

# **The Corporation of the City of Kawartha Lakes**

## **Planning Advisory Committee Report**

**Report Number PLAN2017-053**

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**Date:** September 13, 2017

**Time:** 1:00 p.m.

**Place:** Council Chambers

**Public Meeting**

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**Ward Community Identifier: Ward 11 – Lindsay**

**Subject:** An application to amend the Town of Lindsay Zoning By-law to change the zone category from the Future Residential (FR) Zone to the Residential High Rise One Special Nine (RH1-S9) Zone to allow for a five (5) storey Independent Senior's Apartment Building on the eastern portion of the property identified as 84 Adelaide Street South, Lindsay (Lindsay Retirement Home GP Ltd.)

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**Author and Title: Ian Walker, Planning Officer – Large Developments**

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### **Recommendations:**

**RESOLVED THAT** Report PLAN2017-053, **Plan 8P, Part of Park Lot K, 57R-7336, Part of Part 1, Former Town of Lindsay, "Lindsay Retirement Home GP Ltd. – Application D06-17-025**, be received; and

**THAT** Report PLAN2017-053 respecting Application D06-17-025 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments and that any comments and concerns have been addressed.

**Department Head:**

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**Legal/Other:**

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**Chief Administrative Officer:**

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## Background:

The applicant submitted a Zoning By-law Amendment application to change the zone category from the “Future Residential (FR) Zone” to the “Residential High Rise One Special Nine (RH1-S9) Zone” on the eastern portion of this property. The intent of the change is to facilitate the construction of a 90 unit five (5) storey independent senior’s residential apartment building on the portion of the property subject to this application. The “FR” zone only permits agricultural uses, public utilities, and existing legal uses as of the date of passing of the By-law. The “RH1-S9” zone is specific to the western portion of this property, and permits only a Senior Citizens’ Home and an accessory convenience retail and/or personal service establishment. This portion of the site is developed with a 125 unit four (4) storey Senior Citizens’ Home which was constructed circa 2010.

Owner:	Lindsay Retirement Home GP Limited
Applicant:	Lindsay Retirement Home GP Limited – Andy Bicanic
Legal Description:	Plan 8P, Part of Park Lot K, 57R-7336, Part of Part 1, former Town of Lindsay
Designation:	“Residential” on Schedule ‘A’ of the Town of Lindsay Official Plan
Zone:	“Future Residential (FR) Zone” on Schedule ‘A’ of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area:	2.45 ha. [6.04 ac. – MPAC], of which approximately 1.25 ha is currently contemplated for the development
Site Servicing:	Municipal sanitary sewer, storm sewer and water supply
Existing Uses:	Adelaide Place Retirement Community, Vacant Land
Adjacent Uses:	North: Clancy’s Service Centre, Low Density Residential East: Albert St. S., Hamilton Park, Vacant Residential South: Unopened George St. Road Allowance, Trinity Auto Sales & Service, Low Density Residential West: Adelaide St. S., Vacant Residential

## Rationale:

The property is located between Adelaide Street South and Albert Street South, to the south of Bay Street, in Lindsay. See Appendix ‘A’. It contains an existing Senior Citizens’ Home on the western portion of the property, with associated parking on the south side of the building. The proposed development is an independent seniors’ apartment building located on the eastern portion of the site, with associated parking to the north of the proposed building. The second storey of the proposed building will be at the same elevation as the first storey of the existing building. A one storey link will connect the second storey of the proposed building to the first storey of the existing building. See Appendix ‘B’ and ‘C’.

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 June 22, 2017. The report discusses and assesses the proposal in context of the 2014 Provincial Policy Statement, 2017 Growth Plan, the Town of Lindsay Official Plan, and the Town of Lindsay Zoning By-law 2000-75.
2. Urban Design Brief prepared by Glos Associates Inc., dated June 22, 2017. The brief discusses how the proposal integrates within the community, the urban form and design, and site access.
3. Functional Servicing Report & Stormwater Management Report prepared by D.G. Biddle & Associates Limited, dated June 22, 2017. The report examines the existing municipal water and sanitary servicing options for the property as well as stormwater management impacts.
4. Traffic Impact Study prepared by Tranplan Associates, Toronto, dated June 2017. The report examines the traffic impacts for the proposed development on the lot.
5. Site Plan drawings prepared by Glos Associates Inc., dated June 26, 2017.
6. Building Elevation drawings prepared by Glos Associates Inc., dated June 26, 2017.
7. Site Grading Plan prepared by D.G. Biddle & Associates Limited, dated June 22, 2017.
8. Surveyor's Real Property Report prepared by Coe, Fisher, Cameron, Land Surveyors, dated March 7, 2011.
9. Topographic Plan prepared by Coe, Fisher, Cameron, Land Surveyors, dated May 17, 2017.

Staff has reviewed the Planning Justification Report (PJR) and accompanying documents filed in support of the proposed zoning by-law amendment. At this time, staff cannot determine the appropriateness of the proposal as responses from all City departments and commenting agencies have not been received. Staff recommends that the application be referred back to staff until such time as commenting agencies and/or City departments have submitted comments, and any concerns have been addressed, and to permit discussions with the applicant respecting conformity to applicable policies, if required.

## **Provincial Policies:**

### **Growth Plan for the Greater Golden Horseshoe, 2017:**

The Growth Plan (GP) provides that growth should be directed towards settlement areas, and utilizes existing or planned infrastructure. The proposed development is located within the urban settlement of Lindsay. The development will be serviced by the existing municipal roads, sewage, water and stormwater services.

Full conformity with the GP will be established through the review of the application.

### **Provincial Policy Statement, 2014 (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.

Development and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. The proposed development is not within or adjacent to any natural heritage features or species at risk (SAR) as identified in Section 2 of the PPS, and is not located within any natural hazards, as identified in Section 3 of the PPS.

Full consistency with the PPS will be established through the review of the application.

### **Trent Source Protection Plan (TSPP):**

The property is located within the Kawartha-Haliburton source protection area. Part of the property is located within a surface water intake protection zone for the municipal drinking water system for Lindsay, within the Intake Protection Zone 2 (IPZ-2) for the Lindsay municipal surface water system. See Appendix 'D'. Therefore, the applicant was required to obtain a Section 59.(2) Notice under the Clean Water Act (2006), prior to submission of this application.

### **Official Plan Conformity:**

The lot is designated "Residential" on Schedule 'A' of the Town of Lindsay Official Plan (OP). This designation permits all types of residential uses and densities. High density residential uses include apartment buildings and other residential buildings in excess of four storeys in height. A small commercial facility may be located on the ground floor of a high density residential building, to serve the residents of the building and complex. The density shall not exceed

125 units per gross hectare. Based on the applicant's submission, the proposed density will be 88 units per gross hectare for the entire site, including the existing 125 unit building and proposed 90 unit building.

High density residential development is subject to site plan control, and a number of criteria must be met, including, but not limited to:

- Height and massing of the buildings at the edge of the development shall have regard to the height and massing of the buildings in any adjacent low density residential area;
- The development shall have direct access to a collector road where possible;
- A report on the adequacy of the road network to accommodate the expected traffic flows, and adequacy of water and sewer services shall be prepared by the applicant and approved by the City Engineer; and
- The water mains and sanitary sewers shall be capable of accommodating the development, or the developer commits to extend services at no expense to the municipality.

As noted above, a Functional Servicing Report (FSR) and Traffic Impact Study (TIS) have been submitted and circulated for review. Conformity with the OP will be established through a full review of the application.

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

The applicant has submitted a Zoning By-law Amendment application for consideration, to change the zoning on the property. The lot is currently zoned "Future Residential (FR) Zone" in the Town of Lindsay Zoning By-law 2000-75. For the vacant portion of this property, the "FR" zone only allows uses which existed as of the date of passing of the By-law. The purpose of the "FR" zone is to protect the site for future residential development. The application, as proposed, would implement a site-specific "Residential High Rise One Special Nine (RH1-S9) Zone" which is already in place on the western portion of the property. This exception zone governs the standards for the existing Senior Citizens' Home on the western portion of the lot. This application serves to extend the zoning to the remainder of the property; to include an additional use; and modify the development standards for the zone to permit a 90 unit, five (5) storey "Independent Seniors' Apartment Building" on the eastern portion of the lot. The exception zone requirements would recognize site-specific development standards for the existing and new building, and all other provisions of the "RM1" zone would apply.

Zoning By-law compliance will be established through a full review of the application.

### **Other Alternatives Considered:**

No other alternatives have been considered.

## **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendments is appealed to the Ontario Municipal Board. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

## **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the exceptional quality of life strategic goal as it enhances access to community health services.

## **Servicing Comments:**

The following recommendation was adopted by Council:

- 10.3.24     **RESOLVED THAT** Report WWW2014-007, **Lindsay Capacity Study Action Plan Summary**, be received;  
**THAT** Council endorses the finding of the Capacity Report and direct staff to implement the recommendations of the assessment through future capital initiatives;  
**THAT** the scope of WW1341 - Lindsay Wastewater Collection / SPS Capacity be expanded to include an Environmental Assessment to address capacity constraints at the Colborne Street Sanitary Pumping Station; and  
**THAT** Council recognize the capacity constraints on the Colborne Street Sanitary Pumping Station and direct staff to limit development within the Colborne Street Sewer Shed area to pre-approved development allocation until the capacity restriction can be properly addressed.

**CARRIED**

This property is located in the Colborne Street Sanitary Pumping Station, and as such, sewer capacity on this lot is subject to Council Resolution 2014-777 above. This lot will be serviced by full municipal water and sanitary services, however based on the above resolution, staff are directed to limit development or re-development of this property to pre-approved development allocation, until the capacity restriction is addressed. To satisfy this concern, a holding (H) provision will be placed on any zoning, until the capacity issue has been addressed.

## **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. As of August 31, 2017, we have received the following comments:

### Agency Review & Public Comments:

August 21, 2017 – The Building Division has no concerns with this application.

August 25, 2017 – Al Ruggero, Director of Land Development for Rexton Developments Ltd. advised by email that they wish to be notified of the decision on this application.

August 31, 2017 – Cam Findley advised by phone that he has no objection to this application, and requested a larger copy of the site plan for viewing.

## **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 recommends that the application be referred back to staff 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:**

In consideration of the comments and issues contained in this report, staff respectfully recommend that the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

## **Attachments:**

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix 'A' – Location Map



PLAN2017-053  
Appendix A.pdf

Appendix 'B' – Overall Site Plan – Drawing SP101



PLAN2017-053  
Appendix B.pdf

Appendix 'C' – Enlarged Site Plan – Drawing SP102



PLAN2017-053  
Appendix C.pdf

Appendix 'D' – Aerial Photo with TCC Source Protection Plan Mapping



PLAN2017-053  
Appendix D.pdf

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**Department Head:** Chris Marshall, Director, Development Services

**Department File:** D06-17-025