

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 1853896 Ontario Inc.
Report Number COA2020-015

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 5 – former Town of Lindsay

Subject: The purpose and effect is to request relief from:

1. Section 20.2 (d) to reduce the minimum exterior side yard setback from 12 metres to 10.9 metres in order to permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units; and
2. Section 5.5 (Special Setback Requirements) to reduce the minimum setback from an Arterial Road with a width of 20.12 metres or less from 15 metres to 12 metres to permit the construction of a new bank of storage units.

The variance is requested at 74 Colborne Street East, Town of Lindsay (File D20-2020-011).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-015 be received;

That minor variance application D20-2020-011 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2020-015, which shall be attached to and form part of the Committee's Decision;
- 2) **THAT** the Site Plan Amending Agreement for the subject property be executed and secured within eighteen (18) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused;

- 3) **THAT** the building construction related to this Minor Variance shall be completed within a period of twenty four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2020-015. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner of "All-Into-Storage" has made application for Site Plan Approval (File No. D19-2019-006) to increase the number of storage units on the property while recognizing the location of existing units and parking on the site. Upon reviewing the site plan application, it was determined that two reliefs are required to permit reduced exterior side yard and Arterial Road setbacks associated with the development.

The site currently contains two banks of storage units on the southern portion as well as a central bank of storage units running east-west in the middle of the property.

The application was deemed complete on February 11, 2020.

Proposal: To permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units

Owner: 1853869 Ontario Inc. c/o Steve Corley

Applicant: Beverly Saunders (EcoVue Consulting Services Inc.)

Legal Description: 74 Colborne Street East, Part Lot 1, Block PP, Plan 1, Parts 1 and 3, 57R-2210, former Town of Lindsay, Ward 5, now in the City of Kawartha Lakes

Official Plan: General Employment within the Town of Lindsay Official Plan

Zone: General Employment Special Exception Seven (GE-S7) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 10,940 square metres (117,757.18 square feet)

Site Servicing: Municipal Water and Sanitary Systems

Existing Uses: Commercial (Mini-Storage)

Adjacent Uses: North: Sinister Creek, Industrial Uses
East: Vacant General Employment Lands
West: St. David Street, Vacant Employment Lands

South:

Residential, Colborne Street East

Rationale:

1) Are the variances minor in nature? Yes

And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is located within a neighbourhood containing a mix of employment lands and residential uses to the south. The applicant proposes to construct a new bank of mini-storage units on the southern portion of the site approximately 174 sq. m. in size as well as two other banks of mini storage units approximately 198 sq. m. and 145 sq. m. respectively. The existing gravel parking surfaces serving the existing and proposed units will remain. Some existing asphalt is present by the entrance from Colborne Street East and new asphalt is proposed at the St. David Street entrance.

The property also stores Recreational Vehicles (RVs) and trailers along the western portion of the site that is visible from St. David Street. These items will be relocated to facilitate the entrance and central bank of storage units, providing an overall aesthetic improvement to the site. The continued existence of the gravel parking lot and additional storage units are not anticipated to adversely impact the character of the neighbourhood.

The exterior side yard reduction will facilitate the construction of two new rows of mini-storage units. The proposal will enable the business to expand, while acknowledging the environmental constraints imposed by Sinister Creek in the northern majority of the property. Kawartha Conservation has no concerns with the proposed expansion, provided permits are obtained prior to the issuance of a Building Permit. Moreover, an additional entrance is proposed from St. David Street, which should alleviate any potential access or traffic volume concerns from the residences on the south side of Colborne Street East. The applicant will need to obtain an entrance permit for the St. David Street entrance as part of the Building Permit process. It is unlikely that the proposal will cause any incompatibility issues between the subject and the adjacent residential and industrial uses to the north.

Due to the above analysis, the variances are minor in nature and desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

The subject property is zoned "General Employment Exception Seven (GE-S7) Zone". The exception zone acknowledges a "mini-storage warehouse" as a permitted use and removes the requirement for loading spaces associated with a mini-storage warehouse.

The zoning by-law requires a 12 metre exterior side yard setback for buildings and structures. The proposed 10.9 metre setback accounts for the existing configuration of the mini-storage units as well as the continuity of the of the

proposed northern row of units, maintaining appropriate spatial separation and considering accessibility for larger vehicles like RVs and trailers. Any landscaping requirements will be addressed through the site plan approval process. A condition is recommended to ensure that the Site Plan Amending Agreement is executed.

The zoning by-law also requires a 15 metre setback from Arterial Roads (Colborne Street East) with a width of 20.12 metres or less. The requested 12 metre setback continues the established building line of the existing southern storage units. Moreover, there are no impacts posed to the requisite 3 metre landscape strip along the width of the front yard setback identified in Section 20.3.10 iii) of the zoning by-law. No adverse massing impacts from the addition to or recognition of the existing southern storage units are anticipated.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

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

Yes

The subject lot is designated "General Employment", which permits a variety of retail establishments that serve the travelling public, including mini-storage establishments.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

This lot is within the Lindsay municipal service area.

Consultations:

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

Agency Comments:

Kawartha Region Conservation Authority (KRCA)(March 6, 2020): No concerns
Engineering and Corporate Assets Department (July 6, 2020): No concerns.

Public Comments:

No comments as of July 6, 2020.

Attachments:



Appendices A-D for
Report COA2020-01

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Department and Agency Comments

Phone:	705-324-9411 extension 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-011

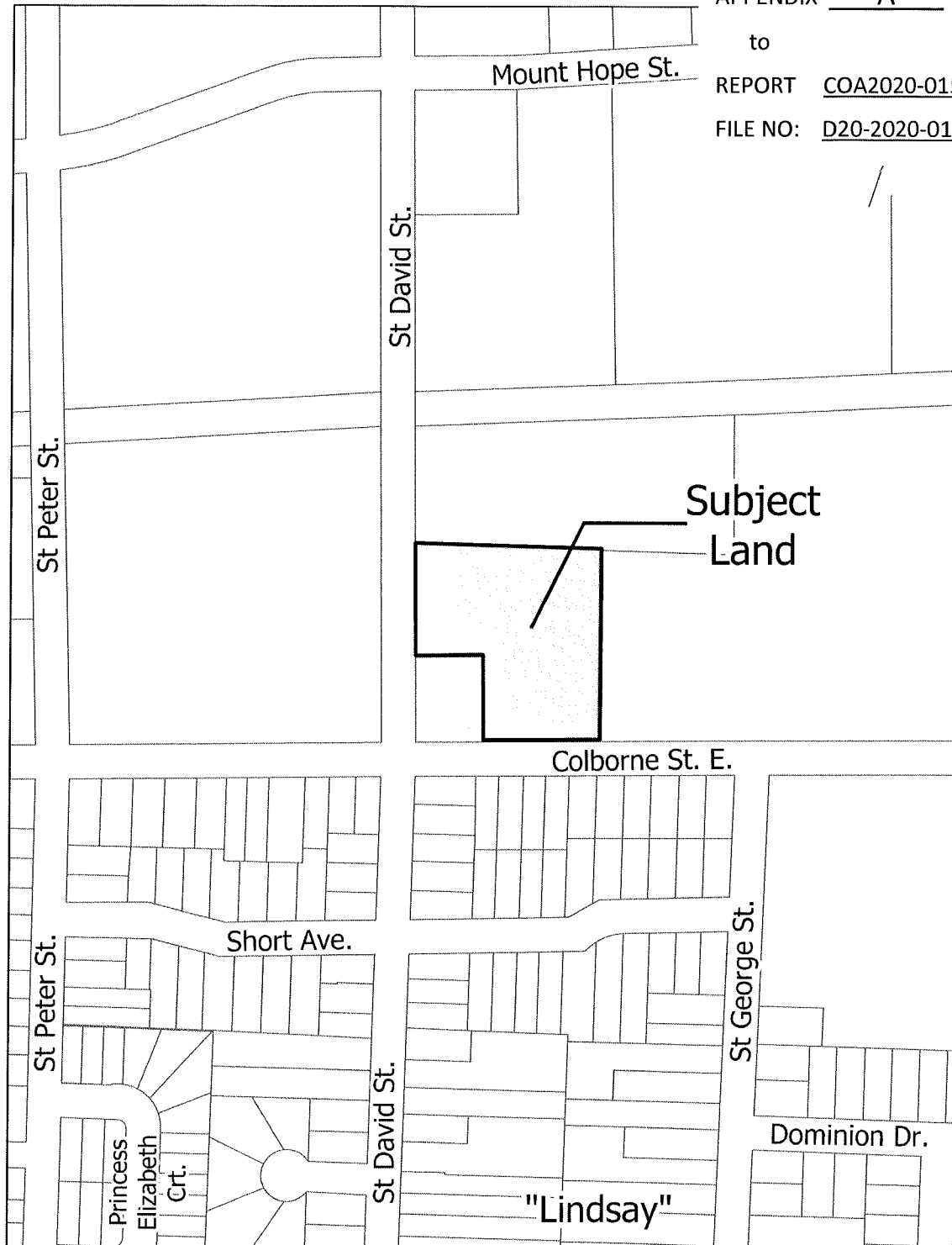
D20-2020-011

APPENDIX " A "

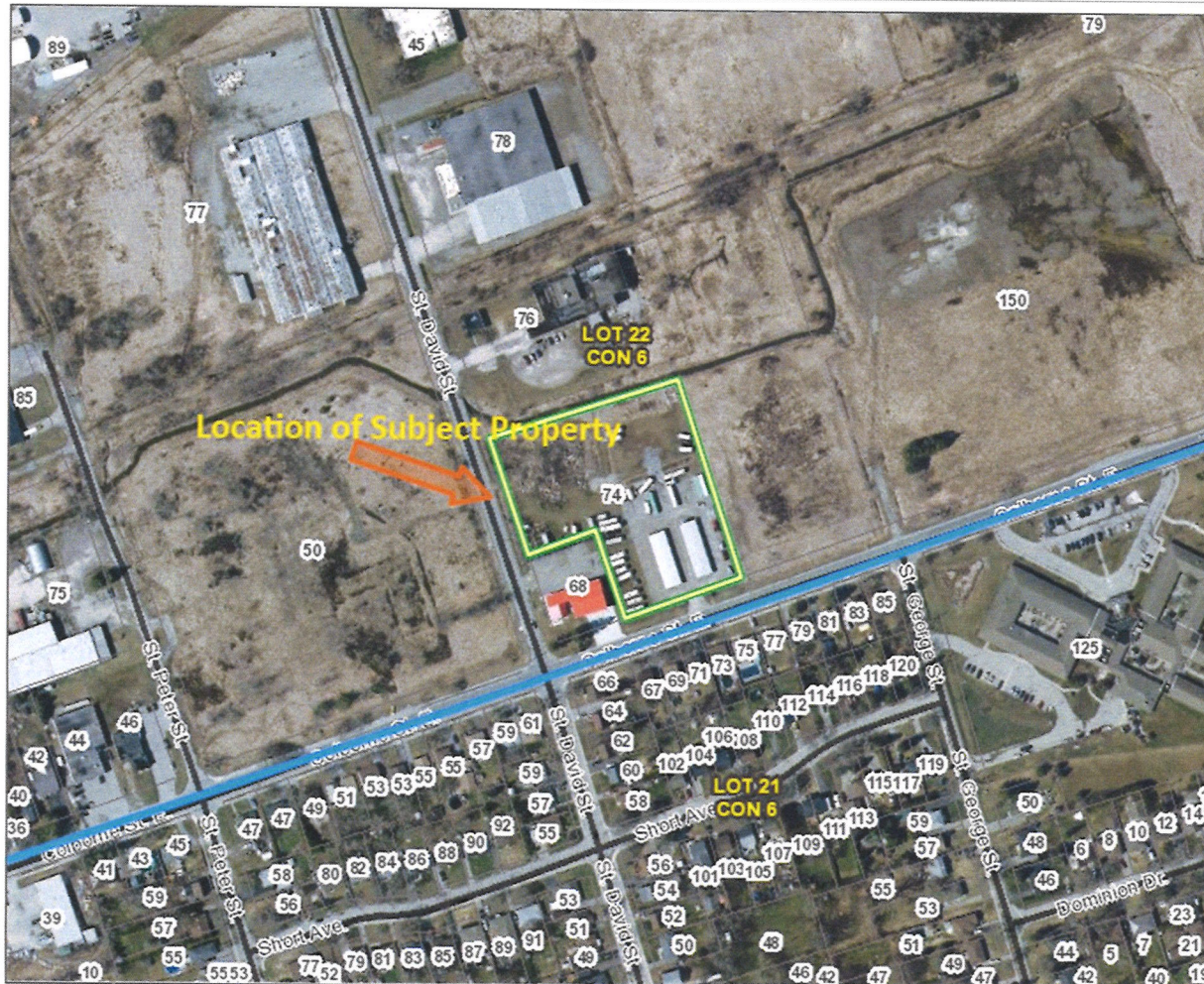
to

REPORT COA2020-015

FILE NO: D20-2020-011



74 Colborne Street East, Town of Lindsay



0.22 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions
- ☐ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

Notes

REPORT COA2020-015
FILE NO: D20-2020-011

APPENDIX " B "

APPENDIX " C "

to

REPORT COA2020-015

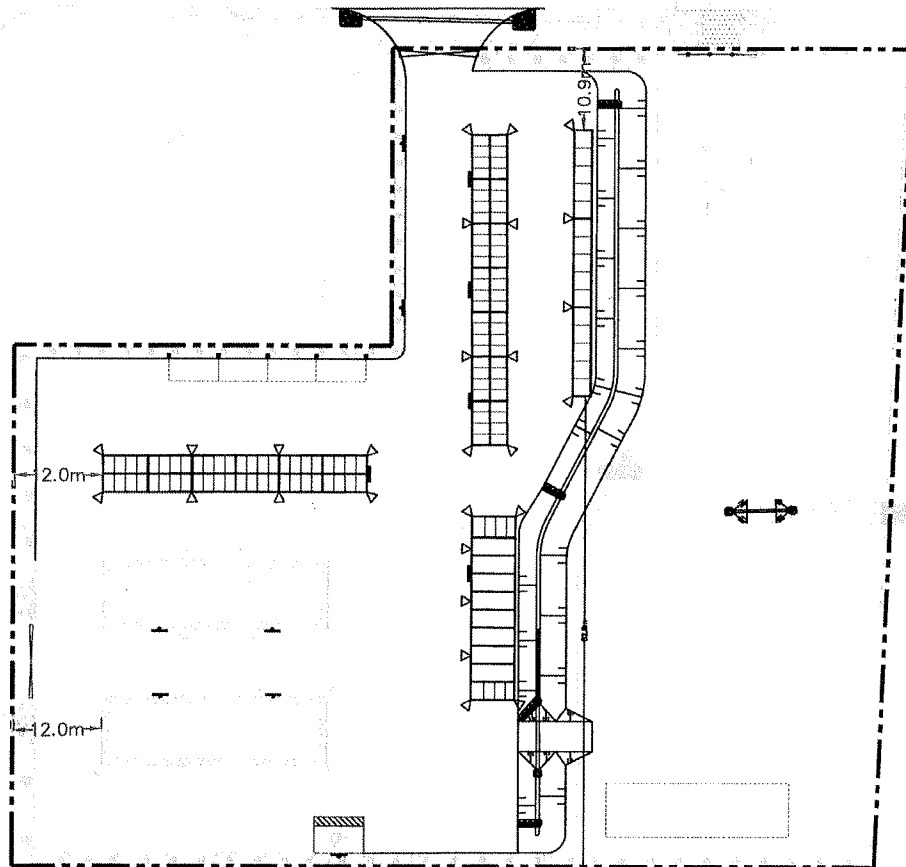
FILE NO: D20-2020-011



ST. DAVID STREET

COLBORNE STREET EAST

SINISTER CREEK



PROJECT NO: 19-1972

DATE: February 10 2020

HORIZ. SCALE: 1:800

Minor Variance Sketch

All Into Storage

74 Colborne Street East,
City of Kawartha Lakes

Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:40 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-011 - Engineering review

APPENDIX " D " to
REPORT COA-2020-015
FILE NO. D20-2020-011

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-011
74 Colborne Street East
Part Lot 1, Block PP, Plan 1, Parts 1 and 3, 57R-2210
Former Town of Lindsay, Ward 5

It is the understanding by Engineering that the purpose and effect is to consider relief from:

1. to reduce the minimum exterior side yard setback from 12 metres to 10.9 metres in order to permit the construction of a new bank of storage units associated with an existing mini-storage establishment and recognize the location of existing mini-storage units; and
2. to reduce the minimum setback from an Arterial Road with a width of 20.12 metres or less from 15 metres to 12 metres to permit the construction of a new bank of storage units.

From an engineering perspective, we have no objection to the proposed Minor Variance.

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



KRCA File NO: PPLK-9990

Via Email - ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
D20-2020-011
74 Colborne Street East, Town of Lindsay
1853896 Ontario Inc.**

Dear Ms. Crockford-Toomey,
Kawartha Conservation has completed review of the above noted Application for Minor Variance, submitted by Ecovue Consulting Services Inc. on behalf of 1853896 Ontario Inc. c/o Steve Corley. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards. Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-011 is to seek relief from Town of Lindsay By-law No. 2000-75 to reduce the front yard setback from the required 15m to 12m, and the reduce the exterior yard setback from the required 12m to 10.9m.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following:

Natural Heritage Features:

- Sinister Creek

Kawartha Conservation regulates 15m from the top of bank of Sinister Creek.

Natural Hazards:

- Flooding

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

- Erosion

Kawartha Conservation regulates the flooding hazard associated with Sinister Creek.

Water Resources:

The subject property is within the Sturgeon Lake Management Plan boundary.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Provincial Plans:

The policies of the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe (May, 2019) apply to the subject property. Staff are of the opinion that the application conforms to the natural heritage, natural hazard and water resource policies of these documents.

Recommendation:

Kawartha Conservation has no objection to the approval of D20-2020-011, based on our consideration for natural heritage, natural hazards, and water resources.

I trust this meets your information requirements at this time. should you have any questions, please contact the undersigned.



Page 3 of 3
March 6, 2020

Sincerely,

Erin McGregor

Resources Planner Technician
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering

KAWARTHA CONSERVATION

277 Kenrei Road, Lindsay, ON K9V 4R1

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