



**PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/PROPERTY
STANDARDS COMMITTEE AGENDA**

On October 25, 2022 @ 6:00 PM

In-Person in the Town Hall Council Chambers, 30 King Street East, Gananoque
(parking on-site via Garden Street)

And via Teleconference/Video Conference using information below:

Teleconference Toll Free Number – 1-833-311-4101, Access Code: 2631 037 3243

Video Access:

<https://townofgananoque.webex.com/townofgananoque/j.php?MTID=m3abcfa1dd11225a610a6172fde6d4931>

		Attachment
1.	Call Meeting to Order	
2.	Adoption of the Agenda	
3.	Disclosure of Pecuniary Interest & General Nature Thereof	
4.	Approval of Minutes	
	<ul style="list-style-type: none"> • Minutes of September 27, 2022 	
5.	Public Question/Comments (only addressing items on the agenda) *Note: Members of the public are permitted to speak to Planning Act applications under Reports/New Business or Correspondence at the time of discussion.	
6.	Unfinished Business – none	
7.	Reports/New Business	
	Development Permit Application DP2022-14 – 92 King Street West (Class II)	
	Development Permit Application DP2022-16 – 760 Stone Street North (Class III)	
8.	Correspondence/Other – none	
9.	Next Regular Meeting – November 22, 2022	
10.	Questions From the Media	
11.	Adjournment	

The Town invites and encourages people with disabilities to attend and voice their comments in relation to accessibility related reports. For those who are unable to attend, the Town encourages the use of the Customer Feedback Form found on the Accessibility Page on the Town's website.



PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/PROPERTY STANDARDS COMMITTEE MEETING MINUTES

On Tuesday, September 27, 2022 @ 6:00 PM
Via Webex Teleconference Meeting

COMMITTEE MEMBERS PRESENT		STAFF PRESENT
Chair:	Mayor Ted Lojko	Brenda Guy, Manager of Planning and Development
Members:	John Beddows	Chanti Birdi, Assistant Planner
	Brian Brooks	
	Lynda Garrah	
	Emery Groen	
	Chris McDonald	
	Jana Miller (attending virtually)	
	Marion Sprenger	
Regrets:	Councillor Mike Kench	

1.	Call Meeting to Order Chair Ted Lojko called the meeting to order at 6:00 PM.
2.	Adoption of the Agenda
	PAC-COA-PSC Motion #2022-37 Moved by: Lynda Garrah Seconded by: Marion Sprenger BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE adopt the agenda dated September 27, 2022. <p align="right">CARRIED</p>
3.	Disclosure of Pecuniary Interest & General Nature Thereof – None
4.	Adoption of Minutes
	PAC-COA-PSC Motion #2022-38 Moved by: Marion Sprenger Seconded by: Lynda Garrah BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE adopt the minutes dated July 26, 2022. <p align="right">CARRIED</p>
	Due to technical difficulties, committee member Jana Miller left the meeting at 6:09 PM.
5.	Public Question/Comments Three members of the public attended in-person and approximately 7 members of the public attended virtually (for varying lengths of time).

	<p>The Chair asked if any members of the public, online or in-person, wished to speak to any items on the agenda.</p> <p>Those attending in-person indicated interest in the consent application B2-22 and wished to observe discussion before making comment.</p>
<p>6.</p>	<p>Unfinished Business – None</p>
<p>7.</p>	<p>Reports/New Business</p>
	<p>Consent Application B2-22 – IN Engineering/Bosica – 830 King Street West</p> <p>The subject application sought to sever and convey 1.17 hectares of vacant land from the subject property and retain 2.23 hectares containing an existing single detached dwelling and detached garage. The retained lands are serviced by private well and septic and the new lot is proposed to be privately serviced as well.</p> <p>*An audio issue was noted by virtually attendees and corrected at approximately 6:28 PM.*</p> <p>Adjacent property owners (220/230 Garfield St) enquired about the potential impact of the development on the view from each respective property. Staff clarified the area of proposed development and the type of proposed development which may be seen.</p> <p>The Committee discussed the application in terms of:</p> <ul style="list-style-type: none"> • Water and sewage servicing of the site, • The process of allowing individual consent applications as opposed to plans of subdivision for the creation of three or more lots. • The potential impact on precedence and parkland contribution (cash-in-lieu vs. land dedication), • Physical suitability of the lands (the subject property contains a large rocky area and is located on a curved portion of road), and • Suitability of site to accommodate a safe driveway entrance.
	<p>PAC-COA-PSC Motion #2022-39 Moved by: John Beddows Seconded by: Marion Sprenger</p> <p>BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE moves that this application and decision be reviewed by legal counsel for the inclusion of a clause which explicitly precludes use of this specific decision as a precedent for any future planning application or decision to or by the municipality of Gananoque.</p> <p style="text-align: right;">DEFEATED</p>
	<p>PAC-COA-PSC Motion #2022-40 Moved by: Brian Brooks Seconded by: Chris McDonald</p> <p>BE IT RESOLVED THAT PLANNING ADVISORY COMMITTEE approves Consent Application B02-22 for a new lot severed from the property of 830 King St W provided the following conditions are met:</p> <ul style="list-style-type: none"> • New deeds be prepared and submitted to the Town, • A final reference plan be submitted and registered, to the satisfaction of the Town, • Payment be made for cash-in-lieu of parkland for the new lot, • Confirmation of the ability of the site to accommodate private servicing (water and wastewater) by a qualified person be obtained,

	<ul style="list-style-type: none"> • Meet the requirements of the CRCA in terms of the significant woodlands, • The Owner enter into an agreement agreeing that should municipal water and wastewater services be extended to the property, the Owner shall be required to connect to the municipal services, • The balance of any outstanding taxes, including penalties and interest (and any local improvement charges) shall be paid to the Town of Gananoque, if required, • All costs related to fulfilling the conditions are borne by the applicant. • All conditions of this decision be fulfilled and the documents presented to the Town for issuance of the Certificate of Consent within a period not to exceed 24 months from the date of decision. <p style="text-align: right;">CARRIED</p>
8.	Correspondence/Other
	Staff provided a brief update on the Official Plan Update, indicating that the consultants have begun to create a draft document and sections of this draft will be available for Committee and public review shortly.
9.	Next Regular Meeting – October 25, 2022
10.	Questions From the Media – None
11.	Adjournment
	<p>PAC-COA-PSC Motion #2022-41</p> <p>Moved by: John Beddows THAT PAC/COA/PSC BE ADJOURNED AT 7:05 PM.</p>
<p>_____</p> <p>Ted Lojko, Chair</p>	<p>_____</p> <p>Brenda Guy, Committee Secretary</p>

NOTICE OF MEETING Proposed Class II Development Permit

TAKE NOTICE that the Planning Advisory Committee/Committee of Adjustment for the Town of Gananoque will hold a Meeting on **TUESDAY, OCTOBER 25, 2022 at 6:00 P.M.** via **TELECONFERENCE*** and **IN-PERSON** in the TOWN OF GANANOQUE COUNCIL CHAMBERS, 30 KING STREET EAST to consider following application.

*The **TOLL-FREE PHONE NUMBER** and **ACCESS CODE** will be found on the meeting agenda, posted to the Town website at <https://www.gananoque.ca/town-hall/meetings> prior to the meeting.

File No. **DP2022-14**

APPLICANT: **MADISON FOX (NBS DESIGN GROUP)**
OWNER: **RYAN BIRTCH/GEORGETTE BIRTCH**

The property municipally and legally described as

92 KING STREET WEST

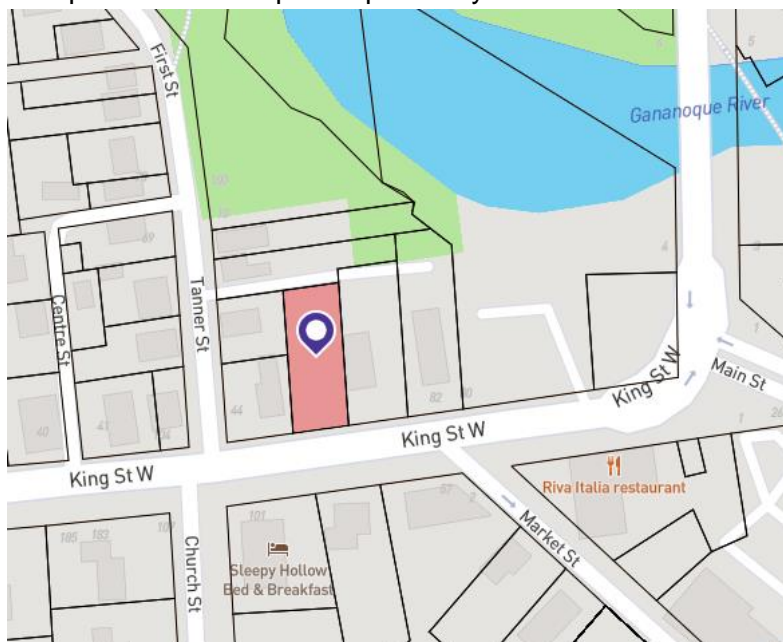
PLAN 86 PT LOT 529

Town of Gananoque

has applied to the Town of Gananoque for a Development Permit for
**A SECONDARY SUITE LOCATED WITHIN AN ACCESSORY BUILDING AND REQUIRING A
REDUCTION OF ONE PARKING SPACE ON THE SITE**

Additional information in relation to the proposed development permit is available for inspection at the Town Hall Administration Offices located at 30 King Street East, Gananoque, ON, on the Town website at <https://www.gananoque.ca/town-hall/meetings>, by emailing assistantplanner@gananoque.ca or by calling Chanti Birdi 613-382-2149 ext. 1129.

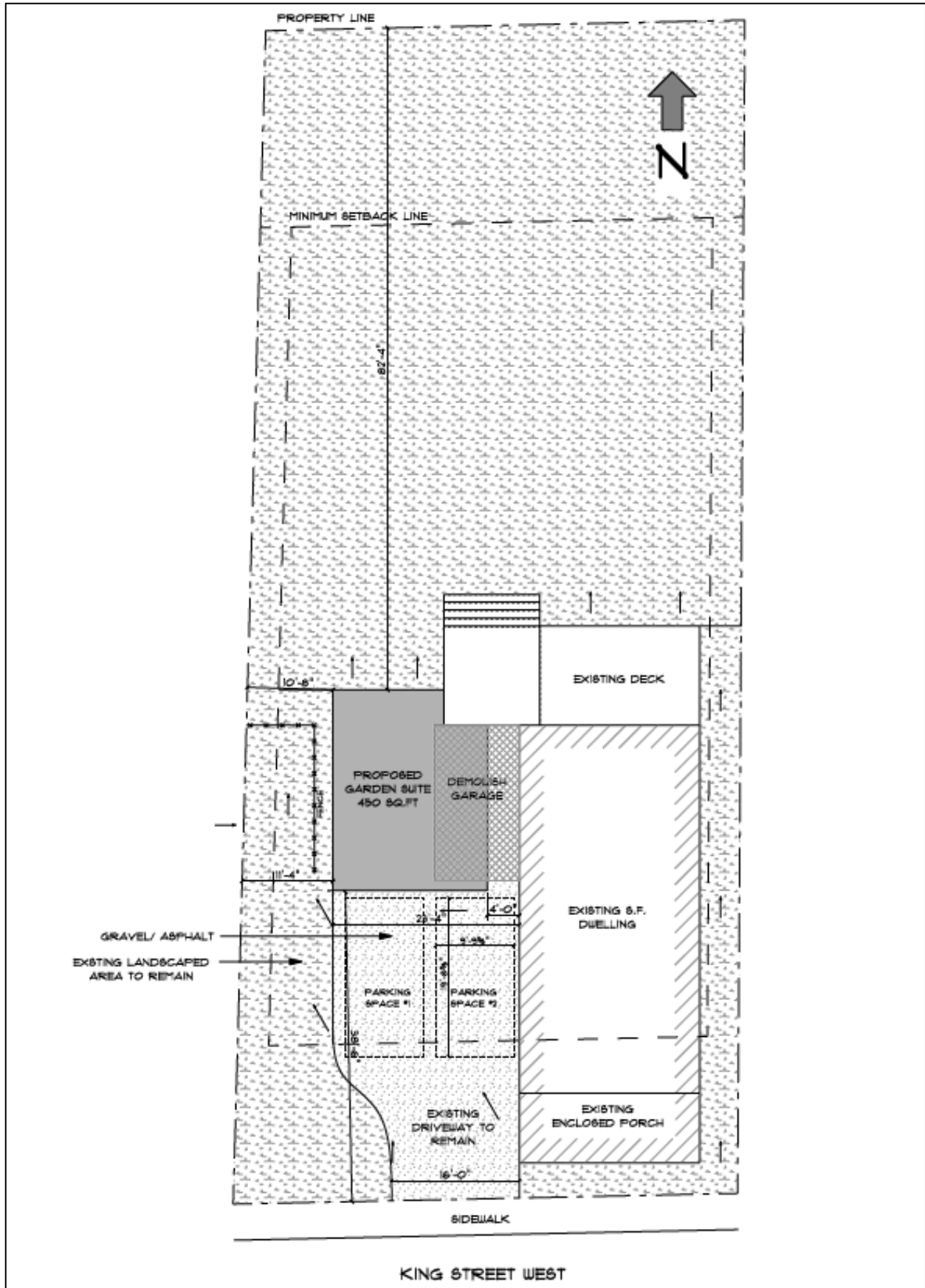
If you wish to provide comment or input you may do so at the public meeting or in writing prior to the meeting. **Note:** Only the applicant of a development permit has a right to appeal a decision or non-decision on an application to the Ontario Land Tribunal where the application meets the requirements established through the official plan and development permit by-law.



DATED this 5th day of **OCTOBER, 2022**

Brenda Guy
Manager of Planning and Development
bguy@gananoque.ca
613-382-2149 ext. 1126

Proposed Plan



PLANNING REPORT

TO: PLANNING ADVISORY COMMITTEE

FROM: PLANNING AND DEVELOPMENT

MEETING DATE: TUESDAY, OCTOBER 25, 2022

SUBJECT: DP2022-14 – 92 KING STREET WEST
CLASS II DEVELOPMENT PERMIT

Background:

Property: 92 KING STREET WEST

Legal Description: PLAN 86 PT LOT 529

Official Plan: RESIDENTIAL

Development Permit: RESIDENTIAL

Lot Coverage: 35% MAXIMUM (SINGLE DETACHED DWELLING)

Purpose and Effect:

To introduce a secondary suite in a new accessory building on the subject property. Relief for the reduction of one parking space and location of the secondary suite within an accessory building are required.

Background:

The subject property contains an existing single detached dwelling and with attached garage. The intent is to remove the garage to accommodate the space required for a new accessory building which would be used for the purpose of a secondary suite.

PROVINCIAL POLICY STATEMENT:

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The full PPS document can be found at <https://www.ontario.ca/page/provincial-policy-statement-2020>. Policies which repeat or are not relevant to the current proposal have been omitted from commentary below.

1.0 Building Strong Healthy Communities

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

- b) accommodating 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), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;

COMMENT:

The proposal is in keeping with the residential policies of the Provincial Policy Statement.

OFFICIAL PLAN:

The subject property is designated Residential within the Official Plan.

Goals and Objectives (3.2.1)

The goal of the Residential designation is to promote a balanced supply of housing to meet the present and future social and economic needs of all segments of the community while providing opportunities to develop new residential uses in mixed use buildings as well as non-residential neighbourhood components such as schools, community facilities, places of worship, parks and local commercial uses.

The application is consistent with the following objectives of the Residential designation:

- Promote and support development which provides for affordable, freehold and/or rental housing with a full range of density types;
- Ensure that land use policies and zoning do not establish barriers to a more balanced supply of housing;
- Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with surrounding uses in terms of architectural design and density;
- Encourage housing opportunities that are in proximity to work, shopping, and recreation to reduce the need to drive and encourage walking and cycling;
- Promote and support the protection of urban street trees in general and of heritage trees in particular.

Compatibility (3.2.2.4)

Ensure that all new development, including infill residential development in existing neighbourhoods, maintains or enhances the surrounding area and is compatible with respect to built form, scale, urban design, intensity of use and streetscape.

Residential Density and Affordable Housing (Section 3.2.2.8)

A full range of housing densities is permitted within this designation where character and quality of residential neighborhood will be maintained.

Access (3.2.2.9)

Development shall be permitted only where safe, convenient access to a public road is available to ensure ready accessibility for school buses, ambulances, fire trucks, and other essential service vehicles.

Housing Supply and Affordability (Section 3.2.2.10)

Densification is to be encouraged where appropriate.

COMMENT:

The proposed secondary suite is consistent with policies related to increasing housing supply. The scale and character of the proposed is in keeping with the existing neighbourhood.

Infrastructure

Section 4.1.1 of the Official Plan identifies a goal of the plan for ‘our infrastructures’ as being to ensure that efficient infrastructure services will be provided by the appropriate level of government or the private sector in a cost effective manner which recognizes development priorities and which ensures the protection of our environment. Further, water, waste water and stormwater will be managed in a fiscally and environmental responsible manner.

COMMENT:

The existing single detached dwelling is connected to municipal water and sewer services. In order to connect the new dwelling, the Public Works Department has indicated that the applicant will need to provide a detailed plan showing the proposed water and sewer connections for the secondary suite. Public Works has further indicated that if services are proposed to extend from the existing residence, an acknowledgement from the owner will be required to restrict any future severance of the property.

Implementing the Plan – Accessory Uses (5.3.1)

It is a policy of the Official Plan to provide opportunities for accessory dwelling units provided the proponent shall demonstrate compliance to the Ontario Building Code and with applicable zoning standards for the lot size, setbacks and parking.

Development Criteria (5.4.4)

The following development criteria (applicable to any new development or redevelopment) apply to the application:

- The provision of safe access onto or from a local or Town road or provincial highway,
- Adequate access to, and provision of, off-street parking,
- Access and maneuvering of emergency vehicles in providing protection to public and private properties,
- The availability of municipal services and the cost of upgrading such services including water, sewage treatment facilities, fire and police protection, street lighting, roads and winter maintenance, waste disposal, community facilities and recreation,
- Adequate grade drainage or storm water management and erosion control,
- The preservation and protection, whenever possible, of street trees, street tree canopies and the urban forest, and
- Safety and Security (including lighting, site orientation, and lines of sight).

COMMENT:

The new dwelling unit would be accessed from the existing entrance located off King Street West. With the proposed site renovations, the existing parking area could accommodate two parking spaces.

DEVELOPMENT PERMIT:

The subject property is designated Residential within the Development Permit By-law. The intent of the Residential designation is to allow for a varied density of residential uses.

Site Provisions (5.3.2)

The following site provisions are based on the primary use of a single detached dwelling.

Site Provision	Requirements	Proposed
Lot Area	464 m ²	819.4 m ²
Lot Coverage (maximum)	35%	24.1% existing + 5.1% new = 29.2% total
Lot Frontage	15 m	18.2 m
Front Yard Setback	6 m	12 m existing dwelling*/ 11.7 m new construction
Exterior Yard Setback	4.5 m	n/a
Interior Side Yard Setback (east side)	1.2 m	1.44 m
Interior Side Yard Setback (west side)	1.2 m	3.45 m
Rear Yard Depth	7.5 m	25 m
Building Height (max)	11 m	5 m existing dwelling/ 4.25 m new construction

*Note that the primary dwelling contains an existing non-conforming enclosed porch structure which encroaches into the required front yard.

Accessory Buildings, Structures and Uses (3.1)

Section 3.1 of the By-law provides the following provisions related to accessory buildings:

By-Law Provision	Proposal/Comment
All accessory uses, buildings and structures to a permitted principal use shall be located on the same lot and in the same designation as the principal use.	The proposed secondary suite in an accessory building is to be contained within the subject property & accessory to an existing permitted use (single detached dwelling).
The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use.	Human habitation within accessory building requested.

No accessory buildings, structures and uses shall be located closer to the front lot line or the exterior side lot line setback of the designation where it is located. Notwithstanding the foregoing no accessory buildings, structures or uses are permitted closer to the front lot line of exterior lot line than the main structure.	Accessory building to meet setback requirements as noted.
Accessory buildings, structures and uses abutting a laneway should also refer to Section 3.18.	n/a
Except where specified otherwise, no accessory buildings, structures and uses shall be located closer than 1 m (3.2 ft) to any interior side lot line, rear lot line or the main building.	No conflict with 1 m requirement.
Accessory uses shall not cover more than 10% in any residential designation.	At 41.8 m ² , the accessory building would account for 5.1% of the lot.
Maximum gross floor area of any accessory building may not exceed 100 m ² (1,076 ft ²) in a residential designation.	No conflict at 41.8 m ² .
The maximum height of accessory buildings shall be 4.5 m (14.76').	No conflict at 4.25 m to top of roof.

Parking and Storage of Vehicles (3.32)

Section 3.32 of the by-law requires that two parking spaces be provided for single detached dwellings. A parking count is not identified for secondary suites, however, based on *Planning Act* regulations and parking requirements for a similar uses, one parking space dedicated to the secondary suite is considered appropriate by staff.

As such, three parking spaces (two for primary dwelling and one for secondary suite) are deemed to be required at a size of 3 m by 6 m each.

COMMENT:

Two parking spaces are proposed to be located within the existing paved driveway. This is a reduction of one space from the above requirement.

The application notes that the proposed parking spaces are 2.9 m by 6 m, however, a space is provided between the spaces whereas generally parking spaces are measured 'side-by-side' with no gap in-between. Including the space between the proposed parking spaces, each space would meet the minimum size requirement.

Secondary Suites (3.40)

The By-law stipulates that secondary suites are to be located within a single family dwelling, contain no more than one bedroom, be no more than 25% of gross floor area of the primary dwelling and require a Class II Development Permit.

By-law Provision	Proposal
Located within a single detached dwelling	Located within an accessory building
Containing no more than one bedroom	Contains one bedroom

No more than 25% of gross floor area of primary unit	18.3% of primary unit (primary unit = 228.35 m ² , secondary suite = 41.8 m ²)
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COMMENT:

The secondary suite requires relief for the location of the unit within an accessory building. The unit itself meets the bedroom and floor area requirements (the secondary suite being 18.3% of the primary unit).

Design Criteria (5.2.4)

There is no particular architectural style required for residential structures but the focus should be on the development of high quality residential environment. In general, the proposed architectural design should be compatible with surrounding character and individual dwelling units should be distinguishable from another.

Design compatibility within the By-law include:

- Long uninterrupted exterior walls should have “relief” to create an interesting blend with landscaping, structures, and the casting of shadows. The integration of varied texture, relief, and design accents on building walls can soften the architecture.
- The use of materials and colours that are representative of the texture, character and palette of the community/neighbourhood is strongly encouraged.
- Corner lots should be encourages to provide architectural interest on both street fronts.
- New development should continue the functional, on-site relationships of the surrounding neighbourhood.
- New development in existing neighbourhoods should incorporate distinctive architectural characteristics of surrounding development.

COMMENT:

Elevation drawings of the proposed structure have been provided for review. The proposed accessory building is in keeping with the general style, including roof shape, of the residential area.

CIRCULATION TO AGENCIES

Circulation of 120 m to adjacent property owners and prescribed agencies (comments received to date):

Bell Canada/Canada Post/Cogeco	No Comment
CAO	No Comment
Chief Building Official	
CRCA	No concerns or objections
Enbridge Gas (formerly Union Gas)	
Eastern Ontario Power/Hydro One/OPG	
Emergency Services - Paramedic/Fire Police Department	Fire – No Comment
LG Health Unit	

Public Works Water/Sewer Utilities	Will require a detailed plan as to how the proponent is planning to service the detached suite with water and wastewater. If the applicant's plan is to service the suite from the existing services at the main residence, Public Works will require a statement letter indicating that the property cannot be severed unless the suite has its own water and wastewater services connected directly to municipal infrastructure. Such letter will need to be registered on title for the property.
MTO	
Other:	

Staff have no objection to application DP2022-15 (Birtch) at 92 King Street West for the construction of a secondary suite within an accessory building, and a reduction of one required parking space for the site, subject to the following conditions:

- Owner obtain approvals from Public Works/Utilities Department for water and sewer services in accordance with the Urban Service Requirements and comment provided,
- Owner obtain any approvals from Eastern Ontario Power to ensure proposed development will not interfere with existing overhead power lines,
- All costs associated with fulfilling the conditions of this decision are borne by the Owner, and
- The owner fulfill all conditions within one year of this approval or the application will lapse.



DP 2022/14

APPLICATION FOR DEVELOPMENT PERMIT APPROVAL
Section 70.2 of the Planning Act, RSO 1990, as amended

This application form **MUST** be accompanied with **all** the submission requirements in order to be considered a complete application. **Incomplete applications will not be processed until all information is provided.**

A meeting with Planning and Development staff is **REQUIRED PRIOR TO SUBMISSION** of this application. At that time, approval stream and submission requirements will be determined. **ALL** applications require the following:

- ✓ Complete application form signed including declaration of applicant.
- ✓ Copy of the deed of property or offer to purchase and sale
- ✓ Copy of the most recent survey of the subject property
- ✓ Two (2) large scale copies of all plans being submitted, two reduced 8.5" x 11" of each plan and one electronic copy in pdf format. Plans are to be in a standard scale format (1:250 1:500)
- ✓ Application fee payable to the Town of Gananoque:

Class I	\$500	Class II	\$1,500	Class III	\$1,700
Amendment to Class I, Class II or Class III \$700					
- ✓ Deposit fee in the amount of \$2,000 payable to the Town of Gananoque for any peer reviews of background studies – Class II/Class III applications
- ✓ Separate cheque payable to Catawaqui Region Conservation Authority, if applicable. See fee schedule. Clearance letter will be required by the Town.

CONTACT INFORMATION

Municipal Freedom of Information and Protection of Privacy Act – Personal Information on this form is collected under authority of The Planning Act and will be used to process this application.

Name of Applicant: <i>Madison Fox / NBS Design Group</i>	Complete Address including Postal Code: <i>77 Princess St. Kingston ON K7L 1A6</i>	Phone: <i>613-453-9041</i> Fax: _____ E-mail: <i>madison@nbsdesigngroup.com</i>
Name of Property Owner (if different than applicant): <i>Ryan & Georgette Birch</i>	Complete Address including Postal Code: <i>92 King St. West Gananoque ON K7G 2E9</i>	Phone: <i>613-532-3894</i> Fax: _____ E-mail: <i>rbirch@hotmail.com geo@geophoto.ca</i>
Architect/Designer/Planner: <i>NBS Design Group</i>	Complete Address including Postal Code: <i>77 Princess St. Kingston ON K7L 1A6</i>	Phone: <i>613-453-9041</i> Fax: _____ E-mail: <i>madison@nbsdesigngroup.com aosmar@nbsdesigngroup.com</i>
Engineer: <i>N/A</i>	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____
Ontario Land Surveyor: <i>N/A</i>	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____

Street or Property Address (if applicable): *92 King St. West, Gananoque, ON.*

LEGAL DESCRIPTION

Lot/Con/Plan: *Lot 529*

Frontage: <i>18.2 m</i>	Depth: <i>44.8 m</i>	Area (sq.m): <i>819.4</i>	Area (acres): <i>0.2</i>
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SUBMISSION REQUIREMENTS

The applicant/agent is responsible for ensuring that the submission requirements are met, including confirming that all the information listed below is shown on the required plans by checking off each box.

- Site Plan(s)** including scaled accurate measurements of:
- Title, location and date of project including legend and scale (graphic bar scale as well as written ratio scale);
 - Dimensions and areas of the site including existing natural and artificial features i.e: buildings, watercourses, wetlands, woodlands.
 - Dimensions and gross floor area of all building and structures to be erected;
 - Existing structures to be retained, removed or relocated;
 - Distances between lot lines and the various buildings, structures, parking areas, driveways and other features;
 - Proposed elevation of finished grades including area to be filled or excavated, retaining walls, drainage ditches;
 - Parking areas including number, size of spaces and dimensions. The plans shall have regard for **Ontario Regulation 413/12 made under Accessibility for Ontarians with Disabilities Act, 2005**. This shall include, but not be limited to, providing appropriate designated parking spaces and unobstructed building access features.
 - Access driveways including curbing and sidewalks
 - Proposed fire routes and fire route sign locations
 - Dimensions and locations of loading zones, waste receptacles and other storage spaces;
 - Location, height and type of lighting fixtures including information on intensity and the direction in which they will shine relative to neighbouring streets and properties;
 - Location of sign (sign permit to be applied for through the Building Permit process) as per By-law 2005-41;
 - Location, type and size of any other significant features such as fencing, gates and walkways.
- Drainage Plan(s)** including scaled accurate measurements of:
- Drainage Plan must demonstrate proposed development is handled on-site and does not infringe on neighbouring properties;
- Landscape Plan(s)** including scaled accurate measurements of:
- Landscape Plan showing size, type and location of vegetation, areas to be seeded or sod. Plan to show existing landscape features to be retained, removed or relocated;
- Site Servicing Plan(s)** including scaled accurate measurements of:
- Site Servicing Plan (plan/profile) including layout of existing water, sewer, gas lines, proposed connections, utility easements, fire hydrants, hydro poles, lighting, trees, transformers and pedestals.
- Grade Control and Drainage Plan(s)** including scale accurate measurements of:
- Existing elevations on subject and adjacent lands and long centerline or adjacent street lines, which are to be geodetic;
 - Location of any creeks, ravines or watercourses with elevations and contours;
 - Arrows indicating the proposed direction of flow of all surface water;
 - Location and direction of swales, surface water outlets, rip-rap, catch basins, rock, retaining walls, culverts
 - Existing and/or proposed right-of-ways or easements
- Elevation and Cross-Section Plan(s)** including scale accurate measurements of:
- Drawings that show plan, elevations and cross section views for each building or structure to be erected;
 - Conceptual design of building;
 - Relationship to existing buildings, streets and exterior areas to which members of the public have access to;
 - Exterior design including character, scale, appearance and design features of the proposed building;
 - Design elements of adjacent Town road including trees, shrubs, plantings, street furniture, curbing and facilities designed to have regard for accessibility
 - Photographs of the subject land and abutting streetscape on both side of the street
- Supporting Studies and Reports.** Technical reports/plans or studies may be required to assist in the review process of a Development Permit Application. Applications for Development Permit may be required to submit the following studies or reports. Applicants should consult with Municipal staff to determine site specific requirements:

<input type="checkbox"/> Servicing options report	<input type="checkbox"/> Phase I Environmental Study and if investigation as required
<input type="checkbox"/> Hydrogeological Study	<input type="checkbox"/> Noise and/or vibration study
<input type="checkbox"/> Drainage and/or stormwater management report	<input type="checkbox"/> Source Water protection study
<input type="checkbox"/> Environmental Impact Assessment for a natural heritage feature or area	<input type="checkbox"/> MDS I or II calculation
<input type="checkbox"/> Archaeological Assessment	<input type="checkbox"/> Minimum Separation distance calculation for an industrial use or a waste management facility
<input type="checkbox"/> Influence area study for development in proximity to a waste management facility or industrial use	<input type="checkbox"/> Confirmation of sufficient reserve sewage system capacity and reserve water system capacity
<input type="checkbox"/> Traffic Study	<input type="checkbox"/> Vegetation Inventory and/or Tree Preservation Plan
<input type="checkbox"/> Heritage Resource Assessment	<input type="checkbox"/> Supporting Land Use Planning Report
<input type="checkbox"/> Mine hazard rehabilitation assessment	

Existing Use(s): Attached Garage / S.F.D	
Length of time the existing use of the subject lands have continued: UNKNOWN	
Has the property been designated as a Heritage Site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property presently under a Site Plan Agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the property ever been subject of an application under Section 34 (Zoning), 41 (Site plan) or 45 (Minor Variance) of the Planning Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide the file number and the status of the application?	
Proposed Use(s): Detached Secondary Suite	
Is the Use permitted or permitted subject to criteria as set out in the development permit by-law and how have the applicable criteria have been addressed? Yes, permitted	
Is a variation requested? Demonstrate how the proposed variation meets the criteria as set out in the development permit by-law. NO	
Abutting Land Use(s): Residential	
Is the Development to be phase?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the anticipated date of construction?	Fall 2022
Is the land to be divided in the future?	NO
Are there any easements, right-of-ways or restrictive covenants affecting the subject land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Plan Details:			
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Institutional
	Lot Area: <u>819.4</u> (sq.m)	Building Coverage: <u>24.1</u> (%) <u>198</u> (sq.m)	Landscape Coverage: <u>67.7</u> (%) <u>554.5</u> (sq.m)
Building Height: <u>4.25 m</u>	No. of Storeys: <u>1</u>	No. of Units: <u>1</u>	Method of Garbage Storage: <u>within residence</u>
Parking Surface: Existing: <u>1</u> Proposed: <u>1</u>	Number of Parking Spaces: Existing: <u>2</u> Proposed: <u>2</u> Total: <u>2</u>	Dimensions of Parking Spaces: <u>2.9 m x 6 m</u>	Number of Accessible Spaces: <u>0</u>
Loading Spaces: <u>N/A</u>	Number of Loading Spaces: <u>0</u>	Dimensions of Loading Spaces: <u>N/A</u>	Other: _____

Heritage Tourist Inn/Bed and Breakfast:			
Is this an application for a Heritage Tourist Inn? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Other _____	Is this an application for a Bed and Breakfast? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> Other _____
A Heritage Tourist Inn will require a Heritage Resource Assessment evaluating the heritage significance of the property including a description of historic features is required with the submission of this application.			

EXISTING BUILDINGS:		Building 1	Building 2
	Type of Structure	S.F.D	
	Date Constructed:	Unknown	
	Front Line Setback:	12m	
	Rear Lot Line Setback:	26.5m	
	Side Lot Line Setback:	7.26m	
	Side Lot Line Setback:	1.44m	
	Height:	5m	
	Dimensions:	16.6m x 6.88m	
	Floor Area:	228.35	
PROPOSED BUILDINGS:		Building 1	Building 2
	Type of Structure:	Detached secondary suite	
	Proposed Date of Construction:	Oct/NOV 2022	
	Front Line Setback:	11.7m	
	Rear Lot Line Setback:	25m	
	Side Lot Line Setback:	3.45m	
	Side Lot Line Setback:	9.63m	
	Height:	4.25m	
	Dimensions:	5.8m x 7.54m	
	Floor Area:	41.88sq.m	
Attached Additional Page, if necessary			

Access:

<input checked="" type="checkbox"/> Municipal Street	<input type="checkbox"/> Unopen Road Allowance	<input type="checkbox"/> Existing Right-of-way	<input type="checkbox"/> Other _____
Name of Street/Road: King Street West			
Entrance Approvals and Permit Number(s): N/A			
If the application will result in the creation of a new private road, a request for street naming will have to be submitted in conjunction with this application, to be approved by Council.			

Water Access (where access to the subject land is by water only)

Docking Facilities (specify)	Parking Facilities (specify)
distance from subject land _____	distance from subject land _____
distance from nearest public road _____	distance from nearest public road _____

Services:

<input checked="" type="checkbox"/> Municipal Water and Sewer	<input type="checkbox"/> Municipal Water & Private Sewage	<input type="checkbox"/> Private Well and Municipal Sewage	<input type="checkbox"/> Private Well and Private Sewage
Water and Sewer Hook-up Approvals and Permit Number(s):			

AUTHORIZATION BY OWNER

I/We, the undersigned being the owner(s) of the subject land of this application for a consent, hereby authorize Ryan Birch & Georgette Birch (print name) to be the applicant in the submission of this application. Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of Council, Planning Advisory Committee and the Town of Gananoque staff members, to enter upon the property for the purposes of conducting a site inspection with respect to the attached application.

<u>Ryan Birch</u> Owner Name (Please Print)	<u>Georgette Birch</u> Owner Name (Please Print)
<u>[Signature]</u> Signature of Owner	<u>[Signature]</u> Signature of Owner
 Signature of Witness (not applicant)	 Date

CONSENT BY OWNER

Complete the consent of the owner concerning personal information set out below.

I/We, Ryan Birch & Georgette Birch, am/are the registered owner(s) of the land that is the subject of this application for Development Purposes and for purposes of the Municipal Freedom of Information and Protection of Privacy Act. I/We hereby authorize the use, or disclosure, to any person or public body, of any personal information collected under the authority of the Planning Act of the purpose of processing this application.

<u>[Signature]</u> Signature of Owner	<u>[Signature]</u> Signature of Owner
<u>[Signature]</u> Signature of Witness (not applicant)	<u>Aug 25/22</u> Date

DECLARATION OF APPLICANT

I, Madison Fox of the corporation of NBS Design Group in the city of Kingston solemnly declare that:

I understand that the applicant/owner will be required to provide 100% security of the outside works in the form of a Letter of Credit or Certified Cheque until such time as the works are completed. A 15% holdback will be maintained for a period of one year after the works are completed. This will be applicable at the time of agreement.

Furthermore, I, being the applicant of the subject lands, hereby authorize the Members of Council, Planning Advisory Committee and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

All of the above statements contained in the application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath and by virtue of *The Canada Evidence Act*.

Brenda Guy, Commissioner, etc. of the Town of Gananoque, Ontario, do hereby certify that this Declaration was sworn before me at the Town of Gananoque, Ontario, on the 25th day of September, 2022.
Expires August 6, 2024.

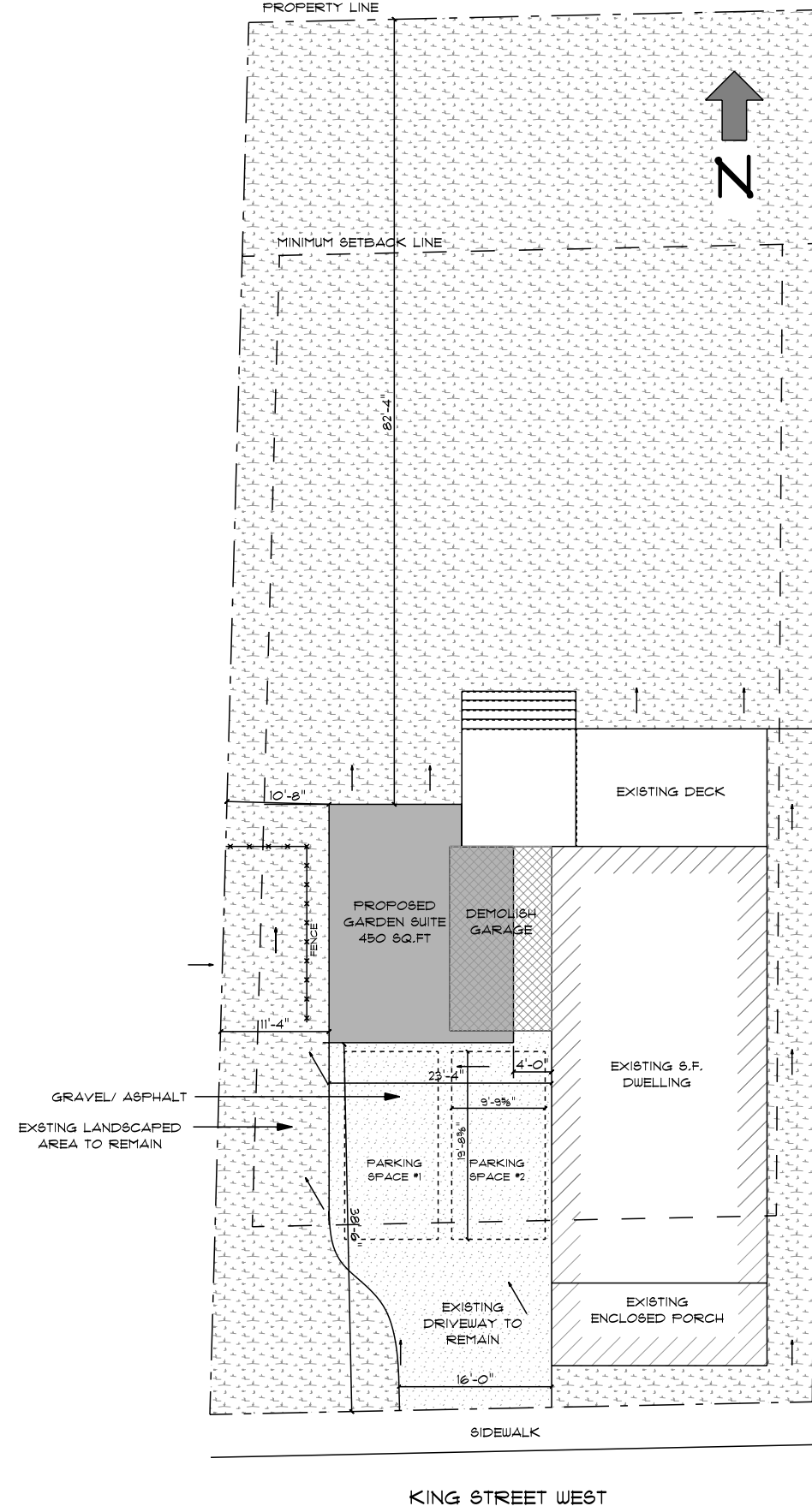
Signature of a Commissioner, etc

[Signature]

Signature of Applicant

Office Use Only:		Roll No: <u>010 12600</u>
Official Plan Designation: <u>Residential</u>	Development Permit Designation: <u>Residential</u>	Other:
Access (Entrance Permits etc): <u>n/a</u>	Water and Sewer Hookup (Permits etc):	Other:
Other Concurrent Applications: <input type="checkbox"/> Cash-in-Lieu of Parking <input type="checkbox"/> Condominium Approval <input type="checkbox"/> Consent/Severance	<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Subdivision Approval
Date Application Received: <u>Aug 27/2022</u>	Date Application Deemed Complete: <u>Sept 15/2022</u>	Fees Received: <u>Sept 22/2022</u>

For additional details please contact: Brenda Guy, Manager of Planning and Development
Town of Gananoque, 30 King Street East, Box 100, Gananoque, ON K7G 2T6
Telephone: (613) 382-2149 ext.1126 Fax: (613) 382-8587 E-mail: bguy@gananoque.ca



These plans form the basis for permit issuance. Any deviations from these plans, notes, and details will require revised drawings and specifications, and approval from the Building Department.

I have reviewed and take responsibility for the design activities which bear this declaration and meet the requirements set out in the Ontario Building Code.

Firm: NBS Design Group
 BCIN: 44002
 Designer: A. Omar
 BCIN: 33421

NBS Design Group
 398 Barrie Street
 Kingston ON K7K 3T7
 PHONE: 613-449-5240
 aosmar@nbsdesigngroup.com
 www.nbsdesigngroup.com

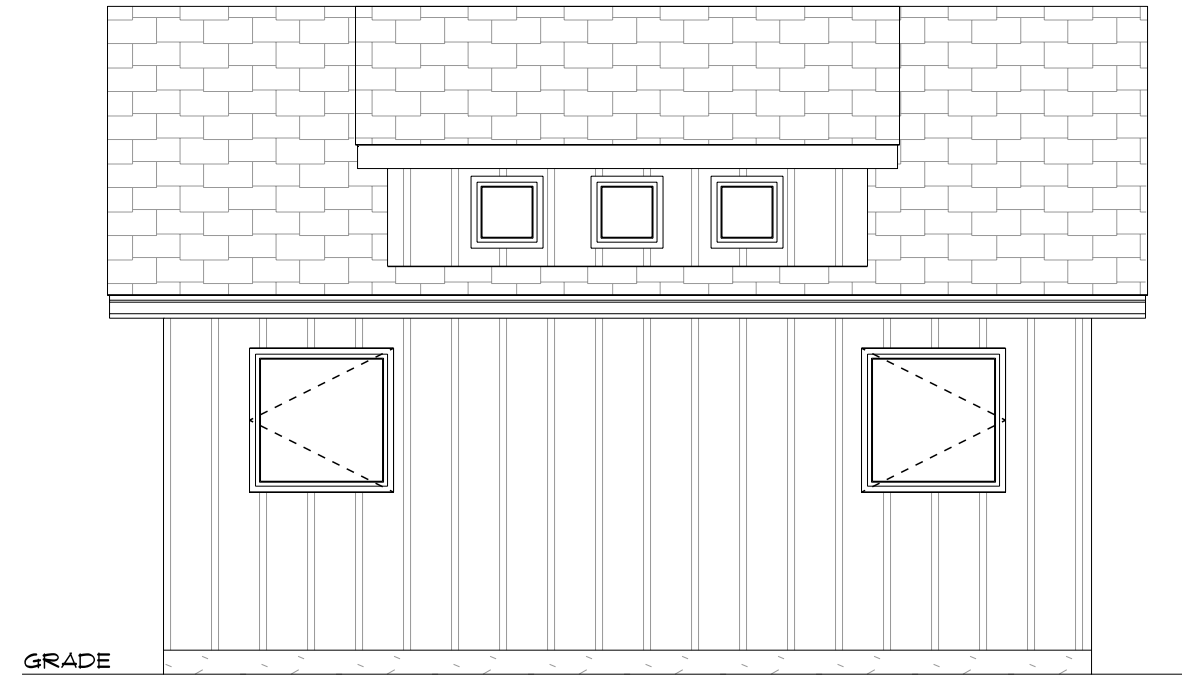
92 King Street West (Gananoque)

DRAWN BY: M Fox

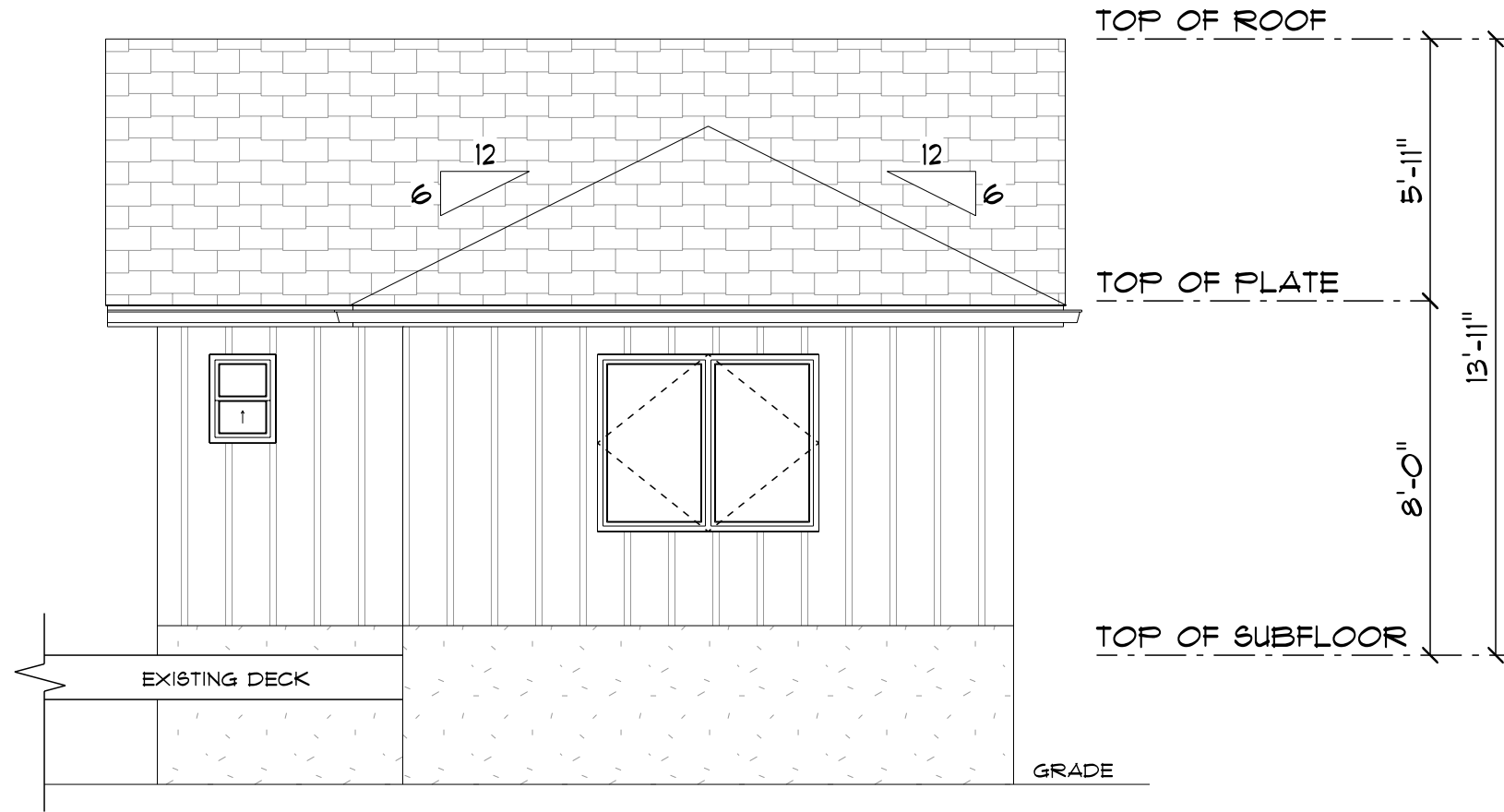
SCALE: 0.0580" = 1'-0"

DATE: Friday, August 19, 2022

PAGE: 1
 site plan



South Elevation



North Elevation

These plans form the basis for permit issuance. Any deviations from these plans, notes, and details will require revised drawings and specifications, and approval from the Building Department.

I have reviewed and take responsibility for the design activities which bear this declaration and meet the requirements set out in the Ontario Building Code.
 Firm: NBS Design Group
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NBS Design Group
 398 Barrie Street
 Kingston ON K7K 3T7
 PHONE: 613-449-5240
 aosmar@nbsdesigngroup.com
 www.nbsdesigngroup.com

92 King Street West (Gananoque)

DRAWN BY: M Fox

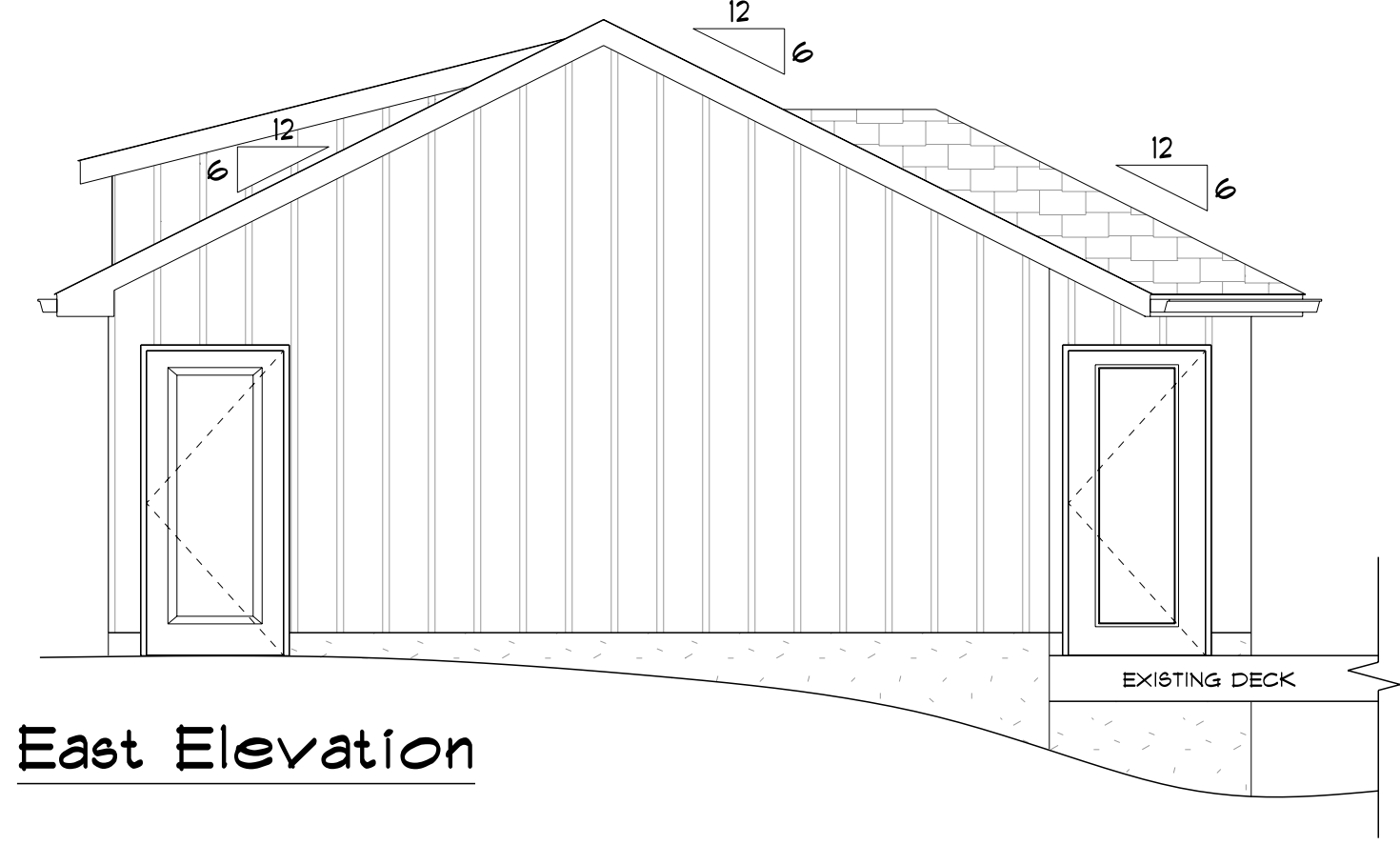
SCALE: 1/4" = 1'-0"

DATE: Friday, August 19, 2022

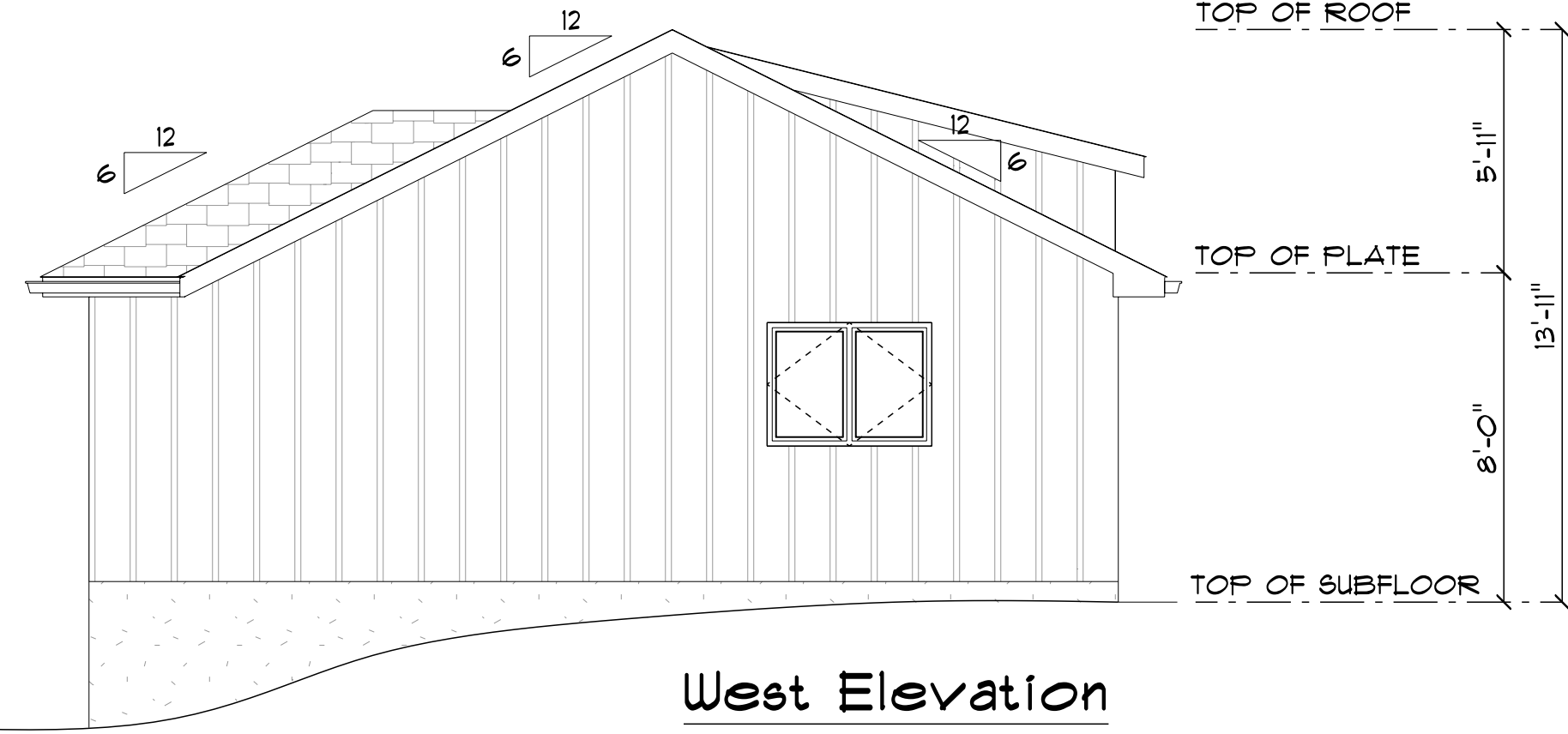
PAGE:

3

elevations



East Elevation



West Elevation

NBS Design Group
 398 Barrie Street PHONE: 613-449-5240
 Kingston ON aosmar@nbsdesigngroup.com
 K7K 3T7 www.nbsdesigngroup.com

These plans form the basis for permit issuance. Any deviations from these plans, notes, and details will require revised drawings and specifications, and approval from the Building Department.

I have reviewed and take responsibility for the design activities which bear this declaration and meet the requirements set out in the Ontario Building Code.
 Firm: NBS Design Group
 BCIN: 44002
 Designer: A. Omar
 BCIN: 33421

92 King Street West (Gananoque)

DRAWN BY: M Fox

SCALE: 1/4" = 1'-0"

DATE: Friday, August 19, 2022

PAGE: 4
 elevations 2

NOTICE OF MEETING Proposed Class III Development Permit

TAKE NOTICE that the Planning Advisory Committee/Committee of Adjustment for the Town of Gananoque will hold a Meeting on **TUESDAY, OCTOBER 25, 2022 at 6:00 P.M.** via **TELECONFERENCE*** and **IN-PERSON** in the TOWN OF GANANOQUE COUNCIL CHAMBERS, 30 KING STREET EAST to consider and provide a recommendation to Council on the Development Permit application below.

AND TAKE FURTHER NOTICE that the Council for the Corporation of the Town of Gananoque will hold a Public Meeting on **TUESDAY, NOVEMBER 1, 2022 at 6:00 P.M.** via **TELECONFERENCE*** and **IN-PERSON** in the TOWN OF GANANOQUE COUNCIL CHAMBERS, 30 KING STREET EAST to consider the following application.

*The **TOLL-FREE PHONE NUMBER** and **ACCESS CODE** will be found on the meeting agenda, posted to the Town website at <https://www.gananoque.ca/town-hall/meetings> prior to the meeting.

File No. **DP2022-16**

APPLICANT: **RYAN EASTON**
OWNER: **995423 ONTARIO INC.**

The property municipally and legally described as

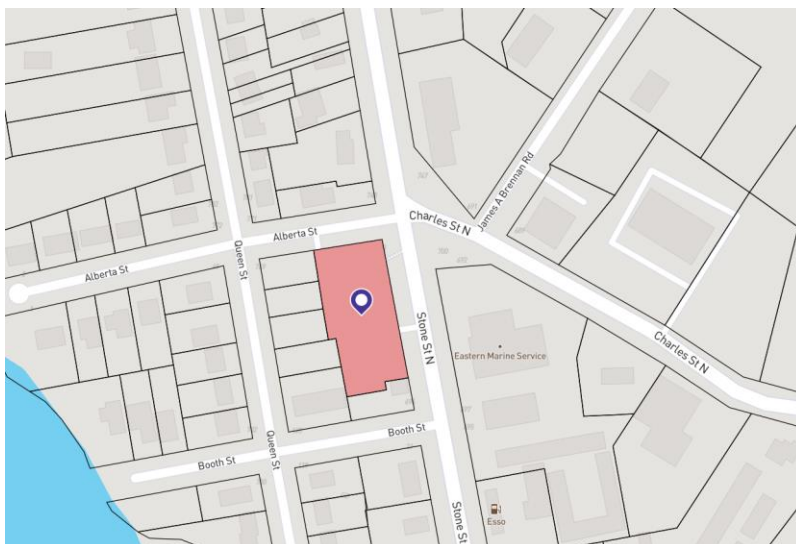
760 STONE STREET NORTH

PLAN 86 BLK V LOT 29 30 32 AND 34 PT LOTS 28 31 AND 37 RP 28R14928 PARTS 6 TO 9
Town of Gananoque

has applied to the Town of Gananoque for a Development Permit to
**AMEND AN EXISTING SITE PLAN TO TEMPORARILY PERMIT AN AUTOMOTIVE SALES
ESTABLISHMENT**

Additional information in relation to the proposed development permit is available for inspection at the Town Hall Administration Offices located at 30 King Street East, Gananoque, ON, on the Town website at <https://www.gananoque.ca/town-hall/meetings>, by emailing assistantplanner@gananoque.ca or by calling Chanti Birdi 613-382-2149 ext. 1129.

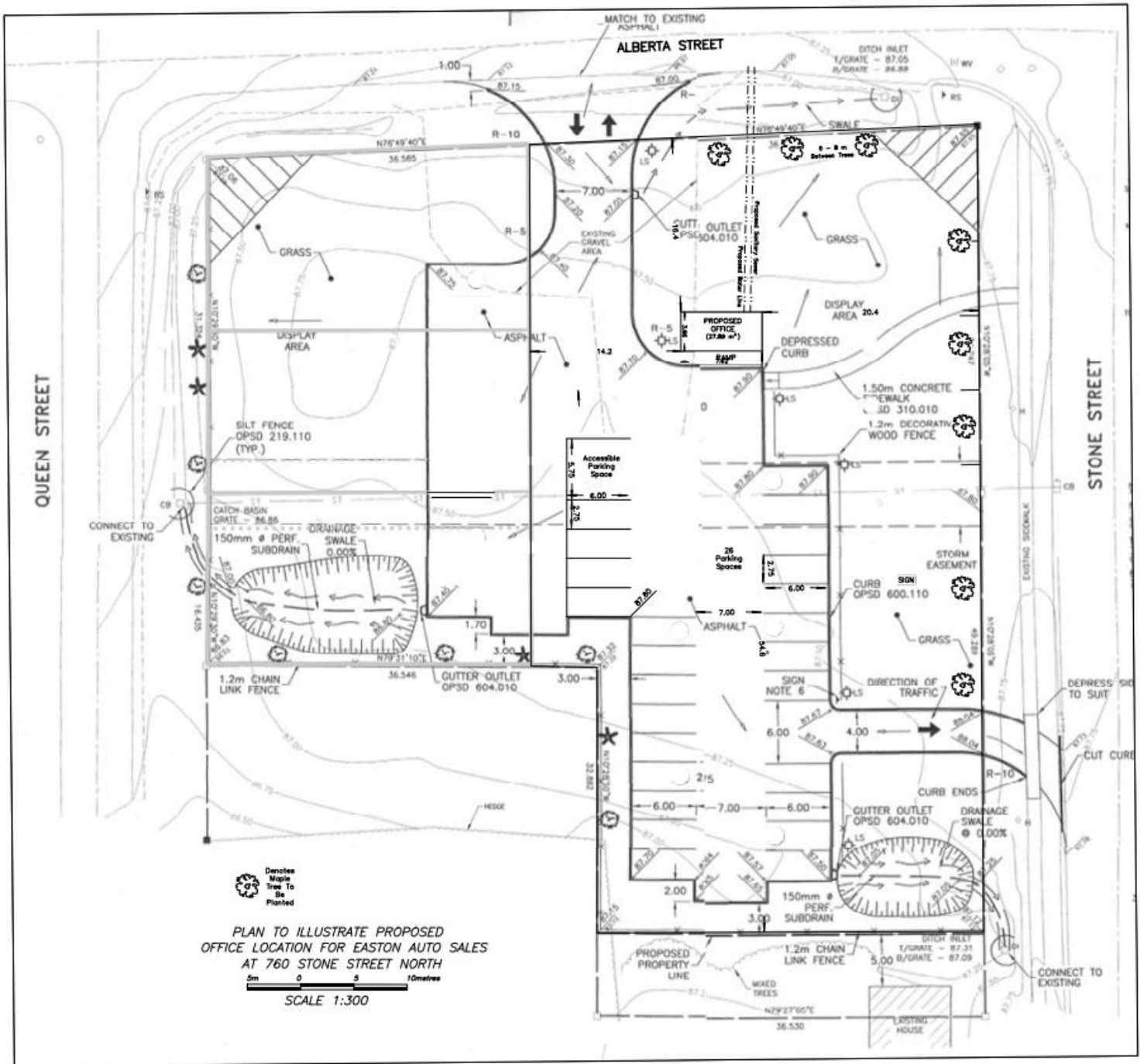
If you wish to provide comment or input you may do so at the public meeting or in writing prior to the meeting. **Note:** Only the applicant of a development permit has a right to appeal a decision or non-decision on an application to the Ontario Land Tribunal where the application meets the requirements established through the official plan and development permit by-law.



DATED this 7th day of **OCTOBER, 2022**

Brenda Guy
Manager of Planning and Development
bguy@gananoque.ca
613-382-2149 ext. 1126

Proposed Plan



PLANNING REPORT

TO: PLANNING ADVISORY COMMITTEE

FROM: PLANNING AND DEVELOPMENT

MEETING DATE: TUESDAY, OCTOBER 25, 2022

SUBJECT: DP2022-16 – 760 STONE STREET NORTH
CLASS III DEVELOPMENT PERMIT

Background:

Property: 760 STONE STREET NORTH

Legal Description: PLAN 86 BLK V LOT 29 30 32 AND 34 PT LOTS 28 31 AND 37 RP 28R14928 PARTS 6 TO 9

Official Plan: HIGHWAY COMMERCIAL

Development Permit: RESIDENTIAL

Lot Coverage: 35%

Purpose and Effect:

To amend an existing site plan (currently permitting parking and outdoor storage) to permit the operation of an automotive sales establishment for a temporary period of no more than 3 years.

Background:

In 2004, the property was subject to an Official Plan Amendment and Zoning By-law Amendment to re-designate the lands from residential to commercial. Following approval of these amendments, a site plan was approved to permit the use of the property as a parking lot and outdoor display area.

In 2009/2010, the current Development Permit By-law and Official Plan reverted the designation of the property to Residential, with the existing use being considered legal non-conforming and permitted to continue as such.

Subsequently, in 2018 an owner-initiated Official Plan Amendment was passed to change the designation from Residential to Highway Commercial. At the time of the amendment, the exact commercial use was not known and it was noted that a Development Permit would be required to specify the type of commercial use.

As of the date of this report, the subject property is therefore designated Highway Commercial within the Official Plan and Residential within the Development Permit By-law.

PROVINCIAL POLICY STATEMENT:

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The full PPS document can be found at <https://www.ontario.ca/page/provincial-policy-statement-2020>. Policies which repeat or are not relevant to the current proposal have been omitted from commentary below.

1.0 Building Strong Healthy Communities

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficient use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or economical expansion;

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;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
- d) maintaining and, where possible, enhancing the vitality and viability of downtown and mainstreets;

COMMENT:

The proposed use is consistent with policies related to economic readiness and development.

OFFICIAL PLAN:

Under Official Plan Amendment number OPA5/18, the subject property is designated Highway Commercial.

Goals and Objectives (3.3.1)

The goal of the Commercial Lands is to provide a supportive land use policy framework which reduces constraints for commercial development while ensuring that existing and future commercial uses will contribute to Gananoque's small town character.

The objectives of this designation are to:

1. Support a diverse range commercial uses that meet the existing and future needs of the community and reduces the need for residents to shop elsewhere;
2. Accommodate a range of commercial formats from smaller pedestrian-oriented stores in the central King Street area to highway commercial type uses near Highway 401;
3. Enhance the form and character of each commercial area in the Town and work to create a distinct community identity for each; and
4. To encourage the maintenance and improvement of existing commercial buildings.

Permitted Uses (3.3.2.2.1)

The Highway Commercial Policy Area is intended for larger format retail and service commercial development intended to serve the Town, the region and the traveling public. The designation is intended to permit a diverse range of land uses which includes automotive sales.

Highway Commercial Policies (3.3.2.2.2)

The Plan notes that development and redevelopment shall occur in a manner which minimizes off-site impacts on adjacent residential neighbourhoods through buffering and screening.

COMMENT:

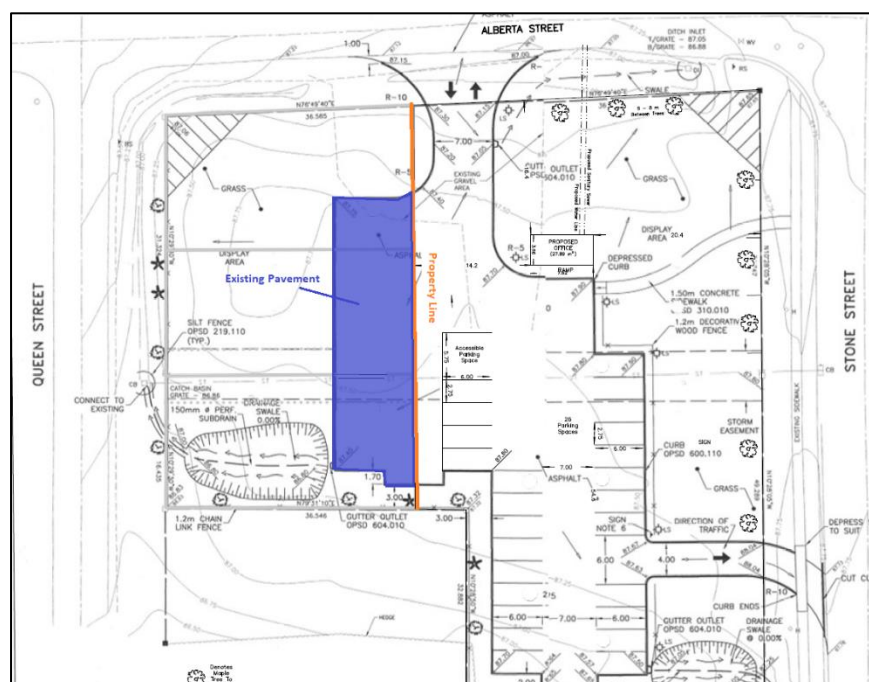
The proposed use is generally consistent with the commercial policies of the Official Plan designation.

Adjacent Uses

The subject property abuts an existing residential use to the south and three vacant residential lots to the west. Nearby lands, including directly across Stone St, are designated Employment Lands and contain commercial uses.

An existing paved parking area crosses the property line between the subject property and the three adjacent vacant residential lots. This configuration exists because the residential lots were previously severed from the subject property. Currently, the residential lots and the subject property are under the same ownership and therefore the owner is aware of the proposal.

Should the residential lots along Queen St be developed within the proposed 3 year maximum temporary use, closing of the existing parking area will be required.



Development Criteria (5.4.4)

In addition to the policies established for the General Commercial policy area, general development criteria are provided under Section 5.4.4. The following development criteria relate to the current proposal:

- The provision of safe access onto or from a local or Town road or provincial highway.
- Adequate access to, and provision of, off-street parking.
- Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.
- Safety and Security (including lighting, site orientation, and lines of sight).

COMMENT:

The site has an existing two-way entrance/exit off Alberta Street with an additional one-way exit to Stone Street N (right-turn only).

Updated elevations including a ramp entrance have been provided. The location of the ramp would make use of an existing curb depression and walkway.

DEVELOPMENT PERMIT:

The subject property is designated Residential within the Development Permit By-law. The intent of the Residential designation is to allow for a varied density of residential uses.

The current proposal would not redesignate the property but would rather permit the specific use as proposed within the site plan.

Use (5.3.1)

The By-law defines an Automotive Sales and Service Establishment as “a building and/or lot used principally for the display and sale of new and/or used motor vehicles and may include the servicing, repair, cleaning of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses”.

The proposed use is an Automotive Sales Establishment and no servicing or repair of vehicles is proposed. Approval of the subject application would entail sales only and no permission for auto service nor other commercial use would be included in the approval.

Automotive Sales and Service Establishments are not permitted within the Residential designation.

Site Provisions

Section 5.4 of the By-law establishes site requirements for permitted and discretionary uses. For comparison purposes, the provisions for the proposed site plan and the provisions for a single-detached dwelling are presented below.

Provision	Single-Detached Dwelling	Proposal
Lot Area	464 m ²	3682.6 m ²
Lot Coverage	35%	0.76%
Lot Frontage	15 m	42.6 m (Alberta St)
Front Yard Setback	6 m	16.4 m
Exterior Side Yard Setback	4.5 m	20.4 m
Interior Side Yard Setback	1.2 m	14.2 m
Rear Yard Depth	7.5 m	54.6 m
Building Height	11 m	3.93 m (to peak)

Note: Setbacks noted above vary from the original application form as the site plan was amended to include an accessibility ramp.

Parking and Storage of Vehicles (3.32)

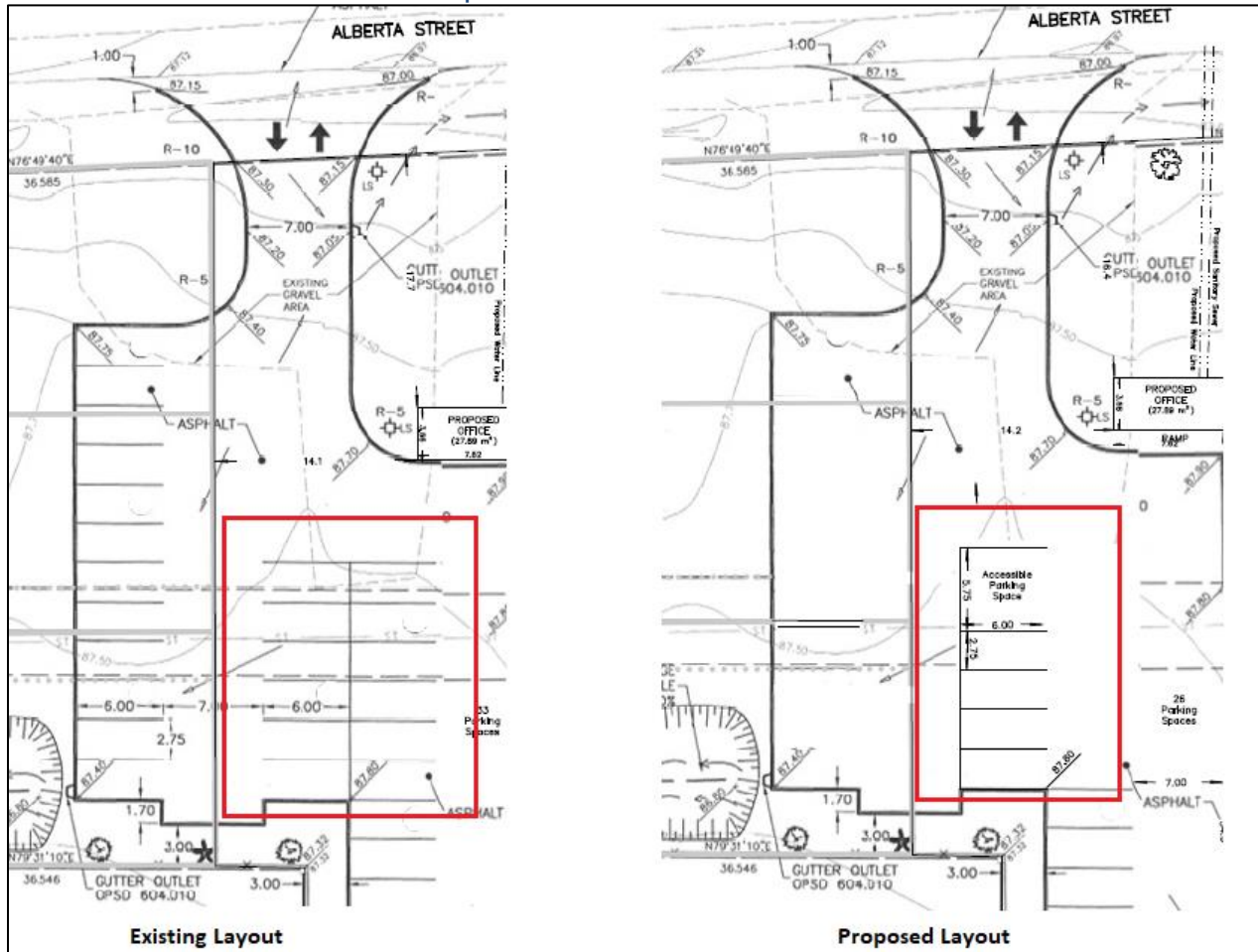
The By-law does not specify a required number of parking spaces for an Automotive Sales and Service Establishment, however, the parking requirement for uses otherwise not provided is 1 space per 30 m² (322.9 ft²) of gross floor area. With a sales office floor area of 27.89 m², only one space would be required for the use.

The By-law further provides that:

- Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle at least 6 m wide for two-way traffic and 3.5 m wide for one-way traffic,
- Barrier free parking shall be provided at a count of 1 accessible space per 20 standard spaces, and
- Spaces shall be 3 m by 6 m.

COMMENT:

Minor amendments to the existing parking layout are proposed. The existing spaces at the west side of the property are proposed to be reconfigured to allow for improved site circulation and access to those spaces.



It is noted that the paved area located on the adjacent residentially-designated properties are not part of the site plan and are not proposed to be used.

One accessibility parking space is proposed, however the Plan should be amended to show the accessibility buffers for clarity. The remainder of the parking spaces are existing and undersized at 2.75 m by 6 m. Staff are supportive of this configuration, particularly as the majority of parking spaces will be utilized for vehicle storage and display.

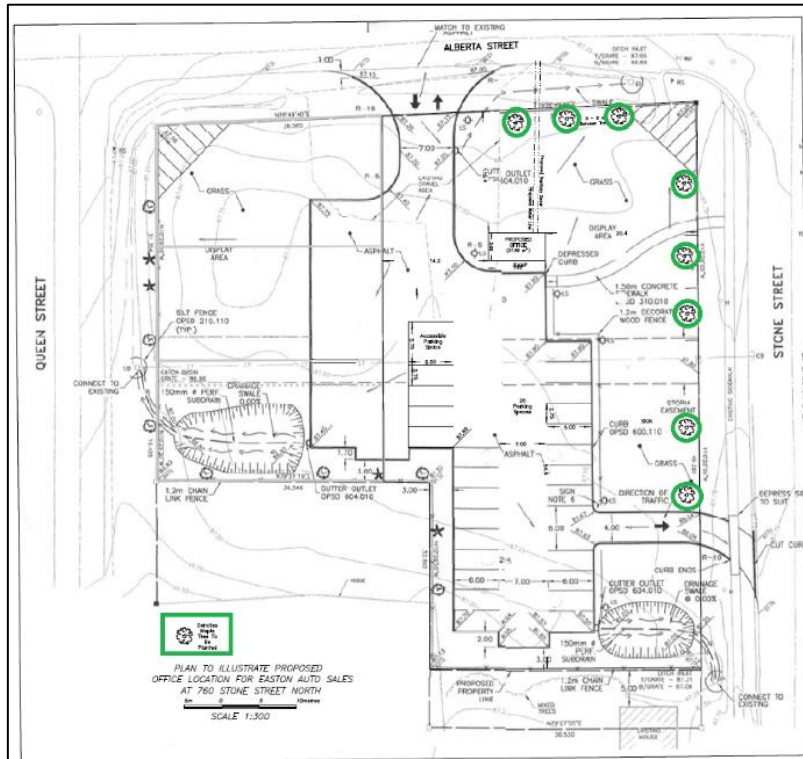
As noted within the supporting letter provided, the site is intended to have 15-20 vehicles for sale at any one time. Given there are 26 total spaces proposed, this would leave approximately 6 spaces available for customer and employee parking.

Entrance Overlay (14.0)

The subject property falls within the Entrance Overlay, which encourages additional landscaping and beautification of the Town entrances, as appropriate.

COMMENT

The site contains existing lighting infrastructure and new maple trees are proposed, spaced approximately 6-8 m, along Stone Street and Alberta Street.



GENERAL COMMENT:

The proposed sales office is considered temporary and is removable upon expiry of the approval. Upon expiry, the owner will be required to apply for a Development Permit to permit the use on a permanent basis or cease the use entirely. Staff are recommending that a security deposit be collected to ensure that the building is removed following the approved timeframe.

CIRCULATION TO AGENCIES

Circulation to all property owners within 120m of the site and the prescribed agencies (comments received to date):

Bell Canada/Canada Post/Cogeco	Bell - The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
Catholic District School Board of Eastern Ontario	No Comment
CAO	No Comment
Chief Building Official	

CRCA	No comments or concerns
Enbridge Gas	
Eastern Ontario Power/Hydro One/ OPG	Hydro One – No comment or concern at this time
Emergency Services	
Fire Department	No Concerns
LG Health Unit	
Public Works Water/Sewer Utilities	No Comments
St. Lawrence Parks Commission	
MTO	
Other:	

Staff have no objection to DP2022-16 at 760 Stone Street North, for the use of an automotive sales establishments for a temporary period not to exceed three years, provided:

- Site Plan be amended to show accessibility buffers,
- Financial security be provided for the removal of the temporary building,
- The Owner enter into an Agreement within one year of the Notice of Decision, and
- All costs associated with fulfilling the conditions of this decision are borne by the Owner.



DP 20 22/16

APPLICATION FOR DEVELOPMENT PERMIT APPROVAL
Section 70.2 of the Planning Act, RSO 1990, as amended

This application form **MUST** be accompanied with all the submission requirements in order to be considered a complete application. **Incomplete applications will not be processed until all information is provided.**

A meeting with Planning and Development staff is **REQUIRED PRIOR TO SUBMISSION** of this application. At that time, approval stream and submission requirements will be determined. **ALL** applications require the following:

- ✓ Complete application form signed including declaration of applicant.
- ✓ Copy of the deed of property or offer to purchase and sale
- ✓ Copy of the most recent survey of the subject property
- ✓ Two (2) large scale copies of all plans being submitted, two reduced 8.5" x 11" of each plan and one electronic copy in pdf format. Plans are to be in a standard scale format (1:250 1:500)
- ✓ Application fee payable to the Town of Gananoque:

Class I \$500	Class II \$1,500	Class III \$1,700
Amendment to Class I, Class II or Class III \$700		
- ✓ Deposit fee in the amount of \$2,000 payable to the Town of Gananoque for any peer reviews of background studies – Class II/Class III applications
- ✓ Separate cheque payable to Cataraqui Region Conservation Authority, if applicable. See fee schedule. Clearance letter will be required by the Town.

CONTACT INFORMATION

Municipal Freedom of Information and Protection of Privacy Act – Personal Information on this form is collected under authority of The Planning Act and will be used to process this application.

Name of Applicant: Ryan Easton	Complete Address including Postal Code: 165 Union Rd Lansdowne Ont K0E 1L0	Phone: <u>6135615172</u> Fax: _____ E-mail: <u>ryaneaston19@icloud.com</u>
Name of Property Owner (if different than applicant): 995423 Ontario Inc.	Complete Address including Postal Code: 777 King St E Gananoque Ont K7G 1G9	Phone: <u>613 541-1453</u> Fax: _____ E-mail: <u>jeff@bhchotels.ca</u>
Architect/Designer/Planner: Precision Home Design	Complete Address including Postal Code: Prescott Ont	Phone: <u>613 715-4805</u> Fax: _____ E-mail: <u>mc.jer@hotmail.com</u>
Engineer:	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____
Ontario Land Surveyor:	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____

Street or Property Address (if applicable): 760 Stone St N Gananoque.

LEGAL DESCRIPTION

Lot/Con/Plan: Plan 86 BLK V Lots 29 30 32 and 34 PT Lots 28 31 and 37 RP 28R14928 Parts 6 to 9

Frontage: <u>262.03</u>	Depth: _____	Area (sq.m): <u>0.91 AC</u>	Area (acres): _____
----------------------------	-----------------	--------------------------------	------------------------

SUBMISSION REQUIREMENTS

The applicant/agent is responsible for ensuring that the submission requirements are met, including confirming that all the information listed below is shown on the required plans by checking off each box.

- Site Plan(s)** including scaled accurate measurements of:
 - Title, location and date of project including legend and scale (graphic bar scale as well as written ratio scale);
 - Dimensions and areas of the site including existing natural and artificial features i.e: buildings, watercourses, wetlands, woodlands.
 - Dimensions and gross floor area of all building and structures to be erected;
 - Existing structures to be retained, removed or relocated;
 - Distances between lot lines and the various buildings, structures, parking areas, driveways and other features;
 - Proposed elevation of finished grades including area to be filled or excavated, retaining walls, drainage ditches;
 - Parking areas including number, size of spaces and dimensions. The plans shall have regard for **Ontario Regulation 413/12 made under Accessibility for Ontarians with Disabilities Act, 2005**. This shall include, but not be limited to, providing appropriate designated parking spaces and unobstructed building access features.
 - Access driveways including curbing and sidewalks
 - Proposed fire routes and fire route sign locations
 - Dimensions and locations of loading zones, waste receptacles and other storage spaces;
 - Location, height and type of lighting fixtures including information on intensity and the direction in which they will shine relative to neighbouring streets and properties;
 - Location of sign (sign permit to be applied for through the Building Permit process) as per By-law 2005-41;
 - Location, type and size of any other significant features such as fencing, gates and walkways.

- Drainage Plan(s)** including scaled accurate measurements of:
 - Drainage Plan must demonstrate proposed development is handled on-site and does not infringe on neighbouring properties;

- Landscape Plan(s)** including scaled accurate measurements of:
 - Landscape Plan showing size, type and location of vegetation, areas to be seeded or sod. Plan to show existing landscape features to be retained, removed or relocated;

- Site Servicing Plan(s)** including scaled accurate measurements of:
 - Site Servicing Plan (plan/profile) including layout of existing water, sewer, gas lines, proposed connections, utility easements, fire hydrants, hydro poles, lighting, trees, transformers and pedestals.

- Grade Control and Drainage Plan(s)** including scale accurate measurements of:
 - Existing elevations on subject and adjacent lands and long centerline or adjacent street lines, which are to be geodetic;
 - Location of any creeks, ravines or watercourses with elevations and contours;
 - Arrows indicating the proposed direction of flow of all surface water;
 - Location and direction of swales, surface water outlets, rip-rap, catch basins, rock, retaining walls, culverts
 - Existing and/or proposed right-of-ways or easements

- Elevation and Cross-Section Plan(s)** including scale accurate measurements of:
 - Drawings that show plan, elevations and cross section views for each building or structure to be erected;
 - Conceptual design of building;
 - Relationship to existing buildings, streets and exterior areas to which members of the public have access to;
 - Exterior design including character, scale, appearance and design features of the proposed building;
 - Design elements of adjacent Town road including trees, shrubs, plantings, street furniture, curbing and facilities designed to have regard for accessibility
 - Photographs of the subject land and abutting streetscape on both side of the street

- Supporting Studies and Reports.** Technical reports/plans or studies may be required to assist in the review process of a Development Permit Application. Applications for Development Permit may be required to submit the following studies or reports. Applicants should consult with Municipal staff to determine site specific requirements:

<ul style="list-style-type: none"> <input type="checkbox"/> Servicing options report <input type="checkbox"/> Hydrogeological Study <input type="checkbox"/> Drainage and/or stormwater management report <input type="checkbox"/> Environmental Impact Assessment for a natural heritage feature or area <input type="checkbox"/> Archaeological Assessment <input type="checkbox"/> Influence area study for development in proximity to a waste management facility or industrial use <input type="checkbox"/> Traffic Study <input type="checkbox"/> Heritage Resource Assessment <input type="checkbox"/> Mine hazard rehabilitation assessment 	<ul style="list-style-type: none"> <input type="checkbox"/> Phase I Environmental Study and if investigation as required <input type="checkbox"/> Noise and/or vibration study <input type="checkbox"/> Source Water protection study <input type="checkbox"/> MDS I or II calculation <input type="checkbox"/> Minimum Separation distance calculation for an industrial use or a waste management facility <input type="checkbox"/> Confirmation of sufficient reserve sewage system capacity and reserve water system capacity <input type="checkbox"/> Vegetation Inventory and/or Tree Preservation Plan <input checked="" type="checkbox"/> Supporting Land Use Planning Report
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Existing Use(s):	
Length of time the existing use of the subject lands have continued:	
Has the property been designated as a Heritage Site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property presently under a Site Plan Agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the property ever been subject of an application under Section 34 (Zoning), 41 (Site plan) or 45 (Minor Variance) of the Planning Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the file number and the status of the application?	
Proposed Use(s): <u>Automotive Sales</u>	
Is the Use permitted or permitted subject to criteria as set out in the development permit by-law and how have the applicable criteria have been addressed? <u>YES. The Highway Commercial designation within the Official Plan is stated to permit a diverse range of land uses including automotive sales.</u>	
Is a variation requested? Demonstrate how the proposed variation meets the criteria as set out in the development permit by-law. <u>No. The Gateway Commercial designation within Development Permit By-law lists an Automotive Sales and Service Establishment as a permitted use</u>	
Abutting Land Use(s): <u>Residential</u>	
Is the Development to be phase?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the anticipated date of construction?	<u>Nov 2022</u>
Is the land to be divided in the future?	<u>No</u>
Are there any easements, right-of-ways or restrictive covenants affecting the subject land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Plan Details:			
<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Institutional
	Lot Area: <u>3682.64</u> (sq.m)	Building Coverage: _____% _____(sq.m)	Landscape Coverage: _____% _____(sq.m)
Building Height: _____	No. of Storeys: <u>1</u>	No. of Units: _____	Method of Garbage Storage: _____
Parking Surface: Existing: _____ Proposed: _____	Number of Parking Spaces: Existing: <u>33</u> Proposed: <u>33</u> Total: <u>33</u>	Dimensions of Parking Spaces: _____	Number of Accessible Spaces: _____
Loading Spaces: _____	Number of Loading Spaces: <u>0</u>	Dimensions of Loading Spaces: _____	Other: _____

Heritage Tourist Inn/Bed and Breakfast:			
Is this an application for a Heritage Tourist Inn? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Other _____	Is this an application for a Bed and Breakfast? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> Other _____
A Heritage Tourist Inn will require a Heritage Resource Assessment evaluating the heritage significance of the property including a description of historic features is required with the submission of this application.			

EXISTING BUILDINGS:	Building 1	Building 2
Type of Structure		
Date Constructed:		
Front Line Setback:		
Rear Lot Line Setback:		
Side Lot Line Setback:		
Side Lot Line Setback:		
Height:		
Dimensions:		
Floor Area:		

PROPOSED BUILDINGS:	Building 1	Building 2
Type of Structure:	See Building Plans	
Proposed Date of Construction:	Nov 22	
Front Line Setback:	17.7m	
Rear Lot Line Setback:	53.3m	
Side Lot Line Setback:	14.1m	
Side Lot Line Setback:	20.4m	
Height:	3.93m	
Dimensions:	3.66m x 7.62m	
Floor Area:	27.8 ⁹ m ²	

Attached Additional Page, if necessary

Access:

<input checked="" type="checkbox"/> Municipal Street	<input type="checkbox"/> Unopen Road Allowance	<input type="checkbox"/> Existing Right-of-way	<input type="checkbox"/> Other _____
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Name of Street/Road: Alberta st and stone st N

Entrance Approvals and Permit Number(s):

If the application will result in the creation of a new private road, a request for street naming will have to be submitted in conjunction with this application, to be approved by Council.

Water Access (where access to the subject land is by water only)

Docking Facilities (specify)	Parking Facilities (specify)
distance from subject land _____	distance from subject land _____
distance from nearest public road _____	distance from nearest public road _____

Services:

<input checked="" type="checkbox"/> Municipal Water and Sewer	<input type="checkbox"/> Municipal Water & Private Sewage	<input type="checkbox"/> Private Well and Municipal Sewage	<input type="checkbox"/> Private Well and Private Sewage
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Water and Sewer Hook-up Approvals and Permit Number(s):

AUTHORIZATION BY OWNER

I/We, the undersigned being the owner(s) of the subject land of this application for a consent, hereby authorize Ryan Easton (print name) to be the applicant in the submission of this application. Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of Council, Planning Advisory Committee and the Town of Gananoque staff members, to enter upon the property for the purposes of conducting a site inspection with respect to the attached application.

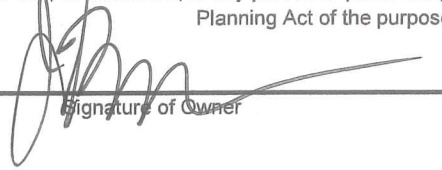
995423 ON7. INC.

Owner Name (Please Print) <u>JEFF BROWN</u>	Owner Name (Please Print)
Signature of Owner 	Signature of Owner
Signature of Witness (not applicant)	Date

CONSENT BY OWNER

Complete the consent of the owner concerning personal information set out below.

I/We, JEFF BROWN O/B 995423 ON7. INC., am/are the registered owner(s) of the land that is the subject of this application for Development Purposes and for purposes of the Municipal Freedom of Information and Protection of Privacy Act. I/We hereby authorize the use, or disclosure, to any person or public body, of any personal information collected under the authority of the Planning Act of the purpose of processing this application.

Signature of Owner 	Signature of Owner
Signature of Witness (not applicant)	Date

DECLARATION OF APPLICANT

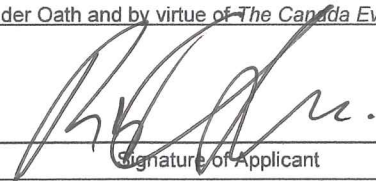
I, Ryan Easton of the Town of Gananoque in the Province of Ontario solemnly declare that:

I understand that the applicant/owner will be required to provide 100% security of the outside works in the form of a Letter of Credit or Certified Cheque until such time as the works are completed. A 15% holdback will be maintained for a period of one year after the works are completed. This will be applicable at the time of agreement.

Furthermore, I, being the applicant of the subject lands, hereby authorize the Members of Council, Planning Advisory Committee and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

All of the above statements contained in the application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath and by virtue of The Canada Evidence Act.

Declared/Sworn before me at the Town of Gananoque this 3RD day of October, 2022

Signature of a Commissioner, etc. 	Signature of Applicant 
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Office Use Only:	Roll No: <u>0814 000 015 51100</u>	
Official Plan Designation: <u>Highway Commercial as per OPA5/2018.</u>	Development Permit Designation: <u>Residential</u>	Other:
Access (Entrance Permits etc): <u>N/A</u>	Water and Sewer Hookup (Permits etc): <u>TBA</u>	Other:
Other Concurrent Applications: <input type="checkbox"/> Cash-in-Lieu of Parking <input type="checkbox"/> Condominium Approval <input type="checkbox"/> Consent/Severance	<input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Subdivision Approval	
Date Application Received: <u>October 3, 2022</u>	Date Application Deemed Complete:	Fees Received: <u>PAID (CB)</u>

Peer Review/Consultant Services

In order to streamline the Town of Gananoque's planning process, peer review services may be contracted out by the Town under the current General Fees and Rates Bylaw. These may include but are not limited to the following:

- | | |
|--|---------------------------|
| Official Plan Amendment | Sanitary System Design |
| Condominium Applications | Site Plan Applications |
| Consent Applications | Subdivision Applications |
| Environmental Assessment | Storm Water Management |
| Minor Variance Applications | Traffic Studies |
| Noise Studies | Water Distribution System |
| Ontario Municipal Board Representation | Zoning By-law Amendment |
| Part Lot Control | Other Miscellaneous |

The use of and choice of peer review contract consultants for either planning or engineering on any specific project are subject to the approval of either the Clerk/Manager of Planning and Development or the Director of Public Works, Community Services within their respective areas of jurisdiction.

All costs for the peer review consultants shall be fully paid by the applicant/developer.

Upon approval of the use of a peer review consultant, the applicant/developer shall execute the agreement below with the Town and post a security deposit of \$2,000 (two thousand dollars).

All submissions, correspondence etc. shall be directed to the Manager of Planning and Development, who shall be responsible for distribution.

All invoices from the peer review consultant shall be paid by the Town and subsequently invoiced to the applicant/developer. If payment is not received by the Town within 30 (thirty) days of receipt, then the Town will recover its costs for the security deposit or any other securities which have been posted for the project by the applicant/developer. In that event, the work shall cease on the project and will not commence again until the outstanding invoice has been paid in full, and the securities topped up to their original balance.

The securities will be held by the Town until the component of the project for which they were posted is complete. Authorization for the release of the securities shall be provided to the Treasury Department by either the Clerk or the Manager of Planning and Development, within their respective areas of jurisdiction.

I, Jeff Brown of the TOWN of GANANOQUE in the
PROVINCE of ONTARIO solemnly declare that:

I am aware of the current Town of Gananoque General Fees and Rates for various services provided by the Town.

Furthermore, I accept the Town's peer review process whereby I agree to provide the Town of Gananoque with a deposit in the amount of \$2,000 (two thousand dollars) in order to conduct the necessary peer review(s) in the completion of my planning application. In the event that payment is not received for such peer reviews, the Town may use the deposit to do so or any other securities being held.



 Print Name – Owner/Applicant

 Signature – Owner/Applicant

Oct 11/2022

 Date

 Clerk or Manager of Planning and Development



**NOT FOR
CONSTRUCTION**



Please note that renderings are for illustration purposes only and may not reflect exact choices & indications in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

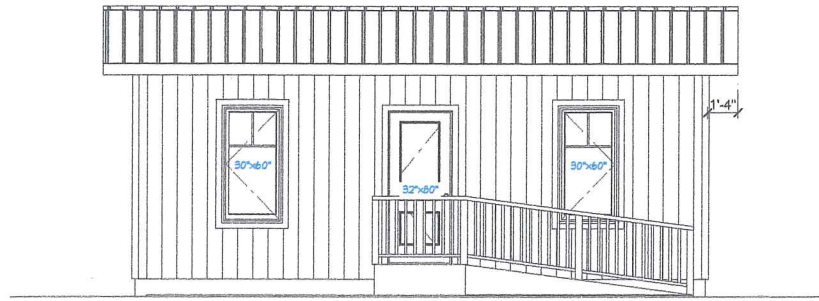
Jeremy McMullen 22021
NAME SIGNATURE BCN

Precision Home Design 118640
FIRM BCN

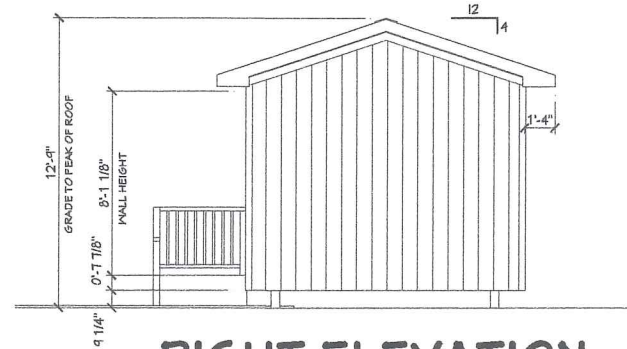
CUSTOMER:
EASTON OFFICE
ADDRESS

DRAWING NAME:

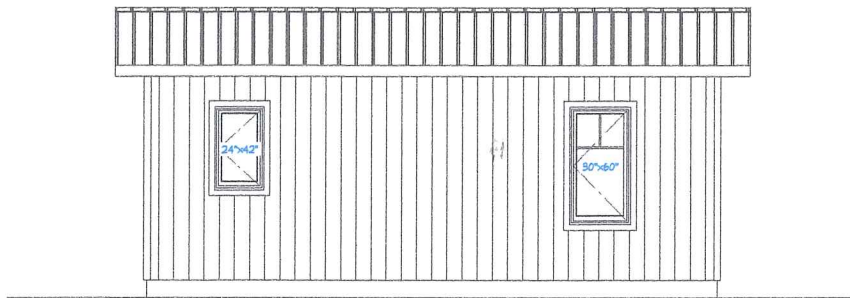
SCALE:	Sheet #
DATE: OCT 13, 2022	A1



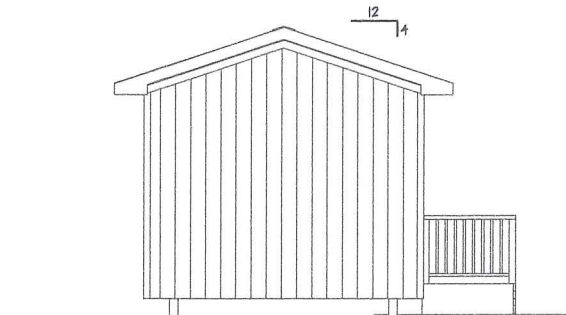
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

**NOT FOR
CONSTRUCTION**



Please note that renderings are for illustration purposes only and may not reflect exact choices included in project.
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.
Qualification Information:

Jeremy McMullen 22021
NAME SIGNATURE BCIN
Precision Home Design 119690
FIRM BCIN

CUSTOMER:
EASTON OFFICE
ADDRESS

DRAWING NAME:
ELEVATIONS

SCALE: 3/16" = 1'-0"
DATE: OCT 13, 2022

Sheet #
A3

Supporting Land Use Planning Report

Re: Proposed use of 760 Stone Street North as an automotive sales establishment.

Ryan Easton owner of Easton Auto Sales Inc is seeking approval to base a pre-owned automotive sales dealership on the empty property at 760 Stone Street South. Once established, Easton Auto Sales will provide customers with high-quality pre-owned vehicles of all makes and models; stocking an average of 15 - 20 vehicles at any given time. In addition to displaying the inventory for sale on the existing paved parking lot, Easton Auto Sales will operate out of a temporary 12' x 25' office, which will be a new construction. Please see the provided photo/plan for an example of this small building. Easton Auto Sales will run out of this temporary office for a period of 2-3 years using this time to test the market and well establish the business. Once business is well established they will work with the land owner for construction of a permanent building/office. At this time Easton Auto Sales is aware an amendment will have to be approved by the town.

Easton Auto Sales Inc will not be providing automotive service. The vehicle repairs and safeties that are required before sale will be sublet to local repair facilities, to be performed off-site from this Stone Street location.

Visual appearance of this property will be a high priority of Easton Auto Sales Inc. There are no plans to remove the grassy areas surrounding the paved parking area. Enhancement of the visual aesthetics of this property will be achieved through:

- Regular maintenance of grassy areas
- Addition of flowers and shrubbery
- Treating asphalt with sealer as needed
- Keeping high quality vehicles for display

Added traffic to the neighbourhood will be very minimal. Customers will access Easton Auto Sales through the Alberta Street entrance and exit either south onto Stone Street N. or north onto Alberta Street. Hours of operation will be Monday to Friday, 9:30am to 5:00pm. Saturday sales will be by appointment only, and Sundays will be closed.

The proposed plan of Easton Auto Sales Inc on 760 Stone Street North will have very little to no impact on the surrounding lands. As they will be operating with regular business hours and no service facility, there will be no excess noise for neighbouring homes. The grounds will be maintained to be inviting to customers and all efforts will be made to build a small business that is community-oriented. Easton Auto Sales Inc will be a family-run small business that would be proud to join and support the already established businesses in the Gateway to Gananoque.