

# Municipality of Lakeshore – Report to Council

## Growth & Sustainability

### Community Planning



**To:** Mayor & Members of Council

**From:** Kristina Brcic, Team Leader – Development Approvals

**Date:** June 13, 2023

**Subject:** Zoning By-law Amendment File ZBA-09-2023 at 0 Middle Rd by Stephen O’Neil

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### Recommendation

Approve Zoning By-law Amendment Application ZBA-09-2023 (Zoning By-law 2-2012, as amended), to rezone the lands known municipally as 0 Middle Road, and legally as PT S1/2 LOT 1 CON NMR MAIDSTONE DESIGNATED AS PT 1 ON 12R29146 from ‘Rural Commercial / Employment (CR)’ to ‘Rural Commercial / Employment Exception 53 (CR-53)’; and

Direct the Clerk to read By-law 59-2023 during the Consideration of By-laws, all as presented at the June 27, 2023 Council meeting.

### Background

The Municipality of Lakeshore has received an application for the property known as 0 Middle Rd, known legally as PT S1/2 LOT 1 CON NMR MAIDSTONE DESIGNATED AS PT 1 ON 12R29146, located on the northern side of Middle Rd, east of Manning Rd. The subject property is designated “Service Commercial” by the Lakeshore Official Plan and zoned “Rural Commercial / Employment (CR)” under the Lakeshore Zoning By-law 2-2012.

The subject property is currently vacant and in 2022 the owners completed a severance under file B-11-2022 to sever and create a new lot off of 9 Middle Road. Presently, the applicant is looking to construct and operate a Stone Veneer and Brick cutting business. Therefore, the applicant is applying for a Zoning By-law Amendment for a site-specific amendment to permit a Building Supply Outlet as it is currently not a permitted use within the “Rural Commercial / Employment (CR)” zone. Additionally, the applicant will be constructing two buildings. The first structure will be approximately 557 m<sup>2</sup> (6,000 ft<sup>2</sup>) and 418 m<sup>2</sup> (4,500 ft<sup>2</sup>) in floor area. The proposed development will be subject to Site Plan Control prior to commencing construction.

Subject Land: 3804.04 m<sup>2</sup>  
Existing Use – Vacant  
Proposed Use – Impose a zone amendment to prohibit a building supply outlet  
Access — Middle Road  
Services — municipal water, septic system, storm drainage: ditches

Surrounding Uses: North: County Road 46 and beyond is residential  
South: Middle Road  
East: Rural Commercial/Employment  
West: Rural Commercial/Employment

Official Plan: Service Commercial

Existing Zoning: Rural Commercial (CR)

## Comments

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

There are no issues of provincial or county significance raised by this proposed amendment. Therefore, the application for a zoning by-law amendment consistent with the policies and goals of the PPS.

### ***Municipality of Lakeshore Official Plan***

The subject property is designated Service Commercial in the Lakeshore Official Plan and the application is to permit a building supply outlet. Section 6.7.2 states that development within the Service Commercial designation will be compatible with surrounding land uses. The area of the subject property is a unique cluster of uses in the area including gas station, restaurant, autobody shop and woodworking. Therefore, it is determined that the proposed amendment is compatible within the surrounding area and conforms to the land use and policies of the Lakeshore Official Plan.

### ***Zoning By-law 2-2012, as Amended***

The subject property is currently zoned Rural Commercial (CR) in the Lakeshore Zoning By-law 2-2012, as amended.

In order to operate a Building Supply Outlet on the property, a Zoning By-law Amendment Application has been submitted to rezone the parcel to permit this use. The subject property conforms to the regulations detailed within the Lakeshore Zoning By-law 2-2012 being that the property is 3804.04 m<sup>2</sup> with approximately 41.10 m of frontage along County Rd 46 and 47.33 m of frontage along Middle Rd. The minimum lot size required in the CR Zone is 1858 m<sup>2</sup> (subject to suitability of servicing) and the minimum frontage is 30.0 m. Therefore, the proposal conforms to the Lakeshore Zoning By-law 2-

2012 as amended.

### **Others Consulted**

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and Regulations. As of the writing of this report, no comments were received from the public and no concerns were expressed from any agencies.

### **Financial Impacts**

The development of the site will include a collection of development charges and building permit fees as well as an increase in the collectable assessed tax value.

### **Attachments**

Appendix A – Location Map  
Appendix B – Draft Site plan  
Appendix C – Registered Survey

### **Report Approval Details**

Document Title: ZBA-09-2023 - 0 Middle Rd - 1000435838 - Stephen O'Neil.docx

Attachments: - Appendix A - Location Map.pdf  
- Appendix B - Draft Site Plan.pdf  
- Appendix C - Survey.pdf

Final Approval Date: Jun 22, 2023

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

Prepared by Kristina Brcic

Submitted by Ryan Donally and Tammie Ryall

Approved by Justin Rousseau and Truper McBride