

Planning Justification Report

Heybolt Ontario Ltd.
Townhouse Development
Proposed Official Plan and
Zoning By-law Amendments

May 2020

323 Queen Street West
Town of Goderich

Prepared for:

Heybolt Ontario Ltd.
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St. Marys, Ontario N4X 1B9

Prepared by:

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1. INTRODUCTION

1.1 Purpose

Monteith Brown Planning Consultants (“MBPC”) on behalf of our client, Heybolt Ontario Ltd. (c/o John Bolton), is pleased to submit applications to amend the Town of St. Marys Official Plan and Zoning By-law Z1-1997 as they apply to 323 Queen Street West (“the subject lands”). The purpose of the applications is to permit the development of two townhouse buildings, two storeys in height, with a total of nine units on the subject lands. The proposed planning approvals will facilitate the development of medium-density housing to be marketed toward older adults on a property that is currently underutilized and vacant.

The intent of this report is to analyze the land use planning merits of the proposed Official Plan and Zoning By-law Amendments to determine the appropriateness of the proposed development. The proposal will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Policy Statement (2020), the Town of St. Marys Official Plan, the draft Town of St. Marys Official Plan Update, and the Town of St. Marys Zoning By-law.

1.2 Site Description

The subject property is located at the northeast corner of the intersection of Ann Street and Queen Street West, abutting a low-density residential subdivision (see Figure 1, below). The site has a total area of approximately 2,037 m² (0.2 Ha) with approximately 45.4 metres of frontage on Queen Street West to the south, and 45.3 metres of frontage on Ann Street to the west. The property is currently vacant and undeveloped, with a chain-link fence runs around the site (see Figure 2, below). There are two existing curb-cut access points, one from Queen Street West, and one from Ann Street.

Figure 1 – Aerial Photo of the Subject Lands



Source: Perth County Mapping, 2020

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Figure 2 – View of the Subject Lands, looking north from Queen Street West

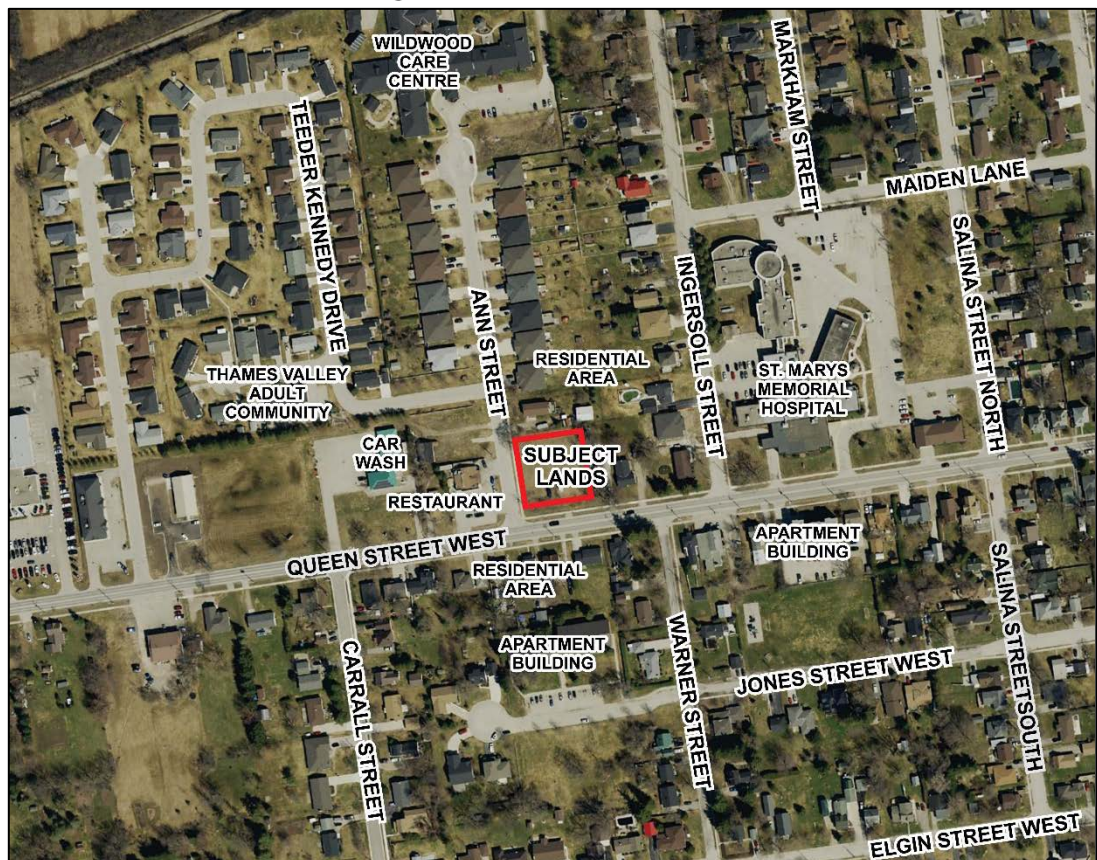


Source: Monteith Brown Planning Consultants, 2019

1.3 Land Use Context

The subject lands are located on the west side of St. Marys, directly adjacent to Queen Street West to the south; Ann Street to the west; and single-detached dwellings to the north and east (Figure 3). A diner and a car wash are located to the west of Ann Street, and single-detached dwellings are located to the south of Queen Street West. The property is located in proximity to two apartment buildings, the Wildwood Care Centre, the Thames Valley Adult Community, and St. Mary's Memorial Hospital.

Figure 3 – Land-Use Context



Source: Perth County Mapping; Monteith Brown Planning Consultants, 2020

1.4 Pre-Application Consultation

MBPC and John Bolton (of Heybolt Ontario Ltd.) met with municipal staff and Mark Stone of MLS Planning Consulting on September 16th, 2019 to discuss the proposed townhouse development for the subject lands. Our client was initially interested in developing a building with five one-storey townhouse rental units, facing Queen Street West, with access provided via a private driveway on the south side of the site extending from Ann Street. Our client informed Town Staff that the units were intended to be marketed towards older residents and farmers in the area who are downsizing and wish to move into smaller, one-storey homes that require minimal maintenance.

Municipal staff confirmed that Official Plan and Zoning By-law Amendments would be required to permit the proposed development, as the site is currently designated and zoned for 'Highway Commercial' uses. A Site Plan Approval application would also be required prior to construction. Staff stated that they had concerns with removing lands from the 'Highway Commercial' designation for residential development, as there is a limited supply of commercial lands within the Town. MBPC identified that the property has remained vacant for quite some time, and the lands to the east within the 'Highway Commercial' designation have been developed for residential uses. As such, MPBC emphasized that Ann Street would be a more suitable demarcation point between the Highway Commercial area to the west, and residential land uses to the east.

Staff requested that our client consider developing higher-density, more affordable forms of housing on the site, if they chose to move ahead with a residential development proposal for the subject lands. Municipal staff also noted that the applicant would be required to demonstrate that they will provide enough visitor parking for the proposed development, as the Town does not have specific visitor parking regulations.

On October 31, 2019, the Town circulated a list of "Pre-Consultation and Complete Application Submission Requirements" for the Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval applications, which are included in Appendix 1. The following items were identified as requirements for the Official Plan and Zoning By-law Amendment applications:

- Functional Servicing Report;
- Concept Elevations;
- Concept Site Plan;
- Planning Justification Report;
- Phase 1 Environmental Site Assessment;
- Consideration of visitor and barrier-free parking;
- Information regarding affordability of proposed units and how affordability levels will be maintained in the future;
- Identifying whether units will be rentals or freehold; and

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- Addressing current and proposed policy approaches in the new Official Plan with respect to mixed use on Highway Commercial properties.

The required studies are enclosed with this application, and the above-noted matters are addressed in this report.

2. DEVELOPMENT PROPOSAL

Based on the pre-consultation and review of various design alternatives for the site, Heybolt Ontario Ltd. is proposing to develop two townhouse buildings on the subject lands, which will be designed to appeal to downsizing seniors and other potential buyers who wish to remain in the community without the burden of keeping up a large property or yard. Building 'A', which fronts on to Ann Street, is proposed to have a ground floor area of 274 m² and contain three units. Building 'B' is proposed to front onto Queen Street West and contain six units within a 536 m² building (see Figure 5, below). Both buildings will be two storeys in height, with a brick veneer on the first storey (see Figure 4). Each unit will have an area of 132 m², with a one-car garage and one parking space for visitors. The northeast corner of the site is proposed to be used as a common amenity space. A 2-metre high privacy fence is proposed to extend around the northern and eastern boundaries of the site, to provide separation between the proposed development and adjacent residential dwellings.

At this time, it is anticipated that the site will proceed through Site Plan and Draft Plan of Condominium processes (which will be submitted after the Official Plan and Zoning By-law Amendments are approved). Site design details may be refined further at this time.

Figure 4 – Conceptual Elevations



Source: MTH Contracting + Consulting Ltd., 2020

2.1 Affordability

At the Pre-Consultation Meeting, Town staff requested that the applicant provide information regarding the affordability of the proposed units, and how affordability levels will be maintained in the future. This section provides a brief overview of how the proposed development is compatible with the aim of the regional *10-Year Housing and Homelessness Plan for Stratford, Perth County, and St. Marys* (“the Plan”) to increase access to affordable housing options.

The Town of St. Marys is planning for 30% of new housing units to be affordable to households with incomes in the lowest 60% of income distribution for Perth County. The 2018 Annual Report on the *10-Year Housing and Homelessness Plan* does not identify how many new affordable home units have been built in the Town since the introduction of the Plan in 2014, so it is not clear if this target is being met.

The best way to increase the supply of affordable housing in a community is to increase the supply in general. Most “affordable” housing can be found in existing housing and apartment stock. As the supply of new housing increases in a city or town, homeowners and renters who can afford to do so move from older buildings to newer, more expensive dwellings. The older buildings become affordable housing for lower-income occupants, in a process known as “filtering”.¹

The Plan notes that the proportion of people aged 45 to 64 in St. Marys grew by over 60% between 1996 and 2011, and it is expected that people in this demographic group may seek to downsize or move into more accessible housing as they age (p. 22). The townhouses will be more economically built than single-detached dwellings, and as such, the proposed units will fill this need within the Town for seniors who wish to sell their current homes and move into smaller spaces that require less upkeep.

¹(Bier, Thomas. (2001) “Moving Up, Filtering Down: Metropolitan Housing Dynamics and Public Policy”. Prepared for the Brookings Institution Centre on Urban and Metropolitan Policy.

3. BACKGROUND AND TECHNICAL STUDIES

3.1 Phase I Environmental Site Assessment

Rubicon Environmental (2008) Inc. conducted a Phase I Environmental Site Assessment (ESA) for the subject lands in 2018, which did not identify any areas of potential environmental concern on the property. Based on the information gathered during the Phase I ESA, Rubicon concluded that there is no known development on the subject property, and no known potential contaminating activities were identified on or off site.

3.2 Functional Servicing Report

MR Engineering and Design Ltd. prepared a Functional Servicing Strategy for the proposed development, which is enclosed in this application under separate cover and summarized below. In brief, the proposed development can be constructed, serviced, and graded to satisfy the requirements of the Town of St. Marys.

Stormwater Management

At present, most of the site drains overland from north to south. The existing municipal storm sewage system in proximity to the site consists of a 300 mm diameter storm sewer on the west side of Ann Street along the west frontage of the site, and a 525 mm diameter storm sewer on the north side of Queen Street West across the south frontage of the site, as well as catch basins at the Ann Street and Queen Street West intersection.

Stormwater management will be provided through on-site quantity and quality controls. Post-development flows will be attenuated to pre-development levels up to and including the 10-year storm event, with major flows routed overland to an appropriate outlet and on-site catch basins. Quality control measures will be used to remove suspended solids (oil and grit) from ponding areas. During construction, silt control fencing is proposed to be installed along the perimeter of the site and catch basins will be wrapped with filter fabric.

Water Servicing

The existing municipal water distribution system in proximity to the site consists of a 100 mm diameter watermain on the east side of Ann Street across the west frontage of the site, as well as a 150 mm diameter watermain on the south side of Queen Street West along the south frontage of the site. Existing fire hydrants are located at the intersection of Ann Street and Maiden Line, and the intersection of Queen Street West and Warner Street. It is proposed that the required 50 mm water service pipe be connected to the existing 100 mm watermain located on the east side of Ann Street. As each building is less than three storeys in height and

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less than 600 m² in area, the Ontario Building Code does not require the provision of additional water supply for firefighting.

Sanitary Sewer Servicing

The existing municipal sanitary sewage system in proximity to the site consists of a 250 mm diameter sanitary sewer along the centre of Ann Street and a 525 mm diameter sanitary sewer along the centre of Queen Street West. The site is proposed to be serviced via a 150 mm diameter sanitary sewer connected to the existing sanitary sewer along the centre of Ann Street, with individual service connections provided to each unit.

In conclusion, adequate stormwater management, water, and sanitary sewer servicing can be provided for the proposed development. It is anticipated that a Geotechnical Investigation will be completed prior to undertaking the final engineering design for this project, and the report will be reviewed and upgraded once a final site plan has been developed prior to construction.

4. PLANNING FRAMEWORK AND ANALYSIS

The following section will provide an overview and analysis of the existing planning framework, identify the key policies and by-laws that relate to the subject lands, and discuss the Official Plan and Zoning By-law Amendments required to permit the proposed development.

4.1 Provincial Policy Statement

The Provincial Policy Statement (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act “shall be consistent with” policy statements issued under the Act. The PPS is intended “to be read in its entirety”, and decision makers must balance a range of policy directives when deciding whether or not a planning proposal is consistent with the PPS, rather than prioritizing one set of policies over another (PPS, Part III). For the past six years, the 2014 PPS has guided land-use planning decisions throughout Ontario. However, the 2020 PPS was released on February 28th of this year, and came into effect on May 1, 2020, replacing the 2014 PPS.

The proposed development is consistent with Policy 1.1.1, which directs approval authorities to promote developments which sustain healthy, livable, and safe communities. The subject lands are located within a serviced Settlement Area, directly adjacent to an arterial road intended to accommodate large volumes of traffic (Policy 1.1.3.1, Policy 1.1.3.2, Policy 1.6.6.2). Single-detached dwellings are the predominant form of housing within the Town of St. Marys, so the proposed townhouse units will provide a more affordable housing option for seniors who wish to downsize and remain in the community (Policy 1.1.1 b), Policy 1.4.3 b)). A Phase I ESA has been completed for the subject lands, which identified that there are **no** environmental concerns with the property, as no known potential contaminating activities were identified on or off site (Policy 1.1.1 c)).

The PPS also directs communities to provide an appropriate amount of employment lands, which include commercial lands, for a time horizon of up to twenty-five years (Policies 1.1.1 b), 1.1.2). In this case, the proposed removal of lands from the Highway Commercial designation for residential development is appropriate, as there does not appear to be a high demand for Highway Commercial lands in St. Marys, and the subject lands are located within a predominantly residential area. The site has remained vacant for years and has never been developed for commercial purposes, although it has been designated and zoned to accommodate such development. Several other parcels of land within the Highway Commercial corridor are also undeveloped, including the lands directly east of Radar Auto Parts (441 Queen Street West) and the area directly south of Little Falls Car and Pet Wash (357 Queen Street West). The properties to the east of the subject lands and west of Ingersoll Street have all been developed for residential purposes, although they are also designated as

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'Highway Commercial'. The property at 2 Ingersoll Street (to the east of the subject property) was formerly an insurance business, but has since been converted to a residential use, not a commercial use.

The Functional Servicing Report prepared for this application demonstrates that there is adequate municipal stormwater management, water, and sanitary sewer servicing infrastructure available for the proposed development (Policies 1.6.6.1, 1.6.6.2). Stormwater management planning for the proposed lot will be integrated with sewage and water services, and minimize contaminant loads through the provision of quality control measures (Policy 1.6.6.7).

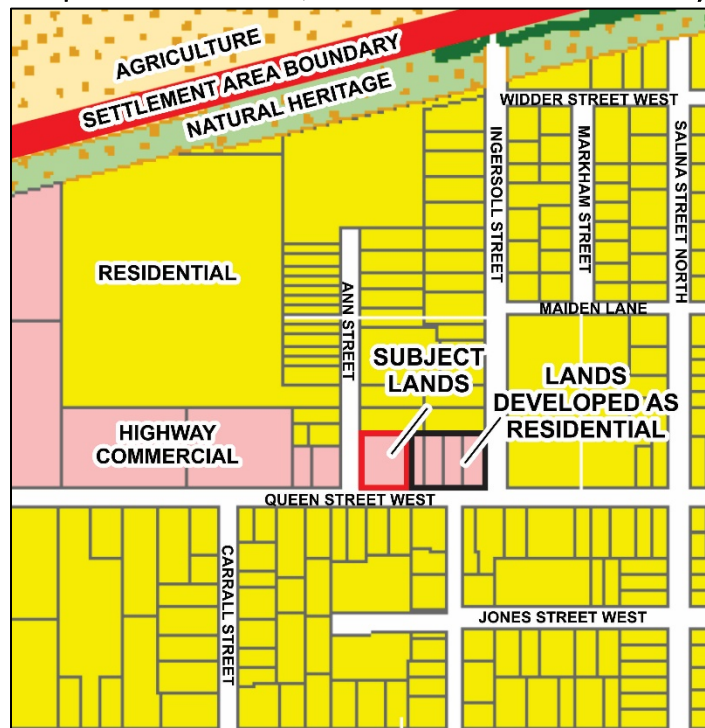
As noted above, the proposed development will increase the supply of affordable housing, as the proposed townhouses will be more economically built than single-detached dwellings, so the proposed units will present an affordable option for seniors who wish to sell their current homes and move into smaller spaces that require less upkeep (Policy 1.4.3 b). The proposal also serves to expand the range and mix of housing supply through the provision of townhouses, which in turn provides greater flexibility for housing choices at a more affordable level than single-detached dwellings, which are the predominant form of housing in the Town.

Based on the above analysis, it is our professional opinion that the proposed development conforms to the Provincial Policy Statement.

4.2 Town of St. Marys Official Plan

The subject lands are currently designated as ‘Highway Commercial’ on Schedule ‘A’ of the Town of St. Marys Official Plan and are located directly adjacent to ‘Residential’ lands to the north (see Figure 6, below). Highway Commercial uses are intended to provide for “a range of commercial uses appropriate to meet the needs of the local residents and the travelling public [...] particularly automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards shall be permitted.” (s.s. 3.3.2.2.). Permitted uses may also include large plate retail uses, strip malls, shopping outlets, large-scale business and professional offices, and factory outlets (s.s. 3.3.2.2). An Official Plan Amendment (‘OPA’) to re-designate the subject lands FROM ‘Highway Commercial’ TO ‘Residential’ is required to permit the proposed development.

Figure 6 – Excerpt from Schedule ‘A’, Land Use Plan – Town of St. Marys Official Plan



Source: Town of St. Marys Official Plan

Although the subject lands are part of a ‘Highway Commercial’ ribbon that runs along the north side of Queen Street West, a review of the existing land uses and zoning within this area shows that the lands to the east of the site are zoned and developed for **residential** purposes, **not** Highway Commercial uses. It is our understanding that the subject lands themselves have been designated as ‘Highway Commercial’ for at least thirteen years but have **never** been developed. As such, it is our professional opinion that the proposed development will not serve to interrupt the Highway Commercial ribbon, as Ann Street is already a more suitable eastern

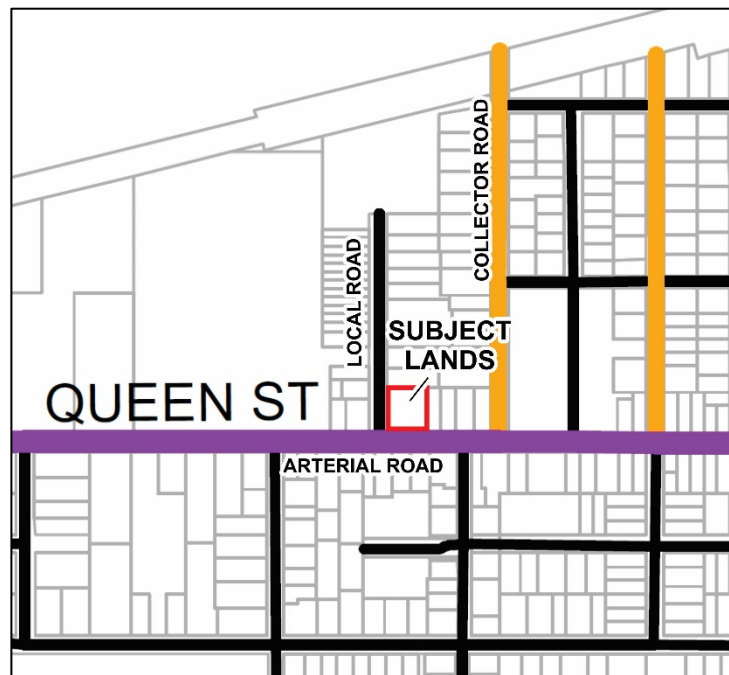
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boundary for the Highway Commercial designation than Ingersoll Street, and there appears to be no demand for the lands to be used for commercial purposes.

The subject lands are directly adjacent to Queen Street to the south, which is identified as an 'Arterial Road' on Schedule 'B' of the Official Plan, and Ann Street to the west, which is identified as a 'Local Road' (see Figure 7, below). Arterial Roads are intended to carry high volumes of traffic from one area to another, with limited direct access, and Local Roads carry low volumes of traffic to nearby destinations (s.s. 5.3.1.1, s.s. 5.3.1.3).

Figure 7 – Excerpt from Schedule 'B', Road Classifications – Town of St. Marys Official Plan



Source: Town of St. Marys Official Plan

The proposed development is consistent with the Residential policies of the Official Plan, which direct the Town to “encourage the provision of an adequate supply and choice of housing”, promote housing for senior citizens, and encourage diversification in different types of housing forms (s.s. 3.1.1.1, s.s. 3.1.1.6, s.s. 3.1.1.8). The proposed townhouses will expand the range of housing options in the community and will provide housing opportunities for seniors who want to age in place within their community (s.s. 2.1.1).

The 'Residential' land use designation permits a range of dwelling types, from single-detached dwellings to walk-up apartments, with further details addressed through the Zoning By-law (s.s. 3.1.2.2). The Official Plan directs Council to consider a density target of 25 to 40 units per hectare for townhouse dwelling development proposals (s.s. 3.1.2.5). Developments with a density of over 75 units per hectare require an amendment to the Official Plan (s.s. 3.1.2.7 c)). The proposed development will have a density of 45 units per hectare, slightly above the

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recommended density target, but the Official Plan also allows Council to moderately increase or decrease the density target based on site-specific circumstances (s.s. 3.1.2.5). In this case, the proposed density is appropriate, as the subject lands can accommodate an adequate amount of amenity space and parking for all nine units, and servicing capacity is available.

The proposed development conforms with all issues related to municipal wastewater treatment capacity and conveyance, hard services, and utilities that Council is directed to consider when evaluating proposals for residential developments with a net density of over 18 units per hectare (s.s. 3.1.2.7). The proposed townhouses are two storeys in height (less than the maximum building height of three storeys) and will be designed in a manner compatible with the general character of the surrounding area (s.s. 3.1.2.7 a)). The subject lands are generally flat and undeveloped, and a Phase I ESA found that there are no environmental concerns associated with the property (s.s. 3.1.2.7 b)). As noted above, the net density of development is 45 units per hectare, well within the maximum 75 units per hectare prescribed in the Official Plan (s.s. 3.1.2.7 c)). The proposed development is proposed to be serviced with municipal water supply and sewage disposal systems, and the Functional Servicing Report found that a development of this size and density can be accommodated within the capacity of the existing municipal systems (s.s. 3.1.2.7 d)). The subject lands are directly adjacent to an arterial road, and the proposed preliminary site plan provides sufficient on-site parking and adequate screening from adjacent residential areas (s.s. 3.1.2.7 e), f)). An amenity area is proposed to be provided for residents, appropriate to the size and scale of the development (s.s. 3.1.3.8).

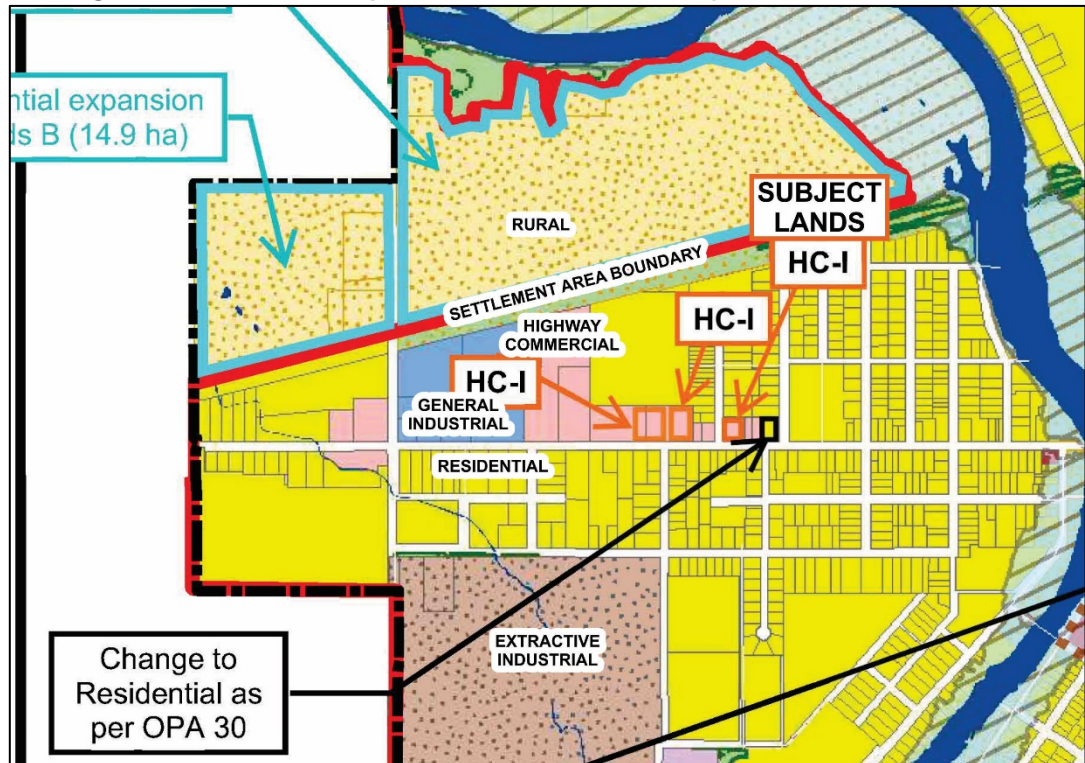
Based on the above analysis, the proposed amendment conforms to all policies and requirements relating to the Town of St. Marys Official Plan.

4.3 Town of St. Marys Draft Official Plan Update

It is our understanding that the Town is currently undertaking a five-year review of the Official Plan, as required by the *Planning Act*. A copy of the Draft Official Plan Update ('Draft OP') was presented to the Town Council on January 14, 2020 and is available for review on the City's website.

Although the proposed policies have been reviewed, but **not** approved by Council, we would like to highlight the proposed re-designation of the subject lands (along with a number of other 'Highway Commercial' properties) from 'Highway Commercial' to 'Highway Commercial I' ('HC-I') on Draft Schedule 'A'. The proposed 'HC-I' designation contemplates mixed-use buildings **and** standalone apartment buildings with a maximum height of 4 storeys or 14 metres, "provided the residential use of the land does not interfere with or detract from the primary commercial function of the area" (s.s. 3.3.2). The proposed development and associated planning approvals are consistent with the Town's apparent interest in permitting higher-density residential development on this property.

Figure 8 Town of St. Marys Official Plan Review and Update – Draft Schedule 'A'



Source: Town of St. Marys Official Plan Review and Update (Draft)

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It is proposed that the subject lands be re-designated FROM 'Highway Commercial' TO 'Residential', rather than adding townhouses to the list of permitted uses for the proposed site-specific 'HC-1' designation. The proposed development does not fit with the general intent and purpose of the 'HC-1' designation, which specifically permits mixed-use medium-density residential developments and apartment buildings that are intended to be **subsidiary** to the general commercial character of the surrounding area. As noted above, it is our opinion that Ann Street represents a more suitable western boundary for the 'Highway Commercial' designation than Ingersoll Street, based on the existing land use pattern in the town. We see no reason why the 'Highway Commercial' designation and permissions should be retained on the property when it is proposed to be developed for a solely residential use.

As part of the OP review, planning staff have prepared draft papers with a land supply/needs assessment for each designation. It is understood that the conclusions have been presented to Council in draft form and the reports were prepared before the 2020 PPS extended the planning time horizon from 20 to 25 years. Notwithstanding this fact, the reports provide a useful assessment of the existing supply of 'Highway Commercial' lands within the town and can be used to assess how the proposed OPA might affect this supply. It is our opinion that the proposed OPA will not have a detrimental effect on the Town's ability to provide enough 'Highway Commercial' lands for development over the next 25 years, based on the amount of land currently available and historic consumption rates.

'Discussion Paper #10 – Commercial (DRAFT)' identifies that there are six vacant properties designated as 'Highway Commercial' in the Town, including the subject lands, for a total of 12.74 Ha, which *"appears sufficient to meeting the needs of the community"* (p. 13). Furthermore, the Discussion Paper also identified that there is intensification potential on an additional 3.1 Ha of partially developed 'Highway Commercial' lands. The removal of the subject lands from the 'Highway Commercial' designation will result in only an approximate 2% decrease in the amount of vacant land within this designation.

The draft Discussion Paper also found that rates of building activity for commercial uses within the Town is irregular, with an average of 0.22 Ha of land developed per year between 2005 and 2014, for a total of 2.20 Ha. If this recent trend continues, the available supply of 'Highway Commercial' lands (excluding the subject lands) will be sufficient to meet the needs of the community for the next several **decades**. The proposed OPA will not have a negative effect on the Town's ability to meet their needs for commercially designated lands in accordance with Policy 1.1.2 of the PPS.

The Town is also contemplating changes to 'Residential' policies in the draft updated Town OP, with the inclusion of specific policies for the development of townhouse, multiple, and apartment dwellings (s.s. 3.1.2.3.3). The proposed development is consistent with these policies. The proposed townhouses are only two storeys, or 8 metres, in height, which is compatible with surrounding low-rise, low-density residential land uses and is not anticipated to cause any issues in regard to shadowing impacts on adjacent lots (s.s. 3.1.2.3.3 a), c), d)).

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The subject lands are located directly adjacent to Queen Street West, a prominent east-west arterial road, and have enough space to incorporate required parking, outdoor amenity features, landscaping, and fencing to buffer the development from adjacent properties (s.s. 3.1.2.3.3 b), e)). Our client has informed us that the first storey of each building will be clad with a brick veneer, similar to other recently constructed buildings in the Town (s.s. 3.1.2.3.3 f)). The proposed development will not interfere with the preservation and protection of the natural open space system or cultural heritage resources, as the subject lands are not located in close proximity to either (s.s. 3.1.2.3.3 g)). It is not anticipated that the proposed development will create a traffic hazard or an unacceptable increase in traffic on local roads, as residents and visitors will travel to the site via Queen Street West, a major arterial road (s.s. 3.1.2.3.3 h)). Finally, it is anticipated that there will be minimal changes to existing site grades, as the undeveloped property is relatively flat already (s.s. 3.1.2.3.3 i)).

The draft OP also proposes to establish a 'Medium/High Density Residential' sub-designation to ensure that higher density affordable housing is provided on greenfield properties in the form of low and mid-rise apartments, stacked or back-to-back townhouses, and similar forms of housing (s.s. 3.1.2.8). The draft OP establishes a net density target of 25-40 units per net hectare for street townhouses and multiple dwellings, but also permits Council to moderately increase or decrease permitted densities on a site-specific basis (s.s. 3.1.2.9). The proposed development has a density of 45 units per hectare, which is slightly higher than the target, but permissible under the draft planning policies, as adequate servicing and on-site amenities are available.

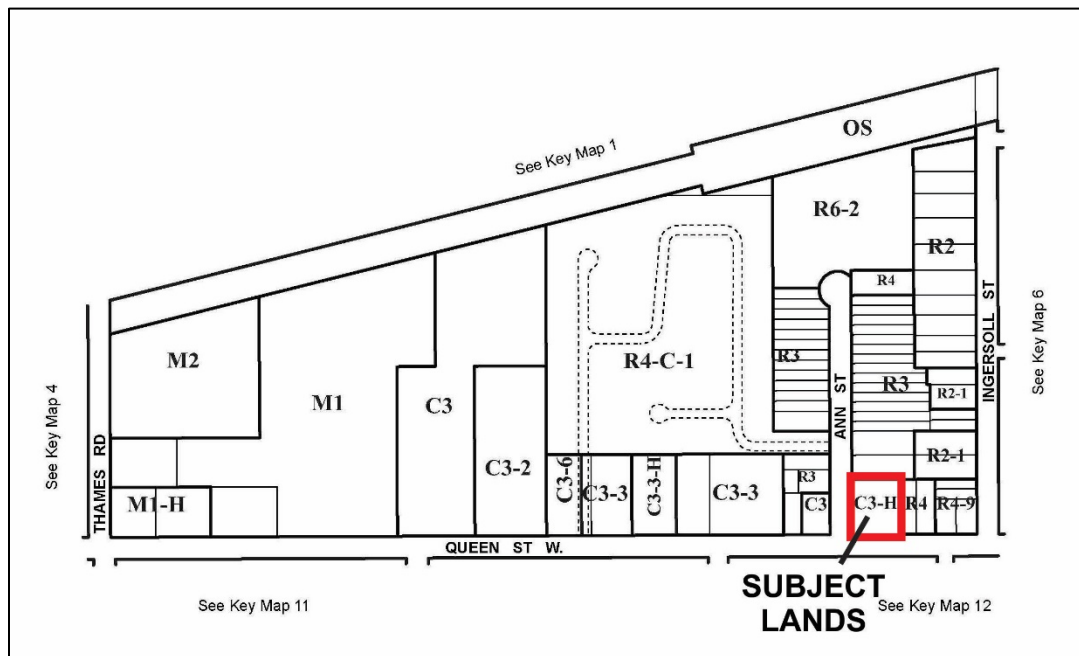
In light of the analysis above, the proposed development and Official Plan Amendment is consistent with the general intent and purpose of the Town of St. Marys Draft Official Plan Update.

4.4 Town of St. Marys Zoning By-law

The site is zoned as 'Highway Commercial' with a holding provision ('C3-H') on Schedule 'A' of the Town of St. Marys Zoning By-law (see Figure 9). The 'Highway Commercial' zone permits a wide range of commercial/business, automotive, and large plate format commercial uses, buildings, and structures, but does not permit residential uses (s.s. 17.1.1, 17.1.2, 17.1.3, Town of St. Marys Zoning By-law). The conditions for the lifting of the holding provision are not listed in the Zoning By-law. However, the Official Plan states that:

"prior to the removal of any holding symbol, Council shall be satisfied by the developer, that all conditions of any agreements have been met or will be met and that the policies of this Plan have been met or fulfilled in regard to such aspects as phasing, servicing, and design criteria" (s.s. 7.19.3, Town of St. Marys Official Plan).

Figure 9 – Excerpt from Key Map 5 of Schedule "A"



Source: Town of St. Marys Zoning By-law

The properties to the north of the site are zoned 'Residential 3' ('R3'), which permits converted, duplex, semi-detached, and single-detached dwellings, among other uses (s.s. 10.1). The properties to the east are zoned as 'Residential 4' ('R4'), which permits single-detached, semi-detached, duplex, triplex, and fourplex dwellings, among other uses (s.s. 11.1). The lands to the south of Queen Street West are zoned as 'R2-1', which permits single-detached dwellings (s.s. 9.1). The proposed zoning will allow for slightly more intensive residential building forms than the surrounding zones, which is appropriate because the subject lands are on a corner lot, facing a main arterial road to the south.

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It is proposed that the subject lands be re-zoned FROM 'Highway Commercial 3-H' TO 'Residential Zone 5-#' ('R5-#') to permit the construction of townhouses. The special provisions will recognize the existing lot frontage, as well as site-specific building setbacks and lot coverages (see Table 1, below).

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Table 1 – Proposed Zoning Amendment

Zone Regulations	Existing R5 Zone	Proposed Development	Proposed R5-# Zone
Lot Area, Minimum	1,017.5 square metres for each Row or Townhouse dwelling; however the gross density shall not exceed 50 units per hectare.	2,037 m ² for two dwellings Density – 45 u/Ha	1,017.5 square metres for each Row or Townhouse dwelling; however the gross density shall not exceed 50 units per hectare.
Lot Frontage, Minimum – Corner Lot	29.0 metres for the first three units plus 6.0 metres for each additional dwelling unit = 47 metres	45 m (Queen Street West)	45 m (Queen Street West)
Number of Attached Dwelling Units, Maximum	8	6	8
Lot Depth, Minimum	37.0 m	45 m	37 m
Front Yard, Minimum	6.0 m	4.5 m to building 6 m to garage	4.5 m to building 6 m to garage
Interior Side Yard, Minimum	4.5 m	1.5 m for dwelling units not attached to another dwelling unit	No side yard is required on the attached side(s) of the dwelling unit. 1.5 metres is required for the interior side yard of the dwelling unit not attached to another dwelling unit.
Exterior Side Yard, Minimum	6.0 m	4.5 m to building 6 m to garage	4.5 m to building 6 m to garage
Rear Yard, Minimum	7.5 m	1.5 m	1.5 m
Building Height, Maximum	10.5 m	8 m	10.5 m
Lot Coverage, Maximum	35%	40%	40%
Dwelling Unit Gross Floor Area, Minimum	1-bedroom unit – 55.0 m ² 2-bedroom unit – 65.0 m ² 3-bedroom unit – 75.0 m ² Additional bedrooms – 9.0 m ²	132 m ²	1-bedroom unit – 55.0 m ² 2-bedroom unit – 65.0 m ² 3-bedroom unit – 75.0 m ² Additional bedrooms – 9.0 m ²
Landscaped Open Space, Minimum	35%	46%	35%
Planting Strip	A planting strip shall be required in accordance with the provisions of Section 4.24 where an interior side or rear lot line of a lot being developed for row or townhouse purposes abuts a lot that is: (a) in a Residential Zone or Residential (-H) Holding zone that is designated Residential in the Town's Official Plan; (b) used for residential purposes; (c) used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line	A 2-metre high fence will be provided in lieu of a planting strip	A 2-metre high fence will be provided in lieu of a planting strip
Parking Requirements	14 (1.5 spaces per townhouse dwelling unit)	18, including a visitor parking space for each unit	14
Driveway Requirements	No ingress or egress driveway shall be located closer than 1.5 metres to any side or rear lot line.	This provision will not apply to the proposed development	This provision will not apply to the proposed development

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The Zoning By-law establishes a minimum lot area of 1,017.5 m² for each townhouse dwelling, with a maximum density of 50 units per hectare. The By-law also defines a “Dwelling, Row or Townhouse” as “*a separate building that has been divided into three or more dwelling units*”. Based on this definition, there will be two townhouse dwelling buildings on the subject lands, with a minimum required lot area of 2,035 m². The subject lands have an area of 2,037 m² and a density of 45 units per hectare, so a special provision is not required.

The reduced yard setback provisions will allow our client to maximize the development potential of the property, with Building ‘A’ fronting onto Ann Street, and Building ‘B’ fronting onto Queen Street West. The provision requiring that driveways be located no closer than 1.5 metres to any side or rear lot line is also proposed to be deleted in the proposed zone, as the driveways for Building ‘A’ front directly onto a side lot line.

The subject lands are located on a corner lot, with almost equal-length frontages on Ann Street (45.29 metres) and Queen Street West (45.43 metres). The minimum required frontage within the R5 zone for row or townhouse dwellings is “*29.0 metres for the first three units plus 6.0 metres for each additional dwelling unit*” (s.s. 12.4.2). Generally, the shorter line of a corner lot abutting the street is recognized as the front lot line, which in this case would be Ann Street (s.s. 3.88(b)). However, s.s. 12.4.16 of the Zoning By-law, which sets out provisions for permitting more than one row or townhouse dwelling on a lot, identifies that the minimum lot frontage provisions shall apply to the building “*which faces the front lot line or the townhouse with the greatest number of dwelling units, **whichever results in the greatest requirement**, but in no case shall the minimum lot frontage be less than 27.5 metres*” (s.s. 12.4.16(b)) (emphasis added). Three units front onto Ann Street, and six units front onto Queen Street West. As such, Queen Street West is recognized as the front lot line, with a minimum required frontage of 47 metres (29 metres for the first three units, plus 18 metres for the additional three dwelling units). A special provision is required to recognize the existing frontage of 45.43 metres, which still provides adequate space for driveways in front of each unit and a sight triangle at the intersection of Queen Street West and Ann Street.

The proposed front and side yard reductions will allow our client to situate the two buildings close to the street, thereby creating a consistent street wall and maximizing the amount of amenity space provided for residents behind the townhouses. Building ‘A’ is proposed to be set back approximately 25 metres from the interior side lot line, and Building ‘B’ is proposed to be set back about 26 metres from the rear lot line, which will help ensure that the two buildings do not crowd neighbouring residential uses.

A rear yard setback reduction is required to accommodate the proposed placement of Building ‘A’, as the rear lot line is effectively a side lot line for the proposed townhouse due to the building’s orientation towards Ann Street. The proposed building will still be located a sufficient distance from the dwelling at 17 Ann Street to the north, as the house is set back approximately 9.5 metres from the subject lands, with a driveway separating the dwelling from the subject lands.

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The modest increase in lot coverage is not anticipated to have a negative effect on stormwater management, as the calculations within the Functional Servicing Report prepared by MR Engineering were based on the proposed development having an impervious surface of 1,039 m², or 51.1% of the lot area. Adequate landscaped open space and amenity areas will be provided on the property, and the proposed form and massing of the two buildings will be compatible with development in the surrounding area.

A planting strip is required where an interior or rear lot line of a lot being developed for row or townhouse purposes abuts a lot in a residential zone (s.s. 12.4.13). The lands immediately to the north and east are used for residential purposes, so this provision applies to the proposed development. However, it is proposed that a two-metre high fence along the northern and eastern lot lines be provided instead of a planting strip, as it will provide a greater measure of privacy between the two land uses.

The Zoning By-law General Provisions require 1.5 parking spaces per townhouse dwelling unit, which means that a minimum of fourteen parking spaces will be required for the proposed development (s.s. 5.21.1.1). The definition of “parking space” includes private garages, and as such, two spaces per unit can be provided via tandem parking (which is permitted for street fronting townhouse dwellings), for a total of eighteen parking spaces (s.s. 3.112 (b), s.s. 5.21.5). Accessible parking requirements listed in s.s. 5.21.15 do not apply to street front townhouse dwellings (s.s. 5.21.5). The Zoning By-law does not address or provide minimum visitor parking requirements for multi-unit residential dwellings, but it is anticipated that the parking space in front of each unit can provide for visitor parking.

Our client has informed us that they intend to develop the proposed units as a vacant land condominium, with the Draft Plan of Condominium application submitted after the proposed Official Plan and Zoning By-law Amendments come into force and effect. As such, the requirements of s.s. 12.4.16 of the Zoning By-law, which permits more than one row or townhouse dwelling on a lot, must also be addressed. The provisions of s.s. 12.4 discussed above continue to apply to the proposed development (s.s. 12.4.16 (a), (b), (c), (f)). All parking will be located in front of the two proposed buildings, so the provision regarding internal vehicle access through interior side yards does not apply (s.s. 12.4.16(d)). It is anticipated that separation distances between the two buildings will comply with requirements of the Ontario Building Code, with detailed design matters dealt with through Site Plan Approval (12.4.15 (e)).

Based on the above analysis, the proposed planning approvals are consistent with the general intent and purpose of the Town of St. Marys Zoning By-law.

5. PROPOSED PLANNING APPROVALS

5.1 Town of St. Marys Official Plan Amendment

An Official Plan Amendment is proposed to re-designate the subject lands FROM 'Highway Commercial' TO 'Residential' to permit a townhouse development on the property.

5.2 Town of St. Marys Zoning By-law Amendment

A Zoning By-law Amendment is proposed to re-zone the subject lands FROM 'Highway Commercial' with a holding provision ('C3-H') TO a site-specific 'Residential Zone 5' ('R5-#'), and remove the holding provision, to permit the proposed townhouse development.

The proposed special provisions will recognize the existing lot frontage, and allow for site-specific setbacks and lot coverage requirements, as well as the provision of a privacy fence instead of a planting strip along the interior and rear lot lines that abut residential lands.

The holding provision may be removed in accordance with the guidelines provided by the Town of St. Marys Official Plan, as a Functional Servicing Report has been prepared for the proposed development and submitted along with this application, and issues relating to phasing, servicing, and design criteria will be addressed through Site Plan Approval (s.s. 7.19.3).

6. CONCLUSION

Based on the above analysis, the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement, maintain the general intent and purpose of the Town of St. Marys Official Plan and the Town of St. Marys Zoning By-law, and represent sound land-use planning.

The following materials have been submitted along with this report in support of the above applications:

- One (1) copy of the combined Official Plan and Zoning By-law Amendment Application form;
- One (1) copy of the Official Plan Amendment sketch;
- One (1) copy of the Zoning By-law Amendment sketch;
- One (1) copy of the Authorization of Agent form;
- One (1) copy of the Functional Servicing Report completed by MR Engineering and Design Ltd.;
- One (1) copy of the Concept Elevations;
- One (1) copy of the Conceptual Site Plan; and
- One (1) copy of the Phase 1 Environmental Site Assessment completed by Rubicon Environmental (2008) Inc.

We trust that the enclosed information is satisfactory to address the submission requirements and look forward to working with staff to advance the application. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully Submitted,

MONTEITH BROWN PLANNING CONSULTANTS



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Vice President, Principal Planner
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Hannah Shirtliff, M. Plan
Planner
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JMc:hs

Appendix 1 **Pre-Consultation Checklist**

Town of St. Marys - Pre-consultation and Complete Application Submission Requirements

OWNER	Heyboldt Ontario Ltd.
APPLICANT	Monteith Brown Planning Consultants
PROPERTY ADDRESS	323 Queen Street West
PROPOSED USE	Residential – townhouses (as per MBPC September 6, 2019 submission)
DATE	October 31, 2019

APPLICATIONS

<i>Official Plan Amendment (OPA)</i>	<input checked="" type="checkbox"/>	<i>Site Plan Approval (SPA)</i>	<input checked="" type="checkbox"/>
<i>Zoning By-law Amendment (ZBA)</i>	<input checked="" type="checkbox"/>	<i>Consent (C)</i>	<input type="checkbox"/>
<i>Draft Plan of Subdivision (DPS)</i>	<input type="checkbox"/>	<i>Minor Variance (MV)</i>	<input type="checkbox"/>
<i>Draft Plan of Condominium (DPC)</i>	<input type="checkbox"/>	<i>Other: _____</i>	<input type="checkbox"/>

You will be required to submit one (1) paper copy and one (1) electronic copy of each report, study or plan indicated with a checkmark (✓) below.

ENVIRONMENTAL CONSIDERATIONS	OPA	ZBA	SPA
1. Environmental Impact Statement			
2. Erosion Hazard Assessment			
3. Fish Habitat Assessment			
4. Hydrogeological Evaluation			
5. Natural Heritage Evaluation			
6. Source Water Protection Plan			
7. Tree Compensation Plan			
8. Tree Inventory and Arborist Report			
9. Tree Preservation Plan			
10. Vegetation Protection, Enhancement and Restoration Plan			
TRANSPORTATION CONSIDERATIONS	OPA	ZBA	SPA
11. On-street Parking Analysis			
12. Parking Supply Study and Design Plan			
13. Traffic Impact Study			
14. Transportation Study			

ENGINEERING CONSIDERATIONS	OPA	ZBA	SPA
15. Composite Utility Plan			
16. Detailed Service Plan			✓
17. Erosion and Sediment Control Plan			✓
18. Functional Servicing Report		✓	
19. Grading Plan			✓
20. Geotechnical/Soils Report			
21. Master Drainage Plan			
22. Septic System Design Report			
23. Servicing Options Report			
24. Slope Stability and Erosion Report			
25. Storm Water Management Plan			✓
26. Well Impact Study			
FINANCIAL CONSIDERATIONS	OPA	ZBA	SPA
27. Financial Impact Analysis			
28. Municipal Financial Impact Assessment			
29. Retail Market Impact Study			
CULTURAL / HERITAGE CONSIDERATIONS	OPA	ZBA	SPA
30. Archaeological Assessment			
31. Built Heritage Resource Assessment/Impact Study			
32. Cultural Heritage Resource Assessment/Impact Study			
33. Heritage Restoration Plan			
PLANNING / DESIGN CONSIDERATIONS	OPA	ZBA	SPA
34. Accessibility Design Matrix			
35. Concept Elevations		✓	
36. Concept Site Plan		✓	
37. Elevation Plans			✓
38. Landscape Plan			✓
39. Lighting Plan			✓
40. Park Concept Plan			
41. Phasing Plan			
42. Planning Justification Report		✓	
43. Site Plan			✓
44. Streetscape Plan			
45. Sun-Shadow Analysis - to be determined based on scale, location and height of proposed building(s)			✓
46. Urban Design Brief			

NUISANCE AND HAZARD CONSIDERATIONS	OPA	ZBA	SPA
47. Air Emissions Study			
48. Noise Study			
49. Phase 1 Environmental Site Assessment		✓	
50. Phase 2 Environmental Site Assessment			
51. Site Remediation Plan			
52. Soil Capacity Study			
53. Vibration Study			
AGGREGATE AND AGRICULTURAL CONSIDERATIONS	OPA	ZBA	SPA
54. Aggregate Extraction Area Report			
55. Aggregate Resource Analysis			
56. Aggregate Restoration/Rehabilitation Plan			
57. Agricultural Assessment			
58. Agricultural Impact Study			
59. Minimum Distance Separation Analysis			
60. Nutrient Management Plan			
OTHER CONSIDERATIONS OR REQUIREMENTS	OPA	ZBA	SPA
Road widening / daylight triangle requirements to be determined			
Visitor and barrier free parking to be provided.		✓	
Snow storage?			✓
Provide information regarding affordability of proposed units and how affordability levels will be maintained in the future. Rental or freehold?		✓	
Additional items to address in planning justification report include addressing current and proposed policy approach in new Official Plan with respect to mixed use on Highway Commercial properties.	✓		

OTHER AGENCIES TO BE CONTACTED
(Contact information on following pages)

County of Perth	<input type="checkbox"/>
Upper Thames River Conservation Authority	<input checked="" type="checkbox"/>
Canadian Pacific Limited	<input type="checkbox"/>
Canadian National Railway	<input type="checkbox"/>
Hydro One Networks Inc.	<input checked="" type="checkbox"/>
Perth District Health Unit	<input type="checkbox"/>
Union Gas Limited	<input checked="" type="checkbox"/>
Festival Hydro	<input checked="" type="checkbox"/>
Rogers Cable TV	<input type="checkbox"/>
Bell Canada	<input type="checkbox"/>
Quadro Communications	<input type="checkbox"/>
Huron Perth County Catholic Separate School Board.....	<input type="checkbox"/>
Avon Maitland District School Board	<input type="checkbox"/>
Ministry of Municipal Affairs and Housing	<input type="checkbox"/>

County of Perth
1 Huron Street
County Court House
STRATFORD
Ontario
N5A 5S4
519-271-0531

Upper Thames River Conservation
Authority
1424 Clarke Road
LONDON
Ontario
N5V 5B9
519-451-2800

Canadian Pacific Railway

Canadian National Railway
Manager, Community Planning &
Development
1 Administration Road
CONCORD
Ontario
L4K 1B9
905-669-3384

Hydro One
Real Estate Services
PO Box 4300
MARKHAM
Ontario
L3R 5Z5
905-946-6237

Perth District Health Unit
Public Health Manager
10 Downie Street, 2nd Floor
STRATFORD
Ontario
N54 7K4
519-271-0375

Union Gas Limited
Manager, Lands Department
50 Keil Drive North
CHATHAM
Ontario
N7M 5M1
519-352-3100

Festival Hydro
187 Erie Street
PO Box 397
STRATFORD
Ontario
N5A 6T5
519-271-4700

Rogers Cable
85 Grand Crest Place
KITCHENER
Ontario
N2G 4A8
519-893-4400

Attn: ROWCC
Bell Canada
140 Bayfield Street, 2nd Floor
BARRIE Ontario
L4M 3B1
705-722-2219; 1-888-497-8735
(for Consent to Sever and Minor Variance)

Attn: Circulations Intake, Planning & Design
MMM Group Limited
100 Commerce Valley Drive West
THORNHILL Ontario L3T 0A1
905-882-1100
(Bell Canada: OPA; ZBA; Plan of
Subdivision/Condo; Site Plan Approval;
Holding By-law; Part Lot Control)

Avon-Maitland District School Board
62 Chalk Street North
SEAFORTH
Ontario
N0K 1W0
519-527-0111

Canada Post Corporation
Delivery Planning
955 Highbury Ave E
LONDON
Ontario
N5Y 1A3
226-927-1737

Huron-Perth Catholic District School Board
PO Box 70
DUBLIN
Ontario
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519-345-2440; 1-800-265-8508

Ministry of Municipal Affairs and Housing
Municipal Services Office
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Quadro Communications
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519-229-8933; 1-800-265-4983