



**ARNPRIOR**

**Town of Arnprior**

**Committee of Adjustment Meeting**

**Date: Tuesday, January 14, 2025**

**Time: 7:00 p.m.**

**Location: Council Chambers, 2<sup>nd</sup> Floor, Town Hall  
105 Elgin Street West, Arnprior**

- 1. Call to Order**
- 2. Roll Call**
- 3. Land Acknowledgement Statement**

I would like to begin by acknowledging that the land on which we work, and gather is the traditional unceded territory of the Anishinaabe People. This Algonquin Nation have lived on this land for thousands of years, long before the arrival of the European settlers, and we are grateful to have the opportunity to be present in this territory.

- 4. Adoption of Agenda (Additions/ Deletions)**
- 5. Disclosures of Pecuniary Interest**
- 6. Adoption of the Minutes of Previous Meeting(s)**

a) November 20, 2024

- 7. Presentations/ Delegations**
- 8. Matters Tabled/ Deferred/ Unfinished Business**

a) A4/21 – 235 Arthur St – Minor variance application to allow an existing deck with access stairs to be setback 2.75 m from the rear lot line, whereas the by-law requires 3.0 m (Section 6.4.7) and to be located 2.75 m from the Provincial Highway right-of-way, whereas the by-law requires 14.0 m (Section 4.15.2).

- 9. New Business**

a) A13/24 – 245 Daniel St. S. – Minor variance application to reduce the number of required egress spaces for a restaurant drive-through to 2 spaces, whereas the by-law requires 3 spaces (Section 5.8.1).

- b) B10/24 – 245 Daniel St. S. – Consent application to allow a lease of 21 years or more directly or by entitlement to renewal
  
- c) A14/24 – 30 Daniel St. N. - Minor variance application to allow a maximum building height of 14.6 m, whereas the by-law permits 12 m (Section 7.4); and to allow a rear yard setback of 5.9 m, whereas the by-law requires 7.5 m (Section 7.4).

## **10. Adjournment**

**Full Distribution:** Committee of Adjustment



**Minutes of Committee of Adjustment Meeting  
November 20, 2024  
7:00 PM**

**1. Committee and Staff Attendance**

**Committee Members Present:**

Murray Chown, Chair  
Dan Lynch  
Ted Strike  
Bradley Samuel

**Committee Members Absent**

Peter Anas

**Town Staff Present:**

Alix Jolicoeur, Secretary-Treasurer

**2. Call to Order**

Chair Murray Chown called the Committee of Adjustment meeting to order at 7:00 PM and welcomed those present.

**3. Land Acknowledgement**

I would like to begin by acknowledging that the land on which we work, and gather is the traditional unceded territory of the Anishinaabe People. This Algonquin Nation have lived on this land for thousands of years, long before the arrival of the European settlers, and we are grateful to have the opportunity to be present in this territory.

**4. Adoption of Agenda**

Request was made to move items 8. a) and 8. b) to after item 9) b.

Moved by Bradley Samuel

Seconded by Ted Strike

**Be It Resolved That** the agenda for the Regular Meeting of the Committee of Adjustment dated November 20, 2024 be adopted as amended.

**Carried**

**5. Disclosures of Pecuniary Interest**

None

**6. Adoption of Minutes of Previous Meeting(s)**

Moved by Dan Lynch

Seconded by Ted Strike

**Be It Resolved That** the minutes of August 14, 2024 be adopted as amended.

**Carried**

**7. Presentations and delegations**

None

# Minutes of Committee of Adjustment Meeting

## 8. New Business

### a) A12/24 – 132 Mac Beattie Dr. – Minor variance

Minor variance application to allow pool equipment to be setback 0.2 m from the exterior side lot line whereas the by-law requires 1.5 m (Section 6.4.11(c))

Murray Chown asked if there was a representative to speak to the file.  
Alix Jolicoeur advised no representative was attending the meeting

Murray Chown tabled a motion to adjourn the application until the applicant or a representative attends the meeting of the Committee of Adjustment.

Moved by Dan Lynch

Seconded by Bradley Samuel

**Be It Resolved That** the hearing for A12/24 be adjourned sine die until the applicant and or a representative attends the Committee of Adjustment.

**Carried**

### b) B9/24 – 15 Norma St. Consent

Consent application to create a new conveyable lot.

Ellard Rueckwald presented the application and identified proposed lot meets minimum frontage requirements.

Alix Jolicoeur presented conditions of approval recommended by staff including the requirement for a registered survey plan to be provided, and an Environmental site assessment (ESA) demonstrating the site is suitable for residential development be provided prior to issuance of the Certificate for the consent and that a record of site condition may be required based on the findings of the ESA.

Mr. Rueckwald disagreed with the condition requiring an Environmental Site assessment and requested that this not be required or that it be required at time of building permit rather than at severance.

Murray Chown identified that the ESA is required by the Ministry as the property is changing to a more sensitive land use.

Bradley Samuel identified that the wording stating that a Record of Site Condition may be required prior to building permit issuance is not adding to the condition and should be amended to depending on the findings of the ESA.

Condition 2 was revised to read: "That prior to issuance of the Certificate an Environmental Site Assessment demonstrating the subject property is suitable for residential development be provided. A Record of Site Condition may be required depending on the findings of the Environmental Site Assessment."

# Minutes of Committee of Adjustment Meeting

Motion to approve as amended.

Moved by Dan Lynch

Seconded by Bradley Samuel

**Be It Resolved That** application B9/24 be approved subject to the following conditions:

1. That a registered Plan of Survey in conformity with the key map depicting the severed lands be supplied to the Secretary-Treasurer of the Committee of Adjustment.
2. That prior to issuance of the Certificate an Environmental Site Assessment demonstrating the subject property is suitable for residential development be provided. A Record of Site Condition may be required depending on the findings of the Environmental Site Assessment.

**Carried**

## 9. Matters Tabled/Deferred/Unfinished Business

### a) A4/21 – 235 Arthur St – Minor Variance

Minor variance application to allow a deck with access stairs to be setback 2.0 m from the rear lot line, whereas the by-law requires 3.0 m (Section 6.4.7)

Douglas Smith spoke to the application on behalf of Sharron Smith and Elizabeth (Betty) Evans. The deck was built without a permit as we did not believe a permit was required. Jacques [Chief Building Official for the Town of Arnprior] noticed the deck and advised that to meet applicable zoning provision a section of the deck would need to be removed to meet the 3 m rear yard setback, or a minor variance would be required.

The minor variance application as submitted to be able to retain the deck dimensions as constructed.

Murray Chown asked to hear about MTO communications on this matter.

Douglas Smith advised the MTO setback from the MTO lot line was 8 m for the subject property and the house was built at 6 m not 8 m. MTO sent a legal agreement for consideration July 29, 2024 which we only received by Douglas Smith November 19, 2024. Douglass Smith sent the agreement to Alix Jolicoeur to print.

Alix Jolicoeur printed and distributed the unsigned agreement from MTO.

Murray Chown advised that based on the wording of the agreement it is unclear what MTO is referring to in terms of existing building or structures.

Douglas Smith identified that they only need a reduction in the setback to a lot line for a deck from 3 m to 2.75 m.

Murray Chown suggested that the applicant amend the requested minor variance to reflect a requested 2.75 setback to the rear lot line for a deck and recirculate to MTO for clarification; since Town staff received communications from MTO dated November 15, 2024 stating they did not support the requested variance and would not issue a permit for the deck.

## Minutes of Committee of Adjustment Meeting

Bradley Samuel concurred as based on the communications Town staff received MTO does not support the application and MTO approval is required but the letter/agreement from MTO is unclear and conflicts MTO statement to staff.

Alix Jolicoeur identified that there is also an additional provision requiring a minimum 14.0 m setback to a highway right-of-way that will need to be amended to allow a permit to be issued if eth variance is approved.

Motion to adjourn the application to a tentative meeting date of January 14, 2025.

Moved by Dan Lynch

Seconded by Bradley Samuel

**That** this item be deferred to a meeting of the Committee of Adjustment to be held January 14, 2025.

**Carried**

### b) Consideration of report contents for future applications

Presented by Alix Jolicoeur.

The Committee discussed the three options all committee members identified a preference for option 3; noting that more information is better, and members can read and form their own opinion based on additional information.

Moved by Peter Anas

Seconded by Bradley Samuel

**Be It Resolved That** future Committee of Adjustment reports follow the contents outlined in option 3.

**Carried**

## 10. Adjournment

Moved by Dan Lynch

Seconded by Ted Strike

**That** this meeting of the Committee be adjourned at 8:05 pm.

**Carried**

## Signatures

Murray Chown, Chair

Alix Jolicoeur, Secretary-Treasurer



## Town of Arnprior Committee of Adjustment Report

**File Number:** A4/21

**Meeting Date:** January 14, 2025

**Report Author:** Alix Jolicoeur, Manager of Community Services/Planner

**Re:** Amended application for Minor Variance for 235 Arthur Street

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### **Application Overview:**

**Agent/Owner:** Doug Smith, Owner: Elizabeth Evans

**Location of Property:** 235 Arthur Street, Arnprior, legally described as Plan 49M80 Lot 6, Arnprior

### **Purpose of Application**

Permission is requested for variance from the Town of Arnprior Zoning By-law No. 6875-18

- Section 6.4.7 to allow an existing deck with access stairs to be setback 2.75 m from the rear lot line, whereas the by-law requires 3.0 m; and
- Section 4.15.2 to allow an existing deck with access stairs to be located 2.75 m from the Provincial Highway right-of-way, whereas the by-law requires 14.0 m.

### **Background:**

**Official Plan:** Established Residential Area

**Zoning:** Residential One (R1)

### **Zone Provisions for Residential One**

Minimum Front Yard Setback: 6.0 meters

Minimum Rear Yard Setback: 6.0 meters

Minimum Interior Side Yard Setback: 1.2 meters, 1.5 meters on both sides for new single, semi-detached and duplex dwelling units

Rear Yard Deck Setback: 3.0 meters

The subject property is approximately 0.19 acres in area, with approximately 48 meters of frontage along Arthur Street. The property is developed with a single-detached dwelling and is used for residential purposes.

The minor variance application seeks to reduce the rear yard setback for decks from 3.0 meters to 2.0 meters to recognize an existing deck constructed without approvals. The

existing covered porch is setback approximately 6.0 meters from the rear lot line; the applicants are seeking planning approvals for an attached uncovered deck that is approximately 13" by 10".

### **Application history**

A minor variance application was received in 2021.

A public meeting with the Committee of Adjustment was scheduled for May 13, 2021. Notice of the public meeting was circulated as required under the Planning Act.

May 10, 2021, an email was received from MTO requesting this application be deferred. The deferral was requested to provide additional time to access and review their files. Due to Covid-19 restrictions staff were working from home and a request had been made for the files, however, MTO staff advised "we do not foresee us having the information in time to provide comments."

May 11, 2021, MTO advised the municipality that it could not support the minor variance application or the deck, however, additional information was requested at this time.

May 13, 2021, at the Committee of Adjustment meeting the Chair, Murray Chown, confirmed that the MTO was requesting deferral of the application and recommended that the application be adjourned. The Chair sought comments from the Committee on the adjournment of the application.

Mr. Smith spoke and provided an overview of the history of the building and the MTO setback at the time versus the current setback.

The application was adjourned sine die.

On August 14, 2024, the issue was raised that no decision was made on this application. On August 29, 2024, the option to withdraw the application or to bring the application to another public meeting and receive a decision on the application were offered. No response regarding the preferred option was received.

The notice of public meeting for the meeting November 20, 2024, was circulated to MTO. MTO sent a comment letter on the application and noted "The Ministry maintains the position that it cannot support the application as the deck as currently proposed will not be permitted." The full comment letter from MTO, dated November 15, 2024, can be found in attachment.

At the Committee of Adjustment meeting November 20, 2024, the authorized agent for the application provided the Committee of Adjustment with communications and an unsigned Restrictive Covenant agreement received from MTO that stated, "The Ministry will permit the Owner to allow the structures/improvements to remain within the area of the 8-metre setback restriction."

The authorized agent also advised that the requested variance was incorrect, and the deck was in fact 2.75 m from the rear lot line not 2.0 m as per the variance wording. Town staff identified that an additional provision would also need to be amended to reduce the minimum required setback to a highway right-of-way in order for a building permit to be issued if MTO were to allow the deck.



The minor variance application hearing was adjourned with a tentative rescheduled date of January 14, 2025, for the following reasons:

- To allow for clarification of MTOs position on the application for minor variance as the unsigned agreement from MTO received by the applicant and authorized agent and the comment from MTO received by Town staff seemed to be conflicting; and
- to allow the applicant/authorized agent to amend the application to reflect the actual setback to the rear lot line and to add a request to reduce the minimum required setback to the Highway right-of way

The decision of the Committee of Adjustment does not affect MTOs ability to refuse a permit application.

## **Provincial Planning Statement, 2024**

The Provincial Planning Statement, 2024 (PPS) section 3.3 states “New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.”

The deck as proposed meets the definition of development under the PPS which includes “buildings and structures requiring approval under the Planning Act.”

MTO is responsible for considering the potential impacts of the deck on the long-term purpose of the corridor. MTO has provided comments identifying the deck would be permitted subject to proposed conditions. In the opinion of staff, the proposed minor variance would therefore be consistent with the applicable policies of the PPS.

## **Recommendation**

Under Section 45(1) of the Planning Act there are four tests a minor variance must meet. In order to be considered the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan?
- Does the application conform to the general intent and purpose of the Zoning By-law?
- Is the application desirable for the appropriate development of the lands in question?
- Is the application minor?

In the opinion of staff, the application meets the four tests for a minor variance under the Planning Act, subject to the conditions requested by MTO being satisfied.

## **Does the application conform to the general intent and purpose of the Official Plan?**

The requested variance would allow the deck in the MTO setback. Official Plan section E2.2.4 Provincial Highways states “In addition to all applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a Provincial Highway within Ministry of Transportation’s (MTO) permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will be subject to MTO approval”

MTO has provided comments, dated January 10, 2025, indicating that they support the minor variance as proposed provided that the following conditions are met:

- An agreement between the landowner and the Ministry of Transportation is signed and registered on title to bring the existing development into a legal non-conforming condition; and,
- Drawings for the proposed deck are submitted with a Building and Land Use Permit application showing the proposed deck will be free-standing/not attached to the dwelling.

In the opinion of staff, the general intent and purpose of the Official Plan is met provided the conditions requested by MTO are satisfied.

### **Does the application conform to the general intent and purpose of the Zoning By-law?**

Permission is requested for variance from Section 6.4.7 to allow an existing deck with access stairs to be setback 2.75 m from the rear lot line, whereas the by-law requires 3.0 m; and Section 4.15.2 to allow an existing deck with access stairs to be located 2.75 m from the Provincial Highway right-of-way, whereas the by-law requires 14.0 m.

Section 4.15.1. Setback from Provincial Highways states “No building or structure shall be located closer than 14.0 m to the edge of the Provincial Highway right-of-way. This provision is intended to maintain the setback from Highway 417 required by MTO for potential future highway widening. MTO has agreed to allow the deck at 2.75 m from the Highway right-of way subject to proposed conditions.

The minimum required setback from a rear lot line for a deck is intended to ensure the privacy of abutting properties. The subject property backs onto Highway 417. Reducing the setback to the rear lot line for a deck where the rear lot line abuts Highway 417 is not anticipated to have any negative privacy impacts for abutting properties.

In the opinion of staff, the general intent and purpose of the zoning by-law is met.

### **Is the application desirable for the appropriate development of the lands in question?**

In the opinion of staff, the application is desirable for the appropriate development of the land as the variance meets the general intent and purpose of the Official Plan and Zoning By-law. The impact and application are minor, and the deck is accessory to the existing residential use of the property.

### **Is the application minor?**

In the opinion of staff, with the conditions recommended by MTO and with no abutting rear neighbors the applications is considered to be minor.

Staff recommend approval of the minor variance subject to the following condition requested by MTO:

1. An agreement between the landowner and the Ministry of Transportation is signed and registered on title to bring the existing development into a legal non-conforming condition; and,

2. Drawings for the proposed deck are submitted with a Building and Land Use Permit application showing the proposed deck will be free-standing/not attached to the dwelling.

### **Previous/Concurrent Applications:**

No concurrent planning applications have been filed.

### **Comments:**

In 2021, a comment was received from a neighboring property owner. Comments provided by the public are attached to the report.

The most recent comment letter received from MTO is in attachment 3

### **Recommended Conditions:**

That the Legal Agreement between the Ministry of Transportation and the landowner is signed and registered on title for 235 Arthur Street, Arnprior.

### **Attachments:**

1. Images provided by the Applicant for the Committee's Review
2. Public Comment received in 2021
3. MTO comment letter dated January 10, 2025

**Attachment 1 – Images provided by the Applicant for the Committee’s Review**

















## **Attachment 2 - Public Comment received in 2021**

Committee of Adjustment for the Town of Arnprior  
RE: Application for Minor Variance  
LOCATION: 235 Arthur Street, Arnprior

When we received the letter, dated April 26, 2021, regarding the application for minor variance we assumed this would be for a "new structure" which is yet to be built. The New Deck, as outlined in red in your diagram, is already built. This application seems unusual.

Is the variance necessary so the owner is able to obtain a building permit for this "new structure"?

An occupant of the residence, who is a band member, indicated this "new structure" could be used as a stage for band practices and performances. If this is the intended use we would oppose the variance.

We do not want the ambience of this residential area compromised.

Thank you for your consideration and we would like to be notified of your decision.

Regards,  
Barrie & Brenda Stewart  
222

Arthur Street, Arnprior

**Attachment 3 - MTO comment letter dated January 10, 2025**

**Ministry of Transportation**

Corridor Management Section  
1355 John Counter Boulevard  
Postal Bag 4000  
Kingston, Ontario K7L 5A3  
Tel.: 613-202-1786  
Robert.Cole@ontario.ca

**Ministère des Transports**

Section de gestion des couloirs routiers  
1355, boulevard John Counter  
CP/Service de sacs 4000  
Kingston (Ontario) K7L 5A3  
Tél.: 613-202-1786  
Robert.Cole@ontario.ca



January 10, 2025

**Alix Jolicoeur**

Secretary-Treasurer, Committee of Adjustment  
(613)-623-4231  
Town of Arnprior

Via email: [planning@arnprior.ca](mailto:planning@arnprior.ca)

**Re: MTO Comments – Minor Variance**  
**Location: 235 Arthur Street, Arnprior**  
**File # A4/21**

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Thank you for circulating the amended Minor Variance application for the above referenced location to the Ministry of Transportation (MTO) for review. The Ministry understands that the proposal is to reduce the rear yard setbacks, to facilitate the construction of a deck on a lot adjacent to Highway 417. The MTO has reviewed the application in accordance with *the Public Transportation and Highway Improvement Act* (PTHIA) and the Highway Corridor Management Manual to provide the following comments:

- The Ministry has no concerns with the proposed development on the conditions that:
  - An agreement between the landowner and the Ministry of Transportation is signed and registered on title to bring the existing development into a legal non-conforming condition; and,
  - Drawings for the proposed deck are submitted with a Building and Land Use Permit application showing the proposed deck will be free-standing/not attached to the dwelling.

Under the authority of the PTHIA, the Ministry, through the issuance of permits, controls all land use within 45 metres of the Highway 417 right-of-way (corridor) and the area within 395 metres of the centre-point of the highway intersection and any intersecting road. Please note that the benefitting lot is within the Ministry's permit control area as defined by PTHIA. Therefore, Ministry approvals and permits are required prior to the construction and/or alteration of any buildings and/or structures and prior to the issuance of any municipal building permits or approvals as per Section 8. (2) (a) of the *Building Code Act*.

The Ministry does offer the following comments:

- In addition to the above noted Agreement, a Building and Land Use Permit will be required for the proposed deck.

- The Ministry advises that these are the Ministry's official comments.
- Please note that the Ministry reserves the right to modify and expand on these preliminary comments as further information is submitted to MTO for review.

**Conclusion:**

MTO, as an agent of the Crown, will not issue an approval that will contravene another regulatory agency's statutory mandate. Therefore, prior to issuing any approvals, MTO requires confirmation that the necessary approvals from the municipality and other regulatory agencies have been granted, approvals in principle have been provided or no approvals are required.

If you have any further questions concerning this matter, please feel free to contact me at [Robert.Cole@ontario.ca](mailto:Robert.Cole@ontario.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Cole', with a stylized, cursive flourish.

Robert Cole  
**Corridor Management Planner**  
MTO, Eastern Region



## Town of Arnprior Committee of Adjustment Report

**File Number:** A14/24

**Meeting Date:** January 14, 2025

**Report Author:** Alix Jolicoeur, Manager of Community Services/Planner

**Re:** Application for Minor Variance for 245 Daniel St. S.

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### **Application Overview:**

#### **Agent/Owner:**

**Location of Property:** 245 Daniel St. S., Arnprior, legally described as Parts Lots 3 and 4, McNab Concession B, Parts 2 and 3 on RP 49R-19684.

#### **Purpose of Application**

Permission is requested for variance from Section 5.8.1 of the Town of Arnprior Zoning By-law No. 6875-18, to reduce the number of required egress spaces for a restaurant drive-through to 2 spaces, whereas the by-law requires 3 spaces.

### **Background:**

**Official Plan:** Mix Use-Commercial/ Employment Area

**Zoning:** Mixed Use-Commercial/Employment (MU-CE)

The subject property is part of the former Canadian Tire site. The property currently contains an A & W drive-through restaurant and Canadian Tire Retail & Gas Pump. The site has approximately 91.44 m of lot frontage on Daniel St. S. and is approximately 3.5 acres in size. Below is a summary of the planning applications for the subject property.

Zoning By-law Amendment ZBL 1-17 - Approved

- Amendment to permit shopping plaza and gasoline bar as permitted uses

Site Plan application SPC 1/17 - Approved

- To allow construction of a Gas Bar and restaurant

Consent application B11/20 – Approved

- To sever the shopping mall site (275 Daniel St. S.) from what is now 245 Daniel St. S.

Site Plan amendment application SPC 1/22 - Approved

- To allow construction of 2 new multi-tenant commercial buildings including 1 drive-through facility

Minor variance application A01/22 - Approved

- The number of egress spaces required for a drive through facility for commercial use was reduced from the required 3 spaces to 1 space.
- The Minimum Front Yard Setback in a Mixed Use-Commercial/ Employment Zone was reduced from 6.0m to 3.0m.

Site Plan amendment application SPC 2/24 - Approved

- To amend the site plan to construct 3 new commercial buildings, including 2 drive-throughs (instead of 2 new buildings with 1 drive-through).

Minor variance application A01/24

*Approved*

- That Section 5.6 Loading requires a loading space to be setback a minimum of 7.5m from any Residential Zone boundary be reduced to 2.4 metres, subject to the erection of an appropriate noise attenuation wall along the north property line to the full length of the loading space to abate the noise from the loading space to the existing houses on Gary Crescent to the satisfaction of the Town of Arnprior with respect to height and mass of the noise attenuation wall;
- That Section 5.6 Loading requires access to loading spaces be by means of a driveway that is at least 6 metres wide contained within the lot on which the loading spaces are located be reduced to 5 metres wide.

*Refused*

- That Section 5.8.5 Location of Drive Through Components required restriction to stacking lanes being within the 6.0 metre minimum required front yard be permitted to be reduced to 1.0 metre.

Consent application B10/24 – Concurrent application

- To allow the lease of a 229 sq. m. building for a period of 21 years or more directly or by entitlement to renewal for a restaurant.

The variance application A13/24 has been submitted requesting to reduce the number of required egress spaces for a restaurant drive-through to 2 spaces, whereas the by-law requires 3 spaces (Section 5.8.1). This minor variance request is for the building subject to the consent.

The building under construction, subject of the consent application, was built in the correct location as per the approved site plan. The location of the drive-through window and bump out on the building was constructed based on an earlier building design that was proposed when the minor variance to allow the drive-through at 1.0 m from the front lot line. This minor variance application was refused, and the building location and design was revised and approved with the required 6 m setback for a drive-through from the front lot line.



The wrong version of the building design with the drive-through bump-out in the incorrect location is being built, however, the building and drive through lane are at the correct location on the lot. The location of the drive-through bump-out and window results in a loss of 1 drive-through egress space.

This application was circulated to the County of Renfrew, no comment has been received.

This application for Minor Variance is required prior to approval of a Site Plan Amendment application and is a proposed condition of severance B10/24 approval.

## **Provincial Planning Statement, 2024**

The Provincial Planning Statement (PPS), 2024 section 2.8.1.1 states “Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; ... d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities;”

The PPS does not have policies specifically related to drive-through facilities.

The proposed intensification of the existing commercial use is consistent with the policies of the PPS.

## **Recommendation**

Under Section 45(1) of the Planning Act there are four tests a minor variance must meet. In order to be considered the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan?
- Does the application conform to the general intent and purpose of the Zoning By-law?
- Is the application desirable for the appropriate development of the lands in question?
- Is the application minor?

### **Does the application conform to the general intent and purpose of the Official Plan?**

The Official Plan does not speak directly to drive-through and/or egress space requirements. The subject property is designated Mixed Use Commercial/Employment which permits restaurants and take-out restaurants. Redevelopment policies for the Mixed-Use Commercial/Employment requires that redevelopment will have “minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy” (Section C5.6 d)).

The drive-through egress spaces exit into the parking area with significant distance between the drive-through exit and the site entrance on Daniel Street. This reduction in the number of egress spaces is anticipated to have a minimal impact on adjacent properties or on the County Road (Daniel Street).

There may be some internal circulation impact during peak drive-through periods if the vehicle queuing for the drive-through exceeds 11 or 12 vehicles. There are 9 dedicated queuing spaces before the pick-up window and queuing would need to be 2 to 3 cars beyond this to interfere with egress from the drive-through for vehicles turning left.

In the opinion of staff, the application conforms to the general intent and purpose of the Official Plan.

**Does the application conform to the general intent and purpose of the Zoning By-law?**

Zoning by-law section 5.8.1 requires that stacking lanes are required and must be exclusive of any other parking spaces, loading spaces or access aisles. For restaurants the number of required ingress spaces is 7 and the minimum number of egress spaces is 3. The restaurant under construction as configured has 9 ingress spaces and 2 egress spaces. The intention of the minimum required egress spaces is to ensure that if vehicles exiting the drive-through require time to exit due to traffic or vehicular movement in a parking area that it does not result in additional ingress queuing which could negatively affect the on or off-site circulation and access.

The subject drive-through ingress spaces exceed the minimum required ingress spaces (7 required, 9 provided). The egress spaces exit into the parking area not directly onto a municipal or County Road. There may be some internal circulation impact during peak drive-through use periods if the vehicle queuing for the drive-through exceeds 11 or 12 vehicles, however, this level of queuing in ingress spaces is beyond the minimum required ingress spaces. Exit from the drive-through egress spaces would still be possible turning right at these times, it would simply result in a slightly longer route to get off-site.

In the opinion of staff, the minor variance conforms to the general intent and purpose of the zoning by-law.

**Is the application desirable for the appropriate development of the lands in question?**

In the opinion of staff, the application will allow for the continued build-out of commercial intensification on the subject property and is therefore desirable for the appropriate development of the lands in question.

**Is the application minor?**

In the opinion of staff, the application is minor in that it is not anticipated to impact off-site circulation, impacts to on-site circulation are anticipated to be minimal and generally only during peak drive-through use periods. There is anticipated to be no additional noise or privacy impacts to neighboring properties.

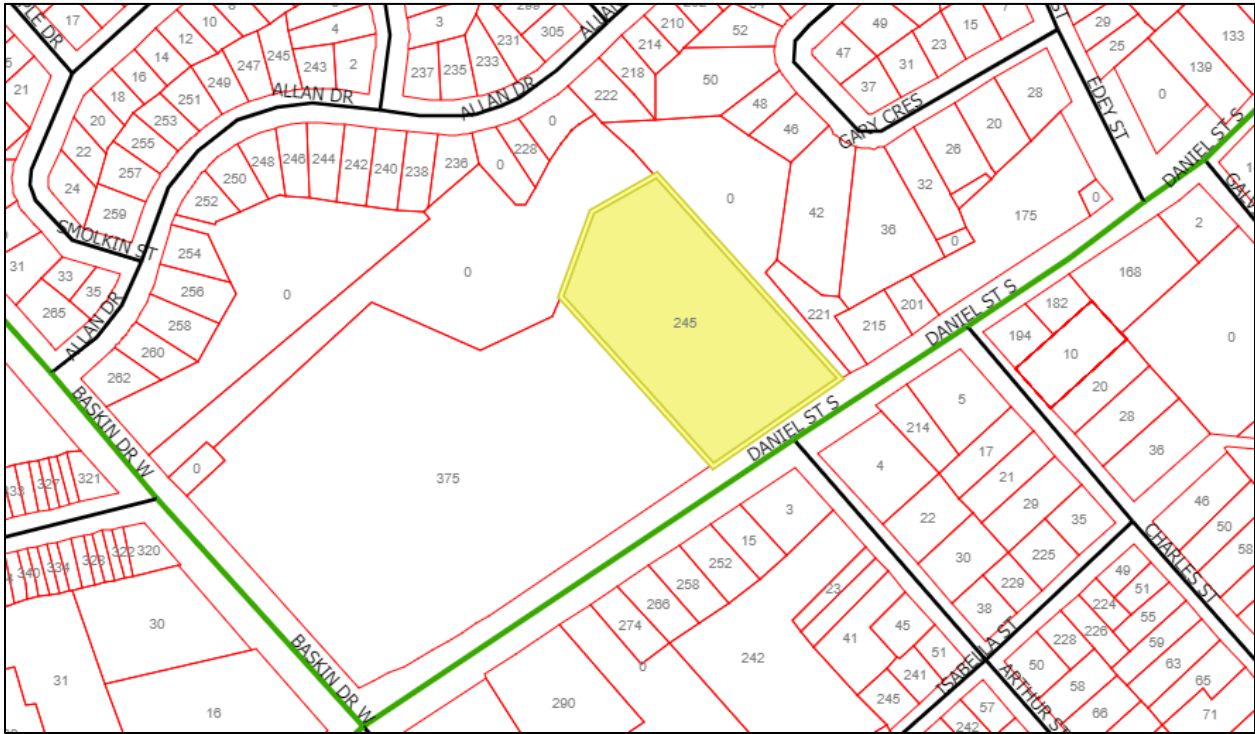
**Comments:**

No public comment was received.

**Attachments:**

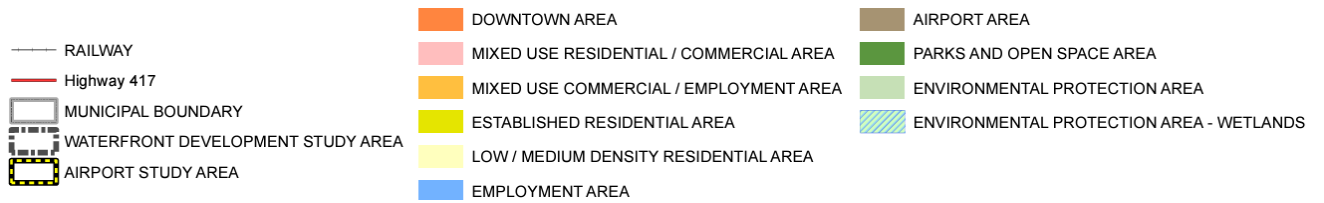
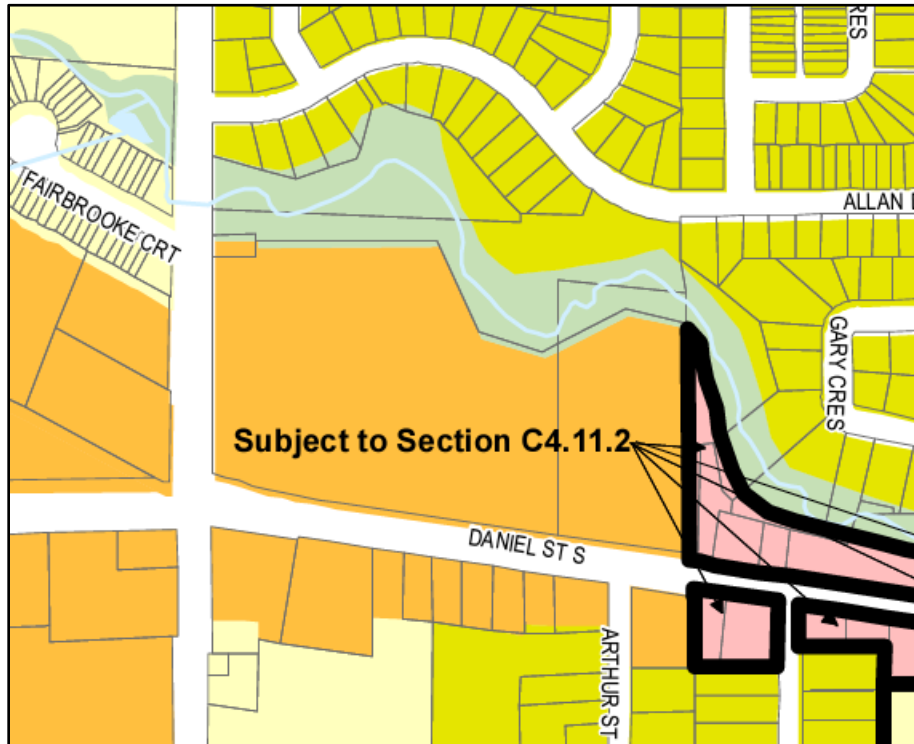
1. Key Plan
2. Official Plan and Zoning Maps
3. Proposed Site Plan
4. Minor Variance Letter submitted by the applicant
5. Site Image and Aerial Photo

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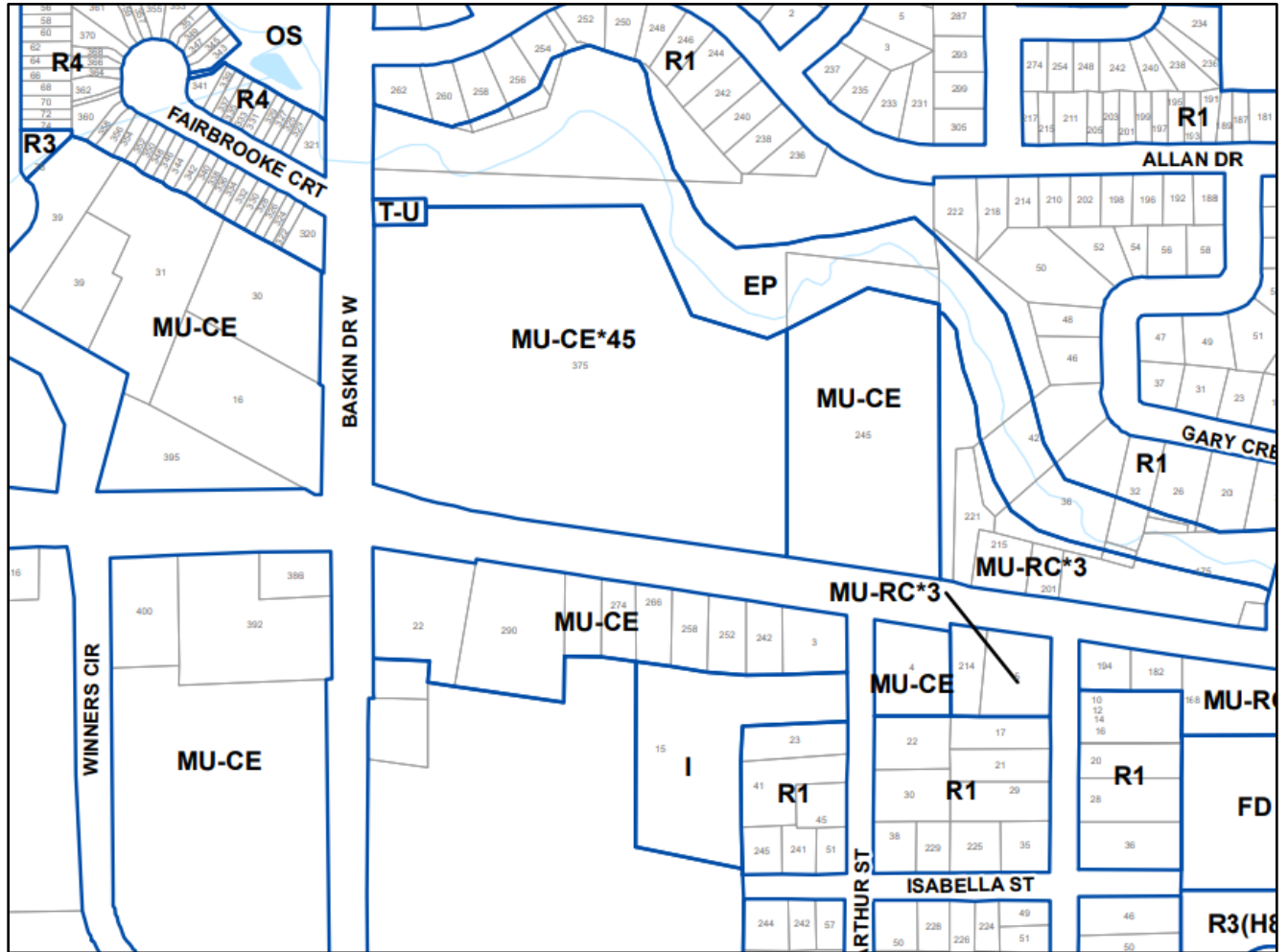


## 2. Official Plan and Zoning Maps

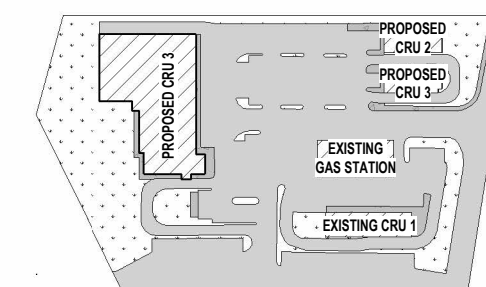
Official Plan Schedule A section showing the Official Plan designation of the subject and surrounding properties



Zoning By-law Schedule A section showing the zoning of the subject and surrounding properties



### **3. Proposed Site Plan**



Consultant:



CS@CREATIVESTR.CA

Consultant:



Seal:

North Arrow:

General Notes:

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ISSUES/REVISION TABLE

Project:



245 Daniel St S, Amprior, ON

Drawing Title:

SITE PLAN (ARCHITECTURAL)

Drawn By: D.H. Scale: AS INDICATED

Checked By: D.H. Plot Date: Nov 18, 2024

Project Date: FEB 2023

Project No: 2022-38

Drawing No:

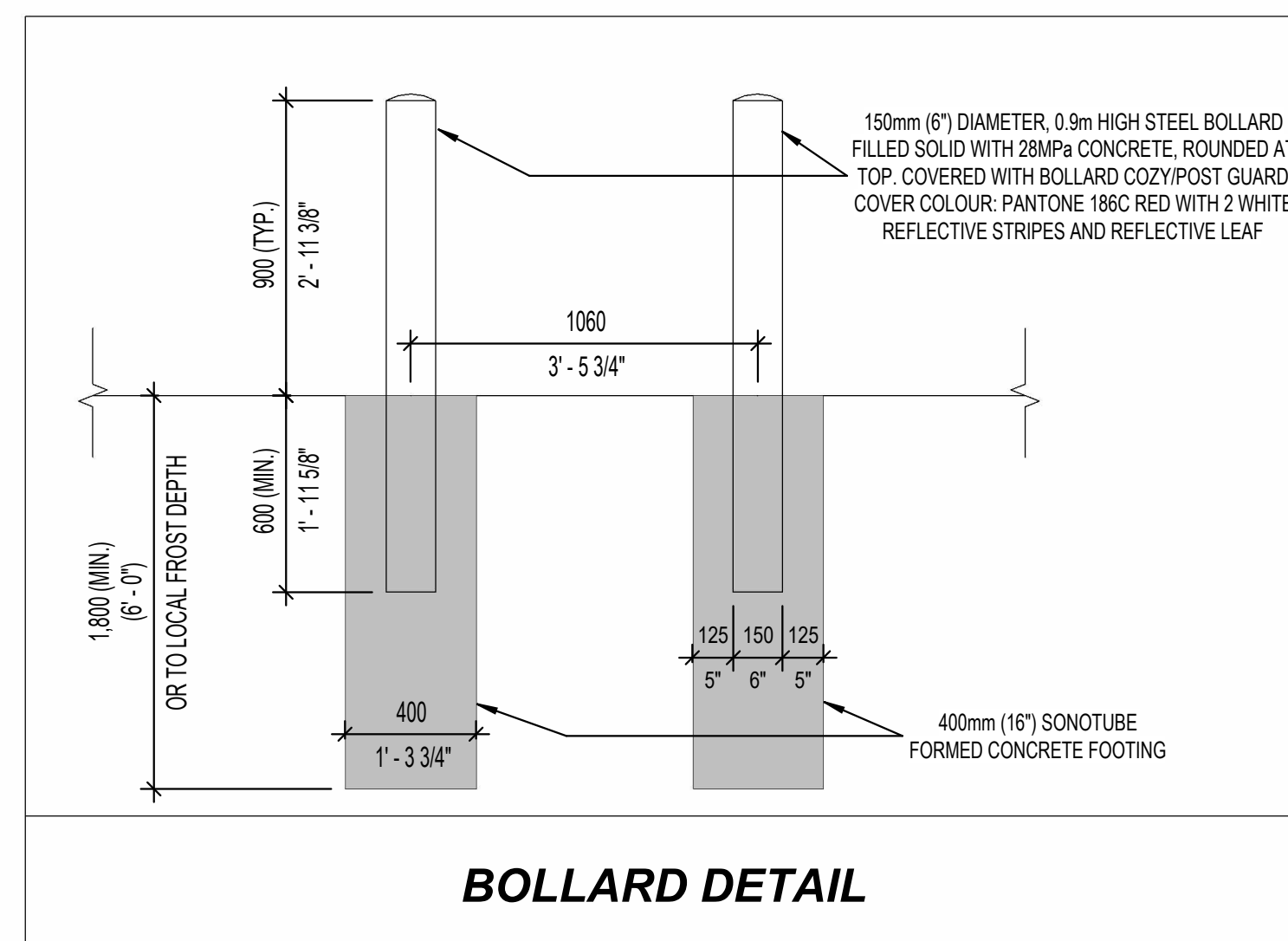
Revision

A-0.1 25

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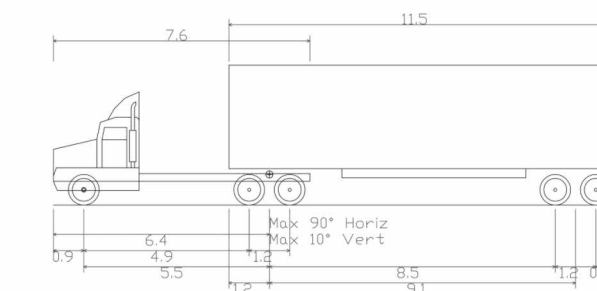
SCALE: 1 : 300

- SITE PLAN INFORMATION TAKEN FROM SITE PLAN, SHEET SP1, ZONING DATA CHART & LEGEND ON JANUARY 25, 2022 ISSUED FOR TENDER BY SBM.
- REFER TO SHEET SP2 DETAILS ISSUED FOR TENDER ON JANUARY 25, 2024 BY SBM FOR SITE PLAN DETAILS.
- SLOPE INFORMATION TAKEN FROM GEOTECHNICAL INVESTIGATION AND SLOPE STABILITY ANALYSIS PREPARED BY PNCHIN DATED JUNE 2022.



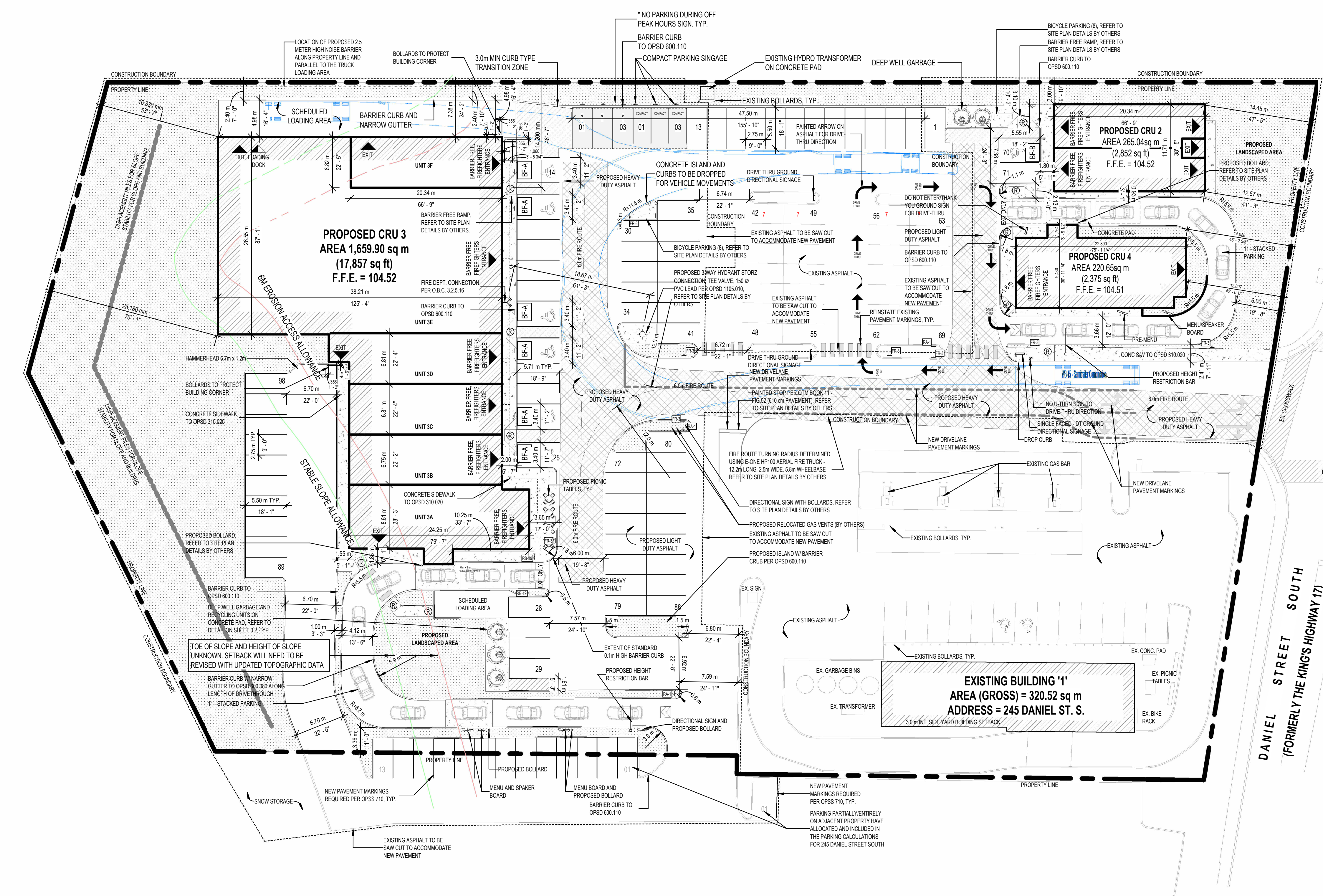
\* REFER TO CRU4 SITE PLAN FOR CRU4 BOLLARD DETAIL.

VEHICLE INFORMATION



LEGEND

- FR-3 PROPOSED SIGN, TYPE OF SIGN
- PROPOSED FIRE ROUT (6.0m WIDE, 12.0m RADIUS)
- BUILDING EXIT
- BUILDING ENTRANCE - BARRIER FREE - FIREFIGHTER ENTRANCE
- CONCRETE SIDEWALK
- GREEN AREA
- PROPOSED ROAD
- PROPERTY LINE
- ROAD LINE





#### **4. Minor Variance Letter submitted by the applicant**



Via Email

November 18, 2024

Planning and Development Services Department  
 Town of Arnprior  
 105 Elgin Street West  
 Arnprior, Ontario K7S 0A8

**Attention:** Town Planner

**Re:** 245 Daniel St South, Arnprior ON Minor Variance Application – Arnprior Gate Inc.

Dear Town Planner,

Westdell is submitting a Minor Variance application for the above-referenced property (the 'Site'). The subject lands measure approximately 1.4 Ha in area and are situated along Daniel St South in Arnprior Ontario.

**1.0 Proposal**

The Site Plan enclosed with the application form illustrates the development plan currently under ongoing construction. In summary, an existing gas station and A&W drive through restaurant is located in the southwest corner of the site. Westdell is proposing and currently constructing 3 commercial buildings in addition to the existing structures with parking to support and drive through facilities for convenience. Through the consent application, it was determined that a variance would be needed to in regard to the number of egress spaces proposed for the CRU4 Drive-through. The site is currently under construction, with the structural steel in place, and the design reflects tenant-approved layouts and lease agreements. We appreciate your patience as we address some discrepancies in our plans. The site plan submitted with the consent application was outdated and, unfortunately, made its way into the approved building permit package, causing some confusion. This outdated plan incorrectly reflected the drive-through window's location. However, the updated site plan and as-built conditions accurately depict the correct placement of the window, ensuring drive-thru compliance with the 6m setback requirement from the property line. Accommodating the zoning by-law's requirement for three egress spaces at this stage is unfeasible, as the drive-through window's location is integral to the constructed design and cannot be adjusted without significant disruption.

The subject lands are designated 'Urban Community' in the County of Renfrew Official Plan, 'Mixed Use Commercial / Employment Area' in the Town of Arnprior Official Plan - and zoned 'Mixed Use – Commercial Employment' in the Town of Arnprior Zoning By-Law.

The requested variances are shown in the table below.

By-Law Restrictions	Required	Provided
Minimum Required Egress Spaces (Restaurant)	3 spaces The required egress spaces must be located after the service product	2 spaces

	pickup window or dispensing machine	
--	-------------------------------------	--

## 2.0 Minor Variance

In accordance with Section 45(1) of the Planning Act, applications for Minor Variances are evaluated on the basis of “four tests”:

1. Is the variance minor in nature?
2. Is the proposal desirable for the appropriate use of the land?
3. Is the general intent and purpose of the Official Plan being maintained?
4. Is the general intent and purpose of the Zoning By-law being maintained?

The following discussion evaluates the application in relation to the prescribed tests:

1. Is the variance minor in nature?

### Minimum Required Egress Spaces Drive-throughs

The requested variance is minor in nature as it seeks a reduction in the number of required egress spaces for a restaurant drive-through from three spaces to two. This modification represents a minor adjustment that does not impact the functionality of the site or the surrounding area. The reduction is driven by tenant-specific design requirements outlined in the lease agreement and the physical constraints of the already constructed building. Implementing the required three egress spaces would result in operational inefficiencies, including potential blockage of internal drive aisles, which would disrupt site circulation and diminish the overall functionality of the property.

From a planning perspective, the proposed variance is a practical solution that balances the functional needs of the site with the intent of the zoning by-law. The modification ensures that the drive-through can operate efficiently without causing stacking conflicts or negatively affecting the surrounding traffic network. This request aligns with the Towns planning principles, as it mitigates potential site operational challenges while maintaining compatibility with adjacent uses and the overall intent of the zoning regulations. As such, the variance can be considered minor in scope and impact.

2. Is the proposal desirable for the appropriate use of the land?

The proposal is desirable for the appropriate use of the land as it facilitates the functional operation of a restaurant drive-through, which is a permitted and compatible use within the zoning designation for the site. The reduction in egress spaces allows the site to meet the operational requirements of the tenant while maintaining safe and efficient traffic circulation. By addressing both tenant needs and site-specific constraints, the variance supports the effective utilization of the land without compromising its intended purpose.

Furthermore, the proposed adjustment enhances the overall functionality of the site by preventing stacking issues that could disrupt internal circulation and create potential safety hazards. Ensuring smooth traffic flow within the site contributes to the usability of the property, maintaining its appeal to neighboring uses. The variance allows for the continued development of a commercially viable use that aligns with the broader planning objectives for the area, making the proposal desirable and appropriate for the land.

3. Is the general intent and purpose of the Official Plan being maintained?

The general intent and purpose of the Official Plan are being maintained, as the proposed variance supports the planned use and development objectives for the area. The Official Plan designates the

site for commercial or mixed-use purposes, encouraging uses such as restaurants that contribute to the vitality and economic development of the community. The drive-through is an integral part of the restaurant's operation, aligning with the vision of a functional, accessible, and economically productive site.

By addressing site-specific constraints and ensuring the drive-through operates efficiently without causing disruptions to traffic or neighboring buildings, the proposal upholds key principles of the Official Plan, including compatibility, safety, and efficient land use. The requested variance represents a minor modification that does not deviate from the broader goals of the Official Plan but rather supports its implementation by enabling the continued operation of a use that enhances the area's commercial viability.

#### 4. Is the general intent and purpose of the Zoning By-law being maintained?

The general intent and purpose of the Zoning By-law are being maintained, as the site is zoned for mixed-use, commercial employment purposes, which include restaurant uses with drive-through facilities. The Zoning By-law requirements for egress spaces aim to ensure safe and efficient traffic flow within the site and minimize conflicts with internal circulation and adjacent uses. The proposed reduction from three egress spaces to two achieves these objectives by better aligning with the site's constraints and operational realities.

Accommodating three egress spaces, as required by the Zoning By-law, would lead to operational inefficiencies, such as vehicle stacking that disrupts internal drive aisles. This would conflict with the intent of the Zoning By-law to maintain orderly and functional site design. By providing two egress spaces, the proposal addresses these concerns while ensuring that the drive-through operates effectively. The variance represents a minor deviation that does not undermine the overarching purpose of the Zoning By-law, maintaining the balance between functional site design and safe traffic flow, consistent with the zoning framework for mixed-use commercial employment areas.

### 3.0 Closing

Westdell is requesting a minor variance to reduce the number of required egress spaces for a restaurant drive through use from 3 spaces after the service product pickup window to 2 spaces from the pickup window. As per section 5.8.2 (c) the vehicle space at the product pick-up window counts towards the minimum egress spaces. The site is currently under construction, with the structural steel already erected, and all site and building designs are based on the proposed location of the drive-through window. Accommodating the by-law requirement for three egress spaces at this stage is unfeasible, as tenant leases have been signed based on the current design, and altering the configuration would require significant modifications incompatible with the constructed layout.

In support of this application, we have enclosed the Minor Variance application form, and the updated Site Plan prepared by Creative Structures. We look forward to working collaboratively with staff throughout the review process of this application. Should you require any additional information or documentation, please do not hesitate to reach out.

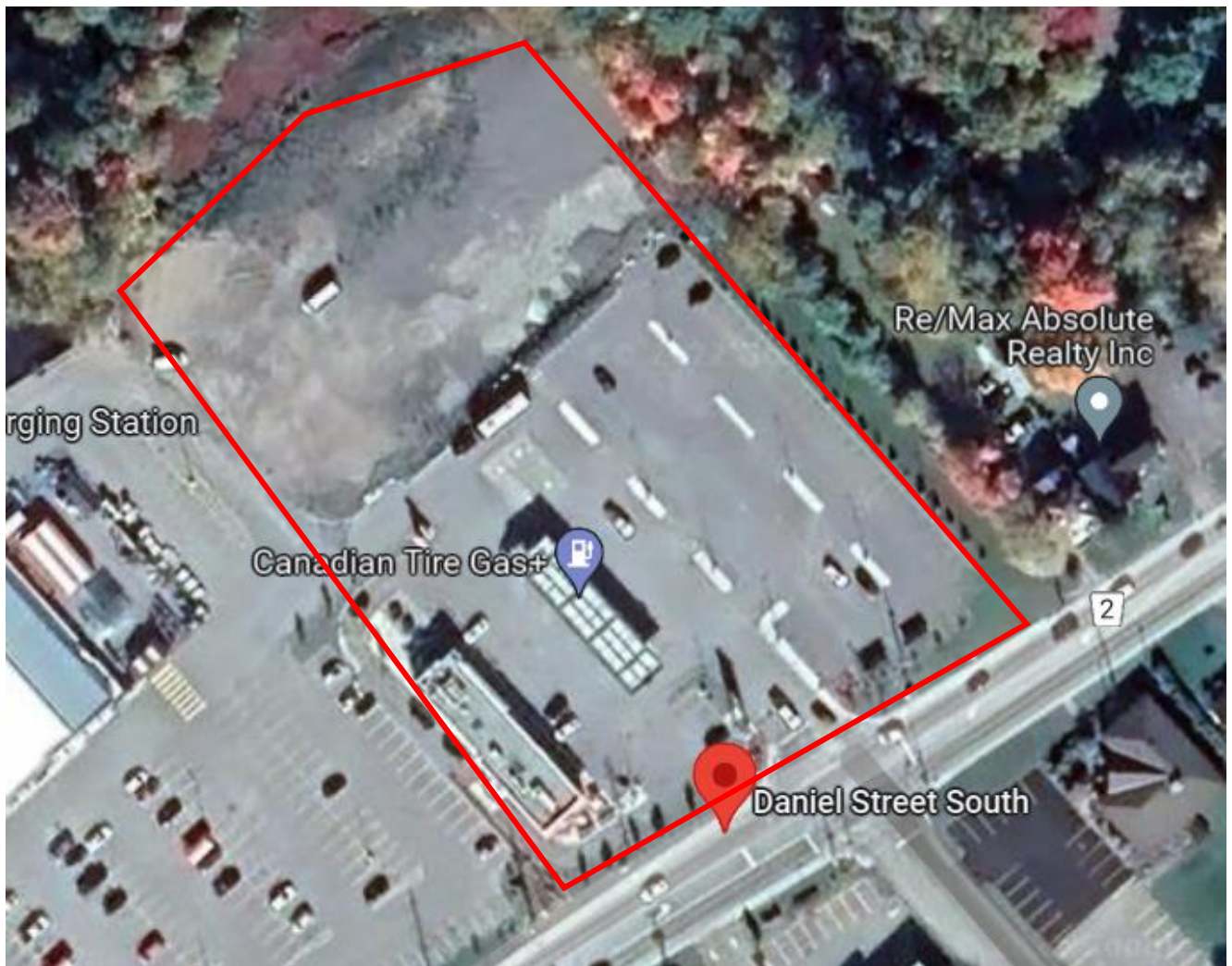
Sincerely,

**Arnprior Gate Inc. C/O Westdell Development Corp.**  
**Paul Kitson** - VP Planning & Development

## 5. Site Image and Aerial Photo



Google Maps, Street View (August 2021)



Google Maps, Ariel View (2022)



## Town of Arnprior Committee of Adjustment Report

**File Number:** B10/24

**Meeting Date:** January 14, 2025

**Report Author:** Alix Jolicoeur, Manager of Community Services/Planner

**Re:** Application for consent to allow a lease of 21 years or more for part of 245 Daniel St. N.

---

### **Application Overview:**

**Owner:** Arnprior Gate Inc.

**Location of Property:** 245 Daniel St. N., legally described as McNab Concession B, Part of Lots 3 and 4; Parts 2 and 3 on Registered Plan 49R19684; Arnprior, Ontario

### **Purpose of Application**

The purpose of the application is to allow the lease of a 229 sq. m. building for a period of 21 years or more directly or by entitlement to renewal for a restaurant.

### **Background:**

**Official Plan:** Mixed-Use Commercial/Employment Area

**Zoning:** Mixed-Use Commercial Employment

### **Planning Analysis:**

#### **Provincial Planning Statement, 2024**

The Provincial Policy Statement, 2024, Section 2.8.1. states “Planning authorities shall promote economic development and competitiveness by:

“...b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;...”

The proposed consent provides an opportunity for a suitable site for a long-term lease that meets the needs of a future business.

## **Town of Arnprior Official Plan**

The subject property is designated Mixed-Use Commercial/Employment Area. The designation permits restaurant and take-out restaurants, which is the subject of the proposed lease lasting more than 21 years.

The objectives of the Mixed-Use Commercial/Employment area include providing areas for the development of retail uses with large floor areas, and encouraging the intensification of commercial uses.

The proposed consent is to allow a lease of a 229 sq. m. building for a period of 21 years or more directly or by entitlement to renewal for a restaurant. The proposed consent and use are consistent with applicable Official Plan policies.

## **Town of Arnprior Zoning By-law**

The subject property is zoned Mixed-Use Commercial Employment.

The proposed consent does not create a new conveyable lot; therefore, it has not been reviewed against applicable provisions for minimum lot frontage, setbacks from lot lines, maximum height, parking etc. as these were reviewed as part of the site plan applications and minor variance applications noted below.

A concurrent minor variance application A14/24 has been submitted requesting to reduce the number of required egress spaces for a restaurant drive-through to 2 spaces, whereas the by-law requires 3 spaces (Section 5.8.1). This minor variance request is for the building subject to the consent.

The building under construction, subject of the consent application, was built in the correct location as per the approved site plan. The location of the drive-through window and bump out on the building was constructed based on an earlier building design that was proposed when the minor variance to allow the drive-through at 1.0 m from the front lot line. This minor variance application was refused, and the building location and design was revised and approved with the required 6 m setback for a drive-through from the front lot line.

The wrong version of the building design with the drive-through bump-out in the incorrect location is being built, however the building and drive through lane are at the correct location on the lot. The location of the drive-through bump-out and window results in a loss of 1 drive-through egress space which includes the space at the drive-through pick-up window.

If the minor variance application to reduce the required number of egress spaces for the drive-through from 3 to 2 is not approved the drive-through bump-out/window may need to be relocated. Since the consent application is for the footprint of the building if the bump-out/drive through window needs to be relocated the area subject to the consent would change. Given this, staff are recommending that approval of the severance be conditional on approval of the minor variance and the resolution of all appeals, if any.

## Planning Evaluation of Consent Application B9/24

Concern:	Yes	No
<b>Appropriateness of Consent Process:</b>		
More than one or two lots being created		X
New municipal road will be required		X
Further severances intended		X
Past consent or subdivision applications have been processed for this site	X	
Consent activity in area has been reviewed	X	
<b>Conformity with Policy and Land Use Controls:</b>		
“Consistent With” matters of Provincial Interest	X	
Conforms to the Official Plan and any adjacent development (OP Designation <u>Mixed Use Commercial/Employment Area</u> )	X	
Complies with existing or proposed Zoning By-law (Zoning Mixed-Use Commercial Employment)		X
If it does not comply, is a rezoning is required?		X
If it does not comply, is a minor variance is required?  For a reduction in the number of drive-through egress spaces (see discussion under zoning)	X	
<b>Evaluation of Site and Surrounding Area:</b>		
Site is suitable for proposed use	X	
Road access is adequate	X	
Dimensions and shape of lot are appropriate	X	
Consideration given to natural resources and flood control	X	
Utilities and municipal services adequate	X	
School sites adequate	X	
Any land proposed for public purposes? If yes, extent:		X
Consideration given to physical layout as it relates to energy conservation		N/A



Concern:	Yes	No
<b>Long Term Impact of Approval (Cumulative Effect of Many Consents):</b>		
Affect on municipal servicing costs (additional roads, snow plowing, garbage collections) and local rates of taxation		X
Negative influence on how surrounding land can or cannot be used (create remnant parcels of inappropriate size for future use)		X
Affect on safety and efficiency of road systems		X
Affect on future use of area's natural resources (will resources be available for use now and in the future)		X
Affect attractiveness of landscape (can it be enhanced with site planning, landscaping, buffers, etc.)		X
<b>Are conditions required?</b>		
Parkland Dedication		X
Road Widening		X
Drainage Plan		X
Site Plan		X
<b>Other:</b>  That minor variance application A14/24 be approved and that the appeal period has ended with no appeals or all appeals have been resolved  Survey plan  Site plan amendment agreement	X	

### Previous/Concurrent Applications:

The property was subject to the following previous planning approvals:

Zoning By-law Amendment ZBL 1-17 - Approved

- Amendment to permit shopping plaza and gasoline bar as permitted uses

Site Plan application SPC 1/17 - Approved

- To allow construction of a Gas Bar and restaurant

Consent application B11/20 – Approved

- To sever the shopping mall site (275 Daniel St. S.) from what is now 245 Daniel St. S.

Site Plan amendment application SPC 1/22 - Approved

- To allow construction of 2 new multi-tenant commercial buildings including 1 drive-through facility

Minor variance application A01/22 - Approved

- The number of egress spaces required for a drive through facility for commercial use was reduced from the required 3 spaces to 1 space;
- The Minimum Front Yard Setback in a Mixed Use-Commercial/ Employment Zone was reduced from 6.0m to 3.0m.

Site Plan amendment application SPC 2/24 - Approved

- To amend the site plan to construct 3 new commercial buildings, including 2 drive-throughs (instead of 2 new buildings with 1 drive-through).

Minor variance application A01/24 –

- Approved
  - That Section 5.6 Loading requires a loading space to be setback a minimum of 7.5m from any Residential Zone boundary be reduced to 2.4 metres, subject to the erection of an appropriate noise attenuation wall along the north property line to the full length of the loading space to abate the noise from the loading space to the existing houses on Gary Crescent to the satisfaction of the Town of Arnprior with respect to height and mass of the noise attenuation wall;
  - That Section 5.6 Loading requires access to loading spaces be by means of a driveway that is at least 6 metres wide contained within the lot on which the loading spaces are located be reduced to 5 metres wide.
- Refused
  - That Section 5.8.5 Location of Drive Through Components required restriction to stacking lanes being within the 6.0 metre minimum required front yard be permitted to be reduced to 1.0 metre.

Minor Variance application A14/24 – Concurrent application

- to reduce the number of required egress spaces for a restaurant drive-through to 2 spaces, whereas the by-law requires 3 spaces (Section 5.8.1). This minor variance request is for the building subject to the consent.

**Comments:**

No comments received

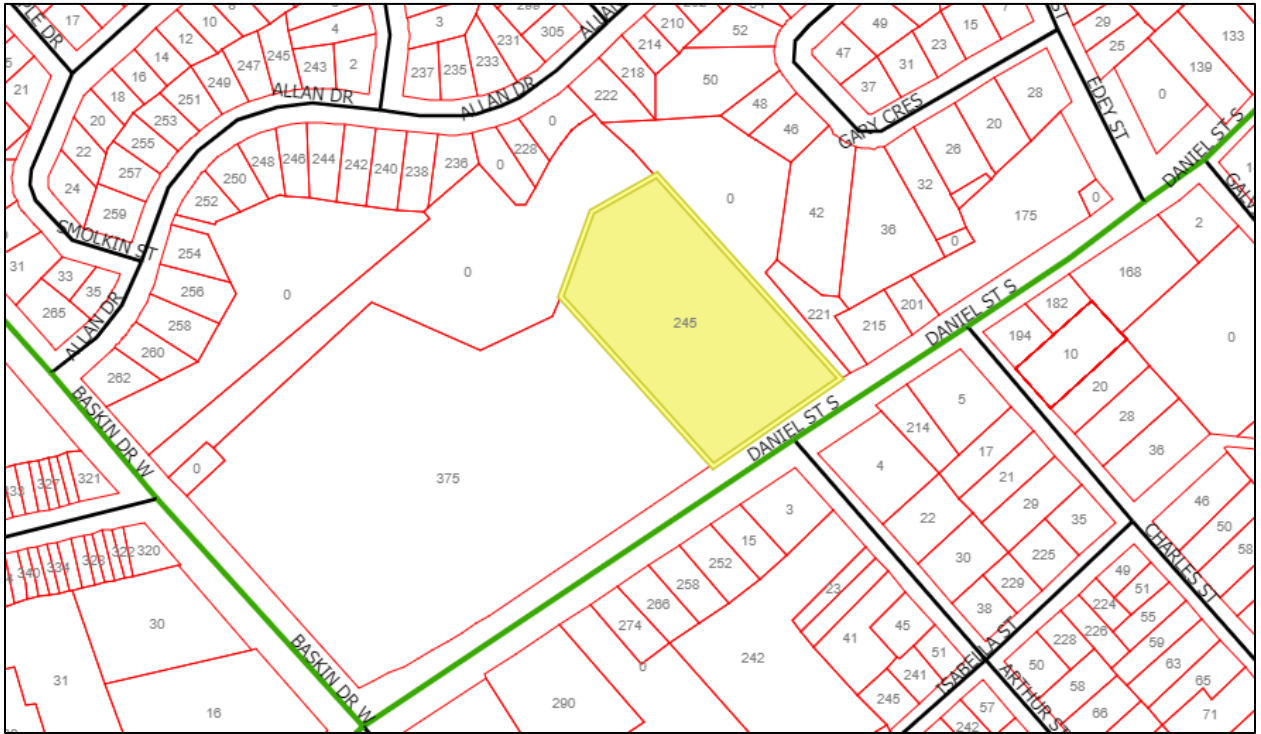
**Recommended Conditions:**

1. That minor variance application A14/24 be approved and that the appeal period has ended with no appeals, or all appeals have been resolved.
2. That a registered Plan of Survey in conformity with the site plan depicting the severed lands be supplied to the Secretary-Treasurer of the Committee of Adjustment.
3. That a site plan amendment agreement with the Town of Arnprior, reflecting the minor variance, if approved, be signed and registered on title.

**Attachments:**

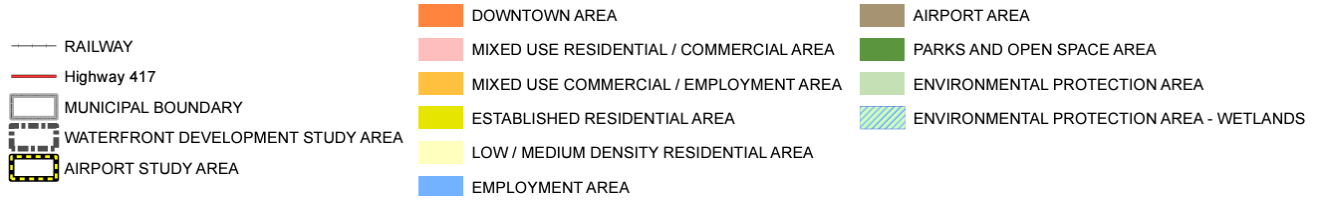
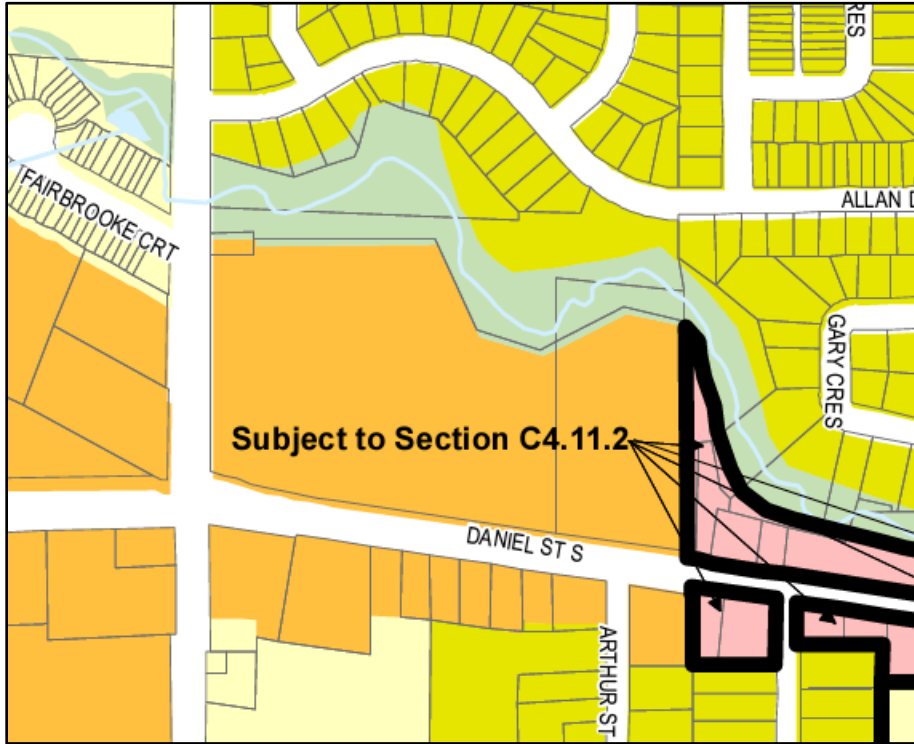
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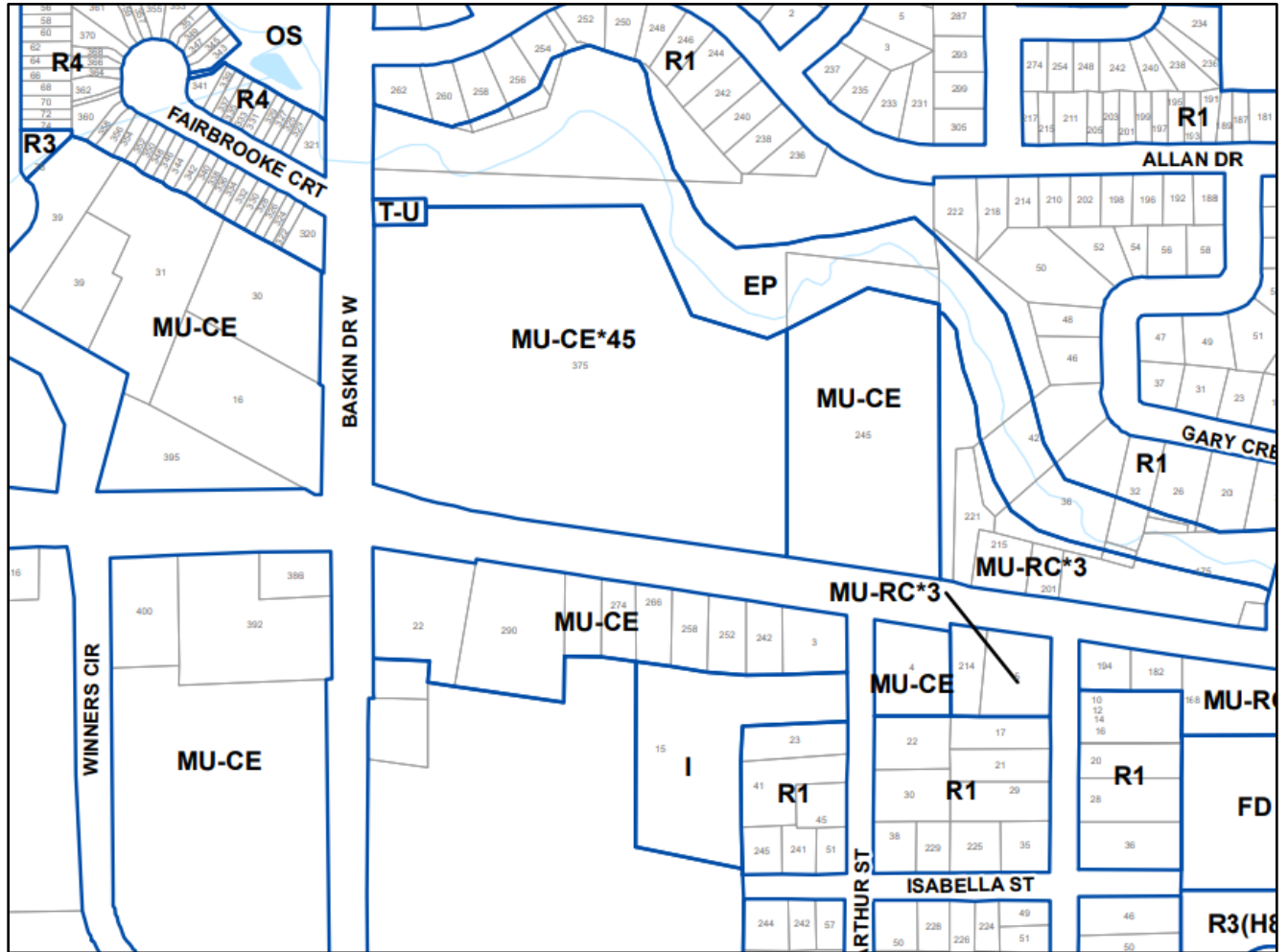


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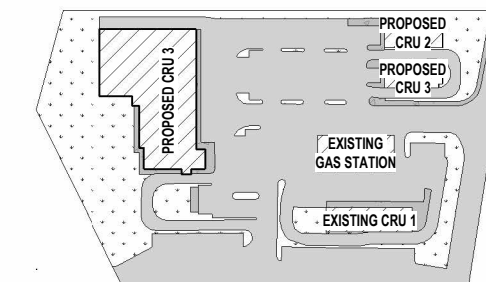
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Zoning By-law Schedule A section showing the zoning of the subject and surrounding properties



**3. Site Plan showing the proposed consent**



Lease Statistics for Consent

Starbucks Total Leased Area = 229.02 sq.m

Landlord Total Site Area = 14,035.73 sq.m

Landlord Total Site Area (Exc. Starbucks) = 13,824.71 sq.m

Consultant:



CS@CREATIVESTR.CA

Consultant:



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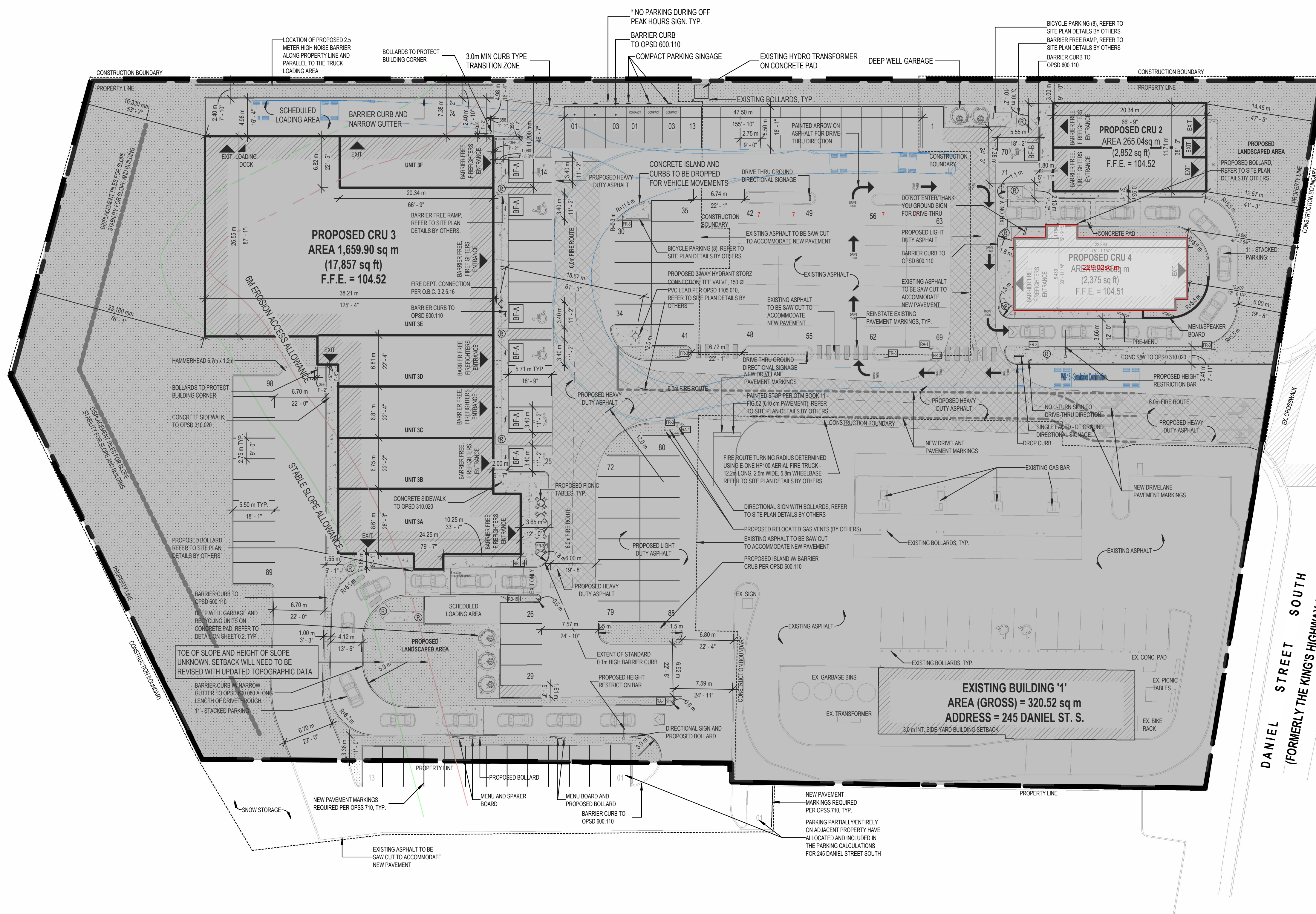
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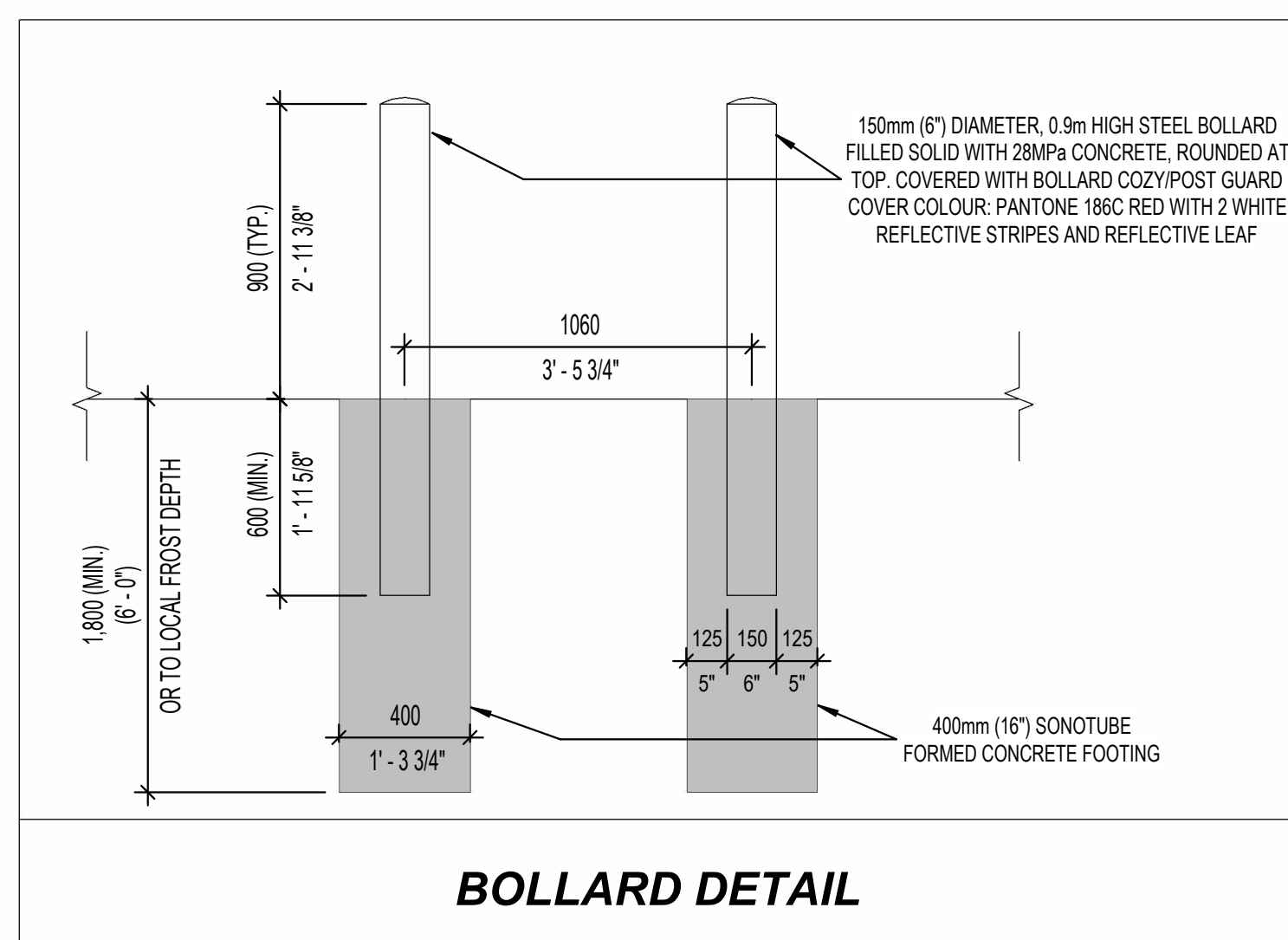
A-0.1 25



SITE PLAN (ARCHITECTURAL)

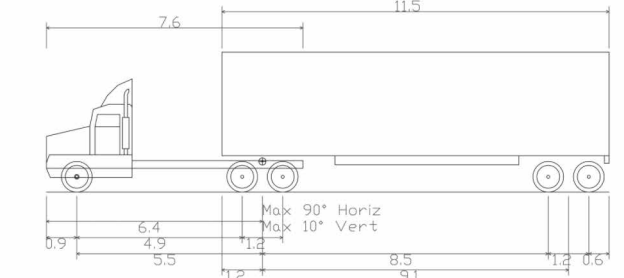
SCALE: 1 : 300

- SITE PLAN INFORMATION TAKEN FROM SITE PLAN, SHEET SP1, ZONING DATA CHART & LEGEND ON JANUARY 25, 2022 ISSUED FOR TENDER BY SBM.
- REFER TO SHEET SP2 DETAILS ISSUED FOR TENDER ON JANUARY 25, 2024 BY SBM FOR SITE PLAN DETAILS.
- SLOPE INFORMATION TAKEN FROM GEOTECHNICAL INVESTIGATION AND SLOPE STABILITY ANALYSIS PREPARED BY PNCHIN DATED JUNE 2022.



\* REFER TO CRU4 SITE PLAN FOR CRU4 BOLLARD DETAIL.

VEHICLE INFORMATION



VB-15 - Semitrailer Combination

Overall Length 16,700m

Overall Body Height 4,150m

Min Body Ground Clearance 0,335m

Track Width 2,540m

Lock-to-lock time 4,00s

Curb to curb Turning Radius 13,700m

LEGEND

- FR-3 PROPOSED SIGN, TYPE OF SIGN
- PROPOSED FIRE ROUT (6.0m WIDE, 12.0m RADIUS)
- BUILDING EXIT
- BUILDING ENTRANCE - BARRIER FREE - FIREFIGHTER ENTRANCE
- CONCRETE SIDEWALK
- GREEN AREA
- PROPOSED ROAD
- PROPERTY LINE
- ROAD LINE





## Town of Arnprior Committee of Adjustment Report

**File Number:** A14/24

**Meeting Date:** January 14, 2024

**Report Author:** Alix Jolicoeur, Manager of Community Services/Planner

**Re:** Application for Minor Variance for 30 Daniel St. N.

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### **Application Overview:**

**Agent/Owner:** 1000573263 Ontario Ltd. c/o Artan Mataj

**Location of Property:** 30 Daniel St N., Arnprior, legally described as Plan 33 lot 3, Plan 85 N part of lot 34.

### **Purpose of Application**

Permission is requested for variance from Section 7.4 of the Town of Arnprior Zoning By-law No. 6875-18, to allow a maximum building height of 14.6 m, whereas the by-law permits 12 m; and to allow a rear yard setback of 5.9 m, whereas the by-law requires 7.5 m to permit construction of a 4-storey, 46-unit apartment building with balconies.

### **Background:**

**Official Plan:** Downtown Area

**Zoning:** Downtown Commercial/Residential Exception 25 (D-CR\*25)

The subject property is located north of the Atkinson St. and Daniel St. N. intersection. See attachment 1 for a key map with aerial photo.

North of the subject property are 23 and 27 John St. N. 23 John St. N is an existing 2 storey single detached dwelling. 27 John St. N. is a single detached dwelling that has been converted to professional offices.

To the east of the subject property is the municipally owned CN Trail Park West.

South of the subject property, on the other Side of Daniel St. N. are 17, 25 and 31 Daniel St. N. 17 Daniel St. N. is an existing 2 storey single detached dwelling. 25 Daniel St. N. is a currently vacant former gas station. 31 Daniel St. N. is an existing 2 storey single detached dwelling.

West of the subject property is 16 Daniel St. N. and the Ottawa Valley Rail Trail. 16 Daniel St. N. has an existing 2 storey single detached dwelling (see attachment 6 for a street view images of the subject and surrounding properties).

The site has 63.64 m of lot frontage on Daniel St N. and is approximately 3,539 sq. m. (0.87 acres) in size.

Site plan application SPC 2/23 was submitted in August 2023 and has been reviewed considering drainage, servicing, access, and applicable Zoning and Official Plan provisions. See attachment 3 for the site plan for the property.

The variance application has been submitted requesting permission for a maximum building height of 14.6 m, whereas the by-law permits 12 m; and to allow a rear yard setback of 5.9 m, whereas the by-law requires 7.5 m to permit construction of a 4-storey, 46-unit apartment building with balconies. See Attachment 4 for the proposed architectural elevations.

This application for Minor Variance is required prior to approval of a Site Plan for the proposed development.

## **Provincial Planning Statement, 2024**

The Provincial Policy Statement, 2024 section 2.2.1. requires planning authorities to “provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by...permitting and facilitating all types of all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units... [and] promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and supports the use of active transportation.”

The proposed project is redevelopment of an existing lot with a single detached dwelling into a 4-storey 46-unit apartment building that will efficiently utilize existing infrastructure. The proposed redevelopment is consistent with the PPS. There are no PPS policies which speak directly to height or rear yard setbacks.

## **Recommendation**

Under Section 45(1) of the Planning Act there are four tests a minor variance must meet. In order to be considered the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan?
- Does the application conform to the general intent and purpose of the Zoning By-law?
- Is the application desirable for the appropriate development of the lands in question?
- Is the application minor?

*Does the application conform to the general intent and purpose of the Official Plan?*

The subject property is designated Downtown Area which permits medium and high-density residential uses up to 6 storeys. Redevelopment policies for the Downtown Area permit apartment buildings provided that parking is not located in front of the building, the building is designed to complement adjacent buildings, and the proposed use will enhance the downtown. There are no specific policies regarding balcony encroachments or specific maximum heights for the Downtown Area designation.

The Official Plan identifies Guiding Principles in section A2 that are “intended to establish the basis for making planning decisions in the future.” Guiding principle e) states “To support all forms of intensification in key areas to support the efficient use of infrastructure ... and to provide additional housing options to existing and future residents.”

The intent of the Official Plan policies is to support intensification on existing services, provide additional housing options, and permit medium and high-density residential development that will enhance the downtown. The proposed development represents intensification on existing services, adds additional housing options, and is a permitted use in the downtown Area designation (medium and high-density residential).

In the opinion of staff, the application conforms to the general intent and purpose of the Official Plan.

*Does the application conform to the general intent and purpose of the Zoning By-law?*

The zoning of the property is Downtown Commercial/Residential Exception 25 (D-CR\*25). Exception 25 sets out site specific provisions for semi-detached dwellings and is not applicable to the current proposed development.

Zoning by-law section 7.4 identifies the maximum height of a building as 12.0 m. The maximum height is intended to permit a four-storey building. The definition of height states “with reference to a building or structure, the vertical distance measured from the average elevation of the finished surface of the ground at the front of the building to a) The highest point of the roof surface or the parapet, whichever is greater, of a flat roof;”

The proposed building has a flat roof with parapet. The maximum height of the parapet is 14.6 m. The top of the flat roof is at 12.0 m, however, a parapet has been proposed to add a decorative element to the building façade. Section 4.4 Exceptions to the height requirements identifies that the height requirement of the by-law do not apply to “Any ornamental roof construction features including but not limited to domes, chimneys, towers and steeples”

Zoning by-law section 7.4 identifies the minimum required rear yard setback as 7.5 m. Section 6.4.10 sets out permitted projections into required yards. Section 6.4.10 permits balconies to encroach a maximum of 1.5 m into the required rear yard. The list of permitted projections into required yards is found in Section 6 which applies to Residential zones. The subject property is not listed as a residential zone. The application requested a reduction of the rear yard setback of 1.6 m, however, the building as proposed shows an encroachment of the balconies of only 1.4 m into the required rear yard.

In the opinion of staff, the permitted projections for the required yards were intended to apply to any residential development, therefore, a reduction in the rear yard setback from 7.5 m to 6.1 m would be consistent with the general intent and purpose of the zoning by-law. Staff recommend approving the minor variance with a reduction of the rear yard setback to 6.1 m not 5.9 m.

The proposed development is for a four-storey building as per the intention of the maximum height and the parapet design is intended to act as a decorative roofline feature; therefore, in the opinion of staff, the proposed additional height meets the intent and purpose of the zoning by-law provisions.

*Is the application desirable for the appropriate development of the lands in question?*

The application will allow for the construction of a multi-unit residential building designed to have visual interest in the roofline and amenity space (balconies) for residents. In the opinion of staff, the minor variances are desirable for the appropriate development of the lands in question.

*Is the application minor?*

The additional building height does not add an additional floor so no increase in privacy impacts is anticipated to neighboring properties, the permitted reduction in the rear yard setback is consistent with permitted projections for balconies in residential zones.

The additional height proposed is only a for a section of the building and given the orientation of the building, east-west the increase shadowing impact will be predominantly on the parking area of the subject property.

In the opinion of staff, the application is minor in that it is not anticipated to create additional negative impacts on abutting property owners.

## **Comments:**

No public comments were received.

## **Attachments:**

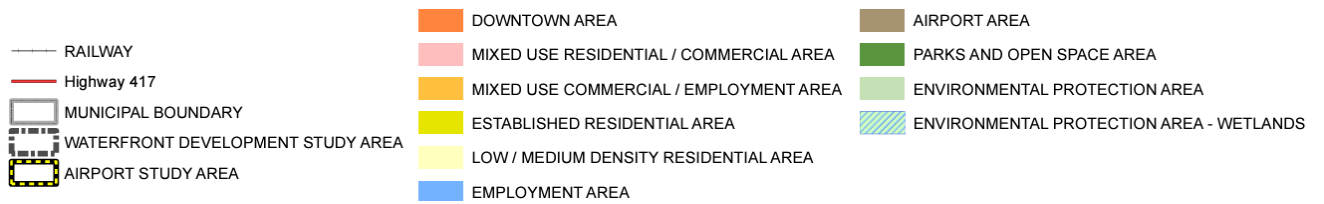
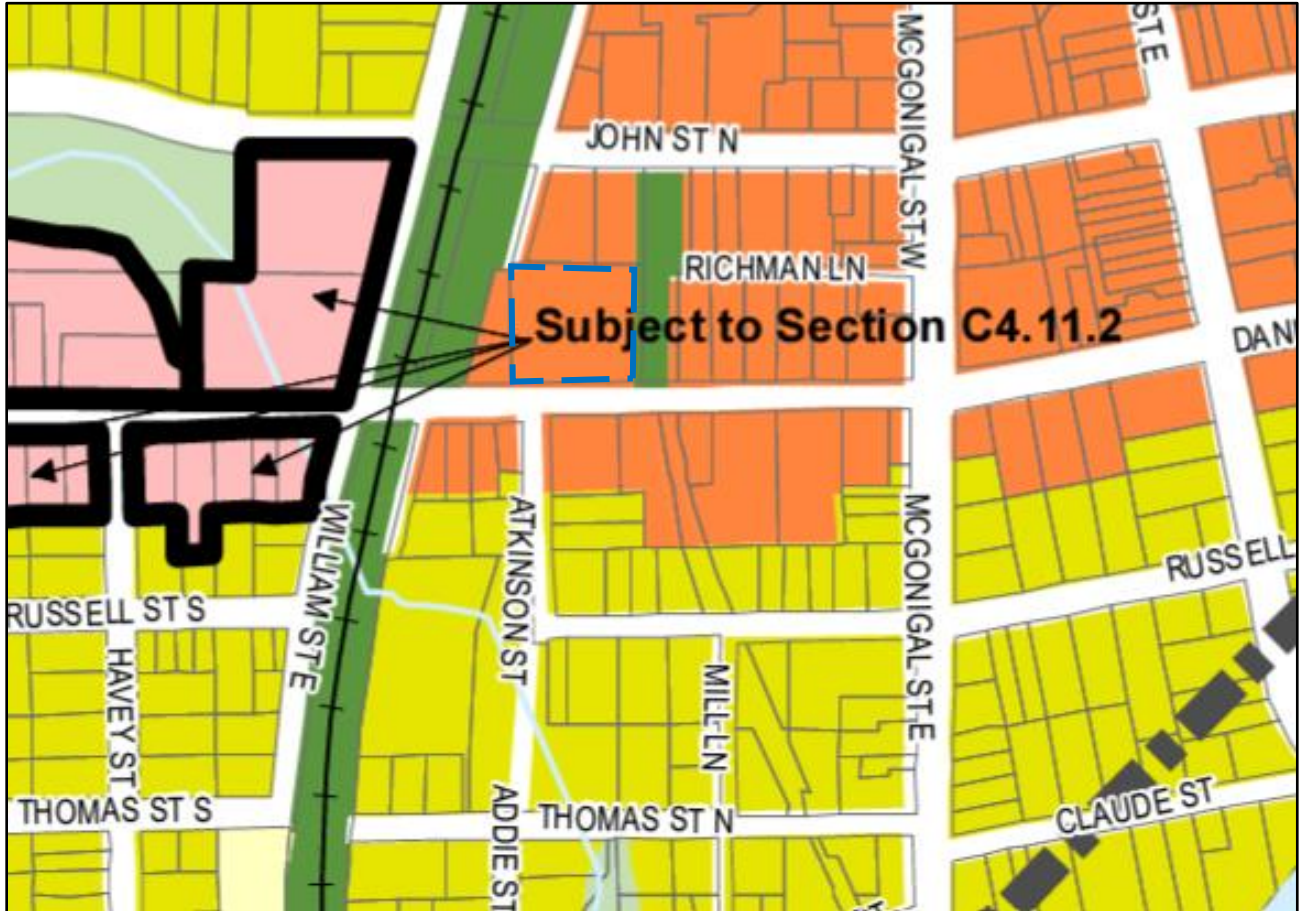
1. Key Plan
2. Official Plan and Zoning Maps
3. Proposed Site Plan
4. Proposed Architectural Plans
5. Minor Variance Letter submitted by the applicant
6. Street view of subject and surrounding properties

# 1. Key Plan

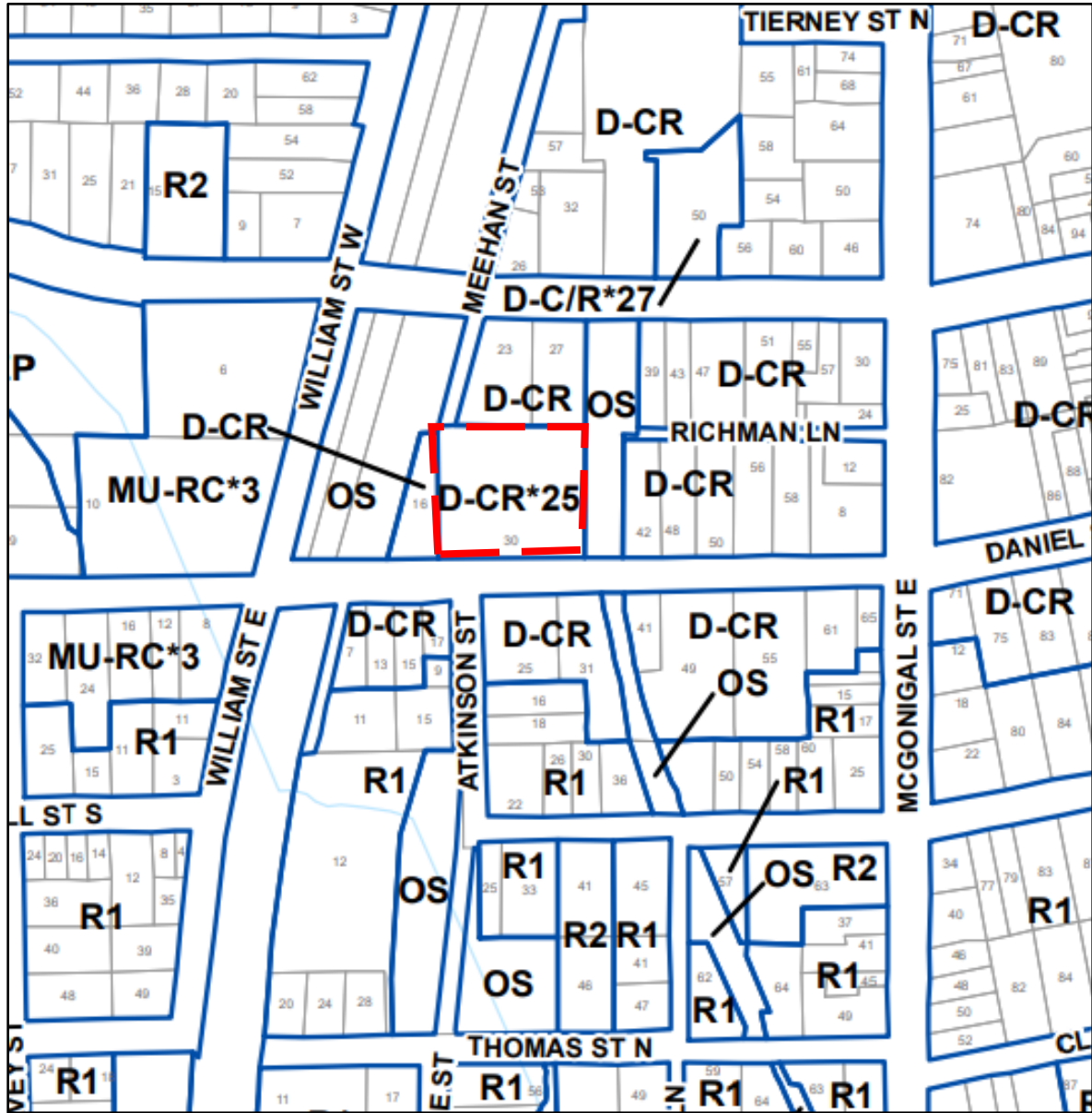


## 2. Official Plan and Zoning Maps

Official Plan Schedule A section showing the Official Plan designation of the subject and surrounding properties



Zoning By-law Schedule A section showing the zoning of the subject and surrounding properties



### **3. Proposed Site Plan**

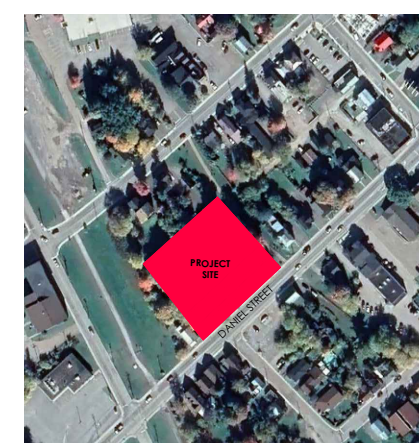


ARNPRIOR APARTMENT - SITE STATISTICS		
ZONING By-law 6000-17	ZONE: D-CR*25	
<b>BUILDING SETBACK</b>	<b>REQUIRED(m)</b>	<b>PROPOSED (m)</b>
FRONT YARD SETBACK	0	2
SETBACK FROM CENTERLINE OF ROAD	10	10
REAR YARD SETBACK	7.5	7.5
INTERIOR SIDE YARD(East)	0	35.68
INTERIOR SIDE YARD(West)	0	2.66
MAX. BALCONIES ENCROACHMENT	1.5	1.4
<b>LOT AREA</b>	<b>SQ M</b>	<b>SQ FT</b>
	3,539.0	38,093.4
<b>LOT COVERAGE</b>	<b>MAX.</b>	<b>PROPOSED</b>
	NA	27.0%
<b>BUILDING HEIGHT</b>	<b>MAX. (m)</b>	<b>PROPOSED (m)</b>
(FROM FINISHED GRADE TO THE TOP OF PARAPET)	12.0	14.60
<b>PARKING CALCULATION</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
4 STOREYS APARTMENT (46 DWELLING UNITS)	57	57
1.25 PARKING /DWELLING UNIT		
<b>ACC PARKING</b>		
51-75 of parking spaces	3	3
BIKE RACKS (5% OF PARKING SPACES)	2.85	4
<b>AREA CALCULATION</b>	<b>SQ M</b>	<b>SQ FT</b>
GROUND FLOOR	955.00	10279.5
SECOND FLOOR	1007.00	10839.2
THIRD FLOOR	1007.00	10839.2
FOURTH FLOOR	1007.00	10839.2
<b>TOTAL CONSTRUCTION AREA</b>	<b>3,976</b>	<b>42,797.3</b>

1 SITE STATS  
ASP-1 N.T.S.

ARNPRIOR ROOM MIX									
	AREA(SQ M)	AREA(SQ FT)	GR FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	TOTAL	TOTAL	MIX %
STUDIO	38.09	410	1	0	0	0	1	1	2%
1 BEDROOM TYPE A	53.61	577	2	2	2	2	8	8	
1 BEDROOM TYPE B	50.54	544	2	3	3	3	11	23	50%
1 BEDROOM TYPE C	50.54	544	1	0	0	0	1	1	
2 BEDROOM TYPE A	76.37	822	3	3	3	3	12	22	48%
2 BEDROOM TYPE B	88.72	955	0	2	2	2	6	6	
1 BEDROOM ACC	50.54	544	0	1	1	1	3	7	15%
2 BEDROOM ACC	76.37	822	1	1	1	1	4	4	
<b>TOTAL</b>			<b>10</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>46</b>	<b>46</b>	<b>100%</b>

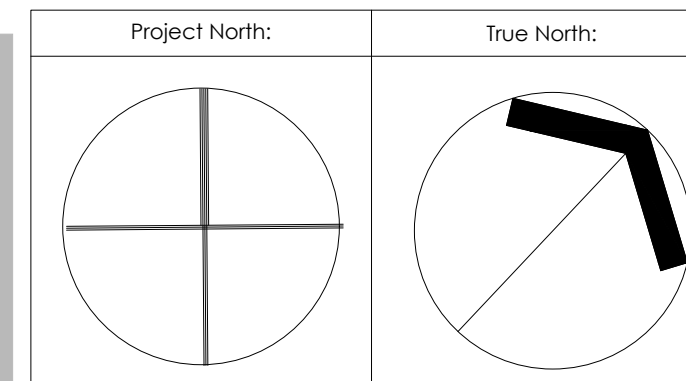
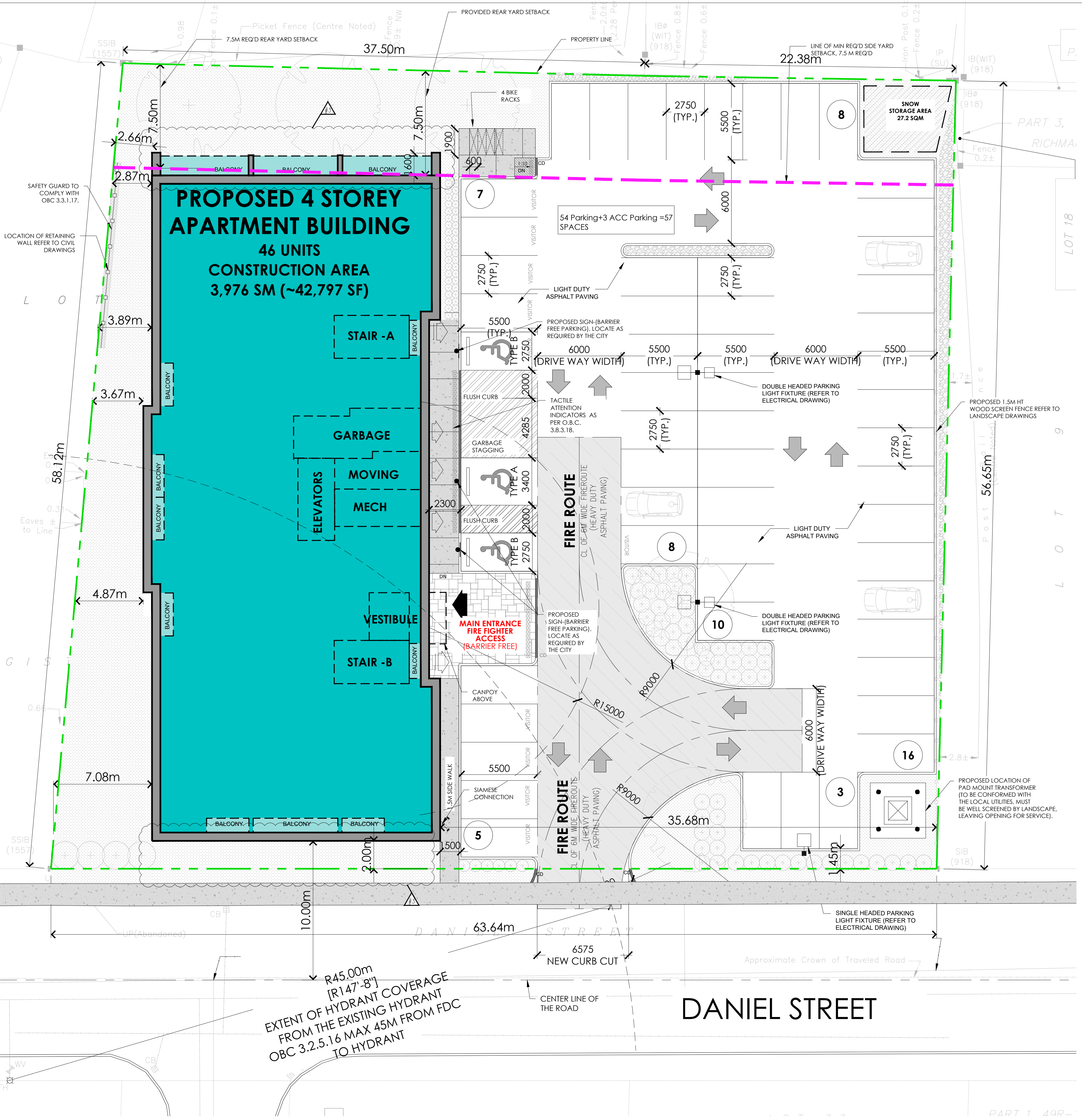
2 ROOM MIX  
ASP-1 N.T.S.



3 SITE LOCATION  
ASP-1 N.T.S.

SITE PLAN LEGEND	
	PROPERTY LINE
	BUILDING SETBACK LINE
	LANDSCAPE BUFFER
	CURB DEPRESSION
	ENTRY/EXIT ACCESS POINTS
	EXISTING TOWN HYDRANT
	PROPOSED LOCATION OF NEW FIRE HYDRANT W/ STEEL BOLLARDS (REFER TO CIVIL DWGS)
	FIRE DEPARTMENT CONNECTION
	HOSE BIB (REFER TO MECHANICAL DWGS)
	PAD MOUNTED HYDRO TRANSFORMER W/ STEEL BOLLARDS
	DOUBLE HEADED LIGHT FIXTURE ON CONCRETE BASE (REFER TO ELECTRICAL)
	SINGLE HEADED LIGHT FIXTURE ON CONCRETE BASE (REFER TO ELECTRICAL DWGS)
	SINGLE HEADED LIGHT FIXTURE ON CONCRETE BASE W/ ELECTRICAL OUTLET (REFER TO ELECTRICAL DWGS)
	RECESSED EXTERIOR LIGHT FIXTURE @ SOFFIT & PORTE COCHERE (REFER TO ELECTRICAL DWGS)
	NEW HEAVY DUTY ASPHALT PAVING (REMAINDER OF THE SITE TO RECEIVE LIGHT DUTY ASPHALT PAVING)
	DECORATIVE NON-SLIP SURFACE PAVING UNDER PORTE COCHERE (REFER TO LANDSCAPE DWGS)
	LANDSCAPED AREA
	POURED CONCRETE PAD AT LOADING AREA & WASTE COLLECTION
	STEEL BOLLARD (REFER TO DETAIL XXX)
	PARKING COUNT
	FIRE ROUTE SIGN TO BE POSTED UNDER DESIGNATED MUNICIPAL BY-LAW 2003-499. REFER TO DETAIL 2/A/102
	PROPOSED GRADING (REFER TO CIVIL DWGS)
	CONDENSING UNIT ON 4" CONCRETE PAD (REFER TO MECH DWGS)
	SNOW STORAGE AREA (OWNER TO TAKE NECESSARY PRECAUTIONS W/ SNOW REMOVAL COMPANY)

CREDIT NOTES:	CREDIT NOTES:	SITE PLAN - GENERAL NOTES
THIS SITE PLAN IS BASED UPON AND MUST BE READ IN CONJUNCTION WITH THE SURVEY FOR THIS PROPERTY. MATAJ ARCHITECTS ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY, OR COMPLETENESS OF THE DATA SUPPLIED AND SUCH DATA IS NOT INCLUDED UNDER SEALS OF CERTIFICATION, IF ANY.	TOPO SURVEYORS INFO: FAIRHALL MOFFATT & WOODLAND LIMITED 100-600 TERRY FOX DRIVE, KANATA, ONTARIO K2L 4K6 PHONE: (613) 591-0280 FAX: (613) 591-1495 www.fmw.on.ca	<p>1 ALL EXISTING PAVEMENT, CURBS, SIDEWALKS, DRIVEWAYS AND DRIVEWAY AREAS DISTURBED BY THE CONSTRUCTION MUST BE RESTORED TO THE SATISFACTION OF THE TOWN</p> <p>2 A MINIMUM SETBACK OF 1.0m FROM STREET FURNITURE TO PROPOSED DRIVEWAYS AND SIDEWALKS SHALL BE MAINTAINED. ALL EXISTING STREET FURNITURE TO BE RELOCATED BY THE CONTRACTOR/OWNER TO A SETBACK OF 1.0m. THE COST OF RELOCATION OF ANY UTILITY IS THE RESPONSIBILITY OF THE DEVELOPER/ OWNER</p> <p>3 THE CONTRACTOR/ OWNER IS RESPONSIBLE FOR ALL UTILITY LOCATES AND DAMAGES/ DISTURBANCE DURING CONSTRUCTION.</p> <p>4 ALL BARRIER-FREE ENTRANCES AND BARRIER FREE PATHS OF TRAVEL MUST COMPLY WITH O.B.C. 3.8.</p> <p>5 THE OWNER/ CONTRACTOR SHALL SUPPLY ALL FIRE ROUTE AND BARRIER-FREE SIGNS AS SET OUT IN THE TOWN BY-LAWS AND DESIGN CRITERIA</p> <p>6 ALL EXTERIOR ILLUMINATION TO BE DIRECTED DOWNWARD AS WELL AS INWARD AND DESIGNED TO MAINTAIN ZERO CUTOFF LIGHT DISTRIBUTION AT THE PROPERTY LINE</p> <p>7 ALL DOWNSPOUTS TO BE CONNECTED TO THE STORM DRAINAGE SYSTEM</p> <p>8 ALL CONSERVING UNITS TO BE SCREENED ON THE GROUND FLOOR</p> <p>9 SEPARATE PERMITS ARE REQUIRED FOR ANY SIGNAGE ON THE PROPERTY</p> <p>10 WHERE POSSIBLE TREES ARE TO BE PROTECTED FROM CONSTRUCTION</p>



Project North: True North:

Key Plan:

No.	Date:	Issue/Revision	By:
4	24/12/20	Issued for Minor Variance	SF
3	24/08/20	Issued for SPA Resubmission	SF
2	24/01/15	Issued for Site Plan Resubmission	SF
1	23/05/10	Issued for SPA	SF

Drawing Issues/Revisions:

Note:  
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORINGS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

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ONTARIO ASSOCIATION OF ARCHITECTS  
ARTAN MATAJ LICENCE 9331

MATAJ ARCHITECTS INC

Architect's Stamp

MATAJ ARCHITECTS INCORPORATED  
206-418 Incauld Shore Rd  
Oakville, Ontario L6H 0X7  
T.905.281.4444

Project:  
**ARNPRIOR DEVELOPMENT**

30 Daniel St N, Arnprior, ON K7S 2K5

Sheet Title:  
**PROPOSED SITE PLAN**

Design By: M.A.	Drawn By: S.F.	Approved By: A.M.
Scale: AS SHOWN	Date: 23-03-15	Project No.: 22-046
Drawing No.:		
<b>ASP-1</b>		
Drawing Series: ARCHITECTURAL - SPA		

## 4. Proposed Architectural Plans

EXTERIOR FINISH SCHEDULE		
EIFS	MATERIAL/FINISH	COLOR
1	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH	IRON MOUNTAIN 2134-30
2	2"X2" EIFS VERTICAL FINS	IRON MOUNTAIN 2134-30
3	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH WITH EPOXY DIRT PROTECTION	WHITE DOVE, BM OC 151
4	WOOD VENEER & EPOXY OVER EIFS SYSTEM, BY CORNER POINT	TIMBER TEAK EQUIVALENT
5	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT, GEMSTONE	DOLOMITE WHITE
6	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT, GEMSTONE	STONEHENGE
7	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT, SMOOTH FINISH	GRAY
8	EIFS 3/4" REVEAL	
LIGHTING		
20	RECESSED LED STRIP LIGHT	3000 K
21	4" X 4" LED LIGHT	3000 K, WHITE LENS
22	DECORATIVE WALL SCONCE	3000 K
23	PIN LIGHT - VERTICAL DOWN LIGHT	3000 K
24	LINEAR DECORATIVE WALL SCONCE	3000 K

SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00 (5' EIFS)
B	+6" PROJECTING FROM 'A' PLANE
C	-1" RECESSED FROM 'A' PLANE
D	-2" RECESSED FROM 'A' PLANE
E	-3" RECESSED FROM 'A' PLANE
F	-4" RECESSED FROM 'A' PLANE

GENERAL NOTES:

- ALL GRILLS IN EXTERIOR ELEVATION PAINTED TO MATCH ADJACENT COLOR.
- SAMPLES OF ALL EXTERIOR FINISHES AND COLORS SHOULD BE SUBMITTED TO ARCHITECT FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION
- CM/BUILDER SHALL PROVIDE ACTUAL SAMPLE FINISHES ON EXTERIOR WALLS FOR OWNERSHIP APPROVAL BEFORE WORK COMMENCES ON FINAL EXTERIOR FINISHES REGARDLESS OF ARCHITECT'S OR OWNERSHIP'S EARLIER SAMPLE APPROVAL IN REGARDS, ESPECIALLY AS IT PERTAINS TO STUCCO COLORS.
- FOR FIELD APPLIED EIFS, CM/IGC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS IT PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR
- SEPARATE SIGN PERMIT REQUIRE FOR EXTERIOR SIGNAGE



Key Plan:

No.	Date:	Issue/Revision	By:
2	24/12/19	Issued for Minor Variance	SF
1	23/05/10	Issued for SPA	SF

Drawing Issues/Revisions:

Note:  
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Architect's Stamp  
MATAJ ARCHITECTS INCORPORATED  
206-418 Iroquois Shore Rd  
Oakville, Ontario L6H 0H7  
T 905.281.4444

Project:  
**ARNPRIOR DEVELOPMENT**  
**30 Daniel St N, Arnprior, ON K7S 2K5**

Sheet Title:  
**PROPOSED WEST ELEVATION**

Design By: M.A.	Drawn By: S.F.	Approved By: A.M.
Scale: 1/8"=1'-0"	Date: 23-03-15	Project No.: 22-046

Drawing No:  
**A.301**  
Drawing Series:  
ARCHITECTURAL - SPA

EXTERIOR FINISH SCHEDULE			
	MATERIAL/FINISH	COLOR	NOTES
<b>EIFS</b>			
1	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH	IRON MOUNTAIN 2134-30	
2	2"x2" EIFS VERTICAL FINS	IRON MOUNTAIN 2134-30	
3	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH WITH EPOXY DIRT PROTECTION	WHITE DOVE, BM OC 151	
4	WOOD VENEER & EPOXY OVER EIFS SYSTEM, BY CORNER POINT	TIMBER TEAK EQUIVALENT	
5	EIFS BY DURABOND/STO OR EQUIVALENT INSTALLED BY CORNER POINT, GEMSTONE	DOLOMITE WHITE	
6	EIFS BY DURABOND/STO OR EQUIVALENT INSTALLED BY CORNER POINT, GEMSTONE	STONEHEDGE	
7	EIFS BY DURABOND/STO OR EQUIVALENT INSTALLED BY CORNER POINT, SMOOTH FINISH	GRAY	
8	EIFS 3/4" REVEAL		
<b>LIGHTING</b>			
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22	DECORATIVE WALL SCNCE	3000 K	
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B	+6" PROJECTING FROM 'A' PLANE
C	-1" RECESSED FROM 'A' PLANE
D	-2" RECESSED FROM 'A' PLANE
E	-3" RECESSED FROM 'A' PLANE
F	-4" RECESSED FROM 'A' PLANE

**GENERAL NOTES:**

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- SAMPLES OF ALL EXTERIOR FINISHES AND COLORS SHOULD BE SUBMITTED TO ARCHITECT FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION
- CM/BUILDER SHALL PROVIDE ACTUAL SAMPLE FINISHES ON EXTERIOR WALLS FOR OWNERSHIP APPROVAL BEFORE WORK COMMENCES ON FINAL EXTERIOR FINISHES REGARDLESS OF ARCHITECT'S OR OWNERSHIP'S EARLIER SAMPLE APPROVAL IN REGARDS, ESPECIALLY AS IT PERTAINS TO STUCCO COLORS.
- FOR FIELD APPLIED EIFS, CM/GC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS IT PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR
- SEPARATE SIGN PERMIT REQUIRE FOR EXTERIOR SIGNAGE



1 NORTH ELEVATION  
A.302 1/8"=1'-0"



2 SOUTH ELEVATION  
A.302 1/8"=1'-0"

Key Plan:

No.	Date:	Issue/Revision	By:
2	24/12/19	Issued for Minor Variance	SF
1	23/05/10	Issued for SPA	SF

Drawing Issues/Revisions:

Note:  
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Architect's Stamp

**MATAJ ARCHITECTS**  
INCORPORATED

206-418 Iroquois Shore Rd  
Oakville, Ontario  
L6H 0G7  
1.905.281.4444

Project:  
**ARNPRIOR DEVELOPMENT**

**30 Daniel St N, Arnprior, ON K7S 2K5**

Sheet Title:  
**PROPOSED NORTH & SOUTH ELEVATIONS**

Design By: M.A.	Drawn By: S.F.	Approved By: A.M.
Scale: 1/8"=1'-0"	Date: 23-03-15	Project No.: 22-046

Drawing No:  
**A.302**

Drawing Series:  
ARCHITECTURAL - SPA

EXTERIOR FINISH SCHEDULE			
EIFS	MATERIAL/FINISH	COLOR	NOTES
1	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH	IRON MOUNTAIN 2134-30	
2	2"X2" EIFS VERTICAL FINS	IRON MOUNTAIN 2134-30	
3	EIFS BY CORNERPOINT OR EQUIVALENT, SMOOTH FINISH WITH EPOXY DIRT PROTECTION	WHITE DOVE, BM OC 151	
4	WOOD VENEER & EPOXY OVER EIFS SYSTEM, BY CORNER POINT	TIMBER TEAK EQUIVALENT	
5	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT .GEMSTONE	DOLOMITE WHITE	
6	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT .GEMSTONE	STONEHENGE	
7	EIFS BY DURABOND/ISTO OR EQUIVALENT INSTALLED BY CORNER POINT .SMOOTH FINISH	GRAY	
8	EIFS 3/4" REVEAL		
LIGHTING			
20	RECESSED LED STRIP LIGHT	3000 K	
21	4" X 4" LED LIGHT	3000 K, WHITE LENS	
22	DECORATIVE WALL SCONCE	3000 K	
23	PIN LIGHT - VERTICAL DOWN LIGHT	3000 K	
24	LINEAR DECORATIVE WALL SCONCE	3000 K	

SPECIAL INSTRUCTIONS	
A	TYPICAL WALL PLANE, 0.00 (5' EIFS)
B	+6" PROJECTING FROM 'A' PLANE
C	-1" RECESSED FROM 'A' PLANE
D	-2" RECESSED FROM 'A' PLANE
E	-3" RECESSED FROM 'A' PLANE
F	-4" RECESSED FROM 'A' PLANE

- GENERAL NOTES:**
- ALL GRILLS IN EXTERIOR ELEVATION PAINTED TO MATCH ADJACENT COLOR.
  - SAMPLES OF ALL EXTERIOR FINISHES AND COLORS SHOULD BE SUBMITTED TO ARCHITECT FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION
  - CM/BUILDER SHALL PROVIDE ACTUAL SAMPLE FINISHES ON EXTERIOR WALLS FOR OWNERSHIP APPROVAL BEFORE WORK COMMENCES ON FINAL EXTERIOR FINISHES REGARDLESS OF ARCHITECT'S OR OWNERSHIP'S EARLIER SAMPLE APPROVAL IN REGARDS, ESPECIALLY AS IT PERTAINS TO STUCCO COLORS.
  - FOR FIELD APPLIED EIFS, CM/IGC TO PROVIDE SHOP DRAWING INDICATING ALL EXTERIOR MECHANICAL PENETRATION AS IT PERTAINS TO THEIR SIZE/LOCATION & FINISH/COLOR
  - SEPARATE SIGN PERMIT REQUIRE FOR EXTERIOR SIGNAGE



Key Plan:

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T 905.281.4444

Project:  
**ARNPRIOR DEVELOPMENT**  
**30 Daniel St N, Arnprior, ON K7S 2K5**

Sheet Title:  
**PROPOSED EAST ELEVATION**

Design By: M.A.	Drawn By: S.F.	Approved By: A.M.
Scale: 1/8"=1'-0"	Date: 23-03-15	Project No.: 22-046

Drawing No:

**A.303**

Drawing Series:  
ARCHITECTURAL - SPA



Key Plan:


No.	Date:	Issue/Revision	By:
2	24/12/19	Issued for Minor Variance	SF
1	23/05/10	Issued for SPA	SF

Drawing Issues/Revisions:

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Project:  
**ARNPRIOR DEVELOPMENT**  
**30 Daniel St N, Arnprior, ON K7S 2K5**

Sheet Title:  
**PROPOSED 3D RENDERS**

Design By: M.A.	Drawn By:	Approved By: A.M.
Scale: 1/8" = 1'-0"	Date: 23-03-15	Project No.: 22-046

Drawing No:  
**A.304**

Drawing Series:  
ARCHITECTURAL - SPA

## **5. Minor Variance Letter submitted by the applicant**



Mataj Architects Inc.

418 Iroquois Shore Road,  
Unit 206., Oakville, On L6H 0X7  
905.281.4444  
1.855.830.6309

**Planning and Building Department – Planning Division**  
**Town of Arnprior**

---

**RE: Planning Rationale**

**30 Daniel St N, Arnprior, ON K7S 2K5**

To Alix Jolicoeur, M.Pl - Manager of Community Services/Planner;

Mataj Architects Inc. is the Architect on file on behalf of Moe Bachi, submitting the following Planning Rationale in connection with the proposed development of the subject Site located at 30 Daniel St N, Arnprior, ON K7S 2K5.

The subject site is comprised of a parcel measuring approximately 0.35 hectares (0.875 acres) with frontages of approximately 63.64 meters (208.792feet) along Daniel Street, The subject site is currently occupied by a 2-storey single detached dwelling that is oriented along Daniel Street & a storage shed frame.

The remainder of the site is primarily comprised of vacant land. An informal driveway to the existing dwelling is provided

The immediate surrounding land uses include:

- North: downtown- commercial / residential
- East: Open Space
- South: Daniel street
- West: downtown- commercial / residential

We recently received some comments from the Town of Arnprior regarding zoning nonconforming items that City Planning Staff identified the need for 30 Daniel St N to pursue the Committee of Adjustment's approval of two (2) Minor Variances prior to the granting of final Site Plan Control Approval.

**A. REQUESTED VARIANCES**

To facilitate the redevelopment of the subject site, approval of the following Minor Variances is requested:

1. The relief from the Zoning By-law that seeks permission to encroach into the rear yard by 1.6m, to facilitate ownership program for this development and satisfy market studies for the desired mix of residential units. This relief is also attributed to the site constraints and for better tenant experience keeping the balconies is a vital element in the design outdoor connection.

2.The relief from the Zoning By-law that seeks permission for an additional 2.6 meters to the maximum permitted building height will permit an additional floor height within a building for better tenant experience. The additional building height will ensure that planned mid rise character is kept as intended.

**B. OVERVIEW OF PROPOSAL**

The subject site is proposed to be redeveloped for a 3,976.00 m<sup>2</sup> (42,797.3 ft<sup>2</sup>) apartment building. The 4-storey apartment building features 46 units and a 57-stall surface parking lot.



Vehicular access to the subject site is provided from Daniel Street. The apartment building has been oriented perpendicular to Daniel Street. Parking and hotel drop-off areas are primarily located in front of the building.

Landscape strips are provided along each of the subject site's property lines, which shall be enhanced by physical and/or natural screening. Interior planting and landscaping are proposed to create visual interest within the development and complement the physical built environment.

### **C. PLANNING ANALYSIS ("THE FOUR TESTS")**

Under authority granted by the Planning Act, R.S.O. 1990, c. P.13, the Committee of Adjustment is authorized to permit Minor Variances from the provisions of the Zoning By-law if, in the opinion of the Committee of Adjustment, the proposed Minor Variance(s) meet "The Four Tests" as prescribed in Section 45(1) of the Planning Act.

Mataj Architect Inc. has completed an assessment of the enclosed Minor Variance Application pursuant to the Four Tests, as outlined below.

#### **1. Is the application minor in nature?**

The proposed apartment building form is appropriately massed and provides aesthetic architectural design to create visual interest, while ensuring compatibility with the adjacent neighboring buildings through the incorporation of urban design measures.

The relief to the Zoning By-law that seeks permission for an additional 2.6 meters to the maximum permitted building height will permit an additional apartment floor height within the building.

The proposed encroachment into the rear yard is desirable to achieve outdoor connection to the units.

In consideration of the above, Proposed variance is minor in nature as it is related to a small additional building height pertaining only to roof parapets & a few balconies overhanging at the back

#### **2. Is it desirable for the appropriate development or use of the land, building or structure?**

Proposed Minor Variances are intended to facilitate the more efficient development of the underutilized lands for a Downtown Commercial Residential development comprised of one (1) 4-storey, 46 -units apartment building. The proposed Apartment dwelling use is permitted use in the applicable Downtown Commercial Residential D – CR.

A 4-storey apartment Building is proposed which provides compatible mid-rise massing that is contextually appropriate. The built form and intensification of the subject site is compatible with the surrounding residential properties through the provision of appropriate building height, massing, built form transition, setbacks and landscape.

The contemporary architectural character of the building is appealing and of high quality. Building setbacks and the proposed building height have been advanced in consideration of an appropriate pedestrian scale and streetscape experience that is comfortable, attractive and functional

In consideration of the above, The proposed variances are desirable and mandatory to achieve required ceiling heights for future tenants and their outdoor connection to the unit

### **3. Is it in keeping with the general intent and purpose of the Zoning By-law?**

The subject site is zoned 'D-CR\*25 zoned Downtown Commercial Residential Exception 25 under section 7 Town of Arnprior Zoning By-law 6875-18, Apartment dwelling is permitted in the applicable D - CR Zone.

A 12.0-meter building height is permitted in the 'D-CR Zone, with reference to a building or structure, the vertical distance measured from the average elevation of the finished surface of the ground at the front of the building to:

- a) the highest point of the roof surface or the parapet, whichever is greater, of a flat roof.

The requested minor variance to increase the maximum permitted building height to 14.6 meters will continue to facilitate an apartment building development; however, at a slightly higher 4 storey building height.

As noted earlier, the additional building height will allow for a better clear floor height for better user experience

The balconies at the rear of the building encroach into the required rear yard (7.5m), the city allows it for residential zones for balconies to encroach into the required rear yard.

The requested minor variance to allow for the same encroachment be permitted in the Downtown Commercial Residential Exception 25 zone , residential use.

It is our strong opinion that the general intent of the current By-Law is fully respected in the big picture of things, minor items noted above do not take away that intent in our opinion

### **4. Is it in keeping with the general intent and purpose of the Official Plan?**

The Minor Variance being sought to permit a small increase to the maximum permitted building height will facilitate the users experience of apartment Building, services and amenities to make the project viable, while maintaining an appropriate built relationship form to abutting land uses along with the balconies encroachment. Official Plan intent is fully addressed

#### **D. CONCLUDING REMARKS**

*The proposed Minor Variances are requested for the purpose of facilitating the development of the subject site with a 4-storey apartment building featuring 46 units*

*The Minor Variances proposed have been reviewed in the context of the relevant provisions of the Planning Act. We are of the opinion that the proposed Minor Variances meet the "Four Tests", can be supported from a land use and policy perspective and represents good planning. We are of the opinion that the proposed Minor Variances, on their own merits, meet the design intent of the Official Plan, town of Arnprior Zoning By-law, represent an appropriate component in the development of the subject site and surrounding area, and are minor in nature.*

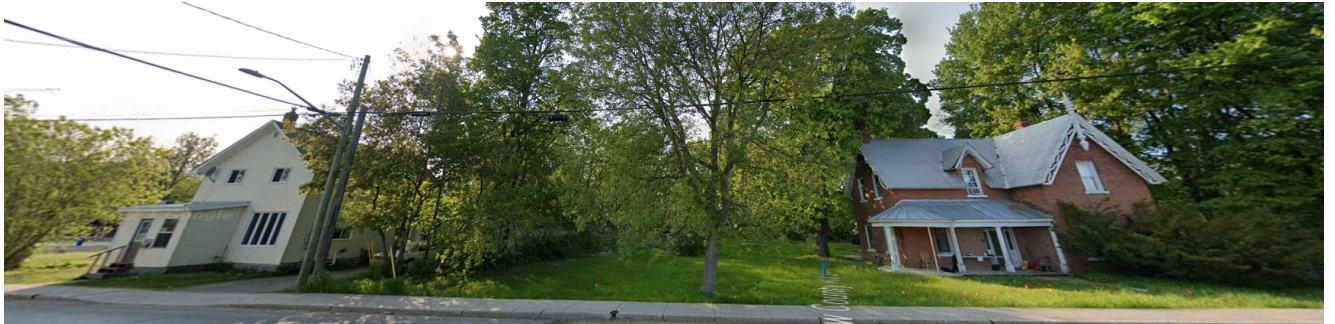
*We respectfully request that City Staff and the Committee of Adjustment support the proposed Minor Variances.*

*If you have any questions or concerns, please do not hesitate to contact the undersigned.*

Sincerely,  
**Artan Mataj**  
Principal & Partner  
Mataj Architects Inc



## 6. Street view of subject and surrounding properties



*Google Maps, Street View of 16 and 30 Daniel St. N. (May 2023)*



*Google Maps, Street View of 17 and 25 Daniel St. N. (July 2023)*



*Google Maps, Street View of 31 Daniel St. N. (July 2023)*