

**Title:** Audrey Hoskins

**Date:** May 2, 2017

## **STAFF REPORT**

### **Applicant:**

Audrey Hoskins (Agent: Greg Rheaume & Natalie Paquet)

### **Location:**

PIN 73560-0395, Parcel 4383 S.E.S., Lots 23 & 24, Plan M-36 in Lot 4, Concession 3, Township of Neelon (45 William Avenue, Coniston)

### **Site Description and Surrounding Land Uses:**

The subject property comprises the southeast corner lot at the intersection of William Avenue and Walter Street. The area is fully serviced by municipal water and sewer. William Avenue is constructed to an urban standard with a sidewalk on the east side of the road.

Total area is 728 m<sup>2</sup>, with 24 m of frontage on William Avenue and 30 m of flankage on Walter Street. The site is occupied by a former Legion Hall with a gross floor area of 226 m<sup>2</sup>. The building was illegally converted to three (3) units, but is currently vacant. Driveway access is provided on William Avenue and the laneway at the rear.

The surrounding area is mainly comprised of low density housing, predominantly single detached dwellings. St. Michael's church is located opposite the subject property.

### **Official Plan and Zoning By-law:**

#### Official Plan

The subject land is designated as Living Area 1, which permits a range of residential uses including low density residential. The application to convert the building into a single detached dwelling conforms to the [Official Plan](#).

#### Zoning By-law

The property is currently zoned "H7R1-5(9)", Holding Low Density Residential One Special, which is a site-specific zoning applied in 2002. In addition to the uses permitted in the R1-5 Zone, a day care centre and a dance studio are also permitted.

The Holding (H7) provision may be lifted if Council has been advised by the Nickel District Conservation Authority that any section of the existing building that will be used for residential occupancy has been floodproofed.

### **Application:**

Application to remove a holding designation on land zoned "H7R1-5(9)", Holding Low Density Residential One Special.

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**Proposal:**

The applicant is proposing to renovate the existing building to include one dwelling unit and an attached garage, as illustrated on the rezoning sketch. The attached garage will occupy a space currently comprised of two (2) illegal dwelling units that are not floodproofed and are deemed uninhabitable.

**Departmental/Agency Circulation:**

Nickel District Conservation Authority

The Nickel District Conservation Authority has floodproofing verification for the one dwelling unit which will remain.

The Nickel District Conservation Authority has no objection to removal of the holding designation for this property based upon the proposed development plan.

Building Services

Building Services is prepared to issue a building permit for the conversion of the illegal triplex to a single family dwelling, which will now be in conformance with [Zoning By-law 2010-100Z](#) and will allow the "H" Holding of this property to be lifted once Planning requirements have been met.

**Background:**

The property was subject to a rezoning process in 2002 in order to permit the conversion of a former Legion Hall into one dwelling unit and a dance studio (File 751-3/02-1). At that time, there was concern that the proposed residential section of the structure was not adequately floodproofed to the satisfaction of the Nickel District Conservation Authority. As a result, Council imposed a holding designation restricting the use of the property to a dance studio or a day nursery. The holding designation would only be removed upon verification by the owner that the residential section of the building has been floodproofed to the satisfaction of the Nickel District Conservation Authority. The amending by-law including the holding provision was adopted on March 26, 2002 (By-law 2002-75Z).

The proponent of the dance studio subsequently located on another site in Coniston. In the interim, however, the building was illegally converted into three (3) apartment units without benefit of a building permit, zoning permission and approval from NDCA.

The new owner would like to convert the building into a single detached dwelling with an attached garage subject to the required approvals.

**Planning Considerations:**

The new owner would like to rectify the current situation by converting the building into a single detached dwelling with an attached garage. The portion of the building to be used for residential use is adequately floodproofed based on a preliminary review by the Nickel District Conservation Authority. The two (2) remaining units would be converted to a garage, which would not require floodproofing as it would not comprise habitable living space. NDCA has approved the plan in principle subject to the required permits.

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Building Services subsequently advised Planning Services on April 25, 2017 that the applicant has addressed their permit requirements and that a permit can now be issued for the conversion. A Record of Site Condition is not required based on information provided by Building Services staff.

Planning Services supports lifting the holding designation as the proposal complies with the conditions imposed by Council in 2002. Furthermore, it would resolve longstanding issues with this particular property related to an appropriate use of the building and the illegal apartment units that were installed. There are no issues related to the proposed single residential use, as it is consistent with the surrounding low density residential neighbourhood.

Planning Services recommends that the application to lift the holding designation be approved.