



Meeting Date: April 28, 2021

Submitted by: Marion-Frances Cabral, Planner

Report No: PLA-32-2021

Subject: Application for Zoning By-law Amendment (ZBA-03-2021) for 311 George Street; Filed by Gold Leaf Properties

Recommendation:

THAT Report PLA-32-2021 regarding Zoning By-law Amendment application (ZBA-03-2021) filed by Gold Leaf Properties, be RECEIVED FOR INFORMATION.

Purpose:

The purpose of this report is to provide Council with information regarding the proposed Zoning By-law Amendment for 311 George Street in Ilderton.

The applicant requests to rezone the lands to a site-specific 'Urban Residential third Density (UR3)' zone to permit 43 townhouse dwelling units and 2 semi-detached dwelling units. The Municipality has also received a complete Site Plan Approval application (File: SPA01-2021) for the proposed development.

A location map is included as Attachment 1.

Background:

The subject property is located within the Ilderton Settlement Area and is south of the existing commercial development on Ilderton Road, and is connected to western end of George Street. It is legally described as Concession 10 S Part Lot 26 RP 33R4848 Part of Part 1.

The subject property is irregularly shaped and is approximately 1.95 ha (4.83 ac) in area, and has 33.2 m (108.9 ft) frontage on George Street and access to Mossy Wood Walk. The subject property contains an existing single detached dwelling and detached shop. Residential lands abut the subject property to the west, south and east, and commercial uses, vacant land and residential uses exist to the north.

Proposal:

The applicant requests to rezone the lands from the 'Existing Use (EU)' zone to a site-specific 'Urban Residential Third Density (UR3)' zone to permit residential development. A summary of the proposal is as follows:

- 1 access to the subject property from George Street. No access proposed from Mossy Wood Walk
- Internal private roads that connect in a circular pattern
- 2 semi-detached dwelling units that front onto George Street
- 43 townhouse dwelling units that front onto new private roads
- Each unit has private amenity space and patio to the rear
- No communal amenity space is proposed
- 2 parking spaces per unit and 6 visitor parking spaces are provided. No on-street parking is proposed
- No sidewalks within the development are proposed
- Mailbox and auxiliary building located near the entrance of the development
- Retaining walls are proposed along the western property line and in some sections of the southern, northern, and eastern property line

A Site Plan and Planning Justification Report are provided as Attachment 2 and Attachment 3, respectively. As part of the Site Plan Application, the applicant also provided a Traffic Impact Assessment which is included as Attachment 4.

The applicant also provided information of their existing developments in nearby communities that are examples of the proposed development for 311 George Street. These examples include Bear Creek Estates (555 Metcalfe Street E) and Metcalfe Pines (369 Metcalfe Street E) in Strathroy-Caradoc and Valentina Estates (*incomplete*) (415 Valentina Street) in Petrolia. Pictures of the existing developments are included as Attachment 5.

Policy Regulation:

The Middlesex County Official Plan identifies Ilderton as a settlement area and defers to municipal official plans to delineate the boundaries of the settlement area. The lands are within the Ilderton Settlement Area and are designated as 'Residential' within Middlesex Centre's Official Plan. Further, the property is currently zoned 'Existing Use (EU)' within the Middlesex Centre's Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the lands.

Provincial Policy Statement, 2020:

The Planning Act states that all decisions made by planning authorities “shall be consistent with the policy statements issued” under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below:

Generally, the PPS promotes healthy, liveable and safe communities by supporting efficient land use patterns that facilitate economic growth, create liveable communities, and protect the environment and public health and safety.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification and redevelopment. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.

Section 1.4 - Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

In support of healthy and active communities section 1.5 – Public Spaces, Recreation, Trails and Open Space promotes planning public street networks that foster social interaction and active transportation. Additionally, it recognizes the need for a full range of publicly-accessible recreational space such as trails and parklands.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to

complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available. Municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; and uses best practices, vegetation, and pervious surfaces as part of an effective stormwater management system.

Section 1.6.7 – Transportation Systems directs transportation and land use coordination to be considered at all stages of the planning process. Transportation networks should be safe, energy efficient and facilitate the movement of people and goods. Efficient development patterns, and a mix of uses and densities should also be promoted to minimize the number of vehicle trips and support active transportation.

Middlesex County’s Official Plan:

The County of Middlesex Official Plan (County Plan) identifies the subject property as within the Ilderton ‘Settlement Area’.

Section 2.3.8 – Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including residential uses. These areas are intended to have a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan. Additionally, section 2.3.7 encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents.

Section 3.2 – Settlement Areas - Detailed Land Use Policy provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form.

With regard to municipal sanitary sewers and water services, Section 2.4.5 - Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

Middlesex Centre’s Official Plan:

The Middlesex Centre Official Plan (Official Plan) designates the subject lands as ‘Residential’ within the Ilderton Urban Settlement Area on Schedule A-1.

Section 5.2 – Residential Areas pertains to lands designated ‘Residential’ within Settlement Areas. The Official Plan encourages a variety of housing types, sizes and tenures to meet demographic and market requirements for current and future residents. This includes supporting opportunities for intensification where there is sufficient municipal service capacity and transportation networks, and consideration of the environment. New development should reflect a high quality of residential and neighbourhood design that is sustainable and oriented to pedestrians.

The ‘Residential’ designation permits all residential dwelling types such as single detached, semi-detached, townhouses, duplex, triplex, fourplex and low-medium rise apartments. Additionally, this designation may permit complementary uses such as institutional uses such as schools or churches, municipal uses, and parks and open space.

Section 5.2.3 – Policies for Multiple Dwellings in Residential Areas provides additional direction for the development of multiple dwelling units such as townhouse dwelling units and semi-detached dwelling units. New development shall be subject to the following policies:

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.
- b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas.
- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volumes of traffic.
- d) The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods to settlements is encouraged.
- e) Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.
- f) Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality’s Site Plan Manual and Urban Design Guidelines.

Section 9.3 – Municipal Infrastructure and Services Policies states that the Ilderton Settlement Area has full municipal water and is generally serviced by municipal sanitary sewer systems. The Official Plan contemplates that future development within settlement areas are serviced by full municipal services.

Middlesex Centre Zoning By-law:

The subject property is currently zoned 'Existing Use (EU)'. The 'Existing Use (EU)' zone generally applies to undeveloped lands located in villages and hamlets of the Municipality. The zone does not permit any new buildings or structures to be erected, used or altered, and requires a zoning by-law amendment to permit any new development. The amendment would to rezone the lands to a site-specific 'Urban Residential Third Density (UR3)' zone.

The following table provides additional details regarding the requested site-specific 'Urban Residential Third Density (UR3)' zone. The underlined standards in the left column identify where the proponent does not currently meet the general 'Urban Residential Third Density (UR3)' zone and will need to be addressed in the site-specific zone.

	UR3 Zone	Proposed UR3-X zone
<u>Permitted Uses</u>	Accessory Use Apartment Dwelling Multiple Unit Dwelling Street Townhouse Dwelling Townhouse Dwelling	Accessory Use Semi-Detached Dwelling Townhouse Dwelling
Minimum Lot Area	250.0 m ² (2, 691 ft ²) for Townhouse Dwelling	434.4 m ² (4, 675.8 ft ²) per Townhouse Dwelling unit 1.95 ha (4.83 ac) for entire site
Minimum Lot Frontage	30.0 m (98 ft.) for Townhouse Dwelling	33.2 m (108.9 ft.) for entire site 6.0 m (19.69 ft) frontage for entrance to development
Minimum Lot Depth	35.0 m (115 ft.)	31.4 m (103.0 ft.) per Townhouse Dwelling Unit and Semi-Detached Dwelling Unit 183.37 m (601.6 ft.) for entire site

	UR3 Zone	Proposed UR3-X zone
Minimum Front Yard Setback	6.0 m (20 ft.)	6.5 m (21.3 ft.)
<u>Minimum Side Yard Setback</u>	<p>3.0 m (10 ft.) on an interior lot</p> <p>6.0 m (20 ft.) on the side abutting a street</p> <p>3.0 m (10 ft.) on the other side on a corner lot</p> <p>No side yard setback required between common wall dividing individual dwelling units</p>	<p>2.9 m (9.5 ft.) on an interior lot line</p> <p>3.33 m (10.9 ft.) abutting a private street</p> <p>5.0 m (16.4 ft) between Townhouse Dwellings</p> <p>No side yard setback required between common walls dividing dwelling units</p>
<u>Minimum Rear Yard Setback</u>	8.0 m (26 ft.)	4.23 m (13.9 ft)
Minimum Floor Area	65.0 m ² (700 ft ²) per Townhouse Dwelling unit	121.3 m ² (1,305.7 ft ²) per Townhouse Dwelling Unit and Semi-Detached Dwelling Unit
Maximum Height	20.0 m (66 ft)	20.0 m (66 ft)
Maximum Density	30 units per hectare	23.02 units per hectare
Minimum Outdoor Amenity Area	45.0 m ² (484 ft ²) per dwelling unit	70.23 m ² (755.9 ft ²) – 95.22 m ² (1,024.9 ft ²) per Townhouse Dwelling Unit and Semi-Detached Dwelling Unit
<u>Maximum Lot Coverage</u>	<p>35% for the main use</p> <p>38% for all buildings including accessory buildings</p>	36.9 % including rear patios

	UR3 Zone	Proposed UR3-X zone
Parking Spaces	1.5 spaces per Townhouse dwelling unit	2 spaces per Townhouse Dwelling Unit and Semi-Detached Dwelling Unit
Visitor Parking	-	6 spaces

Consultation:

Notice of the application has been circulated to agencies, as well as property owners in accordance with the *Planning Act* and Ontario Regulation 545/06.

Public Comments:

As the time of writing this report staff did not receive any comments from the public.

Agency Comments:

At the time of writing the subject report, the following comments were received:

The Municipality’s Chief Building Official has reviewed the applications and has no concerns with the rezoning application. Detailed comments were provided through the site plan review.

The Municipality’s Public Works and Engineering Department has reviewed the applications and has no concerns with the rezoning application. Detailed comments were provided through the site plan review.

The St. Clair Region Conservation Authority (SCRCA) has not provided comments at the time of writing this report.

Canada Post has not provided comments at the time of writing this report.

Enbridge Gas Incorporated has not provided comments at the time of writing this report.

Hydro One has not provided comments at the time of writing this report.

Thames Valley District School Board has not provided comments at the time of writing this report.

Analysis:

The requested zoning by-law amendment is generally supported by policies of the PPS, 2020 and County Plan where there is support for infill development, a mixture of residential types and tenures, and housing options for different demographics.

However, planning staff raise attention to a few matters that may affect the rezoning and/or site plan applications.

During the development of the Timberwalk subdivision immediately to the west and south of the subject property, the developer create a turning circle at the north end of Mossy Wood Walk for the future extension of the road when the subject property would eventually be developed. This extension could provide a direct access from George Street to Mossy Wood Walk and Song Bird Lane. Once Mossy Wood Walk is extended the turning circle would be removed which would allow for an existing residential lot at the corner of Mossy Wood Walk and Violet Court to be developed. The proposed site plan on the subject property would create a permanent turning circle and loss of a developable lot. Staff advised the proponent during pre-consultation that this would require further discussion with the developer of the abutting lands.

Staff support the installation of active transportation facilities where possible including pedestrian paths and sidewalks. The proposed plan does not identify any sidewalks for residents, nor pedestrian access to the proposed parkland immediately south of the subject property. Residents will need to walk, cycle or drive on the private roadway north towards George Street before leaving the community. Staff suggest that a southern entrance be opened onto Mossy Wood Walk to vehicular and/or pedestrian traffic to access amenities within the neighbourhood.

Lastly, staff reviewed the site plan and examples of existing development provided by the applicant. Staff encourage the applicant to provide housing forms where the garage is not a dominant element in the streetscape (i.e. avoid snout-house development). The proposed plan shows an extended garage and roof over a front porch, however, the garage extends approximately 2 m (6.56 ft) from the front wall of the dwelling. This creates shadowed and darker entryways, reduces safety, and increases the prominence of the garages. Additionally, staff encourage the applicant to landscaping treatment throughout the development to improve liveability and reduce the dominant appearance of paved areas.

Financial Implications:

None.

Strategic Plan:

This matter aligns with following strategic priorities:

- Balanced Growth

Attachments:

Attachment 1 – Location Map

Attachment 2 – Proposed Site Plan

Attachment 3 – Planning Justification Report

Attachment 4 – Traffic Impact Assessment

Attachment 5 – Examples of Existing Development