

The Corporation of the City of Kawartha Lakes
Planning Advisory Committee Report

Report Number PLAN2017-056

Date: September 13, 2017

Time: 1:00 p.m.

Place: Council Chambers

Public Meeting

Ward Community Identifier: Ward 7 – Bobcaygeon

Subject: An application to amend the Village of Bobcaygeon Zoning By-law to permit a townhouse dwelling containing four (4) dwelling units for the property identified as 25 Prince Street West, Bobcaygeon (Sweeney)

Author and Title: Mark LaHay, Planner II

Recommendations:

RESOLVED THAT Report PLAN2016-056, respecting Lot 8 and Part Lot 9, Plan 70, being Part 1, Plan 57R-4111, identified as 25 Prince Street West, former Village of Bobcaygeon, “Sweeney – Application D06-17-026”, be received;

THAT Zoning By-Law Amendment application D06-17-026 identified as 25 Prince Street West, City of Kawartha Lakes, as generally outlined in Appendix “D” to Report PLAN2017-056, be approved and adopted by Council; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The applicant has submitted an rezoning application to permit a four (4) unit dwelling in a townhouse dwelling format (divided vertically) rather than a fourplex dwelling format (divided horizontally) on this lot. The existing lot area is of sufficient size to support four townhouse dwelling units without the need to change any zoning provisions other than permitted use to recognize the proposed built form.

Owner:	David Sweeney
Applicant:	Tom deBoer, TD Consulting
Legal Description:	Lot 8 and Part Lot 9, Plan 70, being Part 1, Plan 57R-4111, former Village of Bobcaygeon
Official Plan:	Urban, Victoria County Official Plan
Zone:	Urban Residential Type Two (R2) Zone on Schedule 'A' of the Village of Bobcaygeon Zoning By-law No. 16-78
Lot Area:	2,630.5 sq. m. [28,314 sq. ft. – MPAC]
Site Servicing:	Municipal sanitary sewer and water supply
Existing Uses:	Residential (single detached dwelling and residential accessory structures)
Adjacent Uses:	North: Industrial, Commercial, Duke Street East: Residential, Commercial, Main Street South: Prince Street, Residential, Commercial West: Residential, Joseph Street

Rationale:

The property is located on the north side of Prince Street West, between Main Street and Joseph Street in Bobcaygeon. There is currently a single detached dwelling on this lot together with a detached garage and two sheds. The Urban designation allows residential uses, with low density uses predominating. The R2 Zone permits a single detached (subject to R1 Zone provisions), semi-detached, triplex and fourplex dwelling. An amendment to the Zoning By-law is necessary to permit a townhouse dwelling, which is separated vertically along the common sidewalls rather than a permitted fourplex dwelling, which is separated horizontally.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to various City Departments and commenting Agencies for review.

1. Planning Justification Brief prepared by Tom deBoer of TD Consulting dated July 10, 2017. This document discusses the appropriateness of the subject lot to support the proposed dwelling type.

2. Site Plan prepared by TD Consulting Inc., dated July 2017 with survey information provided by Beninger Surveying Ltd. The Plan illustrates the existing buildings proposed to be removed and proposed development on the lot and provides a site statistics table showing compliance with zoning provisions.
3. Site Grading Plan prepared by BaseTech Consulting Inc., dated June 2017. The Plan illustrates the existing and proposed development on the lot with elevation and grading information.
4. Building Elevation and Floor Plans prepared by Coachlamp Homes, dated January 2017.
5. Geotechnical Letter Report – Karst Topography and Erosion Hazard Assessment prepared by GHD, dated May 26, 2017.

Staff has reviewed the Planning Brief and accompanying documentation filed in support of the proposed zoning by-law amendment. The Kawartha Region Conservation Authority (KRCA) has also reviewed the Geotechnical Letter Report and foresees no issue with the application provided the recommendations contained within the aforementioned Consultant's report are included in the detailed design drawings.

This property is located within an area subject to Site Plan Control. A Site Plan Application (D19-17-011) has also been submitted, but will not be circulated at this time pending the outcome of the rezoning application. In addition, as the legal description of the subject property contains a lot and part of a lot on a plan of subdivision, a deeming by-law may be necessary prior to site plan approval to ensure the common lot line between will not create a technical zoning conformity issue for setback purposes.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe (2017):

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development is located within the Bobcaygeon settlement area. The GP envisions increasing intensification of the existing built-up area and providing a diverse range and mix of housing options. This application facilitates the efficient use of existing infrastructure within a designated settlement area and contributes to the achievement of complete communities and compact built form.

Therefore, this application conforms to the policies of the Growth Plan.

Provincial Policy Statement (2014):

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the

quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure. Development and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed development does not appear to be within or adjacent to any natural heritage features or species at risk as identified in Section 2 of the PPS, and does not appear to be located within any natural hazards, as identified in Section 3 of the PPS. In relation to Section 3, as acknowledged by the KRCA, the GHD Consultant's Geotechnical Report concluded that the site possesses a low to negligible potential for karst topography conditions and provided recommendations to follow related to construction as well as confirmed minimal to negligible erosion hazards based on the location of the proposed building. Therefore, the application is consistent with the PPS.

Official Plan Conformity:

The "Urban" designation in the Victoria County Official Plan (VCOP) applies to this property as the policies in the proposed "Urban Settlement Area" designation in the City of Kawartha Lakes Official Plan (CKLOP) and the "Residential" designation in the Bobcaygeon Secondary Plan (SP), are both subject to appeal to the Ontario Municipal Board. The Urban designation permits all types of residential uses and densities; however, low density shall predominate. A fourplex is considered a low density form of development. The density shall not exceed 25 units per net hectare. A row or townhouse dwelling is typically considered medium density, with a maximum density of 35 units per net hectare. The proposed density on the subject land, being approximately 15 units per net hectare, falls within the low density range and conforms to the density policies in the VCOP, and is in keeping with the general policies of the proposed CKLOP and SP for residential use of land within the settlement area of Bobcaygeon.

Zoning By-Law Compliance:

The subject land is zoned "Urban Residential Type Two (R2) Zone" in the Village of Bobcaygeon Zoning By-law 16-78. The applicant has submitted a Zoning By-law Amendment application for consideration. The application proposes to add a site-specific exception to the R2 Zone, to permit a four unit townhouse dwelling on the subject lot. The proposed building will be constructed in accordance with the existing provisions of the zoning by-law. An R2 Exception (R2-**) Zone is required to recognize the built form, being a townhouse dwelling.

The application will comply with all other relevant provisions of the Zoning By-law.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment 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 Council Adopted Strategic Plan identifies these Strategic Goals:

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

This application aligns with the vibrant and growing economy and exceptional quality of life strategic goals as it increases the supply of housing to attract new residents, and improves walkability in the City of Kawartha Lakes.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The lot is connected to full municipal services within the Bobcaygeon municipal service area.

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:

Public Comments:

As of the time of writing this report, no public comments were received.

Agency Review Comments:

On August 23, 2017, Engineering and Corporate Assets advised that Development Engineering has no objection to the proposed zoning by-law amendment to permit the proposed use. They noted as advised during pre-consultation and as per the City's connection by-law, that individual sanitary and water services are required for each townhouse unit. This item can be addressed

during the site plan submission review. In addition, the proposed single entrance for the four unit townhouse will have to be confirmed through Public Works.

During pre-consultation in November 2015, the Kawartha Region Conservation Authority (KRCA) requested that the proponent conduct a karst assessment to determine to what extent the subject property was within a known area of karst, which is water soluble bedrock, characterized by caves, crevices, sinks and underground streams. On August 29, 2017, KRCA acknowledged the GHD Consultant's conclusion that the site possesses a low to negligible potential for karst topography conditions and advised that they foresee no issue with the approval of the application based on their consideration for natural heritage, natural hazards and water quality and quantity protection policies provided that conditions outlined in the GHD Consultant's review of the subject site for karst topography and erosion hazards are included on the drawings at the detailed design stage, and adhered to during construction. These conditions include removing any incompetent bedrock, inspecting and approving subgrade bedrock by a geotechnical engineer for placing foundations, sealing any remaining fractures or open fissures, and testing and inspecting any fill beneath footings and floor slab areas.

On August 30, 2017, the Building Division advised that they have no concerns with the rezoning application.

Development Services – Planning Division Comments:

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.

The application conforms to the 2017 Growth Plan and is consistent with the 2014 Provincial Policy Statement. Conformity with the Victoria County Official Plan has also been demonstrated. The rezoning will permit the four (4) unit townhouse dwelling and ensure the proposed use complies with the Zoning By-law. All other zoning provisions within the R2 Zone will be maintained.

Conclusion:

In consideration of the comments and issues contained in this report, and provided there are no issues or concerns raised at the Public Meeting, Staff respectfully recommend that the proposed Zoning By-law Amendment application be referred to Council for APPROVAL.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II, (705) 324-9411 ext. 1324.



Appendix 'A'
PLAN2017-056.pdf



Appendix 'B'
PLAN2017-056.pdf



Appendix 'C'
PLAN2017-056.pdf



Appendix 'D'
PLAN2017-056.pdf

Appendix 'A' – Location Map

Appendix 'B' – Aerial Photo

Appendix 'C' – Concept Site Plan and Building Elevations

Appendix 'D' – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@city.kawarthalakes.on.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D06-17-026