



FORMAL REPORT

To:	Mayor Stratthdee and Members of Council
Prepared by:	Susan Luckhardt, Planning Coordinator
Date of Meeting:	27 March 2018
Subject:	DEV 14-2018 Development Agreement – 256 Church Street South

PURPOSE

To provide information and to seek Council authorization for the Mayor and the Clerk to enter into a Development Agreement on behalf of the Town of St. Marys with Marianne DeBrabandere for lands municipally numbered as 256 Church Street South and legally described as Part Lot 18 West Side Church Street, Plan 235, St. Marys as in R240515; St. Marys.

RECOMMENDATION

THAT DEV 14-2018 Development Agreement – 256 Church Street South be received; and

THAT Council authorize the Mayor and the Clerk on behalf of the Town of St. Marys to enter into a Development Agreement between the Town of St. Marys and Marianne DeBrabandere; and

THAT By-law 31-2018 authorizing the Mayor and the Clerk to sign a development agreement be approved.

BACKGROUND

The subject property is designated “Residential” in the Town’s Official Plan and is zoned “Residential Zone Four – R4” in the Zoning By-law Z1-1997, as amended.

The property is currently the site of a converted dwelling containing two dwelling units and the proponent wishes to develop a third unit in the dwelling which is a permitted use under R4 zone provisions. However, because the property is deficient in minimum lot area and minimum lot frontage requirements for three dwelling units under the Town’s zoning by-law, the proponent submitted application to Committee of Adjustment on January 30, 2017 for approval of a minor variance to recognize deficiencies with minimum requirements for lot area and lot frontage to permit a third unit in the dwelling.

In considering the application for minor variance, Committee of Adjustment required a parking plan which is attached to this report to demonstrate that the required five parking spaces under the zoning by-law could be achieved on the property. Further to this, an existing parking space located on the public road allowance was required to be removed and remediated to grass. A lot grading plan was required to confirm that water run-off would not affect adjacent properties. The Committee of Adjustment also imposed requirements for fencing and landscaping to address concerns regarding the impact of headlights from the proposed parking area onto the adjacent properties.

REPORT

Committee of Adjustment granted approval of Minor Variance Application A02-2017 for 256 Church Street South on May 17, 2017 subject to Conditions as provided on the Notice of Decision dated May 23, 2017 (attached to this report).

Condition #8 on the Notice of Decision for Minor Variance Application A02-2017 affecting 256 Church Street South states that "The owner is required to enter into a development agreement with the Town to ensure proper installation of all works associated with the approved parking plan and any required fencing and landscaping, and to ensure the owner (and subsequent owners) maintain these works accordingly". The development agreement attached to this report has been drafted to the satisfaction of Town staff and the proponent.

FINANCIAL IMPLICATIONS

n.a.

STRATEGIC PLAN

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
- Pillar #6 Housing: Attainable and Mixed-Use Housing:
 - Outcome: In order to get the "right demographic mix" for St. Marys, it will be essential to ensure housing stock is flexible and attractive for youth, workers, immigrants and persons of all abilities.
 - Tactic(s): Investigate the prospect of medium density housing in the downtown and surrounding areas (infill and new development spaces: "building in and building up").
 - Pillar #6 Housing: Explore Alternative Forms of Housing:
 - Outcome: To ensure affordability, new forms of housing styles should be investigated; for example amongst millennials, smaller "tiny houses" are becoming a popular alternative.
 - Tactic(s): Review municipal policies to allow for non-traditional and alternative housing models, including accessible homes.

OTHERS CONSULTED

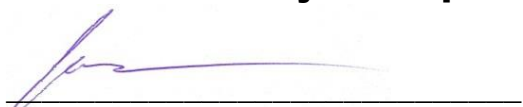
Grant Brouwer, Director of Building and Development
Mark Stone, Planner
Town solicitor

ATTACHMENTS

1. Notice of Decision A02-2017
2. Approved Parking Plan for Committee of Adjustment
3. Development Agreement with Schedules.

REVIEWED BY

Recommended by the Department



Grant Brouwer
Director of Building and Development



Susan Luckhardt
Planning Coordinator

Recommended by the CAO

A handwritten signature in dark ink, appearing to read 'BK', followed by a horizontal line.

Brent Kittmer
CAO / Clerk