

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Town Council
MEETING DATE: February 05, 2007
REPORT NO.: PL.07.12
SUBJECT: Application for Site Plan Approval
and Zoning By-law Amendment
Chris and Birgitta Wilson
Lot 59, Plan 1023 - 16 Louisa St. E
Town of The Blue Mountains
PREPARED BY: Shawn Postma, BES
Planner II
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Manager of Development Planning and IS

A. Recommendations

THAT Council does receive Staff Report #PL.07.12, “Application for Site Plan Approval and Zoning By-law Amendment, Chris and Birgitta Wilson, Lot 59, Plan 1023 – 16 Louisa St.E.”; and

THAT By-law No. 2007-09, being a By-law to rezone Lot 59 of Plan 1023 (16 Louisa St. E), from the Residential R2 Zone to the General Commercial C2 Zone, and further establish a minimum front yard setback of 3.0 metres, minimum exterior side yard setback of 1.1 metres and a minimum parking requirement of 4 spaces, be hereby enacted this 5th day of February, 2007; and

THAT Council does hereby grant Site Plan Approval, conditional upon the execution of a Site Plan Agreement by the Mayor and Clerk, for the development of a maximum 135 square metre commercial building with two residential apartments in accordance with the Site Plan identified as Drawing: “Site Plan (Proposed Site) Rev. 3” Dated: January 11, 2007.

B. Background

B1. Purpose

The purpose of this report is to consider a proposal for a Zoning By-law Amendment and Site Plan Approval for the conversion of an existing residential dwelling unit to a commercial use including two residential apartments. The property is described as Lot 59, Plan 1023 and is located at 16 Louisa Street East on the immediate northwest corner of Louisa Street and Hester Street. The property is 590 sq m in area and contains an existing residential dwelling that has existed on the property for 80 – 100 years.

The converted building proposes to create 72 sq m of commercial floor space, and provide a two-bedroom and a one-bedroom apartment. Some additional site improvements including a larger parking area, verandahs and other aesthetic changes to the building are proposed.

B2. Official Plan

The subject lands are designated Commercial within the Thornbury Urban Area of the Town of The Blue Mountains Official Plan. The Commercial designation permits a wide range of Commercial uses, and establishes specific policies for those uses specifically located within the Bruce Street Core Area. Commercial uses such as retail, service, business and professional offices are promoted. Residential uses are permitted as accessory functions provided suitable parking can be accommodated on site.

The conversion of a residential dwelling in to a commercial use, must ensure that: (a) the building is structurally suitable for the increased use as a commercial operation, (b) there is sufficient parking available for the use, (c) the use will not adversely affect the continuation of any adjacent residential uses, and (d) the use will be compatible with the existing character of the surrounding uses and the intent of the Official Plan for the commercial area.

B3. Zoning By-law

The property is zoned Residential R2 by the Town of Thornbury Zoning By-law 10-77. The R2 zone recognizes the existing dwelling on the property. The proposed rezoning of the lands to the General Commercial C2 zone permits a wide range of commercial uses consistent with other commercial properties in the area.

Minimum parking requirements for the proposed use shall be 1 space per 18.5 metres of commercial floor space, plus 1.5 spaces per residential apartment.

C. Comments

C1. Official Plan

The proposed conversion would appear to comply with the intent and direction of the Town of The Blue Mountains Official Plan. The proposed conversion requires a Building Permit for the change in use, and will be required to upgrade the existing structure to meet minimum Ontario Building Code requirements for a commercial building.

The existing properties in this area comprise of a mix of residential and commercial uses. Steadily the residential uses are being converted to commercial, most of which utilize the existing residential building on the property for the commercial use. Two other residential dwellings have been converted since 2001 with approximately three more residential dwellings in the area designated for redevelopment into commercial uses. The proposed conversion being considered here would not appear to adversely

impact any of the existing residential uses, nor conflict with the intent of the commercial provisions in the Official Plan.

The Site Plan provides for 4 parking spaces to accommodate the residential apartments and staff parking for the commercial use. If this area were to be included as part of the general parking pool for the area known as the Hester Street Parking Area, a total of 5 parking spaces could be accommodated on site. Cash-in-lieu for any outstanding parking spaces will have to be paid to the Town for general parking lot improvements nearby. That said, it is our opinion that providing the minimum of 4 parking spaces to accommodate the residential and staff use of the building, and that collecting cash-in-lieu for parking for the remaining spaces is appropriate.

C2. Zoning By-law

The subject lands require a rezoning to permit the commercial and apartment uses. The General Commercial C2 zone within the Town of Thornbury Zoning By-law permits a wide range of commercial uses including retail stores, business and professional offices, automobile service stations, motels, and restaurants.

Consideration should be given on restricting the list of permitted uses to preclude the more intensive commercial uses that would not appear to be suitable on this site. An exception can be placed on the property to permit only those uses that would not appear to adversely impact traffic counts, hours of operation or those uses that require larger lot areas for their existence. This was similarly done for a commercial property on the south side of Louisa Street E.

Based on the 72 sq m of commercial floor space and 2 apartments, this property requires 7 parking spaces. 4 spaces can be provided immediately on site to accommodate residential and staff parking. A 5th space can be provided if a communal parking area was established at the rear of the Louisa St and Bruce St stores. The owners have agreed to participate in providing space to the rear of the building for parking lot improvements, and if at such time a communal parking area is created, the owners have agreed to provide the available space and to pay their proportionate cost for the upgrading of the communal parking area. Based on the available area for 5 parking spaces, 2 spaces will require cash-in-lieu calculated at \$1500 per space.

C3. Additional Comments

The Site Plan identified as Site Plan (Proposed Site) Rev.3, Revised by Chris Wilson dated January 11, 2007 has been reviewed and supported by Town Staff through the Development Review Committee.

The property is serviced by municipal water, storm and sanitary sewers.

Although only minor site improvements and aesthetic changes to the building itself are proposed, a Site Plan Agreement is required for the change of use and to ensure all of the elements of the Site Plan are implemented. In addition, the Site Plan Agreement will include provisions for development charges, cash-in-lieu for parking and the participation in a communal parking area. Further expansion of the building or another

change in the use of the building will not be permitted without an amendment to the agreement.

Comments were received from the County of Grey and the Grey Sauble Conservation Authority each indicating that they have no objections to the proposed conversion.

D. Conclusion

Based on the foregoing it is the opinion of Planning Staff that the attached Site Plan and Site Plan Agreement will ensure the effective conversion of the existing residential dwelling into a commercial use with two apartments. We therefore recommend that Council grant the proposed Zoning By-law Amendment and further authorize the Mayor and Clerk to execute the Site Plan Agreement.

E. Budget Impact

NIL

F. Attached

1. Site Plan (Proposed Site) revised January 11. 2007
2. Draft Zoning By-law
3. Schedule 'F' – Special Provisions to the Site Plan Agreement

Respectfully submitted,

Shawn Postma.

Rob Armstrong