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Public Hearings Committee – July 06, 2021

Subject: ZNPL2021124 – An application has been received to amend the Zoning By-law change the zoning from 'Hamlet Commercial (CHA)' zone with a holding to 'Hamlet Commercial (CHA)' zone with a holding and a site-specific special provision to permit a storage facility with additional site-specific special provisions to address deficiencies related to exterior side yard setbacks, rear yard setbacks, and the location of the parking in relation to an interior lot line. MIKE BEKENDEM on behalf of 2137101 ONTARIO LTD. and agent G. DOUGLAS VALLEE LTD. has put forth the application affecting the lands described as to be determined.

Report Number: CD 21-58
Division: Community Development Division
Department: Planning
Purpose: For Information

Executive Summary:

This Public Meeting report is for a zoning by-law amendment submitted by G. DOUGLAS VALLEE LTD. on behalf of number company 2137101 ONTARIO LTD. with respect to the subject site located at the corner of Highway 3 and Cockshutt Road, in Renton. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive recommendation report.

The applicant is proposing to amend the Hamlet Commercial (CHA) zone to permit a storage facility with additional site-specific special provisions to address deficiencies related to side yard setbacks, and the location of the parking in relation to an interior lot line.

The request variances are as follows:

- A. To permit a self-storage facility within the CHA zone;
- B. To permit a minimum exterior side yard setback of 3m, whereas 6 m is required;
- C. To permit a minimum rear yard setback of 3 m, whereas 9 m is required; and
- D. To permit a minimum setback of a parking lot from a residential zone of 3 m, whereas 4.5 m is required.

This report is being presented as part of the statutory public meeting required by the Planning Act. A subsequent report will be brought forward containing a recommendation for Council consideration.

Site Features and Land Use:

As shown in Map 3 of this report, the subject lands are located corner of Highway 3 and Cockshutt Road, within the Hamlet of Renton. The subject lands are currently vacant.

The property is currently designated Hamlet in Norfolk County's Official Plan and zoned Hamlet Commercial (CHA) and is located approximately seven (7) km east of the urban area of Simcoe.

The predominant land use in the area is low density residential, with commercial operations on all four corners of Highway 3 and Cockshutt Road intersection. Staff would note the lands to the south and east are agricultural lands with farm properties. Directly across the site on the North West corner of the intersection is a gas station, to the north east is a passive commercial use that has various sheds showing for sale, and on the south east corner of the intersection is a residential dwelling. Directly south of the subject lands on Cockshutt Road is a farmers market which sells seasonal produce. Directly adjacent to the subject lands is a dwelling unit and a farm operation that includes fruit trees.



Figure 1: Perspective of the subject lands (corner of Highway 3 and Cockshutt Road)



Figure 2: perspective along Highway 3 (vacant)

Discussion:

The proposed amendment to the Hamlet Commercial (CHA) zone is to permit a storage facility with additional site-specific special provisions to address deficiencies related to side yard setbacks, and the location of the parking in relation to an interior lot line.

Site Plan Application: According to Site Plan Control By-Law 2014-97 and section 9.6.5 of the Official plan related to Site Plan Control, a site plan approval, agreement and securities will be required for the proposed development. This will be completed through a subsequent planning process and will be informed by the public engagement of the ZBA applications which are the subject of this report.

Neighbourhood Character and Compatibility: Renton is a small Hamlet with majority low density single-detached residential dwellings and a few commercial operations at the intersection of Highway 3 and Cockshutt Road as described above. The proposed storage facility use is subject to site plan control. Final design and compatibility will be ensured through site plan control - staff have already indicated the need for proper landscaping and setbacks for the use. A comprehensive review of neighbourhood character and compatibility will be completed as part of the final recommendation report to Council.

Holding Provision: As part of the Zoning By-Law Amendment application, the applicant requested that the Holding (H) Provision on the subject lands be lifted. The Holding provision was originally implemented through By-law 22-NA-93. The intent of the original Holding was subject to the following items:

- a) That all development be subject to and in accordance with a development agreement; and
- b) The “H” provision will remain on the subject lands until a development agreement has been completed as part of the site plan approvals process.

Circulation Comments: Planning staff has received department and applicable agency comments which have been consolidated and attached as Appendix A. No major comments to flag, but comments are still pending from Development Engineering.

Regard for Public Input: No public input was received for this application ahead of the completion of this report.

This report is being presented as part of the statutory public meeting where any comments received during the public meeting will be considered and ultimately reflected in the final recommendation report to Council.

Planning Considerations:

It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Provincial Policy Statement, 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It promotes efficient development and land use patterns and encourages growth and development within existing settlement areas. The subject land is within the 'settlement area' as defined in the Provincial Policy Statement.

Section 1: Building Healthy Communities of the PPS promotes the building of strong, healthy communities and includes policies about avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

Section 1.1.4 Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. One way of supporting the health and integrity of rural areas is:

- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

Planning Comments: *The proposed development is located at the intersection of Highway 3 and Cockshutt Road, which is seven (7) km from Simcoe and within the Hamlet of Renton. Planning staff will provide a full conformity check based on the above mentioned policies of the PPS, 2020 within the recommendation report.*

Norfolk County Official Plan

The subject lands are designated “Hamlet” in the Official Plan. This designation accommodates a mix of residential, commercial, industrial, recreational and institutional facilities which provide important services to the surrounding Rural Area.

Section 7.5.1 indicates that in addition to (a) low density residential development, the Hamlet designation permits (d) small scale compatible commercial and industrial uses will be permitted within the Hamlet Designation, subject to the policies of Section 7.5.2 (Hamlet Designation – Land Use Policies).

Policy 7.5.2 (a) outlines that, commercial and industrial uses within the Hamlet Designation shall be of a dry nature, not requiring excessive amounts of water for their operations.

Section 6.6 Limited growth will be permitted provided that the growth is within the Hamlet Area boundary designated on Schedule “B” to this Plan, will not be detrimental to the rural character of the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences, and will not have a negative impact on the County’s financial sustainability.

Planning comments: *A conformity check of the Official Plan policies will be provided within the recommendation report.*

Norfolk County Zoning By-Law 1-Z-2014

Current Zoning

The subject lands are zoned “Hamlet Commercial (CHA)”. Section 6.6.1 outlined the permitted uses of the CHA zone. The CBD zone does not permit a storage facility. Section 6.6.2 outlines the zone provisions for the CHA zone, which includes provisions surrounding setbacks.

Surrounding Zoning

The predominant land use in the area is residential (zoned Hamlet Residential), comprised single-detached dwellings within the village of Renton. The exception is a number of commercial operations on all four corners of Highway 3 and Cockshutt Road

(also zoned CHA). There are Agricultural lands to the south and east of the subject property.

Proposed Zoning

The subject Zoning By-law Amendment proposes to maintain the CHA zone, while adding special provisions to permit the storage facility use and address site constraints posed from the development. Therefore, given the proposed layout of the site, the applicants are requesting special provisions to address the following:

- A. To a self-storage facility within the CHA zone, whereas section 6.6.1 does not permit the use;
- B. To permit a minimum exterior side yard setback of 3m, whereas section 6.6.2 (d) requires a setback of 6 m;
- C. To permit a minimum rear yard setback of 3 m, whereas section 6.6.2 (f) requires a setback of 9 m; and
- D. To permit a minimum setback of a parking lot from a residential zone of 3 m, whereas section 4.2 (d) requires a setback of 4.5 m.

Planning comments: *The proposed development will be further reviewed based on the above mentioned provisions and the related discussion will be provided within the recommendation report.*

Consultation(s):

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Create an Optimal Place for Business".

Explanation: The proposed supports the utilization of existing commercial space in an appropriate manner that through preliminary design compliments the surrounding neighborhood.

Conclusion:

The purpose of this report is to summarize the planning application proposal, provide the comments received from applicable departments and agencies, summarize comments received from member of the public, and to provide general information in relation to the overall application. A staff report with related recommendations will be submitted to Council for consideration at a later date.

Recommendation(s):

THAT Report CD 21-58, Public Hearing report for ZNPL2021124, be received for information;

THAT any outstanding technical comments received be provided to the applicant and addressed prior to submission of a future recommendation;

AND THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

Attachment(s):

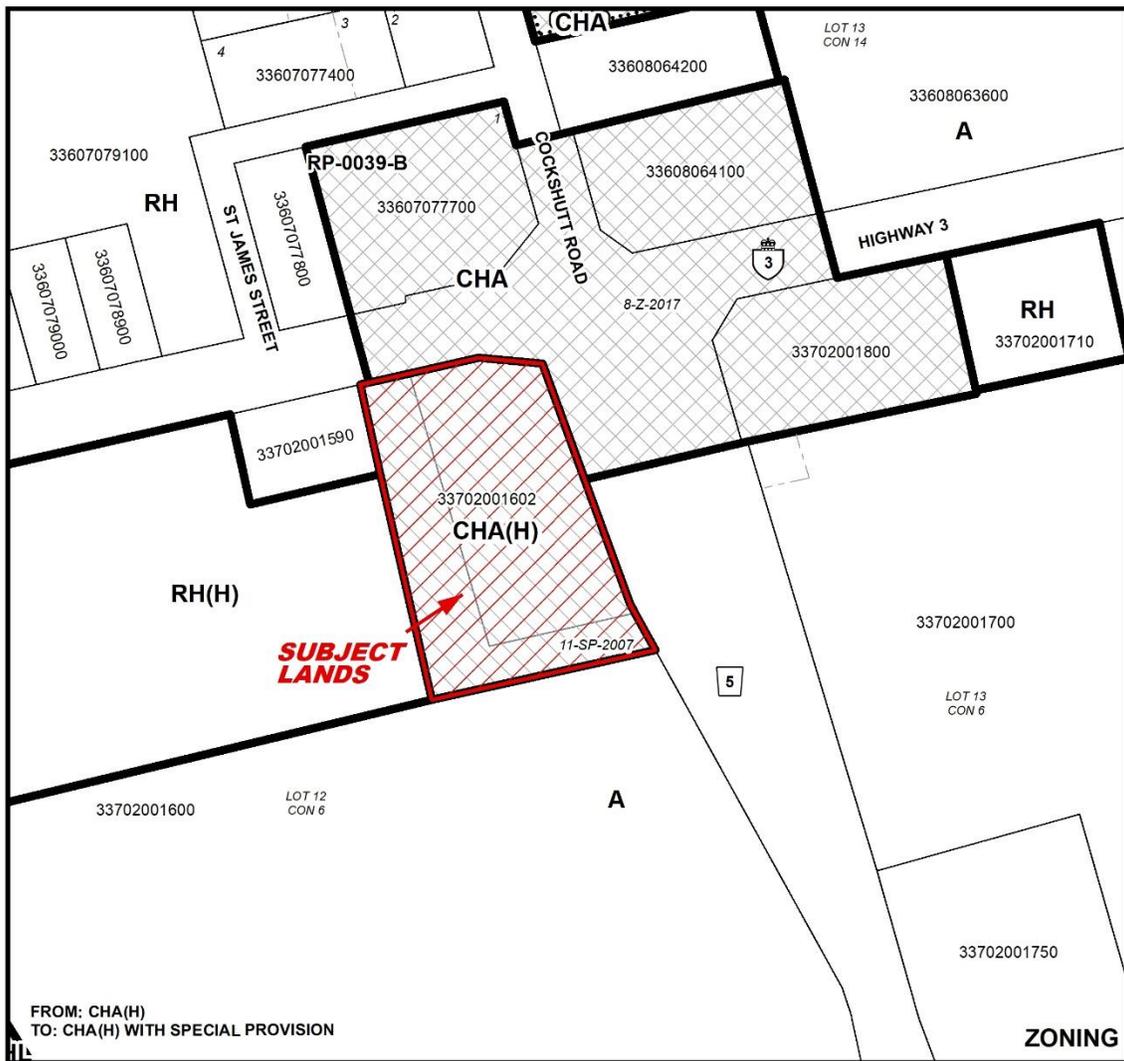
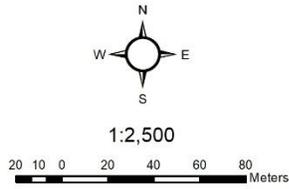
Maps 1 to 4
Appendix A Circulation Comments

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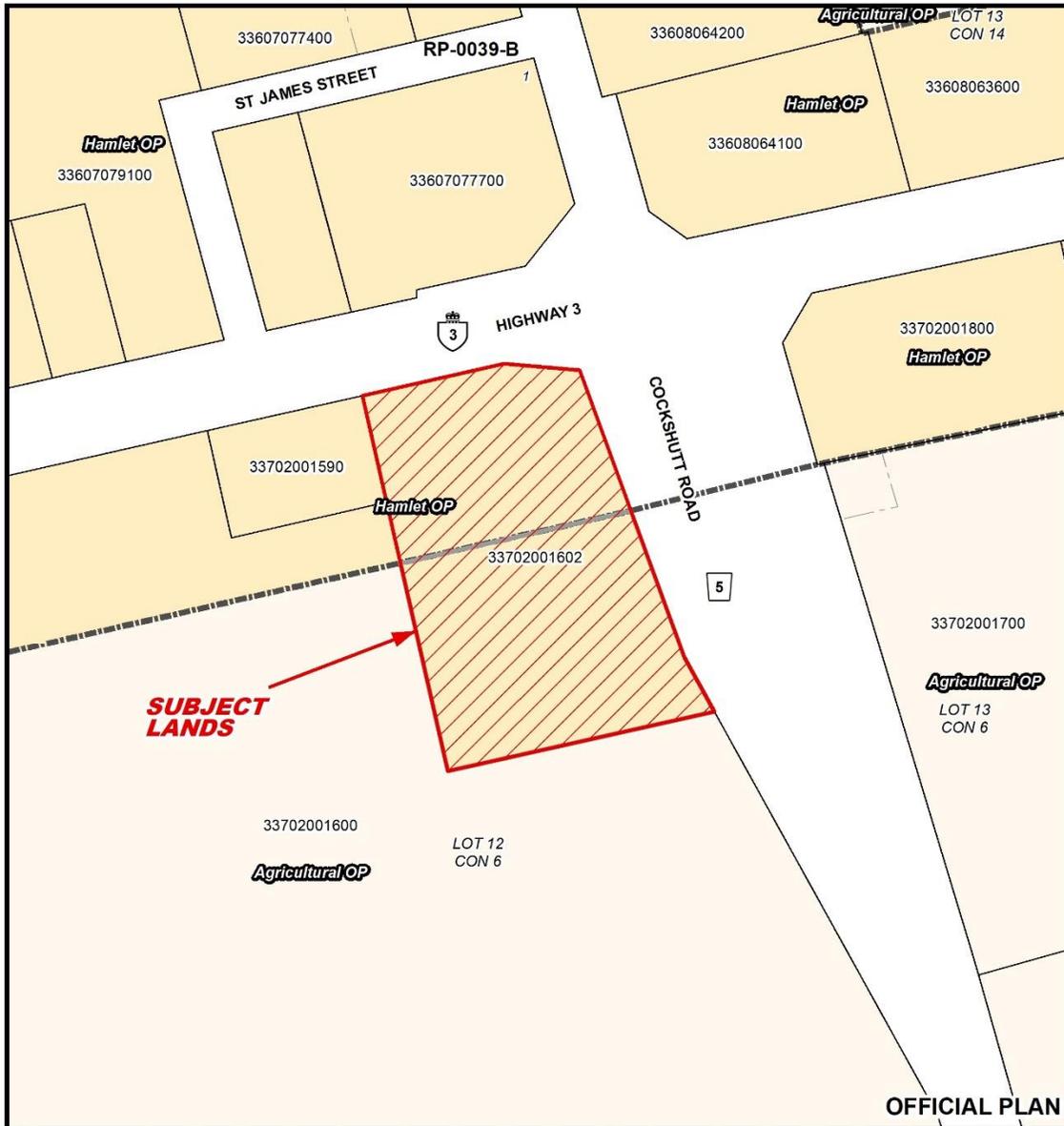
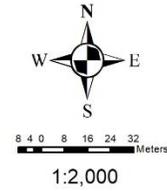
MAP 1
File Number: ZNPL2021124
Geographic Township of
WOODHOUSE



MAP 2

File Number: ZNPL2021124

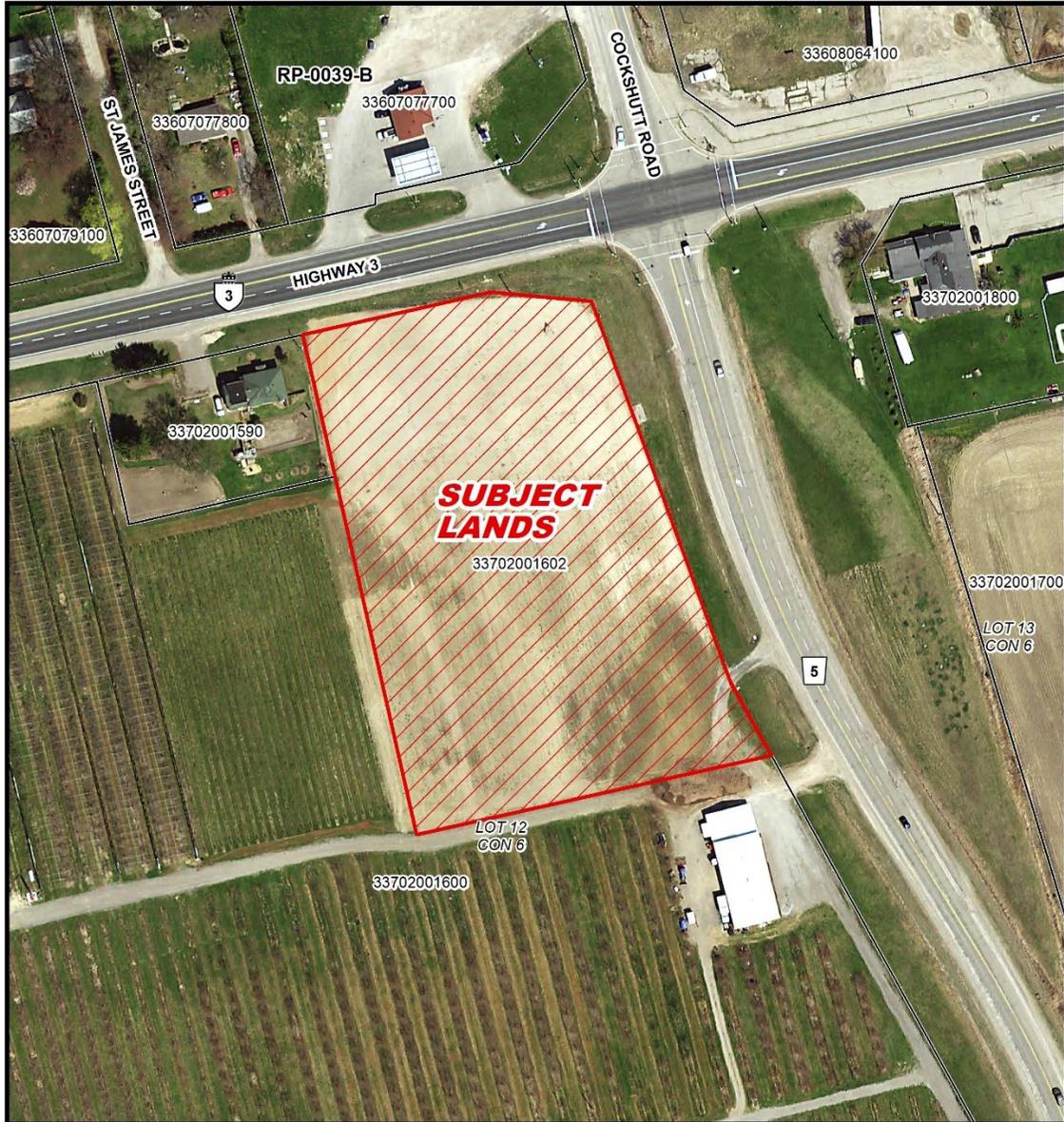
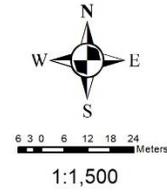
Geographic Township of WOODHOUSE



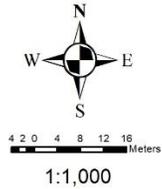
MAP 3

File Number: ZNPL2021124

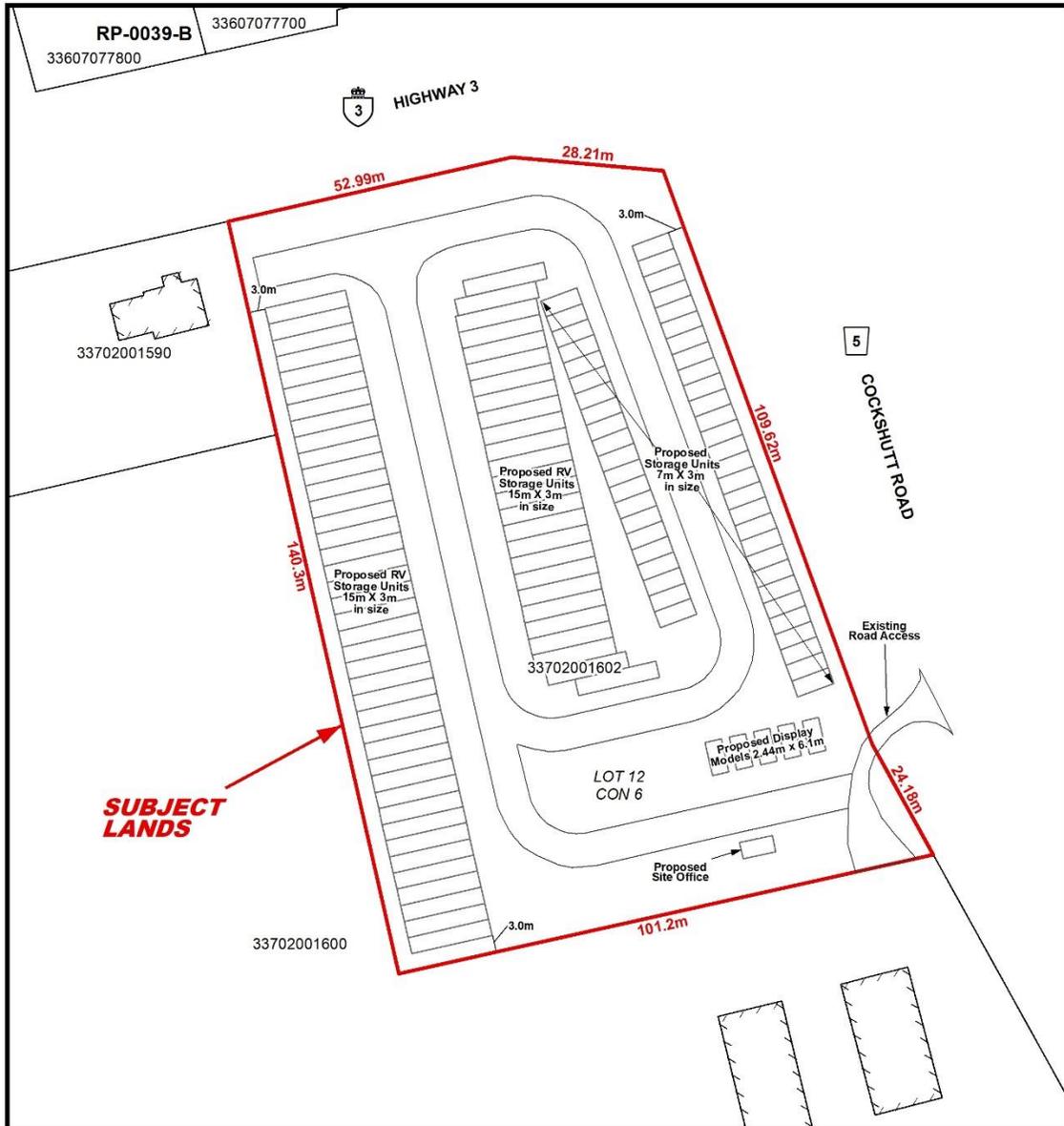
Geographic Township of WOODHOUSE



MAP 4
File Number: ZNPL2021124
Geographic Township of WOODHOUSE



4 2 0 4 8 12 16 Meters
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CD 21-58 ZNPL2021124 – Moving Box, Renton

Appendix A: Circulation Comments

Financial Services – Circulated - Comments are as follows:

1. Pending comments

Zoning Administrator – Circulated – Comments are as follows:

1. Storage facility not permitted in CHA zone, planning approval required
2. Moving boxes classified as shipping containers (3.39), therefore must comply with zone provisions: (Front lot line runs along highway 3, exterior lot line runs along Cockshutt Road, interior lot line runs along property abutting RH/RH(H) zone and rear lot line runs along property abutting A zone)
 - a. Permitted front yard is 6 meters, dimension to be provided to nearest moving box
 - b. Permitted exterior side yard is 6 meters, 3 meters proposed. Planning approval required.
 - c. Permitted rear yard is 9 meters; office must comply with required setback or planning approval required.
 - d. Permitted interior side yard setback for a parking lot is 4.5 meters

Development Engineering – Circulated – Comments are as follows:

1. Pending comments

Building and By-Law – Circulated – No concerns

Geographic Information Systems – Circulated – Comments are as follows:

1. Please contact Norfolk GIS for new civic address when building

Fire – Circulated - No concerns

Canada Post – Circulated – No concerns

Paramedic Services – Circulated - No comments received – No concerns

Parks and Recreation – Circulated - No comments received – No concerns

Forestry – Circulated - No comments received – No concerns

Health and Social Services – Circulated - No comments received – No concerns

Economic Development – Circulated - No comments received – No concerns

Health Unit: Residential - Circulated - No comments received – No concerns

Accessibility - Circulated - No comments received – No concerns



vallee

*Consulting Engineers,
Architects & Planners*

April 7, 2021

Norfolk County Planning Department
Development and Cultural Services Division
185 Robinson Street – Suite 200
Simcoe, Ontario N3Y 5L6

Attention: Scott Wilson, Planner

**Reference: Planning Justification Report – Storage Facility
Zoning By-law Amendment
Southwest Corner of Highway 3 and Cockshutt Rd, Renton
Roll # 33702001602
Our Project 20-100**

G. Douglas Vallee Limited has been retained by Mike Bekendam (“The Moving Box”) to make application for a zoning by-law amendment to permit a storage facility located on the southwest corner of Highway 3 and Cockshutt Rd, Renton, Norfolk County. Approximately, half of the property is within the Hamlet Boundary. The entire parcel is designated Hamlet in the Norfolk County Official Plan. The lands are zoned Hamlet Commercial Holding CHA(H) in accordance with the Norfolk County Zoning By-law. A small portion of the lands must be rezoned from Hamlet Residential Zone to Hamlet Commercial Zone.

The lands are approximately 1.2 hectares in size and are vacant. It is proposed to keep the primary access through the existing driveway on the southeast corner of the property and away from the Ministry of Transportation (MTO)/County controlled intersection. MTO requires a 14 metre setback for required parking and essential structures and will not permit landscaping within the MTO right of way. Permanent buildings are not proposed. Due to the nature of this passive business, a washroom and potable water supply is not required. Temporary washrooms are proposed.

The property will be equipped with a chain link perimeter fence without barbed wire. A security/entrance gate is proposed approximately 30 metres from the property line. A small storage container will be located in the gated area and connected to hydro from Cockshutt Rd. This non-permanent building will be used as an office for administering the affairs of the business. Customers will rent ‘Moving Box’ bins for the purpose of storing property items. A ‘Moving Box’ bin is delivered to a customer’s property, filled by the customer, picked up by a Moving Box truck and placed within the secure Moving Box site. Customers will also be able rent a space to park their RV’s and trailers within the secure site. ‘Moving Box’ bins may also be sold and delivered to a customer. Buildings for mini-storage are not proposed.

A Zoning By-law Amendment is required since the Hamlet Commercial Zone (CHA) does not permit a storage facility specifically. Therefore, the purpose of this report is to provide justification to amend the zoning by-law to permit a storage facility on the subject lands with reductions to various zone provisions to improve the efficiency of the property. Details for the proposed amendment are as follows:

Amendment	Reason
Rezone a portion of the lands from HR to CHA	Site plan approval should be granted on lands with consistent zoning.
Special provision to the CHA zone to permit a storage facility.	The zone does not permit a storage facility for RV's, trailers and 'Moving Box' bins that contain storage items
Special provision to the CHA zone to reduce the minimum exterior side yard setback from 6 m to 3 m.	Required to permit 'Moving Box' bins closer to the property line and maximize the efficient use of lands.
Special provision to the CHA zone to reduce the minimum rear yard setback from 9 m to 3 m.	Required to permit the office in an efficient location.
Special provision to the CHA zone to reduce the minimum setback of a parking lot from a residential zone from 4.5 m to 3 m.	Required to improve efficiency of property.

This application:

- Facilitates Moving Box storage services to a growing housing market in Norfolk county.
- Facilitates an RV, trailer and storage facility on a highly traveled Highway.
- Complies with the general intent and purpose of the Norfolk County Official Plan.
- Complies with the general intent and purpose of the zoning by-law.
- Represents good planning.

Surrounding uses:

- To the west: A single detached dwelling and farm land
- To the south: A farm property.
- To the east: The Cockshutt Rd and to the east of that (70 m away) is a single detached dwelling and agricultural lands, but zoned commercial.
- To the North: Highway 3 and to the north of the Highway is a single detached dwelling and Esso gas station.
- The land on the north east corner of the intersection is currently being used for an advertising of hand crafted storage sheds.
- To the north and west of the intersection are several residential dwellings.

Figure 1 on page 3 is an aerial photography of the subject property in relation to the Hamlet Boundary and immediate surrounding lands.

All four (4) corners of the intersection of the Cockshutt Road and Highway 3 are zoned commercial.

**G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners**



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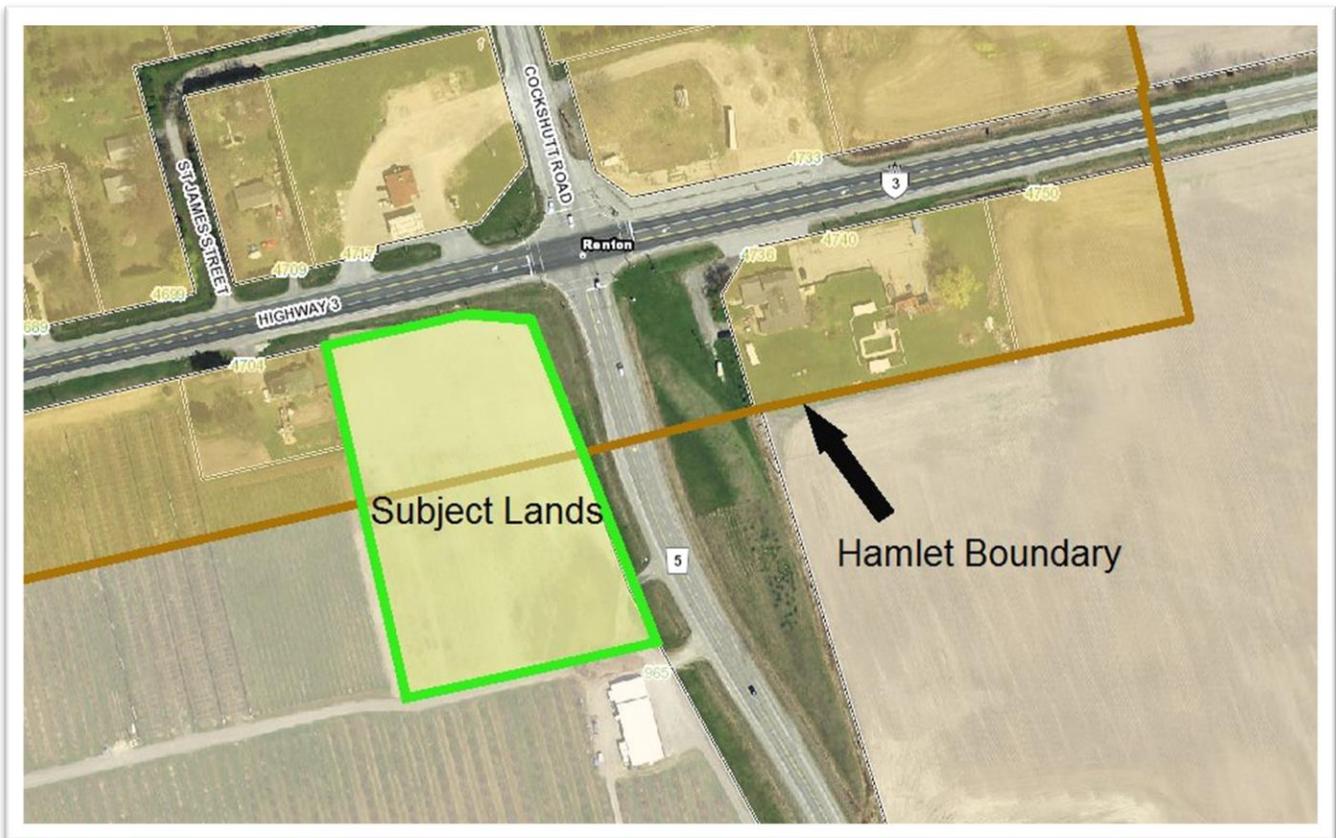


Figure 1 – Subject Lands with Hamlet Boundary

Provincial Policy Statement (2020):

The subject land is identified as being within a Settlement Area according to the Provincial Policy Statement, 2020 (PPS). The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment, and will facilitate economic growth.

Development and redevelopment within settlement areas is critical to long-term economic prosperity the community. The PPS encourages the wise use land, promotes efficient development patterns and green spaces, the protection of resources, and the use of infrastructure and public service facilities to minimize unnecessary public expenditures.

The proposed zoning by-law amendment facilitates a development of underutilized lands for commercial purposes. The use provides services to the Hamlet and nearby growing communities, and does not require public infrastructure and services. A decision by Council to approve the Zoning By-law amendment will be consistent with PPS, 2020.

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Official Plan:

The subject lands are within the Hamlet boundary and are entirely designated Hamlet. The proposed storage facility meets the general purpose and intent of the Official Plan. Table 1 below demonstrates compliance with the Official Plan policies.

Table 1: Official Plan Policy Compliance			
Official Plan: Hamlet Designation	<ul style="list-style-type: none"> Half of the property is within the Hamlet Boundary. The entire parcel is designated Hamlet. 	✓	<ul style="list-style-type: none"> Applicable Permitted Uses: Small scale compatible commercial and industrial uses, subject to the policies of Section 7.5.2 (Hamlet Designation – Land Use Policies). Uses accessory to any of the permitted uses in the Hamlet Designation are permitted.
Section 7.5.2 Land Use Policies	a) Commercial and industrial uses within the Hamlet Designation shall be of a dry nature, not requiring excessive amounts of water for their operations.	✓	<ul style="list-style-type: none"> The proposed storage facility is of a dry nature. No services municipal services are required.
	b) Designation of a Hamlet Area does not mean that the Hamlet Area is suitable for further development.	✓	<ul style="list-style-type: none"> There are policies to determine the suitability of a use under Section 7.5.2 b), however, they are primarily related to the provision of services and avoidance of Natural Features. No services are proposed. No natural features appear on the lands.
6.6 Hamlet Policies	Limited growth will be permitted provided that the growth is within the Hamlet Area boundary designated on Schedule “B” to this Plan, will not be detrimental to the rural character of the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences, and will not have a negative impact on the County’s financial sustainability.	✓	<ul style="list-style-type: none"> The property is currently vacant. The proposed storage facility will be appropriately landscaped to reflect the rural character of the area and is subject to site plan control. No environmental or human health consequences will be generated. County financial sustainability issues will not be created.

Zoning By-law:

The lands are zoned Hamlet Commercial Zone (CHA) with a Holding provision. County staff have indicated that,

“It is staff’s understanding that the proposed site is intended for storage, while identifiably different than mini storage or other permanent structures, the storage use itself is the primary use on the subject lands and would not be accessory or subordinate to the office use. Therefore, a Zoning By-law Amendment would be required to permit the proposed use. [...] However, if the property is intended to be used exclusively for storage of empty bins with only staff accessing the site, staff would understand the storage to be accessory to the business and a zoning by-law amendment would not be required.”

The proposed amendment is to site specifically add a storage facility to the list of permitted uses. County staff have confirmed that the ‘moving boxes’ or ‘shipping containers’ must comply with the zone provisions. The County also confirms that parking spaces are required to be located 4.5 metres away from a residential zone. In this case, there is a dwelling adjacent to the west zoned Hamlet Residential. Accordingly, modifications to zone provisions for setbacks are proposed in Table 2. A request to remove the holding provision will be required subsequent to addressing County requirements for a site plan agreement.

Table 2: Zoning By-law Proposed Modifications		
Section	Zoning Provision	Proposed
6.6.2	d) minimum exterior side yard: 6 metres	3 metres
	f) minimum rear yard: 9 metres	3 metres
4.2	d) no parking lot shall be located closer than 4.5 metres from any interior lot line abutting a residential Zone	3 metres

There is a portion of the subject lands currently zoned Hamlet Residential RH(H) Zone as shown on Figure 2 below. This must be changed to ensure residential zone provisions do not apply to the storage facility lands.



Figure 2 – Rezone from RH(H) to CHA

Planning Analysis:

The proposed storage facility is permitted without an amendment if the property is intended to be used exclusively for storage of empty ‘Moving Box’ bins with staff access only. The ‘Moving Box’ bins would be considered accessory to the permitted office use. However, they will not be empty and on occasion customers will need to access the property to drop off and pick up their RV’s and/or trailers. The ‘Moving Box’ bins are delivered to customers, picked up when full, and stored on site.

The existing zoning includes a long list of permitted uses including but not limited to more active uses such as automobile gas stations, contractors’ shop, farm implement sales and services establishment, hardware stores and offices of all types. Unlike these more active uses, the proposed storage facility is passive in nature and will not generate substantial traffic, noise or dust. The use is appropriate for the subject lands and is in keeping with the general intent and purpose of the zoning by-law.

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Figure 3 shows a high level site plan concept including the location of the proposed 'Moving Box' bins, office, and 'Moving Box' display bins (yellow), RV and trailer storage spaces (blue), property lines and setbacks. Through the site plan approvals process, the property will be designed to enhance the 'curb appeal' of the existing intersection.

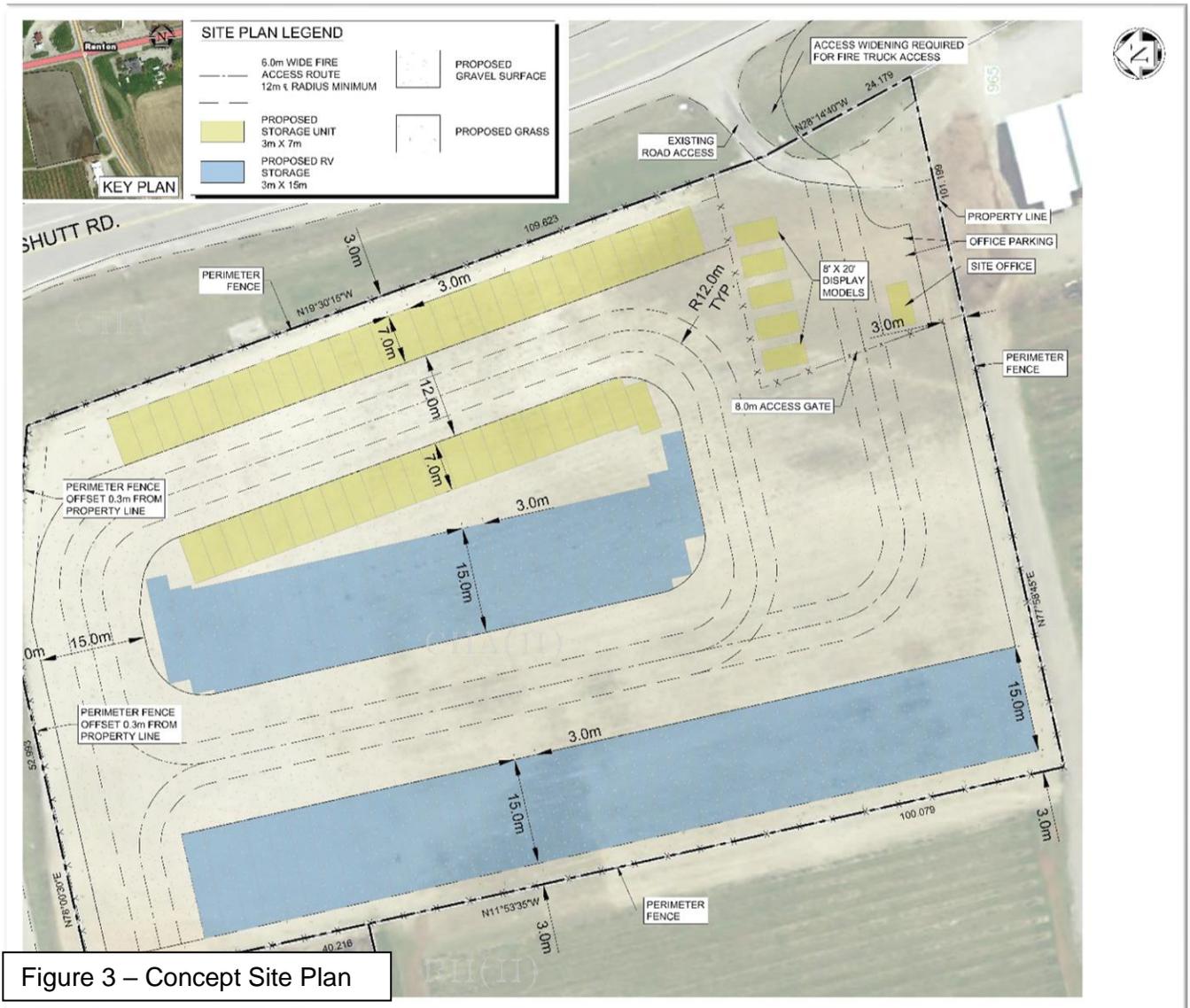


Figure 3 – Concept Site Plan

The rezoning of the strip of lands identified in Figure 2 does not create adverse impacts and is necessary to ensure residential zone provisions do not interfere with the commercial property design and development.

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The property is adjacent to a very large right-of-way along the exterior side with boulevards in excess of 11 metres from the property line to the closest edge of pavement of the municipal road. A reduction of the exterior side yard setback from 6 metres to 3 metres has no impact on the right-of-way.

A 3 metre landscaping strip is proposed around the entire perimeter of the property. The adjacent property to the south is a farm property containing farm related buildings. The reduction of the rear yard setback does not impact this property.

The residential dwelling located to the west is setback approximately 7 metres from the property line. The property has been designed to ensure the RV storage area does not protrude beyond the front face of the adjacent dwelling to reduce impacts. Considering the existing setback of the dwelling in combination with the proposed 3 metre landscaping strip, there are no impacts anticipated to be experienced by the adjacent residents. Through the site plan process, landscaping in the form of trees is proposed along the mutual property line to improve buffering.

Conclusion:

The proposed Zoning By-law Amendment implement the policies of the PPS and the Norfolk County Official Plan. The proposed storage facility is appropriate for the use of the lands and will support the existing Hamlet and nearby growing communities. There are no significant impacts generated from the establishment of the use or the reduction of the setbacks. Accordingly, it is our opinion that the application models good planning and can be supported by Norfolk County staff and Council.

Yours truly,



Eldon Darbyson, Director of Planning
G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners

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