

May 2<sup>nd</sup>, 2022

File No.: 2022-28

Morgan Dykstra  
Public Works & Planning Coordinator  
Town of St. Marys  
175 Queen Street East  
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**RE: Planning Justification Letter  
Zoning By-law Amendment Application  
178 Queen Street West, St. Marys**

On behalf of Amy and Nigel Brooke ("Owners") we are pleased to submit a Zoning By-law Amendment Application ("Application") for land known municipally as 178 Queen Street West, St. Marys (herein referred to as the "Site"). The Owners are seeking a Zoning By-law Amendment to convert the existing duplex to a triplex, providing an increase in one (1) dwelling unit on the Site. Specifically, the Amendment is requesting that the Site be rezoned from "Residential Zone Three (R3)" to a site-specific "Residential Zone Four (R4)".

As outlined in the Formal Consultation Submission Requirements Report, a Planning Justification Letter is required in support of the Zoning By-law Amendment Application and the intent of this letter is to fulfill said requirements.

### **Site Overview**

The Site is located at the southwest corner of the Queen Street West and Ontario Street intersection, to the immediate west of downtown St. Marys. With a lot area of 682.7 square metres, The Site has 29.269 metres of frontage on Queen Street West and 23.271 metres of frontage on Ontario Street. The Site slopes from west-east, with mature vegetation along the property boundaries.

There is an existing building on the Site, which currently contains two (2) dwelling units. The first unit is located on the main floor and is comprised of a 4-bedroom unit with an approximate square footage of 1,300 square feet. The second unit is located on the second floor and is a one-bedroom unit with an approximate square footage of 600 square feet. Extensive renovations have occurred to the exterior of the property, with the removal of stucco, revealing the original stonework.

There are three (3) existing off-street parking spaces on the Site, with two (2) spaces from Ontario Street and one (1) space from Queen Street West.

The land surrounding the Site includes a mix of residential and commercial uses. To the immediate west are two commercial developments containing a variety store, real estate office and government offices. Land to the south, east and north is characterized as low density residential.

**Image 1: Site Frontage on Ontario Street (Looking West)**



*Source: Owner, 2022*

**Image 2: Looking North West from Queen Street across the Site**



*Source: Owner, 2022*



**Image 3: Site and Surrounding Area**



Source: Google, 2022

### **Proposed Development**

The Owners are proposing to convert the main floor unit into two (2) separate dwelling units, each being a 2-bedroom unit. No external alterations to the structure are required to accommodate the conversion; however, the Owners are proposed to add one (1) additional off-street parking space to support the creation of a new dwelling unit. The two (2) existing parking spaces from Ontario Street will remain, and the parking space from Queen Street West will be altered into two (2) tandem parking spaces intended to be used by the occupants of only one unit. The second floor dwelling unit will remain unchanged.

The existing R3 Zone permits the use of the existing building for two (2) dwelling units. In order to permit three (3) dwelling units, the Site is required to be rezoned to the R4 Zone.

### **Proposed Zoning By-law Amendment**

As noted, it is proposed that the Site be rezoned to a site-specific R4 Zone to permit three dwelling units on the Site. Site-specific provisions are required to:

1. Permit an off-street parking rate of 1.25 parking spaces per dwelling unit (converted dwelling), whereas the By-law requires a minimum of 2 parking spaces per dwelling unit
2. Recognize the existing legal non-conforming matters for the Site (see Table 1 below)

### **Affordable Housing Analysis**

The significance and need for affordable and attainable housing was highlighted in the Town of St. Marys' Strategic Plan where addressing housing needs is identified as a Pillar, as well as in the Stratford, Perth County, and St. Marys Housing and Homelessness Plan (5 year update 2020-2024). These documents indicate the importance of encouraging and facilitating affordable and attainable housing developments to meet local social and economic development needs. The Town of St. Marys Official Plan also puts additional emphasis on opportunities to encourage housing to meet local needs. The Provincial Policy Statement encourages accommodating an appropriate affordable and market-based range and mix of residential types, and alignment with applicable housing and homelessness plans to meet social, health, economic and wellbeing of residents.

The Provincial Policy Statement definition of affordable rental housing is described as the least expensive of:

- 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households (in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution are considered low and moderate) or;*
- 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.*

In the Council Report of October 27, 2020 "DEV 77-2020 Affordable/Attainable Housing in St. Marys" it was recommended that the Town continue to define affordable ownership based on Provincial definitions as outlined above. Local affordable rental rates were calculated using both of the above noted definitions. Approved alternate average market rent (AMR) values as identified through the Stratford, Perth County, and St. Marys Housing and Homelessness Plan (5-year update 2020-2024), for a 1-bedroom apartment is \$1,031 and for a 2-bedroom apartment in the area it is \$1,351.00. The proposed rental rates will range between \$1,400 to \$1,800. While this is slightly above the established alternate average market rate, there have been significant increases in housing costs since the preparation of the report in 2020.

### **Planning Policy Framework**

This section of the Planning Justification Letter provides an overview and assessment of the relevant planning policies to the proposed Application.

#### *Planning Act, R.S.O. 1990, CHAPTER P.13*

In our opinion, the Application has regard for matters of public interest, as provided in the Planning Act, R.S.O. 1990, CHAPTER P.13 and are appropriate to proceed. The Application provides for the efficient use and supply of energy, water, and services by optimizing municipal infrastructure that is available and

connected. Further, the Application provides for an additional rental housing unit within the built-up area that is well connected to amenities, services and recreation opportunities in St. Marys.

Provincial Policy Statement, 2020

The Provincial Policy Statement (“PPS”), 2020 is a province-wide policy document that sets out the government’s land use vision for the built environment and the management of land and resources. The overarching intent of the PPS is to “provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.” The document is to be read in its entirety and all relevant policies are to be considered.

The PPS, in Section 1.1 promotes the efficient use of land and infrastructure, range of appropriate housing and the development and growth of communities within the built-up area. Section 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form.

Section 1.4 of the PPS more specifically speaks to residential growth and the provision of an appropriate range and mix of housing types and densities. Section 1.4.3 states that planning authorities shall provide for a mix of housing types and densities by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
  2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) 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;
- d) 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;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) 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.

It is our opinion that the Application is consistent with the PPS, fulfilling housing needs within the defined built-up area. As outlined in the preamble to the PPS, the policy-led planning system in Ontario seeks to address the complex inter-relationships between the pillars that contribute to good land use planning. This includes agricultural protection, the provision of a range and mix of housing types, supporting long-term economic prosperity, promoting efficient use of municipal infrastructure, logical and orderly growth and the mitigation of climate change.

The Site has access to existing public infrastructure, including roads, municipal services, and public transportation, which supports the extension and increase of residential density.

The Proposed Development does not create any public health or safety concerns, being located in an existing residential area, with no increase in the building size. The proposed off-street parking rate is in keeping with the intent of the Zoning By-law, requiring 1.25 off-street parking spaces per unit for smaller dwelling units.

*Town of St. Marys Official Plan, 1987*

The Town of St. Marys Official Plan ("OP"), adopted in 1987 (Consolidated October 1, 2007), provides a series of policies to "ensure that St. Marys continued to attract new development in balance with preserving the Town's character and charm."

The Site is designated "Residential" on Schedule A to the OP and Queen Street West is identified as an "Arterial Road".

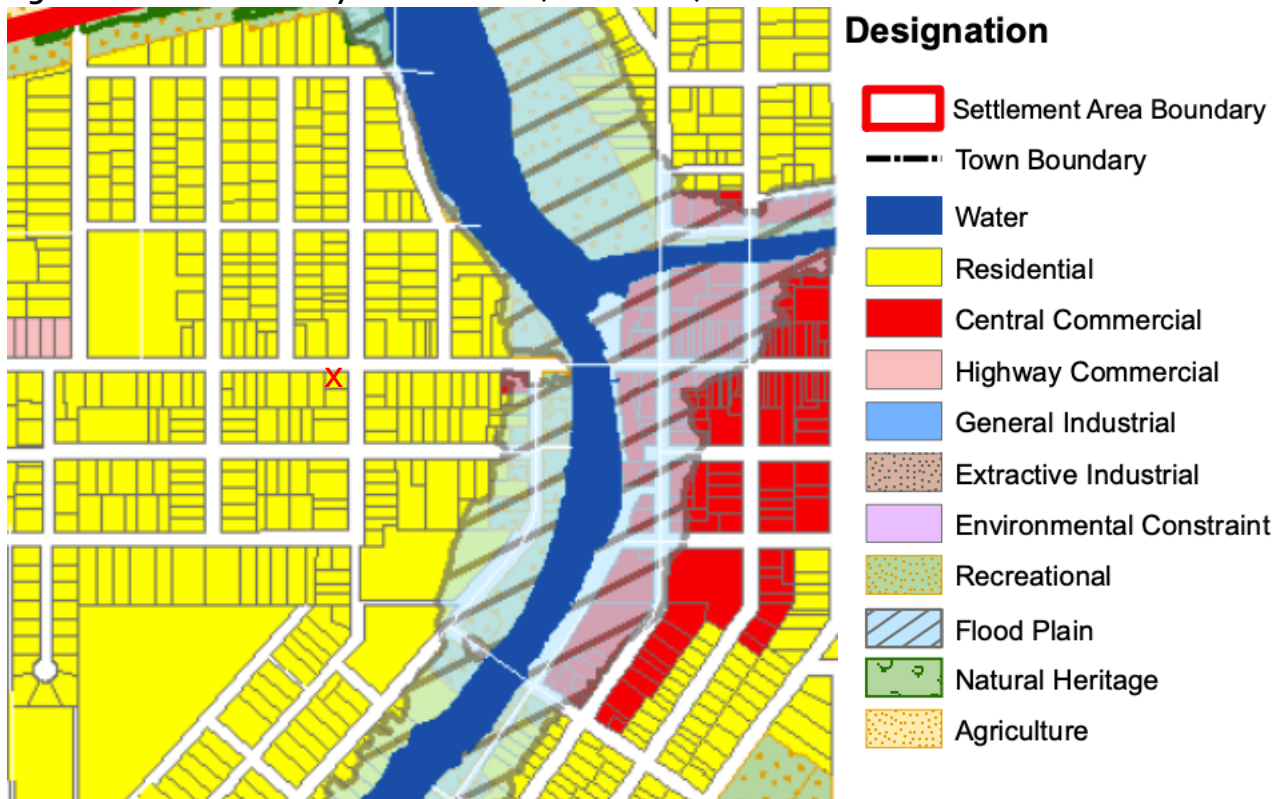
General goals and principles of the Official Plan (Section 2.1), applicable to the Proposed Development include:

- 2.1.1 Residential areas in St. Marys shall provide a range of housing accommodation suitable for all age groups and household incomes.
- 2.1.2 The Town will endeavour to provide stable, attractive residential areas for all its residents.
- 2.1.4 Owners will be encouraged to maintain and improve the physical condition and economic health of existing buildings in order to allow the Town to capitalize upon its natural and heritage resources and to provide for the integration of new, compatible uses.

Residential objectives and policies are provided in Section 3.1 of the OP and outline a number of objectives including the provision of a range in housing types, the promotion of creativity in new residential development, the promotion of housing for senior citizens, the handicapped and low-income families, and the encouragement of additional housing through intensification, diversification, and intermixing of different housing types and forms.



Figure 1: Town of St. Marys Official Plan (Schedule A)



Source: Town of St. Marys, 2007

Section 3.1.3.10 states that conversions of older single-detached residences to multiple residential use may be permitted through an amendment to the Zoning By-law, and that Council may consider:

- a) the conversion would be in keeping with the adjacent residential area;
- b) the conversion would not result in changes to the existing exterior of the building proposed for conversion;
- c) the site can accommodate adequate parking for the proposed dwelling units so as not to detract unduly from adjacent single detached residential development, or alternatively, such required parking area can be effectively buffered;
- d) the municipal services are adequate in the immediate area to accommodate the proposed conversion; and
- e) conversions which propose basement residential units will generally be discouraged.

It is our opinion that the Application conforms to the OP as it provides for the efficient reuse of an existing structure providing an increase in the range of available housing options in the community. Sufficient on-site amenities, including appropriate off-street parking to the unit sizes and amenity area are available to support the additional dwelling unit. A portion of one dwelling unit is located in the basement; however, the main living space is on the ground floor.

The Site has access to full municipal infrastructure, is located on an arterial road and is within walking distance to a range of commercial, recreational, and community services.

Town of St. Marys Official Plan Review and Update (Adopted 2022)

The Town of St. Marys is currently going through an Official Plan (“Adopted OP”) review process and adopted a new Official Plan in March of 2022. The adopted OP has been sent to the Ministry of Municipal Affairs and Housing for final approval. Until such time as final approval is granted and the appeal period lapses, the current OP remains in full force and effect.

The Site continues to be designated “Residential” on Schedule A to the Adopted OP. The proposed development supports the intended purpose and goals of the Adopted OP and there are no recommended policy changes that would alter the planning analysis of the proposed development.

In keeping with the Provincial Policy Statement, the Adopted OP has an increased emphasis on infill and intensification (Sections 3.1, 3.1.1, 3.1.2). The Adopted OP also provides additional encouragement for the development of affordable housing (Section 3.1.2.4, 3.1.2.16).

Town of St. Marys Zoning By-law, 1997

The Town of St. Marys Zoning By-law (By-law), adopted in 1997, zones the Site as R3, which permits a range of residential uses, including a converted dwelling, containing not more than two dwelling units. The proposed R4 Zone will permit the conversion of the Site to permit a total of three (3) dwelling units.

**Figure 2: Town of St. Marys Zoning By-law**



Source: Town of St. Marys, 2022

The following table outlines the applicable zoning provisions for R4 and the compliance of the proposed Application.



**Table 1: Zoning By-law Review**

Regulation	R4 (Three Units in Converted Dwelling)	Proposed Application	Complies?
Minimum Lot Area	740.0 sq.m.	682.7 sq.m.	No*
Minimum Lot Frontage	20.0 m	23.271 m	Yes
Minimum Lot Depth	37.0 m	29.269m	No*
Minimum Front Yard – Ontario Street	6.0 m	5.35m	No*
Minimum Side Yard (Interior) – South Property Line	1.8 m	1.18m	No*
Minimum Exterior Side Yard – Queen Street West	6.0m	2.06m	No*
Minimum Rear Yard – West Property Line	7.5 m	13m	Yes
Maximum Building Height	10.5 m	Complies	Yes
Maximum Lot Coverage	35%	25%	Yes
Minimum Dwelling Unit Floor Area	55.0 sq.m.	New dwelling unit to exceed minimum requirement.	Yes
Minimum Landscaped Open Space	35%	>50%	Yes
Off-Street Parking	Converted dwelling = 2 per unit = 6	4 (1.25/dwelling unit)	No
Off-Street Parking Space Size	2.7 m by 5.5 m	2.7m by 5.5m	Yes
Driveway Requirements	width of 3.0-8.0 m or max 60% of width of the lot, whichever is less	Queen Street – 2.7m	No*
Maximum Number of Driveways	Where lot frontage is greater than 20m, two driveways permitted	Two	Yes
Parking Space Access	Converted dwelling with three units – must be from internal driveway	Direct parking space access proposal	No*
Tandem Parking	Not permitted for a three-unit converted dwelling	To permit tandem parking spaces for one (1) dwelling unit	No
Daylight Triangle	10.8m by 10.8m	N/A	No*

\*Legal non-complying

The requirement for a Zoning By-law Amendment Application was based on the proposed to add an additional dwelling unit and to address the parking requirements. However, given the age of the building on the Site, there are a number of legally non-complying provisions as outlined in the table above (lot area, lot depth and setbacks). Through the Zoning By-law Amendment, the Owner is also seeking to address these legal non-complying provisions.

In our opinion, addressing the legal non-complying provisions is appropriate and represents good land use planning as it will allow for an older, established building within the built-up area to be retained and for the efficient and effective use of existing infrastructure. In addressing these legal non-complying provisions, it is our opinion that there is no inherent over intensification of the property that would create negative impacts related to traffic, noise and privacy.

With respect to the proposed off-street parking rate, it is our opinion that the rate is appropriate to the size and scale of the dwelling units. The St. Marys Zoning By-law permits a range of residential uses, including converted dwelling, and apartment dwellings. Each specific residential use is defined in the Zoning By-law and has separate parking requirements. A "converted dwelling" requires two (2) parking spaces per dwelling unit, regardless of the dwelling units size; however, an "apartment" requires only 1.25 parking spaces per dwelling unit and there is no limit on the size of an apartment or the number of bedrooms.

In our opinion, the dwellings units proposed on the Site function similar to an apartment dwelling, as the dwelling units are smaller in size (all less than 900 square feet) and do not exceed 2 bedrooms. It is our understanding that a higher rate for a converted dwelling was established in the St. Marys Zoning By-law, with the belief that converted dwellings would likely be in larger older homes, with inherently larger unit sizes.

The proposed parking solution on the Site will provide two (2) parking spaces for the largest unit, and one (1) parking space for the smaller units. In addition, on-street parking is available on Ontario Street to accommodate visitors.

## Summary

In our opinion, the Zoning By-law Amendment Application is appropriate, represents good land use planning and is in the public interest as it provides for an increased mix of available rental housing stock, within an existing structure using current municipal services.

We trust this letter can be accepted as part of the existing Application. Should you have any questions or comments, please let us know and we would be happy to discuss further.

Kind regards,



Caroline Baker, MCIP, RPP

Principal

c.c Amy and Nigel Brooke