

AGENDA Public Meeting -Proposed Zoning Amendment Application (12 Station Rd. S.)

Council Chambers / Electronic Participation Tuesday, July 8, 2025 at 4:40 PM Council Chambers - 3 Kirkland St. W.

Please visit the <u>TKL YouTube Channel</u> to watch the live-stream of this meeting.

- 1. Call to Order
- 2. Declaration of Pecuniary Interest

3. Summary of Reports

- 3.1. Proposed Zoning By-Law Amendment: 12 Station Road South Jenna McNaughton, Planning Administrator
- 4. Confirmation of Notice
- 5. Correspondence Received
- 6. Comments/Questions from Members of the Public
- 7. Proposed Direction

THAT Council receive the comments/questions from members of the public; **AND FINALLY THAT** the proposed by-law amending Zoning By-Law 21-032 to rezone 12 Station Road South from "Residential Low Density (R1)" to "Residential High Density – Special (R3-04)", as presented, be brought forward for three (3) readings on July 22, 2025.

8. Adjournment

KIRKLAND LAKE

REPORT TO COUNCIL

Meeting Date: 08/07/2025	Report Number: 2025-DEV-025
Presented by: Jenna McNaughton	Department: Development and Enterprise Services

REPORT TITLE

Proposed Zoning By-Law Amendment: 12 Station Rd. S.

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2025-DEV-025 entitled "**Proposed Zoning By-Law Amendment: 12 Station Rd. S.**" be received;

AND THAT Council hereby approve an amendment to Zoning By-Law No. 21-032 to rezone lands identified for 12 Station Road South from "Residential Low Density (R1)" to "Residential High Density - Special Exception Four (R3-04);

AND FINALLY THAT the amending by-law be brought forward for three readings on July 22, 2025.

INTRODUCTION

The owners of lands municipally known as 12 Station Road South have applied for an amendment to the Town's <u>Zoning By-Law</u> and <u>Schedules</u> (21-032) to rezone the lands from "Residential Low Density (R1)" to "Residential High Density - Special Exception Four (R3-04)", for the purpose of permitting six (6) residential units within the existing building.

DISCUSSION

The Applicants are proposing to redevelop the existing vacant warehouse at 12 Station Road South (the subject property) for residential use.

The proposed amendment is to change the zoning of the subject property (Attachment 1) from "Residential Low Density (R1)" to "Residential High Density Special Exception Four (R3-04)" in order to permit six (6) residential units in the building.

DISCUSSION (CONTINUED)

An exception zone is proposed in order to recognize the following yard deficiencies:

- A reduce minimum lot area to 463.5 square metres;
- A reduced interior side yard setback of 0.6 metres for the existing building;
- A reduced lot frontage of 10.08 metres; and
- A reduction in the required number of parking spaces to 6.

Section 34(12) of the <u>Planning Act</u>, R.S.O 1990, Chapter P. 13, states that: "...at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law...".

As such, a Public Meeting is required prior to the passing of the proposed Zoning By-Law Amendment.

Council will recall sanctioning the Public Meeting at their Regular Meeting held on June 17, 2025.

Notice of the Public Meeting was officially published June 18, 2025 to the Town's Website (Attachment 2). The Notice was sent June 18, 2025 by regular class mail to all assessed property owners within 120.0 metres of the subject property and to various agencies and municipal departments/divisions.

The Public Meeting will provide the opportunity for members of the public to make written or verbal representations either in support of, or, in opposition to, the Applicants' request.

An analysis of the subject lands was completed by the Planning Administrator by way of Report presented to the Kirland Lake Planning Advisory Committee (Attachment 3); below is a summary of that Report:

Property Information

The subject lands are designated as *Residential* in the Official Plan and zoned "Residential Low Density (R1)" in the Zoning By-Law 21-032. The subject lands have one vacant building and an accessory garage. The garage is proposed to be demolished prior to the finalization of the redevelopment project. It is accessed via Station Road South and includes municipal water, sanitary and storm services on site.

The Provincial Policy Statement, 2024

The Provincial Policy Statement (PPS) supports the redevelopment of buildings for additional housing options. The proposed amendment would facilitate redevelopment of existing building stock in conformity with the PPS.

DISCUSSION (CONTINUED)

Growth Plan for Northern Ontario, 2011

The Growth Plan for Northern Ontario (GPNO) encourages a diverse mix of land uses, where employment, open spaces and housing are located within easy access.

The proposed amendment is supported by the GPNO.

Town of Kirkland Lake Official Plan, 2016

The Town's Official Plan designates the subject lands as Residential, which permits a range of housing types and densities, including apartment buildings.

Residential development is encouraged through intensification and infilling of the urban settlement area.

The proposed amendment aligns with the policies, goals and objectives of the Town's Official Plan, as the redevelopment is an existing building located within the urban settlement.

Town of Kirkland Lake Zoning By-Law 21-032

The current zoning for the subject lands is "Residential Low Density (R1)", which does not permit apartment buildings with six units. The proposed amendment to zone the subject lands is "Residential High Density Special Exception Four (R3-04)" is required to permit the proposed use of a six-unit residential building. As the current lot does not meet the minimum requirements for parking spaces (Section 8.2.1) lot area, lot frontage and side yard setbacks (Section 12), a Special Exception zone is proposed to capture the lot deficiencies.

Kirkland Lake Planning Advisory Committee Recommendation

On June 26, 2025, the Kirkland Lake Planning Advisory Committee met to review the proposed zoning by-law amendment application and made the following recommendation:

"Moved by: Terry Wight

Seconded by Ken Dolmage

BE IT RESOLVED THAT the Kirkland Lake Planning Advisory Committee recommend to Council that the proposed Zoning By-law amendment Number 3, to rezone the lands from "Residential Low Density (R1)" to "Residential High Density Special Exception (R3-04)", as presented to the Committee on June 26, 2025, be approved. **CARRIED**"

Land Purchase - 14 Station Road South

The Applicants are also currently in the process of purchasing a portion of the adjacent property at 14 Station Road South. On April 1, 2025, Council resolved as follows:

"Moved by: Councillor Lad Shaba Seconded by: Councillor Casey Owens

BE IT RESOLVED THAT Report Number 2025-DEV-009 entitled "**Request to Purchase Part of 14 Station Road South (Crema)**" be received;

AND THAT Council approve the sale of land for part of 14 Station Road South to Kevin and Beth Crema in the sum of \$4,000.00;

AND THAT the Mayor and Municipal Clerk be authorized to execute the Offer to Purchase and all appropriate sale documents, as may be required;

AND THAT Council authorize the completion of a Survey to identify the encroachment of 16 Station Road South on the adjacent municipal lands at 14 Station Road South;

AND FINALLY THAT the corresponding execution by-law be given three readings at an upcoming meeting. **CARRIED**"

This additional land will support the property by adding yard space and additional parking.

A survey to identify the portion of land to be purchased is currently in progress and will be finalized at a later date.

OTHER ALTERNATIVES CONSIDERED

Council could choose to deny the proposed Zoning By-Law Amendment request made by the Applicants. This is not recommended as the proposed Amendment supports the Town's Official Plan and Corporate Strategic Priorities to encourage new housing opportunities within existing neighbourhoods.

FINANCIAL CONSIDERATIONS

Not Applicable.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priority:

⊠Vibrant & Prosperous Community

Current Council's Operational Aims



ALIGNMENT TO CORPORATE STRATEGIC PLAN (CONTINUED)

Action:

Vibrant & Prosperous Community

 Invest in infrastructure projects that facilitate residential growth, business expansion and increased housing options.

Council Operational Aims:

Vibrant & Prosperous Community

Affordable Housing

- Encourage housing options that cater to diverse needs, including accessibility features for people with disabilities and seniors.
- Encouragement of mixed-use developments that incorporate various housing types (e.g., apartments, townhomes, single-family homes) within neighborhoods.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

The proposed Zoning By-Law Amendment request to change the zoning from "Residential Low Density (R1)" to "Residential High Density – Special Exception Four (R3-04)" at 12 Station Road South, for the purpose of converting the existing structure to a six-unit apartment building supports the Provincial policies and the Town's Official Plan and Strategic Priorities in encouraging new housing opportunities.

Council's approval of the Zoning By-Law Amendment will provide the Applicants an opportunity to bring new life to an existing building.

CONSULTATIONS

Senior Management Team

Kirkland Lake Planning Advisory Committee (KLPAC)

ATTACHMENTS

Attachment 1 – Location of Subject Lands

Attachment 2 – Notice of Public Meeting

Attachment 3 – KLPC Staff Report

Attachment 4 – Proposed Amending Zoning By-Law & Schedules

ATTACHMENT #1

12 Station Road S





ATTACHMENT #1

12 Station Road S



ATTACHMENT 2



Notice of a Complete Application and Notice of Public Meeting concerning a Proposed Zoning Amendment to Town of Kirkland Lake Zoning By-Law 21-032

Respecting an application made by: Located at: Legal Description:

Roll Number:

Kevin and Beth Crema 12 Station Road South, Kirkland Lake, ON PCL 12017 SEC CST; LT 102 PL M124TIM TECK SRO; KIRKLAND LAKE; DISTRICT OF TIMISKAMING 5468-000-016-05200

TAKE NOTICE THAT Council of The Corporation of the Town of Kirkland Lake will hold a Public Meeting in relation to the above-noted Application as per Section 34 (10.1) and (10.2) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, on:

Tuesday, July 8, 2025, at 4:40 PM at Town Hall in Council Chambers 3 Kirkland Street West, Kirkland Lake, Ontario

THE PURPOSE AND EFFECT of the Zoning By-Law Amendment Application is to change the zoning of the subject lands from Residential Low Density (R1) to Residential High Density Special (R3-04). The effect of the Application is to permit the conversion of an existing building into a six-unit residential building. An exception zone is proposed in order to recognize the following zoning deficiencies:

- A reduced minimum lot area to 463.5 square metres, where 900 square metres is required;
- A reduced interior side yard setback of 0.6 metres for the existing building, where 3.0 m is required; and
- A reduction in the required number of parking spaces to 6, where 8 would be required.

ANY PERSON OR PUBLIC BODY may attend the meeting and/or make written or verbal representations either in support of, or, in opposition of the proposed by-law.

PLEASE NOTE that this meeting will allow for oral submissions either in-person in the Council Chambers located at 3 Kirkland St. W., Kirkland Lake, or, alternatively, by electronic participation via Zoom. Any person wishing to participate electronically at the meeting must contact the Municipal Clerk at the address/email supplied below to receive the login credentials. Registered electronic participants will be provided with priority to speak at the Meeting.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Kirkland Lake Council to the Ontario Land Tribunal, but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kirkland Lake before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Kirkland Lake before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Any written submissions and material in support of, or, in opposition to, the proposed Zoning By-Law Amendment are welcomed and will be received by the Municipal Clerk on or before the meeting. All written

submissions (including name and qualifying address) received in advance of the meeting will be provided to Council at the meeting and read into the record.

Members of the public requesting to be notified of the Council Decision on the proposed Zoning By-Law Amendment, must make a written request to the Municipal Clerk at the address/email supplied below.

TAKE NOTICE that appeals to the Ontario Land Tribunal in respect to all or part of any Zoning Amendment Application may be made by filing a notice of appeal with the Clerk, or designate, either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) by selecting Kirkland Lake (Town of) as the Approval Authority or by mail to the Town of Kirkland Lake, P.O. Box 1757, Kirkland Lake ON P2N 3P4 no later than 4:00 PM on the 20th day <u>after the Notice of Decision is issued</u>. The filing of an appeal after 4:00 PM, in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario.

INQUIRIES AND ADDITIONAL INFORMATION relating to the proposed Zoning By-Law Amendment should be redirected in the care of the Planning Administrator, Development and Enterprise Services Department, either in person at 1 Dunfield Road, Kirkland Lake, ON, P2N 3P4 or via telephone by calling 705-567-9365, Ext. 343 during regular business hours, being Monday to Friday 8:30 AM – 4:00 PM.

Dated and first published this 18th day of June, 2025.

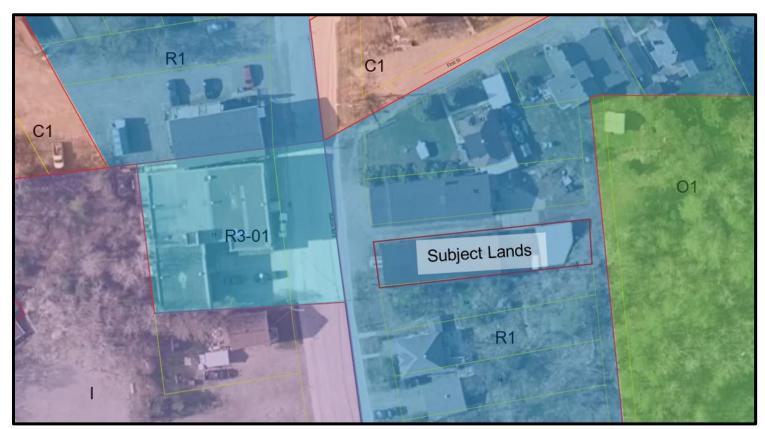
Jennifer Montreuil, Dipl. M.A. Municipal Clerk The Corporation of The Town of Kirkland Lake P.O. Box 1757, 3 Kirkland St. W., Kirkland Lake, ON P2N 3P4 T: 705-567-9361 Ext. 238 E: clerk@tkl.ca

Notice of Collection of Information

Under the authority of the *Municipal Act*, 2001, and *Planning Act*, 1990, and in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), all written submissions, documents, deputations, correspondence, emails or other communications (including name and address) provided for, or at a public meeting, public consultation, or other public process are considered part of the public record. Please note that by submitting any of this information, consent is being provided to use and disclose this information as part of the Planning process.



KEY MAP 12 Station Road South, Kirkland Lake





ATTACHMENT 3

Respecting an application by: Application Number: Located at: Legal Description:

Kevin and Beth Crema ZBA-2025-3 12 Station Road South PCL 12017 SEC CST; LT 102 PL M124TIM TECK SRO; KIRKLAND LAKE; DISTRICT OF TIMISKAMING 5468-000-016-05200

Roll Number:

RECOMMENDATION

Subject to a review of submissions arising from the public meeting it is recommended: That Council approve Zoning By-law amendment application ZBA-2025-3

BACKGROUND

An application has been submitted to amend Zoning By-law 21-032 for the Town of Kirkland Lake for lands located at 12 Station Road South (the subject property) in order to facilitate the conversion of a building to a six (6) unit residential building. The subject property is located on Station Road South.

The property has a lot area of approximately 463.5 square metres and a lot frontage of 10.08 metres. There is an existing building on the lot. The subject property is surrounded by a mix of land uses including small-scale commercial, residential and institutional uses. These include a public school located to the west of the subject property across Station Road, a cabinet making business to the north and low and high density residential uses along Station Road.

The existing building is currently serviced by municipal water and sanitary services and is accessed by year-round, publicly maintained roads. The property is currently designated Residential in the Town of Kirkland Lake's Official Plan and is zoned "Residential Low Density (R1)" in the Town's Zoning By-law 21-032.



Figure 1 – Subject Property

A public notice was posted on June 18, 2025 to the Town of Kirkland Lake's website for the public meeting held to consider this application. The Notice was sent on June 18, 2025 by ordinary mail to all assessed property owners within 120.0 metres of the subject property and to various agencies and municipal departments. The notices were sent in accordance with the requirements of the Planning Act and Regulations thereto.

The site was inspected by Jenna McNaughton on June 19, 2025. The site visit revealed an existing 231.3 square metres building and an accessory structure at the rear of the property. The applicant has advised they will be demolishing the accessory structure to create more parking spaces.

PURPOSE AND EFFECT

The purpose of the Zoning By-law Amendment application is to change the zoning of the subject property from "Residential Low Density (R1)" to "Residential High Density Special Exception Four (R3-04)". The effect of the application is to permit the conversion of an existing building into a six-unit residential building. An exception zone is proposed in order to recognize the following yard deficiencies:

- A reduced minimum lot area to 463.5 square metres, where 900 square metres is required;
- A reduced interior side yard setback of 0.6 metres for the existing building, where
 3.0 metres is required;
- A reduce lot frontage of 10.08 metres, where 24.0 metres is required; and
- A reduction in the required number of parking spaces to 6, where 8 would be required.

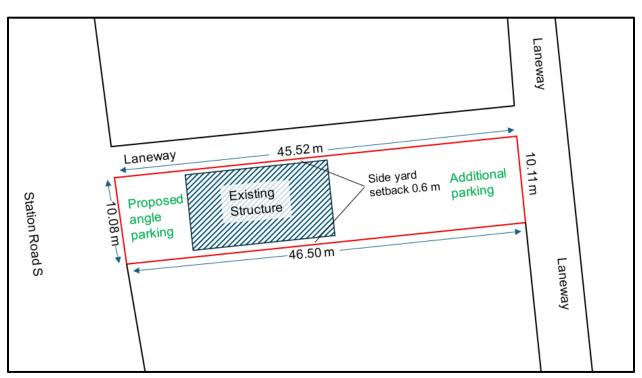


Figure 2 – Subject Property Proposal

PLANNING ANALYSIS

Provincial Policy Statement 2024 (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Section 2.1.6 requires planning authorities to provide for an

appropriate range and mix of housing options. Section 2.2.1(b).2 promotes the redevelopment of sites for residential use within developed areas. Section 2.3.1.1 states that settlement areas shall be the focus for growth and development. Section 3.6.1 states that planning for sewage and waste services shall promote the efficient use and optimization of existing municipal services.

The subject lands are located within a developed portion within the settlement area. The creation of a six-unit apartment building is a positive addition to the housing stock. Full water and sewer services are available to this site. The proposed amendment will support residential development of the lands, consistent with the provincial policy direction.

Growth Plan for Northern Ontario 2011

The GPNO was developed under the *Places to Grow Act, 2005,* to guide economic development and population development across Northern Ontario over 25 years. It contains policies to guide decision-making about growth that promote economic prosperity, sound environmental stewardship, and strong, sustainable communities. Section 3.4.3 of the Plan states that "Municipalities are encouraged to support and promote healthy livings by providing communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open spaces, and easy access to local stores and services." The proposed amendment supports new housing opportunities, with the subject lands being located within easy access to local stores, services and parks.

Town of Kirkland Lake Official Plan

The Town's Official Plan outlines policies, goals and objectives to guide growth and development within the Town. Schedule 'A' of the Town's Official Plan designates the subject property as *Residential*, which permits a range of housing types and densities. Housing are to be arranged to provide a safe, convenient and healthy living environment. Development is encouraged to take place in a compact manner in areas with municipal services. Development is encouraged through intensification and infilling of the urban settlement area. The proposed zoning aligns with the Town's Official Plan, as it involves redeveloping an existing building located within the urban settlement area designated for residential use. The property is already connected to municipal services, and Council is encouraged to support applications that promote residential intensification.

Town of Kirkland Lake Zoning By-law 21-032

The Zoning By-law sets specific regulations as to how land may be used, types of permitted uses on that land and the required standards for each zone. The subject property is zoned "Residential low Density (R1)" on Schedule A-1 of the Zoning By-law.

The rezoning application is requesting to change from "Residential Low Density (R1)" to "residential High Density – Special Exception Four (R3-04)". This amendment will allow for the development of six residential units in the existing building, where the R1 zone permits for up to a duplex. As there are no proposed changes to the building footprint, a special exception zone is proposed to recognize the yard deficiencies that do not comply with the R3 zone. Section 8.2.1 of the Zoning By-law indicates that one and one-quarter parking spaces are required per dwelling unit; however the subject property would only be able to accommodate six spaces on the lot. An exception would be required to permit only six spaces, which would allot one space per unit.

Section 12 of the Zoning By-law states the provisions for the minimum lot area, lot frontage and side yard setbacks. As the existing building and lot does not meet the criteria, an exception zone is recommended to capture the deficiencies.

A draft amending by-law is attached for Council's consideration.

CORRESPONDENCE RECEIVED

The application was circulated to municipal departments, agencies and the public.

Verbal communication was received from a neighbouring property owner who indicated that there are existing concerns with congestion in the neighbourhood, especially around the time when school drop-off and pick-up occurs, as it was noted that vehicles park along the side of the road. There are also concerns with the snow melt and drainage that travels through the laneway between 10 and 12 Station Road; nevertheless, it is standard practise to route stormwater through laneways whenever possible.

RECOMMENDATION

Based on the information reviewed in this report, the proposed zoning by-law amendment is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, and conforms with the Town's Official Plan. The application represents good land use planning.

Respectfully Submitted,

Jenna McNaughton

Planning Administrator Department of Development and Enterprise Services The Town of Kirkland Lake



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 25-0##

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 21-032 TO REZONE CERTAIN LANDS FROM A "RESIDENTIAL LOW DENSITY (R1)" ZONE TO A "RESIDENTIAL HIGH DENSITY SPECIAL EXCEPTION (R3-04)" ZONE (12 STATION ROAD SOUTH - CREMA)

WHEREAS By-Law 21-032 of The Corporation of the Town of Kirkland Lake has been passed to constitute a Comprehensive Zoning By-Law regulating land use in the jurisdiction of the Town of Kirkland Lake;

AND WHEREAS as per Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may amend such Zoning By-Law;

AND WHEREAS Council of the Town of Kirkland Lake has received an application to amend such By-Law by the owners of the subject property;

AND WHEREAS the Council of The Corporation of the Town of Kirkland Lake has ensured that adequate information has been made available to the public, and held at least one public meeting after due notice for the purpose of informing the public of this By-Law;

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "A-1" of Zoning By-Law 21-032 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS on _____, Council resolved to approve the rezoning request for 12 Station Road South, as presented;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1 THAT Schedule "A-1" of By-Law No. 21-032 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto, which the said property is more particularly described as: *PIN 61408-0193 PCL 12017 SEC CST, LT 102 PL M124TIM TECK SRO; KIRKLAND LAKE; DISTRICT OF TIMISKAMING* from "Residential Low Density (R1)" zone to "Residential High Density Special Exception (R3-04)" zone.
- **2 THAT** the following section be added to Section 12.5.4 of Zoning By-Law 21-032:

"R3-04 (12 Station Road South, PCL 12017 SEC CST, LT 102 PL 124TIM TECK; By-Law No. 25-###)

Notwithstanding the Provisions from Section 12 and Section 8.2.1 of this By-Law to the contrary, the lands zoned R3-04 may be used in accordance with the following provisions:

Minimum Front Yard	10.08 metres
Minimum Interior Side Yards	0.6 metres
Minimum Lot Area	463.5 square metres
Minimum Parking Spaces	6

- **3 THAT** all building or structures erected or altered and the use of land in such "Residential High Density Special Exception (R3-04)" zone shall conform to all applicable provisions of By-Law No. 21-032 of The Corporation of the Town of Kirkland Lake.
- **4 THAT** notice of the passing of this By-Law shall be given by the Clerk of The Corporation of the Town of Kirkland Lake in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06, as amended.
- **5 THAT** any notice of appeal of this By-Law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act*, 2021, S.O. 2021, c. 4, Sched. 6.
- **6 THAT** where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 5 of this By-Law, then this By-Law shall be deemed to have come into force on the day it was passed.
- 7 THAT where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 5 of this By-Law, then this By-Law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, whereupon the By-Law shall be deemed to have come into force on the day it was passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 22ND DAY OF JULY, 2025.

Stacy Wight, Mayor

Jennifer Montreuil, Municipal Clerk



SCHEDULE "A" TO BY-LAW 25-0##

