

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Canadian Tire Corporation Ltd.
Report Number COA2019-050

Public Meeting

Meeting Date: August 15, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from the following zone provisions in order to permit an expansion to the existing retail store:

1. Section 17.2.1.3 (d) to reduce the minimum rear yard requirement from 12.0 metres to 7.0 metres.
2. Section 3.14.1.2 to increase the ratio (reduce the number) of minimum required parking spaces for commercial use from 1 space per 30 square metres of Gross Floor Area (180 spaces) to 1 space per 37 square metres of Gross Floor Area (149 spaces).
3. Section 3.14.1.5 to reduce the minimum parking stall length from 6.0 metres to 5.5 metres.
4. Section 3.14.1.6 to reduce the minimum handicapped parking stall length from 6.0 metres to 5.5 metres.

The variances are requested at 563 County Road 121, geographic Township of Fenelon (File D20-2019-034).

Author: Ian Walker, Planning Officer – Large Developments **Signature:**

Recommendations:

Resolved That Report COA2019-050 Canadian Tire Corporation Limited be received;

That minor variance application D20-2019-034 be DEFERRED until such time as the owner/applicant provides sufficient documentation to the City and the Kawartha Region Conservation Authority so that the variance application may be fully analyzed, and if necessary, re-advertised.

Background:

This application is being made in conjunction with the approval of amending site plan application D19-2019-004, for construction of an approximately 2,477 square metre addition to the existing retail commercial building on the property municipally known as 563 County Road 121. The applicant proposes to reconfigure and expand the existing Canadian Tire store by:

- Constructing an additional 771 square metres of warehouse space;
- Expanding the retail store portion by 1,535 square metres;
- Relocating and reducing the garden centre compound by 851 square metres; and
- Constructing 2 additional service bays in the motor vehicle service station consisting of an additional 69 square metres.

This application was last amended July 24, 2019.

Proposal: To construct an approximately 2,477 square metre addition to the existing retail store consisting of warehouse space, retail store floor space, a reduced garden centre, and two additional vehicle service bays including 149 parking spaces for all uses.

Owners: Canadian Tire Corporation Limited – Veronik Manolova

Applicant: IBI Consulting Group – Tracy Tucker

Legal Description: Concession 9, Part Lot 22, Plan 49, Part Block E, F and G, Part Lot 19 and 20 and Part Dick Street, Part 1, 57R-6559 geographic Township of Fenelon, now City of Kawartha Lakes

Official Plan: 'Urban Settlement Area' within the City of Kawartha Lakes Official Plan

Zone: 'Highway Commercial Exception Eight (C2-8) Zone' within the Township of Fenelon Zoning By-law 12-95

Site Size: 1.75 hectares (4.32 acres – MPAC)

Site Servicing: Municipal water and sanitary sewer and ditches

Existing Uses: Commercial Retail Store with Auto Repair Shop and Propane (Canadian Tire and Automotive Centre)

Adjacent Uses:

North:	Vacant (Draft Plan Approved Subdivision)
East:	Commercial Retail (Home Hardware)
South:	CKL Road 121; Gas Bar (Ultramar) and Motel; Motor Vehicle Supply Store (MAP); Motor Vehicle Sales (Memory Lane Motors); Self Storage
West:	Vacant (Including future road access to Draft Plan Approved Subdivision)

Rationale:

1) Are the variances minor in nature?

And

2) Is the proposal desirable and appropriate for the use of the land?
Undetermined At This Time

The reduction in the rear yard setback from 12.0 metres to 7.0 metres may be considered minor, given the overall impact of the proposal. To achieve the reduction, the existing loading bays will be moved from the rear yard to the front yard, and still allow for a minimum 6.0 metre landscape buffer in accordance with the zoning by-law. However, Kawartha Region Conservation Authority (Kawartha Conservation) has noted the presence of a watercourse within 30 metres of the proposal. Kawartha Conservation has requested a scoped Environmental Impact Study (Scoped EIS) be completed. The applicant should discuss this requirement with Kawartha Conservation, and updated comments circulated to the City.

The reduction in parking may be minor, given that a portion of the proposed addition will be warehouse space (approximately 771 square metres), which is not anticipated to generate the same parking requirement as the retail floor area. The Zoning By-law requires similar parking ratios for retail (1 space per 30 square metres of gross floor area), office (1 per 30) and warehouse (1 per 40) as standalone uses. IBI Group has provided a report (See Appendix 'F') with 3 similar scenarios where parking space numbers have been reduced. In each of these scenarios, the expansions have not resulted in a significant increase in traffic to and from the site. The rationale is that the warehouse and office are not standalone uses, but function as part of the existing and expanded business.

The proposed reduction in length of both the parking spaces and accessible parking spaces from 6.0 metres to 5.5 metres is a reduction of approximately 9%. The IBI Group report notes that the parking spaces will continue to be functional, as the 7.0 metre drive aisle width allows for adequate maneuvering in the parking lot. However, as of the time of writing this report, there is insufficient information to confirm that the reduced parking stall length will be either minor or desirable and appropriate for the use of the land.

During a site inspection on July 31, 2019, it was noted that a large number of vehicles visiting the retail store were trucks and larger vehicles. Based on some preliminary research on vehicle dimensions, it was determined that a typical standard cab truck with a long bed (box) is approximately 18.5 feet (5.64 metres) in length. A double cab truck with a regular bed is slightly more than 19 feet (5.87 metres) in length, while a larger crew cab truck with a standard bed can be up to 20 feet (6.1 metres) in length. Staff cannot determine if this would potentially impact on the ability of vehicles to maneuver properly if this reduces the aisle width. Staff are seeking clarity from the applicant, by examining all options, such as one-way aisles, or whether vehicle overhang into the aisle may potentially impact on maneuverability within the drive aisles. Staff require

additional data from the applicant, to confirm if the proposed variances will be minor in nature, and desirable for the development. Alternatively, larger length vehicles may end up taking 2 tandem parking spaces. This option would not be available for the accessible parking spaces due to signage.

The subject property is situated on the fringe of the rural area west of Fenelon Falls, with other similar highway commercial developments surrounding this property. Currently, there are a number of outbuildings and trailers on the site. The proposed variances will allow the expansion of the principle building, and result in the removal of the existing trailers and sea cans currently used for storage. The reconfigured loading bays and reduced rear yard setback will prevent large trucks from entering the rear yard, and allow the building to function as a noise barrier. Given there is a new residential plan of subdivision proposed on the vacant land to the north, this may be desirable for the proposed neighbourhood to the north. As noted above, additional information confirming how larger traffic will maneuver on site is required, to confirm the reduced parking stall lengths will not impact on how the parking area functions for all personal and business vehicles.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Undetermined At This Time

The Highway Commercial Exception Eight (C2-8) Zone permits specific commercial uses, including: a retail store for the sale of automotive parts and accessories, hardware, sporting goods and seasonal merchandise; an outdoor garden centre and sales area; a motor vehicle service station and fuel bar; and propane dispensing facility. The property is subject to the regular C2 zone provisions and setbacks. As this site has a number of constraints and large setbacks, the development envelope is reduced.

The proposed building design will result in a setback reduction to the north (rear) lot line. The Zoning By-law requires a minimum landscaped buffer of 6.0 metres on the north side of the building, as the abutting lands to the north are proposed to be residential. This 6.0 metre landscaped buffer can be accommodated within a 7.0 metre setback. In this instance, the typical functions of the rear yard may be accommodated on other portions of the site.

The purpose of the parking requirement is to ensure there is adequate on-site parking for all uses. Based on a total retail gross floor area of 2,500 square metres, at a ratio of 1 space per 30 square metres, a total of 84 spaces would be required for the retail portion of the store. The IBI Group report notes that the warehouse and office portions of the building are not anticipated to generate any need for parking beyond the retail floor space.

4) Do the variances maintain the intent and purpose of the Official Plan? Yes

The property is designated 'Urban Settlement Area' within the City of Kawartha Lakes Official Plan. The designation permits a variety of uses, including commercial uses.

Other Alternatives Considered:

No other alternatives have been considered.

Servicing Comments:

The property is serviced by municipal water and sanitary sewer, and ditches. No changes are proposed.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Building Division (August 1, 2019): No concerns.

Engineering and Corporate Assets (August 6, 2019): No objection.

Kawartha Conservation (August 6, 2019): Kawartha Conservation has concerns with reducing the minimum rear yard setback, due to the proximity of a watercourse. For development within 30 metres of the watercourse, Kawartha Conservation requires submission of an Environmental Impact Study to evaluate and determine the appropriate setback.

Public Comments:

None received as of the writing of this report.

Attachments:

A pdf document is embedded into this document. Please contact Ian Walker, Planning Officer – Large Developments at 705-324-9411 extension 1368 to request an alternative format.



Appendices A-F to
Report COA2019-050

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation Drawings

Appendix E – Department and Agency Comments

Appendix F – Justification Report – IBI Consulting Group

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Department File: D20-2019-034