



## Council Report

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<b>Report Number:</b>	<b>PLAN2024-068</b>
<b>Meeting Date:</b>	November 19, 2024
<b>Title:</b>	<b>Zoning By-law Amendment, 68 McLaughlin Road, Lindsay, Doug Dent (Glenn Wilcox of Wilcox Architects Inc.)</b>
<b>Description:</b>	Amendment to permit an axe throwing facility in an existing building on lands described as Concession 4 Part W 1/2 Lot 20 (FMLY OPS TWP), Registered Plan 57 R5038 Part of Part 5) Former Town of Lindsay, City of Kawartha Lakes
<b>Author and Title:</b>	Michael Hanifi, MCIP, RPP, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

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### Recommendation(s):

**That** Report PLAN2024-068, **Zoning By-law Amendment, 68 McLaughlin Road, Lindsay, Doug Dent (Glenn Wilcox of Wilcox Architects Inc.)**, be received;

**That** a Zoning By-law Amendment respecting rezoning application D06-2024-017, substantially in the form attached as Appendix D to Report **PLAN2024-068**, be approved and adopted by Council; and

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

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

**Financial/Legal/HR/Other:** \_\_\_\_\_

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

**Background:**

The applicant is seeking to add an axe throwing facility use within Units 7 and 8 of the existing split-level multi-tenant building. An amendment to the Town of Lindsay Zoning By-law 2000-75 is required to change the 'Prestige Employment Special Exception 2 (PE-S2)' Zone in order to facilitate the proposal and permit the use.

<b>Owner:</b>	Doug Dent
<b>Applicant:</b>	Glenn Wilcox of Wilcox Architects Inc.
<b>Legal Description:</b>	Concession 4 Part W 1/2 Lot 20 (FMLY OPS TWP), Registered Plan 57 R5038 Part of Part 5, Former Town of Lindsay, City of Kawartha Lakes
<b>Official Plan:</b>	'Urban Settlement Boundary' in Schedule 'A-3' of the City of Kawartha Lakes Official Plan  'Service Employment' in the Lindsay Secondary Plan
<b>Zoning:</b>	'Prestige Employment Special Exception 2 (PE-S2)' Zone in Schedule 'A' of the Lindsay Zoning By-law 2000-75, as amended
<b>Area:</b>	Total GFA of proposed use: Area of two units subject to rezoning is 202 m <sup>2</sup>  Total GFA of building: 1,226 m <sup>2</sup>  Total lot area: approx. 3,436.7 m <sup>2</sup> (0.34 ha)
<b>Site Servicing:</b>	Municipal water, sanitary sewers and storm sewers
<b>Existing Uses:</b>	Commercial and employment (various commercial and office uses in a multi-tenant building)
<b>Adjacent Uses:</b>	North: Commercial and employment (Garden centre, restaurants, and gas station)  East: Commercial and employment (Lindsay Square Mall and big box retail)  South: Commercial and employment (Medical supply store, tire and battery store, and funeral centre)

**Owner:** Doug Dent  
West: Commercial and employment (Pharmacy and car dealership)

### **Committee Recommendation/Council Resolution**

The application was presented to the Planning Advisory Committee on October 9, 2024 via an Information Report (PLAN2024-054) for the purposes of fulfilling the statutory Public Meeting requirement under Section 34 of the Planning Act.

On October 22, 2024, Council carried PAC Resolution PAC2024-061 as follows through CR2024-612:

**That** Report PLAN2024-054, Application to Amend the Town of Lindsay Zoning By-law 2000-75 at 68 McLaughlin Road, Lindsay - Dent, be received;

**That** a By-law to implement the proposed zoning by-law amendment respecting application D06-2024-017 be prepared and referred to Council for approval and adoption by the November 19, 2024 Regular Council Meeting; and

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

This report addresses that direction.

### **Rationale:**

The applicant has submitted the following reports and plans in support of the applications, which have been circulated to various City departments and commenting agencies for review:

- Plan Drawings, prepared by Wilcox Architects Inc., dated January 26, 2024;
- Planning Justification Brief (Revised), prepared by Martindale Planning Services Urban Planning & Development Consultants, dated August 2024;
- Sketch Plan of Site Plan prepared by Wilcox Architects Inc., dated May 30, 2024;
- Letter of Transmittal, prepared by Wilcox Architects Inc., dated May 30, 2024; and,
- Planning Application, prepared by Wilcox Architects Inc., dated May 30, 2024.

All the reports have been circulated to the applicable City Departments and commenting agencies for review and comment.

## **Policy Conformity**

### **Provincial Planning Statement (2024)**

The Provincial Planning Statement 2024 (PPS 2024) came into force on October 20, 2024. It is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, while building upon housing-supportive policies from both documents.

The PPS 2024 indicates that settlement areas shall be the focus of growth and development. As per Policy 2.3.3, "Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities".

As per Policy 2.8.1 (Supporting a Modern Economy), Policy 1 states, "Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs"; and "d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities".

In terms of General Policies for Infrastructure and Public Service Facilities, Policy 3.1.2 states, "Before consideration is given to developing new infrastructure and public service facilities: a) the use of existing infrastructure and public service facilities should be optimized; and b) opportunities for adaptive re-use should be considered, wherever feasible".

The Subject Land is located in the Lindsay Settlement Area and the proposed development would efficiently re-use existing infrastructure and resources. The proposed development will be on existing municipal services. Furthermore, all work will be inside the existing building and no new development is proposed outside of the existing building so no natural or human-made hazards will be affected.

### **City of Kawartha Lakes Official Plan (2012)**

The 'Subject Land' is within the 'Urban Settlement Area' in Schedule A-3 of the City of Kawartha Lakes Official Plan (CKLOP). The proposed development supports the community by creating a new recreational use within the settlement area through the efficient use of existing land and development within an existing building.

In terms of economic development, the proposed development meets the goals established in Policy 6.1.2 and 6.1.3, "To promote and enhance the commercial activities within the City to serve the needs of the residents and vacationing public", and "To promote and enhance the tourism opportunities within the City".

Furthermore, as per Section 5.10, "Buildings or structures existing prior to the date of passing of this By-Law, which when erected were in conformity with the by-law in force at the date of erection, may continue as an existing, legal, non-complying building or structure".

The proposed axe throwing facility would create a vibrant recreational and commercial activity within an existing structure that would support both residents and the vacationing public through leisure and entertainment.

### **Lindsay Secondary Plan (2023)**

The Lindsay Secondary Plan is based upon the vision of "Over 20 years Lindsay will expand its employment base, preserve existing heritage buildings and the natural environment as part of its own unique identity, increase educational and tourism opportunities, and develop affordable and accessible residential areas".

As per Policy 31.2.1.3, the following strategic direction were identified for Lindsay:

- a) Attract people and new businesses;
- b) Make the development application process easier;
- c) Encourage planning that fits with the built and natural environment;
- d) Maintain the integrity of the business core; and
- e) Maintain equality throughout Lindsay.

The proposed development would meet the strategic direction identified in the Lindsay Secondary Plan as the use would be a new business that fits within the existing built environment.

The Subject Land is designated 'Service Employment' in Schedule 'F-1' of the Lindsay Secondary Plan. Section 31.2.3.3.12.1 notes, "The area identified as Service Employment in Schedule 'F-1' is a mostly built-out area south of Kent Street that has developed with a range of employment, retail, and office uses. The permitted uses in

the Service Employment land use designation shall include uses such as convenience-type retail, vehicle service, auto parts supply, eating establishments, light industrial uses including manufacturing and process, distribution, wholesaling and warehousing, mini-storage, personal services, offices, service and repair, broadcasting studios, auctioneers, bus or taxi depots, and other similar uses”.

Furthermore, Section 31.2.3.3.12.2 states, “The following policies apply to lands designated Service Employment:

- a) Development shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and/or the provision of other suitable screening materials;
- b) Driveway access shall be approved by the City as considered to be necessary and appropriate;
- c) Garbage facilities shall be contained in a fully enclosed storage area contiguous with the building; and,
- d) Parking, loading and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan”.

While not specifically outlined in the permitted uses, the proposed development is of a similar use to those permitted and is compatible with the surrounding industrial/commercial uses. The proposed axe throwing facility would be contained within the existing building’s footprint and subject to the same operations and facilities currently serving the building.

The Subject Land is also within the Ops Jennings Creek Floodplain (Policy Area #2) in Schedule ‘F-1’ and ‘G-1’. As per Policy 31.2.2.6.7, “Lands within Policy Area #2 are subject to the Ops No. 1 Drain and Jennings Creek Watershed Flood Hazard Management Policy as approved by Kawartha Conservation in 2014. Development of these lands may be permitted in accordance with the policy”.

Kawartha Conservation has reviewed the proposal. Since the work will be inside the existing building and no new development is proposed on the property outside of the building, the Conservation Authority expressed no concerns with the proposed development.

**Town of Lindsay Zoning By-law 2000-75**

The Subject Land is currently zoned 'Prestige Employment Special Exception 2 (PE-S2)' Zone in the Town of Lindsay Zoning By-law 2000-75. Permitted uses in the Prestige Employment Zone include a range of commercial, industrial, and institutional and community facility uses. However, the proposed development for an axe throwing facility does not fit within the existing permitted uses. Accordingly, a Zoning By-law Amendment has been requested to permit an axe throwing facility within the existing building.

The use being proposed is for an axe throwing facility, which is not a defined use in the Lindsay Zoning By-law. The 'Place of Assembly' and 'Place of Entertainment' definitions in the Zoning By-law best capture the proposed use. The 'Place of Entertainment' definition "means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, bingo hall, ice or roller skating rink, or curling rink". The 'Place of Assembly' definition "means a building, or part thereof, in which facilities are provided for such purposes as meeting for civic, educational, political, religious, social, cultural, recreational or athletic purposes, and shall include a banquet hall, private club, service club or fraternal organization".

The definition of 'Place of Entertainment' contains specific uses that are similar to the axe throwing facility, but the definition does not explicitly mention "other similar uses". The 'Place of Assembly' definition includes a more general social and recreational use in its definition, which the proposed axe throwing facility would fit into. By including both permitted uses in the Zoning By-law Amendment, the intent of the proposed axe throwing facility use is captured.

Accordingly, the amendment to the PE-S2 Zone would include 'Place of Assembly' and 'Place of Entertainment' as additional permitted uses within Units 7 and 8 of the existing building at 68 McLaughlin Road to support the creation of an axe throwing facility on the Subject Land.

The PE Zone also has zone requirements for setbacks, building height, lot coverage and gross floor area. The PE-S2 zone has specific zone requirements for minimum lot frontage, lot area and maximum gross leasable floor area for any single commercial use to not exceed 3,000 m<sup>2</sup>. However, the existing building footprint and lot size are not changing as a result of the proposed development and all development will be contained within the existing structure. The gross floor area proposed for the axe throwing facility is approx. 202 m<sup>2</sup>, which is below the maximum floor area permitted.

In terms of parking, Section 5.12, provision d) of the Lindsay Zoning By-law notes, "Where a use is changed within an existing building or structure, and where the new

use requires more parking or loading spaces than the former use, the number of additional parking spaces or loading spaces required shall be the difference between the parking spaces or loading spaces required by the new use and parking spaces or loading spaces required by the former use”.

There are 43 existing parking spaces on the Subject Land. The proposed axe throwing facility, which would be considered a 'Place of Assembly' or 'Place of Entertainment' use in the non-residential parking requirements in the table in Section 5.12 k) i) of the Zoning By-law, would require a minimum of one parking space per 9 m<sup>2</sup>. The axe throwing facility would be approx. 202 m<sup>2</sup> which would equal to approx. 22 parking spaces.

Under the parking requirements, there are 31 spaces required for the existing uses in the building, not including the axe throwing facility in Units 7 and 8. Including the axe throwing facility, the number of required spaces would be 53. With 43 existing parking spaces, the Subject Land would be deficient by 10 spaces.

However, it is expected that the new proposed axe throwing facility would be utilized during evenings and weekends, thereby not having a perceptible impact on the existing parking supply. Nevertheless, a new use is being added to the existing building, and, as per the Zoning By-law, a change in use within an existing building requires any additional required parking spaces be considered and, therefore, included in the Zoning By-law Amendment if not compliant.

In terms of loading spaces, one existing loading space was identified by the Applicant. The gross floor area of the building is not changing so no amendment is required for the loading space requirement in employment zones under Section 5.13.

As noted, the built form is not being impacted by the proposed development, as only the permitted use within the existing structure is being changed. Therefore, the proposed Zoning By-law Amendment needs only to permit the new use and qualify the existing parking. Accordingly, the proposed Zoning By-law Amendment will include a provision that states, notwithstanding Section 5.12, the existing 43 total parking spaces are deemed to comply.

Planning Staff are of the opinion that the Zoning By-law Amendment, as outlined in Appendix 'D' to this Report, is appropriate as it permits a new use that is compatible with the existing PE Zone uses on the Subject Land and existing built form. This Zoning By-law Amendment would facilitate that permission.



## **Other Alternatives Considered:**

No alternatives have been considered.

## **Alignment to Strategic Priorities**

For reference the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

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

In alignment with strategic priorities, the proposed Zoning By-law Amendment would promote an exceptional quality of life by further supporting recreational and leisure programs, which also supports a vibrant and growing economy.

## **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

## **Consultations:**

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date, we have received the following comments:

**Development Services Department - Planning Division** reviewed the proposal and have no further comments or objections.

**Engineering and Corporate Assets Department – Development Engineering** reviewed the proposal and have no further comments or objections.

**Development Services Department - Building and Septic Division** reviewed the proposal and noted that they have no further comments or objections.

**Economic Development – Business** reviewed the proposal and noted they are generally supportive of the Zoning By-Law Amendment application, as it represents a positive use of the available space. This amendment aligns well with surrounding businesses, minimizing conflicts with the existing PE uses while maintaining the designation. Additionally, the proposed recreational business will enhance the community by providing more opportunities for residents, contributing to the overall quality of place and supporting a vibrant lifestyle within the area.

**Municipal Law Enforcement and Licensing** reviewed the proposal and do not have any objection to the application for Zoning By-law Amendment to establish this business.

**Kawartha Conservation** has reviewed the proposal with respect to natural hazards and water quantity and expressed no concerns with the Zoning By-law Amendment. It was noted that the property is located completely outside of a vulnerable area for municipal drinking water system where policies apply. Further, the property is located within the Urban Flooding Area in Ops Jennings Creek Floodplain, however, since the work will be inside the existing building and no new development is proposed on the property outside of the building, the Conservation Authority expressed no concerns with the approval of the Zoning By-law Amendment.

### **Conclusion and Recommendation:**

The proposal represents good land use planning by providing a new commercial and recreational use within existing resources in the settlement area that supports economic development and recreation, in accordance with policies of the 2024 Provincial Planning Statement, Kawartha Lakes Official Plan, Lindsay Secondary Plan, and Lindsay Zoning By-law.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2024-017, substantially in the form attached as Appendix 'D' to Report PLAN2024-068, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Dillon Planning at [dillonplanning@kawarthalakes.ca](mailto:dillonplanning@kawarthalakes.ca).

**Attachments:**

Appendix A – Location Map

Appendix B – Aerial Map

Appendix C – Drawings

Appendix D – Draft Zoning By-law and Draft Zoning By-law Schedule



ZBA - PLAN2024-068  
68 McLaughlin Road.c

**Department Head e-mail:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

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

**Department File:** D06-2024-017

**Appendix A – Location Map**

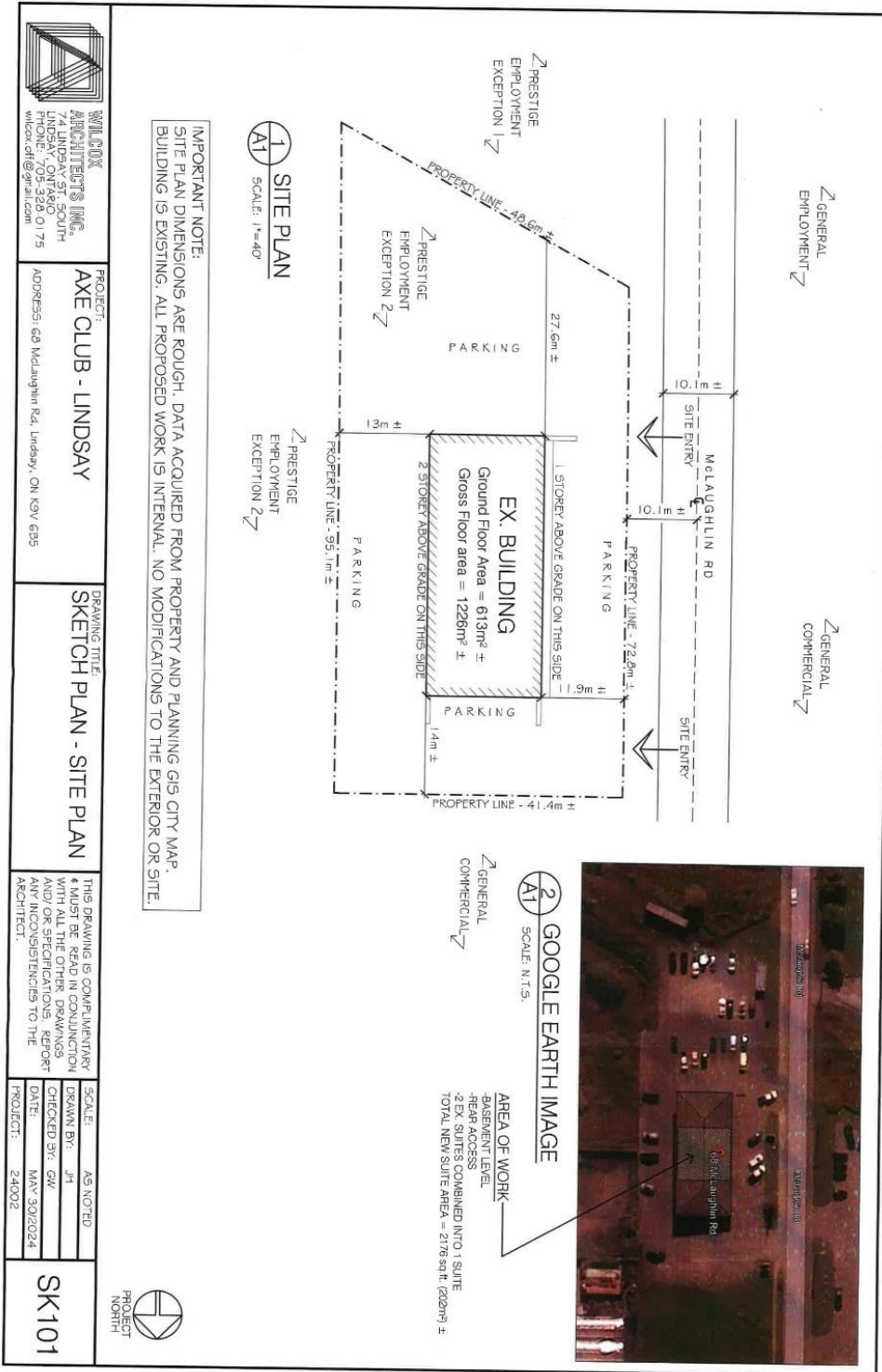


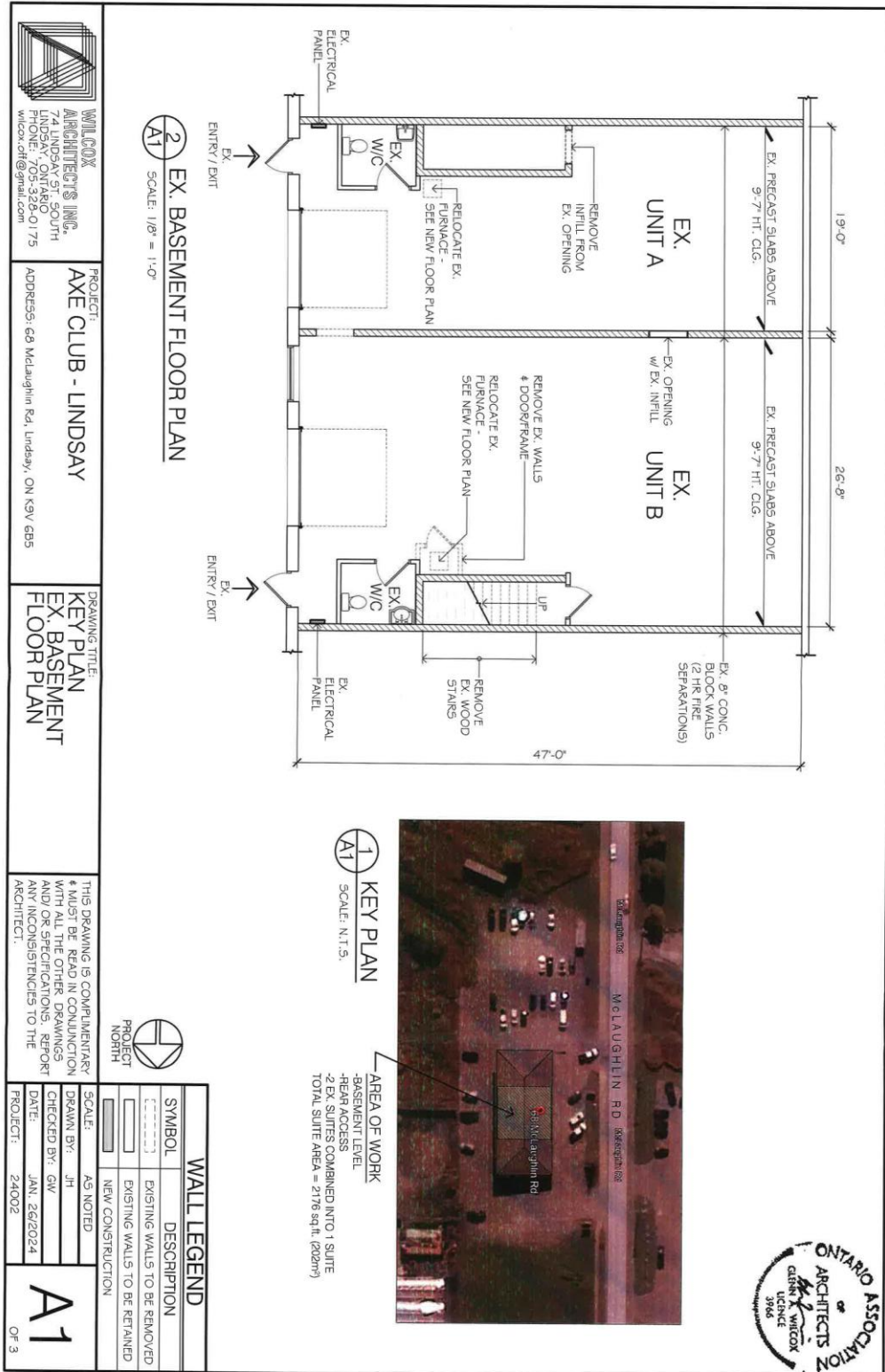
**Appendix B – Aerial Map**





**Appendix C – Drawings**





**WILCOX ARCHITECTS INC.**  
 74 LINDSAY ST. SOUTH  
 LINDSAY, ON N3V 1R5  
 PHONE: 705.432.0175  
 wilcox.crf@gmail.com

**PROJECT:**  
**AXE CLUB - LINDSAY**  
 ADDRESS: 68 McLaughlin Rd, Lindsay, ON K9V 6B5

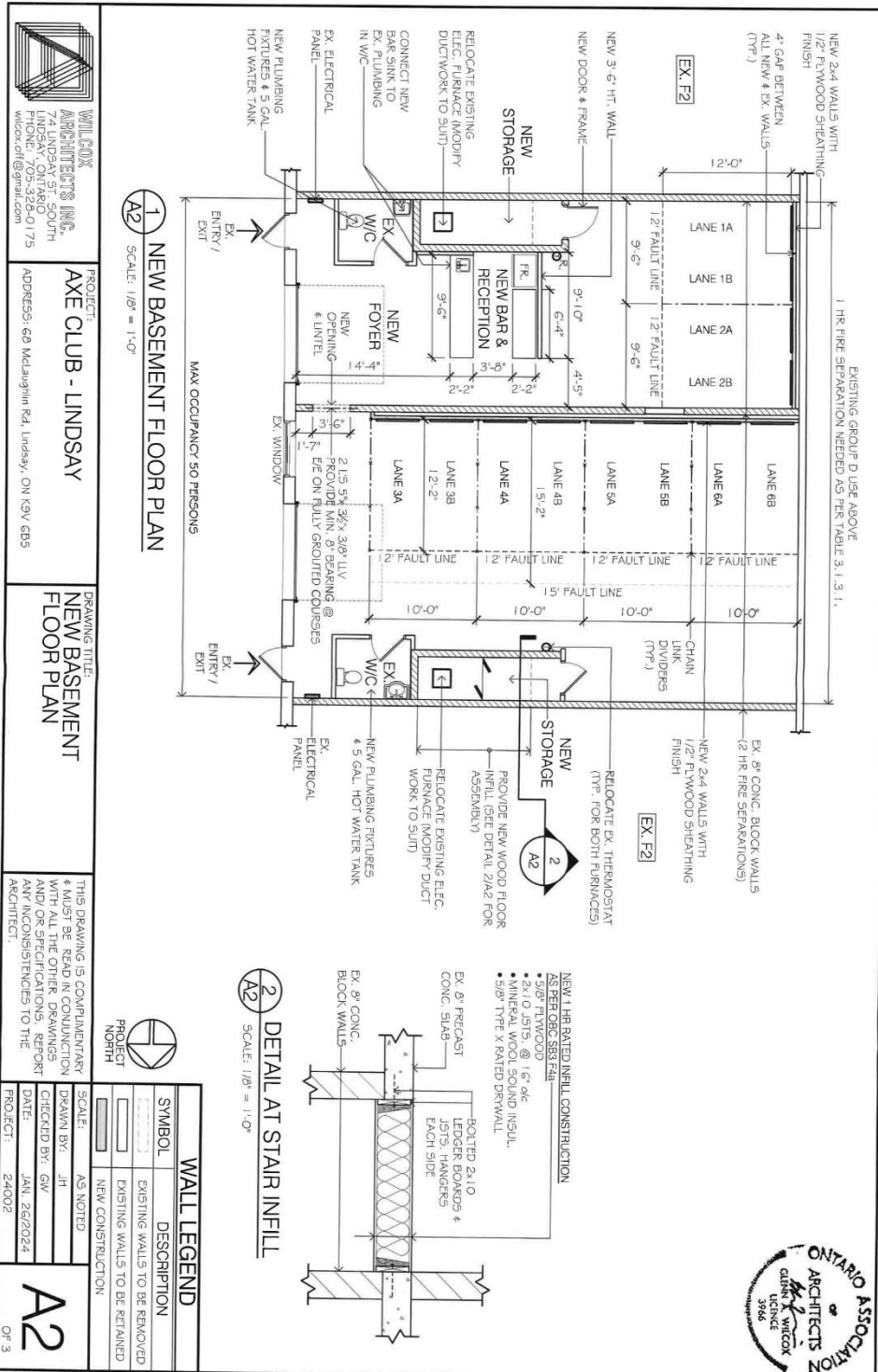
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**KEY PLAN**  
**EX. BASEMENT FLOOR PLAN**

THIS DRAWING IS COMPLEMENTARY AND MUST BE READ IN CONJUNCTION WITH ALL THE OTHER DRAWINGS AND SPECIFICATIONS, BEFORE ANY CONSTRUCTION, REFLECT ANY INCONSISTENCIES TO THE ARCHITECT.

SCALE: AS NOTED  
 DRAWN BY: JH  
 CHECKED BY: GW  
 DATE: JAN. 26/2024  
 PROJECT: 24002

**A1**  
 OF 3

WALL LEGEND	
SYMBOL	DESCRIPTION
[Symbol]	EXISTING WALLS TO BE REMOVED
[Symbol]	EXISTING WALLS TO BE RETAINED
[Symbol]	NEW CONSTRUCTION



**1 NEW BASEMENT FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**2 DETAIL AT STAIR INFILL**  
SCALE: 1/8" = 1'-0"



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PROJECT: **AXE CLUB - LINDSAY**  
ADDRESS: 68 McLaughlin Rd, Lindsay, ON K9V 6B5

DRAWING TITLE: **NEW BASEMENT FLOOR PLAN**

THIS DRAWING IS COMPLIANT WITH ALL THE OTHER DRAWINGS AND/OR SPECIFICATIONS, REPORT ANY INCONSISTENCIES TO THE ARCHITECT.

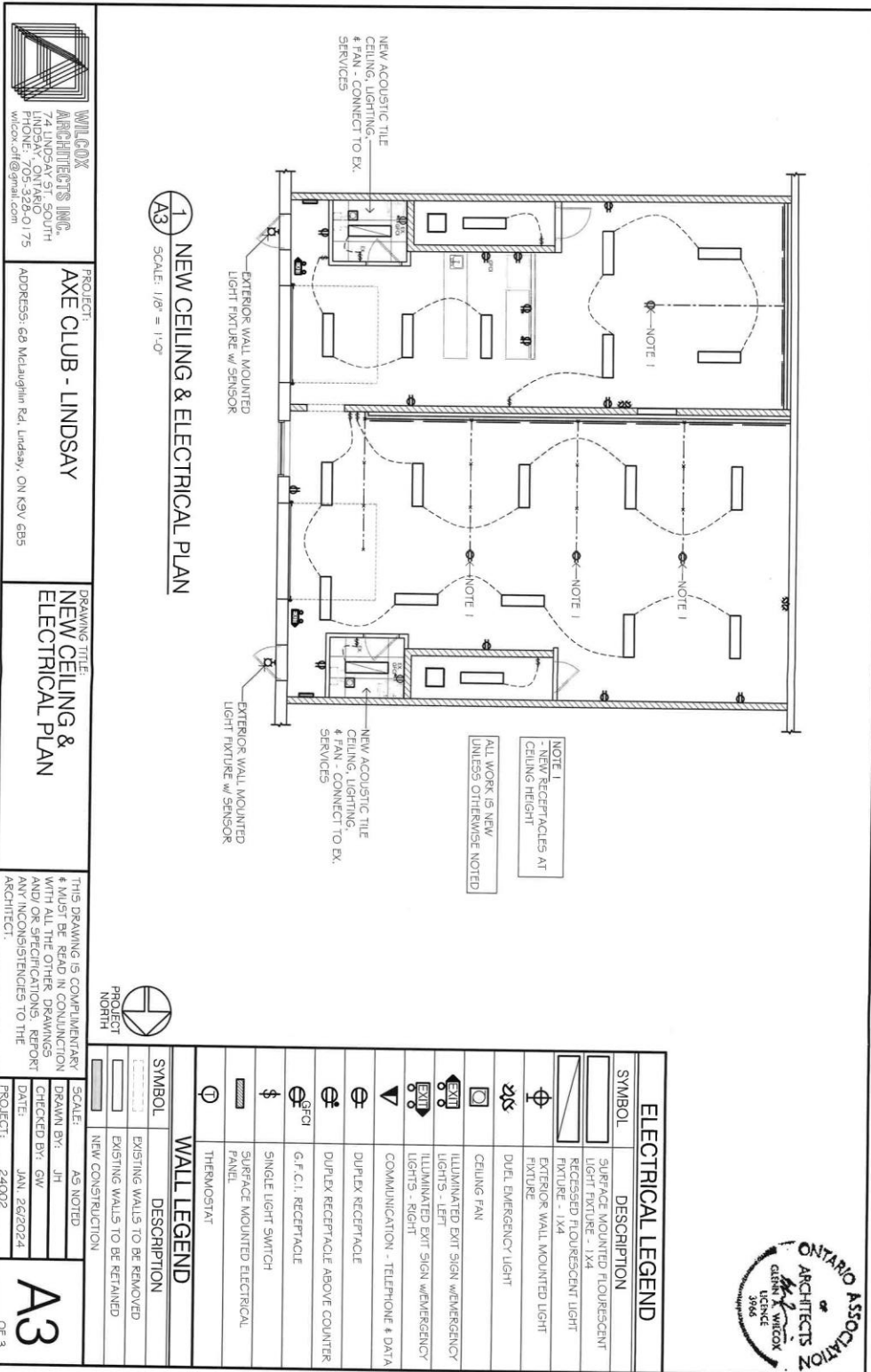
SCALE: AS NOTED  
DRAWN BY: JH  
CHECKED BY: GW  
DATE: JAN 26/2024  
PROJECT: 24002

**A2**  
OF 3

WALL LEGEND	
SYMBOL	DESCRIPTION
[Symbol]	EXISTING WALLS TO BE REMOVED
[Symbol]	EXISTING WALLS TO BE RETAINED
[Symbol]	NEW CONSTRUCTION







**WILCOX ARCHITECTS INC.**  
 74 LINDSAY ST. SOUTH  
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PROJECT  
**AXE CLUB - LINDSAY**  
 ADDRESS: 68 McLaughlin Rd, Lindsay, ON K9V 6B5

DRAWING TITLE  
**NEW CEILING & ELECTRICAL PLAN**

THIS DRAWING IS COMPLEMENTARY WITH ALL THE OTHER DRAWINGS AND/OR SPECIFICATIONS. REPORT ANY INCONSISTENCIES TO THE ARCHITECT.

SCALE: AS NOTED  
 DRAWN BY: JH  
 CHECKED BY: GW  
 DATE: JAN 26/2024  
 PROJECT: 24002

**A3**  
 OF 3



**ELECTRICAL LEGEND**

SYMBOL	DESCRIPTION
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[Symbol]	EXTERIOR WALL MOUNTED LIGHT FIXTURE
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[Symbol]	CEILING FAN
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[Symbol]	COMMUNICATION - TELEPHONE & DATA
[Symbol]	DUPL. EX. RECEPTACLE
[Symbol]	DUPL. EX. RECEPTACLE ABOVE COUNTER
[Symbol]	G.F.C.I. RECEPTACLE
[Symbol]	SINGLE LIGHT SWITCH
[Symbol]	SURFACE MOUNTED ELECTRICAL PANEL
[Symbol]	THERMOSTAT

**WALL LEGEND**

SYMBOL	DESCRIPTION
[Symbol]	EXISTING WALLS TO BE REMOVED
[Symbol]	EXISTING WALLS TO BE RETAINED
[Symbol]	NEW CONSTRUCTION