

Council Report

Report Number:	PLAN2025-025
Meeting Date:	April 22, 2025
Title:	Fernbrook Homes (Lindsay 2021) Construction Ltd. Hygge Towns Phase 1 – Block Development – Exemption from Part Lot Control Provisions of the Planning Act at Block 2, Plan 57M-815
Description:	Part Lot Control exemption request to permit 55 dwelling units in Hygge Towns Subdivision by exempting Block 2, Plan 57M-815 from the Part Lot Control Provisions of the Planning Act in the former Town of Lindsay on the property identified as vacant land on Lindsay Street North
Author and Title:	Nicolas Smith, Planner II

Recommendations:

That Report PLAN2025-025, **Fernbrook Homes (Lindsay 2021) Construction Ltd. Hygge Towns Phase 1 – Block Development – Exemption from Part Lot Control Provisions of the Planning Act at Block 2, Plan 57M-815** be received;

That the Part Lot Control By-law, substantially in the form attached as Appendix D to Report PLAN2025-025, 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:

Proposal: A Plan of Subdivision on the subject lands, known as Hygge Towns Subdivision – Phase 1, was approved by Council and registered as Plan 57M-815. The proposed lots in Plan 57M-815 were intended for townhouse dwellings. Included in Plan 57M-815 was Block 2, intended for townhouse development, but not individually lotted until they are created through the lifting of Part Lot Control.

The applicant has applied to exempt Block 2, Plan 57M-815, being a block which results in the creation of 55 townhouse units on individual lots fronting on unnamed condominium roads and abutting Lindsay Street North (See Appendix A and B).

The owner has entered into a Subdivision Agreement and is working on a Condominium Exemption with the City to facilitate the construction of the roadways and municipal services.

Owner: Fernbrook Homes (Lindsay 2021) Construction Ltd.

Applicant: GHD Ltd. c/o Christian Jatten

Official Plan: 'Urban Settlement Area' City of Kawartha Lakes Official Plan (2012), 'Residential' in the Lindsay Secondary Plan Schedule F-1 (2023)

Zone: Residential Multiple Two Special Exception Twenty (RM2-S20) and Open Space (OS) Zone in Town of Lindsay Zoning By-Law 2020-044

Site Servicing: Full municipal water, sanitary, and storm sewer services

Existing Use: Vacant land

Adjacent Uses: North – Vacant land (zoned Future Residential)

East – Closed Lindsay landfill site and small community park (Pioneer Park)

South – Residential lots fronting Cottingham Crescent

West – Victoria rail trail and residential lots fronting William Street North

Rationale:

The owner has applied for an exemption for Block 2, Plan 57M-815. The Plan of Survey is attached as Appendix C.

The purpose of an exemption from Part Lot Control is to permit the further division of the subject block into transferable lots. The owner will then transfer ownership of each lot and apply for building permits to construct the townhouse dwellings. The proposed exemption will permit these transfers to occur.

Part Lot Control is provided as an alternative process to Consent under the Planning Act and is used where the subject lands are included in a Plan of Subdivision and described either as a Lot or a Block:

- Where the subject land is covered by a zoning by-law that clearly establishes the minimum lot frontage and the minimum lot area for the proposed use; and
- Where the subject land is covered by a subdivision agreement registered on title that will be in effect during the time the Part Lot Control By-law is in effect and which provides for the passing of a Part Lot Control By-law under Section 50(7) of the Planning Act.

The subject land complies with the above criteria. The proposed By-law exempting the block from Part Lot Control is attached in Appendix D.

Provincial Planning Statement, 2024 (PPS):

The Provincial Planning Statement (PPS, 2024) requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Section 2.1.3.4 and 2.1.3.5 prescribes that planning authorities promote the appropriate development standards to facilitate intensification as well as establish and implement minimum targets for intensification within built-up areas, based on local conditions.

Section 2.4.3 states that planning authorities should provide for an appropriate range and mix of housing options and densities to meet projected needs by establishing development standards for residential intensification and new residential development while minimizing the cost of housing and facilitating a compact built form.

The exemption from Part Lot Control will permit the further division of an existing block within a registered subdivision in a settlement area. The proposed exemption represents an appropriate standard to facilitate the development of housing in the municipality.

On this basis, the application is consistent with the policies of the PPS.

City of Kawartha Lakes Official Plan (Official Plan):

The City of Kawartha Lakes Official Plan (Official Plan) was adopted by Council in September 2010 and approved by the Minister of Municipal Affairs and Housing (MMAH) in 2012. The Official Plan includes the entire subject property within the Urban Settlement Boundary of Lindsay as further upheld by the 2025 Growth Management Strategy.

The property is designated an 'Urban Settlement Area' in the Official Plan which permits a wide range of uses and guides responsible growth. Predominant land uses in the 'Urban Settlement Area' designation shall be residential, commercial, institutional, recreational, cultural, and industrial uses.

Housing objectives in the Official Plan aim to accommodate the present and future population by providing a wide choice of affordable housing proportionate to the overall growth of the City as detailed in Section 5.1. Section 5.2 provides that residential growth should occur on full municipal services and should occur at densities that are appropriate based on the surrounding community context.

The Part Lot Control Exemption will contribute to increasing the amount and diversity of housing options in Kawartha Lakes.

On this basis, the application conforms to the Official Plan.

Lindsay Secondary Plan:

The site is located within the Lindsay Secondary Plan Area, designated as 'Residential'.

The Lindsay Secondary Plan came into force and effect in February 2024 with the Minister's approval of the City's by-law repealing the Town of Lindsay Official Plan. The 'Residential' designation provides that row or block townhouses shall be permitted in the Medium Density Residential Use. The minimum density for medium density uses shall be between 25 units per net hectare to a maximum density of 60 units per net hectare.

The application conforms to the Lindsay Secondary Plan.

Zoning By-law Review:

The property is subject to a zoning by-law amendment under the Town of Lindsay Zoning By-law through the file D06-2019-007. The subject lands are zoned Residential

Multiple Two Special Exception Twenty (RM2-S20) Zone and Open Space (OS) Zone (see Appendix E). The proposed lots for the townhouse dwellings are in the RM2-S20 Zone, which permits only multiple attached dwellings on tied lots subject to the provisions of Zoning By-law 2020-044.

The proposal complies with the lot provisions in Zoning By-law 2020-044.

Other Alternatives Considered:

No alternatives have been considered. The Part Lot Control Exemption is the appropriate and efficient process to create these lots, given the public process and consultation that has already been undertaken through previous approvals.

Alignment to Strategic Priorities:

The proposed Part Lot Control Exemption demonstrates the Exceptional Quality of Life Strategic Goal within the 2024-2027 Kawartha Lakes Strategic Plan, as the proposal increases the availability of housing stock in Kawartha Lakes.

If approved, this proposal would contribute to the City's housing 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 as Council's approval or refusal to grant the Part Lot Control Exemption cannot be appealed to the Ontario Land Tribunal.

Servicing Comments:

All of the lots will be serviced with full municipal water, sanitary sewer, and storm sewer services, which has been approved and secured through the Subdivision Agreement registered on title to the property.

Consultations:

There are no notice requirements for Part Lot Control applications under the Planning Act; however, the City's Development Engineering Division along with Kawartha Region Conservation Authority (KRCA) reviewed the engineering submissions and contributed to the Subdivision Agreement.

Development Services – Planning Division Comments:

The application is consistent with the Provincial Planning Statement, 2024. Conformity with the Town of Lindsay Zoning By-law as amended, the intent of the City of Kawartha Lakes Official Plan, and the Lindsay Secondary Plan are maintained.

Conclusion:

This Part Lot Control Exemption implements a portion of the subdivision in accordance with file D05-2019-001. Planning staff respectfully recommend the proposed By-law be approved.

Attachments:

Appendix A – Location Map



PLAN 2025-025
Appendix A Hygge To

Appendix B – Subdivision Plan 57M-815



PLAN 2025-025
Appendix B - Subdivis

Appendix C – Plan of Survey of Block 2, Registered Plan 57M-815



PLAN 2025-025
Appendix C - Plan of S

Appendix D – Part Lot Control By-law



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Appendix D - Part-Lc

Appendix E - Zoning By-law 2020-044



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Appendix E - Zoning E

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Department Head: Leah Barrie, Director of Development Services

Department File: D05-2025-001 (PLC)