

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2020-040

Meeting Date: September 2, 2020

Public Meeting

Title: An application to amend the Town of Lindsay Zoning By-law 2000-75

Description: To change the Central Commercial (CC) Zone on a portion of the subject land to a Residential Multiple One Special (RM1-**) Zone as a condition of the approval of a Consent application to sever the southwest portion of the subject lands with an existing residential building containing four dwelling units and municipally known as 6 Glenelg Street West on land identified as 37 Lindsay Street South and 6 Glenelg Street West (Glenelg Developments Corporation)

Ward Number: 7

Author and Title: Mark LaHay, Planner II, MCIP, RPP

Recommendations:

That Report PLAN2020-040, respecting Part Lot 2, North side of Glenelg Street, Town Plot, former Town of Lindsay, Application D06-2020-008, be received;

That a Zoning By-law, respecting application D06-2020-008, substantially in the form attached as Appendix 'D' to Report PLAN2020-040 be approved for adoption 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:

Proposal:	To rezone a portion of the subject land from the Central Commercial (CC) Zone to the Residential Multiple One Special (RM1-**) Exception Zone. The effect of the zoning amendment would be to permit a fourplex dwelling and home occupation use within a dwelling and implement site specific development standards to fulfill a condition of Consent to facilitate the severance of the land. This allows separate ownership of the residential portion of the lands and recognizes the existing development of the property being severed.
Owner:	Glenelg Developments Corporation
Applicant:	DC Planning Services Inc., c/o Doug Carroll
Legal Description:	Part Lot 2, North side of Glenelg Street, Town Plot, former Town of Lindsay (6 Glenelg St. W.)
Official Plan:	“Central Business District Commercial” in the Town of Lindsay Official Plan
Zoning:	“Central Commercial (CC) Zone” in the Town of Lindsay Comprehensive Zoning By-law No. 2000-75
Site Size:	37 Lindsay Street S., 2,954.22 m ² (31,799 sq. ft.) – MPAC 6 Glenelg Street West, 768.87 m ² (8,276 sq. ft.) – MPAC
Site Servicing:	The lot is serviced by municipal water and sanitary sewer.
Existing Uses:	Residential
Adjacent Uses:	North: Commercial East: Lindsay Street South/Commercial South: Glenelg Street West/Residential West: Residential/Commercial

Rationale:

The owner has applied for a rezoning to facilitate a condition of a Consent application (File: D03-2019-011) to sever the southwest portion of the subject lands containing an existing residential building containing four dwelling units in order to create a separate residential lot. The subject lands are located at the southwest corner of Lindsay Street South and Glenelg Street West in the former Town of Lindsay.

The purpose of the application is to sever approximately 447 square metres of land containing a two-storey brick dwelling fronting on Glenelg Street West and retain approximately 3,345 square metres of commercial lands containing a two-storey brick commercial building. The severed land is to recognize and establish the residential dwelling on a standalone parcel.

The parcel to being severed is currently addressed as 6 Glenelg Street West and has a separate assessment roll number different from the assessment roll number for the proposed retained lands (37 Lindsay Street South). However, both addresses share the same property identifier number (PIN) which means the proposed severed and retained parcels are considered a single entity on title and not separately conveyable. The objective of the consent application process is to legally remove the residential parcel from the overall land holdings.

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

1. Zoning By-law Amendment Application received February 3, 2020.
2. Severance Sketch for 37 Lindsay Street South and 6 Glenelg Street West, prepared by Coe Fisher Cameron, dated November 15, 2018.
3. Plan of Survey for 6 Glenelg Street West, prepared by Coe Fisher Cameron, dated March 29, 2019.

Staff has reviewed the supporting documentation and has evaluated the application in the context of applicable zone provisions and policies.

Applicable Provincial Policies:

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) and Provincial Policy Statement, 2020 (PPS):

The 2019 Growth Plan directs development to settlement areas except where the policies of the Plan permit otherwise. The 2020 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 shall be the focus of growth and development.

The application conforms to the policies of the 2019 Growth Plan and is consistent with the PPS as development is directed to a settlement area, where densities and a mix of land uses are appropriate which can make effective use of existing infrastructure.

Official Plan Conformity:

The lands are designated 'Central Business District Commercial' (CBD Commercial) in the Town of Lindsay Official Plan (OP). The subject lands are also identified as being in the Downtown Area-Policy Area and subject to Community Improvement Area Plans. The proposed retained land conforms to the CBD Commercial policy, which permits a full range of retail and commercial uses. Likewise, the proposed severed lands follow the CBD Commercial policy,

which permits residential uses on the upper storeys of a commercial building or in free-standing residential buildings.

In consideration of the above, it would appear that this proposal conforms to the policies of the Town of Lindsay Official Plan.

Zoning By-Law Compliance:

The subject lands (retained and severed) are zoned 'Central Commercial (CC) Zone' in the Town of Lindsay Zoning By-law 2000-75, which permits an array of commercial uses, dwelling units above a permitted commercial use, residential apartment building, etc. The CC Zone does not permit a freestanding residential dwelling in the form of single or semi-detached dwelling, a duplex dwelling, triplex or fourplex dwelling. In order to fulfill a condition of Consent for the land being severed, a rezoning application has been submitted for consideration to deal with land use, lot area and frontage, interior side and rear yard setback reductions, and minimum parking standards for the subject lands. The effect of the rezoning application allows separate ownership of the lands and recognizes the existing development of the property.

Currently, the retained land contains a two-storey brick commercial building while the severed land contains a freestanding residential building. In this residential building, there are three (3) dwelling units within the two-storey portion with a basement space below the main level used for storage, including a supplementary dwelling unit on the attached single-storey portion of the same building, which the owner advised was converted and utilized for office space. A fourplex use is considered appropriate by definition, based on the layout of the dwelling units, which includes in the two-storey side, a one-bedroom dwelling unit on the main level, two other accessory apartment units on the upper level sharing a common vestibule with the space on the main level, and a fourth accessory apartment unit in the one-storey portion having a separate entrance from outside.

The applicable residential parking requirement of 1.35 parking spaces per dwelling unit is being applied in accordance with the parking provisions for multiple attached dwelling unit. This is in order to accommodate for visitor parking while accounting for the advice of the owner that the dwelling units are rented out under an affordable housing program whereby the participants/residents do not have access to a personal vehicle.

In light of the above, a Residential Multiple One (RM1) Zone category would be suitable for the lot to be severed with a parking requirement of 5.4, which would typically be rounded to 6 parking spaces in accordance with the parking provisions. Given 5 parking spaces are currently available on the lot to be severed, a condition of consent required that the lot to be severed be rezoned from the CC Zone to a RM1 Exception (RM1-**) Zone to establish the principle of residential use and to permit a reduced minimum number of parking spaces with applicable zoning standards determined necessary.

Other Alternatives Considered:

No other alternatives have been considered at this time.

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 Recommendations to The 2020-2023 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Priorities:

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

This application would align with the exceptional quality of life goal as it provides housing options to supply affordable housing.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Servicing Comments:

The lot is serviced with municipal infrastructure. As there are no changes proposed to the existing fourplex dwelling on the proposed severed land, the approval of the application would not affect existing servicing capacity.

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:

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

Agency Review Comments:

On August 12, 2020, the Building Division advised they have no concerns with the application.

On August 17, 2020, Development Engineering advised they have no objection or comments with respect to the proposed Zoning By-law Amendment.

On August 17, 2020, Heritage Planning Economic Development Officer advised there were no concerns regarding the proposed rezoning of the property as there is no anticipated impact on the adjacent heritage conservation district.

On August 20, 2020, the Community Services Department advised they have no concerns or comments with the application.

Development Services – Planning Division Comments:

The application for Zoning By-law Amendment demonstrates consistency with the Provincial Policy Statement and conformity to the Growth Plan and Town of Lindsay OP. The proposed Zoning By-law amendment will appropriately facilitate the severance of the subject lands with site specific development standards to be implemented including a reduced minimum lot area per dwelling unit, reduced minimum lot frontage per dwelling unit, reduced minimum interior side yard setback, reduced minimum rear yard setback and a reduced number of required parking spaces.

Conclusion:

In consideration of the comments and the evaluation contained within this report, and provided there are no further issues or concerns raised, 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'
PLAN2020-040.pdf



Appendix 'B'
PLAN2020-040.pdf



Appendix 'C-1'
PLAN2020-040.pdf



Appendix 'C-2'
PLAN2020-040.pdf



Appendix 'D'
PLAN2020-040.pdf

Appendix 'A' – Location Map
Appendix 'B' – Aerial Photograph
Appendix 'C-1' and 'C-2' – Survey Plan and Consent Sketch
Appendix 'D' – Draft Zoning By-law Amendment

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D06-2020-008