

## **COMMUNICATION 131120**

Received From: Niki Dwyer, RPP MCIP, Director of Development Services  
Addressed To: Committee of the Whole  
Date: October 27, 2020  
Topic: Request for Relief – DP3 Permit Fee – Lanark County Food Bank

### **BACKGROUND**

The Planning Department has received a request by the Lanark County Food Bank — The Hunger Stop (tenant) and Mr. Duncan McNaughton (landowner - 2485851 Ontario Inc.) for relief from the prescribed fee for a Class 3 Development Permit application to recognize the community service as a permitted land use at the property known as 82-84 Mill Street.

**Figure 1 – Context Map**



The property is presently designated Mississippi Residential Sector in the Development Permit By-law and is similarly designated in the Official Plan.

The subject lands were formerly used as a gymnastics facility which has since ceased operations. The Food Bank relocated from their Allan Street location to the subject property in March 2020 as the facility offered significantly more square footage for their needs, particularly during the COVID-19 pandemic.

In March 2020, the Manager of Planning contacted the property owner to identify the non-conformity of the new use with the Town's Development Permit By-law. Through pre-consultation sessions with the Director of Development Services and the contract Planner, it was determined that in order to bring the use into compliance with the land use policies, a Class 3 Development Permit application would be required.

The fee for a Class 3 permit is \$4,000.00. It was noted during the pre-consultation discussions that this fee would be an obstacle for the registered charity. As a result, staff recommended that the applicant seek the concession of Council for relief.

**COMMENT**

Prior to initiating the public process for the DP3 application, staff seeks direction from Council respecting the reduction or relief of the prescribed fee.

In review with the Public Works Department it is also understood that discussions have been underway to negotiate the purchase/transfer of a portion of the landowner's property to permit the extension of a sidewalk to connect to the OVRT as the present Mill Street road allowance narrows significantly in front of the subject properties at 82-84 Mill Street.

The owner is agreeable to the transfer and sees the coordination of the reciprocal actions (the land transfer and the development application) as mutually beneficial to the negotiating parties.

Staff would suggest that in an effort to formalize the arrangement with an undertaking by the landowner to provide the necessary lands to the Town for the sidewalk along Mill Street across the front of 82-84 Mill Street.

It is understood that the Town does not presently have a policy respecting the terms for relief or reduction of fees and charges prescribed in the Municipal Fees By-law. Notwithstanding this point, Council may choose to waive or reduce application fees at its sole discretion.

**STAFF RECOMMENDATION:**

THAT Committee provide direction to staff to execute an Undertaking with 2485851 Ontario Inc. to recognize the conveyance of land for the purpose of the installation of a sidewalk on Mill Street in exchange for waiving the Class 3 Development Permit fees associated with the application to recognize the Food Bank as a permitted use at 82-84 Mill Street.