

The Corporation of the Town of Gananoque
COA/PAC MINUTES OF JUNE 28, 2011 @ 6:00 PM

Members Present:

Chair Chuck Marquardt, Councillor Joe Jansen, Heather Gallacher, Nicole St. Onge

Members Absent:

Councillor Jeff Girling, Stacie Amo Teasdale

Staff Present:

Brenda Guy, Manager of Community Development

WELCOME

MINUTES OF PREVIOUS MEETING:

MOTION NO. 2011-13

Moved by: Joe Jansen

Seconded by: Nicole St. Onge

That Planning Advisory Committee accepts the minutes of the Committee of Adjustment & Planning Advisory Committee dated May 24, 2011.

CARRIED

A) HEALTH, SAFETY, & WELLNESS:

B) DECLARATION OF PECUNIARY INTERESTS: None

C) DELEGATIONS/PRESENTATIONS: None

D) CONSENT:

↓ B02&3/11 Herbison
237 and 239 Charles Street North

The applicant is applying for a certificate of validation to correct a title error with respect to a mortgage.

A certificate of validation and the determination of when it is required is usually determined by a lawyer.

Under the circumstances presented 239 Charles Street North was owned by Deborah Jean Herbison and 237 Charles Street North was owned by Deborah Jean Herbison and Ronald Morrow. Both were under separate mortgages.

Later Herbison purchased from Morrow 237 Charles Street North and remortgaged. By doing so the properties merged in title upon registration. At this point the Planning Act was contravened under Section 57.

Staff consulted with the Town's lawyers for a legal opinion who prepared the decision before Committee. The lawyers have recommended that the Committee recommend approval of the validation for the mortgage currently held on title. If a change in ownership occurs then an application under the Planning Act would be required.

MOTION NO. 2011-14

Moved by: Joe Jansen

Seconded by: Nicole St. Onge

Be it resolved that Committee of Adjustment approves Certificates of Validation for 237 Charles Street North and 239 Charles Street North.

CARRIED

E) MINOR VARIANCE: None

F) SITE PLAN APPLICATION:

↓ SP04/11 McOnie/Coyle
165 Main Street

The applicant is applying for a site plan amendment for an outdoor cafe at 165 Main Street.

PAC/COA reviewed the application and comments provided by the various agencies and departments.

The service will only occur outside of the building. Determination of parking recommended by staff is per number of occupants rather than square footage due to the fact that it is difficult to estimate the physical square footage being outside.

Committee felt that the use of the property in the Lowertown was meeting the Official Plan and Zoning By-law along with the intent of the draft Development Permit By-law.

Question arose regarding the alley behind the property and whether it was recognized by the Town. The applicant confirmed that the Town maintains and snowplows this alley. No comment was received from Public Works on parking off this alley otherwise.

Conditions of the site plan will include an inspection by the Fire Department, Building Department and Health Unit in addition to the proposed plan presented which includes fencing, parking, signage and landscaping.

MOTION NO. 2011-15

Moved by: Joe Jansen

Seconded by: Heather Gallacher

Be it resolved that the Planning Advisory Committee recommends to Council that they have no objection to Site Plan Application SP04/11 Coyle/McOnie at 165 Main Street for an outdoor cafe provided the conditions are met.

CARRIED

↓ SP05/11 Walski
136 Main Street

The applicant is applying for a site plan amendment for retail on the lower level of the building and maintaining residential in the upper level.

The applicant would require three parking spaces for the retail component plus two for the residence. Additionally, the Committee reviewed an application for cash-in-lieu of parking as the owner wishes to maintain the landscaped portion of the yard.

Comment arose surrounding the notification process and a business being run out of a semi-detached dwelling. The zoning permits a retail establishment in this location. Site Plan is not required to be circulated because a use is permitted. It is a matter of defining parking, landscaping and other outside works.

The proposed use of the property in the Lowertown meets the Official Plan and Zoning By-law along with the intent of the draft Development Permit By-law.

Conditions of the site plan will include an inspection by the Fire Department, Building Department and Health Unit in addition to the proposed plan presented which includes approval for cash-in-lieu of parking.

MOTION NO. 2011-16

Moved by: Nicole St. Onge
Seconded by: Joe Jansen

Be it resolved that the Planning Advisory Committee recommends to Council that they have no objection to Site Plan Application SP05/11 Walski at 136 Main Street for a retail store on the lower level provided the conditions are met.

CARRIED

4 SP06/11 Lojko
415 Stone Street South

The applicant is applying for a site plan amendment for a Bed and Breakfast at 415 Stone Street South

A bed and breakfast was previously located at this site, however, there was no registered site plan agreement on title.

The applicant is proposing a maximum three rooms for the Bed and Breakfast which amounts to a total of five parking spaces required. The parking area has been identified on the plan along with the proposed signage and a proposed deck

Conditions of the site plan will include an inspection by the Fire Department, Building Department and Health Unit for the purposes of the pool in addition to the proposed plan presented which includes parking and signage.

MOTION NO. 2011-17

Moved by: Nicole St. Onge
Seconded by: Joe Jansen

Be it resolved that the Planning Advisory Committee recommends to Council that they have no objection to Site Plan Application SP06/11 Lojko at 415 Stone Street South for a bed and breakfast provided the conditions are met.

CARRIED

G) SUBDIVISION AGREEMENT: None

H) ZONING BY-LAW AMENDMENT: None

I) CORRESPONDENCE: None

J) CONTINUING BUSINESS:

- a. Update from Minutes of May 24, 2011
Verbal report
- b. Development Permit System
August 4, 2011 has been identified as a pre-hearing date
Staff will be reporting to Council on the negotiations with the appellants.

K) NEW BUSINESS: None

L) PUBLIC QUESTION PERIOD:

Question regarding parking in the Lowertown on future site plans with regards to the lack of parking due to existing dwelling units in this area. Staff recommended that the draft Development Permit By-law will allow the flexibility to review parking on a case-by-case basis in this area.

Question regarding a specific property with respect to By-laws. Staff suggested that a follow up e-mail be forwarded with specifics for review by the by-law department.

M) ADJOURN

MOTION NO. 2011-18

Moved by: Joe Jansen

Be it resolved that Committee of Adjustment/Planning Advisory Committee adjourn this regular meeting.

Chair, Chuck Marquardt

Secretary –Treasurer, Brenda Guy

REF

PLANNING REPORT

TO: **PLANNING ADVISORY COMMITTEE/COA**

FROM: **BRENDA GUY**
MANAGER OF COMMUNITY DEVELOPMENT

DATE: Thursday, August 18, 2011

SUBJECT: **SP7/11 – WILSON**
SITE PLAN APPLICATION

Background:

Property: 146 John Street

Legal Desc: Legally Described Pt. Lot 136 Plan 86

Acreage: Approximately 877 sq.m/9450 sq.ft
45ft/13.72m frontage along John Street

Lot Coverage: 35% Maximum Coverage

Official Plan: Residential

Zoning: R1 – Low Density Residential

The applicant is applying for a site plan agreement to open a Bed and Breakfast at the above noted property.

Official Plan

Section 3.2.2.1 of the OP indicates that the permitted uses in the residential area may permit home occupations such as bed and breakfast establishments. Non residential uses in a residential area shall be subject to site plan control.

Zoning By-law

The Zoning for the subject property is R1 – Low Density Residential.

The draft Development Permit By-law designates the property Residential.

Section 4.21 of the Zoning By-law speaks to parking requirements. The applicant is required to provide a total of five parking spaces on the property. Two for the purposes of the residential unit and three for the number of bedrooms available to the public.

The parking for the Bed and Breakfast is proposed at the rear of the property off Manse Alley. The rear yard is 13.55 m/44.45 ft wide. Four parking spaces require 11.9m/39.2ft. This leaves a remainder of 1.6 m/5.25 ft of buffer landscaped area adjacent the neighbouring properties. Section 4.21 h) indicates that if there is more than four vehicles than a buffer would be required

of 3m. This would not be required at this location. The fifth parking spot is existing along John Street.

Signage is indicated on the plan in the front yard. A building permit will be required. Setback requirements for the sign is 1 m from the front lot line and 1.5 from a common boundary. The applicant has indicated that the sign will be a ground sign hanging on a metal pole (1.25 ft x 2ft) – removable for winter months.

Agency Comments Received:

CRCA	No Comment	
CBO		Site Inspection required as a condition
Eastern Ontario Power	No comment	
Fire Department		Site Inspection required as a condition
L&G Health Unit	No comment	
Police Department	No comment	
Public Works	-	
Utilities (water/sewer)	No comment	

It is recommended that the applicant will be required to enter into a site plan agreement with the Town of Gananoque for:

- that prior to commencement of operation of the business, an inspection of the premises take place by the Chief Building Official, Fire Department and Health Unit.
- the completion of the parking area and landscaped area adjacent the neighbouring property owner.



No. SP. 07/11

APPLICATION FOR SITE PLAN AGREEMENT
 Site Plan Control By-law 83-6 and amending By-laws 89-16, 93-23, 94-27, 2001-25

A Complete Application consists of:

- One original and four copies of a complete application form signed including declaration of applicant.
- One copy of the deed of property
- Application fee in the amount of \$700 payable to the Town of Gananoque. Amending agreement \$400.
- Deposit fee in the amount of \$2000 payable to the Town of Gananoque for peer reviews of various studies
- Five copies of the most recent survey of the subject property
- Five copies of the site plan(s) including scaled accurate measurements of:
 - o Dimensions and areas of the site and all building and structures to be erected
 - o Distances between lot lines and the various buildings, structures, parking areas, driveways and other features
 - o Proposed elevation of finished grades including area to be filled or excavated, retaining walls, drainage ditches
 - o Drainage Plan must demonstrate proposed development is handled on-site and does not infringe on neighbouring properties
 - o Landscape Plan showing size, type and location of vegetation
 - o Site Servicing Plan (plan/profile) including layout of existing water, sewer, gas lines and proposed connections
 - o Parking areas including number, size of spaces and dimensions
 - o Access driveways including curbing and sidewalks
 - o Dimensions and locations of loading zones, waste receptacles and other storage spaces
 - o 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
 - o Location of sign (sign permit to be applied for through the Building Permit process)
 - o Location, type and size of any other significant features such as fencing, gates and walkways

- Five copies of the building showing the full exterior view of each side describing what exists and what changes are proposed, elevations show window and door placement and exterior finishes

Parking requirements must comply with Section 4.21 Parking Requirements of the Town of Gananoque Zoning By-law
 Any new, replacement or altering signage requires a permit as per By-law 2005-41.
 Applications may be subject to any Town incurred costs over and above the fees set out (See By-law 2004-63 and By-law 2007-29) being a by-law to establish general fees and rates for various services provided by the municipality
 Site Plan Application may be subject to review and a separate cheque payable to the Cataragui Region Conservation Authority in the amount of \$250 – minor (residential or small single unit commercial), \$600 – major (multiple residential, commercial, industrial and institutional). The Town recommends that you consult with a Conservation Authority Officer prior to making application.

Name of Applicant: <i>TANIS & KEN WILSON.</i>	Name of Property Owner (if different than applicant): <i>SAME</i>
Address: <i>146 JOHN ST. GANANOQUE ONT K7G 1A6.</i>	Address:
Telephone: <i>613-382-8423</i>	Telephone: <i>CELL 331-5367</i>
E-mail: <i>RIVERWALK 146 @ HOT MAIL . COM</i>	E-mail:

Street or Property Address (if applicable):			
Legal Description: <i>SAME</i>			
Frontage: <i>45'</i>	Depth: <i>216'</i>	Area (sq.m):	Area (acres):

Existing Use(s): <i>RES. HOME.</i>
Length of time the existing use of the subject lands have continued:
Is the property designated as a Heritage Site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Use(s): <i>3 BEDROOM BED + BREAKFAST.</i>
Abutting Land Use(s): <i>RES.</i>

Plan Details:			
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Institutional
No. of Units: _____	Type & No. (if residential): <input type="checkbox"/> Bachelor _____ <input type="checkbox"/> 1 Bedroom _____ <input type="checkbox"/> 2 Bedroom _____ <input type="checkbox"/> 3 Bedroom _____	Building Coverage: _____ (%) _____ (sq.m)	Landscape Coverage: _____ (%) _____ (sq.m)
No. of Storeys: <u>TWO</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Parking Surface: <u>PAVED / GRAVEL</u>	Number of Parking Spaces: <u>5</u>	Dimensions of Parking Spaces: <u>9.8' x 19.7'</u>	Number of Accessible Spaces: _____
Loading Spaces: <u>NA</u>	Number of Loading Spaces: <u>NA</u>	Dimensions of Loading Spaces: <u>NA</u>	Method of Garbage Storage: <u>NA</u>

Heritage Tourist Inn:					
Is this a site plan application for a Heritage Tourist Inn?		Number of Guest Rooms:		Number of Guest Washrooms:	
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3		<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	
		<input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 Max.		<input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	
If Yes, 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
<u>SEE SURVEY</u>	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
<u>N/A</u>	Type of Structure		
	Proposed Date of Construction:		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
Floor Area			
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:	<u>JONW ST.</u>
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Entrance Approvals and Permit Number(s):	
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Water Access (where access to the subject land is by water only)			
Docking Facilities (specify)		Parking Facilities (specify)	
<i>N/A</i> 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):	<i>N/A</i>
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Other Concurrent Applications:					
<input type="checkbox"/> Consent	<input type="checkbox"/> Minor Variance	<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Zoning By-law Amendment	<input type="checkbox"/> Subdivision Approval	<input type="checkbox"/> Condominium Approval

AUTHORIZATION BY OWNER

I/We, the undersigned being the owner(s) of the subject land of this application for a consent, hereby authorize TANIS & KEN WILSON (print) 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 purpose of conducting a site inspection with respect to the attached application.

[Signature] Signature of Owner [Signature] Signature of Owner

 Signature of Witness (not applicant) Aug 2/11 Date

DECLARATION OF APPLICANT

I, Tanis Wilson of the Town of GANANOQUE in the PROVINCE of ONTARIO solemnly declare that:

All the statements contained in this application and provided by me 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.

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.

Declared before me at the _____ of _____ in the _____ this _____ day of _____, 20____

 Signature of a Commissioner, etc [Signature] Signature of Applicant

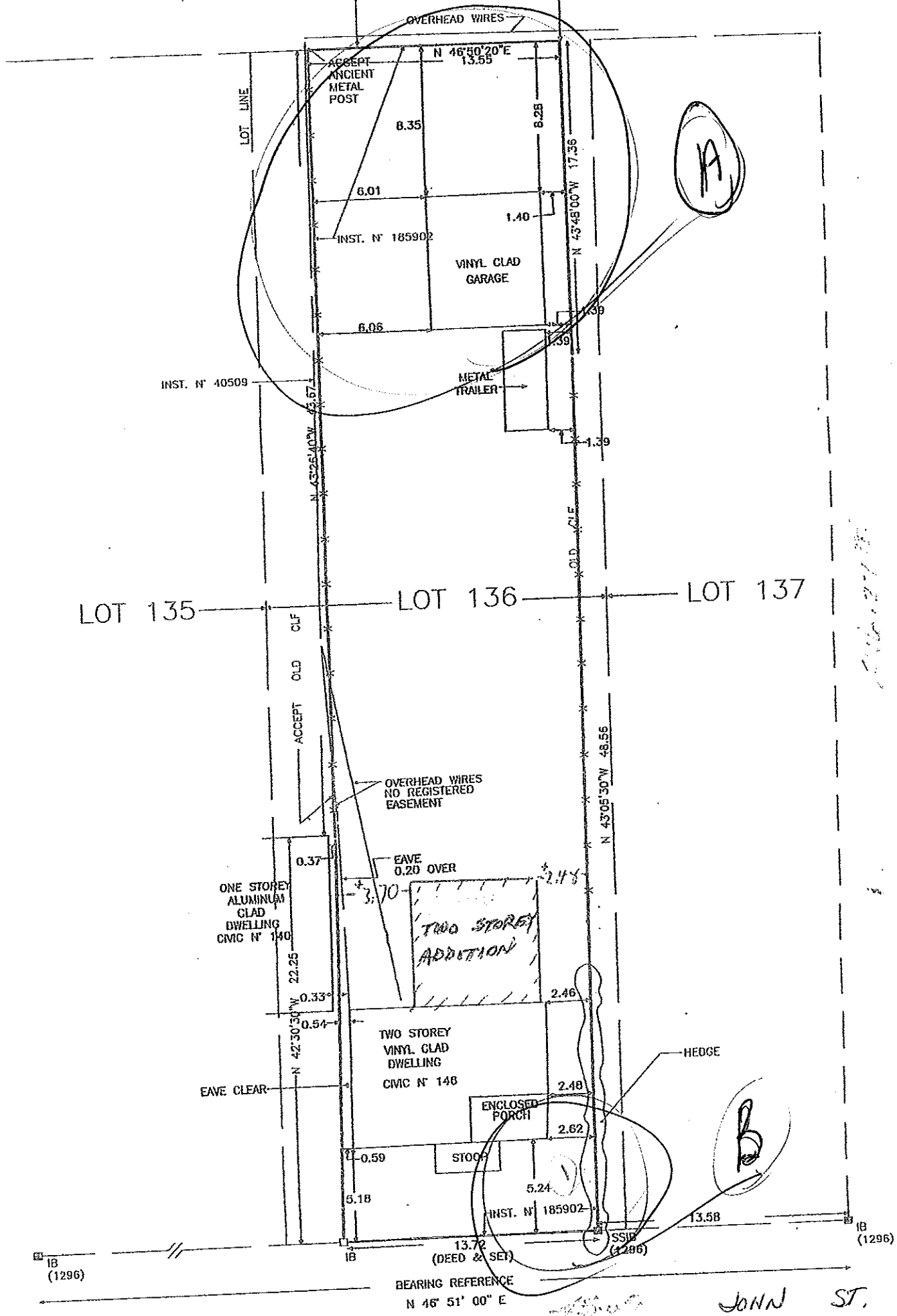
Office Use Only:		Roll No: <u>020 05600</u>
Official Plan Designation: <u>Residential</u>	Zoning By-law Designation: <u>R-L Low Density</u>	Other:
Access (Entrance Permits etc)	Water and Sewer Hookup (Permits etc)	Other:
<u>Aug 3/11</u> Date of Submission	<u>[Signature]</u> Signature	<u>Aug 15/11</u> Date

For additional details on the application process please contact:
 Brenda Guy, Planning Approvals Coordinator
 Town of Gananoque
 30 King Street East, Box 100
 Gananoque, ON K7G 2T6
 Telephone: (813) 382-2149 ext.126 Fax: (813) 382-8587 E-mail: bguy@townofgananoque.ca

MANSE ALLEY
SET
PER 1296 NOTES

(PER PLAN 86)

ACCEPT
ANCIENT
METAL POST



1296-27-88

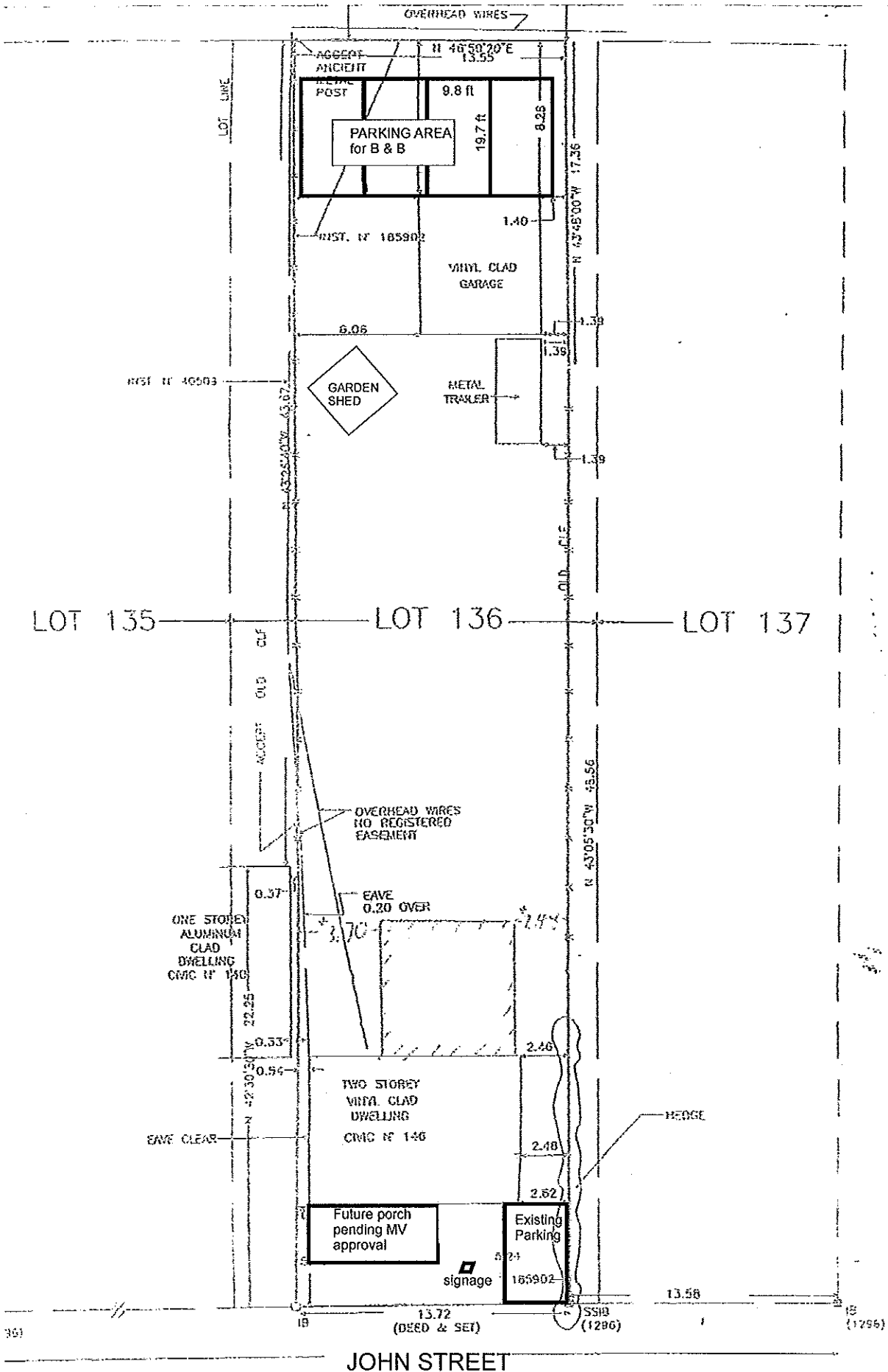
JOHN ST.

IB (1296)

IB (1296)

BEARING REFERENCE
N 46° 51' 00" E

Manse Alley



JOHN STREET