

APPENDIX " C "

to  
REPORT PLAN 2017-048

THE CORPORATION OF THE CITY OF KAWARTHA LAKES  
BY-LAW 2016 –

FILE NO. D01-17-005  
D05-17-002  
D06-17-019

A BY-LAW TO AMEND THE CITY OF KAWARTHA LAKES OFFICIAL PLAN TO RE-DESIGNATE LAND WITHIN  
THE CITY OF KAWARTHA LAKES

[File D01-\_\_\_\_, Report PLAN\_\_\_\_, respecting Lot\_\_\_\_, \_\_\_, former Township of Ops, now City of Kawartha Lakes]

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 Town of Lindsay Official Plan to change the land-use designation to Residential-Commercial which permits a mix of residential and commercial uses on the property.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number \_\_ to the City of Kawartha Lakes Official Plan.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2016-\*\*\*.

Article 1:00 Official Plan Amendment Details

**1.01 Property Affected:** The Property affected by this By-law is identified as Lot\_\_\_\_, former Township of Ops, now City of Kawartha Lakes.

**1.02 Amendment:** Amendment No. \_\_ to the City of Kawartha Lakes Official Plan, attached hereto as Map 'A' and forming a part of this By-law is hereby adopted.

Article 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. Notwithstanding the subsequent coming into force of the Lindsay Secondary Plan, endorsed by Council on December 8, 2015, this by-law continues to be in force and effect.

By-law read a first, second and third time,  
and finally passed, this \*\* day of , 2016.

\_\_\_\_\_  
Judy Currins, City Clerk

\_\_\_\_\_  
Andy Letham, Mayor

Schedule 'A' to By-law No. 2016-\*\*\*  
The Corporation of the City of Kawartha Lakes

**OFFICIAL PLAN FOR THE CITY OF KAWARTHA LAKES  
PART A - THE PREAMBLE**

**A. PURPOSE**

The purpose of the official plan amendment is to change the designation to permit a mix of prestige employment and commercial uses on the property identified as \_\_\_\_\_.

The effect of the change is to permit prestige employment and commercial uses on the property.

**B. LOCATION**

The subject site has an area of approximately 35 hectares, and is located at the northeast quadrant of Highway 7 and Lindsay Street in the former Town of Lindsay, now City of Kawartha Lakes. The subject property is located within the Lindsay Settlement Area at a gateway location to Lindsay. The property is currently vacant agricultural fields with two residential homes and a commercial use along the Lindsay Street frontage.

The land is described as \_\_\_\_\_

**C. BASIS**

Council has enacted this official plan amendment in response to an application submitted by Bromont Homes Inc. to permit an a range of prestige employment and commercial uses, including a department store, on the subject site. It is intended that the land be re-designated to Prestige Employment and Mixed Use Gateway within a new Development Plan Area in the City of Kawartha Lakes Official Plan to facilitate future development of the gateway area.

The land is currently designated Highway Commercial and Tourist Commercial on Schedule "A-3" of the City of Kawartha Lakes Official Plan.

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

1. The proposed development 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 development conforms to the goals and objectives the City of Kawartha Lakes Official Plan.
3. The site concept is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed development with respect to planning, retail market, servicing, stormwater management, traffic and the protection of the environment.

## **PART B - THE AMENDMENT**

### **D. INTRODUCTORY STATEMENT**

All of this part of the document entitled Part B - The Amendment, consisting of the following Maps 'A' and 'B' constitutes Amendment No. \_\_ to the City of Kawartha Lakes Official Plan.

### **E. DETAILS OF THE AMENDMENT**

1. Schedule 'A3' of the City of Kawartha Lakes Official Plan is hereby amended by changing the land-use designation from Highway Commercial and Tourist Commercial to Highway Commercial and Mixed Use Gateway as shown on Map 'A'.
2. Schedule 'E' of the City of Kawartha Lakes Official Plan is hereby amended by adding Development Plan Area No. \_\_ (DP-\_\_), as Shown on Map 'B'
3. Section 31 is amended by adding Policy 31.\_\_ as follows:

**"31.\_\_ - Development Plan Area \_\_ (DP-\_\_) – Gateway Area ; Lindsay**

31.\_\_.1 These policies are applied to those lands located on INSERT LEGAL), as shown on Schedules DP-\_\_

31.\_\_.2 The Gateway Area is being planned as Lindsay's main point of entry and is intended to serve a variety of residential, highway commercial, tourism commercial, and prestige employment functions. The limits of the Gateway Area are shown on Map 'A'.

**31.\_\_.4 LAND USES PERMITTED**

a) On lands designated Highway Commercial on Map 'A':

- i) land uses permitted in the Highway Commercial land use designation shall include commercial uses such as convenience-type retail, automobile service stations, vehicle sales and service, public garages, motels, hotels, eating establishments, establishments such as furniture, appliance, carpet, flooring, home electronics and/or garden centres, automated teller/banking machines, building supply centres, and other similar uses.

b) On lands designated Prestige Employment on Map 'A':

- i) a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, accessory uses such as parking garages or a residence for a caretaker.
- ii) Parks and Open Space uses;
- iii) Institutions and Community Facilities uses, provided they are adequately buffered from uses that produce potential nuisances, such as noise,

odour, dust, vibration or heavy traffic, as defined by the Ministry of Environment or other relevant agency;

iv) Ancillary commercial uses that serve the needs of the employment area, provided that the type of uses and their sizes are appropriate and compatible with the area.

v) Prestige Employment uses shall not comprise outdoor storage

c) On lands designated Mixed Use Gateway on Map 'A':

i) Highway Commercial uses listed in a) above

ii) Tourist Commercial uses listed in Section 26.3 of the City of Kawartha Lakes Official Plan

iii) Large Format and ancillary retail uses, including department stores, subject to the following:

1. Retail uses shall not exceed a maximum aggregate gross floor area of 30,380 square metres

2. No individual Large Format Retail use, including a department store, shall not exceed a gross floor area of \_\_\_\_ square metres

d) On lands designated Parks and Open Spaces on Map 'A':

i) The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

### 31. \_\_.3 SPECIFIC POLICIES

a) Rezoning, Subdivision and Site Plan applications in this area shall be approved based upon a master plan for the entire area to ensure compatibility and appropriate transition between land uses.

b) The area should be developed with a view to maximizing its attractiveness as the southern Gateway to Lindsay. It should be designed to emphasize convenience to pedestrians with the intent that the area be developed as a unified, attractive, relatively compact and accessible area with a mix of uses.

c) The area should be developed in accordance to the urban design policies in Section \_\_ below.

d) Adequate screening in the form of landscaping and fencing shall be provided on the perimeters of the area.

e) Development abutting Lindsay Street or Highway 7 shall minimize the impact of off-street parking on pedestrian streetscapes by locating off-street parking at the rear,

side or to the interior of the block. Safe, convenient and well lit pedestrian access shall be provided to the street from such parking areas. Where parking is provided to the side of buildings and abutting the street, they should be screened with low walls and landscape materials to provide a sense of enclosure along the setback line.

- f) Loading areas shall be provided at the rear of the buildings.
- g) A Traffic Impact Assessment must be submitted in support of any rezoning, subdivision or site plan application to identify traffic generated by the development, methods of mitigating the traffic, and any improvements to the required road network to accommodate the development.

### 31.4 URBAN DESIGN

#### Built Form and Landscaping

- a) Retail Commercial uses will be encouraged to consolidate and be developed in accordance with good urban design principles.
- b) Retail commercial uses shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and / or the provision of other suitable screening materials;
- c) Retail Commercial building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
- d) Driveway access shall be approved by the City in conjunction with the Province as considered to be necessary and appropriate;
- e) Adequate off-street parking, service areas and loading spaces shall be provided.
- f) Retail commercial buildings should be built to a minimum setback at intersections to help frame the streets;
- g) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
- h) Commercial garbage facilities shall be contained in fully enclosed storage area contiguous with the building;

#### Parking and Loading

- a) Parking areas shall be designed as functional, attractive and comfortable and shall reduce their environmental and visual impact. Low Impact Development measures, such as pervious paving, bioswales, and landscaping islands with trees, should be incorporated to minimize stormwater runoff and reduce heat island effect.
- b) Long stretches of on-street parking on local roads shall be broken up with landscaped “bump-outs” sufficiently sized to support boulevard trees.
- c) For Prestige Employment areas, parking shall be located at the rear and sides of buildings. Parking near building entrances shall be limited to small visitor parking areas. Parking and landscaping for Employment areas should be designed as follows:

- i) Screening should be provided between parking areas and adjacent residential properties.
- ii) Buffers should be located at the perimeter of the property line adjacent to parking areas and laneways to accommodate landscaping and tree planting.
- iii) Landscaped islands should be placed at the ends of all parking aisles.
- iv) Parking aisles with a length of more than 15 stalls should be broken up with landscaped islands.
- v) All parking islands should be planted with hardy, strongly branched and salt tolerant trees.
- vi) Large parking areas should be broken up with linear pedestrian only sidewalks planted with a consistent row of trees.
- vii) The placement of sidewalks should be oriented to link building entrances.

d) In Retail commercial areas, parking shall be located interior to the block or at the rear of buildings wherever possible. Limited parking between the street edge and building may be provided or addressed through on-street parking in appropriate locations. Parking and landscaping for commercial development should be designed in accordance with the design criteria above.

e) Service and loading areas shall be located away from street frontages to minimize views from adjacent streets. Location to the rear or sides of buildings is preferable wherever possible. Such service areas may require screening with walls and landscaping that is compatible with the adjacent building design.

## **F. IMPLEMENTATION AND INTERPRETATION**

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

# Map - A

City of Kawartha Lakes

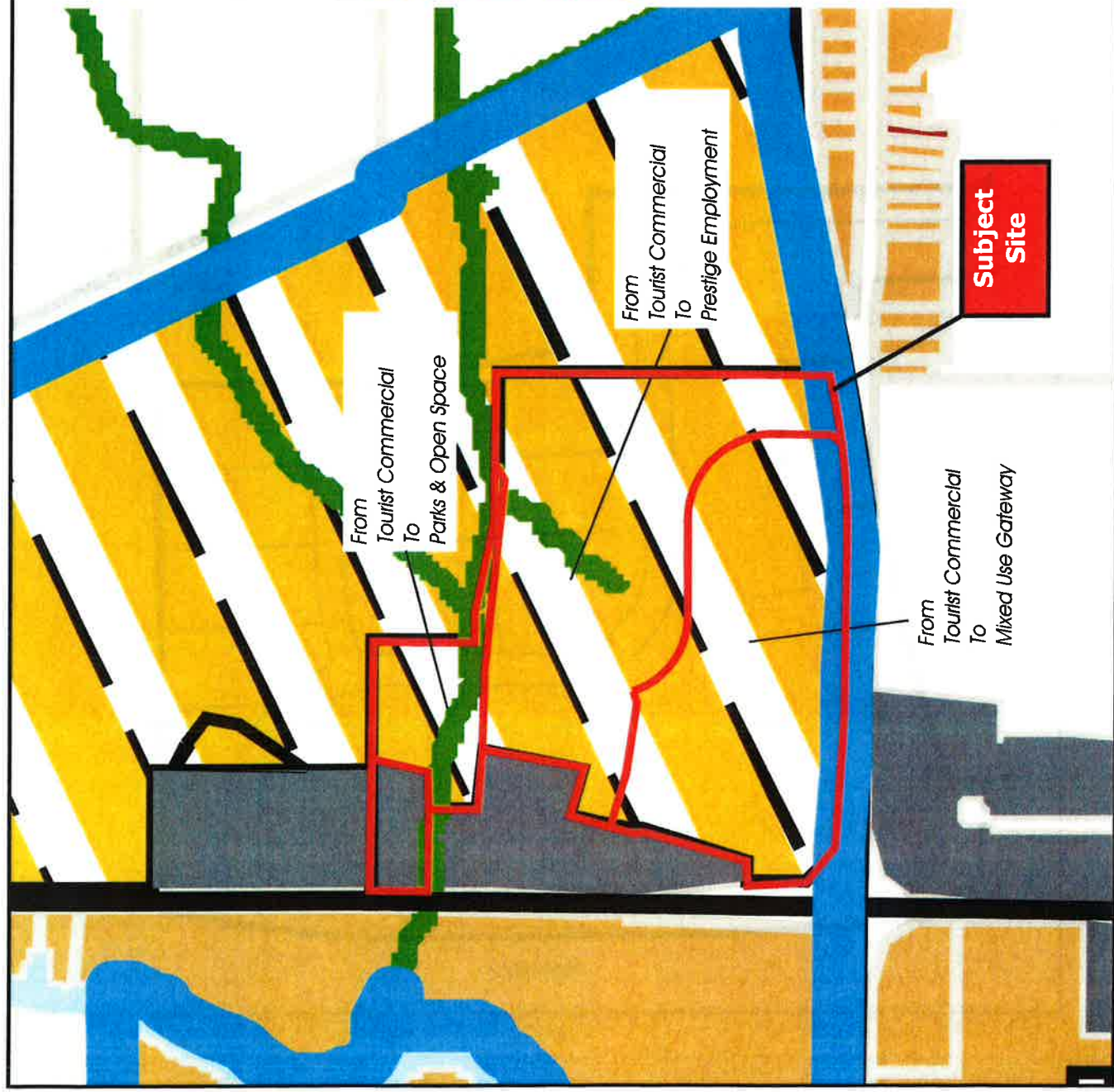
Official Plan

Schedule A-3

(Geographic Townships of Ops and Emily)

## Land Use Designations

- Prime Agricultural
- Rural
- Environmental Protection
- Urban Settlement Area
- Hamlet Settlement Area
- Waterfront
- Highway Commercial
- Tourist Commercial
- Industrial
- Aggregate
- Open Space
- Aggregate Resource
- Development Plan Area
- Abandoned Mine Constraint
- Urban Settlement Boundary
- Lake Simcoe Source Water Protection Boundary
- SP-1 (Specific Lake Policy Area)



# Map - B

Development Plan Area ☐ Schedule - \_\_\_\_\_

