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# Agenda

## Public Meeting of Council

Chair: Mayor Gervais

Tuesday, November 5, 2024

Council Chambers

6:00 p.m.

1. **Land Acknowledgement**
2. **Call to Order**
3. **Disclosure of Pecuniary Interest & General Nature Thereof**
4. **Approval/Amendment of Agenda**
5. **New Business**
  - Planning Advisory & Adjustment Committee Minutes Attached
    - a. Z-10/2024 – 9 Bennett Street – Mark Andraous
      - i. Zoning By-law Amendment Application
      - ii. Planning Report, Site Plan, Building Plans, and Notice Attached
6. **Adjournment**

# **DRAFT** Planning Advisory & Adjustment Committee Meeting Minutes

## **Council Chambers**

Pembroke, Ontario

Monday, October 28, 2024

1630hrs

## **Present:**

Gary Severin, Chair

Romeo Levasseur, Vice-Chair

Councillor Ian Kuehl

Marie-Josée Levesque

Marcel Mantha

## **Also Present:**

Colleen Sauriol, Director of Planning, Building & By-law

Owen Hutton, Planner

Nevill Carney, Planning Technician & Recording Secretary

## **Regrets:**

Councillor Ed Jacyno

### **1. Land Acknowledgement**

Mr. Severin read the City's land acknowledgement.

### **2. Call to Order**

Mr. Severin called the meeting to order at 1631hrs.

### **3. Approval of Agenda**

#### **Motion:**

Moved by Ms. Levesque

Seconded by Councillor Kuehl

That the agenda be approved with no additions or modifications.

**Carried**

### **4. Approval of Minutes – September 23, 2024**

#### **Motion:**

Moved by Mr. Mantha

Seconded by Mr. Levasseur

That the minutes of the Planning Advisory & Adjustment Committee meeting of September 23, 2024, be approved with no additions or modifications.

**Carried**

**5. Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures of pecuniary interest.

**6. New Business**

**a) Bronx Street Parking**

Ms. Sauriol presented her report.

Ms. Sauriol noted that five comments were received prior to the meeting.

Mary-Jane Lair of 985 Bronx Street was present to support a full no parking zone on the north side of Bronx Street between George Street and Reynolds Avenue.

Kenneth Klentz of 991 Bronx Street was present to support maintaining the current 3-hour parking limit during the daytime on Bronx Street.

A discussion was held primarily regarding the safety and operational merits of each proposed option.

**Motion:**

Moved by Councillor Kuehl

Seconded by Mr. Mantha

That the Committee recommend to Planning & Development Committee of Council that the north side of Bronx Street between George Street and Reynolds Avenue be made a no parking zone.

**Carried**

**b) Z-10/2024 – 9 Bennett Street – Mark Andraous**

Mr. Hutton presented his report, including the Planning Department's recommendation for approval.

Mr. Hutton noted that no inquiries nor submissions were received prior to the meeting for this application. No one was present at the meeting wishing to speak regarding the application.

Mark Andraous of C-Squared Inc. was present electronically to represent the application.

**Motion:**

Moved by Councillor Kuehl

Seconded by Mr. Levasseur

That the Committee recommend to Council the approval of the zoning by-law amendment application for 9 Bennett Street.

**Carried**

**7. Past Decision Update – Mr. Hutton**

- a. A-13/2024 & A-14/2024 – 931 Mackay Street & 933 Mackay Street –  
Brittany Clelland

Mr. Hutton indicated that item a. passed the 20-day appeal period and that said minor variances are considered final.

### **8. Next Meeting**

Mr. Severin indicated that the next meeting of the Planning Advisory & Adjustment Committee would be scheduled for Monday, November 25, 2024.

### **9. Adjournment**

#### **Motion:**

Moved by Councillor Kuehl

Seconded by Mr. Mantha

That the Planning Advisory & Adjustment Committee meeting of October 28, 2024, adjourn at 1711 hrs.

**Carried**



# Committee Report

**To:** Planning Advisory & Adjustment Committee  
Choose an item.

**From:** Owen Hutton, Planner  
Planning, Building & By-law Enforcement Department

**Date:** 2024-10-28

**Re:** **Z-10/2024 – 9 Bennett Street**

## **Recommendation:**

The Planning Department recommends the approval of the zoning by-law amendment application for 9 Bennett Street, from a “Residential Type 4-29 – R4-29” zone to a “Residential Type 4-15 – R4-15” zone.

The application is in-keeping with the intents of the zoning by law, official plan, and provincial planning statement.

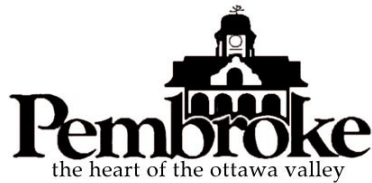
## **Background:**

The applicant, Mark Andraous of C-Squared Inc., on behalf of the property owners, has submitted a site plan proposing the addition of twelve (12) dwelling units to the existing “Apartment Dwelling” of thirty-eight (38) dwelling units at 9 Bennett Street, to make it an “Apartment Dwelling” of a total of fifty (50) dwelling units.

The proposed addition would be configured within the current courtyard of the existing building; the building footprint would not be exteriorly expanded. The proposed configuration would meet requirements of the Ontario Building Code to allow for windows and light as required for each applicable room by maintaining small openings between the proposed new dwellings (see attached building plans).

9 Bennett Street is currently zoned “Residential Type 4-29 – R4-29” by Zoning By-law 2020-05. The “R4-29” zoning explicitly permits “a thirty-eight (38) unit residential apartment dwelling in addition to two (2) apartment dwellings containing twelve (12) dwelling units each” with “A reduced privacy yard...permitted for the thirty-eight (38) unit apartment dwelling.”

The proposed “Residential Type 4-15 – R4-15” zoning is required to change the aforementioned configuration of permitted buildings and number of dwelling units, as well as



to carry over the current site-specific relief from privacy yard provisions for the existing building, and to grant new site-specific relief for “Courts”.

The proposed “R4-15” zoning would simply remove the current provision limiting the existing building to thirty-eight (38) dwelling units, along with the provision limiting any future development to two (2) apartment dwellings of twelve (12) units each, for general “Residential Type 4 – R4” permitted uses and zone provisions to apply instead. This would mean that any future additions to the existing building or any development of separate buildings would be permitted based on their ability to meet standard “R4” provisions for “Apartment Dwelling(s)” and/or “Cluster Housing”.

Regarding “Courts”, Section 8.2(1)(j) of the zoning by-law requires that, “Where the design of a building forms an open court in the centre that is enclosed on all sides, the distance between opposing side walls of the building forming the court shall not be less than 21.34m or the height of the highest side of the court, whichever is greater.” Relief from this provision is required to be included in the proposed site-specific “R4-15” zoning to allow for the proposed configuration of the proposed addition. As the existing “Court” will be reduced to multiple miniature courts, whose sole purpose are to meet Ontario Building Code standards for windows, as opposed to being used as true courtyards (the only access to/from said mini-courts would be for emergency purposes only), the intent for the standard “R4” “Courts” provision is redundant in this case.

The existing building, along with its proposed interior addition, meets all other standard “R4” provisions for an “Apartment Dwelling”, save for the aforementioned “Privacy Yards” and “Courts” provisions that site-specific relief would address. “Minimum Lot Area”, “Minimum Lot Frontage”, “Minimum Front Yard Setback”, “Minimum Rear Yard Setback”, “Minimum Interior Side Yard Setback”, “Minimum Landscaped Open Space”, and “Maximum Building Height” requirements are all met and/or exceeded. Therefore, this application can be viewed as meeting the intent of the zoning by-law.

Regarding parking, Section 3.29(2) of the zoning by-law requires 1.5 parking spaces per dwelling unit for an “Apartment Dwelling” (technically, 1.25 spaces per dwelling unit, plus an additional 0.25 spaces for visitor parking). In the case of this application, that puts the total number of required parking spaces at seventy-five (75). This requirement is exceeded, with seventy-seven (77) parking spaces shown on the submitted site plan, again, meeting and exceeding the requirements of the zoning by-law.

The property at 9 Bennett Street is designated “Mixed Use” under the City’s Official Plan, 2016. According to Section 4.8.2 of the official plan, “The area bounded by Bennett Street, Boundary Road, and the C.N.R. line shall be developed as a mixed use area comprising new commercial and residential development and existing uses.” As this application involves new residential development within an existing residential use, it can be viewed as being directly in-keeping with the property’s official plan designation.

According to Section 4.2.2.1(5) of the official plan, “The City of Pembroke will encourage all forms of residential intensification that creates a potential supply of new housing units.



Residential intensification will be encouraged in the built-up areas of the City where there is sufficient existing or planned infrastructure to accommodate such development... Council's policy is that, through the intensification of land use in existing built-up areas involving infill, redevelopment and the conversion of existing buildings, Pembroke will continue to accommodate... new residential units within the already built-up area." The proposed zoning is strongly in keeping with this direction in the official plan, as the proposed addition of twelve (12) new dwelling units in an already built-up area will contribute to new housing stock through intensification.

Bennett Street is designated as a "Local Road" by Schedule "B" of the Official Plan, 2016. That stated, the property is within 350m of Boundary Road and Paul Martin Drive/River Road, both designated as "Collector Road(s)". This means that 9 Bennett Street is well-located for efficient vehicular movement within the City, being near both an east-west "Collector Road" (Boundary Road) and a north-south "Collector Road" (Paul Martin Drive/River Road), as well as to beyond the City via Paul Martin Drive to Highway 17.

Section 4.2.2.1(10) of the Official Plan states, "All residential development shall be adequately serviced with municipal water and sewer services, waste disposal, and utilities... subject to prior verification that there is adequate capacity." Full water and sanitary sewer servicing exists to the building, and the requirement of both site plan approval and a building permit for the proposed addition will trigger the approval of the Operations Department to ensure adequate servicing capacity to the property.

The Provincial Planning Statement, 2024, Section 2.2(2)(b)(2) states that, "Planning authorities shall provide for an appropriate range and mix of housing options and densities... by permitting and facilitating all types of residential intensification, including... development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units..." As this application proposes residential intensification within a previously developed building in a previously developed area, which would introduce new housing options and result in a net increase in residential units, it is highly in-keeping with the new provincial planning statement.

Should this application be approved, a site plan approval application will then be required due to the addition of eleven (11) or more dwelling units, as per By-law 2022-52, being a by-law to designate an area subject to site plan control and to delegate site plan approvals to the Chief Administrative Officer.

The Planning Department recommends the approval of the zoning by-law amendment application for 9 Bennett Street, from a "Residential Type 4-29 – R4-29" zone to a "Residential Type 4-15 R4-15" zone, as the application is in-keeping with the intents of the zoning by-law, official plan, and provincial planning statement.



**Financial Implications:**

N/A.

Respectfully submitted,

Owen Hutton, Planner  
Planning, Building & By-law Enforcement Department



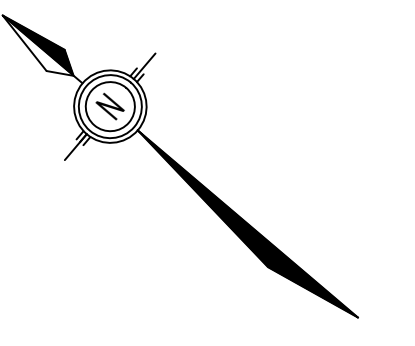


WORK IN PROGRESS

SITE DEVELOPMENT STATISTICS- SUMMARY		
	EXISTING	PROPOSED
LOT AREA:	22827 m <sup>2</sup>	22827 m <sup>2</sup>
BUILDING COVERAGE:	2545 m <sup>2</sup>	2545 m <sup>2</sup>
PERMEABLE PAVING:	0 m <sup>2</sup>	398 m <sup>2</sup>
LANDSCAPE AREA:	16239 m <sup>2</sup>	17036 m <sup>2</sup>
HARD SURFACE COVERAGE:	2310 m <sup>2</sup>	2709 m <sup>2</sup>
LOT COVERAGE:	4855 m <sup>2</sup> (21.3%)	5652 m <sup>2</sup> (24.8%)
PARKING SPACES		76
BICYCLE PARKING SPACES PROVIDED		
GROSS FLOOR AREA EXISTING:		
BUILDING HEIGHT	6.5 m	6.5 m
NUMBER OF STOREYS	2 STOREYS	2 STOREYS

ADDRESS: 9 BENNETT STREET			
ZONING : R4-29 - DWELLING - APARTMENT			
	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT FRONTAGE	N/A	126.2 M	126.2 M
LOT DEPTH:	N/A	293.7 M	293.7 M
SETBACKS			
FRONT YARD		15.44 M	15.44 M
SIDE YARD		10.05 M	10.05 M
SIDE YARD		61.6 M	61.6 M
REAR YARD		201 M	201 M
HEIGHT		6.5 M	6.5 M

D.O. NOT SCALE DRAWINGS  
IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL SPECIFICATIONS AND DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO CONSTRUCTION. MATERIALS MAY NOT BE SUBSTITUTED WITHOUT DESIGNER'S WRITTEN APPROVAL.



ISSUED FOR ZONING BY-LAW AMENDMENT

01 24/09/2024 Zoning By-law Amendment Application

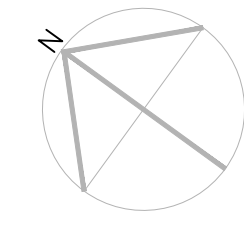
**9 BENNETT COURT ADDITION**

9 BENNETT, PEMBROOK KBA 3Y6 ONTARIO

**PARTIAL SITE PLAN**

**A2.0**





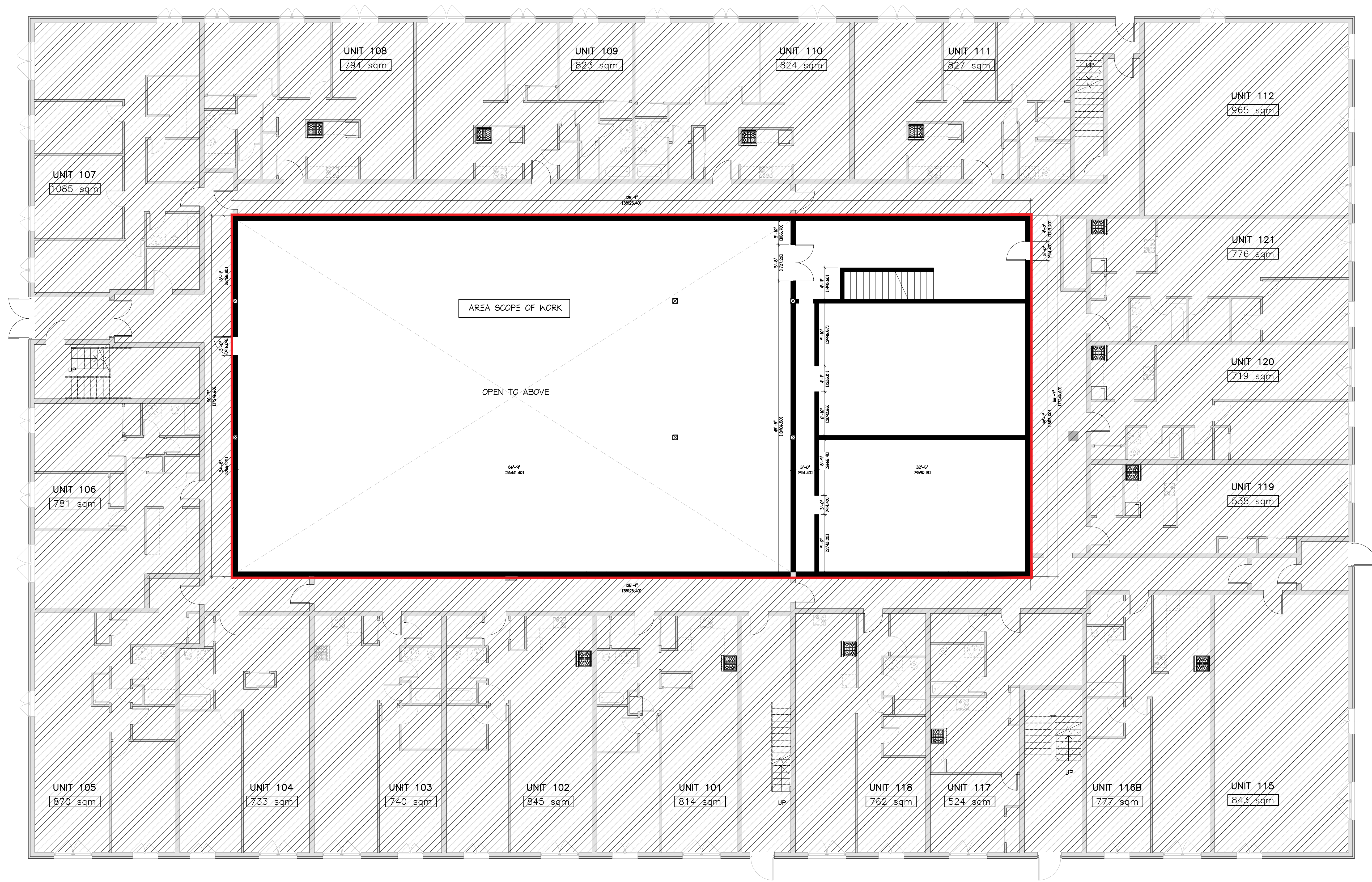
C-SQUARED INC.  
WWW.C-SQ.CA

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2024/10/09  
NOT FOR PERMIT /  
CONSTRUCTION

ISSUED FOR ZONING BY-LAW AMENDMENT



01 15/07/2024 COURT DEVELOPMENT PROPOSAL

COURTYARD

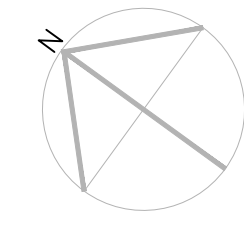
9 BENNETT,  
PEMBROOK KBA 3Y6  
ONTARIO

EXISTING GROUND  
FLOOR PLAN

A2.0

1 A2.0 | GROUND FLOOR  
1/8"=1' | EXISTING PLAN





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2024/10/09  
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ISSUED FOR ZONING BY-LAW AMENDMENT

HATCHED AREA NOT INCLUDED  
IN A SCOPE OF WORK



01 15/07/2024 COURT DEVELOPMENT PROPOSAL

COURTYARD

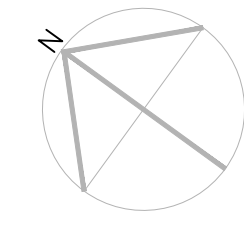
9 BENNETT,  
PEMBROOK KBA 3Y6  
ONTARIO

GROUND FLOOR -  
KEY PLAN

A3.0

1 A3.0 | GROUND FLOOR  
1/8"=1' | KEY PLAN





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2024/10/09  
NOT FOR PERMIT /  
CONSTRUCTION

ISSUED FOR ZONING BY-LAW AMENDMENT

HATCHED AREA NOT INCLUDED  
IN A SCOPE OF WORK



01 15/07/2024 COURT DEVELOPMENT PROPOSAL

COURTYARD

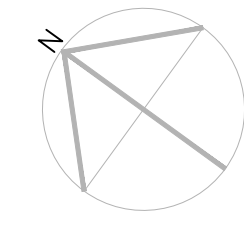
9 BENNETT,  
PEMBROOK KBA 3Y6  
ONTARIO

SECOND FLOOR -  
KEY PLAN

A4.0

1 A4.0  
1/8"=1' | SECOND FLOOR  
KEY PLAN





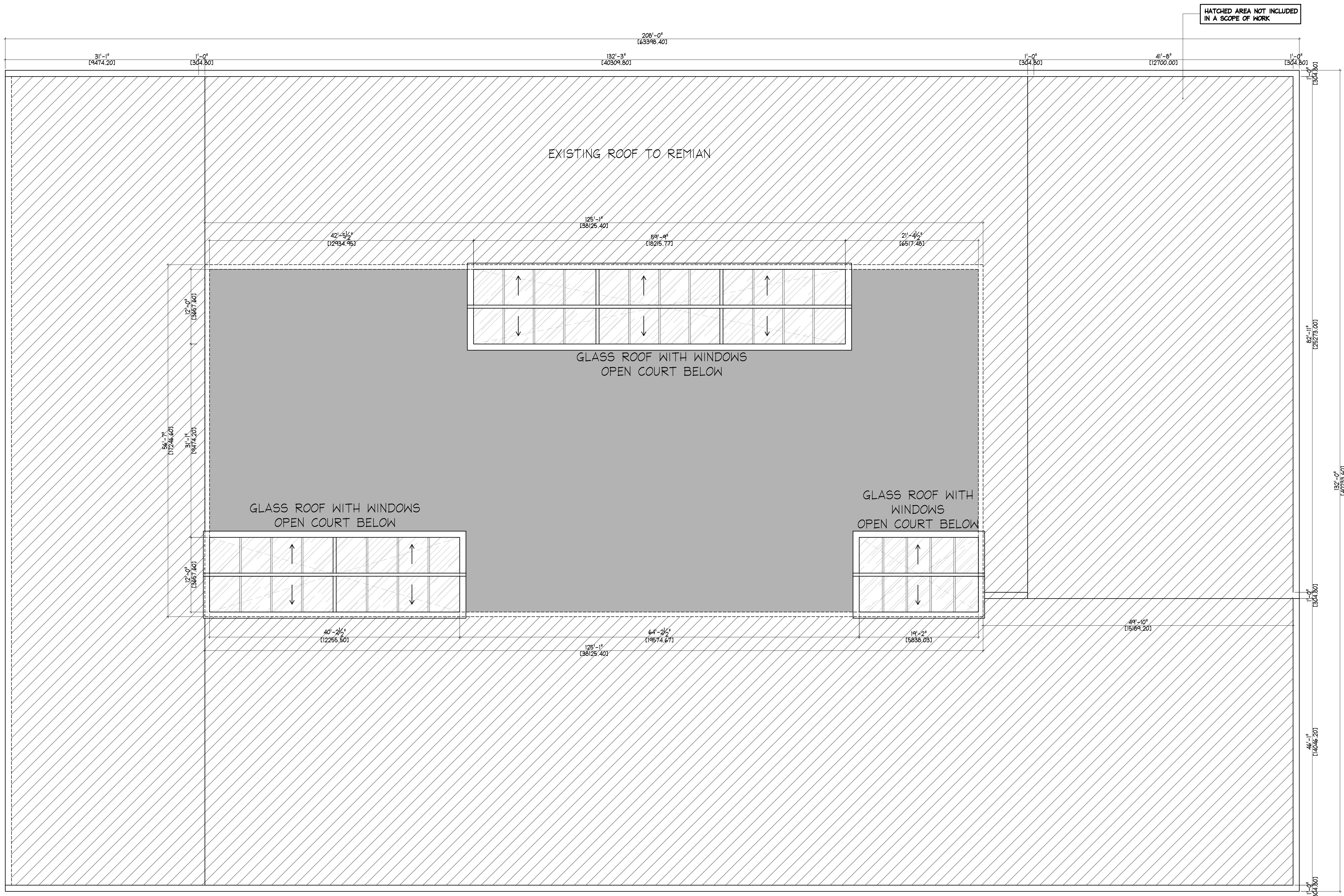
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ONTARIO ASSOCIATION  
OF  
ARCHITECTS  
NEWBORN  
LICENCE  
8504  
2024/10/09  
NOT FOR PERMIT /  
CONSTRUCTION

ISSUED FOR ZONING BY-LAW AMENDMENT



1 A5.0 ROOF  
1/8"=1' KEY PLAN



## THE CORPORATION OF THE CITY OF PEMBROKE

### PUBLIC MEETING CONCERNING A PROPOSED AMENDMENT TO ZONING BY-LAW 2020-05 OF THE CITY OF PEMBROKE

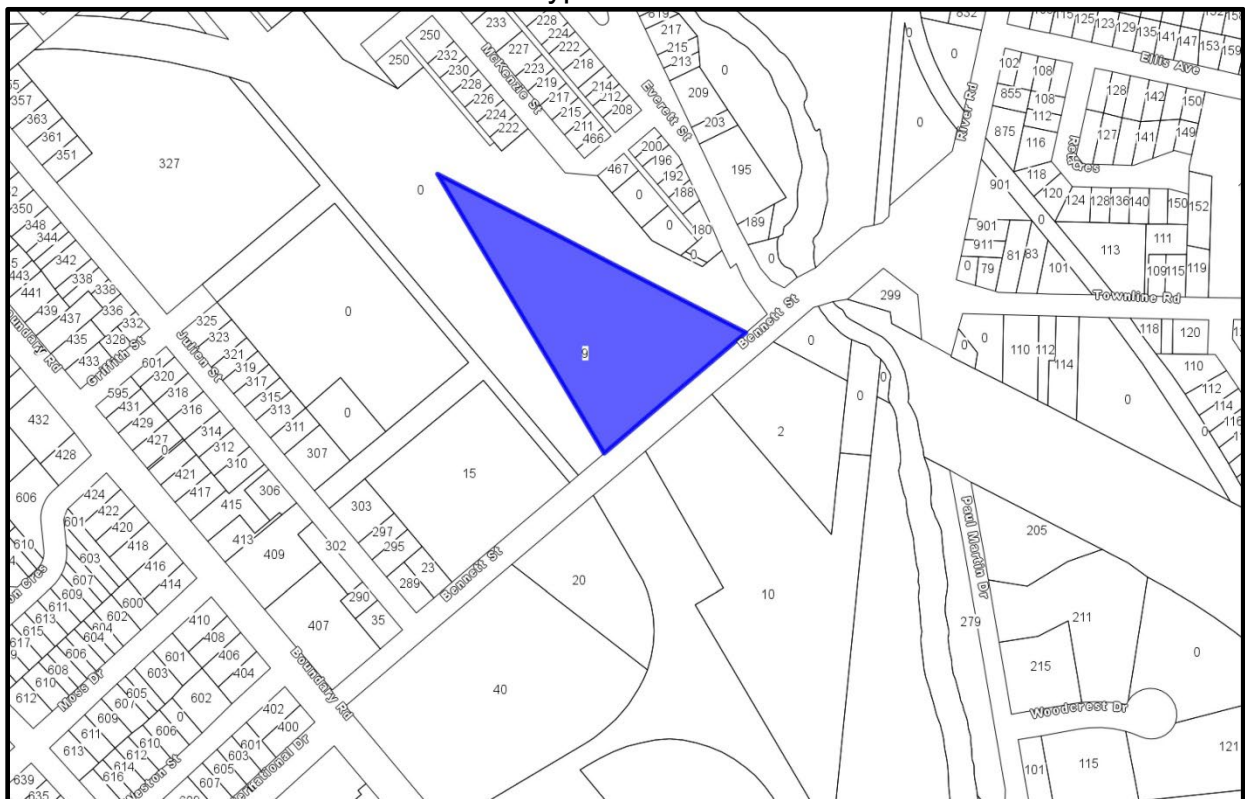
TAKE NOTICE THAT the Council of the Corporation of the City of Pembroke will hold a **Public Meeting** on **Tuesday, November 5, 2024**, at City Hall at **6:00 p.m.**, to consider a proposed amendment to Zoning By-law 2020-05 under Section 34 of the Planning Act R.S.O., 1990.

The **Planning Advisory & Adjustment Committee** will be discussing the application at their meeting set for **Monday, October 28, 2024**, at **4:30 p.m.** in the Council Chambers at City Hall.

These are public meetings and you are encouraged to participate either in-person or by requesting a link to attend virtually via Zoom or by providing a letter of your concerns to Owen Hutton at [ohutton@pembroke.ca](mailto:ohutton@pembroke.ca) or by calling 613-735-6821 Ext. 1304. Both meetings will be live streamed on the City's YouTube channel at <https://www.youtube.com/channel/UCMmnyi4hXXaKXGRto06jQw>.

The proposed zoning by-law amendment (File Z-10/2024) would change the zoning of the lands municipally known as **9 Bennett Street** and legally described as CON 1 PLAN 178 PT LOT 14 from a "Residential Type 4-29 – R4-29" zone to "Residential Type 4-15 – R4-15" zone.

#### PROPOSED AMENDMENT TO ZONING BY-LAW 2020-05 AREA REZONED FROM A "Residential Type 4-29 – R4-29" ZONE TO A "Residential Type 4-15 – R4-15" ZONE



If you wish to be notified of the decision of the Corporation of the City of Pembroke on the proposed zoning by-law amendment, you must make a written request to Colleen Sauriol at 1 Pembroke Street East, Pembroke, ON K8A 3J5 or [csauriol@pembroke.ca](mailto:csauriol@pembroke.ca).

If a person or public body would otherwise have an ability to appeal the decision of the Corporation of the City of Pembroke to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Pembroke before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Pembroke before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

FOR MORE INFORMATION about this matter, including information about appeal rights, contact Colleen Sauriol at 613-735-6821 Ext. 1301 or by email at [csauriol@pembroke.ca](mailto:csauriol@pembroke.ca).

DATED at Pembroke, Ontario this 4<sup>th</sup> day of October, 2024.

Colleen Sauriol, Director  
Planning, Building & By-law Departments

Victoria Charbonneau  
Clerk

**EXPLANATORY NOTE:** Currently, a 38-unit apartment building exists at 9 Bennett Street; the current site-specific “R4-29” zoning permits this explicitly, along with the option to add two (2) additional 12-unit apartment buildings on the property. The applicant would like to add 12 apartment dwelling units to the existing building, to be configured within the footprint of its existing courtyard. As the proposed configuration differs from the aforementioned permitted uses of the current site-specific zoning, a zoning by-law amendment is required. Current site-specific relief for reduced privacy yards for the existing building is required to be carried over in the new amendment.