

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN2017-006

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**Date:** January 24, 2017

**Time:** 2:00 p.m.

**Place:** Council Chamber

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**Ward Community Identifier:** 14

**Subject:** An application to amend the Township of Emily Zoning By-law 1996-30 to remove the Holding (H) symbol to allow the construction of a 399 sq. m. office and clubhouse building at 2346 Pigeon Lake Road, Emily (PARKBRIDGE LIFESTYLE COMMUNITIES INC.).

**Author:** Ian Walker, Planner II

**Signature:** 

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### Recommendations:

**RESOLVED THAT** Report PLAN2017-006, respecting Part of Lots 22 & 23, Concession 14, geographic Township of Emily, "PARKBRIDGE LIFESTYLE COMMUNITIES INC. – Application D06-16-028", be received;

**THAT** Zoning By-Law Amendment application D06-16-028 identified as 2346 Pigeon Lake Road, City of Kawartha Lakes, as generally outlined in Appendix "C" to Report PLAN2017-006, be approved and adopted by Council; and

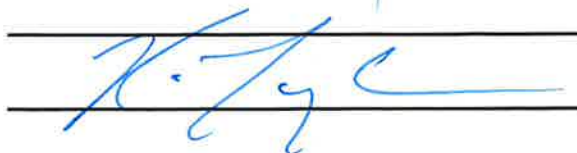
**THAT** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

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**Department Head:**

**Corporate Services Director / Other:**

**Chief Administrative Officer:**



## **Background:**

This application was received on August 24, 2016 and deemed to be a complete application on August 26, 2016. This application proposes to remove the Holding (H) symbol from Schedule “A” of the Township of Emily Zoning By-law 1996-30, which regulates development and use of 2346 Pigeon Lake Road. The removal of the Holding (H) symbol would permit a portion of the lot to be developed with a 415 sq. m. maximum office and clubhouse building in accordance with the permitted uses in the Campground Commercial Exception Three (C4-3) Zone.

Owner:	567957 Ontario Limited o/a Parkbridge Lifestyle Communities
Applicant:	Parkbridge Lifestyle Communities – Matt Lane
Legal Description:	Part of Lots 22 & 23, Concession 14, geographic Township of Emily
Designation:	“Rural”, City of Kawartha Lakes Official Plan
Zone:	“Campground Commercial Exception Three – Holding [C4-3(H)] Zone”, Township of Emily Zoning By-law 1996-30, as amended
Lot Area:	37.0 ha. [93.11 ac. – MPAC]; approximately 0.7 ha. subject to this application
Site Servicing:	Communal well and sewage disposal systems
Existing Uses:	Commercial Campground
Adjacent Uses:	North: Colony Road, Rural Residential, Agricultural East: Shoreline Residential, Pigeon Lake South: Shoreline Residential West: Pigeon Lake Road, Agricultural

## **Rationale:**

The subject land is 37.0 ha. (91.4 ac.) of which a portion has been zoned as Campground Commercial Exception Three – Holding [C4-3(H)] Zone. There is currently an existing office building which will be demolished and replaced with a new 399 sq. m. office and clubhouse building. This portion of the property was rezoned to permit the new building. The Campground Commercial Exception Three – Holding [C4-3(H)] Zone was applied to this property on April 19, 2016 (By-law 2016-097). The Holding (H) symbol is to be removed to permit development of the lot in accordance with the following two (2) criteria:

- a) Completion of an Environmental Impact Study to the satisfaction of the City; and
- b) The owner shall enter into a site plan agreement with the City for any development on land zoned C4-3.

The landowner has applied to have the Holding (H) provision removed to allow the construction of a 399 sq. m. office and clubhouse building in accordance with the C4-3 Zone provisions (See Appendix ‘B’). An Environmental Impact

Study (EIS) was submitted as part of this application. Kawartha Region Conservation Authority (KRCA) has reviewed the EIS, and advises that the development will have no negative impact on the adjacent fish habitat. The property is also subject to site plan control, and on December 22, 2016, City staff informed the owner that the Site Plan Agreement was being prepared, for the owner to enter into the Site Plan Agreement for the proposed development, as all review was completed. The owner will enter into the agreement with full securities prior to January 24, 2017, therefore it is appropriate for Council to consider removal of the Holding (H) provision for this portion of the lot.

### **Provincial Policies:**

The application conforms to the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and is consistent with the 2014 Provincial Policy Statement.

### **Official Plan Conformity:**

The land is designated 'Rural' on Schedule 'A-3' of the City of Kawartha Lakes Official Plan. Any proposed use on the property would need to conform to the applicable policies of the official plan designation.

### **Zoning By-law Compliance:**

The portion of the property being considered by this application is zoned Campground Commercial Exception Three – Holding [C4-3(H)] Zone, which permits specific uses, subject to established development provisions. Any proposed use on the property would need to conform with the appropriate zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed development.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Financial Considerations:**

There are no financial considerations unless Council's decision is appealed by the owner/applicant to the Ontario Municipal Board. In the event of an appeal there could be costs for legal representation and planning staff.

### **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This application aligns with the exceptional quality of life and healthy environment strategic goals as it promotes and provides for enhanced accessibility, provides for recreational opportunities, and protects water quality.

## **Review of Accessibility Implications of Any Development or Policy:**

Accessibility matters have been implemented through the Site Plan Approval and Building Permit processes.

## **Servicing Comments:**

The property is privately serviced by a communal well and on-site sanitary sewage disposal systems.

## **Consultations:**

Notice was given in accordance with the Planning Act. No comments or concerns have been received to date.

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

Prior to January 24, 2017, the City and the Owner will need to execute the Site Plan Agreement. Staff support this application based on the information contained in this report and the comments received as of January 12, 2017. As such, staff respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

## **Attachments:**

### **Appendix 'A' – Location Map**



PLAN2017-006 -  
Appendix A.pdf

### **Appendix 'B' – Campground Commercial Exception Three (C4-3) Zone**



PLAN2017-006 -  
Appendix B.pdf

### **Appendix 'C' – Draft Zoning By-law Amendment**



PLAN2017-006 -  
Appendix C.pdf

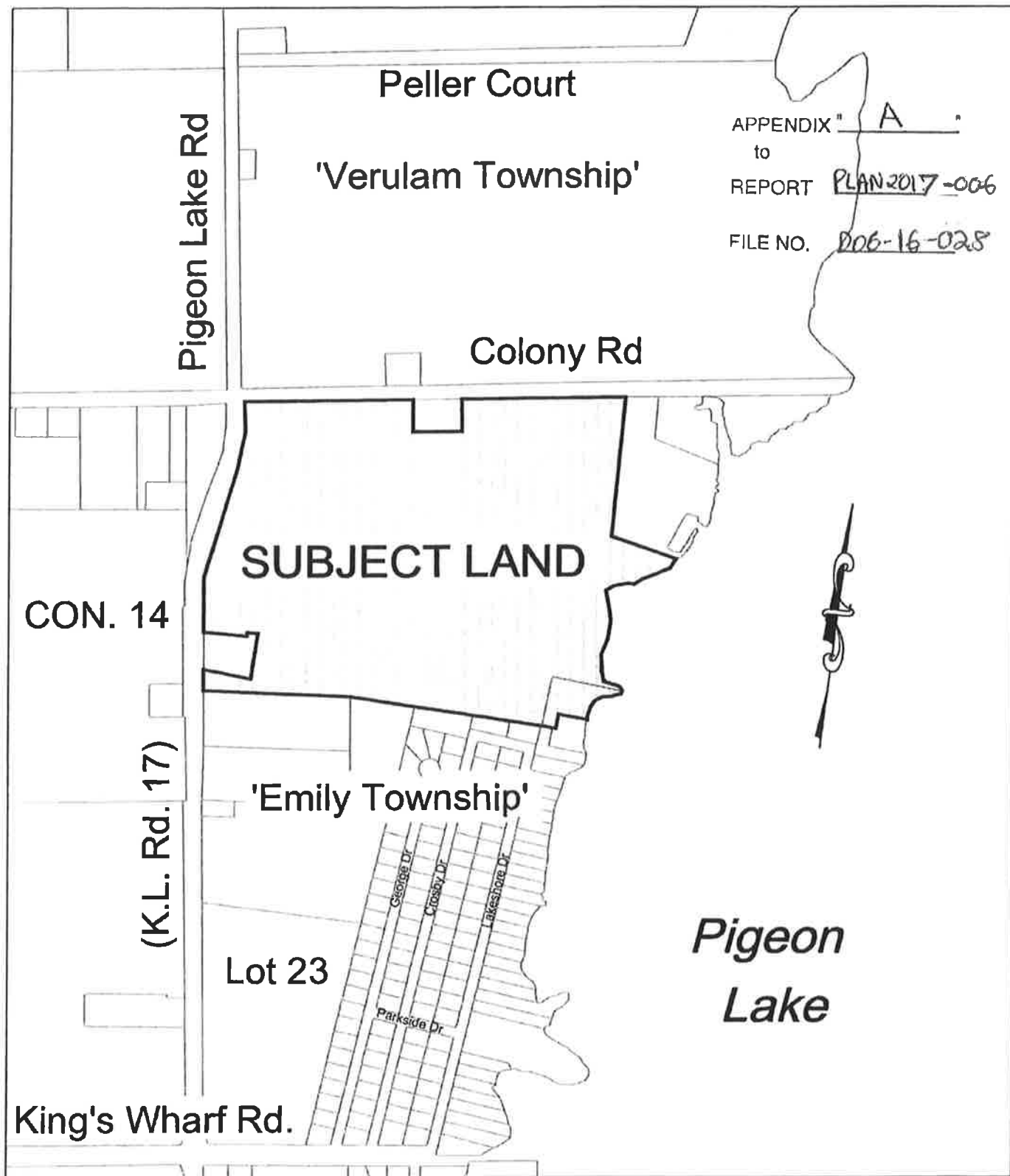
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**E-Mail:** [iwalker@city.kawarthalakes.on.ca](mailto:iwalker@city.kawarthalakes.on.ca)

**Department Head:** Chris Marshall, Director

**Department File:** D06-16-028



THE CORPORATION OF THE CITY OF KAWARTHA LAKES REPORT PLAN2017-006

BY-LAW 2016-097

FILE NO. D06-16-028

**A BY-LAW TO AMEND THE TOWNSHIP OF EMILY ZONING BY-LAW NO. 1996-30  
TO REZONE LAND WITHIN THE CITY OF KAWARTHA LAKES**

[File D06-15-008, Reports PLAN2015-052, PLAN2015-076 and PLAN2016-021, respecting Part of Lots 22 & 23, Conc. 14, identified as 2346 Pigeon Lake Road--567957 ONTARIO LIMITED]

**Recitals:**

1. Section 34 of the *Planning Act* 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 recognize the existing development of 299 trailer park sites for seasonal use, ancillary uses and permit a new multi-purpose recreation building on a portion of the land. A Holding symbol (H) shall be applied to ensure that a portion of the property is subject to site plan control.
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 2016-097.**

**Section 1:00 Zoning Details**


- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lots 22 & 23, Conc. 14, Geographic Township of Emily, City of Kawartha Lakes, 2346 Pigeon Lake Road.
- 1.02 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following section to Section 17.3:
  - "17.3.3 Campground Commercial Exception Three (C4-3) Zone.
  - 17.3.3.1 In addition to the uses permitted in Section 17.1.1, on land zoned C4-3, a recreation building with a maximum floor area of 415 sq. m., a maximum height to not exceed one-storey and containing enclosed and unenclosed gathering areas, is also permitted. These premises shall not be used for a commercial wedding and/or banquet facility.
  - 17.3.3.2 Notwithstanding any other zoning by-law requirement to the contrary, access to lands zoned C4-3 shall only be obtained from Pigeon Lake Road.
  - 17.3.3.3 On land zoned C4-3, the removal of the (H) Holding Symbol shall be in accordance with the following:
    - (a) completion of an Environmental Impact Study to the satisfaction of the City; and
    - (b) the owner shall enter into a site plan agreement with the City for any development on land zoned C4-3."
- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 1996-30 of the Township of Emily is further amended to change the zone categories from the "Agricultural (A1) Zone" to "Campground Commercial (C4) Zone" and

"Campground Commercial (C4) Zone" to "Campground Commercial Exception Three (C4-3)(H) Holding Zone" on a portion of the land for the land referred to as 'C4' and 'C4-3(H)', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date
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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 and 36 of the *Planning Act*.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of April, 2016.

  
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 Andy Letham, Mayor

  
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 Judy Currins, City Clerk

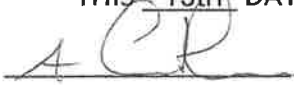
THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

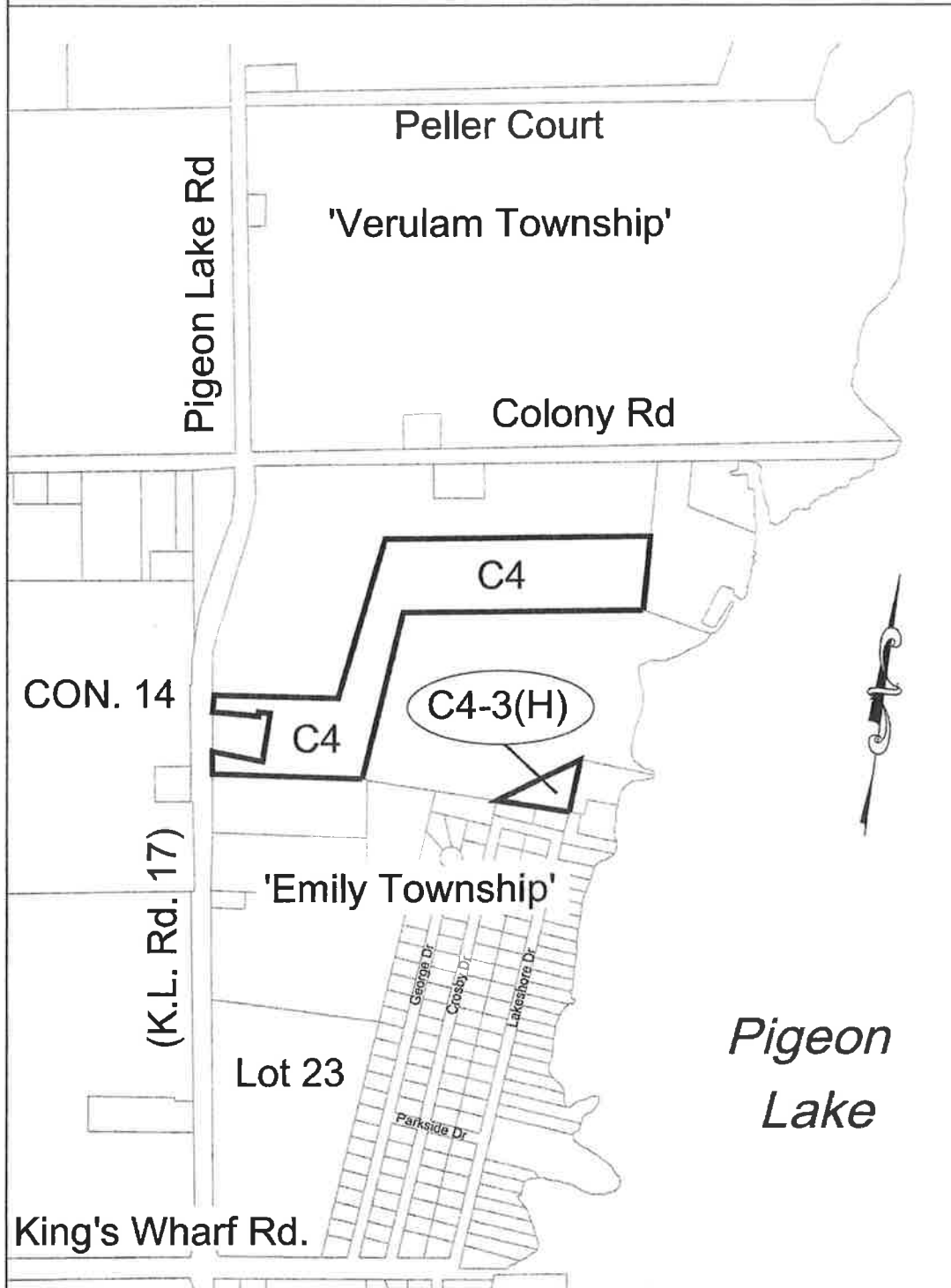
THIS IS SCHEDULE 'A' TO BY-LAW 2016-097 PASSED

THIS 19th DAY OF APRIL 2016.

MAYOR



CITY CLERK





THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2017 -

**A BY-LAW TO AMEND THE TOWNSHIP OF EMILY ZONING BY-LAW 1996-30 TO REMOVE THE HOLDING SYMBOL (H) FROM A ZONE CATEGORY ON PROPERTY WITHIN THE CITY OF KAWARTHA LAKES**

APPENDIX " C "  
to 1/2  
REPORT PLAN2017-006  
FILE NO. D06-16-028

[File D06-16-028, Report PLAN2017-006, respecting Part of Lots 22 & 23, Concession 14, geographic Township of Emily – PARKBRIDGE LIFESTYLE COMMUNITIES]

**Recitals:**

1. Section 36 of the *Planning Act* authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2016-097, which contained a Holding (H) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H) symbol from the Campground Commercial Exception Three – Holding "C4-3(H)" Zone.
4. The conditions imposed by Council and shown in By-law 2016-097 have been fulfilled.
5. Council deems it appropriate to remove the Holding (H) symbol.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-\*\*.**

**Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this By-law is described as Part of Lots 22 & 23, Concession 14, geographic Township of Emily, now in the City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule 'A' to By-law No. 1996-30 of the Township of Emily is further amended to remove the Holding (H) symbol from the "Campground Commercial Exception Three – Holding [C4-3(H)] Zone" for the land referred to as 'C4-3', as shown on Schedule 'A' attached to this By-law.

**Section 2:00 General Terms**

- 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 provisions of Section 34 and 36 of the *Planning Act*.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*, 2017.

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Andy Letham, Mayor

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Judy Currins, City Clerk

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_

