

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-050

Meeting Date: September 11, 2019

Place: Council Chambers

Public Meeting

Ward Number: 5 - Lindsay

Description: An application to amend the Town of Lindsay Zoning By-law 2000-75 to change the zoning on lots from Residential One Special Seventeen (R1-S17) Zone to Residential One Special Twenty (R1-S20) Zone to permit decks that project up to 3.85 metres into the rear yard setback on walkout ravine lots on land described as Lots 8-23, 57M-802, former Town of Lindsay, City of Kawartha Lakes, identified as 97-129 Springdale Drive (Squires Built Homes Inc.)

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2019-050, respecting Lots 8-23, 57M-802, former Town of Lindsay, City of Kawartha Lakes, identified as 97-129 Springdale Drive – Application D06-2019-019, be received;

That a Zoning By-law Amendment respecting application D06-2019-019, substantially in the form attached as Appendix “D” to Report PLAN2019-050, 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:

On January 13, 2017, the Woods of Jennings Creek Phases 1N and 1S Subdivision Agreement (File D05-18-084) approved by Council was registered on the subject lands. Squires Built Homes Inc. has recently acquired lots 8-23 within the plan of subdivision from Dunster Investments Inc. and intends to build one dwelling on each of the lots.

Owner: Squires Built Homes Inc.
Applicant: Dave Squires, Squires Built Homes Inc.
Legal Description: Lots 8-23, 57M-802, former Town of Lindsay, now City of Kawartha Lakes
Official Plan: Residential within the Town of Lindsay Official Plan
Zone: Residential One Special Seventeen (R1-S17) Zone in the Town of Lindsay Zoning By-law 2000-75, as amended
Site Size: Approximately 0.846 hectares (8,461.98 square metres)
Site Servicing: Municipal Sewer and Water Supply
Existing Uses: Residential Land under Development
Adjacent Uses: North, West: Residential
South, East: Future Parkland, Jennings Creek

Rationale:

Squires Built Homes Inc. has requested that the City consider a zoning by-law amendment to permit decks to be constructed on the main levels of dwellings on lots which abut the ravine. The sloping nature of the lots combined with the walkout basement design would not otherwise permit the construction of decks.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

Relevant Policies: 2.2.1 Managing Growth, 2.2.1.2(d), 2.2.1.4

The Growth Plan (GP) provides that development is to be directed to settlement areas. A mix of housing options is encouraged to support the development of complete communities. The application conforms to the GP in that it is proposing to expand deck amenity space for the main levels of single detached dwellings.

Provincial Policy Statement, 2014 (PPS):

Relevant Policies: 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.6

The subject property is within a settlement area. The PPS directs growth, development, and intensification to settlement areas for the efficient use of land, municipal services and infrastructure and to promote vitality.

This application proposes modifications to an approved greenfield subdivision proposal within the Lindsay Urban Settlement Area.

Therefore, this application is consistent with the PPS.

Official Plan Conformity:

Land Use Designation: Residential

Relevant Section: 4.1

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies. The subject lands are designated Residential within the Town of Lindsay Official Plan.

The designation anticipates that the predominant use within the Residential designation will be residential at a variety of densities. Some commercial, institutional and recreational uses are also anticipated within this designation to support the residential uses.

The subject lands are zoned to permit single detached dwellings. Single detached dwellings are considered a low density residential use.

The application conforms to the applicable policies of the Official Plan as deck projections to an anticipated low rise residential use are proposed.

While the Lindsay Secondary Plan (Secondary Plan) is appealed to the Local Planning Appeal Tribunal and is not in effect, conformity with this document will also be reviewed to determine whether the proposal is consistent with Council's direction for the area.

The subject lands are designated Parks and Open Space within the Secondary Plan. This designation anticipates that the lands will be used for active and passive recreational activities. It is anticipated that City staff will review the Secondary Plan's Land Use Schedule during the LPAT appeal process and will make adjustments to the Parks and Open Space designation boundary in response to the newly approved subdivision.

Zoning By-law Compliance:

The subject lands are zoned Residential Special Seventeen (R1-S17) Zone in the Town of Lindsay Zoning By-Law 2000-75.

The R1-S17 Zone maintains all existing R1 Zone provisions except for lot coverage, which is set at 40%. The new Residential One Special Twenty Zone will maintain the increased maximum lot coverage and contain provisions to allow for higher decks to be constructed within the rear yard.

Other Alternatives Considered:

No alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the Local Planning Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

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

This application would align with an exceptional quality of life as it enhances the functionality of proposed single detached dwellings within a new subdivision.

Servicing Comments:

The lots are on municipal water and sewer services.

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. The Building Division, Engineering and Corporate Assets Department and Enbridge Gas Inc. raised no concerns as a result of the circulation. No comments were received from the public.

Development Services – Planning Division Comments:

The application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. The application also conforms to the policies of the Town of Lindsay Official Plan. The proposed Zoning By-law Amendment contained in Appendix D will enhance the functionality of the dwellings by providing deck amenity space at the rear of the main level. All other R1 and R1-S17 Zone provisions previously approved will be maintained as a result of this amendment. No adverse massing impacts are anticipated as a result of the increased deck projection into the rear yard as the lots abut a forested ravine, and the rear lot lines of other residential lots on the other side of the ravine are at least 70 metres away and are not visible through the trees.

Conclusion:

The application conforms to and is consistent with the provincial policies concerning urban settlement areas. The application also conforms to the Residential designation policies in the City's Official Plan. Staff supports the application based on the information contained in this report and the comments

received as of August 27, 2019. Staff respectfully recommends that the application be referred to Council for Approval.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2019-050.pdf

Appendix 'B' – Aerial Photograph



Appendix B to
PLAN2019-050.pdf

Appendix 'C' – Concept Sketch



Appendix C to
PLAN2019-050.pdf

Appendix 'D' – Draft Zoning By-law Amendment



Appendix D to
PLAN2019-050.pdf

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Department Head: Chris Marshall

Department File: D06-2019-019