

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-022

Date: April 10, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 2

Subject: An application to amend the Township of Verulam Zoning By-law to extend the temporary use on the property for staging of outdoor role playing games including hosting of 'live action role planning (LARP) games for commercial uses on lands described as Part Lot 26, Concession 6, geographic Township of Verulam, now City of Kawartha Lakes, identified as 36 Walker's Road (McGale & Ashby)

Author and Title: Sherry L. Rea, Development Planner Supervisor

Recommendations:

That Report PLAN2019-022, respecting Part Lot 26, Concession 6, geographic Township of Verulam and identified as 36 Walker's Road; Application No. D06-2019-006, be received;

That a Zoning By-law Amendment respecting Application D06-2019-006 respecting Part Lot 26, Concession 6, geographic Township of Verulam, substantially in the form attached as Appendix "C" to Report PLAN2019-022, 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 amend the Township of Verulam Zoning By-law to extend the temporary use on a portion of the property for the staging of outdoor role playing games including the hosting of “live action role playing” (LARP) games for commercial purposes. No permanent buildings or structures are proposed; however, the use of a temporary parking lot with grass surface would also be extended. The applicant is requesting the temporary use be extended for a further period of 1 year with a text amendment to include activity occurring on weekends (Friday to Monday, if included as part of a Statutory or Civic Holiday) between May and November. See Appendix "A" and "B" attached.

Owner/Applicant: William Ashby and Joseph McGale

Legal

Description: Part Lot 26, Concession 6, geographic Township of Verulam, now City of Kawartha Lakes.

Official Plan: Designated Rural and Environmental Protection on Schedule "A-5" and "Significant Woodlands" on Schedule "B-5" of the City of Kawartha Lakes Official Plan.

Zone: General Rural Special Eighteen (A1-18) and Open Space (OS) on Schedule "A" of the Township of Verulam Zoning By-law No. 6-87

Total Area: 40 ha.

Site Servicing: Portable toilets secured from a qualified firm and under maintenance contract.

Existing Use: Vacant land.

Adjacent Uses: North, South, East and West: Large rural lots including agricultural operations and rural residential uses.

Rationale:

The subject property is vacant land on the east side of Walker's Road, immediately north of Cedar Tree Road and is comprised of 40 ha. One of the owners, Mr. Ashby operates Underworld LARP, a company that organizes and administers live action role playing events around the world. LARP Events involve participants who pay a fee for entry, playing characters in a scripted role-playing event and immersing themselves in a fictional "universe" (i.e. medieval-style) that has been created and scripted by the game organizers. Players act according to the parameters that they have been given but have the freedom to make choices that contribute to the outcome of the game. Players dress in clothing and apparel that is in keeping with the description of their character, including armour and/or weapons that are safe for recreational use (soft - styrofoam or plastic). No permanent buildings or structures were proposed although temporary tents and huts form part of the activity.

On May 24, 2016, Council passed By-law 2016-114, being a Temporary Use By-law to permit the above noted LARP activity and applied development standards to be complied with during the temporary use of 3 years. The development standards included a temporary parking lot with grass surface, a 7.5 m. wide, two-lane entrance with temporary structures such as tents and huts not exceeding 10 sq.m. in size. The original request for a temporary use was to determine if the activity had commercial viability.

The owners have determined that the commercial activity is viable and retained Kevin Duguay, Community Planning and Consulting Inc. is to undertake the required background reports and submit application for the permanent LARP use on the property along with the construction of a mid-size building to enhance the gaming activity, provide limited overnight accommodation and shelter in inclement weather. Planning is in receipt of the application for rezoning from Mr. Duguay and the application will be processed under the timeframes of the Planning Act.

As the processing of the application will be beyond the timeframe set out in the Temporary Use By-law, the owner is requesting an extension for a period of 1 additional year. Staff supports the request.

Requirements for Temporary Use By-law:

Section 39 of the Planning Act permits Council, by a By-law passed under Section 34, of the Planning Act to authorize the temporary use of land, buildings or structures for any proposed use that is otherwise prohibited by the Zoning By-law. The Planning Act further states that the use may be authorized for a period of up to three (3) years. The applicant is requesting that Council amend the Temporary Use By-law for a period of 1 additional year.

Through the operation of the activity over the last 3 years, the owner has determined that the original Temporary Use By-law should have contemplated “long weekends” and as such is requesting a text amendment to accommodate a definition of weekend to include Friday to Monday, if included as part of a Statutory or Civic Holiday between May and November. The request until November may not be required as it is anticipated that the permanent use may be approved by Council late fall.

The planning rationale that was considered in 2016 remains unchanged with respect to applicable provincial policies, official plan conformity and zoning by-law compliance. Under the processing of the permanent rezoning, staff will seek site plan approval which will address details of development for the permanent use. Council’s consideration of the extension of the Temporary Use By-law will permit the activity to occur one additional season and allow for the processing of the permanent zoning by-law amendment.

Development Services – Planning Division Comments:

Planning is in receipt of the application for rezoning to permit the permanent LARP activity on the site. The appropriate background reports for the permanent use have been submitted to support the permanent use. Council's consideration of the extension of the Temporary Use By-law will result in the owners not losing the 2019 gaming season. Staff is not in receipt of any comments from applicable review Agencies and City Departments that do not support the extension. Staff respectfully recommends that the application be APPROVED.

Other Alternatives Considered:

No other alternatives were considered at this time.

Financial Considerations:

There are no financial considerations unless Council's decision to adopt, or its refusal to adopt the requested amendment, 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 Strategic Priorities:

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 residents and visitors to the City will have the opportunity to continue to experience a new tourism event. In addition, new events provide opportunity to develop business partnerships with local area hotels and restaurants. Finally, Council's consideration of the extension to the Temporary Use By-law allows the business owners to continue to grow and develop the business venture while processing the request for a permanent use.

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:

There are no servicing requirements other than portable toilets which will be secured from a responsible firm and under maintenance contract.

Consultations:

Notice of this 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:

March 13, 2019 – Building Division; no concerns.

March 19, 2019 – Community Services; no concerns or comments with respect to the application.

March 19, 2019 – Engineering & Corporate Assets, no objection to the proposed zoning by-law amendment.

March 20, 2019 – Economic Development, Agricultural Development Officer Division; no concerns with the extension of the temporary use for LARP games.

March 26, 2019 – Building Division, Part 8 Sewage Systems; no concerns.

Attachments:

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

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Department File: D06-2019-006