



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: September 18, 2024
Report Number: PDS.24.120
Title: PDS.24.120 Recommendation Report - Minor Variance A33-2024 - 495972 Grey Road 2 (NW Property Corp.).docx
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A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.24.120, entitled “Recommendation Report – Minor Variance A33-2024 – 495972 Grey Road 2 (NW Property Corp.);

AND THAT the Committee of Adjustment DEFER a minor variance for A33-2024 that considers the construction of 66 square metres addition and a reduction of four (4) additional parking spaces to zero (0) parking spaces, until a peer review of Parking Study by JD Engineering has been performed.

B. Background

The subject lands are known as the Ravenna General Store and are located at 495972 Grey Road 2, adjacent to property is Grey Road 119 to the north, Grey Road 2 to east, commercial use to the south and single detached dwelling to the west. The lands are approximately 1,198 square metres (0.3 acres) in size with a lot frontage of 31.83 metres. The subject lands contain an existing 138 square metres commercial residential building, existing 25.50 square metres accessory structure. The property has private services for water and sanitary.

The purpose of the 66 square metres addition is to expand their level of retail services to the immediate and surrounding community of Ravenna. This will allow them to increase their business and retain their existing customers and attract new customers as well.

The purpose of the variances is required for:

- 1) A front yard setback reduction from 7.5 metres to 0 metres with an encroachment on the County right-of-way (row) for the addition.
- 2) An exterior side yard setback reduction from 6 metres to 5.15 metres for the addition.
- 3) A reduction to the required parking from four (4) additional parking spaces to zero (0) parking spaces.

Due to the how the site is already developed including parking as provided for the existing uses, the proposal cannot meet all required lot standards, or provide additional parking spaces as needed by the zoning by-law and therefore a minor variance is required.

In support of this variance, a Site Plan and Parking Report have also been provided.

C. Analysis

Pursuant to Section 45(1) of the Planning Act, the Committee of Adjustment is authorized to grant minor variances to by-laws enacted by the Town which are established to implement the Official Plan. Staff have reviewed the proposal against the relevant planning documents, including the four tests of a minor variance, as outlined in the following section.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject lands are designated Hamlet Area (HA) in the 2016 Town of the Blue Mountains Official Plan. The objective behind the HA is to provide for residential and small scale commercial and retail functions that primarily serve the local area and the surrounding agricultural community. Opportunities for small scale commercial and tourism related uses that are compatible with the character and scale of the area are encouraged. (B4.5.1). The property is currently servicing the needs of the surrounding areas and travelling public with the existing commercial use (Section B4.5.3 c, d). It will continue to do so. Section B4.5.4 (a) notes that new development in the settlement areas maintain and/or enhance the settlement character with the development is diverse and compatible land use within proximity to each other.

The existing Ravenna General Store is a widely recognized fixture in the Hamlet area of Ravenna. The expansion of the existing store remains in character and at a scale appropriate for the area. Planning Staff is therefore satisfied that the proposal maintains the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The subject lands are zoned Rural Commercial (C7) in the Town of the Blue Mountains Comprehensive Zoning By-law (ZBL) 2018-65. Table 7.1 does permit a retail store as a permitted use. Table 7.2 in the ZBL contains the lot setbacks which creates the buildable area where development can occur. The first variance that is being requested a reduction from the front yard setback 7.5 metres to 0 metres. The request will allow for the proposed building addition to maintain a consistent main wall façade. It is noted that a portion of the existing building is located on the County Right-of-Way, and that a small portion of the proposed building addition would also extend on to the County Right-of-Way. Comments have not yet been received from the County of Grey regarding any permissions to allow for new construction to occur on their lands. In addition, the Committee does not have authorization to allow construction on adjacent lands, however can establish a 0 metre setback to allow construction up to the property line. Prior to the Committee issuing a decision on this variance, comments should be obtained from the County in this regard.

The second variance is being requested is a reduction from exterior side yard setback from 6 metres to 5.19 metres. The purpose of the proposal will remove the existing concrete patio, retaining walls and associated features to permit the addition to the north-east portion of the subject lands to be constructed. Planning Staff wish to receive additional comments from the County of Grey on this variance, due to potential concerns for intersection sight lines. It is also noted that the existing concrete patio area serves as an accessory outdoor space for patrons, and it is not clear if this will be replaced or relocated elsewhere on the site.

These two variances will permit the proposed addition to square off the north-east corner of the building.

The final variance for this proposed addition is a reduction of 4 parking spaces to 0 parking spaces. In Table 5.3 - Non-residential Parking Requirements of the ZBL which indicates that Retail Stores uses require one (1) space for every 20 square metres. The proposed addition will require 4 additional parking spaces at minimum. The Zoning By-law requires that all parking needed for a use shall be provided on-site. In this case, the location of the existing buildings does not offer the ability to provide additional on-site parking. The intent of the By-law is to ensure that the parking demands generated by a use are accommodated on the site. A Parking Study by JD Engineering was completed August 15, 2024, and was submitted to the Town as part of the application submission. The analysis of the report reviewed existing parking infrastructure on the subject lands and the surrounding areas. JD Engineering noted in their reports the additional parking spaces needed for the proposed addition can be met through the current existing on-street parking areas. However, Staff have concerns that the study is reliant on the availability of other on-street parking spaces which are also used by other surrounding residential and commercial properties, and that the on-street parking established by the County of Grey was completed as a general improvement for on-street parking from what existed previously. It is further noted that the proposed retail store is looking to expand its retail offerings to also include liquor beer and wine sales which may also generate new traffic to the site. Further discussions with the County of Grey Transportation department should be completed and the consideration of a peer review in consultation with the County of the submitted parking study may be beneficial to verify and confirm the recommendations of the report.

At the time of writing this staff report, Planning Staff are unable to determine if the proposal maintains the general intent and purpose of the Zoning By-law.

Is the proposal Minor in nature?

A variance may be considered "minor" where the scale of the request is marginal and the proposed relief will not result in a greater than minor adverse impact on adjacent properties, uses, or area. In this case, both building additions plus the reduction of the additional parking spaces is the root of the matter to determine if the variance can be considered minor for the proposed addition. As mentioned previously, further comments from the County plus consideration of a peer review of the parking study would be beneficial to ensure that existing parking spaces are appropriate and will not create a recurring traffic congestion. In conjunction, the variances that are being requested for the proposed addition, Planning Staff are unable to

determine if this request can be considered minor for the subject lands. This is to ensure that Planning Staff have an opportunity to make a fully informed decision if this proposal is truly minor in nature.

Therefore, Planning Staff are unable to determine if this proposal is minor in nature.

Is the proposal desirable for the development and use of the lands?

Based on the commentary mentioned previously to construct a 66 square metre addition on the existing commercial residential building a reduction of the minimum front and rear yard setbacks along with a parking reduction 0 parking spaces, Planning Staff are unable to determine if the proposal is desirable for the development and use of the lands at this time.

Based on the above, Planning Staff are recommending a deferral of this application so that Staff can receive Grey County comments, and to follow up on the matters contained in this report. Staff recognize that a 30 day deferral would appear appropriate at this time, and that Planning Staff can prepare a second report to advise the Committee on final recommendations.

At this time, Planning Staff are unable to determine if the proposal can meet all four tests for minor variance and do not recommend approval.

D. Attached

1. Draft Decision

Respectfully submitted,

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Report Approval Details

Document Title:	PDS.24.120 Recommendation Report - Minor Variance A33-2024 - 495972 Grey Road 2 (NW Property Corp.).docx
Attachments:	- A33-2024 Draft Decision.docx
Final Approval Date:	Sep 12, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Sep 12, 2024 - 1:15 PM