

## COMMUNICATION 131047

**Received from** Joanna Bowes, Manager of Development Services  
**Addressed to** Committee of the Whole  
**Date** April 7, 2020  
**Topic** 119 Bell Street, DP3-06-2019.

### SUMMARY

An application has been submitted for a Class 3 Development Permit for the property legally described as Lt 112 SEC B PI 276 Lanark N Beckwith; Pt Lot 113 Sec B PI 276 Lanark N Beckwith as in RN21707; Town of Carleton Place also known locally as 119 Bell Street. The proposed site is the result of a merging of an existing vacant property and the house located at 119 Bell Street located directly across from Commons Park.



The property is designated Mississippi District Residential in both the Town of Carleton Place Official Plan and Development Permit By-law 15-2015. The applicant was originally proposing the demolition of the existing structure in order to construct a 3-storey, 9-unit apartment on the merged lots. After the first Development Permit (DP) circulation, the developer modified his plans and has submitted a proposal to construct a 2-storey, 6-unit apartment building. The modified application still requires the existing structure pictured below at 119 Bell Street to be demolished.



**The applicant is requesting relief from the following Development Permit Conditions:**

- The developer is required to have 20% greenspace in the rear yard. A variation is requested to allow 17.08% of the required greenspace in the rear yard with a total of 47% greenspace throughout the site.
- A request to have the functional frontage be located along Bell Street rather than St. Paul Street.

**COMMENT**

Higher level documents, such as the Provincial Policy Statement (PPS), the County of Lanark Sustainable Communities Official Plan and the Town of Carleton Place Official Plan include policies and directions to consider while evaluating any development proposal. This development generally meets the requirements of these documents.

**Provincial Policy Statement:**

*Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development Land Use Patterns.*

“Healthy, livable, and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) Accommodating an appropriate range of housing and a mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries, and long-term care homes), recreation, park and open space and other uses to meet long term needs;
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent to or close to settlement areas;
- e) Promoting cost effective development patterns and standards to minimize land consumption and servicing costs;
- f) Improving accessibility for persons with disabilities and older persons by identifying and removing land use barriers which restrict their full participation in society.”

This project meets the above requirements.

#### *Section 1.1.3 Settlement Areas*

Section 1.1.3.1 of the PPS states “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

This project will provide growth in the settlement area and this site will be regenerated from the previous use.

Section 1.1.3.2 of the PPS discusses the positive nature of density in the fact that it aids in the efficient use of land and resources and is appropriate to efficiently use existing infrastructure which avoids the need for unjustified or uneconomical expansion.

This development is an example of increasing density on existing services.

Section 1.1.3.3 notes that Planning Authorities should identify locations to promote opportunities for intensification and re-development where it can be accommodated.

This project is an infill site and can accommodate this level of development. There is also sufficient infrastructure to support the proposal.

Section 1.1.3.4 explains that Appropriate Development should promote or facilitate intensification, development and compact form while avoiding risks to public health and safety.

This project appropriately facilitates intensification and compact form. The proposal does not occur on lands deemed to be hazardous in any respect and so also meets the requirements of *Section 3.1 Natural Hazards* and *3.2 Human-Made Hazards* of the PPS.

#### *Section 1.4 Housing*

Section 1.4.3 provides details with respect to how development should occur. It notes that Planning Authorities should provide a range and mix of housing types and densities to meet the projected requirements of both current and future residents. It also notes that residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitates compact form, while maintaining levels of public health and safety are appropriate.

In this case, the development helps to continue to provide a mix of housing types in the area which currently ranges from single family homes to apartment buildings. Further, it is anticipated that these apartments will offer a lower cost of housing than much of the new development (i.e. townhomes, singles, etc.) in the Town of Carleton Place.

#### *Section 1.6.6 Sewage, Water and Stormwater*

Section 1.6.6.1 notes that development projects should direct and promote expected growth or development in a manner that promotes the efficient use and optimization of existing services.

This project does not require additional servicing to be provided. Further, as with most developments in Town, this project is on public services.

#### *Section 2.6 Cultural Heritage and Archeology*

Immediately adjacent to the proposed development is an Ontario Heritage Designated Home located at 105 Bell Street. The property in question is also located within 300 metres of the Mississippi River. As such, the developer was asked to perform an Archeological Study. Phases 1-3 were performed, and results have been forwarded to the Ministry of Tourism, Culture and Sport for a review of compliance. The Archeologist Report noted a fair number of artifacts were found from 1850 or later. They note that nothing showed sufficient cultural heritage value to proceed to stage 4 mitigation. 80% or more of the site's artifacts did not predate 1970 and are not associated with the first-generation settlement in the area.

Of note, the project does not disturb any natural heritage features (Section 2.1), water (Section 2.2), Agricultural Land (Section 2.3) or natural hazards (Section 3.1).

#### **County of Lanark Sustainable Communities Official Plan (SCOP)**

The County Official Plan delineates the Town of Carleton Place as a Settlement Area. Section 2.3, Settlement Area Policies, encourages efficient development patterns in Settlement Areas to optimize the use of land, resources, infrastructure and public service facilities. This project meets the intent of the SCOP.

#### **Town of Carleton Place Official Plan**

##### *Section 2 Community Design Framework*

Section 2.2 looks at the objectives relating to what developers are expected to provide in their projects. These include things such as ensuring a high quality of design, incorporating pedestrian and cycling amenities, improving the esthetic appeal of gateways and thoroughfares leading into the downtown core and recognizing the importance of street trees.

This development does all of these things by adhering to the general design policies found in the Official Plan, including bicycle storage, improving the esthetic appeal of Bell Street and through the proposed addition of four (4) maple trees along the front and side of the building. This will be discussed in more detail later in the report.

Section 2.3 General Design Policies include the review of items such as ensuring that the development maintains the character of the area and shows consistency and continuity with its surroundings, that is complementary and contributes to local landmarks, and that maintains the linkages to and from the area.

The proposed development complements the area in the sense that the massing is in between that of the Bell Street apartments and the massing of the houses in the area. The roofline is a gable roof which is the area's most prominent roof design, and the developer has added a stone looking finish on the front of the building, and on a portion of both sides of the building. This will help it to match as much as possible with the Ontario Heritage Property at 105 Bell Street.

An Urban Design Brief was prepared by an Engineer rather than by an Architect and thus professionally may not relay in detail all that would typically be provided if a professional architect or planner was to prepare the report as requested. However, the report does provide significant detail to consider with respect to how the project is compatible with the area. Details will be provided under the Development Permit By-law Section. The project is deemed to meet the character of the area and shows consistency and continuity with its surroundings. Further, no significant views are to be disturbed and the massing is acceptable given the surrounding properties. The height is within the expected range and has been dropped in order to meet the Interim Control By-law requirements, discussed later in this report. Lastly, the building is oriented to the street to provide streetscape interest.

#### *Section 3.2.2 Mississippi District Residential*

The Official Plan notes that the Mississippi District Residential Area is an established older residential area which is comprised of a mix of neighbourhoods characterized by a range of housing types.

An apartment is a permitted use within this designation. The development of undersized lots and infill lots is encouraged. This project meets the points outlined under the Mississippi District Residential Sector.

#### *Section 3.5.4 Density Provisions*

1. "Notwithstanding Section 3.5.3.1, where development is proposed on infill sites or sites which are a result of lot consolidations, and which infill sites or consolidated sites have areas of 3 hectares or less, residential density may be increased...

The density of this project is 46 units/ha.

#### *Section 4.1 Green Infrastructure*

Section 4.1.2 Objectives list the increase in the number of street trees as one objective to work towards under the Green Infrastructure section.

Many of the mature trees located on this site will remain. An additional four (4) maple trees are proposed to be added to the site along the front and exterior side of the building as a part of this development.

*Section 4.3.5 Water, Wastewater and Stormwater Services*

Section 4.3.5.1 General policies state that all development shall occur on the basis of full municipal water and wastewater services, and that the allocation of infrastructure capacity for infill and economic development purposes is encouraged.

This project meets these requirements.

*Section 6.12 Interim Control By-law*

The Town of Carleton Place currently has an Interim Control By-law in place (51-2019) which applies to this property. The builder has ensured that the project is below the required maximum height of 28 feet. At its highest point, the building will be 25'8".

**Town of Carleton Place Development Permit By-law 15-2015**

Below are the proposed elevations and site plan for the project:



*Figure 7. Building view from Bell Street*

The parking for building is accessed off St. Paul street and hidden behind the building when viewed from Bell Street.



*Figure 8. Building view from St. Paul Street*



Below is a table indicating where the project meets or does not meet the requirements of the Development Permit By-law.

Site Provisions	Requirements	Provided
Lot Area	Nil	1344 square m
Lot Coverage (max)	60%	25%
Lot Frontage	35m	39.6m (functional frontage along Bell St)  Actual frontage along St. Paul 33.9m
Front Yard Build Within	4.5 m-7.5m	5.12m
Exterior Side Yard	4.5 m-7.5m	4.51m
Interior Side Yard (min)	3.0m	5.56m
Rear Yard (min)	7.5m	16.07m
Usable Landscape Open Space (Rear Yard Min)	20%	<b>17.08% in the rear, 47% total green space</b>
Building Height (max)	14 m - with Interim Control By-law (8.5m)	7.8m
No Encroachment Area	2.5m	2.79m at closest point
Parking	9 required	9 provided
Bicycle Parking	3 spaces required	5 spaces provided

It should be noted the original application during the first circulation was for a 3 storey, 9-unit apartment with a mansard roof and significantly less brick work than the current proposal for a 2 storey, 6-unit apartment which was brought forward for the second circulation to the public with many requested changes. Parking requirements are now met, and the greenspace provided is much more significant than was previously provided. These changes were made by the developer in response to both staff and community comments provided during the circulation process.

The first variance the developer is asking for is to recognize Bell Street as the functional front yard. This allows the front of the building to be brought towards the street and allows for the rear yard (where parking should be located) to not immediately and directly impact the Ontario Heritage Property at 105 Bell Street.

The second variance requested is relating to a decrease in open space in the rear yard. The developer is requesting the variation from 20% to 17.08%, noting that the overall site has 47% open green space. Further, improvement in greenspace was provided with the amendments to the proposal where additional requirements for parking was removed. The original application showed greenspace for the entire site being at 34.68% and green space in the rear yard at just over 7.5%. Parking spaces could be removed to provide adequate greenspace, but a variance for parking would

then have to be requested.

The developer has provided four (4) additional street trees, none of which are currently in existence and he is proposing to maintain seven (7) additional trees. The removal of three (3) pine trees will occur in order to locate the building.

Trees pictured below.

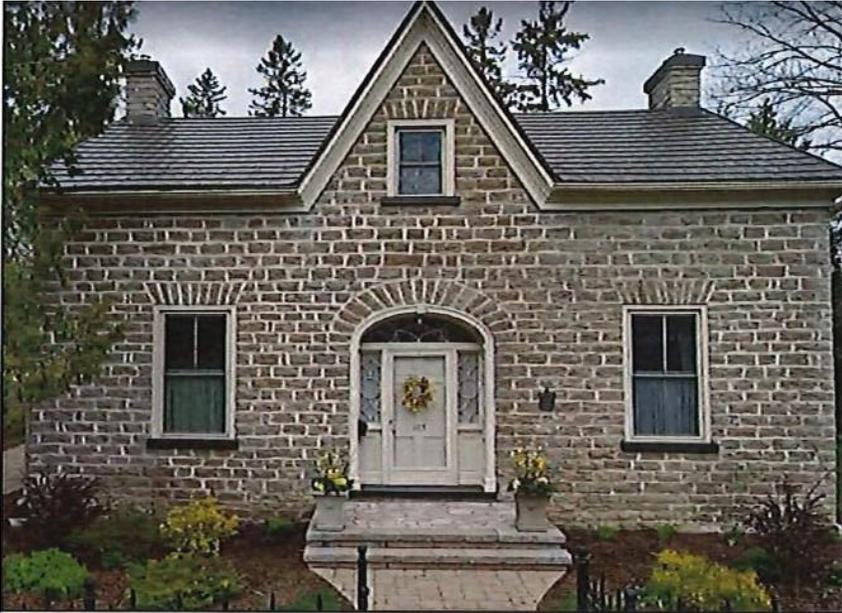


Trees to be removed.



Section 13 and 14 of the Development Permit By-law discuss Built Form and Design Criteria. The developer provided an Urban Design brief which details that the building is oriented to the street where it would be most visible, as is required by the by-law and that the parking is located in the rear where there are to be privacy fences and trees/shrubs to help provide privacy. The developer also attempted to complement the design of the adjacent heritage home by including modifications to the original mansard roof to change it to a gable roof with two (2) wall dormers to mimic the wall dormer over the front door of the heritage building. Additionally, the dormers will have false windows to add interest to the street view and again, to recreate what is seen on the heritage home.

105 Bell Street, Ontario Heritage Designated Home



Proposed Apartment façade



Long monotonous facades detract from the character of any neighbourhood and this developer has provided breaks to the façade through the use of balconies which have been added to the front units. The developer has noted the colour scheme will be grey tones and black or grey shingle. To maintain the look and feel of the existing landscaping in the neighbourhood as many mature trees as possible are to be maintained and others planted, although three (3) existing pine trees will be removed in order to place the building on the lot.

In terms of dwelling type, this neighbourhood is predominately single-family homes, however, duplex, row house and apartments exist in the neighbourhood.

The concerns with respect to compatibility with the neighbourhood were also explored

in the report above under Section 2.3 Community Design Framework and have been supported through an Urban Design Brief.

### **Interim Control By-law**

The Town of Carleton Place currently has an Interim Control By-law in place (51-2019). This lot is within the Interim Control By-law area but meets the height requirements as outlined.

### **Other Studies/Supporting Documents**

As part of this application, the following studies and reports have been submitted to staff for review:

- Site/Landscape/Tree Preservation Plan;
- Grading and Servicing Plan;
- Grading and Drainage Plan;
- Coloured renderings of the project;
- Elevations;
- Letter from Paterson Group consultants with respect to Archeological Assessment, Planning Rationale Report and an Urban Design Brief.

### **Comments received include the following:**

Significant revisions were made to the original plan prior to the second circulation. All preliminary first round comments were provided to staff, Council and the developer for review. All comments listed below are in relation to the second circulation comments provided.

The Building Department noted that there were no objections to this proposal but the structure will require a building permit and will be required to meet all Code related issues.

The Clerks Department clarified that the property known as 119 Bell Street has not been designated as a heritage property by by-law. Additionally, it is not listed as a property of historical interest.

Mississippi Valley Conservation Authority had no comments or concerns.

Enbridge submitted standard comments.

The Urban Forest/River Corridor Committee was pleased to see the increase in greenspace but note they would like to see a white pine planted between the existing parking area and the heritage building, as well as a Hackberry Tree planted behind the snow storage area.

The Heritage Committee, while recognizing that the property is not deemed significant, notes that the house located at 119 Bell Street would have been the type of structure they are working towards protecting. They note that they are in the process of creating

a list of properties that could be deemed as significant interest to the Town and look forward to working with Council on these properties.

Public comments include concerns relating to traffic safety due to additional vehicles, the park across the street without fencing, the location of the bus stop on William Street and the sharp corner on Bell Street.

The Engineering Department noted that minimal additional traffic will be added to the area and the entrance to the development is set well back from the intersection. The fact that there are no sidewalks is a pre-existing condition, which is not worsening. Sidewalks are not typically discussed in a traffic study. Further, there is potential that either curbing or sidewalks could affect the mature trees along the property line. The installation of sidewalk/curbing will be considered in the future when the road is reconstructed.

Another concern raised is that as per the Development Permit By-law, bicycles should be covered and secured.

Further concerns raised related to stormwater mitigation prior to running into the river. Both Mississippi Valley Conservation Authority and our Engineering Department have had the opportunity to review this project and neither have expressed concerns in this regard.

An additional comment from a member of the public has been made asking the developer to consider re-designing the site to have a one-way road coming into the parking lot off of St. Paul Street and exiting through a one way road out onto Bell Street or to have an entrance onto Bell Street with two-way traffic in and out of the parking lot. In both scenarios, traffic is moved away from the park. They note safety concerns for children and animals given the poor visibility and the amount of foot and vehicular traffic.

Another member of the public noted concerns with respect to rental properties in the area, and concern with respect to the number of times police have been called to the area. Traffic was again mentioned as an issue, as is greenspace and the desire to have the integrity of the neighbourhood maintained. Concern with respect to the removal of cultural heritage in the 119 Bell Street building was also mentioned.

Another member of the public suggested various architectural changes be put into place as outlined in comments provided to Council for their consideration.

Further comments were received which outlined disappointment with the changes, including the addition of balconies, and synthetic stone. Comments were also made with respect to the number of rental units already on the street. Continued concerns were expressed with respect to the fact that the project is too large for the lot, and that it would, once constructed, dominate the neighbourhood. Height was not listed as a

major concern, but it was noted that a lower height doesn't necessarily improve a project.

As with any Development Permit Application, the Committee has the option of the following decisions:

- (a) Refuse the application;
- (b) Approve the application and issue a Development Permit with no conditions attached;
- (c) Approve the application and require that conditions be met before issuing a Development Permit;
- (d) Approve the application and issue a Development Permit with conditions attached; or
- (e) Approve the application, require that conditions be met before issuing a Development Permit and, when conditions have been met, issue a Development Permit with conditions attached.

### **STAFF RECOMMENDATION**

THAT the Committee hereby authorizes application DP3-06-2019 for the construction of a 2 storey, 6-unit apartment building at 119 Bell Street and directs staff to move forward with the drafting of the Development Permit Agreement with the following conditions:

1. That garbage is stored on site in an enclosure as described in the Development Permit By-law and is removed as appropriate by a contracted waste management firm;
2. That snow be removed from site after each significant snowfall;
3. That where possible, the developer shall protect all root systems and branches of mature trees along the borders of the property;
4. Should any deeply buried archeological material be found on the property during construction, that the Ministry of Tourism, Culture and Sport be notified immediately;
5. That a white pine be planted between the existing parking area and the property at 105 Bell Street, as well as a Hackberry Tree be planted behind the snow storage area; and

THAT the Committee authorizes staff to issue a Development Permit upon receipt of all required information, fees and securities.