

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

PC2018-02
Wednesday, March 7, 2018
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Councillor Brian Junkin
Councillor Rob Macklem
Councillor Gord Miller
Councillor Patrick O'Reilly
Councillor Heather Stauble
Councillor Andrew Veale
Mike Barkwell
Debbie Girard

Accessible formats and communication supports are available upon request.

1. Call to Order and Adoption of Agenda

Chair O'Reilly called the meeting to order at 1:01 p.m. Mayor A. Letham, Councillors B. Junkin, R. Macklem, G. Miller, H. Stauble and A. Veale and M. Barkwell were in attendance.

Deputy Clerk and Recording Secretary A. Rooth, Administrative Assistant K. Lewis, Director C. Marshall, Supervisor C. Sisson, Planner IIs D. Harding and M. LaHay and Planning Officer I. Walker were also in attendance.

Absent: D. Girard

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

Moved By Councillor Miller

Seconded By Councillor Junkin

That the agenda for the Wednesday, March 7, 2018 Planning Advisory Committee Meeting be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest noted.

3. Public Meeting

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 PLAN2018-024

An application to amend the Township of Fenelon Zoning By-law 12-95 to make textual amendments to the Rural Residential Type Three Exception Seven (RR3-7) Zone and adjust the boundaries of the Rural Residential Type Three (RR3) Zone and Rural Residential Type Three Exception Seven Zone categories in order to facilitate two lot line adjustments between two residential lots with different zone categories and to recognize the setbacks established by the existing dwelling, deck, and pool on 14 Jubbs Shore Road. The subject lands are described as Lot 9 and Block 10, Plan 573, Geographic Township of Fenelon, City of Kawartha Lakes, identified as 14 and 24 Jubbs Shore Road (Robert (Bob) and Lois Elaine Bereznicki) –

Planning File D06-2018-008

David Harding, Planner II

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 a sign was posted on the subject property. He summarized the application, explaining that it proposes to make textual amendments to the Rural Residential Type Three Exception Seven (RR3-7) Zone and adjust the boundaries of the Rural Residential Type Three (RR3) Zone and Rural Residential Type Three Exception Seven Zone categories in order to facilitate two lot line adjustments between two residential lots with different zone categories and to recognize the setbacks established by the existing dwelling, deck, and pool. The Zoning By-law Amendment will fulfill a condition of provisional consent to allow a land swap and reconfiguration of zone categories. The application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. 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 Chippewas of Rama First Nation advising that they had no concerns, and from the property owner to the south, Mr. Lewis, expressing concerns regarding the proximity of the existing development to the lot line with his property and the area of his property that is currently being maintained as part of the subject land, suggesting ownership, and other encroachment concerns. Mr. Harding responded to questions from Committee members. Mr. Harding respectfully requested that the matter be referred back to staff, for a one month deferral, to allow staff and the applicant to engage with the adjacent property owner to address his concerns.

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

Rob Bereznicki, owner, advised that he had just been made aware of his neighbours concerns and that the one month deferral will allow time to work with the neighbour to come to a solution. He responded to questions from Committee members.

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

David Lewis, neighbour to the south, advised that he had only recently become

aware of the exact location of the property line and expressed concern with the close proximity of the house, deck and pool to his property. He noted that there could be potential liability issues for him and the close proximity may cause conflict with future owners. Mr. Lewis responded to questions from members of Committee.

No other persons spoke to the application.

3.2 PLAN2018-025

Applications for Official Plan and Zoning By-law Amendment together with a Revised Draft Plan of Subdivision to permit 146 lots for single detached dwellings on the west side of Angeline Street North, Lindsay (CIC Developments Inc.)

Ian Walker, Planning Officer – Large Developments

The Chair requested staff to advise on the manner of giving notice for the proposed Official Plan and Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Walker confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and a sign was posted on the subject property. He summarized the applications, explaining that there are three (3) applications, namely an Official Plan Amendment, a Zoning By-law Amendment and a Revision to a Draft Plan of Subdivision, originally approved in 1994. The applications, if approved, would permit 146 lots for single detached dwellings on the west side of Angeline Street North, Lindsay and would resolve issues with conflicting plans. The application conforms to the Growth Plan and consistency with the Provincial Policy Statement will be established through the complete review of the applications. Mr. Walker summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional inquiries were received from citizens at the Planning Division counter, via phone call and via e-mail regarding the application. One comment was also received by e-mail, objecting to the proposal to remove the block for the park addition. Mr. Walker advised that the Community Services Department indicated that should the City accept cash in lieu of parkland, the funds could be allocated to upgrades or enhancements to three other nearby parks; Elgin, Orchard and Sylvester Parks. Staff are recommending that the application be referred back to staff. Mr. Walker and Ms. Sisson responded to questions from Committee members.

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

Michael Bissett of Bousfields Inc., on behalf of applicant, advised that he was available to respond to questions from Committee. He responded to questions from Committee members.

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

Joe McColl expressed concern regarding a lack of dedicated parkland for open space for the community and the distance residents would need to travel to get to other parks. He questioned the potential elimination of the north entrance, the narrowing of the Orchard Park Road access, the impact on traffic volumes and where sidewalks would be located.

Cindy Baldrel, resident of Hopkins Road, expressed concerns regarding traffic volume, the elimination of the north exit, lack of green space and safety for families trying to travel to access other local parks. She objected to the selling of green space with no guarantee of other parks being developed in new subdivisions.

Moti Tahiliani expressed concern regarding his property at 236 Angeline Street North in Lindsay, noting that he has been in negotiations with Dunster Investments Inc. to purchase a piece of road to accommodate a proposed trail beside the creek with the intent of developing the property. He noted that he had approached the City's Engineering Department last year with a request to extend his development from 7 to 14 lots and was advised that there was insufficient sewer capacity to allow for this and questioned how there was capacity to allow for the new lots proposed by this application.

Dorothy Carroll, resident of Orchard Park Road, expressed concern regarding traffic, particularly during times when school busses are accessing schools, and the need to have two entrances to the subdivision to allow for emergency vehicle access.

Carol Barkwell, resident of Richard Avenue, expressed concerns regarding traffic flow, having only one entrance and the loss of park space.

Bill Langdon, resident of Hopkins Road expressed concerns regarding the impact

of additional homes on traffic volumes in the area and the loss of the only green space, being Joan Park.

No other persons spoke to the application.

3.3 PLAN2018-026

Applications to amend the Lindsay Official Plan from the “Residential” to “Residential-Commercial” designation and to amend the Lindsay Zoning By-law from the “Residential (R3) Zone” to “Mixed Residential Commercial (MRC-S*) Special Exception Zone” to permit either a residential use or limited commercial uses on the property identified as 21 Victoria Avenue North, Lindsay (1035479 Ontario Limited – Rick Carter)

Mark LaHay, Planner II

The Chair requested staff to advise on the manner of giving notice for the proposed Amendment to the Lindsay Official Plan. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to permit either a residential use or limited commercial uses on the property identified as 21 Victoria Avenue North, Lindsay. The applicant intends to convert the existing building to a personal service establishment/clinical movement education workspace, and replace the existing building, in future, with a raised bungalow style single detached dwelling that could be used for either residential or limited commercial purposes. Mr. LaHay outlined reports and plans submitted in support of the application as detailed in his report and advised that staff cannot fully evaluate the appropriateness of the proposal at this time as responses from City Departments and commenting agencies have not yet been received. Further discussion with the applicant is required to refine the proposal with respect to conformity to applicable policies and/or zoning provisions. The application appears to conform to the Growth Plan and to be consistent with the Provincial Policy Statement. Mr. LaHay 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 Chippewa of Rama First Nation, advising that they had forwarded the information to Williams Treaties First Nation. Staff are recommending that

the application be referred back to staff. Mr. LaHay responded to questions from Committee members.

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

Kent Randall of EcoVue Consulting, Planners for the applicant, summarized the intent of the proposal, being to allow for small commercial use to accommodate a home occupation within the constraints of the small lot and house. He noted that the combination of commercial and residential would allow the owner some flexibility should the property be sold in future. Mr. Randall responded to questions from Committee members.

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

No other persons spoke to the application.

The public meeting adjourned at 2:12 p.m.

4. Business Arising from Public Meeting

4.1 Item 3.1

PAC2018-014

Moved By Mayor Letham

Seconded By Councillor Miller

That Report PLAN2018-024, respecting **Lot 9 and Block 10, Geographic Township of Fenelon, and identified as 14 and 24 Jubbs Shore Road, Bereznicki – Application D06-2018-008**, be received;

That Report PLAN2018-024 respecting Application D06-2018-002 be referred back to staff to allow for consultation with the neighbour who has raised concerns regarding the application.

Carried

4.2 Item 3.2

PAC2018-015

Moved By Councillor Veale

Seconded By Councillor Macklem

That Report PLAN2018-025, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, CIC Developments Inc.

– Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032, be received; and

That Report PLAN2018-025 respecting Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032 be referred back to staff 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

4.3 Item 3.3

PAC2018-016

Moved By Councillor Stauble

Seconded By Councillor Macklem

That Report PLAN2018-026, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, 1035479 Ontario Limited – Rick Carter – Applications D01-2018-001 and D06-2018-009, be received; and

That Applications D01-2018-001 and D06-2018-009 be referred back to staff 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

5. **Deputations**

6. **Correspondence**

7. **City of Kawartha Lakes Reports**

7.1 PLAN2018-023

An application to amend the City of Kawartha Lakes Oak Ridges Moraine Zoning By-law 2005-133 to change the zone category on the majority of the property from Oak Ridges Moraine Country Side Area (ORMCS) Zone to an Oak Ridges Moraine Country Side Area Special (ORMCS-*) Zone to prohibit residential use on the proposed retained agricultural land described as Part of Lots 8 and 9, Concession 3, Geographic Township of Manvers, City of Kawartha Lakes, identified as 510 Telecom Road (Darmar Farms Inc.) –

Planning File D06-17-002

David Harding, Planner II

Mr. Harding provided a brief overview of his report. He responded to questions from Committee members.

PAC2018-017

Moved By Mayor Letham

Seconded By Councillor Miller

That Report PLAN2018-023, respecting **Part of Lots 8 and 9, Concession 3, Geographic Township of Manvers, and identified as 510 Telecom Road, Darmar Farms Inc. – Application D06-17-002**, be received;

That a Zoning By-law Amendment respecting application D06-17-002, substantially in the form attached as Appendix D to Report PLAN2018-023, 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

8. Adjournment

Moved By Councillor Veale

Seconded By M. Barkwell

That the Planning Advisory Committee Meeting adjourn at 2:32 p.m.

Carried

Recommendations from the March 7, 2018 Planning Advisory Committee Meeting:

PAC2018-014

Moved By Mayor Letham

Seconded By Councillor Miller

That Report PLAN2018-024, respecting **Lot 9 and Block 10, Geographic Township of Fenelon, and identified as 14 and 24 Jubbs Shore Road, Bereznicki – Application D06-2018-008**, be received;

That Report PLAN2018-024 respecting Application D06-2018-002 be referred back to staff to allow for consultation with the neighbour who has raised concerns regarding the application.

Carried

PAC2018-015

Moved By Councillor Veale

Seconded By Councillor Macklem

That Report PLAN2018-025, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, CIC Developments Inc. – Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032, be received; and

That Report PLAN2018-025 respecting Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032 be referred back to staff 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

PAC2018-016

Moved By Councillor Stauble

Seconded By Councillor Macklem

That Report PLAN2018-026, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, 1035479 Ontario Limited – Rick Carter – Applications D01-2018-001 and D06-2018-009, be received; and

That Applications D01-2018-001 and D06-2018-009 be referred back to staff 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

PAC2018-017

Moved By Mayor Letham

Seconded By Councillor Miller

That Report PLAN2018-023, respecting **Part of Lots 8 and 9, Concession 3, Geographic Township of Manvers, and identified as 510 Telecom Road, Darmar Farms Inc. – Application D06-17-002**, be received;

That a Zoning By-law Amendment respecting application D06-17-002, substantially in the form attached as Appendix D to Report PLAN2018-023, 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