

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – 2607226 Ontario Inc.**  
Report Number COA2020-011

---

**Public Meeting**

**Meeting Date:** July 16, 2020  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 5, former Town of Lindsay**

**Subject:** The purpose and effect is to request relief from the following provisions in order to facilitate the construction of a 7 storey apartment building:

1. Section 11.2(f) to increase the maximum building height from 18 metres to 21.5 metres,
2. Section 11.3.14(iii) to increase the maximum height for rooftop mechanical units from 21 metres to 25.5 metres; and
3. Sections 5.14(f) and (g) to provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to: (A) the front, rear, and side lot lines, and (B) between ground level parking spaces and ground floor dwelling units, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

The variances are requested on vacant land on Chadwin Drive, former Town of Lindsay (File D20-2020-007).

---

**Author:** David Harding, Planner II, RPP, MCIP

**Signature:** 

---

**Recommendations:**

**Resolved That** Report COA2020-011 2607226 Ontario Inc., be received;

**That** minor variance application D20-2020-007 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-011, which shall be attached to and form part of the Committee's Decision;

- 2) **That** the landscaping form sought by requesting variances from Section 5.14(f) shall be generally in accordance with drawings L1-01, L1-02 and L1-03 submitted in support of site plan application D19-2019-010 subject to the revisions required in the City's post circulation comments dated March 20, 2020, and addendum comments dated March 24, 2020, and May 5, 2020. This condition shall be considered fulfilled when the applicant submits revised landscaping drawings to the satisfaction of the Planning Division and Community Services Department in support of application D19-2019-010; and
- 3) **That** the site plan agreement shall be registered within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

**This approval pertains to the application as described in report COA2020-011. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The application proposes a 7 storey apartment building at the above-noted address. Site Plan application D19-2020-010 has been submitted, with the first round of comments provided between March 20 and May 5. The applicant had been in discussions with the City prior to submitting the site plan application, where it was noted the relief from the height provisions would be required. Through the review of the site plan submission, it was identified that additional relief is required from the landscaping provisions in order to permit the varied landscaping proposed.

The applicant has provided a shadow cast study in support of the application.

This application was last amended June 11, 2020.

**Proposal:** To permit the seventh storey of the apartment building to be added along with the associated servicing and also to permit additional variation in the arrangement and composition of the landscape buffers surrounding the property and between the parking lot and ground floor units.

**Owner:** Ray Gupta - 2607226 Ontario Inc.

**Applicant:** Martin Lariviere - API Architecture & Planning Initiatives

**Legal Description:** Block 13, Plan 57M-782, former Town of Lindsay, now City of Kawartha Lakes

**Official Plan:** Residential within the Town of Lindsay Official Plan

Zone: Residential High-Rise One Special Eleven Holding One (RH1-S11(H1)) Zone within the Town of Lindsay Zoning By-law 2000-75.

Site Size: 11,273.4 square metres (2.78 acres)

Site Servicing: Full municipal services available at lot line(s)

Existing Uses: Vacant Land

Adjacent Uses: North: High and Low Rise Residential, Institutional (Fairview Baptist Church)  
East: Low Rise Residential, Commercial (Mr. Convenience)  
West: Retirement Residence (Colborne Lodge)  
South: Townhomes, Vacant Commercial Land

**Rationale:**

**1) Are the variances minor in nature? Yes**  
**And**

**2) Is the proposal desirable and appropriate for the use of the land? Yes**

The subject property is situated on a portion of the old Lindsay Fairgrounds. This property is bordered by three roads: Colborne Street West, a former County Road, Adelaide Street to the east, and Chadwin Drive to the south.

Colborne Street is a high traffic street where higher density development exists, as is evidenced by the two apartment buildings and retirement residence within the immediate vicinity (numbers 107, 126 and 133). The subject property is suitably zoned for high-rise development. The building is proposed closer to Colborne Street, with the parking lot and vegetation between it and Chadwin Drive. The addition of an additional storey is not anticipated to adversely impact the Colborne Street West streetscape nor greatly increase shadow casting as per the submitted study.

The building will provide additional residential options in Lindsay, add to Lindsay's skyline and enhance the pedestrian experience on Colborne Street West and Chadwin Drive by providing for a wide assortment of trees, shrubs, and other landscape plantings. Current landscaping zoning standards require continuous buffers of coniferous trees and/or shrubs. However, what the applicant has proposed exceeds the City's minimum landscaping requirements to provide for a more visually appealing building and pedestrian experience but will allow for greater flexibility in the placement of landscaping areas and permits breaks in the landscaping buffers for pedestrian connection to adjacent properties. The landscaping variances, if granted, will allow the City and applicant to register a site plan agreement with enhanced landscaping.

Due to the above analysis, the variances are minor in nature and desirable and appropriate for the use of the land.

**3) Do the variances maintain the intent and purpose of the Zoning By-law?**  
**Yes**

The subject property is zoned Residential High-Rise One Special Eleven Holding One (RH1-S11(H1)) Zone. The category permits an apartment building that is 6 storeys high. The holding provision pertains to the commissioning of the Northwest Trunk Sanitary Sewer and payment of the capital charge for that project.

All other zone provisions with respect to building form, setbacks and general site features are being maintained. As high-rise development is already proposed, the addition of one additional storey is not anticipated to substantially change the scale of the built form. One hundred and seventeen units are permitted, but only 114 are proposed. By arranging the units vertically into a seventh storey instead of horizontally, the overall length of the building is reduced, allowing for the preservation of more landscaped open space and a shorter building wall along Colborne Street West.

The intent of the landscaping provisions of the zoning by-law is to provide minimum landscaping requirements in the form of continuous coniferous vegetative plantings around the immediate perimeter of the property and portion of the parking lot to buffer the property from surrounding uses and to buffer the ground level apartments from the surface parking lot. In this case, the applicant has proposed landscaping that exceeds these minimum requirements.

Interruptions in the landscape buffers, their placement in some locations that are not immediately abutting the lot line, and adjusting their composition to include perennials and deciduous shrubs and trees in addition to coniferous plantings. As the final landscape drawings have not been submitted or approved under site plan review process at this time, but are anticipated to be in keeping with the previous plans submitted, Condition 2 is requested to permit staff the flexibility to work with the owner to further refine their landscape design in accordance with the City's post circulation site plan comments.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

**4) Do the variances maintain the intent and purpose of the Official Plan?**  
**Yes**

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect. The property is designated Residential within this Official Plan. High density residential development in the form of apartment buildings is permitted provided the .

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

No other alternatives have been considered at this time as the proposed changes to the landscaping are more suitable for the site than the provisions the zoning by-law currently requires.

**Servicing Comments:**

The development will be on full municipal services once constructed.

**Consultations:**

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

**Agency Comments:**

Development Engineering Division (July 6, 2020): No concerns.

**Public Comments:**

No comments received as of July 6, 2020.

**Attachments:**

Appendices A-G  
Report COA2020-01

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch  
Appendix D – Elevations  
Appendix E – Renderings  
Appendix F – Shadow Cast Study  
Appendix G – Department and Agency Comments

---

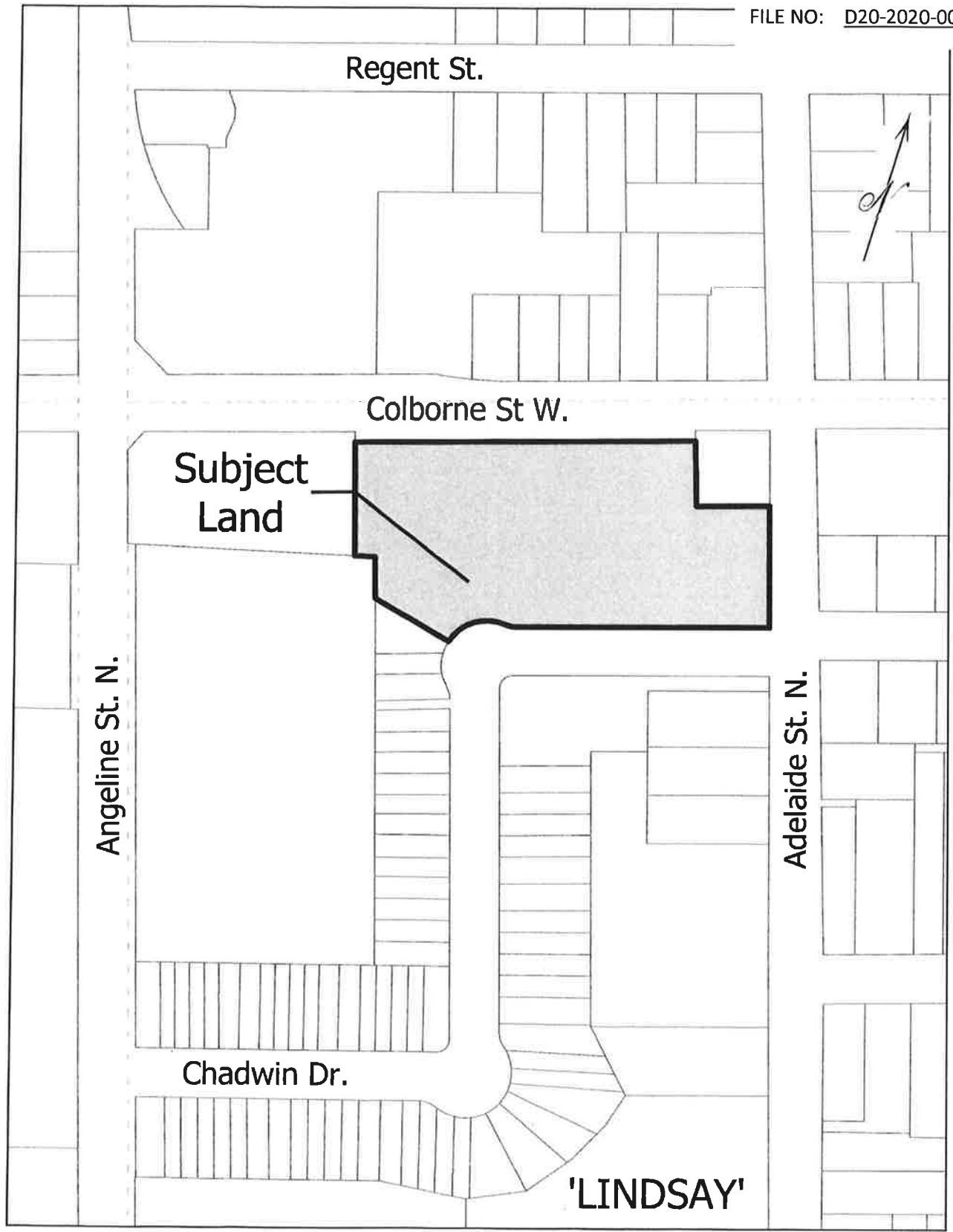
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2020-007

to

REPORT COA2020-011

FILE NO: D20-2020-007

D20-2020-007







THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

- ☐ Property Roll Number
- ☒ Lots and Concessions
- ☒ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

## Notes

## Notes

APPENDIX "B"

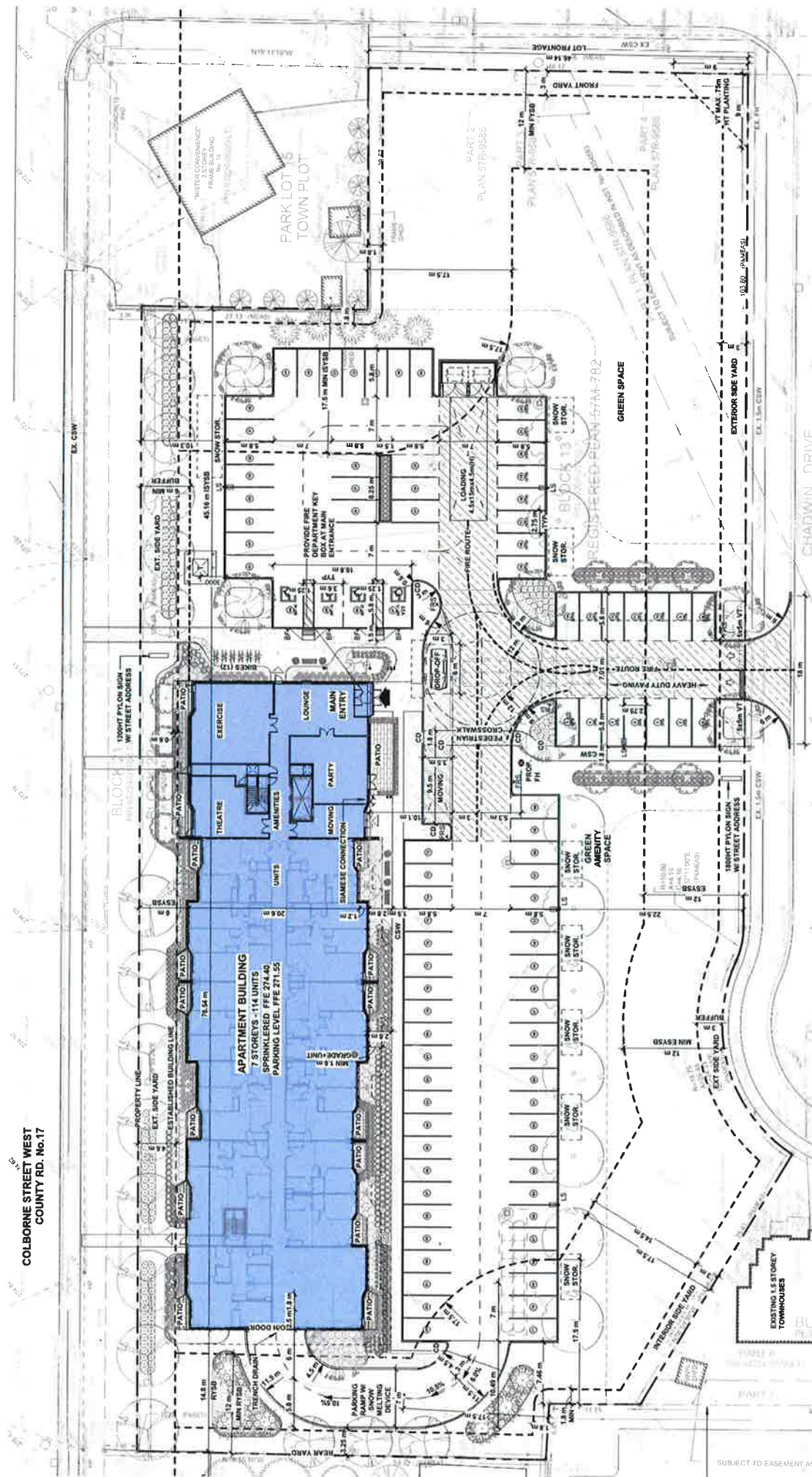
to

REPORT COA2020-011  
FILE NO: D20-2020-007



to  
REPORT COA2020-011  
FILE NO: D20-2020-007

FILE NO: D20-2020-007

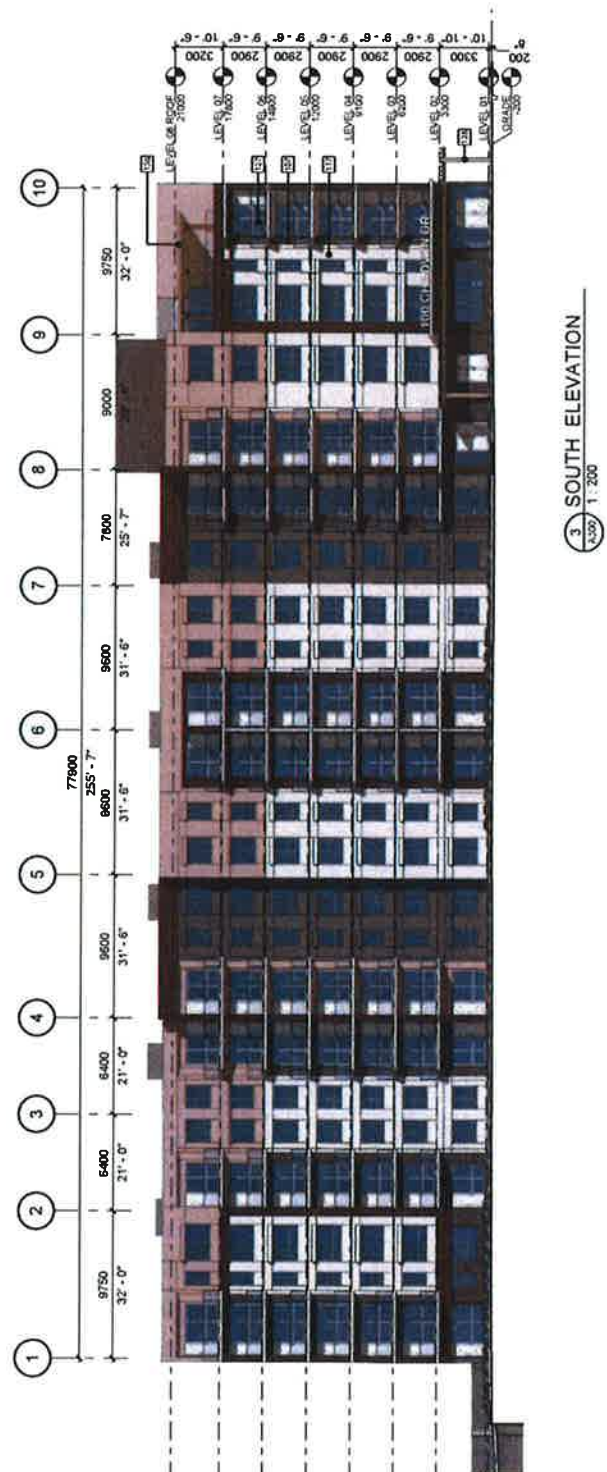
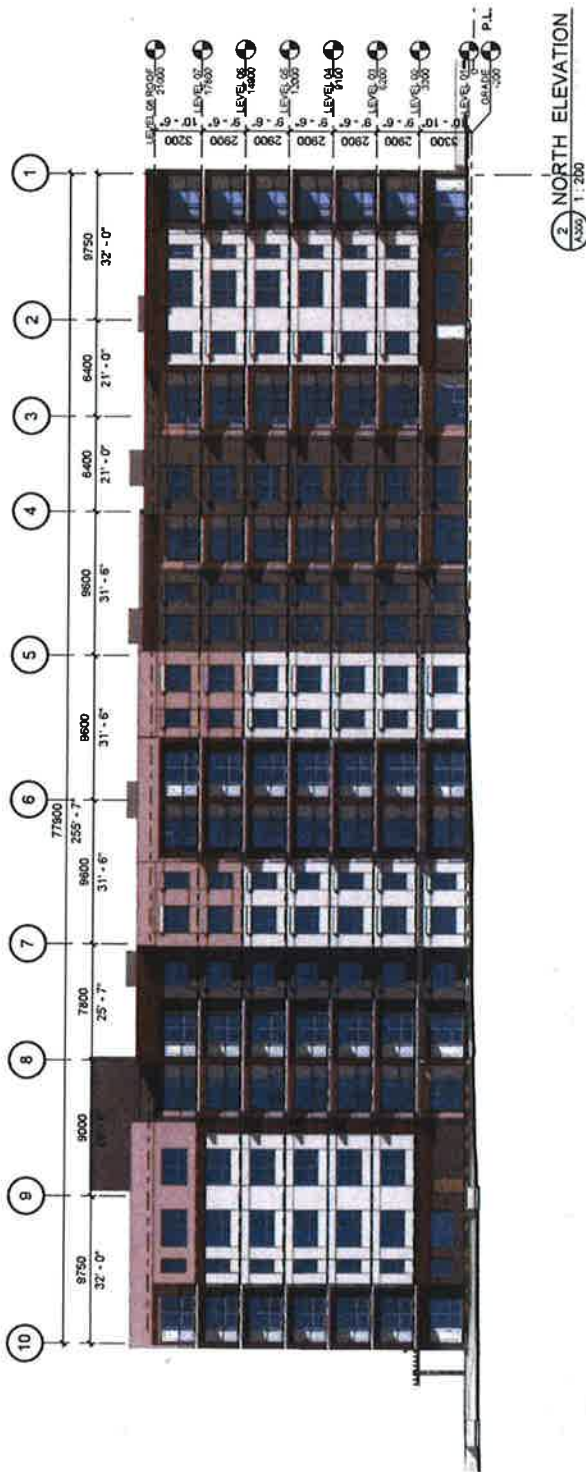


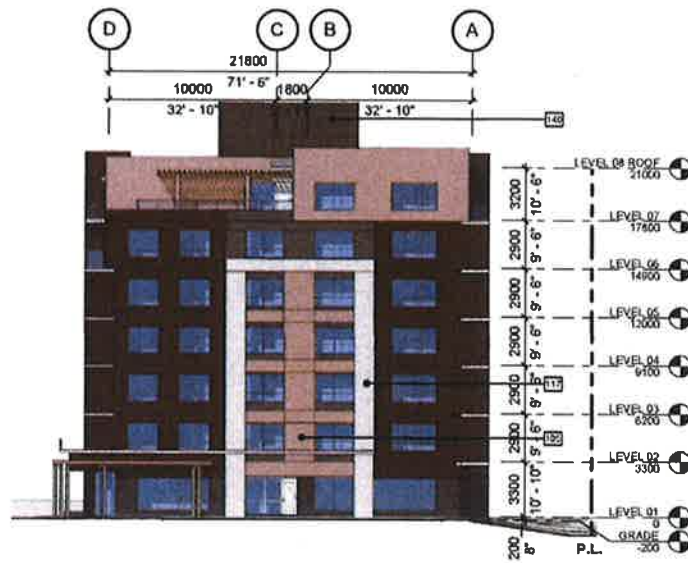


to

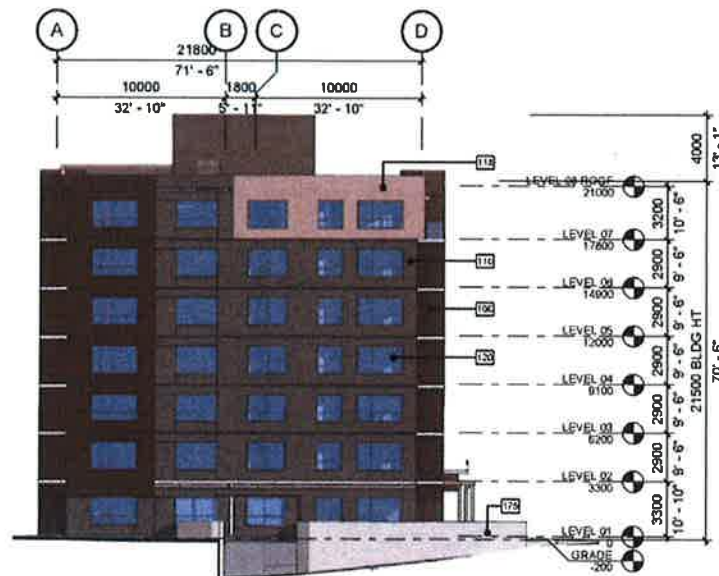
REPORT COA2020-011

FILE NO: D20-2020-007





1 EAST ELEVATION  
A300 1:200



4 WEST ELEVATION  
A300 1:200

3END

EXTERIOR ELEVATION LEGEND

EXTERIOR ELEVATION LEGEND

- 117 PREFAB. PANELIZED EXTERIOR INSULATED FINISH SYSTEM (EPS) (COLOUR: LIGHT GREY)
- 118 PREFAB. PANELIZED EXTERIOR INSULATED FINISH SYSTEM (EPS) (COLOUR: TAN MATCH ADJACENT)
- 120 ALUMINUM WINDOW (COLOUR: CLEAR ANODIZED)
- 127 GLAZED GUARD

- 136 WOOD TRELLIS/CANOPY
- 140 PREFINISHED METAL ROOF SCREEN (COLOUR: GREY)
- 148 EPS METALLIC FIN. COLOR: IVORY
- 154 EPS COLOR: IVORY
- 175 EXPOSED CONCRETE



to

REPORT COA2020-011

FILE NO: D20-2020-007



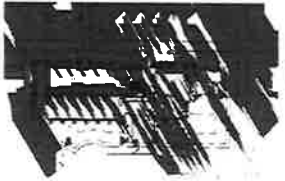
APPENDIX " F "

to

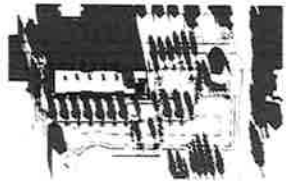
REPORT COA2020-011

FILE NO: D20-2020-007

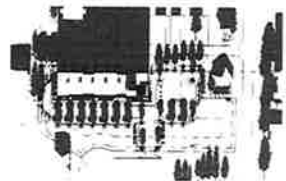
WINTER SOLSTICE



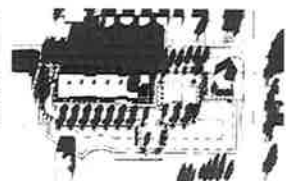
DEC 21 0930h



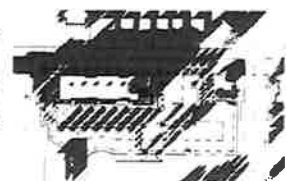
DEC 21 1100h



DEC 21 1200h

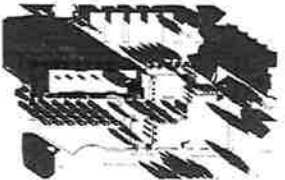


DEC 21 1300h

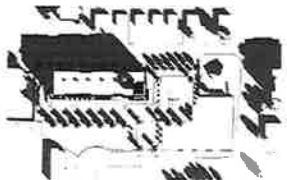


DEC 21 1500h

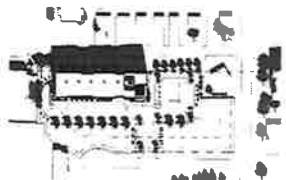
SPRING / FALL EQUINOXES



SEP/MAR 21 0845h



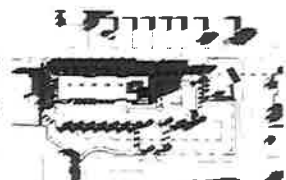
SEP/MAR 21 1000h



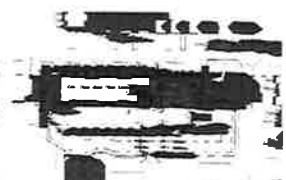
SEP/MAR 21 1200h



SEP/MAR 21 1400h

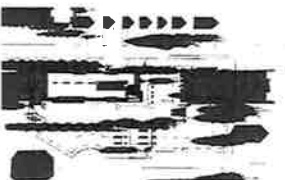


SEP/MAR 21 1600h

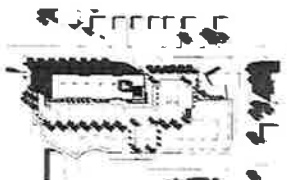


SEP/MAR 21 1800h

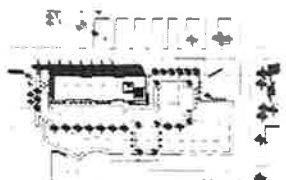
SUMMER SOLSTICE



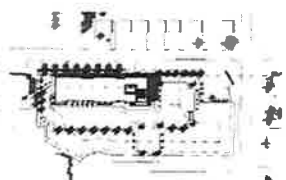
JUN 21 0700h



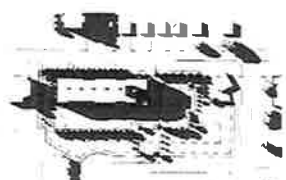
JUN 21 1000h



JUN 21 1200h



JUN 21 1500h



JUN 21 1800h



JUN 21 1930h

**David Harding**

---

**From:** Kim Rhodes  
**Sent:** Monday, July 6, 2020 1:37 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson; Kirk Timms  
**Subject:** 20200706 D20-2020-007 - Engineering review

APPENDIX " G "  
to  
REPORT COA 2020-011  
FILE NO. D20-2020-007

**Please see the message below from Christina Sisson:**

---

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-007  
Vacant Land, Chadwin Drive  
Block 13, Plan 57M-782  
Former Town of Lindsay, Ward 5

It is the understanding by Engineering that the purpose and effect is to consider relief from the following provisions in order to facilitate the construction of a 7 storey apartment building

1. To increase the maximum building height from 18 metres to 21.5 metres
2. To increase the maximum height for rooftop mechanical units from 21 metres to 25.5 metres; and
3. To provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to:  
(A) the front, rear, and side lot lines, and (B) between ground level parking spaces and ground floor dwelling units, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

Please do not hesitate to contact our office if you have any questions.

Thanks,

*CHRISTINA*

**Christina Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

