

PUBLIC MEETING

Minutes of a public meeting held Monday, May 3, 2004 at 5:00 p.m. in the Council Chambers to consider a proposed Zoning By-law Amendment.

Present: Mayor Wayne Hurst
Deputy Mayor Anthony Leardi
Councillor Bob Bailey
Councillor Gord Freeman
Councillor Carl Gibb
Councillor Paul Renaud
Councillor Rosa White

Also Present: Hilary Payne, CAO
Dave Mailloux, Clerk
Lory Bratt, Planning Coordinator
Jean Monteith, Planning Consultant
Peter Neice, Planner for the Applicant

A record of those members of the public in attendance is attached as a schedule and forms part of these minutes.

There were no disclosures of interest.

Deputy Mayor Leardi assumed the Chair and opened the meeting welcoming all those in attendance stating the purpose was to consider a proposed Zoning By-law Amendment. He explained the process for the meeting and then asked the Planning Coordinator and Planner to summarize the application.

Planning Coordinator

The Town has received an application for Zoning By-law Amendment to By-law 1999-52 under Section 34 of the Planning Act from Peter Neice, Planning Consultant on behalf of Tito and Cecilia DeLuca.

The subject lands are located at the southeast corner of Dalhousie Street and Rankin Avenue known municipally as 219 Dalhousie Street and have a lot area of 563 square metres (6,065 square feet).

The proposed amendment to the Zoning By-law No. 1999-52 would change the zoning of the subject lands from "Special Provision Residential First Density (R1-8) Zone" to a "Special Provision Residential First Density (R1-13) Zone" to permit the use of 65 square metres (700 sq. ft.) of the main floor of the existing dwelling for limited commercial retail uses including the sale of small home décor items, crafts, gifts and apparel, the use of the remainder of the existing dwelling for a dwelling unit, and to reduce the number of parking spaces required from 5 spaces to 4 spaces.

The proposed Amendment to the Zoning By-law is in conformity with the policies of the Official Plan.

Council was provided with the following information:

- (i) Copy of application for zoning bylaw amendment
- (ii) Copy of Planning report dated March 23, 2004 prepared by Peter Neice, Planner, Community Planners Inc.

The following correspondence was received from the various agencies circulated:

- (i) Letter dated April 29, 2004 from Carolyn Davies – supporting the application to rezone.
- (ii) Letter from Kathy Blanchard together with a petition in opposition to the proposed rezoning.

Peter Neice, Planner for the applicants

Mr. Neice addressed Council advising that he is representing the owners of the property Mr. and Mrs. Tito DeLuca. He noted that Mr. and Mrs. Gaudette currently live in the residence and wish to operate the commercial use. Mr. Neice referred to the map provided noting the property to the south 223 Dalhousie is Jewellery By Design and has a similar defined area Residential zoning to permit this use. 229 Dalhousie is the Waterfront Ice Cream parlour and is zoned Commercial (also owned by Mr and Mrs. DeLuca). The Bondy Bed and Breakfast at 199 Dalhousie Street also has a defined area Residential zoning which was approved by the Ontario Municipal Board in 2002. The proposed special provision R1 zoning for the subject property would allow limited commercial uses for the sale of small home décor items, gifts, crafts and apparel. The remainder of the building would be used for residential and there would be limited on site parking. If additional commercial uses were requested it would require a further public process. It is the intent of the applicants to maintain the residential external character of the building. There is an existing privacy fence to 223 Dalhousie and screening is proposed around the parking area on Rankin Street.

Deputy Mayor Leardi then asked if there were any questions from Council.

Councillor Freeman asked the following:

- (i) Have there ever been any previous requests for rezoning on the subject property?
Councillor Freeman was advised there had never been any formal applications requesting a rezoning on the subject lands.
- (ii) Will the zoning be restricted to certain permitted uses?
Yes it will be restricted to the uses discussed.
- (iii) What is the difference between R1-8 and R1-9.
The R1-8 zoning was applied at the request of the property owners and is a Restrictive Residential Zone. The R1-8 zone permits single detached dwellings, accessory uses and public utilities. It does not permit home occupations. Home occupations are permitted, however, on Rankin Avenue in the R3 Zone. The R1-9 zone permits limited commercial uses and residential.

Deputy Mayor Leardi then asked for any questions and/or comments from members of the public.

Kathy Blanchard read the petition submitted signed by 38 residents who oppose the rezoning. She indicated opposition to parking on the Rankin Street property. Mrs. Blanchard also noted that it was her information that a proposal to rezone the property in 1990 had been considered but was turned down due to neighbours objections.

John Bondy 46 Rankin expressed concern regarding increased traffic on Rankin and creating an unsafe condition for children in the area. His driveway is across the street and there are currently people turning around in his driveway all the time. He does not want to look at a parking lot. Mr. Bondy felt this would detract from the value of his property.

Deputy Mayor Leardi asked what the difference was between the subject lands and those vacant commercial lands listed in Mrs. Blanchard's petition.

Ms. Monteith indicated that this is a request for a variation of a home occupation. The zoning on Rankin Street is R3 where home occupations are permitted uses. Rear yard parking is also a permitted use in the Residential zone. The properties cited in the petition are Commercial properties.

Elaine Mailloux asked if this business does not work will there be a variety store or similar use on the site.

Mr. Neice responded in the negative, the uses permitted will be very specific – home décor, crafts, gifts and apparel and the area will be restricted to 700 sq. ft with no display on the porch area. Any further commercial uses would require an official plan amendment.

Cecilia DeLuca wanted to assure the residents that there would be no external changes to the building. The current historic look will be retained and it will be well maintained. She noted that they have run the Waterfront Ice Cream Parlour for years and have not changed the building in order to keep the look of a house and to respect the heritage aspects of the Town. She does not anticipate a large increase in traffic because of the proposed development.

Councillor White asked if there is a special provision for the downtown to be exempt from parking and is this area within the area that is exempt.

The downtown has a special policy regarding parking but it is restricted to Richmond Street and is only on Dalhousie Street from Richmond to Gore.

Mr. and Mrs. Gaudette indicated the store would be community oriented and look forward to this business opportunity. They have respect for the heritage of the area and will maintain the look of the house. They want people to visit our Town and feel that this is a unique business for the area. Mr. and Mrs. Gaudette indicated their willingness to work with the community.

The Mayor noted that this meeting is designed to hear comments and questions and encouraged anyone who wished to speak to do so.

Kelly Craig 60 Rankin felt that any additional traffic generated would be too much.

Dorothy Maloney 56 Rankin advised that she has been a resident for 35 years and would not like to see an added store entrance on Rankin. It is very difficult to use her driveway on Sundays now and in her opinion would not like to see any additional traffic.

Councillor Renaud asked if the Dalhousie Street entrance will be used.

Mr. and Mrs. Gaudette indicated that Dalhousie Street entrance would be the main entrance.

