



Planning Advisory Committee Report

Report Number:	PLAN2021-017
Meeting Date:	April 7, 2021
Title:	Amend the Lindsay Zoning By-law 2000-75 at 3 Pottinger Street - Kuipers
Description:	To change the zoning on the property from the Residential Two (R2) Zone to a Residential Multiple One Special (RM1-S*) Exception Zone to permit a five-unit residential dwelling with 5 parking spaces together with site specific zone provisions
Type of Report:	Public Meeting
Author and Title:	Mark LaHay, Planner II, MCIP, RPP.

Recommendations:

That Report PLAN2021-017, **Part Lot 10, Block K, RP 1, Parts 1 & 2, 57R-3320, former Town of Lindsay, City of Kawartha Lakes, identified as 3 Pottinger Street, Kuipers – D06-2021-005**, be received; and;

That the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

(Acting) Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	The proposal would rezone the subject land from the Residential Two (R2) Zone to a Residential Multiple One Special (RM1-S*) Exception Zone to permit a five-unit residential dwelling with 5 parking spaces together with site specific zone provisions. The effect of the amendment is to permit and facilitate the use of the existing residential building as a five-unit residential dwelling utilizing the existing parking area.
Owner:	Joanne Kuipers
Applicant:	Kevin M. Duguay, Community Planning and Consulting Inc.
Legal Description:	Part Lot 10, Block K, RP 1, Parts 1 & 2, 57R-3320, former Town of Lindsay
Official Plan:	"Residential" in the Town of Lindsay Official Plan
Zoning	"Residential Two (R2) Zone" in the Town of Lindsay Zoning By-law No. 2000-75
Site Size:	1,375.9 sq. m. (0.34 ac.) - MPAC
Site Servicing:	The lot is serviced by municipal water and sanitary and storm sewers
Existing Uses:	Residential four-unit dwelling (apartments)
Adjacent Uses:	North: Residential/Multi-Unit Residential East: Multi-Unit Residential/Scugog River South: Multi-Unit Residential West: Residential

Rationale:

The owner has applied to permit the use of the existing residential building as a five-unit residential dwelling utilizing the existing parking area. The subject lands, municipally known as 3 Pottinger Street, are on the south side of Pottinger Street east of William Street North, being a collector road in the former Town of Lindsay. The property is currently used as a four unit dwelling and the individual apartments have been in place since the mid 1980s. The proposal will also seek to address a Municipal Law Enforcement Office occurrence by legalizing and registering the four existing units while ensuring compliance with Building Code and Fire Safety regulations with

enhancements to the features of the building and the additional unit provides further opportunities for affordable entry level rental accommodation.

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.
2. Planning Justification Report prepared by Kevin M. Duguay Planning Community Planning and Consulting Inc., dated October 1, 2020, which evaluates the proposed amendment within the context of relevant Provincial Policies, the Town of Lindsay Official Plan and Town of Lindsay Zoning By-law 2000-75.
3. Site Plan, Drawing a1.0, prepared by Aside Architects., dated July 12, 2020, which illustrates the existing dwelling, existing accessory buildings (sheds), and the location of the existing driveway and parking area.
4. Floor Plans, Drawing a1.1 prepared by Aside Architects., dated July 12, 2020, which illustrates the existing and proposed dwelling units.
5. Surveyor's Real Property Report prepared by IBW Surveyors, dated April 21, 2020, which illustrates the legal boundaries and buildings on the property.

Staff has reviewed the Planning Justification Report and other supporting documentation and is evaluating the application in the context of applicable zone provisions and policies and generally accepts the planning rationale given. Staff is further reviewing the application and recommends that the application be referred back to Staff until such time as commenting Agencies and City Departments have submitted comments.

Applicable Provincial Policies:

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

The 2019 Growth Plan (GP) directs development to settlement areas except where the policies of the Plan permit otherwise.

The proposed development is located within the Lindsay settlement area. The GP envisions increasing intensification of the existing built-up area and providing a diverse range and mix of housing options. This application facilitates the efficient use of existing infrastructure within a designated settlement area and contributes to the achievement of complete communities and compact built form.

As such, the application conforms to the policies of the 2019 Growth Plan.

Provincial Policy Statement, 2020 (PPS):

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 are the focus of growth, including redevelopment which utilizes existing or planned infrastructure. The subject property is connected to existing water and sewer infrastructure while accommodating an appropriate range and mix of residential units.

The subject property is located within an urban area outside of mapped significant Natural Heritage or environmentally sensitive features and hazard lands, although the Scugog River is within 120 metres of the subject land. The subject land is within the Kawartha Region Conservation Authority (KRCA) regulated area, which requires a permit prior to any site alteration and/or development. We have not received comments from the KRCA with the circulation of this application at this time; however, it is not anticipated there will be any negative impacts on natural features nor would it appear there would be any concern for any natural hazards associated with this application.

In consideration of the above, it would appear that the application is consistent with the PPS.

Official Plan Conformity:

The "Residential" designation in the Town of Lindsay Official Plan (TLOP) applies to this property as the policies in the proposed "Residential" designation in the Lindsay Secondary Plan (SP), are subject to appeal at the Local Planning Appeal Tribunal. The Residential designation permits a variety of dwelling types within three densities. Although the profile of the existing one-storey bungalow style building with walk-out basement is in keeping with low density built form, the proposed use is considered medium density, which includes triplex, fourplex and townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar residential buildings not exceeding 4 storeys in height. The proposed 5 dwelling units results in a density of approximately 36 units per gross hectare, which is well under the maximum density of 62 units per gross hectare for medium density development. In addition, as there are four dwelling units within an existing building that is proposed to be renovated with an additional dwelling unit without the need for an addition or external renovations, this rezoning proposal is considered small scale and is in keeping with adjacent uses and no negative impacts are anticipated.

The general housing policies in the TLOP promote urban community structure to ensure a mix and range of residential lot sizes, unit sizes, housing forms, costs and tenures to satisfy the needs of the residents.

The proposed use appears to be in keeping with the general policies of the proposed SP for residential use of land within the settlement area of Lindsay and generally conforms with the TLOP.

Zoning By-Law Compliance:

In order to permit the proposed use, a rezoning application has been submitted for consideration to permit a five-unit residential dwelling with five parking spaces together with site specific zone provisions. In this regard, the subject property is currently zoned Residential Two (R2) Zone, which only permits a single detached dwelling and accessory uses and a home occupation in a dwelling. An amendment to a Residential Multiple One Exception (RM1-S*) Zone is proposed. If the application is approved, it would permit and facilitate the use of the existing residential building as a five-unit residential dwelling utilizing the existing parking area in accordance with the implementing Zoning By-law. This will include site specific development standards required to recognize such provisions as a reduced side yard setback to the existing building, a reduction in the number of required parking spaces, driveway width, landscape strip, minimum dwelling unit floor area, etc. Staff are further reviewing the details of the specific requirements.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 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 an exceptional quality of life goal as it provides housing options to supply affordable rental accommodation.

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.

Servicing Comments:

The lot is currently serviced by municipal water and sanitary and storm sewer.

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 March 9, 2021, Alderville First Nation advised they have no concern with zoning changes in the Town of Lindsay, as there will be no excavation for development. Otherwise, they requested to be kept informed.

On March 10, 2021, the Building and Septic Division advised that they have no concerns with the application. Permits are required.

On March 17, 2021, Development Engineering confirmed they have no objection or comments to the proposed Zoning By-law Amendment.

Development Services – Planning Division Comments:

The application for Zoning By-law Amendment appears to demonstrate consistency with the Provincial Policy Statement and conformity to the Growth Plan and Official Plan. The proposed Zoning By-law amendment is intended to facilitate and permit the use of the existing residential building as a five-unit residential dwelling utilizing the existing parking area with appropriate development standards.

Through the pre-consultation process, in conjunction with the implementation of the zoning amendment, it was identified that a plans only site plan approval is required. In addition, an entrance review application requires confirmation from Public Works –

Roads Operations staff that the entrance is suitable and in compliance with the City's By-law to regulate access to municipal right of ways and that an access permit could be granted, upon successful completion of the rezoning application.

Conclusion:

In consideration of the comments and the evaluation contained within this report, Staff recommends that the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

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'
PLAN2021-017.pdf



Appendix 'B'
PLAN2021-017.pdf



Appendix 'C'
PLAN2021-017.pdf



Appendix 'D'
PLAN2021-017.pdf

Appendix 'A' – Location Map

Appendix 'B' – Aerial Photograph

Appendix 'C' – Site Plan

Appendix 'D' – Floor Plan Layout

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Department File: D06-2021-005