



Planning Advisory Committee Report

Report Number:	PLAN2025-001
Meeting Date:	January 15, 2025
Title:	Amend the Village of Bobcaygeon Zoning By-law 16-78 at 58 Duke Street, Reference Plan Number 70, Lot 7, South Duke, Bobcaygeon, City of Kawartha Lakes
Description:	Amendment to permit additional commercial uses and to exclude residential uses in accordance with the Secondary Plan
Type of Report:	Public Meeting
Author and Title:	Robert Wilson, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendations:

That Report PLAN2025-001, **Amend the Village of Bobcaygeon Zoning By-law 16-78 at 58 Duke Street, Reference Plan Number 70, Lot 7, South Duke, Bobcaygeon, City of Kawartha Lakes**, be received;

That a Zoning By-law Amendment respecting application D06-2024-022, substantially in the form attached as Appendix D to Report PLAN2025-001, 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:

Owner:	2259052 Ontario Inc.
Applicant:	Tom DeBoer, TD Consulting Inc.
Legal Description:	Reference Plan Number 70, Lot 7, South Duke, Bobcaygeon, City of Kawartha Lakes
Official Plan:	'Urban Settlement Area' in Schedule A of Kawartha Lakes Official Plan' and 'General Commercial in the Bobcaygeon Secondary Plan.
Zoning:	Central Commercial-S11 (C1-S11) Zone in Village of Bobcaygeon Zoning By-Law 16-78
Area:	2,054 m ²
Site Servicing:	Municipal water, sanitary sewers and storm sewers
Existing Uses:	LiveWell Strength and Rehabilitation building
Adjacent Uses:	North – Residential East – Autobody Shop South – Residential West – Bobcaygeon Public Works

The applicant is seeking a Zoning By-law Amendment to the Village of Bobcaygeon Zoning By-law 16-78 for the "Central Commercial-S11 (C1-S11) Zone" to include the permitted uses in the parent C1 Zone to be permitted again on the Subject Land, except 'dwelling units'.

The Subject Land was originally rezoned to a special exception zone on June 15, 2010 via Report DEV2010-048 for Application D06-19-138 (B/L 2010-110). This created the "Central Commercial-S11 (C1-S11) Zone" that currently applies to the Subject Land. This rezoning only permitted a medical clinic, a fitness studio-facility and a business or professional office. The applicant is requesting to revert to the permitted uses of the parent C1 Zone, with the exception of continuing to prohibit 'dwelling units', as residential uses are not noted as a permitted use in the General Commercial designation of the Bobcaygeon Secondary Plan.

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:

- Application for Zoning-By-law Amendment, prepared by TD Consulting Inc., dated September 26, 2024; and
- Proposed Site Plan, prepared by TD Consulting Inc, dated September, 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)

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 2024 PPS came into force on October 20, 2024.

PPS 2024 indicates that settlement areas shall be the focus of growth and development. Policy 2.3.2 states that, "Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources". Further, 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;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide

range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and,
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses”.

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 Bobcaygeon Settlement Area and the proposed rezoning intends to expand the permitted uses within an existing building that utilizes existing infrastructure and resources. No development or site alteration is proposed as a result of this proposed Zoning By-Law Amendment.

City of Kawartha Lakes Official Plan (2012)

The ‘Subject Land’ is within the ‘Urban Settlement Area’ in Schedule A-5 of the City of Kawartha Lakes Official Plan (CKLOP).

The proposed Zoning By-Law Amendment seeks to expand the range of permitted uses and to exclude residential uses on the Subject Land. Relevant objectives of growth in the ‘Urban Settlement Area’ outlined in Section 18.2 include:

- d) Ensure that appropriate economic development is a fundamental component of future growth in the City.
- e) Minimize potential conflicts between residential and sensitive land uses and commercial and industrial uses.
- f) Promote opportunities for intensification and redevelopment including brownfield sites and the availability of suitable existing or planned infrastructure and public services required to accommodate projected needs.

The proposed Zoning By-Law Amendment meets these noted objectives by expanding the range of commercial uses to support economic development, ensures compatibility with existing neighbouring land uses, and promotes intensification and redevelopment of the Subject Land.

In terms of economic development, Policy 6.1.2 states that an economic development goal is, "To promote and enhance the commercial activities within the City to serve the needs of the residents and vacationing public". The proposed Zoning By-Law Amendment supports the community by expanding the range of commercial uses on commercially zoned lands within the settlement area. This conforms with the intent of the Urban Settlement Area and goals of economic development in the City of Kawartha Lakes Official Plan.

Bobcaygeon Secondary Plan (OLT-Approved 2024)

The Bobcaygeon Secondary Plan is based upon the vision of "Over 20 years Bobcaygeon will continue to develop and grow as a healthy settlement area, maintain its unique identity and village feel, preserve its natural heritage, maintain small local independent businesses and will remain the 'Hub of the Kawarthas'".

The Subject Land is designated 'General Commercial' in Schedule 'F-2' of the Village of Bobcaygeon Secondary Plan. Policy 31.3.3.2.3.1 notes, "Areas identified as General Commercial on Schedule 'F-2' represent service commercial and retail stores and existing shopping centres outside of the Downtown area. Development within those areas designated General Commercial should not undermine the viability of the Central Business District, but rather reinforce and complement the primary economic function of the Central Business District as the focal point and principal centre of commerce. The permitted uses in the General Commercial land use designation shall include a range of retail establishments and commercial uses such as convenience retail, retail stores, food stores, personal and professional services, offices, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, restaurant, home furnishing establishment, financial institutions, garden centres, building supply centres, and other similar uses".

As per the permitted uses in the General Commercial designation, residential uses are not noted. Accordingly, the removal of the dwelling unit permitted use in the rezoning is appropriate in keeping with the intent of the General Commercial designation policies in

the Village of Bobcaygeon Secondary Plan. Furthermore, the proposed rezoning would include a range of retail and commercial uses compatible with surrounding uses.

Village of Bobcaygeon Zoning By-law 16-78

The Subject Land is currently zoned "Central Commercial-S11 (C1-S11) Zone" in the Village of Bobcaygeon Zoning By-law 16-78. Permitted uses in the C1-S11 Zone only include a medical clinic, a fitness studio-facility and a business or professional office. The proposed rezoning would amend the existing C1-S11 Zone on the Subject Land to include all the permitted uses currently permitted in the parent C1 Zone, except for 'dwelling units'. That would include the following uses:

- a. Art or antique shops
- b. Automobile Service Station
- c. Bakeries
- d. Banks, financial institutions or money lending agencies
- e. Business or professional offices
- f. Commercial schools
- g. Clubs
- h. Dry cleaning and laundry establishments
- i. Medical clinics
- j. Museum or library
- k. Public and private parking lots
- l. Recreational establishments including premises for billiards, bowling, curling, dancing, roller and ice skating, theatre or cinema
- m. Restaurants, soda fountains and lunch counters
- n. Retail stores, service shops
- o. Taxi stands
- p. Upholstering and furniture repair establishments
- q. Existing boat rental establishments
- r. Funeral Parlor
- s. Liquor Licensed Establishment
- t. All uses permitted in 'C2' zone subject to provisions therein
- u. All uses permitted in 'C3' zone subject to provisions therein

The existing C1-S11 Zone also includes the following notwithstanding provision, "Notwithstanding Section 3.14, on land zoned the C1-S11 Zone, the Off Street Loading Space requirement shall be 1 loading space equal to one parking space (not less than 2.5m in width and not less than 17 sq. m. in area".

The Subject Land currently consists of LiveWell Strength and Rehabilitation building and the exception zone was created to facilitate this use. Therefore, these provisions will remain in this rezoning application.

All other requirements of the C1 Zone and the By-law shall still apply to the Subject Land as part of the rezoning and any future development of the lands will need to meet those zoning requirements.

Planning Staff are of the opinion that the Zoning By-law Amendment is appropriate as it permits uses that are compatible with the existing uses in the parent C1 Zone.

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 a vibrant and growing economy by further expanding commercial uses on the site.

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 given by newspaper circulation, and to 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.

Planning and Development – Policy Planning reviewed the proposal and have no further comments or objections.

Engineering and Corporate Assets Department – Development Engineering reviewed the proposal and noted the following:

- We note that the entire frontage of the property is gravel and accessible via vehicles. Therefore, there is no defined driveway entrance, and the sketch provided with the application does not reflect the existing conditions.
- We further note that Duke Street is identified in the City's Transportation Master Plan as an Arterial Road which requires a minimum 26 metre wide cross section; therefore, we identify a 3 metre road widening from the frontage of this property to be conveyed to the City to achieve this required cross section.

From an engineering perspective, they noted no objection to the proposed Zoning By-law Amendment.

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 application. Maintaining the commercial zoning while introducing additional uses would promote diversification for both the property and the Bobcaygeon area.

Kawartha Conservation has reviewed the proposal with respect to natural hazards and water quantity and expressed no concerns with the Zoning By-law Amendment.

Ministry of Transportation: No comments.

Conclusion and Recommendation:

The proposal represents good land use planning by providing a range of retail and commercial uses on existing commercial land within the Bobcaygeon settlement area that supports economic development, in accordance with policies of the PPS 2024, Kawartha Lakes Official Plan, Bobcaygeon Secondary Plan, and Bobcaygeon Zoning By-law.

Further to comments received from the Engineering and Corporate Assets Department – Development Engineering, road widening from the frontage of this property can be achieved through tools such as municipal consent or through a future site plan approval application, should one be needed for site alteration.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2024-022, substantially in the form attached as Appendix 'D' to Report **PLAN2025-001**, 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.

Attachments:

Appendix A – Location Map

Appendix B – Aerial

Appendix C – Sketch

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



ZBA PLAN2025-001 -
58 Duke Street.docx

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: **D06-2024-022**

Appendix A – Location Map



Appendix B – Aerial



Report PLAN2025-001

Amend the Village of Bobcaygeon Zoning By-law 16-78 at 58 Duke Street, Reference
Plan Number 70, Lot 7, South Duke, Bobcaygeon, City of Kawartha Lakes

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Appendix C – Sketch

