



Council Report

Report Number:	PLAN2025-040
Meeting Date:	July 22, 2025
Title:	Exemption from Part Lot Control by Tribute (Lindsay 1) Limited 'Lindsay Heights Phase 1', former Town of Lindsay
Description:	Request for exemption from Part Lot Control to permit 24 dwelling units on lands described as Blocks 187 and 190, Lots 81, 89, 90, 92, 93, and 94, Plan 57M-816
Author and Title:	Nicolas Smith, Planner II

Recommendations:

That Report PLAN2025-040, **Exemption from Part Lot Control by Tribute (Lindsay 1) Limited 'Lindsay Heights Phase 1', former Town of Lindsay**, be received;

That the Part Lot Control By-law, substantially in the form attached as Appendix C to Report PLAN2025-040, 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:

A Plan of Subdivision on the subject lands, known as 'Lindsay Heights Phase 1', was approved by Council on September 24, 2024 and registered as Plan 57M-816 on February 7, 2025. The proposed lots in Plan 57M-816 were intended for townhouse dwellings. Included in Plan 57M-816 were Blocks 187 and 190, Lots 81, 89, 90, 92, 93, and 94, Plan 57M-816, intended for townhouse development, but not individually lotted until they are created through the lifting of Part Lot Control applied through registration of the plan of subdivision.

The applicant has applied to exempt Blocks 187 and 190, Lots 81, 89, 90, 92, 93, and 94, Plan 57M-816, which results in the creation of 24 dwelling units on individual lots fronting on Sanderson Drive and abutting Highway 35 (See Appendices A and B).

The owner has entered into a Subdivision agreement to facilitate the construction of the roadways and municipal services for assumption by the City.

Owner/Applicant: Tribute (Lindsay 1) Limited c/o Paul Watson

Official Plan: 'Urban Settlement Boundary', City of Kawartha Lakes Official Plan (2012); 'Residential' and 'Policy Area # 2 (Ops No. 1 Drain/Jennings Creek Floodplain Area)', Lindsay Secondary Plan Schedule F-1 (2024)

Zone: Residential Multiple One Special Exception Twenty-Seven (RM1-S27) under the Town of Lindsay Comprehensive Zoning By-Law 2023-108

Site Servicing: Municipal water, sanitary, and storm sewer services

Existing Use: Vacant land

Adjacent Uses: North – Jennings Creek/Ops No. 1 Municipal Drain and vacant future development land ('Tribute North' community)

East – Low density residential and Angeline Street North

South – Low and medium density residential (Sugarwood Subdivision) and Colborne Street West

West – Highway 35, Kawartha Lakes Municipal Airport and agricultural lands

Rationale:

The owner has applied for an exemption for Blocks 187 and 190, Lots 81, 89, 90, 92, 93, and 94, Plan 57M-816. The Plans of Survey are attached as Appendices E through I.

The purpose of an exemption from Part Lot Control is to permit the further division of the subject land into conveyable lots. The owner will then transfer ownership of each lot and apply for building permits to construct the 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 lands from Part Lot Control is attached in Appendix C.

Provincial Planning Statement, 2024 (PPS):

The Provincial Planning Statement, 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 existing blocks and lots 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, 2012:

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. Following a series of appeals that were ultimately resolved, the Official Plan is in full force and effect. The Official Plan includes the entire subject property in the Urban Settlement Boundary of Lindsay.

The 'Urban Settlement Area' designation policies of the Official Plan provide guidance on the form of development under this designation. Per 18.2, the designation is intended to permit a wide range of uses and guide responsible growth. Predominant land use 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 effect of 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 a minimum density greater than 25 units per net hectare to a maximum density of 60 units per net hectare.

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.

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 D06-2022-012. The subject lands are Residential Multiple One Special Exception Twenty-Seven (RM1-S27) per the site-specific Zoning By-law 2023-108 (See Appendix D). The zoning permits single detached dwellings, semi-detached dwellings, and townhouse dwellings subject to the provisions of the Zoning By-law. Under RM1-S27, Blocks 187 and 190 are to be used for townhouse dwelling units so the provisions of the RM1-S26 Zone apply; and, Lots 81, 89, 90, 92, 93, and 94 are to be used for semi-detached dwellings so the provisions of the RM1-S25 Zone apply.

The proposal appears to comply with the lot provisions in Zoning By-law 2023-108.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Part Lot Control Exemption is the appropriate and efficient process to create the lots given the public process and consultation has already been undertaken through previous approvals.

Alignment to Strategic Priorities

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

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

The proposed Part Lot Control Exemption demonstrates the Exceptional Quality of Life strategic goal, as the proposal increases the availability of housing stock in Kawartha Lakes.

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 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:

The subject Part Lot Control exemption is an implementation of the subdivision for the file D05-2022-002. Planning staff respectfully recommend the proposed By-law be approved.

Attachments:

Appendix A – Location Map



Appendix A - Key
Map

Appendix B – Subdivision Plan 57M-816



Appendix B -
Subdivision Plan 57M

Appendix C – Part Lot Control By-law



Appendix C - Part Lot
Control By-law

Appendix D - Zoning By-law 2023-108



Appendix D - Zoning
By-law 2023-108

Appendix E – Plan of Survey of All of Block 187, Registered Plan 57M-816



Appendix E - Plan of
Survey All of Block 18

Appendix F – Plan of Survey of All of Block 190, Registered Plan 57M-816



Appendix F - Plan of
Survey of All of Block

Appendix G - Plan of Survey of All of Lot 81, Registered Plan 57M-816



Appendix G - Plan of
Survey of All of Lot 81

Appendix H - Plan of Survey of All of Lots 89 and 90, Registered Plan 57M-816



Appendix H - Plan of
Survey of All of Lots 8

Appendix I - Plan of Survey of All of Lots 92, 93, and 94, Registered Plan 57M-816



Appendix I - Plan of
Survey of All of Lots 9

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Department File: D05-2025-002