



February 23, 2026

Corporation of the County of Prince Edward  
Committee of Adjustment  
322 Picton Main Street  
Picton, ON  
K0K 2T0

Attention: Pam Thompson, Secretary-Treasurer

Dear Ms. Thompson,

**Re: Planning Rationale Addendum, Minor Variance Application**

5-31 Nicholas Street, Picton, ON K0K 2T0

Lands in the vicinity of Nicholas Street and Cumberland Street (Ward of Picton)

On behalf of Nicholas Street Homes Limited (“the applicant”), SvN Architects + Planners Inc. submitted a Minor Variance Application for the lands municipally known as 5-13 Nicholas Street, Picton (the “site”) on January 28, 2025. The application is currently scheduled for the March 18, 2025 Committee of Adjustment hearing. The intent of this letter is to revise the minor variance request, limiting it to two variances to Site-Specific Zoning By-law 160-2024, which are noted below.

Following further coordination with County Planning Staff, we understand that the County-initiated housekeeping amendment to Comprehensive Zoning By-law 140-2025, adopted by Council on November 10, 2025 and currently under appeal, will be considered by Planning and Development Committee on March 18, 2026, and subject to Council approval on March 24, 2026.

The purpose of the housekeeping amendment is to incorporate Zoning By-law Amendments previously approved by Council, decisions of the Ontario Land Tribunal, correct technical errors, provide clarity to existing provisions, and ensure alignment with the Official Plan. The zoning for 5-31 Nicholas Street is included in the housekeeping amendment, due to an error in transcribing the approved zoning standards into the site-specific exception in By-law 140-2025. The majority of the variances that were previously being sought through this minor variance application are being addressed through the housekeeping amendment, since they were previously intended as corrective, rather than addressing a change to the plan. This application now seeks relief from only **two** provisions in the Site-Specific Zoning By-law 160-2024 (Appendix ‘A’).



1. **Requirement:** minimum Distance for a Parking Area from a Public Right-of-Way is 1.8 metres

**Requested Variance:** The proposed Minimum Distance for a Parking Area from a Public Right-of-Way is 0 metres, provided that it is at least 1.8 metres from a curb line or edge of pavement.

*No changes are proposed to the approved site plan. This variance addresses the proposed parking area for the townhouses and semi-detached dwelling. The parking lot is 0 metres from the property line, however, a 6.71 metre wide landscaped boulevard exists between the parking area and the closest drive aisle. Municipal sewer and water pipes are located underground in this area, within the public right-of-way.*

*The parking lot is 0 metres from the property line, however the public right-of-way includes a 6.71 metre boulevard which contains underground municipal infrastructure.*

2. **Requirement:** The minimum parking requirement for the apartment dwelling is 1 space per unit.

**Requested Variance:** The proposed parking rate is 0.91 spaces per unit for apartment dwelling units.

*No changes are proposed to the location, siting, size, or exterior built form of the approved building designs. The minor variance adjusts the parking ratio to accommodate eight (8) additional units in the approved apartment building and six (6) additional lower-level units in the approved townhouse building, without materially altering the site plan or building massing. This change responds to CMHC feedback and an observed demand for smaller, affordable units.*

Please refer to the Minor Variance Rationale and Cover Letter prepared by SvN Architects and Planners, dated January 28, 2025, for the justification and application of the four tests under Section 45(1) of the *Planning Act*. For information purposes, the Housekeeping Amendments to Comprehensive Zoning By-law 140-2025 related to the Site are as follows:

**35.** "THAT By-law No. 140-2025 as amended, is hereby amended by changing the provisions of the R3-68 Exception Zone in Section 7.5.3 as follows:



"c (ii) Maximum lot coverage: 15%

"c (xvi) Minimum Distance to a Parking Area for Semi-Detached Units: 0 metres"

"c (xvii) Minimum Separation Distance Between a Building and the lot line abutting a Waste Water Treatment Plant: 40 metres"

Schedule 1: The zoning designation is Urban Residential 3 (R3-68)

The above noted amendment addresses the other variances that were included in our minor variance rationale dated January 28, 2025.

It remains our opinion that the requested variances satisfy the four tests under Section 45(1) of the *Planning Act*, and should be approved.

Should you have any questions or concerns, please do not hesitate to contact the undersigned. We look forward to presenting the application to the Committee of Adjustment on March 18, 2026.

Yours very truly,

A handwritten signature in black ink that reads "Kelly Graham".

**Kelly Graham, MCIP RPP**  
Senior Associate, Planning

A handwritten signature in black ink that reads "N. Dilisi".

**Nicole Dilisi, MCIP RPP**  
Senior Planner

cc. Alan Hirschfield, Nicholas Homes Limited  
Angela Buonamici, Manager of Planning  
Dale Egan, Planning Coordinator, Approvals

**APPENDIX A: Site Specific Zoning By-law 160-2024**



## **APPENDIX A: Site Specific Zoning By-law 160-2024**

**THE CORPORATION OF THE COUNTY OF PRINCE EDWARD**  
**BY-LAW NO. 160-2024**

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**A BY-LAW TO AMEND COUNTY COMPREHENSIVE ZONING BY-LAW  
NO. 1816-2006, AS AMENDED**

(Lands in the Vicinity of Nicholas Street and Cumberland Street, Ward of Picton)

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**WHEREAS** authority is granted to Council under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to pass zoning by-laws;

**AND WHEREAS** By-law No. 1816-2006, as amended, is the Comprehensive Zoning By-law governing the lands located within the County of Prince Edward in the Ward of **Picton**;

**AND WHEREAS** the Council of the Corporation of the County of Prince Edward has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

**AND WHEREAS** the Council of The Corporation of the County of Prince Edward, having received and reviewed an application to amend By-law No. 1816-2006 for the lands in the Vicinity of Nicholas Street and Cumberland Street, legally described on the attached parcel abstract, in the County of Prince Edward, is in agreement with the proposed changes;

**NOW THEREFORE** the Council of The Corporation of the County of Prince Edward enacts as follows:

1. **THAT** By-law No. 1816-2006, as amended, is hereby amended by the addition of the following to subsection R3-87 of Section 12.5 entitled "Special Urban Residential Type 3 (R3) Zones" after item 12.5.86 thereof:

**"R3-87 Zone (Municipal Address to be assigned, Ward of Picton)"**

Notwithstanding any provisions of By-law No. 1816-2006 to the contrary, within the R3-87 Zone, the following special provisions shall apply:

- |       |  |   |
|-------|--|---|
| i.    | In addition to the permitted uses in Section 12.1, the following are also permitted: | <ul style="list-style-type: none"> <li>- Supportive housing</li> <li>- Group home</li> <li>- Townhouse dwelling</li> <li>- Semi-detached dwelling</li> <li>- Apartment dwelling</li> <li>- One unit of a townhouse dwelling</li> <li>- One unit of a semi-detached dwelling</li> <li>- Open space uses</li> <li>- Private park</li> <li>- Uses, buildings and structures accessory to the foregoing permitted uses</li> </ul> |
| ii.   | Maximum Density  | The greater of 0.5 FSI or 53 units per hectare  |
| iii.  | Maximum Lot Coverage   | 15%   |
| iv.   | Minimum Landscaped Open Space  | 62%   |
| v.    | Lot  | Shall mean the lands that are subject to this by-law as delineated on "Schedule 1"  |
| vi.   | Front Lot Line   | Shall be the lot line abutting a public road  |
| vii.  | Rear Lot Line  | Shall mean the lot line, other than a front lot line.   |
| viii. | Front Yard   | <u>For a building abutting a public road:</u> Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.  |
| ix.   | Minimum Front Yard   | Semi-detached dwelling: 2.5 metres<br>Townhouse Block: 5.0 metres   |
| x.    | Minimum Rear Yard  | Semi-detached dwelling: 3.0 metres<br>Townhouse dwelling: 7.5 metres<br>Apartment dwellings: 5 metres   |
| xi.   | Minimum Distance to a Parking Area for Semi Detached Units.                          | 0 metres  |


xii.	Minimum Distance for a Parking Area from a Public Right-of-Way	1.8 metres
xiii.	Maximum Height	Semi-detached dwelling: 2 storeys Townhouse dwelling: 3 storeys Apartment dwelling: 5 storeys
xiv.	Height Exceptions	A mechanical penthouse or elevator shaft may project beyond the maximum height by 5 metres
xv.	Minimum Separation Distance Between Buildings on the Same Block	2.3 metres
xvi.	Between Apartment with Facing Windows	20 metres
xvii.	Minimum Separation Distance Between a Building and the lot line abutting a Waste Water Treatment Plant	40 metres
xviii.	Minimum Parking	Semi-detached: 2 spaces per unit Townhouse Dwelling: 2 spaces per unit Apartment Dwelling: 1 space per unit
xix.	Minimum Parking Space Size	Width: 2.75 metres Size: 15.6 square metres
xx.	Minimum Barrier Free Parking Space Size	Width: 3.2 metres Size: 18.2 square metres
xxi.	Minimum Width of Drive Aisles	6 metres


All other provisions of the R3 Zone and By-law No. 1816-2006, as amended, shall not apply to the lands zoned R3-87.

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2. **THAT** all lands within the R3-87 zone are subject to Site Plan Control.
3. **THAT Schedule 'A1 East'** for the Ward of **Picton** to By-law 1816-2006, as amended, is hereby amended by changing the zone categories thereon as described above and in accordance with Schedule '1' attached hereto.
4. **THAT** Schedule '1' attached hereto forms part of this by-law.
5. **THAT** this by-law shall come into force and take effect pursuant to the provisions and regulations made under the *Planning Act, R.S.O., 1990, c.P. 13*, as amended.

Read a first, second and third time and finally passed this 26th day of November, 2024.

  
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Catalina Blumenberg, **CLERK**

  
\_\_\_\_\_  
Steve Ferguson, **MAYOR**



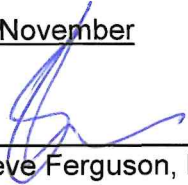
CORPORATION OF THE COUNTY OF PRINCE EDWARD  
WARD OF PICTON  
SCHEDULE '1'

BY-LAW No. 159-2024

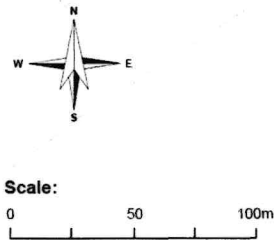
THIS IS SCHEDULE '1' TO BY-LAW NO. 159-2024 AMENDING COMPREHENSIVE  
ZONING BY-LAW NO. 1816-2016, AS AMENDED, FOR THE COUNTY OF PRINCE  
EDWARD

PASSED THIS 26th DAY OF November

  
Catalina Blumenberg, Clerk

  
Steve Ferguson, Mayor

Address to be assigned, Ward 1 (Picton)



 Lands to be rezoned from Future Development (FD) to the Special Urban Residential Type 3 (R3-XX) Zone