

# **The Corporation of the City of Kawartha Lakes**

## **Planning Advisory Committee Report**

**Report Number PLAN2020-059**

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**Meeting Date:** December 2, 2020

### **Public Meeting**

**Title:** Apartment Building for 207 Residential Units with ground floor commercial

**Description:** Applications to amend the Town of Lindsay Official Plan and Zoning By-law to permit an 11 storey approximately 207 unit apartment building with ground floor commercial uses and establish applicable development standards on the property described as Part Lot 5, S of Wellington St, Part 1, 57R-5112, former Town of Lindsay, now City of Kawartha Lakes, identified as 44-64, 66 William Street North

**Ward Number:** Ward 5 – Lindsay

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

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### **Recommendations:**

**That** Report PLAN2020-059, Part Lot 5, S of Wellington St, Part 1, 57R-5112, former Town of Lindsay, now City of Kawartha Lakes, identified as 44-64, 66 William Street North, “J Eighteen Corp. – D01-2020-005, and D06-2020-023”, be received; and

**That** PLAN2020-059 respecting Applications D01-2020-005, and D06-2020-023 be referred back to staff to address any 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.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

The applicant has submitted applications for an official plan and zoning by-law amendment for the lands addressed as 44-64, 66 William Street North. The proposal is of an 11 storey 207-unit apartment building, with commercial uses on the first floor. The apartments are proposed to be marketed to seniors and retirees. The apartment units are proposed on storeys 2-10, and will range in size from 41 to 57 square metres (441-613 square feet). The 11<sup>th</sup> storey is proposed to contain indoor and outdoor amenity space along with the mechanical room. The 1<sup>st</sup> floor proposes 331 square metres of retail space and 157 square metres of restaurant space, to be used by the general public as well as building residents.

A combination of surface and underground parking is proposed off a driveway entrance on William Street North.

Owner:	J Eighteen Corp c/o Tao Liu and Shuyi Jin
Applicant:	EcoVue Consulting Services Inc. c/o Kent Randall
Legal Description:	Part Lot 5, S of Wellington St, Part 1, 57R-5112, former Town of Lindsay, now City of Kawartha Lakes
Designation:	'Central Business District Commercial' on Schedule 'A' and 'Policy Area - Downtown Area' on Schedule 'B' of the Town of Lindsay Official Plan
Zone:	'Central Commercial (CC) Zone' on Schedule 'A' of the Town of Lindsay Zoning By-law Number 2000-75
Lot Area:	3,095 square metres (0.76 acre)
Site Servicing:	Proposed full urban services: municipal water and sanitary sewers; storm sewers.
Existing Uses:	44-64 William Street North – parking lot 66 William Street North – 1 storey commercial building
Adjacent Uses:	North: Wellington Street, Commercial East: McDonnell Park, Scugog River South: Parking Lot, Low-Rise Residential West: William Street North, Commercial, Medium Density Residential (townhouse)

## **Rationale:**

The property is located at the intersections of Wellington Street and William Street North, in the northern arm of Lindsay's Central Business District and Downtown areas. See Appendix 'A'. A high density residential development with commercial uses is proposed. See Appendix 'B'.

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

1. Planning Justification Report prepared by EcoVue Consulting Services Inc. dated June 26, 2020
2. Functional Servicing Report prepared by Engage Engineering Ltd. Dated December 2019
3. Functional Stormwater Management Report prepared by Engage Engineering Inc. dated December 2019
4. Removals, Erosion and Sediment Control Plan prepared by Engage Engineering Ltd. dated November 18, 2019
5. Traffic Impact Study prepared by Tranplan Associates Inc. dated January 2020
6. Hydrogeological and Geotechnical Investigation Report prepared by WSP dated September 2019
7. Phase One Environmental Site Assessment prepared by WSP dated June 2019
8. Stages 1 and 2 Archaeological Assessment prepared by Earthworks Archaeological Services Inc. dated January 24, 2020
9. Site Plan, SP-1 prepared by EcoVue Consulting Services Inc. dated August 19, 2020
10. Architectural Design Description prepared by Z Square Consulting
11. Comprehensive Urban Design Analysis prepared by EcoVue Consulting Services Inc. dated August 19, 2020
12. Preliminary Floorplans prepared by Z Square Consulting Inc.
13. Shadow Impact Analysis prepared by EcoVue Consulting Services Inc. dated June 18, 2020
14. Preliminary Cost Estimate prepared by Engage Engineering Ltd. dated June 24, 2020
15. Surveyor's Real Property Report prepared by Mandarin Surveyors Limited dated July 24, 2018

General comments and/or issues have been identified by staff from the various departments within the City and other commenting agencies. To date, the following are the main issues that were identified to the applicant through the pre-circulation process:

- As noted in the applicant's planning justification report, the height of the building is greater than any other apartment building in Lindsay. The building proposes a modern style. Therefore, the building will alter the overall character of the landscape and downtown area. Staff note that the

Downtown Lindsay Heritage Conservation District (HCD) lies to the south of this parcel. A Heritage Impact Assessment (HIA) was requested to assess the impacts to the HCD. The applicant is carrying out the HIA request;

- Capacity constraints in two sections of the sanitary sewer main exist. Functional engineering design and preliminary cost estimate relating to the completion of existing sanitary sewer upgrades is required at this time;
- Completed upgrades to the City's existing sanitary infrastructure were not identified in the Sanitary Sewer Design Sheets provided; and
- Confirmation of the capacity of the sewer pipe network downstream of the site to the new pump station at Rivera Park;

Staff recommend that the applications be referred back to staff until such time as all commenting agencies and/or City departments comments/concerns have been provided and/or addressed; the public has an opportunity to provide comments and/or concerns relating to the proposed development which need to be addressed; and to permit further discussions with the applicant respecting conformity to applicable policies, as required.

## **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 policies of the Growth Plan encourage cities and towns to develop as complete communities which feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; provide a diverse range and mix of housing options to accommodate people at all stages of life; and provide for a more compact built form.

The applicant has submitted the appropriate technical reports for consideration and review. Through the appropriate revisions to the technical reports and plans, conformity with the policies of the Growth Plan should be achieved.

### **Provincial Policy Statement, 2020 (PPS):**

The 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. The site is within the Lindsay settlement area.

The PPS promotes healthy, safe, and liveable communities through promoting efficient land use patterns. Such patterns include the better use of existing services and infrastructure through intensification. The applications propose to convert the commercial building and parking lot uses into a more intensive mixed commercial-residential use.

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. The development is proposed within an area served by municipal water and sewer.

Section 2.6.1 directs the conservation of significant built heritage resources, and significant cultural heritage landscapes. The property is to the north of the Lindsay Heritage Conservation District and the impacts to the District will be assessed through an HIA.

The applicant has submitted the appropriate technical reports for consideration and review, though the HIA remains outstanding. Review of the proposal is ongoing.

### **Official Plan Conformity:**

The City of Kawartha Lakes Official Plan (City Official Plan) was adopted by Council in September 2010 and approved by the Minister of Municipal Affairs and Housing (MMAH) in 2012. The Lindsay Secondary Plan (LSP) was adopted by Council in June 2017 and is currently under appeal to the Local Planning Appeal Tribunal (LPAT). Due to the appeals, the subject land remains subject to the Town of Lindsay Official Plan (Lindsay Official Plan), where the subject lands are designated 'Central Business District Commercial' on Schedule 'A' and 'Policy Area - Downtown Area' on Schedule 'B' of the Lindsay Official Plan. The Downtown Area policies identify the unique Victoria architecture along with other built forms typically found in a traditional downtown, and permit a range of commercial, community, and employment uses.

While research is ongoing to determine the specific policy amendments needed, the proposal is anticipated to require the following policy amendments:

1. An amendment to Policy 4.3.2.2 to:
  - a. Increase the density of a mixed commercial-residential building to more than 2 times the lot area; and
  - b. Increase the residential density from 100 units per gross hectare to 690 units per gross hectare
2. An amendment to clarify per policy 4.3.2.1 that a predominantly residential building with commercial uses on the lower floor(s) is permitted.

There may be policy implications if these changes are successful, and they need to be fully assessed.

The applicant has submitted the appropriate technical reports and background studies to demonstrate the amendments requested to the Official Plan. Review of the proposal is ongoing.

### **Zoning By-Law Compliance:**

The lot is zoned ‘Central Commercial (CC) Zone’ in the Town of Lindsay Zoning By-law 2000-75 (By-law). The CC Zone permits a variety of commercial, residential, and mixed residential-commercial uses. An apartment building is also a permitted use.

While research is ongoing to determine the specific zoning amendments needed, the proposal is anticipated to require the following provision amendments:

1. Increase building height from 15 metres to 41 metres,
2. Add a definition to permit an independent seniors apartment building,
3. Establish new minimum yard setbacks, maximum density, and maximum lot coverage requirements that do not meet the CC Zone requirements
4. Reduce the parking space requirement to 86. The spaces are proposed to be a combination of at-grade and underground parking.

The applicant has submitted the appropriate technical reports and background studies to demonstrate the amendments requested to the Zoning by-law. Review of the proposal is ongoing.

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

These applications align with the Exceptional Quality of Life priority by proposing housing within the downtown area; and align with the Good Government priority

by encouraging better use of community infrastructure, such as transit, within the built-up area.

## **Review of Accessibility Implications of Any Development or Policy:**

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

## **Servicing Comments:**

Full urban municipal services are available.

## **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 two signs were posted on the property. As of November 18, 2020, we have received the following comments:

### **Public Comments:**

To date, no public comments have been received.

### **Agency Review Comments:**

November 17, 2020      The HKPR District Health Unit advised that additional barrier-free parking spaces should be proposed for both residents, visitors, and customers given the plan to cater to older adults. Outdoor bicycle parking should be proposed for commercial customers and indoor/underground bicycle parking should be proposed for residents.

September 29, 2020      The Human Services Department encourages the applicant to consider options to allow a portion of the 207 units to be either rented or sold at an affordability level to assist the City meet its affordable housing targets. A full copy of the comments is within the files.

## **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. At this time, staff are aware that there will be agency and department comments provided which will be forwarded to the applicant upon receipt, and these comments will need to be addressed by the applicant. Staff recommend that these applications be referred back to staff until such time as all comments and concerns have been received, circulated, and addressed.

## **Conclusion:**

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Official Plan and Zoning By-law Amendment applications be referred back to staff for further review and processing until such time as all comments and concerns have been addressed.

## **Attachments:**

### Appendix 'A' – Location Map



Appendix A to  
PLAN2020-059.pdf

### Appendix 'B' – Aerial Photograph



Appendix B to  
PLAN2020-059.pdf

### Appendix 'C' – Renderings



Appendix C to  
PLAN2020-059.pdf

### Appendix 'D' - Elevations



Appendix D to  
PLAN2020-059.pdf

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**Department Head:** Chris Marshall, Director, Development Services

**Department Files:** D01-2020-005, and D06-2020-023