

# The Corporation of the City of Kawartha Lakes

## Planning Committee Report

Report Number PLAN2017-029

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**Date:** May 3, 2017

**Time:** 1:00 p.m.

**Place:** Council Chambers

**Public Meeting**

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**Ward Community Identifier:** Ward 13 – Verulam

**Subject:** An application for Official Plan Amendment and Zoning By-law Amendment to Permit 280 an Assisted Living Units in a Facility comprised of Six Four-storey Apartment Buildings, 3400/3418 CKL Road 36 (COMHOLD INVESTMENTS LTD).

**Author/Title:** Linda Russell, Planner II

**Signature:** 

### Recommendations:

**RESOLVED THAT** Report PLAN2017-029, respecting Part of Lot 12, and Lot 15, Plan 564 Concession 19, Geographic Township of Verulam and Concession 19, Lot 15, Plan 564, former Village of Bobcaygeon, "COMHOLD INVESTMENTS LTD. – Applications D01-16-156 and D06-35-074", be received;

**THAT** the Report PLAN2017-029 respecting Applications D06-16-156 and D06-35-074, be referred back to staff for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed; and,

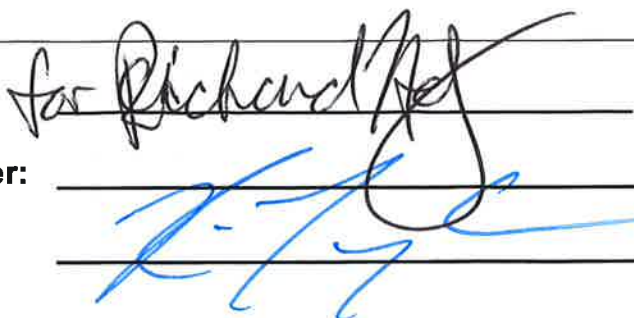
**THAT** all interested parties be notified of the all interested parties be notified of Committee's recommendations and Council's decision.

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**Department Head:**

**Corporate Services Director / Other:**

**Chief Administrative Officer:**



## Background:

Comhold Investments Limited has submitted a revised proposal to permit a medium density retirement residence complex consisting of six, four-storey connected apartment buildings. Five buildings will contain 56 units each, for a total of 280 units. The main building will contain communal amenities, including a dining room, activity rooms and library. There will also be public access to Pigeon Lake. The subject land is located on CKL Road 36 just south of Bobcaygeon and west of Little Bob Channel (see Appendix A and B). A long term care facility known as Pinecrest Nursing Home exists along the CKL Road 36 frontage of the subject property and west of the proposed development.

The owners originally submitted official plan amendment and rezoning applications in 2003 to expand the Bobcaygeon urban boundary to permit development of a draft plan of subdivision consisting of 49 single detached dwelling lots, a public roadway, access driveway, and a walkway. Site specific applications for urban boundary expansions could be considered by municipalities prior to the 2005 Provincial Policy Statement and the 2006 Growth Plan for the Greater Golden Horseshoe. In 2011, the application was amended to propose a medium density condominium retirement residence complex consisting of five 4 storey apartment buildings each containing 56 units.

The file remained dormant for several years, in anticipation of the Bobcaygeon Secondary Plan implementation. The applicant recently submitted the revised development proposal, which does not include a condominium proposal.

Ownership: Comhold Investments Limited,, Medlaw Corporation Limited, and Mason Burch

Applicant: The Biglieri Group Ltd.

<u>Address</u>	<u>Legal Description</u>	<u>Parcel Size</u>
3400 CKL RD 36	Concession 19, Part Lot 12	3.43 ha.
3418 CKL RD 36	Concession 19, Part Lot 12	3.95 ha.
Waterfront parcel	Concession 19, Part Lot 12, RP 57R3480, Parts 1 & 2	1.42 ha.
91 Little Bob Drive	Concession 19, Lot 15, Plan 564	7,833 sq. m.

Official Plan: "Urban", "Highway Commercial", "Agricultural" and "Shoreline" on Schedule 'A' in the County of Victoria Official Plan.

Zone: "General Rural (A1) Zone", "Highway Commercial (C2) Zone", and "Community Facility (CF) Zone" in the Township of Verulam Zoning By-law No. 6-87 and "Urban Residential Type One (R1) Zone" in the Village of Bobcaygeon Zoning By-law 16-78.

Lot Area: Approximately 9.11 ha.

Subject Area: Approximately 5 ha.

Site Servicing: The property is proposed to be serviced by full municipal water, sanitary, and stormwater management facilities.

Existing Use: Long term care facility along CKL Road 36 frontage.

Adjacent Uses: North:	Residential
East:	Little Bob Channel
South:	Commercial (Buckeye Marine) and vacant residential land
West:	Residential

## **Rationale:**

The overall site size is 9.11 hectares in area, of which the proposed development will occupy approximately 5.1 hectares (see Appendix 'C'). The proposed development is intended to complement the existing Pinecrest Nursing Home by creating a retirement residence and providing a continuum of care. In addition to the existing long term care facility, a portion of the subject land to the south along CKL Road 36 is zoned highway commercial. This portion of the land is not being considered in the proposed amendments and will remain available for future commercial use.

The proposed development will have access through an 8.5 metre wide private road from CKL Road 36 located on the north side of the subject land. The development is proposing to be serviced by full municipal water and sanitary sewer services. Engineering is reviewing capacity for the proposed development.

In support of the revised applications the applicant has submitted the following:

1. Planning Justification Report to support the proposal prepared by The Biglieri Group Ltd. and dated November 2016. The report discusses and assesses the proposal for an assisted living facility in context of the 2014 Provincial Policy Statement, Growth Plan, and the Victoria County Official Plan. The report also includes a Seniors Housing Needs Assessment, prepared by urbanMetrics.
2. Functional Servicing Report prepared by The Greer Galloway Group and dated February 2011. The report examines municipal water and sanitary servicing options as well as stormwater management and drainage for the property. A Functional Servicing Review of the original FSR was prepared by DM Wills Associates Limited, dated July 2015.
3. Scoped Environmental Impact Study prepared by Cunningham Environmental Associates and dated April 2011. The report identifies the property's natural features, the significance and sensitivity of these features and mitigation measures are recommended to reduce impact.
4. Traffic Impact Study, prepared by Tranplan Associates and dated September 2010. The study examines traffic impacts generated by the proposal and provides recommendations on road capacity and entrance standards. A Traffic Study Update, dated May, 2016 which confirms the same recommendations from the previous study, was also provided. It will be later determined if this report will be subject of a peer review.

5. Stage I Archeological Assessment, prepared by D.R. Poulton and Associates Inc. and dated August 4, 2010. The report discusses the background research compiled for the site. The background research includes: reviewing any past studies conducted on the site; determining the location of registered and unregistered areas of the site; identifying areas of archaeological potential and develop a historical framework for assigning levels of potential significance to new discoveries.

All of the reports submitted have been circulated to the applicable agencies and/or City Departments for review and comment.

## **Provincial Policies:**

### **Growth Plan for the Greater Golden Horseshoe (Growth Plan):**

Section 2.2.8 of the Growth Plan provides that Settlement Area Boundary Expansions may only occur as part of a municipal comprehensive review, taking into consideration among other things, opportunities to accommodate forecasted growth through intensification. The proposal is being considered as the application was originally submitted prior to the 2006 Growth Plan being in force. Conformity with the Growth Plan will be determined through a more detailed review of the proposal and further agency consultation.

### **2014 Provincial Policy Statement (2014 PPS):**

The 2014 PPS provides for Ontario's long-term prosperity, environmental health and social well-being through wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. The application is consistent with the 2014 PPS, as prescribed in the following sections:

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, outlines how healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs; and,
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 Settlement Areas, states that it is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces and ensure effective use of infrastructure and public service facilities.

Section 1.1.3.2 states that land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  - 3. support active transportation; and
  - 4. are transit-supportive, where transit is planned, exists or may be developed.

The applications are consistent with the 2014 PPS in that it serves to permit development adjacent to the existing built up area and will complement the surrounding uses and make efficient use of the existing municipal infrastructure. The proposal is being considered as the application was originally submitted prior to the 2005 PPS being in force. Conformity with the 2014 PPS will be determined through a more detailed review of the proposal and further agency consultation.

### **Official Plan Conformity:**

Although subject land is designated “Urban Settlement Area” in the City of Kawartha Lakes Official Plan, the urban settlement designation policies are currently under appeal at the Ontario Municipal Board. In addition, the Council endorsed Bobcaygeon Secondary Plan proposes to remove the subject land from the urban area. As such, the policies contained in the Victoria County Official Plan (VCOP) remain in force and effect.

The subject land is designated “Urban”, “Highway Commercial”, “Agricultural”, and “Shoreline” in the Victoria County Official Plan (VCOP). The proposed location for the development is mostly within the agricultural designation, with a small portion in the shoreline designation (public access). Since the agricultural designation does not permit the proposed use, an application to amend the Victoria County Official Plan has been submitted for consideration. (see Appendix D).

The owner is proposing an “Urban” designation, which permits medium density apartments to a maximum of 60 units per net hectare. The proposed development is 55 units per net hectare. The VCOP also limits building height to a maximum of three storeys. Since the development is proposing a four storey

building height, the height increase will also be addressed through the amendment.

### **Zoning By-Law Compliance:**

The property is zoned “General Rural (A1) Zone”, “Highway Commercial (C2) Zone”, and “Community Facility (CF) Zone” in the Township of Verulam Zoning By-law 6-87. A small portion of the development is also located within the Village of Bobcaygeon Zoning By-law 16-78, and is zoned “Urban Residential Type One (R1) Zone.”

The proposed development is within the “A1”, “CF” and “R1” zones. Since the existing zones do not permit the assisted living facility and its accompanying uses, a rezoning has been submitted for consideration.

The entire area zoned “A1” will require an amendment while only a portion of the existing area zoned “CF” and “R1” is being considered. Pinecrest Nursing Home is located within the “CF” zoned portion of the land and this zone extends east towards the location of the proposed development. An increase to the “CF” zone boundary is required to accommodate the proposed development. The Community Facility zone does permit a nursing home, however the zone will be amended to include “Assisted Living Facility” as a permitted use. As well, this use will be included in the definition section of the By-law.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Financial Considerations:**

The Planning Division’s budget is not impacted unless Council’s decision is appealed by the owner/applicant or a third party to the Ontario Municipal Board. In the event of an appeal, there could be costs for legal representation, planning staff, and technical consultants. If the appeal is from a third party, some of these costs are recoverable from the owner/applicant.

### **Review of Accessibility Implications of Any Development or Policy:**

All site and building accessibility matters for the proposed development will be addressed through site plan approval. The Site Plan Agreement would address all external accessibility requirements of the Building Code, Fire Code and upgrades of adjacent municipal infrastructure if required. The site plan application will be circulated to the City’s Accessibility Co-ordinator for comment.

## **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

The proposed assisted living facility supports and aligns with Council's Strategic Goal of an exceptional quality of life by providing housing options, including an affordable housing component, to seniors in the community. Given the increasing population of seniors, this development also addresses the need for a broader range of housing options identified in the Kawartha Lakes Housing and Homelessness Plan 2014-2023.

## **Servicing Comments:**

The original Functional Servicing Report (FSR) and more recent FSR review letter determined that there is no change to capacity requirements as a result of the revised proposal, and that there is sufficient capacity in the existing municipal water and sewer systems. In addition, the revised proposal shows that a sanitary pumping station will no longer be required. The City and Kawartha Conservation are currently reviewing these reports to ensure that sufficient sanitary sewer and municipal water capacity is available to service the site.

## **Consultations:**

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date, we have received the following comments:

### Agency Comments:

April 11, 2017 – The Building Division advised it has no concerns.

### Public Comments:

Yvon and Louise Lamarre, 294 East Street South – objects to development, believes the density is too high, already several approved projects remain pending due to lack of demand and absorption rates.

George Godwin, Bobcaygeon Shores Developments Inc. – concerned about the impact to the development proposed at the Shores (Draft Plan Approved) opposite the subject lands on the west side of CKL Road 36, specifically with respect to servicing capacity and absorption rates.

## **Development Services – Planning Division Comments:**

The Council approved Growth Management Strategy (GMS) identifies the subject lands as a “Residential Greenfield Area”, with an allocation of 304 units. Due to an oversupply of residential land in Bobcaygeon, the subject lands were removed from the Bobcaygeon settlement area through the Secondary Plan review to meet Provincial targets. The applicant has submitted a planning rationale and demand study supporting the need for this long-term care proposal to accommodate the City’s aging population. Staff will further review the rationale provided for the settlement area expansion proposed by the applicant.

The appropriate background studies in support of the applications have been submitted and circulated to the appropriate agencies and City Departments for review and comment. At this time, the application has not been comprehensively reviewed and most comments from circulated agencies and City Departments have not been received. Staff recommends that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

## **Conclusion:**

In consideration of the comments and issues contained in this report, Staff respectfully recommend that the proposed Official Plan Amendment and Zoning By-law Amendment applications be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any public comments and concerns have been addressed.

## **Attachments:**

### **Appendix ‘A’ – Location Map**



Location Map  
(2017).pdf

### **Appendix ‘B’ – Aerial Photo**



Air Photo.pdf

### **Appendix ‘C’ – Conceptual Site Plan – dated November 16, 2016**



Conceptual Site Plan,  
November 2016.jpg



## Appendix 'D' – Proposed Amendment to the Victoria County Official Plan



VCOP Schedule  
A2.pdf

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<b>Phone:</b>	705-324-9411 ext. 1324 or 1-888-822-2225 ext. 1367
<b>E-Mail:</b>	<a href="mailto:lrussell@city.kawarthalakes.on.ca">lrussell@city.kawarthalakes.on.ca</a>
<b>Department Head:</b>	Chris Marshall, Director, Development Services
<b>Department File:</b>	D01-16-156 and D06-35-074

to

REPORT PLAN 2017-039

FILE NO. D01-16-156  
D06-35-074

Bobcaygeon



East St. South

Little Bob Channel

River Park Dr.

Little Bob Dr

SUBJECT LAND

Lot 12

Con. 10

K.L. Road #36

Concession 19

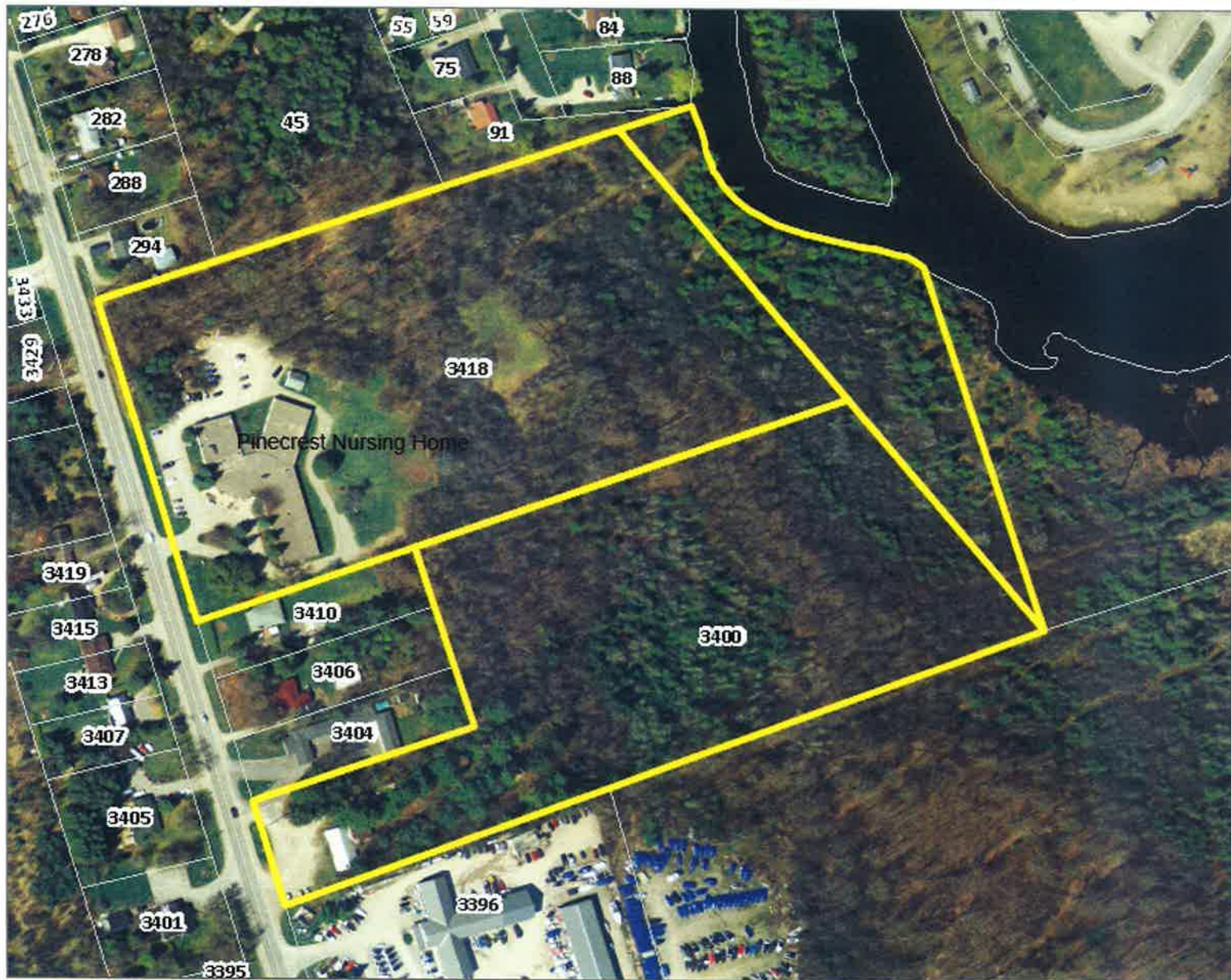
Geographic Township  
of Verulam





GEOMATICS  
MAPPING

## Subject Land



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES



### Legend

- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities
- ☐ Property ROLL#

### Notes

Notes

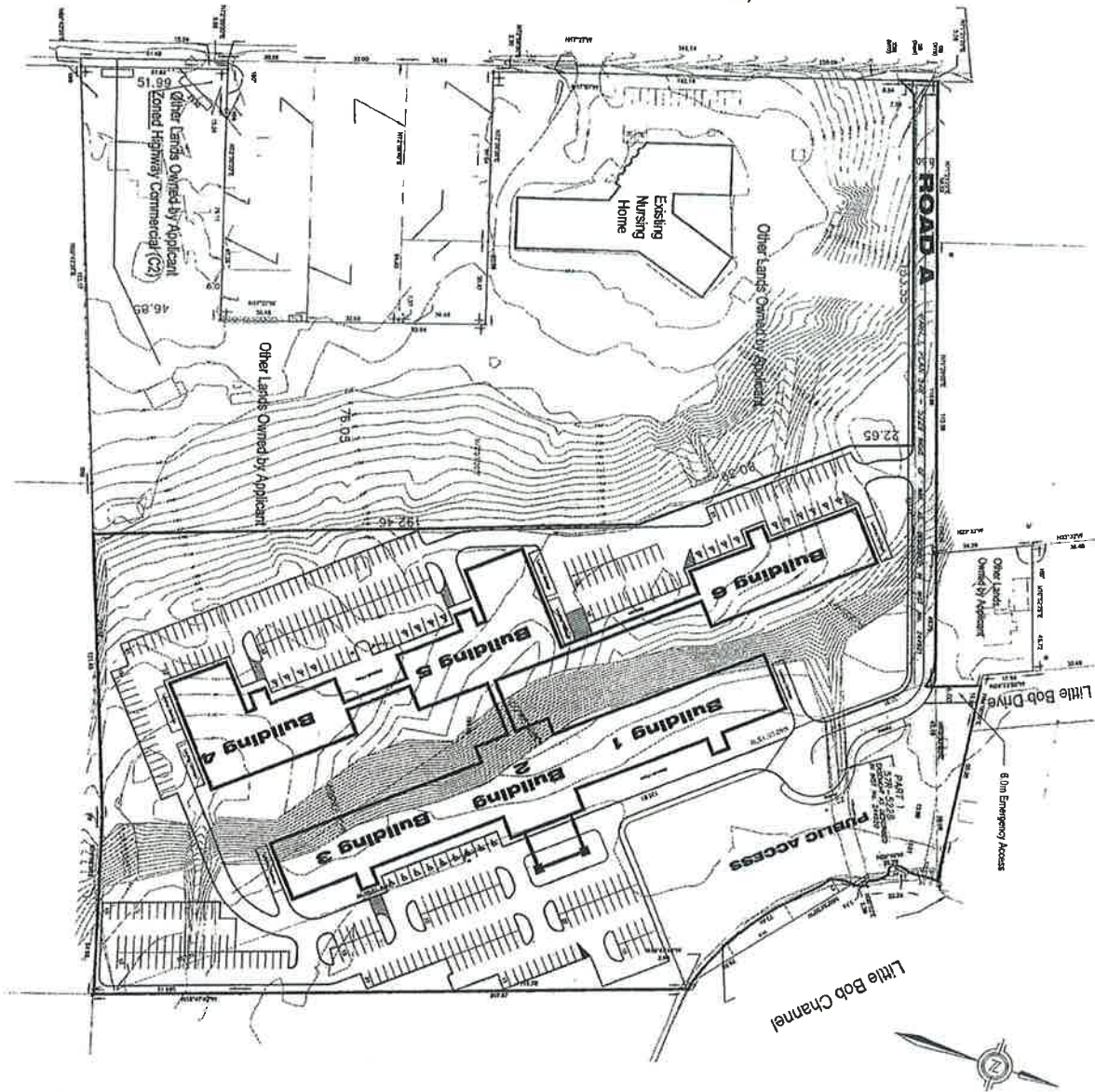
REPORT  
FILE NO.  
PLAN 2017-009  
D01-16-156  
D06-35-074

APPENDIX "B"



to  
REPORT PLAN 2017-029  
D01-16-156  
FILE NO. D06-35-074

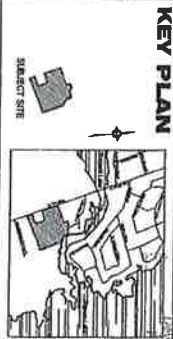
KAWARTHA LAKES ROAD No. 36  
(FORMERLY THE KING'S HIGHWAY No. 36)



# CONCEPTUAL SITE PLAN

Part of Lot 12, Concession 19 and Lot 15-  
Registrars' Compiled Plan No. 564  
Geographic Township of Verdram  
City of Kawartha Lakes

## KEY PLAN



## SITE STATISTICS

BUILDING	LAND USE	NUMBER OF UNITS	AREA (sq)
1	Accessory Building	50	0.17
2	Accessory Building	50	0.10
3	Accessory Building	50	0.17
4	Accessory Building	50	0.17
5	Accessory Building	50	0.17
6	Accessory Building	50	0.17
TOTAL			1.08

PARKING	REQUIRED	PROPOSED	SIZE
TYPE	320	320	0.80m x 2.70m
ACCESSORY	9	26	0.00m x 4.05m
TOTAL	329	346	

## SURVEYOR'S CERTIFICATE

I hereby certify that the information contained in this plan is true and correct to the best of my knowledge and belief, and that I am a duly qualified and licensed surveyor under the laws of the Province of Ontario.

## OWNER'S AUTHORIZATION

I hereby authorize the preparation of this plan and the use of the same for the purposes stated herein, and I warrant that the same are true and correct to the best of my knowledge and belief.



DATE: NOVEMBER 18, 2016	J.S.	T.B.	DRAWING No. CSP-1
PROJECT NUMBER: 2055	OWNER: [blank]	DESIGNER: [blank]	
NO. 1: 1/250			

to

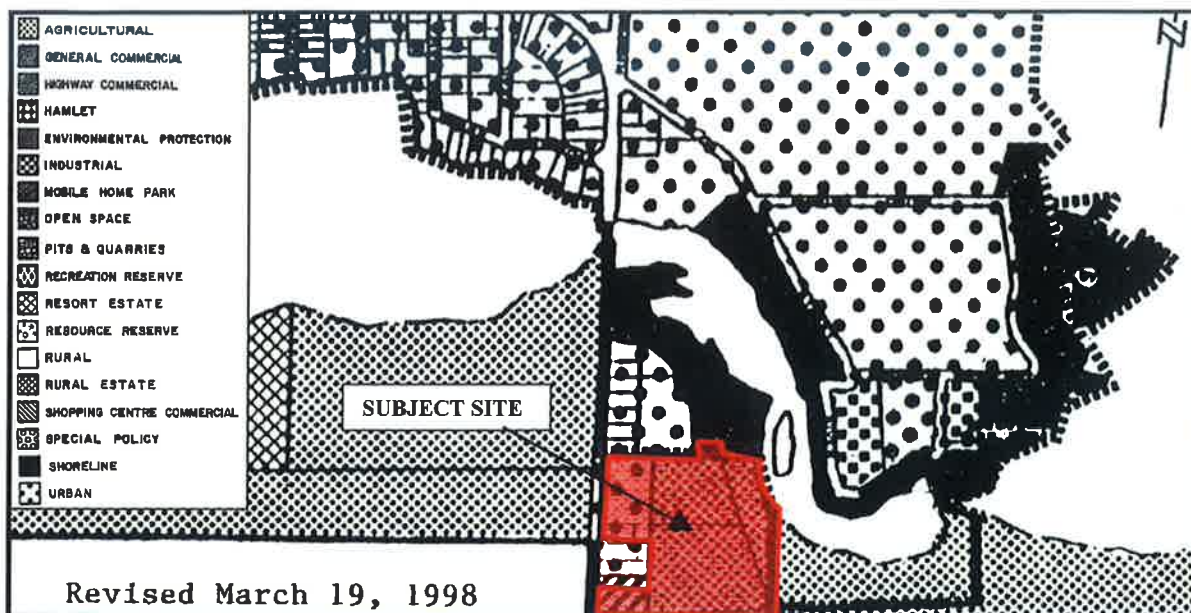
REPORT PLAN 0017-029

County of Victoria Official Plan Amendment / City of Kawartha Lakes Official Plan Amendment  
 Part of Lot 12, Concession 19, Township of Verulam (Bobcaygeon)  
 September 2000. FILE NO. 001-16-156  
 006-35-074

## COUNTY OF VICTORIA OFFICIAL PLAN AMENDMENT SCHEDULE A-2

**Proposed Amendment:** Re-designate the portion of the subject site shown as  
*Agricultural to Urban* on Schedule A-2

**Excerpt from Schedule A-2 of County of Victoria Official Plan**



**Proposed Amendment to Schedule A-2**

