



Planning Advisory Committee Report

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| Report Number: | PLAN2023-063 |
| Meeting Date: | November 29, 2023 |
| Title: | Village of Bobcaygeon Zoning By-law Amendment Vacant Land on Duke Street |
| Description: | To amend the Village of Bobcaygeon Zoning By-law 16-78 to permit development of a 2-storey 22-unit affordable rental apartment building |
| Type of Report: | Public Meeting |
| Author and Title: | Matt Alexander, Practice Lead, WSP Canada Inc., on behalf of Kawartha Lakes Planning Division |

Recommendations:

That Report PLAN2023-063, **Village of Bobcaygeon Zoning By-law Amendment Vacant Land on Duke Street**, be received for information; and

That Report PLAN2023-063, **Village of Bobcaygeon Zoning By-law Amendment Vacant Land on Duke Street**, be referred back to staff to address public and agency comments and for further review of the technical studies.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The land subject of this application is identified as vacant land on Duke Street, and described as Lot 17 and 18, Registered Plan No. 32 in the Village of Bobcaygeon. The site is currently designated as Urban under the Victoria County Official Plan (VCOP), and is zoned Restricted Industrial (M1) Zone under the Village of Bobcaygeon Zoning By-law 16-87. Staff note that until the appeals respecting the City of Kawartha Lakes Official Plan are resolved, and until the Bobcaygeon Secondary Plan is approved, the Victoria County Official Plan continues to apply to the site.

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| Owner: | Market Square Non-Profit Housing Corp. |
| Applicant: | EcoVue Consulting Services Inc., c/o Aditya Srinivas |
| Legal Description: | Lot 17 and 18, Registered Plan No. 32, former Village of Bobcaygeon, now City of Kawartha Lakes |
| Official Plan: | Urban in the Victoria County Official Plan |
| Zoning: | Restricted Industrial (M1) Zone in the Village of Bobcaygeon Zoning By-law 16-87 |
| Area: | Approximately 1 Acre (0.4 hectares) |
| Site Servicing: | Municipal water, sanitary and storm sewer services |
| Existing Uses: | Vacant |
| Adjacent Uses: | North – Recreational, Institutional and Residential East – Residential, Commercial South – Industrial, Residential, Commercial East – Industrial, Residential, Commercial |

Rationale:**Proposal:**

The applicant is proposing to rezone the site to permit the development of a 2-storey 22-unit rental apartment building containing one community room and office, one maintenance room, and one garbage room. The intent is that this will be an affordable rental unit apartment building, operated by a non-profit organization. It should be noted that the applicant is willing to consult with the municipality to determine the type of affordable housing (rent-geared-to-income or rent controlled) to be implemented as

part of this proposal. To facilitate this residential development, the applicant is proposing to rezone the property from Restricted Industrial (M1) Zone to Urban residential Type Four Exception Twelve (R4-S12) to permit the proposed development. The following materials were submitted in support of these applications:

- 1) Planning Rationale Report (March 2023), prepared by the EcoVue Consulting Services Inc. This report provides a review of the proposed development and its alignment with the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, the Victoria County Official Plan (VCOP), and the Village of Bobcaygeon Zoning By-law 16-78.
- 2) Comprehensive Urban Design Analysis (March 2023), prepared by EcoVue Consulting Services Inc. The Urban Design Analysis provides an assessment of the proposed built form and massing, and architectural design of the building.
- 3) Geotechnical and Hydrogeological Investigation Report (January 2023), prepared by PRI Engineering. The purpose of this report is to provide a summary of the field program conducted and subsurface conditions identified during field investigations. The report presents the results of a subsurface investigation and provides recommendations as it relates to the proposed development.
- 4) Preliminary Functional Servicing and Stormwater Management Report (February 2023), prepared by M.V. Wilson Engineering Inc. The purpose of this report is to provide an evaluation of the proposed water, wastewater, and stormwater management servicing of the proposed development.
- 5) Traffic Impact Brief (March 2023), prepared by Tatham Engineering Limited. The purpose of the study is to review the proposed development from a transportation perspective and to evaluate the anticipated trip generation associated with the proposed development.
- 6) Parking Justification Study (March 2023), prepared by Tatham Engineering. The purpose of this study is to establish the parking needs of the subject property and proposed development.
- 7) Phase One Environmental Site Assessment (June 2022), prepared by Fisher Environmental Ltd. The purpose of the Phase One Environmental Site Assessment is to support filing of a Record of Site Condition with the Ministry of the Environment, Conservation and Parks for development approval on the basis of future development for residential use.

- 8) Entrance Review Confirmation Letter (October 2023), prepared by City of Kawartha Lakes. The purpose of this letter is to confirm that the Municipality has determined that a future entrance into the development property would be supported.
- 9) Plan of Survey (June 2022), prepared by Coe Fisher Cameron Land Surveyors.
- 10) Topographic Survey (November 2022), prepared by A.R. (Sandy) Wakeling Surveying Technical Services.
- 11) Site Plan SP1 (February 2023), prepared by M.V. Wilson Engineering Inc.
- 12) Proposed Floor Plans A1 (January 2023), prepared by M.V. Wilson Engineering Inc.
- 13) Proposed Building Elevations A2 (January 2023), prepared by M.V. Wilson Engineering Inc.
- 14) Site Grading Plan GP1 (February 2023), prepared by M.V. Wilson Engineering Inc.
- 15) Site Servicing Plan SS1 (February 2023), prepared by M.V. Wilson Engineering Inc.
- 16) Pre-Development Drainage Boundaries DB1 (January 2023), prepared by M.V. Wilson Engineering Inc.
- 17) Post-Development Drainage Boundaries DB2 (February 2023), prepared by M.V. Wilson Engineering Inc.

All reports and drawings submitted with the application are currently under review by staff and appropriate external agencies.

Provincial Policy Conformity:

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS), 2020 sets the policy foundation for regulating development and land use planning in Ontario. A harmony among economic development, resources, public health and safety, and the quality of the natural and built environment is facilitated through the policies contained in this document.

Section 1.1.1 provides that healthy, liveable and safe communities are sustained by accommodating appropriate affordable market-based range and mix of residential types (including single detached, additional residential units, affordable housing, multi-unit housing), institutional uses, employment uses, parks and open space in order to meet long-term needs. The proposed development supports this policy as it provides diversification in housing types in the community located within the vicinity of parks, institutional and commercial uses, and industrial uses providing access to recreation, employment and other amenities for residents.

The subject site within the Settlement Area of Bobcaygeon and designated as Urban in the VCOP. Therefore, relevant policies under Section 1.1.3 respect Settlement Areas applies to the subject site.

Section 1.1.3.1 details that Settlement Areas shall be the focus of growth and development. Further, Section 1.1.3.2 provides that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, efficiently use available and/or planned infrastructure and public services. Section 1.1.3.2 also states that land use within Settlement Areas should be based on a range of uses and opportunities for intensification and redevelopment. Staff feel that the proposed development represents efficient use of land and resources as the site is currently vacant and underutilized and can be accommodated by existing municipal services in the area. While the Functional Servicing Report is still under review, the capacity of existing services to support the proposed development is supported by the findings detailed in Functional Servicing Report submitted in support of the application. The subject site is currently vacant, and the proposed development represents an opportunity for intensification on currently underutilized lands within a defined Settlement Area.

Section 1.4.1 of the PPS lays out the policy framework regarding housing, specifically regarding providing an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents. 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 by establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. The proposed development supports these policies of the PPS as the proposed development is intended to provide affordable rental apartment units. Section 1.4.3(b) provides that Planning authorities should permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents. Staff feel that the proposed development, as an affordable housing development supports the intent

of the PPS to provide a range and mix of housing options, acknowledging the needs of current and future residents by provide affordable housing which is in high demand, and supporting residential intensification.

Final PPS consistency will be determined once reviews of the technical studies have been finalized.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019:

To plan for growth and development in a manner that supports economic prosperity, protects the environment, and assists communities in achieving a high quality of life, the Ontario government prepared A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan).

Section 2.2.1.2 provides that the vast majority of growth will be directed to Settlement Areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems and can support the achievement of complete communities. The proposed development is planned within the built boundary of Bobcaygeon, will be served by existing municipal services, and with the existing amenities in the surrounding area, will support the achievement of complete communities.

Under Section 2.2.1.4, applying the policies of the Growth Plan will support the achievement of complete communities by featuring diversity in land uses, including residential and employment uses, and convenient access to stores, services and other amenities, and provide diversity in housing options including additional residential units and affordable housing. The proposed development supports including a diverse mix of land uses, and supports providing diversity in housing options, and affordable housing. Further Section 2.2.1.4 goes on to describe other manners to support the achievement of complete communities such as providing for a more compact form, and vibrant public realm, and integrating green infrastructure. The proposed development will have an architectural style that will blend in with the existing local built form context. Adequate landscape buffers and screening are implemented throughout the site to improve site aesthetics, reduce visual impact, and enhance the existing vegetation adjacent to the site. The landscaping will provide a buffer to adjacent land uses, and promote a pleasant aesthetic from the pedestrian realm.

As many technical studies are still under review, staff will evaluate complete Growth Plan conformity once reviews have been completed.

City of Kawartha Lakes Official Plan

The City of Kawartha Lakes Official Plan is largely under appeal. As detailed in Section 18.11.1 of the Official Plan, the designations and associated land use policies for Bobcaygeon contained in the Victoria County Official Plan shall apply until such time a detailed secondary plan is prepared. As such, the Victoria County Official Plan (VCOP) land use designations and relevant policies apply to the subject site.

Victoria County Official Plan

The subject site is designated as Urban in the (VCOP). Per Section 6.2.1 the predominant uses of land in the Urban designation shall be a broad range of residential uses, recreational, institutional, industrial, cultural and commercial uses. Section 6.2.3 provides that within the Urban designation, development should proceed on the basis of the full range of services that is provided or anticipated in the community.

Section 6.2.6.1(b) details policies applicable to medium density residential uses. Within the urban designation in Bobcaygeon, medium density development is permitted in the form of row or cluster dwellings, and apartments. Apartments are permitted for a maximum density of 60 dwelling units per net hectare, and the number of floors in an apartment building shall not exceed three, or a maximum height of 11 metres. Medium density residential units shall only be permitted on full services in Bobcaygeon. Medium density residential shall be located on a major road, or local road connecting directly to a major road. Medium density residential development shall be located to not have an adverse impact on lower density residential areas, and where there are adequate recreational and park facilities within reasonable proximity.

The proposed development fits within the medium density residential classification prescribed by the VCOP. The proposed development proposes apartment dwelling units which is permitted within the Urban designation in Bobcaygeon, it does not exceed the maximum density requirement of 60 dwelling units per net hectare, the building is two storeys or 7.5 metres tall, and will proceed on full municipal services as indicated in the submitted Functional Servicing and Stormwater Management Report. Further, the proposal is accessed by a Duke Street, which is classified as an east-west urban arterial road in the City of Kawartha Lakes Transportation Master Plan. Duke Street also provides direct access to Kawartha Lakes Road 36, which is identified as a Major Road in the Transportation Master Plan. This supports the Urban designation policies surrounding medium density residential developments. The proposed development is also within walking distance to Tommy Anderson Park which abuts the subject site on the north side.

The VCOP also contains policies to guide intensification. Under Section 5.7.2 intensification is encouraged throughout the built-up area. Further, forms of intensification should have an appropriate type and scale, and accommodate a range and mix of housing, taking into account affordable housing needs. Intensification should generally achieve higher densities than the surrounding area, and achieve an appropriate transition of built form to adjacent areas.

The proposed development supports the policies of the VCOP. The Urban Brief submitted in support of the development details how the architectural built form of the proposed building, along with the landscaping proposed has been designed to provide a smooth transition to the neighbouring single family residential uses, and to respect the existing local character of the area. The building proposed is only two storeys in height, and has a façade designed with the intent to match the existing aesthetic of the surrounding residential land uses. The proposed development will implement a range and mix of housing options to the community, and address affordable housing needs while achieving a higher density that is respectful of the local context.

With respect to submitted studies and reports in support of the proposed development, staff offer the following comments:

- 1) Staff feel that the proposed development can be supported by existing municipal services; however further review is required.
 - A Functional Servicing and Stormwater Report, Geotechnical and Hydrogeology Evaluations were submitted in support of this application detailing that the proposed development can be accommodated with existing municipal services. However, these materials are still currently under review. Capacity of existing services will be determined once technical review of these studies are complete.
- 2) Staff feel that the proposed development will not result in negative impacts to the existing capacity of the current road network. Staff are uncertain of whether the reduced parking provisions proposed as part of the Zoning By-law Amendment are appropriate.
 - A Traffic Impact Brief and Parking Justification were submitted in support of the proposed development. These studies are currently undergoing a peer review. Impacts to the surrounding road network, and adequacy of the proposed parking provided will be determined pending receipt of peer review comments.
- 3) Staff feel that the Phase One ESA findings indicate that further investigation is not required, and that the Phase One ESA can support a Record of Site Condition filing to support the proposed rezoning.
 - While the findings of the Phase One ESA do not indicate further investigation is required, the Phase One ESA submitted in support of the application is still under

review. Final comments pertaining to the Phase One ESA are pending at the time of report writing.

- 4) Staff feel that the proposed built form and architectural style of the proposed development is appropriate and is respectful of the existing local context and neighbouring residential land uses.
 - An Urban Design Analysis was submitted in support of the proposed development. Staff feel that the built form of the proposal is compatible with the surrounding area and implements a mild form of intensification with a transition to a higher density that is appropriate given the existing local context. Staff also feel that the proposed landscaping will provide adequate buffers to surrounding land uses and create a provide aesthetic from the public realm.
- 5) Staff feel that access to the proposed development from Duke Street is appropriate.
 - Public Works staff confirmed that an entrance from Duke Street into the site would be permitted subject to fulfillment of various criteria including replacement of the existing sidewalk, replacement of the existing 300mm diameter CSP culvert, reparation of ditches and installation of an asphalt apron.

As various technical studies are still under review, staff will determine conformity with the Victory County Official Plan at a time when technical reviews have been completed and relevant comments obtained.

Village of Bobcaygeon Comprehensive Zoning By-law 16-78

The property is currently zoned Restricted Industrial (M1) in the Village of Bobcaygeon Zoning By-law. The M1 zone does not permit residential uses, and as such the applicant is proposing to rezone the property from the M1 zone to the Urban Residential Type Four Exception Twelve (R4-S12) Zone in order to permit the proposed development, and to recognize certain site specific zoning deficiencies. The R4 Zone permits apartment dwellings. The table below details the parent R4 Zone provisions compared to the site-specific zone provisions proposed as part of the development.

| Zone Provision | R4 Zone | R4-S12 (Proposed) |
|----------------------------|--|---|
| Density | 1 dwelling unit per 289 m ² of lot area | 1 unit per 183 m² of lot area |
| Minimum Lot Frontage | 21 metres | 54.3 metres |
| Minimum Front Yard Setback | 7.5 metres | 4.0 metres |

| Zone Provision | R4 Zone | R4-S12 (Proposed) |
|---------------------------|--|--|
| Minimum Side Yard Setback | 3 metres or ½ the height of the building, whichever is greater 3.75 metres required (half of building height) | 3 metres (west side yard) 12. 57m (east side yard) |
| Minimum Rear Yard Setback | 9 metres | 15.26 metres |
| Minimum Flankage Yard | 7.5 metres | N/A |
| Maximum Building Height | 11 metres | 7.5 metres |
| Maximum Lot Coverage | 30% | 22% |
| Minimum Parking Spaces | 2 per dwelling unit (44 spaces required) | 1 per dwelling unit (22 spaces provided) |

As highlighted in the above table, the proposed development does not meet the density, parking, front yard and side yard requirements of the R4 parent zone.

Staff feel that the requested increase in density is appropriate, as the density proposed is within the maximum density permitted by the Victoria County Official Plan.

Staff believe that the reduction in the western side yard setback is appropriate given the neighbouring land use to the east, and feel that the provided landscaping will provide a necessary buffer. Staff reserve the right to comment on the proposed parking reduction until the reviews of the Transportation Impact Brief and Parking Justification Study are complete and would also request to see more details about the “upper level parking” proposed as detailed in the site plan.

Staff feel that the reduced front yard setback is appropriate given the existing front yard setbacks of neighbouring residential dwellings.

Staff respectfully reserve further comments on the proposed zoning by-law amendment until a time where the review of all technical studies has been completed.

Other Alternatives Considered:

No other alternatives have been considered.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan are:

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

In line with the Strategic Priority of an Exceptional Quality of Life, the proposed amendment would facilitate the development of affordable housing, which would contribute to providing complete communities with access to housing, and neighbouring amenities for low income residents in the community.

Financial/Operation Impacts:

There are no financial or operational impacts pertaining to the proposed amendments. Costs would be incurred in the event of an appeal to the Ontario Land Tribunal of the decision made by Council.

Consultations:

Notice of this application was delivered to property owners within 120m of the subject site. In alignment with Public Notice procedure, signage detailing the amendment was placed on site.

Public Comments:

No public comments have been received at the time of report writing.

Agency Review Comments:

At the time of report writing, no comments from internal departments or external agencies have been received. The appropriateness of the proposed amendment will be reevaluated pending receipt of all internal and external comments.

Development Services – Planning Division Comments:

Staff feel that the proposed development represents good land use planning by utilizing currently vacant lands to provide a range and mix of housing options in the community, which supports both PPS and Growth Plan objectives. Staff also feel that from a planning policy perspective, the development conforms to the relevant policies of the VCOP.

The property is currently zoned Restricted Industrial (M1) Zone, which does not permit the proposed use. The proposed zoning by-law amendment to rezone the site to Urban Residential Type Four Exception Twelve (R4-S12) would permit the proposed development.

Staff also feel that the built form and massing proposed as indicated in the Urban Brief is appropriate and successfully demonstrates a mild form of intensification, which is mindful of the transition to lower density residential uses. Staff feel that this development is appropriate given the local context.

Staff however feel the need to further evaluate the proposed zoning by-law amendment pending receipt of comments from internal departments and external agencies in order to determine whether there are concerns related to servicing, parking, and road capacity impacts.

Staff feel that the proposed zoning by-law amendment will support the Kawartha Lakes 2020-2029 Housing and Homeless Plan. Staff are interested in understanding how the operator intends to implement affordability across the proposed development and is encouraged to consider options which would allow the units to be rented at an affordability level.

Conclusion:

Given the comments contained in this report, Staff respectfully recommends that the application to rezone Lot 17 and 18, Registered Plan No. 32 on Duke Street be referred back to staff until technical reviews have been completed.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Matt Alexander at Matt.Alexander@wsp.com.

Attachments:

Appendix 'A' – Location Plan



PLAN2023-063_App
endix A

Appendix 'B' – Aerial Photo



PLAN2023-063_App
endix B

Appendix 'C' - Site Plan



PLAN2023-063_App
endix C

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D06-2023-019