

Subject: 200 Elizabeth Street, Recommendation Report, RZ-2020-02

Department: Infrastructure Services

Division: Planning

Report #: INS-2021-040

Meeting Date: 2021-06-14

Recommendations

That report INS-2021-040, 200 Elizabeth Street, Recommendation Report, RZ-2020-02, be received;

And that the amending Zoning By-law included as attachment No. 2 to this report be enacted to rezone the subject lands from “Neighbourhood Commercial (C2) Zone, Special Provision 24.46A” to “Neighbourhood Commercial (C2) Zone, Special Provision 24.226, with Holding (H) Symbol” to permit the proposed development.

By-laws:

That a By-law to amend Zoning By-law No. 22-90, as amended, be enacted to permit the use of Part of Lot 1 & 2 (Block 4), Plan 237, Town of Orangeville, County of Dufferin, municipally known as 200 Elizabeth, as one live-work dwelling unit and 3 semi-detached dwelling units.

Background and Analysis

The land subject to this application is comprised of one parcel located at the southwest corner of Ada Street and Elizabeth Street. The subject land is legally described as Part of Lots 1 and 2, Block 4 of Registered Plan No. 237 and is municipally known as 200 Elizabeth Street. The subject land has a total area of approximately 0.11 hectares (0.28 acres), with approximately 30 metres (98 feet) of frontage along Elizabeth Street and 36 metres (118 feet) of frontage along Ada Street. Attachment No. 1 includes a location map of the subject property.

Proposed Development

On, December 24, 2020, Glen Schnarr and Associates Inc. submitted an application on behalf of 1705381 Ontario Ltd. to amend the Town’s Zoning By-law to permit the development of two structures containing a total of four dwelling units and one

convenience store. The northern structure is proposed to function as a live-work dwelling unit, containing two semi-detached dwellings fronting onto Ada Street, with one 79.43 sq. m. convenience retail unit at grade, fronting onto Elizabeth Street. The southern structure is proposed to contain two semi-detached dwellings fronting onto Ada Street. The proposed semi-detached dwellings each have a height of two storeys. A total of 13 parking spaces are proposed, consisting of 2 residential spaces per unit and 5 commercial spaces. A Conceptual Site Plan is included as Attachment No. 3.

Analysis

Subsection 3(5) of the Planning Act states that where a municipality is exercising its decision-making authority affecting a planning matter, such decisions “shall be consistent with” policy statements issued under the Act and “shall conform to”, or “shall not conflict with” the provincial plans that are in effect on that date. The following sections provide an analysis of the proposal’s adherence to provincial, County and Town planning policy in support of the recommendation for Council’s decision concerning this application.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The new 2020 PPS came into effect on May 1, 2020, replacing the former PPS of 2014. PPS policies require municipalities to facilitate the development of compact, complete communities in a manner that encourages efficient use of existing infrastructure and public service facilities while protecting public health and safety and the natural environment.

The Zoning By-law amendment application is consistent with the policies of the PPS because the approval of this amendment would assist in:

- promoting efficient development and land use patterns, avoiding development patterns which may cause environmental or public health safety concerns, and promoting cost-effective development to minimize land consumption and servicing costs (Section 1.1.1);
- providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long term needs (Section 1.3.1.a);
- encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities (Section 1.3.1.d); and
- facilitating growth within an existing built-up area that promotes compact form and a mix of uses and densities (Section 1.1.3.6).

Growth Plan for the Greater Golden Horseshoe (2019)

The current provincial Growth Plan (A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019) came into effect on May 16, 2019 and was most recently updated as of August 28, 2020. The Growth Plan provides an overall growth strategy for

the Greater Golden Horseshoe region aiming to create compact, vibrant and complete communities by directing new growth and development (i.e. residential and employment) to occur within settlement areas, with a focus on providing a diverse range of housing and employment, high quality public open spaces, easy access to local amenities and protection of cultural heritage resources.

The Zoning By-law amendment application conforms to the policies of the Growth Plan because this application would facilitate:

- directing growth to a settlement area with full municipal services (Section 2.2.1); and
- supporting the achievement of a complete community through providing a diverse range and mix of housing options (Section 2.2.1.4).

County of Dufferin Official Plan

The subject lands are designated “Urban Settlement Area” on Schedule ‘B1’ in the County of Dufferin Official Plan (County OP).

The County Official Plan identifies urban settlement areas as focal points for growth, which are intended to accommodate a broad range of uses. These areas are comprised of lands that provide full municipal services (i.e. sewage, water and stormwater management) and support a broad range of land uses and densities, including a mix of housing types. Urban settlement areas are to be designed to support walkable communities with opportunities for public transit use. The range of permitted uses and associated land use policies are to be prescribed in municipal official plans.

The Zoning By-law amendment application is consistent with the policies of the Dufferin County Official Plan.

Town of Orangeville Official Plan

The subject land is designated “Neighbourhood Commercial” on Schedule ‘A’ (Land Use Plan). These areas are distributed in various parts of Orangeville, primarily in response to the location of residential uses. Neighbourhood commercial uses should generally be located on arterial or major collector roads. Permitted uses include a supermarket, drug store, hardware store, service establishments, smaller retail outlets, recreational establishments, a nursery school, business or professional offices and a veterinarian clinic. Residential uses are permitted within upper floors of buildings containing other permitted uses (Section E2.6).

The intent of the Official Plan policy limiting residential uses to the upper floors within the Neighbourhood Commercial designation is to ensure that the ground floor of the prominent street front is protected for the commercial use permissions on the site.

As the frontage on Elizabeth Street will retain its retail commercial character at the ground floor, with the entrances for the semi-detached residences fronting onto Ada

Street, the proposal meets the intent of the Neighbourhood Commercial policies of the Plan. An Official Plan Amendment is not required for this development proposal and the Zoning By-law amendment conforms to the policies of the Town's Official Plan

Town of Orangeville Zoning By-law No. 22-90

The subject property is zoned "Neighbourhood Commercial" (C2 Zone) with Special Provision 24.46A, on Schedule 'A' to Zoning By-law No. 22-90, as amended. The special provision limits the permitted uses to convenience retail and dwelling units on upper floors for this property.

The Zoning By-law Amendment application proposes to rezone the lands as "Neighbourhood Commercial" (C2 Zone) with Special Provisions (SP 24.226), subject to a Holding (H) symbol. The proposed permitted uses are as follows:

- i. a live-work dwelling containing a convenience retail use on a corner lot; and
- ii. a semi-detached dwelling on an interior lot.

Restricting the permitted uses in this manner corresponds directly to the specific development concept proposed for this site. By setting-out permissions for a live-work unit containing a convenience retail use on the corner lot, it ensures that a commercial use presides at this location. This prevents a residential dwelling from occupying this lot, and the entirety of the site, which would be inconsistent with the Neighbourhood Commercial designation. Essentially, the site-specific use permissions will accommodate the proposed development and maintain consistency with the Neighbourhood Commercial policies of the Town's Official Plan.

In order to permit the development as proposed, new site-specific zone standards are required. The following table provides a summary of the existing C2 zone standards. It also provides a comparison of the R3 zone regulations (which permits semi-detached units) to the proposed site-specific C2 regulations being sought to accommodate the development:

Regulation	Current C2 Zone	Standard R3 Zone	Site-Specific C2 Zone
Lot Area (min)	800 sq. m.	275 sq. m.	Corner – 365 sq. m. Interior – 245 sq. m.
Lot Frontage (min)	20 m	Interior – 9.1 m Exterior – 12.0 m	Corner – 12.0 m Interior – 8.0 m
Front Yard (min)	3.5 m	6.0 m	To building – 5.5 m To garage – 6.0 m
Front Yard (max)	22.5 m	-	-
Interior Side Yard (min)	5.0 m	1-storey – 1.2 m 2-storey – 1.5 m	1-storey – 1.2 m 2-storey – 1.5 m To party wall – 0.0 m

			Corner Lot – 1.0 m
Exterior Side Yard (min)	3.5 m	3.5 m	5.5 m
Exterior Side Yard (max)	22.5 m	-	-
Rear Yard (min)	7.5 m	7.0 m	Corner – 4.0 m Interior – 10.0 m
Building Height (max)	12.0 m	9.2 m	8.0 m

The Zoning By-law Amendment application also requests relief from Section 5.17.7(a) of the By-law, which stipulates that for all non-residential zones, a 3.0 metre landscape strip must be provided where any parking area abuts a street or a residential zone. The site-specific special provisions eliminate this landscape strip requirement along street lines since the proposed development concept includes a retail parking area along Elizabeth Street and residential driveways along Ada Street. The landscape strip requirement is also reduced to 1.0 metre abutting residential zone areas, to accommodate the setback distance between the convenience retail parking area and the residential lands to the west.

A Holding (H) Symbol will be applied to the subject land through the Zoning By-law Amendment. Removal of this Holding (H) Symbol will require a subsequent Zoning By-law amendment application submission and its approval would be granted once the Town is satisfied that the appropriate servicing requirements have been confirmed and are formally allocated to the development.

The proposed Zoning By-law Amendment is included as Attachment No. 2.

Additional Applications Required

In addition to the Zoning By-law Amendment approval for the subject lands, the following applications will be required:

1. **Residential Demolition Permit** to facilitate the demolition of the existing dwelling on the subject land prior to development. A Residential Demolition Application has not been submitted to date in conjunction with this application.
2. **Site Plan Approval** to facilitate the proposed development. The site plan review and approval process will address the exterior elements of the development in detail, including site servicing, drainage and stormwater management, architectural design, lighting, and landscaping, as applicable. These site design measures can also be used to mitigate any potential impacts and assist in ensuring compatibility with surrounding uses. An executed Site Plan Agreement between the Town and the applicant will be required prior to the commencement of construction. A Site Plan Application has not been submitted to date has not been submitted to date in conjunction with this application.

3. **Lifting of the Holding (H) Symbol** to facilitate the removal of the Holding (H) Symbol that is placed on the land as part of the Zoning By-law Amendment. The purpose of the (H) symbol is to ensure the appropriate servicing capacity needed to accommodate the proposed development is formally allocated to the development before it proceeds. An application to remove the Holding (H) Symbol will be required after Site Plan approval has been granted and has not been submitted to date in conjunction with this application.
4. **Part Lot Control (exemption)** to establish the parcel boundaries between the semi-detached units. A Part Lot Control application has not been submitted to date in conjunction with these applications.

Review and Consultation

Internal Departments and External Agencies

The applications and supporting documentation were circulated to internal departments and external agencies for comment, pursuant to the mandate and technical area of expertise of each reviewing department/agency.

Comments from the following agencies and Town departments have expressed **no concerns** with the application, or have provided standard conditions to be included in the future Site Plan Agreement:

- Infrastructure Services, Planning
- Infrastructure Services, Building
- Infrastructure Services, Environment
- Infrastructure Services, Transportation and Development
- Community Services, Fire
- Dufferin County
- Credit Valley Conservation Authority
- Dufferin Peel Catholic District School Board
- Conseil Scolaire Viamonde
- Enbridge Gas
- Orangeville Hydro
- Canada Post
- Rogers

No additional comments have been received from internal departments or external public agencies with respect to this application.

Public Consultation

A public information meeting was held in accordance with the Planning Act requirements on April 19, 2021. The purpose of this public meeting was to provide an opportunity for the applicant to present their application to the public and Council, to receive comments, and answer any questions raised about the proposed development.

Comments and questions were expressed at the public meeting seeking clarification on certain aspects of the proposal and responses were provided by Planning division staff and the applicant's representative in attendance at the meeting. The questions and comments raised at the meeting which required further exploration as part of the application review process, as well as staff responses, are summarized below.

1. Concerns regarding the appropriateness of the dwelling type (semi-detached) and the number of dwelling units.

The proposed dwelling type and number of units is appropriate and fits within the established character of the neighbourhood. Although the neighbourhood is predominantly comprised of single-detached dwellings, there are also semi-detached dwellings as well as multiplexes within close proximity of the subject lands. The proposed semi-detached dwellings largely fit within the zone standards of the Residential First Density (R1) Zone (for detached dwellings) and Residential Third Density (R3) Zone (for semi-detached dwellings) as previously outlined in this report.

This form of infill development is encouraged by Provincial policy, as well as the policies of the Town's Official Plan, in order to diversify the housing options, support the efficient use of infrastructure and services, and to achieve intensification targets. Two-storey, semi-detached units are considered to be a compatible form of housing for the existing low-density neighbourhood.

2. Concerns with the appropriateness of the proposed 2-storey height.

The current Neighbourhood Commercial (C2) Zone on the property permits a height of 14 metres, or approximately 4 storeys. Although the surrounding neighbourhood is predominately characterized by single-storey dwellings, the Residential First Density (R1) Zone permits a height of 9.2 metres, or approximately 2-storeys.

The applicant has considered the comments received from the public and Council, in terms of reducing the height and overall massing of the proposed units. As such, the overall height (measured to mid-span) has been reduced from 8.35 metres (which was below the standard 9.2 metres permitted in the neighbourhood) to 7.74 meters, while maintaining a 2-storey massing.

Figures 1 and 2 illustrate the difference in height and roofline slope between the original design and the new design.

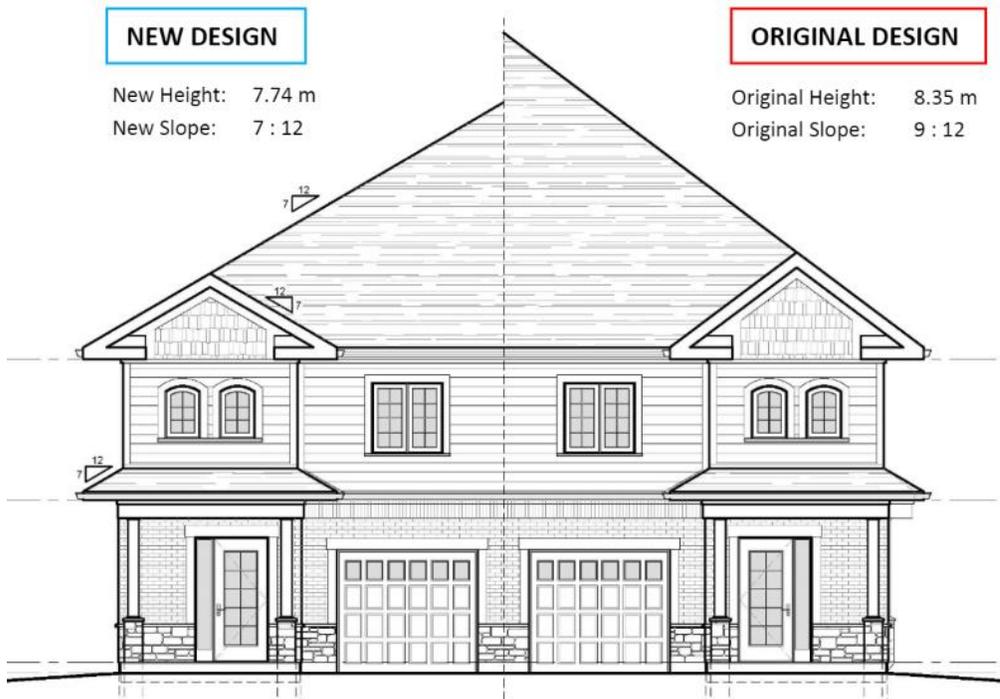


Figure 1. Ada Street Elevation Comparison of Original and Revised Building

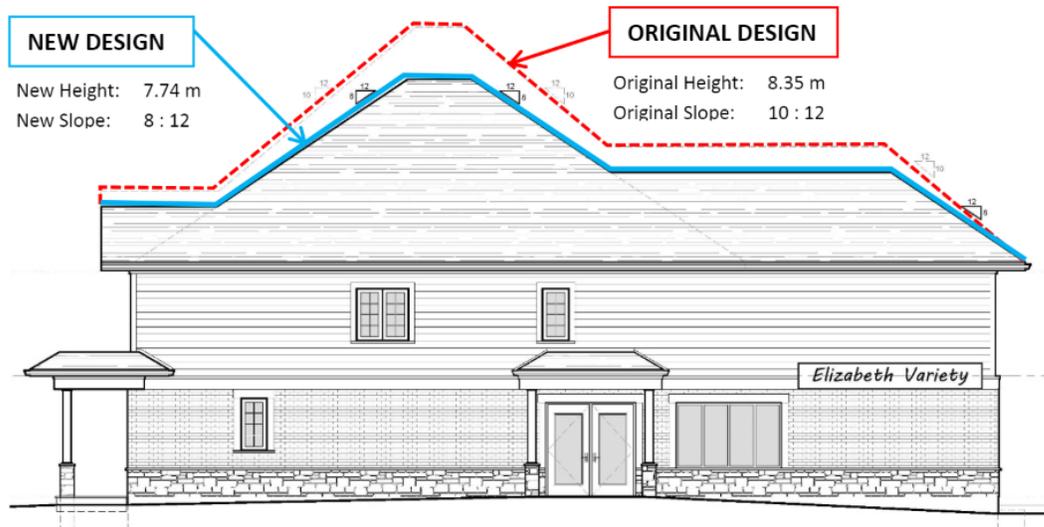


Figure 2. Elizabeth Street Elevation Comparison of Original and Revised Building

This has been determined to be the most appropriate minimum height to ensure an aesthetically pleasing traditional architectural style that is functional and well proportioned. More specific design details including building materials, colours and landscaping will be reviewed through the Site Plan process.

The Zoning By-law Amendment has been updated to include a revised maximum height of 8.0 metres, rather than 9.2 metres.

3. Concerns regarding additional cars and vehicular traffic.

A Transportation Study was prepared and reviewed as part of this application. The study noted that the proposed development would result in approximately a 1% increase in peak morning and evening hour traffic volumes from the baseline traffic in the area. As such, the study concluded that the proposed development would have an insignificant impact on traffic at the Ada Street and Elizabeth Street intersection and surrounding area.

4. Council requested that the applicant consider revising the parking layout such that the barrier-free parking space be relocated to the west side of the entrance to the convenience store.

Upon detailed review by the applicant, it was determined that it would not be possible to relocate the barrier-free parking space, while maintaining the required 5 parking spaces for the convenience retail use. Specifically, there is not enough space on the west side of the parking lot towards the west lot line. Relocation would conflict with site grading requirements in order to maintain compatible grades with adjacent properties. The Transportation Study confirms that the barrier-free parking space has adequate room for a vehicle to safely maneuver and that it has been designed in accordance with the AODA requirements.

5. Concerns with stormwater management and impact on adjacent properties.

A Hydrogeological & Water Balance Assessment as well as a Functional Servicing and Stormwater Management Study were prepared and reviewed as part of this application. These studies informed the site grading and assessed pre- and post-development stormwater runoff and infiltration rates.

Stormwater runoff generated by the proposed development will be directed towards either Elizabeth Street or Ada Street. External drainage from neighbouring properties will be permitted to drain through the subject property and out to Elizabeth Street or Ada Street. Further, infiltration on the property will be improved by approximately 7% by directing roof water into landscaped locations. Permeable pavers are also being considered for the residential walkways which will improve infiltration. Technical details relating to grading and stormwater management will be reviewed in greater detail through the Site Plan process.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Sustainable Neighbourhood Action Plan

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities.

Notice Provisions

The applications were received on December 24, 2020 and deemed complete by Planning Division staff on January 12, 2021. In accordance with the requirements of the Planning Act, on January 21, 2021, a Notice of Complete Application was:

- i. circulated to all property owners within 120 metres of the subject property;
- ii. advertised in the Orangeville Citizen;
- iii. published to the Town website; and
- iv. posted via signage on the subject property.

A public information meeting was held in accordance with the Planning Act requirements on April 19, 2021. The notice for this public meeting was circulated and advertised on March 25, 2021 in the same manner as described above.

Financial Impact

There are no anticipated financial impacts to the Town arising from this Report.

Respectfully submitted

Douglas G. Jones, M.E.Sc., P. Eng.
General Manager, Infrastructure Services

Reviewed by

Brandon Ward, MCIP, RPP
Manager, Planning

Prepared by

Larysa Russell, MCIP, RPP
Senior Planner, Planning

Attachments:

1. Location Map
2. Zoning By-law Amendment
3. Conceptual Site Plan