

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-037

Date: June 6, 2017

Time: 2:00 p.m.

Place: Council Chamber

Ward Community Identifier: 4

Subject: An application to amend the Township of Eldon Zoning By-law 94-14 to remove the Holding (H) symbol to allow the construction of a concrete mixing/batching plant facility at 1344 CKL Road 46, Eldon (Champlain Ready-Mix Inc.)

Author: Mark LaHay, Planner II

Recommendations:

RESOLVED THAT Report PLAN2017-037, respecting Part Lot 6, Concession 3, being Parts 1 & 2, Plan 57R-8638, geographic Township of Eldon, "Champlain Ready-Mix Inc. – Application D06-16-017", be received;

THAT Zoning By-Law Amendment application D06-16-017 identified as 1344 CKL Road 46, City of Kawartha Lakes, as generally outlined in Appendix "C" to Report PLAN2017-037, be approved and adopted by Council; and

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

Department Head:

Corporate Services Director / Other:

Chief Administrative Officer:




Background:

This application proposes to remove the Holding (H) symbol from Schedule “A” of the Township of Eldon Zoning By-law 94-14, which regulates development and use of 1344 CKL Road 46. The removal of the Holding (H) symbol would permit the subject land to be developed with concrete mixing/batching plant facility with a maximum height of 24 metres together with ancillary material storage and truck wash-out area in accordance with the permitted uses in the “General Industrial Exception Six (M2-6) Zone”.

Owner:	Champlain Ready-Mix Inc.
Applicant:	Planscape Inc. c/o Margaret Walton
Legal Description:	Part of Lot 6, Concession 3, being Parts 1 & 2, Plan 57R-8638, geographic Township of Eldon
Official Plan:	“Prime Agricultural” and “Environmental Protection” City of Kawartha Lakes Official Plan
Zoning:	“General Industrial Exception Six (M2-6) Zone” Township of Eldon Zoning By-law 94-14.
Lot Area:	Total Area: 4.88 ha. (MPAC) Affected Portion of Site: 1.2 ha. ±
Site Servicing:	Private individual on-site sewage disposal and well
Existing Uses:	The subject land contains an existing truck garage/office and a smaller storage building, formerly used as a Ministry of Transportation works depot. The developed area consists of areas of asphalt and gravel to accommodate parking and a driveway on portions of the site along with a pile of soil stored at the rear.
Adjacent Uses:	Agricultural and rural residential uses surround the subject land, with the Hamlet of Lorneville to the south.

Rationale:

The subject land was zoned as “General Industrial Exception Six – Holding [M2-6(H)] Zone” on March 3, 2015 (By-law 2015-043). The existing building, which will be reused with approximately 1.2 ha. of the subject land, will be utilized for the proposed use. The Holding (H) symbol is to be removed to permit development of the lot in accordance with the following criteria:

- a) Completion of a Site Plan;
- b) Satisfying the Lake Simcoe Region Conservation Authority; and
- c) Demonstrating sufficient water and septic services will exist.

The landowner has applied to have the Holding (H) provision removed to allow the construction of a concrete mixing/batching plant facility in accordance with the M2-6 Zone provisions. The property is subject to site plan control, and the

owner executed the Site Plan Agreement on May 9, 2017. The Agreement secures for the proposed site plan works and contains the approved site plan drawings. The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the supporting documentation and plans and are satisfied that approval of the site plan application would be consistent with applicable Provincial Plans subject to conditions they requested, which have been included in the executed Site Plan Agreement. The septic system has been approved by the Building Department's Part 8 Sewage System Program and an additional well will be drilled. The drilled source will be complemented with on-site storage tanks in the event of a larger pour. Therefore it is appropriate for Council to consider removal of the Holding (H) provision for this portion of the lot.

Provincial Policies:

The application conforms to the 2006 Growth Plan for the Greater Golden Horseshoe (Growth Plan) and is consistent with the 2014 Provincial Policy Statement.

Official Plan Conformity:

The property is designated "Prime Agricultural" and "Environmental Protection" in the City of Kawartha Lakes Official Plan. The proposed use on the property conforms to the applicable policies of the Official Plan.

Zoning By-law Compliance:

The subject land is zoned "General Industrial Exception Six (M2-6) Zone – Holding [M2-6(H)] Zone", which permits specific uses, subject to established development provisions. The proposed use on the property would comply with the applicable zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed development.

Other Alternatives Considered:

No other alternatives have been considered.

Financial Considerations:

There are no financial considerations unless Council's decision is appealed by the owner/applicant to the Ontario Municipal Board. In the event of an appeal there could be costs for legal representation and planning staff.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

Council adopted the 2016 – 2019 Strategic Plan and identifies these Strategic Goals:

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

This application aligns with the vibrant and growing economy strategic goals as it promotes and provides for expanded business opportunities.

Review of Accessibility Implications of Any Development or Policy:

Accessibility matters will be implemented through the Site Plan Approval and Building Permit processes.

Servicing Comments:

The property will be serviced by a new individual on-site private sanitary sewage disposal system and well.

Consultations:

The appropriate City Departments and external agencies were consulted through the site plan approval process.

Development Services – Planning Division Comments:

The City and the Owner have executed the Site Plan Agreement. Staff supports this application based on the information contained in this report and the comments received. As such, staff respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendixes, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II, 705-324-9411 ext. 1324.



Appendix 'A'
PLAN2017-037.pdf



Appendix 'B'
PLAN2017-037.pdf



Appendix 'C'
PLAN2017-037.pdf

Appendix 'A' – Location Map

Appendix 'B' – Proposed Site Plan

Appendix 'C' – Draft Zoning By-law Amendment

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

Department Head: Chris Marshall, Director

Department File: D06-16-017

Geographic Township of Eldon

APPENDIX " A "

to

REPORT PLAN 2017-037

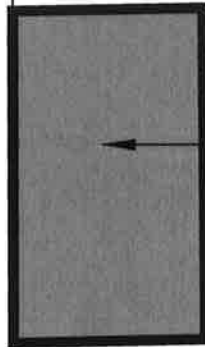
FILE NO. 006-16-017

Con. 2



Kawartha Lakes Road 46

Concession 3



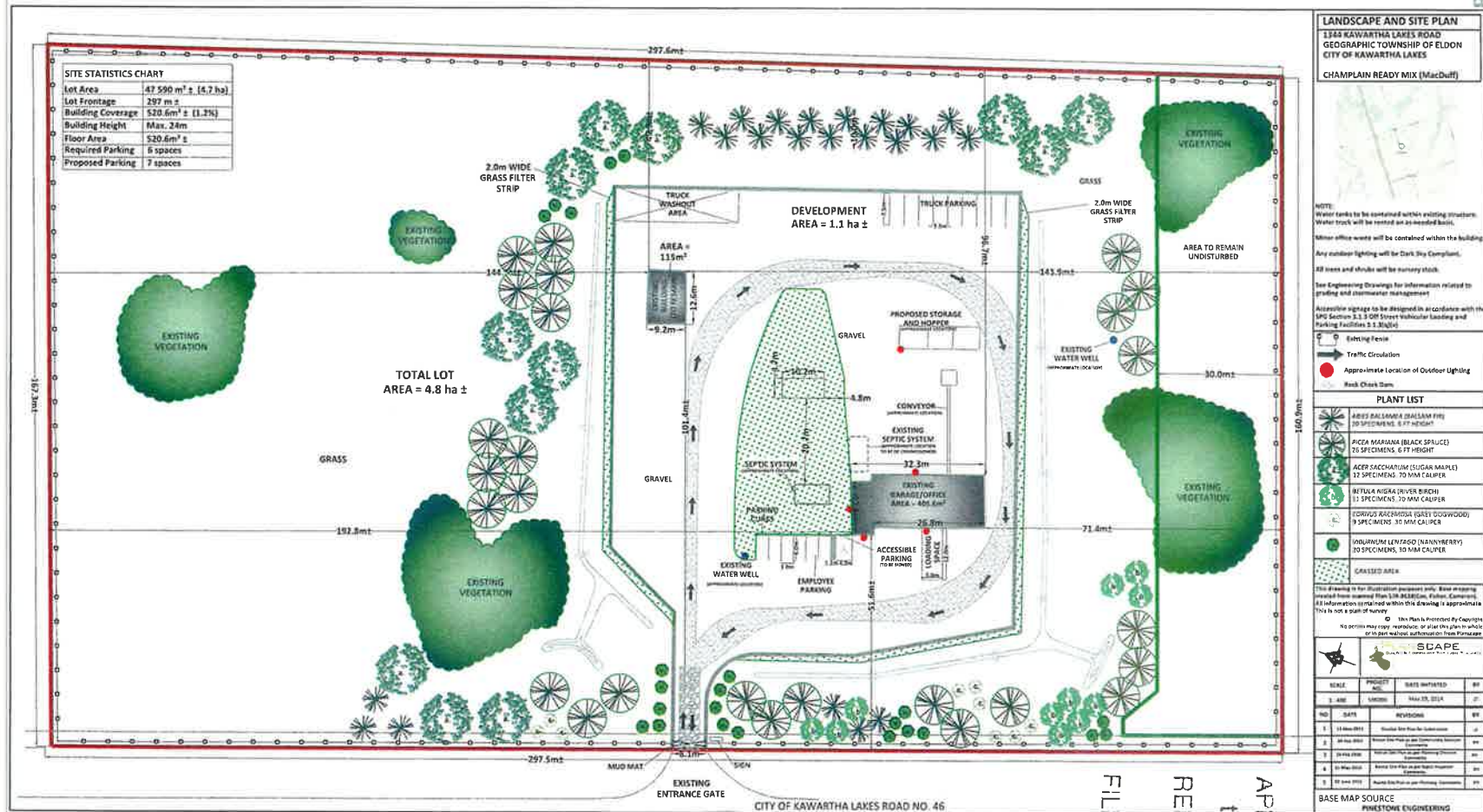
'SUBJECT LAND'
(Part 1 & 2, Plan 57R-8638)

Lot 6

Lorneville Road

'LORNEVILLE'

Lot 5



The Corporation of the City Of Kawartha Lakes

REPORT PLAN2017-037

By-Law 2017 -

FILE NO. D06-16-017**A By-Law To Amend The Township Of Eldon Zoning By-Law 94-14 To
Remove The Holding Symbol (H) From A Zone Category On Property
Within The City Of Kawartha Lakes**

[File D06-16-017, Report PLAN2017-037, respecting Part of Lot 6, Concession 3, being Parts 1 & 2, Plan 57R-8638, identified as 1344 CKL Road 46 – Champlain Ready-Mix Inc.]

Recitals:

1. Section 36 of the *Planning Act* authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2015-043, which contained a Holding (H) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H) symbol from the "General Industrial Exception Six - Holding "M2-6(H) Zone".
4. The conditions imposed by Council and shown in By-law 2015-043 have been met.
5. Council deems it appropriate to remove the Holding (H) symbol.

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 6, Concession 3, being Parts 1 & 2, Plan 57R-8638, geographic Township of Eldon, now in the City of Kawartha Lakes, 1344 CKL Road 46.
- 1.02 **Schedule Amendment:** Schedule 'A' to By-law No. 94-14 of the Township of Eldon is further amended to remove the Holding symbol (H) from the "General Industrial Exception Six - Holding (M2-6(H)) Zone" for the land referred to as 'M2-6', as shown on Schedule 'A' attached to this By-law.

Section 2:00 General Terms

- 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 and 36 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 **, 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 _____

Geographic Township of Eldon

