



## Council Report

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<b>Report Number:</b>	<b>PLAN2021-044</b>
<b>Meeting Date:</b>	September 21, 2021
<b>Title:</b>	<b>Removal of Holding (H) Provision – Deer Run Golf Course</b>
<b>Description:</b>	An application to amend the Township of Ops Zoning By-law 93-30 to Remove the Holding (H) symbol and permit the expansion of the existing tourist camp at 35 Brook Street, Ops (BATL Management Inc.)
<b>Author and Title:</b>	<b>Ian Walker, Planning Officer – Large Developments</b>

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### Recommendations:

**That** Report PLAN2021-044, **Part of Lots 9 & 10, Concession 2, Geographic Township of Ops, BATL Management Inc. – Application D06-2021-018**, be received;

**That** the Zoning By-Law Amendment respecting application D06-2021-018 identified as 35 Brook Street, City of Kawartha Lakes, as generally outlined in Appendix 'C' to Report PLAN2021-044, be approved and adopted by Council; and

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

**(Acting) Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## Background:

This application was received on June 2, 2021 and deemed to be a complete application. This application proposes to remove the Holding (H) symbol from the 'Tourist Commercial Exception Two Holding [CT-2(H)] Zone' on Schedule 'A' of the Township of Ops Zoning By-law 93-30, which regulates development and use of 35 Brook Street. The removal of the Holding (H) symbol would permit the eventual establishment of up to 102 camp sites in total in accordance with the permitted uses and development standards of the 'CT-2' zone. The Phase 1 development will result in 24 new units.

Owner:	BATL Management Inc. c/o Pina and Mario Santocroce
Agent:	T.D. Consulting Inc. c/o Tom deBoer
Legal Description:	Part of Lots 9 & 10, Concession 2, Geographic Township of Ops
Official Plan:	'Tourist Commercial' and 'Environmental Protection' on Schedule 'A-3' of the City of Kawartha Lakes Official Plan
Zoning:	'Tourist Commercial Exception Two Holding [CT-2(H)] Zone' and 'Hazard Land (HL) Zone' on Schedule 'A' of the Township of Ops Zoning By-law 93-30
Lot Area:	44.8 ha. [105.0 ac. – MPAC], of which 3.16 ha. are used for the tourist camp development
Site Servicing:	Private communal well and septic systems, which includes approvals from the Ministry of the Environment, Conservation and Parks (MECP) in the form of an Environmental Compliance Approval (ECA) for on-site sewage systems with capacity greater than 10,000 Litres per day (L/day)
Existing Uses:	The property is currently developed with a 12-hole golf course, driving range, a 26 site tourist camp, and ancillary uses including a clubhouse and restaurant
Adjacent Uses:	North: Mariposa Brook; Agricultural Uses East: Mariposa Brook Provincially Significant Wetland (PSW); Mariposa Creek Resort tourist camp South: Vacant Land; Mariposa Brook PSW; Driveway for Mariposa Creek Resort tourist camp West: Elm Tree Road; Vacant Land; Rural Residential Uses

## **Rationale:**

The subject land is currently developed with a 12-hole golf course, a golf driving range, a clubhouse with ancillary restaurant, and 26 trailer sites. The property fronts on Elm Tree Road, and is bounded by Mariposa Creek on the north. The property was previously zoned 'Tourist Commercial Exception Two (CT-2) Zone' in the Township of Ops Zoning By-law 93-30. On June 18, 2019, Council approved By-law 2019-098 to amend the zoning to the 'Tourist Commercial Exception Two – Holding [CT-2(H)] Zone' which amended the development standards for the tourist camp use. The Holding (H) symbol was placed to ensure that the following criteria was met:

- The applicant has entered into a Site Plan Agreement with the City, and that the Agreement has been registered on title.

This requirement has now been addressed, and it is now appropriate to remove the (H) Holding provision.

The owner has applied to have the Holding (H) provision removed to allow for the construction and servicing of the first 24 new camping sites (Phase 1) in accordance with the 'CT-2' zone provisions. The development of this property is subject to the owner entering into a site plan agreement with the City; and that agreement being registered on title. As part of the zoning, there is a requirement for an annual minimum sixty (60) consecutive day shutdown, the timing of which is to be implemented in the registered amending site plan agreement. Site plan approval is nearing completion with construction expected to begin shortly, and the registration of the amending agreement occurring imminently. On this basis, it is appropriate for Council to consider removal of the Holding (H) provision.

## **Applicable Provincial Policies:**

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and including Amendment 1, 2020 (Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

## **Official Plan Conformity:**

The property is designated 'Tourist Commercial' and 'Environmental Protection' on Schedule 'A-3) of the City of Kawartha Lakes Official Plan. All works are within the 'Tourist Commercial' designation. The proposed development conforms to the applicable policies of the designation.

## **Zoning By-law Compliance:**

The property being considered by this application is zoned 'Tourist Commercial Exception Two Holding [CT-2(H)] Zone', which permits a maximum of 102 tourist camp sites, subject to site specific development standards. Any proposed use of the property would need to conform to the appropriate zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement

the proposed Phase 1 development. The Phase 2 development to permit the remaining additional camp sites will be subject to an amending site plan agreement process, prior to construction. As such, the Holding (H) provision is no longer required for any future phased development of the site.

### **Other Alternatives Considered:**

No other alternatives have been taken into consideration.

### **Alignment to Strategic Priorities**

The Council Adopted Strategic Plan identifies these Strategic Priorities:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the 'Vibrant and Growing Economy' priority by enhancing tourism and increasing the number of visitors in Kawartha Lakes.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Ontario Land Tribunal (the 'Tribunal'). In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Servicing Implications:**

There are no servicing considerations for the City, as there is a requirement for a minimum 60-day shutdown period, and the on-site sewage system is under the jurisdiction of the Ministry of the Environment, Conservation and Parks (MECP).

### **Consultations:**

Notice of this application was given in accordance with the Planning Act and at the time of writing this report, no comments were received.

## Development Services – Planning Division Comments:

Staff support this application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

## Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

### Appendix A – Location Map



PLAN2021-044  
Appendix A.pdf

### Appendix B – Proposed Site Plan



PLAN2021-044  
Appendix B.pdf

### Appendix C – Draft Zoning By-law



PLAN2021-044  
Appendix C.pdf

**(Acting) Department Head email:** [rholy@kawarthalakes.ca](mailto:rholy@kawarthalakes.ca)

**(Acting) Department Head:** Richard Holy

**Department File:** D06-2021-018