



## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2021-032</b>
<b>Meeting Date:</b>	June 2, 2021
<b>Title:</b>	<b>Zoning By-law Amendment for 55 Angeline Street North, Lindsay</b>
<b>Description:</b>	To amend the Town of Lindsay Comprehensive Zoning By-law 2000-75 to permit the development of two one-storey commercial buildings in the northeast and southeast corners of the subject site
<b>Type of Report:</b>	Public Meeting
<b>Author and Title:</b>	Jonathan Derworiz, Planner II

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### Recommendations:

**That** Report PLAN2021-032, **Zoning By-law Amendment for 55 Angeline Street North, Lindsay**, be received for information; and

**That** Report PLAN2021-032, **Zoning By-law Amendment for 55 Angeline Street North, Lindsay**, be referred back to staff to address issues raised through the public consultation process for further review until such time that all comments have been addressed.

**(Acting) Department Head:** \_\_\_\_\_

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

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

## **Background:**

The land known as 55 Angeline Street North (55 Angeline) in the former Town of Lindsay is owned by 55 Angeline Holdings Inc and currently zoned Shopping Centre Commercial Exception Zone 2 (SCC-S2) (Appendix 1). The property contains commercial and office uses in the form of a shopping centre as well as a detached automated banking machine. This property is known municipally as the Town & Country Centre (Appendix 2).

Owner:	55 Angeline Holdings Inc.
Applicant:	Wilcox Architects Inc.
Legal Description:	Part Lot 21, Concession 4, Part 1 of Plan 57R-1691
Official Plan:	Shopping Centre Commercial – Town of Lindsay Official Plan
Zoning:	Shopping Centre Commercial Exception Two (SCC-S2) Zone in Town of Lindsay Zoning By-law 2000-75
Area:	Approximately 3.4 hectares
Site Servicing:	Full municipal water, sanitary and storm sewer services
Existing Uses:	One-storey commercial building with retail and office uses. Automated banking machine
Adjacent Uses:	North: Residential, Commercial and Institutional  East: Residential  South: Residential  West: Residential and Commercial

## **Rationale:**

### **Proposal:**

The applicant is proposing the development of two one-storey commercial buildings in the northeast and southeast corners of the site along Angeline Street North (Appendix 3). Under the current Shopping Centre Commercial Exception Two (SCC-S2) Zone, a maximum gross leasable floor area (GLFA) of 8,510m<sup>2</sup> is in effect with the existing uses occupying approximately 8,498m<sup>2</sup>. Additional zone provisions regarding parking requirements, landscaping and lot area coverage also apply to the existing use. In order to facilitate the development of the proposed commercial buildings, a Zoning By-law Amendment is required to increase the maximum GLFA and acknowledge the subsequent

impacts to other zone provisions. In support of this Zoning By-law Amendment, the following materials were submitted:

- 1) Planning Justification Brief (July 2020) prepared by D.M Wills Associates Limited. This Brief provides an outline of the existing and proposed uses, the site and a description of the proposed amendments. Analysis of this proposal as it aligns with the Provincial Policy Statement (2014), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019), City of Kawartha Lakes Official Plan (2012), Town of Lindsay Official Plan (2000), and Town of Lindsay Zoning By-law.
- 2) Planning Justification Brief Addendum (August 2020) prepared by D.M Wills Associates Limited. The initial Planning Justification Brief submitted did not reflect the newly released Provincial Policy Statement that came into effect in May 2020. This Brief provides evaluation of the proposal as it pertains to the May 2020 PPS.
- 3) Functional Servicing Report (April 2020) prepared by D.M Wills Associates Limited. This Report details that the proposed development can be adequately serviced with new connections to existing municipal infrastructure.
- 4) Traffic Impact Statement (April 2020) prepared by D.M Wills Associates Limited. This study reviewed the overall impact that the proposed developments would have on Angeline Street and concluded that there would be little to no impact on the normal traffic operations.
- 5) Urban Design Brief (September 2020) prepared by Wilcox Architects Inc. This document provides a summary of the proposed development and describes its suitability on the subject site.
- 6) Site Plan (August 2020) prepared by Wilcox Architects Inc.
- 7) Floor Plans and Elevations (June 2020) prepared by Wilcox Architects Inc.
- 8) Topographic Survey (February 2021) prepared by Holding Jones Vanderveen Inc.

## **Provincial Policy Conformity:**

### **Provincial Policy Statement, 2020:**

The Provincial Policy Statement, 2020 (PPS) sets the policy foundation for regulating development and land use planning in Ontario. A harmony among economic development, resources, public health and safety, and the quality of the natural and built environment is facilitated through the policies contained in this document.

Staff feels that the Planning Justification Report and Addendum submitted in support of this application provides a satisfactory analysis of policies of particular relevance to this proposal, including Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns (Section 1.1), Employment (Section 1.3) and Infrastructure and Public Service Utilities (Section 1.6.).

The proposed amendment would facilitate the intensification of the subject site which is a goal of many of the provisions within Section 1.1 of the PPS. Specifically, section 1.1.d which stipulates, “avoiding development and land use patterns that would prevent the efficient expansion of settlement areas which are adjacent to or close to settlement areas.” Alignment with Section 1.1.e is inherently realized with this application given the location and existing development on the subject lands: “promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.”

Section 1.1.g connects intensification with the key factor of infrastructure as it requires, “[assurance] that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.” The Functional Servicing Report prepared by D.M Wills Associates Limited submitted in support of this application states that, with new connections, the existing water and sewer can adequately service the proposed developments. Section 1.6.6. Sewage, Water and Stormwater outlines further provisions pertaining to servicing that staff feel are satisfied by this application: “Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.” Since Lindsay is a Settlement Area, the PPS suggests that settlement areas shall be the focus of growth and development (Section 1.1.3.1). The proposed amendment will facilitate an intensification of the site and incorporate uses that are suitable for the existing commercial use of the site.

With regard to Employment (Section 1.3) and Long-Term Economic Prosperity (Section 1.7), the purpose of the proposed amendment is to allow additional commercial space to be developed on the subject site. While two new buildings are proposed, there is opportunity to create separate commercial rental units within each which inherently facilitates job creation. This also provides flexibility for tenants and offers the developer the opportunity to attract different scales of commercial uses. The proximity to residential areas and the location along the Lindsay Transit Green Line is conducive to meeting Employment policies prescribed in Section 1.3.1 as the proposed development would provide opportunities for a mix and range of employment, mixed uses, and a diversified economic base in a relatively compact form.

The PPS prescribes a number of policies pertaining to long-term economic prosperity and staff feels that this application supports many. Namely, 1.7.1.c. which states that

long-term economic prosperity should be supported by optimizing the long-term availability and use of land, resources, infrastructure and public service facilities. As previously stated, the proposed development is an intensification of an existing site that can be serviced using existing infrastructure that is located well within the Lindsay Settlement Area. Full PPS conformity will be determined once the application review is complete.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019:**

To plan for growth and development in a manner that supports economic prosperity, protects the environment, and assists communities in achieving a high quality of life, the Ontario government prepared A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan).

The subject is located along the Lindsay Transit Green Line and contains a transit stop. As per the Growth Plan, growth in settlement areas shall be focused on areas with existing areas. Encouraging transit-supportive uses within settlement areas is another provision that this application realizes as additional commercial uses can bring additional employees and customers to the site via transit. The commercial uses may also benefit from being on the Green Line with such close proximity to a transit stop.

The proposed amendment is conducive to achieving a complete community, one of the primary focuses of the Growth Plan. By introducing additional commercial uses on the subject site, this provides the opportunity to diversify commercial offerings for nearby residents and patrons of the existing uses.

Furthermore, the establishment of new commercial uses will satisfy Employment policies within the Growth Plan. Through the intensification of the site and efforts towards a compact built form, support of retail and service uses is provided (Section 2.2.5.15). Full Growth Plan conformity will be determined once the application review is complete.

### **Town of Lindsay Official Plan**

The Town of Lindsay Official Plan (Lindsay OP) guides the growth and development of the Town of Lindsay and designates the subject site as Shopping Centre Commercial. As per the Lindsay OP, the primary use of land in this designation shall be a broad range of retail and commercial uses generally contained in a shopping centre format. Provision for subordinate stand-alone buildings is also given which supports the proposed amendment.

Section 2.3.3 contains objectives pertaining to economic development and tourism and employment opportunities. This proposal is inherently supported by many of these policies as its purpose is to facilitate the development of two new commercial buildings that will provide opportunity for businesses and employment.

Section 4.3.3.2 contains submission requirements for planning applications within the Shopping Centre Commercial designation. This includes a traffic impact study, urban design brief, landscape master plan and development plan when two or more buildings are proposed. The traffic impact study and urban design brief have been submitted in support of this application while remaining documents will be obtained through the site plan process. Additionally, the Lindsay OP includes direction on Retail Market Analyses. This project is not subject to such a study as the proposed additional floor area is within the 3000m<sup>2</sup> threshold.

Under the heading of the management of the built and natural environment, objectives pertain to municipal servicing, urban form and orderly development. With the proposed development connecting to existing municipal services on built lot, staff feels that these objectives are satisfied.

The subject land is also part of the Kent Street West Area Policy Area as per Schedule B of the Lindsay OP, which recognizes, "that given traffic volume, accessibility and exposure on Kent Street West and Angeline Street North, expansive retail commercial establishments tend to locate in this area." The auto-oriented nature of both the signage and site design within this Policy Area is also noted. Staff feel that the proposed Zoning By-law Amendment aligns with the Kent Street West Area Policy Area and the new commercial buildings and their locations on site would maintain this description. Full Official Plan conformity will be determined once the application review is complete.

### **Town of Lindsay Comprehensive Zoning By-law 2000-75**

The property is currently zoned Shopping Centre Commercial Exception Two (SCC-S2) Zone. Zone provisions such as setbacks and lot coverage are informed by the SCC Zone while the Exception Zone prescribes a site-specific maximum gross leasable floor area (GLFA) of 8,510m<sup>2</sup>. In order to accommodate the two proposed commercial buildings, this GLFA must be amended as well as the parking requirements and lot coverage. Proposed by the applicant is a removal of the landscaping requirement which staff is reviewing in addition to the specifics of the other zone requirements. Also proposed is inserting Fast Food Outlet into the permitted uses for the site as it is not currently permitted in the SCC Zone but is acknowledged by the Lindsay Zoning By-law.

The proposed amendment will not create any situations of legal non-compliance.

## **Other Alternatives Considered:**

No other alternatives have been considered.

## **Alignment to Strategic Priorities:**

In line with the Strategic Priority of a Vibrant and Growing Economy, the proposed amendments facilitate the development of two new commercial buildings for occupancy. This creates additional opportunity for commercial businesses to locate in the City.

Practice of the Strategic Priority of Good Government is conducted through this application as Staff continue to evaluate applications diligently and promote continuous improvement in all steps of the land use planning process.

## **Financial/Operation Impacts:**

There are no financial or operational impacts pertaining to the proposed amendments. Costs would be incurred in the event of an appeal to the decision made by Council.

## **Consultations:**

Notice of this application was delivered to property owners within 120m of the subject site. In alignment with Public Notice procedure, signage detailing the amendment was placed on site.

## **Public Comments:**

At the time of report writing, one email and one phone call were received from residents in the area asking for further information on the proposal. Staff provided an overview of the proposed development and process.

## **Agency Review Comments:**

Building and Septic Division (May 2021): No comments pertaining to the proposed rezoning.

Engineering Department (May 2021): Engineering noted the following comments and indicated that further comments and a detailed review will occur at the site plan stage:

- A By-Law exemption is required for the proposed design to allow for the individual buildings to branch services off internal shared mains.
- A legal survey is required to confirm the current extents of the City's road allowance and address any requirements for a road widening to achieve the

26.0m right of way for Angeline Street North as per the City of Kawartha Lakes Transportation Master Plan.

Economic Development (May 2021): Questions were received from Economic Development pertaining the following: requirements for a commercial study, the current Exception Zone, the Lindsay Zoning By-law with regard to sizes of commercial buildings in and out of downtown, transit and pedestrian integration and the submitted Traffic Impact Study. Staff offered the following responses:

- The Town of Lindsay Official Plan policies only trigger a Commercial Study or Retail Market Analysis if the proposed expansion to an existing use in the Shopping Centre Commercial use is greater than 3000m<sup>2</sup>. Since the proposed expansion is less than this, no such study was requested.
- The current GLFA maximum is applied through an Exception Zone and staff are investigating this application.
- The Lindsay Zoning By-law does distinguish between types of commercial areas as described. Zone provisions such as lot size and lot coverage are a strong factor in this distinction.
- Staff have advised that pedestrian infrastructure and landscaping will be evaluated as part of the review of this application.
- Staff are evaluating the Traffic Impact Study.

### **Development Services – Planning Division Comments:**

Intensification of shopping centre sites by development of additional units on existing parking lots is an emerging trend in real estate development. This type of re-development aligns closely with Urban Settlement Area policies prescribed by the PPS and Growth Plan as well as the Shopping Centre Commercial Designation under the Lindsay Official Plan. Staff feels that the proposed Zoning By-law Amendment has merit, however, further evaluation of the specific zone provisions and regulations and Traffic Impact Study is required. Should the zoning amendment be subsequently approved, site plan approval will be necessary to implement the proposed development.

### **Conclusion:**

Staff recommends that this report for the proposed Zoning By-law Amendment for 55 Angeline Street North in Lindsay be referred back to staff for further review and consideration until comments from the public meeting have been reviewed and zone requirements have been evaluated.



## Attachments:



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf

**Appendix 'A'** – Location Plan

**Appendix 'B'** – Aerial Photo

**Appendix 'C'** – Site Plan

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**Department File:** D06-2021-009