



Planning Advisory Committee Report

Report Number: PLAN2024-055

Meeting Date: October 9, 2024

Title: Official Plan Amendment & Zoning By-law Amendment, 4544 Highway 35 (57R-6073 Part 1; 57R-7996 Part 1; Part of Lot 14 Concession 7, Geographic Township of Fenelon), Michael Thibert (EcoVue Consulting Services Inc.)

Description: Amendment to permit an additional self-storage use

Type of Report: **Information Report** for the purposes of the statutory Public Meeting under sections 22 & 34 of the Planning Act, RSO 1990, chapter P.13

Author and Title: Raphael Romeral, Dillon Consulting Limited and Amanda-Brea Watson, MCIP, RPP Urban Planners on behalf the City of Kawartha Lakes

Recommendation:

That Report PLAN2024-055, Official Plan Amendment & Zoning By-law Amendment, 4544 Highway 35 (57R-6073 Part 1; 57R-7996 Part 1; Part of Lot 14 Concession 7, Geographic Township of Fenelon), Michael Thibert (EcoVue Consulting Services Inc.), be received for information.

Department Head: _____

Application Summary:

The applicant is seeking to develop a self-storage facility and retain the existing commercial building¹. An amendment to the City of Kawartha Lakes Official Plan is required to change the 'Highway Commercial' designation to permit the proposed self-storage use; and, an amendment to the Township of Fenelon Zoning By-law 12-95 is required to change the 'Highway Commercial Exception Two (C2-2) Zone' in order to facilitate the proposal.

Owner:	Michael Thibert
Applicant:	EcoVue Consulting Services Inc.
Property Description ² :	Legal Description: 57R-6073 Part 1; 57R-7996 Part 1; Part of Lot 14 Concession 7, Geographic Township of Fenelon
	Municipal Address: 4544 Highway 35
Official Plan:	'Highway Commercial' (Schedule A-5) of the City of Kawartha Lakes Official Plan
Zoning By-law:	'Highway Commercial Exception Two (C2-2) Zone' (Schedule 'A') in the Township of Fenelon Zoning By-Law 12-95
Lot Area:	2.17 ha. (5.37 ac.)
Servicing:	Water and Sewage: Individual private well, septic system
	Stormwater: Ditches/Swales
Access:	Provincial – Highway (35)
	Municipal – Local (Ranchers Road)
Existing Uses:	Commercial (Retail – Hot Tub Sales)
Adjacent Uses:	North: Commercial (Retail sales and service establishment with outside display or storage)
	East: Commercial (Vacant)
	South: Commercial (Vacant)

¹ See Schedule 1 – Proposed Concept Plan
² See Schedule 2 – Site Mapping

	West: Agricultural (Vacant)
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Application Process:

The Planning Division received the application submission package on August 8, 2024, which included the following reports and plans in support of the application:

1. Planning Justification Report, prepared by EcoVue Consulting Services Inc., dated July 12, 2024;
2. Concept Sketch, prepared by EcoVue Consulting Services Inc., dated May 01, 2024;
3. Plan of Survey of Part Lot 14, Concession 7, Township of Fenelon, prepared by E. G. Gurnett Limited, dated August 21, 1998;
4. Stormwater Management Report, prepared by Tatham Engineering, dated June 25, 2024;
5. Natural Heritage Technical Brief, prepared by Cambium Inc., dated November 10, 2023;
6. Plan of Survey of Part Lot 14, Concession 7, Township of Fenelon, prepared by E. G. Gurnett Limited, dated July 25, 1990; and
7. Planning Application, prepared by Michael Thibert, dated July 23, 2024

Staff deemed the application complete under the requirements of the Planning Act on August 22, 2024, and initiated agency consultation on September 5, 2024, with a requested review period of the application submission package by September 19, 2024. All the reports and plans submitted have been circulated to the applicable agencies and City Departments for review and comment. The public was notified of the application through the Notice of Public Meeting on September 9, 2024.

Staff are working with the applicant to address the deficiencies within the initial application as it relates to Planning review comments relative to the Zoning By-law Amendment. Staff note the request to rezone to the 'Environmental Protection (EP)' zone, and require further clarification if it is the applicant's intent to re-designate these lands as part of the Official Plan Amendment as well. Once these matters have been addressed the application can be returned to PAC.

Application Review³:

Planning staff is reviewing the application submission package including the Planning Justification Report that was prepared and filed in support of the application, for consistency with provincial policies (including the Provincial Policy Statement, 2020; A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019), and conformity with the City of Kawartha Lakes Official Plan and applicable Zoning By-law.

Any change to the Official Plan must be consistent with applicable provincial policies and uphold the intent of the Official Plan. Any change to the Zoning By-law must comply with the underlying Official Plan designation.

Consideration of all written and verbal comments received through consultation is also part of application review. 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. A summary of written and verbal submissions, including comments received at the Public Meeting, will be included in the subsequent Recommendation report to PAC.

Other Alternatives Considered:

The Preconsultation Report dated July 22, 2022, proposed the same self-storage use while retaining the existing commercial use on the site, but altered the configuration of the proposed self-storage use.

Conclusion:

Staff will return to the Planning Advisory Committee following the conclusion of the public consultation process and evaluation of application merits and provide a subsequent Recommendation report for a Decision by Council. Interested parties will be notified of the subsequent PAC meeting.

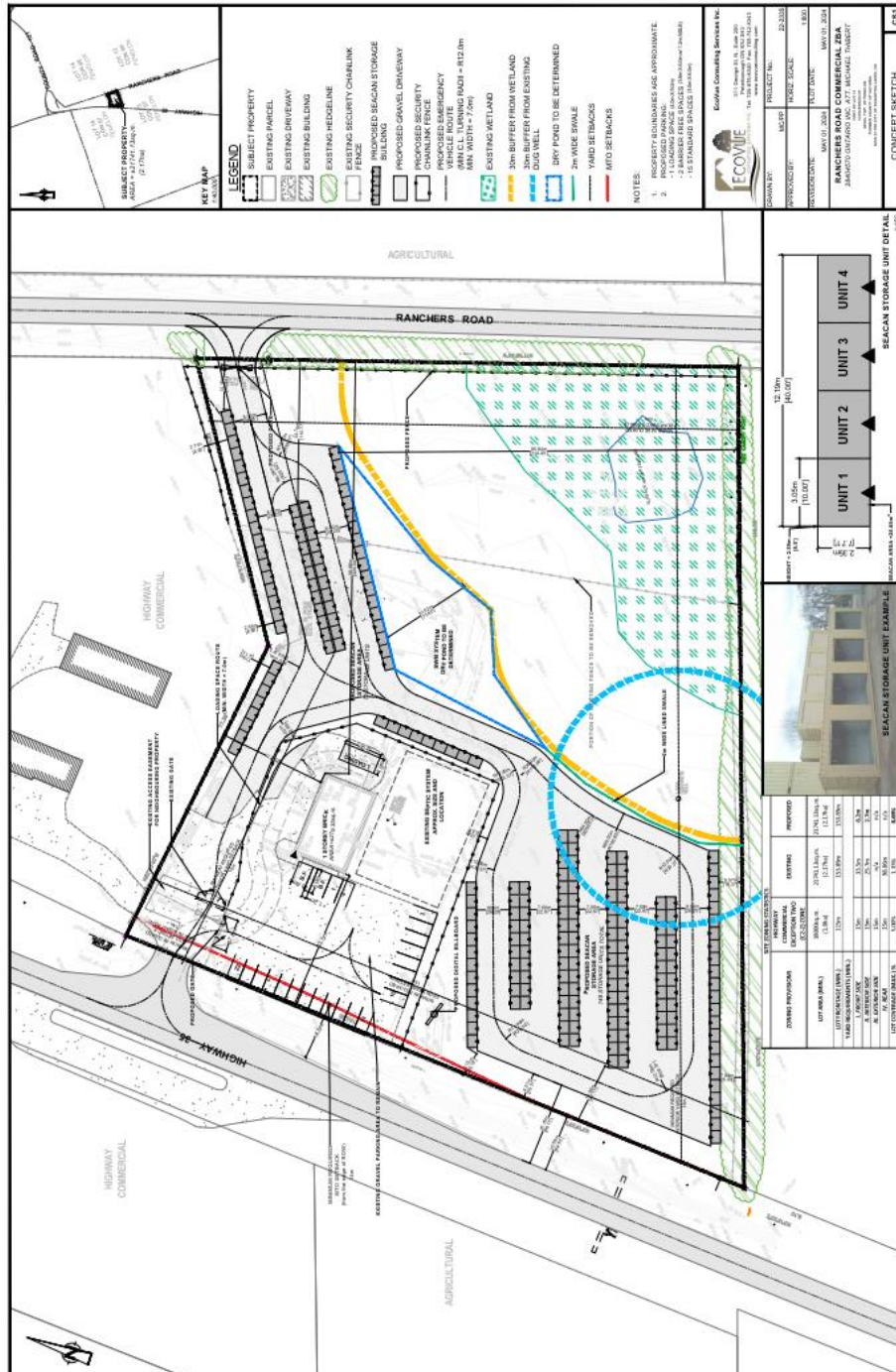
Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

³ See Schedule 3 – Provincial and Municipal Land Use Framework

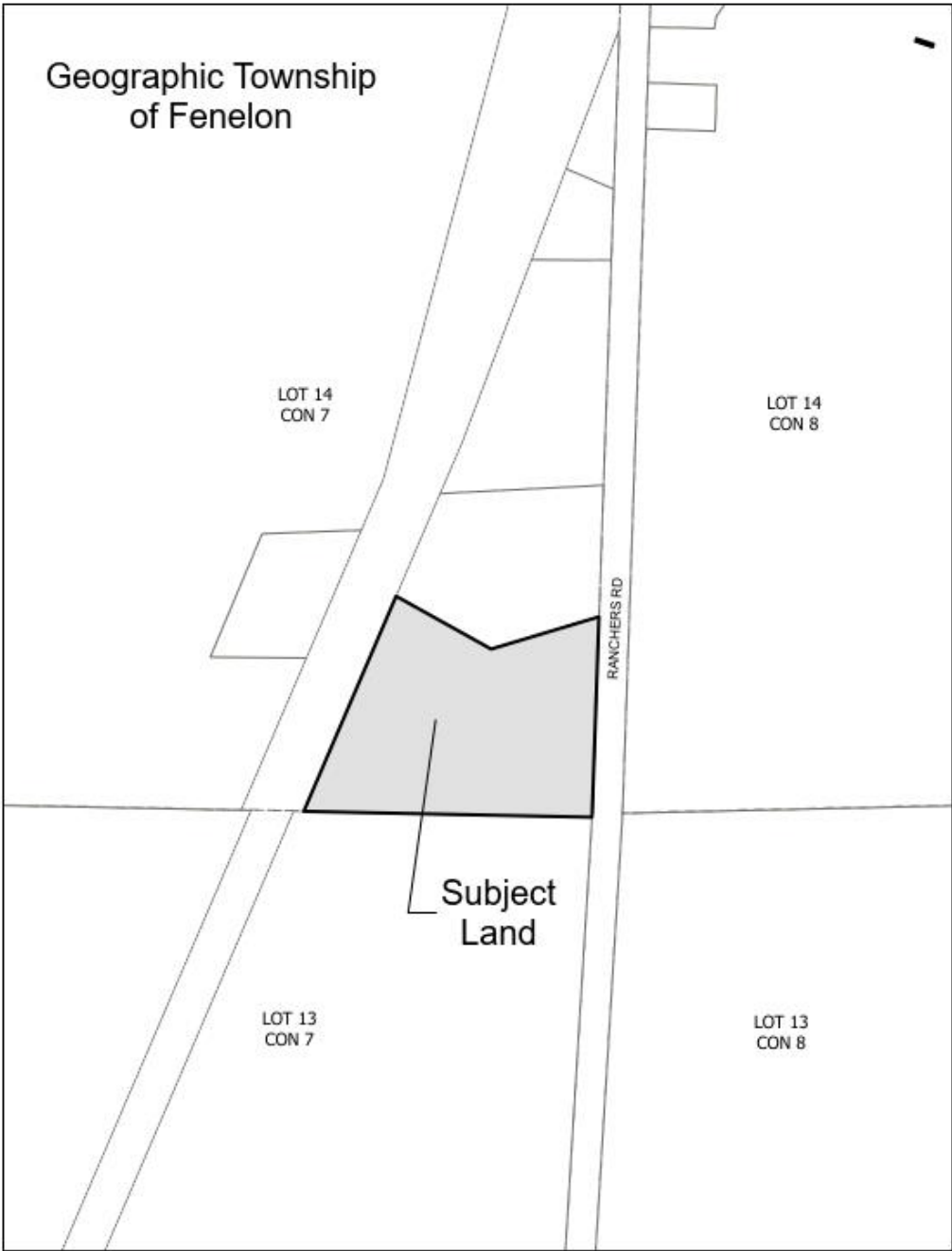
Department Files: D01-2024-006 & D06-2024-018

Schedule 1 – Proposed Concept Plan



Schedule 2 – Site Mapping

Location Map



Aerial Map



Schedule 3 – Provincial and Municipal Land Use Framework

Provincial Policy Statement, 2020 (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas.

Municipal planning authorities are required to manage and direct land use to achieve efficient and resilient development and land use patterns, where strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

The Growth Plan is a regional growth management policy for lands within the Greater Golden Horseshoe, to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Growth Plan identifies density and intensification targets, urban growth centres, strategic employment areas, and settlement area restrictions designed to mitigate negative environmental, economic, and human health impacts associated with sprawling, uncoordinated growth in the region.

The Growth Plan emphasizes the importance of building complete communities and building on the policy framework established in the PPS.

Provincial Planning Statement (2024)

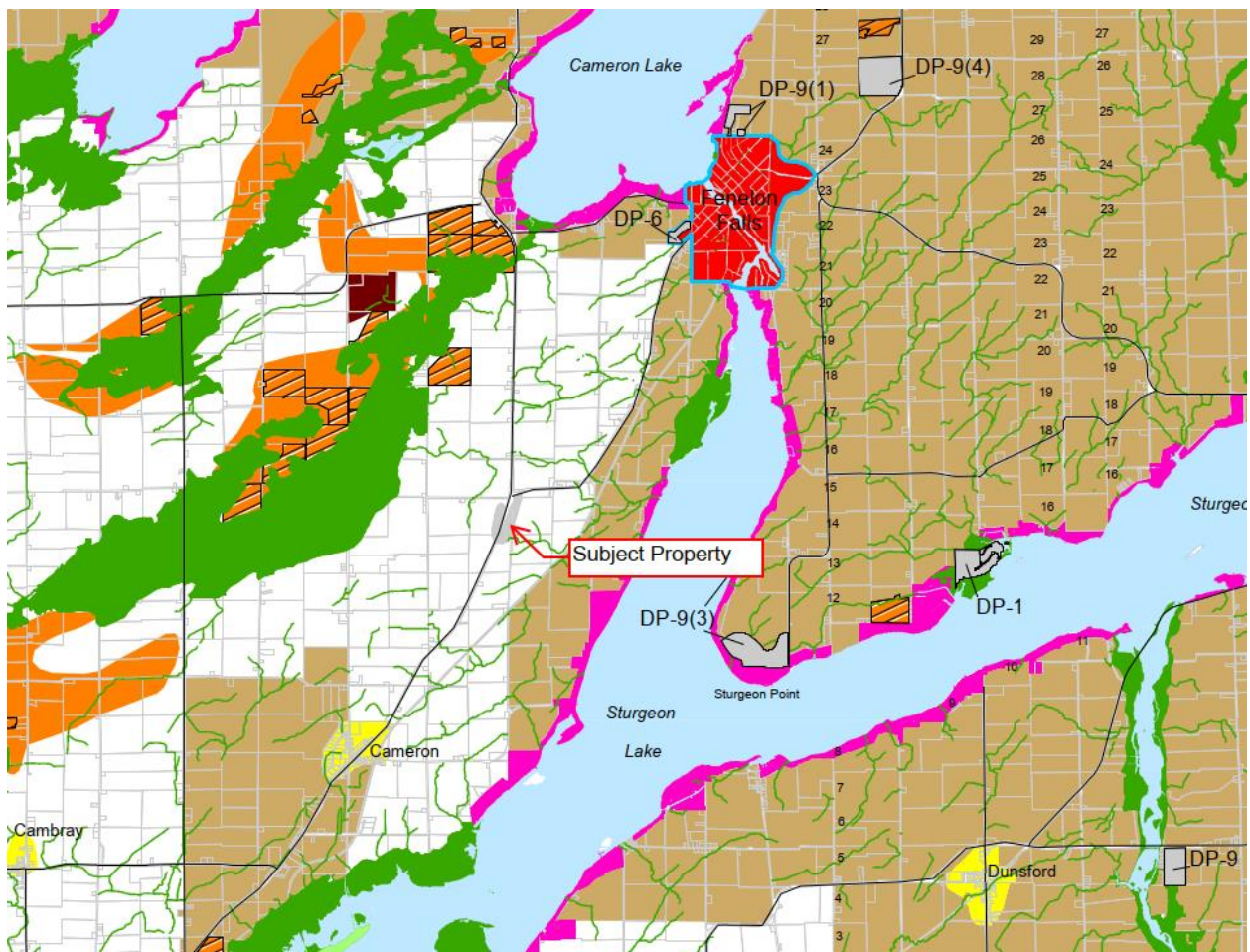
On August 20, 2024, the Province of Ontario released the updated Provincial Planning Statement. The Provincial Planning Statement, 2024 (PPS 2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The 2024 PPS will come into force on October 20, 2024.

City of Kawartha Lakes Official Plan

The Official Plan provides the City's policy on how land in the community should be used. It sets strategic direction for land use development, environmental protection, and public infrastructure to attain its vision, goals, and objectives.

The Official Plan also implements provincial policies and sets the municipal policy framework for applying the Zoning By-law.

The lands are within the 'Highway Commercial' designation in Schedule A-5 of the City of Kawartha Lakes Official Plan.



Township of Fenelon Zoning By-law 12-95

The Zoning By-law regulates the use of lands, buildings and structures and implements the Official Plan.

The lands are zoned 'Highway Commercial (A2-2)' Zone as indicated in the following schedule:

