

# **The Corporation of the City of Kawartha Lakes**

## **Planning Advisory Committee Report**

**Report Number PLAN2017-041**

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**Date:** July 5, 2017  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Ward 9

**Subject:** Application for Zoning By-law Amendment together with a Draft Plan of Subdivision to permit a residential plan of subdivision consisting of 9 lots for single detached dwellings, 7 lots for semi-detached dwellings and 12 blocks for townhouse dwellings on the north side of Alcorn Drive and west of Victoria Avenue North, geographic Township of Ops, former Town of Lindsay, now City of Kawartha Lakes. (Dunster Investments Inc. – Woods of Jennings Creek – Phase 2)

**Author Name and Title:** Sherry L. Rea, Development Planning Supervisor

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### **Recommendation(s):**

**RESOLVED THAT** Report PLAN2017-041, respecting Part of Lot 24, Concession 5, geographic Township of Ops, former Town of Lindsay, now City of Kawartha Lakes and being vacant land north of Alcorn Drive and west of Victoria Avenue North, Applications D05-17-001 and D06-17-019, be received; and

**THAT** the applications respecting the proposed Zoning By-law Amendment together with the Draft Plan of Subdivision be referred back to staff until such time as all comments have been received from all circulated Agencies and City Divisions.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

The proposal is to permit a residential plan of subdivision consisting of 9 lots for single detached dwellings, 7 lots for semi-detached dwellings (14 units) and 12 blocks for townhouse dwellings (38 units) and known as Woods of Jennings Creek – Phase 2. The proposed lots will front onto 2 new internal crescents off of Alcorn Drive and an extension of Victoria Avenue North and will be developed on full urban services. The zoning by-law amendment proposes to rezone the land from the Residential One Holding One (R1)(H1) Zone to the Residential Two (R2), Residential Three (R3) and Residential Multiple One (RM1) Zones. See Appendix "A" and "B" attached.

Owner/Applicant: Dunster Investments Inc.

### **Legal**

Description: Part of Lot 24, Concession 5, geographic Township of Ops, former Town of Lindsay, now City of Kawartha Lakes

Official Plan: Designated "Residential" on Schedule "A" - of the Town of Lindsay Official Plan.

Zone: Residential One Holding One (R1)(H1) Zone on Schedule "A" of the Town of Lindsay Zoning By-law No. 2000-75

Total Area: 3.6 ha.

Site Servicing: Proposed full urban services - water, sanitary sewer, storm sewer, streetlights, curb and gutter.

Existing Use: Vacant land

Adjacent Uses: North and West: City owned parkland  
South: Proposed residential lots (Woods – Phase 1S)  
East: Other lands owned by the applicant

## **Rationale:**

The subject land is located on the north side of Alcorn Drive and west of Victoria Avenue North along the northern limit of Lindsay. The developer is seeking to further the residential development proposed under Woods of Jennings Creek Phase 1S which has dwellings currently under construction and Phase 1N which is in detail design with the City's Engineering & Corporate Assets Department. Phase 2 will consist of a mix of single detached, semi-detached and townhouse dwellings. The proposal serves to complete the area of development north of Alcorn Drive, east of the new passive recreational park acquired under Woods of Jennings Creek Phase 1 and west of an extension of Victoria Avenue North to connect with William Street North. The proposed development will be on full urban services to include water, sanitary sewer, storm sewer, streetlights, curb

and gutter. The lots will have connectivity to Alcorn Drive through 2 new internal street networks. See Appendix "A" and "B" attached.

In support of the application, the applicant has submitted the following:

1. Draft Plan of Subdivision prepared by Coe Fisher Cameron and dated April 4, 2017.
2. Planning Justification Report prepared by Dunster Management Inc. and received April 4, 2017. The report discusses and assesses the proposal in context of the Provincial Plans and Section 51(24) of the Planning Act.
3. Functional Servicing prepared by Greck and Associates Limited and dated October, 2014. The report examines municipal water and sanitary servicing options for the property in the context of the entire developable property and provides a servicing strategy for the City's review.
4. Stormwater Management Report prepared by Greck and Associates Limited and dated November, 2014 and last revised November, 2016. The report examines stormwater management options for the property in the context of the entire developable property. The report concludes that the proposed measures will appropriately control the quantity and quality of water flows.
5. The Planning Justification Report prepared by Dunster Management Inc. identifies that an Archaeological Background Study was prepared at the time of the initial submission for the Woods of Jennings Creek development. This report has been accepted by the Ministry of Culture, Sport and Tourism. There is no evidence to suggest that there are any archaeological resources of cultural interest or value.

All of the reports submitted have been circulated to the applicable Agencies and City Divisions for review and comment. Staff recommends that the applications be referred back to staff until such time as commenting Agencies and City Departments have submitted comments.

### **Applicable Provincial Policies:**

Staff has reviewed the Planning Report prepared by Dunster Management Inc. in support of the applications for zoning by-law amendment and plan of subdivision and generally accepts the planning rationale contained in the report. In addition to the applicant's planning report, the following provides a review of the current provincial and municipal policy as it relates to the applications.

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

The lands are identified as being in a Settlement Area in the Growth Plan for the Greater Golden Horseshoe (Growth Plan). Section 2.2.2 Managing Growth policies states that population and employment growth will be accommodated by directing development to settlement areas, and encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services. These policies also encourage planning through intensification to reduce the need for long distance commuting and to increase opportunities for transit, walking and cycling. The applications conform to the Growth Plan in that they serve to permit residential development that can be considered logical extensions of an existing residential area. The applications provide for servicing and street connectivity with adjacent residential neighbourhoods. The applicant has submitted the appropriate background reports to demonstrate efficient use of servicing along with access to a collector road.

## **2014 Provincial Policy Statement:**

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 applications are 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;
- 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 they represent infill development in a residential area with efficient and cost-effective use of existing infrastructure.

### **City of Kawartha Lakes Official Plan:**

The City of Kawartha Lakes Official Plan was approved by MMAH on June 8, 2012. While the subject land remains under jurisdiction of the Town of Lindsay Official Plan and is subject to the current Secondary Plan review, the subject land is located within the Urban Settlement Boundary for Lindsay and may be considered for development.

### **Official Plan Conformity:**

The land is designated "Residential" in the Lindsay Secondary Plan (LSP), which was endorsed by Council on December 8, 2015. The LSP, along with the City's 2012 Official Plan (OP), are currently under appeal to the Ontario Municipal Board (OMB). As a result, the former Town of Lindsay Official Plan (LOP) designation and policies of the "Residential" apply to these applications.

The land is designated Residential on Schedule "A" - Urban Structure and Land Use of the Town of Lindsay Official Plan. The predominant use of land in the Residential designation shall be a variety of dwelling types. Within the Residential designation there shall be 3 densities of residential development being low, medium and high density. The proposal falls within low density for the proposed single detached and semi-detached dwellings while the proposed block townhouses would be considered medium density development. The maximum density within the low density residential shall not exceed 25 dwelling units per gross hectare. Medium density shall be subject to site plan control and shall meet the following criteria:

- a) The density, height and character of the development is in keeping with adjacent uses.

- b) The height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential units.
- c) The development shall be encouraged to have direct access to a City, arterial or collector road.
- d) Water mains and sanitary sewers shall be capable of accommodating the development, or the developer has committed to extend services at no expense to the City.
- e) The development is adequately serviced by parks and school facilities.
- f) In developments incorporating walk-up apartments, block townhouse dwellings, and similar medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment maybe required to service the development.
- g) The development shall be designed and landscaped and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized.
- h) A report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and services shall be prepared by the applicant and approved by the City's Engineer.

The proposed residential development maintains the Residential policies contained within the LOP. The proposal serves as a logical extension of Phase 1S to include a comprehensive lot fabric, road network and servicing extensions. The development will have access to the new passive recreational park located immediately west of the subject land. The development of the townhouse blocks will be subject to site plan approval which will allow for the detailed review of the development with respect to parking, landscaping, fencing, lighting, etc.

### **Zoning By-law Compliance:**

The land is zoned Residential One Holding One (R1)(H1) on Schedule "A" of the Town of Lindsay Zoning By-law No. 2000-75. The Holding One (H1) provision was originally placed to ensure that an adequate supply of municipal water and sewer servicing was available to service the subject land. With the commissioning of the North West Trunk (NWT) Sanitary Sewer System, there is no longer a requirement for the H1 provision. However, the development will be subject to the NWT Municipal Act Capital Charge and similar developments have been subject to a Holding provision until the required payment has been submitted.

The applicant has requested a zoning amendment to Residential Two (R2), Residential Three (R3) and Residential Multiple One (RM1) to accommodate the proposed development. No site specific reductions with respect to frontage, front yard setbacks or increased lot coverage is being requested.

### **Other Alternatives Considered:**

No other alternatives were considered at this time.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision respecting the approval or refusal of the requested amendment and the draft approval request is appealed to the Ontario Municipal Board. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

The City's Strategy Plan Framework outlines Council's Vision of a Community that is naturally beautiful and offering an exceptional lifestyle by pursuing Strategic Goals including a Vibrant and Growing Economy, an Exceptional Quality of Life and a Healthy Environment. This application aligns with the Exceptional Quality of Life and a Healthy Environment Goals in that new residents will be attracted to the City with the development of residential subdivisions that have connectivity to new parks and open space for walking and cycling trails.

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

The accessibility standards established by the Building Code will be shown on the subsequent construction drawings, which must be approved by the City prior to the issuance of a building permit.

### **Servicing Implications:**

The Functional Servicing and Stormwater Management Reports were circulated to the Engineering & Corporate Assets Department and KRCA for review and comment. These reports confirm that the subject lands are serviceable but need to be confirmed by those responsible for their review.

### **Consultations:**

Notice was given in accordance with the Planning Act and the following comments have been received:

Building Division – June 12, 2017; no concerns at this time.

Hydro One 'High Voltage Facilities and Corridor Lands' – June 14, 2017; no comments or concerns.

No comments were received from the public as a result of the circulation.

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

The application for Zoning By-law Amendment together with the application for Draft Plan of Subdivision conforms to the Growth Plan and is consistent with the Provincial Policy Statement. The appropriate reports and background studies have been submitted by the applicant and have been circulated to the appropriate Agencies and City Divisions for review and comment. The applications serve to further develop an area of Lindsay which is recommended for residential development. The proposed development efficiently extends the existing road network and will be serviced by the NWT sanitary sewer, a City initiated capital project to attract development within Lindsay.

### **Conclusions:**

Based on the comments contained in the report, Staff respectfully recommends that the applications respecting the proposed Zoning By-law Amendment together with the Draft Plan of Subdivision be referred back to staff until such time as all comments have been received from all circulated Agencies and City Divisions.

### **Attachments:**

The following attached documents may include scanned images of Appendices, maps, and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor 705.324.9411 x 1331.

#### **Appendix “A” – Location Map**



Appendix 'A' -  
Location Map.pdf

#### **Appendix “B” – Draft Plan of Subdivision**



Appendix 'B' - Draft  
Plan of Subdivision.pdf

**Department Head E-Mail:** [cmarshall@city.kawarthalakes.on.ca](mailto:cmarshall@city.kawarthalakes.on.ca)

**Department Head:** Chris Marshall

**Department File:** D05-17-001 and D06-17-019