

STAFF REPORT PUBLIC MEETING OF PLANNING

September 13, 2021

TO: Mayor and Council Members

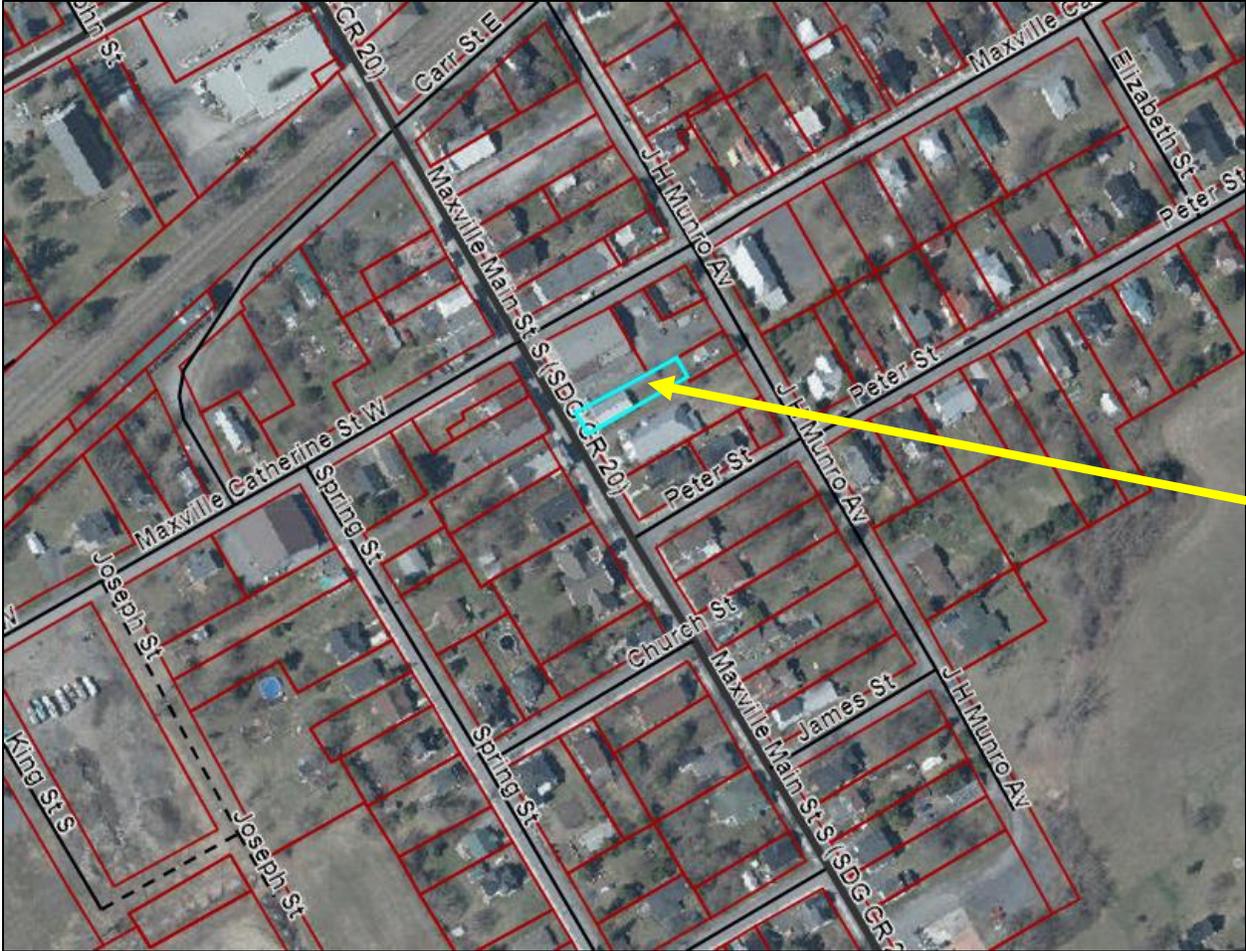
FROM: Kasia Olszewska, Planner

RE: Z-13-2021 Public Meeting Staff Report - Rolland and Sons Plumbing.docx

Owner: Rolland & Sons Plumbing and Heating

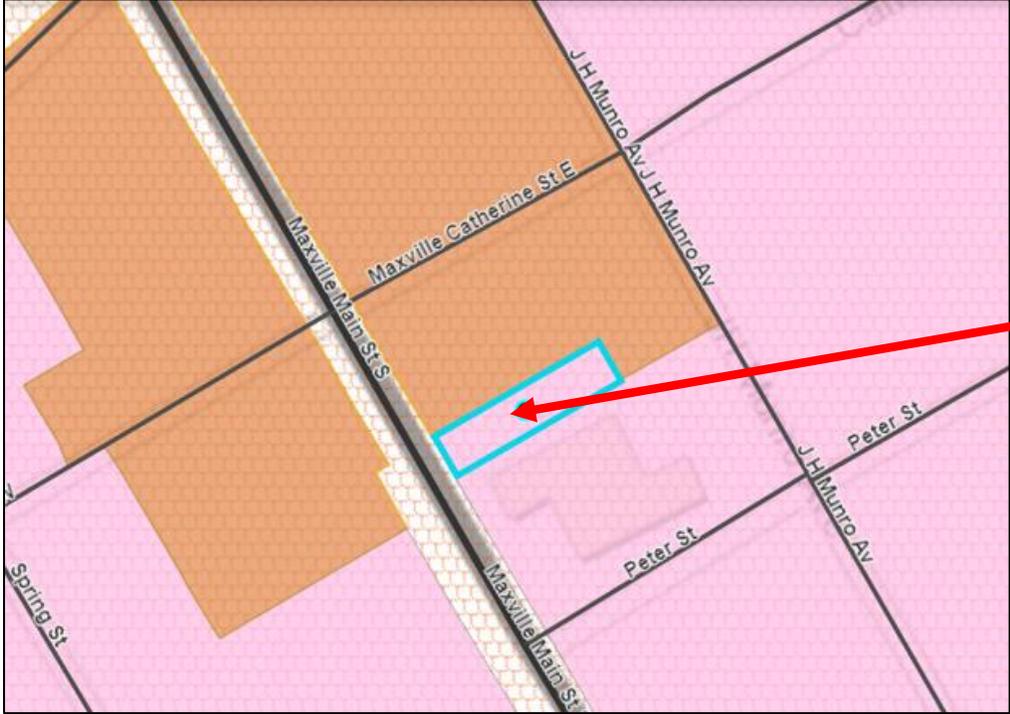
Location: 17 Main St S, Maxville, ON
PLAN 32 BLK B PT LOTS 3, 4



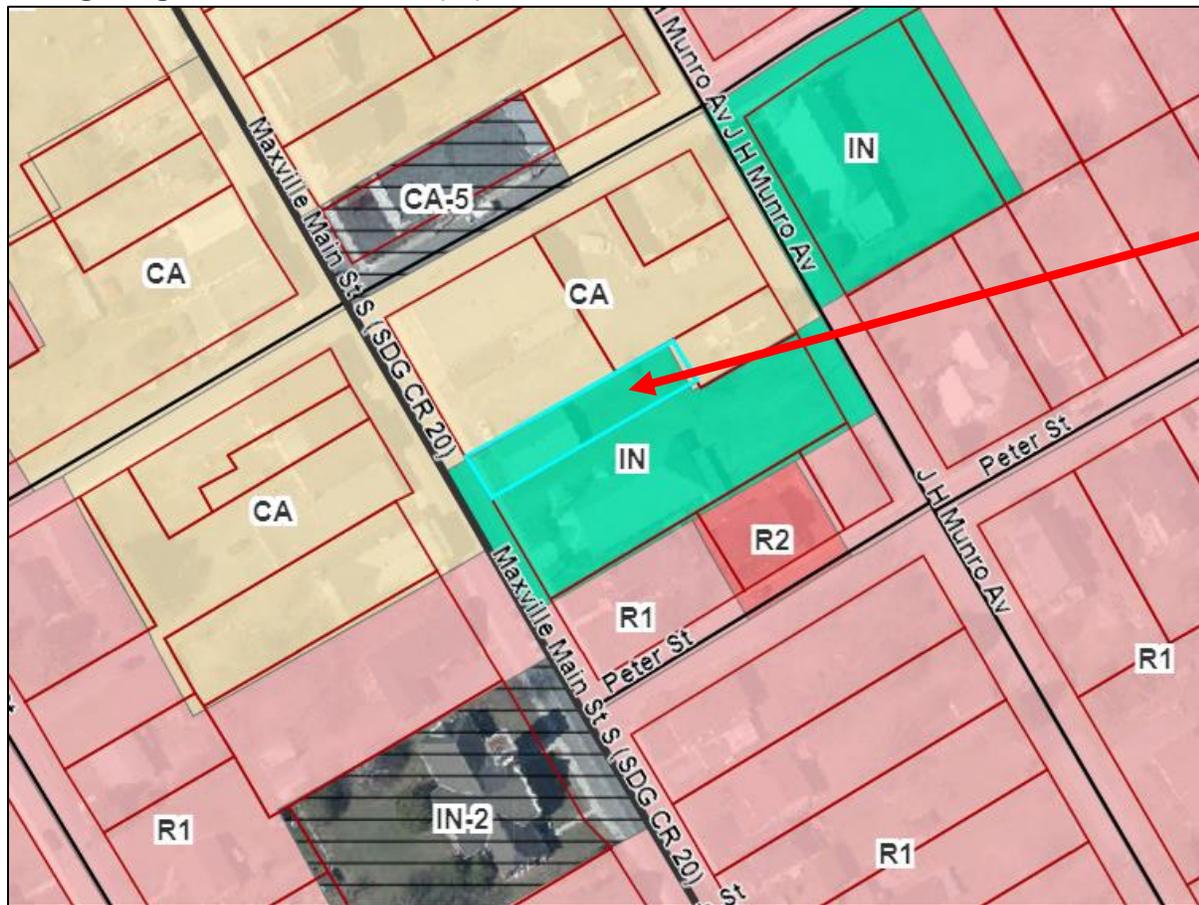




Official Plan designation: Residential District



Zoning designation: Institutional (IN)



Purpose of application:

Re-zone the property from Institutional (IN) to Special Exception Local Commercial (CL-2) and to add a restaurant as a permitted use.

Discussion: the subject lands have a frontage of 9m and a depth of 45m with an area of 0.1ac. The Planning Department received a request from the applicant to rezone the property from Institutional (IN) to Special Exception Local Commercial (CL-2) and to add a restaurant as a permitted use.

The proposed restaurant will be contained within the existing building on the subject lands. Former uses within the building included a flower shop and commercial storage. The property has been vacant since 2018. The prior uses existed on the lands as legal non-conforming uses, before the passing of the Township Zoning By-law in 2000.

Seven parking spaces will be provided at the back of the property in compliance with Section 3.21 of the Zoning By-law. The parking spaces will be accessed from Main Street and Catherine Street

East as the landowner also owns adjacent lands fronting onto Catherine Street East. The rear of the property will be paved to create the new parking area.

The surrounding Official Plan designations include Commercial District to the north, east and west, Residential District to the south.

The surrounding zoning includes Village Core Area (CA) to the north, east and west, Institutional (IN) to the south. To the north, is the new pharmacy, where Home Hardware use to be, to the south is St. Andrew's Presbyterian church, to the east is a single detached dwelling and to the west (across the street) is Munro Funeral Home.

The surrounding uses are compatible with the proposed restaurant use on the subject lands.

Planning Act

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest. The Planning Act requires that Council's decisions must be consistent with the Provincial Policy Statement, and conforms with the Stormont, Dundas and Glengarry Official Plan which apply to the lands.



View of the property looking east from Main Street, photo taken in August 2021.

Provincial Policy Statement (2020)

The Provincial Policy Statement, also known as the “PPS”, provides policy directions on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 1.1.1 supports Healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodate an appropriate affordable and market-based range and mix of residential types, (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.1.3.2 A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The proposed restaurant for the vacant building will provide a desirable use on the subject lands.

Policy 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The existing building is an appropriate site for the proposed restaurant use since it has been underutilized for approximately 3 years, during which time it was vacant, and is fully serviced by municipal water and sanitary systems.

Furthermore, the proposed restaurant will provide a desirable new use for the lands and the surrounding community. The proposed use is consistent with the Provincial Policy Statement (2020).

SDG Counties Official Plan (2018)

The SDG Counties Official Plan Residential District designation permits neighbourhood serving uses (e.g. convenience commercial) in the Residential District designation (Table 3.5).

In conclusion, based on the criteria above, the proposed Zoning Amendment conforms to the relevant policies of the Official Plan, it is consistent with Provincial Policy Statement and with the intent and purpose of the United Counties of Stormont Dundas and Glengarry’s Official Plan. It also promotes the efficient use of land, and it is deemed appropriate for the Residential District designation.