PLANNING JUSTIFICATION REPORT

Gail and Larry Burton – Proposed Addition

97 Queen Street
Village of Lakefield
Township of Selwyn

Prepared for: Gail and Larry Burton

Project No: P19-1065

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Table of Contents

1 Introduction 1
   1.1 Purpose of Report 1
   1.2 Description of Subject Property & Surrounding Area 1
2 Proposal Details 3
3 Planning Policy 4
   3.1 Provincial Policy Statement (2014) 4
      3.1.1 Section 1: Building Strong Healthy Communities 4
      3.1.2 Section 2: Wise Use and Management of Resources 5
   3.2 A Place to Grow: Growth Plan for The Greater Golden Horseshoe (Growth Plan) 6
      3.2.1 Section 2: Where and How to Grow 6
      3.2.2 Section 4: Protecting What is Valuable 7
   3.3 County of Peterborough Official Plan 8
      3.3.1 Section 4.2: Settlement Areas 8
      3.3.2 Section 5.1: Housing 8
      3.3.3 Section 4.1: Natural Environment 9
      3.3.4 Section 4.7: Physical Services and Utilities 9
   3.4 County of Peterborough Official Plan – Local Component 10
      3.4.1 Section 6.3.3: Lakefield – Specific Policies 10
      3.4.2 Section 7.5: Stormwater Management 11
      3.4.3 Section 7.8: Development on Existing Lots of Record 12
   3.5 Township of Selwyn Comprehensive Zoning By-Law No. 2009-021 13
      3.5.1 Section 4.16.1: Permitted Uses 13
      3.5.2 Section 3.0: General Provisions 14
      3.5.3 Section 4.16: Local Commercial (C2) Zone Provisions 17
4 Review of Impact 20
5 Discussion and Conclusions 21
6 Figures 22
7 Appendices 25
SECTION 1.0
INTRODUCTION
1 INTRODUCTION

1.1 PURPOSE OF REPORT

Landmark Associates Limited has been retained by Ms. Gail and Mr. Larry Burton to provide planning services with respect to a proposed addition on their property located at 97 Queen Street in the Village of Lakefield.

The purpose of this report is to provide a planning analysis together with justification of the proposed addition on the property in the context of both provincial and local planning documents. This justification is to serve as support for the respective zoning by-law amendment and site plan approval applications for the property.

This report has been prepared subsequent to pre-consultation meetings conducted on January 11, 2019 and March 11, 2019 between the agent, Holly Richards-Conley, and both County and Township Staff; and therefore is reflective of the comments received. Refer to Appendix A.

1.2 DESCRIPTION OF SUBJECT PROPERTY & SURROUNDING AREA

As illustrated on Figure 1 (aerial map), the subject property is located in the northern portion of the Village of Lakefield, east of the Otonabee River. The property is legally described as Part of Lot 22, East of Regent Street and East of Church Street, in Registered Plan 2, including Part 3 of Plan 45R-4432. The property is known municipally as 97 Queen Street, Village of Lakefield.

The subject property is located directly to the east of Queen Street, north of the central business core of the Village of Lakefield. The property is of an irregular shape, bound between each of Stanley, Queen and Regent Streets.

In total, the property provides for approximately 9.69 metres (31.8 feet) of frontage on Stanley Street, 49.69 metres (163 feet) of frontage along Queen Street and 2.59 metres (8.5 feet) of frontage on Regent Street. Access to the property is provided from Stanley Street. The subject property comprises a total lot area of approximately 0.27 acres (0.1 hectares). Refer to the site plan provided in Appendix B.

At present, a two-storey brick mixed-use building occupies the property, which occupies a ground floor area of approximately 1,400 square feet (130 square metres). The building also includes several attached decks, which constitute a combined area of approximately 330 square feet (30.7 square metres). At present, the ground floor is used for commercial purposes, operating as a real-estate office. The second floor is currently a residential rental unit. The building is located central to the property, with a small parking lot including four dedicated parking spaces located in the northern section of the property off of Stanley Street.
The property maintains a relatively flat terrain, with a gentle downward slope moving from the southerly to northerly sections of the property.

Property photos are included as Figures 2 though 4.

Neighbouring properties are variable both in configuration and use. North and east of the subject property, along both Queen Street and Stanley Street, several commercial uses are established, including Stoney Lake Furniture Co., the Village Animal Hospital and the Beer Store, together with several small commercial plazas.

South of the property along Regent Street, predominantly residential uses exist. Along Queen Street to the south of the property, predominantly residential uses are established; however property use transitions to commercial towards the downtown Lakefield core.
2 PROPOSAL DETAILS

As mentioned above, the property is developed in the form of a 1,400 square foot (130 square metre) two-storey brick building. The main level of the property currently functions as office space for a local real estate company, while the second storey is rented as a residential unit. The second storey residential unit includes a raised balcony.

In order to provide for a personal retirement dwelling within the Village of Lakefield, the owners are proposing to construct an addition to the existing building which will serve to create one new accessory residential dwelling unit on the property. As proposed, the addition will be constructed to the south of the existing building and will occupy a ground floor area of approximately 1,720 square feet (160 square metres).

The main floor of the proposed addition, being approximately 1,720 square feet (160 square metres), will function as a garage. In addition, the owners are proposing to allocate a portion of the ground floor area as a finished space for the existing commercial tenant (heated storage).

The new dwelling unit will be accommodated on the second floor of the proposed addition and will constitute an area of approximately 1,480 square feet (137.5 square metres), together with a 413 square foot (38.4 square metre) second storey balcony. As proposed, the dwelling unit will contain one bedroom, together with separate areas for dining, living and a kitchen, as well as two bathrooms.

Access to the dwelling unit will be provided through internal staircases from the ground floor.

Proposed floor plans are provided in Appendix C.

The existing building is not proposed for any further modification, save and except that the existing southerly deck is to be demolished in order for the proposed addition to be constructed.
3 PLANNING POLICY

With respect to the subject property, development and use of land is governed by planning documents at both the provincial and municipal level. More specifically the Provincial Policy Statement (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) provide directives on matters of provincial interest. Policy and regulatory requirements at the municipal level are found within the County of Peterborough Official Plan, including the Local Component for the Township of Selwyn, together with the Township of Selwyn Comprehensive Zoning By-law No. 2009-021.

3.1 PROVINCIAL POLICY STATEMENT (2014)

The Provincial Policy Statement (PPS) is a land use planning policy document issued by the Province of Ontario under Section 3 of the Planning Act. The Planning Act requires that approval authorities, when considering planning applications, be consistent with the PPS.

The PPS provides provincial direction on planning matters; outlining policies to build communities and support growth while also protecting valuable resources and public health and safety.

According to the PPS, the subject property is located within a rural area, and more specifically is within a rural settlement area. The following will serve to discuss these policies relevant to the proposed development.

3.1.1 Section 1: Building Strong Healthy Communities

In accordance with policies of Section 1 of the PPS, land use is to be directed in such a manner to achieve efficient and resilient growth. Specifically, the PPS specifies that cost-effective development which minimizes land consumption is to be promoted (1.1.1e).

The policies of Section 1.1.3 of the PPS identify settlement areas as the focus of growth and development (1.1.3.1). In settlement areas, cost-effective development is to be achieved by efficiently using existing infrastructure and public services and promoting intensification and compact built form (1.1.3.2; 1.1.3.4). Intensification on existing municipal water and sewer services is promoted under Section 1.6.6.

Further, specific to rural settlement areas, policy 1.1.4.3 of the PPS directs that development is also to give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.
The PPS also includes policies specific to housing under Section 1.4. Policies of Section 1.4 state that municipalities are to provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents (1.4.1). In order to provide an appropriate range and mix of housing types, planning authorities are to permit and facilitate all forms of residential intensification, including the establishment of second units (1.4.3).

The proposed addition on the subject property meets all relevant identified priorities and policy directives provided in Section 1 of the PPS. As noted above, the property is within a rural settlement area, which is intended to be the focus of growth in rural areas. The addition is to be constructed in an existing built-up area, contributing to gentle intensification of the Village of Lakefield and reducing the need for greenfield land consumption. Furthermore, the property is currently serviced by municipal water and sewer and will contribute to the efficient use of these existing public services.

The architectural style of the building is also in keeping with the character of both the existing structure and surrounding area. The addition is considered minor from a development scale perspective; thus no impacts on the local character of the area are expected. While the addition will primarily serve the immediate needs of the owners by providing a retirement residence; in the long-term the addition as proposed will contribute to the supply and diversity of housing in Lakefield, further reinforcing the policies and intent of the PPS.

3.1.2 Section 2: Wise Use and Management of Resources

Together with providing direction on growth and promoting intensification, the PPS also provides policies in Section 2 for the wise use and management of resources. Under policies of the PPS, natural features and areas are to be protected long-term, and restrictions on development have been established within and adjacent to certain natural features.

Based on mapping made available from the County of Peterborough, the subject property and surrounding area as been identified as an area potentially occupied by Species at Risk (SAR). Research has determined the potential for two SAR on the property, specifically the Eastern Meadowlark and the Eastern Wood-Peekee. Policy 2.1.7 of the PPS specifically requires that development and site alteration shall not be permitted in habitat of endangered and threatened species, except in accordance with provincial and federal requirements.

Under the current regulatory regime, the Ministry of Environment, Conservation and Parks (MECP), is the agency responsible for SAR. In consultation with MECP, it has been determined that the requirement for any SAR evaluations is proponent driven.

As above noted, the property is located within a rural settlement area, and is currently developed in the form of a two-storey residential-commercial building, and a small parking lot.
The surrounding area is also largely developed for residential and commercial uses. As proposed, the application would permit development of a two-storey addition on the portion of the subject property which is currently maintained as mowed lawn.

A review of the habitat requirements for the Eastern Meadowlark and Eastern Wood-Peewee determined that these species prefer grasslands and forest clearings or forest edges, respectively. Neither suitable grassland or forest habitat exists on or near the subject property; and thus, it is not anticipated that the identified species are present on or proximal to the property. Therefore, a SAR evaluation is not considered to be required.

Confirmation was sought from MECP regarding the conclusion that no SAR evaluation was required for the application; however, no response has been received to date.

Based on research completed and the foregoing conclusion, the application would not contradict the respective endangered and threatened species policies present in the PPS.

Given our assessment; it is our planning opinion that the intended activity is consistent with the Provincial Policy Statement.

3.2 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (GROWTH PLAN)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) as issued under the authority of Section 7 of the Places to Grow Act, 2005, is intended to be applied concurrently with the PPS. The current plan was approved and came into effect on May 16, 2019, replacing the previous Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides additional direction on where and how development is to occur, together with policies for protecting environmental, cultural and agricultural resources, specific to the geographic area known as the Greater Golden Horseshoe.

Lakefield, being within the County of Peterborough, is within the outer-ring of the Greater Golden Horseshoe and is thus subject to the policies of the updated Growth Plan.

The following will serve to review those policies relevant to the proposed development.

3.2.1 Section 2: Where and How to Grow

Section 2 of the Growth Plan outlines policies specific to managing growth. Aligned with the policies of the PPS, the Growth Plan directs the majority of growth to built-up areas within settlement areas which have existing or planned municipal water and wastewater systems (2.2.1.2). The Growth Plan also identifies specific residential intensification targets for built-up areas within upper- and single-tier municipalities.
In the County of Peterborough, the annual minimum intensification target is to be established through the next municipal comprehensive review, based on maintaining or improving the existing target in the Official Plan (2.2.2.1). The minimum intensification target currently established within the County of Peterborough Official Plan is 40 percent. Thus, under the policies of the Growth Plan, a minimum of 40 percent of all new residential development in the County is to be within the delineated built-up area, such as the Village of Lakefield.

In promoting residential intensification, policies of Section 2.2.6 of the Growth Plan also reinforce that a diverse range and mix of housing options shall be provided to accommodate the needs of all household sizes and incomes. The Growth Plan identifies a diversity of housing stock as a mechanism to support the achievement of complete communities, another priority promoted in the Growth Plan (2.2.6.2). Complete communities are reflected in mixed-use neighbourhoods which offer opportunities for housing, employment and services to people of all ages and abilities.

As previously noted, the property is currently serviced by and will continue to be serviced by municipal water and sewage systems, contributing to the efficient use of these systems. The proposed dwelling unit on the upper-storey of the addition will add to the diversity of housing available in the community, and will contribute to residential intensification, as is directed by the Growth Plan.

The application, while contributing positively to the residential diversity of Lakefield will facilitate mixed-use development which balances employment and residential uses.

### 3.2.2 Section 4: Protecting What is Valuable

Reinforcing the PPS policies for protecting valuable resources, Section 4 of the Growth Plan provides specific direction on protecting key natural heritage and key hydrologic features and areas. However, these policies are specific to land outside of settlement areas; within settlement areas, natural features are to be protected in accordance with the PPS, as described above.

Nonetheless, no natural heritage or hydrologic features have been identified on or adjacent to the property; save and except for the Otonabee River. However, as the river is located greater than 100 metres from the subject property, and is buffered by existing residential development, it would not be captured under the definition of adjacent lands, as defined by the PPS.

Given the foregoing, the subject application is considered to uphold all relevant policies of the Growth Plan.
3.3 COUNTY OF PETERBOROUGH OFFICIAL PLAN

The County of Peterborough Official Plan provides the planning framework for land-use planning decisions throughout the County. The County Official Plan provides a broad set of policies, which are to be implemented and detailed at the local level.

3.3.1 Section 4.2: Settlement Areas

The subject property is located within a ‘Settlement Area’ (Lakefield), as designated by the County Official Plan. The goal of the ‘Settlement Area’ designation, as provided in Section 4.2.1 of the Official Plan is to “provide a form of growth that is consistent with the need to conserve energy resources, preserve and enhance the natural environment, encourage an efficient and economic use of infrastructure and space, maintain County unity and retain local community identity.”

Specific objectives identified to help reach the goal of the ‘Settlement Area’ designation include encouraging a full range of living and employment opportunities (complete communities) and promoting efficient use of existing services and facilities (4.2.2.). These objectives are enforced by specific policies governing development and growth.

Consistent with the PPS and the Growth Plan, the policies for ‘Settlement Areas’ found in Section 4.2.3 of the County Official Plan direct growth to settlement areas with servicing systems. Where possible, development is also to incorporate mixed-uses; a mix of employment and residential uses are encouraged to ensure more complete communities for residents with links between the population and employment opportunities.

As proposed, and as similarly justified in the provincial analyses, the application will provide for mixed-use intensification within the settlement area of Lakefield by providing a residential unit accessory to the primary and expanded commercial use of the property. The application if approved would contribute to growing the settlement area as a complete community.

3.3.2 Section 5.1: Housing

Specific to housing, the County Official Plan encourages local municipalities to permit residential intensification, including conversion, infill and accessory apartments, in order to provide a variety of housing types and densities to meet the needs of the permanent population (5.1.1; 5.1.3.2). As directed by policies in Section 5.1.3.2, intensification is to occur where servicing is available and the physical potential of the building stock and site are deemed appropriate for intensification. Furthermore, as outlined in the policies for Future Growth (1.2.3) of the County Official Plan, the Township of Selwyn is to accommodate 31.7% of new residential growth occurring in the County from 2006 to 2031.
As noted, the application would permit the establishment of a second accessory dwelling unit on the property. The additional dwelling unit specifically would, through gentle intensification, contribute to the range of housing options available to meet the needs of the local population, as is specifically outlined in the County Official Plan. The addition is to be serviced by existing municipal water and sewer, as further discussed in Section 3.3.4 of this report.

### 3.3.3 Section 4.1: Natural Environment

Policies of the County Official Plan are also included as they relate to the natural environment. These policies, found in Section 4 of the County Official Plan, include the requirement for an Environmental Impact Study (EIS) for development or site alteration within or adjacent to certain features, including in significant portions of the habitat of endangered and threatened species (4.1.3.1). As described in Section 3.1.2 of this report, based on available information and research, the property is not anticipated to provide significant habitat for endangered and threatened species and therefore in our opinion, no EIS is required.

### 3.3.4 Section 4.7: Physical Services and Utilities

Policies of Section 4.7 of the County Official Plan direct that development is to be largely established in settlement areas where the development would effectively utilize existing services. Further, full municipal sewage and water services are noted as the preferred form of servicing for settlement areas.

As noted in the Servicing Brief prepared by Engage Engineering Limited (Engage) (May 24, 2019), the water servicing to the addition is to be provided through the existing building. However, the existing copper water service has been identified as being undersized. Engage has therefore recommended that the existing water service be removed and replaced to accommodate servicing requirements. Design drawings for the proposed water services are appended to the Servicing Brief.

In respect of the sanitary services, Engage has also noted that the existing sanitary service is anticipated to be sufficient to accommodate the additional flows generated by the proposed addition.

Therefore, provided the existing water servicing is upgraded as recommended; the proposed addition will uphold the servicing policies of the Official Plan.

Based on our assessment, it is our planning opinion that the proposal maintains the spirit and intent of the County Official Plan.
3.4 **COUNTY OF PETERBOROUGH OFFICIAL PLAN – LOCAL COMPONENT**

Official Plan policies for the Township of Selwyn are incorporated as the Local Component (Sections 6 and 7) of the County of Peterborough Official Plan. Refined policies as they relate to land uses and growth are provided for the Village of Lakefield, which is specifically identified as a major growth centre within Peterborough County.

3.4.1 **Section 6.3.3: Lakefield – Specific Policies**

Section 6.3.3 of the County Official Plan provides land use policies for the Village of Lakefield; direction is provided specifically as it relates to residential and commercial development and growth in the Village. The property is designated ‘District Commercial’ in the Local Component for the Village of Lakefield in the Official Plan.

In the ‘District Commercial’ designation, the Official Plan specifies that the predominant use of land shall be for highway commercial land uses. The Official Plan also specifies that limited residential development may be permitted in the ‘District Commercial’ designation, where the residence is secondary to commercial uses on the property and takes the form of apartments located on the upper-levels of a commercial building. The Official Plan does not specify the number of apartment dwelling units which may be permitted above non-residential uses, however plurality is alluded to in the text.

The application is thus consistent with the permitted uses of the ‘District Commercial’ designation. As proposed, the addition to the property will enable a second apartment dwelling unit to be constructed, which will be secondary to the existing commercial use of the real estate office and above the proposed garage and heated storage area.

Policies of the ‘District Commercial’ designation for the Village of Lakefield also provide general direction on development in the respective designated lands. These policies specify that development is to primarily occur in the form of infilling, which is to complement the design and character of surrounding development and maintain the visual amenity of the area. Furthermore, the Official Plan specifies that within the ‘District Commercial’ designation, adequate off-street parking together with buffer plantings between commercial and residential areas shall be provided.

The application as presented represents gentle residential intensification in the Village of Lakefield through the expansion of an existing building, and furthermore represents development infilling in the ‘District Commercial’ area. As provided in the building elevation drawings (Appendix D), the façade of the proposed addition will be in keeping with that of the existing building and will complement the historical nature of buildings in the surrounding area.
The application as proposed will also provide two new parking spaces for the additional residential unit within the proposed garage. While a delineated buffer strip is not proposed between the residential property to the south, existing mature trees will provide for some moderate separation between the properties. These requirements are spoken to further in Section 3.5 of this report, below.

3.4.2 Section 7.5: Stormwater Management

Section 7 of the Official Plan provides general development policies for the Local Component. Relevant to the subject application, Section 7.5 specifically speaks to the requirements for Stormwater Management. Policies within subsection 7.5.2 define that no Zoning By-law Amendment shall be approved if the proposed development would have a significant impact on surface draining, flooding, water quality or erosion of soils.

In support of the application, a Stormwater Management Report has been prepared by Engage Engineering Limited (May 2019). The report outlines the results of the hydrologic model which stimulated peak flows from the subject property for pre- and post-development conditions; as well as verifying the requirements for stormwater management storage and performance.

Three catchment areas are identified in the Stormwater Management Report. As noted by Engage, when comparing the pre- and post-development conditions, there are no anticipated increases in the peak flows for catchment area one, which includes drainage for the northern portion of the property; specifically the existing asphalt parking lot and a portion of the existing roof.

However, increases in the peak flows are anticipated following the proposed development for catchment area two, being the proposed asphalt area, rooftop area and grassed areas. Increases are also anticipated for catchment area three, being a contributing area external to the subject property. Therefore, Engage has recommended that quantity controls be established to provide the required stormwater management control for the site following the development. Specifically, a soakaway facility has been proposed for the property; and stormwater is to be directed to the Queen Street sewer, which represents a favourable modification to existing conditions, as at present flows spill onto private property. Utilizing the proposed soakaway facility, storm events will be limited to at or below pre-development conditions.

The soakaway facility is also proposed to incorporate quality control features. A vegetated filter strip is to direct flows from the impermeable driveway to the soakaway; which is to aid in filtering out sediment and pollutants. An underdrain and overflow area drain are also specified by Engage to assist with quality control.

The Report as prepared by Engage also notes that an erosion and sediment control strategy has been developed for the site. The strategy, together with implementation of the outlined...
quality and quantity controls will ensure that no significant impacts on surface draining, flooding, water quality or soils will occur as a result of the application.

3.4.3 Section 7.8: Development on Existing Lots of Record

As noted at the outset of this report, the property maintains frontage of 2.59 metres on Regent Street and comprises a total lot area of approximately 0.27 acres (0.1 hectares). As such, the property is considered deficient in the context of the Zoning By-law, further discussed in Section 3.5 of this report. The Official Plan does permit development on existing deficient lots, subject to the conditions listed in Section 7.8 and provided below:

a) The lot meets the sewage disposal requirements of the Health Unit;

The lot is currently serviced by municipal sewage disposal services. While confirmation has not been received from the Health Unit that existing servicing meets the specified requirements; the Servicing Brief provided by Engage has noted that the existing sanitary service is anticipated to be sufficient to accommodate the additional flows generated by the proposed addition.

b) The lot is to be used in accordance with the relevant land use category of the Official Plan;

As described hereto, the lot is currently used as a real-estate office with an accessory apartment dwelling unit, both of which are permitted in the Official Plan. The addition of a second dwelling unit, as proposed by this application maintains consistency with the ‘District Commercial’ designation and relevant policies of the Official Plan.

c) The lot satisfies the requirements of the Conservation Authority or relevant authority with respect to floodplain management practices;

As per comments received by Otonabee Conservation (February 14, 2019), the subject property is not subject to flooding, erosion or within the Otonabee Region Conservation Authority development control area. As such, no requirements for the proposal with regard to floodplain management have been identified.

d) The lot meets the other lot provisions of the Zoning By-law, or if not, a minor variance or rezoning is successfully obtained for such deficiency;

The application seeks to amend the zoning of the property to identify deficiencies.
e) The use complies with the Source Water Protection policies of Section 5.7

A portion of the property has been identified as a vulnerable area, subject to the policies of the Clean Water Act and Section 5.7 of the Official Plan. In Section 5.7 of the Official Plan, specific uses are prohibited in vulnerable areas and furthermore, any expanding land use activities are not to be permitted unless it can be demonstrated that they do not pose a significant drinking water threat. As indicated in the notice received under Section 59(2) of the Clean Water Act, 2006, there is no identified Significant Drinking Water threat as a result of the application. Refer to Appendix E.

The subject application therefore upholds the spirit and general intent of the Local Component of the Official Plan.

3.5 TOWNSHIP OF SELWYN COMPREHENSIVE ZONING BY-LAW NO. 2009-021

The property is zoned ‘Local Commercial (C2) Zone’ in the Township’s Comprehensive Zoning By-law No. 2009-021, as amended.

3.5.1 Section 4.16.1: Permitted Uses

Permitted uses in the ‘Local Commercial (C2) Zone’ include an array of non-residential uses, including a business, professional or administrative office. As defined in the Zoning By-law, a business, professional or administrative office would include a real-estate office, as currently existing and operating on the subject property.

While residential uses are generally prohibited in the ‘Local Commercial (C2) Zone’, exceptions are provided in the Zoning By-law. Specifically, Section 4.16.1.1 a) of the Zoning By-law states that: “Residential uses are prohibited, except where a dwelling unit is located within a portion of a non-residential building permitted within the Local Commercial (C2) Zone.”

Provisions for permitted dwelling units are provided in Section 4.16.3.1 of the Zoning By-law which specifically requires that:

“Dwelling units may be permitted in a portion of a non-residential building permitted within the Local Commercial (C2) Zone provided that the dwelling units are not located below the second storey and that all other applicable provisions of the By-law are complied with.”

Given the foregoing, residential uses on the second storey are permitted on the property, as the existing building is used for non-residential (commercial) purposes on the lower-level. The proposed use of the property therefore complies with the permissions of the Zoning By-law.
3.5.2 Section 3.0: General Provisions

Development is also required to comply with all relevant development standards of the Zoning By-law. In the instance where provisions can not be met, the proposed rezoning has captured any required exceptions. These provisions and all required exceptions are summarized in Table 1 and 2 below and are described forthwith. Those provisions which are deficient and are thus to be addressed in the Zoning By-law Amendment to the satisfaction of the Township are indicated by "D".

General provisions in the Township’s Comprehensive Zoning By-law include requirements pertaining to garages; architectural features such as porches and balconies; as well as parking and loading requirements. Refer to Table 1.

As proposed, the garage, which is to be located under the new residential unit, will meet all of the required setbacks as outlined in the Comprehensive Zoning By-law.

The rear deck proposed for the new addition, as well as the existing rear deck on the current building, are greater than 1.8 metres in grade; and therefore are not subject to the provisions for porches and balconies. However, several attached ground level decks also currently exist on the property. As existing, stairs and an attached deck are located in the exterior side yard of the property, facing Queen Street. Under Section 3.17 of the Township’s Zoning By-law, both stairs and unenclosed porches (i.e. decks) are identified as specific structures that must meet setback requirements. The stairs and deck are setback 0.76 metres and 1.56 metres from the property line, respectively; neither of which meet the current provisions of the Zoning By-law where 4.5 metres is required.

Additional steps attached to a landing are also located in the rear (easterly) portion of the lot; as well a separate deck and set of steps in the northerly portion of the lot. As existing, the steps and landing, and the separate deck and steps, are located 3.78 metres and 8.02 metres from the rear lot line; and therefore do not meet the 10.5 metre required in the Zoning By-law.

Zoning relief is therefore being sought for the existing deficient stairs, landing and decks on the property. As these structures are presently existing on the property, no new or additional impacts would result by virtue of approving the application.

Provisions as they pertain to loading and parking spaces would require one (1) new loading space for the addition of the heated storage, as well as three (3) new parking spaces; two (2) for the new residential unit and one (1) for the heated storage space.

Given that the proposed heated storage will not significantly impact any loading requirements for the property; the application as proposed does not include any loading spaces. Further, the heated storage space will not increase the capacity for professional offices within the existing
building, and therefore, no additional parking space for the commercial use has been proposed.

Two (2) new residential parking spaces will be provided in the lower-level garage, as required.

The Zoning By-law also specifies that any driveway is to be setback at least 9 metres from a Residential Zone boundary; and parking spaces are also to be setback 3 metres from a Residential Zone boundary. As proposed, the south-easterly portion of the property will be surfaced with asphalt and will in essence serve as a driveway to access to garage. Therefore, no setback to the Residential Zone boundary to the south will be provided from the driveway. The parking spaces for the expanded residential use, which as noted are to be located in the proposed garage, will be setback 2.4 metres from the Residential Zone, which represents a slight deficiency from the 3 metre requirement of the Zoning By-law.

Despite the foregoing, no negative impacts are anticipated on the neighbouring residential property, as the storage/parking of vehicles is anticipated to be accommodated within the enclosed garage. Further, as proposed the southerly portion of the property will largely be dedicated to the accessory residential use. In a Residential Zone, of which surrounding properties are zoned, there is no required setback for a driveway or parking space from a lot line. Therefore, the conditions on the proposed lot, despite being in the Local Commercial (C2) Zone, will reflect those of surrounding properties.

In addition, the Zoning By-law specifies that parking spaces are to be 2 metres from the street line and 1.5 metres from the lot line. As proposed, the new parking spaces will be located more than 2 metres from the street line and 1.53 metres from the southerly lot line, both of which meet the requirements of the Zoning By-law.

Existing parking spaces for the commercial use meet all requirements of the Zoning By-law.

A buffer strip is not proposed, where the Zoning By-law requires a 3 metre strip where a Commercial Zone abuts a Residential Zone. However, the south-westerly portion of the property which abuts the Residential Zone will be largely vegetated.
Table 1: Section 3.0 – General Provisions

<table>
<thead>
<tr>
<th>Required</th>
<th>Proposed</th>
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<tbody>
<tr>
<td><strong>3.1.5.3 – Garages</strong></td>
<td></td>
</tr>
<tr>
<td>Required Side Yard when in Interior Side Yard</td>
<td>1.2 m</td>
</tr>
<tr>
<td>Required Rear Yard when in Rear Yard</td>
<td>1.2 m</td>
</tr>
<tr>
<td><strong>3.1.7 – Unenclosed Porches, Balconies, Steps or Patios</strong> May project into any required yard a maximum distance of 1.5 m, but not closer than 1.2 to any lot line, provided such uses are not more than 1.8 m above grade.</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td></td>
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<tr>
<td>Required</td>
<td>Proposed</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Side Yard</td>
<td>4.5 m</td>
</tr>
<tr>
<td>Exterior Side Yard</td>
<td>4.5 m</td>
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<tr>
<td></td>
<td></td>
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<tr>
<td>Rear Yard</td>
<td>10.5 m</td>
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<tr>
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<tr>
<td><em>note: rear decks are more than 1.8 m above grade</em></td>
<td></td>
</tr>
</tbody>
</table>

**3.24 – Loading Space Requirements**

| Up to 280 sq. m. | 1 loading space | 0 loading space (D) |

**3.29 – Off Street Parking Requirements**

| Residential | 2 spaces for every dwelling unit = 2 spaces | 2 spaces within garage |
| Office Space | 1 space for every 23 sq. m. of gross floor area = 1 space | 0 space (D) |

**3.29.5 – Parking Area Location on a Lot**

| Driveway | 9 m from Residential Zone boundary | 0 m (D) |
| Parking Space |                           |       |
| - to Residential Zone boundary | 3 m | 2.4 m (D) |
| - to Street Line | 2 m | > 2 m |
| - to Lot Line | 1.5 m | 1.53 m |

**3.35 – Planting Strip Regulations**

| Planting Strip Width | 3 m | 0 m (D) |

*Where interior side or rear lot line abuts a Residential Zone*
3.5.3 Section 4.16: Local Commercial (C2) Zone Provisions

Provisions specific to the ‘Local Commercial (C2) Zone’ are found in Section 4.16 of the Zoning By-law.

The provisions of Section 4.16 outline the requirements for dwelling units in a non-residential building. Specific to one-bedroom dwelling units, the provisions of the Zoning By-law require a minimum area of 56 square metres (603 square feet). As proposed, the new residential dwelling unit would provide for an area of nearly 138 square metres (1,480 square feet) which exceeds the requirements of the Zoning By-law.

Development standards, including lot area, frontage and required side yards are also included as zone specific provisions. As existing, the lot does not meet the minimum lot area required by the Zoning By-law. As Regent Street is the defined front lot line for the property, the property therefore also does not provide for the required minimum frontage.

Notwithstanding, the Zoning By-law specifies under Section 3.27.2, that existing deficient lots may be developed. However, the deficient lot frontage and area will be addressed through the Zoning By-law Amendment.

The existing building on the property also maintains a deficient exterior side yard and rear yard. The deficiencies are owning in part to the unique configuration of the lot. However, as these deficiencies are already established, in our opinion, it is appropriate to permit and recognize them in the Zoning By-law Amendment.

As proposed, the addition will also result in a deficient interior side yard and rear yard, being 2.40 metres and 10.41 metres, respectively. While the interior side yard deficiency represents a larger discrepancy to the requirement of the Zoning By-law, being 6 metres, the existing mature trees along the interior side yard will provide for a moderate visual buffer to reduce the impact of the deficiency.

The rear yard deficiency represents only a minor reduction to the 12 metres required by the Zoning By-law. Further, the proposed addition will not reduce the rear yard beyond what is currently existing on the property.

The existing building and proposed expansion will exceed the required 13 metre setback from the street centerline.

As proposed, lot coverage on the property would increase from approximately 18% to 34%; however lot coverage will remain well within the 80% permitted in the ‘Local Commercial (C2) Zone’. The lot will also allow for sufficient landscaping and open space to be provided primarily in the south-westerly portion of the lot; resulting in 28.3% landscaped open space. The landscaped open space will therefore exceed the requirements on the Zoning By-law.
Table 2: Section 4.16 – Local Commercial (C2) Zone Provisions

<table>
<thead>
<tr>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.16.3.1 – Dwelling Unit in Portion of Non-Residential Building</td>
<td></td>
</tr>
<tr>
<td>One Bedroom – Dwelling Unit Area (Minimum)</td>
<td>56 sq. m.</td>
</tr>
</tbody>
</table>

| 4.16.4 – Zone Regulations for Non-Residential Uses Excluding Retail Gasoline Establishments | | |
| Lot Area (Minimum) | 1,400 sq. m. | 1,093.83 sq. m. (D) |
| Lot Frontage (Minimum) | 15 m | 2.59 m (D) |
| Building Height (Maximum) | 10 m | 7.5 m – Proposed Addition 8.3 m – Existing Building |
| Front Yard (Minimum) | 6 m | > 6 m |
| Exterior Side Yard (Minimum) | 6 m | 6.69 m – Proposed Addition 3.57 m – Existing Building (D) |
| Interior Side Yard (Minimum) (4.16.4.3) | 6 m | 2.40 m – Proposed Addition (D) 11.87 m – Existing Building |
| Rear Yard (Minimum) | 12 m | 10.41 m – Proposed Addition (D) 5.41 m – Existing Building (D) |
| Maximum Lot Coverage | 80% | 34.1% |
| Minimum Setback from Street Centre Line (4.16.4.1) | 13 m | 18.12 m – Proposed Addition 14.74 – Existing Building |
| Landscaped Open Space (Minimum) | 10% | 28.3% |

| 4.16.6 – Planting Strip Requirements | | |
| Interior or Rear Lot Line Abuts Residential Zone | Refer to 3.35 (Table 1) | Refer to 3.35 (Table 1) |

As summary of the foregoing, Zoning relief is being sought for the following:

- Reduced existing exterior side yard (Queen Street) to steps (0.76 m) and deck (1.56 m);
- Reduced existing rear yard to steps and landing (3.78 m);
- Reduced existing rear yard to deck and steps (8.02 m);
- Reduced proposed loading space requirement (0);
- Reduced proposed commercial parking space (0);
- Reduced proposed setback to driveway (0 m);
- Reduced proposed setback to parking space (2.4 m);
- Reduced proposed planting strip (0 m);
- Reduced existing lot area (1,093.83 sq. m.);
- Reduced existing lot frontage (2.59 m);
- Reduced existing exterior side yard (3.57 m);
- Reduced proposed interior side yard (2.40 m);
- Reduced existing rear yard (5.41 m);
- Reduced proposed rear yard (10.41 m).
As herein described, half of the items proposed for Zoning relief represent current conditions on the property.

The remaining items proposed for Zoning relief pertain largely to the parking, driveway and buffer requirements; as well as recognizing reduced interior and rear yards. As described forthwith, the proposed amendments are considered appropriate for the subject lot.

As proposed, it is our planning opinion that this application maintains the general intent and purpose of the Township’s Comprehensive Zoning By-law.
SECTION 4.0
REVIEW OF IMPACT
4 REVIEW OF IMPACT

As described, the proposal will involve the construction of an addition to an existing developed property in the Village of Lakefield. The existing building is currently used for a mix of commercial (i.e. real estate office) and residential uses. As proposed, the addition will provide for a second residential unit to be developed accessory to the commercial use of the property.

In respect of municipal and other related services, the proposal will not result in a significant increase in demand on waste disposal services, as only one new residential unit would be created which would contribute modestly to the waste disposal of the property.

Traffic and road conditions are also not anticipated to be substantially impacted by the proposed development. As noted in the Site Entrance Assessment submitted by Engage Engineering Limited (July 3 2019) in support of the application, the existing entrance to the property from Stanley Street is to continue to be used. Further, extremely low traffic volume is anticipated as a result of the proposed addition. Therefore, as noted in the report submitted by Engage, the impact on the operation of the surrounding road ways, specifically County Road 29 (Queen Street), is negligible.

The proposal would provide for a new residential unit in the Village of Lakefield; which would enable only a minor population increase (i.e. 1-2 persons). Therefore, there is also no anticipated impact on the demand for emergency services. Further, maintained access already exists to the subject property, and the proposal is therefore also not anticipated to affect the delivery of such services.

As proposed, the application would contribute to the diversity and supply of housing options in the Township; while having no anticipated impact on municipal services.
SECTION 5.0
DISCUSSION AND CONCLUSIONS
5 DISCUSSION AND CONCLUSIONS

This report advances a planning analysis of the proposed addition to the property at 97 Queen Street, in the Village of Lakefield, within the context of the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe; together with the County of Peterborough Official Plan and Local Components for the Township of Selwyn and Village of Lakefield, and the Township of Selwyn Zoning By-law No. 2009-021, as amended.

If approved, the Zoning By-law Amendment would facilitate and permit the construction of an addition to the existing building; to be used as a second residential unit accessory to the commercial (i.e. real estate) use. Approval of the application would permit gentle intensification within the Village of Lakefield; which is promoted by all Provincial and lower-level planning documents. The application, if approved, would provide the opportunity for the Burtons to retire and continue to be contributing members of the Lakefield community. In addition, the approval of the application would increase storage space for a local commercial business.

In summary, it is our planning opinion that this proposal is desirable, conforms to all applicable planning policy and maintains the principles of good planning.

All of which is respectfully submitted.

LANDMARK ASSOCIATES LIMITED

Emma Drake
Planner
Landmark Associates Limited

Amanda Dougherty, B.A.
Planner
Landmark Associates Limited
6 FIGURES
**Figure 1: Aerial Map - 97 Queen Street, Lakefield**

![Aerial Map - 97 Queen Street, Lakefield](image1)

**Figure 2: Property Photo - View from Stanley Street**

![Property Photo - View from Stanley Street](image2)
**Figure 3: Property Photo - View from Queen Street**

![Property Photo - View from Queen Street](image)

**Figure 4: Property Photo - View from Queen and Regent Street**

![Property Photo - View from Queen and Regent Street](image)
Record of Pre-Consultation

Prepared by the Peterborough County Planning Department

Name: Gail and Larry Burton  
Agent: Holly Richards-Conley

Lot: Concession:  
Municipality: Lakefield Ward  
Township of Selwyn

Municipal Address: 97 Queen Street  
Roll No(s) 1516-030-003-11000.

Phone:  
Email: holly@blackpointservices.com  
Office Phone: (705) 772-0792 (Agent)

Communication Sent To:  
Owner:  
Agent: ☒

Meeting Date: 2019-03-11
Meeting Location: County Board Room

Attendees:  
Larry Burton, Owner; Matt Wilkinson, ORCA; Dylan Adams, County of Peterborough Engineering & Design; Caitlin Robinson, County of Peterborough Planning

Regrets:  
Jeannette Thompson, Township of Selwyn; Holly Richards-Conley, Agent; Adam Tobin, Township of Selwyn

A copy of the complete Record of Pre-Consultation will be sent to all attendees  ☒

<table>
<thead>
<tr>
<th>Existing Parcel Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>County O.P. Description</td>
</tr>
<tr>
<td>Municipal O.P. Designation</td>
</tr>
<tr>
<td>Municipal Zoning</td>
</tr>
<tr>
<td>Area/Lot Dimensions</td>
</tr>
<tr>
<td>Existing Use/Buildings</td>
</tr>
</tbody>
</table>

Pre-consultation completed for:

☒ Plan of Subdivision  
☐ Plan of Condominium  
☐ Official Plan Amendment for
  ☐ County Official Plan  
☒ Local Component of County Official Plan  
☐ Municipal Official Plan  
☐ Zoning By-law Amendment
Proposal Summary/Description: A pre-consultation was requested by Holly Richards-Conley to discuss a 2-storey addition to the existing commercial building consisting of a 160 m² (1720 ft²) garage on the first floor and a 137 m² (1480 ft²) dwelling unit on the second storey.

Discussion: Original discussions with the Township included locating the new residential unit on the first storey of the proposed addition, necessitating the need for an Official Plan Amendment. The subject property is designated District Commercial. Section 6.3.3.5 (b) indicates limited residential development may be permitted as a secondary use to the main permitted commercial use and they shall be in the form of apartments above the non-residential component.

Since the proposal presented now includes locating the residential unit to the second storey of the proposed addition, it was determined that an Official Plan Amendment would not be required for this proposal.

There were discussions about including an area on the first storey of the addition for another commercial tenant (labelled ‘Heated Storage’ on the preliminary drawing by Hideaway Homes). C. Robinson suggested this be discussed with Township Staff.

It is anticipated that a zoning by-law amendment would be required in support of this proposal. However, this should be confirmed by the Township.

Mr. Burton identified some drainage issues on the property. Most water on the property flows toward Stanley Street and Queen Street. The proposed addition will increase the total impervious area on the property. Therefore, it is anticipated that a preliminary stormwater management plan will be required in support of a zoning by-law amendment. Mr. Burton mentioned that he has had discussion with Drain Bros. about controlling water on and off the property, including pipe drainage underground.

It is also anticipated that a Traffic Opinion Letter and a Functional Servicing Report would be required in support of a zoning by-law amendment.

Fees: A copy of the current Peterborough County Planning Fees schedule is attached with applicable Peterborough County planning fees emphasized (i.e. highlighted or circled).

Other applicable fees should be confirmed through staff at the local Township, Conservation Authority and/or Peterborough Public Health.

Record Completed By: Caitlin Robinson

Please Note: Personal information contained on this form is collected under the authority of Section 29(2) of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 as amended and will be used to assist in the correct processing of the application. If you have any questions about the collection, use or disclosure of this information by the County of Peterborough, please contact the CAO or Clerk, County of Peterborough, 470 Water Street, Peterborough, Ontario K9H 3M5 (705-743-0380).
Restricted Land Use Notice
To Engage in an Activity in a Vulnerable Area for a Municipal Drinking Water Supply
Issued under the Clean Water Act, 2006, Section 59 (2) (a)

No Prohibition or Risk Management Plan Requirement

Property: 97 Queen St, Lakefield
Municipality: Township of Selwyn
Roll Nos.: 151603000311000
Landowner: Gail Burton
Notice: 2019-S016-N2a
Issued: July 22, 2019
Expires: July 21, 2020
Applicant: Holly Richards-Conley

The Property is designated for Restricted Land Use under Section 59 of the Clean Water Act, 2006 (Act), in relation to the Lakefield Municipal Drinking Water System. This Notice was prepared in accordance with the Clean Water Act and pursuant to the Trent Source Protection Plan. This Notice has been issued in support of an Application for a:

1. Zoning By-law Amendment to allow the construction of a two-storey addition to a dwelling.

Based on a review of the information received, there is no associated activity identified as a Significant Drinking Water Threat.

- This Notice is only effective as it relates to the Application described above;
- Any change to the information submitted under this Application nullifies this Notice, unless otherwise permitted by the Risk Management Official; and,
- This Notice is not valid for any subsequent approvals the proposal may require under the Planning Act or for building permits under the Building Code Act.

Thank you for your cooperation in protecting our local sources of drinking water.

Terri Cox
Risk Management Official / Risk Management Inspector
Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, ON K9H 7M9
Tel: 705-745-5791, ext. 219
tcox@otonabeeconservation.com www.etonabeeconservation.com