

# **The Corporation of the City of Kawartha Lakes**

## **Planning Advisory Committee Report**

**Report Number PLAN2019-057**

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**Meeting Date:** October 9, 2019

### **Public Meeting**

**Title:** Applications to amend the City of Kawartha Lakes Official Plan and Township of Fenelon Zoning By-law 12-95

**Description:** To permit a residential condominium development consisting of 26 townhouse dwellings and two apartment buildings containing 60 dwelling units on West Street North, geographic Township of Fenelon, now City of Kawartha Lakes (Muskoka D & M Corp.)

**Ward Number:** 3 - Fenelon

**Author and Title:** Mark LaHay, Planner II

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### **Recommendations:**

**That** Report PLAN2019-057, respecting being Part of Lot 23, Concession 9, Parts 1 to 3, Plan 57R-8353, Parts 1 and 2, Plan 57R-2352, Lots 53-54, Part Third Street (Closed), Plan 190, geographic Township of Fenelon, identified as 19, 39 and 67 West Street North, "Muskoka D & M Corp. – Applications D01-2018-006 and D06-2018-028", be received; and

**That** the applications respecting the proposed Official Plan Amendment and Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

**Department Head:**

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**Legal/Other:**

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**Chief Administrative Officer:**

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## **Background:**

The initial statutory public meeting was held by the Planning Advisory Committee on March 6, 2019, which adopted the following recommendation:

### **PAC2019-018**

**Moved By** Councillor Veale

**Seconded By** J. Willock

**That** Report PLAN2019-015, respecting being Part of Lot 23, Concession 9, Parts 1 & 2, Plan 57R-8353, Geographic Township of Fenelon, identified as 19 and 39 West Street North, Muskoka D & M Corp. – Applications D01-2018-006 and D06-2018-028, be received; and

**That** the applications respecting the proposed Official Plan Amendment and Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

**Carried**

At the Council Meeting of March 26, 2019, Council adopted the following resolution:

### **CR2019-232**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Veale

**That** the Minutes of the March 6, 2019 Planning Advisory Committee Meeting be received and the recommendations, listed in section 13.1 of the Agenda, be adopted.

**Carried**

Notwithstanding the above direction, this report addresses the revised applications for Official Plan Amendment and Zoning By-law Amendment that were submitted as the owner has acquired property along the waterfront and revised the number and configuration of the proposed dwelling units. Therefore, another public meeting is required to consider the amended proposal.

The previous proposal was to permit a residential condominium development consisting of 24 townhouse dwellings in three 5-unit townhouse blocks with separate entrances along West Street North, three 3-unit townhouse blocks and one 40-unit apartment building consisting of 4 residential floors with parking below for a total of 64 dwelling units together with a private stormwater management pond, amenity area and an internal road providing access to parking facilities. The revised proposal consists of 26 townhouse dwellings, all

with internal driveway access in four 3-unit townhouse blocks, one 4-unit townhouse block, two 5-unit waterfront townhouse blocks and two 30-unit apartment buildings consisting of 4 residential floors with a level of parking below for a total of 86 dwelling units, without a private stormwater management pond. The proposal will be developed on full municipal water and sewer services.

The purpose of the revised proposed Official Plan Amendment and Zoning By-law Amendment is to re-designate the lands from the “Urban Settlement – Fenelon Falls Fringe” area designation in the City of Kawartha Lakes Official Plan to an “Urban Settlement – Fenelon Falls Fringe” area designation with a “Special Policy” to permit residential development in the form of townhouses, including waterfront townhouses with a 15 metres water setback and apartment dwelling units with an overall density of approximately 44 dwelling units per gross hectare and to rezone the lands from the “Future Residential Development (FRD)” Zone, “Rural Residential Type Three (RR3) Zone” and “Rural Residential Type Three Exception Fifteen (RR3-15) Zone” to a “Hamlet Residential Exception (HR-\*)” Zone or other appropriate residential zone category with site specific residential zone provisions. It is anticipated that the owners will seek Council’s approval for a Condominium Description Exemption once Site Plan Approval has been granted.

Owners:	Muskoka D&M Corp. (c/o Doug Gray)
Applicant:	EcoVue Consulting Services Inc. – Beverly Saunders
Legal Description:	Part of Lot 23, Concession 9, Parts 1 to 3, Plan 57R-8353, Parts 1 and 2, Plan 57R-2352, Lots 53-54, Part Third Street (Closed), Plan 190, geographic Township of Fenelon
Designation:	“Urban Settlement” – Fenelon Falls Fringe Area, on Schedule A-5 of the City of Kawartha Lakes Official Plan
Zone:	“Future Residential Development (FRD) Zone”, “Rural Residential Type Three (RR3) Zone” and “Rural Residential Type Three Exception Fifteen (RR3-15) Zone” on Schedule ‘A’ of the Township of Fenelon Zoning By-law No. 12-95
Lot Area:	1.988 ha (4.913 ac.)
Site Servicing:	Proposed municipal water and sanitary sewer, drainage swales and storm sewers
Existing Uses:	Vacant Land and waterfront dwelling with boathouse
Previous Uses:	Wood furniture and toy manufacturing and automobile service facility activities, waterfront residential
Adjacent Uses:	North: Cameron Lake East: West Street North/Residential South: Residential West: Bass Street/Commercial/Residential

## **Rationale:**

The subject property, municipally known as 19 (and 39) and 67 West Street North, is located on the west side of West Street North on the east side of Bass Street and north of CKL Road 8 (Helen Street) and now includes waterfront property on Cameron Lake (see Appendix 'A'). The proposed development borders the Village of Fenelon Falls but is located within the geographic Township of Fenelon. The owners propose a residential condominium development consisting of 26 townhouse dwelling units and 60 apartment dwelling units (see Appendices 'C' and 'D'). The proposed development will be serviced by municipal water and sanitary sewer and storm sewers. The internal components of the development are proposed to be accessed from West Street North through a common elements condominium road. Bass Street access is reserved for emergency access only. An amendment to the Official Plan and Zoning By-law is necessary to permit the proposed configuration of apartment buildings and townhouse dwelling residential use at a density of approximately 44 dwelling units per gross hectare.

The applicant has submitted the following reports and plans along with updates in support of the applications for review:

1. Planning Justification Report prepared by EcoVue Consulting Services Inc., dated October 23, 2018 and updated August 8, 2019. The reports discuss and assess the proposal in the context of the 2014 Provincial Policy Statement, Growth Plan, the City of Kawartha Lakes Official Plan, and the Township of Fenelon Zoning By-law.
2. Concept (Draft) Plan prepared by EcoVue Consulting Services Inc., dated September 26, 2018 and updated August 7, 2019.
3. Conceptual Site Plan Layout prepared by Lett Architects Inc., dated July 6, 2018 and updated August 2019 as prepared by ISM Architects Inc.
4. Preliminary Building Elevations prepared by Lett Architects Inc., dated July 6, 2018 and updated August 2019 as prepared by ISM Architects Inc.
5. Shadow Study prepared by Lett Architects Inc., dated July 6, 2018 and amended July 2019 as prepared by ISM Architects Inc.
6. Urban Design Guideline prepared by ISM Architects, received January 16, 2019.
7. Geotechnical Investigation Report dated June 2018 and Supplemental Test Pit Investigation and Karst Conditions Review dated July 2019 prepared by prepared by Peto MacCallum Ltd., Consulting Engineers. The supplemental report concludes there is low potential for complications due to Karst conditions for the site.
8. Phase One and Phase Two Environmental Site Assessment Report prepared by Grace & Associates Inc., dated October 22, 2013 and

January 21, 2014, respectively. Phase One Environmental Site Assessment Report for the acquired waterfront property prepared by Trinity Consultants dated April 2019. This Phase One Report identified no environmental concerns on the waterfront property.

9. Stage 1 and 2 Archaeological Assessment prepared by Earthworks Archaeological Services Inc., dated October 22, 2018. Stage 1 and 2 Archaeological Assessment for the acquired waterfront property prepared by Earthworks Archaeological Services Inc., dated July 16, 2019. These reports identify and evaluate the proposal with respect to archaeological resources and did not yield any evidence of archaeological material.
10. Topographic Survey Plan prepared by EcoVue Consulting Services Inc., dated January 18, 2018 and updated April 2019.
11. Plan of Survey prepared by Coe, Fisher, Cameron, Ontario Land Surveyors dated August 29, 2000 deposited as Plan 57R-8353 on October 6, 2000 and Legal Survey for the acquired waterfront property prepared by Smith & Smith, dated May 1978.
12. Traffic Impact Study for MDM Developments prepared by JD Northcote Engineering Inc., dated May 14, 2018 and updated August 2019. The report concludes that the proposed development will not cause any operation issues and will not add significant delay or congestion to the local road network.
13. Functional Servicing Report prepared by Pearson Engineering Ltd., dated July 2018 and updated August 2019. The report examines municipal water and sanitary servicing options for the property as well as stormwater management and includes requested stormwater and phosphorus management and lot grading and drainage plans. The report concludes sanitary and watermain connections are required to be made to existing services on West Street North and storm services will be conveyed to Cameron Lake with a treatment train approach to be implemented consisting of grass swales and rooftop infiltration which has been sized to provide water balance for the site.
14. Engineering Drawings including Notes and Details Plan, Site Grading Plan, Site Servicing Plan, Pre-Development Storm Catchment Plan, Post-Development Storm Catchment Plan and Erosion Protection Plan, prepared by Pearson Engineering Ltd., dated July 2018 and updated August 2019.
15. Environmental Impact Study and Fish Habitat Enhancement Plan prepared by RiverStone Environmental Solutions Inc., dated August 2019. This report recommends that potential impacts to fish habitat associated with Cameron Lake can be addressed through avoidance and mitigation measures and that the development is proposed outside of potential habitat for Species at Risk.

16. Restricted Land Use Notice issued by Kawartha Conservation, dated July 2019.

All of the above previous and revised reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. Staff has reviewed the amended Planning Justification Report that was prepared and filed in support of the applications and is reviewing the other supporting documentation provided in the context of evaluating the relevant Provincial and City of Kawartha Lakes Policies and Plans. Staff recommends that the applications be referred back to Staff until such time as commenting Agencies and City Departments have submitted comments and any concerns have been addressed.

**Provincial Policies:**

**Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):**

The Growth Plan (GP) provides that growth should be directed towards settlement areas and utilizes existing or planned infrastructure and anticipates the intensification of brownfield sites. The proposed development will provide infill residential development on full municipal services and be located within the Fenelon Falls settlement area. The GP envisions increasing intensification of the existing built-up area and providing a diverse range and mix of housing options. This application facilitates the efficient use of existing infrastructure within a designated settlement area and contributes to the achievement of complete communities and compact built form.

As the subject land is considered within a settlement area, the Natural Heritage System policies of the Growth Plan do not apply.

Therefore, these applications appear to conform to the policies of the Growth Plan.

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

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure.

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, outlines how healthy, liveable 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 (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including

- places of worship, cemeteries and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs; and
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 Settlement Areas, states that it is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces and ensure effective use of infrastructure and public service facilities.

Section 1.1.3.1 states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

Section 1.1.3.2 states that land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  - 3. support active transportation; and
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, which permits Planning authorities to identify appropriate locations and promote opportunities where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.4 Housing, requires planning authorities to provide for an appropriate range and mix of housing types and densities to meet the social, health and well-being requirements of current and future residents, including special needs requirements.

Section 1.6 Infrastructure and Public Service Facilities, promotes intensification and redevelopment within settlement areas utilizing existing municipal sewage services and municipal water services and planning for stormwater management that will minimize increases in contaminant loads and changes in water balance and erosion, not increase risks to human health and safety and property damage, maximize the extent and function of vegetative and pervious surfaces and promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

Development and site alteration shall also be directed in accordance with the policies of Section 2 and 3 of the PPS. The PPS prohibits development and site alteration on lands adjacent to natural heritage features, unless it has been demonstrated there will be no negative impacts on the natural features or their ecological functions. The revised applications and supporting documentation,

including the Environmental Impact Study (EIS) and Supplemental Test Pit Investigation and Karst Conditions Review were circulated to the Kawartha Region Conservation Authority (KRCA) for their review to ensure conformity with respect to:

- a) natural heritage feature policies as identified in Section 2 of the PPS being within or adjacent to the proposed development being within 120 metres of a waterbody (Cameron Lake); and
- b) whether any natural hazards, as identified in Section 3 of the PPS are located within the proposed development.

Also in relation to Section 3, a Phase One and Phase Two Environmental Site Assessment (ESA) was previously circulated for review and comment in relation to human-made hazards. Although these assessments suggested no further investigation is recommended as all tested parameters related to soil and groundwater sampling were in accordance with MOE standards, the Ministry of Environment, Conservation and Parks (MECP) previously advised further work is required to address significant deficiencies in the initial Record of Site Condition (RSC) submission from 2014. In addition, the Phase 1 and Phase 2 Studies need to be updated and more scoped work may need to be undertaken in order to bring these studies into conformity with the current regulations in order to properly file a Record of Site Condition for the subject property. With the revised applications, a Phase 1 ESA for the newly acquired waterfront lands and the Environmental Impact Study (EIS) were circulated to MECP for comment as it is now within their mandate to review Species at Risk (SAR).

Archaeological Assessments were completed in relation to Section 2.6 of the PPS although Staff is unaware if Curve Lake First Nation provided input.

Further comments from the relevant Department and Agencies are required to demonstrate that these applications are consistent with the PPS.

### **Official Plan Conformity:**

The “Urban Settlement Area – Fenelon Falls Fringe” designation in the City of Kawartha Lakes Official Plan (CKLOP) applies as the “Residential” designation in the Fenelon Falls Secondary Plan (SP) is under appeal to the Local Planning Appeal Tribunal, formerly known as the Ontario Municipal Board. The Urban Settlement designation predominately permits single detached dwellings as a residential use; however medium density residential uses in the form of row or cluster dwellings are also permitted with a maximum density of 24 dwelling units per gross hectare. The proposed density on the subject land, being approximately 44 units per gross hectare, exceeds the medium density policy provisions, and therefore an Official Plan Amendment is being sought to create a Special Policy Area to permit the proposed development in the built form of townhouses and an apartment building which is in keeping with the general policies of the proposed SP for residential use of land within the settlement area of Fenelon Falls. In addition, Staff is further reviewing the application submission with respect to reducing the water setback from 30 metres to 15 metres in relation to the Water Setback policies of Section 3.11 that pertain to maintaining



a natural vegetated area and establishing a vegetation protection zone, and minimizing impacts of expansion and reconstruction and soil erosion and the Housing Affordability policy in accordance with Section 5.3 of the CKLOP and the definition contained in Section 30 of the CKLOP.

### **Zoning By-Law Compliance:**

The subject land is zoned “Future Residential Development (FRD) Zone”, “Rural Residential Type Three (RR3) Zone” and “Rural Residential Type Three Exception Fifteen (RR3-15) Zone” in the Township of Fenelon Zoning By-law 12-95. The applicant has submitted a revised Zoning By-law Amendment application for consideration which proposes to rezone to a Hamlet Residential Exception (HR-\*) Zones or other appropriate residential zone categories, to permit the proposed development consisting of a mix of 26 townhouse and 60 apartment residential dwelling units with site specific provisions relating to minimum lot area, front and rear yard setback, building height, minimum dwelling unit area and density pertaining to the number of dwelling units per lot on the subject lands. Based on comments received regarding the previously submitted Phase One and Phase Two ESAs, it is recommended that a Holding (H) Provision be applied which requires further updates to the ESAs and any required site remediation in order to file a Record of Site Condition, prior to any development. The Holding symbol would also be applied to the entire subject lands to ensure that a secured site plan agreement is executed and to apply for a deeming by-law, if required, to ensure the lands are merged into one land parcel.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Financial/Operation Impacts:**

There are no financial/operational considerations unless Council’s decision to adopt or its refusal to adopt the requested amendments is appealed to the Local Planning Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **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 vibrant and growing economy strategic goal as it increases the supply of new housing options to attract new residents in the City of Kawartha Lakes.

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

There are no accessibility implications for the City. The accessibility standards established in the Building Code will be shown on the subsequent construction drawings through the site plan approval process, which must be approved by the City prior to the issuance of a building permit.

## **Servicing Comments:**

The revised Functional Servicing Report was circulated to the Engineering and Corporate Assets Department for review and comment. This report suggests that the subject lands can be serviced utilizing existing services on West Street North.

## **Consultations:**

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. A Public Meeting for the original applications was held on March 6, 2019. To date, we have received the following comments:

### **Public Comments (Previous Proposal):**

At the time of writing the March 6, 2019 PAC report, two public comments were received. The residents at 4 Oriole Road are opposed to the applications as they do not believe that Cameron Lake can support high density development with a four storey apartment building with inadequate sewer infrastructure and it does not fit in their community of single detached dwellings and cottages. They are in favour of lower density single detached dwellings. Another resident who called in and lives a block away from Bass Street along CKL Road 8 was inquiring where the existing municipal water and sewer service connections are for the proposed development and if the City would consider extending services further west.

Prior to the Public Meeting on March 6, 2019, comments were received from the two residents on King Street who advised the proposal would change the character of the neighbourhood, lower property values and make area less desirable, increase water consumption and waste, change zoning by-laws, increase traffic congestion, noise as well as lighting and lead to loss of privacy.

Wendy Flett, adjacent property owner at 4 Bass Street, expressed concern regarding the potential proximity of the entrance to the development to her property line and how the values of the new units will affect other property values in the area. Ms. Flett expressed an interest in sewer connectivity for her residential property with services being extended to the new development.

Debbie Branidis, resident at 24 West Street, advised that her home is on the street directly across from the proposed development. She expressed concern regarding the effect the additional 64 units will have on the character of the neighbourhood, traffic congestion, property taxes, safety of children and impact

on the small waterway nearby. Ms. Branidis noted that the area is a quiet family-oriented area and in her opinion only single houses should be permitted. She stated that the proposed development will infringe on her peace and privacy.

Ms. Vicki Moulder, a resident of Bobcaygeon who was with Ms. Flett, requested that a social impact study be done prior to approval of the land zoning change with an opportunity for public input. She expressed concern regarding traffic, transportation and the overall impact of the proposed development on the existing residents in the area.

### **Agency Review Comments (Previous Proposal):**

On February 5, 2019, the Building Division advised they have no concerns at this time but will reserve their ability to comment with respect to the site plan circulation.

On February 6, 2019, the Ministry of the Environment, Conservation and Parks (MECP) advised that a Record of Site Condition (RSC) was submitted in 2014 but never filed as a number of outstanding issues remain to be resolved. Furthermore, the Phase I and Phase II Environmental Site Assessment Studies submitted in support of the subject applications are out of date and in addition to addressing deficiencies in the said studies, more scoped work may need to be undertaken in order to bring the Phase I and Phase II studies into conformity with the Regulations.

On February 6, 2019, a Restricted Land Use Notice was issued by the Risk Management Official (RMO) of the Kawartha Region Conservation Authority (KRCA) as required under Section 59 of the Clean Water Act (2006) as a portion of the property is within an intake protection zone for Fenelon Falls. This is necessary to engage in an activity in a vulnerable area for a municipal drinking water supply; however, there is no prohibition or risk management plan requirement. A new application for Notice will need to be submitted prior to applying for any subsequent municipal approvals under the Planning Act or Building Code Act.

On February 12, 2019, Enbridge Gas Distribution advised they do not object to the proposed applications and reserve the right to amend or remove development conditions.

On February 12, 2019, Canada Post Corporation advised that mail delivery will be provided through centralized Community Mail Boxes (CMB) and Lock Box Assembly (LBA) for the multi-unit building but has not determined the CMB location at this time. Canada Post requested dates when the development is scheduled to begin along with civic addresses.

On February 12, 2019, Fire Services advised that they have no issues with the proposed applications and any issues can be dealt with through the site plan approval process.

On February 20, 2019, Engineering and Corporate Assets advised they have reviewed the proposed plan and the City's by-laws and are recommending that

Planning coordinate a meeting with the owner and their development team.  
Some of the issues identified include but are not limited to:

- Engineering does not support 15 additional entrances and service connections to West Street North;
- Water and sanitary services for all townhouses shall be internal to the site. Separate service connections for separate buildings on the same property require a formal By-law Exemption request;
- Traffic Impact Study (TIS) will need to be corrected based on the current development proposal with 24 townhouse units. Access to the townhouse units will be from the internal site as identified in the TIS;
- Bass Street is a non-standard right of way width with a gravel surface. Secondary access from Bass Street is not permitted and was not identified in the TIS;
- Plan and Profile design is required for new infrastructure and improvements to West Street North taking into account pedestrian access and sidewalk along the frontage of the property;
- An MECP Environmental Compliance Approval (ECA) application and approval required for new municipal servicing infrastructure and storm outlet to Cameron Lake. Pre-consultation with MECP is advised;
- Engineering requires comments from the Kawartha Region Conservation Authority (KRCA) prior to finalizing stormwater management related comments;
- Quality control for stormwater flows must be included for the entire site;
- Clarification is required to demonstrate how stormwater will be collected and conveyed to the proposed bio retention basin;
- Further detail is required to confirm the proposed stormwater quality control measures and the impacts of shallow impermeable bedrock for on-site and off-site works;
- Geotechnical Investigation Report will need to be revisited to ensure it supports the engineering design;
- Functional Servicing Report needs to take into account the City's Storm and Stormwater Infrastructure Guidelines and the drainage areas do not match the drainage plan;
- All proposed servicing must be identified on a Proposed Servicing Plan;
- A Removals Plan is required to indicate removal of existing servicing laterals, water wells, old entrances, fencing, etc.; and
- Topographic Survey is required to be prepared by an Ontario Land Surveyor (OLS).

On February 20, 2019, the Economic Development Department advised they have no comments on the applications.

On February 25, 2019, the Kawartha Region Conservation Authority advised the property is within KRCA's regulated area as it is adjacent to Cameron Lake. KRCA was uncertain whether the property is within the 15m limit of the flood hazard regulated area associated with the flood elevation, which needs to be

confirmed. In addition, the subject property is in a known area of karst topography and the geotechnical study should identify mitigation measures that may be required to address the development proposal. This information would be required to satisfy the PPS with respect to natural hazards. Overall, KRCA does not foresee any issues with these applications, but requests to be circulated on any further applications (i.e. Site Plan Approval) where additional comments may arise from detailed design review.

On February 28, 2019, the Community Services Department advised that they have no comments or concerns.

On March 3, 2019, the Kawartha Lakes Accessibility Advisory Committee (KLAAC) provided suggestions to increase the amount of accessible parking and improve barrier free access.

On March 4, 2019, Curve Lake First Nation advised that additional consultation is required as they are seeking further input addressing the following areas of concern to their First Nation: possible environmental impact to drinking water, endangerment to fish and wild game, impact of Aboriginal heritage and cultural values; and endangered species, lands, etc.

On March 5, 2019, Hydro One Networks Inc., advised that they have reviewed the information provided relating to the applications and advised they have no facilities on the property.

#### **Public Comments (Revised Proposal):**

As of the time of writing this report, a resident at 4 Oriole Road inquired as to the process to provide written comments and concerns regarding the revised applications to be considered by the Planning Advisory Committee. A resident at 24 King Street requested clarification if Building 'B' was a five or six storey apartment and whether it would overlook his property. An email from a resident at 7 West Street North, who was also defending the interests of neighbouring residents at 5, 8 and 9 West Street North was concerned regarding the scale of the proposed development, requirements for upgrading water and sewer servicing, timelines of construction, requirements for sidewalks, increased traffic and that there was only one access off of West Street North.

#### **Agency Review Comments (Revised Proposal):**

On September 19, 2019, the Building Division advised they have no concerns with these applications and will reserve further comment to site plan circulation.

On September 25, 2019, Enbridge Gas Inc. advised they do not object to the proposed applications and reserve the right to amend their development conditions.

## Development Services – Planning Division Comments:

The revised applications for Official Plan Amendment and Zoning By-law Amendment appear to conform to the Growth Plan; however further confirmation from relevant Departments and/or Agencies is required to demonstrate that the applications are consistent with the Provincial Policy Statement. Staff is also further reviewing the applicable policies of the Official Plan. The appropriate background studies in support of the applications have been submitted and circulated to the appropriate agencies and City Departments for review and comment. At this time, comments have not been received from all circulated agencies and City Departments. Therefore, Staff recommends the applications be referred back to staff until such time as commenting agencies and/or City Departments have submitted comments, and any concerns have been addressed.

## Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Official Plan Amendment and Zoning By-law Amendment applications be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any agency and public comments and concerns have been addressed.

## Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II, (705) 324-9411 ext. 1324.



Appendix 'A'  
PLAN2019-057.pdf



Appendix 'B'  
PLAN2019-057.pdf



Appendix 'C'  
PLAN2019-057.pdf



Appendix 'D'  
PLAN2019-057.pdf

Appendix 'A' – Location Map

Appendix 'B' – Aerial Photo

Appendix 'C' – Proposed Revised Concept Draft Plan

Appendix 'D' – Proposed Revised Site Plan

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**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director of Development Services

**Department File:** D01-2018-006 and D06-2018-028