



Planning Advisory Committee Report

Report Number:	PLAN2024-064
Meeting Date:	November 27, 2024
Title:	Zoning By-law Amendment, 203, 207 and 213 Highway 36, Town of Lindsay (Ashmere (Lindsay) Developments Ltd.) KLM
Description:	Amendment to develop 62 two-storey single detached dwellings, a new public road and a stormwater management pond D06-2024-001/D05-2024-001
Type of Report:	Regular Meeting – Returning File
Author and Title:	Matt Alexander, MCIP, RPP, WSP Canada Inc., on behalf of the City of Kawartha Lakes

Recommendation:

That Report **PLAN2024-064**, Zoning By-law Amendment, 203, 207 and 213 Highway 36, Town of Lindsay (Ashmere (Lindsay) Developments Ltd.) KLM, be received;

That a Zoning By-law Amendment, respecting application D06-2024-001 substantially in the form attached as Appendix D to Report PLAN2024-064, 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: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The Zoning By-law Amendment Application pertains to 3 lots identified as 203, 207 and 213 Highway 36, in the Town of Lindsay. The application is proposing to rezone the lands in the Town of Lindsay Zoning By-law 2000-75, from the Future Residential (FR) Zone to a Residential Multiple Special Exception Zone with a Holding Provision, to facilitate the development of 62 single detached units, a new public road, and a stormwater management block.

The applicant has also submitted a Draft Plan of Subdivision Application to implement the lot fabric, stormwater management block and new road. Staff continue to process the Draft Plan of Subdivision Application through further review.

At the Council meeting of March 19, 2024, Council adopted the following resolution, resulting from the Planning Advisory Committee Recommendation carried at the Statutory Public Meeting held on March 6, 2024.

PAC2024-017/CR2024-126

That Report PLAN2024-014, Town of Lindsay Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision at 203, 207 and 213 Kawartha Lakes Road 36 (Highway 36), Town of Lindsay (D01-2024-001, D06-2024-001, D05-2024-001), be received for information; and

That Report PLAN2024-014, be referred back to staff to address public and agency comments and for further review of the technical studies.

It should be noted that following the initial submission of the applications, which was for a both an Amendment to the Town of Lindsay Official Plan, and the Town of Lindsay Zoning By-law (in addition to the Draft Plan of Subdivision Application), the Town of Lindsay Official Plan was repealed, and the Lindsay Secondary Plan was brought into force and effect. As a result, the Official Plan Amendment to the Town of Lindsay Official Plan is no longer required. The applicable land use designation in the Lindsay Secondary Plan permits the proposed residential use.

It should be further noted that following the initial submission of the application, 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. The proposed residential use is consistent with policies for Housing, Settlement Areas, Sewage, Water and Stormwater, and overall land use compatibility.

Rationale:

The site is within a built boundary and is designated "Residential" in the Lindsay Secondary Plan. The current zoning is "Future Residential" and the applicant proposes to rezone the subject lands to a Residential Multiple zone with site specific exceptions and a holding provision tied to confirmation of servicing allocation, and execution of a subdivision agreement with the City.

Since the Statutory Public Meeting in March 2024, outstanding technical reviews of the submission materials were completed. Following the issuance of all comments to the applicant, the applicant submitted a second submission of the application to resolve engineering, planning and transportation related comments respecting the zoning by-law amendment application. The key issue pertained to available servicing capacity for the proposed development. There is an ongoing Municipal Class Schedule 'B' Environmental Assessment (EA) being undertaken by the City for the Logie Street Sanitary Pumping Station and Ridout Street Sanitary Pumping Station in the area of the subject site. Engineering staff expressed concerns that until the EA is complete, and subsequent design upgrades have been completed, that there is insufficient servicing capacity currently to service the proposed development. As a result of this, discussions were had both with the applicant and internally to determine a path forward. These efforts resulted in a recommendation to approve the zoning by-law amendment with a Holding Provision, tied to servicing and the draft plan of subdivision application in order to ensure that development of the site does not precede the necessary infrastructure capacity improvements in the area.

It is intended that Staff will continue to work with the applicant to prepare the draft plan of subdivision conditions which will be brought forward for consideration at a later date.

Other Alternatives Considered:

Planning staff believe that in-light of the ongoing EA's, the Zoning By-law Amendment application can still be supported. In discussions with Engineering and Public Works staff, it has been proposed that a Holding Provision be implemented with the Zoning By-law Amendment to ensure that the development does not precede the required

infrastructure improvements downstream. Detailed design considerations can be addressed during the subdivision process following completion of the EA.

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

Approval of this Zoning By-law Amendment would align with an exceptional quality of life by providing diversity in housing options for the community. If approved, this proposal will help the City achieve its target of constructing 6,500 housing units by 2031, as stated in the Housing Pledge adopted by Council on November 21, 2023.

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:

As required under Section 34 of the Planning Act, notice was distributed to residents within 120 metres of the site, and signage was placed on site to notify interested parties of the Statutory Public Meeting that was held on March 6, 2024. The application was circulated to agencies and City Departments with the first and second submissions of the application.

Two members of the public spoke during the March Statutory Public Meeting regarding the file. These residents expressed their opposition to the application siting concerns over archaeological investigations and loss of farmland. These members of the public were notified that the file was returning for a recommendation.

Attachments:

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

Appendix A – Location Map



Appendix A

Appendix B – Aerial



Appendix B

Appendix C – Sketch (Proposed Draft Plan of Subdivision)



Appendix C

Appendix D – Draft Zoning By-law Amendment



D06-2024-001 Draft Zoning By-law.docx



203-213 Highway 36 S_.pdf

Department Head e-mail: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director

Department File: D06-2024-001 (D05-2024-001)