



Planning Advisory Committee Report

Report Number: PLAN2021-015

Meeting Date: April 7, 2021

Title: Amend the Ops Zoning By-law 93-30 at Carew Boulevard, Lindsay – Burcar Investments Ltd.

Description: An application to amend the Township of Ops Zoning By-law to reduce the front yard setback from 7.5 metres to 6.0 metres; and increase the maximum lot coverage from 35% to 45% for 71 proposed lots in Springdale Phase 3 on the properties identified as Vacant Land on Carew Boulevard, Lindsay (Burcar Investments Ltd.)

Type of Report: Public Meeting

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

Recommendations:

That Report PLAN2021-015, **Registered Plan 383, Lots 61 to 68, 80 to 91, 94 to 116, 142 to 152 and Part of Lot 93, designated as Part 208, 57R-9054; Part of Lot 25, Concession 5, Geographic Township of Ops, Burcar Investments Ltd. – Application D06-2021-003**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix 'D' to Report PLAN2021-015, 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.

(Acting) Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The applicant has submitted an application for a zoning by-law amendment. The proposal is to change the zone category from the 'Residential Exception Two Holding Two [R-2(H2)] Zone' to a 'Residential Exception ** (R-**) Zone' to reduce the minimum front yard setback, and increase the maximum lot coverage for a 71 lot development in Springdale Gardens. See Appendix 'A' and 'B' attached.

Owner:	Burcar Investments Ltd. c/o Batavia Homes (Greg DeFreitas)
Applicant:	Wayne Simpson and Associates c/o Thomas Kirkby
Legal Description:	Registered Plan 383, Lots 61 to 68, 80 to 91, 94 to 116, 142 to 152 and Part of Lot 93, designated as Part 208, 57R-9054; Part of Lot 25, Concession 5, Geographic Township of Ops
Designation:	'Urban' on Schedule 'A-3' of the City of Kawartha Lakes Official Plan; 'Residential' on Schedule 'A' of the Township of Ops Official Plan
Zone:	'Residential Exception Two Holding Two [R-2(H2)] Zone' on Schedule 'A' of the Township of Ops Zoning By-law Number 93-30
Lot Area:	4.19 hectares [10.35 acres]
Site Servicing:	Proposed full urban services: municipal water, sanitary sewer and storm sewer
Existing Uses:	Vacant Land
Adjacent Uses:	North: Agricultural; Thunder Bridge Road East: Low Density Residential (Springdale Gardens) South: Low Density Residential (Springdale Gardens) West: Angeline Street North; Low Density Residential

Rationale:

The property is located on the east side of Angeline Street North and at the existing terminus of Lamb Avenue, Lawson Avenue and Carew Boulevard in the Springdale subdivision. See Appendix 'A'. The development consists 71 new single detached homes fronting on the extension of these three roads (Lamb, Lawson and Carew), in addition to a new cul-de-sac at the west end known as Burrows Crescent. See Appendix 'B'. The proposed development will be completed on full municipal services, including water, sanitary and storm sewers.

The property is vacant and consists of approximately 4.19 hectares of residential land and 1.32 hectares of municipal land for roads. The original draft plan of subdivision (circa 1960) created 55 lots in this portion of the development, for single detached dwellings. In 1999, the Township of Ops Council passed a by-law which provided for 71 lots in this portion of the development. The applicant is applying on behalf of the owner to rezone the 71 proposed lots to decrease the minimum front yard setback from 7.5 metres to 6.0 metres, and increase the maximum lot coverage from 35% to 45%, to accommodate larger building envelopes for the new homes. 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 Justification Report prepared by Wayne Simpson & Associates, stamp dated January 19, 2021. The report 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, 2020 (Growth Plan); the City of Kawartha Lakes Official Plan; and the Township of Ops Zoning By-law 93-30.
2. Lotting Chart and Site Plan prepared by Batavia Homes, dated August 28, 2020.
3. Plan of Survey prepared by H.F. Grander Co. Ltd., dated November 5, 2004
4. Calculated Plan of Parts of Various Lots prepared by H.F. Grander Co. Ltd., dated July 24, 2019.
5. Plan of Survey prepared by H.F. Grander Co. Ltd., dated August 24, 2020.
6. Example Siting and Grading Plans for Lot 2, 12, 30, 37, 50 and 62, provided by Wayne Simpson & Associates.

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 City has already expended significant cost in providing servicing to the Jennings Creek Community Development Plan (JCCDP) Area to the west of Angeline Street, and also provided adequate servicing for this development, which has been cost-recovered

through the Northwest Trunk Sanitary Sewer Capital Charge as part of the Phase 2 development of Springdale Gardens.

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 development is providing for additional low impact development measures.

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

Provincial Policy Statement, 2020 (PPS, 2020):

The Provincial Policy Statement (PPS, 2020) 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. This development is outside of natural heritage and hydrologic features, and outside of natural hazards. The development has been anticipated and planned for since 1999.

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

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 as recommended by the City's 2011 Growth Management Study (GMS).

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 under the jurisdiction of the Township of Ops Official Plan (Ops Official Plan), where the subject lands are designated 'Residential' on Schedule 'A' of the Ops Official Plan. The predominant use of lands shall be for single detached dwellings. The proposed rezoning does not change the proposed use of the land, only amend two of the existing development standards.

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

Zoning By-Law Compliance:

The blocks in this development are currently zoned 'Residential Exception Two Holding Two [R-2(H2)] Zone' in the Township of Ops Zoning By-law 93-30 (Zoning By-law). The applicant has requested to change the zone category to another 'Residential Exception ** (R-**) Zone' to change two of the current development standards in the 'R-2' zone:

- A decrease in the minimum front yard setback from 7.5 metres to 6.0 metres; and
- An increase in lot coverage from 35% to 45%.

In addition to the two development standards, the Holding Two (H2) symbol will not be reapplied to the new zone, as the required servicing is now available for the development. A separate report and by-law will be considered by Council for removing the holding provision from the existing R-2 zoning, along with the appropriate Development Agreement, repeal of an existing deeming by-law, and the Part Lot Control provisions to establish the lot pattern of the development. This will allow the development to proceed in advance of this proposed zoning amendment being final and binding.

Exception Zone Provisions:

The new 'R-5' zone (as proposed) would continue to permit the existing zone provisions of the 'R-2' zone which applies to the neighbouring properties on Springdale Drive, with the exception of an increase in lot area and decrease in front yard setback.

The existing and proposed (shown in **bold**) development standards are as follows:

Zone Standard:	'R-2' Zone: Springdale Phases 1 & 2	Proposed 'R-5' Zone: Springdale Phase 3
Lot Area	360 square metres	360 square metres
Lot Frontage	12.0 metres	12.0 metres
Minimum Front Yard Setback	7.5 metres	6.0 metres

Zone Standard:	'R-2' Zone: Springdale Phases 1 & 2	Proposed 'R-5' Zone: Springdale Phase 3
Minimum Exterior Side Yard Setback	3.0 metres	3.0 metres
Minimum Interior Side Yard Setback	1.25 metres	1.25 metres
Minimum Rear Yard Setback	7.5 metres	7.5 metres
Maximum Building Height	10.5 metres	10.5 metres
Maximum Lot Coverage for all Buildings	35%	45%

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 'R' and 'R-2' zones respectively apply to the 'R-5' zone.

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

This application aligns with the Healthy Environment priority by promoting sustainable development through the utilization of Low Impact Development (LID) techniques where possible to protect and enhance water quality and the Exceptional Quality of Life priority by increasing the availability of housing stock.

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.

Servicing Comments:

The properties are 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 application; to persons within a 120 metre radius of the properties; and three signs were posted on the properties. As of March 26, 2021, we have received the following comments:

Public Comments:

To date, no public comments have been received.

Agency Review Comments:

March 10, 2021	The Building and Septic Division has no concerns with the application.
March 10, 2021	The Engineering and Corporate Assets Department advised they have no concerns with the application.
March 22, 2021	The Community Services Department advised they have no concerns or comments.

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 2020 Growth Plan, and is consistent with the Provincial Policy Statement, 2020. Conformity with the City of Kawartha Lakes and Township of Ops Official Plans have also been demonstrated.

The rezoning will amend the development standards for the 71 currently permitted single detached dwellings to be constructed on their respective lots. A site-specific

exception zone and the respective provisions have been provided to accommodate the appropriate development standards for these 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 email or call Ian Walker, Planning Officer – Large Developments, iwalker@kawarthalakes.ca or (705) 324-9411 extension 1368.

Appendix A – Location Map



PLAN2021-015
Appendix A.pdf

Appendix B – Proposed Site Concept Plan



PLAN2021-015
Appendix B.pdf

Appendix C – Example Lot Plans – Lot 2, 12, 30, 37, 50 and 62



PLAN2021-015
Appendix C.pdf

Appendix D – Proposed Zoning By-law Amendment



PLAN2021-015
Appendix D.pdf

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(Acting) Department Head: Richard Holy

Department File: D06-2021-003