management Report, prepared by ODAN-DETECH Consulting Engineers, dated October, 2023;
- Conceptual Site Grading Plan, prepared by ODAN-DETECH Consulting Engineers, dated November 24, 2023;
- Conceptual Site Servicing Plan, prepared by ODAN-DETECH Consulting Engineers, dated November 24, 2023;
- Geotechnical Investigation, prepared by Paterson Group, dated January 3, 2024;
- Environmental Impact Study, prepared by Pinchin, dated December 15, 2023;
- Commercial Land Impact Assessment, prepared by Tate Economic Research Inc., dated August 1, 2023;
- Affordability Analysis, prepared by Tate Economic Research Inc., dated August 1, 2023;
- Conceptual Landscape Plan, prepared by Nautical Lands Group, dated September 20, 2024;

- Official Plan Amendment Application, prepared by George Whittington, dated March 19, 2024; and,
- Zoning By-law Amendment Application, prepared by George Whittington, dated March 19, 2024.

After discussion with the applicant, staff received a revised Design Brief on May 23, 2024, to provide a rationale for how the proposed development aligns with the urban design policies outlined in the Lindsay Secondary Plan.

Staff deemed the application 'complete' under the requirements of the Planning Act on May 23, 2024, and initiated Agency consultation on May 23, 2024 with a requested review period of the application submission package by June 13, 2024. After a Development Review Team meeting regarding the application took place on June 26 2024, the applicant chose to redo their site plan and to not appear at PAC until it was a more complete iteration with comments from staff incorporated. The revised PJR and site plan were received on September 27th and circulated October 1st, with comments due October 15th. Changes to the site only concerned the orientation of buildings and a loss of 4 units, the overall proposal remained the same. The public has been notified of the applications through circulation of the Notice of Public Meeting on October 10, 2024.

Staff are working with the applicant to address the deficiencies of this initial application conformity. This included the land use itself, site entrance, and site design. The comments also indicated a Traffic Impact Study be completed which may need to be peer reviewed at the applicant's expense upon completion. Once these matters have been addressed the application can return to PAC.

Application Review³:

Planning staff is continuing to review the application submission package including the Planning Justification Report that was prepared and filed in support of the application, for consistency with provincial policies (including the Provincial Planning Statement, 2024, which is in effect as of October 20, 2024), conformity with the City of Kawartha Lakes Official Plan, and applicable Zoning By-law.

³ See Schedule 3 – Provincial and Municipal Land Use Framework

Any change to the Official Plan must be consistent with applicable provincial policies and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. 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. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

The Preconsultation Report dated August 27, 2021, proposed the same supportive living housing development, however it consisted of a four-storey 76-unit building, and 50 bungalow townhouse units for a total of 126 residential units. The number of bungalow townhouse units is now 47 and the configuration of the apartment along with townhouse blocks have changed on the Subject Land.

Conclusion:

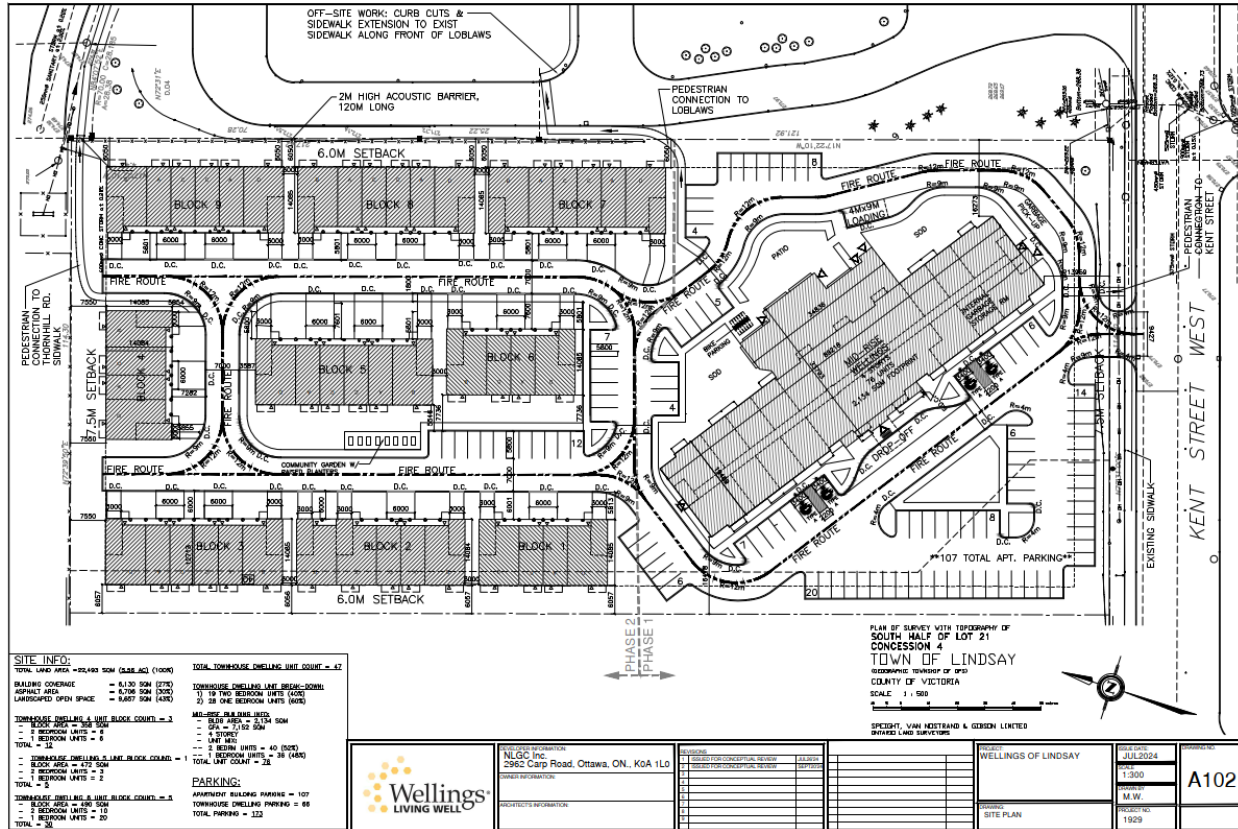
Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits, and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

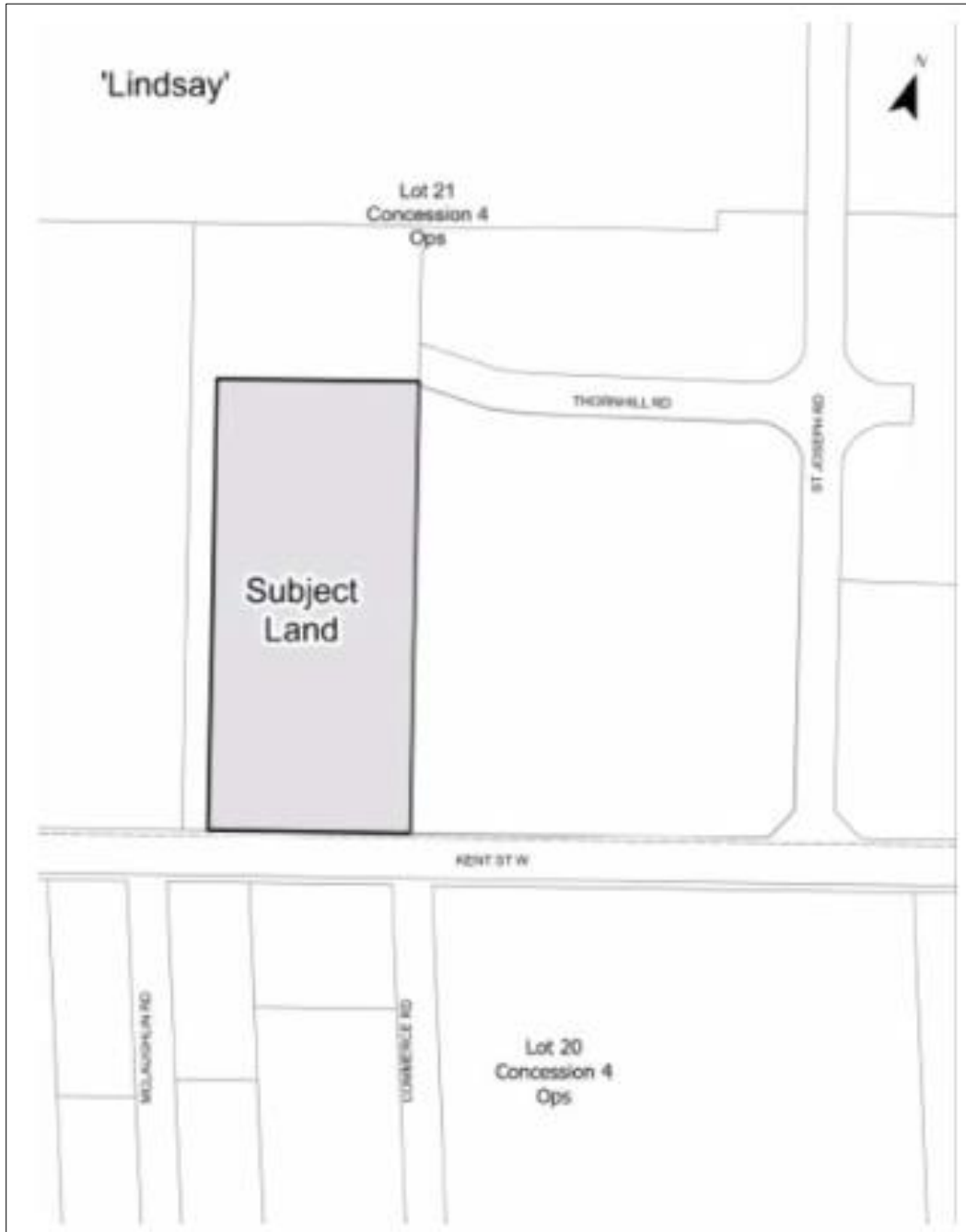
Department File: D01-2024-004 & D06-2024-013

Schedule 1 – Proposed Concept Plan



Schedule 2 – Site Mapping

Location Map



Aerial Map



Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Planning Statement (2024)

On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The Provincial Planning Statement 2024 (PPS 2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The PPS 2024 came into full force and effect on October 20, 2024.

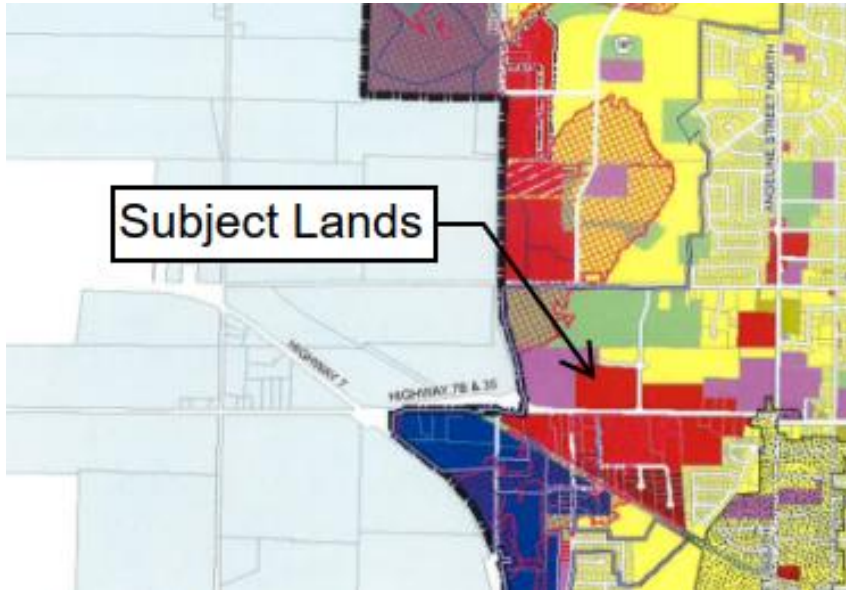
The PPS 2024 provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

City of Kawartha Lakes Official Plan

The Official Plan is the City's policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law.

The 'Subject Land' is within the 'Commercial' land use designation in Schedule F-1 (Land Use) of the Lindsay Secondary Plan.



Zoning By-Law - Township of Lindsay Zoning By-law 2000-75

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The 'Subject Land' is currently zoned 'General Commercial Exception 6 (GC-S6) Zone' in Schedule A of the Township of Lindsay Zoning By-law 2000-75.

