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Memo

To: Jonathan Derworiz
Planner II

Subject: Responses to public comments

File: D01-2020-009 and D06-2020-028
689 Cottingham Rd Official Plan and Zoning By-law Amendment

Date: March 22, 2021

Please find attached responses to public comments received as part of the above referenced project. Similar comments have been grouped below in order to provide a consistent response. It should be noted that a number of comments contained information that was inaccurate. In order to provide appropriate context, the following should be noted:

- The portion of the property subject to this application is less than 1% of the property (approximately 0.5 acres). There is no change in zoning requested for the remainder of the subject property.
- The Traffic Study Report confirmed that the increase in traffic associated with this proposal would be negligible as it relates to current traffic on Cottingham Road.
- The Agricultural Impact Assessment confirms that the proposed project meets the Minimum Distance Separation formula and concludes that the proposed project will have minimal impacts to the farming community.

The following table provides an overview of the comments received, followed by responses from the project team:

Comment	Response
Condition of Cottingham Road	
Cottingham Rd is a township back road not designed for commercial traffic.	The Traffic Study Report found that the traffic from the planned trailer sales facilities will have little impact on the Cottingham Road corridor.
The condition of Cottingham Road is poor now, this increase traffic will make it worse.	Based on the calculations undertaken as part

<p>Cottingham Road is full of pot holes, this type of traffic will make the road worse, it was not designed for this type of traffic.</p>	<p>of the study the business would generate approximately 2.5 customer trips per day, with an additional 2 to 4 trips for parts and deliveries to the site. This would have little impact to Cottingham Road, where, based on 2020 traffic counts (adjusted for Covid-19 restrictions), it is estimated to have an Average Daily Volume (ADT) of about 300 vehicles per day. An additional 6.5 trips to 10 trips at full capacity, would have a negligible overall impact to the condition of Cottingham Road.</p>
<p>Parking on Cottingham Road</p>	
<p>The property in question is situated near the Trans Canada Rail Trail and there is a major problem in this area with vehicles parked along the side of the road.</p>	<p>Although we understand there is an issue with people parking on Cottingham Road at the trail entrance to access the Trans Canada Rail Trail, parking is not allowed at the subject property entrance. The proponent cannot be held responsible for cars that are parked on Cottingham Road. Also, there is sufficient parking available on the subject lands for customers.</p> <p>The business is planned to be open from 9 to 5 during weekdays and only by appointment on weekends. Deliveries to the site would take place during regular business hours. It is anticipated that fewer parked cars would be located on the road during these hours of operation.</p>
<p>Increase to traffic on Cottingham Road</p>	
<p>There will be an increase to traffic on Cottingham Road, a quiet rural road that should not be used for a business.</p> <p>There are no sidewalks on Cottingham Road, this means people/kids walk/bike on the road, this increase in traffic will be dangerous.</p> <p>This will have a negative impact to the amount of traffic that uses Cottingham Road.</p>	<p>The increase in traffic on Cottingham Road will be negligible. As indicated in the Traffic Study Report, there are currently approximately 300 vehicles per day on Cottingham Road. The additional traffic associated with this business will likely generate, at the highest peak level, an additional 10 trips of traffic during the PM peak hours. This would include any deliveries, customer visits and owner related trips from the site. The business will only be open during regular business hours, visits on weekends would be scheduled on a one-on-one basis and would be limited.</p>
<p>Safety Issues turning on Hwy 7</p>	
<p>This will increase the traffic turning left on</p>	<p>As indicated in the Traffic Study Report, there</p>

Hwy 7, which is already very dangerous.	would be approximately an additional four trips from the west of Cottingham Road to the site at the peak PM hour. This would not create any traffic issues on Hwy 7.
Entrance safety	
The entrance is not safe for trucks.	As part of the Traffic Study report the entrance was evaluated. The report concluded that the existing entrance radii will safely accommodate future vehicular traffic entering/existing the study site.
Safety issues at the Trail, pedestrian/bikes	
The bike/pedestrian path will cause a safety issue.	As indicated in the Traffic Study Report the sight lines at the entrance will not create a safety hazard for the bike/pedestrian path.
Notification	
<p>The notification for the applications were not posted in the appropriate location (along Hwy 7).</p> <p>No official notice was received by neighbours for this application.</p> <p>Notification was received during a pandemic and over the Christmas holiday season, therefore, there was no time to react individually or as a community.</p>	<p>Notification for Official Plan Amendments and Zoning By-law amendments are established by the City of Kawartha Lakes. The proponent followed the instructions for notification provided by the City.</p> <p>The notice was appropriately posted at the entrance for the property and for the proposed on-farm diversified use.</p>
Precedent Setting	
If the City were to permit prime agricultural lands to re-zoned for these commercial uses, it should be considered precedent setting for all other such applications with similar characteristics.	<p>Official Plan Amendments and Zoning By-law Amendments are not precedent setting approvals. Any other <i>Planning Act</i> applications for property in and around the subject property would be evaluated based on the individual applications.</p> <p>Furthermore, the proposed on-farm diversified use is no located on prime agricultural lands.</p> <p>That said, we certainly encourage that the City accept and promote on-farm diversified uses within prime agricultural lands (as permitted and encouraged by the Province).</p>
Environmental Concerns	
<p>Are provincially significant wetlands located on the property?</p> <p>The watercourse on the site will be impacted.</p>	<p>There is a Provincially Significant Wetland located within the northern portion of the subject lands, approximately 173.52 metres north of the development area. This is well outside the required setbacks for PSWs.</p>

	Correspondence with the Kawartha Region Conservation Authority (KRCA) has been included in the Planning Justification Report. They have no issues with the proposed OPA and ZBA.
Noise, fuel fumes that accompany this type of operation will produce an environmental impact to this area.	All environmental regulations for fuel fumes and the City of Kawartha Lakes noise by-law would have to be adhered to at the site.
Size of the area to be used for business	
The application states that only 32 trailers will be stored on for sale on the subject lands. Why would the whole property be rezoned when 32 trailers would require only 1-2 acres at most? Who will regulate the number of trailers on the property and is the City prepared to send by-law enforcement out when neighbours see this number exceeded? What fines would be imposed if the number exceeds 32?	The application will only redesignate and rezone a portion of the property: 0.5 acres, or approximately 1% of the property. The remainder of the subject property will not be redesignated or rezoned. As with any property in the City of Kawartha Lakes, violations to zoning are enforced through By-law enforcement. The City has the right to issue fines under the <i>Planning Act</i> .
The application states access will be from Cottingham Rd. but I believe the plan will be to have units visible along the Highway 7 portion of said property thus why they want to re-zone the whole property.	The entrance to the business will be from Cottingham Road. There are no plans to access the property from Hwy 7. This application is to rezone 0.5 acres of the property. Furthermore, the proponent cannot store or display trailers outside of the specific area identified for the on-farm diversified use (0.5 acres beside the existing barn).
When the subject lands were for sale by the previous owner, a 3rd party went to planning and asked about re-zoning the Hwy 7 or north end of the property to commercial. At that time they were told that this was prime agricultural land and re-zoning was not possible. Also they said the MTO would not permit a commercial entrance off the highway at the said location. What has changed?	The applicant is not pursuing an entrance from Hwy 7. We cannot speak to previous applications; this application is to continue to use the current access from Cottingham Road. We can confirm that the portion of the lands adjacent to Hwy. 7 is designated Prime Agricultural, as opposed to the portion adjacent to Cottingham Road, which is designated Rural.
Impact to farming in the area	
There will be a loss of agricultural lands.	As outlined in the Agricultural Brief and Minimum Distance Separation Review, the re-zoning application represents 0.5 acres of the current property. The business will run as an ancillary use to the farming activities on the site. The amount of land to be removed as part of this application will not have a



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	negative impact to farming operations in the area.
Number of other similar businesses in the area	
RV sales locations already exist in the area, do not need another one. There isn't a need for another RV sales location in the area	The number of RV businesses in the area is outside the scope of these applications. The proponent believes that locating the business at his property on Cottingham Road will provide sufficient revenue to allow him and his son to supplement their current farming practice. The proponent is not required to demonstrate if his business will be competitive.
Rural lifestyle should not include a trailer business	
Neighbouring property owners are also objecting to this application. They do not want to look out across a parking lot of recreational vehicles in this rural region.	The area that is subject to this application is close to the existing building on the site, as outlined in the concept plan. Trailers will be stored only in the area that is redesignated and rezoned. This portion of the site is only 0.5 acres and will be located behind the existing agricultural building.

We trust that this addresses comments received on the submitted application. Should you have any questions regarding the information presented in this memo please do not hesitate to contact me.

Yours sincerely,

ECOVUE CONSULTING SERVICES INC.


J. Kent Randall, B.E.S., MCIP, RPP
Principal Planner

