



## Planning Advisory Committee Report

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**Report Number:** PLAN2021-003

**Meeting Date:** February 10, 2021

**Title:** Amend the Lindsay Official Plan and Zoning By-law 2000-75 together with a Draft Plan of Subdivision at 331 Logie Street, Lindsay – Lepha Properties Inc. and City of Kawartha Lakes

**Description:** Applications to amend the Town of Lindsay Official Plan and Zoning By-law, together with a Draft Plan of Subdivision (16T-21501) to permit a residential plan of subdivision consisting of 1 block for 45 townhouse dwelling units to allow the redevelopment of the properties identified as 331 Logie Street and Vacant Land on Logie Street, Lindsay

**Type of Report:** Public Meeting

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

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### Recommendations:

**That** Report PLAN2021-003, **Part of Lot 18, Concession 6, Former Town of Lindsay, Lepha Properties Inc. and City of Kawartha Lakes – Applications D01-2021-001, D06-2021-001 and D05-2021-001**, be received; and

**That** PLAN2021-003 respecting Applications D01-2021-001, D06-2021-001 and D05-2021-001 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 a draft plan of subdivision, an official plan amendment, and zoning by-law amendments for the properties identified as 331 Logie Street, and Vacant Land on Logie Street in Lindsay. The proposal is to permit a 45 unit two storey townhouse development by:

- a) Changing the land use designation on the eastern property from the 'Parks and Open Space' designation to the 'Residential' designation; and
- b) Changing the zone category from the 'Parks and Open Space (OS) Zone' on the eastern property and from the 'Residential Two Special Thirteen Holding One [R2-S13(H1)] Zone' on the western property, to a 'Residential Multiple One Special \*\* (RM1-S\*\*) Zone' for both properties, which will be consolidated into one property.

The draft plan of subdivision will allow the future division of the townhomes and their respective 'parcels of tied land' (referred to as 'lots') to be completed by using the Part Lot Control provision of the Planning Act, which allows them to be sold separately without requiring consent applications to create each lot. The applicant attended a Preconsultation meeting with the City in November of 2018, and first submitted these applications in November of 2020. All items were received and the applications deemed complete on December 18, 2020.

Owners: 331 Logie Street – Lepha Properties Inc. c/o Ken Sherwood and Jason Johansen; and

Vacant Land – City of Kawartha Lakes c/o Realty Services

Applicant: KLM Planning Partners Inc. c/o Ryan Mino Leahan

Legal Descriptions: 331 Logie Street – 57R-3509 Part 1, 57R-10306 Part 1; Part of Lot 18, Concession 6, Geographic Township of Ops, Former Town of Lindsay; and

Vacant Land – 57M-797 Block 74; Part of Lot 18, Concession 6, Geographic Township of Ops, Former Town of Lindsay

Designation: 'Residential' and 'Parks and Open Space' on Schedule 'A' of the Town of Lindsay Official Plan. The land is identified as fronting on a Collector Road on Schedule 'C' – Transportation Network

Zone: 'Residential Two Special Thirteen Holding One [R2-S13(H1)] Zone' and 'Parks and Open Space (OS) Zone' on Schedule 'A' of the Town of Lindsay Zoning By-law Number 2000-75

Lot Area: 1.46 hectares [3.61 acres] including both properties

Site Servicing:	Proposed full urban services: municipal water, sanitary sewer and storm sewer
Existing Uses:	Low Density Residential; Former Logie Street; Vacant Land
Adjacent Uses:	North: Logie Street Park; Scugog River
	East: Logie Street; Low Density Residential
	South: Logie Street; Vacant Community Facility; Lindsay Golf and Country Club
	West: Logie Street Park; Logie Street

## Rationale:

The properties are located on the north and west side of Logie Street, at the bend where it turns and runs to the northeast, parallel to the Scugog River, bounded by the Logie Street Park on the north, in the southeast quadrant of Lindsay. See Appendix 'A'. The subject property is located in a mixed use area with a mix of single detached and townhouse dwellings on the east side of Logie Street; vacant lands to the immediate south; limited commercial uses (IG Wealth Management office and a motel) along Lindsay Street South; and the recently renovated Logie Street Park to the north. See Appendix 'B'.

The consolidated property consists of approximately 1.46 hectares, and contains two buildings currently occupied by the Liberty Baptist Church; a natural gas easement which traverses the property through the former Logie Street right-of-way; and a large sodded berm. The applicant is applying on behalf of the owners to re-designate one of the properties and rezone both properties to permit a 45 unit freehold townhouse complex development, fronting on two private condominium roads. The existing buildings will be demolished, and the large berm will be removed and regraded. The current proposed townhouse concept consists of eight (8) blocks of townhomes, ranging from 4 units to 8 units per building. Each townhouse would have its own driveway, and the common elements consist of 12 visitor parking spaces; a water meter room; a stormwater management facility and two private roads with associated sidewalks. Site specific development standards such as lot area, frontage, setbacks, and lot coverage are also proposed, which would be addressed through a site-specific exception zone. 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 Justification Report prepared by KLM Planning Partners Inc., dated November 2020. The report discusses and assesses the proposal in context of the 2020 Provincial Policy Statement (PPS); A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan); the Town of Lindsay Official Plan, the Council adopted and appealed Lindsay Secondary Plan, and the Town of Lindsay Zoning By-law 2000-75.
2. Draft Official Plan and Zoning By-law Amendments prepared by KLM Planning Partners Inc., dated November 2020.
3. Proposed Concept Site Plan prepared by Cassidy + Company, dated August 12, 2020.
4. Conceptual Elevations prepared by Cassidy + Company, dated October 28, 2020.
5. Urban Design Brief prepared by KLM Planning Partners Inc., dated November 2020. The report discusses the context of the proposal based on site and neighbourhood, architectural design principles, etc.
6. Hydrogeological Assessment and Water Balance Report prepared by Grace & Associates Inc., dated October 18, 2020. The report examines the existing soil and subsurface conditions relating to infiltration of water on the site.
7. Geotechnical Review of Large Fill Stockpile prepared by AME Materials Engineering, dated October 2020. The report examines and assesses the geotechnical suitability of the existing stockpiled material for reuse on the site.
8. Geotechnical Investigation Update prepared by AME Materials Engineering, dated October 2020. The report examines the subsurface conditions and provides recommendations for the building foundations.
9. Functional Servicing Report prepared by Engage Engineering Ltd., dated October 2020. The report discusses and assesses the proposal in context of services, including water, sanitary sewer and stormwater management.
10. Stormwater Management Report prepared by Engage Engineering Ltd., dated October 2020. The report discusses and assesses the proposed stormwater measures to ensure that post development flows are maintained to pre-development levels while maintaining quality control.
11. Soil Characterization of Stockpiled Fill – East Block prepared by Grace & Associates Inc., dated October 2, 2020. The report examines and assesses the physical and chemical quality of the soil.
12. Phase 1 Environmental Site Assessment Report prepared by Grace & Associates Inc., dated June 27, 2019, last updated February 10, 2020. The report discusses and assesses the historical uses on and around the property.

13. Phase 2 Environmental Site Assessment Report prepared by Grace & Associates Inc., dated October 14, 2020. The report discusses and assesses the results of soil samples taken from the property.
14. Environmental Impact Study prepared by Grace & Associates Inc., dated October 21, 2020. The report summarizes the results of a site investigation and analysis to determine the potential impacts to any natural heritage features on or within 120 metres of the subject property.
15. Traffic Impact Study prepared by Tranplan Associates Inc., dated August 2020. The report discusses and assesses the proposal in context of any improvements required for the Logie Street and Lindsay Street South intersection, and the proposed entrance.
16. Stage 1 & 2 Archaeological Assessment Report prepared by Earthworks Archaeological Services Inc., dated August 15, 2017. The report examines the potential for archaeological material to exist on the subject property.
17. Topographic Plan of Survey prepared by Coe Fisher Cameron Land Surveyors, dated May 5, 2020.
18. Draft Plan of Subdivision prepared by KLM Planning Partners Inc., dated May 25, 2020.

All the reports have been circulated to the applicable City departments and commenting agencies for review and comment. Staff recommend that the applications be referred back to staff to allow the public an opportunity to provide comment, and until such time as all commenting agencies and/or City departments comments/concerns have been addressed.

## **Provincial Policies:**

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (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 integrate green infrastructure and low impact development.

This proposal involves 2 properties: the westerly property at 331 Logie Street is subject to Section 2.2.2 – Delineated Built-Up Areas; and the easterly property, Vacant Land on

Logie Street is subject to Section 2.2.7 – Designated Greenfield Areas. The City of Kawartha Lakes 2011 Growth Management Strategy (GMS) requires that 30% of intensification built annually be within the built boundary, while the portion of the lands in the Greenfield Area are required to meet a density of not less than 40 residents and jobs per hectare, measured over the entire Greenfield Area.

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 demonstrated.

**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.

Section 1.1.1 outlines how healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 provides direction to promote efficient development patterns, protect resources, promote green spaces and ensure effective use of infrastructure and public service facilities.

Section 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;

- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- d) prepare for the impacts of a changing climate;
- e) support active transportation.

Section 1.1.3.3 directs Planning authorities to identify locations and promote opportunities to accommodate a significant supply and range of housing options through intensification and redevelopment in taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. The proposed development for intensification and redevelopment occupies a brownfield site and will utilize existing municipal infrastructure.

Section 1.4.3 provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities in areas where it exists or is to be developed.

Planning for sewage, water, and stormwater shall be in accordance with Section 1.6.6 of the PPS. Section 1.6.6.1 provides that planning for sewage and water services shall:

- a) Accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage and water services;
- b) Ensure that these systems are provided in a manner that can be sustained by the water resources on which they rely, prepare for the impacts of a changing climate, are feasible and financially viable, and protect human health and safety, and the natural environment.

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.

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 human-made hazards (Section 3).

The applicant has submitted the appropriate technical reports for consideration and review. Subject to confirmation from the relevant Departments and Agencies and through the appropriate revisions to the technical reports and plans, consistency with the policies of the PPS should be demonstrated.

### **Trent Source Protection Plan (TSPP):**

The property is located within the Kawartha-Haliburton source protection area. The property is located within the Lindsay Surface Water Intake Protection Zones 1 and 2 (IPZ-1 and IPZ-2). Therefore, the applicant was required to obtain a Section 59. (2) Notice under the Clean Water Act (2006), prior to submission of these applications. A Notice will be required to be issued by the Risk Management Official (RMO) at each stage of development (eg. Site Plan, Building, etc.), before the City can deem any respective application(s) complete.

### **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 City Official Plan included the entire subject property within the Urban Settlement Boundary of Lindsay. The Lindsay Secondary Plan (LSP) was adopted by Council in June 2017 and is currently under appeal to the Local Planning Appeal Tribunal (LPAT). The entirety of the lands were designated 'Residential' in the Council adopted LSP.

Due to the appeals, the subject land remains under the jurisdiction of the Town of Lindsay Official Plan (Lindsay Official Plan), where the subject lands are designated 'Residential' (331 Logie Street) and 'Parks and Open Space' (Vacant Land on Logie Street) on Schedule 'A' of the Lindsay Official Plan. The applicant has requested an amendment to change the 'Parks and Open Space' designation to the 'Residential' designation, which would permit a variety of dwelling types, subject to the low, medium and/or high density policies. The built form and density of the development would be determined through the site-specific zoning assigned to the property, based on the uses, setbacks, lot coverage, etc. in accordance with the following:

- a) Low Density: Single or semi-detached dwellings; duplexes; low profile residential not exceeding 2.5 storeys. Maximum density of 25 dwelling units per hectare
- b) Medium Density: Triplex, fourplex, townhouse dwellings; walk-up apartments; medium profile residential not exceeding 4 storeys. Maximum density of 62 dwelling units per hectare



- c) High Density: Residential apartment buildings and other residential buildings in excess of 4 storeys height. Maximum density of 125 dwelling units per hectare

The proposal generally adheres to the criteria for medium density development, such as maintaining density, height and character in keeping with adjacent uses, and having direct access onto a Collector road. However, there are a number of background studies which have been submitted to the City which are currently subject to review, to verify the development will conform with Policy 4.1.2.2 a) through h) of the Lindsay Official Plan. The proposal would consist of a density of 30.84 dwelling units per hectare. The land fronts Logie Street which is identified as a Collector Road on Schedule 'C' – Transportation Network mapping in the Lindsay Official Plan. In accordance with Section 4.1.2.2, a Functional Servicing Report and Stormwater Management Report have been submitted to address Policy d); and a Traffic Impact Study has been submitted to address Policy h). This proposal will be subject to site plan control, which will address details such as dwelling siting, walkway placements, landscaping, etc.

The applicant has submitted the appropriate technical reports and background studies to demonstrate conformity with the Official Plan. Through completing the review and any appropriate revisions to the technical reports and plans, conformity with the policies of the Official Plan should be achieved.

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

The properties are zoned 'Residential Two Special Thirteen Holding One [R2-S13(H1) Zone' and 'Parks and Open Space (OS) Zone' in the Town of Lindsay Zoning By-law 2000-75 (Zoning By-law). The applicant has requested to change the zone category to a 'Residential Multiple One Special \*\* (RM1-S\*\*) Zone' to permit townhouse units to be constructed. The Special provision would permit for site-specific development standards, such as a decrease in the minimum lot area, front yard setback, exterior side yard setback abutting a private street, interior side yard setback, rear yard setback; an increase in the maximum lot coverage and parking requirement; and exemption from the provisions of 9.2 (i) and 5.14 (e), as follows:

<b>Zone Standard:</b>	<b>'RM1' Zone:</b>	<b>Proposed 'RM1-**' Zone:</b>
Minimum Lot Area	185 square metres	160 square metres
Minimum Front Yard Setback	7.5 metres	5.5 metre

<b>Zone Standard:</b>	<b>'RM1' Zone:</b>	<b>Proposed 'RM1-**' Zone:</b>
Minimum Exterior Side Yard Setback to a Private Street, Aisle or Driveway	4.0 metres	3.0 metres
Minimum Interior Side Yard Setback	3.5 metres	1.2 metres
Minimum Rear Yard Setback	7.5 metres	6.5 metres
Maximum Lot Coverage for All Buildings	35%	55%
General Provisions for Accessory Buildings – Water Meter Room	Applicable – Side or Rear Yard Only, Subject to Setbacks	Erected in Any Yard – Subject to Setbacks: 5.5 m. Front Yard 1.25 m. Rear Yard 1.25 m. Interior Side Yard 4.0 m. Exterior Side Yard
Parking Requirements	1.1 Per Dwelling Unit Plus .25 Per Dwelling Unit For Exclusive Use Of Visitors	2 Per Dwelling Unit Plus 0.25 Per Dwelling Unit For Visitors
9.2 (i) – Maximum gross floor area as a % of lot area	Applicable	Not Applicable
5.14 (e) – All parking lots situated in a rear and/or side yard shall provide a landscaped strip of a minimum width of 1.8 m around the parking lot	Applicable	Not Applicable
Definition: Water Meter Room	Not Applicable	A non-habitable building which houses water meters and related equipment for surrounding dwelling units.

The applicant has submitted the appropriate technical reports and background studies to demonstrate compliance with the Zoning By-law. Through the appropriate revisions to the technical reports and plans, full compliance with the provisions of the Zoning By-law should be achieved.

**Other Alternatives Considered:**

No other alternatives have been considered.

**Alignment to Strategic Priorities:**

The Council Adopted Strategic Plan identifies these Strategic Priorities:

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

These applications align with the Healthy Environment priority by protecting the municipal water drinking source and promoting sustainable development through the utilization of Low Impact Development (LID) techniques where possible to protect and enhance water quality; and align with the Exceptional Quality of Life priority by encouraging a new development which provides new housing stock, of which a portion may be available for affordable initiatives.

**Financial/Operation Impacts:**

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendments and/or the Draft Plan Approval request 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.

**Servicing Comments:**

Full urban municipal services, including water, sanitary sewer and storm sewer are proposed. The Functional Servicing and Stormwater Management Reports have been circulated to the Engineering and Corporate Assets Department for review and comment. The report advises that the subject lands are serviceable with sufficient capacity within the existing municipal infrastructure; however, this will need to be confirmed by the City's Engineering and Corporate Assets and Public Works – Water and Wastewater Departments.

**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 properties; and a sign was posted on the property. As of January 29, 2021, we have received the following comments:

**Public Comments:**

Comments and inquiries were received from residents P. Webber, J. Wallace, W. Lane, and P. Dunn. Noted concerns included:

- Removal of a portion of lands currently designated as park space;
- A reduction in the value of the properties within the existing development to the east;
- If the units are being constructed as affordable housing (geared to income or rental accommodation);
- The tenure of ownership (freehold or condominium);
- The impacts to traffic in the area and at the intersection of Lindsay Street South; and
- Potential for environmental issues to arise.

The public comments that were received have been forwarded to the applicant and/or City Departments for review.

**Agency Review Comments:**

January 27, 2021      The Building Division has no concerns with the applications.  
Comments will be reserved to site plan circulation.

**Development Services – Planning Division Comments:**

The background information which has been submitted in support of the applications has been circulated to the appropriate agencies and City Departments for review and comment. Staff recommends that the applications be referred back to staff until such time as all comments and concerns have been 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 along with the Draft Plan of Subdivision application be referred back to staff for further review and processing until such time as all comments and concerns have been addressed.

**Attachments:**

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email or call Ian Walker, Planning Officer – Large Developments, [iwalker@kawarthalakes.ca](mailto:iwalker@kawarthalakes.ca) or (705) 324-9411 extension 1368.

## Appendix A – Location Map



PLAN2021-003  
Appendix A.pdf

## Appendix B – 2018 Air Photo of Property and Surrounding Neighbourhood



PLAN2021-003  
Appendix B.pdf

## Appendix C – Proposed Site Concept Plan, dated August 12, 2020



PLAN2021-003  
Appendix C.pdf

## Appendix D – Proposed Concept Elevations, dated October 28, 2020



PLAN2021-003  
Appendix D.pdf

**Department Head email:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

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

**Department File:** D01-2021-001, D06-2021-001 and D05-2021-001