
John Gemmell Chair, Judy Brown, Lana March, Jim Boldt (Alt)

A G E N D A
4th MEETING OF THE TOWN OF PERTH
PLANNING ADVISORY COMMITTEE

Monday April 18th, 2016 5:00 pm
Council Chambers, TOWN HALL

- a) **CALL TO ORDER**
- b) **DECLARATIONS OF INTEREST** (all agenda items)
- c) **MINUTES OF LAST MEETING** (unadopted from March 11th, 2016 for approval)
- d) **ADDITIONS** None
- e) **DELEGATIONS / PUBLIC MEETINGS**
Zoning Amendment – application D14-AC-02/16 (Public meeting) #125 Beckwith
- f) **UNFINISHED BUSINESS** None
- g) **CURRENT ITEMS FOR COMMITTEE CONSIDERATION**
 - 1. Zoning By-Law Amendment D14-AC-02/16 (Report 4.1)
- h) **UPDATES/ NEW APPLICATIONS**
 - 1. Site Plan application – D11-AC-03-16 Crombie Property Holdings #80 Dufferin St.
 - 2. Site plan application – D11-AC-04-16 Perthmore Development Ltd. 27-33 Perthmore Street
- a) **NEXT MEETING**– Monday **May 16 at 2:00pm?**
- i) **ADJOURNMENT:** _____p.m.

REPORT

Date Prepared: April 14th, 2016
Date Presented: April 18th, 2016
To: Chair, and Members of the Planning Advisory Committee
From: Eric Cosens, Director of Planning
Subject: **Zoning By-law Amendment 125 Beckwith St E,
(Town File D14-AC-01/16 - Guthrie)**

For Information Only Delegation X Attachment

Recommendation:

THAT THE PLANNING ADVISORY COMMITTEE RECOMMEND COUNCIL PASS A BY-LAW AMENDING ZONING BY-LAW 3358 TO APPLY THE RESIDENTIAL THIRD DENSITY (R3) ZONE CATEGORY TO FACILITATE CONVERSION OF THE EXISTING BUILDING AT 125 BECKWITH ST E. TO A DUPLEX

1.0 Background:

The property owner has filed a zoning amendment application proposing to rezone the subject property from the Residential Second Density (R2) Zone to a Residential Third Density (R3) Zone category to facilitate the conversion of a building previously used for a commercial printing establishment into two residential units.

2.0 Analysis:

2.1 Property Location and Description:

The land subject to the proposed Zoning amendment is a large rectangular lot in the south-easterly end of town near the intersection of Beckwith St. with South Street. It is formally described as Part Lot 7, North of South Street Plan 8828, being Parts 1-5, Plan 27R-540 and is municipally known as 125 Beckwith St. E. The property has 41 m (135 ft.) of frontage and is 66 m (202 ft.) deep. The grading on the lot is essentially flat. As may be noted from the attached air photo, existing development consists of a commercial-form building with a footprint of about 250 m² (2,690 ft.²) in the front central portion of the property (see application drawing). The lot is predominantly open lawn areas with some shrubs and larger trees in the rear yard.

2.2 Surrounding Land Uses

Adjacent properties feature residential uses with townhouse development adjacent to the north and west, single detached development to the east and south with rural residential uses along the easterly side of South Street.

2.3 Proposed Use

The application is proposing to rezone the property from the Residential Second Density (R2) Zone to a Residential Third Density (R3) Zone to allow for a conversion of the building into two residential units. No exterior modifications of the building have been proposed, however, the site is large enough to accommodate changes.

3.0 **Comments from Notification/Circulation**

The proposed zoning amendment has been circulated to the public, the County, and other agencies with jurisdiction. All municipal departments have been requested to comment.

3.1 **Public Comments:**

As of the writing of this report no formal comments have been filed by local land owners:

3.2 **Municipal departments** have expressed no objections with regard to the application.

3.3 **External agencies** have filed no comments or concerns.

4.0 **Financial Considerations:**

4.1 Generally it is neither prudent nor relevant to give significant weight to the financial implications of making Official Plan, Zoning and other land use approval decisions. The potential financial benefit to the applicant or any impacts to property values, either on the site or on adjacent lots, should not be given significant consideration relative to other land use issues such as physical impacts, compatibility or traffic concerns; i.e. if the only concern is one of property value impacts then this has historically been seen by the Ontario Municipal Board as insufficient grounds for denying an application.

4.2 The Provincial Policy Statement, however, directs that the implications of projects for the financial wellbeing and sustainability of the Province and municipalities is to be considered. The proposal has modest potential financial benefit to the Town by facilitating intensified development on under-developed land and resulting in a more efficient use of municipal services which could contribute to both the sustainability of municipal infrastructure and the financial wellbeing of the Town by increasing the revenue stream generated by existing infrastructure and reducing or delaying the need to expand the water and sanitary sewer service area. The overall impact is anticipated to be modestly positive.

5.0 **Existing Policy:**

5.1 **The Provincial Policy Statement (PPS)**

The proposed zoning amendment is consistent with the intent of the PPS which promotes urban areas and settlement areas as centers of growth, supports development patterns that avoid health and safety problems and encourage municipalities to use serviced land efficiently [PPS Part IV Sect 1.1.3.1].

The proposed zoning amendment will facilitate the infilling and redevelopment of under utilized, fully serviced urban land. The amendment therefore is consistent with Sections 1.1.3.2, 1.1.3.3, 1.1.3.4 1.1.3.5 and 1.1.3.7 of the PPS.

5.2 The Official Plan for the Town of Perth

The subject property is in the Residential Designation under both the existing and adopted versions of the Official Plan. Section 8.1.1 of the Plan recognizes that a limited amount of local commercial development will be permitted within this designation. Section 8.1.3.2 identifies the uses permitted in this designation and includes all forms of residential use.

The subject land is designated Residential in the Official Plan and Section 8.1.3.1 outlines the following objectives:

- To encourage a variety and mix of housing types to meet the changing needs of households overtime.
- To provide for compact, energy efficient development that is fully serviced.
- To encourage infill and intensification projects which optimize the use of existing infrastructure.
- To ensure that the built form, massing and profile of new and redeveloped housing is well integrated and compatible in design with existing housing and that a compatible transition between existing housing and new residential land uses is achieved.

The Housing Densities section (8.1.3.4) expresses that it is Council's intent to provide for different densities of residential development including Low, Medium and High. The provisions of section (8.1.3.7) express the intent of Council to permit intensification as a method to increase the supply of housing where adequate off-street parking is provided, compatibility with existing uses is demonstrated and adequate municipal servicing exists. In particular, paragraph f) specifies that conversion of existing dwellings with a second dwelling will generally be permitted. The proposed duplex use is considered a low density residential form that would not be out of character with existing uses and adequate parking is available.

5.3 Zoning Requirements

A zoning amendment is required as the established R2 Zone does not permit buildings with two dwelling units.

The existing lot exceeds the minimum lot area and lot frontage required for a building with two dwellings in the R3 Zone. As indicated in the application drawing, the existing building is just over 5.54 m (18 ft.) from the front lot line. Therefore it has legal non-complying status with respect to the standard minimum front yard requirement of 6 m (19.8 ft.). This will not be affected by the zoning amendment as the R3 zone requires the same minimum front yard.

As specified in Section 4.30 (Parking Requirements) two parking spaces are required for each dwelling unit. The property currently features 5-6 parking spaces along the front of the building each with direct access to the street; i.e. a driveway just over 20m wide. The minimum depth for a standard parking space per By-law requirements is 6 m and the maximum driveway width permitted in a residential zone is 6.5 m. The existing parking exceeds the minimum number of required spaces but the design does not meet current standards. However the parking has legal non-complying status by virtue of predating the current By-law. The Town cannot compel the owner to come into compliance through the zoning process. The site has more than sufficient area to come into compliance. The owner will be encouraged to consider

such a change and will be cautioned that the for the existing configuration may have a liability risk as it is not consistent with a residential use and the parking spaces project onto the road allowance.

6. General Comments and Recommendations

Staff note that Subsection 34 (19.1) of the Planning Act R.S.O. 1990, as amended, stipulates that a zoning by-law to permit a second dwelling unit in a single detached, semi detached or rowhouse cannot be appealed to the Ontario Municipal Board. The proposed zoning amendment is comparable to this situation as the existing zoning would permit the building to be occupied as a single detached dwelling.

7. Conclusions

- 7.1 Based on the available information, the proposed Zoning Amendment is consistent with the objectives of the Planning Act and the Provincial Policy Statement as well as the intent and applicable policies of the Town's Official Plan.
- 7.2 No municipal departments or agencies have expressed objections about the rezoning.
- 7.3 No public concerns have been filed to date.
- 7.4 Adequate parking existing, but has legal non-complying status and is not an ideal configuration.
- 7.5 Staff are satisfied that development that could occur under the proposed rezoning will not conflict with the character of adjacent development both in terms of the scale of the uses and the impact on the street.

Respectfully submitted,

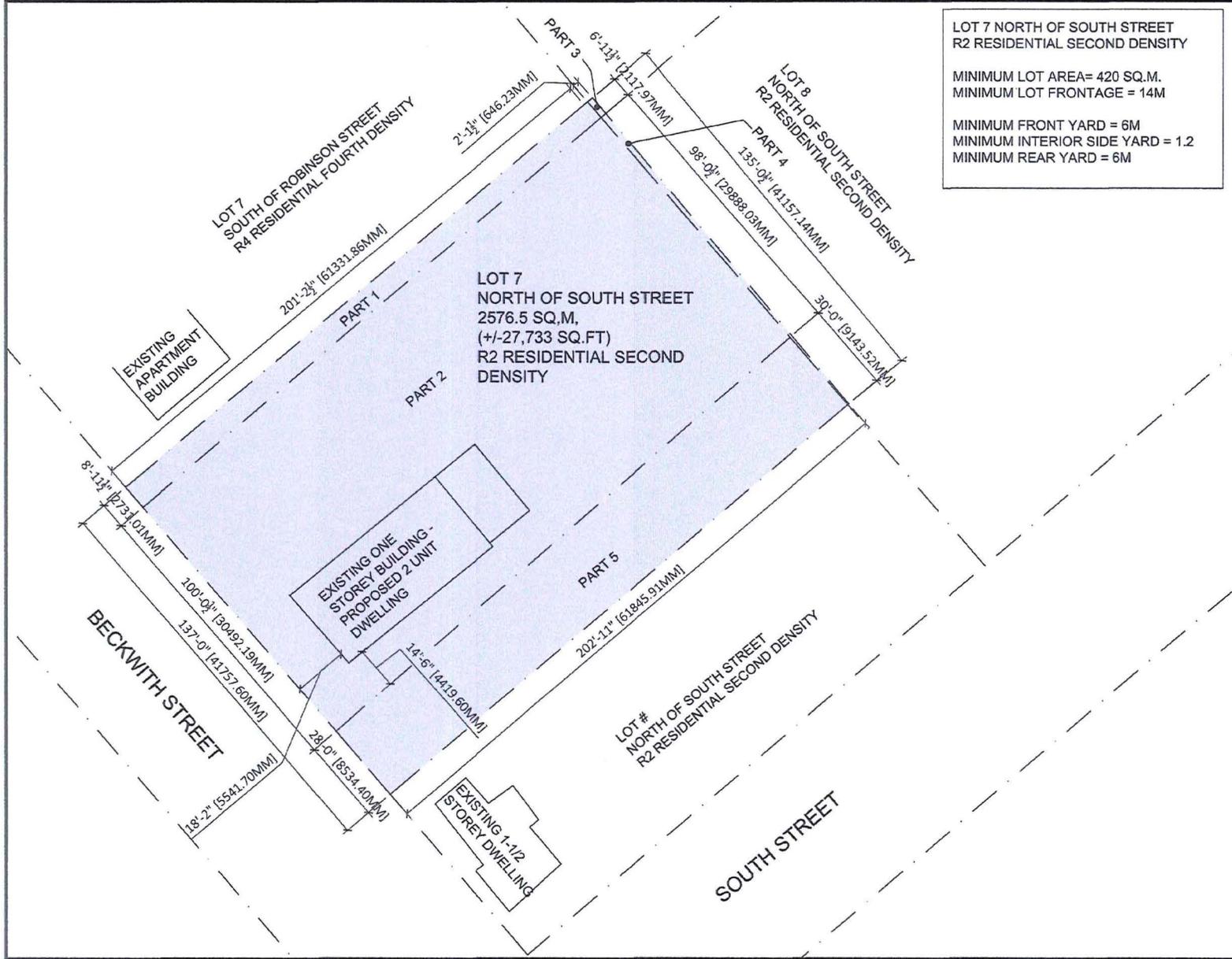


Eric Cosens, RPP, M. Sc.
Director of Development and Protective Services

ATTACHMENT ONE TO REPORT PAC 2016 4.1

Location of Property at 125 Beckwith St E





LOT 7 NORTH OF SOUTH STREET
R2 RESIDENTIAL SECOND DENSITY

MINIMUM LOT AREA= 420 SQ.M.
MINIMUM LOT FRONTAGE = 14M

MINIMUM FRONT YARD = 6M
MINIMUM INTERIOR SIDE YARD = 1.2
MINIMUM REAR YARD = 6M

General Notes

ALL DIMENSIONS TO BE CONFIRMED WITH CURRENT SURVEY

No.	Revision/Issue	Date
1	FOR REVIEW	02/22/16

Firm Name and Address

Project Name and Address

125 BECKWITH ST
CHANGE OF USE PROPOSAL
PERTH ONTARIO

Drawing Title

SITE PLAN

Project	Sheet
Date	PR-1
2/22/2016	
Scale	1/32" = 1'-0"