

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2017-033

Date: June 7, 2017

Time: 1:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 10

Subject: Application for Zoning By-law Amendment to permit the additional uses of a showroom and business offices as ancillary uses to the proposed maintenance garage and warehouse use on Part Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops and municipally known as 9 Walsh Road, City of Kawartha Lakes (842022 Ontario Inc.)

Author and Title: Sherry L. Rea, Planning Officer

Recommendation(s):

RESOLVED THAT Report PLAN2017-033, respecting Part of Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops, now City of Kawartha Lakes and municipally known as 9 Walsh Road, "842022 Ontario Inc. - Application D06-17-015", be received;

THAT the Zoning By-law Amendment respecting Application D06-17-015 respecting Part of Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops, now City of Kawartha Lakes, and substantially in the form attached as Appendix "C" to Report PLAN2017-033, be approved and adopted by Council; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head:

Legal/Other:

Chief Administrative Officer:




Background:

The application proposes to add the use of a showroom and business offices as ancillary uses to the proposed maintenance garage and warehouse use on the property. See Appendix "A" and "B" attached.

Owner: 842022 Ontario Inc. c/o Teresa Goudy

Applicant: Heather Sadler, MCIP, RPP of EcoVue Consulting Services Inc.

Legal Description: Part of Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops, now City of Kawartha Lakes

Official Plan: "Industrial" on Schedule "A-3" of the City of Kawartha Lakes Official Plan

Zone: "General Industrial (M) Zone" on Schedule "A" of the Township of Ops Zoning By-law No. 93-30

Total Area: 1.81 ha.

Site Servicing: Existing individual private well and private sewage disposal system proposed

Existing Use: Vacant land

Adjacent Uses: North: Vacant land

South: Walsh Road

East: Cavalier Self Storage

West: Kawartha Lakes Road 36

Rationale:

The subject property is located at 9 Walsh Road, in the Walsh Road Industrial subdivision located on the east side of Kawartha Lakes Road 36, on the east side of Lindsay. Outram Fuels proposes to construct a 500 sq.m. building to be used as a maintenance garage for a fleet of vehicles, together with office space, warehouse and a showroom for furnaces, fireplaces, barbecues and related accessories. A future phase may include the installation of a private (card lock) gasoline pump island. See Appendix "A" and "B" attached.

In support of the application, the applicant has submitted the following:

1. Concept Plan prepared by EcoVue Consulting Services Inc. and dated May 30, 2016. See Appendix "B" attached.

2. Planning Justification Report to support the proposal prepared by Heather Sadler of EcoVue Consulting Services Inc. and dated December 5, 2016. The report justifies the proposal under current provincial legislation and the municipal planning framework.
3. Functional Servicing Report (FSR) prepared by Roy Haig of EcoVue Consulting Services Inc. and dated November 2, 2016. The report includes a preliminary engineering analysis which addresses sanitary and water servicing, together with reference to a Preliminary Stormwater Management Report prepared by C.C. Tatham & Associates, noted below. The FSR notes that full municipal services are not available to the site. There is an existing well and a private sewage disposal system is proposed. There is potable water available from a municipal watermain located on the west side of Kawartha Lakes Road 36. There is non-potable water available from a municipal watermain located on the south side of Walsh Road; however, the watermain is used for fire protection for the Cameron Steel manufacturing company located further east on Walsh Road. The watermain is referred to by the City as a fire service lateral. A limited soils investigation was completed to support the stormwater management assessment and the proposed on-site sewage disposal system.
4. Preliminary Stormwater Management Report prepared by C.C. Tatham & Associates Ltd. and dated October, 2016. The report concludes that the existing drainage patterns will generally be maintained. Stormwater quality and quantity controls are proposed using a low impact development approach to SWM consisting of a bioretention cell and an oil grit separator. Water quality control to MOECC enhanced level criteria will be provided including phosphorus removal and groundwater recharge opportunities.

The reports submitted have been circulated to the applicable Agencies and/or City Departments for review and comment.

Applicable Provincial Policies:

Staff has reviewed the Planning Justification Report prepared by Heather Sadler of EcoVue Consulting Services Inc. in support of the Zoning By-law Amendment and accepts the planning rationale contained in the report with respect to the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the 2014 Provincial Policy Statement (PPS). The application serves to permit ancillary uses to the proposed maintenance garage and warehouse use on the property. In addition, the proposal allows for the relocation and/or expansion of an existing business, in the City. The application conforms to the relevant Provincial policies.

Official Plan Conformity:

The land is designated "Industrial" in the City of Kawartha Lakes Official Plan (CKLOP). The purpose of the Industrial designation is to accommodate existing industrial and service type businesses as well as accessory and ancillary

commercial uses. Permitted uses in the Industrial designation include light industries, manufacturing, processing and assembly establishments, medium industries, service industries, repair service establishments, research and development facilities, construction or trade establishments, warehousing and indoor or outdoor storage establishments.

The following Industrial policies of the City of Kawartha Lakes Official Plan apply to this proposal:

Section 22.2.1 provides criteria for new industrial development within the existing Industrial designation:

- a) be located on or near main transportation routes;
- b) be directed to lower potential agricultural land wherever possible;
- c) not compromise future development of aggregate resources;
- d) be directed away from residential areas and areas with high potential for recreational and or tourist development;
- e) not detract from the surrounding natural environment;
- f) not result in truck traffic which would adversely affect sensitive land uses;
- g) be separated from sensitive land uses; and,
- h) no industrial use shall be permitted which, from its nature of operation or materials used therein, is declared obnoxious under the provisions of any Statutes or Regulations.

The application conforms with all of the above noted criteria.

Section 22.3 speaks to servicing of land within the Industrial designation and specifically, Section 22.3.1 states that within the Industrial designation, Council will encourage that the land be serviced by municipal communal services, provided it is cost effective and an efficient use of services. Partial services will not be encouraged and will only be permitted where they are necessary to address failed individual on-site sewage and water services and considered in accordance with the Provincial Policy Statement.

Full municipal services are not available to the site. There is an existing private well on the site. Pursuant to Section 22.3.2 of the City of Kawartha Lakes Official Plan, if it is not practical to have communal services, sufficient lot area shall be provided for the use and the provision of individual services. Industrial uses on private services should be restricted to ones that are dry and low water users. The Walsh Road subdivision was originally intended to be a rural industrial subdivision with each lot to be serviced by private on-site well and sewage

disposal systems. Staff recognizes that development and servicing is dynamic and the details of the proposed servicing scenario will be addressed through a subsequent application for site plan approval.

Section 22.4 speaks to adequate off street parking and loading facilities to be provided, including employee and visitor parking. There is a sufficient amount of lot area to accommodate employee and visitor parking along with a dedicated parking and storage area for the Outram Fuel trucks.

As such, the application conforms to the Industrial policies of the City of Kawartha Lakes Official Plan.

Zoning By-law Compliance:

The land is zoned “General Industrial (M) Zone” in the Township of Ops Zoning By-law 93-30. The M Zone permits a full range of industrial uses including light, medium and heavy industrial uses. A warehouse and a maintenance garage are permitted uses in the M Zone. By definition, a maintenance garage is an establishment or premises where vehicles owned or leased by the occupant of such premises are repaired or maintained. A warehouse, by definition, is a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 per cent of the gross floor area, but shall not include a truck or transport terminal or yard. The applicant proposes to apply for a site specific M Zone to add the permitted use of business offices and a showroom as ancillary uses to the maintenance garage and warehouse use.

The development proposal maintains all of the development standards for the M Zone. Staff is supportive of the site specific request for the additional uses.

Other Alternatives Considered:

No other alternatives were considered at this time.

Financial/Operation Impacts:

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

Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:

The City's Strategy Plan Framework outlines Council's Vision of a Community ~~that is naturally beautiful and offering an exceptional lifestyle by pursuing~~

Strategic Goals including a Vibrant and Growing Economy, an Exceptional Quality of Life and a Healthy Environment. This application aligns with the Vibrant and Growing Economy in that it supports business retention and/or expansion of the Outram Fuels facility. While not specifically stated in any of the supporting materials, the rezoning may allow for additional future employees.

Review of Accessibility Implications of Any Development or Policy:

The accessibility standards established by 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 City's Engineering and Corporate Assets Department and Building Division, Part 8 Sewage Systems for review as the proposed building is to be serviced by private well and sewage disposal system. Building Division, Part 8 Sewage Systems has advised of no objection to the zoning amendment. The proposed development will be subject to site plan approval which will provide additional opportunity to review the servicing scenario.

Consultations:

Notice of the application was circulated in accordance with the requirements of the Planning Act. As of the writing of this report, the following comments have been received:

May 12, 2017 – Building Division, has no concern with the zoning amendment.

May 16, 2017 – Building Division, Part 8 Sewage Systems has no objection to the zoning amendment.

May 24, 2017 – The Economic Development Division advises they are generally supportive of the proposed additional uses for the site. The addition of both a showroom and ancillary office space has the capacity to increase the economic viability of the site.

No comments were received from the public as a result of the circulation.

Development Services – Planning Division Comments:

The appropriate background reports have been submitted to support the application for a Zoning By-law Amendment. Staff supports the request for additional ancillary uses as it serves to support the relocation and/or expansion of Outram Fuels. The proposed development will be subject to site plan approval

wherein the servicing scenario will be further defined and the details of development reviewed.

Conclusions:

Based on the comments contained in the report, Staff respectfully recommends that the application be approved.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Sherry Rea, Planning Officer, (705) 324-9411 ext. 1331.

Appendix “A” – Location Map



Appendix 'A' -
Location Map.pdf

Appendix “B” – Concept Plan



Appendix 'B' -
Concept Plan.pdf

Appendix “C” – Draft Zoning By-law



Appendix 'C' - Draft
Zoning By-law.pdf

Department Head E-Mail: cmarshall@city.kawarthalakes.on.ca

Department Head: Chris Marshall

Department File: D06-17-015

APPENDIX "A"

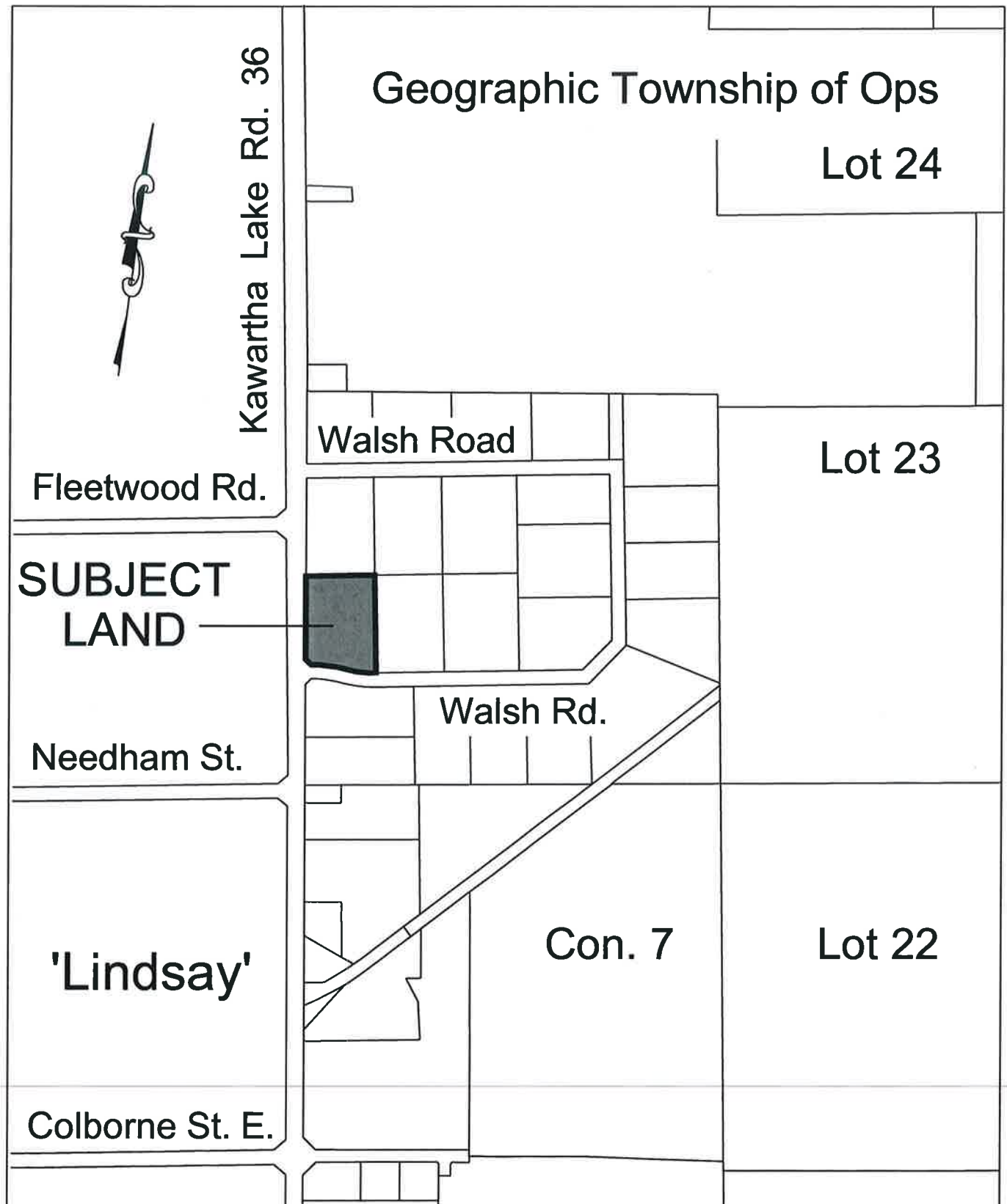
to

REPORT

PLAN 2017-033

FILE NO.

D06-17-015



APPENDIX **B**

to
REPORT **PLAN 2017-033**
FILE NO. **206-17-015**

VACANT

Subject Property



County Road 36 (public travelled)



- Lot Area: 18,110 m²
- Building Floor Area: 500 m²
- Landscaped Area
- Gravel Surfaced Area

Figure No. 2 - Concept Plan
(SKETCH PLAN)
Outram Fuels



www.ecovueconsulting.com

PROJECT NO: 15-1565

DATE: May 30 2016

HORIZ. SCALE: 1:1,000

9 Walsh Road
Part of Lot 23, Concession 7 - City of Kawartha Lakes

The Corporation of the City of Kawartha Lakes

By-Law 2017 -

**A By-Law To Amend The Township of Ops Zoning By-Law No. 93-30
To Rezone Land Within The City Of Kawartha Lakes**

[File D06-17-015, Report PLAN2017-033, respecting Part Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops, identified as 9 Walsh Road – 842022 ONTARIO INC.]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a showroom and business offices as ancillary uses on the property.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 23, Concession 7, being Lot 2, Plan 621, geographic Township of Ops, City of Kawartha Lakes, 9 Walsh Road.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township Ops is further amended to add the following section to Section 12.3:

"12.3.8 General Industrial Exception Eight (M-8) Zone

a. Notwithstanding subsection 12.1.2, on land zoned M-8 a showroom and business offices are permitted ancillary uses."

1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the "General Industrial (M) Zone" to the "General Industrial Exception Eight (M-8) Zone" for the land referred to as 'M-8', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of June, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2017.

MAYOR _____

CITY CLERK _____

Kawartha Lake Rd. 36

Geographic Township of Ops

Lot 24

Walsh Road

Lot 23

Fleetwood Rd.

M-8

Needham St.

Walsh Rd.

'Lindsay'

Con. 7

Lot 22

Colborne St. E.