

## **COMMUNICATION 132028**

Received from: Niki Dwyer, Director of Development Services  
Addressed to: Committee of the Whole  
Date: February 23, 2021  
Topic: DP3-05-2020, 2485851 Ontario Inc. (Duncan McNaughton)  
on behalf of the Lanark County Food Bank  
82-84 Mill Street

## **BACKGROUND**

### ***Purpose and Effect:***

The applicant and property owner (D McNaughton) has submitted an application on behalf of his tenant (Lanark County Food Bank) for a Class 3 Development Permit for the property known municipally as 82-84 Mill Street. The property is designated Mississippi Residential Sector in both the Town's Official Plan and the Development Permit By-law. The applicant seeks to add the following additional uses on the site: Food Bank, gymnasium, office and services, institutional use, and retail use.

The scope of the application does not involve any proposed exterior alterations to the building at this time.

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 owner willingly and promptly responded with the required application.

### ***Description of the Subject Lands***

The subject lands are located on the south side of Mill Street immediately adjacent to the Ottawa Valley Rail Trail. Adjacent uses include a public park to the north and low-density residential uses to the west and south of the property. The lands represent a combined area of 3,700m<sup>2</sup> (approximately 0.9 acre) with 73m of frontage on Mill Street, a local municipal road. The site is occupied by a one-storey concrete block commercial building estimated to be constructed in the mid 1970's.

The owner has indicated that while he has a long-term vision to transition the property to a use compliant with the current policy, he is presently looking to only recognize the existing non-complying uses on the site.

**Figure 1 – Context Map**



## **COMMENT**

### ***Evaluation***

#### **Provincial Policy Statement (PPS) (2020)**

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the Planning Act, R.S.O. 1990, all planning decisions must be consistent with the PPS.

The PPS encourages Municipalities to manage and direct land use activities in healthy, livable and safe communities by promoting efficient development patterns and accommodate an appropriate range and mix of land uses within the settlement area (Policy 1.1.3.2).

Healthy livable communities in Settlement Areas will be proposed through appropriate development standards which facilitate intensification and redevelopment while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4).

#### **County of Lanark Sustainable Communities Official Plan**

The County Official Plan delineates the Town of Carleton Place as a Settlement Area. Section 2.3, Settlement Area Policies, encourages efficient development patterns in Settlement Areas to optimize the use of land, resources, infrastructure and public service facilities. Further, the plan states that local land use policies shall be further elaborated in local Official Plans (Town of Carleton Place Official Plan).

Local land use policies shall provide for mixed use development including residential, commercial, employment lands, parks and open space and institutional uses are in areas designated as a settlement area in local Official Plans.

#### Official Plan (2015)

The Carleton Place Official Plan (OP) has been established to achieve a vision of maintaining and celebrating the heritage of the community through balanced and sustainable growth and supporting a unique sense of place for residents. The OP's core guiding principles identify a proactive approach to preserve existing buildings, landscapes and natural features and ensure that future growth supports the development of clear employment areas to complement residential expansion.

The Official Plan identifies the subject lands as "Mississippi Residential Sector", a sub-designation of the historic "Mississippi District". Generally, the District is intended to recognize the neighbourhood as a focal point within the Town and provide opportunities for a mix of residential, commercial and recreational uses befitting of the existing character. The objectives emphasize the rehabilitation and conversion of vacant buildings for new uses while protecting the heritage character of the District (Policy 3.1.1). In order to maintain the existing character and appearance of the neighbourhoods, "demolition and building shall be strictly controlled" (Policy 3.1.3.5).

Within the sub-designation, the "Mississippi Residential Sector" policies acknowledge that while the neighbourhood is predominantly composed of residential uses, there are also notable exceptions for light industrial employment facilities, local commercial uses and municipal amenities.

Future development in the Sector is envisioned to transition predominantly to residential uses, however the list of permitted uses is expressly generalized to recognize the eclectic built form (Policy 3.2.2.2).

Notwithstanding these generalities Policy 3.2.2.6 provides that:

*"Existing neighborhood commercial uses may be designated as such in the Development Permit By-law however it is not the intention of this Plan to permit new local commercial uses in the Mississippi District Residential Policy Area."*

#### Town of Carleton Place Development Permit By-law

This property is designated "*Mississippi Residential District*" in the Development Permit By-law. The purpose of the designation is to provide for appropriate development and redevelopment of the neighbourhood while recognizing the existing built character and architectural styles. Permitted uses are restricted to residential uses (singles, semis, towns, tri-plexes, quadplexes, apartments) and existing commercial and industrial uses.

The building on the subject lands is largely considered to be non-conforming in accordance with Section 3.27 of the By-law and the continuation of existing commercial/industrial uses would similarly be recognized.

In this case, the property has evolved into the new Food Bank use. In order to recognize the transition of the property, a Development Permit must be issued to recognize the new use.

At this time no other variations to the Development Permit By-Law are required.

### **PUBLIC CONSULTATION**

The application has been circulated in accordance with the requirements of the Planning Act and Development Permit By-law. Notice was posted on site, circulated by mail to property owners within 120m of the subject lands and provided electronically to prescribed agencies.

Staff received four (4) comment submissions respecting the proposed amendment. Two of the comments applied to re-development scenarios of the property including additions and exterior works. Staff can confirm that no alterations to the current building are proposed at this time. The third comment expressed general support for the Lanark County Food Bank. The fourth comment inquired as to the long-term development plans for the site and provided endorsement for the use of the building for the Food Bank.

### **SUMMARY:**

Having reviewed and assessed the proposed application, staff are satisfied that the proposal complies with the provisions of the Provincial Policy Statement 2020, conforms to the policies of the Official Plan and satisfies the applicable sections of Development Permit By-law 15-2015.

As there are no outstanding or unaddressed comments and concerns raised by members of the public, staff are satisfied that the proposal will not result in negative impacts within the local community.

### **STAFF RECOMMENDATION**

THAT the Committee hereby authorizes the approval of application DP3-05-2020 without conditions to recognize the following additional permitted uses on the property known municipally as 82-84 Mill Street: Food Bank, gymnasium, office and services, institutional use, and retail use; and

THAT the Committee directs Staff to issue a Development Permit in accordance with Section 2.24 of the Development Permit By-law 15-2015.