

## Corporate Report

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**Report from** Planning and Development Services, Planning Services

**Date of Report:** May 8, 2013

**Date of Meeting:** May 27, 2013

**Report Number:** PDS-141-2013

**File:** 60.35.994

**Subject:** Application for Zoning By-law Amendment to Permit Townhouses (including a Second-storey Addition to Existing Buildings); 109 Glendale Avenue (298 Glenridge Avenue); Applicant: Quartek Group Inc. (Barbara Wiens)

### Recommendation

That Council refer the report from Planning and Development Services, dated May 8, 2013, regarding the application for amendment to the Zoning By-law for lands known as 109 Glendale Avenue and 298 Glenridge Avenue, to City Council for consideration after the public meeting scheduled for June 10, 2013. FORTHWITH.

### Staff Recommendation

That zoning By-law No. 6609, as amended, be further amended by adding multiple attached townhouse dwellings as an additional permitted use for those lands identified on Appendix 1, subject to the following provisions;

- a) Multiple attached townhouse dwellings shall be defined as a building divided vertically into three or more dwelling units, up to a maximum of eight dwelling units each having an independent entrance.
- b) Minimum landscaped open space 40%
- c) Minimum parking requirement 1.5 space per dwelling unit
- d) Minimum landscape strip along the interior side lot line 0.5m
- e) Maximum height 11.0m
- f) Minimum front yard setback 4.5m
- g) Minimum flanking yard setback 7.5m
- h) Minimum rear yard setback 3.5m
- i) Minimum interior side yard setback 6.0m
- j) Parking areas shall not be permitted between the building and Glenridge Avenue or Glendale Avenue; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P 13, as amended, be processed by the City Clerk; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Ontario Municipal Board for consideration and final decision; and further

That the Clerk be directed to make necessary notifications.

## **Summary**

The property is zoned Residential Multiple (RM), permitting a range of dwelling types including single detached dwellings, semi-detached dwellings, duplex dwellings, and triplex dwellings. The site is comprised of 6 townhouse units with 6 - 7 bedrooms per unit, within two separate buildings.

The applicant has requested permission to permit the existing townhouses as an additional permitted use in the existing Residential Multiple (RM) zone, with site specific zone provisions.

The amendments are requested to permit the addition of a second storey on each of the existing buildings, resulting in a total of twelve 5-bedroom units. No change to the existing building footprint is proposed. Staff are supportive of the application.

## **Background**

The subject property is comprised of 109 Glendale Avenue and 298 Glenridge Avenue. At present, there are 6 townhouse units, 2 units in the building face onto Glendale Avenue, and 4 units in the building face onto Glenridge Avenue. There is no Site Plan Agreement for this property.

The present use does not conform to the Zoning By-law. The buildings have existed for decades (early 1960's) and predate the original Zoning By-law for this area. The buildings have been renovated over the years and do not maintain the dwelling unit count that existed at the time the original Zoning By-law was approved. Prior to the passing of the current Zoning By-law, the buildings were renovated into 12 townhouse units which were constructed without permits: 4 fronting onto Glendale Avenue, and 8 fronting onto Glenridge Avenue. In 2005 an application was made to the Committee of Adjustment for permission to extend a non-conforming use to permit a second storey addition over the 12 townhouse units to enlarge each of the units. Staff were supportive of this application, subject to a site plan agreement. The Committee of Adjustment denied the application. The Applicant appealed the decision to the Ontario Municipal Board. While the Board was satisfied that the actual townhouse use predated the zoning by-law, the Board was not satisfied that the proposal was minor in nature or met the intent and purpose of the Official Plan at that time. The Appeal was dismissed.

In 2009, additional interior renovations joined the interior of every second unit, converting the 12 townhouse units back to 6 townhouse units. No building permits were obtained for this work. Orders were placed on the property in 2009 and remain outstanding. The site currently operates as 6 townhouse units.

## **Report**

a) Location:

The site is located in the City's South Planning District on the west side of Glenridge Avenue, south of Glendale Avenue (see Appendix 1 – Location Map).

- b) Existing Land Use:
- i) Site:  
The site is irregular in shape with a lot area of approximately 0.2 hectares (0.5 acres). Approximately 30m (98') of frontage is located on Glendale Avenue (see Appendix 2 – Air Photo). Presently, the 6 townhouse units are comprised of 6 and 7 bedroom units. The units were constructed with a raised main floor and basement living space. Both buildings are a single storey.
- ii) Neighbourhood:  
North: Residential (single and multiple attached dwellings)  
South: Institutional (place of worship) and Residential (single detached dwellings)  
East: Residential (single and multiple attached dwellings)  
West: Residential (single detached dwellings)
- c) Official Plan:  
The Garden City Plan designates the subject lands as Neighborhood Residential permitting all forms of residential development. Schedule E8 (South Planning District) designates the subject property as Low Density Residential which permits a density range between 20- to 32 units per hectare (Appendix 3). This designation permits detached, semi-detached, duplex, and ground oriented multiple attached dwellings to a maximum height of 11m. Additional policies permit an increase in density where certain criteria are satisfied. The application complies with the Garden City Plan. Discussion about compliance with the Garden City Plan is found in the Planning Analysis section of this report.
- d) Zoning:  
Existing Zoning  
The property is zoned residential Multiple (RM) by By-law 2006-3 which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, and double duplex dwelling houses (Appendix 4). Townhouses are not a permitted use.
- Proposed Zoning  
The applicant has requested permission to permit townhouses as an additional permitted use in the existing Residential Multiple (RM) zone, with a parking requirement of 1.8 spaces per unit, required landscaping of a minimum of 43% of the lot area, and a minimum landscape strip of 0.5 metres (1.6') along the westerly lot line.

### **Proposed Development**

The purpose of this application is to amend the zoning for the subject property to add multiple attached townhouses as a permitted use and to permit the addition of a second storey to the existing buildings. With the second storey addition, and interior renovations, the building will accommodate a total of 12 townhouse units, each unit

having 5 bedrooms. The proposed 12 units will each have 5 bedrooms. A concept plan is attached in Appendix 5.

### **Circulation Comments**

This application for a Zoning By-law amendment was circulated to all appropriate City departments and agencies for comments and requirements. No objections were received, however, several comments were offered.

#### *Niagara Region*

The proposed amendment will permit the continued residential use and intensification of the existing townhouse dwelling within the built-up area, which makes efficient use of existing infrastructure and public services. The Niagara Region offered no concerns or objections with respect to the proposal.

#### *Recreation and Community Services (RCS)*

This proposal includes a landscape strip with angled parking which will provide sufficient space for landscaping along the west property boundary. This landscaping, coupled with the proposed wood privacy fence, will provide a separation between the subject property and the neighbouring residential uses. The detailed landscape requirements will be established through the Site Plan Agreement.

#### *Development Services*

The amount of storm water will be restricted to pre-development flows. Storm water management will be addressed through site plan approval.

The Traffic Division of Transportation and Environmental Services offered no concerns or objections.

### **Public Open House**

A public open house was hosted by Planning and Development Services on April 25, 2013. The purpose of the meeting was to present the applicant's proposal and provide an opportunity for questions to be asked and comments to be received by City Staff before formulating a recommendation. There were no members of the public in attendance. No correspondence was received from the public.

### **Planning Analysis**

#### **Provincial Policy**

The subject property is within a settlement area under the 2005 Provincial Policy Statement and designated as a built up area in the Places to Grow Plan for the Greater Golden Horseshoe. These documents contain policies that direct major growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities. The proposed development provides a mix of housing types, and provides for intensification within a built up area. The proposal complies with Provincial Policy.

### **Regional Policy Plan**

The subject lands are within the City's Urban Area defined by the Regional Policy Plan and within a Built-up Area under Amendment 2-2009. A full range of residential, commercial, and industrial uses are permitted. The proposal complies with the Regional Policy Plan.

### **Garden City Plan**

The Garden City Plan designates the subject lands as Neighborhood Residential. Schedule E8 provides additional direction for the South Planning District and designates the land as Low Density Residential. The Low Density Residential designation permits ground oriented multiple attached dwellings, including townhouses, at a density of 20-32 units per hectare. Currently, the 6 townhouse units provide a density of 24 units per hectare, which falls within this range. The proposed development seeks to add a second storey to the existing single storey buildings and convert the 6 existing townhouse units to 12 townhouse units. At a proposed density of 48 units per hectare, this would be a medium density development.

Section 8.3 of the Garden City Plan permits new medium density development to be permitted in the Neighbourhood Residential land use designation by way of a rezoning, provided that the following conditions are satisfied:

- i) *a location on or near an arterial or collector road*  
The subject lands are located at the intersection of two Regional Arterial roads as outlined on Schedule C Transportation in the Garden City Plan.
- ii) *the development site is in close walkable proximity and accessibility to commercial centres, community facilities, parks, natural areas and public transit services*

This site is within close walking distance to a variety of commercial uses, namely the Pen Centre and Glenridge Plaza. There are a number of parks in the area, including Woodgate Park on Glendale Avenue and trails along Twelve Mile Creek. Public transit runs along both Glenridge Avenue and Glendale Avenue providing connections to Downtown, Brock University, and the Pen Centre.

- iii) *the development site is in close proximity to existing medium and high density development*

Glenridge Avenue provides a number of medium density developments such as condominium townhouse developments to the west and east at 58 and 139 Glendale Avenue. There are a number of ground oriented multiple attached and apartment units along this section of Glenridge Avenue, including 5 units at 272 Glenridge Avenue (a medium density development of 42 units per hectare), 3 units at 309 Glenridge Avenue (a medium density development of 50 units per hectare), 6 units at 329 Glenridge Avenue (a medium density development of 38 units per hectare). The Glenridge Avenue corridor south of the CN rail line is characterized by various multiple unit

dwelling types. Townhouses, as an additional permitted use, are in keeping with the multiple dwelling types which already exist on Glenridge Avenue.

Staff consider the subject lands to be suitable for medium density development. The site meets the criteria outlined in the Garden City Plan to justify the increase in density.

The Medium Density Residential designation permits a general density of 25-99 units per hectare. Planning and Development Services is satisfied that proposed 12 townhouse units at a density of 48 units per hectare comply with the requirements of the Garden City Plan.

Section 7 of the Garden City Plan requires that development be evaluated with respect to context sensitive design to ensure the integration of compatible form, scale and massing, and, to minimize adverse impacts on adjacent properties. The proposed development is 9.14m (30') in height, well within the 11.0m (32.8') height limitation of the Low Density Designation of the Garden City Plan. Setback, landscaping, and parking requirements established through the zoning by-law amendment and the required site plan approval, addressing, details of the site design, such as fencing, lighting, and drainage ensures compatibility with the adjacent uses.

## **Zoning By-law**

### **Site Specific Zoning Provisions**

The following site specific zoning provisions are recommended to implement the proposed development.

#### **Townhouses**

The Residential Multiple (RM) zone does not include townhouses as a permitted use. Townhouses shall be defined as multiple attached townhouse dwellings that are divided vertically into three or more dwelling units, up to a maximum of eight dwelling units each having an independent entrance. The proposal meets this definition.

#### **Height**

A maximum building height of 11.0 metres (32.8') is recommended. Height is measured to the mid-point between the eaves and peak of the roof. The height limit is consistent with the height limitations of the Garden City Plan for the Low Density Residential designation and the zoning provisions for the surrounding properties, both in the RM zone applicable to the lands fronting Glenridge Avenue and the RA zone applicable to the lands beyond Glenridge Avenue. Buildings on the surrounding properties range in height from 1 to 3 storeys.

#### **Parking**

For all permitted residential uses, the Residential Multiple (RM) zone requires that parking be provided at rate of 2.0 spaces for rental units and 1.75 spaces for condominium units. The applicant has proposed a total of 21 spaces plus one accessible space. For the twelve units, this will represent 1.8 spaces per dwelling unit. The applicant submitted a Traffic Impact Study (Prepared by Quartek Group Inc., dated

January 2013). The study indicates that a parking requirement of 21 spaces (1.8 spaces per unit) plus 1 accessible space is a 50% increase in the number of parking spaces from the current 14 spaces. Although the number of units will double, the number of bedrooms is going to increasing by 50%, from 40 to 60 rooms. The study concludes that if the 14 spaces are sufficient for the 40 rooms, then a 50% increase in the number of rooms and an equal proportional increase in the number of parking spaces to 21 spaces will provide enough parking to meet the demand of the tenants. It is likely that some residents will not have vehicles. There is regular public transit service and bike lanes along Glenridge Avenue and Glendale Avenue which offers alternative transportation options for the targeted student market for these units. In order to account for flexibility in the site design at the site plan approval stage, staff recommend a minimum parking requirement of 1.5 spaces per unit.

The Traffic Division of Transportation and Environmental Services, and the Niagara Region have reviewed the submitted study, and offered no concerns or objections with respect to the proposed parking reduction.

#### Landscaping

The zoning provisions for other dwelling types in the Residential Multiple (RM) zone require a 3.0m (9.8') landscape strip along the rear lot line. The zoning by-law amendment requests a minimum of 0.5m (1.6'). The proposed landscape strip varies in width from 0.99m (3.2') to 2.29m (7.5'), however, the zoning by-law must recognize the minimum width. Minimum landscaped open space of the lot is proposed to be 40% of the lot area. The landscaping on site will increase from the current conditions as the landscaped buffer will be installed where one does not currently exist. Additionally, the front and flanking yards provide extensive setbacks and landscaping in front of the units.

The proposal combines the landscape strip with angled parking which will provide sufficient space for landscaping along the west property boundary. This landscaping, coupled with the proposed wood privacy fence, will provide a separation between the subject property and the neighbouring residential uses. The landscape details will be approved as part of the required site plan approval process. To account for flexibility in this process, staff recommend a minimum landscaping requirement of 40%. Staff note that the required site plan approval for this proposal will result in a number of improvements to the site, including landscaping, fencing, paving, and curbing.

#### Setback Requirements

Since this application proposes to add a second storey only, and no changes to the building footprint are proposed, setback requirements are recommended to recognize the existing location of the buildings.

#### Planning Analysis Conclusions

In summary, the proposed residential development is consistent with the Garden City Plan policies for Medium Density Designations. The proposed townhouses, at two storeys, will fit within the context of development along Glenridge Avenue. Site specific

provisions will reflect the existing building footprint, maintain the open space in front of the dwellings, and add parking and add additional landscaping along the westerly lot line.

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

### **Financial Implications**

Not Applicable

### **Conclusion**

In summary, the proposed amendments are appropriate for the long term development of the subject lands in accordance with the Medium Density Residential designation of the Garden City Plan. Staff is satisfied that the recommended zone provisions are appropriate for the successful development of this proposal.

### **Notification**

It is in order to advise Barbara Wiens, MCIP, RPP, Senior Planner, Quartek Group Inc., 89-91 St. Paul Street, St. Catharines, ON L2R 3M3.

### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning and Development Services

### **Prepared by:**

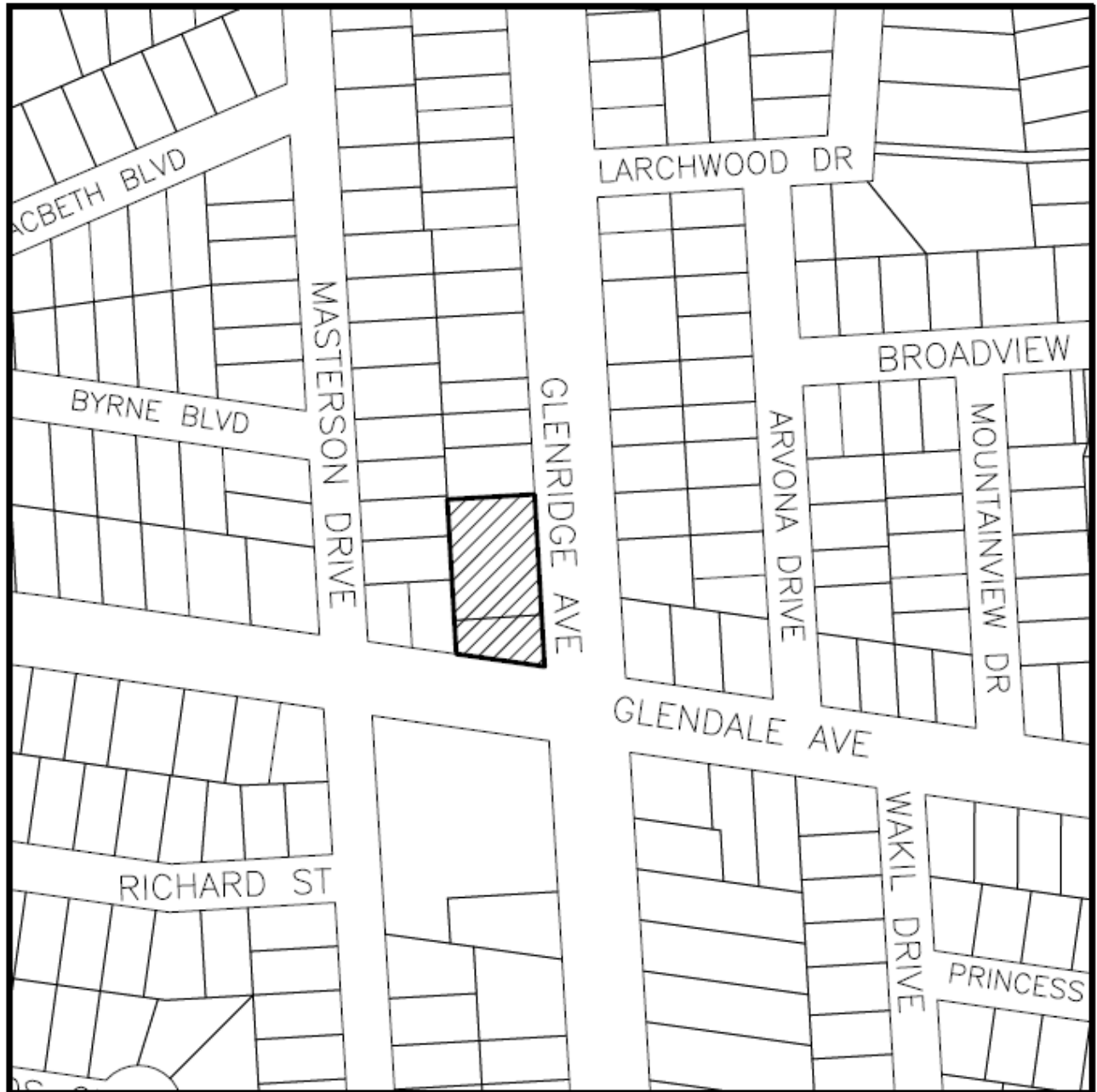
Jessica Button, MCIP, RPP  
Planner I

### **Approved by:**

James N. Riddell, MPI, MCIP, RPP  
Director of Planning and Development Services



**Appendix 1 – Location Map**



**SUBJECT LANDS KNOWN AS  
109 GLENDALE AVENUE (298 GLENRIDGE AVE)  
FILE: 60.35.994**

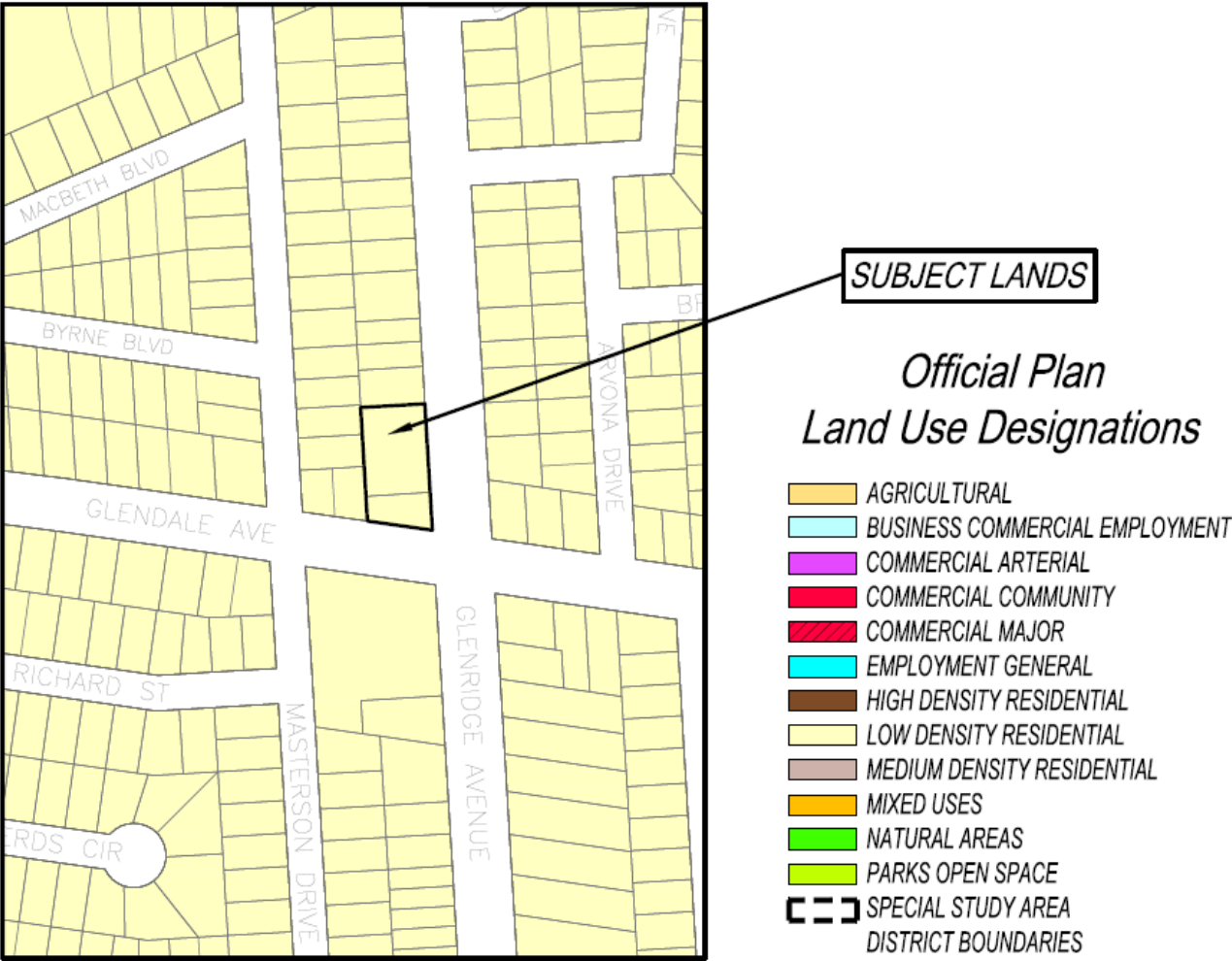
## Appendix 2 – Air Photo



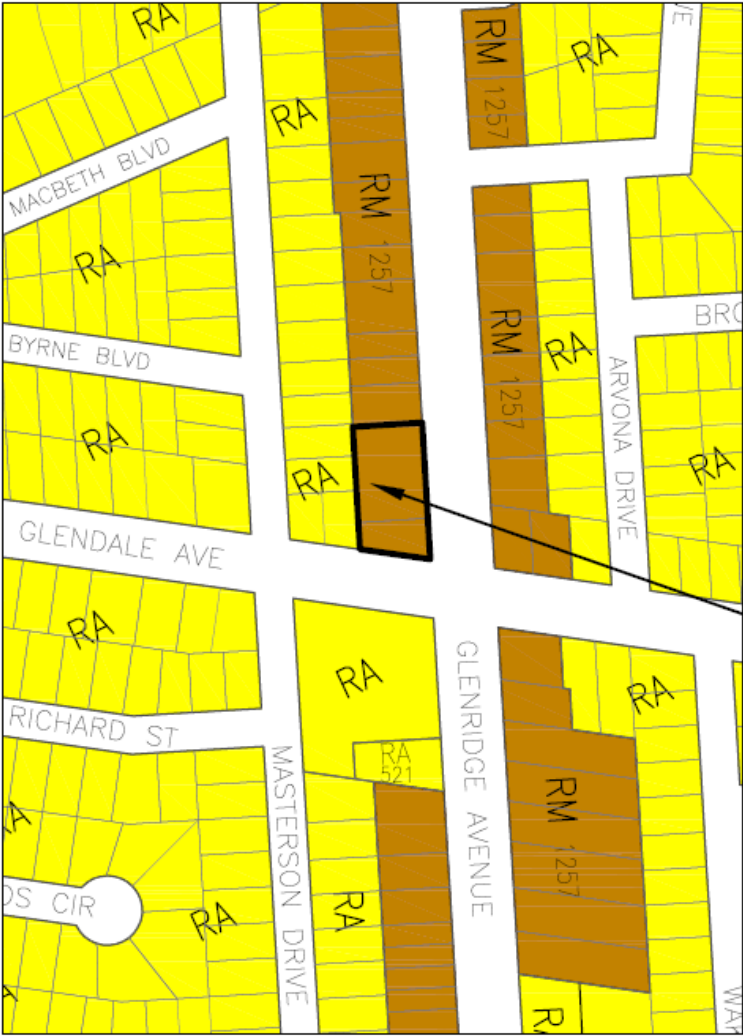
AERIAL PHOTO  
SUBJECT SITE

SUBJECT LANDS

Appendix 3 – Garden City Plan Designation



Appendix 4 – Zoning By-law



**SUBJECT LANDS**

*Zoning Designations*

- RESIDENTIAL 'A'
- RESIDENTIAL MULTIPLE

Appendix 5 – Concept Plan

