

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Planning Advisory Committee Meeting**

**PC2020-06**  
**Wednesday, October 7, 2020**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Mayor Andy Letham**  
**Deputy Mayor Patrick O'Reilly**  
**Councillor Kathleen Seymour-Fagan**  
**Councillor Andrew Veale**  
**Mike Barkwell**  
**Jason Willock**

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**1. Call to Order and Adoption of Agenda**

Chairperson Deputy Mayor O'Reilly called the meeting to order at 1:00 p.m. Councillors K. Seymour-Fagan, and A. Veale and M. Barkwell, and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Development Services C. Marshall, Supervisor of Development Engineering C. Sisson, Planning Officer-Large Developments I. Walker, and Planners II J. Derworiz, D. Harding, M. LaHay and K. Stainton were also in attendance.

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

**PAC2020-039**

**Moved By** Councillor Veale

**Seconded By** M. Barkwell

**That** the agenda be adopted as circulated.

**Carried**

**2. Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

**3. Public Meeting**

The Chair stated that, as required under the Planning Act, a public meeting is being held prior to the City of Kawartha Lakes Council making decisions on the following planning matters.

**3.1 PLAN2020-046**

Kent Stainton, Planner II

An application to amend the Township of Emily Zoning By-law 1996-30 on land described as Part Lot 10, Concession 9, geographic Township of Emily, identified as 1067 Tracey's Hill Road - Downey

**3.1.1 Public Meeting**

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Stainton confirmed that the required notice was given in accordance with the

Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to change the zoning on a portion of the land from Agricultural (A1) Zone to Agricultural Exception 36 (A1-36) Zone to recognize a reduced minimum lot area and permit specific agricultural uses. The application will also change the zoning surrounding the woodlands on the property from Agricultural (A1) Zone to an Environmental Protection Exception 4 (EP-4) Zone to acknowledge the existing natural heritage features and permit passive, recreational activities. The rezoning would facilitate a future consent application for a lot addition with an abutting property. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Stainton summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from Kawartha Conservation and from the City's Agricultural Development Officer, Supervisor of Part 8 Sewage Systems, and the Building Division all with no objections. Staff are recommending that the application be referred to Council for approval.

The Chair inquired if the applicant wished to speak to the application.

Emma Drake of DM Wills Consulting Services, spoke as the applicant and provided reasoning for the application being improved economies of scale for the farming consolidation. She stated that they have reviewed the report and agreed with the analysis and recommendation.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

The Public Meeting concluded at 1:10pm.

### 3.1.2 Business Arising from the Public Meeting

#### **PAC2020-040**

**Moved By** Councillor Veale

**Seconded By** Councillor Seymour-Fagan

**That** Report PLAN2020-046, **respecting Part Lot 10, Concession 9, geographic Township of Emily, and identified as 1067 Tracey's Hill Road – Application D06-2020-022**, be received;

**That** a Zoning By-law Amendment respecting application D06-2020-022, substantially in the form attached as Appendix D to Report PLAN2020-046, be approved and adopted by Council; and

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

**Carried**

### 3.2 PLAN2020-047

Ian Walker, Planning Officer - Large Developments

An application to amend the Township of Ops Zoning By-law 93-30 on land described as Part of Lot 15, Concession 5, geographic Township of Ops, identified as 2197 Little Britain Road - Bob Mark Tractor Holdings Inc.

#### 3.2.1 Public Meeting

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Walker confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to permit various types of light, medium, and heavy industrial uses permitted in the 'M' zone as permitted uses, and to amend the development standards to allow the redevelopment of the property. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Walker summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from the Ministry of Transportation and the City's Part 8 Sewage Systems Supervisor both noting no concerns. Staff are recommending that the application be forwarded to Council for approval.

The Chair inquired if the applicant wished to speak to the application.

Kevin Duguay spoke as the applicant and noted the history of this application and its relationship to the existing tractor dealership at this property moving down the road to a newer larger location. He noted there is interest from potential buyers in this property, and the rezoning will assist in the eventual sale. He concluded noting his support of the staff recommendations and congratulated the City for the handling of a significant number of Planning applications recently.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

The Public Meeting concluded at 1:17pm.

### 3.2.2 Business Arising from the Public Meeting

#### **PAC2020-041**

**Moved By** J. Willock

**Seconded By** Councillor Veale

**That** Report PLAN2020-047, **Part of Lot 15, Concession 4, Geographic Township of Ops, Bob Mark Tractor Holdings Inc. – Application D06-2020-019**, be received;

**That** the zoning by-law amendment, substantially in the form attached as Appendix D to Report PLAN2020-047, be referred to Council for approval and adoption; and

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

**Carried**

### 3.3 PLAN2020-050

Mark LaHay, Planner II

An application to amend the Township of Emily Zoning By-law 1996-30 on land described as Block C, Plan 507, geographic Township of Emily identified as Westview Drive - Rowles

#### 3.3.1 Public Meeting

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to change the Community Facility Exception One (CF-1) Zone to an appropriate Rural Residential Type Three (RR3-\*) Exception Zone to permit a residential use on the subject property. Staff are continuing to review consistency with the Provincial Policy Statement, conformity to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from the following agencies/City departments:

- Ministry of Natural Resources and Forestry provided direction to access the natural heritage feature resources of their online mapping system
- Kawartha Conservation provided preliminary comments stating that they believed the application conformed with the applicable natural heritage policies
- Kawartha Lakes Building Division Part 8 - Sewage systems stating that the proposed filter bed is undersized, and recommended that the plan be revised to provide sufficient on-site sewage treatment

He also noted in addition to the comments in his report, several comments were received from area residents including:

- B. Pownall of 93 Westview Drive
- D. Ditchburn of 182 Westview Drive
- B. & T. Fisher of 9 Millbrook Ridge Road
- J. Jamieson & J. Anderson of 100 Westview Drive
- C. Young of 73 Westview Drive
- B. Calwell of 110 Westview Drive

These comments noted several concerns including:

- loss of formerly common access green space
- restrictive covenants and deeded access to Block C by neighbouring property owners
- location of driveway with preference of lot access to be from Pioneer Road
- location of proposed utility services (i.e. overhead hydro lines)
- setback requirements and location of the proposed well and septic systems and impacts on adjacent properties
- removal of trees on the property
- the tax sale process that saw the property leave common ownership

Correspondence in support, and in response to the public comments was also received from:

- J. Rowles of 116 Westview Drive
- Applicant R. Taylor
- Owner S. Rowles and family

In consideration of the comments and analysis contained in Mr. LaHay's report and at the Public Meeting, staff respectfully recommend that the application be

referred back to staff for further review and processing until such time that any comments and concerns have been addressed. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Richard Taylor spoke as the applicant, and stated that they are aware of the recommended referral back to staff, and do not object to it. He stated that they are looking to address the technical concerns with the septic system, and the other resident concerns. He questioned on whether there were any outstanding agency comments remaining. In conclusion, he made himself, their planner, and the applicant available for any questions. He responded to questions from the members of the committee.

The Chair inquired if anyone wished to speak to the application.

Joanne and Sabrina Rowles spoke as the owners of the property, and stated that they are confident in their ownership of the property, and that they pay property taxes on it.

Donald Ditchburn of 182 Westview Drive spoke as the past president of the Glen Home Owners Association Inc and provided an overview of the ownership history of the lot, including the tax sale process which saw the property move into private ownership. He stated he was pleased to see the environmental studies being done on the property due to the proximity of Potash creek. Overall, while he stated he does not have any strong objection with the Rowles family and is looking to restore relationship with them, he questioned if there is clear title to the property, as most properties in the neighbourhood have access to Block A-G, including Block C.

Jenn Rowles of 116 Westview Drive which is the abutting property and spoke in support of the application. She stated that she has no objection to her sister moving next door, as they have done a lot of work to prepare the property. She also noted that the restrictive covenant could not be enforced over 40 years, and that it has been 55 years.

No other persons spoke to the application.

The Public Meeting concluded at 1:44pm.

### 3.3.2 Business Arising from the Public Meeting

**PAC2020-042**

**Moved By** Councillor Veale

**Seconded By** Councillor Seymour-Fagan

**That** Report PLAN2020-050, **respecting Block C, Plan 507, geographic Township of Emily, City of Kawartha Lakes, Application No. D06-2020-016,** be received; and

**That** Zoning By-law Amendment Application D06-2020-016, Block C, Plan 507 geographic Township of Emily, City of Kawartha Lakes, be referred back to staff for further review and processing until such time that all comments have been received from all circulated Agencies and any other concerns or issues have been addressed.

**Carried**

**4. Deputations**

**5. Correspondence**

**6. City of Kawartha Lakes Reports**

**6.1 PLAN2020-045**

Jonathan Derworiz, Planner II

Applications to amend the City of Kawartha Lakes Official Plan and Township of Ops Zoning By-law 93-30 on land described as Part of Lot 22, Concession 2, geographic Township of Ops, identified as 1590 Elm Tree Road - MacLeish

Mr. Derworiz confirmed that a Public Meeting on this matter was held on September 2, 2020 in accordance with the Planning Act. He summarized the applications, explaining that they propose to sever approximately six hectares from the approximately 10-hectare site to facilitate development of a trucking terminal with eight bays, ancillary offices and related uses, including truck or tractor repair and sales, bulk agricultural and/or seed storage, and nursery or greenhouse uses. The applications are consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Derworiz summarized the comments received to date, as detailed in his report (including the previously outstanding comments from Kawartha Conservation and the Ministry of Transportation), noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be forwarded to Council for approval.

**PAC2020-043**

**Moved By** Councillor Veale

**Seconded By** Councillor Seymour-Fagan

**That** Report PLAN2020-045, **respecting Part of Lot 22, Concession 2, geographic Township of Ops, Wayne and Ann MacLeish – Applications D01-2020-004 and D06-2020-018**, be received;

**That** an Official Plan Amendment By-law, respecting Application D01-2020-004, substantially in the form attached as Appendix C to this report be approved for adoption by Council;

**That** a Zoning By-law Amendment By-law, respecting Application D06-2020-018, substantially in the form attached as Appendix D to this report be approved for adoption by Council; and

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

**Carried**

## 6.2 PLAN2020-051

David Harding, Planner II

An application to amend the Township of Mariposa Zoning By-law 94-07 on land described as Part of Lots 14 and 15, Concession 9; Block J, Part Lots 8-17, geographic Township of Mariposa, identified as 1013 Eldon Road, Oakwood - Vandenberg

Mr. Harding confirmed that a Public Meeting on this matter was held on September 2, 2020 in accordance with the Planning Act. He summarized the application, explaining that it proposes to rezone a strip of land abutting Eldon Road in Oakwood to residential use in order to facilitate the creation of three rural residential lots. One of the lots will contain the existing farmhouse, and all lots will be serviced by municipal water. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Harding summarized the comments received to date, as detailed in his report (including previously outstanding comments from the Ministry of Transportation), noting that subsequent to the writing of the report, no additional comments were received. Staff are recommending that the application be forwarded to Council for approval.

**PAC2020-044**

**Moved By** Councillor Veale

**Seconded By** M. Barkwell

**That** Report PLAN2020-051, **Part of Lots 14 and 15, Concession 9; Block J, Part Lots 8-17, Plan 80; Part 1, 57R-6577, geographic Township of Mariposa, City of Kawartha Lakes, identified as 1013 Eldon Road, Vandenberg – D06-2020-017**, be received;

**That** a Zoning By-law Amendment respecting application D06-2020-017, substantially in the form attached as Appendix D to Report PLAN 2020-051, be approved and adopted by Council; and

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

**Carried**

**7. Adjournment**

**PAC2020-045**

**Moved By** J. Willock

**Seconded By** M. Barkwell

**That** the Planning Advisory Committee Meeting adjourn at 1:54 p.m.

**Carried**