

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – DDB Investment Group Limited
Report Number COA2021-058

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 16.3.4(c) to increase the maximum height from 18.0 metres to 20.0 metres in order to permit a mechanical room and elevator infrastructure.

The variance is requested at 140 Angeline Street South, former Town of Lindsay (File D20-2021-047).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-058 DDB Investment Group Limited, be received;

That minor variance application D20-2021-047 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-058, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the site plan agreement shall be registered within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2021-058. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: A 5 storey hotel with up to 80 units and an ancillary restaurant is proposed at the above-noted address. Site Plan Application D19-2021-007 has been submitted for review. Through the

review of the site plan submission it was identified that relief is required from the height provision to provide for the proposed rooftop mechanical facilities.

As the property was rezoned less than 2 years ago by by-law 2020-029, Section 45(1.3) of the Planning Act applied, prohibiting the filing of a variance application without a Council resolution. Council passed a resolution on May 18, 2021, to allow a variance application to be filed.

The application was last amended July 30, 2021.

Proposal:	To permit a roof-mounted mechanical penthouse structure.		
Owner:	Don Brown – DDB Investment Group Limited		
Applicant:	Kevin Duguay – Kevin M. Duguay Community Planning and Consulting Inc.		
Legal Description:	Part Northerly Half Lot 18, Concession 5, former Town of Lindsay, City of Kawartha Lakes		
Official Plan:	General Commercial within the Town of Lindsay Official Plan		
Zone:	General Commercial Special Thirteen (GC-S13) Zone within the Town of Lindsay Zoning By-law 2000-75		
Site Size:	8,140.5 square metres (2.01 acres)		
Site Servicing:	Full Municipal Services Available at Lot Line		
Existing Uses:	Vacant Land		
Adjacent Uses:	North:	Utility (Hydro One Substation), Commercial (Days Inn and Suites, Kawartha Animal Hospital), Residential	
	South:	Vacant Land, Institutional (Sir Sandford Fleming College Residences, Victoria Manor)	
	East:	Vacant Land, Community Facility (Lindsay Recreation Complex), Institutional (Sir Sandford Fleming College)	
	West:	Residential	

Rationale:

1) Is the variance minor in nature? Yes

And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is a vacant lot on the east side of Angeline Street South that is surrounded by a wide assortment of uses. The west side of Angeline Street South is comprised of single detached dwellings. On the east side of the

street are commercial, institutional, recreational, and some residential uses. Some of the more notable uses are: Kawartha Animal Hospital, Victoria Manor (long term care facility), Days Inn and Suites, Lindsay Recreation Complex, and Fleming College.

Along this portion of Angeline Street South, the east side of the road contains a wide assortment of uses, including limited commercial uses. The subject property is proposed to add to the existing assortment of commercial uses.

Unlike the Days Inn, a flat roof hotel building design is proposed. The proposal, if granted, will add a room above the 5 hotel floors in order to facilitate the operations of the hotel, such as the elevator mechanical room.

The room will not substantially increase the massing of the building, as the room is proposed central to the building's footprint, and is not located near any of the exterior walls of the floors below. The mechanical room is also modest in area in relation to the roof it would sit upon.

Due to the above analysis, the variance is minor in nature and desirable and appropriate for the use of the land.

3) Does the variance maintain the intent and purpose of the Zoning By-law?
Yes

The property is zoned General Commercial Special Thirteen (GC-S13) Zone within the Town of Lindsay Zoning By-law 2000-75.

The application seeks to increase the height provision in order to add a rooftop mechanical site. This increased height will apply to a small portion of the overall building and will not increase the height of the exterior walls of the 5 floors below. The height will also not result in an increase in the overall unit density of the building as only utility space is proposed in the rooftop mechanical room.

A part of the intent of the height provision is to regulate the overall intensity of a permitted use. The intent of the by-law is maintained as the request relief does not propose to add any gross leasable floor area, nor does it add any perceptible mass to the building that could adversely affect the surrounding uses.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

4) Does the variance maintain the intent and purpose of the Official Plan?
Yes

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect.

The property is with the General Commercial designation. The General Commercial designation permits an assortment of retail establishments and commercial uses that are destination-oriented or intended to serve the travelling public. Uses that offer accommodation to the travelling public, such as a hotel, are anticipated within this designation.

In consideration of the above the variance maintains the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is currently un-serviced, but will be connected to full municipal services.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Development Engineering (September 2, 2021): No objection.

Building and Septic Division – Chief Building Official (September 8, 2021): No concerns at this stage. Further comments to be provided through the site plan approval process. Building permit required for the proposed building, and development is subject to the development charges by-law.

Public Comments:

No comments have been received as of September 7, 2021.

Attachments:

Appendices A-E to
COA2021-058.pdf

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevations
Appendix E – Department and Agency Comments

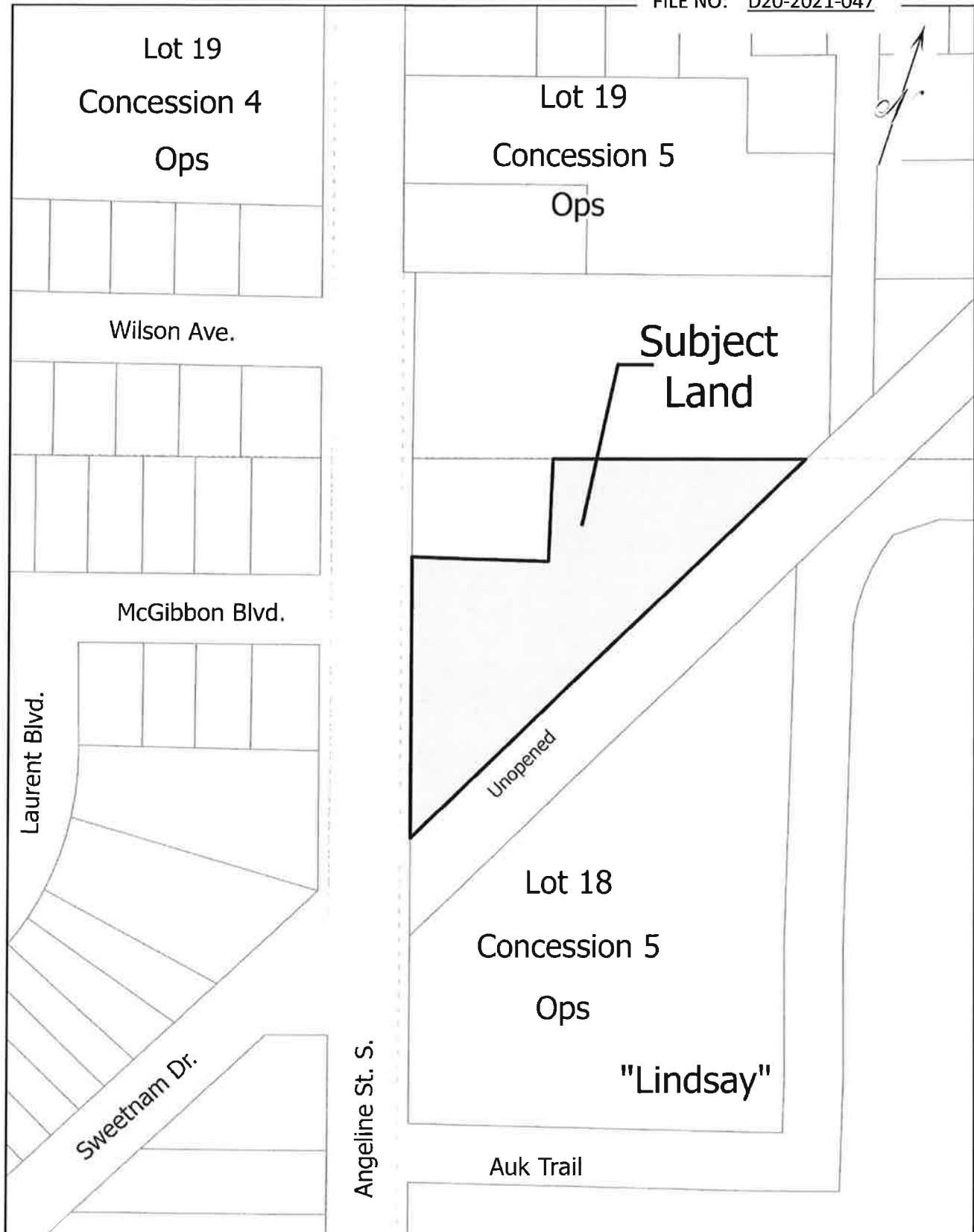
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-047

to

D20-2021-047

REPORT COA2021-058

FILE NO: D20-2021-047



140 Angeline Street South, former Town of Lindsay



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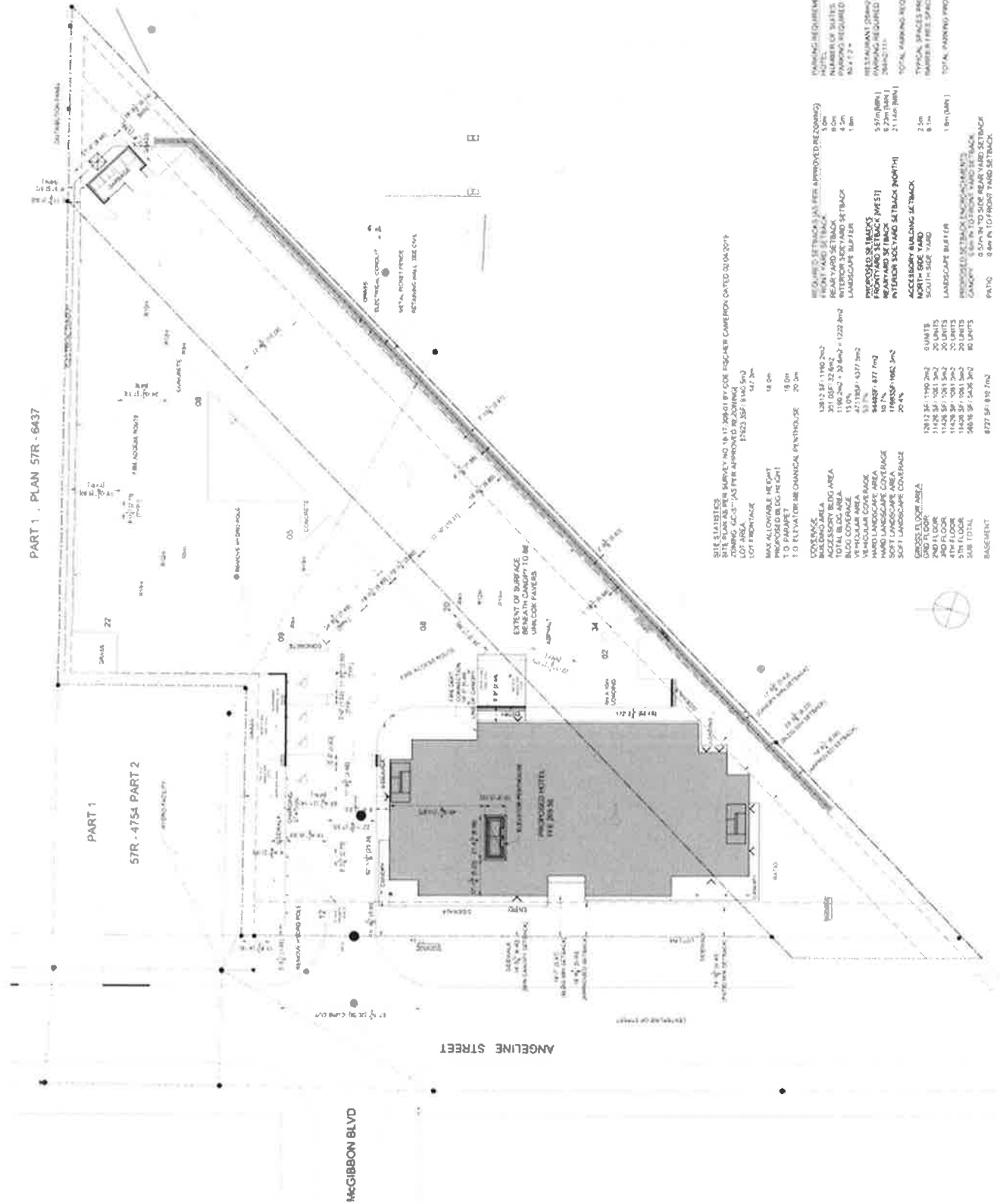
Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City of Kawartha Lakes



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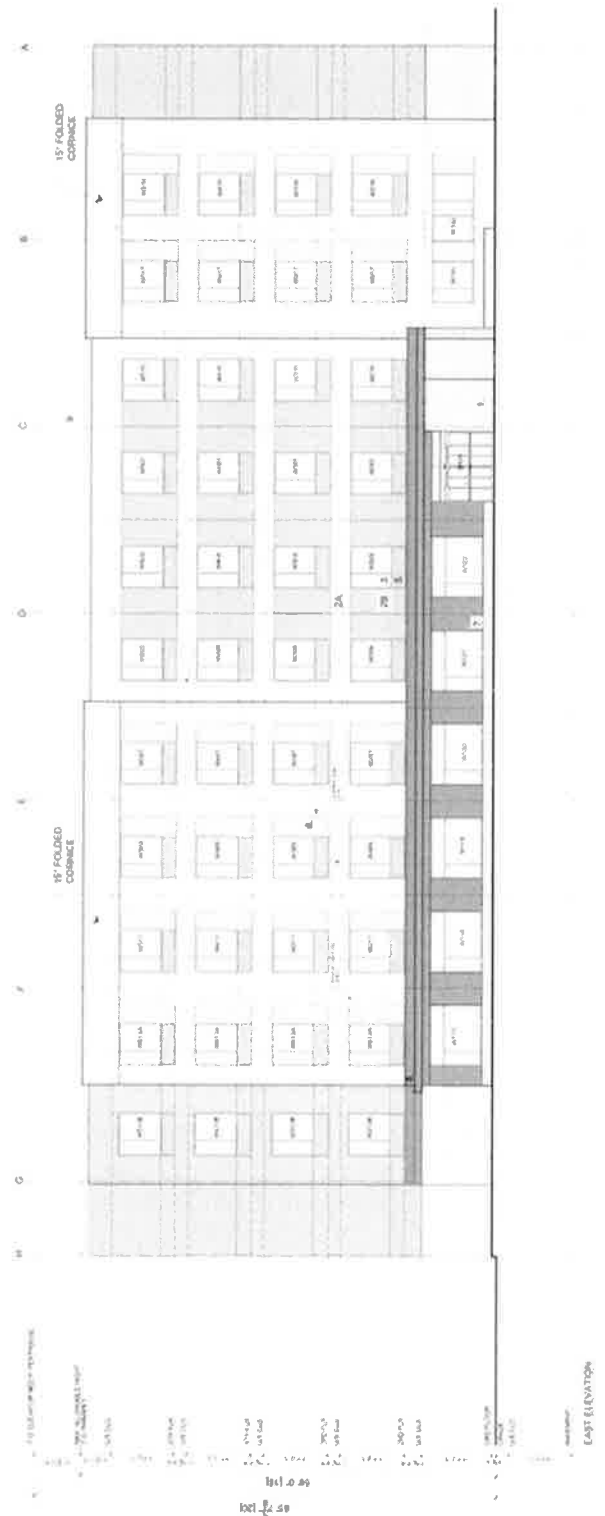
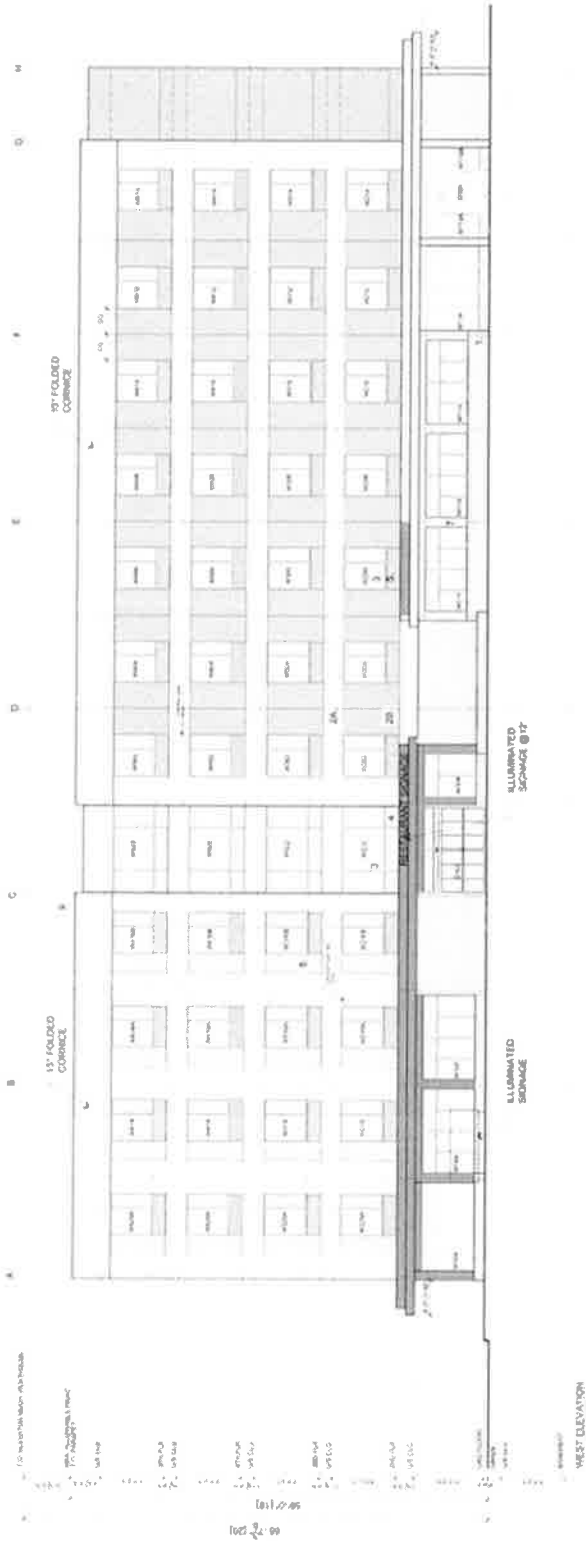


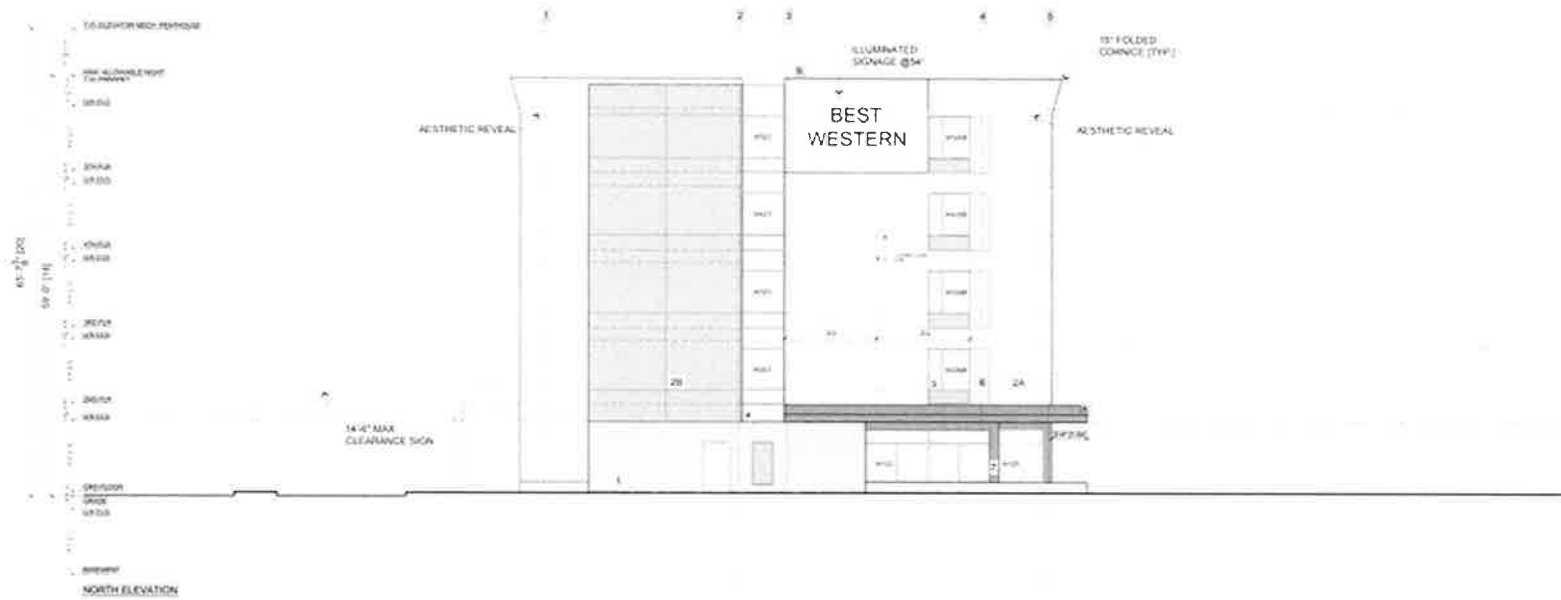
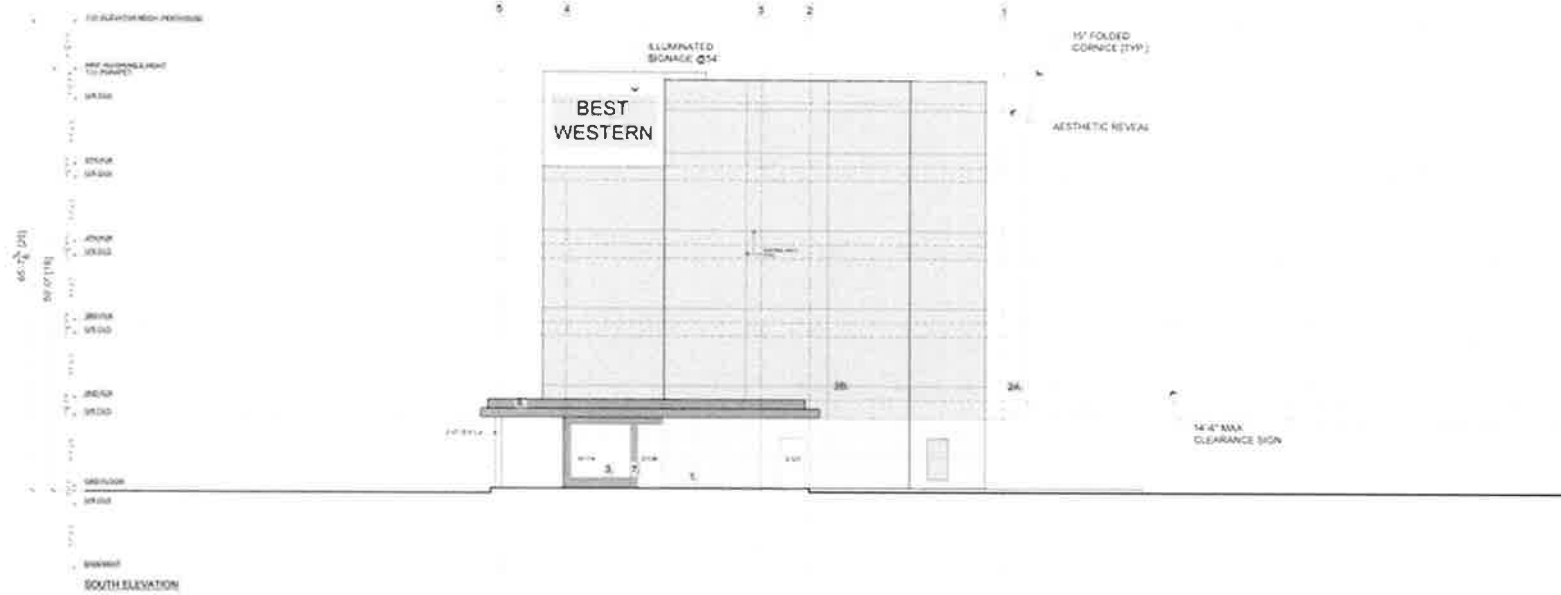
APPENDIX " D "

to

REPORT COA2021-058

FILE NO: D20-2021-047





David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E
to
REPORT COA2021-058
FILE NO. D20-2021-047

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 10:45 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-047 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Mark – further to our engineering review of the following:

Minor Variance – D20-2021-047
140 Angeline Street South
Part Lot 18, Concession 5
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from Section 16.3.4(c) to increase the maximum height from 18.0 metres to 20.0 metres in order to permit a mechanical room and elevator infrastructure.

From an engineering perspective, we have no objection to the proposed Minor Variance.

Please do not hesitate to contact our office if you have any questions.

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.