

The Corporation of the City of Kawartha Lakes
Minutes
Planning Advisory Committee Meeting

PC2022-04
Wednesday, April 6, 2022
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Councillor Patrick O'Reilly
Councillor Kathleen Seymour-Fagan
Councillor Andrew Veale
Mike Barkwell
Wayne Brumwell
Jason Willock
Councillor Pat Dunn

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1. Call to Order and Adoption of Agenda

Chairperson Councillor A. Veale called the meeting to order at 1:01 p.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillors K. Seymour-Fagan, and Committee Members W. Brumwell and Alternate Member Councillor P. Dunn were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Development Services R. Holy, Manager of Development Engineering C. Sisson, Supervisor of Development Planning S. Rea, Planning Officer - Large Development I. Walker, and Planners II D. Harding and M. LaHay were also in attendance.

Absent: Members M. Barkwell and J. Willock

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

PAC2022-023

Moved By Mayor Letham

Seconded By Councillor Dunn

That the agenda be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting Reports

The Chair stated that, as required under the Planning Act, a public meeting is being held prior to the City of Kawartha Lakes Council making decisions on the following planning matters.

3.1 PLAN2022-020

Application to Amend Mariposa Zoning By-law 94-07 at 641 Ramsey Road - Kelly

David Harding, Planner II

3.1.1 Public Meeting

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to sever a farmhouse on approximately 0.8 hectares of land deemed surplus to the needs of the farming operation because of the consolidation of farmland and consolidate approximately 58.5 hectares of retained agricultural land with a non-abutting agricultural lot. As a condition of provisional consent, the retained agricultural land is to be rezoned to an agricultural exception zone to prohibit residential use, and recognize the existing agricultural buildings cannot be used to house livestock. To clarify how the severed lot containing the dwelling is to be used, another condition of provisional consent requires said lot to be rezoned to a rural residential zone category. The application is consistent with the 2020 Provincial Policy Statement, conforms to the 2019 Growth Plan for the Greater Golden Horseshoe and the City of Kawartha Lakes Official Plan. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report that no additional comments were received. Staff are recommending that the application be forwarded to Council for approval.

The Chair inquired if the applicant wished to speak to the application.

Bill Reesor spoke as the applicant to the file, and stated that he has rented this farmland for the past 15 years, and it is an important part of the farming business. He thanked the committee for this opportunity and the consideration of the application.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

3.1.2 Business Arising from the Public Meeting

PAC2022-024

Moved By Councillor O'Reilly

Seconded By W. Brumwell

That Report PLAN2022-017, **Amend the Mariposa Zoning By-law 94-07 at 641 Ramsey Road - Kelly**, be received;

That a Zoning By-law, respecting application D06-2022-003, substantially in the form attached as Appendix D to Report PLAN 2022-020 be approved for adoption by Council; and

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

Carried

3.2 PLAN2022-022

Application to Amend the Township of Emily Zoning By-law 1996-30 at 29 Sunnywood Road - Martin

Mark LaHay, Planner II

3.2.1 Public Meeting

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and that a sign was posted on the subject property. He summarized the application, explaining that it proposes to rezone a portion of the property from Agricultural (A1) Zone to an Agricultural (A1-*) Exception Zone to permit a non-agricultural use, being a private school as a secondary use to the existing main agricultural use. The effect of the amendment will facilitate the creation of a private school with access from Centreline Road to support the local Mennonite area community on an approximate 0.8 ha (2 ac.) portion of the subject land. Consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan will be determined upon this application's further review. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report, one letter of support was received from Janet Murtha, and additional correspondence expressing concerns were received from the following individuals:

- Dave Murtha
- Colleen and Kevin Ray
- Joan Wood and R. Wood; and
- Jim Goudie

Mr. LaHay summarized their expressed concerns relating to the following issues:

- inconsistencies in the reports submitted by the applicant,
- proximity to rural lots and driveways,
- safety hazards,

- noise,
- resale value,
- on-site sewage,
- water quality and quantity for neighbours; and
- alternate locations for the school on the subject property, and elsewhere in the community

He also noted that comments were received from the City's Economic Development Agriculture Officer with no concerns noted. Comments were also received from the Part 8 Sewage System Supervisor advising of no concerns with the rezoning proposal; however, further comments on the development and servicing will be provided at the time of Site Plan submission. Staff are recommending that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Tom deBoer of TD Consulting spoke as the applicant and provided a summary of the application stating that the community is seeking to house the existing children in a schoolhouse from existing locations in homes. He noted that the location was selected to maintain the MDS setbacks from existing agricultural facilities while providing access via horse and buggy travel to the community. He also noted that the selected location would provide an 80m buffer from an adjacent property, and minimize impact. Mr. deBoer stated that there were no known issues with water in the area, however they could consider further study to prove adequate supply and quality. He made himself available for any questions, and noted that he would be willing to address issues brought forward at the meeting today. He responded to questions from the members of the Committee.

The Chair inquired if anyone wished to speak to the application.

Kevin and Colleen Ray of 1006 Centreline Road provided a summary of their correspondence circulated to the members of the committee. They noted three concerns being:

- Water issues in the area, and lack of a hydrogeological study;
- Negative impact on property values in the area with reduced privacy

- Alternate locations for the school on the Martin property, or elsewhere in the community.

Harvey Horst stated that he had nothing further to add at this time.

Peter Martin spoke having been involved in this application, and clarified a couple issues including noting that an alternate location at Centreline and Sunnywood is right by a bend in the road, and the visibility might not be suitable. He further stated that the proposed location was central to the needs of the community.

No other persons spoke to the application.

The Chair permitted Mr. deBoer to respond to the issues raised. Mr. deBoer stated that Amon Martin has offered the land for the purposes of building a schoolhouse, noting that other members of the Mennonite community have not come forward with alternate locations. He further noted that this school would serve the entire community, and should the need arise later, an additional eastern schoolhouse could be considered. Regarding alternate locations on the land, he stated that the southeast corner is in an environmentally regulated area by Kawartha Conservation, and the southwest corner was in close proximity to an intersection.

3.2.2 Business Arising from the Public Meeting

PAC2022-025

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That Report PLAN2022-022, **Part of Lot 14, Concession 13, geographic Township of Emily, City of Kawartha Lakes, identified as 29 Sunnywood Road, Martin – D06-2022-005**, be received; and

That the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

Carried

4. Deputations

4.1 PC2022-04.4.1

Diana Keay, D.M. Wills Associates Limited

Chris Proctor-Bennett, D.M. Wills Associates Limited

Relating to Report PLAN2022-021 (Item 6.1 on the agenda)

Diana Keay spoke as the consulting planner with DM Wills on behalf of Elm Bobcaygeon (2018) Inc, and noted that Chris Proctor-Bennett was with her for any questions regarding stormwater matters. She addressed the issues raised at the December Public Meeting, including drainage, traffic, and headlights, and noted that the revised plan addresses those concerns. She further noted that the remaining parking issue can be addressed with the proposed development meeting or exceeding the number of required parking spaces per dwelling unit. She stated that urban on-street parking may be required on a temporary basis for visitors, and from a planning perspective did not recommend implementing a no-parking zone on the north side of Bick Street. Ms. Keay noted that they would continue to work with local residents on the differences, and the landscape plan. She recommended that this application be forwarded to Council for approval. Ms. Keay and Mr. Proctor-Bennett responded to questions from Committee members.

PAC2022-026

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That the deputation of Diana Keay and Chris Proctor-Bennett of DM Wills, regarding Report PLAN2022-021, be received.

Carried

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2022-021

Application to Amend the Bobcaygeon Zoning By-law 16-78 Together with a Draft Plan of Subdivision at 63 Dunn Street, Bobcaygeon – Elm Bobcaygeon (2018) Inc.

Ian Walker, Planning Officer - Large Developments

Mr. Walker confirmed that a Public Meeting on this matter was held on December 1, 2021 in accordance with the Planning Act. He summarized the application, explaining that it proposes to permit a residential plan of subdivision consisting of 70 residential lots and 8 blocks: 6 single detached, 36 semi-detached and 28 townhouse dwelling units; five service blocks; one road widening block; and two

0.3 metre reserve blocks to allow the Arizona Heights Phase 2 development on the subject property. He further noted a change of the newly proposed street to Lochlyn Court, and highlighted several minor amendments (including references to Enbridge Gas) to the Draft Plan conditions as circulated to the committee members in the meeting (and attached to the minutes). The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Victoria County Official Plan. In consideration of the minor amendments to the Draft Plan conditions, staff are recommending that the application be referred to Council for approval. Mr. Walker and Ms. Sisson responded to questions from Committee members.

PAC2022-027

Moved By Mayor Letham

Seconded By Councillor Dunn

That Report PLAN2022-021, **Elm Bobcaygeon (2018) Inc. – Applications D06-2021-024 and D05-2021-004**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2022-021, be referred to Council for approval and adoption;

That the Draft Plan of Subdivision (16T-21502), Application D05-2021-004, as shown on Appendix B and the conditions substantially in the form attached as Appendix D to Report PLAN2022-021 and as modified by staff and presented to Planning Advisory Committee on April 6, 2022, be referred to Council for approval and adoption;

That in accordance with Section 34(17) of the Planning Act, Council having considered the changes to the proposed Zoning By-law Amendment deems no further public notice to be necessary;

That the fixed rate fees required by the Mandatory Connection By-law 2014-255 for the existing properties on the north side of Bick Street adjacent to the development, be waived; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of these applications.

Carried

6.2 PLAN2022-023

Application for Exemption from Part Lot Control Provisions of the Planning Act, Development Agreement and Dedication of 0.3 Metre Reserves, Alcorn Drive, Lindsay, Woods of Jennings Creek Phase 1 Block Development – Regis Homes Limited

Sherry Rea, Development Planning Supervisor

Ms. Rea confirmed that the subject lands are part of the Woods of Jennings Creek - Phase One development in Lindsay. She summarized the application, explaining that it proposes to exempt from part lot control provisions Blocks 79, 80, 105 and 106 of Plan 57M-802 to permit the subdividing of the blocks to create 15 residential lots with 8 lots proposed on the north side of Alcorn Drive and 7 lots proposed on the south side of Alcorn Drive. The lots are intended to be developed with single detached dwellings. The owner will enter into a Development Agreement with the City to facilitate construction of the roadway and municipal services. Further she noted that Blocks 108 and 109, Plan 57M-802, on the north and south sides of Alcorn Drive were established as 0.3 m. reserves to limit access beyond the boundaries of the development within the associated Plan of Subdivision. It is necessary to lift and dedicate those portions of Blocks 108 and 109, Plan 57M-802 as public highway to permit legal access to the lots to be created with the lifting of Part Lot Control. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Town of Lindsay Official Plan. Staff are recommending that the proposed By-laws and Development Agreement be forwarded to Council for approval. She responded to questions from Committee members.

PAC2022-028

Moved By Councillor Seymour-Fagan

Seconded By Councillor Dunn

That Report PLAN2022-023, **Regis Homes Limited – Part Lot Control Exemption Request, Application D05-2021-003**, be received;

That the Development Agreement for Regis Homes Limited, substantially in the form attached as Appendix C to Report PLAN2022-023, be approved by Council;

That the two by-laws, substantially in the form attached as Appendices D and E respectively to Report PLAN2022-023, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any agreements, by-laws and documents required by the approval of these applications.

Carried

7. Adjournment

PAC2022-029

Moved By W. Brumwell

Seconded By Councillor O'Reilly

That the Planning Advisory Committee Meeting adjourn at 2:19 p.m.

Carried