



Planning Advisory Committee Report

To: To the Chair and Members of Planning Advisory Committee
From: Ryan Cummins
Date: November 7, 2017
Subject: Site Plan Control Application – SP6-17 – 142 Dundas Street East
Part of Curtis Grant in the Augustus Jones Tract, former Town of Paris, as in A498232, in the County of Brant, Geographic Town of Paris
Purpose: For information and approval
Report No: PA-17-57

RECOMMENDATION(S):

That Site Plan Application No. SP6-17, being an application under Section 41 of the Planning Act to enter into a site plan agreement for 2452751 Ontario Inc., for Part of Curtis Grant in the Augustus Jones Tract, as in A498232, in the County of Brant (Former Town of Paris), located at 142 Dundas Street East, **BE REFUSED**.

BACKGROUND:

On December 2nd, 2016, County Staff held a Site Plan Pre-consultation meeting with the applicant for a proposed automotive service garage at 142 Dundas Street East. County Staff followed up with a pre-consultation note summary, indicating the requirements for a complete Site Plan Application. These items included the following items:

1. Cover letter
2. Complete application form and fee
3. Site development plan
4. Building elevations
5. Storm water management brief
6. Estimate of on and off-site works for financial securities

On June 2nd, 2017, County Staff received a complete Site Plan Control application for the property known as 142 Dundas Street East. Through ongoing review and revisions, County Staff requested improvements to the building elevations. Staff had recommended the inclusion of architectural brick and additional glass to give the building a more commercial look and feel. Through consultation with Staff, the applicant agreed to make several improvements to the proposed building façade, but they have stated that they are not prepared to do anything more. Staff is of the opinion that the proposed elevations are still not reflective of a commercial building given in keeping with a property both designated and zoned commercial. Therefore, Staff is requesting this application be bumped up for the Committee's consideration.

The subject lands are located at the southwest corner of Dundas Street East and Paris Road, as illustrated on the sketch attached to this staff report. The total area of the subject lands is approximately 3723.1m². The site is serviced by municipal water. From a traffic count perspective, this is the busiest intersection in the County. Presently, the subject lands are vacant, having been previously occupied by a used car dealership.

PLANNING ANALYSIS:

Planning Act R.S.O. 1990:

Section 41(4) of the Planning Act allows for municipalities to require building elevations to be submitted for approval, including elements relating to exterior design, character, scale and appearance.

County of Brant Official Plan:

The lands are situated within the Primary Urban Settlement Area of the Town of Paris and are designated as General Commercial in the CBOP. The designation permits a variety of commercial uses, including the proposed automotive service garage. Section 6.7 of the Official Plan provides the framework for Site Plan Control applications in the County. Staff is of the opinion that the proposal does not confirm with Section 6.7 of the CBOP, as the building elevations being proposed are not consistent with the character of the Commercial designation.

Zoning By-Law:

The subject lands are presently zoned General Commercial (GC) in Zoning By-law 61-16. The Applicant proposed use of an automotive service garage is permitted under the GC Zone.

Site Plan Control requirement:

The proposed commercial development requires a site plan control application due to the requirements of By-Law 157-03 (attached).

Site Plan Review Committee Comments:

The site plan application has been reviewed by County Staff, as well as external agencies. Staff is confident that all major components of the site design have been addressed, except for the building elevations.

RECOMMENDATION AND NEXT STEPS:

The subject lands are designated General Commercial, and is located within the Primary Urban Settlement Area of the Town of Paris. The subject lands are zoned General Commercial (C2).

The development is an appropriate use for this location and the site has been designed ensure it functions appropriately.

Staff is confident that all of the major aspects of the site design have been addressed, including landscaping, traffic impact, and stormwater management. However, Staff is of the opinion that the proposed building elevations are not appropriate for a commercial building at such a prominent commercial intersection. The building style being proposed would be

much better suited in an industrial park setting, and Staff is concerned that this building will “set the bar” for commercial buildings in the County going forward. Therefore, Staff is recommending refusal of the site plan until such time that the applicant submits improved building elevations which are more conducive to a commercial building.

Staff has sent the elevations as provided to the County’s urban design peer review consultant at Urban Strategies, whose comments are attached to this report. In the education sessions held with Council earlier this year, urban design was one of the topics discussed. Given the prominence of this intersection within the County, Staff felt that an independent review of the proposed building was warranted.

Respectfully submitted,

Ryan Cummins, Planner

Attachments: Site plan By-law 157-03
 Reduced Site Plan
 Reduced Building Elevations
 Urban Strategies Comment Summary

Aerial Photo



Official Plan Map



Legislative Excerpts

Planning Act R.S.O.1990

Approval of plans or drawings

(4) No person shall undertake any development in an area designated under subsection (2) unless the council of the municipality or, where a referral has been made under subsection (12), the Municipal Board has approved one or both, as the council may determine, of the following:

1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause (7) (a), including facilities designed to have regard for accessibility for persons with disabilities.

2. Drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display,

(a) the massing and conceptual design of the proposed building;

(b) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

(c) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

(d) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality;

(e) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality; and

(f) facilities designed to have regard for accessibility for persons with disabilities. R.S.O. 1990, c. P.13, s. 41 (4); 2002, c. 9, s. 56 (1); 2006, c. 23, s. 16 (3, 4); 2009, c. 33, Sched. 21, s. 10 (9).

County of Brant Official Plan (2012)

3.9 GENERAL COMMERCIAL

3.9.1 INTENT

The intent of the General Commercial designation is to provide for commercial establishments offering goods and services which primarily serve the County's market area.

3.9.2 PERMITTED USES

The following policies shall apply in determining uses that are permitted on land that is designated General Commercial:

a. The primary form and predominant use of land in the General Commercial designation shall be limited to retail commercial establishments, places of entertainment, professional offices, financial institutions, assembly halls, eating establishments, automotive uses, hotels and motels, community facilities, convenience stores, and residential uses above the first floor.

3.9.3 LAND USE POLICIES

The following policies apply to all lands designated General Commercial:

a. Development within the General Commercial designation shall be compatible with surrounding uses with respect to building form, height, and setback, and shall be adequately buffered from adjacent sensitive land uses.

b. Buildings within the General Commercial designation, and associated lighting or signs, shall be designed, erected and installed to minimize the impact on any adjoining residential uses in accordance with the County's Sign By-law.

c. Adequate off-street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic. Where possible, shared accesses and driveways shall be provided.

d. The County shall encourage the provision of facilities that promote cycling and walkability.

e. A high standard of site design and maintenance shall be required through Site Plan Control, in accordance with Section 6.7 of this Plan.

6.7 SITE PLAN CONTROL

The County has, by By-law, designated areas where Site Plan Control shall be in effect as provided in Section 41 of the Planning Act. The entire County of Brant, with the exception of land used or proposed for single detached or two family dwellings or foremost agricultural land uses or aggregate extraction, is identified as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. Non-agricultural land uses and second dwelling units permitted within areas designated Agriculture and Natural Heritage System within the County of Brant are in the County's Site Plan Control Area. Single detached and two family dwellings within a Heritage Zone may be subject to Site Plan Control.

The following shall be the policies of the County with respect to its Site Plan Control Area:

a. For the approval of developments proposed in the Site Plan Control Area, in accordance with the provisions of the Planning Act, the County may require plans showing the location of buildings, structures and facilities to be developed in order to ensure that such plans

meet the objectives stated below. The County may also require drawings showing plan, elevation, and cross-section views for each building to be erected.

b. The overall objective of Site Plan Control is to promote the efficient use of land and services, to protect adjacent land uses, and to encourage a more attractive form of development by:

- i. improving the treatment of site plan details to maintain a consistent County standard of development in the proposed Site Plan Control Area;
- ii. ensuring safe and efficient vehicular and pedestrian access;
- iii. minimizing land use incompatibility between new and existing development;
- iv. providing functional and attractive on-site facilities such as landscaping and lighting;
- v. controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection areas;
- vi. securing easements to provide for public utilities and site drainage;
- vii. providing for accessibility;
- viii. controlling the external design of buildings including character, scale, appearance, design and sustainable design features; and
- ix. ensuring that the development proposed is built and maintained as approved by the County.

c. In order to achieve these objectives, Site Plan Control shall address such matters as the location of buildings and structures, proposed road widening, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage facilities, private and common outdoor areas, easements, grading of land, provision for stormwater management facilities, exterior design, and such matters as may be appropriate in each case.

d. Site Plan Control may be used by the County of Brant to secure property for proposed road widening or intersection improvement without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. In cases that existing uses or topographical features do not allow for equal widening of both sides of a roadway, a side being measured from the centreline of the road outwards, then only one-half of the total widening shall be taken under Site Plan Control and the remainder shall be obtained by other means at fair market value in accordance with the County's policy on land dedication.

e. The County may require proponents to execute a site plan agreement under circumstances where there is construction of more than one building or structure, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by the County.

f. The County shall consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.

g. The County may require consultation with neighbouring landowners or a public meeting for informational purposes, when considering applications for site plan approval.

h. The County may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.

i. The County shall require financial security through letters of credit or other financial arrangement prior to development