



## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2024-023</b>
<b>Meeting Date:</b>	April 10, 2024
<b>Title:</b>	<b>Township of Verulam Zoning By-law Amendment for 26 Country Club Drive</b>
<b>Description:</b>	To amend the Township of Verulam Comprehensive Zoning By-law 6-87 to permit a proposed addition to the existing legal non-conforming hotel resort use
<b>Type of Report:</b>	Public Meeting
<b>Author and Title:</b>	Matt Alexander, Practice Lead, MCIP, RPP; WSP Canada Inc., on behalf of Kawartha Lakes Planning Division

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### Recommendations:

**That** Report PLAN2024-023, **Township of Verulam Zoning By-law Amendment for 26 Country Club Drive**, be received for information; and

**That** Report PLAN2024-023, **Township of Verulam Zoning By-law Amendment for 26 Country Club Drive**, be referred back to staff for processing until review of the technical studies has been completed.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

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

## **Background:**

The subject lands, known as 26 Country Club Drive in the former Township of Verulam, currently contain a golf resort with a hotel, banquet hall, restaurant and spa on site. All of the existing buildings and development are located on the south-eastern portion of the subject site and accessible via Country Club Road. Under the City of Kawartha Lakes Official Plan (Official Plan), the property is designated as Rural and Environmental Protection and zoned General Rural (A1) Zone, Recreational Commercial (C3) Zone, and Open Space (OS) Zone as per Schedule A of the Township of Verulam Zoning By-law 6-87.

Owner:	Eganridge Inc.
Applicant:	D.M. Wills Associates Ltd. c/o Marnie Saunders
Legal Description:	Concession 6, Part of Lots 16 to 18, 57R-5367, Parts 1 and 2, and 57R-4301, Parts 1 and 2
Official Plan:	Rural and Environmental Protection, City of Kawartha Lakes Official Plan
Zoning:	General Rural (A1) Zone, Recreational Commercial (C3) Zone, and Open Space (OS) Zone – Township of Verulam Zoning By-law 6-87.
Area:	Approximately 39.3 hectares
Site Servicing:	Private well and sewage system
Existing Uses:	Hotel, restaurant, banquet hall, detached dwellings, and a golf course.
Adjacent Uses:	North – Agricultural and woodlands East – Residential South – Sturgeon Lake West – Residential

## **Rationale:**

### **Proposal:**

The applicant is proposing to rezone a portion of the subject site to recognize the existing legal non-conforming hotel resort use on site, permit a three-storey addition to the hotel consisting of 41 additional hotel suites, and upgrade the pool enclosure and spa amenity area. To facilitate this commercial development, the applicant proposes to

rezone a portion of the subject land from the 'General Rural (A1) Zone' to the 'Recreational Commercial (C3) Zone'. The following materials were submitted in support of these applications:

- 1) Planning Justification Report (September 2023), prepared by D.M. Wills and Associates. This report provides a review of the proposed development and its alignment with the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, the City of Kawartha Lakes Official Plan, 2012 and the Township of Verulam Comprehensive Zoning By-law 6-87. Also provided are summaries of the additional materials submitted. This Report is currently under review by staff.
- 2) Hydrogeological Study Report (September 2023), prepared by D.M. Wills and Associates. The purpose of this study was to confirm that adequate water supply is available to the existing Subject site and the proposed development. This study is currently under review.
- 3) Technical Memorandum – Preliminary Onsite Sewage System Upgrades (October 2022), prepared by R.J. Burnside & Associates. The objectives of this study are to confirm the location of existing infrastructure and evaluate and confirm the capacity for sanitary servicing and water. This study is currently under review.
- 4) Traffic Brief (January 2023), prepared by D.M. Wills Associates. The purpose of this study is to review, assess and determine any traffic impact from the proposed development. This study is currently under review.
- 5) Stage 1 and 2 Archaeological Assessment Report (March 2023), prepared by Northeastern Archaeological Associates Ltd. This study describes the geography, land use history, archaeological potential and archaeological field work completed on the site. The Stage 1 and 2 Assessment is under review.
- 6) Conceptual Site Plan Layout and Architectural Drawings (May 2022) prepared by RAW Design Inc.

### **Provincial Policy Conformity:**

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019:**

The Growth Plan provides direction as it relates to growth management and environmental protection.

The subject site is designated as Rural and Environmental Protection in the Official Plan. Part of the Subject site contains Natural Heritage features such as significant woodlands and fish habitat. The subject site also contains lands outside the Natural Heritage System; as per the Planning Justification Report, the rezoning is proposed for land that is designated as Rural.

Section 2.2.9 of the Growth Plan provides policy direction with respect to Rural Areas. Rural Areas permits resource-based recreational uses related to tourism and recreational uses provided they are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape, including commercial uses to serve visitors' needs and seasonal accommodation.

Section 4.2.2.3(a) of the Growth Plan states that within the Natural Heritage System "new development or site alteration will demonstrate that:

- i. There are no negative impacts on key natural heritage features or key hydrologic features or their functions;
- ii. Connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained, or where possible, enhanced for the movement of native plants and animals;
- iii. The removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided wherever possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;"

The Natural Heritage System lands will continue to be used for recreational purposes and no changes are proposed to the land use or features. As per the Planning Justification Report, the proposed Zoning By-law Amendment is for land outside of the Natural Heritage System and is not expected to impact it. There are no natural heritage features within 120m of the land subject to the proposed ZBA and proposed development.

Following review of technical studies, staff will evaluate complete Growth Plan conformity.

### **Provincial Policy Statement, 2020:**

The Provincial Policy Statement, 2020 (PPS), provides direction on managing growth, using and managing natural resources, protecting the environment, and ensuring public health and safety.

The subject lands are designated as Environmental Protection and Rural in the City of Kawartha Lakes Official Plan; therefore, the policies of Sections 1.1.4 Rural Areas in Municipalities, 1.1.5 Rural Lands in Municipalities, and 2.1 Natural Heritage apply.

The PPS provides direction for Rural Areas in Municipalities in Section 1.1.4. Section 1.1.4.1 of the PPS provides direction on supporting rural areas, this includes:

- a) building upon rural character, and leveraging rural amenities and assets;
- g) providing opportunities for sustainable and diversified tourism, including leveraging natural assets; and,
- f) promoting diversification of the economic base and employment opportunities through goods and services.

The proposed ZBA and expansion support the direction provided for rural areas in municipalities by increasing economic and tourism opportunities.

Section 1.1.5 of the PPS provides direction on Rural Lands in Municipalities. Specifically, Section 1.1.5.3 states that recreational, tourism and other economic opportunities should be supported. The PPS also advises development compatible with the rural landscape and can be sustained by rural service levels should be promoted, as per Section 1.1.5.4. The applicant proposes to service the development with existing private services and the proposed addition represents an expansion of the existing use. Technical studies regarding the proposed servicing are currently under review.

Section 2.1 (Natural Heritage) of the PPS intends to set out policies that ensure natural features and areas are protected in the long term. In particular, Section 2.1.8 of the PPS notes that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. The portion of the subject site containing significant woodlands and fish habitat will maintain the current zoning and will not be altered in use. According to the Planning Justification Report, the portion of the subject site proposed to change from A1 to C3 does not contain any natural heritage features.

Final PPS consistency will be determined once reviews of the technical materials are complete.

## **City of Kawartha Lakes Official Plan**

The City of Kawartha Lakes Official Plan (OP) provides a framework for the City to manage growth and development. As a green community, the OP focuses on conservation of the City's natural environment.

The subject lands are designated as 'Environmental Protection' and 'Rural' under the City's Official Plan. The subject lands also have 'Significant Woodlands', 'Fish Habitat' and are within 120 metres of 'Provincially Significant Wetlands' as per Schedule B-5 of the OP. According to the Planning Justification Report, the area subject to the proposed Zoning By-law Amendment is designated 'Rural' in its entirety and is outside the area designated Environmental Protection.

Section 6 provides the City's policies to promote growth and enhance commercial activities. Section 6.2 sets out objectives for tourism; the objectives include encouraging new high quality tourism attractions, accommodations, facilities and services to promote the City as a tourist destination. The proposed addition to the existing hotel and other tourism-related commercial uses offers an economic development opportunity aligning with both tourism and commerce policies and objectives prescribed by the Official Plan.

The Rural designation aims to promote growth and development of the City's agricultural and natural resources and to preserve and promote the maintenance of the natural countryside. Section 16.2 of the OP sets out the objectives for the Rural designation including providing for the wise use and management of resources and resource based agricultural activities. According to Section 16.3 of the OP, golf courses are a permitted use within the Rural designation. Furthermore, Section 34.1 (Existing Uses) of the OP also acknowledges that existing land uses prior to the Official Plan's adoption can be recognized in an implementing zoning by-law.

Section 17 of the Official Plan outlines the goals and objectives for the Environmental Protection designation. Land in the Environmental Protection designation is subject to flooding, identified as a Provincially Significant Wetland, or unsuitable for development. As per Section 17.2, the OP aims to prevent development or site alteration on lands which are unsuitable for development due to physical hazards. The subject site contains a small portion of land designated Environmental Protection, however according to the Planning Justification Report the area is not proposed to be rezoned and will continue to be used for recreational purposes, as allowed by Policy 17.3.1 of the OP.

Once review of supporting materials is complete, staff will determine conformity with the City's Official Plan.

### **Township of Verulam Comprehensive Zoning By-law 6-87**

The property is currently zoned 'General Rural (A1) Zone', 'Recreational Commercial (C3) Zone' and 'Open Space (OS) Zone' in the Township of Verulam Zoning By-law 6-87. The existing 'C3' zone is located to the south of the existing buildings/ structures. The existing and proposed development is within the 'A1' zone. Section 19 of the Verulam Zoning By-law notes the permitted uses in the 'A1' zone, including agricultural uses, forestry uses, a cemetery, and a single detached dwelling. Golf courses, hotels and spas are not permitted uses in the 'A1' zone. The applicant proposes to rezone the portion of the property containing the existing clubhouse and hotel to the 'Recreational Commercial (C3) Zone' to recognize the existing legal non-conforming hotel and permit an addition.

Section 13 of the Zoning By-law specifies the permitted uses and zone provisions for the 'Recreational Commercial (C3) Zone'. Section 13.1 recognizes hotels as a permitted use in the 'C3' zone.

Further review of technical materials are required before a Zoning By-law Amendment can be brought forward for approval.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Alignment to Strategic Priorities:**

For reference the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan are:

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

In line with the Strategic Priority of a Vibrant and Growing Economy, the proposed amendment would facilitate the expansion of a commercial business and tourist accommodations.

Practice of the Strategic Priority of Good Government is conducted through this application as Staff continue to evaluate applications diligently and promote continuous improvement in all steps of the land use planning process.

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

There are no financial or operational impacts pertaining to the proposed amendments. Costs would be incurred in the event of an appeal to the Ontario Land Tribunal of the decision made by Council.

### **Consultations:**

Notice of this application was delivered to property owners within 120m of the subject site. In alignment with Public Notice procedure, signage detailing the amendment was placed on site.

### **Public Comments:**

One comment from the public was received. The resident inquired about general information regarding the proposed zoning change and requested to see a copy of the draft by-law, and information about the proposed additions.

### **Agency Review Comments:**

Building and Septic Division, Plans Examiner (March 2024) – No comments.

Engineering Department (March 2024) – From an engineering perspective, we have no objection to the proposed Zoning By-law Amendment. We respectfully request to be circulated should any additional information be received by the Planning Division which changes the intent of the Zoning By-Law Amendment and the corresponding report by Planning.

Enbridge Gas (March 2024) – No objections.

No other comments were received at the time of report writing.

### **Development Services – Planning Division Comments:**

Staff feel that the proposed development of 26 Country Club Drive has merit from a land use and policy perspective while noting that technical reviews are underway. The proposal to rezone a portion of the subject site appears to be consistent with the PPS and the Growth Plan policies regarding resource based recreational uses, supporting and encouraging tourism and economic development within rural areas that is



compatible with the surrounding landscape. The application generally supports the objectives of the Official Plan to enhance commercial activities within Rural Areas. Staff are of the opinion that the zoning by-law amendment for the proposed expansion to the existing use is generally appropriate and could contribute to economic development and tourism in the community. Staff do note that various technical studies are currently under review with respect to servicing and other matters. Complete conformity with the PPS, Growth Plan and Official Plan will be evaluated upon completion of all technical reviews.

### **Conclusion:**

Staff respectfully recommends that the application to rezone 26 Country Club Drive be referred back to staff until technical reviews have been completed and all agency comments are received.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Matt Alexander at [Matt.Alexander@wsp.com](mailto:Matt.Alexander@wsp.com).

### **Attachments:**

#### **Appendix 'A' – Location Plan**



Appendix A

#### **Appendix 'B' – Aerial Photo**



Appendix B

#### **Appendix 'C' - Site Plan**



Appendix C

**Appendix 'D' – Draft Zoning Schedule**



Appendix D

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

**Department Head:** Leah Barrie, Director of Development Services

**Department File:** D06-2024-007