

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

PC2021-07
Wednesday, June 2, 2021
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
Wayne Brumwell
Jason Willock

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1. Call to Order and Adoption of Agenda

Chairperson Councillor A. Veale called the meeting to order at 1:02 p.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillors K. Seymour-Fagan, and Committee Members M. Barkwell, W. Brumwell and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Acting Director of Development Services R. Holy, Supervisor of Development Planning S. Rea, Supervisor of Development Engineering C. Sisson, Planning Officer - Large Developments I. Walker, and Planners II J. Derworiz and M. LaHay were also in attendance.

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

PAC2021-034

Moved By Deputy Mayor O'Reilly

Seconded By Mayor Letham

That the Procedural By-law be waived to allow the late deputation request of Richard Taylor (regarding Report PLAN2021-035) be added to the agenda.

Carried

PAC2021-035

Moved By W. Brumwell

Seconded By M. Barkwell

That the agenda be adopted as circulated, and as amended.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting Reports

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 PLAN2021-032

Amend the Lindsay Zoning By-law 2000-75 at 55 Angeline Street North, Lindsay - Angeline Holdings

Jonathan Derworiz, Planner II

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. Derworiz confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and that two signs were posted on the subject property. He summarized the application, explaining that it proposes to develop two one-storey commercial buildings in the northeast and southeast corners of the site along Angeline Street North (locally known as the Town and Country Centre). In order to facilitate the development of the proposed commercial buildings, a Zoning By-law Amendment is required to increase the maximum gross leasable floor area and acknowledge the subsequent impacts to other zone provisions. He stated that generally, the application appears to align with the principles of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Lindsay Official Plan. Mr. Derworiz summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report that no additional comments were received. Staff are recommending that the application be referred back to staff for further review and consideration until comments from the public meeting have been reviewed and zone requirements have been evaluated. Mr. Derworiz, Mr. Holy, and Ms. Sisson responded to questions from Committee members.

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

Glenn Wilcox of Wilcox Architects spoke as the applicant and provided a brief history of the application since the initial pre-consultation meeting in August of 2019. He expressed concern about the proposed road widening of Angeline Street, and 10 percent landscaping requirements for the lot redevelopment, stating that these requirements could affect the application. He spoke against any further delays to the application, and responded to questions from the members of the committee.

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

Shaya Klein spoke as the representative of the property owners, noting they have owned the property for over 10 years. He stated that their intention is for the betterment of the community and to do so by creating jobs with this proposal. He

noted that they felt road-blocked by the requests from planning to alter the project, and were hoping to have the issues dealt with in the site plan process.

No other persons spoke to the application.

The Public Meeting ended at 1:39pm.

3.1.2 Business Arising from the Public Meeting

PAC2021-036

Moved By Mayor Letham

Seconded By Deputy Mayor O'Reilly

That Report PLAN2021-032, **Zoning By-law Amendment for 55 Angeline Street North, Lindsay**, be received for information; and

That Report PLAN2021-032, Zoning By-law Amendment for 55 Angeline Street North, Lindsay, be referred back to staff to address issues raised through the public consultation process for further review until such time that all comments have been addressed.

Carried

3.2 PLAN2021-033

Amend the Lindsay Zoning By-law 2000-75 at 363 Kent Street West, Lindsay – 2793853 Ontario Inc.

Ian Walker, Planning Officer - Large Developments

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 120 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to amend the development standards in the General Commercial Special Eight (GC-S8) Zone to increase the permitted Gross Leaseable Floor Area for a supermarket use from a maximum of 3,716 square metres to 4,125 square metres, to facilitate the expansion of the existing Food Basics store. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Lindsay Official Plan. Mr. Walker summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report, no additional

comments were received. Staff are recommending that the application be referred to Council for approval.

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

Antony Cannell spoke as the representative of Metro, the lessor of the property conducting the expansion, and noted that the proposed expansion will allow greater flow in the frozen and fresh food sections of the existing Food Basics store. He also provided further rationale for the expansion being improvement to the interior design and accessibility updates to the store.

Jamie Posen spoke as the Planner working on behalf of the owner. He stated that as a professional planner, he was comfortable with the modest modifications being proposed, and noted the importance of this store to food industry in Lindsay and Kawartha Lakes. He concluded stating that there is capacity for additional grocery retail space in the market, and that they are not anticipating any immediate impacts to the site.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:46pm.

3.2.2 Business Arising from the Public Meeting

PAC2021-037

Moved By Councillor Seymour-Fagan

Seconded By J. Willock

That Report PLAN2021-033, **57R-8491 Parts 1 to 3; Part of Lot 20, Concession 4, Geographic Township of Ops, Former Town of Lindsay, 2793853 Ontario Inc. – Application D06-2021-011**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix D to Report PLAN2021-033, 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 PLAN2021-034

Amend the Eldon Zoning By-law 94-14 at 152 Glenarm Road - Motara

Mark LaHay, Planner II

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 rezone the property from the Agricultural (A1) Zone to an Agricultural Exception (A1-**) Zone to permit an abattoir as a site-specific use. The effect of the zone change is to permit and facilitate the renovation of an existing vacant building for an abattoir (meat processing) use including ancillary retail and to permit a small addition at the rear of the building. The application is being further reviewed for consistency with the Provincial Policy Statement, and 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 W. McLaughlin expressing concerns with impacts to well water, health impacts, increased wildlife, and poor air quality. Staff are recommending that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and 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.

Bob Clark of Clark Consulting Services spoke as applicant and expressed the importance of local food production, and the proposal would not result in the loss of any productive agricultural land. He noted that the proposed use of an abattoir would also be regulated and require approvals from the Ministry of Agriculture, Food, and Rural Affairs. He responded to questions from the Committee members.

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

Winsome McLaughlin of Farms Road expressed concerns to the application, and provided an overview of her correspondence submitted to the committee. She noted that while there are not many abattoirs around the area anymore, she questioned the water, health, air quality impacts, being a direct neighbour to the establishment.

No other persons spoke to the application.

The Public Meeting concluded at 1:59pm.

3.3.2 Business Arising from the Public Meeting

PAC2021-038

Moved By Deputy Mayor O'Reilly

Seconded By M. Barkwell

That Report PLAN2021-034, **Part of Lot 10, Concession 2, being Parts 1 & 3 to 6, 57R-9001, geographic Township of Eldon, City of Kawartha Lakes, identified as 152 Glenarm Road, Motara – D06-2021-010**, be received; and **That** the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

Carried

3.4 PLAN2021-030

Validation of Title at 92 Queen Street, Lindsay - Barrett and Robert

David Harding, Planner II

3.4.1 Public Meeting

Ms. Rea spoke on behalf of Mr. Harding and summarized the application, explaining that it proposes to correct a title error arising from the inadvertent merger of property, and impose several conditions to meet the Lindsay Zoning By-law and Official Plan requirements of the existing properties. The application is not required to demonstrate consistency with the Provincial Policy Statement, or conformity to the Growth Plan for the Greater Golden Horseshoe. Ms. Rea summarized the consultations to date, as detailed in Mr. Harding's report. Staff are recommending that the application be referred to Council, with conditions, for approval. Ms. Rea outlined several minor amendments to the wording of the proposed resolution and Ms. Rea and Mr. Holy responded to questions from Committee members.

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

Sidney Troister spoke as applicant, and spoke to his credentials as a professional in the field of certificates of validation. He provided an overview of the purchase and ownership history of the four properties in question, and gave explanation as to what title error caused the need for this application. He stated

that we are dealing with the status quo for the built form of the properties, and that only ownership and title changes are being proposed. He requested that Condition 2, as proposed in the planners report, be removed as he advocated against the requirement for a minor variance, noting upcoming changes to provincial law. He responded to questions from Committee members.

Following questions between the applicant, committee, and staff, Ms. Sisson noted that the Engineering and Corporate Assets division is rescinding their request regarding road widening requirements of Queen Street.

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

Ray Gemmill of Gemmill, Johnston & Jeffries LLP spoke in support of this application, stating that there is no zoning or property change as part of this application. He noted their initial intent on the title was clear, however, they are trying to correct a technical error, as a previous step had inadvertently been missed.

No other persons spoke to the application.

The Public Meeting concluded at 2:36pm.

3.4.2 Business Arising from the Public Meeting

PAC2021-039

Moved By Mayor Letham

Seconded By Deputy Mayor O'Reilly

That Report PLAN2021-030, **Validation of Title at 92 Queen Street**, be received;

That the validation by-law and certificate, respecting application D03-2020-037, substantially in the form attached as Appendix D to Report PLAN2021-030 be approved for adoption by Council;

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

That prior to the registration of the Validation By-law the following Conditions shall be fulfilled:

1. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped;
2. The owners shall apply for, pay the prescribed fee and obtain variances for the lot to be validated such that any outstanding zoning issues are addressed;

3. The owners shall pay all costs associated with the preparation and registration of the required documents;
4. Payment to the City of Kawartha Lakes of the review fee prevailing at the time the certificate is validated, for the review and clearance of these conditions. The current fee is \$229.00. Payment shall be by certified cheque, money order, or from a lawyers trust account;
5. All of these conditions shall be fulfilled within a period of twelve months from the date of Council approval for said application, failing which the Validation By-law shall be considered null and void, and the Certificate of Validation invalid; and
6. The owners' solicitor shall provide a written undertaking confirming that the Validation Certificate in respect of this application shall be attached to the respective deed and registered in the proper land registry office within 1 year from the date of the third and final reading of the respective Validation By-Law. The solicitor should also undertake to provide a copy of the registered deed to the City as conclusive evidence of the fulfillment of the above-noted undertaking.

Carried

4. Deputations

4.1 PC2021-07.4.1

Emily Drake, D.M. Wills and Associates

Relating to Report PLAN2021-031 (Item 6.1 on the Agenda)

Emma Drake of D.M. Wills and Associates spoke as the applicant and stated that the application would permit a roof truss for agricultural buildings manufacturing facility on the existing farm property. She noted that the facility will be fully enclosed, and setback from other properties to limit noise and visual impacts. She said that this is an on-farm diversified use, the property owner lives on the property and operates a dairy farm, and that the proposal is to allow a new business to supplement the farm income. Ms. Drake noted that they provided a traffic study with no further comments received from the City's Engineering Department, and that the proposal should have no further traffic impacts on the road. Ms. Drake and Mr. Darryl Tighe made themselves available for any questions.

PAC2021-040

Moved By Councillor Seymour-Fagan

Seconded By Mayor Letham

That the deputation of Emma Drake, regarding Report PLAN2021-031, be received.

Carried

4.2 PC2021-07.4.2

Joel Jamieson and Johanna Anderson

Relating to Report PLAN2021-035 (Item 6.2 on the Agenda)

Joel Jamieson spoke as the neighbouring property owner and stated that they share approximately 200 feet of property line. He questioned why access is being permitted off Westview Drive, instead of Pioneer Road. He stated that the proximity of the new driveway to their home is concerning, and that if the application is approved that access to the property be made via Pioneer Road. He responded to questions from Committee members.

PAC2021-041

Moved By Councillor Seymour-Fagan

Seconded By W. Brumwell

That the deputation of Joel Jamieson and Johanna Anderson, regarding Report PLAN2021-035, be received.

Carried

4.3 PC2021-07.4.3

Richard Taylor

Relating to Report PLAN2021-035 (Item 6.2 on the Agenda)

Richard Taylor spoke as applicant and lawyer for the property owner and noted that this proposal conforms to Growth Plan and Official Plan policies. He addressed the issue of the requested driveway off Pioneer Road instead of the proposed Westview Drive, and noted that this matter was raised at the last Public Meeting in October. Mr. Taylor stated that it wasn't prudent to advocate for a new access from Pioneer Road due to the significant environmental impact that it could have, and that now there is a fence separating the Jamieson property from the driveway. Overall, he recommended that the committee adopt the staff recommendation.

PAC2021-042

Moved By Councillor Seymour-Fagan

Seconded By Deputy Mayor O'Reilly

That the deputation of Richard Taylor, regarding Report PLAN2021-035, be received.

Carried

5. Correspondence

5.1 PC2021-07.5.1

Richard Taylor

Relating to Report PLAN2021-035 (Item 6.2 on the Agenda)

PAC2021-043

Moved By Councillor Seymour-Fagan

Seconded By M. Barkwell

That the June 2, 2021 correspondence from Richard Taylor, regarding Report PLAN2021-035, be received.

Carried

6. Regular and Returned Reports

6.1 PLAN2021-031

Amend the Emily Zoning By-law 1996-30 at 914 Centreline Road - Gingrich

David Harding, Planner II

Ms. Rea (acting on behalf of Mr. Harding) confirmed that a Public Meeting on this matter was held on September 2, 2020 in accordance with the Planning Act. She summarized the application, explaining that it proposes to permit an approximately 600 square metre roof truss manufacturing facility. About 18.2 square metres will be for an office, with the balance being for the fabrication of the trusses. The shop is proposed as a secondary use to the farm operation and is considered an On Farm Diversified Use. A reduction in the number of required parking spaces for the business is sought, along with some of the general provisions. The owner, who resides on the farm, is proposed to be an employee along with 2-3 additional staff, and up to 5 customers per day. 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. Ms. Rea summarized the comments received to date, as detailed in Mr. Harding's report, noting that subsequent to the writing of the report, no additional comments were

received. Staff are recommending that the application be referred to Council for approval with a minor amendment to increase the exterior side yard setback to 110 metres. Mr. Holy and Ms. Rea responded to questions from Committee members.

PAC2021-044

Moved By Mayor Letham

Seconded By J. Willock

That Report PLAN2021-031, **Amend the Emily Zoning By-law 1996-30 at 914 Centreline Road - Gingrich**, be received;

That a Zoning By-law, respecting application D06-2020-010, substantially in the form attached as Appendix D to Report PLAN2021-031, as amended, 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 PLAN2021-035

Amend Emily Zoning By-law 1996-30 at Block C, Plan 507, Westview Drive - Rowles

Mark LaHay, Planner II

Mr. LaHay confirmed that a Public Meeting on this matter was held on October 7, 2020 in accordance with the Planning Act. He summarized the application, explaining that it proposes to rezone the property to change the previous community facility use to permit a single detached dwelling, which would also include permitted residential accessory uses. 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. LaHay summarized the comments received to date, as detailed in his report, noting that the request by Mr. Jamieson and Ms. Anderson to move the driveway to access Pioneer Road was considered. However, he noted that Pioneer Road in its current form does not extend to the subject property's frontage on Pioneer Road, and that the access point on Westview Drive keeps the driveway in the furthest possible area from Potash Creek. Therefore the Westview Drive access point is preferred. Staff are recommending that the application be referred to Council for approval.

PAC2021-045

Moved By Deputy Mayor O'Reilly

Seconded By W. Brumwell

That Report PLAN2021-035, **respecting Block C, Plan 507, geographic Township of Emily, City of Kawartha Lakes, Rowles – D06-2020-016**, be received;

That a Zoning By-law, respecting application D06-2020-016, substantially in the form attached as Appendix C to Report PLAN2021-035 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

7. Adjournment

PAC2021-046

That the Planning Advisory Committee Meeting adjourn at 3:20 p.m.

Carried