

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – W.M.T. Naylor Holdings Inc.
Report Number COA2020-048

Public Meeting

Meeting Date: November 26, 2020
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 provisions in order to permit the construction of a one storey boat storage building:

1. Section 3.14.1.2 to reduce the required number of parking spaces for a 'marina, dry-land' use from 233 spaces to 50 spaces; and
2. Section 3.14.2.1 to reduce the minimum number of loading spaces for a building with a floor area greater than 2,001 square metres from two (2) to zero (0).

The variance is requested at 19 Naylor Road, geographic Township of Fenelon (File D20-2020-040).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-048 W.M.T. Naylor Holdings Inc., be received;

That minor variance application D20-2020-040 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 COA2020-048, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the Site Plan Amending Agreement for the subject property be executed and secured within twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2020-048. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The City was approached by the applicant regarding a proposal to construct a indoor, heated, boat storage facility on the subject lands. In order for the project to proceed, an amendment to the existing site plan agreement would be required. During preliminary consultation, it was recognized that relief would be required in order to reduce the number of parking and loading spaces required for the facility in accordance with the provisions for a 'dry-land marina' as defined under the Township of Fenelon Zoning By-law 12-95.

The application was deemed completed on November 6, 2020.

Proposal: To construct a new 4,645.15 square metre (50,000 square feet) indoor boat storage facility with a proposed fifty (50) parking spaces including three (3) accessible spots and zero (0) loading spaces. There will be no office space within the proposed building.

Owner: W.M.T. Naylor Holdings Inc.

Applicant: Emma Drake (D.M. Wills Associates Limited)

Legal Description: 19 Naylor Road, Part Lot 7 East Highway 35, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Rural and Environmental Protection (following Watercourses within the eastern portion of the site) and Significant Woodlands within the City of Kawartha Lakes Official Plan

Zone: Highway Commercial (C2) Zone, Rural General (A2) Zone, Agricultural Exception 23 (A1-23) Zone, and Agricultural (A1) within the Township of Fenelon Zoning By-law 12-95

Site Size: 29.46 Hectares (72.8 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Boat docking and lift manufacturing facility, showroom and office, vehicle storage and salvage yard (east)

Adjacent Uses: North, South, West: Agricultural, Highway 35, Rural Residential
East: Salvage yard, Indoor vehicle storage, Agricultural, Rural Residential

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 situated along the Highway 35 corridor immediately south of the Hamlet of Cameron. The specific parcel contains several uses including a boat docking equipment manufacturing facility and associated showroom, an indoor vehicle storage facility and salvage yard. The vast majority of the eastern half of the property remains vacant and contains patches of forest and several watercourses. Rural residential properties appear to surround the site.

The location of the proposed boat storage facility is in the northwest corner of the site and will be situated on flat land that has been filled with gravel. Fencing exists around the western and northern property lines and was being installed on the eastern boundary of what appeared to be the eastern limit of the Highway Commercial Zone upon conducting a site visit. According to the Site Plan provided (see Appendix C), a six metre vegetative buffer will be preserved surrounding the perimeter of the site. Noteworthy is the fact that the building complies with all other provisions of the Zoning By-law and no adverse massing impacts are anticipated as a result.

The indoor storage market is ever-expanding within the City. The indoor, heated boat storage facility will accommodate up to 150 watercraft and provide a desired service locally. With the proposal only involving the storage of boats, no repair or sale deliveries are anticipated; thus, limiting traffic and noise disturbances. Through correspondence with the owner, drop-off and pick-up times will be no later than 5 pm and will operate on an appointment-only basis. Customers will wait in a designated parking area, while a staff member retrieves their boat, similar to a 'valet service'. No 'self storage' of boats will occur. All payments will be coordinated through the existing showroom office with access to the site occurring from the existing entrance from Naylor Road, preventing traffic impacts along Highway 35. No new entrances are proposed through the application.

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 proposed building would be situated within the Highway Commercial (C2) zoned section of the subject property. Parking and loading provisions for a use classified as 'dry-land marina' in the Township of Fenelon Zoning By-law typically require 1 parking space per 20 square metres of gross floor area and two (2) loading spaces, if a building is larger than 2,001 square

metres in size. Given the proposed gross floor area of the facility, the By-law would typically require 233 parking spaces and 2 loading spaces.

The proposed building functions more as a storage facility than a retail/service use. A similar 'dry, light industrial storage' use would only require 1 parking space per 100 square metres of gross floor area resulting in a required 47 spaces, for comparison. Of the 50 parking spaces proposed, 25 are regular parking spaces, 25 are oversized to accommodate vehicles with trailers and 3 are accessible. Given the fact that appointments are required to pick-up and drop off items, the overall parking requirements are significantly diminished and the traffic to the site is rather transient in nature. The proposed reduction in parking standard is appropriate in this situation.

With respect to the required loading spaces for the facility, since the only goods to be stored within the building are boats and associated trailers, no shipping and receiving of goods typically associated with manufacturing will occur. As no incoming or outgoing deliveries are proposed aside from the boats, the variance from two loading spaces to none is considered appropriate.

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 property is designated Rural and Environmental Protection (Watercourses identified in the eastern portion of the site) and Significant Woodlands within the City of Kawartha Lakes Official Plan. The Official Plan permits commercial uses within the Rural designation provided adequate off-street parking can be accommodated and traffic movement will not be impacted. The quantity of parking spaces is considered adequate to facilitate the use as demonstrated in the aforementioned rationale and traffic to the site is being directed through the existing entrance from Naylor Road. As mentioned previously, no new entrances are proposed as part of the project.

The proposed development is greater than 120 metres from the watercourses and Significant Woodlands; therefore, no impacts to the natural heritage features are anticipated through the application.

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

Other Alternatives Considered: No alternatives have been considered at this time.

Servicing Comments: The property is serviced by private water supply and private septic system.

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

Agency Comments:

Engineering and Corporate Assets Division (November 17, 2020): No objections.

Building Division (November 13, 2020): No concerns.

Part 8 Sewage Systems (November 9, 2020): No concerns

Public Comments: No comments have been received as of November 18, 2020.

Attachments:



Appendices A-D for
COA2020-048.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plan)

Appendix D – Department and Agency Comments

Phone: 705-324-9411 extension 1367

E-Mail: kstainton@kawarthalakes.ca

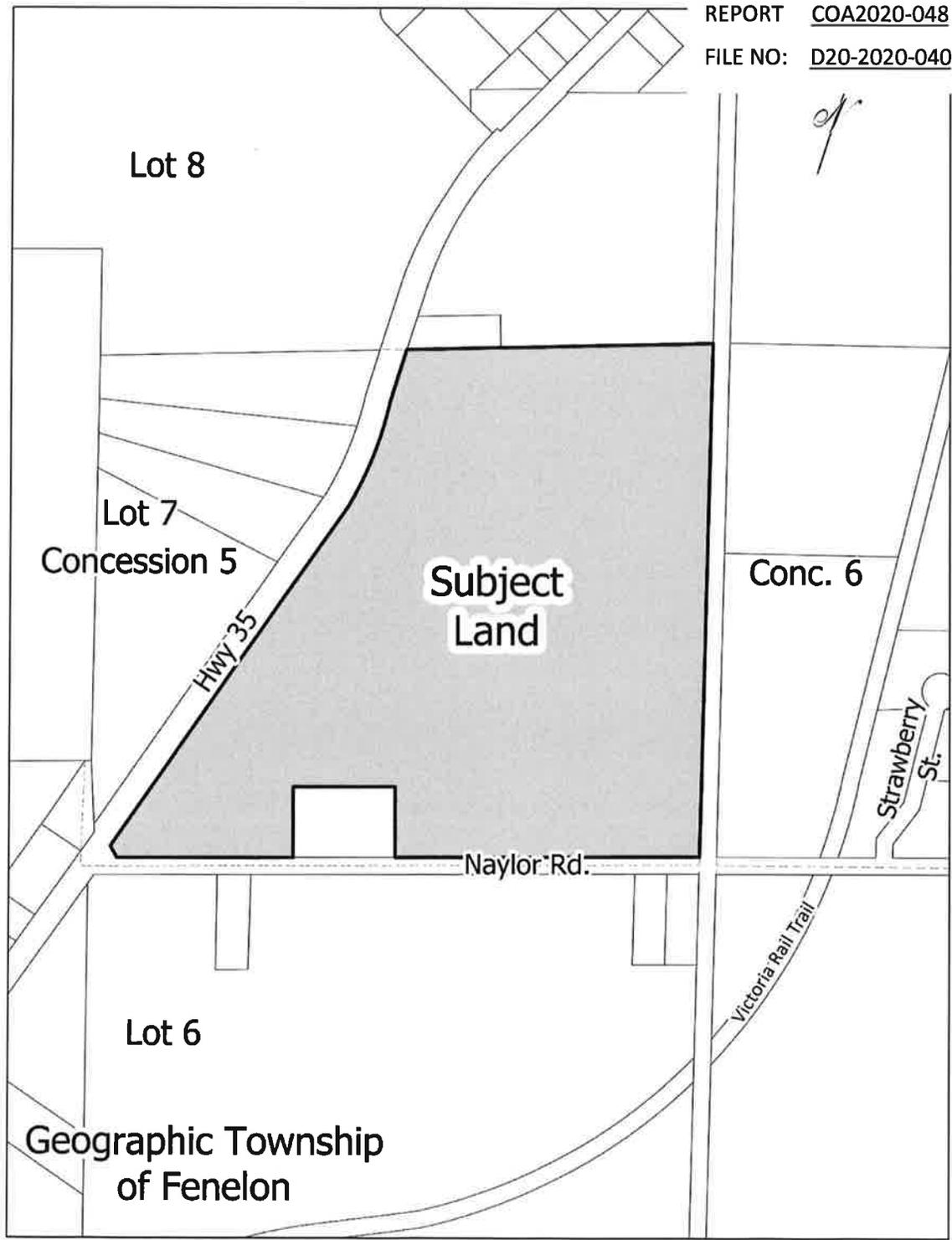
Department Head: Chris Marshall, Director of Development Services

Department File: D20-2020-040

D20-2020-040

APPENDIX " A "

to
REPORT COA2020-048
FILE NO: D20-2020-040



19 Naylor Road, Geographic Township of Fenelon



- Legend**
- Property Roll Number
 - Lots and Concessions
 - Lower Tier Municipalities

Notes
Notes

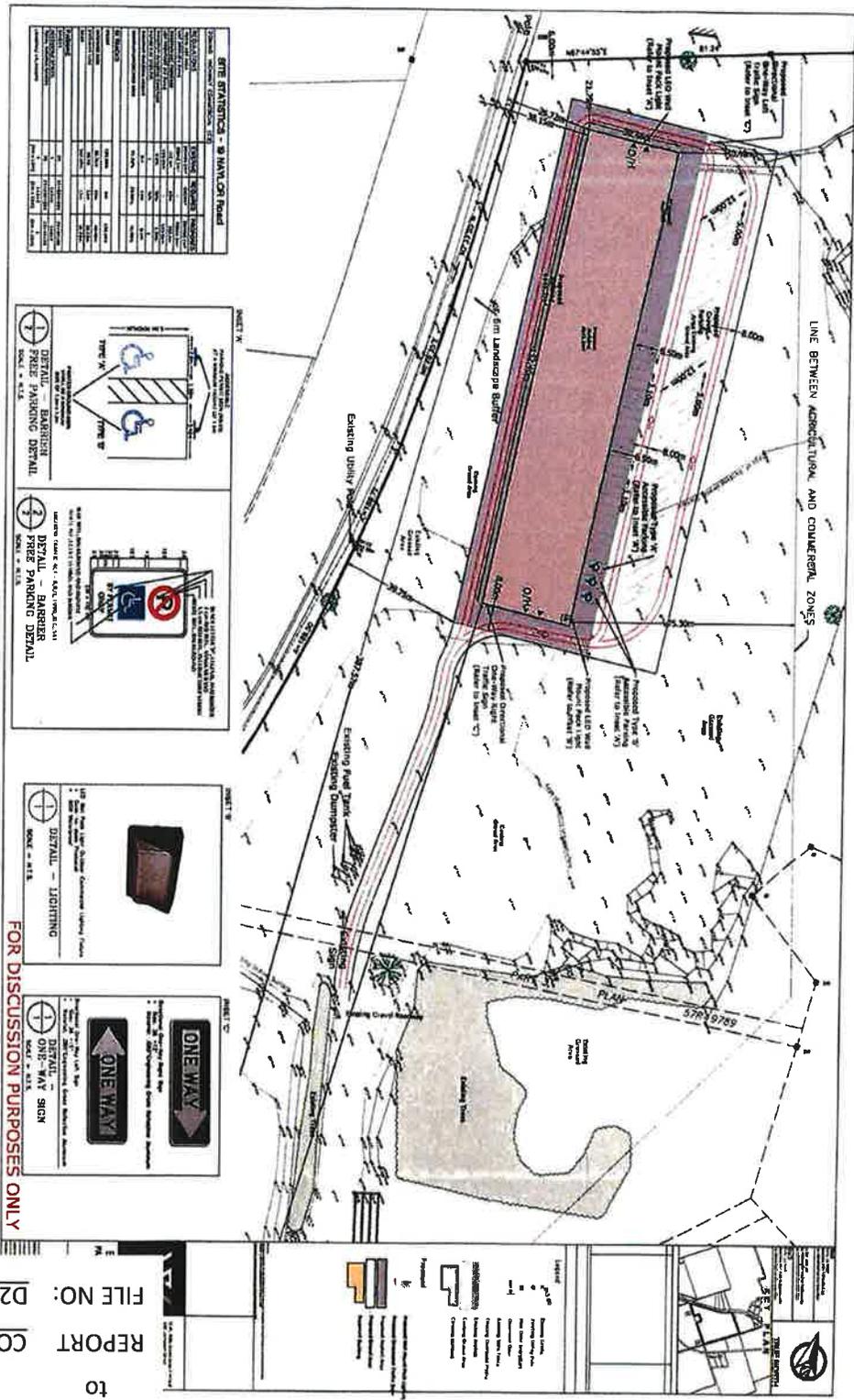
APPENDIX " B "
to
REPORT COA2020-048
FILE NO: D20-2020-040

0.45 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



to

Charlotte Crockford-Toomey

From: Mark LaHay
Sent: Tuesday, November 17, 2020 9:30 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201117 D20-2020-040 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX " D "
to
REPORT COA2020-048
FILE NO. D20-2020-040

FYI - file

From: Kim Rhodes <krhodes@kawarthalakes.ca>
Sent: Tuesday, November 17, 2020 8:05 AM
To: Mark LaHay <mlahay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Benjamin Courville <bcourville@kawarthalakes.ca>
Subject: 20201117 D20-2020-040 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-040
19 Naylor Road
Part of Lot 7 East Highway 35, Concession 5
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief to from the following provisions in order to permit the construction of a boat storage facility associated with a dry-land marina:

1. to reduce the number of off-street parking spaces required for a 'marina, dry-land' from 233 to 50 spaces;
2. to reduce the number of loading spaces required for a building with a floor area of 2001 square metres and over from 2 spaces to 0 spaces.

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



Kent Stainton

From: Derryk Wolven
Sent: Friday, November 13, 2020 3:35 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-040 19 Naylor

Follow Up Flag: Follow up
Flag Status: Flagged

Building has no concerns with the above noted application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes Building Division

Kent Stainton

From: Anne Elmhirst
Sent: Monday, November 9, 2020 10:28 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-040 - 19 Naylor Rd

Hello Charlotte,

I have received and reviewed the application for Minor Variance to request relief for the required parking and loading spaces for the proposed storage facility at 19 Naylor Road. The proposal is to construct a storage facility that will be used in conjunction with the existing manufacturing and retail components.

A letter outlining the project overview and operational assessment was provided by Wills, dated November 6, 2020. They indicate that the storage facility will not have public access and the office space component has been removed and will be conducted through the existing retail facility. In addition, the facility will be operated using the existing staffing component through an appointment based system.

As such, the Building Division – Sewage System Program has no concerns with the proposed minor variance request.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.