

# **The Corporation of the City of Kawartha Lakes**

## **Planning Advisory Committee Report**

**Report Number PLAN2019-056**

**Meeting Date:** October 9, 2019

**Public meeting**

**Ward Number:** 12

**Author and Title:** David Harding, Planner II

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**Subject:** Applications for an Official Plan Amendment and a Zoning By-law Amendment to: (1) amend the City of Kawartha Lakes Official Plan to change the land use designation from Highway Commercial to a Highway Commercial Special Provision and (2) to amend the Township of Ops Zoning By-law 93-30 to change the zone category from Highway Commercial (CH) Zone to a Highway Commercial Exception Zone to add a self-storage facility use to the list of permitted uses and apply any applicable development standards on land described as Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, now City of Kawartha Lakes, identified as 396 Highway 36, (Mike Redmond Septic Service Ltd.)

**Author and Title:** David Harding, Planner II

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### **Recommendations:**

**That** Report PLAN2019-056, respecting being Part Lot 22, Concession 7, Parts 1-3, 57R-10704, geographic Township of Ops, identified as 396 Highway 36 – Applications D01-2019-002 and D06-2019-023, be received; and

**That** the applications respecting the proposed Official Plan Amendment and Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

**Department Head:**

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**Legal/Other:**

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**Chief Administrative Officer:**

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## Background:

The proposal is to permit a self-storage facility use upon the subject property.

The property is located on the east side of Highway 36 in an industrial/commercial corridor. The property contains five buildings which house a variety of businesses, most of which are related to automobile sales or service: Pillsworth Service (Rustcheck), BJ Auto Electric, Mr. Transmission, Newton Electric, Wood Mizer, dry storage, Rad Shop, and Lindsay Auto Sales.

The storage facility use is proposed towards the front of the property upon the site of the former St. Dave's Diner building, which was destroyed by fire in May 2016. The storage facility is proposed to house 2 storage buildings, each about 6.4 metres x 39.6 metres. The former diner site is currently being utilized as a parking area to display cars for Lindsay Auto Sales.

The applicant has submitted the following report and plans in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Planning Justification Report prepared by Bob Clark, Clark Consulting Services, dated April 2019.
2. Topographic Survey prepared by Dearden and Stanton Ltd. dated April 17, 2019.
3. Sketch Plan prepared by Clark Consulting Services dated April 2019.
4. Sketch Plan with Topographic Survey and Land Cover prepared by Clark Consulting Services dated April 2019.

Owner:	Mike Redmond Septic Service Ltd.
Applicant:	Bob Clark, Clark Consulting Services
Legal Description:	Part of Lot 22, Concession 7, Parts 1-3, Plan 57R-10704, geographic Township of Ops
Designation:	Highway Commercial within the City of Kawartha Lakes Official Plan
Zone:	Highway Commercial (CH) Zone in the Township of Ops Zoning By-law 93-30, as amended
Lot Area:	2.196 hectares (5.43acres)
Site Servicing:	Two Private Individual Sewage Systems and Municipal Water
Existing Uses:	Various Commercial/Automotive Businesses
Adjacent Uses:	North: Vacant Land, Commercial, Industrial East: Agricultural South: Agricultural, Commercial, Industrial West: Vacant Land, Industrial

## **Rationale:**

Staff recommends that the applications be referred back to Staff until such time as commenting Agencies and City Departments have submitted comments and concerns have been addressed.

## **Provincial Policies:**

### **Growth Plan for the Greater Golden Horseshoe (2017):**

The Growth Plan (GP) provides that growth should be directed towards settlement areas; utilize existing or planned infrastructure, and supports providing for a mixture of land uses. Intensification is also encouraged to facilitate the better use of municipal infrastructure.

The GP also encourages the more efficient use of existing underutilized employment areas.

The proposed development will provide for the more intensive use of employment lands within the Lindsay settlement area, contributing to the more efficient use of existing infrastructure within a designated settlement area and contributing to the achievement of complete communities and compact built form.

Therefore, these applications appear to conform to the policies of the Growth Plan.

### **Provincial Policy Statement (2014):**

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure.

Section 1.1.3 states that it is in the interests of all communities to: use land and resources wisely, promote efficient development patterns, protect resources, promote green spaces, and ensure the effective use of infrastructure and public service facilities.

Section 1.1.3.1 and 1.1.3.2 further states that settlement areas are to be the focus of growth and development and their vitality and regeneration shall be promoted. Land use patterns to accomplish this vitality and regeneration are to be based on ideas such as providing for a density and mix of uses, and to explore opportunities for intensification and redevelopment of land.

Section 1.1.3.6 outlines the need to have development occur adjacent to existing built-up areas that also allows for the efficient use of land and public services.

Section 1.3 promotes the development and vitality of employment areas to meet the long term needs to the community, provide for a diversified economic base and encourage more compact development.

Further comments from the relevant Department and Agencies are required to demonstrate that these applications are consistent with the PPS.

### **Official Plan Conformity:**

The subject property is designated Highway Commercial within the City of Kawartha Lakes Official Plan (Official Plan).

The intent of the Highway Commercial policies is to accommodate small commercial activities located along arterial roads. Such locations provide convenient access and exposure for customers.

Due to these locations, anticipated commercial uses are oriented towards automobile services, convenience retail, retail which requires large outdoor storage space and accommodations for travelers.

An amendment has been submitted to introduce a special provision that would permit a self-storage facility use within the designation. Such storage establishments are currently anticipated within the Industrial designation.

Further comments from the relevant Department and Agencies are required in addition to further staff analysis to demonstrate that the Official Plan should be amended.

### **Zoning By-Law Compliance:**

The subject land is zoned Highway Commercial (CH) Zone in the Township of Ops Zoning By-law 93-30. The applicant has submitted a Zoning By-law Amendment application for consideration which proposes to rezone to a Highway Commercial Exception Zone to allow for the additional use of a self-storage facility business.

Further comments from the relevant Department and Agencies are required in addition to further staff analysis to demonstrate that the Zoning By-law should be amended, and to establish what specific provisions may need to be included within the draft zoning by-law amendment.

### **Other Alternatives Considered:**

No other alternatives have been considered at this time.

### **Financial/Operation Impacts:**

There are no financial/operational considerations unless Council's decision to adopt or its refusal to adopt the requested amendments 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:**

The Council Adopted Strategic Plan 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 goal as it would add to the number of operating businesses within the City.

## **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility implications for the City. The accessibility standards established in the Building Code will be shown on the subsequent construction drawings through the site plan approval process, which must be approved by the City prior to the issuance of a building permit.

## **Servicing Comments:**

The property is serviced by two sewage systems and municipal water.

## **Consultations:**

Notice of this application was circulated to persons within a 120 metre radius, agencies, and City Departments which may have an interest in the application. To date, we have received the following comments:

### **Agency Review Comments:**

On September 17, 2019, the Engineering and Corporate Assets Department advised that a site layout will be required as part of the site plan circulation. Their office also confirmed that the municipal service connection process is underway.

On September 16, 2019 the Building Division advised that they have no concerns with the proposal.

On September 24, 2019 the Alderville First Nation advised that the project will not have any impact on them as it is not within their treaty area.

On September 25, 2019, Enbridge Gas Distribution advised they do not object to the proposed applications and reserve the right to amend or remove development conditions.

## **Development Services – Planning Division Comments:**

The applications for Official Plan Amendment and Zoning By-law Amendment appear to conform to the Growth Plan; however further confirmation from relevant Departments and/or Agencies and staff analysis is required to demonstrate that the applications conform or are consistent with applicable

policy. The appropriate documentation in support of the applications have been submitted and circulated to the appropriate agencies and City Departments for review and comment. At this time, comments have not been received from all circulated agencies and City Departments. Therefore, Staff recommends the applications be referred back to staff until such time as commenting agencies and/or City Departments have submitted comments, any concerns have been addressed, and a full analysis of the proposal concluded.

### **Conclusion:**

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Official Plan Amendment and Zoning By-law Amendment applications 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 agency and public comments and concerns have been addressed.

### **Attachments:**

Appendix 'A' – Location Map



Appendix A to  
PLAN2019-056.pdf

Appendix 'B' – Sketch



Appendix B to  
PLAN2019-056.pdf

Appendix 'C' – Aerial Photograph



Appendix C to  
PLAN2019-056.pdf

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**Department Head:** Chris Marshall, Director of Development Services

**Department File:** D01-2019-002 and D06-2019-023