



## Planning Advisory Committee Report

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<b>Report Number:</b>	<b>PLAN2022-013</b>
<b>Meeting Date:</b>	March 9, 2022
<b>Title:</b>	<b>Amend the Lindsay Zoning By-law 2000-75 at 30 Logie Street, Lindsay – Women’s Resources of Kawartha Lakes</b>
<b>Description:</b>	Application to amend the Town of Lindsay Zoning By-law to permit the conversion of the existing building to a six unit apartment building on the property identified as 30 Logie Street, Lindsay
<b>Type of Report:</b>	Public Meeting
<b>Author and Title:</b>	Richard Holy, Director of Development Services

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### Recommendations:

**That** Report PLAN2022-013, **Part of Park Lots 10 and 11, Plan 15P, former Town of Lindsay, Women’s Resources of Kawartha Lakes – Application D06-2022-004** be received;

**That** provided that no substantial public concerns are raised at the public meeting, the Zoning By-law Amendment, substantially in the form attached as Appendix C to Report PLAN2022-013, 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.

**Department Head:** \_\_\_\_\_

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

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

## **Background:**

The applicant has submitted an application for zoning by-law amendment. The proposal is to change the zoning category from the Residential One (R1) Zone to the Residential Multiple Two Special Twenty-Three (RM2-S23) Zone to permit the conversion of the existing building from a former place of worship to an apartment building limiting the number of apartment units to six (6). It is also proposed that a Holding (H) provision be applied until such time that applicable studies including a Functional Servicing Report, Traffic Impact Study and Lot Grading and Drainage Plan are submitted, reviewed and approved to confirm the proposed use. Archaeological matters need to be resolved and the applicant needs to enter in to a site plan agreement.

The application was submitted February 9, 2022. The submission was reviewed and deemed complete on February 14, 2022.

Owner:	Women's Resources of Kawartha Lakes c/o Lori Watson
Applicant:	EcoVue Consulting Services Inc. c/o Kent Randall
Legal Description:	Part of Park Lots 10 and 11, Plan 15P, former Town of Lindsay, now City of Kawartha Lakes
Designation:	Residential on Schedule A of the Town of Lindsay Official Plan
Zone:	Residential One (R1) Zone on Schedule A of the Town of Lindsay Zoning By-law Number 2000-75
Lot Area:	1.22 hectares (3.0 acres)
Site Servicing:	Municipal water and sanitary sewer are provided to the existing building
Existing Uses:	Vacant building formerly used as a Place of Worship
Adjacent Uses:	North: Unopened road allowance (Eastview Road) and residential South and East: Residential development along Hillside Drive West: Logie Street and the Scugog River

## **Rationale:**

The subject property is located in Lindsay, on the east side of Logie Street and immediately south of an unopened road allowance (Eastview Road). The property is located in a residential area with established single detached dwellings fronting Hillside Drive to the south and Brenda Court by cul-de-sac design to the north. There are a

number of larger undeveloped parcels of land north and east of the subject property that currently have no municipal road access until Eastview Road is constructed and urbanized with water, sanitary sewer and storm sewer. See Appendix A.

The property is 1.22 hectares in size and is currently developed with a 445 sq.m. single storey building formerly used as a place of worship. The height of the building is 10 metres, which would allow for the proposed conversion. Access to the property currently utilizes municipal property (unopened Eastview Road) to access the existing parking lot. The proposed redevelopment of the site includes relocating the driveway further south to provide the City with a road widening and daylight triangle. The surface parking will be upgraded to provide 19 parking spaces including 4 accessible parking spaces. An accessibility ramp and garbage enclosure will also be added to the site. The proposed conversion of the building into 6 apartments will include a private outdoor deck for each residential unit and a new play area on the north east side of the building. See Appendix B.

The proposal was the subject of a PreConsultation application late 2021 and the applicant was provided with a list of requirements to submit a complete rezoning application. The applicant has applied for funding to CMHC under the NHCF Women and Children Shelter and Transitional Housing Initiative. Approval criteria includes compliance with the City's Zoning By-law to permit the use by the end of April.

The applicant has submitted some of the required reports and plans in support of the application, which have been circulated to the various City Departments and commenting agencies for review as follows:

1. Planning Justification Report prepared by EcoVue Consulting Services Inc., dated February 8, 2022. The report discusses and assesses the proposal in context of the Provincial Policy Statement, 2020 (PPS); A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan, 2020 Consolidation); the Town of Lindsay Official Plan; and the Town of Lindsay Zoning By-law 2000-75.
2. Draft Zoning By-law Amendment prepared by EcoVue Consulting Services Inc., dated February 8, 2022.
3. Conceptual Site Plan Layout prepared by Wilcox Architects, dated January 31, 2022.
4. Restricted Land Use Notice regarding an Activity in a Vulnerable Area for a Municipal Drinking Water Supply issued under the Clean Water Act, 2006, Section 59(2)(a).
5. Topographic and Legal Survey prepared by Coe, Fisher Camerson, Land Surveyors, dated January 4, 2022.

6. Phase 1 Environmental Site Assessment prepared by Cambium Inc., dated August 31, 2021. The report assesses the historical uses at the site and identified no evidence of significant environmental concerns. A Phase 2 Environmental Site Assessment is not required.
7. Email confirmation from the Ministry of the Environment, Conservation and Parks (MECP) regarding no potential impacts of the proposal on species at Risk.

All the reports and documentation received to date have been circulated to the applicable City Departments and commenting agencies for review and comment. Staff is recommending that a Holding (H) provision be applied to the rezoning until such time that the Functional Servicing Report, Traffic Impact Study and Lot Grading and Drainage Plan can be submitted and reviewed by appropriate agencies and City Departments. The City also needs confirmation from Curve Lake First Nation as to whether an archaeological assessment is required for site plan approval.

## **Provincial Policies:**

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and including Amendment 1, 2020 (Growth Plan):**

The land is 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.

Section 2.2.6 of the Growth Plan provides policies that support a diverse range and mix of housing options and densities and includes additional residential units and affordable options. The proposed redevelopment will provide women and children fleeing violence with affordable, second-stage housing. In addition, the proposed redevelopment will contribute to a more diverse housing mix for the City of Kawartha Lakes and assist the City in achieving intensification targets including those identified in the City of Kawartha Lakes and the County of Haliburton and Housing and Homelessness Plan 2020-2029.

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

**Provincial Policy Statement, 2020 (PPS):**

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 local 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; and,
- 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; and
- 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 represents 'gentle' intensification and the redevelopment 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; and,
- 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; and,
- 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) along with Cultural Heritage and Archaeology.

Although there are no mapped features identified on the site, the subject property was identified as potentially containing a Species at Risk (SAR). A preliminary request was made to the MECP as administrators of the Ontario Endangered Species Act, 2007

(ESA) and it was concluded that applicable sections of the ESA would not be contravened. However, it was noted that while there are no Species at Risk on the property, there is potential for turtles to nest in the gravel parking lot and any risk can be avoided by avoiding work during the nesting period or by erecting silt fencing staked and toed in with no gaps. The MECP further recommends monitoring for Species at Risk activity during the course of site development.

The applicant has confirmed engagement with Curve Lake First Nations regarding Traditional and Treaty Territory issues and Indigenous knowledge. During engagement, it was identified that the proposed development is situated in an area with potential for cultural heritage and archaeological significance. However, with the construction of the place of worship, site disturbances occurred which would have resulted in the loss of any artifacts of cultural heritage. Should any further development occur outside of the area of previous land disturbances, then a Phase 1 Archaeological Assessment would be required as a condition of Site Plan approval.

On this basis and with the implementation of the Holding (H) provision for the balance of the submission documentation, the application is consistent with 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. The Lindsay Secondary Plan (LSP) was adopted by Council in June 2017 and is currently under appeal to the Ontario Land Tribunal (OLT).

Due to the appeals, the subject land remains under the jurisdiction of the Town of Lindsay Official Plan (LOP), where the subject lands are designated Residential on Schedule A of the Plan. Permitted uses in the Residential designation includes residential uses, home occupations, places of worship and neighbourhood commercial uses. The Residential designation permits a variety of dwelling types, subject to the low, medium and/or high density policies. The built form and density of the proposed redevelopment can best be characterized as a hybrid between low and medium density redevelopment. With its single storey building height, it could be considered low density development but is best considered as medium density because it's a low-rise apartment building. In either case, the proposal is well within both the low and medium density development ranges. The redevelopment will be subject to site plan control, which will address details of site development such as walkway placements, deck sizing, parking, lighting and landscaping.

As per Schedule C-10, as amended by OPA No. 35 to the City of Kawartha Lakes Official the subject property is located within the Intake Protection Zone 1 (IPZ-1) of the Lindsay urban area. As such, policies of Section 3.4 of the City Official Plan apply and the lands are subject to Section 59 of the Clean Water Act, 2006. The Risk Management Official (RMO) at KRCA determined that the potential land use activity associated with the proposed redevelopment is not subject to Section 57 or 58 of the Clean Water Act.

On this basis and with the implementation of the Holding (H) provision for the balance of the submission documentation, the application conforms with the Town of Lindsay Official Plan and City Official Plan.

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

The property is zoned Residential One (R1) Zone in the Town of Lindsay Zoning By-law 2000-75. The applicant has requested to change the zone category to a Residential Multiple Two Special Twenty-three (RM2-S23) Zone to permit the use of an apartment building limiting the number of apartment units to six (6) self contained units. The applicant also proposes a Holding (H) provision be applied until such time that the applicable studies including a Functional Servicing Report, Traffic Impact Study and Lot Grading and Drainage Plan are submitted, reviewed and approved to confirm the use.

The Planning Justification Report contained a zoning review which staff is accepting of that demonstrates that no requests for site specific development standards are warranted. Given the size of the property which would give opportunity for additional units, the applicant is recommending that a special exception be applied to limit the number of residential units to six (6). This recommendation is supported by staff.

Finally, in the absence of some of the required studies, it is also proposed that a Holding (H) symbol be applied to ensure that the studies are undertaken, submitted and reviewed. Site Plan approval will also be required prior to lifting of the Holding provision.

### **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 Exceptional Quality of Life priority by encouraging development and/or redevelopment which provides for second stage housing options for women and children fleeing violence. The site is located adjacent to downtown areas and can be accessed by passive and/or public transit and school facilities and is large enough for passive recreation activities on site.

## **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendment is appealed to the Ontario Land Tribunal (OLT). In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

## **Servicing Comments:**

Municipal services, including water and sanitary sewer are existing on the site. A Holding (H) provision is recommended until such time that the Functional Servicing Report can be prepared, submitted and approved by the City's Engineering and Corporate Assets Department.

## **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.

Staff received an inquiry regarding the project, outlining the following concerns.

- Abutting residents wanted to ensure that lighting would not shine into their bedrooms at night. Through site plan approval, lighting will be reviewed and floodlighting will not be permitted.

- Concerns were raised whether security would be present on the site. While on-site security is typically an operational matter, appropriate lighting levels will assist with providing security on the site.
- Concerns were also raised over the timing of garbage pick-up. The hours for garbage pick-up can be included in the site plan agreement.

Staff also advised that any further concerns should be sent to the Planning Department for review.

**Agency Review Comments:**

February 15, 2022 Dave Simpson, Alderville First Nation; project is not within their Treaty Territory.

February 25, 2022 Engineering & Corporate Assests; from an engineering perspective, no objection to the proposed Zoning By-law Amendment. Further engineering comments will be provided through the Site Plan process.

**Development Services – Planning Division Comments:**

The background information which has been submitted so far in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. With the recommendation to apply a Holding (H) provision until the balance of the reports and plans are submitted, the application conforms to the Growth Plan, and is consistent with the Provincial Policy Statement, 2020. Conformity with the Town of Lindsay Official Plan has also been demonstrated.

The rezoning will permit the apartment use and limit the number of residential units to six (6). The conversion of the former place of worship to the apartment use will be subject to Site Plan Control. Staff remain confident that the applicant will address any outstanding issues through site plan approval. The rezoning will also allow the owner to demonstrate compliance with the Zoning By-law; a criteria to secure funding for the project.

**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 Richard Holy, [rholy@kawarthalakes.ca](mailto:rholy@kawarthalakes.ca) 705.324.9411 ext. #1246.

### Appendix A – Location Map



Appendix 'A' -  
Location Map.pdf

### Appendix B – Proposed Site Plan



Appendix B -  
Proposed Site Plan.pdf

### Appendix C – Draft Zoning By-law



Appendix C - Draft  
Zoning By-law.pdf

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

**Department Head:** Richard Holy, Director of Development Services

**Department File:** D05-2022-004