

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2020-002

Meeting Date: **January 15, 2020**

Regular Meeting

Title: Proposed Campground and Recreational Vehicle Development on the Lindsay Exhibition Grounds, geographic Township of Ops, now City of Kawartha Lakes and identified as 354 Angeline Street South

Description: Applications to amend the City of Kawartha Lakes Official Plan and the Township of Ops Zoning By-law to permit a campground and a tourist camp (Lindsay Agricultural Society)

Ward Number: **Ward 7 – Lindsay**

Author and Title: **Sherry L. Rea, Development Planning Supervisor**

Recommendations:

That Report PLAN2020-002, **Part of Lot 16, Concession 5, geographic Township of Ops, and identified as 354 Angeline Street South, Applications D01-2019-004 and D06-2019-031** be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix D to Report PLAN2020-002, be referred to Council for approval and adoption;

That a Zoning By-law Amendment, substantially in the form attached as Appendix E to Report PLAN2020-002, be referred to Council for approval and adoption; and

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of these applications.

Background:

The applicant has submitted applications for an official plan amendment and zoning by-law amendment. The proposal is to permit camping, recreational vehicles sites and camping cabins on the site together with accessory structures (comfort stations, washrooms and parking) and to protect the wetlands, floodplain and watercourses on the site while allowing for trails and structures such as docks, boardwalks and footbridges. The area of the applications represents 44.5 ha. (110 ac.). See Appendix A and B.

Following the public meeting and comments received through the circulation process, the applicant has revised the phasing of the proposed development. The two (2) proposed revised phases of development are now as follows:

Revised Phase 1 will include 95 serviced recreational vehicle/trailer sites together with associated facilities/amenities such as a comfort station, parking, shelter, communal fire pit, playground and registration building with washroom and store.

Revised Phase 2 will include the 13 camping cabins and 15 tent sites from the original Phase 1 along with 48 tent sites from the original Phase 2, for a total of 63 tent sites with associated parking, 2 comfort stations, washroom/change room, and boat launch with associated short term boat trailer parking. Phase 2 requires access through the neighbouring property to the north. The owners will negotiate with the new owners of the property to the north for either a lot addition or easement to permit permanent access to the rear of the property. Should access not be confirmed, then the owner will need to revisit the development proposal for Phase 2 entirely within their own property.

The statutory public meeting was held by the Planning Advisory Committee on November 6, 2019 and the following resolution as passed:

4.2 Item 3.2

PAC2019-073

Moved By Councillor Seymour-Fagan

Seconded By T. Smith

That Report PLAN2019-063, Part of Lot 16, Concession 5, geographic Township of Ops, Applications D01-2019-004 and D06-2019-031 be received; and

That Report PLAN2019-063 respecting Applications D01-2019-004 and D06-2019-031 be referred back to staff to address any issues raised through the public consultation process and for further review and

processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed. **Carried**

This report addresses that direction.

Owner:	Lindsay Agricultural Society c/o Harry Stoddart
Applicant:	EcoVue Consulting Services Inc. c/o Beverley Saunders
Legal Description:	Part of Lot 16, Concession 5, geographic Township of Ops, now City of Kawartha Lakes
Designation:	Rural and Environmental Protection on Schedule 'A-3' of the City of Kawartha Lakes Official Plan with Significant Woodlands, Unevaluated Wetlands and Fish Habitat
Zone:	Agricultural Support Exception Eight (AS-8) and Hazard Land Exception One (HL-1) on Schedule 'A' of the Township of Ops Zoning By-law 93-30, as amended
Lot Area:	44.5 ha. (110 ac.)
Site Servicing:	Revised Phases 1 and 2 are proposed on full municipal services including water and sanitary sewer. A private stormwater management pond exists along with private roads and trails for both vehicular and pedestrian traffic.
Existing Uses:	Lindsay Exhibition Grounds
Adjacent Uses:	North: The Commonwell Mutual Insurance Group and agricultural land. South: Vacant land and Highway 7 East: Scugog River West: Angeline Street South, agricultural land and rural residential lots

Rationale:

The property is located on the east side of Angeline Street South and is identified as 354 Angeline Street South. The site is the Lindsay Exhibition Grounds (LEX) and is developed with an Exhibition Building, Grandstand, Outdoor Sports Field, Various Livestock Barns and Indoor/Outdoor Rings and a Poultry Building and includes asphalt and gravel parking areas.

The official plan amendment (OPA) proposes to re-designate from Rural and Environmental Protection to a Rural Special Provision to permit camping, recreational vehicle sites and camping cabins on site together with amenity areas, accessory structures for comfort stations and parking and an Environmental Protection Special Provision to protect wetlands, floodplain and

watercourses on the site while allowing for trails and structures such as docks, boardwalks and footbridges.

The companion zoning by-law amendment (ZBA) proposes a text amendment to the site specific Agricultural Support Exception Eight (AS-8) Zone to permit a campground and a tourist camp and to rezone a portion of the property from Agricultural Support Exception Eight (AS-8) Zone to Hazard Land Exception ** (HL-**) Zone to permit trails and limited structures that service the proposed campsites.

Provincial Policies:

Staff reviewed the Planning Justification Report (PJR) submitted in support of the applications and accepts the planning rationale contained in the report with respect to the Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) and the Provincial Policy Statement (PPS). The applications serve to permit camping and recreational vehicles on the LEX site as a permanent use and not limited to occurring events. The applications also serve to identify the sensitive areas on the site and apply buffer areas to further protect the natural heritage features. The applicant has submitted the appropriate background information to demonstrate efficient use of servicing, the ability to contain stormwater management along with addressing traffic and parking issues. The applications also serve to enhance economic opportunity for the LEX by providing on site accommodation.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

Effective May 16, 2019, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) replaced the 2017 Growth Plan for the Greater Golden Horseshoe (2017). The 2019 Growth Plan is part of the Provincial Government's More Homes, More Choice: Housing Supply Action Plan, which aims to address the needs of the Province's growing population, its diversity, its people and local priorities, and its local growth context.

Staff reviewed the Planning Justification Report (PJR) prepared by EcoVue Consulting Services Inc. In the PJR, the applicant reviewed, assessed and demonstrated that the proposed development conforms to the policies of the 2019 Growth Plan and highlighted the appropriate policies including the following:

- 1) Managing Growth – Rural Areas which provides for development on rural lands with respect to resource-based recreational uses that are limited to tourism-related and recreational uses that compatible with the scale, character, and capacity of the resource and surrounding rural landscape.

- 2) Protecting What is Valuable which addresses the policies related to the Natural Heritage System, Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features and Lands Adjacent to these Features.

Staff is in receipt of confirmation from Engineering and KRCA that the proposed development can be serviced and through Council's approval and adoption of the official plan amendment and zoning by-law amendment the appropriate sensitive areas of the site will be protected while allowing for limited passive recreational activity. The site plan process will further define these areas and buffers. Staff confirms that the official plan amendment and zoning by-law amendment conform with 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. While Settlement Areas are the focus of growth, the PPS also recognizes that Rural Areas and Lands in Municipalities "should be supported by ... promoting a diversification of the economic base and employment opportunities" and "... by providing opportunities for sustainable and diversified tourism".

Staff has reviewed the PJR in the context of the PPS and is accepting of the planning rationale. The PJR identifies the relevant policy sections of the PPS which include Proposed Development in Rural Areas, Infrastructure and Public Service Facilities (Sewage and Water and Stormwater), Wise Use and Management of Resources (Natural Heritage and Water), Agriculture – Minimum Distance Separation, Cultural Heritage and Archaeology, Natural Hazards and Human-Made Hazards. The PJR also examines all of technical reports and studies that demonstrate that the proposed development is consistent with the PPS. The technical reports and studies have been confirmed with the appropriate City Divisions and Commenting Agencies. Staff confirms that the official plan amendment and zoning by-law amendment are consistent with the PPS.

Official Plan Conformity:

The land is designated Rural and Environmental Protection in the City of Kawartha Lakes Official Plan (CKLOP) with Significant Woodlands, Unevaluated Wetlands and Fish Habitat. Pursuant to Part G – Implementation, Section 32. Policy Exceptions of the CKLOP, which confirmed that certain policies in the former Victoria County Official Plan and Township of Ops Official Plan remained in effect as exceptions to the CKLOP Plan. Section 32.1.51 states that in addition to those uses permitted in the Agricultural Support designation in this Plan (former Township of Ops Official Plan) and notwithstanding anything to the contrary, on land designated Agricultural Support on Part of Lot 16, Concession 5, geographic Township of Ops, a Business/Professional Office and a Fairground

with ancillary facilities including exhibition, entertainment and camping areas shall be permitted uses.

The applicant is requesting special provisions in the Rural designation to permit a campground (with camping cabins) and recreational vehicle park (trailer sites), as well as accessory structures (comfort stations, trails, roadways, parking, etc.) as stand-alone uses. The applicant is also requesting that the Environmental Protection designation be drawn to accurately reflect the wetlands, floodplain area, and watercourse on the property and contain special policies to permit passive recreational uses to include structures, such as docks, footbridges, boardwalks and a boat launch that would enable trails and water access associated with the active and passive recreational uses permitted under the Environmental Protection designation. Staff is recommending that the special provisions in the Rural designation also confirm the language and permitted uses in Section 32.1.51.

The technical reports and studies have been confirmed with the appropriate City Divisions and Commenting Agencies. Staff confirms that the official plan amendment and zoning by-law amendment are consistent with the PPS.

Zoning By-Law Compliance:

The land is zoned Agricultural Support Exception Eight (AS-8) and Hazard Land Exception One (HL-1) in the Township of Ops Zoning By-law No. 93-90. The HL-1 Zone is located in the south-east corner of the land and serves to preserve and protect a known archaeological resource and prohibits site alteration unless there is further archaeological assessment. The applicant is requesting that the wetlands, watercourse and floodplain be rezoned to another Hazard Land Exception ** (HL-**) Zone to protect these lands yet allow for passive recreational uses and to include structures (a dock, footbridge, trails, and boardwalks). KRCA has confirmed that they are supportive of limited passive recreational uses which will be further defined through the site plan process.

The AS-8 Zone is site specific zone that permits the Fairground and Exhibition use which is defined as a use of land devoted to cultural events and exhibitions, entertainment events, exhibitions, fair and festival events, camping accessory to any on-going permitted use, auctions, community based, volunteer, public non-profit agency events, craft shows, dances accessory to on-going permitted uses, entertainment – outdoor concert and theatre events, farmer's market, liquidation sales (with limitations), sporting events, storage and trade shows. The applicant is requesting that camping be permitted as a stand-alone use along with recreational vehicles (trailers) and camping cabins. The appropriate definition in the Township of Ops Zoning By-law is a tourist camp, which by definition means any land used to provide temporary accommodation for the public or members of an organization in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation. This definition shall not include a

mobile home park. The zoning by-law also states that tourist trailers are only permitted in zones that permit 'tourist camps'.

The PJR reviewed the proposed development in the context of the development standards of the A-8 Zone and the general provisions in the zoning by-law and confirms that no site specific development standards are required. The PJR also contained a parking analysis that demonstrated compliance with the zoning by-law. Staff is accepting of review.

Staff is supportive of the zoning request; however, a Holding (H) provision is recommended for Phase 2. Phase 2 requires access along the southern limit of the property to the north either by consent for a lot addition or by the creation of an easement. Alternatively, the owner will need to revisit the proposal for Phase 2, which may result in revisions to the official plan amendment and zoning by-law amendment. The consultant and owner are accepting of the risk; however, staff recommends a Holding (H) provision until such time that access is acquired to the satisfaction of the City and the KRCA as any revisions (ie moving the proposed road to within the property limits) may affect the natural heritage features along the northern limit of the site.

The phased development is in an area of site plan control for the municipality and will be subject to site plan approval. Through the site plan process, the details of development such as the tent, camping cabin and RV/trailer sites, parking, amenity spaces, comfort stations, washrooms, registration building and store, paths, roadways, landscaping, garbage collection and lighting will be reviewed and confirmed. Confirmation from Curve Lake First Nation regarding the Stage 2 Archaeological Assessment remains outstanding; however, staff agrees with the consultant that this issue can be addressed through site plan approval. Staff is aware that the site plan application will be submitted shortly.

Other Alternatives Considered:

Further to the public meeting and as a result of comments received through the circulation process, the applicant has revised the phasing of the proposed development. The applicant has revised Phase 1 to only include the serviced recreational vehicle/trailer sites together with associated facilities/amenities such as a comfort station, parking, shelter, communal fire pit, playground and registration building with washroom and store. The applicant/owner is anxious to submit for site plan approval as soon as possible.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or their 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 three Strategic Goals, being a Vibrant and Growing Economy, an Exceptional Quality of Life and a Healthy Environment.

The applications align with all three Strategic Goals. The proposal seeks to create an opportunity to enhance an existing recreational venue in the municipality and provide for accommodation for not only the events but to develop transient accommodation in the municipality. The proposal will create economic opportunity together with additional jobs, will offer high quality events with accommodation all while protecting the natural heritage features on the site.

Review of Accessibility Implications of Any Development or Policy:

There are no immediate accessibility implications for the City. Accessible standards will be implemented through the appropriate Site Plan Agreements and permits issued under the Ontario Building Code (OBC).

Servicing Comments:

The original Functional Servicing and Stormwater Management Report was circulated to the Engineering and Corporate Asset Division for review and comment. The applicant requested that Engineering confirm that full municipal servicing for the revised Phase 2 would be available and Engineering confirmed that from an engineering perspective, they have no objection to the proposed OPA and ZBA. The applicant has indicated that an updated Revised Phase 2 servicing plan with municipal servicing will be submitted at the time of site plan submission for the Revised Phase 2.

Consultations:

Further consultation was held between the applicant and Engineering regarding municipal servicing for the proposed phased development. Engineering has confirmed that from an engineering prospective, they have no objection to the OPA and ZBA. Further consultation was also held between the applicant and the KRCA. KRCA has confirmed that they fine with the feature (wetland and watercourse) boundaries as shown on the mapping provided with the submission, they are comfortable with passive recreation permitted in the Hazard Land zone and they are fine with Phase 1 revised to just include the RV site.

The owner/applicant held an Open House on October 23, 2019 and the statutory public meeting was held November 6, 2019. The consultant has submitted a response to public comments which identifies the public comment, the response

and associated action. Staff has reviewed the response and supports the response and associated actions. See Appendix C.

Development Services – Planning Division Comments:

The appropriate background information which has been submitted in support of the applications has been circulated to the appropriate Agencies and City Divisions for review and comment. Those Agencies and City Divisions have provided comment and/or approval of the applications. The applications conform to the Growth Plan and are consistent with the 2014 Provincial Policy Statement. Conformity with the City of Kawartha Lakes Official Plan has been demonstrated and staff supports the requested amendment to the Township of Ops Zoning By-law with a Holding (H) provision to be applied to Phase 2 for access. Staff acknowledges that the City's site plan process will further confirm the details of development on the site.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the official plan and zoning by-law amendments be referred to Council for approval and adoption.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor, 705.324.9411 x1331.

Appendix A – Location Map



Appendix A -
Location Map.pdf

Appendix B – Proposed Revised Concept Plan



Appendix B - Revised
Concept Plan.pdf

Appendix C – Consultant's Response to Public Comment



Appendix C -
Consultants Response

Appendix D - Draft Official Plan Amendment



Appendix D - Draft
Official Plan Amendment

Appendix E – Draft Zoning By-law Amendment



Appendix E - Draft
Zoning By-law Amendment

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Department Head: Chris Marshall, Director, Development Services

Department File: D01-2019-004 and D06-2019-031