



Project No. 1203-2

June 26, 2017

Members of Council
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

Dear Members of Council:

**Re: *Bromont Homes Inc., Comments*
Draft Lindsay Secondary Plan and
*Draft General Amendment No. 13***

We are writing on behalf of Bromont Homes Inc. to provide you with our comments on the proposed drafts of the Lindsay Secondary Plan and Draft General Amendment No. 13, being considered at the June 27, 2017 Council Meeting. Attached is our letter dated May 18, 2017 which was provided at the Special Council meeting held in May outlining our comments and requests as it pertains to the proposed adoption of the amendments. This letter is provided in order to ensure that it is also on the agenda for tomorrow's meeting.

Yours very truly,

Bousfields Inc.

Michael Bissett, MCIP, RPP

c. Richard Holy
Saverio Montemarano
Nicholas Macos



Project No. 1203-2

May 18, 2017

Members of Council
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

Dear Members of Council:

**Re: *Bromont Homes Inc., Comments*
Draft Lindsay Secondary Plan and
*Draft General Amendment No. 13***

We are writing on behalf of Bromont Homes Inc. to provide you with our comments on the proposed drafts of the Lindsay Secondary Plan and Draft General Amendment No. 13, being considered at the May 30, 2017 Special Council Meeting.

Bromont Applications

As an update, these comments are provided within the context of Bromont applications to amend the Official Plan and Zoning By-law to permit a wide range of commercial and employment uses at the northeast corner of Lindsay Street and Highway 7. These applications generally implement the Lindsay Secondary Plan as drafted in 2015, but for the additional permission for additional retail uses, including permission for a department store use. The Official Plan Amendment application for the Bromont site was submitted to the City in November 2016 (including a market study and Traffic Study), with the rezoning and subdivision applications submitted on April 5, 2017.

Comments on Lindsay Secondary Plan Policy 31.2.3.2.4.8

This letter provides comments primarily as it relates to the following policy of the Draft Lindsay Secondary Plan:

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.

This draft policy aims to prevent any further retail designations within Lindsay until the commercial development within the JCCA is developed. The policy implies that the market demand for new retail in Lindsay has to wait for the “ultimate development” of the JCCA commercial areas (ie. Mason site and Orsi site).

In reviewing what the “ultimate development” of the JCCA looks like, it is noted that the Mason site is the only site currently zoned for commercial uses (Orsi remains zoned Future Community Development). The Mason Site has very specific zoning which only allows for a department store, a Home Improvement Store and a small amount of other retail (about 50,000 sf). Within the Canadian Retail context of few retail banners, the zoning on the Mason site acts as zoning for an actual retailer rather than retail use. Therefore, for the Mason site to achieve its “ultimate development”, it requires a specific corporation to commit to the site when they may not be interested in that location. Despite the specific zoning the lack of a department store would not preclude development, as the Mason Site still has permissions for a home improvement centre and 50,000 sq. ft. of ancillary retail.

There may be many factors for retailers preferring one site over another in Lindsay. Financing, owner interest and retailer locational requirements are all factors that may delay commercial development in the JCCA. With some or all of these factors delaying development within the JCCA, the effect of the above referenced policy would be that Lindsay cannot respond to market demand and its residents would continue to be underserved.

The policy also suggests that if a department store were not to locate within the JCCA area, then there may be no residential development. This is a fundamental misunderstanding of market demand factors. Retail development follows residential development not the other way around. This is evidenced all over the Province where residential subdivisions are built and then the retail commercial plazas serving them are built last. In the JCCA context the future residents will have convenient access to a wide array of retail uses located within one kilometre, and therefore the “ultimate development” of the commercial sites has no bearing on the demand for residential uses within the JCCA.

In our opinion, Official Plan policy should have sufficient flexibility to reasonably accommodate market demand. In this instance, we believe that the growth in south Lindsay and the locational advantages of the Bromont lands make it a more attractive location for a department store. From a planned function standpoint, it is our view that a department store anchor is not required for the JCCA commercial areas to adequately service any new residential development in the JCCA (when that eventually occurs). If the residential is developed, the retail will follow to service that nearby residential market. This is also supported in the Tate Economics Market Study as follows:

- *It is the opinion of TER that the approval of the Bromont Development will not impact any residential development within the JCCA from a market amenity perspective. The JCCA is located less than a kilometre from the centre of the*

Kent Street West commercial node. Therefore, in terms of access to amenities, future residents of the JCCA will have access to a complement of commercial services.

Another argument relates to the assertion that the department store is required in northwest Lindsay to justify the Northwest Trunk sewer. However the Northwest Trunk was justified and initiated in 2000, well before the Mason Homes lands obtained large format retail permissions. The two are not mutually exclusive. The trunk sewer is now constructed to service new residential and commercial development within the JCCA. It is not necessary that a department store be permitted in order to get a return on the investment. Rather, the return on investment is primarily reliant on the new residential development, which makes up the bulk of the JCCA area. The trunk has already begun to service lands in north Lindsay.

Lastly while a department store on the Mason Homes lands would meet the retail demands and recapture spending dollars, it is our opinion that the Gateway lands are a better location for large format retail such as a large department store and that having a second designated property would assist in expediting a department store locating in Lindsay, due to a department store not being beholden to any and all requirements of the land owner controlling the only site in town.

In our opinion, the provision of a second location for a department store in Lindsay would provide for healthy competition without impacts on the function or viability of other areas of Lindsay or the City as a whole.

Based on the foregoing, We request that the Lindsay Secondary Plan be modified to allow for retail stores, including a department store, on the Bromont Site (within the Mixed Use Gateway designation) in order to provide for flexibility and choice. We also request that Council delete policy 31.2.3.2.4.8, as it is redundant in the context of the existing policy 18.7 and does not provide for the flexibility which the City's Official Plan objectives strive for.

Yours very truly,

Bousfields Inc.



Michael Bissett, MCIP, RPP

c. Richard Holy
Saverio Montemarano
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