

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Skyline Real Estate Holdings Inc.
Report Number COA2022-016

Public Meeting

Meeting Date: March 17, 2022
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 the following provisions in order to facilitate the construction of a 6-storey apartment building:

1. Section 5.12 (k)(i) to reduce the minimum number of parking spaces from 228 to 218 spaces;
2. Section 5.12 (k)(x) to allow 22 parking spaces to be located within the front yard; and
3. Section 11.2 (j) to reduce the minimum amount of landscaped open space from 40% of the lot area to 34.2%.

The variance is requested at Vacant Lands on Logie Street, former Town of Lindsay (File D20-2021-077).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2022-016 Skyline Real Estate Holdings Inc., be received;

That minor variance application D20-2021-077 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 sketches in Appendices C - E submitted as part of Report COA2022-016, 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 COA2022-016. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application proposes a 6 storey apartment building at the above-noted address. Site Plan application D19-2022-002 has been submitted and circulated for the first round of comments. The applicant had been in discussions with the City prior to submitting the site plan application, where it was noted the relief from the number of parking spaces and the percentage of landscaped open space area on the property would be required. Through the review of the minor variance application, it was identified that additional relief is required for the parking spaces within the front yard.

This application was last amended March 1st, 2022.

Proposal: To permit a 6-storey 2,686.5 square metre apartment building consisting of 168 units with associated parking

Owner: Skyline Real Estate Holdings Inc.

Applicant: Michael Bissett (Bousfields Inc.)

Legal Description: Vacant Lands, Logie Street, Block 39, Plan 57M-798, former Town of Lindsay, City of Kawartha Lakes

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: Residential High-Rise One (RH1) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 1.574 hectares (3.89 acres)

Site Servicing: Municipal water and sanitary and storm sewers

Existing Uses: Vacant Land

Adjacent Uses: North, South: Low Rise Residential
East: Victoria Rail Trail, Agricultural
West: Logie Street, Logie Park, Scugog River

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is located on the east side of the former Town of Lindsay, east of the Scugog River. The property is bordered by Logie Street to the West and Deacon Crescent to the south. The Victoria County Rail Trail runs on an angle to the east. An access trail connecting with the Victoria County Rail Trail is proposed directly from the subject lands; however, an existing connection can be found immediately southeast of the property from Deacon Crescent. Residential dwellings in the form of single detached dwellings and semi-attached townhomes are located to the south of the property. A large agricultural field under production exists to the east of the site with Logie Park and the Scugog River located to the west of the subject lands.

The proposed apartment building will provide much needed rental options in the Town of Lindsay. The decreased parking requirements from 228 parking spaces to 218 parking spaces equates to only a 4.39% reduction in parking spaces. The L-Shaped building design increases the landscaped buffer widths between the rear of the residences that front onto Primeau Crescent and the northside of the building. With close proximity to the Victoria County Rail Trail, walkability is enhanced through encouraging active transportation along the Scugog River corridor. The elimination of 10 spaces is considered minor in nature, as at least one parking space per unit exists.

Of the 218 parking spaces proposed, only 22 are proposed within the front yard of the subject lands. As mentioned, the site has been designed to maximize the width of the landscaped buffers adjacent to nearby residences, shifting most of the parking spaces to the eastern sections of the site and away from the back yards of residences along Primeau Crescent. Without requiring underground or an above-ground parkade, the spaces are necessary within the front yard of the property without creating a further reduction in the number of parking spaces and by accommodating the proposed design of the building to make the best use of the site.

As per Appendix E, a continuous minimum 3 metre landscaped strip is proposed surrounding the development with a greater buffer proposed to the north of the building. The decrease in landscaped open space coverage from 40% to 34.2% represents a 5.8% reduction with an emphasis on quality over quantity. The close proximity to amenities and amenity space such as Logie Park, the Scugog River and the Victoria County Rail Trail promote active lifestyles and overall enjoyment of the natural environment immediately adjacent to the property.

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

3) Do the variances maintain the intent and purpose of the Zoning By-law?

Yes

The subject property is zoned Residential High-Rise One (RH1) Zone. The category permits an apartment building among other uses.

The intent of locating parking spaces in the side and/or rear of buildings is to prevent incompatibilities between vehicles, pedestrians and the streetscape. As only 22 spaces are technically proposed within the front yard, albeit to the southwest of the building and not directly in front of the building, no incompatibilities are anticipated, especially considering the building maintains the minimum front yard setback for the zone category. The current configuration of the building relegates the vast majority of the parking spaces to the side and rear of the lot and away from the residences along both Primeau Crescent and Deacon Crescent.

The intent of the parking requirements is to ensure an adequate number of on-site parking spaces are provided for the residents and visitors of the building on a per unit basis. The reduction of 10 parking spaces only represents a 4.39% deficiency. As mentioned, the site has been designed to maximize the width of the landscaped buffers adjacent to nearby residences, shifting most of the parking spaces to the eastern sections of the site and away from the back yards of residences along Primeau Crescent.

The reduction in landscaped open space also maintains the intent of the zoning by-law to preserve an adequate level of landscaping for amenity, servicing (i.e. sewage system) and stormwater infiltration. The Development Engineering Division has no concerns with the proposal with respect to stormwater management and the property will be connected to full Municipal services. The close proximity to open space amenities like Logie Park and the Victoria Rail Trail also assist in offsetting the reduction.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances 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 designated 'Residential' within the Town of Lindsay Official Plan. High density residential development in the form of apartment buildings is permitted.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

The applicant has submitted an application associated with the Site Plan Approval process. No other alternatives have been considered at this time.

Servicing Comments:

The development will be on full municipal services once constructed.

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 Division (March 3, 2022): No objections to the proposed Minor Variance.

Building and Septic Division – Plans Examiner (March 3, 2022): Spatial separation could be a potential issue, development charges are applicable as a permit is required. No other concerns

Public Comments:

No comments received as of March 9, 2022.

Attachments:



- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Site Plan
- Appendix D – Building Elevations
- Appendix E – Landscape Plantings Plan
- Appendix F – Department and Agency Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Director of Development Services
Department File: D20-2021-077

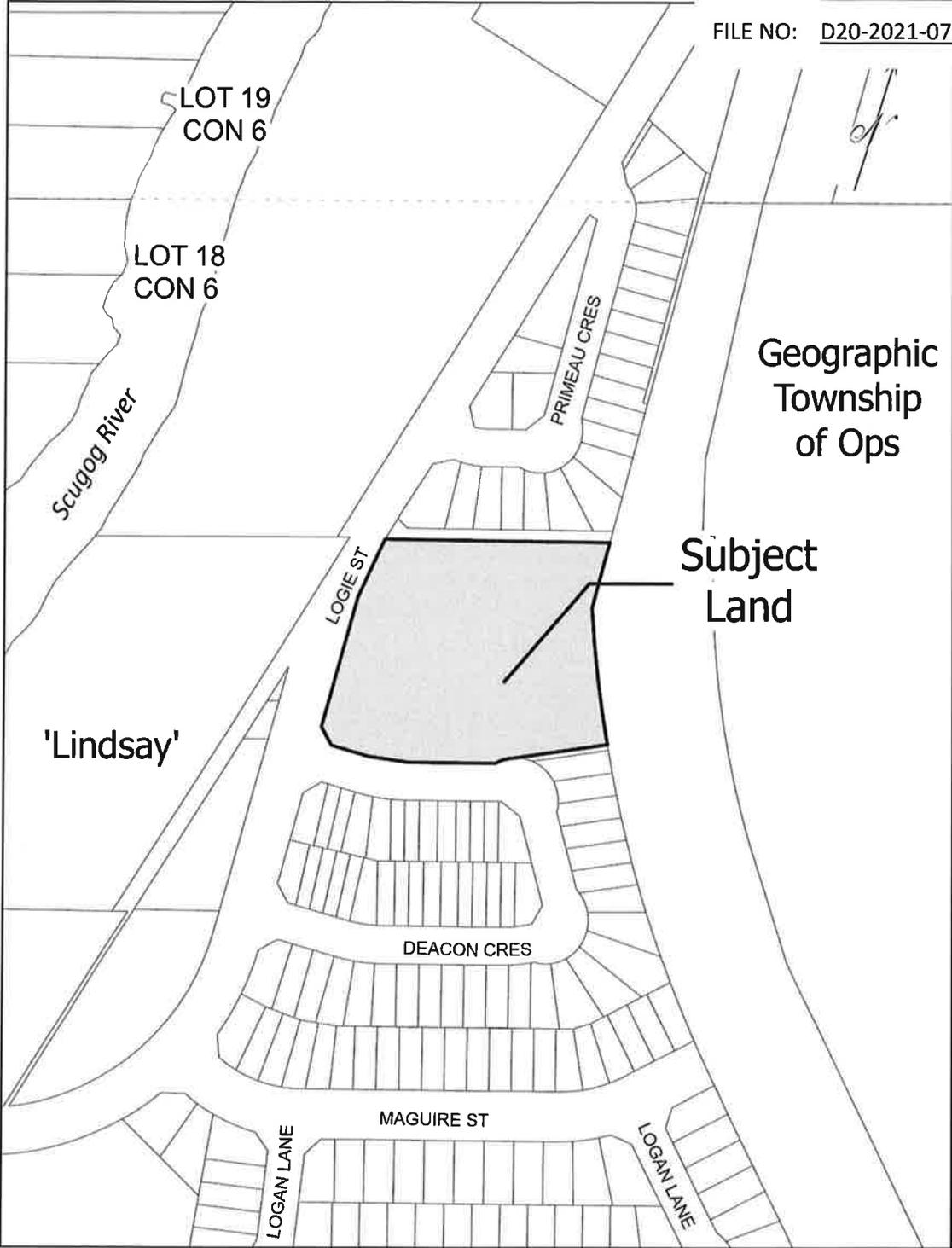
D20-2021-077

APPENDIX " A "

to

REPORT COA2022-016

FILE NO: D20-2021-077



Vacant Lands on Logie Street, Former Town of Lindsay



Legend

- Property Roll Number
- Road Centreline (2016 Needs)

Notes

Notes

0.20 Kilometers
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

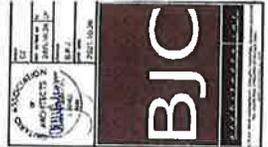
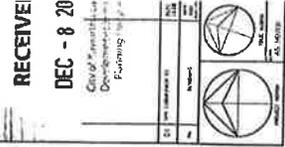
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REPORT COA2022-016
 FILE NO: D20-2021-077

APPENDIX " B "
 to



RECEIVED
 DEC - 8 20
 City of Hamilton
 Development
 Planning Dept



APPENDIX " C "

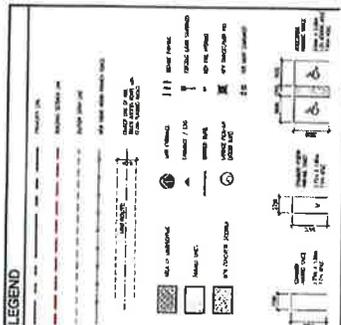
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 REPORT COA2022-016
 FILE NO: D20-2021-077

ZONE: RH1 (H2)

ZONE DESCRIPTION	PERMITTED	COMMENTS
Single Detached	Yes	
Single Attached	Yes	
Two-Storey Attached	Yes	
Row House	Yes	
Row House - Attached	Yes	
Row House - Detached	Yes	
Row House - Semi-Attached	Yes	
Row House - Townhouse	Yes	
Row House - Duplex	Yes	
Row House - Triplex	Yes	
Row House - Quadplex	Yes	
Row House - Pentaplex	Yes	
Row House - Hexaplex	Yes	
Row House - Heptaplex	Yes	
Row House - Octaplex	Yes	
Row House - Nonplex	Yes	
Row House - Other	Yes	
Row House - Unspecified	Yes	

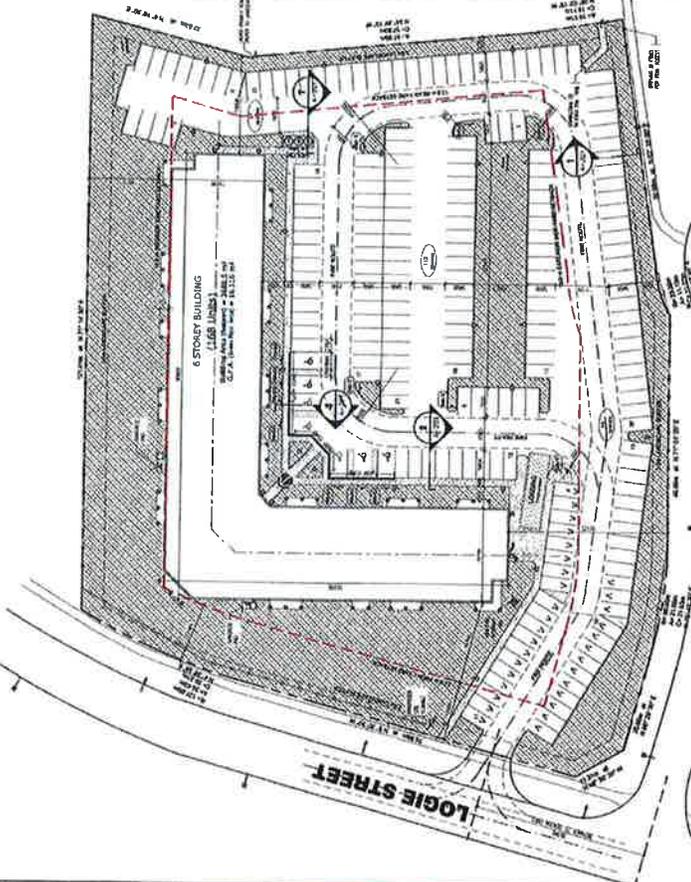
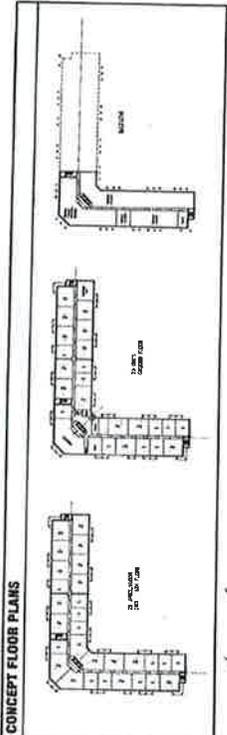
OFF-STREET PARKING

TYPE	REQUIREMENTS
Surface	1.75 spaces per unit
Garage	1.75 spaces per unit
Garage with Storage	1.75 spaces per unit
Garage with Storage and Laundry	1.75 spaces per unit
Garage with Storage and Laundry and Storage	1.75 spaces per unit
Garage with Storage and Laundry and Storage and Laundry	1.75 spaces per unit
Garage with Storage and Laundry and Storage and Laundry and Storage	1.75 spaces per unit
Garage with Storage and Laundry and Storage and Laundry and Storage and Laundry and Storage	1.75 spaces per unit



ONTARIO BUILDING CODE MATRIX

Code	Section	Requirement	Notes
Part 9 - Fire Protection and Life Safety	9.1.0	General	See Part 9.1.0
	9.1.1	Means of Egress	See Part 9.1.1
	9.1.2	Fire Alarm	See Part 9.1.2
	9.1.3	Fire Detection	See Part 9.1.3
	9.1.4	Fire Extinguishers	See Part 9.1.4
	9.1.5	Fire Escape	See Part 9.1.5
	9.1.6	Fire Stair	See Part 9.1.6
	9.1.7	Fire Lift	See Part 9.1.7
	9.1.8	Fire Protection	See Part 9.1.8
	9.1.9	Fire Protection	See Part 9.1.9
Part 10 - Mechanical, Electrical, and Plumbing	10.1.0	General	See Part 10.1.0
	10.1.1	Mechanical	See Part 10.1.1
	10.1.2	Electrical	See Part 10.1.2
	10.1.3	Plumbing	See Part 10.1.3
	10.1.4	Mechanical	See Part 10.1.4
	10.1.5	Electrical	See Part 10.1.5
	10.1.6	Plumbing	See Part 10.1.6
	10.1.7	Mechanical	See Part 10.1.7
	10.1.8	Electrical	See Part 10.1.8
	10.1.9	Plumbing	See Part 10.1.9



DEACON CRESCENT

LOGIE STREET

1 SITE PLAN

Scale: 1/8" = 1'-0"

DATE: 12/08/2021

PROJECT: 2021-077

PREPARED BY: [Name]

CHECKED BY: [Name]

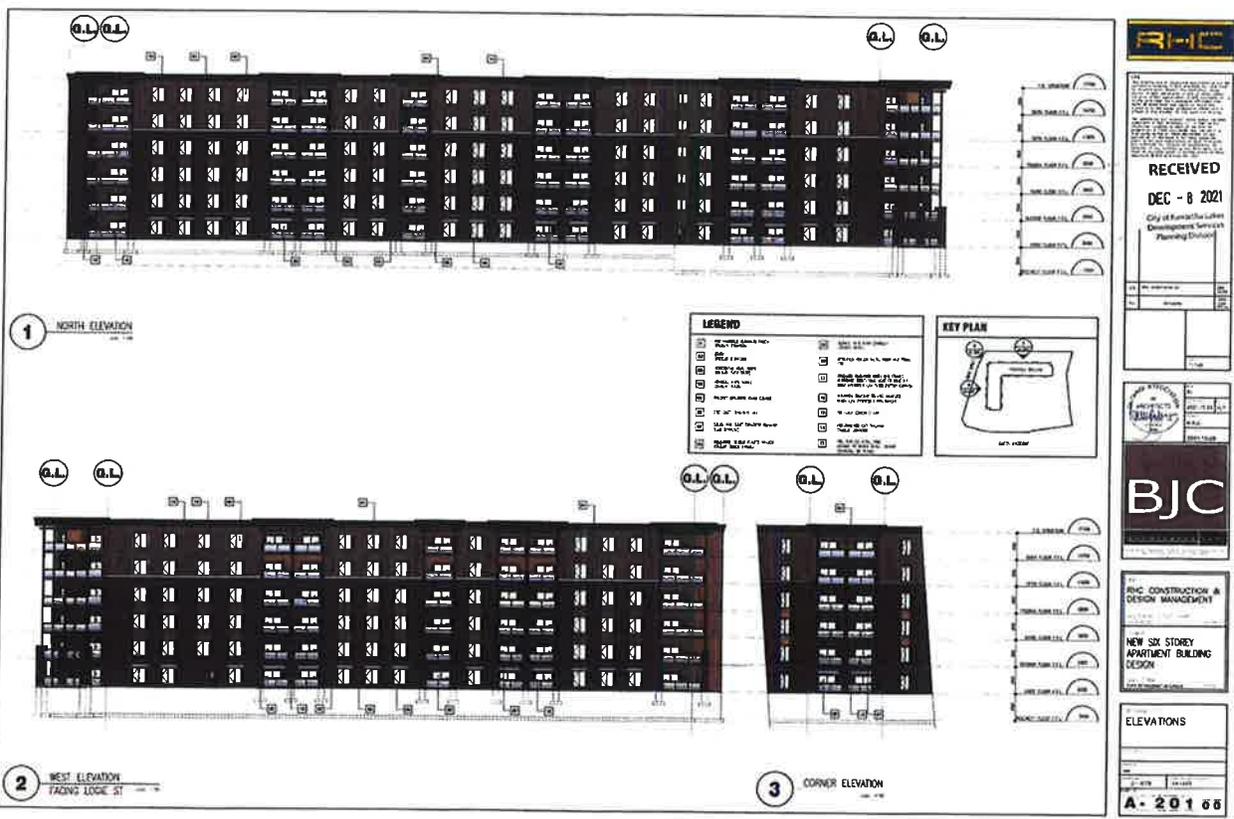
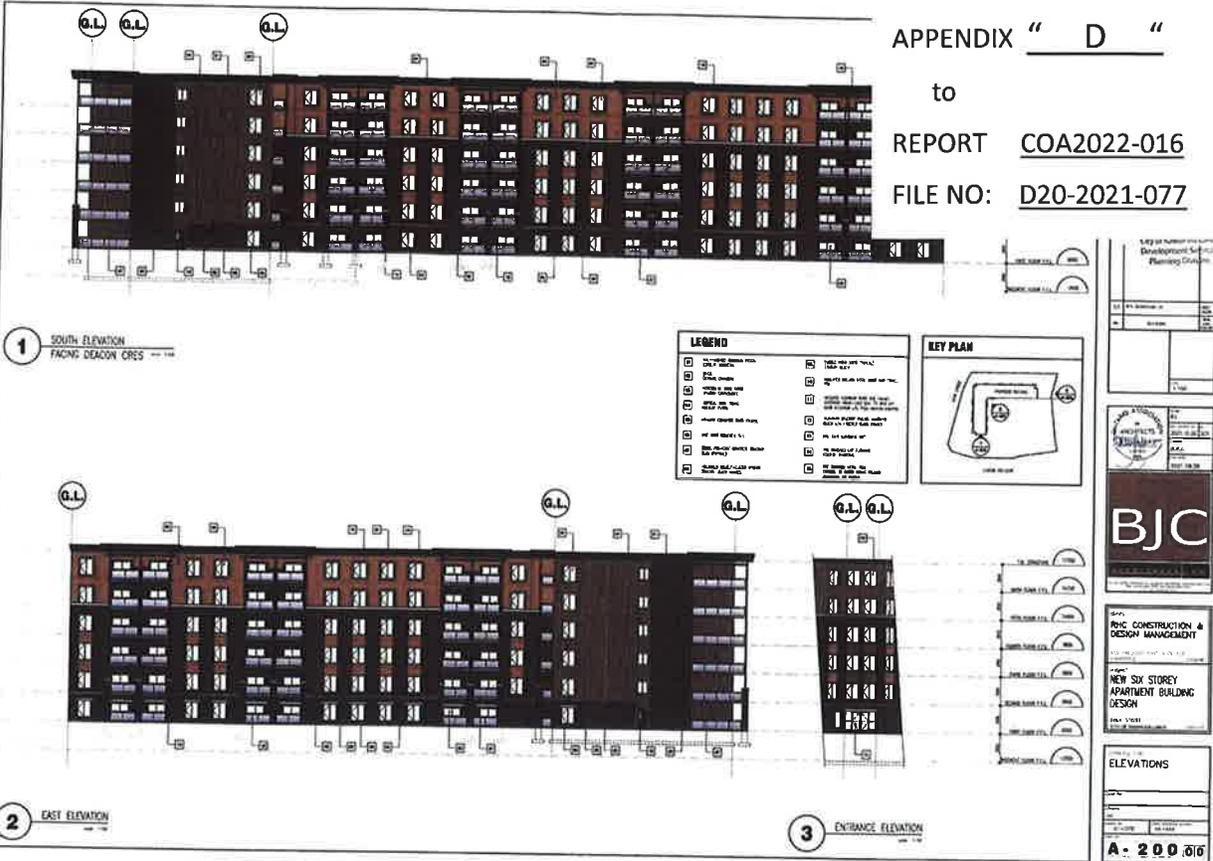
APPROVED BY: [Name]

APPENDIX " D "

to

REPORT COA2022-016

FILE NO: D20-2021-077



Kent Stainton

From: Mark LaHay
Sent: Friday, March 4, 2022 11:59 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20220304 D20-2021-077 - Engineering Review

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX F
to

REPORT COA2022-016

FILE NO. D20-2021-077

FYI - file

From: Lisa Peimann <lpeimann@kawarthalakes.ca>
Sent: Friday, March 4, 2022 11:44 AM
To: Mark LaHay <MLaHay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Daniel Woodhead <dwoodhead@kawarthalakes.ca>
Subject: 20220304 D20-2021-077 - Engineering Review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-077
Vacant Lands, Logie Street
Block 39, Plan 57M-798
Geographic Township of Lindsay, Ward 7, now in the City of Kawartha Lakes

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to facilitate the construction of a 6-storey apartment building:

1. Section 5.12 (k)(i) to reduce the minimum number of parking spaces from 228 to 218 spaces;
2. Section 5.12 (k)(x) to allow 22 parking spaces to be located within the front yard; and
3. Section 11.2 (j) to reduce the minimum amount of landscaped open space from 40% of the lot area to 34.2%

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.

Manager, 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.

Charlotte Crockford

From: Mathew McKinnon
Sent: Friday, March 4, 2022 10:24 AM
To: Charlotte Crockford
Subject: Notice of Public Hearing for Minor Variances

The following comments are provided from the Building & Septic Division, save and except those comments provided separately by the Supervisor of Part 8 Sewage Systems:

D20-2021-077 – Spatial could be a potential issue, development charges applicable, permit required, no other concerns

D20-2022-010 – outstanding building permit BP2017-1278, no other concerns

D20-2022-011 – outstanding building permit BPH2003-1508, permit required for pool house, no other concerns

D20-2022-012 – completion of issued permits BP2021-1621 & BP2017-0353 required, permits required for boathouse & cabin, no other concerns

D20-2022-016 – outstanding building permit BPH2013-0357, development charges applicable, permit required, no other concerns

D20-2022-017 – building permit required, completion of permit application BP2021-1620 for SDD required prior to issuance of garage permit, no other concerns

D20-2022-018 – no concerns

Mathew McKinnon

Plans Examiner

Development Services, City of Kawartha Lakes

Tel: (705) 324-9411 ext. 1273 www.kawarthalakes.ca



Please note: The Building Department offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.