

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

PC2022-06
Wednesday, June 8, 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

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1. Call to Order and Adoption of Agenda

Chairperson Councillor A. Veale called the meeting to order at 1:02 p.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillors K. Seymour-Fagan, and Committee Members W. Brumwell and J. Willock were in attendance.

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

Absent: M. Barkwell

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

1.1 Land Acknowledgement

The Chair stated that the City of Kawartha Lakes respectfully acknowledges that we are situated on Mississauga lands and the traditional territory covered by the Williams Treaties.

We are grateful for the opportunity to work here and we thank all the generations of people who have taken care of this land - for thousands of years. We recognize and deeply appreciate their historic connection to this place. We also recognize the contributions of Métis, Inuit, and other Indigenous peoples, both in shaping and strengthening this community and country as a whole. This recognition is connected to our collective commitment to make the promise and the challenge of Truth and Reconciliation real in our community.

1.2 Adoption of the Agenda

PAC2022-033

Moved By W. Brumwell

Seconded By Councillor O'Reilly

That the amended 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 Cancelled - PLAN2022-029

Cancelled - Application to Amend the Ops Zoning By-law 93-30 at 460 Thunder Bridge Road, Lindsay – Tribute (Lindsay 2) Limited

Ian Walker, Planning Officer-Large Developments
(Please see attached Notice of Cancellation)

3.1.1 Public Meeting

Mr. Walker confirmed that on June 2, 2022, a Notice of Cancellation of a Public Meeting was circulated (due to a mapping error on the original Public Meeting Notice), and that this item would return to the Planning Advisory Committee meeting on July 6, 2022.

3.1.2 Business Arising from the Public Meeting

PAC2022-034

Moved By Mayor Letham

Seconded By J. Willock

That the June 2, 2022 Notice of Cancellation regarding Application D06-2022-013, be received.

Carried

3.2 PLAN2022-034

Application to Amend the Mariposa Zoning By-law 94-07 at 1401 Black School Road - Tait

Sherry Rea, Development Planning Supervisor

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.

Ms. Rea 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. She summarized the application,

explaining that it proposes to sever a farmhouse on approximately 1.0 hectares of land deemed surplus to the needs of the farming operation because of the consolidation of farmland and consolidate approximately 45.9 hectares of retained agricultural land with a non-abutting agricultural lot owned by the same farming operation. As a condition of provisional consent, the retained agricultural land is to be rezoned to prohibit future residential use and to prohibit the housing of livestock within the existing buildings. In addition, the severed lot requires a rezoning to permit a lesser minimum lot frontage of 15 metres. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Ms. Rea summarized the comments received to date, as detailed in her report, noting that subsequent to the writing of the report, 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.

Doug Carroll of DC Planning Services Inc. spoke as applicant on behalf of the owner, Andrew Tait. He stated that they had no concerns with the report, and agreed with the recommendations and analysis in the report, and made himself available for questions.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:10 p.m.

3.2.2 Business Arising from the Public Meeting

PAC2022-035

Moved By Mayor Letham

Seconded By W. Brumwell

That Report PLAN2022-034, **Amend the Mariposa Zoning By-law 94-07 at 1401 Black School Road - Tait**, be received;

That a Zoning By-law, respecting application D06-2022-006, substantially in the form attached as Appendix C to Report PLAN 2022-034 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

4. Deputations

4.1 Becky Fife

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Becky Fife spoke in opposition to the application as a nearby resident and presented the following concerns:

- The number and type of trailers proposed to be sold;
- The existing availability for trailer sales in the area;
- Whether a trailer sales establishment can be considered an on-farm diversified use;
- A desire to protect the local agricultural community; and
- Consideration, should the by-law be approved, for a temporary rezoning of 3 to 5 years.

PAC2022-036

Moved By Councillor O'Reilly

Seconded By Councillor Seymour-Fagan

That the deputation of Becky Fife, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.2 Darlene Callan

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Darlene Callan spoke in opposition to the application as a nearby resident and presented the following concerns:

- Whether a trailer sales establishment should be considered an on-farm diversified use;
- Protection of normal farm practices in a designated active farming area;
- Whether a general amendment to the property should be applied when the stated intent appears to be temporary;
- Safety issue regarding the proximity of the Trans-Canada Trail, and existing on road parking;

- The narrow width of the road being too small to accommodate trailers, walkers, and farm equipment
- Consideration, should the by-law be approved, for a temporary rezoning.

PAC2022-037

Moved By Councillor Seymour-Fagan

Seconded By W. Brumwell

That the deputation of Darlene Callan, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.3 Nancy Paish

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Nancy Paish spoke in opposition to the application as a nearby resident and presented the following concerns:

- That the issuing of this type of amendment could set a precedent;
- On-road safety with walkers, unfamiliar drivers, and farm equipment on Cottingham Road interacting with trailers;
- Financial viability of such a business with a proposed 2.5 customers per day;
- The lack of a wider shoulder on Cottingham Road; and
- The need to support the agricultural community in a designated active farming community;

Ms. Paish responded to questions from the members of the committee.

PAC2022-038

Moved By J. Willock

Seconded By W. Brumwell

That the deputation of Nancy Paish, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.4 David Windrem

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

David Windrem spoke in opposition to the application as a nearby farmer and presented the following concerns:

- Existing agricultural work done on the applicant's property to justify the secondary on-farm diversified use;
- Using agricultural farmland for commercial uses;
- Financial viability of a trailer sales establishment with a proposed 2.5 customers per day;
- Disruption to livestock and crops (from weeds) on neighbouring properties; and
- Questions regarding potential other commercial uses being approved on the property.

PAC2022-039

Moved By Councillor Seymour-Fagan

Seconded By J. Willock

That the deputation of David Windrem, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.5 Douglas Howden

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Douglas Howden spoke in opposition to the application as a nearby farmer and presented the following concerns:

- Safety concerns on the narrow roads with trailers encountering farm equipment;
- Potential concerns for disrupting nearby livestock pasturing;
- Increased numbers of agricultural properties in the area being purchased and used for non-agricultural purposes, including commercial uses;
- How a trailer sales establishment can be considered an on-farm diversified use; and

- Whether building commercial establishments on agricultural lands is a loophole to cut down on costs.

PAC2022-040

Moved By Councillor O'Reilly

Seconded By J. Willock

That the deputation of Douglas Howden, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.6 Kent Randall (EcoVue Consulting) and Ed Grass

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Mayor Letham left the Council Chambers at 1:48 p.m. and returned at 1:50 p.m.

Kent Randall of EcoVue Consulting spoke as the applicant to Report PLAN2022-038 (which he thanked staff for preparing), and provided the following responses in regard to the application:

- The proposal includes a recreational vehicle sales establishment that will require less than 1/2 an acre of land;
- The proposed scale of the on-farm diversified use noting that this trailer sales use will be well below 2% of the land use;
- The Traffic Study submitted was also peer-reviewed and the conclusions of 2.5 trips per day was determined;
- The funds from the secondary use of this property can be put back into the farming operations;
- The zoning category does not permit blanket commercial uses, and is an agricultural exception zone with limited uses permitted;
- In his professional opinion that this operation is an on-farm diversified use.

Mr. Randall responded to questions from the members of the committee.

PAC2022-041

Moved By Councillor O'Reilly

Seconded By J. Willock

That the deputation of Kent Randall and Ed Grass, regarding Report PLAN2022-038 - Grass, be received.

Carried

4.7 David Marsh

Relating to Item 6.2 (Report PLAN2022-039 - Riwoche Society)

David Marsh spoke in opposition to the application and presented the following concerns:

- Limited notice for the returning report to Planning Advisory Committee;
- Difficulty accessing supplementary material from the report;
- Need for additional public consultation or public meeting;
- Required upgrades and dust control for Old Mill Road to compensate for additional traffic;
- Potential for required Conservation Authority permits to conduct road work in sensitive wetland areas;
- Issues regarding capacity limits with the proposed accommodation;

Overall, he requested that this application be denied, or referred back to staff for further public consultation.

PAC2022-042

Moved By W. Brumwell

Seconded By Mayor Letham

That the deputation of David Marsh, regarding Report PLAN2022-039 - Riwoche Society, be received.

Carried

4.8 Beverly Saunders (EcoVue Consulting) and Diane Costa

Relating to Item 6.2 (Report PLAN2022-039 - Riwoche Society)

Beverly Saunders of EcoVue Consulting spoke as the applicant to Report PLAN2022-039, and provided the following responses in regard to the application:

- The application has been undergoing public consultation since 2016, and responses to all concerns presented by the public have been prepared;
- Holding provisions will allow for a phased approach to the development, including upgrades to the road;
- Some specific matters can be dealt with at Site Plan Approval;

- The occupancy limit of 40 on site is controlled by the number of rooms on site, as well as capacity limits from the septic proposals; and
- Slight amendments to the by-law could also be made to clarify two storey accommodation, as well as clarification for proposed outdoor uses.

Diane Costa spoke on behalf of the Riwoche Society, and provided an overview of why they selected the property as a place of meditation and practicing their faith. She made herself available for any questions from the committee members.

Ms. Saunders responded to questions from the members of the committee.

PAC2022-043

Moved By Councillor Seymour-Fagan

Seconded By W. Brumwell

That the deputation of Beverly Saunders and Diane Costa, regarding Report PLAN2022-039 - Riwoche Society, be received.

Carried

4.9 Ed Grass

Relating to Item 6.1 (Report PLAN2022-038 - Grass)

Mayor Letham requested that since Mr. Randall used all of his and Mr. Grass' combined permitted time for a deputation, if the Chair would consent to permit an additional deputation.

Without objection from any member of the committee, the Chair permitted Ed Grass to speak as a deputation to his application.

Mr. Grass provided an overview of his application and stated the following:

- The intent of the application is to assist his son in operating a small business, and to reinvest funds back into the farming operations;
- He had already invested \$450,000 in the improvement of his land, including improvement to the hay bale yields and revenues; and
- The proposal would also provide sales of trailers to the agricultural community.

Mr. Grass responded to questions from the members of the committee.

PAC2022-044

Moved By Councillor O'Reilly

Seconded By Mayor Letham

That the deputation of Ed Grass, regarding Report PLAN2022-038 - Grass, be received.

Carried

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2022-038

Application to Amend the City of Kawartha Lakes Official Plan and the Emily Zoning By-law 1996-30 at 689 Cottingham Road, Omemee - Grass

Jonathan Derworiz, Planner II

Mr. Derworiz confirmed that a Public Meeting on this matter was held on January 13, 2021 in accordance with the Planning Act. He summarized the application, explaining that it proposes to amend the Official Plan and Zoning By-law to permit use of the site as a trailer sales and storage facility. The application is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. He also reviewed the five criteria for an on-farm diversified use, noting that the proposal meets this criteria as prescribed by Publication 851 established by the Ministry of Agriculture, Food and Rural Affairs. Mr. Derworiz summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from those looking to participate in today's meeting. Staff are recommending that the application be forwarded to Council for approval. Mr. Derworiz and Mr. Holy responded to questions from Committee members.

PAC2022-045

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That Report PLAN2022-038, **City of Kawartha Lakes Official Plan Amendment and Township of Emily Zoning By-law Amendment for 689 Cottingham Road, geographic township of Emily**, be received for information;

That an Official Plan Amendment respecting application D01-2020-009, and Zoning By-law Amendment respecting application D06-2020-028, be denied.

Carried

6.2 PLAN2022-039

Application to Amend the City of Kawartha Lakes Official Plan and the Manvers Zoning By-law 87-06 at 344 Old Mill Road - Riwoche Society

Mark LaHay, Planner II

J. Willock left the Council Chambers at 2:53 p.m. and returned at 2:55 p.m.

Mr. LaHay confirmed that a Public Meeting on this matter was held on December 7, 2016 and September 11, 2019 in accordance with the Planning Act. In addition to the statutory public meetings, the owner/applicant hosted an Open House on site on November 9, 2019. He summarized the application, explaining that the modified proposal submitted in August 2021 proposes to permit a religious educational centre and place of worship in 3 phases with a 1,145 sq. m. educational centre with 15 rooms for accommodation. The proposal also contemplates six (6) private cabins to be recognized for sleeping accommodation and seven (7) rooms for accommodation in the proposed temple. The size of the education centre and temple previously advertised through the second public meeting and evaluated in this report however remain unchanged from 550 sq.m. and 363 sq.m. respectively. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. LaHay summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments in opposition to the application were received from Paul and Diane McCourt who provided concerns with the current condition of the roadway (and required upgrades) and the possible relationship with the larger nearby Cham Shan Temple in Cavan-Monaghan. Staff are recommending that the applications be referred to Council for approval. Mr. LaHay and Mr. Holy responded to questions from Committee members.

PAC2022-046

Moved By Mayor Letham

Seconded By J. Willock

That Report PLAN2022-039, respecting **Part Lot 21, Concession 13, geographic Township of Manvers, identified as 344 Old Mill Road, Riwoche Society – Applications D01-16-007 and D06-16-035**, be received;

That a By-law to implement Official Plan Amendment application D01-16-007, substantially in the form attached as Appendix C to Report PLAN2022-039 be approved and adopted by Council;

That a By-law to implement Zoning By-law Amendment application D06-16-035, substantially in the form attached as Appendix D to Report PLAN2022-039 be approved and adopted by Council;

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; and

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

Carried

The committee recessed at 3:18 p.m. and reconvened at 3:27 p.m.

6.3 ENG2022-019

Assumption of Port 32 Subdivision Phase 4, Bobcaygeon

Christina Sisson, Manager of Development Engineering

Ms. Sisson provided an overview of their report noting the history of the related development in the area. She stated that staff are recommending assumption of the roads, walkways, and underground infrastructure as per the draft by-law attached to their report.

PAC2022-047

Moved By Councillor Seymour-Fagan

Seconded By Councillor O'Reilly

That Report ENG2022-019, **Assumption of Port 32 Subdivision Phase 4, Bobcaygeon**, be received;

That the Assumption of Port 32 Subdivision Phase 4, geographic Village of Bobcaygeon, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2022-019 be approved and adopted by Council; and

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

Carried

6.4 ENG2022-020

Pre-Servicing of Subdivision Lands Policy Number CP2018-009 Updates and Recommendations

Christina Sisson, Manager of Development Engineering

Ms. Sisson provided an overview of her report, noting the key amendments to the Pre-Servicing Agreement Template, and the Pre-Servicing of Subdivision Lands Policy as outlined in her report. She stated that once approved, updates would be made public on the City's website as soon as possible.

PAC2022-048

Moved By W. Brumwell

Seconded By Councillor Seymour-Fagan

That Report ENG2022-020, **Pre-Servicing of Subdivision Lands Policy No. CP2018-009 Updates and Recommendations**, be received;

That the proposed updates to the current policy, substantially in the form attached as Appendix A, to Report ENG2022-020 be approved by Council, renumbered and placed in the Policy Manual in the new City format;

That the proposed template of the Pre-Servicing Agreement, substantially in the form attached as Appendix B be approved by Council; and

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

Carried

7. **Adjournment**

PAC2022-049

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That the Planning Advisory Committee Meeting adjourn at 3:33 p.m.

Carried