

Corporate Report

Report from Planning and Development Services, Planning Services

Date of Report: May 22, 2013

Date of Meeting: June 10, 2013

Report Number: PDS-151-2013

File: 60.35.995

Subject: Application to Amend Zoning Area By-law 64-270 (Zone 4) from Residential First Density (R1B) to Residential Second Density (R2B) at 187 First Street; Owner: 1302758 Ontario Limited; Agent: Laurus Sinke (Henley Heights Construction Limited)

Recommendation

That Council refer to City Council for consideration after the public meeting scheduled for June 24, 2013, the report from Planning and Development Services, Planning Services, dated May 22, 2013, regarding the proposal to amend Zoning Area By-law 64-270 (Zone 4) from Residential First Density (R1B) to Residential Second Density (R2B) for lands known municipally as 187 First Street. FORTHWITH

Staff Recommendation

That Council approve an amendment to Zoning Area By-law 64-270 (Zone 4) for lands described as Part Lot E, Registered Plan 34, designated as Parts 6, 7 & 8 on 30R-12144, St. Catharines, known municipally as 187 First Street (Areas 1 and 2, as outlined in Appendix "1"), from Residential First Density (R1B) to Residential Second Density (R2B), subject to the following special provision:

- Permitted Uses for Area 1: Semi-detached dwelling
Duplex dwelling; and

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

That the City Solicitor be directed to prepare the necessary by-laws to give effect to Council's decision; and

Further, that upon expiration of the appeal period, the City Clerk be directed to forward an application to the Ontario Municipal Board for approval of the proposed zoning by-law, if any appeals are received. FORTHWITH

Summary

The purpose of this application is to (1) change the zoning of the subject lands (Areas 1 and 2 on Appendix "1") from Residential First Density (R1B) to Residential Second Density (R2B), and (2) restrict the permitted dwelling types on Area 1 to semi-detached or duplex dwelling types in order to meet the Low Density Residential density targets in the Garden City Plan.

Background

The subject lands are vacant. Council approved a site-specific zoning amendment, By-law 91-461, for the property resulting in the Residential First Density (R1B) zone. The R1B zone permits only a single detached dwelling and buildings accessory thereto. The R1B zoning does not meet the Low Density Residential density target in the Garden City Plan in that it is too low. The Low Density Residential designation requires 20-32 units per hectare and a single detached dwelling would only yield a density of 12.7 units per hectare on Area 1 and 11.2 units per hectare on Area 2.

On April 24, 2013, the Committee of Adjustment approved a consent application to sever the property into two parcels (Areas 1 and 2, Appendix "1"), subject to certain conditions including the final approval of an amendment to the zoning by-law. The zoning amendment is intended to permit only dwelling types which meet the residential density targets outlined in the Garden City Plan.

Report Proposal

The applicant is proposing to construct a semi-detached dwelling on Area 1, and a single-detached, semi-detached or duplex dwelling on Area 2 (Appendix "1"). A site layout illustrating the location of the proposed semi-detached dwelling on Area 1 is included as Appendix "2".

Site Analysis

a) Location:

The subject lands are located on the west side of First Street Louth, north of Videl Crescent North. (Appendix "3")

b) Existing Land Use:

- i. **Site:** The subject lands are comprised of two properties, which are vacant. Area 1 (Appendix "1") has a lot area of 789.2 m² (8495 ft²), with 19.4 m (63.8 ft) of frontage on Richardson Court. Area 2 (Appendix "1") has a lot area of 891.6 m² (9597 ft²) with 21.0 m (69.0 ft) of frontage on First Street.

ii. Neighbourhood:

North: Single detached dwellings, townhouses and Mother Theresa Catholic School

South: Single detached dwellings

East: Single detached dwellings

West: Single detached dwellings and townhouses

c) Garden City Plan

The subject lands are designated Low Density Residential by the Garden City Plan (GCP) (Schedule E6- West Planning District). The Low Density Residential designation permits detached, semi-detached, duplex and ground oriented multiple attached dwellings, including triplexes, at a density range generally between 20 and 32 units per hectare (8.1 to 13 units to acre) of land (Section 8.1.1). Specific policies relating to the proposal are outlined in the Planning Considerations section of this report.

d) Existing Zoning

The subject lands are zoned Residential First Density (R1B) by By-law 64-270, as amended by By-law 91-461 (Zone 4). The R1B zone permits only a single detached dwelling and buildings accessory thereto. An amendment to the by-law is required to allow only a semi-detached or duplex dwelling on Area 1, and a single-detached, semi-detached or duplex dwelling on Area 2. Single detached dwellings are already permitted by the R1B zoning.

Circulation Comments

The application was circulated to all appropriate City departments and agencies for their comments and/or requirements. No objects were received.

Open House

A public open house was hosted by staff on May 6, 2013. The purpose of the open house was to present the applicant's proposal and allow for an opportunity for questions to be asked and comments to be received by City staff before Council makes a decision. Only the applicant and one resident attended the open house. The resident expressed concern that a semi-detached dwelling on Area 2 would not be compatible with the single detached dwellings along First Street. The resident had no concerns with a semi-detached dwelling on Area 1. No other correspondence has been received with regard to the application.

Planning Considerations

The subject lands are zoned to allow single detached dwellings only. The Garden City Plan (GCP) requires a minimum density of 20-32 units per hectare (a minimum of 3 units on the lands composed of Areas 1 and 2, Appendix "1"). An amendment to the zoning by-law is required in order to meet the density requirements of the GCP.

This application was initiated as a result of a condition to a consent application approved by the Committee of Adjustment. The approval of this application ensures the future development of the proposed and retained lot meets the density requirements set out in the Garden City Plan.

Provincial Policies

The Provincial Policy Statement (PPS) and Places to Grow Plan for the Greater Golden Horseshoe (Growth Plan) contain policies that direct growth to settlement areas where

appropriate levels of services and infrastructure exist. Growth management policies also direct a significant portion of new growth to the built-up areas through intensification. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources, infrastructure, and public service facilities which are planned or available. The proposal is in conformity with Provincial policies.

Regional Policy Plan

The property is within the City's Urban Area Boundary, as defined by the Regional Policy Plan (RPP). A full range of residential, commercial and industrial uses are permitted generally within the Urban Area. Similar to Provincial policies, the RPP promotes development of higher densities than in the past, and using lands suitable for infilling, intensification and redevelopment to promote more compact urban forms. Regional staff has confirmed that the proposal complies with Regional policies.

Garden City Plan

The Low Density Residential designation permits a range of residential uses, including the proposed single detached, semi-detached and duplex dwelling types, at a density range generally between 20 and 32 units per hectare. In terms of density, under the current zoning, where only a single detached dwelling is permitted, a density of 12.7 units per hectare on Area 1 and 11.2 units per hectare on Area 2 is provided. This does not meet the density requirements of the Garden City Plan (GCP). To meet the density requirements of the GCP, a minimum of 3 dwelling units are required between Areas 1 and 2. Staff recommends that only a semi-detached or duplex dwelling be permitted on Area 1, to ensure that a minimum of 3 dwelling units will be provided. This would yield a density of 25.3 units per hectare, which is in keeping with the density requirements of the Low Density Residential designation. The proposal meets the density targets of the GCP.

Zoning

The subject lands are zoned Residential First Density (R1B), which permits only single detached dwellings. An amendment to the zoning by-law is required to permit either a semi-detached or a duplex dwelling only on Area 1, and a single, semi-detached or duplex dwelling on Area 2 in order to meet the density requirements of the GCP. The proposed dwellings would be subject to the standard requirements of the Residential Second Density (R2B). The proposed lots comply with the R2B requirements.

There was concern expressed at the open house with regard to compatibility of a semi-detached dwelling on Area 2. Although there are predominantly single detached dwellings along First Street, there is no discernible architectural style. The dwellings comprise an eclectic mix of styles which make up the overall low density neighbourhood character. A semi-detached dwelling is compatible in terms of building height and massing and will fit within the low density character of the neighbourhood. Semi-detached dwellings are subject to the same height and setback requirements as single-detached dwellings in this R2B zone. Setbacks of the existing dwellings in the surrounding neighbourhood are compatible with the zoning requirements.

Second Planning Opinion Advisory

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.

In accordance with established procedures, the date for the public meeting is provided in the recommendation and notices for the public meeting have been circulated.

Financial Implications

Not Applicable.

Conclusion

Staff is supportive of the amendment to the zoning by-law to permit a semi-detached dwelling on Area 1, and either a single-detached, semi-detached or duplex dwelling on Area 2. The proposed zoning amendment is required to fulfill the density targets of the GCP. The proposal is consistent with Provincial, Region and local policies regarding intensification, infill development, use of existing serviced lands, and provision of a variety of housing opportunities.

Notification

It is in order to notify Laurus Sinke (Henley Heights Construction Limited), 2324 Horton Avenue, Jordan, ON L0R 1S0.

Submitted by:

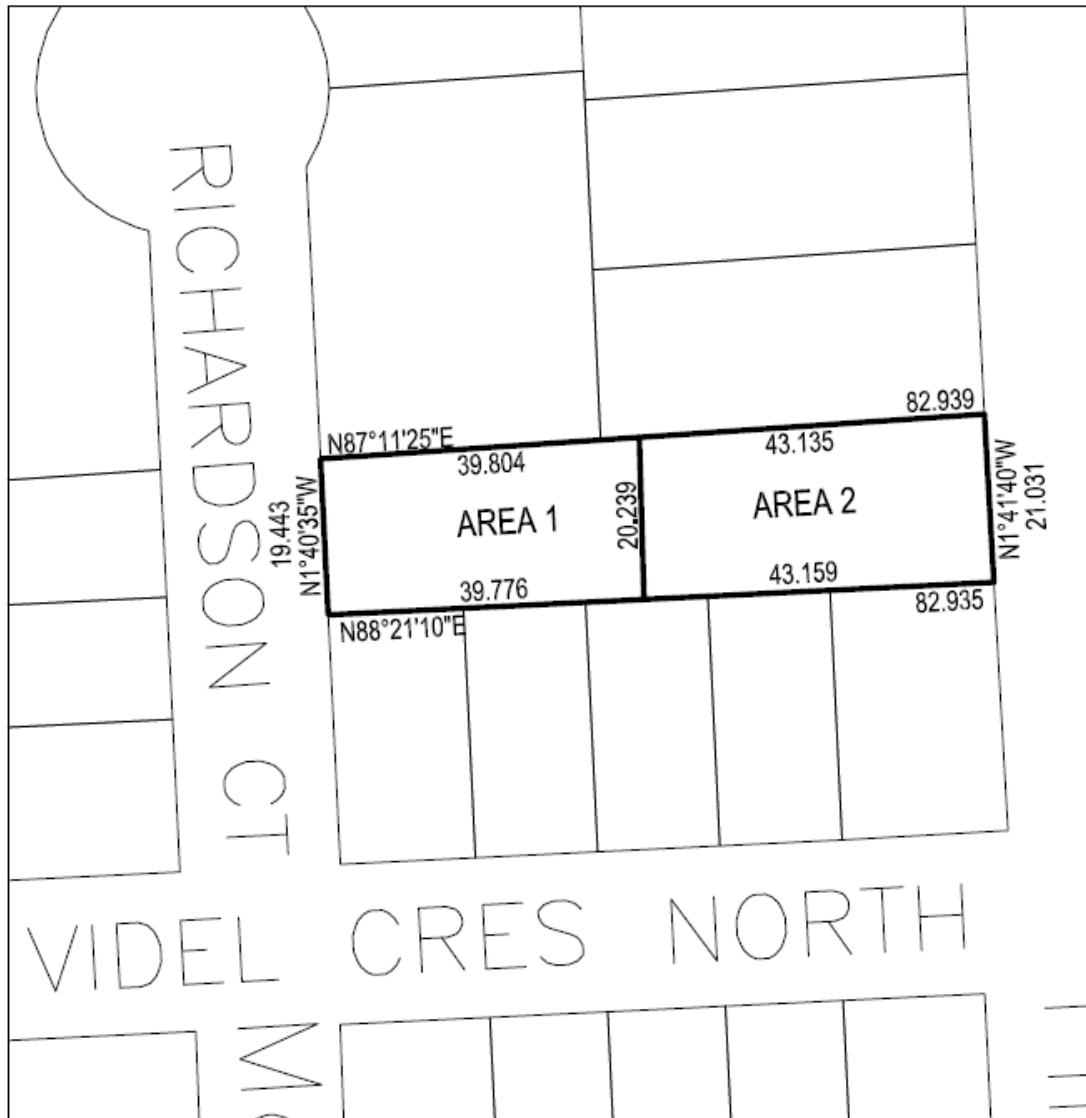
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RICHARDSON COURT.



SUBJECT LANDS KNOWN AS
187 FIRST STREET LOUTH
FILE: 60.35.995