

D20-2019-007

Geographic Township of Laxton

APPENDIX "A"
to
REPORT COA2019-014
FILE NO. D20-2019-007

Lot 12

Concession 10

Concession 11

Lot 11

SUBJECT
LAND

Laxton Twp 10th Line

Highway #35

Lot 10



GEOMATICS
MAPPING

7843 Highway 35

APPENDIX B
to
REPORT COA2019-014
FILE NO. D20-2019-007



Legend

- ☐ Property ROLL#
- ☐ Lots and Concessions
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



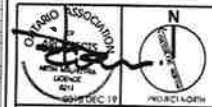
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES

D20-2019-1007

FILE NO.



n Architecture Inc
PRINCIPAL: NITIN MALHOTRA, ARCHITECT
9120 Leslie Street, Suite 208
Richmond Hill, ON L4B 3J9
T: 416.303.4821 F: 1.800.340.5225
E: info@narchitecture.com
www.narchitecture.com



1991 DEC 19
ISSUED FOR COFA

No.	Date	Version	Drawn
3	2018 DEC 19	ISSUED FOR SPA - II	JY
2	2018 DEC 19	ISSUED FOR COFA	JY
1	2018 AUG 14	ISSUED FOR SPA I	JY

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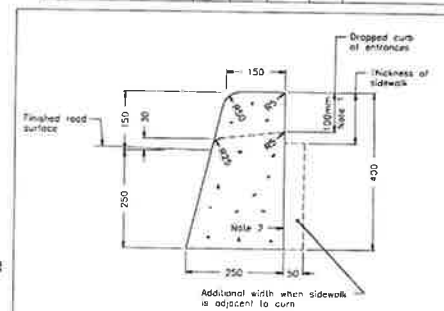
PROJECT:
**PROPOSED ADDITION/
ALTERATIONS TO EXISTING
GAS STATION**
7843 HWY 35 NORTH, CITY OF
KAWARTHA LAKES, ON

DRAWING TITLE:

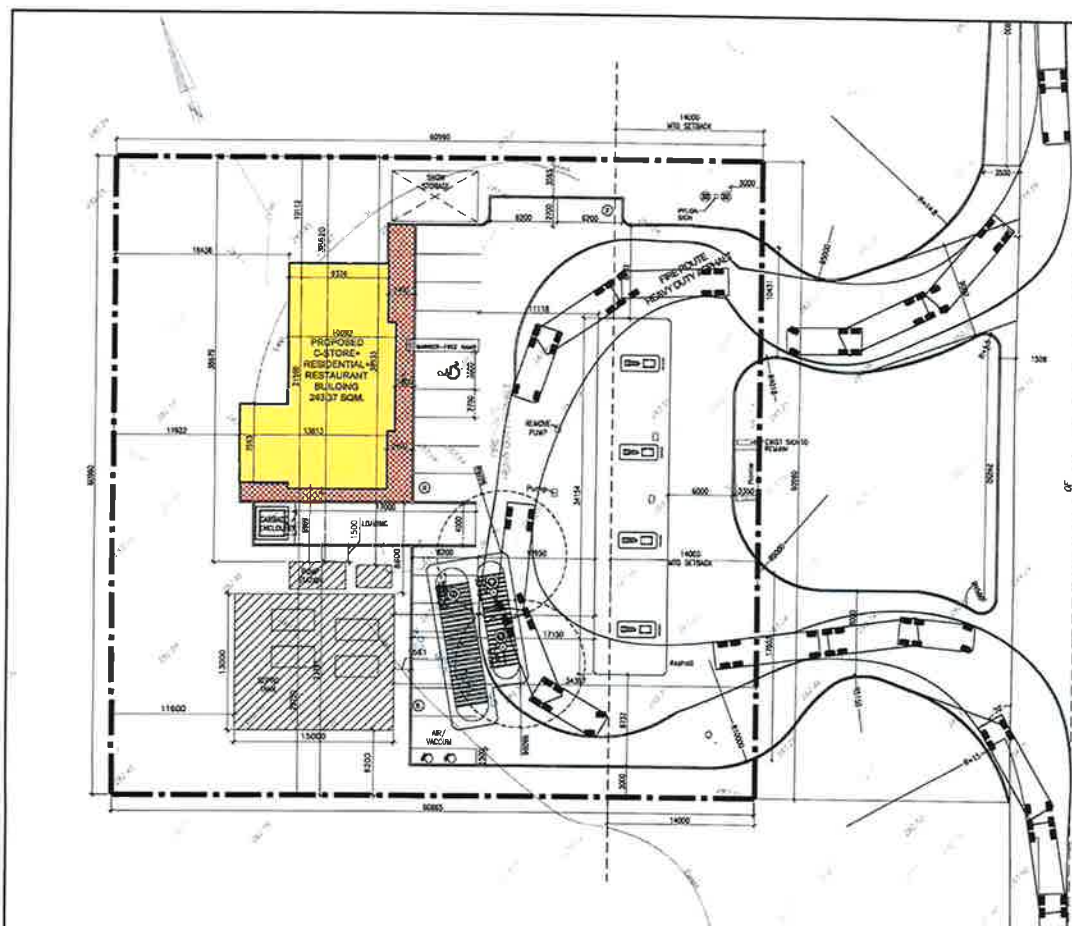
SITE PLAN

DRAWN BY: JY	DATE: 22 OCTOBER 2017
CHECKED BY: NW	SCALE: AS SHOWN
PROJECT NO:	DRAWING NO:
17-79	A-1.0

NAME OF PROJECT: C-STORE + RESTAURANT + RESIDENTIAL		LOCATION: 7843 HWY 35 NORTH, CITY OF KAWARTHA LAKES, ON	
FORM	ONTARIO BUILDING CODE DATA MATRIX	IBC REFERENCE	IBC PART #
1	PROJECT DESCRIPTION: <input type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION	1.1.2.0	1.1.2.0
2	MAJOR OCCUPANCY GROUP: <input type="checkbox"/> CHANGED USE	1.1.2.0	1.1.2.0
3	BUILDING AREA (sq. ft.)	1.1.2.0	1.1.2.0
4	COVERED AREA (sq. ft.)	1.1.2.0	1.1.2.0
5	NUMBER OF STORIES ABOVE GRADE	1.1.2.0	1.1.2.0
6	NUMBER OF EXISTING FLOOR AREAS	1.1.2.0	1.1.2.0
7	BUILDING CLASSIFICATION	1.1.2.0	1.1.2.0
8	SEISMIC SYSTEM PROVIDED	1.1.2.0	1.1.2.0
9	SEISMIC REQUIRED	1.1.2.0	1.1.2.0
10	FIRE ALARM REQUIRED	1.1.2.0	1.1.2.0
11	WATER SUPPLY/STORAGE IS AVAILABLE	1.1.2.0	1.1.2.0
12	HIGH BUILDING	1.1.2.0	1.1.2.0
13	PERMITTED CONSTRUCTION	1.1.2.0	1.1.2.0
14	ACTUAL CONSTRUCTION	1.1.2.0	1.1.2.0
15	OCCUPANT LOAD BASED ON	1.1.2.0	1.1.2.0
16	WINDUP-RESIST DESIGN	1.1.2.0	1.1.2.0
17	EXISTING SUPPLEMENT	1.1.2.0	1.1.2.0
18	REQUIRED FIRE RESISTANCE PERIOD (HOURS)	1.1.2.0	1.1.2.0
19	SPECIAL SUPPLEMENT CONSTRUCTION OF EXISTING WALLS	1.1.2.0	1.1.2.0
20	PLANNING FUTURE BUILDINGS	1.1.2.0	1.1.2.0



ONTARIO PROVINCIAL STANDARD DRAWING		Nov 2012	Rev 2
CONCRETE BARRIER CURB		OPSD 600.110	



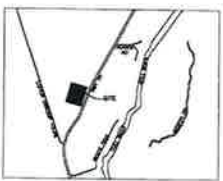
1 SITE PLAN
A-1.0 SCALE: 1:200

PARKING CALCULATION		
	REQUIRED	PROPOSED
C-STORE (1 @ 305SQM)	5.1	5
RESIDENTIAL (2 @ DWELLINGS)	2	2
RESTAURANT (1 @ 350M)	10.9	10
TOTAL PARKING	18	18+1HC

SETBACK		
	ALLOWED	PROPOSED
RIGHT SIDE SETBACK (NORTH)	12.0 M	10.11 M
LEFT SIDE SETBACK (SOUTH)	12.0 M	29.25 M
REAR SETBACK (WEST)	12.0 M	11.82 M
FRONT SETBACK (EAST)	14.0 M	34.45 M

PROJECT STATISTICS

ADDRESS: 7843 HWY 35 NORTH, CITY OF KAWARTHA LAKES, ON		
ZONING: C2		
	ALLOWED	PROPOSED
LOT/STREET AREA (sq. ft.)	4000 SQ.M.	3716.12 SQ.M.
C-STORE	153.0 SQ.M.	35.87 SQ.M.
RESIDENTIAL UNIT	35.87 SQ.M.	54.50 SQ.M.
RESTAURANT	6.50 SQ.M.	243.37 SQ.M.
MAX. COVERAGE	30%	80.88 M.
CFA	45.0 M	1636.81 SQ.M.
MIN. LOT FRONTAGE	11.0 M	11.82 M
LANDSCAPED AREA	-	01
PAVED AREA	-	18
BUILDING HEIGHT	-	16+1HC
LOADING	-	16+1HC
PARKING	-	16+1HC



2 KEY PLAN
A-1.0 SCALE: NTS



NOTE:
EXISTING WALLS AND FOUNDATIONS SHALL BE REMOVED AND RECONSTRUCTED IN ACCORDANCE WITH THE CITY OF KAWARTHA LAKES STANDARD SPECIFICATIONS FOR CONCRETE AND STEEL REINFORCED CONCRETE.

Ministry of Transportation

Corridor Management Section
1355 John Counter Boulevard
Postal Bag 4000
Kingston, Ontario K7L 5A3
Tel.: 613 544-2220 Ext. 4119
Fax: 613-540-5106

Prabin.Sharma@ontario.ca

Ministère des Transports

Section de gestion des couloirs routiers
1355, boulevard John Counter
CP/Service de sacs 4000
Kingston (Ontario) K7L 5A3
Tél.: 613 544-2220 Ext. 4119
Télé. 613 540-5106



RECEIVED

FEB 04 2019

City of Kawartha Lakes
Development Services
Planning Division

February 01, 2019

City of Kawartha Lakes
Development Services – Planning Division
180 Kent Street West
Lindsay, ON K9V 2Y6

APPENDIX " D "
to
REPORT CA2019-014
FILE NO. D20-2019-007

ATTN: IAN WALKER

**Re: Proposed Gas Station, C-Store and Pizza Pizza - 7843 Highway 35N
Highway 35, City of Kawartha Lakes, Geog. Township of Laxton**

MTO has reviewed the updated site plan application package received on January 02, 2019 for the abovementioned development and offers the following comments.

In respect to the revised **Stormwater Management Report (SWM)** dated December 20, 2018 submitted by n-Architecture Inc, MTO has following comments:

- It is unusual for MTO to receive a SWM report from an architectural firm. Can you please confirm that the municipal engineer has drainage experience and is aware of the MTO drainage requirements which are all noted in the MTO drainage website at:
<http://www.mto.gov.on.ca/english/publications/drainage-management.shtml>
- On page 2 of the report both the narrative and Figure 1 incorrectly label the subject lands as Highway 26 North? We do not have a Highway 26 in MTO Eastern Region. Please confirm that all components of this study apply to this site.
- The 300 mm discharge pipe is in the Highway right of way. All drainage features must be on the proponent's property.
- In the cover letter from nArchitecture to Ian Walker dated December 20, 2018, it is stated on pages 7, 10 and 11 that no storage tank is proposed, yet on Drawing C-3.0, also dated December 20, 2018, a MC-3500 storage tank is depicted.
- Page 7 of the covering letter and section 3.2.1 of the report refer to the use of orifice plate in conjunction with parking lot storage. This is in contradiction to MTO policy. In addition, the Grading Diagram does not depict how the flows from the parking lot will get to MH-1.
- The impervious area used to calculate the pre-development flows does not correlate to the actual site conditions, neither at present nor in the past (see Figures below). Since pre-development area is a foundational parameter for determining the runoff, error in this parameter renders rest of the calculations, conclusions, and controls based on it invalid.

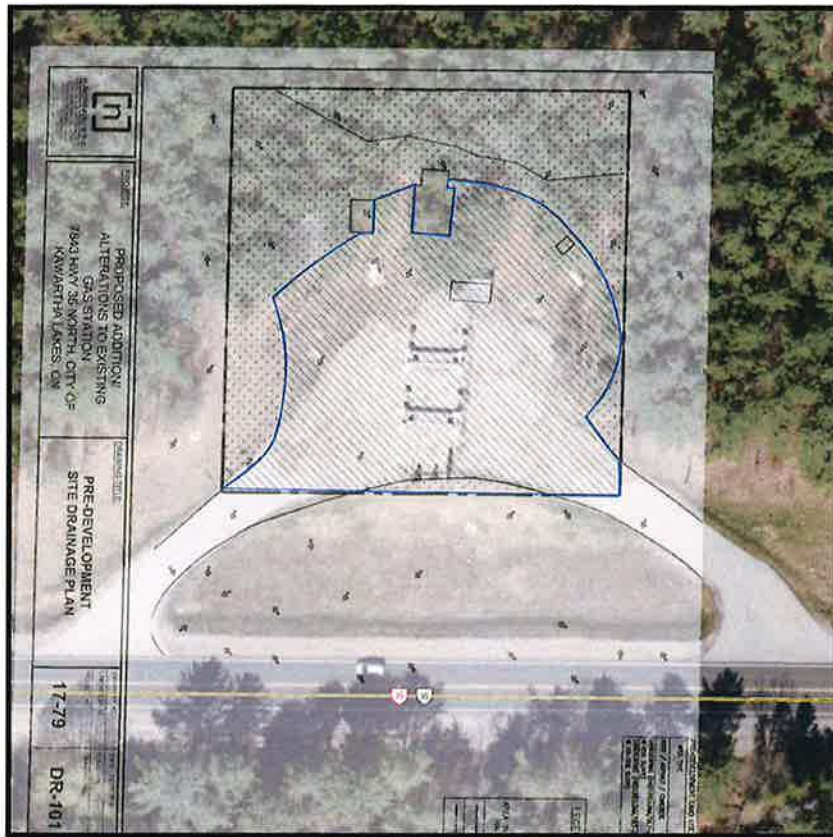


Figure 1. DR-101 Overlay With Impervious Area Outlined (in blue)



Figure 2. Impervious Area Overlay, 2018 image.

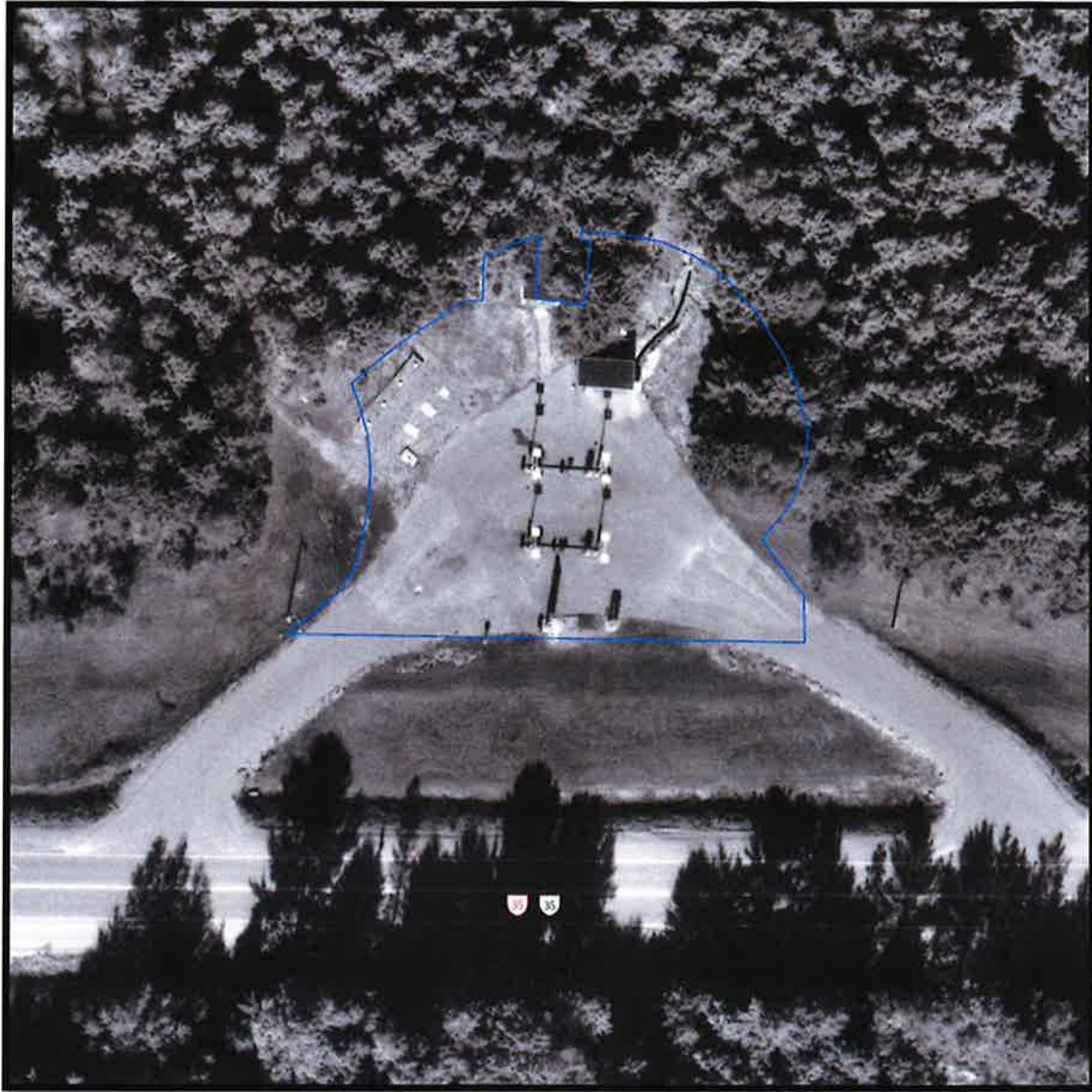


Figure 3. Impervious Area Overlay, 1999 Image.

Note that MTO did not conduct a review of the Stormwater Management Report as there are fundamental issues that need to be addressed. Once the above noted issues are addressed and resubmitted, the MTO will conduct a full review of the study.

In regards to the addendum to the **Traffic Impact Study (TIS)**, MTO has following comments:

- During our review of this information, it was noted that a Highway 35 northbound left turn is required and that MTO does not concur with the response that a NBLT is not triggered by this development, as such, we cannot endorse the Traffic Impact Study.
- The concept plan submitted does not adequately address the access design features and must be completed by a MTO RAQs approved highway engineering firm. The engineering drawing will depict all highway improvements requirements of the traffic study including all additional lanes, entrances and tapers, and all design features to MTO standards and specifications. The appropriate entrance standards should be referenced in the Traffic Impact Study and on the plans. The MTO CSAS-19 standard referenced on the plan does not exist.
- The southbound right turn taper must be designed to meet MTO standards.

- The north and south proposed entrances into the property must meet MTO's current entrance standards. The entrances as depicted on the site plan/concept plan do not reflect MTO entrance standards and need to be corrected.
- The current commercial entrance standards can be found on MTO's Highway Corridor Management Manual, September 2018 – Chapter 4 - Access. The manual is available publicly through the MTO Library via the link at:
<https://www.library.mto.gov.on.ca/SydneyPLUS/Sydney/Portal/default.aspx?component=AAAIY&record=af9e17eb-ffc0-4143-b739-69af5835eb68>.
- All drawings completed for the Highway 35 right of way work, i.e. access, taper, left turn lane, etc. must be completed by a MTO RAQs approved consultant and be signed and stamped by the P. Eng.

The proponent should also be advised that once MTO is satisfied with the Traffic Impact Study, the left turn lane requirement will require a Preliminary Design and Environmental Assessment to be completed in accordance with the MTO Class EA. I can provide further information on this during the revised traffic study once submitted.

Then MTO would require that the proponent's MTO RAQs approved highway engineering consultant prepare appropriate engineering drawings designed to MTO specs for our review and approval. Once the engineering drawings are approved, MTO and Proponent would enter into a legal agreement with a letter of credit (for 100% of the cost of the improvements) forming part of the legal agreement process. All highway improvement responsibilities, financial and otherwise, triggered by the development such as property requirements, servicing connections, utility relocations, and construction are the sole responsibility of the developer. The proponent will also be responsible for the construction of the works. MTO will review the draft tender package prior to advertising and the traffic control plan. Note that all work that occurs in the MTO right of way must be completed by MTO RAQS approved consultants and contractors including all geotechnical consultant (and all engineering consultants), the preliminary design, Environmental, detail design, the contract administrator, and the contractor.

In regards to **environmental matters**, MTO is concerned about the potential contamination of MTO right-of-way because of the historical use of the property. When MTO is undertaking highway improvement works in this area in future, if the soil within MTO right-of-way is found to be contaminated from this gas station site or historical tanks, the proponent will be solely responsible for the contamination clean-up. Please note that this condition will be included in the MTO Building and Land Use Permit and legal agreement if all other concerns are satisfactorily addressed and if the proponent applies for a MTO permit.

For the site plan:

- The site plan depicts a septic bed that is not located on this property parcel but appears that it might have serviced the previous site. Please confirm what this septic service is and will it be decommissioned?
- Where is the well located on the property? Note that MTO requires a 30 metre setback for wells from the property limit.
- There is an existing sign/planter that is shown will remain. MTO requires a minimum setback of 3 metres for all signs.
- A drawing of sign design will be required for the MTO sign permit.

While submitting a revised submission, MTO will require that the consultant attach a cover letter responding to each of our comments, answering how and where in the report these comments have been addressed and reference specific plans/sections, etc.

Please note that MTO reserves the right to provide additional comments or modify comments based on the revised submission. We look forward to reviewing a revised submission. As per the normal process, please ensure that MTO receives three complete sets of the resubmission.

If you have further questions concerning this matter, please feel free to contact me.

Sincerely,



Prabin Sharma
Corridor Management Planner
MTO, Eastern Region

c. Don Lawrence
Corridor Management Officer
MTO Eastern Region
Donald.Lawrence@ontario.ca

Ian Walker

From: Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>
Sent: Thursday, February 07, 2019 8:53 AM
To: Ian Walker
Subject: RE: D20-2019-007 Advanced Circulation

Categories: MV

Agree. We don't have concerns with the reduction on parking spaces.

From: Ian Walker [mailto:iwalker@kawarthalakes.ca]
Sent: February 6, 2019 4:03 PM
To: Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>
Subject: RE: D20-2019-007 Advanced Circulation

Thanks Prabin:

I guess whether the left turn lane is constructed or not, the question relating to the variances would be this: will the reduction by 1 parking space have an impact (or potential impact) on traffic? Given the other 3 variances do not affect MTO's concerns with the site.

Ian Walker, B.Sc.
Planning Officer – Large Developments
Development Services – Planning Division, City of Kawartha Lakes
705-324-9411 extension 1368
www.kawarthalakes.ca



From: Sharma, Prabin (MTO) [mailto:Prabin.Sharma@ontario.ca]
Sent: Monday, February 04, 2019 1:58 PM
To: Ian Walker
Subject: RE: D20-2019-007 Advanced Circulation

Hi Ian,

As I mentioned in my letter (dated Feb 1, 2019) to you, MTO is of the opinion that a northbound left turn lane is required at this location. However, the TIS has not made any highway improvement recommendations, as such, we do not agree with their conclusion.

Prabin

From: Ian Walker [mailto:iwalker@kawarthalakes.ca]
Sent: February 4, 2019 1:50 PM
To: Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>
Subject: RE: D20-2019-007 Advanced Circulation

Erica Hallett

From: Anne Elmhirst
Sent: Tuesday, February 05, 2019 11:03 AM
To: Erica Hallett
Subject: D20-2019-007 - 7843 Highway 35 North

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Erica,

RE: Minor Variance Application D20-2019-007
7843 Highway 35 North, Former Laxton Township,
Conc. 11, Lot 11, Plan 57R5322, Part 1,
Roll No. 165142000147900

I have received and reviewed the proposal for minor variance for the expansion of a legal non-conforming convenience store at the above-noted property.

The property will be serviced by a new sewage system as part of the building plan. This sewage system will be incorporated wholly within the property boundaries.

At this time, the Building Division – Sewage System Program has no issue with the minor variance application.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



RECEIVED

FEB 06 2019

City of Kawartha Lakes
Development Services
Planning Division

Via E-Mail: ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Committee of Adjustment
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

Regarding: Application for Minor Variance – D20-2019-007
8536945 Canada Inc. (N Architecture Inc.)
7843 Highway 35 (Norland)
Geographic Township of Laxton
City of Kawartha Lakes

Dear Ms. Crockford-Toomey:

This Letter acknowledges the receipt of the above noted application, associated with City of Kawartha Lakes File D19-17-002 for Site Plan Approval to re-develop a gas bar, convenience store and residential space on the subject lands. Kawartha Region Conservation Authority (KRCA) staff have reviewed this application and provided the following comments:

Application Purpose

It is our understanding that the purpose of this application is to request the following variance from the Township of Laxton Zoning By-law, as amended. The purpose and effect is to request relief from the following provisions in order to permit the reconstruction of a gas bar, convenience store and residential space:

1. Section 11.1 – to permit the expansion of a legal, non-conforming convenience store use from 53.49m² to 153m²;
2. Section 18.11 – to reduce the side yard setback from 12 metres to 10.1 metres;
3. Section 11.2 d)& e) – to reduce the rear yard setback from 12 metres to 11.9 metres, and;
4. Section 18.13 a) - to reduce the required parking from 18 spaces to 17 spaces.

Applicable Kawartha Conservation Regulations and Policies

Ontario Regulation 182/ 06 (as amended):

The subject property is outside of Kawartha Conservation's Regulated Watershed Area; therefore, not subject to Ontario Regulation 182/06.

Application-Specific Comments

KRCA Memorandum of Understanding (MOU):

The following comments are provided as per the MOU entered into between the City of Kawartha Lakes and Kawartha Conservation. The City has requested staff provide comments and analysis on the identification, function and significance of natural heritage and hydrologic features and systems such as, significant woodlots, wetlands, significant wildlife habitat, fish habitat, significant habitat of endangered and threatened species, significant valleylands, areas of natural and scientific interest, surface water features and groundwater features on, or in proximity to, a proposed development site or within a study area.

Recommendation

Based on our review of the natural hazards and natural heritage features adjacent to the property, Kawartha Conservation staff has no objections to the approval of Minor Variance Application D20-2019-007, provided the proposed works are constructed as per the plans and reports finalized in the Site Plan Control Application under City of Kawartha Lakes File No. D19-17-002.

The above comments reflect our understanding, at the time of writing, of the best available data, applicable policies and regulations. I trust this meets your information requirements at this time. Should you have any questions regarding this matter, please do not hesitate to contact this office.

Yours Truly,



Kent Stainton
Resources Planner
Extension 232
kstainton@kawarthaconservation.com

cc: Ian Walker, City of Kawartha Lakes



Engineering & Corporate Assets Department
P.O. Box 9000, 12 Peel Street
Lindsay ON K9V 5R8
Tel: (705) 324-9411 Ext. 1152
Fax: (705) 324-2982
e-mail: csisson@kawarthalakes.ca
website: www.kawarthalakes.ca

MEMORANDUM

TO: Mark LaHay, Acting Secretary-Treasurer

CC: Kirk Timms, Senior Engineering Technician
Kim Rhodes, Administrative Assistant
Charlotte Crockford-Toomey, Administrative Assistant

FROM: Christina Sisson, Supervisor, Development Engineering

DATE: February 11th, 2019

SUBJECT: Application for Minor Variance/Permission
D20-2019-007 – 7843 Highway 35
Geographic Township of Laxton, City of Kawartha Lakes

The Development Engineering Division has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as, the Application for Minor Variance/Permission received on February 7th, 2019.

It is our understanding that the applicant is requesting the following to permit the replacement of the existing motor vehicle gasoline bar and legal non-conforming accessory convenience store use, together with a new restaurant and accessory dwelling unit:

1. Permission to allow an approximately 100.0 square metre footprint expansion to the legal non-conforming convenience store use from 53.49 square metres to 153.0 square metres;
2. Relief to decrease the north side yard setback from 12.0 metres to 10.1 metres;
3. Relief to decrease the rear yard setback from 12.0 metres to 11.9 metres; and
4. Relief to decrease the minimum required parking for all proposed uses from 18 parking spaces to 17 parking spaces;

Further to our review of the above noted application, we confirm that we have no objection to the proposed minor variance and no engineering comments related to the proposed minor variance.

We respectfully request to be circulated should additional information be brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning.

Please do not hesitate to contact our office if you have any questions.

Ian Walker

From: Ann-Marie Barker <abarker@tssa.org>
Sent: Friday, March 01, 2019 8:26 AM
To: Ian Walker
Cc: Solomon Ko
Subject: RE: Requirements for replacing aging gas bar

Categories: MV

Good morning, Ian.

The person who is re-building the gas station will have to do a couple of things:

- Apply for a TSSA license & submit a site plan of new gas bar for review;
- Submit an environmental assessment report once the current under ground tanks and piping are removed.
-

Our environmental group will review the report to ensure it meets the MOE guidelines.

From: Solomon Ko
Sent: March 1, 2019 8:22 AM
To: Ann-Marie Barker <abarker@tssa.org>
Subject: FW: Requirements for replacing aging gas bar

Morning, Ann:

Can you help please? He is talking about potential contamination by the liquid fuels tanks.

Solomon

From: Ian Walker <iwalker@kawarthalakes.ca>
Sent: February 28, 2019 4:24 PM
To: Solomon Ko <sko@tssa.org>
Subject: RE: Requirements for replacing aging gas bar

Hi Solomon:

Yes, the gasoline tanks. I believe there is also an existing above grade propane tank which will be removed/replaced. When they remediate/replace fuel tanks at gas bars, is it TSSA who sets the standards for them to follow, or who monitors it? Or would it be something that falls to MECP (formerly MOE)?

Ian Walker, B.Sc.
Planning Officer – Large Developments
Development Services – Planning Division, City of Kawartha Lakes
705-324-9411 extension 1368
www.kawarthalakes.ca



From: Solomon Ko [<mailto:sko@tssa.org>]
Sent: Thursday, February 28, 2019 1:16 PM
To: Ian Walker
Subject: RE: Requirements for replacing aging gas bar

Ian:

You mentioned about the contamination from the original tanks; are you referring to some liquid fuels tanks, and not propane tank?

Regards,

Solomon

From: Ian Walker <iwalker@kawarthalakes.ca>
Sent: February 28, 2019 11:34 A:

To: Solomon Ko <sko@tssa.org>
Subject: Requirements for replacing aging gas bar

Good morning Solomon:

We have an application currently in site plan review relating to the replacement of a gas bar in the former Township of Laxton. It was a Cango gas bar located at 7843 Hwy 35, Part Lot 11 Conc 11 former Laxton, now City of Kawartha Lakes. I understand that the replacement would be subject to some TSSA approvals/standards, and that the current standards would be likely more significant than what was previously installed. As part of a public process (minor variance request), the neighbour who surrounds the property on 3 sides advised his only issue is potential contamination from the original tanks. I'm wondering if there is any information I can advise him, as to who may have control over that issue (i.e. jurisdiction), and who would determine if/what remediation may need to take place. Is there any general information that you may be able to provide in that regard?

Thanks,

Ian Walker, B.Sc.
Planning Officer – Large Developments
Development Services – Planning Division, City of Kawartha Lakes
705-324-9411 extension 1368
www.kawarthalakes.ca



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Charlotte Crockford-Toomey

From: Derryk Wolven
Sent: Thursday, March 07, 2019 4:25 PM
To: Charlotte Crockford-Toomey
Subject: C of A

Please be advised building division has the following comments:

D20-2019-010	No concerns
D20-2019-011	No concerns
D20-2019-007	No concerns
D20-2019-003	Built without permit. Provide confirmation of .6m setback.
D20-2019-012	No concerns
20-2019-013	No concerns

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca

