

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

## **Planning Advisory Committee Report**

**Report Number PLAN2017-065**

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**Date:** November 8, 2017

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

**Place:** Council Chambers

**Public Meeting**

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**Ward Community Identifier:** Ward 13 - Bobcaygeon

**Subject:** Applications for Zoning By-law Amendment together with a Draft Plan of Subdivision and Draft Plan of Condominium to permit 7 lots for single detached dwellings fronting on Lakewood Crescent and 24 semi-detached and 2 single detached units fronting on a common elements condominium road accessed from Lakewood Crescent, former Village of Bobcaygeon, now City of Kawartha Lakes (Frederick G. Reynolds Holdings Inc.)

**Author and Title:** Mark LaHay, Planner II

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### **Recommendation(s):**

**RESOLVED THAT** Report PLAN2017-065, respecting Part Lots 12 & 13, Concession 19, Part Lot 40, RCP 564, 57R-7890, Parts 2 to 5, former Village of Bobcaygeon, "Frederick G. Reynolds Inc. – Applications D06-17-028, D05-17-004 & D04-17-001", be received; and

**THAT** the applications respecting the proposed Zoning By-law Amendment, together with the Draft Plan of Subdivision and Draft Plan of Condominium be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

**Department Head:**

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**Legal/Other:**

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**Chief Administrative Officer:**

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## Background:

The proposal is to permit a residential plan of subdivision consisting of 7 lots for single detached dwellings with frontage on Lakewood Crescent, and one block for the residential condominium plan consisting of 24 semi-detached and 2 single detached units fronting onto a common elements condominium road accessed from Lakewood Crescent. The proposed lots will be developed on full municipal services. The Zoning By-law Amendment proposes to rezone the land from the “General Industrial (M2) Zone” to “Urban Residential Type One Exception (R1-\*)” and “Urban Residential Type Two Exception (R2-\*) Zones” to permit a mix of 33 low-density single-detached and semi-detached residential dwelling units with site specific zone provisions.

Owners:	Frederick G. Reynolds Holdings Inc.
Applicant:	Design Plan Services Inc. – T.J Cieciura
Legal Description:	Part Lots 12 & 13, Concession 19, Part Lot 40, RCP 564, 57R-7890, Parts 2 to 5, former Village of Bobcaygeon
Designation:	“Urban”, on Schedule A-2 of Victoria County Official Plan.
Zone:	“General Industrial (M2) Zone” on Schedule ‘A’ of the Village of Bobcaygeon Zoning By-law No. 16-78
Lot Area:	1.692 ha. [4.18 ac. – MPAC]
Site Servicing:	Proposed municipal water and sanitary sewer, drainage swales and storm sewers
Existing Uses:	Vacant Industrial Land/Storage Buildings
Previous Uses:	Small household appliances manufacturing, construction storage and woodworking activities
Adjacent Uses:	North: Lakewood Crescent/Low Density Residential East: Austin Boulevard/Apartment/Condo/Residential South: River Park Drive/Open Space/Bobcaygeon River West: Industrial/Commercial/Public Use (Forbert Memorial Pool)

## Rationale:

The property is located on the south side of Lakewood Crescent, south of a single-detached residential subdivision, and is on the west side of Austin Boulevard and the north side of River Park Drive (see Appendix ‘A’). The owners propose a residential plan of subdivision consisting of 7 lots for single detached dwellings and one condominium block consisting of 24 semi-detached and 2 single detached units on a common elements condominium road (see Appendices ‘C’ and ‘D’). The proposed development will be on full services. Municipal water, sanitary sewer and storm sewers are to be provided. The subdivision lots will be accessed via Lakewood Crescent and the condominium

lots will be accessed via a common elements road with access from Lakewood Crescent. There will be no regular access from Austin Boulevard; only emergency access via a gate between Driveway 'A' and Austin Boulevard. An amendment to the Zoning By-law is necessary to permit the residential use, along with a plan of subdivision and a plan of condominium.

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 Rationale Report prepared by Design Plan Services Inc., dated May 2017. The report discusses and assesses the proposal in context of the 2014 Provincial Policy Statement, Growth Plan, the Victoria County Official Plan, the City of Kawartha Lakes Official Plan and Bobcaygeon Secondary Plan, and the Village of Bobcaygeon Zoning By-law.
2. Addendum to Planning Rationale Report prepared by Design Plan Services Inc., dated October 2017. This addendum updates the Growth Plan analysis of the previously submitted Planning Rationale Report with the policies of the in-effect 2017 Growth Plan.
3. Preliminary Urban Design Brief for Marshall Homes, prepared by Design Plan Services Inc., dated May 31, 2017.
4. Karst Topography Assessment Letter Report prepared by GHD dated March 30, 2017.
5. Phase One Environmental Site Assessment Report prepared by Terrapex Environmental Ltd., dated January 31, 2017.
6. Stage 1 and 2 Archaeological Assessment prepared for Marshall Homes by ASI Archaeological & Cultural Heritage Services dated July 27, 2016. The report identifies and evaluates the proposal with respect to archaeological resources.
7. Building Elevations and Floor Plans for Units 4001, 4002, 5001 and 5002 for Marshall Homes prepared by Hunt Design Associates Inc., dated October 2016.
8. Topographic Plan prepared by Coe Fisher Cameron, Ontario Land Surveyors dated May 20, 2015.
9. Proposed Draft Plan of Subdivision dated May 1, 2017, Proposed Draft Plan of Condominium and Proposed Site Plan dated March 2, 2017 prepared by Design Plan Services Inc.
10. Traffic Impact Study prepared for Port 32 Inc. Marshall Homes by Tranplan Associates dated March 2017.
11. Functional Servicing Report prepared by Engage Engineering Ltd., dated March 2017. The report examines municipal water and sanitary servicing options for the property as well as stormwater management.

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 and Addendum that was prepared and filed in support of the applications 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.

## **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 will provide infill residential development on full municipal services and be located within the Bobcaygeon 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.

Therefore, these applications appear to conform to the policies of the Growth Plan.

### **Provincial Policy Statement (2014):**

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 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:

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;
  - 2. 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;
  - 3. support active transportation; and
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, which permits Planning authorities to identify appropriate locations and promote opportunities where this can be accommodated 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.

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. In relation to Section 3, the GHD Consultant's Report stated that with the exception of the southern portion of the site, the site inspection yielded no visual indicators of karst topography (i.e. sink holes, depressions, open fractures, disappearing streams) and provided recommendations to follow related to construction of foundations for the proposed development. This Karst Topography Assessment has been submitted which has been circulated to Kawartha Region Conservation Authority (KRCA) for review and comment. Also, in relation to Section 3, a Phase One Environmental Site Assessment (ESA) has been circulated for review and comment in relation to Human-Made Hazards. This report recommends a Phase Two ESA is required in order to file a Record of Site Condition for the subject property.

Subject to confirmation from the relevant Department and Agencies, these applications appear to be consistent with the PPS.

### **Official Plan Conformity:**

The “Urban” designation in the Victoria County Official Plan (VCOP) applies to this property as the policies in the proposed “Urban Settlement Area” designation in the City of Kawartha Lakes Official Plan (CKLOP) and the “Residential” designation in the Bobcaygeon Secondary Plan (SP), are both subject to appeal to the Ontario Municipal Board. The Urban designation permits all types of residential uses and densities; however, low density shall predominate. Single detached and semi-detached dwellings are considered a low density form of development. The density shall not exceed 25 units per net hectare. The proposed density on the subject land, being approximately 19.5 units per net hectare, falls within the low density range and conforms to the density policies in the VCOP, and is in keeping with the general policies of the proposed CKLOP and SP for residential use of land within the settlement area of Bobcaygeon.

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

The subject land is zoned “General Industrial (M2) Zone” in the Village of Bobcaygeon Zoning By-law 16-78. The applicant has submitted a Zoning By-law Amendment application for consideration which proposes to rezone to Urban Residential Type One Exception (R1-\*) and Urban Residential Type Two Exception (R2-\*) Zones, to permit a mix of 33 low density single detached and semi-detached residential dwelling units with site specific provisions relating to minimum lot area, front, rear, interior or exterior side setback and maximum lot coverage on the subject lands. Based on the above conclusions of the Phase One ESA, it is recommended that a Holding (H) Provision be applied which requires a Phase Two ESA and any required site remediation in order to file a Record of Site Condition, prior to any development. The Holding symbol would also be applied to the entire subdivision and plan of condominium to ensure that a secured subdivision agreement and condominium agreement is executed.

### **Other Alternatives Considered:**

No other alternatives have been considered.

### **Financial/Operation Impacts:**

There are no financial/operational considerations unless Council’s decision to adopt or its refusal to adopt the requested amendment and the draft plan approval requests are 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 Recommendation(s) To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This application aligns with the vibrant and growing economy strategic goal as it increases the supply of new housing to attract new residents in the City of Kawartha Lakes.

## **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility implications for the City. The accessibility standards established in the Building Code will be shown on the subsequent construction drawings, which must be approved by the City prior to the issuance of a building permit.

## **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; however, this will need to be confirmed by the City's Engineering and Public Works Divisions.

## **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:

As of the time of writing this report, no public comments were received.

### Agency Review Comments:

On October 19, 2017, Enbridge Gas Distribution advised they do not object to the proposed applications and advised they do not presently have gas piping within the immediate area.

On October 20, 2017, Canada Post Corporation advised that the community mailbox location is satisfactory and requested occupancy dates when available along with civic addresses.

On October 26, 2017, the Chippewas of Rama First Nation advised that they reviewed the Notice of Applications and have shared it with Council and forwarded the information to the Williams Treaties First Nation Process Coordinator/Negotiator should any further action be required.

## **Development Services – Planning Division Comments:**

The applications for Zoning By-law Amendment together with Draft Plan of Subdivision and Draft Plan of Condominium appear to conform to the Growth Plan and subject to further confirmation from relevant Departments and/or Agencies, appear to be consistent with the Provincial Policy Statement. The appropriate background studies in support of the applications have been submitted and 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. Therefore, Staff recommends the applications be referred back to staff until such time as commenting agencies and/or City Departments have submitted comments, and any concerns have been addressed.

## **Conclusion:**

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Zoning By-law Amendment application along with the draft plan of subdivision and draft plan of condominium 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 agency and public 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 'B' – Aerial Photo

Appendix 'C' – Proposed Draft Plan of Subdivision

Appendix 'D' – Proposed Draft Plan of Condominium

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

**Department File:** D06-17-028, D05-17-004 & D04-17-001