



Planning Advisory Committee Report

Report Number:	PLAN2022-055
Meeting Date:	September 14, 2022
Title:	Amend the Lindsay Zoning By-law 2000-75 at 158 Colborne Street West - Francoeur
Description:	To rezone a portion of the land in the Town of Lindsay Zoning By-law from the "Residential Two (R2) Zone" to the "Residential Multiple One Exception (RM1-**) Zone" to permit four townhouses with site specific development standards and facilitate a future severance.
Type of Report:	Public Meeting
Author and Title:	Mark LaHay, Planner II, MCIP, RPP.

Recommendations:

That Report PLAN2022-055, **Part Lot 22, Concession 4, Former Town of Lindsay, City of Kawartha Lakes, identified as 158 Colborne Street West, Michel Francoeur and Jean-Guy Francoeur – D06-2022-021**, 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.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To rezone the north portion of the land in the Town of Lindsay Zoning By-law from the "Residential Two (R2) Zone" to the "Residential Multiple One Exception (RM1-**) Zone" to permit four townhouses with site specific development standards and facilitate a future severance. The effect of the amendment will permit four 2-storey stacked townhouses, each containing a primary and an additional residential unit, for eight dwelling units on the north half of the subject land. The proposed townhouses are intended be subdivided in the future into four separate lots. The site-specific development standards in the zoning by-law would include reduced rear yard setback and modified parking requirements, reduced interior side yard setbacks for the end dwelling units, and reduced minimum lot area per dwelling unit and increased maximum lot coverage and gross floor area as a percentage of lot area for the interior dwelling units.
Owner:	Michel Francoeur and Jean-Guy Francoeur
Applicant:	EcoVue Consulting Services Inc. c/o Kent Randall
Legal Description:	Part Lot 22, Concession 4, Former Town of Lindsay
Official Plan:	'Residential' (Schedule 'A') with 'Airport Obstacle Restriction (Schedule 'JC-4') within the Town of Lindsay Official Plan
Zoning:	'Residential Two (R2)' Zone (Schedule 'A') in the Town of Lindsay Zoning By-law 2000-75, as amended
Site Size:	0.1335 hectares (0.33 acres – MPAC)
Site Servicing	Municipal water and sewer system
Existing Uses:	Residential
Adjacent Uses:	North: Residential East: Walker Street/Residential/Commercial South: Colborne Street West/Mixed Residential/Commercial Use West: Residential

Rationale:

The property is located west of Angeline Street North on the northwest corner of Colborne Street West and Walker Street (see Appendix 'A'). There are a number of one and two storey residential dwellings and mixed residential, commercial and institutional uses in the area within 250 metres of the subject land. The owners propose to rezone a portion of the land to permit four townhouses accessed from Walker Street and facilitate a future severance (see Appendix 'C'). The proposed development will be on full municipal services. An amendment to the Zoning By-law is necessary to permit the townhouse built form along with site specific development standards.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to various City Departments and commenting agencies for review.

1. Planning Justification Report prepared by EcoVue Consulting Services Inc., dated April 14, 2022. The report discusses and assesses the proposal in context of the 2020 Provincial Policy Statement (PPS), 2019 Growth Plan, the Town of Lindsay Official Plan and the Town of Lindsay Zoning By-law.
2. Draft Zoning By-law Amendment text, prepared by EcoVue Consulting Services Inc., (undated) submitted with the application.
3. Comprehensive Urban Design Analysis, prepared by Imagineers Ltd. and EcoVue Consulting Services Inc., dated April 18, 2022. This document provides details on the urban design, built form and landscape features.
4. Building Elevations/3D Rendering and Floor Plans prepared by Imagineers Ltd., dated March 2022.
5. Topographic Survey Plan prepared by JBF Surveyors, dated November 2021
6. Conceptual Site Plan prepared by EcoVue Consulting Services Inc., dated April 12, 2022.
7. Traffic Brief and Entrance Design memorandum prepared by EcoVue Consulting Services Inc., dated March 7, 2022. The analysis concluded that the entrance structure design and sight line safety requirements have been adequately achieved.
8. Functional Servicing and Stormwater Management Brief prepared by Tatham Engineering Limited, dated July 18, 2022 including related engineering

drawings including Existing and Proposed Condition Drainage Plans, Siltation and Erosion Control Plan, Site Grading, Servicing and Stormwater Management Plan and Notes and Details. The report examines municipal water and sanitary servicing as well as stormwater management. The report concludes that this proposed development site can readily be serviced to accommodate the proposed residential lots. The proposed SWM plan attenuates proposed condition peak flow rates at rates equal to or less than existing by means of permeable pavement driveways, an orifice plate and flood storage provided in the on-site storage chambers. In addition, a water balance was completed and confirms annual infiltration is expected to increase in the proposed condition scenario. A phosphorus loading assessment was also completed and confirms an overall decrease in phosphorus loading following development.

All of the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. Staff has reviewed the Planning Rationale Report that was prepared and filed in support of the application and generally accepts the planning rationale provided in the context of the relevant Provincial and City of Kawartha Lakes policies and plans. Staff recommends that the applications be referred back to Staff until such time as commenting Agencies and City Departments have submitted comments and for further review and processing.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development will provide infill residential development on full municipal services and be 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.

Sections 2.2.6 of the Growth Plan contains policies related to housing to support the achievement of complete communities. In this regard, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

As the subject land is considered within a settlement area, the Natural Heritage System policies of the Growth Plan do not apply.

Therefore, the application appears to conform to the policies of 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 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 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, outlines in Section 1.1.1 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 range and mix of residential (including second units, 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;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 Settlement Areas, states that it is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces and ensure effective use of infrastructure and public service facilities.

Section 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

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;
- e) support active transportation; and
- f) are transit supportive where transit is planned, exists or may be developed.

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 for intensification and redevelopment will utilize existing municipal infrastructure.

The Housing policies of Section 1.4.3 state 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;
- 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;
- f) Establishing development standards for residential intensification, redevelopment and new residential development, which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Section 1.6, Infrastructure and Public Service Facilities, promotes intensification and redevelopment within settlement areas utilizing existing municipal sewage services and municipal water services and planning for stormwater management that will minimize

increases in contaminant loads and changes in water balance and erosion, not increase risks to human health and safety and property damage, maximize the extent and function of vegetative and pervious surfaces and promote stormwater management best practices.

Development and site alteration shall also be directed in accordance with the policies of Section 2 and 3 of the PPS. The PPS prohibits development and site alteration on lands adjacent to natural heritage features, unless it has been demonstrated there will be no negative impacts on the natural features or their ecological functions. The proposed development does not appear to be within or adjacent to any natural heritage features as identified in Section 2 of the PPS, and does not appear to be located within any natural hazards, as identified in Section 3 of the PPS.

The application appears to be consistent with the PPS.

Official Plan Conformity:

The "Residential" designation in the Lindsay Official Plan (LOP) applies to this property as the policies in the proposed "Residential" designation in the Lindsay Secondary Plan (SP) are subject to appeal to the Local Planning Appeal Tribunal. This designation permits a variety of dwelling types and other local institutional or community uses, such as a place of worship, parkettes, neighbourhood parks and neighbourhood commercial uses. For residential development, in addition to three types of density, mixed density development may also occur. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors.

Single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and two (2) dwelling units per property are considered a low density form of development, while medium density permits development in the form of triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings not exceeding 4 storeys in height.

In this case, low density development shall not exceed 25 units per gross hectare. By definition, gross hectare is determined to be an average and not site specific density and includes surrounding uses, parks and half the area of boundary streets. Within an area of one hectare of the subject land, with the addition of the subject proposal, including the additional dwelling units, the overall density falls within the low density range and conforms to the density policies in the LOP, and is in keeping with the

general policies of the proposed SP for residential use of land within the settlement area of Lindsay.

It should be noted that By-law 2020-157 is an amendment to the LOP (OPA No. 60), the purpose of which was to establish land use policies for Additional Residential Units (ARU) by supporting flexible zoning provisions to permit a broad range of housing forms, including additional residential units, which gently increases density of residential neighbourhoods, while contributing to complete communities in accordance with Provincial policies and plans. In this case, an ARU is permitted as of right in a townhouse dwelling, subject to certain criteria including performance standards established in the zoning by-law. The policy amendment, which amends the Housing and Intensification policies of the LOP, also encourages innovative building design and the creation of ARUs throughout the built-up area.

The Housing policies of Section 3.4 of the LOP promote a mix and range of residential lot sizes, unit sizes, housing forms, costs and tenures to satisfy the needs of the Town's residents as well as reviewing the demand for moderate to low-income affordable housing. The City's Affordable Housing Program Coordinator has provided comments encouraging an affordable housing component in this development elsewhere in this report. The type of housing proposed in the form of townhouses also provides more density, which is supported by the housing policies in the PPS.

Conformity with the Official Plan will be established through the further review of the application.

Zoning By-Law Compliance:

The subject land is zoned "Residential Two (R2) Zone" in the Town of Lindsay Zoning By-law 2000-75 (TLZB). The applicant has submitted a Zoning By-law Amendment application for consideration which proposes to rezone the northern half of the subject land to a Residential Multiple One Exception (RM1-**) Zone" to permit four townhouses with site specific development standards and facilitate a future severance on the subject lands. The site specific development standards identified by the applicant relate to minimum lot area per dwelling unit (21% reduction), minimum rear yard setback (28% reduction), interior side yard setback (10% reduction), maximum lot coverage (average 6% increase, maximum gross floor area (average 11% increase), and parking spaces per dwelling unit (50% reduction). It should be noted that the parking reduction relates to typical requirements for a townhouse unit as By-law 2020-160 relating to ARUs only requires the minimum number of parking spaces for the primary unit (being 2 spaces) be satisfied and 8 parking spaces have been provided. Furthermore, it should also be

noted that By-law 2020-160, which amended the TLZB, permits an additional residential unit (ARU) within each proposed townhouse dwelling as of right, notwithstanding the permitted uses, maximum densities, minimum gross floor areas, and maximum gross floor area as a percentage of lot area listed elsewhere in the By-law, subject to specific provisions.

Staff is further reviewing the site specific zoning by-law provisions applicable to the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The City's 2020-2023 Kawartha Lakes Strategic Plan identifies the following four main goals:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This project aligns with the exceptional quality of life goal contained in the City's Strategic Plan by offering new housing options to attract new residents in the City of Kawartha Lakes.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision is appealed to the Ontario Land Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Servicing Comments:

The Functional Servicing Report was circulated to the Engineering and Corporate Assets Department for review and comment. This report confirms that the subject lands are serviceable with sufficient capacity within the existing municipal infrastructure.

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:

On August 19, 2022, P. Jolicoeura, a resident of Walker Street was provided an electronic copy of the Notice and a request was made on August 25, to participate in the public meeting.

On August 26, 2022, Janet Di Bello, Ward 5 Candidate, made a request to participate in the public meeting.

On August 26, 2022, T. Shah, a resident outside the 120 metre circulation area at 5 Charles Street, requested a copy of the circulation list, for the purposes of a petition.

On August 26, 2022, R. Warren, a resident of 8 Walker Street inquired about the circulation distance in terms of who gets notified with the Notice of Public Meeting.

There were no further comments received at the time of writing this report.

Agency Review Comments:

On August 15, 2022, the City's Affordable Housing Program Coordinator advised:

- In accordance with the Kawartha Lakes 2020-2029 Housing and Homelessness Plan, and Council Policy CP2019-004 Affordable Housing Incentives, approved November 19, 2019, there is an expectation to assist the City in achieving rental and ownership affordable housing targets within each new residential development.
- Although the Housing Affordability section refers to Section 30 of the City's Official Plan, more recently Council has placed a priority on the creation of affordable housing including setting targets, adopting policy and creating an annual Affordable Housing Target Program. There is a significant shortage of affordable housing in CKL, clearly illustrated by the targets that were established by looking at 24 data points, both current and future, identifying and resulting in Council setting the target of 1,280 additional rental units over the next ten years. The lack of purpose built rental is clearly evident as we struggle with a 1.4% vacancy rate.
- The City is encouraging the operator to consider options, which would allow a portion of the residential units to be either rented or sold at an affordability level

that would assist the City in meeting its affordable housing targets. Units can be offered at an affordable rate through incentives as offered through the Affordable Housing Target Program. These incentives could offset some development fees. The operator should submit an expression of interest through the Affordable Housing Target Program, expressing its preferred program option in order to seek affordable units within the project. Even if the project won't be occupied for another couple of years, the submission of interest in the Affordable Housing Target Program will allow Council to plan and budget for future program approvals.

On August 17, 2022, NAV Canada advised it has evaluated the captioned proposal and has no objection to the project as submitted. Their assessment does not constitute an approval and/or permit from other agencies.

On August 17, 2022, Building and Septic Division Plans Examiner advised that Development Charges are applicable and otherwise there are no other comments.

On August 23, 2022, Engineering and Corporate Assets advised that from an engineering perspective, they have no objection to the proposed Zoning By-law Amendment and offered specific comments and requirements in anticipation of a Site Plan submission, which include but are not limited to drawing, servicing and road occupancy requirements, a Reference Plan for sight triangle/widening, cost estimate, and requirements relating to water, sanitary, storm and grading.

On August 24, 2022, Enbridge Gas Inc. advised that it does not object to the proposed application however, they reserve the right to amend their development conditions.

Development Services – Planning Division Comments:

The background information, which has been submitted in support of the application, has been circulated to the appropriate Agencies and City Departments for review and comment. At this time, comments have not been received from all circulated Agencies and City Departments.

Staff recommend that the application be referred back to staff for further evaluation and until such time as comments have been received from all circulated Agencies and City Departments, and that any comments and concerns have been addressed.

Conclusion:

As a result of continuing evaluation, Staff respectfully recommends that the application be referred back to staff for further evaluation and until such time as comments have been received from all circulated Agencies, City Departments and the public, and that any comments and concerns have been addressed.

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' – Location Map



Appendix 'A'
PLAN2022-055.pdf

Appendix 'B' – Aerial Map



Appendix 'B'
PLAN2022-055.pdf

Appendix 'C' – Proposed Concept Plan



Appendix 'C'
PLAN2022-055.pdf

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D06-2022-021