

July 14<sup>th</sup>, 2021

File No.: 2021-21

Morgan Dykstra  
Public Works & Planning Coordinator  
Town of St. Marys  
175 Queen Street East  
St. Marys, ON  
N4X 1B6

**RE: Planning Justification Letter  
Zoning By-law Amendment Application  
615 Queen Street East, St. Marys**

On behalf of KLM Properties (o/b 2398315 Ontario Ltd.) ("Owners") we are pleased to submit a Zoning By-law Amendment Application ("Application") for land known municipally as 615 Queen Street East, St. Marys (herein referred to as the "Site").

The Owners are proposing to convert the main floor from an office unit to a residential dwelling unit containing four (4) bedrooms. To permit the proposed residential dwelling unit on the main floor, a Zoning By-law Amendment Application is required to rezone the Site from "Residential Zone Three (R3)" to "Residential Zone Four (R4)".

As outlined in the Formal Consultation Submission Requirements Report, a Planning Justification Letter and Affordability Housing 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 on the north side of Queen Street East between Charles Street and Cain Street in St. Marys and is legally identified as Part 2 of Lot 17 Concession 19. The Site is irregular in shape with 26.0 metres of frontage on Queen Street East and a lot depth of 99.575 metres. The property width increases to the north to 61.139 metres. The rear portion of the Site is treed and is located within the Upper Thames Region Conservation Authority Regulated Area.

The Site contains a one and a half storey stone residential structure and a detached garage. The building is currently occupied by two residential dwelling units in the lower level and a main floor office unit. The two existing dwelling units provide affordable housing with current tenancy coordinated through the Consolidated Municipal Service Manager and Community Living.

There is a driveway entrance from Queen Street East, providing access to an existing asphalt parking area that can accommodate a minimum of five (5) off-street parking spaces. There is existing sanitary, water and storm services from Queen Street East to the existing building. The waterline is 3/4" and the sanitary line is 4", which has been determined to be of a suitable size for the proposed use. No exterior changes are proposed to the Site which would alter the current location or rate of stormwater discharge.

The land surrounding the Site includes a mix of residential and commercial uses. To the immediate east and west are residential uses, including a single detached dwelling and semi-detached dwelling. Further to the east is a power station and to the north is a commercial plaza (Dollarama). To the north is the

**Image 1: Site Frontage on Queen Street East (Looking North)**



Source: Google, 2021

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



Source: Google, 2021



**Image 3: Overhead View of the Site**



*Source: Google, 2021*

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

The Owners are proposing to convert the main floor office to a 4-bedroom residential dwelling unit. No external alterations to the structure are planned, nor are any expansions of impermeable areas. It is the intent of the Owner to rent the new dwelling unit. The existing residential dwelling units, which are rental units, will be maintained in the lower level. As a result, the Site would contain a total of three (3) dwelling units.

The R3 Zone, applying to the Site, permits the existing two dwelling units in the lower level of the existing building and the main floor office use. Historically, the Site has been utilized for a range of uses as it was constructed in 1853 to 1854. Previous uses include the original magistrate, a dance hall, and a family residence with a commercial antique business.

To permit the conversion of the main floor office to a residential unit, the Owner requires a Zoning By-law Amendment to rezone the Site to "Residential Zone Four (R4)".

### **Affordable Housing Analysis**

The significance and need for affordable and attainable housing is 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 draft 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 4-bedroom apartment in the area is \$2,010, and affordable rental rates, being those not exceeding 30 percent of gross income, for households in the 60th income percentile are identified as \$1,330/month. The Housing and Homelessness Plan indicates that only those in the 90th percentile annual household income range would meet the affordability criteria for the regional AMR for a 4-bedroom apartment.

The proposed new four-bedroom rental unit is proposed to be rented at a rate just above the alternative rental rate, at \$2100. While this exceeds the current established rate by \$90, the Site does continue to include two affordable one-bedroom rental units with Stratford Housing.



## Planning Policy Framework

This section of the Planning Justification Letter provides an overview and assessment of the relevant planning policies to the proposed By-law Amendment 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 using existing infrastructure serving an existing structure; it provides for orderly development of safe, healthy communities while encouraging a sense of place accessible for pedestrians; it will not impact natural features or heritage resources; and will increase the range of available affordable housing options 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.

In our opinion the Application supports the PPS vision for the built environment and the management of land and resources. The Application provides an efficient use of resources and infrastructure and provides for a range and mix of affordable dwelling options through intensification and redevelopment within the built environment.

*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. 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.

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.

The northern undeveloped portion of the Site is located within a Natural Hazards Constraint Area (Schedule C) and is a Not Designated – Category 1 Heritage Conservation Site (Schedule D).

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 range of available housing options in the community. Sufficient on-site amenities, including off-street parking and amenity area are available to support the additional dwelling unit. 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, Draft Amendments (December 2019)*

The Town of St. Marys is currently going through an Official Plan (OP) review process. The proposed draft OP (December 2019), adopted in 1987, 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 continues to be designated “Residential” on Schedule A to the draft OP. The proposed development supports the intended purpose and goals of the draft 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 draft OP has an increased emphasis on infill and intensification (Sections 3.1, 3.1.1, 3.1.2). The draft OP also provides additional encouragement for the development of affordable housing (Section 3.1.2.4, 3.1.2.16).

The Site is also identified as being within the “Source Water Protection Area” on Schedule D and a defined “Woodland Cluster” on Appendix 1 – Potential Significant Woodlands. The adaptive re-use of the interior of the main floor of the building does not create an impact on source water or the woodland cluster.

*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 several uses including a converted dwelling containing not more than two dwelling units. The property is identified as Heritage Classified for information purposes only.



Through the Zoning By-law Amendment Application, it is requested that the Site be rezoned to “Residential Zone Four (R4)” which permits one converted dwelling on one lot, containing not more than four dwelling units.

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

Regulation	R4 Converted Dwelling, Maximum 4 Dwelling Units	Proposed Application	Complies?
Minimum Lot Area	3 unit building: 740.0 sq.m.	4754.6 sq.m.	Yes
Minimum Lot Frontage	3 unit building: 20.0 m	26.0 m	Yes
Minimum Lot Depth	3 unit building: 37.0 m	99.575 m	Yes
Minimum Front Yard	6.0 m	4.9m	Yes*
Minimum Side Yard (Interior)	2.7 m on one side of the dwelling where no attached garage or carport is provided and 1.2 m plus 0.6 m for each additional or partial storey above the first on the opposite side	2.0m (west); 10.9m (east)	Yes*
Minimum Rear Yard	7.5 m	>7.5m	Yes
Maximum Building Height	10.5 m	To comply	Yes
Maximum Lot Coverage	35 percent	6%	Yes
Minimum Dwelling Unit Floor Area	55.0 sq.m.	New dwelling unit to exceed minimum requirement.	Yes
Minimum Landscaped Open Space	35 percent	86%	Yes
Off-Street Parking	Converted dwelling = 2 per unit	6	Yes
Off-Street Parking Space Size	2.7 m by 5.5 m	2.8m by 5.5m	Yes
Driveway Requirements	width of 3.0-8.0 m or max 60% of width of the lot, whichever is less	1 driveway; width exceeds maximum	Yes*

\*Legal non-complying

## 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 affordable rental housing stock, within an existing structure using current municipal services.

In support of the Applications, please find enclosed the following:

- One (1) copy of the completed application form, being the Application for Zoning By-law Amendment
- Conceptual Site Plan
- The applicable applications fees, being \$3,800 (hand delivered)

We trust the submission can be accepted and circulated for review. 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 KLM Properties (o/b 2398315 Ontario Limited)