

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-036

Date: May 30, 2017
Time: 10:00 a.m.
Place: Council Chambers

Ward Community Identifier: 4, 6, 7, and 9 to 15

Subject: General Amendment (Official Plan Amendment #13 to the Comprehensive Official Plan 2012),
Bobcaygeon Secondary Plan (Official Plan Amendment #14 to the Comprehensive Official Plan 2012), and
Lindsay Secondary Plan (Official Plan Amendment #16 to the Comprehensive Official Plan 2012)

Author/Title: Richard Holy / Robyn Carlson
Manager of Policy Planning / City Solicitor

Signatures:



Recommendation:

RESOLVED THAT Report PLAN2017-036,
General Amendment (Official Plan Amendment #13 to the Comprehensive Official Plan 2012), Bobcaygeon Secondary Plan (Official Plan Amendment #14 to the Comprehensive Official Plan 2012), and Lindsay Secondary Plan (Official Plan Amendment #16 to the Comprehensive Official Plan 2012) be received; and

THAT, in light of the release of the Growth Plan for the Greater Golden Horseshoe on May 18, 2017, the above-noted amendments as endorsed by Council in 2015 be put before Council on June 27, 2017 for adoption.

Department Head: _____

Corporate Services Director / Other: _____

Chief Administrative Officer: _____

Summary:

Staff had originally set this meeting for the purpose of providing Council and the Public with updated Secondary Plans for consideration (and adoption on August 23, 2017). This approach was adopted in response to appeals by the Province and others to the Plans either adopted or endorsed by Council in July and December of 2015 (Ontario Municipal Board Case number PL120217) and communicated to the Ontario Municipal Board and parties to those appeals (Order of the Ontario Municipal Board Issued January 6, 2017).

However, on May 18, 2017 the Province released a new 2017 Growth Plan for the Greater Golden Horseshoe. Council decisions made on or after July 1, 2017 will need to conform to the new Plan. Accordingly, Staff's plan to present Council with new Secondary Plans for adoption on August 23, 2017 can no longer proceed as originally planned after July 1, 2017.

Instead, Staff propose to put the Lindsay Secondary Plan, the Bobcaygeon Secondary Plan and the General Amendment to Official Plan 2012 as they were endorsed by Council in 2015 before Council on June 27, 2017 for adoption, so as to give appeal rights to these plans.

Background:

The following meetings were held in support of the versions of the General Amendment and Secondary Plans that were endorsed or adopted by Council in 2015:

- | | |
|-----------------|--|
| April 15, 2015: | A Statutory Public Meeting held at a Special Planning Committee Meeting to consider the repeal of Official Plan Amendment 8, which adopted the Secondary Plans for Fenelon Falls, Omemee, and Woodville. |
| April 29, 2015: | An Open House was scheduled for the proposed Secondary Plans to solicit public input. |
| May 12, 2015: | OPA 8 was repealed at this Council Meeting. |
| May 27, 2015: | A Statutory Public Meeting was held at a Special Planning Committee Meeting for the General Amendment and the Secondary Plans. |
| June 30, 2015: | A Special Council Meeting was held to explain the General Amendment and the Secondary Plans to Council. |
| July 7, 2015: | The General Amendment was endorsed and Fenelon Falls and Woodville Secondary Plans were adopted. |

- August 5, 2015: A Statutory Public Meeting was held to receive input on proposed revisions to Bobcaygeon, Lindsay, and Omemee Secondary Plans.
- October 27, 2015: An update report was provided to Council on the Secondary Plans.
- December 8, 2015: Council endorsed Bobcaygeon and Lindsay Secondary Plans and adopted Omemee Secondary Plan.

In July and December of 2015, the City either approved or endorsed several Secondary Plans as amendments to the City of Kawartha Lakes Comprehensive Official Plan 2012("CKLOP"). The following chart outlines the Plans by their amendment number to CKLOP and whether they were adopted or endorsed. Council adopted Plans that were not subject to appeals through the CKLOP. Appeals to these Plans were forwarded to the Ontario Municipal Board. Plans and the General Amendment that were subject to related appeals under the CKLOP were endorsed by Council in deference to the Board's jurisdiction to the parts of CKLOP under appeal and forwarded to the OMB by the City.

OPA #	Policy Name	Approved or Endorsed by Council
13	General Amendment: <ul style="list-style-type: none"> Provides growth management policies to meet the Growth Plan for the Greater Golden Horseshoe; and, Links the Secondary Plans to OP2012. 	Endorsed and referred to OMB by the City
14	Bobcaygeon Secondary Plan	Endorsed and referred to OMB by the City
15	Fenelon Falls Secondary Plan	Approved and appealed to OMB by MMA/MHO and stakeholders
16	Lindsay Secondary Plan	Endorsed and referred to OMB by the City
17	Omemee Secondary Plan	Approved and appealed to OMB by MMA/MHO and stakeholders
18	Woodville Secondary Plan	Approved and appealed to OMB by stakeholders

The first pre-hearing conference of the Ontario Municipal Board in relation to these appeals was heard on June 13, 2016.

At the pre-hearing conference in June 2016, several appellants took issue with endorsement of some of the amendments. Specifically, those appellants took the position that they did not have a right of appeal to those plans that were endorsed and

that the Ontario Municipal Board had no jurisdiction to deal with these documents as they weren't properly before the Board.

The Board held its decision until the parties could establish a plan of action for moving forward in an expeditious manner. The City agreed to revisit the appeals and revise the documents to deal with as many of the appeal issues as possible. These revised documents would be presented for consideration and adoption by Council, replacing the previous versions.

The Board issued its decision on January 9, 2017 (Case PL120217), reflecting this strategy.

Attached to this Report as Appendix "A" is planning justification for employment land conversions as proposed by the 2015 amendments, responsive to those appeals concerned with 2006 Growth Plan conformity related to employment provisions. This justification has been posted on the City's website.

This Council attendance was originally scheduled by Staff as a Special Meeting to deal with Growth Plan conformity issues only (employment lands and settlement areas); further amendments arising out a review of more local or private appeal issues were originally targeted for publication on June 22, 2017. This date was set for a statutory open house. This date has now been cancelled.

Rationale:

Through the coordinated land use planning review, the Province released the 2017 versions of the Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and Niagara Escarpment Plan on May 18, 2017. The City's planning policies are governed by the Growth Plan for the Greater Golden Horseshoe and Oak Ridges Moraine Conservation Plan.

Generally, the new 2017 Growth Plan for the Greater Golden Horseshoe ("2017GP") has the following impact on the City's land use planning decisions.

The 2017GP comes into force and effect on July 1, 2017. According to section 3 of the Planning Act, decisions of Council are to conform to provincial plans (including 2017GP) in force and effect as of the date of Council's decision. Therefore, when Council approves the Secondary Plans on August 22, 2017 as anticipated, the Report recommending approval of the Plans must also consider conformity with 2017GP.

The City of Kawartha Lakes currently has to direct 30% of all new residential growth existing in the built up area (by existing Ministerial Order; 40% is the general target). As of July 1, 2017: CKL can use the targets in the approved and in effect Official Plan, but when the City does its next Municipal Comprehensive Review (MCR) for 2017GP

compliance, it must use 60% unless Council asks for and receives an amended target through the MCR process.

The 60% is phased in as follows: By the time the next MCR is approved and in effect and to 2031, a minimum of 50% of all residential development occurring annually will be within the built up area. By 2031 this is increased to 60% (policy 2.2.2).

The City currently has to achieve a target density of 40 persons and jobs per hectare for greenfield development (by existing Ministerial Order; 50 persons and jobs is the general target). As of July 1, 2017: CKL can use the targets in the approved and in effect Official Plan, but when the City does its next Municipal Comprehensive Review (MCR) for 2017GP compliance, it must use 80 persons and jobs unless Council asks for and receives an amended target through the MCR process.

The 80 persons and jobs per hectare is phased in as follows: When the next MCR is approved and in effect, the minimum density target will be 60 persons and jobs per hectare. By 2041, greenfield areas will be planned to achieve 80 persons and jobs per hectare (policy 2.2.7).

The GP2017 contains a new “excess lands” provision. This provision states that the Minister will create a methodology for municipalities to use to determine their land needs to 2041. The 2011 GMS concluded that Lindsay had excess lands to 2031. When the Minister’s methodology is created, the City will use this methodology to determine if it has excess lands to 2041. If so, the excess lands will be identified and no growth will be permitted on them up to 2041 (policies 2.2.1.5 & 2.2.1.6).

The 2017GP creates a new phasing provision. This provision states that hierarchies will be created between settlement areas and within settlement areas, which will direct growth based on considerations that lead to cost effective extension of services and reduced sprawl (policy 2.2.1.3).

The City must update its comprehensive CKLOP to conform with 2017GP by 2022.

In order to have a decision of Council on OPAs 13 (the General Amendment), 14 (Bobcaygeon Secondary Plan) and 16 (Lindsay Secondary Plan) prior to the July 1, 2017 under the current 2006 Growth Plan, City Staff will bring OPAs 13 (the General Amendment), 14 (Bobcaygeon Secondary Plan) and 16 (Lindsay Secondary Plan) forward to Council for adoption on June 27, 2017. This will permit formal appeal rights to all parties for these documents at the Ontario Municipal Board. These documents will then formally join the Fenelon Falls, Omemee, and Woodville Secondary Plans that have been appealed to the Ontario Municipal Board for a consolidated hearing.

Other Alternatives Considered:

None.

Financial Considerations:

None.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This Report aligns with the Strategic Goal of "a vibrant and growing economy" and the Strategic Enabler of "responsible fiscal resource management".

Consultations:

Ron Taylor, Chief Administrative Officer
Rory Baksh, Dillon Consulting

Attachments:

Attachment "A" – Interpretation of Employment Areas



Memo

To: Mayor, Members of Council and Public Stakeholders

From: Richard Holy, Manager of Policy Planning, City of Kawartha Lakes
Rory Baksh, Dillon Consulting

cc: Chris Marshall, Director of Development Services
Robyn Carlson, City Solicitor
Ron Taylor, CAO

Date: May 12, 2017

Re: Interpretation of Employment Areas – Kawartha Lakes Secondary Plans

As the Planning Department continues to work towards achieving conformity with the 2014 Provincial Policy Statement (PPS) and the 2006 Provincial Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), this explanation has been prepared to help Council understand the subject of **employment areas** in the City of Kawartha Lakes (CKL) Secondary Plans.

* * *

1. The Issue: Claims of Inappropriate Redesignation of Employment Areas

Some stakeholders during the Secondary Plans project have claimed that employment areas in CKL's settlement areas are being redesignated to non-employment uses without justification and in the absence of a comprehensive review, making reference to the Provincial Policy Statement (PPS) which states:

1.3.2.2 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Through this memo, the Planning Department hopes to clarify which lands are subject to the Provincial conversion policies and provide a justification for any employment areas that are proposed for conversion.

2. Discussion: The Provincial Definition Recognizes Areas and Clusters that are Designated in an Official Plan

We note the following definition in the *Planning Act*, as amended:

“area of employment” means an area of land designated in an official plan for clusters of business and economic uses including...

We also note the following definition in the Provincial Policy Statement (PPS), as amended:

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

We note that in both the *Planning Act* and PPS definitions, reference is made to an area of land and clusters of uses that are designated in an official plan.

3. Discussion: Only Certain Lands in Kawartha Lakes Five Settlements Meet the Provincial Definition of Employment Areas

Although the City of Kawartha Lakes Official Plan is Ministry-approved, the land use planning framework for the settlement areas of Lindsay and Fenelon Falls still rely on the existing Official Plans for these former municipalities (because the Secondary Plans that were intended to replace them through OPA 16 and OPA 15, respectively, are not in force). There are no local Official Plans in effect for the former municipalities of Bobcaygeon, Omemee, or Woodville.

a. There are technically no employment areas in Bobcaygeon, Omemee, or Woodville

The *Planning Act* and PPS indicate that employment areas must be designated in an Official Plan.

Since there are **no local Official Plans in effect for Bobcaygeon, Omemee or Woodville – and the former County of Victoria Official Plan does not designate any employment-type uses in these settlements – then there are technically no**

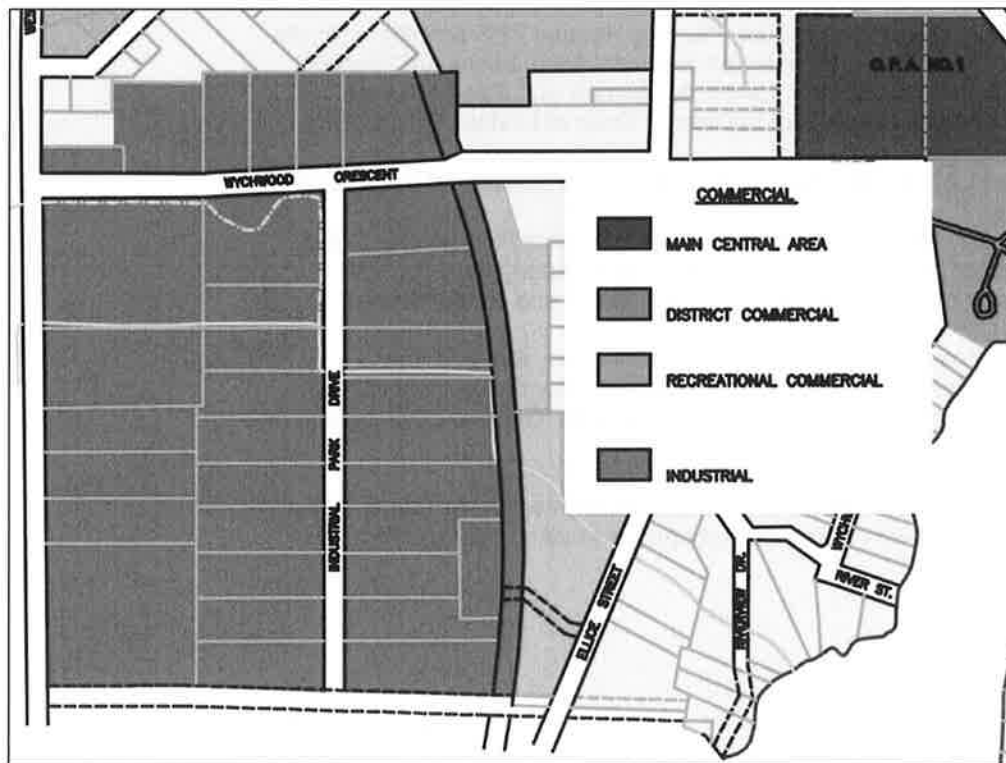
employment areas in these settlements that are subject to provisions of the PPS which restrict these lands from being converted to another land use.

We would like to note that the proposed Bobcaygeon, Omemee and Woodville Secondary Plans designate lands as “Employment” on their respective land use schedules with the intention of achieving conformity with the PPS.

b. There are no employment land conversions in the proposed Fenelon Falls Secondary Plan

With regard to employment areas (meeting the *Planning Act* and PPS definitions) in the former Village of Fenelon Falls Official Plan, the relevant land use designation is “Industrial” in Section 3.9. Lands designated Industrial are depicted on Schedule A of the former Village of Fenelon Falls Official Plan, and are centred on Wychwood Crescent and Industrial Park Drive of the former village, as shown in Figure 2 below.

Figure 2: Industrial designation in the former Village of Fenelon Falls Official Plan



The proposed Fenelon Falls Secondary Plan maintains all the lands designated Industrial from Schedule A of the former Village of Fenelon Falls Official Plan and carries them forward into a proposed "Employment" designation with the intention of achieving conformity to the PPS. As a result there are no conversions of employment areas in Fenelon Falls.

c. There is one redesignation of employment to institutional in Lindsay but it does not constitute a conversion

The Caressant Care Nursing Home located at 240 Mary Street is currently designated General Employment; however, institutional land uses are permitted in this designation. The proposed Lindsay Secondary Plan places the nursing home into an Institutional designation, so this is not a conversion *per se* but simply **a redesignation to reflect the existing land use.** Additionally, since the lands are fully built-out, **the redesignation does not increase the surplus of lands** in Lindsay.

d. There are four employment land conversion sites in the proposed Lindsay Secondary Plan

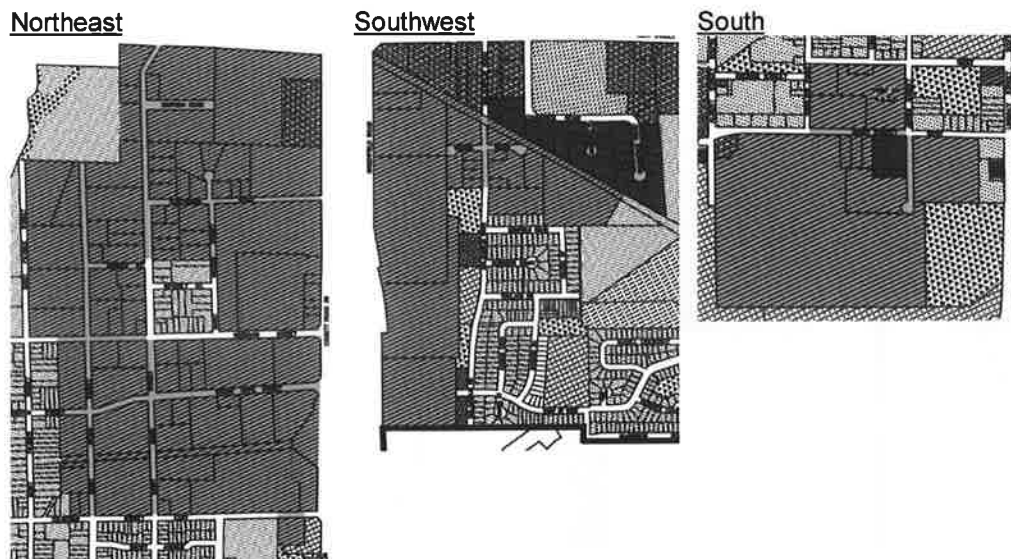
With regard to employment areas (meeting the *Planning Act* and PPS definitions) in the former Town of Lindsay Official Plan, the relevant land use designations are "General Employment" and "Prestige Employment". Lands designated with these two land use designations are depicted on Schedule B of the former Town of Lindsay Official Plan, and are centred in three areas:

1. in the northeast of Lindsay, generally north of Colborne Street East and east of St. Patrick Street;
2. in the southwest of Lindsay, generally between Commerce Road and Denfield Road, and between Greenfield Road and McLaughlin Road; and,
3. in the southern part of Lindsay, centred on Mary Street and James Street.

For certainty, we wish to note that the other land use schedules, SW-2 for the Southwest Community Development Plan and Schedule JC2 for the Jennings Creek Community Development Plan, do not designate any lands as "General Employment" or "Prestige Employment."

Lands designated General Employment and Prestige Employment in the former Town of Lindsay Official Plan are shown in Figure 3 (light purple shading has been added to assist in identifying these lands).

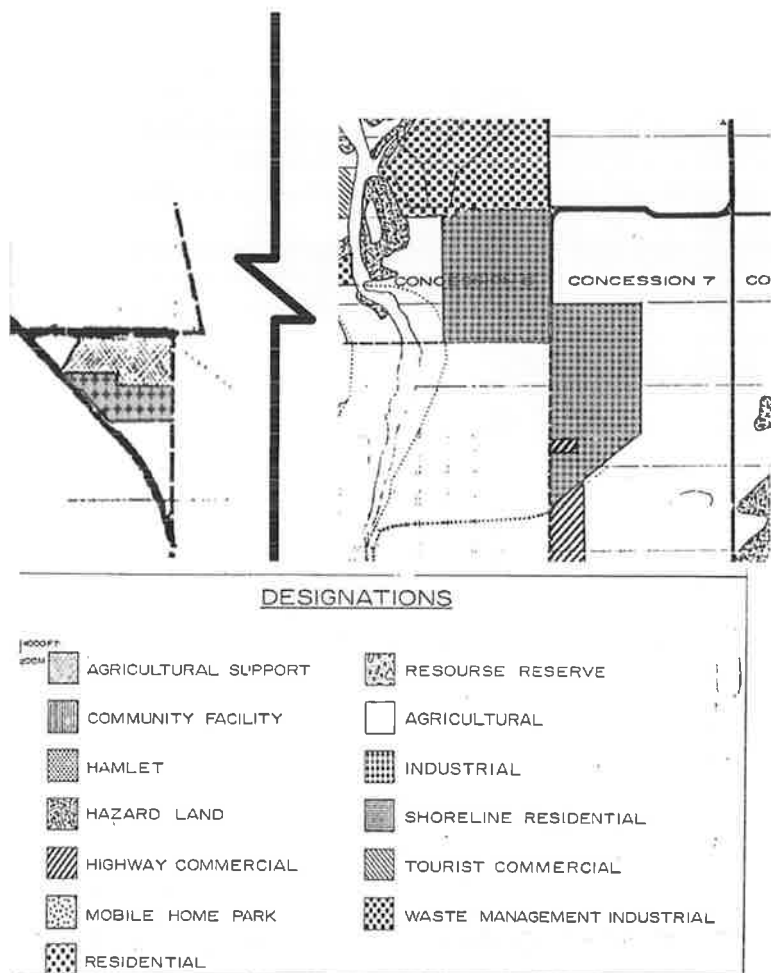
Figure 3: General Employment and Prestige Employment designations in the former Town of Lindsay Official Plan



The proposed Lindsay Secondary Plan extends beyond the boundary of the former Town of Lindsay to incorporate lands that are functionally part of the settlement. With respect to employment areas, there are lands included from the former Township of Ops Official Plan.

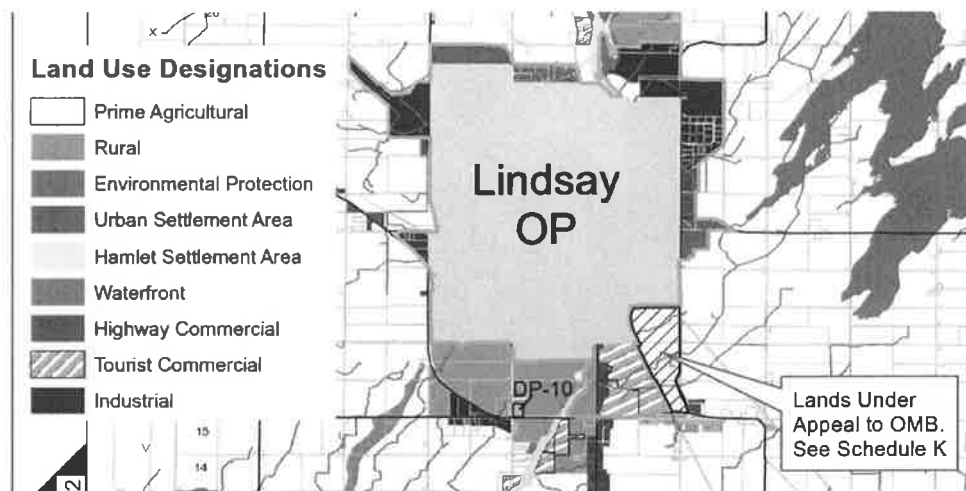
With regard to employment areas (meeting the *Planning Act* and PPS definitions) in the former Township of Ops Official Plan, the relevant land use designation is "Industrial". Lands designated Industrial are depicted on Schedule A of the former Township of Ops Official Plan, and are located at the intersection of Hwy 7 and Hwy 7B/35, and in the north east of Lindsay, as shown in Figure 4.

Figure 4: Industrial designation in the former Township of Ops Official Plan



Further to this discussion, it is important to refer to Schedule "A-3" of the Ministry-approved CKLOP. These same lands from the former Township of Ops Official Plan are designated "Industrial" in the Ministry-approved CKLOP as shown in Figure 5 below. The proposed Lindsay Secondary Plan maintains the principle of land use by designating these lands "Employment" to better conform to the PPS.

Figure 5: Industrial designations in Schedule A-3 of the Ministry-approved CKLOP located on areas in the former Township of Ops



The following is the status of all the above employment areas from the former Official Plans in the proposed Lindsay Secondary Plan:

1. Northeast area in the former Lindsay Official Plan: one conversion;
2. Southwest area in the former Lindsay Official Plan: two conversions;
3. South area in the former Lindsay Official Plan: one conversion; and,
4. Former Township of Ops Official Plan: no conversions.

The justification for these conversions is discussed below.

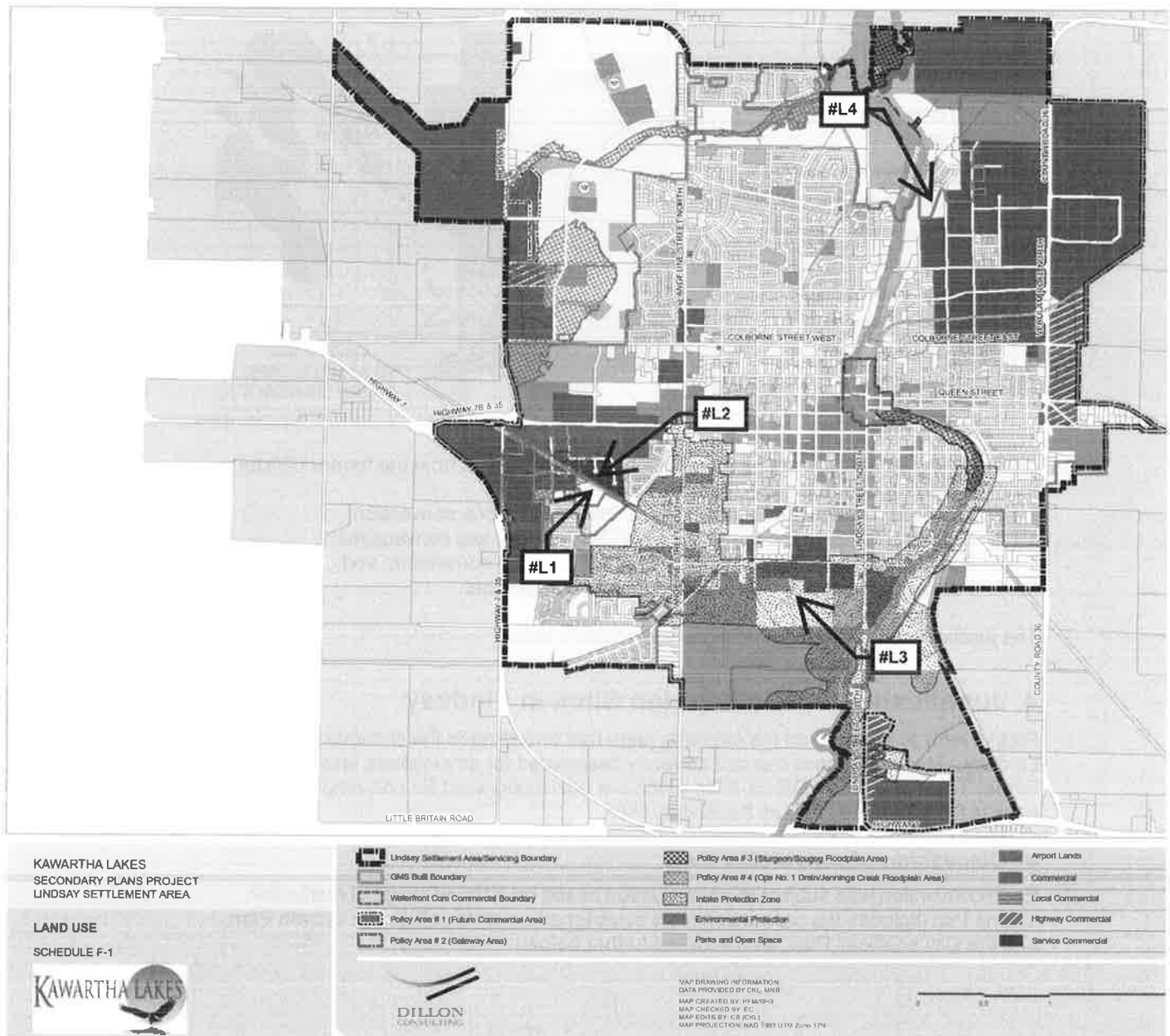
4. Justification for Conversion Sites in Lindsay

Please refer to Figure 6 on the following page that enumerates the conversion sites in Lindsay. These are lands that are currently designated for employment land uses in the former Town of Lindsay Official Plan which are now designated for non-employment uses in the proposed Lindsay Secondary Plan.

a. Discussion of conversion tests

Each conversion was subject to an evaluation based on a broad range of evaluation criteria that includes the conversion tests established under the PPS, the Growth Plan, and the City's Official Plan, as discussed further below.

Figure 6: Employment conversion sites in the proposed Lindsay Secondary Plan



PPS: Section 1.3.2.2 of the PPS establishes a conversion test as follows:

Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Growth Plan for the Greater Golden Horseshoe: The policies of the Growth Plan restrict the conversion of lands within employment areas to non-employment uses without a justification through a municipal comprehensive review. Policy 2.2.6.5 contains the criteria that the City must meet during the municipal comprehensive review in order to justify the conversion of lands:

2.2.6.5. Municipalities may permit conversion of lands within employment areas, to non-employment uses, only through a municipal comprehensive review where it has been demonstrated that –

- a) there is a need for the conversion*
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan*
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan*
- d) there is existing or planned infrastructure to accommodate the proposed conversion*
- e) the lands are not required over the long term for the employment purposes for which they are designated*
- f) cross-jurisdictional issues have been considered.*

For the purposes of this policy, major retail uses are considered non-employment uses.

2.2.6.6. Policy 2.2.6.5 only applies to employment areas that are not downtown areas or regeneration areas. For those employment areas that are downtown areas or regeneration areas, Policy 1.3.2 of the PPS, 2005 continues to apply.

City of Kawartha Lakes Official Plan: The potential conversion sites are also subject to a test of the City of Kawartha Lakes Official Plan policy 18.6.6:

The conversion of lands within the Employment Areas to non-employment uses shall only occur through a municipally initiated comprehensive review of this plan. Notwithstanding, the conversion of Employment Areas that are downtown areas or regeneration areas shall be subject to Policy 1.3.2 of the Provincial Policy Statement.

In addition, the proposed new policies were considered as part of the test:

The municipal comprehensive review has to demonstrate that:

- a) There is a need for the conversion of some employment lands to other uses and the conversion is compatible with surrounding land uses;*
- b) The municipality will meet the employment targets allocated to the City pursuant to this Plan;*
- c) The conversion will not adversely affect the overall viability of the City's Employment Areas and the achievement of the intensification target, density targets and other policies of this Plan;*
- d) There is existing, or planned, infrastructure in place to accommodate the proposed use;*
- e) The lands are not required, over the long term, for employment purposes for which they are designated; and,*
- f) Cross jurisdictional issues have been considered (e.g., supply of employment lands in the broader regional market area).*

b. Discussion of employment supply and demand from the Growth Management Strategy

The City of Kawartha Lakes 2011 Growth Management Strategy (GMS) undertook an analysis of the employment land demand and supply for the City. This analysis concluded that:

- ☐ There are approximately 180.6 hectares of zoned industrial lands in Lindsay that are currently vacant. The majority of this vacant land is located outside the Built Boundary and thus considered greenfield. Any future development would be required to meet the provincial Growth Plan greenfield density target of 50 people/jobs per hectare.
- ☐ No employment lands are required to accommodate future employment growth to 2031.
- ☐ There are sufficient vacant zoned employment lands within Lindsay to accommodate all of the forecast industrial job growth from 2006 to 2031.
- ☐ There are 404 new employment land jobs forecast to 2031. Even if the forecast were to develop at lower densities (i.e., lower than the 40 people/jobs hectare that was approved for the City's greenfield developments), there is more than sufficient lands to accommodate the forecast employment growth (i.e., 404 jobs will need approximately 40 hectares at a density of 10 jobs per hectare).
- ☐ It is anticipated that some of the forecast Commercial employment would locate on vacant employment lands. Even if the majority of commercial employment were to locate on vacant employment lands, there are sufficient employment lands within the existing settlement boundaries to accommodate the forecast employment growth.

The GMS identified some sites located in older industrial lands along Mary Street in Lindsay that could be considered for redevelopment and intensification. According to

the GMS, conversion of these lands to residential uses would meet the employment lands criteria of the Growth Plan as follows:

- a) There is a need for redevelopment sites within the existing urban area if the City is going to approach the residential intensification targets set out in the Growth Plan.
- b) The City will meet its employment forecasts. As described earlier in this section, there is more than enough vacant, designated employment land within the City to meet the forecast demand.
- c) There are limited opportunities for redevelopment and intensification within the City. The redevelopment of these lands provides greater opportunity for the City to achieve the intensification target.
- d) There is, or could be, sufficient infrastructure.
- e) These lands are not needed for employment uses in order for the City to accommodate the forecast growth.
- f) Cross jurisdictional issues are not a consideration.

According to the GMS, some of the older industrial lands are appropriate for redevelopment and conversion to other uses. Employment land absorption in the City is relatively slow and the City should consider better, strategic locations for employment development.

c. Evaluation criteria for the four conversions in Lindsay

Each conversion was evaluated against criteria as outlined below. As indicated, the criteria take into consideration the conversion tests established under Section 1.3.2.2 of the PPS, the Growth Plan, and Kawartha Lakes Official Plan.

- A. **Need:** There is a need for the conversion of the site(s) from employment to other use(s);
- B. **Compatibility:** Conversion is compatible with surrounding land uses;
- C. **Employment targets:** The City will meet the allocated employment targets even with the site's conversion;
- D. **Viability:** Conversion of the site will not adversely affect the overall viability of the employment area;
- E. **Consistent with City's Official Plan policies:** Conversion of the site will not adversely affect the achievement of the City's intensification target, density targets, and other policies of the Official Plan;
- F. **Infrastructure:** There is existing, or planned, infrastructure in place to accommodate the proposed use;
- G. **Employment land need:** The lands are not required, over the long term, for employment purposes for which they are designated;
- H. **Cross jurisdictional issues:** Cross jurisdictional issues have been considered (e.g., supply of employment lands in the broader regional market area).

- I. **Location:** The site is located outside or on the fringe of a designated industrial area and/or the site is surrounded by non-employment land designations;
- J. **Marketability of current use:** The site offers limited market choice for industrial lands development due to size, configuration, physical conditions, etc.;
- K. **Expansion potential of current use:** The site does not offer potential future expansion of industrial use on existing or neighbouring industrial lands; and,
- L. **Recognize existing use:** The conversion of the site is recognizing an existing land use (non-employment use).

The results of the analysis are presented in **Tables 4-1 and 4-2** as qualitative observations on whether the conversions meet or do not meet the evaluation criteria.

Table 4-1: Evaluation of Conversions



Meets the evaluation criteria



Does not meet the evaluation criteria

Area #	Site(s) Location	Conversion Evaluation Criteria											
		A	B	C	D	E	F	G	H	I	J	K	L
Lindsay													
	South West Area												
L1	Denfield Rd. & Selena St.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	NA	✗
L2	Commerce Rd.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NA	✓
	South Area												
L3	Mary St. W.	✓	✓	✓	NA	✓	✓	✓	✓	✓	✓	NA	✗
	Northeast Area												
L4	St. Peter St. & Barron Blvd.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	NA	✗

Table 4-2: Commentary on the Conversions

Area #	Site(s) Location	Comments
Lindsay		
L1	Denfield Rd. & Selena St.	The GMS identified this site as an opportunity for residential intensification. The lands abut existing and planned residential land uses to the south and southeast.
L2	Commerce Rd.	Service commercial-type uses have located here over time (Osso Electric Supplies, Nedco Electrical Supply, Kawartha Wholesale Bakery and Deli, I&K Auto Service). Designating these lands as "Service Commercial" recognizes these existing land uses. Designating these lands as "Service Commercial" also creates an appropriate land use transition from the employment lands to the west and the commercial lands to the north.

Area #	Site(s) Location	Comments
L3*	Mary St. W.	The GMS identified these lands as an opportunity for residential/mixed use intensification. The lands are surrounded by residential and institutional (Fleming College Frost Campus) uses.
L4	Saint Peter St. & Barron Blvd.	The GMS identified the lands as suitable for residential development. The lands abut existing and planned residential land uses to the north and west, respectively.

*We wish to note that we have treated the Trent Rubber site as employment lands in our analysis even though they might not necessarily form part of an employment cluster. We have past correspondence from the Province suggesting that the site “would appear to be a stand-alone parcel designated for industrial uses and would therefore not meet the definition of an employment area or be subject to the employment land conversion requirements set out in the Growth Plan”. An excerpt of this correspondence is included in Appendix A to this memo.

d. Conclusion

Recognizing that Lindsay is in the somewhat challenging circumstance of having a surplus of residential, employment, and commercial designated lands, we believe that it is good planning to allow for some rational land use changes within the settlement area (especially within the built boundary), rather than being hamstrung by the surplus.

With respect to the criterion of “Need” in Column ‘A’ of Table 4-1 above, it is acknowledged that the conversions increase the supply of residential and commercial land in CKL when a surplus of both currently exist. Conversely, with regards to the PPS Section 1.3.2.2 that allows the conversion if it is demonstrated that “the land is not required for employment purposes over the long term”, the conversion of these employment lands is a reduction of a surplus of employment land that is not required for employment purposes over the long term.

The following are the additional merits of the four conversions:

1. Reduces the potential for land use conflict in locations where this might occur;
2. Promotes development on lands that are contiguous to the existing settlement area and on lands that have access to available servicing, so this avoids sprawl or leapfrog development;
3. Is not used as the basis for justifying any settlement area boundary expansion in Lindsay or for any other settlement area; and,
4. For conversion site L3 on Figure 6 – the former Trent Rubber factory site – this promotes the potential for the brownfield redevelopment (Provincial interest) of these lands rather than leaving them as idle lands contributing to blight in Lindsay as shown in Figure 7. As noted earlier in this memo, we have treated this site as employment lands, although previous correspondence from the Province (see Appendix A) suggests that these lands are not subject to the conversion requirements.

Figure 7: Oblique aerial image of former Trent Rubber factory site



Image Source: Google, Inc.

This evaluation has identified that the conversions from employment uses to non-employment uses in Lindsay are justified based on the evaluation criteria identified above.

* * *

We hope that the foregoing is clear and alleviates any concerns regarding employment areas and their conversions in the proposed Secondary Plans.

We believe this work demonstrates conformity to the PPS and Growth Plan, and represents good planning.

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Appendix A: Correspondence from the Province on the Trent Rubber Factory Site – Not Subject to Employment Land Conversion Test

**Ministry of
Municipal Affairs
And Housing**

**Ministère des
Affaires municipales
et du Logement**



Municipal Services Office
Eastern Region
8 Estate Lane
Rockwood House
Kingston ON K7M 9A8
Phone: (613) 545-2100
Fax: (613) 548-6822
Toll Free: 1-800-267-9438

Bureau des services aux municipalités
Région de l'Est
8 chemin Estate
Maison Rockwood
Kingston ON K7M 9A8
Téléphone: (613) 545-2100
Télécopieur: (613) 548-6822
Sans frais: 1-800-267-9438



Richard Danziger, Director of Planning
Development Services - Planning Division
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

January 5, 2009

Re: City of Kawartha Lakes, Draft Document, Trent Rubber Brownfield Redevelopment Proposal

Dear Mr. Danziger,

This letter is in response to your pre-consultation of the above-noted proposal. The preliminary proposal involves the redevelopment of the former Trent Rubber site for employment, residential and retail uses. The site is currently designated industrial in the official plan, but is surrounded by predominately residential and institutional uses. It is a brownfield site and would be remediated as part of the redevelopment process. We appreciate the opportunity to review this proposal. We have taken the opportunity of consulting with our colleagues at the Ministry of Energy and Infrastructure. We are pleased to provide the following coordinated one-window comments.

As you know, the City of Kawartha Lakes is subject to the requirements of the Growth Plan for the Greater Golden Horseshoe, released June 16, 2006. The *Places to Grow Act*, 2005, requires that all decisions under the *Planning Act* and *Condominium Act* conform to the growth plan and within 3 years of a growth plan being approved all municipal official plans must be brought into conformity. We look forward to working with the City on its Growth Plan conformity exercise.

The Growth Plan sets a number of tests for conversion of lands within employment areas, to non-employment uses. Employment areas are defined as "Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities." Based on the description of the site provided, it would appear to be a stand-alone parcel designated for industrial uses and would therefore not meet the definition of an employment area or be subject to the employment land conversion requirements set out in the Growth Plan.

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