

# The Corporation of the City of Kawartha Lakes

## Planning Report

Report Number PLAN2016-013

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**Date:** March 9, 2016

**Time:** 1:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** Ward 13

**Subject:** An application for Condominium Description Exemption for a 22 unit apartment building on land identified as 29 Lakewood Crescent, former Village of Bobcaygeon, now City of Kawartha Lakes.

**Author/Title:** Sherry L. Rea, Planning Coordinator

**Signature:** 

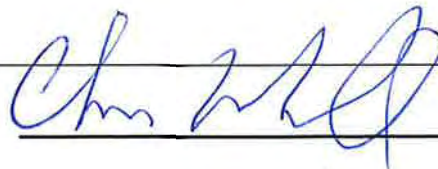
### Recommendation:

**RESOLVED THAT** Report PLAN2016-013, respecting Lot 59, RCP 564, former Village of Bobcaygeon, and identified as 29 Lakewood Crescent, Application No. D04-16-001, be received;

**THAT** the Application for Condominium Description Exemption filed by Greg Knight, on behalf of 1735549 Ontario Inc. for a 22 unit apartment building, 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:**



**Corporate Services Director / Other:**

**Chief Administrative Officer:**



## Background:

Greg Knight, on behalf of 1735549 Ontario Inc. has filed an Application for a Condominium Description Exemption under c.19, s.9 (3) and (6) of the *Condominium Act*, S.O. 1998 for 29 Lakewood Crescent, former Village of Bobcaygeon, now City of Kawartha Lakes. The property is known as the Lakewood Condominiums and is developed with a two storey 22 unit apartment building together with parking shelters and access onto Lakewood Crescent. See Appendix "A" and "B" attached.

Owner: 1735549 Ontario Inc.

Applicant: Greg Knight

### Legal

Description: Lot 59, RCP 564, former Village of Bobcaygeon, now City of Kawartha Lakes.

Official Plan: Designated *Urban* on Schedule B of the Victoria County Official Plan.

Zone: Urban Residential Type Four Exception Eight (R4-S8) in the Village of Bobcaygeon Zoning By-law No. 16-78.

Total Area: 7,729.5 sq.m.

Site Servicing: Full urban services – water, sanitary sewer, storm sewer, streetlights, curb and gutter.

Existing Use: 22 unit apartment building.

Adjacent Uses: North, South and East - Residential  
West - Proposed Residential

## Rationale:

The subject land is located at the south east corner of Lakewood Crescent and Austin Boulevard in Bobcaygeon and is developed with a 22 unit apartment building known as the Lakewood Condominiums. Greg Knight, on behalf of 1735549 Ontario Inc. has filed an Application for a Condominium Description Exemption under c.19, s.9 (3) and (6) of the *Condominium Act*, S.O. 1998 to exempt the description of the Lakewood Condominiums from Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c.P.13. and allow for the registration of the Condominium Plan. The applicable Acts allow for exemptions provided that certain planning criteria are met such as conformity with the Official Plan and applicable Zoning By-law, the development has previously undergone a public consultation process under the *Planning Act* and the development has had the benefit of a comprehensive municipal review through a planning application such as Site Plan Approval.

The following was submitted in support of the request:

1. Draft Victoria Standard Condominium Plan prepared by Coe Fisher Cameron, a wholly owned subsidiary of J. D. Barnes Limited. See Appendix "C" attached.
2. Draft Victoria Standard Condominium Plan, Level 1 and Level 2, prepared by Coe Fisher Cameron, a wholly owned subsidiary of J. D. Barnes Limited. See Appendix "D" attached.
3. Draft Victoria Standard Condominium Plan, The Extent and Location of the Exclusive Use Portions of the Common Elements on Level 1, prepared by Coe Fisher Cameron, a wholly owned subsidiary of J. D. Barnes Limited. See Appendix "E" attached.
4. Copy of the Site Plan approved by former Director Taylor and dated December 1, 2014. See Appendix "F" attached.

## **Provincial Policies:**

### **Growth Plan for the Greater Golden Horseshoe (Growth Plan):**

The lands are identified as being in a *Settlement Area* in the Growth Plan for the Greater Golden Horseshoe 2006 (Growth Plan). Section 2.2.2 Managing Growth policies states that population and employment growth will be accommodated by directing development to *settlement areas*, and encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services. The application conforms to the Growth Plan in that it allows for the registration of the Condominium Plan and the creation of the individual residential units.

### **2014 Provincial Policy Statement (PPS):**

Section 1.1.1 of the PPS provides that healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential, employment (including industrial and commercial), institutional, recreation, park and open space uses and other uses to meet long term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) promoting cost effective development patterns and standards to minimize land consumption and servicing costs; and
- e) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society.

The application has regard to the applicable policies in the PPS in that the development fronts a publically maintained road and represents compact residential development on full municipal services.

### **Servicing Comments:**

The Application for Condominium Description Exemption was circulated to Engineering and Assets and Public Works for review and comment. Both departments have indicated that they have no objection or comment based on the existence of a site plan agreement and engineering review.

### **Accessibility Implications:**

Any accessibility standards established in the Building Code were shown on the construction drawings as part of the application for a building permit and had to be approved by the City prior to the issuance of a building permit.

### **Consultations:**

No further consultations were undertaken as this time.

### **Development Services Planning Division Comments:**

Section 9 (3) and (6) of the *Condominium Act*, S.O. 1998 allows for Condominium Description Exemptions from Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c.P.13 provided that the following planning criteria are met:

#### **Conformity with the Official Plan and the applicable Zoning By-law**

The subject land is designated *Urban* in the County of Victoria Official Plan and zoned Urban Residential Type Four Exception Eight (R4-S8) in the Village of Bobcaygeon Zoning By-law No. 16-78. This is the appropriate land use designation and zone category for the development.

#### **The development has previously undergone a public consultation process under the *Planning Act***

The property was the subject of an application for rezoning (File No. D06-19-129) which was subject to the public consultation process under the *Planning Act*.

#### **The development has had the benefit of a comprehensive municipal review through a planning application such as Site Plan Approval:**

A Site Plan Agreement between the City and 1735549 Ontario Inc. was registered March 2, 2015 and receipted as KL96280. The City is in receipt of the appropriate securities to ensure completion of site works. See Appendix F attached.

The applicant has demonstrated that the above planning criteria have been met and that upon Council's approval of the application, the Certificate of Exemption may be signed by the Director and the Condominium Plan registered. This process provides for responsible, efficient and effective service delivery by avoiding unnecessary processing.

### **Other Alternatives Considered:**

No other alternatives were considered at this time.

### **Financial Considerations:**

There are no financial implications regarding Council's considerations respecting the approval or refusal of the 1735549 Ontario Inc. request. The decision to approve or refuse the application for Condominium Description Exemption cannot be appealed.

### **Relationship of Recommendation(s) To Strategic Priorities:**

The Application for Condominium Description Exemption does not directly impact or align with a specific Strategic Priority.

### **Conclusions:**

The applicant has demonstrated that the 22 unit apartment building has been the subject of appropriate planning applications, public consultation and municipal review that provide support for the request for a Condominium Description Exemption. Staff respectfully recommends that application be APPROVED.

### **Attachments:**

#### **Appendix "A" – Location Map**



Appendix 'A' -  
Location Map.pdf

#### **Appendix "B" – Draft Plan of Condominium**



Appendix 'B' - Draft  
Plan of Condominium

## Appendix "C" – Draft Victoria Standard Condominium Plan



Appendix 'C' - Draft  
Victoria Standard Con

## Appendix "D" – Draft Victoria Standard Condominium Plan, Level 1 and Level 2



Appendix 'D' - Draft  
Victoria Standard Con

## Appendix "E" – Draft Victoria Standard Condominium Plan, The Extent and Location of the Exclusive Use Portions of the Common Elements on Level 1



Appendix 'E' - Draft  
Victoria Standard Con

## Appendix "F" – Approved Site Plan



Appendix 'F' -  
Approved Site Plan.p

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**E-Mail:** [srea@city.kawarthalakes.on.ca](mailto:srea@city.kawarthalakes.on.ca)

**Department Head:** Chris Marshall

**Department File:** D04-16-001

'Bobcaygeon'

APPENDIX

A

to  
REPORT

PLAN 2016-013

FILE NO.

D04-16-001

Ports Dr

Marina Dr

Lakewood Cres

Sylvan Ct

South Harbour Dr

South Harbour Dr

Mill St.

Lakewood Cres

'SUBJECT  
LAND'

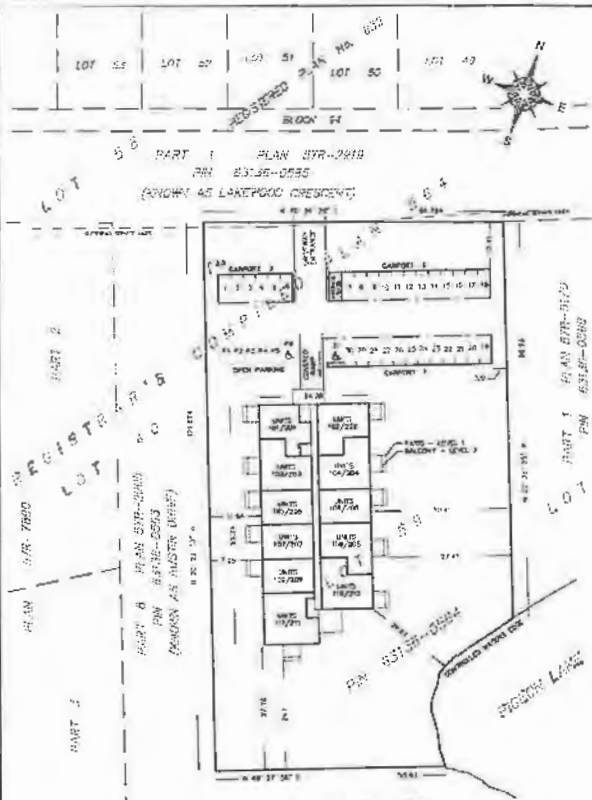
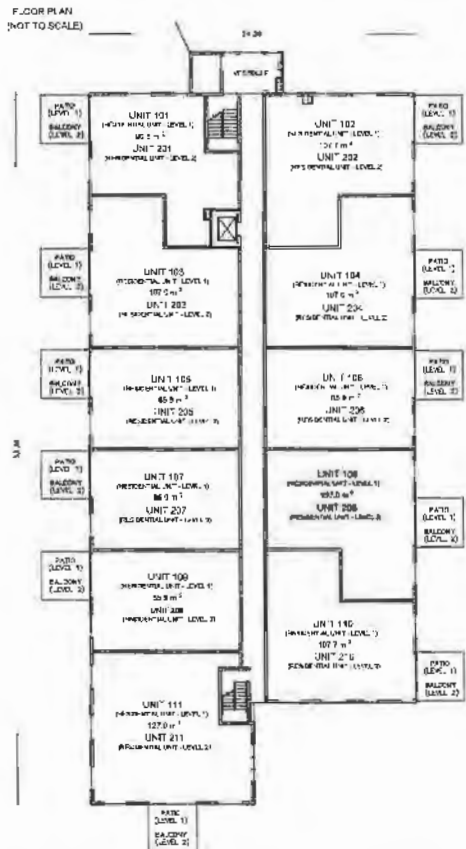
Austin Blvd

River Park Dr.

Pigeon Lake



FLOOR PLAN  
(NOT TO SCALE)



KEY PLAN

UNITA  
DISTANCES SHOWN ON THE PLAN ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY MULTIPLYING BY 3.2808

AREA  
 = AREA OF PROPERTY = 7840 Sq ft  
 = AREA OF RECREATING MACHINE = 1509 Sq ft  
 = AREA OF CANNETT 1 = 245.7 Sq ft  
 = AREA OF CANNETT 2 = 225.7 Sq ft  
 = AREA OF CANNETT 3 = 186 + 24 =

MINIMUM 10000000 RETRACK -  
 MINIMUM 5000000 RETRACK -

**ACQUISITION INFORMATION**

**EXCLUDING LINE AMOUNTS**

- EACH LEVEL 1 UNIT HAS FIVE LINE L.C. IN 1 PART
- EACH LEVEL 2 UNIT HAS DISCOUNT OF ONE ELEMENT
- EACH UNIT HAS DISCOUNT OF ONE ELEMENT
- PARTIAL ELEMENTS AND COMMON ELEMENTS ARE DISCOUNTED
- EACH UNIT HAS DISCOUNT OF ONE ELEMENT

**ELIMINATION OF UNITS AS PER PLAN**

**TYPICAL CHANGING OF UNITS AS PER PLAN**

DRAFT PLAN OF CONDOMINIUM  
 ON ALL OF  
 LOT 59  
 REGISTRAR'S COMPILED PLAN 564  
 FORMERLY VILLAGE OF BOBCAYGEON  
 CITY OF KAWARTHA LAKES

SCALE : 500



ROBERT C. THAYER SURVEYING LTD. RECEIVED  
ADDITIONAL INFORMATION REQUIRED  
NUMBER OF COPIES OF THIS DOCUMENT SENT

OWNER'S CERTIFICATE

9472 2007年10月 49卷 10期

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE DIMENSIONS OF THE LAND IS AS DESCRIBED AND THEIR  
ADJACENCY TO THE ADJACENT LANDS ARE CORRECTLY SHOWN ON THIS PLAN

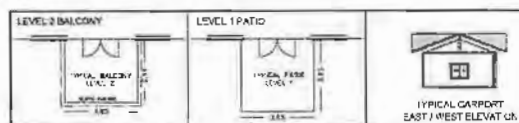
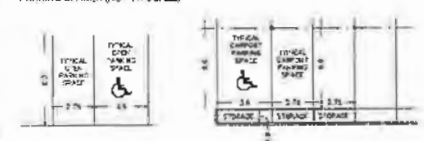
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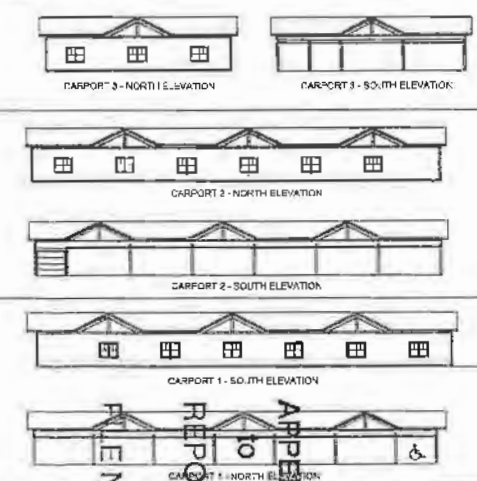
1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

**THALER**  
LAND SURVEYING  
INSTRUMENTS  
ROBERT C. THALER O.L.S.

PARKING SPACES (NOT TO SCALE)



RESIDENTIAL BUILDING (NOT TO SCALE)



APPENDIX B

REPORT DAN-3016-07E

FILE NO. D04-16-001





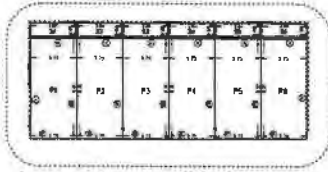


PLAN OF SURVEY OF  
THE EXTENT AND LOCATION OF  
THE EXCLUSIVE USE PORTIONS  
OF THE COMMON ELEMENTS  
ON LEVEL 1

SCALE 1:200

COI FISHER CAMERON - 2015

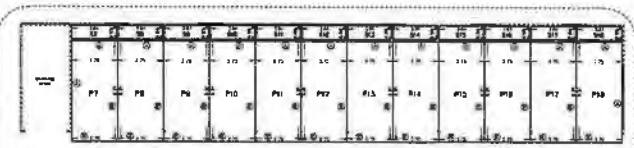
ALL DIMENSIONS ARE IN METERS



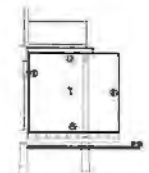
DETAIL 'A' ILLUSTRATING EXCLUSIVE USE  
STORAGE AREAS S1 TO S5, INCLUSIVE AND  
EXCLUSIVE USE PARKING AREAS P1 TO P6, INCLUSIVE  
(NOT TO SCALE)



PLAN VIEW ILLUSTRATING TYPICAL  
HORIZONTAL BOUNDARIES FOR  
EXCLUSIVE USE STORAGE AREAS  
(NOT TO SCALE)



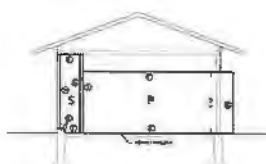
DETAIL 'B' ILLUSTRATING EXCLUSIVE USE  
STORAGE AREAS S7 TO S31, INCLUSIVE AND  
EXCLUSIVE USE PARKING AREAS P7 TO P31, INCLUSIVE  
(NOT TO SCALE)



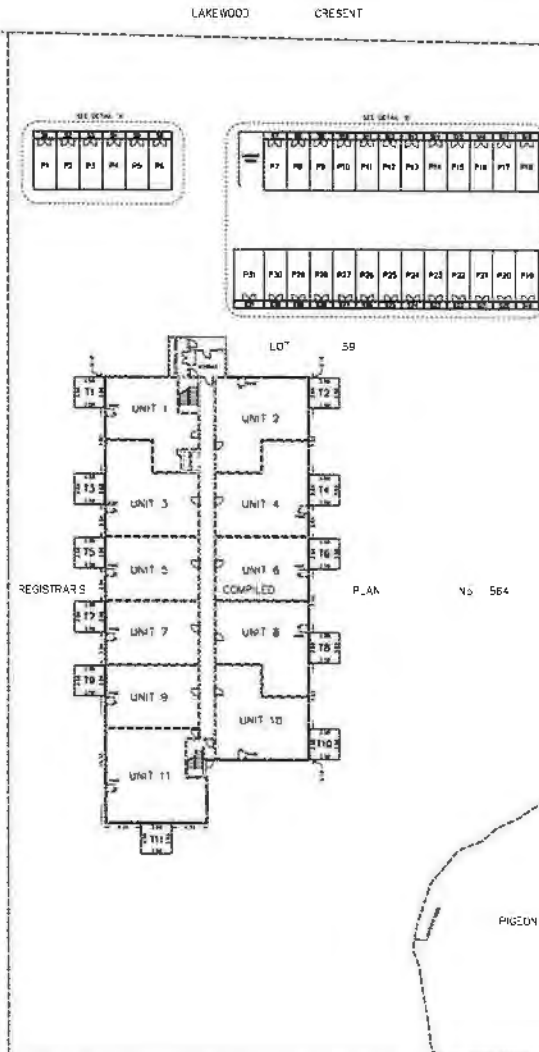
SECTIONAL VIEW ILLUSTRATING  
TYPICAL VERTICAL BOUNDARIES OF  
EXCLUSIVE USE PATIO AREAS  
(NOT TO SCALE)



PLAN VIEW ILLUSTRATING TYPICAL  
HORIZONTAL BOUNDARIES FOR  
EXCLUSIVE USE PATIO AREAS  
(NOT TO SCALE)



SECTIONAL VIEW ILLUSTRATING TYPICAL  
VERTICAL BOUNDARIES OF EXCLUSIVE USE  
STORAGE AREAS AND PARKING AREAS  
(NOT TO SCALE)



NOTES AND LEGEND

- 1. EXCLUSIVE USE STORAGE AREA
- 2. EXCLUSIVE USE PATIO AREA
- 3. EXCLUSIVE USE PARKING AREA
- 4. EXCLUSIVE USE COMMON ELEMENTS
- 5. EXCLUSIVE USE COMMON ELEMENTS
- 6. EXCLUSIVE USE COMMON ELEMENTS
- 7. EXCLUSIVE USE COMMON ELEMENTS
- 8. EXCLUSIVE USE COMMON ELEMENTS
- 9. EXCLUSIVE USE COMMON ELEMENTS
- 10. EXCLUSIVE USE COMMON ELEMENTS
- 11. EXCLUSIVE USE COMMON ELEMENTS
- 12. EXCLUSIVE USE COMMON ELEMENTS
- 13. EXCLUSIVE USE COMMON ELEMENTS
- 14. EXCLUSIVE USE COMMON ELEMENTS
- 15. EXCLUSIVE USE COMMON ELEMENTS
- 16. EXCLUSIVE USE COMMON ELEMENTS
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- 26. EXCLUSIVE USE COMMON ELEMENTS
- 27. EXCLUSIVE USE COMMON ELEMENTS
- 28. EXCLUSIVE USE COMMON ELEMENTS
- 29. EXCLUSIVE USE COMMON ELEMENTS
- 30. EXCLUSIVE USE COMMON ELEMENTS
- 31. EXCLUSIVE USE COMMON ELEMENTS

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that the foregoing is a true and correct copy of the original plan as shown to me by the owner.



FILE NO.

DD4-16-001

APPENDIX "E"  
to  
REPORT  
Plan 2016-013



