

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-039

Date: June 27, 2017

Time: 2:00 p.m.

Place: Council Chambers

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

Subject: Adoption of Official Plan Amendments No. 13 (General Amendment), No. 14 (Bobcaygeon Secondary Plan), No. 16 (Lindsay Secondary Plan) to the City of Kawartha Lakes Official Plan

Author and Title: Richard Holy, Manager of Planning

Recommendations:

RESOLVED THAT Report PLAN2017-039, "General Amendment and Community Secondary Plans", be received;

THAT Official Plan Amendment No. 013 to the City of Kawartha Lakes Official Plan for the General Amendment, as outlined in Appendix "A" to report PLAN2017-039, be approved and adopted by Council;

THAT Official Plan Amendment No. 014 to the City of Kawartha Lakes Official Plan for the Bobcaygeon Secondary Plan, as outlined in Appendix "B" to report PLAN2017-039, be approved and adopted by Council;

THAT Official Plan Amendment No. 016 to the City of Kawartha Lakes Official Plan for the Lindsay Secondary Plan, as outlined in Appendix "C" to report PLAN 2017-039, 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 these official plan amendments.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

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

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

Special Council Meeting, May 30, 2017

A Special Council Meeting was held to update Council on the revised timelines that were originally communicated to Council, the Ontario Municipal Board and parties to outstanding appeals. Staff provided an explanation to the potential impact of the new Growth Plan for the Greater Golden Horseshoe. Specifically, the 2017 Growth Plan comes into force and effect on July 1, 2017. All decisions of Council must conform to the Growth Plan. Therefore, it was recommended that the Plans that were previously endorsed by Council, now be adopted by Council on June 27, 2017 to ensure that a decision of Council is made prior to the July 1, 2017 implementation date of the 2017 Growth Plan policies.

All comments received at the Special Council Meeting held on May 30, 2017 will be taken into consideration through subsequent iterations to the secondary plans and **through settlement negotiations**.

The following individuals provided written and/or verbal comments on the proposed strategy:

Mr. Nick Macos, representing Bromont Homes expressed his dissatisfaction with the consultation process and that they have lost one and one half years since the last time this was before Council. He requested to be kept involved in the process. He asked that if this plans are adopted that a vigorous outreach to those with concerns be conducted. He noted that they are looking for the boundary in Lindsay to include their lands and encouraged Council to lift commercial area restrictions to increase the competitive environment in this area.

Mr. Jake Murray, representing the Biglieri Group in Bobcaygeon, addressed the boundaries in Bobcaygeon and requested the settlement boundary to be expanded to include the assisted living development, owned by Comhold Investments, in the adopted by-law.

Mr. John Passalacqua provided a very detailed outlined of his concerns with respect to the Lindsay Secondary Plan and future residential and commercial

development on the east side of Lindsay. He encouraged Council to take an approach that would allow the competitive market for both residential and commercial to thrive in this area. He supported the documents being adopted and sent to the Board to keep this process moving to an eventual decision.

Mr. Afe Helleman noted that this process doesn't just involve the areas with Secondary Plans and the costs associated with all of the appeals and delayed processes impact all of the tax payers of the City.

Mr. Gus Sarantopoulos, a representative for IBrans Developments Limited (former Runnymede Development lands), advised that he has no problem with the direction that staff are suggesting. He noted that there is still no definitive answer if Council has the authority to adopted Secondary Plans when the OP is under appeal and he suggested that this should be determined.

Mr. William Westcott advised that he is one of the original appellants to the Official Plan and it has been five years with no resolve. He noted that this exercise is very costly to everyone including the city, appellants, landowners and the cost benefit needs to be examined to determine the best method to proceed.

Ms. Heather Sadler, representing Fenelon Trails Inc. noted that the process was disjointed and convoluted but she does have a better understanding with the explanation from the City Solicitor and Manager of Policy Planning. Ms. Sadler was pleased that the City is not repealing the Secondary Plan for Fenelon Falls. She suggested that the City work with the Province and support the Fenelon Falls Boundary and she further suggested that the City work with the OMB and use Guided Mediation as a way to potentially speed up this process. Ms. Sadler also said that she represents Doughty Aggregate in case any of the discussions related to the Aggregate Secondary Plan.

Ms. Carolyn Molinari representing the Lindsay Go-Karts advised that they continue to put forward the position that they wish the Go-Kart lands to be reinstated into the Lindsay Secondary Plan urban settlement area. It originally was included and then removed. She advised that their solicitor may have more comments in the future.

Mr. Martyn Stollar submitted that he does not believe that the City has had enough public engagement or provided satisfactory notice under the requirements of the Planning Act, and therefore, Council cannot proceed with the adoption of the proposed plans.

Comments from Ministry of Municipal Affairs

On June 12, 2017 the Ministry provided the following comments regarding Councils consideration of the adoption of Official Plan Amendment No. 13, the General Amendment:

- All “Future Development Areas” around Lindsay and Fenelon Falls and associated policies contained in the General Amendment should be removed in the absence of a municipal comprehensive review that demonstrates the need for these areas to be included within the settlement areas.
- Portions of OPA 13 relating to settlement area boundaries for Fenelon Falls are currently before the OMB through related appeals.
- Secondary dwelling unit policies are too restrictive and do not support Ontario’s Long Term Affordable Housing Strategy. It is recommended that any restrictions to the implementation of secondary dwelling units throughout the City be removed.

Rationale:

Due to the release of the 2017 Growth Plan for the Greater Golden Horseshoe, all Council decisions made on or after July 1, 2016 must conform to the new Plan. Accordingly, the previously endorsed Bobcaygeon Secondary Plan, Lindsay Secondary Plan and General Amendment to the City of Kawartha Lakes Official Plan, 2012, need to be adopted by Council by June 30, 2017. Adoption of the Plans will provide objectors with appeal rights at the Ontario Municipal Board and will allow any appeals to be dealt with by the OMB.

Other Alternatives Considered:

None

Financial/Operation Impacts:

The overall project budget has been approved in the 2017 Operating Budget. Further budgetary consideration will be necessary depending on whether further appeals are received by the City in relation to the General Amendment and Secondary Plans.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

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

Review of Accessibility Implications of Any Development or Policy:

Accessibility policies and initiatives have been incorporated into the Secondary Plan policies based on existing Provincial, Municipal and HKPR Health Unit Programs.

Servicing Comments:

The Community Secondary Plans contain servicing policies that apply specifically to each of the urban communities.

Consultations:

The development of the General Amendment and Secondary Plans has been subject to consultations with municipal staff, external agencies, stakeholder groups, and residents.

Attachments:

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Richard Holy, Manager of Planning, 705-324-9411 ext. 1246.

Appendix “A” – General Amendment – Community Secondary Plans



PLAN2017-039 -
Appendix A.pdf

Appendix “B” – Lindsay Secondary Plan



PLAN2017-039 -
Appendix B.pdf

Appendix “C” – Bobcaygeon Secondary Plan



PLAN2017-039 -
Appendix C.pdf

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Department Head: Chris Marshall, Director of Development Services

Department File: D01-15-004, D01-15-005, D01-15-007