

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-068

Meeting Date: December 4, 2019

Public Meeting

Title: Applications to amend the Town of Lindsay Official Plan and Town of Lindsay Zoning By-law 2000-75 on land described as Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, vacant land St. Joseph Road – 2645286 Ontario Inc.

Description: Applications to amend the Town of Lindsay Official Plan from the Institutions and Community Facilities to Residential designation; and to change the zone category from Community Facility (CF) Zone to Residential – High Rise One – Special ** (RH1-S**) Zone to permit an eight (8) storey retirement residence use with 116 apartment units and 104 assisted living/independent living units with appropriate site specific zone requirements on land described as Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, vacant land at the north-west intersection of St. Joseph Road and Thornhill Road, (2645268 Ontario Inc.)

Ward Number: 5

Author and Title: Janet Wong, Planner II

Recommendations:

That Report PLAN2019-068, respecting Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, 2645286 Ontario Inc. (Fieldgate Commercial) – Applications D01-2019-005 and D06-2019-035, be received; and

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

That Report PLAN2019-068 respecting Applications D01-2019-005 and D06-2019-035 be referred back to staff to address issues raised through the public consultation process and 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.

Background:

The applicant has submitted applications to change the land-use designation from Institutions and Community Facilities to Residential; and to change the zone category from Community Facility (CF) Zone to Residential-High Rise One – Special ** (RH1-S**) Zone. The change will permit an eight (8) storey retirement residence for a total of 220 apartments and assisted living / independent living units along with associated parking and amenity space.

Owner: 2645286 Ontario Inc. (Fieldgate Commercial)
Applicant: Fieldgate Commercial (c/o Stephanie Volpentesta)
Legal Description: Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay
Official Plan: Institutions and Community Facilities, Town of Lindsay Official Plan
Zone: Community Facility (CF) Zone on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area: 1.37 ha. [William R, Coe Ltd, Ontario Land Surveyors]
Site Servicing: Municipal sanitary sewer, storm sewer and water supply
Existing Uses: Vacant
Adjacent Uses: North: Wilson Fields – baseball diamonds and Optimist soccer fields
East: Vacant
South: Shopping Mall and Grocery Store
West: City Thornhill Road Water Reservoir and Ontario Court of Justice

Rationale:

The 1.37 ha property is located at the north-west intersection of St. Joseph Road and Thornhill Road in the west quadrant of Lindsay. The property is within the flight contour zone of the Lindsay Municipal Airport (aerodrome). The subject land is currently vacant and has 67.6 m. of frontage on St. Joseph Road and 172.8 m. on Thornhill Road. The east quarter of the property is wooded, with the balance being regenerating field. St. Joseph Road is classified as a collector road. The entire property is within the catchment area of Ops 1 Municipal Drain.

The retirement residence will be comprised of 116 senior's rental apartment units and a combination of 104 units for assisted living and independent living. The resultant density would be 123 units/ha as the Town of Lindsay Zoning By-law specifies one (1) assisted living unit or independent living unit is considered to be 0.5 units for density purposes. The seniors' apartment units will have their own private kitchen and dining facilities; whereas the assisted living and independent living will have a common dining room for the residents. There will be a

combination of studio, one-bedroom, and two-bedroom units. Surface and one (1) level of underground parking will be provided on site with a total of 185 spaces proposed. An outdoor amenity area is proposed for resident use.

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. Lindsay Retirement Home Planning Report prepared by GHD, dated August 2019. This document discusses the appropriateness of the application in the context of the Growth Plan for the Greater Golden Horseshoe (2019), Provincial Policy Statement (2014), City of Kawartha Lakes Growth Management Strategy, Lindsay Official Plan, and Town of Lindsay Zoning By-law 2000-75.
2. Conceptual Plan and Building Elevations, prepared by Global Architect Inc., August 6, 2019
3. Landscape Plan, prepared by Ron Koudys Landscape Architects Inc., March, 2019
4. Topographic Survey, prepared by Coe Fisher Cameron Land Surveyors, January 7, 2019
5. Plan 57R-7657, prepared by William R. Coe Ontario Land Surveyors, July 26, 1996; Plan 57R-6394, prepared by B.A Nickerson Ontario Land Surveyor, March 7, 1991
6. Preliminary Geotechnical Investigation Report, prepared by Golder Associates Corporation, November 28, 2018. The report describes the general subsurface soil and shallow ground water conditions on site.
7. Water Balance Investigation, prepared by Golder Associates Corporation, May 21, 2019. The report discusses the potential for Low Impact Development (LID) mechanisms to be incorporated into the development of the site.
8. Preliminary Geotechnical Investigation, prepared by Golder Associates Corporation, May 24, 2019. The report assesses the need, impact, and mitigations measures due to dewatering during construction.
9. Functional Servicing Report, prepared by Counterpoint Engineering, August, 2, 2019. The report discusses and assesses the availability and provision of water, storm water, and sanitary servicing for the proposed development.
10. Traffic Impact Study, prepared by GHD, dated August 8, 2019. The report assesses impacts of traffic from the development on the surrounding road network.
11. Comprehensive Urban Design Analysis Report, prepared by Global Architect Inc., July 29, 2019. The report describes the site and building design contribution to the built form in the area and shadow impacts.

12. NAV Canada letter, July 26, 2019 responding to Aeronautical Assessment Form or Obstacle Evaluation by the applicant April 2, 2019.

Staff has reviewed the Planning Report filed in support of the proposed official plan and zoning by-law amendments. Staff cannot fully evaluate the appropriateness of the proposal at this time as responses from other City Departments and commenting Agencies have not been received. The Planning Division requires comments in order to form an opinion and recommendation with respect to conformity and compliance with applicable policies and zoning provisions. As such, Staff recommends that the applications be referred back to staff until such time as any concerns have been addressed.

Provincial Policy Conformity

Growth Plan for the Greater Golden Horseshoe (2019):

These lands are identified as being within the Settlement Area as well as being within the Built-Up Area of Lindsay. Section 2.2.1.2 indicates that the vast majority of growth will be directed to settlement areas that have a delineated built boundary; have existing municipal water and wastewater systems; and can support the achievement of complete communities. Section 2.2.2.2 indicates that minimum intensification targets are required to be met as approved until such time as the City's Official Plan is updated to comprehensively apply the policies of the Growth Plan (municipal comprehensive review).

These applications will need to conform to the policies of the Growth Plan particularly with respect to growth management.

Provincial Policy Statement (2014):

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Section 1.1.3 states that settlement areas shall be the focus of growth and development, where land use patterns are based on densities and a mix of land uses which efficiently use land and resources as well as are appropriate for and efficiently use existing or planned infrastructure.

Section 1.4.3 requires the City to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by: permitting and facilitating all forms of housing required to meet the social, health and well-being requirements; directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available; and promoting densities for new housing which efficiently use land, infrastructure, and support the use of transit.

Section 1.5 indicates the City is to promote healthy active communities through the planning and provision of a full range and equitable distribution of publicly-accessible built and natural settings for recreation.

Section 1.6.6 indicates that the preferred form of servicing in settlement areas is municipal sewage and water services. This Section also requires that storm water be managed such that contaminant loads and changes in the water balance are minimized; there is no increased risk to human health and safety as well as property damage; and use stormwater best management practices including stormwater attenuation and low impact development.

The property is not within or adjacent to natural heritage features nor other resources, including source water protection zones, as identified under Section 2 of the PPS or natural hazards as identified in Section 3.

It appears that the applications may be consistent with the PPS.

Town of Lindsay Official Plan Conformity:

The Town of Lindsay Official designation of Institutions and Community Facilities applies to this property until such time as the Lindsay Secondary Plan, currently under appeal to the Local Planning Appeal Tribunal, is approved. The Institutions and Community Facilities designation permits a range of major institutional uses, government, recreational, and cultural uses. Government type uses includes government funded nursing homes (long term care). Apartments are not a permitted use. Senior independent living and senior assisted living residences are considered to be senior citizen's homes (retirement homes) which are not government funded; thus would not be permitted uses. The applicant proposes to change the designation to Residential which permits apartments and senior citizen's homes.

With a density of 123 units/ha and the building being greater than four (4) storeys high, the proposed development would be required to comply with the High Density provisions of the Residential designation. The maximum density for High Density residential development is 125 dwelling units / gross ha. The Official Plan has a number of policies related to the height, density, and character of the development being in keeping with the surrounding uses; and locating higher density development on arterial or collector roads as well as having adequate servicing capacity for High Density Residential use. High density development is subject to site plan control.

The Official Plan also has policies related to:

1. adequate water and sewage servicing being available;
2. stormwater management being provided;
3. encouragement of energy conservation measures through building design and site planning;

4. noise levels from vehicular or air traffic shall not exceed specified levels unless noise abatement techniques are employed to reduce levels to an acceptable level; and

5. protection of the Lindsay Municipal Airport (aerodrome) from incompatible development due to noise. As well, new residential development or sensitive land uses shall be directed away from the flight paths of the aerodrome to ensure that future development and expansion of the airport is not compromised.

The applicant has supplied information (under review) regarding potential impact of development height on the flight paths. It is recommended that a noise study be prepared to demonstrate that noise impacts from air traffic is at or below an acceptable level for the proposed use or appropriate abatement techniques can be implemented. The City will need to obtain an external peer review of the noise study and the actual cost would be recovered from the applicant through Planning Division peer review fees.

City of Kawartha Lakes Growth Management Strategy

The City of Kawartha Lakes Growth Management Strategy was approved May 2011. The Growth Management Strategy identifies residential intensification targets for lands within the built boundary. It also indicated that no expansion of settlement boundaries is required as there is sufficient capacity within designated residential land. The Growth Management Strategy allocated 87 units to this property. The applicant is seeking 133 more units (60% increase) than currently allocated. The Lindsay Secondary Plan, currently under appeal to LPAT, designates the lands as Residential. The extent of the residential designated land within the Lindsay settlement area is an issue that is under appeal to LPAT.

The applications will need to demonstrate conformity with the Town of Lindsay Official Plan.

Zoning By-Law Compliance:

The subject land is zoned Community Facility (CF) Zone in the Town of Lindsay Zoning By-law 2000-75. The CF Zone does not include apartment or senior citizens' home as permitted uses. The applicant has submitted a Zoning By-law amendment to change the zone to Residential High-Rise One – Special ** (RH1-S**) Zone. The application would implement the proposed Official Plan amendment by changing the land use category to a zone which permits apartments and senior citizens' home and to account for on-site deficiencies to allow for the new building. The requested requirements are noted in the table below.

Item	By-law Requirement	Proposed
Min. front yard setback	12.0 m.	6.5 m.
Min. exterior yard setback 3.0 m. for each storey	24 m.	6.5 m.
Min. interior side yard setback 2.5 m. for each storey	20 m.	8.0 m.
Max. building height	18 m.	26 m.
Min. landscaped open space	40%	35%

A preliminary review of the plans indicates the following parking requirements will also need to be addressed.

Item	By-law Requirement	Required Parking	Proposed Parking
Residential Parking Requirement	Apartment: 1.1/unit plus 0.25/unit for visitors	157	
	Seniors Home: 0.5/bed or dwelling unit based on the maximum capacity	52	
	Total	209	185

The City will require further discussion with the applicant with respect to parking for a building that incorporates the range of proposed units as the Town of Lindsay Zoning By-law does not cover the integration of the types of residential units. Preliminary information indicates that the average occupancy for the independent living units will be higher than the 0.5 /bed but less than the maximum capacity. It is recommended that a parking analysis be provided to support the proposed 185 parking spaces based on experience with similar facilities.

The application appears to 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 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 Recommendation 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 exceptional quality of life as there would be improved walkability as well as the goal of a healthy environment through the utilization of Low Impact Development techniques as part of the treatment train for stormwater management.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The property is currently serviced with full municipal sewer, water, and stormwater. Development Engineering has advised that they have reviewed the proposal and confirm that conceptually the proposed servicing will be feasible and there would be no major issues with potential connection to water, sanitary and storm water systems. A detailed engineering submission will be required with the Site Plan Control application.

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:

No comments from the public have been received to date of report preparation.

Agency Review Comments:

Building Division (November 5, 2019): advised that they have no concerns with the above noted applications.

Development Engineering Division (November 19 2019): advised that they have no objection to the proposed Official Plan amendment or the proposed Zoning By-law amendment.

Development Services – Planning Division Comments:

The appropriate documents in support of the application have been submitted and circulated to the appropriate agencies and City departments for review and comment. At this time, comments have not been received from all circulated agencies and City Departments or the public. Staff has recommended that additional supporting parking analysis and noise study documentation is required. Therefore, Staff recommends that the application be referred back to staff until such time as commenting agencies and/or City Departments have submitted comments, and any concerns have been addressed.

Conclusion:

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

Attachments:



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photo
Appendix 'C' – Concept Site Plan
Appendix 'D' – Concept Building Elevations

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Department Head: Chris Marshall, Director of Development Services

Department File: DO1-2019-005 and D06-2019-035