

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

PC2022-11
Wednesday, November 30, 2022
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Doug Elmslie
Deputy Mayor Tracy Richardson
Councillor Pat Warren
Mike Barkwell
Patrick O'Reilly
Andrew Veale
Jason Willock

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1. Call to Order and Adoption of Agenda

1.1 Call to Order

Deputy Clerk and Recording Secretary J. Watts called the meeting to order at 1:01 p.m. Mayor D. Elmslie, Deputy Clerk T. Richardson, Councillor P. Warren, and Committee Members M. Barkwell, P. O'Reilly, A. Veale, and J. Willock were in attendance.

Director of Development Services R. Holy, Director of Engineering and Corporate Assets J. Rojas, Manager of Development Engineering C. Sisson, Planning Officer - Large Developments I. Walker, and Planner II M. LaHay, were also in attendance.

Mr. Watts welcomed all in attendance, introduced the members of the committee and opened the meeting by describing the process for the appointment of the Chair and Vice-Chair including a brief description of the roles.

1.2 Appointment of Chair and Vice-Chair

Deputy Clerk and Recording Secretary J. Watts called for the nominations for the position of Chair.

A. Veale was nominated. Mr. Watts asked Mr. Veale if he wished to let his name stand for Chair of the Planning Advisory Committee. He consented to the nomination.

Mr. Watts called a second time for nominations for the position of Chair.

Mr. Watts called for a third and final time for nominations for the position of Chair.

Mr. Watts declared nominations for the position of Chair for the Planning Advisory Committee closed and declared Councillor Veale as Chair of the Planning Advisory Committee by acclamation.

Chair Veale assumed the position as Chair of the Planning Advisory Committee, and thanked the committee.

Chair Veale called for the nominations for the position of Vice-Chair.

Councillor P. Warren was nominated. Chair Veale asked Councillor Warren if she wished to let her name stand for Vice-Chair of the Committee. She consented to the nomination.

Chair Veale called a second time for nominations for the position of Vice-Chair.

Chair Veale called for a third and final time for nominations for the position of Vice-Chair.

Chair Veale declared nominations for the position of Vice-Chair for the Planning Advisory Committee closed and declared Councillor P. Warren as Vice-Chair of the Planning Advisory Committee by acclamation.

PAC2022-083

Moved By Mayor Elmslie

Seconded By M. Barkwell

That the appointed Chair and Vice-Chair retain their appointments for all meetings of the Planning Advisory Committee in 2022 and 2023.

Carried

1.3 Adoption of the Agenda

PAC2022-084

Moved By J. Willock

Seconded By Councillor Warren

That the agenda for the Wednesday, November 30, 2022 Planning Advisory Committee Meeting 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 PLAN2022-071

Application to Amend the City of Kawartha Lakes Official Plan at 96 Kawartha Lakes Road 30, Verulam - Fisher

Ian Walker, Planning Officer - Large Developments

3.1.1 Public Meeting

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

Mr. Walker 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. They summarized the application, explaining that it proposes to amend the Rural land use policies to facilitate the severance of 2 residential lots for a total of 0.81 hectares being affected by this application. He noted that staff do not consider the application to be consistent with the Provincial Policy Statement (PPS), or in conformity with the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan, however alignment to the Provincial plans could be achieved with appropriate amendments. Mr. Walker summarized the comments received to date, as detailed in their report, noting that subsequent to the writing of the report additional comments were received from Economic Development Officer - Agriculture. They wrote in opposition to the application, noting concerns with the lost of productive agricultural lands, and the potential for future impacts. One member of the public provided a letter of objection on the basis that the proposal impacts agriculture. The letter was received via email just prior to the meeting. Staff are recommending that the application be referred back to staff to allow the applicant to make appropriate amendments. Mr. Walker responded to questions from members of the Committee.

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

Bob Clark, spoke as the applicant on behalf of the owner, stating that it was their opinion that these lands were not Prime Agricultural lands, as the soils appear shallow, of a Class 4 designation, and not suitable for sustainable pasturing of cattle without supplementation of feeds. He noted that the PPS allows for development in rural areas where locally appropriate, and that the proposed residential uses would be in full compliance with the residential zoning by-laws. He further noted that moving the lots near existing severed lots would place them on land with protected natural heritage features, and summarized that the proposed locations would place the lots on land that is not good farmland.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:24 p.m.

3.1.2 Business Arising from the Public Meeting

Moved By Mayor Elmslie

Seconded By Councillor Warren

That Report PLAN2022-071, **Amend the City of Kawartha Lakes Official Plan at 96 Kawartha Lakes Road 30, Verulam, Fisher – Application D01-2022-006**, be received; and

That PLAN2022-071 respecting Application D01-2022-006 be referred back to staff to allow the applicant an opportunity to amend the application.

Motion Failed

PAC2022-085

Moved By P. O'Reilly

Seconded By Deputy Mayor Richardson

That Report PLAN2022-071, **Amend the City of Kawartha Lakes Official Plan at 96 Kawartha Lakes Road 30, Verulam, Fisher – Application D01-2022-006**, be received;

That the Planning Advisory Committee direct staff to prepare a by-law to implement the requested official plan amendment, to be referred to Council for approval and adoption; and

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

Carried

3.2 PLAN2022-072

Application to Amend the Oak Ridges Moraine Zoning By-law 2005-133 at 851 Ballyduff Road, Manvers – McKim and Garsonnin

Ian Walker, Planning Officer - Large Developments

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. Walker 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. They summarized the application, explaining that it proposes to change the zoning to the Oak Ridges Moraine Country Side Area Exception Two (ORMCS-S2) Zone and Exception Three (ORMCS-S3) Zone to facilitate the future severance of the eastern portion of the property for natural heritage purposes. The severed lands will be consolidated on title with the adjacent land to the east of the unimproved road allowance. The

lands to the east have previously been conveyed to the Kawartha Land Trust (KLT) for stewardship and natural heritage appreciation purposes. The application is consistent with the Provincial Policy Statement, conforms to the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Walker summarized the comments received to date, as detailed in their report, noting that subsequent to the writing of the report additional comments were received from one local resident in support of the application. Staff are recommending that the application be referred to Council for approval. They responded to questions from members of the Committee.

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

Beverly Saunders of EcoVue Consulting spoke as the agent for the applicant, and stated that the landowner is applying for the severance to facilitate a donation to the Kawartha Land Trust, and to entrench the current uses on the land. She noted that the retained lands will remain the same, and the severed lands will protect the natural heritage features, and allow for trail uses and a small shed.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:37 p.m.

3.2.2 Business Arising from the Public Meeting

PAC2022-086

Moved By Deputy Mayor Richardson

Seconded By Councillor Warren

That Report PLAN2022-072, **Amend the Oak Ridges Moraine Zoning By-law 2005-133 at 851 Ballyduff Road, Manvers, McKim and Garsonnin – Application D06-2022-028**, be received;

That provided that there are no substantive public concerns raised at the Public Meeting, the zoning by-law amendment, substantially in the form attached as Appendix D to Report PLAN2022-072, be referred to Council for approval and adoption; and

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

Carried

3.3 PLAN2022-073

Application to Amend the Township of Fenelon Zoning By-law 12-95 at 327 Snug Harbour Road, Fenelon – 2779722 Ontario Limited and 2779723 Ontario Limited

Ian Walker, Planning Officer - Large Developments

3.3.1 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. Walker 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. They summarized the application, explaining that it proposes to permit a 27-unit vacant land plan of condominium development by:

- Changing the zone category from the 'Tourist Commercial – Holding [C3(H)] Zone' to the Rural Residential Type One Exception ** (RR1-**) Zone and the Environmental Protection (EP) Zone;
- Changing the zone category from the Tourist Commercial Exception Seven Holding [C3-7(H)] Zone to the Rural Residential Type One Exception ** (RR1-**) Zone and the Rural Residential Type One Exception YY (RR1-YY) Zone;
- Changing the zone category from the Rural Residential Type Three (RR3) Zone to the Tourist Commercial Exception Six Holding [C3-6(H)] Zone; and
- Amending the C3-6 zone permitted uses and standards.

The future draft plan of condominium will allow the creation of the future vacant lots and common elements, including the internal roads, stormwater management features, and marina boat storage and ancillary storage block for the condominium users. The existing four-plex dwelling will be converted into a marina/development office with short-term rental accommodations. Through a thorough review, the application should demonstrate consistency with the Provincial Policy Statement, conformity to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Walker

summarized the comments received to date, as detailed in their report, noting that subsequent to the writing of the report additional comments of opposition were received from a number of interested parties including:

- Frank Ip;
- Sandra Smith;
- John Wick;
- Jim and Jill Wray; and
- Stella Yuen

Comments received generally related to the following issues raised:

- location and proximity of boat storage facilities to existing residences;
- over-development and intensification of the land;
- water and sanitary service provision;
- traffic issues (including the towing of boats);
- lighting of parking lots disrupting night sky.

Staff are recommending that the application be referred back to staff for further review and processing until such time as all comments and concerns have been addressed. Mr. Walker responded to questions from members of the Committee.

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

Jay Allen, owner of the property, addressed some of the issues raised, and noted that there would be no-retail boat storage operation on the lot designated, as it would be reserved for the community, and that the marina on the north side of the road would remain for the marina users. He further clarified that this is not a new application, as approvals for this development have already been issued since 2013, and this application updates the proposal to current standards. He responded to questions from the members of the Committee.

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

Doug Shaw presented environmental concerns questioning where the stormwater and wastewater would go, considering the pollution levels in Sturgeon Lake. He also expressed concern for erosion of the shoreline.

Stella Yuen stated that while not opposed to the rezoning, she is opposed to the location of the boat storage facility, and would like to see it moved away from residents. She further expressed concerns for traffic with boat trailers in the area.

Blair Gagnon was present, and reserved comment until all reports can be considered.

No other persons spoke to the application. The Chair permitted Mr. Allen, and Kent Randall (the applicant) to respond to the issues raised.

They stated that a gate would be used to restrict movement on the property to address traffic concerns, and that after development, the remainder of Snug Harbour road would be conveyed to the City. The reaffirmed that existing zoning provisions allow for residential development, and that stormwater issues have been addressed in studies supplied. They concluded by noting an Open House regarding the proposal was held at the Days Inn and a lot of favourable comments were received, and that they were looking to see this application move forwards to Council for approval.

The Public Meeting concluded at 2:04pm.

3.3.2 Business Arising from the Public Meeting

PAC2022-087

Moved By P. O'Reilly

Seconded By M. Barkwell

That Report PLAN2022-073, **Amend the Township of Fenelon Zoning By-law 12-95 at 327 Snug Harbour Road, Fenelon, 2779722 Ontario Limited and 2779723 Ontario Limited – Application D06-2022-029**, be received; and

That PLAN2022-073 respecting Application D06-2022-029 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Carried

3.4 PLAN2022-074

Application to Amend the Town of Lindsay Zoning By-law 2000-75 at 21 David Drive – Shol Inc.

Mark LaHay, Planner II

3.4.1 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 120 metres, and that a sign was posted on the subject property. They summarized the application, explaining that it proposes to change the Residential One (R1) Zone to a Future Residential (FR) Zone on the western half of the property that are intended for future residential development and facilitate the severance of the lands into two additional lots. 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 their report, noting that subsequent to the writing of the report additional comments were received from Cindy Baldree requesting further information. Staff are recommending that the application be referred to Council for approval. They responded to questions from members of the Committee.

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

Kent Randall spoke as applicant, and on behalf of the owner, Mr. Kennedy (who was present), and reminded the committee that the cul-de-sac plan is conceptual, and was used to demonstrate what is possible to facilitate the severance to the east. He made himself available for any questions from the Committee.

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

No other persons spoke to the application.

The Public Meeting concluded at 2:15p.m.

3.4.2 Business Arising from the Public Meeting

PAC2022-088

Moved By J. Willock

Seconded By P. O'Reilly

That Report PLAN2022-074, **Part of Lot 23, Concession 4, Geographic Township of Ops, Former Town of Lindsay, identified as 21 David Drive, Shol Inc. – D06-2022-030**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix D to Report PLAN2022-074, be adopted by Council; and

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

Carried

3.5 PLAN2022-075

Application to Amend the Village of Omemee Zoning By-law 1993-15 at 43 and 46 Deane St. N., Omemee - Westlake

Richard Holy, Director of Development Services

3.5.1 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. Holy confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and that a sign was posted on the subject property. They summarized the application, explaining that it proposes to change to the R1 and CF zones on the property to an appropriate zone to recognize the existing towing operation and related outdoor storage area as a secondary use to the residential use on the property. Repairs related to the operation are also being requested as a related use. 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. Mr. Holy summarized the comments received to date, as detailed in their report, noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be referred to Council for approval. They responded to questions from members of the Committee.

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

Ken Westlake was present and made himself available for any questions.

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

Doug Shaw expressed concern that the towing facility may end up as a scrap yard, and was concerned about the environmental effects to the public in the area.

No other persons spoke to the application. The Chair permitted Mr. Westlake to respond to issues raised.

Mr. Westlake stated that the lands used to be a mess and scrapyard, and it has been cleaned up. He noted that he lives on the property, and that any temporary parking of the vehicles will be removed as quickly as possible. Mr. Holy responded to further questions from the committee and addressed Mr. Shaw's

comments by noting that a scrap yard would not be a permitted use under the proposed by-law amendment.

The Public Meeting concluded at 2:25p.m.

3.5.2 Business Arising from the Public Meeting

PAC2022-089

Moved By Councillor Warren

Seconded By Mayor Elmslie

That Report PLAN2022-075, **Rezoning Application – Austin and Alana Westlake**, be received;

That, provided that there are no substantive public concerns raised at the Public Meeting, that a by-law respecting the rezoning application D06-2022-025 - Austin and Alana Westlake, substantially in the form attached as Appendix C to Report PLAN2022-075 be approved by Council; and

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

Carried

4. **Deputations**

5. **Correspondence**

6. **Regular and Returned Reports**

6.1 ENG2022-001

2023 Subdivision Agreement Template Updates

Christina Sisson, Manager of Development Engineering

Ms. Sisson provided an overview of her report highlighting some areas of modification to the subdivision agreement template being:

- Improvements to legal recitals;
- Shortening timelines for the top course of asphalt;
- Risk management language improvements;
- Standards of maintenance; and
- Acknowledgement of current DAAP fee rates.

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

PAC2022-090

Moved By Deputy Mayor Richardson

Seconded By M. Barkwell

That Report ENG2022-001, **Subdivision Agreement Template Updates – Engineering and Corporate Assets**, be received;

That the City's subdivision agreement and cost estimate schedule templates be updated and amended, as outlined in Appendix A and B, respectively, to Report ENG2022-001; and

That City Staff be directed to continue to monitor annually for any improvements to the language in the template of the subdivision agreement to ensure there are opportunities to refine the timelines and clarify language with the development process.

Carried

6.2 ENG2022-038

Assumption of Four Winds Subdivision Phase 3, Ops

Christina Sisson, Manager of Development Engineering

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

PAC2022-091

Moved By P. O'Reilly

Seconded By Deputy Mayor Richardson

That Report ENG2022-038, **Assumption of Four Winds Subdivision Phase 3, Ops**, be received;

That the Assumption of Four Winds Subdivision Phase 3, Geographic Township of Ops, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2022-038 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

6.3 ENG2022-040

Assumption of Woodland Hills Subdivision, Manvers

Christina Sisson, Manager of Development Engineering

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

PAC2022-092

Moved By Deputy Mayor Richardson

Seconded By Mayor Elmslie

That Report ENG2022-040, **Assumption of Woodland Hills Subdivision, Manvers**, be received;

That the Assumption of Woodland Hills Subdivision, Geographic Township of Manvers, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2022-040 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 ENG2022-041

Assumption of Orchard Meadows Subdivision, Ops

Christina Sisson, Manager of Development Engineering

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

PAC2022-093

Moved By Mayor Elmslie

Seconded By J. Willock

That Report ENG2022-041, **Assumption of Orchard Meadows Subdivision, Ops**, be received;

That the Assumption of Orchard Meadows Subdivision, Geographic Township of Ops, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2022-041 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

6.5 ENG2022-047

Registered Subdivision Status Update

Christina Sisson, Manager of Development Engineering

Ms. Sisson provided an overview of her report, noting that providing a status update to Council about developments where lots exist would help keep developers accountable, and provide transparency to the public. Ms. Sisson and Mr. Holy responded to specific questions about specific developments from the committee members.

PAC2022-094

Moved By P. O'Reilly

Seconded By Mayor Elmslie

That Report ENG2022-047, **Registered Subdivision Status Update**, be received; and

That Staff be directed to continue to provide annual updates for continued communication, process improvement, and to support the development community.

Carried

6.6 ENG2022-048

Municipal Infrastructure Design Guidelines Annual Update

Christina Sisson, Manager of Development Engineering

Ms. Sisson provided an overview of her report and noted the updates to the design guidelines including clarifications for the following matters:

- When to use Building Code standards vs when to use design guidelines;
- Water guidelines and water conservation;
- Sanitary guidelines including camera inspections on laterals;
- Updated references to DAAP fees.

PAC2022-095

Moved By M. Barkwell

Seconded By J. Willock

That Report ENG2022-048, **Municipal Infrastructure Design Guidelines Annual Update**, be received;

That Staff be directed to continue to update and to add to the information available on the City's website, including templates and details, to facilitate engineering design submissions for development; and

That Staff be directed to continue to monitor for any communication improvements and for any current legislative or regulatory enhancements requiring updates to the existing guidelines on the City's website.

Carried

7. Adjournment

PAC2022-096

Moved By J. Willock

Seconded By Mayor Elmslie

That the Planning Advisory Committee Meeting adjourn at 3:09 p.m.

Carried