



Planning Advisory Committee Report

Report Number:	PLAN2024-010
Meeting Date:	February 7, 2024
Title:	Town of Lindsay Zoning By-law Amendment for Hamilton Street, Lots 51 to 57 and 64 to 66, Plan 137, Part of Robertson Avenue, Reg. Plan 137
Description:	To amend the Town of Lindsay Zoning By-law 2000-75 to permit the development of a self-storage facility
Type of Report:	Public Meeting
Author and Title:	Matt Alexander MCIP, RPP

Recommendations:

That Report PLAN2024-010, **Town of Lindsay Zoning By-law Amendment for Hamilton Street, Lots 51 to 57 and 64 to 66, Plan 137, Part of Robertson Avenue, Reg. Plan 137**, be received for information; and

That Report PLAN2024-010, Town of Lindsay Zoning By-law Amendment for Hamilton Street, Lots 51 to 57 and 64 to 66, Plan 137, Part of Robertson Avenue, Reg. Plan 137, be referred back to staff for processing until review of the technical studies has been completed.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The lands known as Hamilton Street, Lots 51 to 57 and 64 to 66, Plan 137, Part of Robertson Avenue, Reg. Plan 137 in the former Town of Lindsay are currently undeveloped and contain trees and shrubs. The property is designated as Urban Settlement Boundary Area under the City of Kawartha Lakes Official Plan (Official Plan). Under the Town of Lindsay Official Plan (Official Plan) and pending Secondary Plan (OPA 16), the property is designated as General Employment. The property is zoned General Employment (GE) Zone under the Town of Lindsay Zoning By-law.

Owner: 12867923 Canada Inc.

Applicant: EcoVue Consulting Services Inc. c/o Andrew Soave

Legal Description: Hamilton Street, Lots 51 to 57 and 64 to 66, Plan 137, Part of Robertson Avenue, Reg. Plan 137

Official Plan: Urban Settlement – City of Kawartha Lakes Official Plan
General Employment – The Town of Lindsay Official Plan and pending Secondary Plan for Lindsay (OPA 16)

Zoning: General Employment (GE) Zone – Town of Lindsay Zoning By-law 2000-75

Area: Approximately 0.71 hectares

Site Servicing: Municipal water, sanitary and storm sewer services

Existing Uses: Vacant

Adjacent Uses: North and East – Residential and Open Space
West – Residential and Community Facility
South – Employment

Rationale:

Proposal:

A Zoning By-Law Amendment was submitted to rezone the subject lands from General Employment (GE) Zone to General Employment Exception (GE-XX) Zone to provide a site-specific exception to add a self-storage facility as a permitted use on the subject lands.

The proposed facility will include one large building (Unit 1) with storage units that will be accessed from within the building. A smaller building (Unit 2) is to be located along the eastern lot line with units that will have external access. The proposal includes a gatehouse at the main entrance and an administration building near the rear of the property. Vehicular access to the site will be facilitated through ingress and egress gateways located on Hamilton Street. 17 standard parking spaces and one accessible space will be provided on site, with an emergency vehicle route proposed that will encircle Unit 1.

The following materials were submitted in support of this application:

- 1) Planning Justification Report, Dated June 20, 2023, Prepared by EcoVue Consulting Services Inc. This report provides a review of the proposed development and its alignment with the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, the City of Kawartha Lakes Official Plan, and the Township of Lindsay Zoning By-law 2000-75.
- 2) Draft Zoning By-Law Amendment Text, Dated June 22, 2023, prepared by EcoVue Consulting Services Inc.
- 3) Topographic Base Plan, Dated September 12, 2022, Prepared by IBW Surveyors.
- 4) Phase One Environmental Site Assessment, dated May 19, 2021, prepared by GHD Limited. The phase one environmental site assessment provides an overview of the activities undertaken to assess the current and historical conditions of the site and indicate if further investigation is required to evaluate the potential environmental liabilities because of the proposed development.
- 5) Phase Two Environmental Site Assessment, dated May 27, 2021, prepared by GHD Limited. The phase two environmental site assessment provides an overview of the onsite investigations into the subsurface conditions including soil and groundwater quality.
- 6) Traffic Impact Brief, dated March 17, 2022, prepared by Tatham Engineering Limited. This report examines the existing road network, traffic counts and potential impacts to the proposed, and surrounding road network as a result of the proposed development.
- 7) Site Servicing and Stormwater Management Report, dated June 2, 2023, prepared by Tatham Engineering Limited. This report examines the impact the proposed development will have on the site's run-off and sedimentation, and proposed mitigation measures and details how it will be serviced.
- 8) Hydrogeological and Geotechnical Investigations, dated January 25, 2022. This report examines the findings of the hydrogeological investigation to assess the subsurface soil and groundwater conditions within the proposed development area and evaluate potential impacts from the proposed development and related construction. The geotechnical investigation provides recommendations for the construction and design requirements for the proposed development."

- 9) Species at Risk Assessment, Dated January 14, 2022, prepared by GHD Limited.
This report discusses the findings of the Species at Risk (SAR) survey, conducted to determine compliance of the construction of a new storage facility on the property with the Endangered Species Act.
- 10) Concept Plan, dated March 2, 2022, prepared by EcoVue Consulting Services Inc.

Provincial Policy Conformity: A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):

In order to plan for growth and development in a manner that supports economic prosperity, protects the environment, and assists communities in achieving a high quality of life, the Ontario government prepared A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan).

Policy 2.2.1 prescribes growth management policies specific to settlement areas, directing growth to settlement areas that have existing or planned municipal water and wastewater systems and can support the achievement of complete communities. Policy 2.2.5.1 provides for the efficient use of existing employment areas and vacant and underutilized employment lands. Policy 2.2.5.7 provides that employment areas within settlement areas offer an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility. The applicant has submitted a Site Servicing and Stormwater Management Report in support of this application, the results of which conclude that the proposed development will have no negative impact with regard to stormwater management. Staff note that the technical review is still underway. The proposed storage facility will be developed on underutilized lands within a serviced employment area and is consistent with the objectives of growth management policies.

Policy 4.2.3 requires that new development or site alteration demonstrate that there are no negative impacts on key natural heritage features or function. The Species at Risk Assessment states that there is no habitat of a threatened or endangered species at risk and that no natural heritage constraints have been identified on, or adjacent to, the subject lands. Staff note that this Assessment is currently under review.

Following review of technical studies, staff will evaluate complete Growth Plan conformity.

Provincial Policy Statement, 2020 (PPS):

The Provincial Policy Statement, 2020 (PPS) sets the policy foundation for regulating development and land use planning in Ontario.

The subject lands are within the Urban Settlement Area of Lindsay. Settlement areas are intended to support a compact urban form and mixed uses. With regards to Policies 1.1.2 and 1.1.3.2 of the PPS, the application will facilitate a development that supports the

efficient use of land and infrastructure to permit an additional use within an employment area.

Policy 2.1.7 does not permit development and site alteration on land with habitat of endangered and threatened species, except in accordance with provincial and federal requirements. The applicant submitted a Species at Risk Assessment to ensure compliance with the Endangered Species Act. The Species at Risk Assessment states that there will be no negative effect on species at risk or their habitat as a result of the proposed development. This Assessment is currently under review.

Section 3.2.2 requires the assessment and remediation of sites with contaminants in land prior to any activity on the site related to the proposed use such that there will be no adverse effects. A Phase One and Phase Two Environmental Site Assessment was completed to investigate areas of potential environmental impact and found that there was a low level of concern from an environmental assessment perspective. This Assessment is currently under review.

Final PPS conformity will be determined once reviews of the technical materials are complete.

City of Kawartha Lakes Official Plan (2012)

The subject lands are designated as Urban Settlement in the City of Kawartha Lakes Official Plan. The subject lands are also located within the Lindsay Secondary Plan Area (OPA 16). However, the Secondary Plan is not yet in effect, awaiting repeal of the Lindsay OP. As such, the Town of Lindsay Official Plan applies to the subject lands.

The Urban Settlement area was established to manage growth through efficient land use and development. Sections 18.1, 18.2 and 18.6.3 of the Official Plan are satisfied as the proposed development will intensify uses that generate employment and can be serviced by planned and existing infrastructure and utilities. A Site Servicing and Stormwater Management Report has been submitted and is under review.

Once review of supporting materials is complete, staff will determine conformity with the City's Official Plan.

The Lindsay Secondary Plan is not currently in effect; however, its policies should be considered when evaluating this application. The Secondary Plan designates the subject lands "Employment". Section 31.2.3.3 states that, "the predominant use of land shall be a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, accessory uses such as parking garages or a residence for a caretaker". The proposed use of the subject lands for Self Storage is in keeping with the permitted uses within the Employment designation.

Town of Lindsay Official Plan

The Town of Lindsay Official Plan continues to be in effect and is applicable for this application.

The Town of Lindsay Official Plan designates the subject lands as "General Employment" on Schedule A – Urban Structure and "Area E Hamilton Street/Mary Street Area" on Schedule B – Community Development and Improvement. Section 4.3 notes that the primary use of the general employment designation shall be for a broad range of employment uses.

Section 4.4.3.1 and 4.4.3.2 of the OP notes that within the General Employment land use designation, the predominant uses of land shall be employment uses that require open storage of goods and materials such as manufacturing, processing and warehousing. The proposed development of a self-storage facility is generally consistent with a warehousing use.

Section 4.4.3.3 prescribes requirements for parking and landscaping within General Employment areas. The applicant is required to demonstrate how vehicles will access the property as well as a plan for off-street parking and loading facilities to support the permitted uses. To satisfy these requirements, the applicant has submitted a Traffic Impact Brief which is currently being reviewed. They have also provided a site concept plan which provides the layout of the proposed development, inclusive of off-street parking and loading facilities as well as a landscaped area that serves as a 3.0-meter buffer zone between the property and the surrounding area.

Further review of comments on technical studies are required before the Official Plan conformity can be determined.

Township of Lindsay Zoning By-law 2000-75

The property is currently zoned General Employment (GE) Zone which does not include a storage facility as a permitted use. The applicant proposes to rezone the subject lands to General Employment Exception (GE-XX) Zone to add a storage facility as a permitted use. The proposed building envelope meets the provisions of the Zoning By-Law as demonstrated in Table 1 below.

Table 1: Required and proposed zoning provisions.

Provision	Required (GE)	Proposed (GE-XX)
Minimum Lot Area	3000 m ²	Approximately 7000 m ²
Minimum Lot Frontage	45.0 meters	89.1 meters
Minimum Front Yard Setback (m)	12.0 metres	19.05 meters
Minimum Rear Yard Setback (m)	3.0 metres	3.0 metres
Minimum Exterior Side Yard Setback (m)	12 metres	14.35 meters
Minimum Interior Yard Setback (m)	4.0 metres	13.4 metres
Minimum Lot Depth (m ²)	60.0 m ²	79.1 m ²
Maximum Gross Floor Area (%)	200%	Maximum GFA of all buildings as a percentage of the lot area shall not apply
Maximum Building Height	10.5 meters	Less than 10.5 meters
Maximum lot Coverage for all buildings	50%	42.3%

The proposed use is appropriate within the General Employment Zone. Further review of the internal operation of the site, including parking requirements, is required before a final zoning by-law amendment can be brought forward for approval.

Other Alternatives Considered:

No other alternatives have been considered.

Alignment to Strategic Priorities:

In line with the Strategic Priority of a Vibrant and Growing Economy, the proposed amendment would facilitate the development of new commercial businesses within the urban settlement area.

Practice of the Strategic Priority of Good Government is conducted through this application as Staff continue to evaluate applications diligently and promote continuous improvement in all steps of the land use planning process.

Financial/Operation Impacts:

There are no financial or operational impacts pertaining to the proposed amendments. Costs would be incurred in the event of an appeal to the Ontario Land Tribunal of the decision made by Council.

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. Development Services - Building and Septic Division- Part 8 Sewage Systems, City of Kawartha Lakes Fire Rescue Service, and the Ministry of the Environment, Conservation and Parks, raised no concerns as a result of the circulation. NAV Canada was circulated due to the subject lands proximity to the Kawartha Lakes Municipal Airport, however they were unable to provide comments due to the absence of final building elevations.

One member of the public submitted questions regarding the application, seeking information on the following topics: the size of the rental storage units, the size of the main building, height in storeys, site access controls, the hours of operation, and the number of entrances and exits. These details have not been provided as part of the application submission.

Development Services – Planning Division Comments:

The proposed development of the subject lands has merit from a land use and policy perspective while noting that technical reviews are underway. The application is generally consistent with the Provincial Policy Statement and generally conforms with the Growth Plan. It generally conforms with the policies of the City of Kawartha Lakes Official Plan, the Lindsay Secondary Plan, and the Town of Lindsay Official Plan.

With the exception of the proposed use, the proposed development complies with the Town of Lindsay Zoning By-law.

Conformity with the PPS, Growth Plan and Official Plan will continue to be evaluated while comments from reviewing agencies are received.

Conclusion:

Staff respectfully recommends that the application to rezone Hamilton Street be referred back to staff until technical reviews have been completed and comments from all agencies and departments have been addressed.

Attachments:

Appendix 'A' – Location Plan



Appendix A_Location
Map.docx

Appendix 'B' – Aerial Photo



Appendix B Aerial
Photograph.docx

Appendix 'C' – Concept Plan



Appendix C Concept
Plan.docx

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Department Head: Leah Barrie, Director of Development Services

Department File: D06-2023-031