

# Planning Justification for Rezoning

186 Main Street  
Wellington  
Prince Edward County



September 13, 2021

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## 1. INTRODUCTION

Ray Essiambre and Associates Ltd. was retained by the owners of 186 Main Street Wellington to assist with obtaining a Rezoning for the property at 186 Main Street, Wellington. The property is Zoned CH-9 and the building on the property are is currently rented for a variety of uses that include; an office, retail sales and a restaurant. The uses that currently occupy space in the building are not listed as permitted uses in the CH-9 zone. The property has been recently purchased by Mr. Harshwinder Singh. Mr. Singh wants to add the current uses (office, retail sales and restaurant) to the CH-9 zone and other uses that may be appropriate for the property. The expanded list of permitted uses is needed to permit the owner to rent space to tenants without the need to rezone the property.

Pre-consultation meeting has held with County Staff and it was determine that the most appropriate solution would be to rezone the property to CC – Core Commercial. This report provides justification for the change in zoning from CH-9 to CC – Core Commercial.

## 2. LOCATION OF PROPERTY

Below is an image of the property at 186 Main Street.



### 3. PROPERTY INFORMATION

#### 3.1 Ownership

3.1.1 Company: 12550407 Canada Inc.

3.1.2 First Register owners- Parminder Singh  
1032 Cole Street  
Innisfil ON L9S0J9  
Phone: 705 994 4600  
e-mail: [parm.toronto@gmail.com](mailto:parm.toronto@gmail.com)

3.1.2 Second register owner - Harshwinder Singh  
442 Wellington Main Street,  
Wellington ON K0K 3L0  
Phone: 519 270 8519  
e-mail: [harshsingh786@gmail.com](mailto:harshsingh786@gmail.com)

3.1.3 Lot area- 1781 m<sup>2</sup> / 0.178 ha

#### 3.1.4 Building

Building area- 396.2 m<sup>2</sup>.  
Number of Rental Units- 4  
Unit 1 – Office 102 m<sup>2</sup>/1100 sq. ft.  
Unit 2 – Retail sales 139.4 m<sup>2</sup>/1500 sq. ft.  
Unit 3 – Retail sales 97.5 m<sup>2</sup>/1050 sq. ft.  
Unit 4 – Restaurant 46.4 m<sup>2</sup> / 600 sq. ft.  
Building construction- 1974 (approximately)  
Building purchased- March 2021

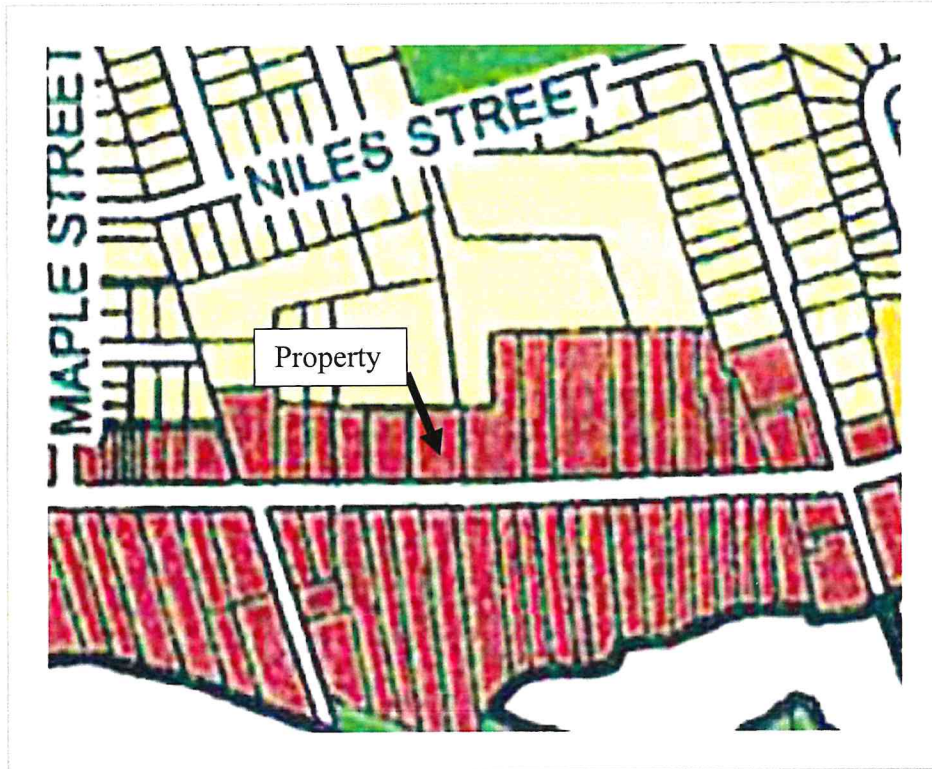
3.1.5 Parking spaces - 20+

### 4. REGULATORY REVIEW

#### 4.1 Village Wellington Secondary Plan

Official Plan Amendment 62 to the Prince Edward County Official Plan that adopted the Wellington Secondary Plan was approved by the Minister of Municipal Affairs on April 13, 2015. The Land Use Designation of the subject property in the Wellington Secondary Plan is shown as *Village Core Area* on Schedule A – Secondary Plan Land Use Map. An extract of the Plan is provided below.





#### 4.2 Village Core Area Policies

Below is an extract from the Wellington Secondary Plan that describes the permitted uses on the Village Core Area.

##### 2.5.1 VILLAGE CORE AREA

The Village Core Area extends along Main Street from Belleville Street in the east to Consecn Street in the west. The boundary of the Village Core Area generally extends to the rear of the properties that front on Main Street and the cross streets of Maple, Wharf, and West. The policies of this area permit a full range of commercial uses intended to serve residents and visitors in a pedestrian-oriented main street format of development with buildings located close to the sidewalk. Higher density residential uses are also permitted above street-level commercial uses. Intensification in the Village Core Area is encouraged provided such development is consistent with the village design policies of Section 4.1 of this Plan and the commercial centre is maintained and enhanced.

##### Guiding Policies

It is the intent of this Plan to:

1. Concentrate commercial shopping, business, office, tourism, and storefront creative rural economy uses in the Village Core.
2. Support a diverse mix of complementary residential and community uses that meet the existing and future needs of the community and encourage a healthy and vibrant Village Core.

### **Comment**

The intended use for the subject lands is consistent with description of the Village Core Area and Guiding Policies 1 and 2 above.

### **4.3 Current CH-9 Zoning and Permitted Uses**

The following is an extract from the current CH-9 that shows the permitted uses and provisions of that zone.

#### ***21.5.9 CH-9 Zone (Jiffy Mini-Mart, Lot 9 and Part of Lot 8, Registered Plan No. 8, Ward of Wellington)***

*Notwithstanding any provisions of this By-law to the contrary, within the CH-9 Zone, the following provisions shall apply:*

- i. The only uses permitted shall be a **convenience store, a laundromat, a snack bar and a motor vehicle gasoline bar.***
- ii. Minimum lot area 1,765 m<sup>2</sup> (18,998.9 sq. ft.)*
- iii. Minimum side yard, westerly lot line 1.5 m (4.92 ft.)*
- iv. The minimum front yard requirement shall not apply to the motor vehicle gasoline bar.*
- v. One loading space and one standby loading space shall be required.*
- vi. Minimum parking space area 15 m<sup>2</sup> (161.4 sq. ft.)*

### **Comment**

There are uses on the property that are different than the permitted uses listed in Subsection i above. The existing uses are office, retail sales and restaurant are not permitted in the CH-9 zone rendering it a non-confirming uses. The permitted uses in the CH-9 zone are limited to convenience store, a laundromat, a snack bar and a motor vehicle gasoline bar. Market conditions for commercial buildings change over time and the owners need to be able to rent space to a variety of tenants without the need to rezone the property when new tenants are needed to occupy vacant space.

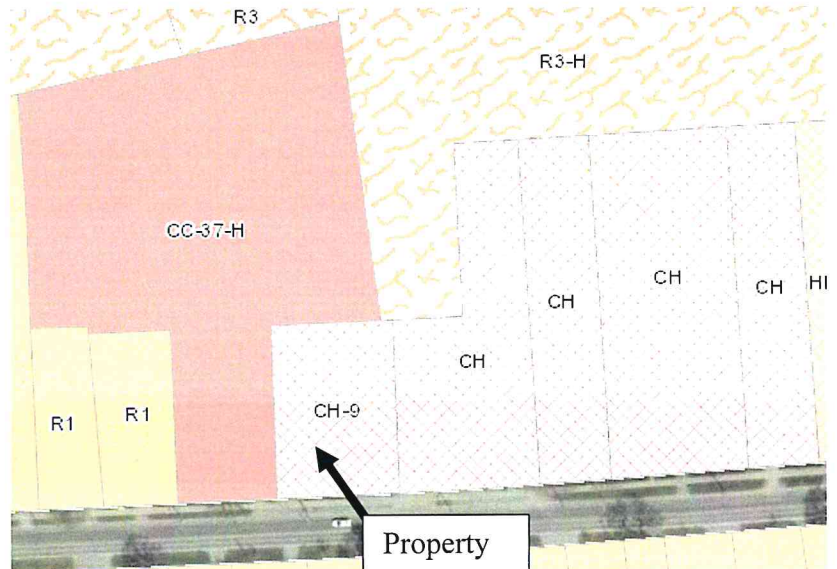
Below is an image of the current zoning at 185 Main Street and adjacent properties.

### **4.4 Proposed Rezoning**

The subject property is located within the Village Core Area designation of the Wellington Secondary Plan. The proposed new zone for the property is CC – Core Commercial which conforms to the permitted uses in the Village Core Area, Wellington Secondary Plan Designation.



The proposed CC zone is also consistent with the CC zone on the adjacent properties located to the east. The proposed CC zone is also complementary to the CC-37-H zone that is immediately west of the subject property.



The following are the permitted uses in the CC zone followed by the Provisions for the zone.

**SECTION 18 CORE COMMERCIAL (CC) ZONE** No person shall within any Core Commercial (CC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions: 18.1 PERMITTED NON-RESIDENTIAL USES

- 18.1.1 financial institution and bank
- 18.1.2 clinic or office of medical practitioner
- 18.1.3 day nursery
- 18.1.4 retail commercial establishment
- 18.1.5 personal service shop
- 18.1.6 merchandise service shop
- 18.1.7 place of entertainment, recreation or assembly
- 18.1.8 commercial club
- 18.1.9 private club
- 18.1.10 restaurant
- 18.1.11 business, professional or administrative office
- 18.1.12 convenience store
- 18.1.13 hotel
- 18.1.14 bakery
- 18.1.15 dry cleaning distribution station
- 18.1.16 food store
- 18.1.17 laundromat
- 18.1.18 taxi depot
- 18.1.19 parking lot
- 18.1.20 video rental

*18.1.21 public uses or utilities*

*18.1.22 uses, buildings and structures accessory to the foregoing permitted uses including the sale of pre-filled propane tanks*

**18.2 PERMITTED RESIDENTIAL USES** *18.2.1 one or more dwelling units in a portion of a commercial building*

**18.3 REGULATIONS FOR PERMITTED USES**

*18.3.4 Minimum Exterior Side Yard 0 m (0 ft.)*

*18.3.5 Minimum Interior Side Yard*

*i. abutting another commercial or an industrial zone 0 m (0 ft.)*

*ii. abutting any other zone 2.0 m (6.6 ft.)*

*18.3.6 Minimum Rear Yard 4.5 m (15 ft.)*

*18.3.7 Maximum Lot Coverage 60 %*

*18.3.8 Maximum Height of Buildings 12 m (40 ft.)*

*18.3.9 Existing Building Line The existing building line shall be maintained in the case of any construction, reconstruction, rebuilding or renovation of structures in the CC Zone. In the case of rebuilding or reconstruction, where the former building encroached on the street line, the existing street line shall be the new building line.*

*18.3.10 Minimum dwelling unit floor area*

*i. Bachelor Unit 46 m<sup>2</sup> (495.2 ft.<sup>2</sup>)*

*ii. One Bedroom Unit 55 m<sup>2</sup> (592 ft.<sup>2</sup>)*

*iii. Two Bedroom Unit 60 m<sup>2</sup> (645.9 ft.<sup>2</sup>)*

*iv. More than Two Bedrooms 65 m<sup>2</sup> (699.7 ft.<sup>2</sup>)*

**18.4 SERVICING REQUIREMENTS** *All uses permitted in the Core Commercial (CC) Zone shall be serviced with full municipal water supply and sanitary sewer services.*

**18.5 GENERAL ZONE PROVISIONS AND PARKING, DRIVEWAY AND LOADING PROVISIONS**

*All provisions of Section 4, General Provisions and Section 5, Parking, Driveway and Loading Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Core Commercial (CC) Zone shall apply and be complied with.*

## 5.0 Conclusion

5.1 The list of permitted uses in the Current CH-9 zone is too limiting.

5.2 The subject property is in the Village Core Area of the Wellington Secondary Plan. The Core Area policies encourage uses that will serve the residence of the Village of Wellington.

5.3 The proposed CC zone conforms to the Wellington Secondary Plan Policies.

5.4 The greater number of permitted uses in the CC zone will allow for a greater variety of uses to occupy the commercial space in the existing building.

5.5 The increase in the number of permitted uses that will be permitted in the building will better serve the residence of Wellington and it is good land use planning.

**Prepared by:**

Ray Essiambre, Principal

September 13, 2021