



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date: Monday, June 27, 2022

To: Mayor Mills and Members of Council

From: **Steve Wever, Town Planner**

Report: P2022-19

Subject: **Application for Zoning By-law
Amendment Z22/02
307 Victoria Street**

Recommendation

Be it resolved that Council receive Report P2022-19 as information.

Be it resolved that, subject to the consideration of any input received at the public meeting, By-law 33-2022, being a by-law to amend Zoning By-law 38-2007, as amended, by rezoning the lands known municipally as 307 Victoria Street and described legally as Part of Lot 1, Plan 8A, Block 18, Parts 1 & 2 on Plan 7R-1141, in the Town of Shelburne, County of Dufferin, from Residential Type Two (R2) Zone to Residential Type Two Exception Seven (R2-7) Zone and Residential Type Two Exception Eight (R2-8) Zone as shown on Schedule "A1" to the By-law, be read a first, second, and third time and finally passed.

Background

An application for a Zoning By-law Amendment has been submitted by Anthony Matthew and Kristy Sarausky in conjunction with an application for Consent (Application B22/02) for the creation of a new residential lot. The purpose and effect of the application is to rezone the property at 307 Victoria Street, from Residential Type Two (R2) Zone to Residential Type Two Exception Seven (R2-7) Zone for the proposed retained lot and Residential Type Two Exception Eight (R2-8) Zone for the proposed severed lot.

Analysis

The subject property is municipally known as 307 Victoria Street and described legally as Part of Lot 1, Plan 8A, Block 18, Parts 1 & 2 on Plan 7R-1141, Town of Shelburne, County of Dufferin. The property is owned by Anthony Matthew and Kristy Sarausky and currently contains a two-storey single detached dwelling.

The property is located at the southeast corner of Victoria Street and Centre Street and is 832 m² in area. The property is designated 'Residential (Medium Density) in the Official Plan, is located within the built boundary and is currently zoned Residential Type Two (R2) Zone.

Concurrent to this zoning by-law amendment application, the applicant has submitted an application for consent for the purpose of severing a new residential lot from the existing property (Application B22/02). The Zoning By-law Amendment application applies to both the proposed severed and retained lands. A description of the subject lands and surrounding area as well as the proposed consent is provided in the related planning report for Application B22/02 (Report No. P2022-17).

Proposed Development

The applicant is seeking to re-zone the lots from Residential Type Two (R2) to two (2) site-specific Residential Type Two (R2) Zones. The site-specific provisions proposed on the retained lot to recognize the existing lot frontage (16.8 metres along Victoria Street), recognize the existing front yard (2.6 metres for the front wall of the dwelling), recognize the existing exterior side yard (2.1 metres for the east side) for the existing dwelling and to permit parking within a driveway in the front yard including the required front yard to satisfy the parking requirements. Site-specific provisions requested for the proposed severed lot include a reduced front yard of 4.6 metres whereas 6.0 metres is required, a reduced rear yard of 5.2 metres whereas 7.5 is required, and a reduced lot area of 392 square metres whereas 464.0 square metres is required, subject to the provision of an enlarged side yard at a minimum of 6.0 metres for the north side yard. The existing two-storey dwelling on the retained lot will be maintained and a new single detached dwelling is proposed on the severed lot.

The following table summarizes the requested site-specific provisions:

Regulations	R2	Proposed Retained Lot	Proposed Severed Lot
Min. Lot Area	464 m ²	440 m ²	392 m ²
Min. Lot Frontage <ul style="list-style-type: none"> • Interior Lot • Corner Lot 	15.0 m 17.0 m	16.8 m (existing)	19.8 m
Min. Front Yard	6.0 m	2.6 m (existing)	4.6 m
Min. Exterior Side Yard	4.5 m	2.1 m (existing, west)	n/a
Min. Interior Side Yard	1.2 m	4.4 m (existing, east)	6.0 m (north) 1.2 m (south)
Min. Rear Yard	7.5 m	10.8 m	5.2 m
Max. Setback from Street Centreline	20.0 m	14.0 m	13.1 m
Maximum Lot Coverage	35%	18.2%	28.4%
Maximum Building Height	9.2 m	Existing	9.2 m
Parking Required	1 space per dwelling	2	2

 Proposed Site-Specific Provisions

Provincial Policy Statement (PPS)

The proposal is supported by the following PPS policies:

- Accommodating an appropriate range and mix of residential and other uses to meet long-term needs (s.1.1.1.b) and mix of housing types and densities to accommodate residential growth (s.1.4.1, s.1.4.3).
- Promote cost-effective development patterns and standards to minimize land consumption and servicing costs (s.1.1.1.e).
- Within settlement areas, sufficient land shall be made available through intensification and redevelopment (s.1.1.2)
- Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use available infrastructure and avoid the need for uneconomical expansion; support active transportation; and are transit supportive where transit may be developed (s.1.1.3.2 a, b, e & f).

- Planning authorities shall promote opportunities for intensification and redevelopment where suitable existing infrastructure is available to accommodate projected needs (s.1.1.3.3); and
- Planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal services (s.1.6.6.6).

Growth Plan for the Greater Golden Horseshoe

The proposal is supported by the following Growth Plan policies:

- Focusing growth and development within the delineated built-up area (s.2.2.1.2a).
- To provide a diverse range and mix of housing including second units and affordable housing to accommodate people at all stages of life (s.2.2.1.4 c).
- Encourage intensification generally throughout the delineated built-up area (s.2.2.2.3c) and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities (s.2.2.2.3 d); and
- Prioritizing planning and investment in infrastructure and public service facilities that will support intensification (s.2.2.2.3e).

County of Dufferin Official Plan

The proposal is supported by the following County of Dufferin Official Plan policies:

- Encourage intensification within the existing built boundary/built up area wherever feasible and appropriate (s.3.4.2 a).
- Encourage intensification within the urban settlement area that is of an appropriate scale and character and subject to other policies of the County Official Plan, including the availability of servicing, and the protection of existing stable neighbourhoods (s.3.4.2 b).
- Intensification will include: infill residential development and new residential development of vacant land or underutilized land within the built-up area (s.3.4.2 (c) ii).
- Urban settlement areas will have municipal sewage, water and appropriate stormwater services and provide a range of land uses and densities, and a mix of housing types (s.3.3.2 c); and
- Local municipalities are encouraged to promote intensification, infill and redevelopment of vacant/underutilized sites (s.3.3.2 e).

Town of Shelburne Official Plan

In the Official Plan, the property is within an area designated “Residential” within the built boundary and is subject to Section 4.2 of the Plan including the following objectives, uses and criteria:

- To direct the majority of future housing development to the designated residential area through intensification, redevelopment and greenfield development on full municipal services (s. 4.2.2 a);
- To encourage and support the intensification of previously developed residential areas to optimize the use of land and infrastructure (s. 4.2.2 g);
- Council should promote intensification within the built-up area, including within existing residential area (s. 4.2.3.5 a);

Additional analysis and evaluation of this residential infill development proposal is provided in Report P2022-17 for the related consent application B22/02. The current application for re-zoning of the property is a requirement of the conditions of approval of the lot severance. To ensure the new dwelling on the proposed severed lot is appropriately designed and sensitively integrated within the area, Report P2022-17 recommends conditions of approval of the related Consent application to establish design guidelines as part of the required Consent Agreement.

Financial Impact

A payment in lieu of the dedication of parkland is required as a condition of the severance to create the new residential lot, and the payment of development charges will be required for the new single detached dwelling on the proposed severed lot prior to building permit availability.

Policies & Implications (if any) Affecting Proposal

Town of Shelburne Official Plan
Town of Shelburne Zoning By-law 38-2007

Consultation and Communications

The application was circulated to the required agencies and the public meeting was advertised in accordance with the Planning Act. No objections to the approval of the application have been received as of the time of preparing this report.

Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals.

This report aligns with the Sustainable Goals within the Targets:

Target T4 Promote balanced growth

Supporting Documentation

Consent Sketch (related to Consent application B22/02)

Prepared by:

Jenna Daum, Planning Coordinator

Reviewed by:

Steve Wever, Town Planner

Reviewed by:

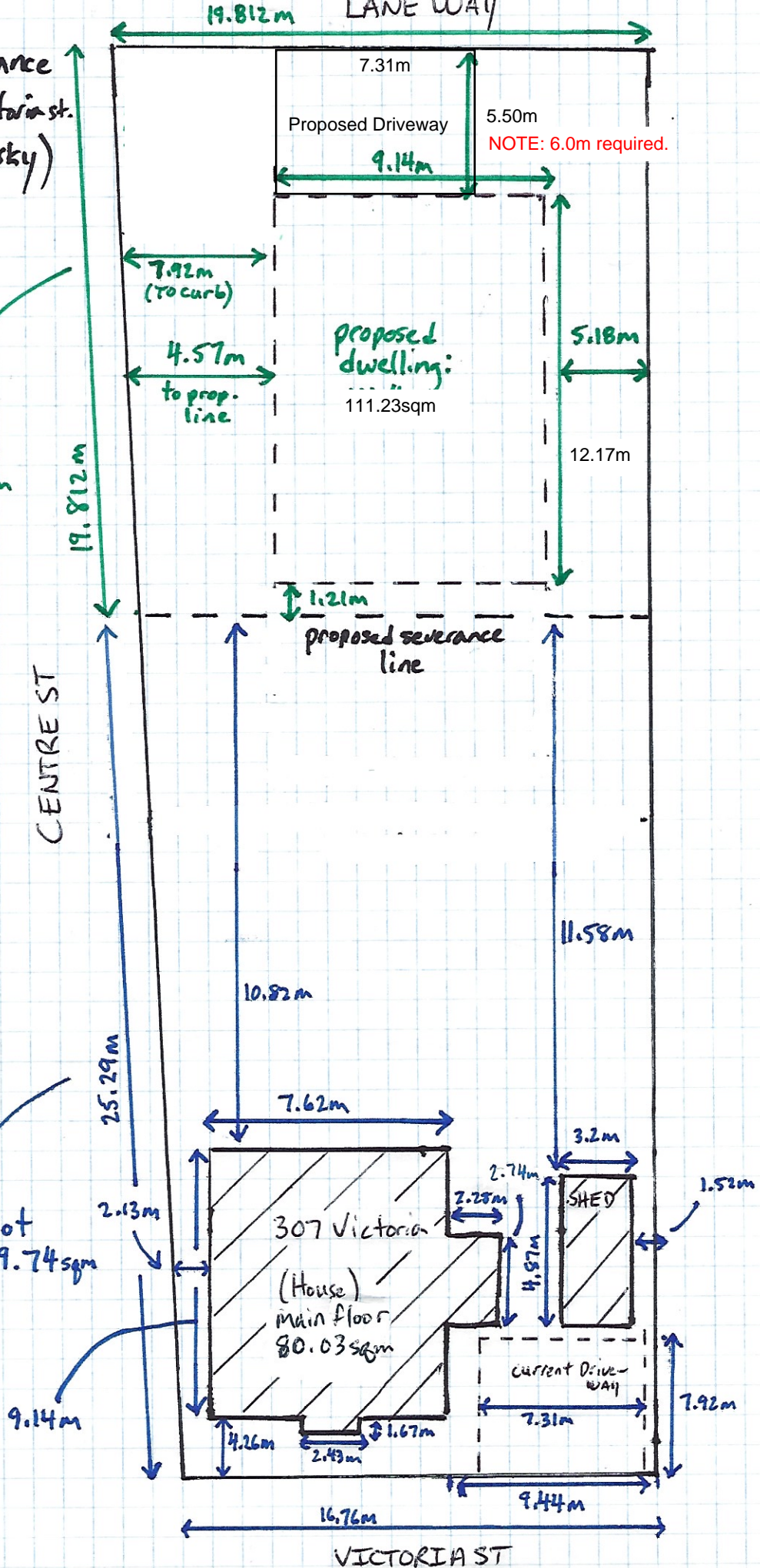
Denyse Morrissey, CAO

Proposed Lot Severance Sketch - 307 Victoria St. (Matt + Kristy Sarauksy)

Severed lot area: 392 sqm

Proposed new lot shown in Green. Retained lot in Blue.

Retained lot Area: 439.74 sqm



THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NO. 33-2022

BEING A BY-LAW TO AMEND BY-LAW 38-2007, AS AMENDED.

WHEREAS an Official Plan has been approved for the Town of Shelburne.

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P.13 and amendments thereto, to enact this By-law.

NOW THEREFORE the Council of the Corporation of the Town of Shelburne enacts as follows:

1. That Schedule “A” of By-law 38-2007, as amended, be further amended by rezoning the land known municipally as 307 Victoria Street and described legally as Part of Lot 1, Plan 8A, Block 18, Parts 1 & 2 on Plan 7R-1141, in the Town of Shelburne, County of Dufferin, from Residential Type Two (R2) Zone to Residential Type Two Exception Seven (R2-7) Zone and Residential Type Two Exception Eight (R2-8) Zone as shown on Schedule “A1” to this By-law.
2. That subsection 4.2.1. of By-law 38-2007, as amended, be further amended by inserting two exception zones after subsection 4.2.1.7, as follows:

“4.2.1.7 Residential Type Two Exception Seven (R2-7) Zone

Notwithstanding the regulations in subsection 3.15.6 (ii), 4.2.1 and 4.2.2 on the lands zoned R2-7 the following special provisions shall apply for *Single Detached* and *Converted Dwellings*:

 - i) Minimum Lot Area: 440 m²
 - ii) Minimum Lot Frontage: 16.8 m for the existing corner lot
 - iii) Minimum Front Yard: 2.6 m for the existing dwelling
 - iv) Minimum Exterior Side Yard: 2.1 m for the existing dwelling
 - v) Parking within an existing driveway in the front yard including the required front yard shall be permitted to satisfy the parking requirements.

4.2.1.8 Residential Type Two Exception Eight (R2-8) Zone

Notwithstanding the regulations in subsection 4.7.2 (and 4.6.2), on the lands zoned R2-8 the following special provisions shall apply for *Single Detached* and *Converted Dwellings*:

 - i) Minimum Lot Area: 392 m²
 - ii) Minimum Front Yard: 4.6 m
 - iii) Minimum Interior Side Yard (North): 6.0 m
 - iv) Minimum Rear Yard: 5.2 m”
 3. That except as amended by this By-law, the subject lands as shown on Schedule “A1” to this By-law shall be subject to all other applicable regulations of By-law 38-2007, as amended.
 4. Schedule “A1” attached hereto forms part of this By-law.
 5. This By-law shall take effect from its date of passage by Council and shall come into force either upon approval by the Local Planning Appeal Tribunal or upon compliance with Section 34 of the Planning Act, R.S.O. 1990, C.P. 13.

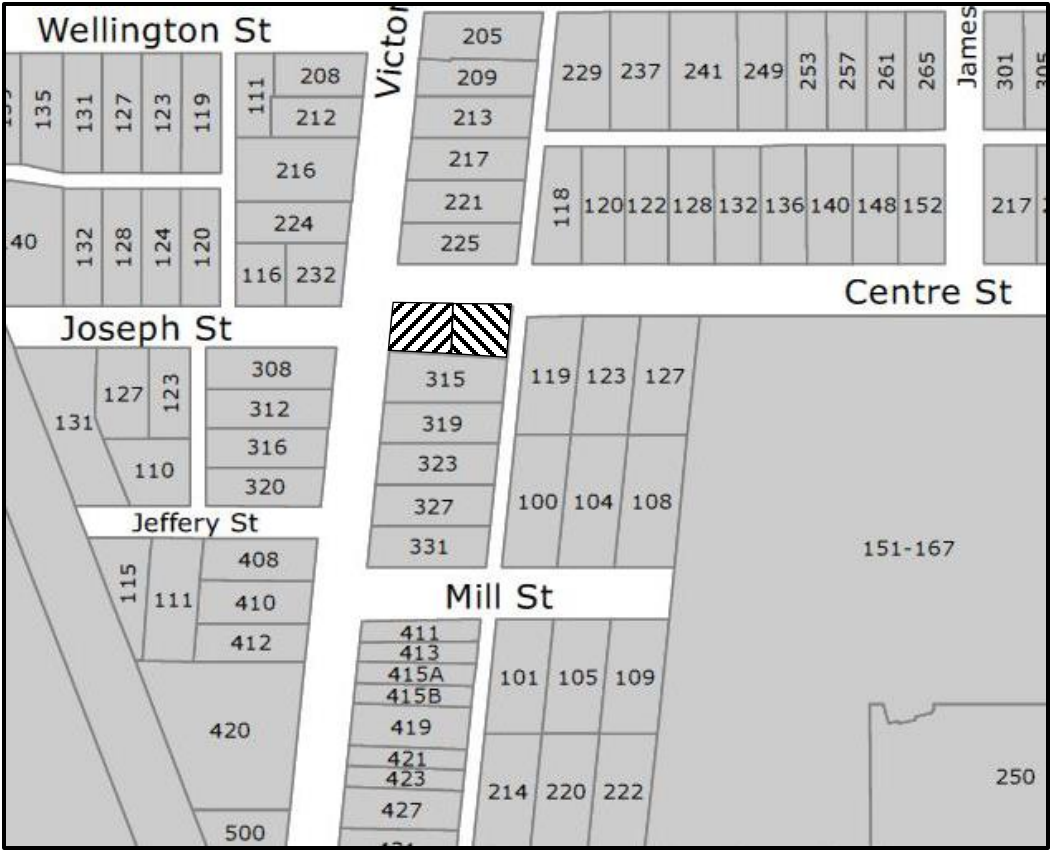
BY-LAW READ A FIRST AND SECOND TIME THIS 27TH DAY OF JUNE, 2022.



BY-LAW READ A THIRD TIME AND ENACTED THIS 27TH DAY OF JUNE, 2022.

.....
MAYOR

.....
CLERK

SCHEDULE A1 TO BY-LAW NO. 33-2022



-  Zone change from R2 to R2-7
-  Zone change from R2 to R2-8

EXPLANATORY NOTE

The purpose and effect of this amendment to Zoning By-law 38-2007 is to change the zoning of the property known municipally as 307 Victoria Street and described legally as Part of Lot 1, Plan 8A, Block 18, Parts 1 & 2 on Plan 7R-1141, in the Town of Shelburne, County of Dufferin, from Residential Type Two (R2) Zone to Residential Type Two Exception Seven (R2-7) Zone and Residential Type Two Exception Eight (R2-8) Zone as shown on Schedule “A1” to this By-law.

The amendment relates to a Consent application, File Number B22/02, which proposes to sever the property into 2 residential lots from one existing residential lot containing an existing dwelling. The re-zoning of the land to R2-7 (retained land) and R2-8 (severed land) applies appropriate zone standards to recognize the existing dwelling on the retained lot and for the proposed development of a single detached dwelling on the severed lot.