

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2020-033

Meeting Date: **September 2, 2020**

Public Meeting

Title: Zoning By-law Amendment for Increased Lot Coverage –
 Ravines of Lindsay Estate Subdivision

Description: An application to amend the Town of Lindsay Zoning By-law
 to increase maximum lot coverage from 35% to 45% for Lots
 1 through 94, 108 through 113, and 122 through 146 in draft
 plan of subdivision 16T-88009 on the property identified as
 Vacant Land on Angeline Street North, Lindsay (CIC
 Developments Inc.)

Ward Number: **Ward 5 – Lindsay**

Author and Title: **Ian Walker, Planning Officer – Large Developments**

Recommendations:

That Report PLAN2020-033, **Part of Lot 24, Concession 4, 57R-7234, Parts 9 to 14, Former Town of Lindsay, CIC Developments Inc. – Application D06-2020-020**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix 'D' to Report PLAN2020-033, be referred to Council for approval and adoption; and

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

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

The applicant has submitted an application for a zoning by-law amendment. The proposal is to increase the maximum lot coverage from 35% to 45% for Lots 1 through 94, Lots 108 through 113, and Lots 122 through 146 in draft plan of subdivision 16T-88009, which was draft approved by Council on June 19, 2018. The net result of this proposal will only amend the maximum lot coverage provision for the proposed lots noted above. See Appendix 'A' and 'B' attached.

Owner:	CIC Developments Inc. c/o Bromont Homes Inc.
Applicant:	Bousfields Inc. c/o Michael Bissett
Legal Description:	Part of Lot 24, Concession 4 (Formerly Ops); 57R-7234, Parts 9 to 14, Former Town of Lindsay
Designation:	'Residential' on Schedule 'JC2' of the Town of Lindsay Official Plan
Zone:	'Residential One (R1) Zone', 'Residential One Special Six (R1-S6) Zone', 'Residential One Special Nineteen (R1-S19) Zone', 'Residential One Holding Four [R1(H4)] Zone', 'Residential Two (R2) Zone', 'Residential Two Special Thirty-Seven (R2-S37) Zone', 'Open Space (OS) Zone' and 'Open Space Special Two (OS-S2) Zone' on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area:	12.6 hectares [30.6 acres – MPAC]
Site Servicing:	Proposed full urban services: municipal water, sanitary sewer and storm sewer
Existing Uses:	Vacant Land
Adjacent Uses:	North: Jennings Creek; Agricultural (Future Residential); Low Density Residential East: Angeline Street North; Low Density Residential South: Parkette (Joan Park); Low Density Residential West: Jennings Creek; Agricultural (Future Residential)

Rationale:

The property is located on the west side of Angeline Street North opposite Orchard Park Road and consists of three new municipal roads. See Appendix A. Access to the subdivision is on Connolly Road, which lies opposite to Orchard Park Road. The other two municipal roads will be Hennessey Crescent and Hancock Crescent. See Appendix B. The proposed subdivision will be developed on full municipal services.

The property is vacant and consists of approximately 12.6 ha. The draft plan of subdivision includes 146 lots for single detached dwellings. The applicant is applying on behalf of the owner to rezone 125 of these 146 lots to increase the maximum lot coverage from 35% to 45%, to accommodate larger homes on some of the constrained lots. Concept plans have been submitted to show how the homes would fit on these lots. See Appendix 'C'.

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

1. Planning Brief prepared by Bousfields Inc., dated August 10, 2020. The brief discusses and assesses the proposal in context of the Provincial Policy Statement, 2020 (PPS, 2020); A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan); and the Town of Lindsay Official Plan.
2. Stormwater Management Brief prepared by Valdor Engineering Inc., dated July 30, 2020. The brief discusses and assesses the proposal in the context of stormwater management services.
3. Revised Draft M-Plan prepared by IBW Surveyors, dated July 15, 2020.
4. Example Lot Plans for Lot 9, 50, 110 and 132, prepared by Hunt Design Associates Inc., dated June 11, 2020.

The reports and plans have been circulated to the applicable City departments and commenting agencies for review and comment.

Provincial Policies:

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

These lands are identified as being within the 'Settlement Area' of Lindsay. Section 2.2.1 of the Growth Plan, 'Managing Growth' provides that growth should be directed towards settlement areas, and utilize existing or planned infrastructure. The development will be serviced by new planned municipal roads, sewage, water and stormwater services within a designated settlement area, and the City has already expended significant cost in providing servicing to the Jennings Creek Community Development Plan (JCCDP) Area, which will be cost-recovered through a Municipal Act Capital Charge as development proceeds.

On this basis, the application conforms to the policies of the Growth Plan.

Provincial Policy Statement, 2020 (PPS, 2020):

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. This includes natural heritage and hydrologic features (Section 2), and natural and man-made hazards (Section 3). Planning for sewage, water, and stormwater shall be in accordance with Section 1.6.6 of the PPS. This includes the efficient use and optimization of existing municipal sewage and water services in a sustainable manner, and the use of low impact development techniques for stormwater management. The proposed stormwater management pond has been designed to accommodate this proposed increase in lot coverage.

On this basis, the application is consistent with the policies of the PPS, 2020.

Official Plan Conformity:

The lands are designated 'Residential' on Schedule 'JC2' of the Town of Lindsay Official Plan (Lindsay Official Plan). The predominant use of lands shall be for a variety of dwelling types. The designation permits low and medium density residential development subject to the availability of servicing and compatibility with surrounding uses.

Section 5.2.3 of the Lindsay Official Plan indicates that development and re-development in the Town of Lindsay shall be dependent upon the availability of servicing capacity in the Town. Draft approved plans may proceed to registration provided that sufficient servicing capacity exists. With the Northwest Trunk project now complete, conformity with the servicing allocation policies as set out in Section 5.2.3 has been demonstrated.

On this basis, the proposal conforms to the policies of the Official Plan.

Zoning By-Law Compliance:

The applicant has submitted a Zoning By-law Amendment application, to increase the maximum lot coverage from 35% to 45% on 125 of the 146 proposed lots in the draft plan approved subdivision on this property. The development is currently zoned 'R1', 'R1-S6', 'R1-S19', 'R1(H4)', 'R2', 'R2-S37', 'OS', and 'OS-S2' zones in the Town of Lindsay Zoning By-law 2000-75 (Zoning By-law).

The application, as proposed, will result in the following schedule changes:

- Converting all the existing 'R1' zones to the 'R1-S19' zone;

- Converting all the existing 'R2' zones to the 'R2-S37' zone;
- Converting a portion of the existing 'R1-S6' zone to the 'R1-S22' zone; and
- Converting one existing 'R1-S19' zoned lot to the 'R1-S6' zone.

It will also make changes to the development standards for each of these exception zones. The remainder of the zones, including the 'R1(H4)', 'OS' and 'OS-S2' remain unchanged.

The updated 'R1-S6' zone will include a provision exempting any of the lots from being subject to Section 5.12 (j)(v), which states 'no driveway shall be located closer than 15 m to the limits of the right-of-way at a street intersection'. The new 'R1-S22' zone will include the same provisions as the 'R1-S6' zone, and in addition, it will also include a provision to increase the maximum lot coverage to 45%. The updated 'R1-S19' and 'R2-S37' zones will include a new provision to increase the maximum lot coverage to 45%.

The proposed changes (shown in **bold**) to the provisions are as follows:

Zone Standard:	'R1-S6' Zone:	'R1-S19' Zone	New 'R1-S22' Zone	'R2-S37' Zone
Maximum Lot Coverage	35% No change	45%	45%	45%
Exemption from Section 5.12 (j)(v)	Added	Existing No change	Added	Existing No change
Minimum Setback to top of slope of Jennings Creek valleylands	8.0 metres No change	N/A No change	8.0 metres	N/A No change

The applicant has submitted the appropriate information to demonstrate compliance with the Zoning By-law. Other than the special provisions noted in the table above, all other provisions of the 'R1' and 'R2' zones would apply respectively to the 'R1-S6', 'R1-S19', 'R1-S22' and 'R2-S37' zones.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendments is appealed to the Local Planning Appeal Tribunal (LPAT). In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations to The 2020-2023 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

This application aligns with the Exceptional Quality of Life priority by increasing the availability of housing stock.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. Accessible standards will be implemented through the permits issued under the Ontario Building Code (OBC).

Servicing Comments:

The property is currently not serviced. Full urban municipal services, including water, sanitary sewer and storm sewer are proposed.

Consultations:

Notice of this application was circulated to agencies and City Departments which may have an interest in the applications; to persons within a 120 metre radius of the property; and a sign was posted on the property. As of August 21, 2020, we have received the following comments:

Public Comments:

To date, one neighbour and two purchasers have contacted the Planning Division to inquire about the purpose of the rezoning. No comments objecting to the proposal have been received.

Agency Review Comments:

August 14, 2020 The Building Division has no concerns.

August 17, 2020 The Engineering and Corporate Assets Department advised they have no objection or comments on this application.

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. The application conforms to the 2019

Growth Plan, and is consistent with the Provincial Policy Statement, 2020. Conformity with the Town of Lindsay Official Plan has also been demonstrated.

The rezoning will amend the development standards for 125 of the 146 currently permitted single detached dwellings to be constructed on their respective lots. Site-specific exception zones and the respective provisions have been provided to accommodate the appropriate development standards for the respective lots.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend 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 Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix 'A' – Location Map



PLAN2020-033
Appendix A.pdf

Appendix 'B' – Draft M-Plan, dated July 15, 2020



PLAN2020-033
Appendix B.pdf

Appendix 'C' – Example Lot Plans – Lot 9, 50, 110 and 132, dated June 11, 2020



PLAN2020-033
Appendix C.pdf

Appendix 'D' – Proposed Zoning By-law Amendment



PLAN2020-033
Appendix D.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca
Department Head: Chris Marshall, Director, Development Services
Department File: D06-2020-020