

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2018-052

Date: June 6, 2018
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 13 - Verulam

Subject: An application to amend the Township of Verulam Zoning By-law 6-87 to permit the additional uses of a single detached dwelling, restaurant, take-out restaurant and contractor's yard at 2071 CKL Road 36 (Bryans Family Camping)

Author and Title: David Harding, Planner II

Recommendations:

That Report PLAN2018-052, respecting Part of Lot 6, Concession 3, geographic Township of Verulam, and identified as 2071 CKL Road 36 – Application D06-2018-016, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2018-016, be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City Departments and that any comments and concerns have been addressed.

Department Head:

Legal/Other:

Chief Administrative Officer:

Background:

Owner:	Bryans Family Camping c/o Mari and Ed Bryans
Applicant:	Doug Carroll, DC Planning Services Inc.
Legal Description:	Part of Lot 6, Concession 3, geographic Township of Verulam
Official Plan:	"Rural" and "Environmental Protection" in the City of Kawartha Lakes Official Plan
Zone:	"Highway Commercial Exception Three (C2-3) Zone" and "Open Space (OS) Zone" in the Township of Verulam Zoning By-law 6-87, as amended
Site Size:	17.79 hectares (43.956 acres)
Site Servicing:	Two private individual wells and a septic system
Existing Uses:	Miniature golf course and driving range
Adjacent Uses:	North: Rural Residential, Agricultural, Forest South: Rural Residential, Agricultural East: Agricultural, Tourist Camp (Nestle In) West: Agricultural

Rationale:

The subject property is located within a predominately agricultural area, and contains a miniature golf course and driving range. A building housing the commercial operation is located close to the intersection of CKL Road 36 and Cedar Glen Road. A storage shed is located to the northwest of that building, across the creek (Dunsford Creek) that traverses the property.

The only permitted uses on the property are for a miniature golf course and driving range. Notwithstanding the permitted uses, the owner wishes to have the year-round restaurant which has operated on the site since 1986 recognized as a permitted use, which may have a take-out component, out of the existing building by the street intersection. Other proposed uses would include a separate building by the storage building for a contractor's yard, and potentially erect a single detached dwelling.

At this time, staff cannot determine the appropriateness of the proposal as responses from all City Departments and commenting agencies have not been received.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan):

The subject property is considered to be on Rural Land in a Rural Area within the Growth Plan. Section 2.2.9.3 provides for development outside of settlement

areas provided the uses are compatible with the rural landscape, can be sustained by rural service levels, and will not adversely affect the protection of agricultural uses.

The application appears to conform to the Growth Plan.

Provincial Policy Statement, 2014 (PPS):

Policies 1.1.5.4 and 1.1.5.7 state that where non-agricultural and non-resource-related uses are contemplated, said uses are to be compatible with the rural landscape and are to be directed to areas that will minimize constraints on agricultural and resource uses. The subject property, zoned for select commercial purposes, is not used for agriculture, and additional uses are contemplated to maximize the use of the property.

The application appears to be consistent with the PPS.

Official Plan Conformity:

Within the City of Kawartha Lakes Official Plan, the subject property is designated Rural and Environmental Protection. No changes to the lands within the Environmental Protection designation are contemplated.

The Rural designation encourages the development of uses that do not conflict with the agricultural community. Limited residential development in the form of single detached dwellings is also permitted within this designation.

The application appears to conform to the Official Plan.

Zoning By-law Compliance:

The property is zoned “Highway Commercial Exception Three (C2-3) Zone” and “Open Space (OS) Zone” in the Township of Verulam Zoning By-law 6-87, as amended. The OS Zone pertains to the watercourse, along with its abutting lands, that traverses the property. The C2-3 Zone only permits a miniature golf course and driving range. The application seeks to expand the range of permitted uses to include a contractor’s yard, restaurant, take-out restaurant, and single detached dwelling.

Other Alternatives Considered:

No alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council’s decision is appealed to the Local Planning Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This section is completed outlining how the initiative, recommendation(s), and/or action within the Report contribute to the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

The proposal aligns with Goals 1 and 2 as it would provide the potential for multiple businesses offering a range of services to be run from the property, including a restaurant for seasonal and permanent residents.

Servicing Comments:

The property is serviced by two private individual wells and a private individual septic system.

Consultations:

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. The Engineering and Corporate Assets Department and Building Division raised no concerns as a result of the circulation. No comments were received from the public.

Development Services – Planning Division Comments:

At this time, comments have not been received from all circulated agencies and City Departments. Staff recommends that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Conclusion:

In consideration of the comments and analysis contained in this report, staff respectfully recommend that the proposed Zoning By-law Amendment application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

Attachments:

Appendix 'A' – Location Map



Appendix A to
PLAN2018-052.pdf

Appendix 'B' – Aerial Photograph



Appendix B to
PLAN2018-052.pdf

Appendix 'C' – Sketch



Appendix C to
PLAN2018-052.pdf

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Department Head: Chris Marshall

Department File: D06-2018-016