

FORMAL REPORT

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| To: | Mayor Strathdee and Members of Council |
| Prepared by: | Mark Stone, Planner |
| Date of Meeting: | 22 May 2018 |
| Subject: | DEV 23-2018 Zoning By-law Amendment (Z04-2017) 275 James Street South |

PURPOSE

To provide background information, staff comments and recommended direction for Council's consideration with respect to the Application for Zoning By-law Amendment (Z04-2017) by A. Paola for 275 James Street South.

RECOMMENDATION

THAT DEV 23-2018 Application for ZBA (Z04-2017) A. Paola for 275 James Street South be received; and

THAT the comments received at the Public Meeting be addressed in a report presented at a subsequent Council meeting outlining staff recommendations on the disposition of this Application, once Town staff is satisfied with the layout of the proposed development (as part of the review of the related Site Plan Application).

REPORT

In August of 2017, the Town received an Application to amend the Town's Zoning By-law with respect to the subject property (see Attachment 1). The subject property is located northeast of the intersection of James Street South and Maxwell Street, as shown on the General and Specific Location Maps (Attachments 2 and 3).

The Zoning By-law Amendment Application is required to facilitate the development of 24 condominium townhouse units in four buildings. The proposed Site Plan (Attachment 4) shows individual driveways and garages for each unit, along with 10 visitor parking spaces. The applicant indicates that the floor area of each unit will range from 148.7 to 179.3 m² (1,600 to 1,930 ft²).

At the November 6, 2017 meeting, the Planning Advisory Committee considered a Town Information Report (dated November 1, 2017) regarding the Application. A number of residents attended the meeting and identified concerns with the proposed development. The Committee passed a resolution deferring a recommendation on the Application so as to provide the proponent the opportunity to present additional information to address these concerns. These concerns are discussed later in this report.

The applicant submitted a Site Plan Application to the Town in February of 2018. The Site Plan Application submission included the proposed Site Plan, engineering plans, a Site Servicing and Stormwater Management report, and a Transportation Assessment report. The applicant has indicated that a tree preservation plan, lighting plan and fencing details will be submitted to the Town in the near future. A Plan of Condominium Application will also be submitted to identify unit boundaries and common elements of the proposed development.

At the April 23, 2018 meeting, the Planning Advisory Committee considered a Town Information Report which summarized new information from the applicant. The Town's Planning Advisory Committee passed a motion endorsing, in principle, the Zoning By-law Amendment Application and recommended that Council proceed to a public meeting to consider the Application.

SITE CONDITIONS AND CHARACTERISTICS

The irregularly shaped subject property is approximately 0.87 hectares in size, with 33 metres of frontage along James Street South and 13 metres of frontage along Maxwell Street. The subject lands are relatively flat.

SURROUNDING LAND USES

- North:** Vacant lands and St. Marys District Collegiate and Vocational Institute
- South:** Low density residential and the Pyramid Recreation Centre
- East:** Low density residential
- West:** Low density residential fronting onto James Street South and industrial uses on the west side of James Street South

PLANNING CONTEXT

Provincial Policy Statement

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Act. The PPS provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment. The purpose of this section is to identify policies in the PPS relevant to this proposed development.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term
- accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs
- promoting cost-effective development patterns and standards to minimize land consumption and servicing costs

Section 1.1.2 of the PPS states, in part, that sufficient land shall be made available in settlement areas through intensification and redevelopment and, if necessary, designated growth areas. Section 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land, resources, infrastructure and public service facilities; minimize negative impacts to air quality and climate change, and promote energy efficiency; and support active transportation. Section 1.1.3.4 states that "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety".

Section 1.4.3 of the PPS states, in part, that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by:

- permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements, and all forms of residential intensification, including second units, and redevelopment

- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety

Sections 1.6.3 and 1.6.6.1 promote the efficient use and optimization of existing infrastructure and public service facilities.

The Planning Justification Report by GSP Group, dated September 2017 (Attachment 5) submits that the proposed development “supports the creation of healthy, livable and safe communities through providing a range and mix of housing types (introducing townhouse units) and by utilizing existing infrastructure to service the property” and “provides a compact form and density that efficiently uses land and infrastructure”.

Official Plan

The subject property is designated Residential in the Town Official Plan. The primary use of land in the Residential designation is for a range of dwelling types from single detached dwellings to walk-up type apartments, parks and open spaces, and institutional uses subject to the policies of the Plan. The Objectives of the Residential designation include:

- encouraging the provision of an adequate supply and choice of housing for residents in terms of quality, type, location and cost (3.1.1.1)
- maintaining and improving the existing housing stock and character of residential areas (3.1.1.3)
- preventing the location of non-compatible land uses in residential areas (3.1.1.4)
- encouraging and promoting additional housing through intensification and redevelopment (3.1.1.7)
- encouraging a diversification and inter mixing of different housing types and forms (3.1.1.8)

Section 3.1.2.3 of the Official Plan states that “residential infilling type development is generally permitted throughout the ‘Residential’ designation where such development is in keeping with the attributes of the neighbourhood in terms of building type, building form, and spatial separation. When evaluating the attributes of the neighbourhood, regard shall be given to lot fabric (i.e., area, frontage, and depth), and built form (i.e., setbacks, massing, scale, and height). In cases where one or more of the existing zone provisions are not met, an amendment or a minor variance to the zone provisions may be considered to permit the proposed development provided that the spirit of this Section is maintained”. Section 3.1.2.4 states that “Council will favour residential intensification and redevelopment over new green land residential development as a means of providing affordability and efficiencies in infrastructure and public services”.

The applicant contends that the proposed development “will maintain the attributes of the existing neighbourhood as the Subject Property is an existing internal lot with limited street frontage” and that “while the townhouse units are a change in built form from the surrounding single detached dwellings, the units are proposed to be two storeys in height and have quality finishes and materials that will be compatible to the surrounding neighbourhood”. In addition, the applicant submits that “setbacks for the proposed development will be similar to those of the surrounding single detached residential dwellings in terms of side and rear yard interfaces”.

Section 3.1.2.5 of the Official Plan states that “when reviewing development or redevelopment proposals, Council shall consider following density targets:

- a) Single-detached dwellings 10-15 units per hectare
- b) Semi-detached, duplex dwellings 15-25 units per hectare
- c) Townhouse dwellings 25-40 units per hectare
- d) Low rise apartments 40-75 units per hectare

Council may moderately increase or decrease these densities dependent upon specific site circumstances, provision of on-site amenities, and capabilities of municipal servicing systems to accommodate any increase. Council will favour those developments with a mixture of lower and higher densities of development over those consisting of only low densities of development”.

Section 3.1.2.7 states that “in reviewing proposals for residential development with a net density of more than 18 units per hectare, Council shall consider the impact on municipal capacity, hard services and utilities including sanitary sewer, municipal water supply, storm drainage, service utilities and roadways. Council shall take the following into account prior to enacting an amendment to the Zoning By-law:

- a) That the development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area;
- b) That the net density of development shall not exceed 75 units per hectare;
- c) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
- d) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule “B” of this Plan; and
- e) That sufficient on-site parking is provided and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing.

The submitted Planning Justification Report states that the proposed development:

- has been designed as two storeys in height
- will have an overall net density of 27.5 units per hectare
- can be adequately serviced by the existing municipal infrastructure
- is located within 100 metres of James Street (an arterial road) and Maxwell Street (a collector road)
- provides a garage and an individual driveway for each townhouse unit, along with on-site parking spaces to accommodate visitor parking
- will be subject to site plan approval and a landscaping plan will be prepared to further ensure adequate buffering to surrounding properties

Section 3.1.3.8 of the Official Plan states that “proponents of townhouse and apartment developments are encouraged to provide on-site recreational facilities in keeping with the proposed development”. The applicant indicates that the proposed development has been designed to provide for private amenity area for each dwelling, and is located in close proximity to the Pyramid Recreation Centre, St. Marys District Collegiate and Vocational Institute, and Little Falls Public School, all which assist in providing a range of open space, structured facilities and indoor recreational opportunities.

Section 4 of the Official Plan provides policy direction for the division of land including plans of subdivision and condominium, and consents. The policies of this section speak to the review of applications to ensure that proposed development will not preclude the satisfactory use, development,

or redevelopment of surrounding lands, and to ensure such development will not adversely affect existing amenities and the predominant character of the area. Where there is a potential for conflict between adjoining land uses, adequate landscaping, screening, and buffering provisions may be required in order to alleviate and/or eliminate any conflict.

Section 4.1.1.10 states that “before approving a plan of subdivision/condominium, Council shall be satisfied that adequate services such as schools, municipal recreation facilities, fire protection, water supply, sewage disposal, storm drainage facilities, solid waste disposal facilities, and road maintenance are or can be supplied and that the provision of these services will not adversely affect the financial position of the Town”.

Zoning By-law

The subject property is currently zoned Residential Development (RD), Residential Two (R2-1) and Residential Three (R3) in the Town’s Zoning By-law Z1-1997.

The purpose and intent of the Zoning By-law Amendment Application is to rezone the subject property to Residential Zone Five (R5) to permit the proposed townhouse development with exceptions to certain R5 Zone regulations to recognize the layout and form of development. The following chart summarizes the requirements of Section 12.4 of the R5 Zone and identifies regulations requiring an exception to facilitate the proposed development.

| Regulation | Requirement | Proposed / Provided | Exception Required |
|---|--|--|--------------------|
| Lot area minimum | 1,017 m ² (for each townhouse dwelling) | 133.7 m ² (per unit measured from driveway to 1 metre off of rear wall of the dwelling). Additional area behind the individual units will be exclusive use or become part of the individual condominium units (lot) at the time of the condominium application. | ✓ |
| Gross density maximum | 50 units per hectare | 27.9 units per hectare | |
| Lot frontage minimum | 47.0 m | 13.7 m (for entire site – Maxwell Street frontage) | ✓ |
| Maximum number of attached dwelling units | 8 | 6 | |
| Lot depth minimum | 37.0 m | 25.0 m per unit (measured from edge of condominium road/driveway to property line behind unit) | ✓ |
| Front yard minimum | 6.0 m | 45.7 m to Maxwell Street provided | |
| Interior side yard minimum | 4.5 m | <ul style="list-style-type: none"> 5.8 m provided to north property line (adjacent to Block 1). 10 m provided to west property line (adjacent to Blocks 2 – 4). 19.1 m provided to east property line (adjacent to Blocks 2 – 4). | |
| Exterior side yard minimum | 6.0 m | 3.0 m to James Street (measured from limit of required 5.0 m road widening) | ✓ |
| Rear yard minimum | 7.5 m | 3.0 m (setback from Block 4 to north end of subject property) | ✓ |

| Regulation | Requirement | Proposed / Provided | Exception Required |
|--|---|--|--------------------|
| Building height maximum | 10.5 m | 10.5 m | |
| Lot coverage maximum | 35% | 28.8% | |
| Dwelling unit gross floor area minimum | 75.0 m ² (for 3 bedroom units) | 75.0 m ² (min. 147 m ² provided) | |
| Landscaped open space minimum | 35% | 44.2% | |

COMMUNICATIONS

A number of residents attended the November 6, 2017 Planning Advisory Committee meeting and identified concerns with the proposed development. A copy of the Minutes of the November 6, 2017 meeting is attached as Appendix 6. In addition, a letter was received on November 6, 2017 from the De Vries Family, 5 Maxwell Street (see Attachment 7).

A number of residents also attended the April 23, 2018 Planning Advisory Committee meeting and posed questions and concerns with the proposed development, including:

- How will the development be phased?
- How will the condominium corporation function and address issues?
- Concerns with the size of Block 1 rear yards and potential impacts on property to the north

An email submission was received by the Town on May 14, 2018 from Mr. Gary Bryans, 257 James Street South (see Attachment 7) with comments and concerns, including:

- Suggests that the applicant “could get rid of block one and put his road way there and build a separate duplex on Maxwell or something”
- Concerned with loss of green space – applicant should reduce number of units in Blocks 1 and 4 to maintain as much green space as possible
- Concerned with condition of properties during construction (e.g. piles of brush, and truck and trailer parking)

The following table provides a summary of comments received from Town Departments and agencies to date. Copies of correspondence are attached to this report.

| Department / Agency | Date | Summary of Comments |
|--|------------------|---|
| Town Engineering and Public Works | October 31, 2017 | <ul style="list-style-type: none"> • Applicant to confirm sanitary system capacity requirement and that sanitary servicing to property is adequate at the time of site plan application. • Applicant to confirm water system capacity requirement for fire protection and hydrant flow testing will need to be completed at the time of site plan application to confirm water servicing to property is adequate. |

| Department / Agency | Date | Summary of Comments |
|--|-------------|---|
| | | <ul style="list-style-type: none"> Vehicular access to be reviewed at the time of site plan application. |
| Huron-Perth Catholic District School Board | May 7, 2018 | <ul style="list-style-type: none"> No concerns |

PLANNING ANALYSIS

The applicant submits that the proposed development promotes intensification, compact development and the efficient use of land and infrastructure, and contributes to the provision of a range of housing types and densities in the Town. The applicant contends that the proposed development “will maintain the attributes of the existing neighbourhood as the Subject Property is an existing internal lot with limited street frontage” and that:

- the proposed development presents a unique opportunity to infill and increase density between two existing residential areas
- factors such as the provision of sufficient on-site parking, separation of buildings and setbacks to property lines have all been factored into the proposed development and site layout
- the existing streetscape along the east side of James Street South will be complemented with the introduction of the proposed Block 1 townhouse units
- the end unit closest to James Street South will have an enhanced side elevation with a wraparound porch and side entry (facing James Street South) that will maintain the character and building wall along James Street South
- while the townhouse units are a change in built form from the surrounding single detached dwellings, the units are proposed to be two storeys in height and have quality finishes and materials that will be compatible to the surrounding neighbourhood
- setbacks for the proposed development will be similar to those of the surrounding single detached residential dwellings in terms of side and rear yard interfaces

In response to issues raised by the Planning Advisory Committee and the public, the applicant submitted a letter from GSP Group, dated March 29, 2018. A copy of the letter is provided as Attachment 8. The following is a discussion of the issues raised by the Planning Advisory Committee and the public.

Traffic Impacts

Concerns were raised with respect to potential traffic impacts of the proposed development. In support of the Site Plan Application, the applicant submitted a Transportation Assessment prepared by Salvini Consulting, dated February 9, 2018. The Assessment determined traffic generation potential of the proposed development based on data from the Institute of Transportation Engineers Trip Generation Manual (10th Edition). It is estimated that the proposed development will generate 12 trips during the weekday morning peak hour and 17 trips in the weekday afternoon peak hour.

A review of the existing and future traffic operations at the Maxwell Street / James Street South intersection was completed. Turning movement data at the intersection was collected on Thursday, January 18, 2018. The morning peak hour occurred between 7:45 and 8:45 a.m. and the afternoon peak hour occurred between 4:30 and 5:30 p.m.

The analysis in the Assessment indicates that the intersection is operating at acceptable levels of service on all approaches and that it will continue to do so in the future with or without the proposed development.

Access to James and Maxwell Streets

Concern was raised with respect to the ability of the existing roads and the new development to accommodate safe traffic movements to and from the site. The submitted Site Plan shows full movement driveway accesses from James Street South and Maxwell Street. The Town's Public Works Department has not indicated any concerns with turning movements and/or sight lines based on a review of the proposed Site Plan and Transportation Assessment.

On-site Parking

The Town's Zoning By-law requires 1.5 parking spaces for each dwelling unit. Two parking spaces will be provided for each townhouse unit (garage and private driveway spaces). A ratio of 0.2 to 0.25 visitor parking spaces per unit is an acceptable minimum requirement for visitor parking associated with a condominium townhouse development. The proposed Site Plan shows 10 on-site visitor parking spaces, which is a ratio 0.42 visitor parking spaces per unit.

Site Fencing / Landscaping

The applicant notes in the March 29, 2018 GSP Group letter that proposed landscaping and fencing will be identified in a detailed landscaping plan to be submitted with the Site Plan Application. However, the applicant indicates that the perimeter of the property will be fenced and "the specifics of the fencing will have to be confirmed and potentially discussed with adjacent landowners to avoid duplication of fencing where possible".

Greenspace / Amenity Areas on Site

Concern was raised with respect to the amount of greenspace and amenity areas for the residents of the new development. In response to this issue, it is noted in the March 29, 2018 GSP letter that:

- "Each unit will have a private amenity area to the rear of the dwelling unit. This is no different than a single detached house. The rear yard area of each dwelling will allow for decks / patios and the ability to have outdoor activity space. As each unit will have private amenity space, a communal amenity space is not proposed".
- "The proposed development is located in close proximity to the Pyramid Recreation Centre, St. Marys District Collegiate and Little Falls Public School all of which assist in providing a range of open space, structured facilities and indoor recreational opportunities".

Garbage / Recycling Collection

Questions were raised with respect to how garbage and recycling will be stored and collected. In response to this issue, it is noted in the March 29, 2018 GSP letter that "the proposed development will be serviced by private garbage and recycling collection. As the proposed development is to be registered as a condominium, there will be a condominium declaration and condominium fees established to pay for private garbage collection. Garbage and recycling are to be stored at the individual units until collection day, similar to garbage collection at single detached dwellings. There are not any dumpsters or communal garbage facilities proposed".

Density of Development

Concerns were raised with respect to the density of the development and the number of units proposed. In response to this issue, it is noted in the March 29, 2018 GSP letter that "the subject property is sufficiently sized to accommodate the proposed townhouse dwelling units, on-site parking, stormwater management and private amenity space for each unit. The size and shape of the subject property does not lend itself to development of single detached dwellings and other forms of development such as an apartment are not appropriate in this location".

Impacts on Surrounding Properties During Construction

Concerns were raised with respect to potential impacts of construction on the surrounding neighbourhood. The Town's Noise By-law contains a general prohibition on noise or vibration, and on the operation of any construction equipment without effective exhaust or intake muffling devices. In addition, the Town's Site Plan Agreement contains clauses requiring the land owner to ensure compliance with an approved sediment control plan for the site, and to ensure that abutting streets are kept in good and usable condition during construction.

SUMMARY

It is recommended that Council direct staff to prepare a report addressing comments received at the public meeting and once staff is satisfied with the layout of the proposed development (as part of the review of the related Site Plan Application). The report would be presented at a subsequent Council meeting, outlining staff recommendations on the disposition of this Zoning By-law Amendment Application.

FINANCIAL IMPLICATIONS

Not known at this time.

STRATEGIC PLAN

- ☐ Not applicable to this report.
- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
 - Pillar #6 Housing:
 - Outcome: In order to get the 'right demographic mix' for St. Marys, it will be essential to ensure housing stock is flexible and attractive for youth, workers, immigrants and persons of all abilities.

OTHERS CONSULTED

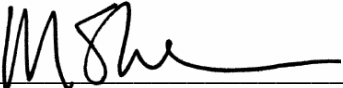
Susan Luckhardt, Planning Coordinator

ATTACHMENTS

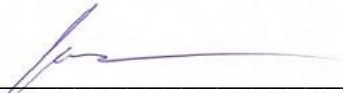
- 1) Application for Zoning By-law Amendment
- 2) General Location Map
- 3) Specific Location Map
- 4) Proposed Site Plan
- 5) Planning Justification Report by GSP
- 6) Minutes of November 6, 2017 Planning Advisory Committee Meeting
- 7) Correspondence
- 8) March 29, 2018 GSP Group letter

REVIEWED BY

Recommended by the Department



Mark Stone
Planner



Grant Brouwer
Director of Building and Planning

Recommended by the CAO



Brent Kittmer
CAO / Clerk