

PLANNING JUSTIFICATION

10 MORTIMER STREET

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October 28, 2021

Mr. Michael Michaud

Manager of Planning
Shire Hall – 332 Picton Main Street
Picton, ON K0K 2T0
613.476.2148 x 2025

**RE: 10 Mortimer Street, Picton
Planning Justification Report
Minor Variance and Site Plan Control Application**

Dear Mr. Michaud,

Fotenn Planning + Design has been retained by the owner of 10 Mortimer Street to prepare a Planning Justification Report in support of minor variance and site plan control applications. This report provides support for these applications, the purpose of which is to allow the development of a new 4-storey residential condominium containing 33 units.

The subject site is designated Urban Centre in Prince Edward County's Official Plan and zoned site-specific Urban Residential Type Three (R3-49) Zone in the County of Prince Edward Comprehensive Zoning By-law No. 1816-2006. The subject lands are designated Downtown Core Area on Schedule A of the Picton Urban Secondary Plan Land Use Map. Additionally, the site is within the Picton Main Street Heritage Conservation District Plan and the Bridge Street Character Area.

A pre-consultation meeting was held with County staff on June 28, 2021, and staff confirmed the application requirements in a letter dated October 4, 2021. Accordingly, the following are being submitted in support of the applications:

- / Completed application form and associated fees for a Minor Variance;
- / Completed application form and associated fees for a Site Plan Control for 10 and 14 Mortimer Street;
- / Condominium Exemption Application;
- / Transportation Impact Assessment;
- / Detailed Servicing Report including Stormwater Management;
- / Phase 2 Environmental Site Assessment;
- / Archeological Impact Assessment;
- / Geotechnical Investigation;
- / Heritage Impact Assessment and Major Heritage Permit;
- / This Planning Justification Report.

These applications for minor variance and site plan control will be running in concurrence with applications for condominium exemption and major heritage permit.

Background

The property was previously subject to an application for zoning by-law amendment which was approved in 2019 (By-law No. 4459-2019). The application sought to rezone the site from Core Commercial (CC) Zone to a site-specific Urban Residential Type Three (R3-49) Zone. At that time, there was discussion around the most appropriate zone to apply to the property to support the proposed development. Given the development would contain residential uses only, it was determined that a residential zone would be applied.

Since the approval, the building design has been modified slightly to accommodate additional residential units, resulting in a minor increase to the building envelope, and a reduction to the total area of landscaped open space and increase in lot coverage.

It should be noted that the site's previous Core Commercial (CC) zone did not contain a minimum landscaped open space requirement. Therefore, had the site been constructed with an as-of-right commercial use, landscaped open space would not have been required. This is reflective of the property's location within Picton's Downtown Core Area as opposed to, for example, the abutting Town Residential Area.

Surrounding Area and Site Context

The subject property are located in the Picton Main Street Heritage Conservation District within Picton's downtown area. The site benefits from its proximity to Picton's downtown which is a tourist destination in Prince Edward County with various retail, services and restaurant related uses. The site also benefits from its proximity to the Picton Harbour which is a short walk from the subject lands and Highway 401 which is a 25-minute drive.

The site is located on the north side of Bridge Street between Picton Main Street and Mortimer Street just east of the intersection of Bridge Street and Picton Main Street. The subject lands are currently vacant and have a combined area of approximately 4,230 square metres (0.42 hectares) with 52 metres (170 feet) of frontage on Bridge Street and 72 metres (236 feet) of frontage on Mortimer Street.

The surrounding community includes a range of residential, commercial, institutional, open space and waterfront uses. Bridge Street contains mainly residential uses with some commercial uses and buildings in proximity of the intersection with Picton Main Street. Picton Main Street features mainly mixed-use buildings with ground floor commercial and upper floor residential and office uses. The surrounding buildings vary in height from one- to four-storeys with the majority of properties in the range of two- to three-storeys. The neighbourhood features significant elevation changes, which influence the neighbourhood and perceived height of the surrounding buildings.

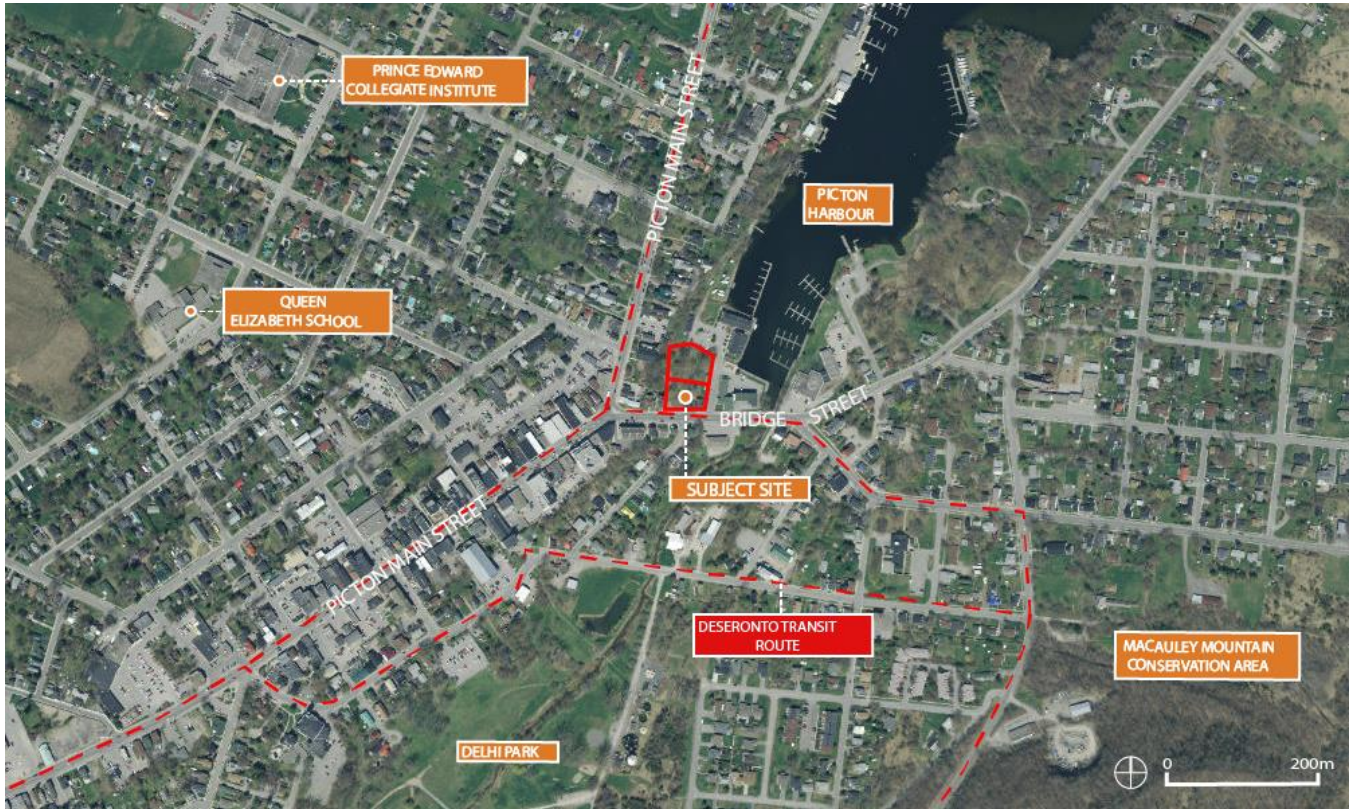


Figure 1: Neighbourhood Context (Source: Ontario Agriculture Maps)

Vehicular access to the subject lands is currently provided from Mortimer Street. Mortimer Street and Bridge Street have sidewalks on both sides and pedestrian access will occur from these streets. Picton is currently serviced with transit by Deseronto Transit which offer one route, four times a day, Monday to Friday. As well, Prince Edward County has recently been granted funding to create and expand an on-demand transit network in Prince Edward County starting in the fall of 2018. Routes will be offered to provide the subject lands with internal connection within the community as well as to connect Picton to the City of Belleville, Trenton, and Wellington.



Figure 2: Site Context (Source: Ontario Agriculture Maps)

The following uses are located in proximity to the subject property:

North: Residential uses and Picton Harbour

East: Hotel

South: Residential Uses

West: Residential and Commercial uses

Description of Proposed Development

The proposal would see 10 Mortimer Street developed with a four-storey residential building containing 33 units ranging in size from 753 to 1571 square feet, each with a private terrace. A total of 34 parking spaces will be provided below grade, including two barrier free spaces, along with 12 above grade parking spaces being provided at the rear of building. The primary pedestrian building entrance is located at the corner of Bridge and Mortimer Streets. Vehicular access to the site's underground parking will occur from a driveway off of Mortimer Street. This entrance was previously approved through an entrance permit issued on June 25th 2020 (see Appendix A). Access to the 12 surface parking spaces will be provided via a driveway off of Mortimer Street located on 14 Mortimer Street.

Along Bridge Street, the building features a three storey streetwall and a stepped back fourth storey penthouse. The building face provides a series of projections and recessed areas which, along with changes in materiality, create a rhythm along the streetscape which serves to break up the massing of the building. Although contemporary in style, the building's material palette draws from the traditional materials of the District, including brick and stone,

and introduces sheet metal in acknowledgement of the site's industrial heritage. The building is proposed to be setback three (3) metres from Bridge Street. This setback is consistent with the placement of neighbouring buildings while at the same time, provides room for landscaping and a suitable separation between the public and private realms.

The rear of the building is predominantly clad in glass, which will assist with minimizing the perceived scale of the building when viewed from the harbour. A natural stone retaining wall separates the development from the future parking lot to the north and serves as a backdrop for a landscape buffer between the uses.

Supporting Studies

Heritage Impact Assessment

Branch Architecture completed a Heritage Impact Assessment, dated November 13, 2018, to assess the potential heritage impact of the proposed residential development on the cultural value of the Picton Main Street Heritage Conservation District and surrounding heritage properties. The heritage consultant provided early and ongoing input to achieve a design that is compatible with the heritage character of the District. This conservation strategy supports the proposed development, as it conserves the cultural heritage value and heritage attributes of the Picton Main Street HCD neighbourhood as set out in the HCD Plan. The Plan policies, principles and guidelines informed the overall design of the new building – placement, height, mass and scale, materials, architectural detailing, etc. – resulting in a new building that is compatible with and sympathetic to the District's unique heritage character.

Transportation Impact Assessment

IBI Group completed a Transportation Impact Assessment, dated October 8, 2018, to assess the existing and potential future operational impacts of the proposed multiple unit residential development. At the time this report was prepared, a public parking lot was being considered at 14 Mortimer Street; however, there are no longer plans to construct a public lot in this location. The study assessed trip generation of both the residential development and the potential public parking lot on Mortimer Street, as well as pedestrian infrastructure surrounding the subject properties.

Estimated traffic generation from the residential development will be in the range of 17 and 19 vehicular trips during weekday morning and afternoon peak hours. The setback of the proposed building at the intersection of Mortimer Street and Bridge Street increases visibility. No operational issues are anticipated regarding the ability of heavy vehicles to turn around at the Mortimer Street cul-de-sac. It is not expected that any of the surrounding intersections will exceed their theoretical capacity within the horizon period of this study.

The previous TIA confirmed that there are currently limited existing pedestrian crossings within the study area. The previous study indicated that a pedestrian crossing near the intersection of Bridge and Mortimer Street would be suitable; however, this was generally based on the anticipated trips generated by the previously considered public parking lot located at 14 Mortimer Street. The introduction of 33 dwelling units on the subject site is not anticipated to create an increase in pedestrian crossing that would necessitate a pedestrian crossing.

Servicing and Stormwater Management Brief

A Servicing and Stormwater Management Brief, dated October 2021, was prepared by IBI Group. The report addresses the existing and proposed servicing needs for the proposed residential development and concludes that:

- With 82% of the site being impermeable, to prevent any adverse effects a stormwater collection network including a storage area located beneath permeable paving stones, storm sewer and OGS will be installed;
- Site grading design encourages a majority of the stormwater runoff from the subject lands to flow directly into the storage area;
- The proposed building is expected to be serviced via existing water and sanitary infrastructure on Bridge Street, however, it is noted that Prince Edward County needs to verify stormwater, water and sanitary services outlined will be accommodated by this existing infrastructure.

Environmental Site Assessment

A Phase Two Environmental Site Assessment (ESA), dated November 5, 2018, was prepared by Pinchin Ltd. The purpose of the ESA was to assess the soil and groundwater quality in relation to five areas of potential environmental concern (APECs) and related potentially contaminating activities (PCAs) and contaminants of potential concern (COPCs). The Phase 2 ESA included the advancement of three boreholes at the property. Soil samples were collected from each of the borehole locations and submitted for laboratory analysis of VOCs, PHCs, PAHs and metals parameters. In addition, groundwater samples were collected from the three newly-installed monitoring wells and submitted for laboratory analysis.

The laboratory results for the soil samples indicated that all reported concentrations for the parameters analysed met provincial standards, with the exception of concentrations of lead, acenaphthylene, benzo(a)anthracene, benzo(a)pyrene, dipenzo(a,h)anthracene, and fluoranthene. Soil remediation is scheduled to be completed to reduce the concentrations of these parameters to below provincial standards.

The laboratory results for all groundwater samples indicated that all reported concentrations for the parameters analysed met provincial standards. A Record of Site Condition will be provided prior to building occupancy.

Archaeological Impact Assessment

Ground Truth Archaeology Limited was retained to undertake a Stage 2 archaeological assessment of the subject lands in support of previous planning applications. The properties were identified as having potential for archeological resources based on their location within 300 metres of the Picton Harbour and the existence of a recently demolished nineteenth century building at the corner of Mortimer Street and Bridge Street. A Stage 2 test pit survey was conducted and did not identify any significant archaeological resources. As well, recent grading and stripping of topsoil on the site has reduced the archaeological potential of the site to zero. Based upon the results of the study, the archaeologist considered the property to have no potential for archeological resources and recommends no further archaeology is required.

Geotechnical Investigation

A Geotechnical Investigation, dated October 30, 2018, was prepared by Pinchin Ltd. The purpose of this study was to delineate the subsurface conditions and soil engineering characteristics by advancing a total of three sampled boreholes within the vicinity of the proposed building footprint. Based on the results of the Geotechnical Investigation, the following geotechnical data and engineering design recommendations were provided:

- A review of relevant area geology and site background information;
- A detailed description of the soil and groundwater conditions;
- Foundation subgrade preparation;
- Site service trench design;
- Open cut excavations;
- Anticipated groundwater management;
- Foundation design recommendations including soil bearing resistances at Ultimate Limit States (ULS) and Serviceability Limit States (SLS) design;
- Potential foundation settlements;
- Foundation frost protection and engineered fill specifications and installation;
- Seismic Site classification for seismic site response;
- Interior concrete floor slab-on-grade (including modulus of subgrade reaction); and,
- Building drainage and foundation backfill.

Description of Requested Variances

In order to permit the proposed development, relief from the following provisions is requested:

- 1) Section 12.3.1(vi) Minimum Lot Area: apartment dwelling 232m² per unit for the first four units, plus 46m² for each additional unit. (33 units = 2,262m² required)

Relief is required from the minimum lot area to permit a lot area of 2,158m² (232m² per unit for the first four units plus 42m² for each additional unit).

- 2) Section 12.5.49(iv) Notwithstanding any provisions of By-law No. 1816-2006 to the contrary, within the R3-49 Zone, the following special provisions shall apply:
- (i) Maximum Lot Coverage: 67%

Relief is required to increase the maximum lot coverage by 12% to permit a maximum lot coverage of 79%.

- 3) Section 12.5.49(v) Notwithstanding any provisions of By-law No. 1816-2006 to the contrary, within the R3-49 Zone, the following special provisions shall apply:
- (ii) Landscaped Open Space: 33%

Relief is required to decrease the minimum landscaped open space requirement by 12% to permit a minimum landscaped open space of 21%.

Four Tests

The proposed variances have been assessed based on the tests for a minor variance, as described in Section 45(2) of the *Planning Act* as follows:

Test #1: Is the general intent and purpose of the Official Plan maintained?

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

Test #3: Is the variance minor?

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

Test 1: Is the general intent and purpose of the Official Plan maintained?

The subject site is designated Urban Centre in Prince Edward County's Official Plan. Section 1.0 explains that the policies associated with development within the Urban Centre designation are subject to the policies of the Picton Urban Centre Secondary Plan. The policies of the Secondary Plan are further reviewed below.

Section 1.9.1 of the Official Plan outlines policies for considering an application for minor variance to the zoning by-law. The Committee of Adjustment will consider whether:

(a) the objectives and policies of the Official Plan can be met if the minor variance is granted;

Section 4.3.1 describes policies related to housing in the County. The provision of adequate housing is a fundamental requirement for the social wellbeing of all residents in Prince Edward County. In order to ensure an adequate level of housing in the County, it is the intent of this Plan:

- a. to encourage and facilitate the development and maintenance of an appropriate mix of housing types to meet the needs, incomes, preferences and lifestyles of all County residents;*
- b. to integrate housing for people with special needs (physically, mentally or socially challenged) into the Communities of the County where they care for themselves as much as possible in a noninstitutional setting;*
- c. to encourage the provision of adequate affordable housing for persons of low, moderate and middle income across the County, especially for single-parent families;*
- d. to monitor the housing market and periodically indicate where particular demands are and are not or will or will not be met; and,*

- e. *to work with the private sector, the non-profit sector and the co-operative sector as well as interest groups and special needs groups to act as principal agents in the supply of housing.*

The proposed redevelopment will establish 33 new residential units within a fully accessible building in the downtown and in walking distance of services and amenities. The development will increase the supply of alternative housing options within a neighbourhood characterized primarily by single, semi-detached and rowhouse dwellings. Units range in size from 753 to 1,571 square feet and contain one to three bedrooms, thus appealing to various household sizes.

The subject lands are designated Downtown Core Area on Schedule A of the Picton Urban Secondary Plan Land Use Map.

The Plan anticipates that the Downtown Core Area will need to accommodate mixed-use intensification as a means of meeting the future needs of the community while providing a vibrant pedestrian-oriented traditional main street. Downtown Core area policies relevant to the development are discussed below:

Section 2.5.1 - The policies of this area permit a full range of commercial uses intended to serve residents and visitors in a pedestrian-oriented main street format of development with buildings located close to the sidewalk. Higher density residential uses are also permitted above street-level commercial uses. Intensification in the Downtown Core Area is encouraged provided such development is consistent with the town design policies of Section 4.1 of this Plan and the commercial centre is maintained and enhanced.

The development proposes a four-storey building containing 33 residential dwelling units and 46 parking spaces with frontage on Bridge Street and Mortimer Street. A high-density residential building is proposed in order support the existing commercial uses and opportunities in Picton's downtown area. By supporting, rather than competing with, the existing commercial opportunities in the downtown, the proposed development is anticipated to enhance the commercial centre. The proposed building will contain an exterior façade which complements the existing heritage buildings of Bridge Street and will maintain a setback which is consistent with the neighbouring properties.

Section 2.5.1 of the Secondary Plan further outlines implementing policies for the Downtown Core. A discussion of how the proposed development meets the intent of the Downtown Core Implementing policies is provided below:

The development will add 33 residential units on a currently vacant site within walking distance (400 meters) of Picton Main Street. This increase in density will help support local businesses and contribute to a healthy and vibrant commercial area. The proposed infill development will provide a higher density residential use in terms of the ratio of units to land area while achieving a structure that is more consistent with a medium density built form. The proposed 4-storey development is within the maximum height contemplated in the Secondary Plan. The new building has been designed to respect the character of the heritage conservation district.

The proposed residential building has been designed to a high quality which is anticipated to complement the existing heritage character of the area. The building design engages both modern and heritage aspects which contributes to its visual compatibility with the surrounding built form. As well, the development will maintain a setback which is consistent with adjacent properties. Its four-storey height will be compatible with the surrounding area and the property adjacent to the west due to the significant grade change on Bridge Street.

The development will also improve the pedestrian experience along this portion of Bridge Street by establishing an appropriately scaled streetwall as well as terraced landscaping punctuated with pedestrian paths to building and unit entrances. The proposed development will not detract from existing and potential future alleyways off Main Street. While the subject lands are located outside of the Picton Main Street, the building design will complement and support the established historic nature of the commercial centre. The proposal includes 46 parking spaces which is expected to meet the needs of the 33 residential units and visitor parking requirements.

The proposal will enhance the Picton Harbour area and contribute to improved access and accessibility for users. The high-quality and heritage sensitive design of the proposed residential development will create a visual link between the Downtown Core and the Harbour.

Section 2.12.2 of the Secondary Plan further outlines implementing policies for the Picton Harbour Policy Area. As the subject site is not located along the Picton Harbour, these policies do not directly apply to the application; however, given its proximity and ability to contribute to the general intent for the harbour area, the policies have been reviewed below:

The development will support the creation of visual and physical connections between the surrounding neighbourhoods and the Harbour which connects with the Downtown and while also engaging with the historic context of the area. The development will do this through a building design utilizing a palette which draws on traditional materials seen in the District, including brick and stone, and introduces sheet metal in acknowledgement of the site's industrial heritage. Through providing a building design which integrates the historical material seen in the Picton Main Street Historical District which includes the Downtown Core Area, the development demonstrates a visual connection with this core area. The development being within walking distance (400 meters) of Picton Main Street while establishing an appropriately scaled streetwall as well as terraced landscaping punctuated with pedestrian paths to building and unit entrances will physically connect the development to the Downtown Core Area.

The development will also contribute to the viability and vibrancy of the Harbour for both residents and visitors. The development will attain this by connecting itself both physically and visually with the Downtown Core Area and the Picton Main Street Historical Area. The development will also enhance the viability and vibrancy of the area through utilizing an existing vacant lot which will act as a transitional site between the Picton Harbour and Downtown Core Areas. The development will attain this by enhancing pedestrian experience along this portion of Bridge Street while also being within walking distance of the Downtown Core Area.

Section 4.3 provides policies related to housing in the Picton-Hallowell area. This section recognizes that although single family ownership housing has been predominant in the past, a wider variety of housing types are required to satisfy the needs of increasingly diversified household types. By promoting additional housing types, there will also be additional housing tenures offered. The proposed development will lead to the construction of 33 condominium dwelling units within an accessible, low-rise residential building, which will help contribute to a broader range in housing types and tenures available to residents of Picton and the County.

It is our opinion that the proposed development conforms to the County's Official Plan.

(b) the request for variance constitutes a "minor" departure from the performance standards of the zoning by-law;

The evaluation of the nature of the proposed relief is discussed further in Test 3 below. It is our opinion that the cumulative impacts of the proposed variances are considered minor in nature.

(c) a clear and demonstrated hardship in meeting the requirements of the zoning by-law due to the physical or inherent conditions of the site involved can be identified;

(d) alternative designs of the building, which would be in conformity with the by-law, are feasible or appropriate for the site;

The proposed development seeks to provide 33 residential units, representing an appropriate form of intensification within Picton's downtown core. In order to accommodate an appropriate level of parking for residents and visitors, relief is required from the maximum lot coverage and minimum landscaped open space provisions. The proposed development represents an appropriate form of intensification, intended to further support the existing commercial uses along Picton Main Street, and contribute to the range of housing options within the downtown core. The

proposed building meets the required setbacks and height requirements of the zoning by-law, providing an appropriate built form.

(e) there are concerns of adjacent owners and residents; and

It is not anticipated that there will be concerns with the proposed built form. The proposed development will significantly enhance the pedestrian realm along Bridge and Mortimer Streets by establishing a high quality and appropriately scaled streetwall where there currently exists a gap in the streetscape.

(f) an undesirable precedent would result through the approval of the minor variance

The proposed variances are in keeping with the nature of existing high-density residential development within Picton's downtown core. Therefore, it is not anticipated that the requested variance would result in an undesired precedent.

It is our professional opinion that the requested variance maintains the general intent and purpose of the Official Plan.

Test 2: Is the general intent and purpose of the Zoning By-law maintained?

The property is zoned Special Type 3 Urban Residential (R3-49) in Zoning By-law 1816-2006. The R3 zone permits a range of residential uses. The following table outlines the necessary variances required to permit the proposed development.

Provision	Required	Proposed	Relief Required?
Special Urban Residential Type Three (R3-49) Zone			
Front Yard (min)	2.0 m	2.0 m	No
Exterior Side Yard (min)	3.0 m	3.0 m	No
Rear Yard (min)	1.2 m	1.2 m	No
Lot Coverage (max)	67%	79%	Yes
Landscaped Open Space (min)	33%	21%	Yes
Height Exemptions	In addition to the exemptions noted in Section 4.9 of this by-law, the height provisions shall not apply to the following structures: architectural parapets, rooftop guardrails, stair overruns, elevator overruns.	In accordance with by-law	No
Parking Stall Dimensions	Parking spaces shall have a minimum area of 13.5 sq. metres and a minimum width of 2.6 metres and a minimum length of 5.2 metres.	2.6 m by 5.2 m	No
Urban Residential Type 3 Zone (R3)			
Permitted Uses	<ul style="list-style-type: none"> • One unit of a semi-detached dwelling • One semi-detached dwelling • One duplex dwelling • One triplex dwelling • Additional Units <ul style="list-style-type: none"> ○ Converted dwelling ○ One second unit ○ One garden suite 	Apartment Dwelling	No

Provision	Required	Proposed	Relief Required?
	<ul style="list-style-type: none"> • Townhouse dwelling • One unit of a townhouse dwelling • Apartment dwelling • Retirement home • Senior citizens housing complex • Home business • Uses, buildings and structures accessory to the foregoing permitted uses 		
Lot Area (min)	Apartment dwelling: 232m ² per unit for first four units plus 46m ² for each additional unit 33 units = 2,262m² required	2,158m ² (232m ² per unit for the first four units plus 42m ² for each additional unit)	Yes
Lot Frontage (min)	Apartment dwelling: 23 m	52.2 m	No
Interior Side Yard (min)	Apartment dwelling: 4.5 m	4.5 m	No
Building Height (max)	15 m	14.6 m	No
Floor Area of Dwelling Units (min)	Apartment dwelling: <ul style="list-style-type: none"> • Bachelor unit: 46m² • One bedroom apartment unit: 55m² • Two bedroom apartment unit: 60m² • More than two bedroom apartment unit: 65m² • Senior citizen apartment: 42m² 	In accordance with zoning by-law	No
Section 4: General Provisions			
Sight Triangles	The sight triangle shall be determined by measuring the distance required for the applicable zone as set out in subsection 4.24.3 following from the point of intersection of the two street lines and connecting the two end points. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. Urban Residential Zones: 6m	In accordance with zoning by-law	No
Section 5: Parking Provisions			
Apartment Dwellings	1.25 spaces per dwelling unit for apartments dwellings	1.39 spaces per dwelling unit	No

Provision	Required	Proposed	Relief Required?
Drive Aisle	Drive aisles providing access to parking spaces shall have a minimum width of 6 m	6.0m	No
Parking Location	<p>Parking spaces shall be located on the same lot as the use they serve.</p> <p>Apartments: Parking may be permitted in any yard with the exception of the front yard or required exterior side yard.</p> <p>Distance of parking areas from street line: minimum 3.0 m (apartments)</p>	<p>Located on same lot</p> <p>Parking not located in side or front yard</p>	<p>No</p> <p>No</p> <p>No</p>
Driveway	Entrance driveways shall be constructed and located so as to provide for safe ingress/egress from the property.	In accordance with by-law	No
Underground Parking	Underground parking structures shall be permitted in all yards, provided that no part of any underground structure shall be located within the limits of a street allowance and provided that no above ground part of the parking structure shall be located in any exterior side yard.	In accordance with by-law	No

Lot Coverage

Relief is required to allow a greater maximum lot coverage. The R3-49 zone permits a maximum lot coverage of 67 percent. The zoning by-law requires a maximum lot coverage of 67% of the total lot area. It is proposed to increase the maximum lot coverage provision to 79% in order to accommodate the proposed building. This is a minor increase to the maximum lot coverage provision and will support higher density development which is appropriate along an arterial road, such as Bridge Street, within the urban centre.

Landscaped Open Space

Relief is required to allow a decrease in landscaped open space. The R3-49 zone requires a minimum landscaped open space of 33 percent. Relief is required regarding the minimum required landscaped open space provision to facilitate the provision of parking to meet the anticipated needs of the proposed residential use. Landscaped space will be provided along each street frontage, softening the transition between the building and the public realm. Each unit will contain a private terrace, providing outdoor amenity space for each unit. The proposed relief is appropriate given the location of the subject site, and facilitates an efficient use of an existing parcel within the urban boundary, where growth and intensification is to be directed.

Furthermore, even as it does not qualify technically with the letter of the by-law definition of 'landscaped open space', the proposed barrier-free, elevator accessible landscaped terrace at the rooftop level provides not only an attractive and imaginative outdoor amenity environment - affording: dramatic views, unencumbered daylight, community building social realm for the building's inhabitants and guests, fresh air exercise utility, secure and comfortable outdoor recreation open space (to name a few features) - it serves fundamentally as an advantageous extension and enhancement of the fully 'zoning compliant' landscaped open space otherwise, that is arguably more desirable and usable than additional random perimeter space at grade.

Lot Area

Relief is required to allow a decrease in lot area. The R3-49 zone requires a minimum lot area of 2,262 metres squared for a development with 33 units. Since the proposed development has been modified from the original proposal to accommodate additional residential units, relief is required from the minimum lot area provision, which is determined relative to the total number of units provided. The subject site is located in an area that is conducive to pedestrian travel, in proximity to a range of amenities, parkland and open space, providing an ideal location for the proposed residential intensification. Additionally, while the subject lands are located within the Downtown Core, they are located outside of the traditional main street, which is the area intended to function as the primary shopping, business, office and tourism centre of the community. The proposed development will establish a main street built form, with a continuous streetwall that is setback and oriented towards the public realm, and will provide additional residential units to support commercial uses located along Picton's main street.

It is our professional opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

Test 3: Is the variance minor?

The determination of whether an application is minor is not a mathematical consideration. Rather, this test is intended to assess the degree of any impacts resulting from the proposed minor variance application, including the cumulative impact of multiple variances. The proposed increase in the maximum permitted lot coverage and reduction in the overall landscaped open space is not sufficient to allow a change in the overall character or nature of the surrounding neighbourhood. Rather, the proposed variances represent the efficient use of the site, facilitating an appropriate level of intensification and improving the overall efficiency of land by accommodating additional residential units on an existing parcel connected to existing services. The new building will also meet all the required setbacks and height requirements of the zoning by-law.

Overall, the requested variances will improve the function of the subject site and facilitate the efficient use of an underutilized parcel within the urban area. The proposed variances are minor in nature given that they will not have a negative impact on the surrounding area and will meet the needs of users.

It is our professional opinion that the requested minor variance application is minor.

Test 4: Is the variance desirable for the appropriate development of the lands in question?

The requested variances are necessary to permit the development of a four-storey, building containing 33 residential units. The proposed building will contribute to the supply and range of housing options within the County's urban area in proximity to Picton's Main Street commercial area, amenities and other services. The proposed variances will allow the applicant to more efficiently utilize a vacant parcel within the urban boundary. The proposed building is well-designed with facades that contribute positively to the streetscape and help to define the neighbourhood character. Landscaping is proposed along both road frontages, as well as to the rear of the building, which is intended to assist in buffering and softening the transition between the building and the public realm. The proposed development will provide a lot coverage and landscaped open space area that are appropriate and consistent with the nature of existing development within the downtown core.

It is our professional opinion that the requested variance is desirable for the appropriate development of the subject lands.

Conclusion

The property located at 10 Mortimer Street is currently vacant. The owner of the property intends develop a new 4-storey residential building containing approximately 33 units ranging from 1 to 3 bedrooms. In consultation with a

qualified heritage professional, consideration has been given to placement and design of the proposed development and parking to ensure that the new building complements and respects the existing character of the surrounding area. The proposed variances allow for a more efficient use of the site and will contribute to the supply of housing within the urban boundary. The minor variance application is desirable and appropriate for the site as presented, for the following reasons:

- / The requested variances maintain the general intent and purpose of the Official Plan in that they would support additional residential development within the urban boundary which will continue to meet the strategic intent of the land use and meet the functional needs of the subject site in a manner that will not incur adverse effects;
- / The variances maintain the general intent and purpose of the zoning by-law in that the purpose of each provision sought to be varied will generally be maintained.
- / The variances are minor in nature as they will not have a negative impact on the surrounding area;
- / The variances are desirable for the appropriate development of the lands in question as they will allow the applicant to make better use of a currently underutilized site, with a use that is currently permitted, in a form which is compatible with the existing neighbourhood character.

It is our opinion that the proposed minor variance application is appropriate and represents good land use planning. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned at 613.542.5454 or wood@fotenn.com.


Respectfully,




Jennifer Wood, MCIP, RPP
Associate
Fotenn Consultants Inc.



Tyler Hamilton M.Pl.
Planner
Fotenn Consultants Inc.


The County
PRINCE EDWARD COUNTY • ONTARIO



County of Prince Edward PROPERTY ENTRANCE APPLICATION

Entrance File No. 25-10 911/Civic Number Required

Consent File No. B90-18 Assigned 911/Civic Address: 14 Mortimer Street
10 Mortimer Street

PERMISSION IS HEREBY GRANTED TO:
Applicant: Picton Harbour Lofts Inc
Address: 33 Bridge St, Picton, ON, K0K 2T0
Phone: 613-602-2397 Email: dwalcott@pictonharbourinn.com

TO CONSTRUCT AN ENTRANCEWAY: Residential Field Commercial
Entranceway Surface Type: Granular Asphalt Concrete
Curb Replacement Required: Yes No N/A

Entranceway Location: Road Name Mortimer St Roll No. 135003003500500, 135003003500900


Culvert Required: Yes No

If Required: Length _____ Diameter _____
Gauge _____ Material _____

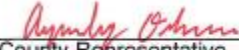
SKETCH OF LOT SHOWING EXISTING DRAINAGE, LOCATION OF NEW ENTRANCE, ETC:
** Entrance to be constructed as per attached conditions and OPSP Guidelines.
* Civic address to be installed as per attached guidelines.*

COMMENTS: As per email attached to application.

THIS PERMIT IS SUBJECT TO THE ATTACHED CONDITIONS.
The applicant or his/her agent agree to abide by the conditions and specifications of this permit, and acknowledge this by their signature below.

 David Walcott 27 Apr, 2020
Applicant or Agent Date

FOR OFFICE USE ONLY

 County Representative June 25, 2020
Issuance Date