



## **STAFF REPORT**

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**Meeting Date: June 13, 2022**

**Title: 280 Arthur Street – Zoning By-law Amendment**

**Prepared By: Benito Russo**

**Department:** Building and Planning

**Report Number: Building & Planning-2022-010**

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### **Recommendation:**

THAT Council receives this Report, and directs staff to prepare a Recommendation Report, considering the comments and feedback received at the June 13, 2022 Statutory Public Meeting. The Recommendation Report will be presented to Council at a subsequent Council Meeting for a decision on the application. However, if during the Public Meeting no questions or adversarial comments are received, Council may elect to proceed directly to a decision at the next Council Meeting without the need for a subsequent Recommendation Report.

### **Background:**

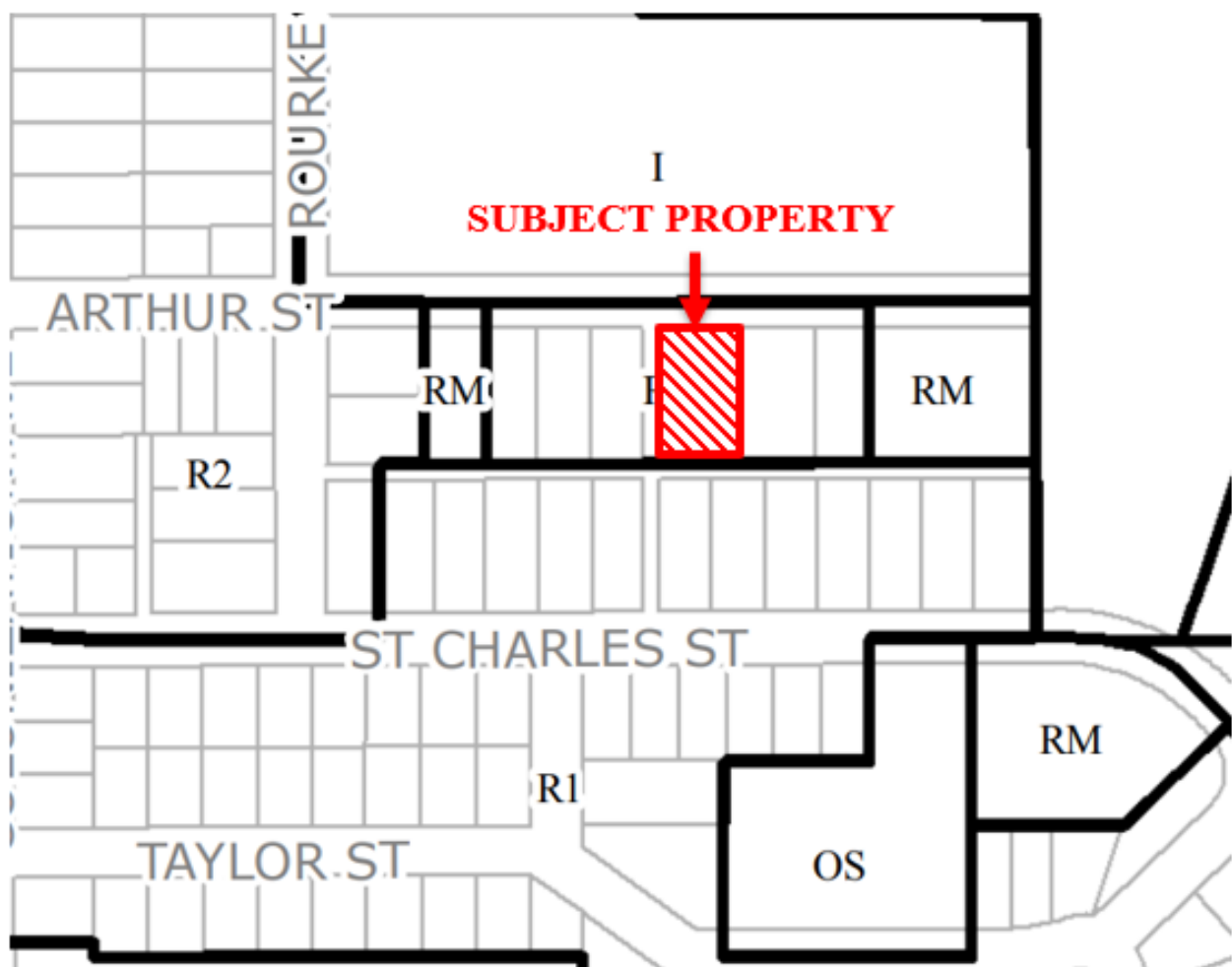
An application for a Zoning-By-Law Amendment has been submitted for the subject lands located at 280 Arthur Street, in the City of Dryden. The purpose of the application is to bring the current and future use of the property into compliance with the zoning by-law, as it is currently legal non-conforming. The property will continue its existing use as an office/community centre/care occupancy, and no additional development is proposed. Of note the existing use of the subject property has been in existence for 49 years. The subject property located at 280 Arthur Street contains an existing single storey office building/assembly space has a lot area of approximately 0.20 hectares (2,000 square meters) and a lot frontage of 38.4 meters.

The Subject Lands are proposed to be rezoned from the Residential Type Two (R2) Zone to the Institutional Exception (I-1) Zone, in order to recognize the existing use of the property in the City of Dryden Zoning By-law.

While there are no proposed changes to the physical built structure already in existence on the subject lands, to recognize the existing structure on the subject property within the Zoning By-law the additional zoning exceptions are requested:

- i) A minimum interior yard setback of 3.5 metres where 7.5 metres is required.

**Figure 1: Subject Lands**



**Table 1:** Description of the Subject Lands

<b>City of Dryden Official Plan</b>	Stable Areas
<b>City of Dryden Zoning By-law</b>	Residential Type Two (R2) Zone
<b>Present Use</b>	Office/community centre/care occupancy
<b>Adjacent Zones</b>	<u>North:</u> Multiple Residential (RM), and Institutional (I) <u>South:</u> Residential Type One (R1) <u>East:</u> Residential Type Two (R2) <u>West:</u> Residential Type Two (R2)
<b>Immediate Surrounding Land Uses</b>	Residential, Institutional
<b>Lot Area</b>	0.20 hectares
<b>Lot Frontage</b>	38.4 metres (Arthur Street)

**Discussion:**

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) is a document that guides development in the Province. In the context of the PPS, the subject lands are located within a Settlement Area. Settlement Areas/ shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The proposal is considered consistent with the policy framework provided in the PPS.

**City of Dryden Official Plan:**

The subject lands are located within the Stable Areas designation of the Official Plan. Acceptable uses include residential, commercial, industrial and institutional uses that presently exist in the City. The designation of the lands as Stable Areas indicates that there will be little change in these areas over the lifetime of this Plan.

Section 3.2 of the Official Plan includes general Objectives for development in the City of Dryden. Section 3.2.3 of the Official Plan states that it is an objective of the City of Dryden to encourage the diversification of the economy by providing sufficient land area and a broad range of employment uses. The proposed Zoning-By-Law Amendment will continue to support employment opportunities and services within Dryden.

Section 3.2.5 of the Official plan encourages housing in proximity to community services. The use of the property as an office/community centre/care occupancy supports the objectives of the Official Plan.

Section 4.1 of the Official Plan contains policies regarding the Stable Areas designation. The Stable Areas of the City include residential, commercial, industrial and institutional

uses that presently exist in the City. Existing uses will be preserved and protected from incompatible uses. As previously noted, the subject property has been utilized for office/community centre/care occupancy for 49 years, and this Zoning Amendment would formally recognize that use in the City of Dryden Zoning By-law.

Section 4.1.5 of the Official Plan allows for Minor changes to land use that are compatible with existing land uses, do not result in significant increases to traffic or noise, are similar in scale to the surrounding built form and that improve the quality of life for area residents shall be permitted through an amendment to the Zoning By-law. As the existing use of the property as an office/community centre/care occupancy is to continue, it is compatible with existing land uses. It is not expected that there will be any increases to traffic or noise resulting from the change in land use designation.

The proposed Zoning-By-Law Amendment conforms to the policies of the Official Plan.

### **City of Dryden Zoning By-law:**

The subject lands are currently zoned Residential Type Two (R2) Zone. The permitted uses within the R2 Zone are provided in Section 4.2.1 of the Zoning By-law. These include both short-term and long-term housing, group homes, and crisis centres.

The Zoning By-Law Amendment application proposes the subject property to be re-zoned as Institutional (I) Zone. The permitted uses within the (I) Zone are provided in Section 4.19.1 of the Zoning By-law and include business, professional and administrative offices, and a community centre. A review of the zone standards for the (I) Zone is included in Table 2. This review is based on the details provided in the ZBA application and supporting documentation.

**Table 2:** Zoning Review

<b>PROVISION</b>	<b>I REQUIRED</b>	<b>I-1 PROPOSED</b>
Min. Lot Area	555 m <sup>2</sup>	2,000 m <sup>2</sup>
Min. Lot Frontage	15 m	38.4 m
Min. Front Yard	7.5 m	8.5 m
Min. Interior Side Yard	7.5 m	3.5 m
Min. Exterior Side Yard	7.5 m	n/a
Min. Rear Yard	7.5 m	13.0 m
Max. Lot Coverage	35%	34%
Min. Landscaped Open Space	10%	25%

The proposed Zoning Amendment complies with lot coverage standards, and setbacks with exception of the interior side yard.

### **Conclusions:**

The proposed ZBA and the applicable policies and regulations have been discussed. The purpose of the Statutory Public Meeting is to receive comments on the application and the proposed commercial use within the subject lands.

Following the Statutory Public Meeting, we recommend undertaking a review of any comments received. Any additional technical details required to inform a decision on the proposed application can be provided by the applicant through a subsequent submission of technical documents.

Following this review, a Recommendation Report may be prepared for Council's consideration at a future meeting. It is up to the discretion of Council that if no adversarial comments or further questions are received, that Council may proceed directly to a decision at the next Council meeting without requiring a subsequent recommendation report.

### **Notice Provisions:**

Notice of the Public Hearing was provided by City staff in accordance with the requirements of the Planning Act.

### **Financial Implications:**

**Current Budget Allocation: None**

**Account #:**

### **Attachments (Reference Material):**

The applicant has provided the following supporting materials with the submission of the Zoning By-law Amendment application, including:

- A survey of the property prepared by TBT Engineering, dated August 12, 2021.
- DRAFT By-law Text and Schedule