



Planning Advisory Committee Report

Report Number:	PLAN2024-067
Meeting Date:	November 27, 2024
Title:	Zoning By-law Amendment, 370 Kent Street West (Concession 4, Part Lot 21, former Township of Ops), 1193017 Ontario Inc. c/o Celeste Phillips Planning Inc.
Description:	Application to amend the Town of Lindsay Zoning By-law 2000-75 to align with the new Lindsay Secondary Plan D06-2024-020
Type of Report:	Information Report for the purposes of the statutory Public Meeting under section 34 of the Planning Act, RSO 1990, chapter P.13
Author and Title:	Timothy Gouveia, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendation:

That Report **PLAN2024-067**, Zoning By-law Amendment, 370 Kent Street West (Concession 4, Part of Lot 21, former Township of Ops), **1193017 Ontario Inc. c/o Celeste Phillips Planning Inc.** be received for information.

Department Head: _____

Application Summary:

The application is seeking to expand the list of permitted uses and to eliminate existing caps on certain uses to align with the new Lindsay Secondary Plan. At this time, no additional buildings are proposed. The applicant seeks to permit currently prohibited uses such as supermarkets, drug stores, financial institutions, and department stores, and to increase permitted gross leasable floor areas, save and except for the 3000 m² cap on any individual Retail Establishment¹.

An amendment to Town of Lindsay Zoning By-Law 2000-75 is required to change the Special Purpose Commercial (SPC) zone in order to facilitate the proposal

Owner:	1193017 Ontario Inc.
Applicant:	Celeste Phillips Planning Inc.
Property Description²:	Legal Description: Concession 4, Part of Lot 21, former Township of Ops
	Municipal Address: 370 Kent Street West, Town of Lindsay
Official Plan:	'General Commercial' in Schedule "F-1" of Lindsay Secondary Plan
Zoning By-law:	'Special Purpose Commercial (SPC)' Zone in Town of Lindsay Zoning By-Law 2000-75, as amended
Lot Area:	3.9 ha. (9.64 ac.)
Servicing:	Municipal Water; Sanitary Sewers; and Storm Sewers
Access:	Municipal Road - Local (Kent Street West)
Existing Uses:	Commercial (Whitney Town Centre)
Adjacent Uses:	North: Community Facilities (Sports fields)
	East: Commercial (Restaurant)
	South: Commercial (Retail)

¹ See Schedule 1 – Proposed Concept Plan

² See Schedule 2 – Site Mapping

	West: Commercial (Restaurants, Gas Station)
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Application Process:

The Planning Division received the application submission package on September 18, 2024, which included the following reports and plans in support of the application:

1. Letter for ZBA Application, prepared by Celeste Phillips Planning Inc., dated September 17, 2024
2. Application for Zoning Bylaw Amendment, prepared by Celeste Phillips Planning Inc. on June 27, 2024, signed by the Owner on August 1, 2024, and received by the City on September 18, 2024
3. Draft of Schedule 'A' Map (Zoning By-law 2000-75)
4. ZBA Sketch Plan, prepared by Celeste Phillips Planning Inc., dated June 28, 2024
5. Planning Justification Report, prepared by Celeste Phillips Planning Inc., dated September 13, 2024

Staff deemed the application 'complete' under the requirements of the Planning Act on October 18, 2024, and initiated Agency consultation on October 18, 2024, with a requested review period of the application submission package by November 1, 2024. All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public has been notified of the application through circulation of the Notice of Public Meeting on November 7, 2024.

Staff are working with the applicant to address deficiencies within the initial application as it relates to comments relative to the Zoning By-law Amendment. Staff have identified that policy analysis related to the Lindsay Secondary Plan is currently absent from the justification for this application. Further details are required to clarify the application's intent, which is necessary to support a recommendation for the proposed Zoning By-law Amendment. Specific concerns have been raised regarding the application's compliance with sections 31.2.3.2.3.4(b) and 31.2.3.2.3.3 of the Lindsay Secondary Plan, as well as certain issues related to parking. Once these matters have been addressed the application can be returned to PAC.

Application Review³:

Planning staff is reviewing the application submission package including the Planning Justification Report that was prepared and filed in support of the application, for

³ See Schedule 3 – Provincial and Municipal Land Use Framework

consistency with provincial policies (including the Provincial Planning Statement, 2024), and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Zoning By-law must comply with the underlying Official Plan and Secondary Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. Notice of this application was circulated to persons within a 120metre radius, agencies, and City Departments which may have an interest in the application. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

Through discussion with the applicant ahead of filing the rezoning application, it was determined that the Preconsultation application process was unnecessary given the nature of the proposal.

Conclusion:

Staff will return to Planning Advisory Committee following conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

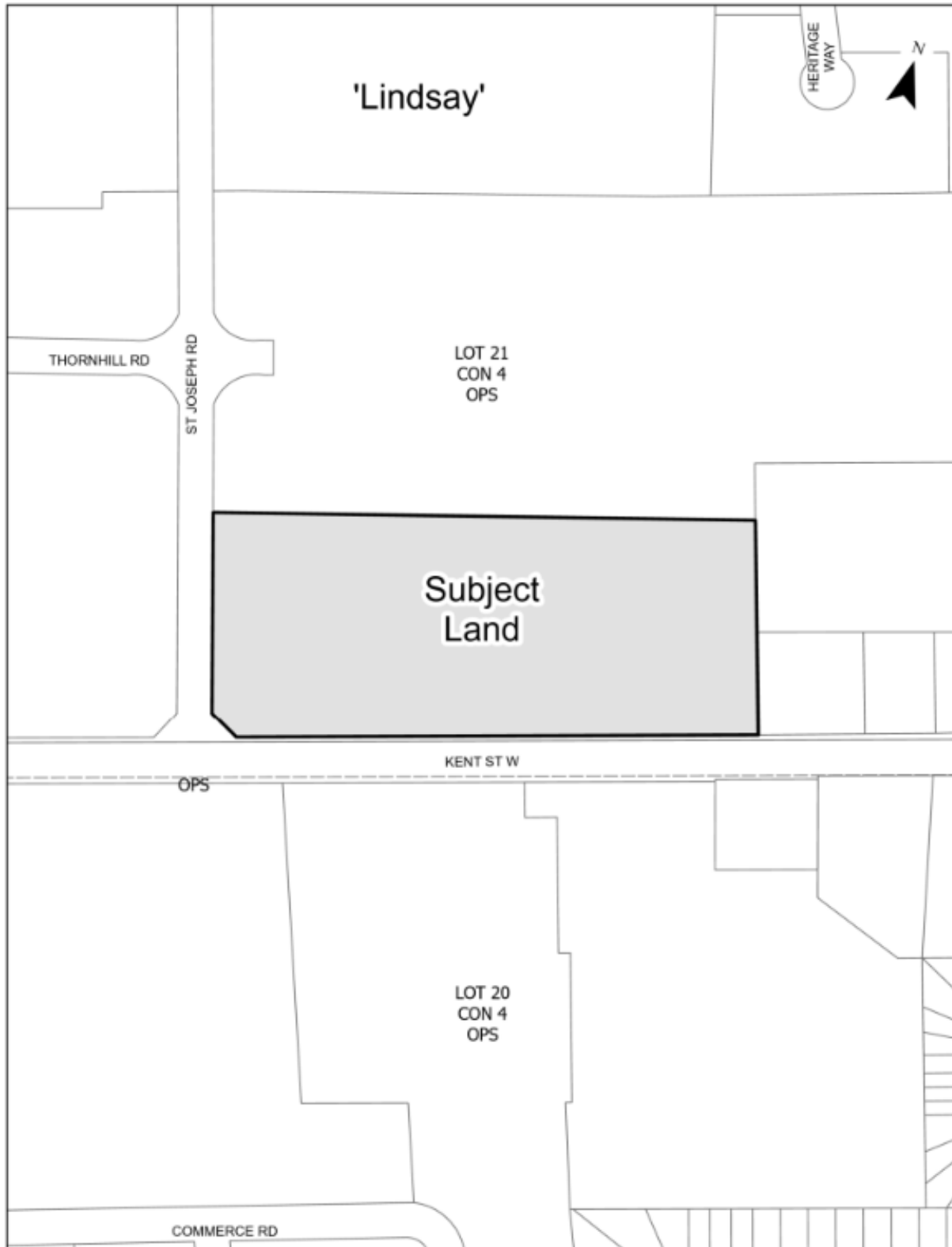
Department File: D06-2024-020

Schedule 1 – Proposed Concept Plan

N/A

Schedule 2 – Site Mapping

Location Map



Aerial Map



Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Planning Statement (2024)

On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The Provincial Planning Statement, 2024 (PPS 2024) 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.

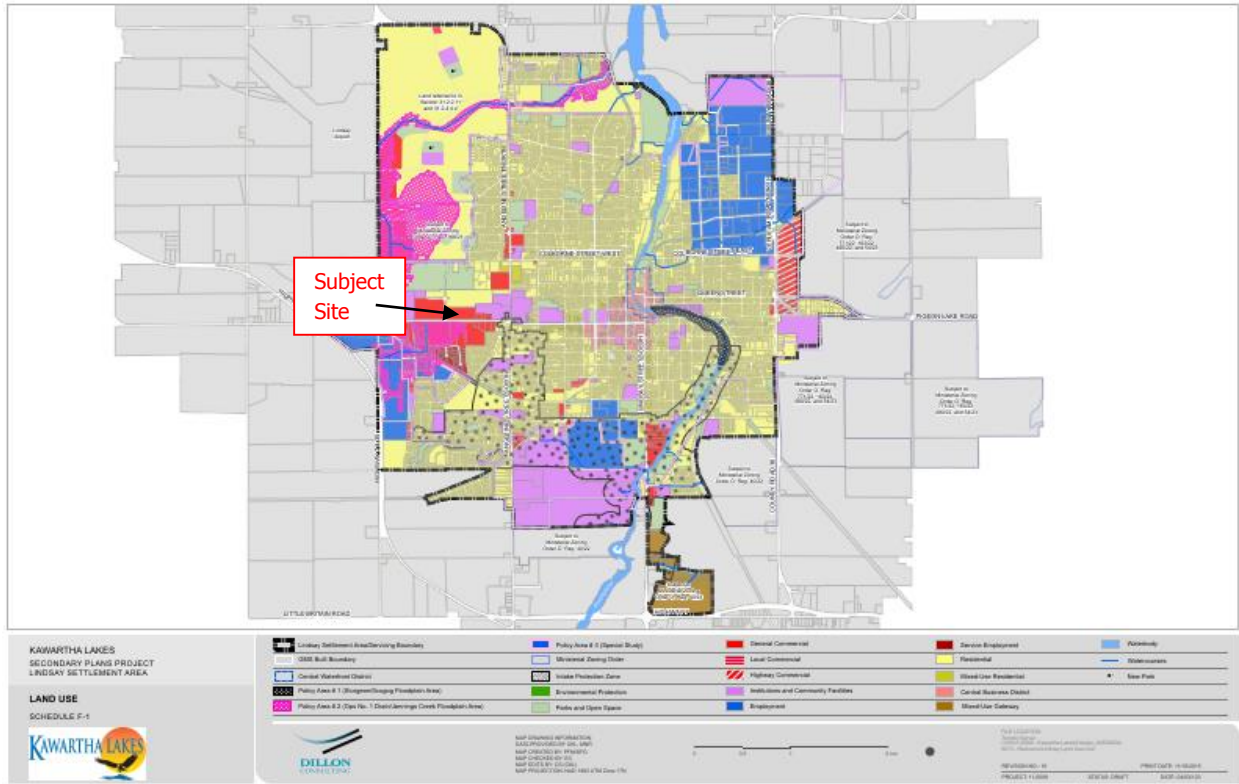
City of Kawartha Lakes Official Plan

The Official Plan is the City's policy on how land in the community should be used. Prepared through a public consultation process, it sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals and objectives.

The Official Plan implements provincial policies, and sets the municipal policy framework for applying the Zoning By-law.

Lindsay Secondary Plan

'General Commercial' as indicated in the following schedule:



Town of Lindsay Zoning By-law 2000-75

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The lands are zoned 'Special Purpose Commercial (SPC)' as indicated in the following schedule:

