



**City of Kawartha Lakes**  
**Official Plan Amendment No. 016**

**Lindsay Secondary Plan**

**November 18, 2015**



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# Part 1 – Preamble

Part 1 – Preamble is not part of the Official Plan Amendment.

## Purpose of the Amendment

### 1.1 Introduction

In 2011, the City of Kawartha Lakes initiated the Secondary Plans for five settlement areas: Bobcaygeon, Fenelon Falls, Lindsay, Omemee and Woodville. The Secondary Plans identify effective and efficient development patterns and opportunities, and take into account current municipal conditions, reflect Provincial land use planning policy as outlined in the 2014 Provincial Policy Statement (PPS), and co-ordinate with and implement the policies of the City of Kawartha Lakes Official Plan (OP).

### 1.2 Overall Purpose of the Amendment

The purpose of this amendment is:

1. to include new Secondary Plan policies for the community of Lindsay in the City of Kawartha Lakes Official Plan. The Secondary Plan includes both maps and policies for growth management, intensification and housing, economic development, community facilities, parks and open spaces and trail systems, downtown development, sustainable development, urban design, natural heritage, cultural heritage, transportation and parking, servicing, and land use. The overall purpose of the Secondary Plan is to provide a long term vision that will provide guidance and direction in the management of land and the environment within the settlement area of Woodville; and,
2. to update and introduce new land use designations within the urban settlement area of Lindsay.

In addition to this, the secondary plan has been prepared to meet a number of key Provincial and local policies, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Kawartha Lakes' Official Plan.

## Location

Lindsay is located in the Scugog River watershed, north of Highway 7 , between Sturgeon Lake and Lake Scugog in the City of Kawartha Lakes and covers approximately 23 sq. km. Lindsay is the largest community in the City of Kawartha Lakes and serves as an economic, social, community services and educational centre. Lindsay is located on the Trent-Severn Waterway and is home to Lock 33.

As the “Gateway to the Kawarthas”, Lindsay is a popular vacation and recreational area. Lindsay also has one of the widest downtown streets in Canada, unique Victorian architecture, and a 3000foot board walk along the river system.

## **Basis of the Amendment**

### **1.3 Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe**

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It sets the policy foundation for regulating the development and use of land in Ontario. All decisions affecting land use planning matters shall be consistent with the PPS. The principles established in the PPS have been used as a guide when creating the Secondary Plans for Kawartha Lakes' five settlement areas.

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan) has been prepared under the Places to Grow Act, 2005. It is a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe to 2031. The Growth Plan guides decisions on a wide range of issues – transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection.

The Growth Plan builds on other key government initiatives including the PPS. It does not replace municipal official plans, but works within the existing planning framework to provide growth management policy direction for the GGH.

The City of Kawartha Lakes is one of a number of municipalities located within the “outer ring” of the Growth Plan's area. The Growth Plan includes a growth concept and identifies Lindsay with a built boundary and designated Greenfield area. The Ministry of Public Infrastructure and Renewal also established a built boundary for settlement areas within the City of Kawartha Lakes. The urban settlement areas identified include Lindsay, Fenelon Falls, Bobcaygeon, and Omemee. Woodville was identified as an un-delineated built-up area. The Growth Plan's policies have guided the development of the secondary plan policies for the Kawartha Lakes' four settlement areas and one un-delineated built-up area.

### **1.4 City of Kawartha Lakes Official Plan**

The approved City of Kawartha Lakes Official Plan includes land use policies for urban settlement areas. Bobcaygeon, Fenelon Falls, Lindsay, Omemee and Woodville are all designated as urban settlement areas. The OP outlines that until secondary plans are adopted for these areas, policies included in the OP will apply in these areas. The OP policies are consistent with the provincial policies outlined in the section above.

The OP provides strategic directions, goals, objectives and policies for designated land use areas and establishes policies for physical infrastructure and human services. The Official Plan reflects the Community's Strategic Plan's vision for the City of Kawartha Lakes and recognizes that the City as a community of vibrant communities. The Official Plan's goals for the urban settlement designation is to manage growth through efficient land use and development that supports strong, liveable and healthy communities, protects the environment and public health and safety and facilitates economic growth.

The City of Kawartha Lakes Official Plan provides a policy framework and urban structure plan; however, area-specific guidance for growth, development, and conservation of resources remains key subject matter for the secondary plan. This amendment has been prepared in accordance with the policies of the Official Plan for the City of Kawartha Lakes.

### **1.5 Central Issues and Opportunities for Lindsay**

Some of the central issues and opportunities that shaped the development of Lindsay's Secondary Plan include:

- Initial background study and feedback suggested that the Secondary Plan should not overlook Lindsay's extensive range of services, the good transportation options that are available, its desire to continue to intensify and add greenspace within the urban area, its role as the central hub, and its role in accommodating a substantial amount of the City of Kawartha Lakes' projected growth.
- Lindsay is the largest urban area in the City and has many opportunities for growth. Lindsay has a significant amount of uncommitted Greenfield and intensification land.
- Growth is possible in Lindsay as it has access to full municipal water and sewer services; however managing growth will require the coordinated phasing of intensification and Greenfield development in concert with upgraded servicing.
- Development in the area serviced by the Northwest Trunk shall be a priority for the City to ensure that there is maximum utilization of significant municipal expenditures in extending services for growth.
- Lindsay also has the majority of available serviced employment land compared to the other settlement areas. The City's Growth Management Strategy (May 2011) suggests that there are more than sufficient lands to accommodate the forecast employment growth.
- Lindsay's location along the Scugog River and the Trent-Severn Waterway represent both tourism, recreational and cultural opportunities as well as issues regarding the protection of the natural environment and water resources.
- Lindsay has a thriving historic downtown with historic buildings and Victorian architecture. Strategies to improve and revitalize the downtown area, which are linked to economic development, are needed.
- Creation of a Heritage Conservation District in the downtown area and the retention of cultural resources are viewed as an important aspect for Lindsay's long-term prosperity
- Intensification needs to be compatible with the existing character and historic elements in Lindsay.
- Lindsay's Secondary Plan needs to provide the policy basis that will entrench the desire to achieve a compact, complete and healthy community that is reflective of good planning as well as citizen aspirations.

- Improvement of the quality of the employment lands is an important element for Lindsay's economic development. Employment lands need to be serviced and protected. Lindsay needs an Economic Development Strategy and the incorporation of the Green Hub CIP.
- The areas adjacent to the Scugog River, Jennings Creek and Sinister Creek are susceptible to flooding or erosion, have steep slopes or soil instability.
- The Scugog River contains two sensitive environmental features. One of those features, a spawning site, is located in the middle section of the river, adjacent to the downtown area. The other feature, the Lindsay water supply intake area, is located towards the southern part of the urban area.
- CKL Transit is the sole provider of public transit in the City of Kawartha Lakes and has no connections to other public transportation systems. The need for intermunicipal transit as a result of growth in the City of Kawartha Lakes will be a function of the demographics of growth, the ability of employment growth to match population growth, and available provincial funding.
- Lindsay has a robust amount of public open space; however, the downtown has few fragmented pieces which constitute its parks and open space network. Although two important trail systems cross Lindsay (the Victoria Rail Trail Corridor and the Kawartha Trans Canada Trail), they are fragmented through the downtown and end abruptly in local streets. In addition, the community has expressed a need for the creation of more green space and the improvement of the connectivity of the trails network.
- Prior to amalgamation, the Town of Lindsay had its own Official Plan (OP) in place. The existing OP provides a number of opportunities for moving forward with its Secondary Plan.

## Part 2 – The Amendment

Part 2 – The Amendment constitutes Amendment No. 016 to the City of Kawartha Lakes Official Plan – 2012.

The City of Kawartha Lakes Official Plan is amended by replacing Section 21.2.2. with the following:

21.2.2. Highway Commercial designated in Schedule “A” will only be permitted if it is infilling or rounds out existing development on partial services.

The City of Kawartha Lakes Official Plan is amended by adding the following text together with the following maps/schedules:

1. Schedule F-1 - Lindsay Land Use
2. Schedule G-1 - Lindsay Environmental Constraints
3. Schedule H-1 - Lindsay Transportation

### **SECTION 31.2 Lindsay Secondary Plan**

#### **31.2.1. Vision, Goals, and Strategic Directions**

The Vision, Goals, and Strategic Directions of the Lindsay Secondary Plan are as follows:

##### **31.2.1.1. Vision**

The Secondary Plan for Lindsay is based upon, and future development should be guided by, the following vision developed based on the input from community consultation activities in Lindsay:

“Over 20 years Lindsay will expand its employment base, preserve existing heritage buildings and the natural environment as part of its own unique identity, increase educational and tourism opportunities, and develop affordable and accessible residential areas.”

##### **31.2.1.2. Goals**

The following goals were identified for Lindsay:

- a) To outline a vision for Lindsay’s long-range physical development that reflects the aspirations of the community while managing the effects of such development on the social, economic, and environmental well-being of Lindsay;
- b) To provide strategies and specific implementing actions that will allow the vision to be accomplished;
- c) To provide a basis for City staff when reviewing specific development proposals and ensure that development projects are in harmony with this Plan’s policies;



- d) To provide guidance for the City, other public agencies, and property owners to coordinate and design projects that will enhance the character of the community; and,
- e) To provide land use designations to guide the growth of the Lindsay settlement area.

**31.2.1.3. Strategic Directions**

Strategic directions give specific purpose to the policies of this Plan. The following strategic directions were identified for Lindsay:

- a) Attract people and new businesses;
- b) Make the development application process easier;
- c) Encourage planning that fits with the built and natural environment;
- d) Maintain the integrity of the business core; and,
- e) Maintain equality throughout Lindsay.

### **31.2.2. General Policies**

Growth in Lindsay and this Secondary Plan is based on:

- a) a 2006 population of 19,361 and a forecasted 2031 population of 31,002;
- b) 7,744 residential dwelling units in 2006 and a forecasted 13,657 residential dwelling units in 2031; and,
- c) a greenfield mix of 71% low density, 9% medium density, and 20% high density residential development.

#### **31.2.2.1. Housing**

31.2.2.1.1. The priority areas for intensification development in Lindsay shall generally follow the recommendations of the City's Growth Management Strategy (May 2011) and are as follows:

- a) Infill sites and brownfield sites within the built-up area;
- b) Vacant or under-utilized mixed-use areas identified in Schedule "F-1" of this Plan;
- c) Sites located along Provincial highways, City Roads, major arterial, collectors, transit corridors and within the built-up area; and,
- d) Sites where there is sufficient municipal servicing capacity to accommodate development.

31.2.2.1.2. Intensification development shall be in accordance with section 18.4 of the Official Plan and section 2.2.3.7 of the Growth Plan.

31.2.2.1.3. The City will encourage intensification development along nodes and corridors and in areas that are or will be serviced by transit, readily serviced by public service facilities and nearby amenities, and developed to support pedestrian activity.

31.2.2.1.4. The development of affordable housing will be in accordance with the relevant policies of Sections 5 and 18 of the Official Plan.

31.2.2.1.5. Secondary suites will be permitted within single, semi-detached, and townhouse dwelling units where residential dwellings are permitted as a use, as appropriate.

#### **31.2.2.2. Economic Development**

31.2.2.2.1. The City will support the creation of a pro-active economic development strategy for Lindsay and will work with senior levels of government, stakeholders and residents to implement the Green Hub Community Improvement Plan.

31.2.2.2.2. The City will work with stakeholders and local residents to define a community improvement area for Lindsay's downtown and to develop a Downtown Community Improvement Plan in accordance with Section 9 of this Plan.

31.2.2.2.3. The City will work with stakeholders to define a community improvement area for Lindsay's main streets and to develop a Main Streets Community Improvement Plan in accordance with Section 9 of this Plan. The Main Streets Community Improvement Plan could be combined with the Downtown Community Improvement Plan referenced in Section 31.2.2.2.2 above.

31.2.2.2.4. The City will work with GO Transit to expand transit services to downtown Lindsay.

### **31.2.2.3. Parks, Open Spaces and Trail Systems**

31.2.2.3.1. The City shall implement a program to improve the connectivity of Lindsay's downtown with its waterfront parks and open space network and to offer more amenities along the Scugog River parks.

31.2.2.3.2. The City will develop a strategy to construct a bike or multi-use connection between downtown Lindsay and Sir Sanford Fleming College and the Lindsay Recreation Complex.

31.2.2.3.3. The City will develop a strategy to create a safe walking and cycling route to the Lindsay Fairgrounds.

31.2.2.3.4. The City will work on the design and implementation of pedestrian and cycling connections to the Scugog River shoreline, the Victoria Park Armoury, Adelaide Street Park, and Kent Street. To help advance the active transportation opportunities in Lindsay, the connections which presently exist should be leveraged to provide improved conditions along these routes. Improved connections could occur in three (3) ways:

1. Building of strong pedestrian and dedicated cycling lanes on the current street network;
2. Ensuring that existing active transportation linkages are physically completed and well maintained to allow for year round use; and,
3. Introduce a midblock active transportation network behind Kent Street (through the northern block) that would provide a unique opportunity to allow for cycling access parallel to Kent Street. This midblock link would tie to supporting amenities such as bike parking and public washrooms.

31.2.2.3.5. The City will work with Parks Canada to implement improvements to the Trent-Severn Waterway amenities to serve visitors and residents. In Lindsay, priority improvements will include the provision of new docks with close proximity to the downtown and a public washroom and/or "comfort station".

31.2.2.3.6. The City will encourage the implementation of the recommendations of the Trails Master Plan for Lindsay, in particular to upgrade and improve the continuation of the Victoria Rail Trail Corridor and the improvements to the trails along the Scugog River parks in Lindsay.

#### **31.2.2.4. Downtown Development**

31.2.2.4.1. The Downtown's architectural stock and built-form is relatively consistent along Kent Street and provides a strong street wall, which helps to reinforce a downtown feel. The heights of the buildings are also relatively consistent. Identifiable buildings include the Victoria Park Armoury, Lindsay Town Hall & Civic Facilities, and the Academy Theatre. These buildings work to establish cultural heritage and civic importance. All three buildings also offer strong architectural presence on the street and all efforts should be made to secure viewsheds and sightlines to these structures.

31.2.2.4.2. New downtown development and infill building should be designed to take into account the policies in Sections 18.11 and 18.13.

#### **31.2.2.5. Urban Design**

31.2.2.5.1. Development shall take advantage of views and frontage along the Scugog River, with public connections to the open space system, residents and visitors amenities and other public uses. Buildings located along the river shall have entrances and windows facing the river or facing streetscapes adjacent to open space along the river.

31.2.2.5.2. The City will work on the enhancement of Lindsay's entries in order for travelers to acknowledge their arrival, navigate, and provide sense of place. Five perimeter gateways are identified:

1. Southern approach – Highway 7 and Lindsay Street South (highly visual on approach);
2. Western approach – Kent Street and Highway 7 (highly visual on approach);
3. Eastern Gateway – Queen Street and CKL Road 36 (modest signage to demarcate intersection and direction into the downtown);
4. Northern Kiosk – existing within the park, attempts need to be made to provide clear wayfinding, trails, access and awareness of the kiosk;
5. Memorial Park – an existing park with train cars as an identifiable marker: an information kiosk can be placed to providing tourist information on approach to the downtown.

31.2.2.5.3. The City will develop a strategy to implement highly visual gateway treatments, which can include signage, vertical elements, public art and architectural pieces, while invoking cultural significance. Modest signage should be at a human scale and be made up of wayfinding treatments at the corners of the intersection. Both the northern kiosk and the Memorial Park information centres should be enhanced and designed to reinforce sense of place while also providing information on how to navigate through the community.

31.2.2.5.4. The City will work on the location of Downtown gateways and entry demarcation on major intersections. Urban design treatments in accordance with Section 18.13.8 should be further enhanced with the use of a crest or other identifiable symbol that is strongly associated with Lindsay's history.

31.2.2.5.5. The City will work on bridge improvements and on developing an urban design strategy in order to help the Lindsay Street and Wellington Street Bridges become landmarks on entry into the downtown and providing an awareness of the Scugog River, in accordance with Section 18.13.9.

31.2.2.5.6. The City will work on streetscape improvements along the primary streets of the downtown, which are Kent Street and Lindsay Street. Improvements may include street tree planting, landscaping, improvements to sidewalks, use of decorative paving, street furniture, street lighting and signage, as required.

31.2.2.5.7. The City will study the need for streetscape improvements to secondary downtown streets which function as expansion zones for downtown streetscape treatment. The secondary streets network helps to define the future growth of the downtown and include:

- a) Kent Street (between Adelaide Street and Sussex Street)
- b) Russell Street
- c) Peel Street
- d) William Street
- e) Cambridge Street
- f) Victoria Avenue

### **31.2.2.6. Environment and Natural Heritage**

31.2.2.6.1. Schedule "G-1" illustrates Environmental Constraint Areas and Environmentally Sensitive Features that influence the ultimate form and structure of the settlement area of Lindsay. The lands identified on Schedule "G-1" display known physical hazards and/or Environmentally Sensitive Features. If development occurs without regard to these constraints, loss of life, property damage or degradation of the environment may occur. Delineation of these constraints has been derived, in a conceptual manner, from mapping provided by Kawartha Conservation. While these constraints must be given due consideration in the development and redevelopment of land within the areas identified on Schedule "G-1", development proposals may be considered where appropriate studies have demonstrated that development or redevelopment could take place without negatively affecting the risk of loss of life, property damage or the degradation of the environment. The delineation of these constraints may be refined through the preparation of an Environmental Impact Study (EIS), as required by Sections 3.5.37 to 3.5.40 of this Plan.

31.2.2.6.2. The City will protect, conserve, and promote Natural Heritage in accordance with the 2014 Provincial Policy Statement and Section 3.5 of the Official Plan. Approval from the Ministry of Natural Resources and Forestry will be required to modify evaluated wetland boundaries.

### **Environmental Constraint Areas**

31.2.2.6.3. Schedule “G-1” conceptually delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, may contain Provincially Significant Wetlands or other natural heritage features, are located within 120 m of a lake or river having fish (identified as “EIS Study Area – 120m Buffer” in Schedule G-1), and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule “F-1” may be permitted provided that the development does not result in an increased risk of loss of life, property damage or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

31.2.2.6.4. Where Environmental Constraint Areas are identified through an EIS, flood plain analysis or other appropriate study on lands subject to site plan control, the site plan shall implement the findings of the study. The site plan shall correctly and precisely delineate those lands impacted by the constraints and identify how the proposed development and/or redevelopment will ensure no negative affect on the risk of loss of life and property damage and no degradation of the environment.

31.2.2.6.5. The City will work with the Kawartha Conservation in the delineation and updating of areas susceptible to flooding and erosion. The City shall incorporate the results of any new flood plain mapping into the Secondary Plan, when available from Kawartha Conservation.

31.2.2.6.6. The City recognizes that portions of existing development may be located within a flooding hazard identified through Policy Area #3 and that existing development may continue (in accordance with Section 17.6 of this Plan). An existing building or structure located in a flooding hazard may be enlarged, expanded or altered subject to:

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water;
- b) the enlargement to the building is appropriately flood proofed;
- c) new or existing hazards are not created or aggravated;
- d) the Conservation Authority has been satisfied;
- e) the development is not a threat to public health and safety or property;
- f) vehicles and people must have a way of safely entering and exiting the area during floods; and,
- g) satisfactory water supply and subsurface sewage disposal servicing.

The construction or rehabilitation of a boathouse may be permitted provided it is designed in accordance with the floodproofing requirements of Kawartha Conservation.

31.2.2.6.7. Lands within Policy Area #4 are subject to the Ops No. 1 Drain and Jennings Creek Watershed Flood Hazard Management Policy as approved by Kawartha Conservation in 2014. Development of these lands may be permitted in accordance with the policy.

### **Environmentally Sensitive Features**

31.2.2.6.8. Schedule “G-1” delineates as Environmentally Sensitive Features those areas that are recognized by this Plan as comprising the Natural Heritage System (i.e., wetlands, fish habitat including significant spawning areas, and significant woodlands). The following policies shall apply to the developments on lands adjacent to Environmental Sensitive Features:

- a) In accordance with the provisions and policies of this Plan, development may be permitted on lands adjacent to the Environmentally Sensitive Features to the extent that the type or magnitude of development is compatible with the environmental conditions or that suitable measures have been undertaken to mitigate any resulting negative impact. The uses permitted shall be in accordance with Schedule “F-1”. Development and site alteration is not permitted within a Provincially Significant Wetland.
- b) In considering the approval of a development application By-law adjacent to the area delineated as Environmentally Sensitive Features on Schedule “F-1” of this Plan, Council, in conjunction with Kawartha Conservation and Parks Canada (Trent-Severn Waterway), shall give consideration to the need for an analysis of the impact of development on the Environmentally Sensitive Area. An EIS in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting areas identified as Environmentally Sensitive Features.
- c) Lands adjacent to Environmentally Sensitive Features, identified in this Plan, shall be developed and managed in a manner to protect and complement the nature of the adjacent sensitive area. Regard shall be had for the location, extent and nature of the environmentally sensitive area, the scale of the proposed development, the potential impact on the Environmentally Sensitive Features and the proposed mitigating measures including the adequacy of spatial setbacks and buffers. Council shall consult with Kawartha Conservation and Parks Canada (Trent-Severn Waterway) in relation to the appropriateness of the proposed mitigating measures.
- d) Where, due to the environmentally sensitive nature of the area, an analysis of the impact of development is considered necessary, no change may be made to the natural environment until such time as the Developer undertakes an assessment of the area in accordance with the requirements of paragraph (b) hereof. Such a

report shall be prepared to the satisfaction of Council, Kawartha Conservation, the Ministry of Natural Resources and Forestry and Parks Canada (Trent-Severn Waterway).

- e) Where an Environmental Assessment of a proposal is conducted in accordance with the provisions of The Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.
- f) Where Federal Lands are involved and the Federal Environmental Assessment and Review Process is required, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.

### **Protection of Shorelines**

31.2.2.6.9. No structures, including boathouses, shall be permitted in shorelines if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a dwelling, or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purposes of stewardship, conservation, restoration or remediation undertakings.

31.2.2.6.10. The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.2.2.6.11. Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

- a) maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- b) to the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
- c) minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and,



- d) integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

### **Trent-Severn Waterway**

31.2.2.6.12. Along the Trent-Severn Waterway, any in-water and shoreline works, including but not limited to docks, boathouses, boat ramps, and shoreline alterations require an approved work permit from Parks Canada before any work can commence. Work must also adhere to Parks Canada's Policies for In-Water and Shoreline Works and Related Activities.

### **Waste Disposal Assessment Areas**

31.2.2.6. 13. The identification, management and clean-up of former waste and contaminated sites are important to achieve the Goals, Principles, and Objectives of this Plan. An EIS in accordance with Section 36.10 of this Plan shall be required for all development proposals on or abutting areas identified as Waste Disposal Assessment Area.

The City shall be satisfied that appropriate measures have been taken to:

- a) Ensure that the active and closed waste disposal facilities are carefully managed and rehabilitated;
- b) Ensure the uses adjacent to waste disposal areas do not jeopardize public health or the environment; and,
- c) Ensure the potentially contaminated sites are assessed and remediated as required, prior to any development or redevelopment.

31.2.2.6. 14. In areas identified as a Waste Disposal Assessment Area as shown on Schedule "F-1", uses may be permitted in accordance with the land use designation, upon the Municipality consulting with the Ministry of Environment and Climate Change and/or other appropriate jurisdiction, and subject to the following policies:

- a) Written approval has been received from the Ministry of Environment and Climate Change, and/or other appropriate jurisdiction, that the development complies with the provisions of the Environmental Protection Act;
- b) The studies required by the Ministry of Environment and Climate Change shall be carried out to the satisfaction of the City and shall demonstrate that development is compatible and can proceed without unmitigated negative impact;
- c) The City shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) The studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer; and
- e) The City is satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any and all structures.

31.2.2.6. 15. Given the potential impacts in areas subject to the Waste Disposal Assessment Area policies, only land uses compatible with waste disposal sites and the associated engineered controls will be permitted.

31.2.2.6. 16. Lands within the Waste Disposal Assessment Area shall be placed in a zoning category that does not permit habitable buildings or structures as an interim or permanent use. When such areas are deemed suitable for development, a rezoning to an appropriate category may be undertaken, subject to the applicable policies of Section 35.

31.2.2.6. 17. A parking lot, paved or otherwise, may be constructed within a Waste Disposal Assessment Area to serve an adjacent recreation facility or to act as a trail head location for a trail system. For the purpose of this Section, a municipal parking lot is deemed not to be a structure.

31.2.2.6. 18. Park amenities, but not buildings, may be constructed on a Waste Disposal Assessment Area after the City, in conjunction with the Ministry of Environment and Climate Change is satisfied that the soils do not pose a safety hazard to those using the park facilities.

#### **31.2.2.7. Transportation and Public Transit**

31.2.2.7.1. A safe, convenient, efficient and accessible transportation system shall be developed by the City.

31.2.2.7.2. The City should explore new or expanded coach, air, commuter rail and/or shuttle services to serve the needs of community members and the travelling public.

31.2.2.7.3. A transportation system strategy will be developed, which will emphasize safety, convenience and efficiency and which will address the multiple forms of transportation found in Lindsay including roads, waterways, trails, pedestrian routes, public transit, and the airport.

31.2.2.7.4. The City will work on the expansion of transportation opportunities for the populations, particularly focusing on meeting the needs of the aging population. The strategy should also focus on improving and expanding on a cycling network and expanding its parking supply to meet projected demands.

31.2.2.7.5. The City will work on implementing a parking strategy which will provide additional parking spaces in the downtown area, as estimated by the City of Kawartha Lakes Transportation Master Plan (February 2012).

31.2.2.7.6. The City shall promote the use of public transit, wherever possible, in order to promote overall energy conservation, environmental protection, and public mobility.

31.2.2.7.7. The City shall facilitate the provision of local transit services within a reasonable walking distance of all urban land uses, wherever feasible. The City may require that 90% of the new residential and non-residential units in a proposed development are within 400 metres of a transit stop, as measured along a pedestrian route.

31.2.2.7.8. In the planning of transit service, the City shall consider the location of the following types of uses and the appropriateness of transit linkages between these uses:

- a) Concentrations of housing, employment and retail;
- b) Concentrations of schools and other developments which may generate high volumes of transit users;
- c) Terminals for regional transportation systems;
- d) Major medical, social service, or institutions and community service facilities; and,
- e) Parks, multi-use trails, theatres, museums, and other arts, culture, and recreation facilities.

31.2.2.7.9. The City will work with the Province for the provision of GO Transit service to Downtown Lindsay.

31.2.2.7.10. The City shall encourage the use of public transit by:

- a) Encouraging and promoting intensification in areas serviced by public transit, as well as in, and around, the transit hub;
- b) Requiring that new development provide convenient and direct access to public transportation facilities;
- c) Integrating pedestrian linkages, trails, and intersections of major roadways with transit stops;
- d) Providing for universal access so that users with varying needs have the fullest access possible to the transit system; and,
- e) Supporting an on-going investment in transit vehicles which provide transit user safety and comfort, and takes advantage of new technology.

31.2.2.7.11. New major development or redevelopment will incorporate transit, pedestrian and cycling systems aimed at reducing the reliance on the automobile and encourage active transportation.

31.2.2.7.12. Roadway design proposals shall consider and incorporate transit service needs and requirements.

31.2.2.7.13. Schedule “H-1” identifies the existing road pattern and future arterial and collector road network for Lindsay. The following road classification applies in Lindsay:

- i. Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres.
- ii. Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres.

- iii. Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

31.2.2.7.14. The potential future road crossings of the Scugog River as shown on Schedule “H-1” shall be determined through a Class Environmental Assessment and in accordance with the Transportation Master Plan (February 2012).

### **31.2.2.8. Infrastructure and Services**

31.2.2.8.1. Infrastructure and services, such as sewers, water and storm water systems, shall be provided, maintained and upgraded as necessary to accommodate the needs of future development and redevelopment in Lindsay.

31.2.2.8.2. In addition to the policies in Section 28 – Infrastructure and Service Policies, development within the Lindsay settlement area shall be on full municipal services in accordance to the policies of the City.

31.2.2.8.3. Before a subdivision, condominium, consent or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use. All new development within this settlement area must be on full municipal services.

31.2.2.8.4. The infrastructure and services provided for new developments and redevelopments in Lindsay shall be sized, located and designed to the City’s engineering standards, guidelines and criteria to ensure that acceptable levels of service are maintained.

31.2.2.8.5. The planning and design of stormwater infrastructure, and the evaluation of development with respect to its management of stormwater, will be in accordance with the relevant policies of Section 3.3 of the Official Plan.

### **31.2.2.9. Culture and Cultural Heritage**

31.2.2.9.1. The City shall protect, conserve, and promote culture and cultural heritage in accordance with the 2014 Provincial Policy Statement and Section 10 of the Official Plan.

### **31.2.2.10. Land Use Compatibility**

31.2.2.10.1. The development of any industrial use shall be in accordance with Section 3.8 of the Official Plan.

31.2.2.10.2. All development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

### **31.2.3. Land Use Policies**

#### **31.2.3.1. Residential**

##### **31.2.3.1.1. Permitted Uses**

The predominant use of land in the Residential designation shall be a variety of residential dwelling types. Parks in accordance with Section 18.15 of this Plan, shall be permitted. Group homes or similar housing facilities shall be permitted and developed in accordance with the medium density residential use policies under Section 31.2.3.1.2.2 of this Plan. Neighbourhood commercial uses may also be permitted, in accordance with policies 31.2.3.3 of this Plan. A home occupation may be permitted accessory to the principal residential use and occurring entirely within the dwelling unit. The location of the Residential designation is shown on Schedule "F-1".

##### **31.2.3.1.2. Residential Densities**

The Residential designation contains policies for three densities of residential development as well as mixed density development. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors, as set out below.

###### **31.2.3.1.2.1. Low Density Residential Development**

Low density residential uses shall include single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and two (2) dwelling units per property. Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.2.3.3. of this Plan and subject to a rezoning.

Low density residential uses shall be development from a minimum density of 15 dwelling units per net hectare of land to a maximum density of 25 dwelling units per net hectare of land.

Low density residential uses will be encouraged to have front porches or covered entrances. Attached garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages. Low Density Residential uses will be encouraged to have a variety of facades and use a variety of building materials.

###### **31.2.3.1.2.2. Medium Density Residential Development**

Medium density residential uses shall include triplex dwellings, fourplex dwellings, row or block townhouse dwellings, stacked townhouse, converted dwellings containing more than two dwelling units, and mid-rise apartment housing not exceeding four storeys in height. Except in apartment units, home-based businesses may be permitted accessory to the principal residential use and occurring entirely within dwelling unit.

Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.2.3.1.3. of this Plan.

Medium density residential uses shall be developed between a minimum density greater than 25 units per net hectare to a maximum density of 60 dwelling units per net hectare.

Medium Density Residential uses will generally be located along, or close to, arterial or collector roads, where possible and appropriate.

Medium Density Residential will be encouraged to have front porches or covered entrances. Attached garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages.

New medium density residential developments shall meet the following criteria:

- a) The density, height and character of the development is in keeping with adjacent uses;
- b) The height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area;
- c) Medium density residential lots shall accommodate low-rise dwellings which do not cause significant issues with casting of shadows and obstructions of views for adjacent lots.
- d) In developments incorporating walk-up apartments, block townhouse dwellings and similar medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required to service the development;
- e) Buildings should incorporate landscaping in all yards which provide a buffer between the building and adjacent sensitive land uses.
- f) Parking areas should be located to minimize their negative visual impact on adjacent low density residential uses, such as in the side or rear yard, the interior of a site, and/or underground or structured parking. Where underground or structured (above grade) parking is provided, an amendment to this Plan is not required for increased density, provided the proposed built form is consistent with the design policies of this Plan. Parking for freehold townhouse development may be permitted in the front yard.
- g) The site shall be designed to provide for collection and storage of recyclable and wastes on site.

#### **31.2.3.1.2.3. High Density Residential Development**

High density residential uses shall include medium-rise and high-rise residential apartment buildings and other residential buildings in excess of four storeys in height. In addition, a small commercial facility with a maximum gross floor area of 200 sq.m. may be located on the ground floor of a high density residential building to serve the residents of the building.

High density residential uses shall be developed at a minimum density of 61 dwelling units per net hectare of land and a maximum density of 125 dwelling units per net hectare of land.

High Density Residential lots may accommodate medium-rise and high-rise apartments where the issues of casting of shadows, obstruction of views, and privacy for adjacent lots need to be managed and potential negative impacts minimized. Generally, High Density Residential buildings should be between 5 and 8 stories. Density and building heights are intended to decrease as the distance of the building from activity nodes increases.

High Density Residential uses will generally be located close to, or within, existing and future activity nodes, along arterial roads, along existing or planned transit corridors, or on brownfield sites, where the intensity of residential development supports commerce and transit ridership, and generates pedestrian traffic to enliven neighbourhood streets.

High Density Residential will be encouraged to have a covered entrance which is aligned with the street and main building entrance. Buildings should incorporate a built form, architectural articulation, exterior materials, and window design which prevent large continuous “slab” walls. Large at-grade or above-grade parking shall not dominate the site. At-grade parking will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern.

The medium density development criteria in Section 31.2.3.1.2.2 shall also apply to high density residential developments.

#### **31.2.3.1.2.4. Mixed Density Residential Development**

Developments may contain a mix of low density, medium density and high density built forms. When considering this form of development, the proponent and the City shall have regard to the density limits and development policies for each type of development proposed and shall consider the building and community design principles of this Plan.

#### **31.2.3.1.3. Neighbourhood Commercial Uses**

31.2.3.1.3.1. Small convenience retail facilities to serve the daily shopping needs of the residents of a neighbourhood, otherwise referred to as Neighbourhood Commercial Uses, shall be permitted within the Residential land use designation.

31.2.3.1.3.2. The following policies shall apply to Neighbourhood Commercial Uses:

- a) No more than one commercial unit shall be permitted on any site, and the gross floor area of the commercial use shall not exceed 300 square metres;
- b) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be subject to the appropriate residential density provisions;
- c) Required loading spaces should be located at the rear of the building;

- d) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- e) All required parking shall be provided on the site. Cash-in-lieu of required parking shall not be accepted by the City unless the neighbourhood commercial use is incorporated into a residential apartment building;
- f) Driveway access shall be approved by the City as necessary and appropriate; and,
- g) Standalone neighbourhood commercial sites shall be located at or in proximity to the intersection of arterial or collector roads and shall not be located mid-block within a residential area.

#### **31.2.3.1.4. Live/Work Opportunities**

31.2.3.1.4.1. Medium density and high density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

#### **31.2.3.1.5. Mixed-Use Residential**

31.2.3.1.5.1. The predominant use of land in the Mixed-Use Residential designation shall be a mix of low profile commercial and residential uses in the same building or in separate buildings. The location of the Mixed-Use Residential designation is shown on Schedule "F-1".

Single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not change.

Commercial uses such as offices, eating establishments, service and convenience retail and similar types of uses are permitted. The residential character of the buildings should be retained.

For the purposes of this Section, service retail shall be defined as those retail establishments that cater to the personal needs of individuals.

Multiple commercial buildings on the same property shall not be permitted. Public garages and automobile service stations shall not be permitted.

31.2.3.1.5.2. The maximum residential density shall not exceed the maximum(s) for Low, Medium, or High Density residential development, as the case may be and as if the development was being proposed as standalone residential development(s).

31.2.3.1.5.3. Residential-Commercial development shall generally not be permitted where the required off-street parking, including areas for vehicle turning cannot be provided on the site. Cash-in-lieu for a portion of the required parking may be considered by the City, if alternative parking opportunities exist within reasonable walking distance of the site.



31.2.3.1.5.4. Land within this designation shall be subject to site plan control, in accordance with the provisions of the Planning Act and Section 34.7 of this Plan. Development within this designation shall provide for the retention of the residential structures, and the sensitive treatment of commercial buildings adjacent to residential properties. Parking should be directed to the rear yard or side yards. Where new buildings or structures are to be erected, the proponent shall consult with all adjoining residential property owners regarding the proposed landscape treatment. The maximum height of any new commercial building shall be compatible with the adjoining residential uses.

31.2.3.1.5.5. On the lands municipally known as 24 Mill Street, convenience retail uses shall not be permitted notwithstanding any other provisions of the Official Plan or this Secondary Plan.

### **31.2.3.1.6. Heritage District**

31.2.3.1.6.1. Special studies shall be undertaken to determine the cultural heritage value or interest of the sites, buildings or structures as part of a Heritage District. Should this area represent a group of significant sites, buildings or structures, or period of the City's history, a Heritage District may be established pursuant to the Ontario Heritage Act. All new development within a Heritage District will be required to maintain the character of the area.

31.2.3.1.6.2. For lands designated Residential and within the Heritage District, the following residential intensification requiring no alteration to the built form and maintenance of the cultural heritage character of the building is permitted, subject to the design guidelines in this Plan and the provisions of the Zoning By-law:

- a) a basement apartment or an accessory apartment within an existing single-detached residential dwelling;
- b) residential dwelling unit(s) on the upper floors of existing buildings containing street level commercial uses; and,
- c) renovation of vacant commercial buildings resulting in a mixed use development comprising upper floor residential and street level commercial.

31.2.3.1.6.3. In addition to the policies in Section 18.13 Urban and Public Realm as appropriate, the following design guidelines shall also apply:

- a) Wood, cementitious board, red clay brick, or natural stone is encouraged as the primary finish material while materials such as aluminium siding, vinyl siding or stucco are discouraged.
- b) Mature trees will be preserved and new residential development will incorporate landscaping, including but not limited to mature trees, that maintains the character of the neighbourhood.
- c) The use of tinted or mirrored glass is discouraged.
- d) Signs should be made of wood or cementitious board, with carved or painted lettering.

- e) Restaurants and cafés are encouraged to incorporate a covered outdoor seating area with the building façade.
- f) Walkways extending from the public sidewalk are encouraged to be constructed of non-fixed materials such as interlocking pavers. Plain cast-in-place concrete is discouraged.

31.2.3.1.6.4. A Community Improvement Plan may be undertaken for the Heritage District, in accordance with Section 9 of this Plan, with a view to enhancing and improving the District as a significant and unique area of cultural heritage value or interest.

### **31.2.3.2. Commercial**

#### **31.2.3.2.1. Commercial Structure**

31.2.3.2.1.1. There are four distinct but interrelated commercial areas in the settlement area of Lindsay. These commercial areas include the Downtown Area (Central Business District), Kent Street West (west of Angeline Street), Colborne Street and Highway 35 (Jennings Creek commercial area), and the Mixed-Use Residential corridors generally located on Kent Street West between Angeline Street and Sussex Street, on Lindsay Street South between Glenelg Street and Mary Street, and on Queen Street between Lindsay Street and St. David Street/St. George Street.

31.2.3.2.1.2. The commercial areas described above are not land use designations, but are identified as Policy Areas. They are areas with a known and identifiable character that play a role in defining the overall urban structure of the Lindsay settlement area. This Plan and the Comprehensive Zoning By-law recognize the unique circumstances and qualities of these areas and will strive to achieve appropriate and flexible land use policies and regulations for these areas.

31.2.3.2.1.3. Four commercial land use designations and associated policies generally apply to the commercial areas of Lindsay. These commercial land use designations are as follows:

- a) Central Business District;
- b) Commercial;
- c) Highway Commercial;
- d) Service Commercial; and,
- e) Local Commercial.

These land use designations are augmented by neighbourhood commercial policies within the Residential designation.

### **31.2.3.2.2. Central Business District**

31.2.3.2.2.1. The Central Business District is Lindsay's preeminent mixed use node and is intended to serve a variety of complementary functions. The predominant use of land in the Central Business District land use designation shall be a full range of retail and commercial uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings. The Central Business District is also the location for important institutional uses, niche shops and specialty retail uses, cultural and entertainment uses, professional services, businesses and offices, financial institutions, hospitality uses, transit and transportation uses, and parks and open spaces. Individual properties and buildings may contain more than one of the above-noted uses. Drive-through facilities as well as auto related uses such as auto body shops, auto repair shops are not permitted within this designation. The limits of the Central Business District area shown on Schedule "F-1".

31.2.3.2.2.2. Central Business District development should generally contain buildings which are medium (3 to 4 stories) and high-rise (5 to 8 stories) in height. High-rise buildings should be located away from stable neighbourhoods adjacent to the Central Business District.

31.2.3.2.2.3. The preferred form of development within the Central Business District is retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

31.2.3.2.2.4. The following policies shall apply to the Central Business District designation:

- a) Traditional downtown areas shall be revitalized and preserved to reinforce the character of the downtown;
- b) Development shall be in accordance with policies in Sections 18.11 Downtown Development and 18.13 Urban and Public Realm Design;
- c) Transit facilities should be easily accessible to pedestrians;
- d) The surrounding areas should relate to and be efficiently connected with the Central Business Districts through the integration of bicycle and pedestrian trail systems;
- e) All utilities shall be provided underground, where feasible;
- f) Adequate off-street parking and loading spaces, or cash-in-lieu of parking as provided for in Section 18.16.9, shall be provided. Requirements may be satisfied through off-street communal parking, and municipally or privately owned parking areas located in the Central Business District. The City encourages underground parking for mid and high rise developments within the Central Business District. Parking should be located in the rear or centre of the urban blocks with little visibility to downtown streets. In the case where a parking lot does have street frontage, then a landscape setback should be used to help mitigate the transition between the lot and public realm. Limited on-street parking will be provided in appropriate areas; and,

- g) The implementing Zoning By-law to enlarge or establish a new retail use shall establish appropriate regulations that shall include, but not be limited to, maximum gross leasable floor space, performance standards, and specific permitted uses.

31.2.3.2.2.5. A Community Improvement Plan shall be undertaken for the Central Business District (Downtown Area), in accordance with Section 9 of this Plan, with a view to enhancing and improving the Area as a significant and unique mixed commercial, residential, cultural, social, and entertainment area.

31.2.3.2.2.6. Development or redevelopment, including intensification in designated Central Business District shall preserve, complement and enhance the cultural heritage and/or architectural character of these areas. Among the specific requirements are the following:

- a) the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;
- b) the consistency of setbacks and continuity of character, in order to maintain and restore pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the downtown and adjacent areas of residential or other development; and
- c) compliance with the heritage policies of Sections 10 and 18.14 of this Plan.

31.2.3.2.2.7. In Central Business District areas sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, landscaping, patios and outdoor dining.

31.2.3.2.2.8. The City may utilize Tax Incentives to promote private sector improvements to existing buildings and revitalize existing Central Business District areas.

31.2.3.2.2.9. The City may establish Business Improvement Areas in the Central Business District areas to help promote and support local businesses in these areas.

31.2.3.2.2.10. The City shall encourage coordination, by local business persons or owners, of such things as signs, building facades, lighting, street furniture, landscaping and general maintenance.

31.2.3.2.2.11. No open storage shall be permitted within the Central Business District.

31.2.3.2.2.12. The City encourages the upgrading, rehabilitation and redevelopment of buildings and/or facades in the Central Business District as set out in the City's urban design guidelines, which may be in place from, time-to-time.

31.2.3.2.2.13. Buildings and structures of cultural heritage value or interest shall be conserved and incorporated, where appropriate, into any development or

redevelopment project. The preservation of areas of cultural heritage value or interest shall also be encouraged.

### **31.2.3.2.3. Waterfront Core Commercial District**

31.2.3.2.3.1. A Waterfront Core Commercial District area has been identified on Schedule “F-1” to encourage a waterfront-oriented development in the downtown. The predominant designated land use for the Waterfront Core Commercial District is “Central Business District” and also “Parks and Open Space” along the Scugog River.

31.2.3.2.3.2. The permitted land uses will be those of the underlining designation as specified in Schedule “F-1” (i.e. Central Waterfront District or Parks and Open Spaces).

31.2.3.2.3.3. Uses within the Waterfront Core Commercial District are envisioned to include a range of facilities, activities and experiences for residents and visitors of all ages, cultures and genders.

31.2.3.2.3.4. Development shall ensure that public access to the waterfront along the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, is maintained so that all City’s citizens and visitors have the opportunity to enjoy the waterfront area.

31.2.3.2.3.5. The City shall ensure that vistas and public access to the waterfront along the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, are preserved.

31.2.3.2.3.6. The City will encourage the implementation of the recommendations of the Trails Master Plan, including the Continuation of efforts to establish / develop the Scugog River Greenway and trail in Lindsay.

31.2.3.2.3.7. The City will encourage the development of mixed-uses that include businesses and services with a nautical and waterfront theme on the Central Business District designation within the Waterfront Core Commercial District.

31.2.3.2.3.8. The City shall encourage the development of a pedestrian friendly environment with connections with the Scugog River parks and the downtown.

31.2.3.2.3.9. The City shall encourage the improvement of streetscapes within the downtown and the Scugog River through the use of landscaping including trees, sidewalks, bicycle lanes, bicycle parking, special signage, lighting, seating, street furniture, public art, and special paving, as required and applicable and according to the policies in Section 18.13 Urban and Public Realm as appropriate.

31.2.3.2.3.10. Planning and development or redevelopment of lands within the Waterfront Core Commercial District should:

- a) Provide distinctive and memorable places;

- b) Protect and enhance views and vistas;
- c) Optimize the relationship between facilities, open space and water;
- d) Be consistent and compatible with the design of the overall downtown;
- e) Where possible, reflect Lindsay's culture and history through attractive design.

31.2.3.2.3.11. Any proponent for development, redevelopment or site alteration on lands within the Waterfront Core Commercial District shall have regard for the cultural heritage of the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, and the rich built and cultural heritage of Downtown Lindsay and will be required to maintain the character of the area. A Heritage Impact Assessment may be required in accordance with Section 18.14.15 and Section 36.3 of this Plan.

31.2.3.2.3.12. Development and site alteration adjacent to the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, shall be consistent with the policies in Section 31.2.2.6 and all other applicable policies of this Plan and in accordance with the Kawartha Conservation and Parks Canada (Trent-Severn Waterway) regulations and plans.

#### **31.2.3.2.4. Commercial**

31.2.3.2.4.1. Areas identified as Commercial in Schedule "F-1" represent service commercial areas, retail stores, and shopping centres outside of the Downtown area. The predominant use of land permitted in the Commercial land use designation shall include retail establishments and commercial uses such as convenience retail, retail stores, food stores, professional offices, personal and professional services, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, eating establishments, home furnishing establishments, automated teller/banking machines, building supply centres, and other similar uses.

31.2.3.2.4.2. Large Format Retail use developments typically contain large retail anchors at the back of the site with a variety of smaller commercial uses located at the front or perimeter of the site. Shopping centres are developments which include at least two major anchor tenants and a few specific tenant categories in a single structure with an enclosed common pedestrian mall. These development formats may also be permitted in the Commercial designation in accordance with Section 31.2.3.2.4.6 and Section 18.7, and shall require a site specific Zoning By-law Amendment. Large Format Retail use and shopping centres shall generally be directed to locations characterized by high visibility and accessibility.

31.2.3.2.4.3. Commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence shall be located on highways or arterial roads. These uses include automobile service station, public garages, motel, hotel, auction barn, laundromat, restaurant, places of assembly, recreational uses and retail establishments that carry basically one line of goods of a non-perishable nature that requires a large area for storage and delivery being uses

such as carpet, flooring, furniture, and major appliance stores and motor vehicle and marine sales and service.

31.2.3.2.4.4. Category-specific retail establishments with a gross leasable floor space of less than 3,000 square metres that are not identified as a permitted use in the Commercial designation, may also be permitted in the Commercial designation provided they are developed in conjunction with one or more Large Format Retail uses.

31.2.3.2.4.5. Small scale service commercial uses, such as convenience retail stores and personal service shops, may be located within the Commercial designation provided that they are developed in conjunction with the permitted uses of this designation on the same site, and provided that the total gross leasable floor space of the small scale service commercial uses does not exceed 15% of the total gross leasable floor space that is to be developed.

31.2.3.2.4.6. The following policies apply to lands designated Commercial:

- a) Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. This Plan encourages the consolidation of smaller commercial properties to facilitate larger scale development.
- b) Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and / or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
- d) Driveway access shall be approved by the City in conjunction with the Province as considered to be necessary and appropriate;
- e) Adequate off-street parking, service areas and loading spaces shall be provided.
- f) Buildings should be built to a minimum setback at intersections to help frame the streets;
- g) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
- h) Commercial garbage facilities shall be contained in fully enclosed storage area contiguous with the building;
- i) Parking, loading areas and service should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan; and,
- j) Commercial uses shall only locate on Provincial highways, arterial or collector roads.

31.2.3.2.4.7. New and expanding Commercial uses are subject to:

- a) Site Plan Control;
- b) The submission of a Traffic Impact Assessment as outlined in Appendix "B" to identify traffic generated by the development, methods of mitigating the traffic,

and any improvements to the required road network to accommodate the development;

- c) The submission of a market study to demonstrate that the proposed commercial floor space is warranted both in size and type of commercial use while accounting for existing land use permissions in commercial land use designations in this Secondary Plan; and,
- d) The policies of Section 18.7 of the Official Plan, a site specific Official Plan Amendment, and a site-specific Zoning By-law Amendment if it is an enlargement of an existing or establishment of a new retail use in excess of 3,000 square metres.

31.2.3.2.4.8. This Plan discourages any further retail commercial lands being designated for retail commercial uses that can be accommodated in the Jennings Creek commercial area (JCCA). Any application for such an official plan amendment must be supported by a retail commercial study including a directional impact study demonstrating there is a need for additional retail commercial land over and above those designated in the JCCA and that such development will not prejudice the timing of the ultimate development of the retail and the residential uses in the JCCA. In the event there is any inconsistency between the policies in this section and those contained elsewhere in this plan then the policies of this section shall prevail.

#### **31.2.3.2.5. Policy #1 (Future Commercial Area)**

31.2.3.2.5.1. Lands indicated as Policy #1 on Schedule “F-1” are intended to accommodate future retail commercial growth along the Highway 35 corridor. Development on the subject lands is subject to the policies contained in Section 31.2.3.2.4.7 of this Plan.

#### **31.2.3.2.6. Policy Area – Downtown Area**

31.2.3.2.6.1. The Downtown Area is focused on Kent Street West between Sussex Street and Lindsay Street. The Area extends north to Francis Street along the William Street Corridor and south to Glenelg Street along the Lindsay Street South corridor.

31.2.3.2.6.2. While predominantly designated Central Business District, the Downtown Area is mixed-use in nature and is also the primary social, cultural and economic node in Lindsay. The Downtown Area is comprised of unique Victorian architecture and other built forms typically found in a traditional downtown.

31.2.3.2.6.3. A range of residential, commercial, and community uses are permitted in the Downtown Area as outlined in Section 31.2.3.2.2.

#### **31.2.3.2.7. Policy Area – Kent Street West Area**



31.2.3.2.7.1. The Kent Street West Area is comprised of those lands focused on Kent Street West, west of Angeline Street North. It is recognized that, given traffic volume, accessibility and exposure on Kent Street West and Angeline Street North, expansive retail commercial establishments tend to locate in this area. The area is comprised of shopping plazas, community uses and automotive service uses.

31.2.3.2.7.2. The area shall be developed according to the design policies in Section 31.2.3.2.4.6, as applicable.

### **31.2.3.2.8. Policy Area – Mixed Use Corridor Areas**

31.2.3.2.8.1. The Mixed Use Corridor Areas are located along Kent Street West, between the Downtown Area and the Kent Street West Area; along Lindsay Street South, between the Downtown Area and Mary Street; and along Queen Street, between the Downtown Area and CKL Road 36.

31.2.3.2.8.2. The Mixed Use Corridor Areas are those corridors along major roads that are generally considered to be older residential areas in transition to mixed commercial and residential use areas. It is the intention that the residential character of the built form in these corridors will be maintained. Low profile commercial and residential buildings in the same areas exist and may be maintained, subject to the policies of this Plan.

31.2.3.2.8.3. The predominant uses in these corridors are low- and medium-density residential dwellings and low-profile commercial developments.

### **31.2.3.2.9. Highway Commercial**

31.2.3.2.9.1. Areas identified as Highway Commercial in Schedule “F-1” represent existing and future service commercial areas and a limited range of retail stores outside of the Central Business District, but within the settlement area. The predominant use of land permitted in the Highway Commercial land use designation shall include commercial uses such as convenience-type retail, automobile service stations, vehicle sales and service, public garages, motels, hotels, eating establishments, establishments such as furniture, appliance, carpet, flooring, home electronics and/or garden centres, automated teller/banking machines, building supply centres, and other similar uses.

31.2.3.2.9.2. The following policies apply to lands designated Highway Commercial:

- a) Highway Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. It is the intent of this Plan to provide for the consolidation of Highway Commercial uses and to avoid the indiscriminate development and/or extension of such uses into adjacent non-commercial areas.
- b) Highway Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses.

- Buffers shall include grassed areas and appropriate planting of trees and shrubs, and / or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
  - d) Driveway access shall be approved by the City in conjunction with the Ministry of Transportation as considered to be necessary and appropriate. Consolidated accesses between properties shall be required where necessary;
  - e) Adequate off-street parking, service areas and loading spaces shall be provided. Service areas and loading spaces shall be located according to Section 18.16.10 of this Plan;
  - f) Buildings should be built to a minimum setback at intersections to help frame the streets;
  - g) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
  - h) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building;
  - i) Parking, loading areas and service areas should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan; and,
  - j) Commercial uses shall only locate on arterial or collector roads.

#### **31.2.3.2.10. Service Commercial**

31.2.3.2.10.1. Areas identified as Service Commercial in Schedule “F-1” represent an existing commercial area south of Kent Street that has developed with a range of employment, retail, and office uses. The predominant use of land permitted in the Service Commercial land use designation shall include uses such as convenience-type retail, automobile service stations, vehicle sales and service, eating establishments, wholesaling and associated warehousing, personal services, offices, and other similar uses.

31.2.3.2.10.2. The following policies apply to lands designated Service Commercial:

- a) Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and / or the provision of other suitable screening materials;
- b) Driveway access shall be approved by the City in conjunction with the Province as considered to be necessary and appropriate;
- c) Adequate off-street parking, service areas and loading spaces shall be provided.
- d) Commercial garbage facilities shall be contained in fully enclosed storage area contiguous with the building; and,
- e) Parking, loading areas and service should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan.

### **31.2.3.2.11. Local Commercial**

31.2.3.2.11.1. The predominant use of land within the Local Commercial land use designation shall be convenience-type retail and commercial uses to serve the daily needs of the surrounding neighbourhood. Such uses shall include an office, convenience retail store with or without an associated gas bar, automated teller/banking machine, video rental establishment, dry cleaning depot, laundromat, automobile service station, eating establishment, a personal service shop, and other similar uses.

31.2.3.2.11.2. Residential apartments shall be permitted in the Local Commercial land use designation, provided that such uses are located on the upper floor(s) of buildings containing Local Commercial uses. Notwithstanding this, residential apartments shall not be permitted on the upper floor(s) of an automobile service station or in the Prestige Employment designation.

31.2.3.2.11.3. Financial institutions shall not be permitted in the Local Commercial designation.

31.2.3.2.11.4. The following policies shall apply to lands designated Local Commercial:

- a) Local Commercial uses shall be encouraged to locate in groups and preferably where access to arterial and/or collector roads is available.
- b) No more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use or a group of commercial uses shall not exceed 1,500 square metres;
- c) The maximum gross floor area of any one commercial unit shall not exceed 500 square metres;
- d) Building height shall be limited to one storey unless residential apartments are located on the upper floor (s), in which case the maximum building height shall be no more than 2.5 storeys;
- e) Adequate off-street parking and loading spaces shall be provided;
- f) All required parking shall be provided on site, cash-in-lieu of required parking shall not be accepted;
- g) Required loading spaces should be located at the rear of the structure;
- h) Local Commercial uses shall be sited in such a manner to minimize the adverse effects on adjoining residential areas;
- i) Adequate buffer planting shall be provided between any Local Commercial use and any adjacent residential area and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs with provision for earthen berms or screen fencing as may be necessary; and,
- j) Local Commercial facilities shall be subject to site plan control.

### **31.2.3.2.11.5. Special Provisions**

- a) On land designated Local Commercial, having a frontage of 52.9 metres on the east side of Angeline Street South, south of Mary Street West and a total area of approximately 0.63 hectares, legally described as Part of Lot 12, Registered Plan

61, known as 134 Angeline Street South in the former Town of Lindsay, the list of permitted uses shall include an oxygen and medical equipment supply establishment, including warehousing as an accessory use in addition to the uses otherwise permitted in the “Local Commercial” designation. Notwithstanding any other policies to the contrary, two commercial buildings shall be permitted on the lands. Notwithstanding any other policies to the contrary, a maximum suite size of 750 square metres shall be permitted for the purposes of an oxygen and medical equipment supply establishment on the lands.

- b) On land designated Local Commercial, known as 98 William Street South, and described as being Part of Lot 5, North of Durham Street West, former Town of Lindsay, and comprised of approximately 0.07 ha. (0.17 ac.) in area, a single detached residential use with a commercial parking lot in the rear yard shall be considered permitted uses in addition to those normally permitted in the “Local Commercial” designation.

### **31.2.3.3. Employment**

31.2.3.3.1. Within the Employment designation, the predominant use of land shall be a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, accessory uses such as parking garages or a residence for a caretaker.

31.2.3.3.2. In addition to the uses permitted above, Council may permit the following uses without an amendment to this Plan:

- a) Parks and Open Space uses;
- b) Institutions and Community Facilities uses, provided they are adequately buffered from uses that produce potential nuisances, such as noise, odour, dust, vibration or heavy traffic, as defined by the Ministry of Environment or other relevant agency;
- c) Ancillary commercial uses that serve the needs of the employment area, provided that:
  - i. the policies of Section 31.2.3.7.4.5 are adhered to where appropriate and applicable; and,
  - ii. the type of uses and their sizes are appropriate.

31.2.3.3.3. Prestige Employment uses are permitted uses in the Employment designation that do not comprise outdoor storage and shall locate adjacent to Provincial highways and arterial roads. Prestige Employment uses may be permitted where a General Employment use would not be appropriate because of the possible conflict with adjacent residential uses. Prestige Employment uses in proximity to residential areas shall provide adequate buffering.

31.2.3.3.4. General Employment uses shall locate within an industrial subdivision with local roads connecting directly to an arterial road. General Employment uses shall not be permitted to locate on local roads that necessitate the movement of trucks past

residential lots. General Employment uses shall be encouraged to group together provided adequate buffering is established.

31.2.3.3.5. The following policies apply to lands designated Employment:

- a) Adequate landscaping and buffering shall be provided between the Employment designation and sensitive land uses, as established by the Ministry of Environment and Climate Change or other relevant agency.
- b) Service, loading and parking areas should be oriented to the interior side yard or rear of the building and appropriately screened from public view.
- c) Adequate off-street parking, service areas and loading facilities are required and will be designed for maximum safety. Parking, loading areas and service areas should be designed as per policies 18.16.8, 18.16.10 and 18.16.12 of this Plan.
- d) For employment uses located on roads with sidewalks and/or cycling connections, pedestrian and cycling access should be accommodated in a manner that is distinguishable from the access provided to motorized vehicles, and is safe and convenient.
- e) Buffering is required between employment area uses and residential uses, including but not limited to, increased setbacks, a high degree of landscaping, screening, and fencing.
- f) Office uses should be oriented to the front of the building and incorporate substantial glazing.
- g) Outside storage is the main differentiator between General Employment uses and Prestige Employment uses and its location is limited to General Employment uses placed within industrial subdivisions or along local roads. No outside storage of goods or materials shall be permitted in those Employment uses located along Provincial highways, arterial roads, or adjacent to residential areas.

31.2.3.3.6. Employment uses located along Provincial highways and arterial roads are expected to accommodate a wide range of Prestige type uses requiring high visibility. High quality design will be essential in these areas and some restrictions on uses will be applied to ensure attractive streetscapes.

31.2.3.3.7. The following policies shall also apply to the Prestige Employment uses located along Provincial highways, arterial roads, or adjacent to residential areas:

- a) High urban design, landscaping and building standards shall be required. Buildings shall be designed so that all elevations facing a street present an appropriate front elevation. Loading areas are not considered appropriate in any yard facing a street.
- b) Vehicular access to lots abutting Provincial highways, and CKL Roads shall generally be from an alternate lower tier road network where possible. Access to Provincial highways and CKL Roads shall be subject to the approval of the appropriate authority.
- c) The provision of appropriate and adequate landscaping and/or other forms of buffering shall be provided to:
  - i. Enhance all parking lots, and outdoor loading, storage and service areas;

- ii. Provide separation between the employment use and any adjacent use, where appropriate; and,
- d) To enhance building visibility and quality, built form and massing should emphasize key elements including building entrances and forecourts; in particular, variations in articulation of the building envelope are encouraged.
- e) The minimum building frontage should be in proportion to the lot frontage and the proposed front yard setback.
- f) The percentage of building frontage should increase proportionally for wider lots.
- g) Corner buildings should be located with minimum setbacks to reinforce their focal role. Doorway entrances should be located at or close to the corner.
- h) In Employment areas adjacent to Residential areas, the building and the building façade should be architecturally treated in order to define the street edge.

31.2.3.3.8. New employment development will be required to demonstrate compliance with the Ministry of Environment's Land Use Compatibility (D6) Guidelines.

31.2.3.3.9. Employment uses shall:

- a) not include uses that may be obnoxious or noxious to the surrounding area; and,
- b) have all operations conducted entirely within an enclosed building.

31.2.3.3.10. The Comprehensive Zoning By-law shall establish development standards, permitted uses, and other measures required to support the Employment policies.

31.2.3.3.11. The conversion of lands within Employment designation to non-employment uses is subject to policy 18.10.13 of this Plan.

#### **31.2.3.3.11. Special Provisions**

- a) On land designated Employment known municipally as 51 Mary Street West, being Parts 1, 2, 3 and 4 of Reference Plan 57R-4805, notwithstanding the policies of Section 31.2.3.3.1, Commercial uses shall be permitted in a plaza format within a single structure.
- b) On land designated Employment, known as 50 Mount Hope Street, and described as Part of Lot 10, Plan 377, Geographic Town of Lindsay, now in the City of Kawartha Lakes, and comprised of approximately 0.35ha (0.87 ac.) in area, the sales and service of motor vehicles shall be considered permitted uses in addition to those uses normally permitted in the "Employment" designation.
- c) On land designated Employment, known as 50 Mary Street West, and described as Lots 1 to 28, Part of Lot 30, Lots 32, 59, Part of Lot 60, 61 to 63 Registered Plan 137, Town of Lindsay, now in the City of Kawartha Lakes, and comprised of approximately 2.7 ha. (6.7 ac.) with a frontage of approximately 108 m (354 ft.) along Mary St. W., the retail sale of gently used clothing (thrift shop) shall be considered a permitted use in addition to those uses normally permitted in the "Employment" designation.

### **31.2.3.4. institutions and Community Facilities**

31.2.3.4.1. Institutions and Community Facilities uses are intended to serve the immediate neighbourhood, a collection of neighbourhoods or the entire City, and provide social or cultural services such as education, health care, social housing, and religious worship for residents. Lindsay, as the largest community in the City of Kawartha Lakes, serves as a social, institutional, community and educational centre.

31.2.3.4.2. Within the Institutions and Community Facilities land use designation, the predominant use of land shall be for public and institutional uses that benefit the residents of the Lindsay settlement area and the City of Kawartha Lakes. These uses shall include major institutional uses as defined by Section 31.2.3.4.6 of this Plan, government offices, places of worship, nursing homes and assisted living, daycare centres, social housing, medical clinics, recreational, cultural and educational facilities, cemeteries, fairs or exhibition grounds, other public uses or community facilities, and uses accessory thereto. Government buildings deemed to be redundant may continue to be used for office purposes without an amendment to this Plan.

In addition to the uses permitted above, ancillary residential and commercial uses may be permitted in areas designated Institutions and Community Facilities provided that:

- a) The ancillary use is clearly incidental and secondary to, and complementary with the main use; and,
- b) The development satisfies the appropriate policies relating to the use.

31.2.3.4.3. The following policies shall apply to the Institutions and Community Facilities designation:

- a) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any Institutions and Community Facilities use and any adjacent residential area where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening.
- b) Institutions and Community Facilities shall be planned to reflect the level of service for which they are intended to provide.
- c) Institutions and Community Facilities shall be encouraged to have building massing, exterior building materials, and landscaping which help them integrate with the neighbourhood. The City encourages specific design elements which highlight the civic nature of institutional uses.
- d) Institutions and Community Facilities are encouraged to develop on sites served by existing or planned transit routes.
- e) Adequate off-street parking areas shall be provided and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and

vehicular traffic. Parking areas shall be located to the side or rear of the building and screened from view.

- f) The design of new Institutions and Community Facilities shall be pedestrian friendly, barrier-free and accessible.
- g) The City will encourage Institution and Community Facilities to act as community hubs offering a variety of public services, where possible. The location of these facilities should be in areas serviced by public transit, existing infrastructure, and easily accessible by active transportation methods.

31.2.3.4.4. Elementary schools should be planned in coordination with growth of the community and located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School Board. The location should also be selected and designed to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes and bicycle parking will be incorporated wherever feasible.

31.2.3.4.5. Places of worship should be located on arterial or collector roads within walking distance of transit stops. Places of worship should provide on-site parking located at the rear or side of the building and adequately and safely accommodate vehicular and pedestrian traffic entering on site.

31.2.3.4.6. Major institutional uses are defined as those institutional uses where the property is intensely built and attracts high traffic volumes. Major institutional uses shall include colleges, universities and other post-secondary educational facilities, secondary schools and large-scale health care facilities. Major Institutional uses shall be located where:

- a) There is direct access to an arterial or collector road; and,
- b) Public transportation services can be provided to the property.

31.2.3.4.7. Council shall encourage the development of campus master plans for post-secondary educational facilities and large scale health facilities which direct the future expansion of the institution to appropriate areas on the campus and facilitate its integration with the surrounding community.

31.2.3.4.8. The following guidelines shall be considered when evaluating the proposed design of major institutional developments:

- a) The proposal should demonstrate how the general policies outlined in Section 7 of the Official Plan will be achieved;
- b) The scale of the development must consider surrounding uses result in a gradual transition in terms of the profile, height, scale, and placement of buildings, where applicable and appropriate;
- c) Vehicular access shall be located so that traffic related to the major institutional use will be discouraged from using local roads;



- d) The site is designed shall be connected to municipal sidewalks to create a pedestrian-friendly, barrier-free and accessible development for all persons within the community, including the elderly and those persons with physical disabilities;
- e) On-site transit stops and bicycle parking shall be incorporated in the design, where feasible;
- f) Parking areas shall be screened from adjacent land uses and large parking areas shall incorporate internal landscaping islands; and
- g) Appropriate landscaping and buffer areas shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

31.2.3.4.9. Emergency service facilities, including fire, police and ambulance stations shall be located along Provincial highways, arterial roads, and collector roads. The siting of new facilities shall also consider the potential impacts on adjacent users.

31.2.3.4.10. Institutional buildings may accommodate medium and high-rise structures where the issues of shadow casting, obstruction of views, and privacy for adjacent lots are managed and potential negative impacts minimized. Generally, medium density buildings should be between 3 and 4 stories and high density buildings should be between 5 and 8 stories. Where medium and high density institutional uses are proposed, the proposed development should address the following issues:

- a) Land use and neighbourhood character compatibility;
- b) Lot pattern and configuration;
- c) Accessibility;
- d) Parking requirements;
- e) Potential for additional traffic and traffic manoeuvrability;
- f) Potential for transit ridership;
- g) Natural (including natural hazards) and cultural heritage conservation / protection; and,
- h) Available capacity of municipal infrastructure.

#### **31.2.3.4.11. Special Provisions**

- a) On land designated Institutions and Community Facilities described as Block 112 on Draft Plan of Subdivision 16T-01504 (McLaughlin Road) being Part of Lot 19, Concession IV, Blocks 32 to 37 on Plan 57M-745 and Blocks 14 to 17 on Plan 57M-738, formerly in the Town of Lindsay, now in the City of Kawartha Lakes, Sensitive Land Uses as defined in Section 30 of this Plan shall not be permitted.

Adequate buffering shall be provided between the above noted subject lands and adjacent industrial lands (B/L 2002-120 Amendment No. 6).

- b) 30 Peel Street: On land designated Institution and Community Facilities, described as Town Plan, Part Lot 9, North of Peel Street, former Town of Lindsay, now in the City of Kawartha Lakes and identified as 30 Peel Street, despite the policies of Section 31.2.3.4.1 or any other provision of this Official Plan, accessory retail use and other service uses, operated in conjunction with other main uses, by a non-profit, charitable or religious group, may be established and operated (B/L 2005-155 Amendment No. 18).

### **31.2.3.5. Parks and Open Space**

31.2.3.5.1. The Parks and Open Space designation includes lands used for active and passive leisure activities. Open spaces are intended to contribute to the environment through the provision of green space and vegetation.

The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

31.2.3.5.2. The development of parks shall be subject to Sections 8, 18.15 and 34.13 of this Plan. The following policies shall apply to the Parks and Open Space designation:

- a) Community gardens, parks, and recreation operations on lands designated Parks and Open Space should maintain the unique natural characteristics of such lands, where possible and appropriate.
- b) Lands designated Parks and Open Space shall not contribute to problems of erosion, flooding, pollution or the deterioration of the environment.
- c) Buildings and structures shall be permitted in parks provided that they are related and accessory to the main permitted use. Structures such as those required for flood consideration, municipal services and/or utilities shall be permitted in areas designated Parks and Open Space, provided engineering studies acceptable to the City and Conservation Authority indicate that any hazard, natural or otherwise, can be overcome, or if the Conservation Authority determines that the isolated parcel of land is not hazardous. Where major physical alterations are necessary to overcome the hazards, an amendment to this Plan will be required. Where detailed investigation shows that an area is non-hazardous, and provided that the Conservation Authority confirms this in writing, then an alternative use consistent with the surrounding uses may be considered through a Zoning By-law Amendment.

- d) Where Parks and Open Space lands are under private ownership, it shall not be construed that these lands shall be free and open to the general public, nor that they shall be acquired by the City or any other public agency.

31.2.3.5.3. The City will conduct programs to improve park facilities and provide public parks to meet the needs of the community, as well as augmenting the present park deficiencies. Park needs shall be considered in conjunction with future recommendations and/or improvements to the Scugog River and the lands adjacent to it.

31.2.3.5.4. The Scugog River parks should be developed and managed to provide opportunities for both active and passive recreation, social and cultural activities, and the conservation and preservation of natural environment areas, historic sites and wildlife habitats should be encouraged. Parks located adjacent to the Scugog River should be developed to capitalize on the unique waterfront setting. Facilities for residents and visitors should be provided. Development may include boat docking and launching, seating and boardwalks, playgrounds, informal sports fields, picnic shelters, interpretative features and passive recreation areas.

31.2.3.5.5. The City will work on the creation of a continuous waterfront multi-use trail system and improve access to the shoreline, parks and open spaces and to help advance active transportation opportunities in the community. The trails should be maintained for year round use. Strategic links along existing roads shall be established to provide connections to the shoreline and Scugog River parks.

31.2.3.5.6. The City will work with Parks Canada on strengthening the role of the Trent-Severn Waterway for recreational and cultural purposes. Improvements to the Trent-Severn Waterway parks could include the provision of more links to the parks along the shoreline, construction of public washrooms or comfort stations and parking facilities, and, the provision of more docking amenities for boaters, particularly in close proximity to downtown.

### **New Park**

31.2.3.5.7. The general location of a new park in Lindsay is denoted with the symbol “NP” on Schedule F-1. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol “NP,” and the City will determine the type of park and its final location prior to draft plan approval.

### **31.2.3.5. 8. Special Provisions**

- a) On land designated Parks and Open Space, described as Block 110 on Draft Plan of Subdivision 16T-01504 and Parts 1, 2, 3, and 4, Plan 57R-8381, (west side of McLaughlin Road), Sensitive Land Uses as defined in Section 30 of this Official Plan shall not be permitted.

- b) Adequate buffering shall be provided between the above noted subject lands and adjacent industrial lands (B/L 2002-120 Amendment No. 06).

### **31.2.3.6. Environmental Protection**

31.2.3.6.1. Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment, and will be guided by the policies of Section 31.2.2.6.3 to 31.2.2.6.7 of this Plan. The following uses may be permitted within the Environmental Protection designation:

- a) Agricultural, excluding buildings or structures;
- b) Buildings or structures for erosion or flood control;
- c) Conservation, excluding buildings or structures;
- d) Forestry, excluding buildings or structures;
- e) Nursery and market gardening, excluding buildings or structures;
- f) Recreation or park purposes, excluding buildings or structures; and,
- g) Wildlife management areas, excluding buildings or structures.

31.2.3.6.2. The creation of lots within the Environmental Protection designation will not be permitted for the purpose of development.

31.2.3.6.3. If a lot is to be created that is partially designated as Environmental Protection, sufficient lot area based on the abutting land use designation outside of the Environmental Protection designation must be maintained for the proposed use.

31.2.3.6.4. In some instances, the boundary of the Environmental Protection designation may be found not to reflect the true limit of the land subject to flooding or containing a natural hazard. To determine this, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. The evaluation shall be reviewed and approved by the City and the Kawartha Conservation. The City will consult with Kawartha Conservation or other expertise in the review of the evaluation. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical hazard, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned. This provision applies where the designation boundary is found to be in error and the proposed use is minor and it is determined by the City that an amendment to the Plan is not required.

31.2.3.6.5. Where detailed flood plain or wetland mapping exists or becomes available, the boundaries of the Environmental Protection designation may be interpreted as corresponding to the limits of the flood plain or wetland.

31.2.3.6.6. Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Kawartha Conservation or Ministry of Natural Resources and Forestry.

31.2.3.6.7. Where land within this designation is under private ownership, it shall not be construed that this land shall be free and open to the public, nor that it shall be acquired by the City or any other public agency.

31.2.3.6.8. Lands designated Environmental Protection shall generally not be accepted as parkland as part of a plan of subdivision. If the City, does accept Environmental Protection lands as part or all of the parkland dedication in a subdivision, the lands shall be conveyed in a physical condition satisfactory to the municipality. When an open watercourse is part of an area to be dedicated, sufficient land adjacent to the watercourse should be provided for maintenance and operations.

31.2.3.6.9. An existing non-conforming building or structure located in a flood plain may be enlarged, expanded or altered subject to:

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water,
- b) the enlargement to the building is appropriately flood proofed;
- c) New or existing hazards are not created or aggravated;
- d) Kawartha Conservation has been satisfied;
- e) The development is not a threat to public health and safety or property;
- f) Vehicles and people must have a way of safely entering and exiting the area during floods; and
- g) Satisfactory water supply and subsurface sewage disposal servicing.

31.2.3.6.10. In determining the extent of flooding, the landowner may be required to have a qualified professional determine the flood level and appropriate flood-proofing measures that would be required. The City will consult with Kawartha Conservation, before allowing the expansion or enlargement.

### **31.2.3.7. Airport Lands**

31.2.3.7.1. The lands identified Airport Lands in Schedule “F-1” are recognized as the City’s major airport facility which includes both airport uses and complementary service uses which support the primary function of the Airport. These lands are intended to be developed on full municipal services.

31.2.3.7.2. Development adjacent to the Lindsay Airport shall be in accordance to Section 28.8. of this Plan.

31.2.3.7.3. To protect the Lindsay Airport from incompatible development, new residential development and other sensitive land uses in proximity to the Airport, shall not be permitted above 30 NEF/NEP (Noise Exposure Forecast/Noise Exposure Projections), as established on maps produced by a qualified consultant and approved by Transport Canada.

31.2.3.7.4. Residential development and other sensitive land uses shall be directed away from the flight paths of Lindsay Airport to ensure that future development and expansion of the airport is not compromised by new residential development or new sensitive land uses.

### **31.2.3.8. Policy #2 (Gateway Area)**

31.2.3.8.1. The Gateway Area is being planned as Lindsay's main point of entry and is intended to serve a variety of residential, highway commercial, tourism commercial, and prestige employment functions. The limits of the Gateway Area are shown on Schedule "F-1".

31.2.3.8.2. The permitted land uses will be those of the Highway Commercial, Residential, Mixed-Use Gateway, and Parks and Open Space designation as specified in Schedule "F-1".

31.2.3.8.3. The following policies shall apply to developments in the Gateway Area:

- a) In accordance with the Southeast Development Charges Study, development in the Gateway Area shall be limited to the servicing allocation which is based on 107 residential units and 22.7 gross hectares of non-residential development. Residential development is subject to the policies contained in Section 31.2.3.1 of this Plan.
- b) Development in this area shall be approved based upon a master plan for the entire area to ensure compatibility and appropriate transition between land uses.
- c) The area should be developed with a view to maximizing its attractiveness as the southern Gateway to Lindsay. It should be designed to emphasize convenience to pedestrians with the intent that the area be developed as a unified, attractive, relatively compact and accessible area with a mix of uses.
- d) The area should be developed in accordance to the urban and public realm design policies in Sections 18.13.9, 18.13.11, 18.13.12, 18.13.13 and 18.13.14.
- e) Adequate screening in the form of landscaping and fencing shall be provided on the perimeters of the area.
- f) Development abutting Lindsay Street or Highway 7 shall minimize the impact of off-street parking on pedestrian streetscapes by locating off-street parking at the rear, side or to the interior of the block. Safe, convenient and well lit pedestrian access shall be provided to the street from such parking areas. Where parking is provided to the side of buildings and abutting the street, they should be screened with low walls and landscape materials to provide a sense of enclosure along the setback line.
- g) Loading areas shall be provided at the rear of the buildings.

- h) A Traffic Impact Assessment as outlined in Appendix “B” must be submitted to identify traffic generated by the development, methods of mitigating the traffic, and any improvements to the required road network to accommodate the development.

#### **31.2.3.8.4. Mixed-Use Gateway**

31.2.3.8.4.1. The Mixed-Use Gateway Area is intended to provide a wide range of office prestige employment, highway commercial, and tourism commercial uses in a mixed-use pedestrian friendly setting. Within the Mixed-Use Gateway designation lands as shown on Schedule “F-1”, shall be developed in accordance with the policies of this Section and other relevant policies of this Plan.

31.2.3.8.4.2. For the purposes of the Mixed-Use Gateway area, tourism commercial uses, are those uses which cater to the tourism sector and includes such uses are hotels, restaurants and indoor and outdoor recreational facilities.

31.2.3.8.4.3. The following policies shall apply to the Mixed-Use Gateway designation:

- a) Highway and tourism commercial development shall be provided at an appropriate scale and range to augment the retail structure to Lindsay.
- b) Buildings should have a consistent minimal and maximum setback to promote pedestrian scale. A generally continuous building face is recommended to establish a unified streetscape.
- c) In order to support the attractiveness of this gateway location, a substantial amount of built form and landscaping shall be provided along the Highway 7 frontage, in particular at the northeast corner of Lindsay Street and Highway 7. Development applications to implement the Mixed-Use Gateway uses shall provide detailed landscape plans.
- d) Development shall be designed to be transit-oriented in order to appropriately accommodate the anticipated range of uses in the area.
- e) Highway and tourism commercial development shall be subject to the policies contained in Section 31.2.3.7.9 of this Plan.
- f) Prestige employment uses shall be subject to the policies contained in Section 31.2.3.3 of this Plan.
- g) A Traffic Impact Assessment as outlined in Appendix “B” must be submitted to identify traffic generated by the development, methods of mitigating the traffic, and any improvements to the required road network to accommodate the development.

## Maps/Schedules

### Schedule F-1 - Lindsay Land Use



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Lindsay Land Use.pdf

### Schedule G-1 - Lindsay Environmental Constraints



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### Schedule H-1 - Lindsay Transportation



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