

STAFF REPORT PUBLIC MEETING OF PLANNING

DATE: June 26, 2023

TO: Mayor and Council Members

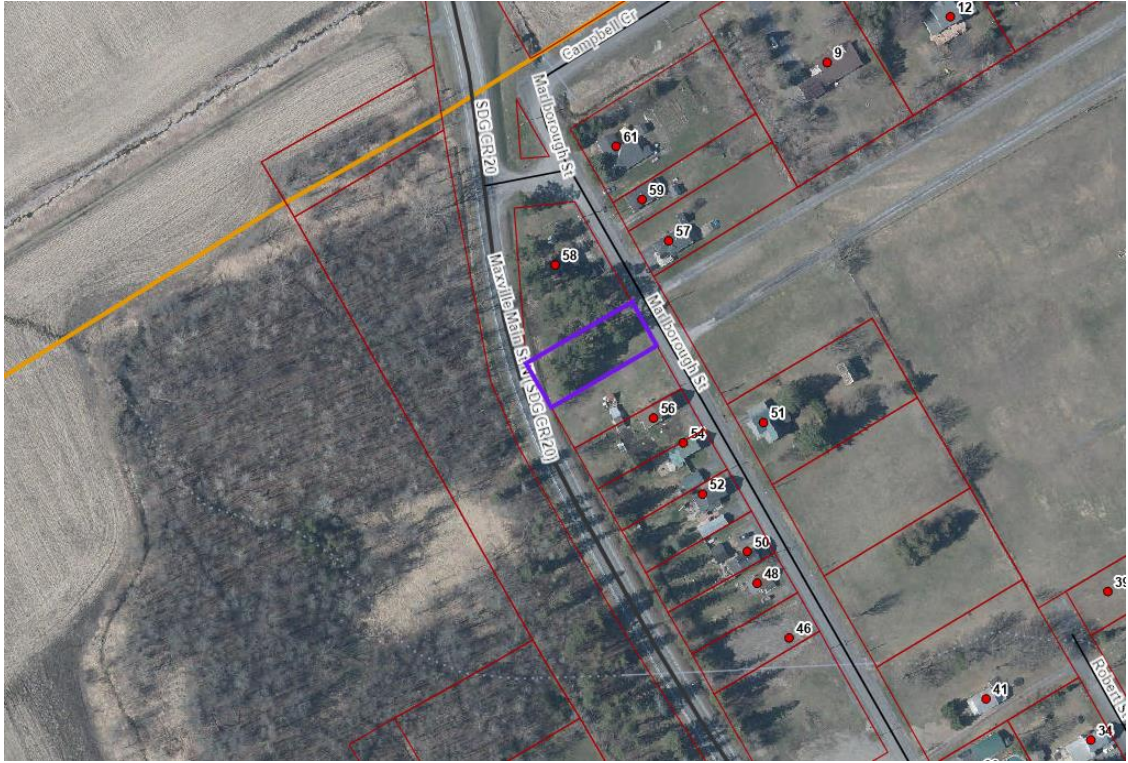
FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: Zoning By-law Amendment No. Z-11-2023

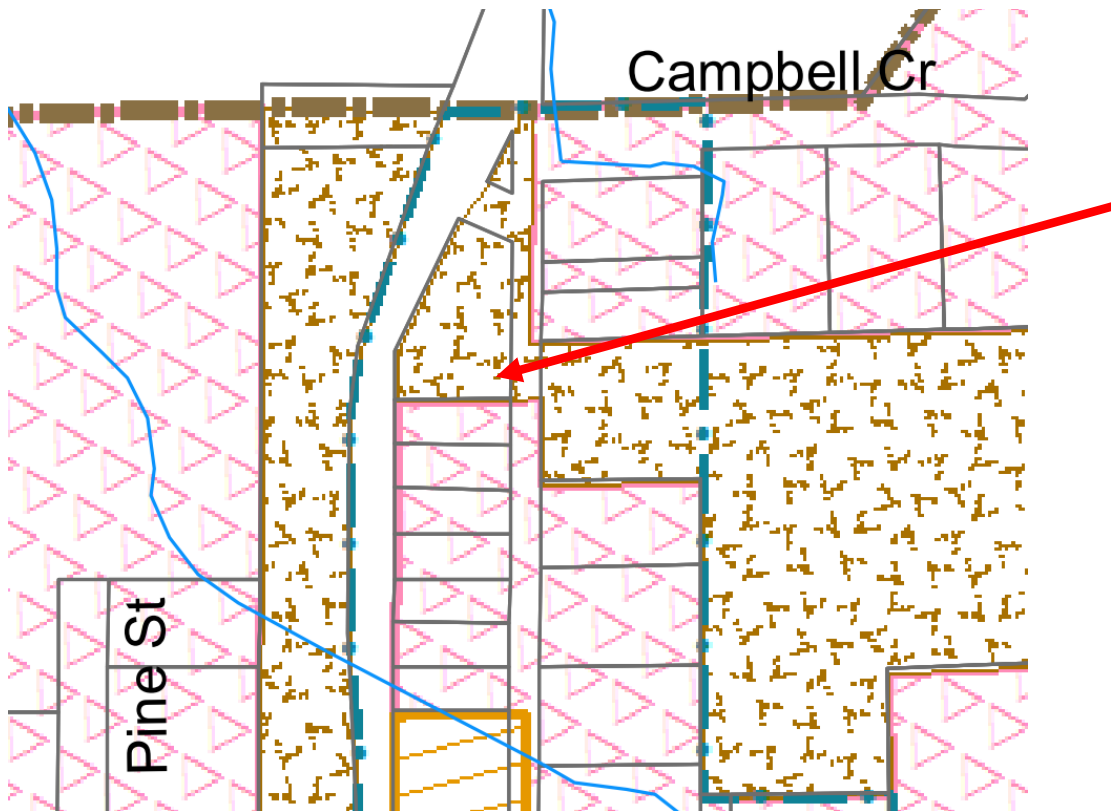
Owner: TOWNSHIP OF NORTH GLENGARRY

Location: 62-64 Marlborough Street, Maxville, ON
Lot 22 East of Main St N, Blk G Plan 32 (Part of Roll No. 0111 014 001 57000)





Official Plan designation: Urban Settlement Area (Maxville) – Major Open Space



Zoning designation: Open Space



Purpose of application:

- to rezone the subject lands from Open Space to Residential Second Density (R2) to permit the construction of a semi-detached dwelling on the subject lands, and
- to permit the reduction for the interior side yard minimum width setback requirement in R2 zones from the required 2.4m to the proposed 1.5m.

Discussion: The subject land is approximately 64' of frontage x approximately 154' for an approximate area of .21 acre (all compliant with our Zoning By-law requirements for R2). The Planning Department has received a request from the applicant to rezone the subject lands from Open Space to Residential Second Density (R2) to permit the construction of a semi-detached dwelling on the subject lands. The current Open Space zoning designation does not allow for residential development. The lot was offered by the Township to Habitat for Humanity for the proposed development of a semi-detached dwelling. At this time, the Township is still waiting for the final survey/legal description from the surveyor and lawyer to complete the transfer.

Permitted Uses	R2 Duplex Dwellings Semi-Detached Dwellings Any R1 permitted use
Lot Area min (fully serviced lot)	550m ²
Lot Frontage	18m
Front Yard & Exterior Side Yard Depth min.	7.5m
Interior Side Yard Depth min.	2.4m – <u>1.5m requested part of Zoning By-law Amendment</u>
Rear Yard Depth min.	7.5m
Dwelling Area (living) min.	75m ² per unit
Building Height max.	10.5m
Lot Coverage max.	35%
Landscaped Open Space min.	n/a
Dwellings per Lot	2

There are no detailed site plan or architectural plans done for the development at this time. The proposed building would have to be constructed as per all requirements of the Zoning By-law R2 designation such as setbacks (with proposed reductions for interior side yard), building height, parking, etc. The interior side yard setback is the only requirement that is being requested for the construction of the semi-detached. Habitat for Humanity's plan is to construct a 1-storey semi-detached dwelling, with at least 2 parking spaces for each unit, with no attached garage. The proposed Zoning Amendment does not include a requirement for Site Plan Control, and none will be required for the development. There are no additional restrictions imposed on the property, other than the R2 zone requirements listed in the table above.

The height of adjacent buildings varies from 1, 1½, and 2 storey buildings; however, the maximum height within current zoning, and within the proposed, and most of surrounding properties is 10.5m. The proposed semi-detached building would have to comply with the requirement. The proposed will be approximately the same height as a single detached house in the neighborhood.

A Site Plan Control Development Agreement will not be required for the development. Only a building permit will have to be obtained, and it shall include elevations and façades. The building permit will also deal with parking, pedestrian safety, minor neighborhood character details, drainage, grading, actual building size and location, setbacks, servicing, lighting, garbage collection, etc.

The Township's Public Works Department did confirm that entrance permits could be granted for a semi-detached building, and that municipal services such as water and sanitary sewer connections could be connected to the new development. Civic numbers could also be issued (62 & 64) as per the SDG/Township civic number grid. The pumping station owned by the Township just North of the proposed development will have to change its civic number as no numbers were given to the vacant land when issuing the number for the pumping station. Staff also reviewed the potential for increased cars to ensure no negative impacts are created with the development and no issues were brought up by either the Township or the Councillors.

Because of issues with the neighbouring lot that was originally offered, Habitat for Humanity made a request to obtain this lot instead. Lot 22 is currently with the pumping station lot, but the Township is allowed, as per Planning Act, to sever off a piece of land without going through the consent application process. Once the survey is completed, the lawyers will be able to create the new PIN (lot) and give it a legal description.

This Zoning By-law Amendment is made in conjuncture with an SDG Official Plan Amendment to change the designation from Major Open Space to Residential District. The By-law will only be presented to Council, once the OP is changed as a Zoning By-law Amendment needs to be compliant with the OP.

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest. The Planning Act requires that Council's decisions must be consistent with the Provincial Policy Statement, and conform, or not conflict with, the Stormont, Dundas and Glengarry Official Plan which apply to the lands.

Site pictures:



View of property



View from property, looking North on Marlborough Street.



View from property, looking South on Marlborough Street.



View looking East, across from property.



View looking at neighboring property.

Provincial Policy Statement (2020)

The Provincial Policy Statement, also known as the “PPS”, provides policy directions on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

It should be noted that within the PPS framework, the subject property is considered to be within a settlement area (Maxville). Within the PPS, Settlement Areas are those built-up areas where development is concentrated and have a mix of land uses and designated in an official plan for development over the long-term planning horizon. Settlement areas can be in urban or rural settings. Settlement areas shall be the focus of growth and development in the province.

Section 1.1.1 supports Healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodate an appropriate affordable and market-based range and mix of residential types, (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.1.3.2. - Land use patterns within “Settlement Areas” shall be based on densities and a mix of land uses which:

- 1. efficiently use land and resources, and*
- 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available.*

The proposed zoning amendment promotes the efficient use of land and is appropriate for the surroundings. It would also make efficient use of infrastructure such as the municipal water and wastewater services.

Within Section 1.1.3 Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently uses land and resources, appropriate infrastructure and public services, and supports active transportation. Appropriate municipal development standards should promote intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.1.3.2 - A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The conversion of the property from Residential First Density (R1) to Residential Second Density (R2) will potentially intensify the use on the subject lands.

SDG Counties Official Plan (2018)

The SDG Counties Official Plan Policy (Table 3.1) permits, promotes and encourages residential uses, including a full range of low, medium and high density housing types within the Urban Settlement (Maxville) – Residential District. Within this designation single, semi-detached dwellings, townhouse, row-house and low-rise multiple units are permitted residential dwelling types.

The Official Plan contains a number of goals and strategic objectives; growth is the goal to direct most forms of development to areas where full municipal wastewater and water services are available and to support the efficient use of land in these areas. The strategic objective is to encourage infilling, intensification, and development in appropriate locations and with appropriate built form and design.

The Official Plan also seeks to protect and enhance the character of existing urban areas and the stability of existing and well-established residential neighborhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.

This Zoning By-law Amendment is made in conjuncture with an SDG Official Plan Amendment to change the designation from Major Open Space to Residential District.

In conclusion, based on the criteria above, the proposed zoning amendment is compliant with the Township's Zoning By-law and with the intent and purpose of the United Counties of Stormont Dundas and Glengarry's Official Plan, once amended. It is also consistent with Provincial Policy Statement, it promotes the efficient use of land, and it is deemed appropriate for urban settlement areas, such as Maxville.