

*City of Belmont*

# *Agenda Briefing Forum*

**18 August 2020**

**Item No 12.1**

**Change of Use – Warehouse and Office to Place of Worship (with  
Associated Signage)**

**Lot 2 (2/106) Robinson Avenue, Belmont**



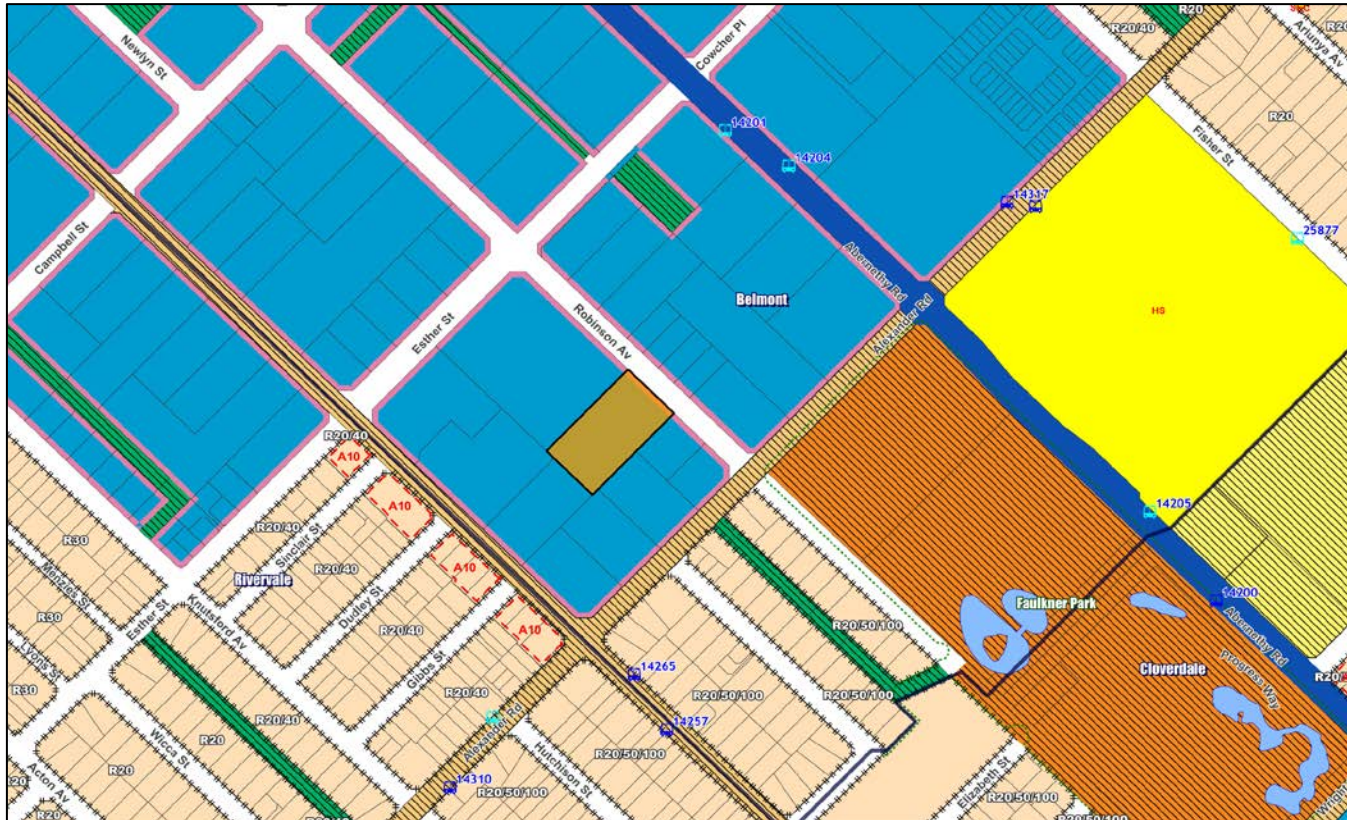
# Aerial Photo of Subject Site

TA14





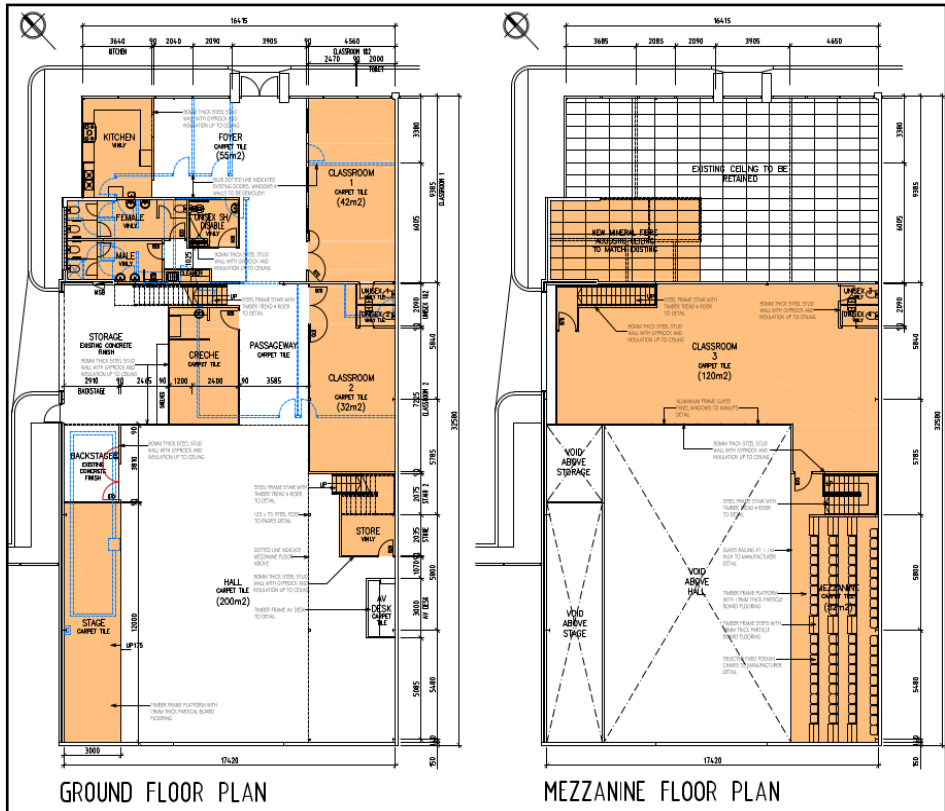
## Extract from Local Planning Scheme Map – Zoning of Subject Site & Surrounding Zonings



*The 'Mixed Business' zone is intended to allow for the development of a mix of varied but compatible business uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents...*



# Proposal





# Amended Proposal

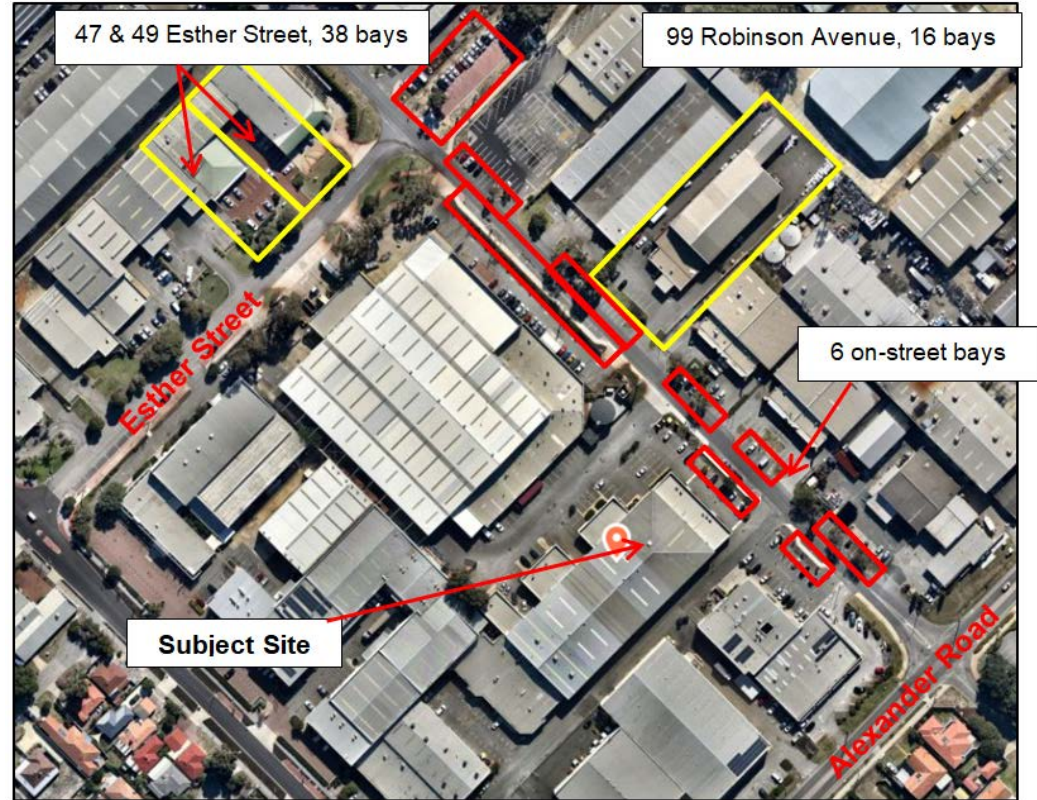
TA17

## Modified **operating hours**:

- Monday to Friday: 5:30pm to 10:30pm
- Saturdays and Sundays: 8:00am to 10:30pm

## Modified **car parking arrangements**:

- 8 bays provided on-site.
- 6 on-street bays.
- 60 off-site bays:
  - 47 & 49 Esther Street – 38 bays
  - 99 Robinson Ave – 16 bays





# Leasing of Car Parking Spaces

- Car parking must be provided on-site so as not to impact the amenity of surrounding businesses.
- It may be reasonable for car parking for a development to be provided on a secondary property → caveats should be registered on the Certificate of Title.
- The landowners of 47 and 49 Esther Street and 99 Robinson Avenue have not signed the application → car parking cannot be guaranteed.
- No reasonable condition of development approval can be imposed.
- The decision maker would be granting approval for a Place of Worship with a shortfall of 35 bays.
- This would set an undesirable precedent for the locality as car parking may occur on the street.

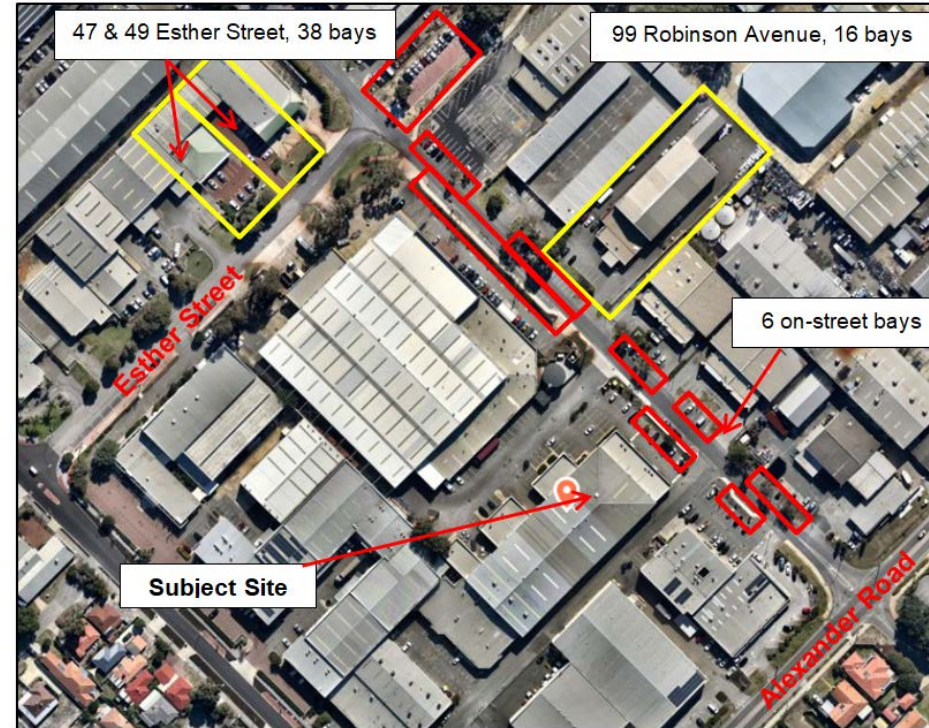






## Limiting Hours of Operation

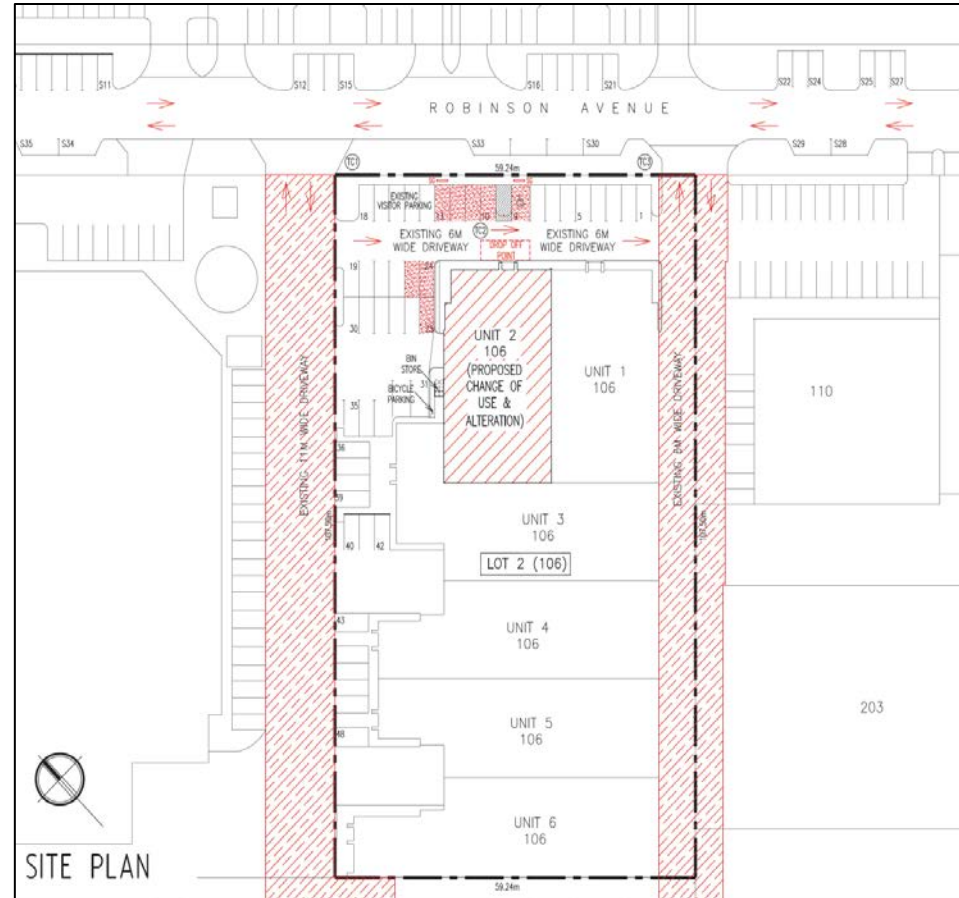
- The dominant activity of the Place of Worship is the congregation of patrons for worship.
- Table 2 of Local Planning Scheme No. 15 requires the following:
  - Place of Worship – 1 car parking space for every 4 persons.
  - 172 patrons → 43 car parking bays.
  - 8 spaces → majority of patrons would rely on alternative parking arrangements.
- The Mixed Business zone provides for a range of land uses during weekday evenings as well as weekends.
- Weekday evenings or Saturday parking arrangements are unknown → patrons will default to the use of the existing on-street parking.
- The extensive use of on street car parking bays is not appropriate.





## Alternative Option

- Evenings and weekends generate the greatest demand for on-street car parking (172 patrons).
- The Parking Management Plan could be acceptable if there were not as many people attending the site.
- 6 on-street bays car parking bays is considered acceptable (total of 14 bays).
- The proposal would require the following conditions:
  - A restriction on the number of people to no more than a maximum of 56 on-site at any given time.
  - A requirement to update the Schedule of Activities in the PMP to demonstrate how multiple services could be provided.





## **Recommendation**

### **A. Refuse the application:**

- The development proposes a shortfall of 35 bays which does not meet the requirements of LPS 15.
- The proposed lease arrangement to supplement provision of car parking cannot be guaranteed and does not warrant varying of the car parking requirements.
- The development would result in the use of the on-street car parking bays, having a detrimental impact on the amenity of surrounding properties and does not meet the objectives of the Mixed Business zone.
- The use of the on-street bays and parking on neighbouring properties would result in a loss of community benefit.

### **B. Advise those who made a submission of Council's decision.**