

October 12, 2021

Ron Taylor
Chief Administrative Officer
City of Kawartha Lakes
P.O. Box 9000, 26 Francis Street
Lindsay, ON, K9V 5R8

Richard Holy
Director of Development Services
City of Kawartha Lakes
Development Services Department,
Planning Division
180 Kent Street West
Lindsay, ON K9V 2Y6

Dear Mr. Taylor and Mr. Holy:

Re: *Request for Minister's Zoning Order (MZO)*
Bromont Homes Inc. and Melody Garden Inc.

Bromont Homes Inc. and Melody Garden Inc. are the owners of approximately 35 hectares of land located northeast of Highway 7 and Lindsay Street, and 65 hectares of land located west of Highway 36, east of the recently constructed Country Club subdivision. Collectively, these lands will be referred to as the "Subject Lands". A map indicating the location of these lands is provided in Attachment "A".

The purpose of this letter is to provide details for the Subject Lands in relation to Bromont's request for Council to endorse a Minister's Zoning Order ("MZO") on the Subject Lands.

The MZO Request

The Subject Lands include lands located in south Lindsay, including lands east and west of the Lindsay Golf and Country Club as well as lands west of Lindsay Street to the north of the Lindsay Fair Grounds. These lands are currently predominantly utilized for agricultural purposes. That said, it should be noted that the majority of the Subject Lands were not designated 'Prime Agricultural' per the Council endorsed 2012 Official Plan; but rather designated 'Rural' and 'Tourist Commercial'.

The MZO would include approximately 130 hectares of land, surrounded by developed lands (ie. the Lindsay Golf and Country Club the Victoria Motel, the Howard Johnson Motel and the Pioneer Gas Station, and the fair grounds).

The concept plans for the Subject Lands include a total of 130 hectares (320 acres) described as follows (and illustrated on Attachment "A"):

Parcel	Owner	Municipal Address	Legal Description	Area (ha)
1	Bromont Lindsay 5 Corp.		Part of lot 17, Concession 6 Ops Designated as Part 1 on Plan 57R9544 and Part 2 on Plan 57R8319, except Part 1 on Plan 57R9605	4.63ha
2	Bromont Investments Inc.	318 Lindsay Street	Part of Lot 17, Concession 6 Ops	0.37ha
3	Bromont Investments Inc.	332 Lindsay Street South	Part of the West half of Lot 16, Concession 6 Ops	4.36ha
4	Bromont Lindsay 2 Corp	2387 Highway 7	Part of Lot 16, Concession 6 Ops, Parts 1 and 6 on Plan 57R7369 except for Part 1 on Plan 57R8319	29.95ha
5	Bromont Lindsay 3 Corp	137 Highway 36	Part of the East half of Lot 18, Concession 6 Ops, Part of the west half of Lot 18, Concession 6 Ops, Being Parts 1 to 4 57R814, except Part 1 57R4757	49.83ha
6	Bromont Lindsay 4 Corp		Part of Lot 17 Concession 6 Ops, Part 5 on 57R7369	19.58ha
7	Melody Garden Inc.	368, 370 and 388 Angeline Road South	Part of Lot 16 Concession 5 Ops, Parts 3 and 4 on 57R509, except Parts 4, 5 and 6 57R100113, and Part of Lot 16 Concession 5 Ops	35.17ha

These Subject Lands form a logical boundary for development and rounding out of the Lindsay Settlement Area as they are bounded by Highway 7 to the south, Highway 36 to the east and intervening lands between the existing Lindsay built up area and the Lindsay Fair Grounds to the south.

The Subject Lands east of the Scugog River are serviceable by extension of sanitary sewers directly to the north, which have been oversized to accommodate development in south Lindsay. The Country Club subdivision was specifically designed to provide for a road and servicing connections to the east in anticipation of the development on the lands east of the rail trail. Further discussions with the City would be undertaken to confirm the ultimate provision of community uses to service the new population. The Subject Lands west of the Scugog River can be serviced from existing sanitary and water services on Angeline Street South as these services extend southwards within Angeline Street South to the fairgrounds.

Concept Plans Supporting the MZO

Concept plans have been prepared to illustrate the vision for the Subject Lands as a complete community including a mix of housing types, commercial employment, public parks, and linkages to the existing road network and multi-use trails.

The concepts have been formulated to preserve natural features, including Sucker Creek and source water protection, as well as appropriate protection of the Scugog River. The future development of the Subject Lands would be considered upon further consultation with staff and the First Nations in relation to the natural environment and archaeological resources. While a large portion of these lands have already been evaluated, where there are gaps, it is appropriate to enter into a development agreement to ensure that the appropriate studies and consultations have been undertaken.

The Subject Lands east of the Scugog River have been identified in the City's Development Charges Background study for almost two decades, and services are available to be extended (see Attachment "B"). As previously noted, the concepts consider the fact that existing infrastructure has already been planned in anticipation of development on the Subject Lands. Specifically, the oversizing of the sanitary sewer on Lindsay Street to provide for future servicing south to Highway 7 (as reflected in the DC Study), as well as road stub connections east of the Country Club subdivision.

With respect to the consideration of whether the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets, establishing an MZO will act as a tool to centralize growth to the Lindsay settlement, where public service facilities, parks, emergency services and other infrastructure is available and existing. The additional infrastructure required to service the new development of the lands has been planned for through the development charges background study, with the new population and commercial development contributing to the tax base accordingly to address ongoing maintenance.

Furthermore, with the lands being included being Predominantly in the control of one landowner, any infrastructure can be planned comprehensively, including for instance one large stormwater management facility as opposed to several separate facilities. There is also the ability to secure agreements through plans of subdivision in a comprehensive and consolidated manner that would lead to efficiencies for the development.

In Summary, the concept plans include the following components:

- 1) The addition of approximately 60 rental apartment dwellings and 825 townhouse dwellings, contributing to provide a mix of housing opportunities in Lindsay. The proposed MZO concept would provide approximately 10% affordable housing, with approximately 35% being attainable;

3) An overall total of approximately 2,250 new homes, including apartments, townhouses and various sizes of detached units.

4) New commercial blocks to provide walkable access to goods for the community, as well as an opportunity for new institutional uses as considered appropriate and needed by the City.

5) Conservation and enhancement of environmental features including Sucker Creek and the Scugog River floodplain, which can also serve to provide for trail linkages between the areas and connecting to the existing rail trail system.

6) New parks and stormwater management facilities providing open spaces for the community recreational needs and accommodating appropriate stormflow management.

7) Create opportunities for natural heritage and recreational linkages and synergies with both Fleming College and the Lindsay Fair Grounds on the western banks of the Scugog River.

The concept plans are attached hereto as Attachment “C”.

The Draft MZO is attached hereto as Attachment “D”.

Process and Alignment with City Objectives

Bromont Homes and Melody Gardens commits to the same process outlined in the letter submitted on behalf of the Flato MZO request (letter from MGP attached hereto), which was supported by Committee on October 4, 2021. Indeed, in this case a large portion of the request has already been included in the Lindsay Settlement Area since 2012 and has been under appeal for over a decade. The lands have also already been included in the development charges study. The MZO would simply be confirming the commitments already made to develop south Lindsay.

Similarly, the requested MZO would also be supportive of the same objectives relating to a mix of housing, protection of natural features and prime agricultural lands. It offers the opportunity for the City to secure for affordable and attainable housing options, as well as linkages to the rail trail and benefits for the fair grounds through the associated development agreement and the subsequent the Planning Act applications required to realize the concepts.

In this respect, the following commitments that were made by Flato, would also be made by Bromont and Melody:

- Commitment to participate in the City's growth and development planning and servicing studies, including but not limited to, MCR through the GMS Project, municipal servicing and transportation master plan updates, and Development Charges Study update, and prior to building permits issued for development on the subject lands;
- Commitment to payment of any and all costs and fees typical of development, and inclusive of Bromont and Melody's proportionate share of infrastructure and servicing costs to support the proposed development (Growth pays for Growth concept);
- Commitment to obtain all necessary Planning Act approvals to implement the proposed development;
- Commitment to review and satisfy typical City conditions of development approval applied to subdivisions and non-residential development;
- Commitment to review and satisfy typical conditions of development approval from appropriate agencies and stakeholders, including but not limited to, Kawartha Region Conservation Authority, OMAFRA and First Nations; and
- Commitment to any "community benefits" offered to the community (for example, Bromont and Melody will similarly commit to building 10% of residential units as purpose-built affordable housing units).

Similar to the Flato request, we ask that Council adopt the following resolutions:

That City Council supports the request from Bromont Homes and Melody Garden for a Minister's Zoning Order (MZO) on approximately 130 ha of land as generally outlined in Appendix A;

That staff be directed to work with Bromont Homes and Melody Garden. to prepare a draft development agreement acceptable to both parties, and that the draft agreement be forwarded to Council no later than end of January, 2022 for review and approval.

Financial Implications

In relation to financial impact, the proposed MZO would serve to resolve ongoing OLT appeals relating to the 2012 CKL Official Plan and is also providing clarity that the planned development charges and oversizing of pipes to service south Lindsay for the past decade are realized.



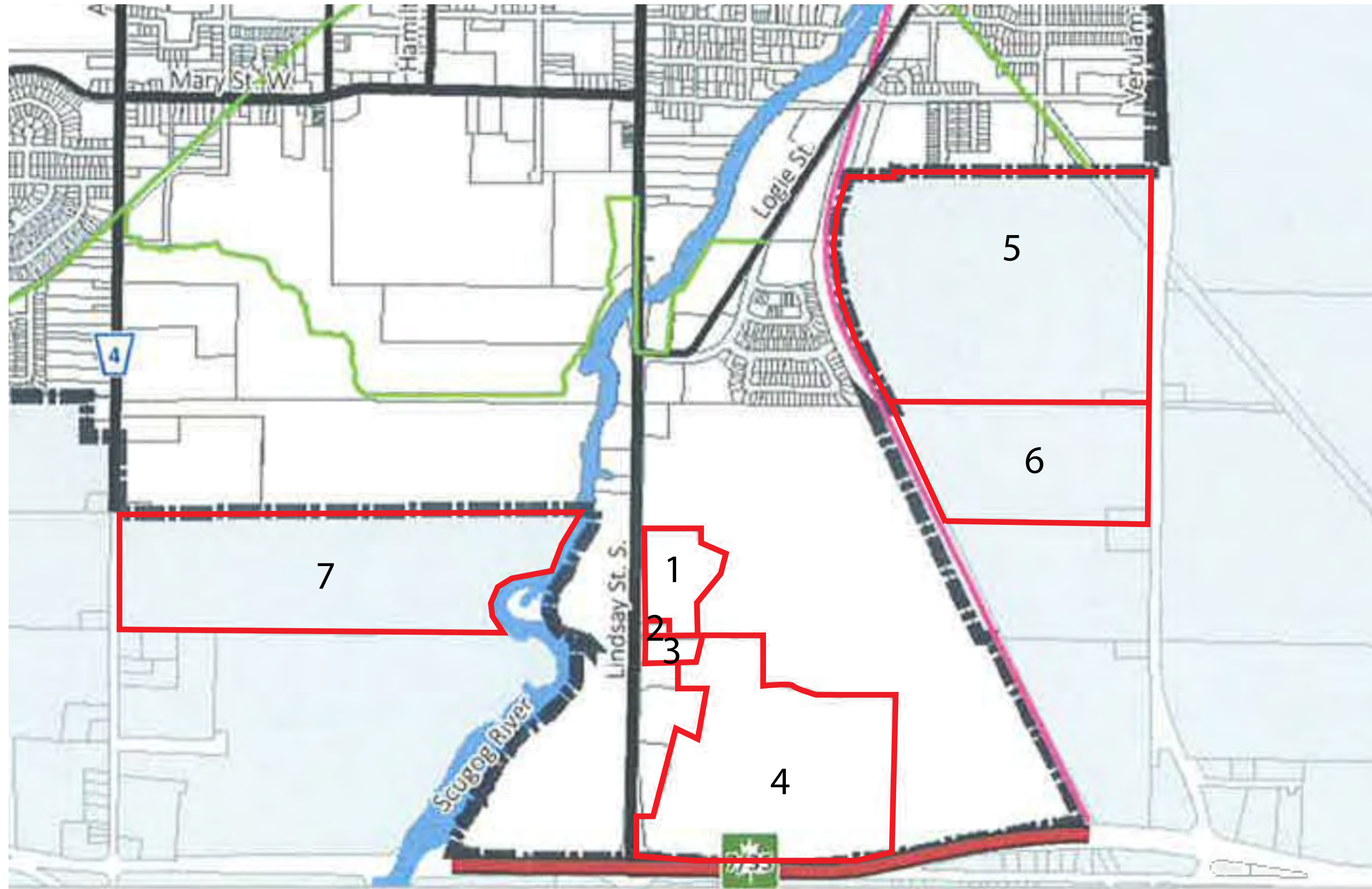
We trust that the foregoing provides you the information necessary to evaluate this application. However, should you require additional information, or wish to discuss further, please do not hesitate to contact me directly at (416) 903-6950 or mbissett@bousfields.ca.

Yours very truly,

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a long horizontal line.

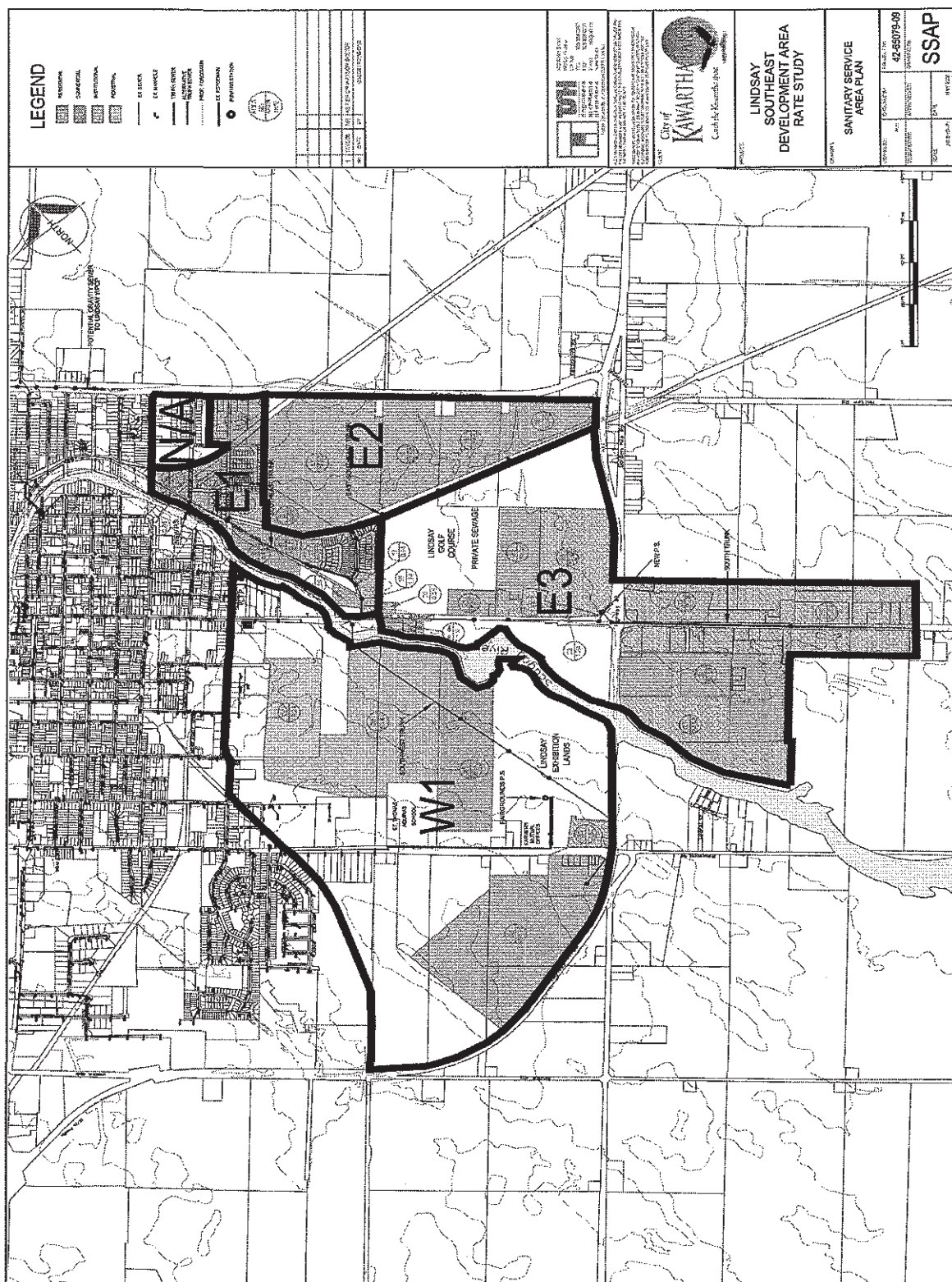
Michael Bissett, MCIP, RPP
Bousfields Inc.

ATTACHMENT "A"

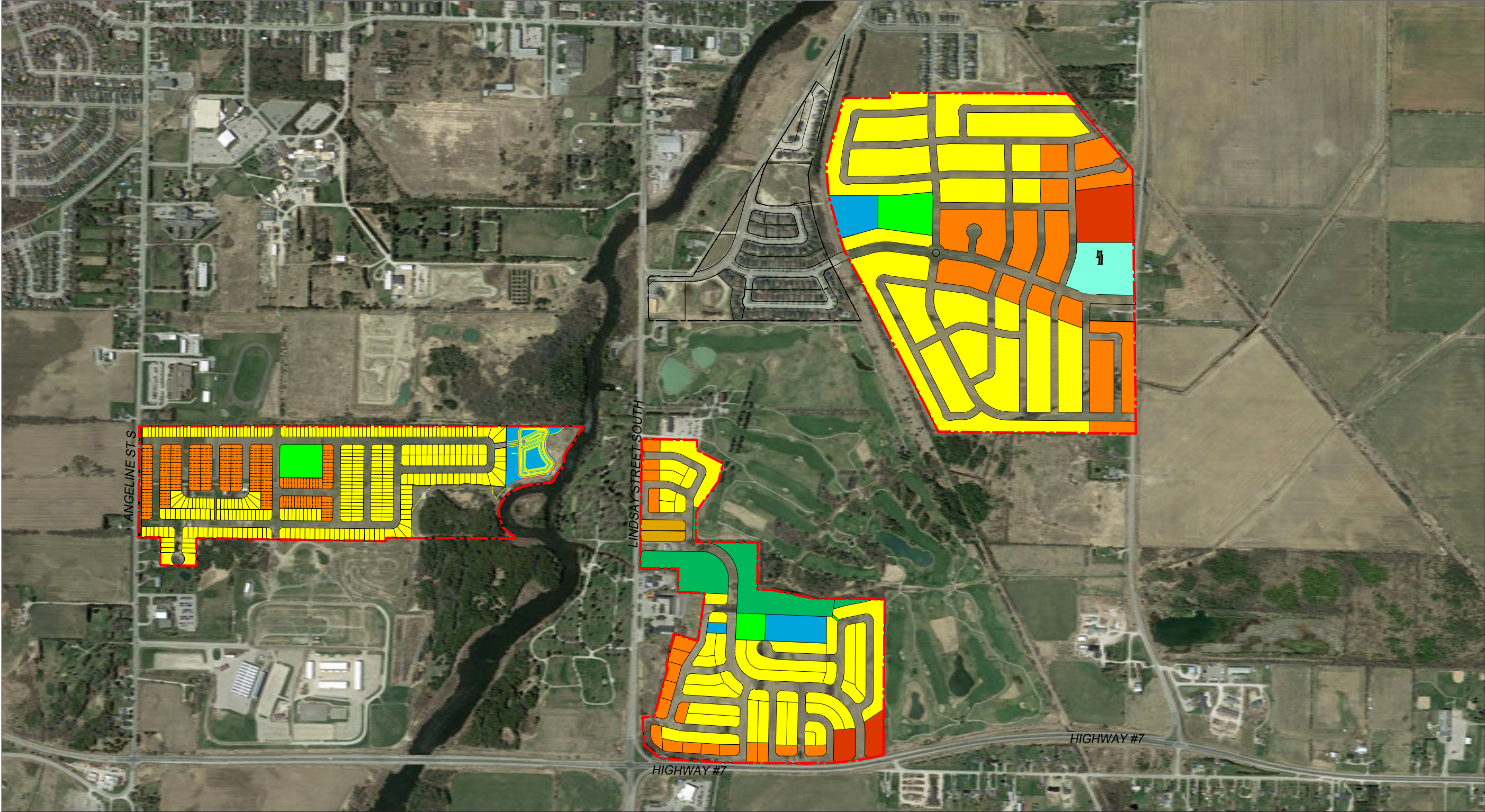


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SOUTH EAST DEVELOPMENT AREA – SANITARY SEWER SERVICES



ATTACHMENT "C"







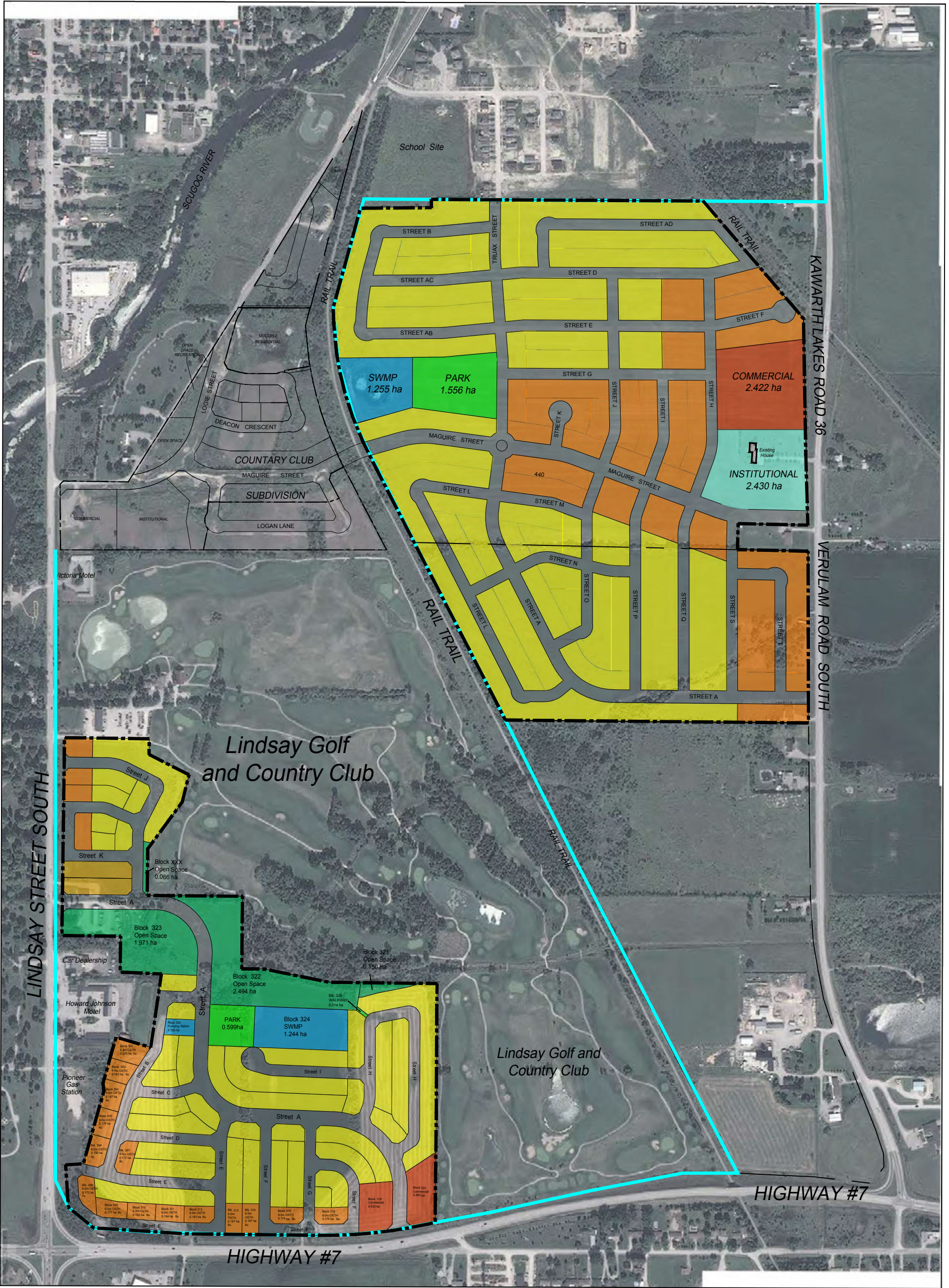
LEGEND

	Low Density Residential		Commercial		Parks
	Medium Density Residential		Institutional		Open Space
	Apartments		Storm Water Management pond		MZO boundary



LEGEND

	Low Density Residential
	Medium Density Residential
	Storm Water Management pond
	Parks



HWY #35

LEGEND

- Low Density Residential
- Medium Density Residential
- Apartments
- Commercial
- Institutional
- Storm Water Management pond
- Parks
- Open Space
- Existing 2012 Settlement Boundary

BROMONT GROUP

CONCEPT PLAN

1203-2-69sk October 8, 2021

ATTACHMENT "D"

ONTARIO REGULATION made under the PLANNING ACT ZONING ORDER – TOWN OF LINDSAY, CITY OF KAWARTHA LAKES

Definition

1. In this Order,

“Zoning By-law” means Zoning By-Law No. 2000-75 of the Town of Lindsay, City of Kawartha Lakes, as may be amended.

Application

2. This Order applies to lands in the Town of Lindsay in the City of Kawartha Lakes, in the Province of Ontario, being the lands outlined in red on a map numbered XX and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Urban Residential Zone

3. (1) This section applies to the lands located in the area shown as Urban Residential Zone on the map described in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
 - a) Single Detached Dwelling
 - b) Semi-Detached Dwelling
 - c) Duplex Dwelling
 - d) Triplex Dwelling
 - e) Fourplex Dwelling
 - f) Townhouse Dwelling
 - g) Multiple Attached Dwelling
 - h) Public Utilities, including stormwater management facilities
- (3) Only the following zoning requirements apply to the use permitted under clause 3(2)(a):
 1. Minimum Lot Area: 240m².
 2. Minimum Lot Frontage: 8.0 metres
 3. Minimum Yard Setbacks are: i. Front – 6.0 metres (Garage); 4.5 metres (Building)
 - ii. Exterior Side - 3.0 metres
 - iii. Interior Side - 1.2 metre and 0.6 metres on the other side
 - iv. Rear - 7.0 metres

4. Maximum Building Height: 11.0 metres

5. Maximum lot coverage for all buildings: n/a

6. Notwithstanding the requirements of Section 5.24, the following provisions apply:

- i. an open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area; and,
- ii. . an open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;

(4) Only the following zoning requirements apply to the use permitted under clause 3(2)(b):

1. Minimum Lot Area: 210m².

2. Minimum Lot Frontage: 7.0 metres

3. Minimum Yard Setbacks are: iii. Front – 6.0 metres (Garage); 4.5 metres (Building)

i. Exterior Side - 3.0 metres

ii. Interior Side - 1.2 metre and 0.6 metres on the other side

iii. Rear - 7.0 metres

Notwithstanding the above interior side yard setback, this requirement shall not apply to the common wall between semi-detached units.

4. Maximum Building Height: 11.0 metres

5. Maximum lot coverage for all buildings: n/a

6. Notwithstanding the requirements of Section 5.24, the following provisions apply:

- i. an open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area; and,
- ii. . an open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;

(5) Only the following zoning requirements apply to the use permitted under clause 3(2)(c) to (e):

1. Minimum Lot Area: 480m² (Duplex)

230m² (Triplex/Fourplex)

2. Minimum Lot Frontage: 16.0 metres (Duplex)

6.0 metres (Triplex/Fourplex)

3. Minimum Yard Setbacks are: i. 6.0 metres (Garage); 4.5 metres (Building)

ii. Exterior Side - 4.0 metres

iii. Interior Side – 3.5 metres

iv. Rear Side - 6.5 metres

4. Maximum Building Height: 11.0 metres

5. Maximum lot coverage for all buildings: n/a

(6) Only the following zoning requirements apply to the use permitted under clause 3(2)(f):

1. Minimum Lot Area: 120m².

2. Minimum Lot Frontage: 4.25 metres

3. Minimum Yard Setbacks are: i. 6.0 metres (Garage); 4.5 metres (Building)

ii. Exterior Side - 3.0 metres

iii. Interior Side – 1.2 metre and 0.6 metres on the other side

iv. Rear - 6.5 metres

4. Maximum Building Height: 14.0 metres

5. Maximum lot coverage for all buildings: n/a

Notwithstanding the above interior side yard setback, this requirement shall not apply to the common wall between townhouse units.

(7) Only the following zoning requirements apply to the use permitted under clause 3(2)(g):

1. Minimum Lot Frontage: 30.0 metres

2. Minimum Yard Setbacks are: i. Front – 3.0 metres

ii. Exterior Side - 3.0 metres

iii. Interior Side – 1.8 metres

iv. Rear - 3.0 metres

3. Minimum landscaped open space: 30%

4. Maximum Building Height: 14.0 metres

5. Maximum lot coverage for all buildings: n/a

Residential High-Rise One (RH1) Zone

4. (1) This section applies to the lands located in the area shown as Residential High-Rise One Zone on the map described in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
- a) Apartment Building
 - b) Senior Citizens Home
- (3) Only the following zoning requirements apply to the use permitted under clause 4(2)(a)(b):
1. Minimum Lot Frontage: 30.0 metres
 2. Minimum Yard Setbacks are: i. Front – 3.0 metres
 - ii. Exterior Side - 3.0 metres
 - iii. Interior Side – 3.0 metres
 - iv. Rear – 3.0 metres
 3. Minimum landscaped open space: 30%
 4. Maximum Building Height: 18.0 metres
 5. Maximum gross floor area as a % of lot area: 150%
 6. Maximum lot coverage for all buildings: 30%
 7. Maximum density per gross hectare: 200 dwelling units
 8. The minimum distance between two apartment buildings or an apartment building and a multiple attached dwelling unit on the same or adjacent lot shall be equal to the average height of the two adjacent buildings
 9. The minimum distance between an apartment building and a single, semi-detached, or triplex dwelling unit on an adjacent lot shall be equal to the height of the apartment building.

Environmental Protection (EP) Zone

5. (1) This section applies to the lands located in the area shown as Environmental Protection Zone on the map described in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
- a) The lands shall only be used for existing uses at the time of passing of this Zoning Order

b) No development may be permitted until the satisfactory completion of an Environmental Impact Study.

(3) Only the following zoning requirements apply to the use permitted:

1. Minimum Yard Setbacks are:
 - i. Front – 3.0 metres
 - ii. Exterior Side - 3.0 metres
 - iii. Interior Side – 3.0 metres
 - iv. Rear – 3.0 metres
2. The boundaries and extent of the Environmental Protection Zone shown on the map described in section 2 are approximate. Minor adjustments or refinements to these boundaries may occur through an Environmental Impact Study.

Terms of use

6. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

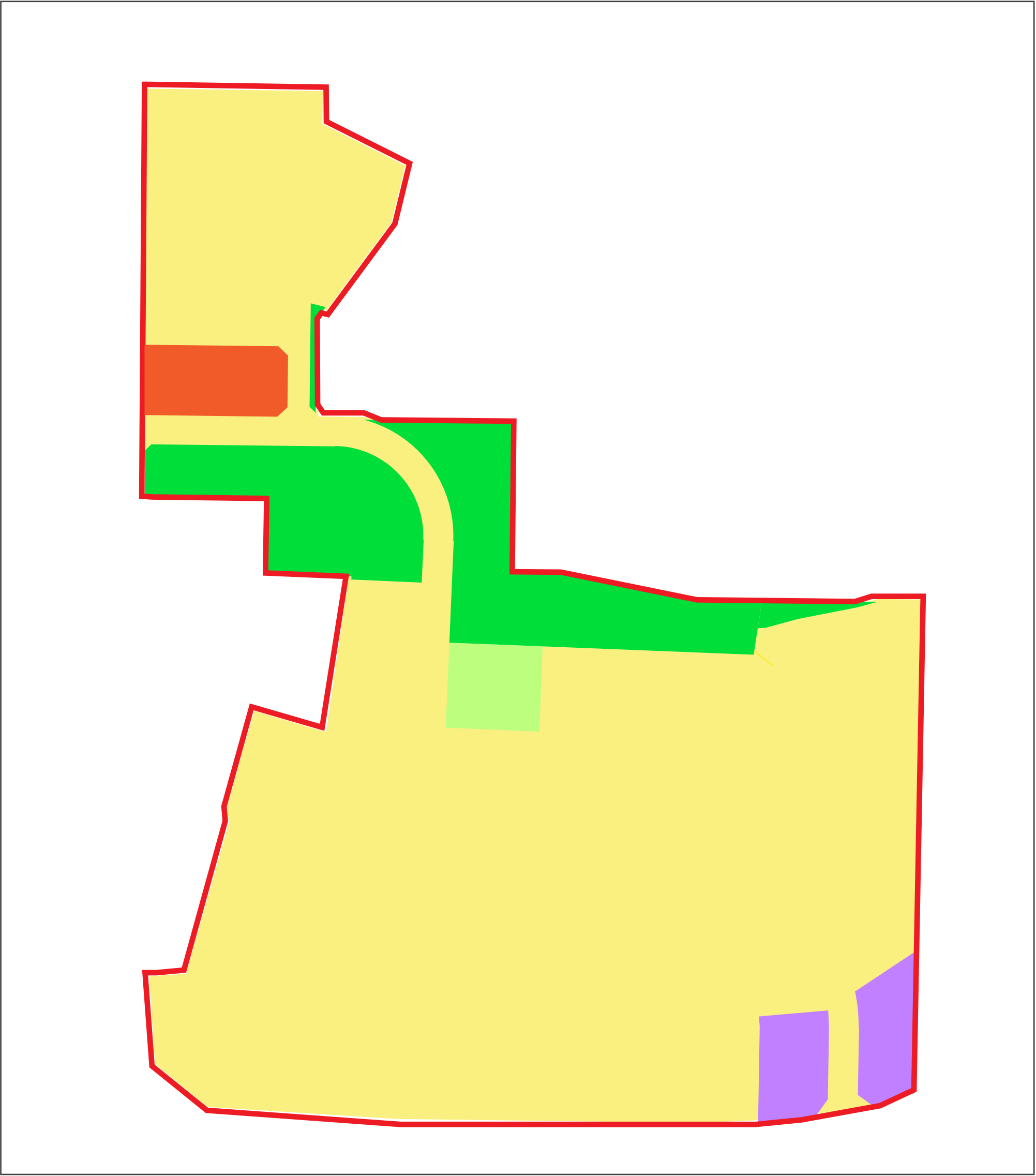
(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.







(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

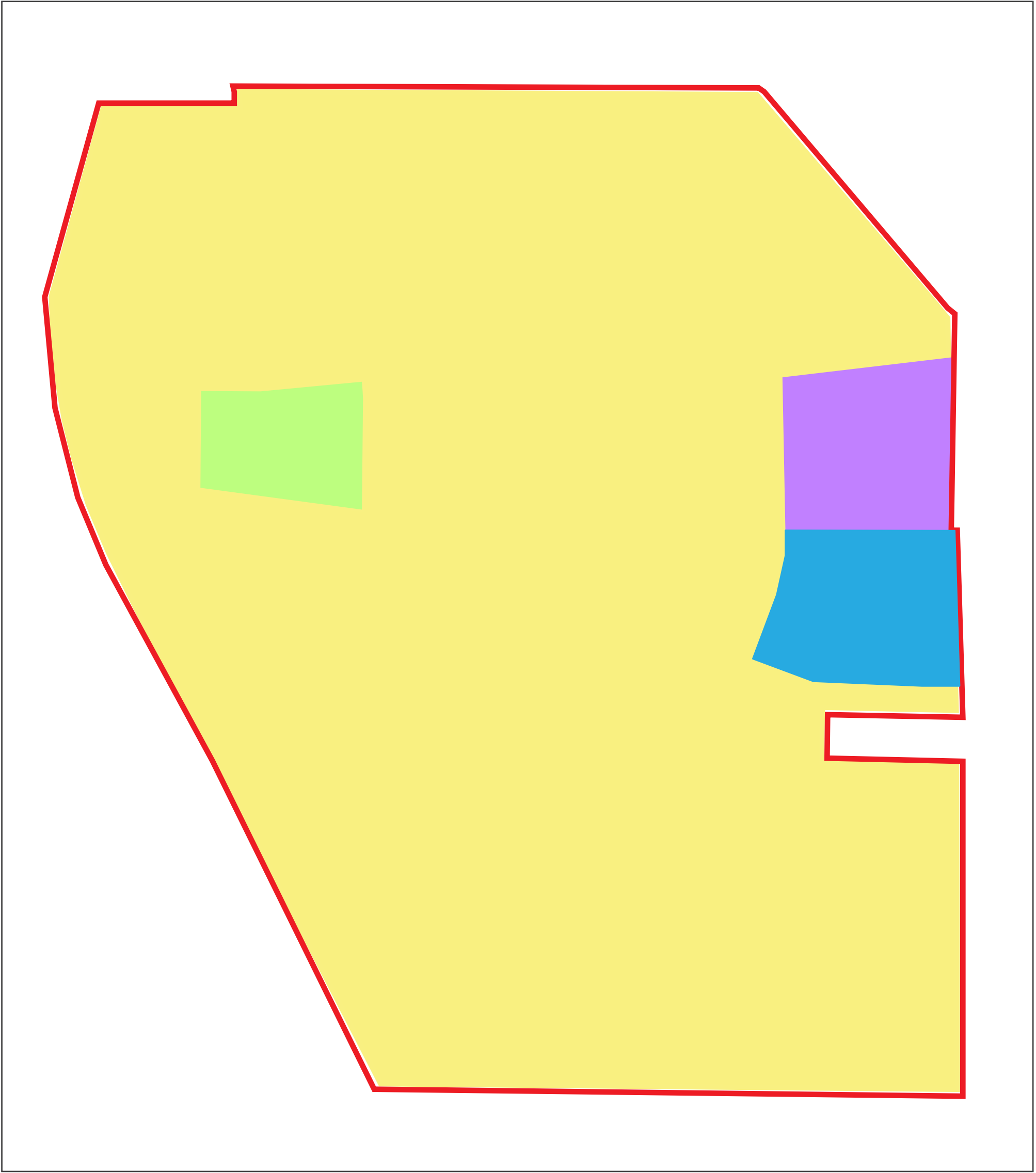
Deemed by-law

7. This Order is deemed for all purposes, except the purposes of section 24 of the *Planning Act*, to be and to always have been a by-law passed by the council of the City of Kawartha Lakes.








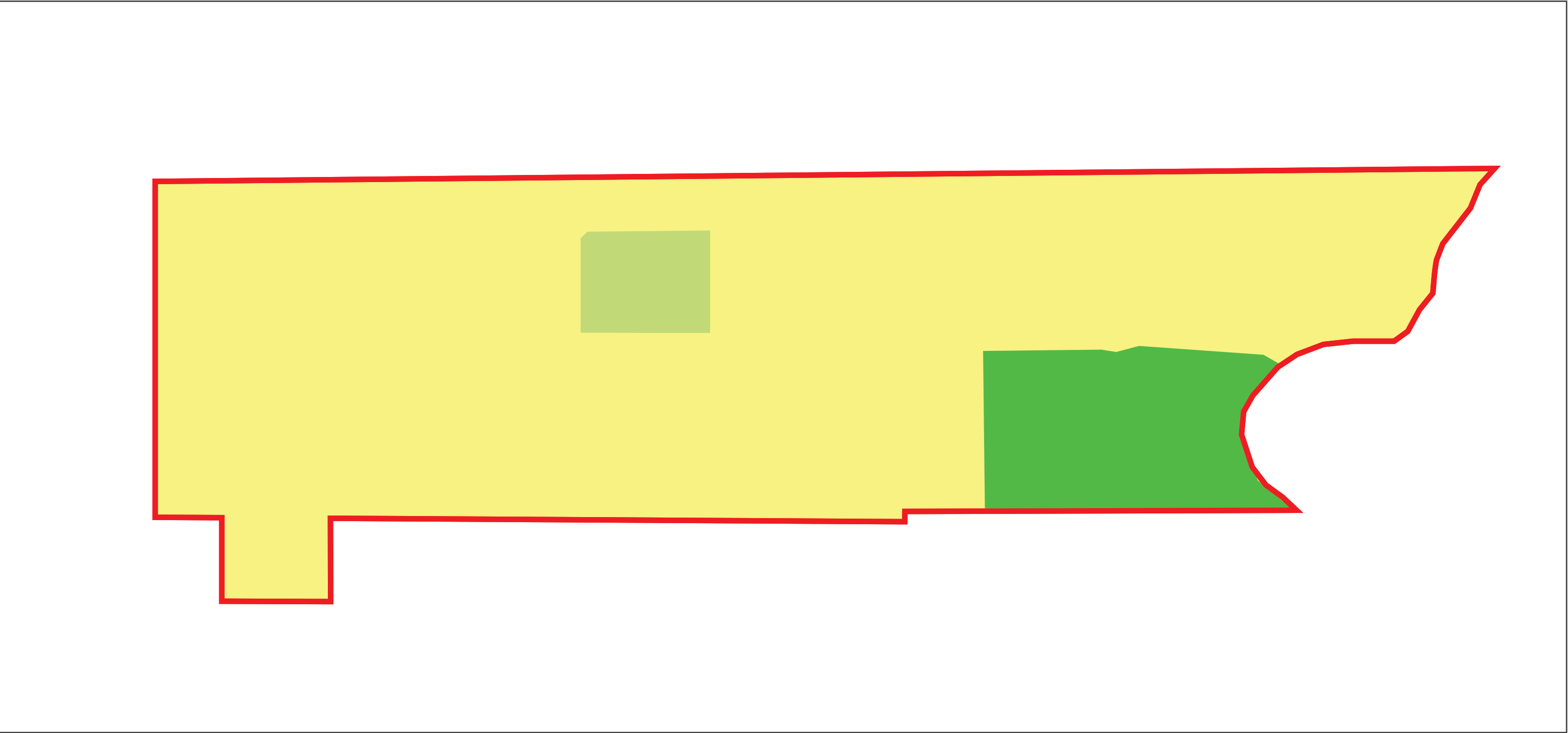
LEGEND

-  Land Subject to Zoning Order
-  Urban Residential
-  Residential High-Rise One
-  Central Commercial
-  Open Space
-  Environmental Protection



LEGEND

-  Land Subject to Zoning Order
-  Urban Residential
-  Central Commercial
-  Institutional
-  Open Space



LEGEND

- Land Subject to Zoning Order
- Environmental Protection
- Urban Residential
- Open Space