



Notice of Decision of the Planning Advisory Committee
Respecting Application for Minor Variance
Sec. 45(8.1) of Planning Act

RE AN APPLICATION BY: **IN ENGINEERING + PLANNING c/o TOMLYN GRAOVAC**
OWNER: **GENEVIEVE MARIE-ANTOINETTE ROY**
FILE NO.: **MV-24-06**
LOCATION of PROPERTY: **144 BECKWITH STREET NORTH**

TAKE NOTICE that the Planning Advisory Committee of the Town of Smiths Falls held a public meeting on November 14th, 2024, to consider a proposed minor variance application under Section 45(3) of the *Planning Act* and made a decision on the application that same day, as outlined below.

PURPOSE OF APPLICATION: The purpose of Minor Variance application MV-24-06 is to seek relief from **Section 4.28.7 – Parking Space Requirements** and **Section 4.28.14 – Table 4-6 Parking Location in Required Yards** to accommodate the construction of one parallel parking stall in the front yard of the property. The stall is proposed to measure 2.75 X 5.8 m in size, whereas Section 4.28.7 requires a parallel parking stall to measure 2.75 X 6.7 m at minimum. Section 4.28.14 of the By-law regulates the location of required parking spaces and does not allow parking spaces within the required front yard of a residential property and requires a minimum 2 m separation between the parking space and the nearest habitable room window.

Through this application, the applicant seeks approval to locate the proposed parking space within the required front yard of the subject property and, further, seeks approval to establish a 0 m lot line setback from the habitable room window. The existing front porch will be removed to accommodate the proposed parking stall. If successful, additional approvals are required to permit the encroachment onto the municipal right-of-way. The proposed stall will encroach 1 m into the municipal right of way, bringing the parking stall to a proposed 1.7 m from the sidewalk.

YOUR RIGHT TO APPEAL: The applicant, the Minister or specified person or public body that has an interest in this matter may appeal the decision of the Planning Advisory Committee (acting as the Committee of Adjustment) to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) within 20 days of the making of the decision. An appeal must be filed with the Secretary-Treasurer of the Planning Advisory Committee and must set out the objection to the decision accompanied by the fee prescribed by the Ontario Land Tribunal.

For more information on making an appeal, please visit <https://olt.gov.on.ca/>

The last date for filing an appeal is December 4th, 2024.

MORE INFORMATION: For further information on this application, please contact the Secretary-Treasurer during regular office hours Monday to Friday 8:30 a.m. to 4:30 p.m.

DATED AT THE TOWN OF SMITHS FALLS THIS 14th day of November 2024.

Karl Grenke, MCIP, RPP,
Manager of Development Services/ Secretary-Treasurer
Town of Smiths Falls
Telephone: 613-283-4124 ext. 1116
Email: kgrenke@smithsfalls.ca



**DECISION OF THE TOWN OF SMITHS FALLS PLANNING ADVISORY COMMITTEE
RESPECTING APPLICATION FILE NO. MV-24-06**

WE, the undersigned, in making the decision upon this application, have considered whether or not the variances requested were minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, or in the case of a change in use of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(2) of the *Planning Act*,

CONCUR in the following decision and reasons for the decision made on the 14th day of November 2024.

DECISION: To deny Minor Variance application MV-24-06 – 144 Beckwith Street North

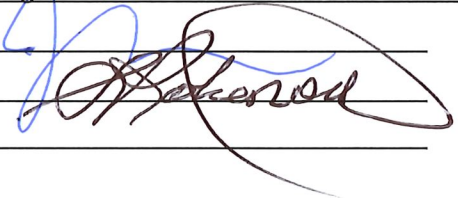
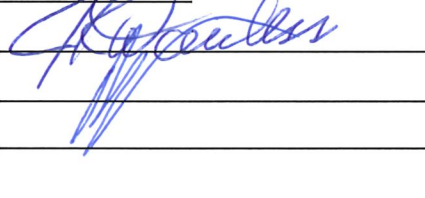
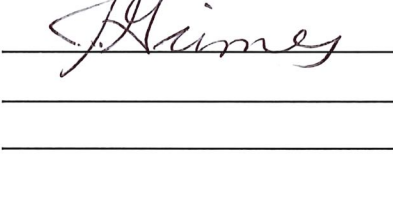
REASONS FOR DECISION:

1. The Committee reviewed the evidence presented at the hearing and determined that the proposal would create an unacceptable risk of operational and safety challenges relating to the maintenance of the Town right-of-way.
2. The Committee determined that the variance enables an undesirable form of urban development that could not be justified within the context of Official Plan policies regarding complete streets, residential development and neighbourhood character and is incompatible within the context of the Residential Type 2 (R2) Zone.
3. The Committee felt the application did not meet the Four Tests outlined in the Planning Act.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

The Committee considered the nature of the proposed request, examining the feedback on compatibility, pedestrian safety, and neighbourhood character, and determined that the proposed development did not enhance the residential dwelling or encourage safe access to the municipal right of way.

Signatures of all members concurring with this decision:

CERTIFICATE

I, Karl Grenke, Secretary/Treasurer of the Planning Advisory Committee of the Town of Smiths Falls, certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded therein.

Date of decision this 14th day of November 2024
TOWN OF SMITHS FALLS
77 BECKWITH STREET NORTH
SMITHS FALLS ON K7A 2B8


Karl Grenke, Secretary-Treasurer
613-283-4124 ext. 1116
kgrenke@smithsfalls.ca