
HALDIMAND COUNTY

Report PDD-17-2019 Information Report for Official Plan and Zoning By-law Amendment to Facilitate Residential Development – DeHaan



For Consideration by Council in Committee on May 28, 2019

OBJECTIVE:

To inform Council of the details relating to a combined official plan and zoning by-law amendment application to facilitate the development of a three storey, thirty unit (condominium) apartment building as an infill development project.

RECOMMENDATIONS:

1. THAT Report PDD-17-2019 Information Report for Official Plan and Zoning By-law Amendment to Facilitate Residential Development – DeHaan be received as information.

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Reviewed by: Mike Evers, MCIP, RPP, BES, Director of Planning & Development Division

Respectfully submitted: Craig Manley, MCIP, RPP, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Deputy Chief Administrative Officer

EXECUTIVE SUMMARY:

DeHaan Homes Inc. is proposing to construct a three storey, thirty unit (condominium) apartment building at 205 South Cayuga Street East, Dunnville. The subject staff report provides a summary of the key planning issues involved and describes the next steps in the application process. This public meeting will allow early public engagement in the process, identification of potential development issues, and the opportunity to address these prior to a recommendation relating to principal of land use coming forward for Committee's consideration. Planning staff are targeting to bring a recommendation report forward for Committee's consideration at the August 27th Council in Committee meeting subject to comments/concerns raised by internal staff and external agencies through the circulation process and public comments raised at this public meeting.

BACKGROUND:

Location, Description, and Surrounding Uses:

The subject lands front onto the north side of South Cayuga Street East in the built-up area of Dunnville and are municipally known as 205 South Cayuga Street East, Dunnville (Attachment 1). The subject lands are currently vacant but have contained a number of rail and commercial uses, with the most recent being a feed mill and garden center.

The subject lands are located on the fringe of the designated 'Community Commercial' (downtown core) area. The subject lands abut the Wabasso condominium development to the north, the two

Wabasso apartment buildings (3 storey, 6 units each) to the west, and are immediately surrounded by semi-detached dwellings and vacant lands to the east, and residential and commercial developments to the south. More generally, the downtown core is located immediately south of the subject lands and residential development surrounds the subject lands from the north, east and west. The rail trail is located to the west of the subject lands beginning on Cedar Street. Some public open space and park area are located closer to the water at 206 Cedar Street (Dunnville Cenotaph) – 3 blocks away, 202 – 300 Main Street West (Dunnville Wingfield Park) – 5 blocks away, and 218 Main Street East (Dunnville Market) – 5 blocks away.

Proposal:

DeHaan Homes Inc. is proposing to construct a three storey, thirty unit (condominium) apartment building on the subject lands (Attachments 2, 3, 4, 5, and 6). The apartment units are proposed to have access to patios (ground floor units) or balconies (second and third floor units). If approved, the site (Attachment 2) will also feature two vehicle entrances (one on the west side of the apartment building and one on the east side), 42 owner parking spaces located along the north property line and east side of the building, 3 owner barrier free parking spaces located on the east side of the building, and 3 visitor parking spaces located on the east side of the apartment building. The site will also feature space for a garbage bin in the northwest corner on the subject lands, and amenity outdoor space in the southeast corner of the subject lands that will also accommodate snow storage in the winter.

To facilitate the development, the proponent is requesting to re-designate the subject lands from 'Community Commercial' to 'Residential' and to rezone the subject lands from a site specific 'General Commercial (CG)' Zone which only permits the retail sale of pet products, garden products, agricultural products and the processing and warehousing of feed to a site specific 'Urban Residential Type 5 (R5)' Zone to address the front yard setback, maximum floor area, and parking lot setback to facilitate the construction of the (condominium) apartment building.

Process:

The purpose of this information report is threefold:

1. to advise Council in Committee (CIC) of the details relating to the subject application (as described above);
2. provide a summary of the key planning issues that are to be addressed as part of this application (as set out in the Analysis section below); and
3. describe next steps in the application process (set out in the Analysis section below).

The presentation of an information report in advance of a recommendation report is used for complex or major planning matters such as draft plans of subdivision and infill development projects. The approach allows the formal public meeting to be held and any public input to be received and considered in advance of preparing staff recommendations on the merits of the proposal.

In this circumstance, there is a need to fully understand and manage the potential impacts that an infill project of this scale could have in the existing locational context (abutting residential development). To that end, staff is of the opinion that this approach has significant value as it allows for early public engagement in the planning process. This early engagement will allow for 'up-front' identification of any potential development issues and the opportunity for such to be addressed prior to a recommendation relating to the principle of land use coming forward for Committee's consideration. This will ensure that Committee has full and complete information available prior to making a decision.

ANALYSIS:

The key planning issues that will be addressed by staff as part of the principle of land use consideration are summarized as follows:

1. Conformity with Policy:

The Provincial Policy Statement and Growth Plan set out broader policies that are generally supportive of infill and intensification projects on brownfield sites where there is suitable existing or planned infrastructure and public service facilities available to accommodate projected needs. From an Official Plan standpoint, staff's detailed assessment will relate to removing the lands from the 'Community Commercial' designation which envisions a commercial or mixed land use development (commercial and residential) and local level policy which sets out various criteria/development parameters for infill residential projects of this nature. In this regard, the following matters of the Residential designation (the proposed land use designation for the subject lands) will need to be assessed as they relate to high density residential development:

1. the effect of the development on the overall housing needs of the community;
2. the effect of the use on neighbouring residential development with respect to the density, form, height and arrangement of buildings and structure;
3. the ability of the site to provide adequate parking facilities for the use in a manner that does not compromise the provision of other amenities and facilities such as outdoor common areas, landscaped buffers, garbage storage enclosures and emergency vehicle access;
4. the proximity of the use to arterial or collector roads in order to reduce the need to direct additional traffic to local streets within stable, low density residential areas;
5. the proximity of the use to public parks and other open space amenities and pedestrian access to these amenities; and
6. the adequacy of community services and facilities, including special needs facilities, to accommodate the needs of the residents of the use.

To support the proposed development, the proponent submitted a Planning Justification Report (PJR) prepared by a professional planner at Upper Canada Consultants. The PJR provides an overview of the applications and how their intent conforms with applicable Provincial and County land use planning policies and by-laws, and how the proposed residential development is appropriate for the subject lands.

2. Functional, Technical, and Environmental Matters:

A number of functional, technical, and environmental matters need to be addressed prior to consideration of the appropriateness of the principle of land use. The proponent's agent has submitted a number of studies to demonstrate that the development is feasible which have been circulated to internal staff and external agencies, including:

1. A Functional Servicing Report (FSR) prepared by Upper Canada Consultants which identifies domestic and fire protection water service needs for the site; identifies sanitary servicing needs for the site; and identifies stormwater management needs for the site.
2. A Transportation Impact Statement (TIS) prepared by Paradigm Transportation Solutions Limited which assesses current traffic and site conditions in the vicinity of the proposed development, forecasts additional traffic that will be generated by the proposed development and analyses the impact that this traffic may have on the adjacent roadway network.

3. An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. to address the potential noise impact from the existing environment onto the proposed residential development.
4. A number of plans including the proposed site plan (Attachment 2), site servicing and grading plan, existing storm drainage area, proposed storm drainage area, proposed floor plans (Attachments 3, 4, and 5), and proposed elevation plan (Attachment 6).

Also, the proponent submitted various Environmental Site Assessments prepared by G2S Environmental Consulting Inc. to address the soil quality onsite as it relates to previous rail and commercial land uses which are necessary for the Ministry of Environment, Conservation and Parks' (MECP) Record of Site Condition (RSC) process. The RSC process is required to certify that the lands are suitable for a sensitive land use such as residential. The proponent intends to submit these reports to the MECP to obtain a RSC once the property has progressed through the land titles process to obtain the correct legal description for the subject lands. No development can take place until a RSC is obtained.

3. Next Steps:

The application is considered to be complete at this point in time and an Acknowledgement Letter stating this has been sent to the proponent and his agent. The Notice of Complete Application has been circulated to required agencies and members of the public within 120 metres of the subject lands and the Comment Request Form has been circulated to internal staff and external agencies. The proponent and his team also held a private open house on Thursday, April 25, 2019 from 6:00 – 8:00 pm at the Dunnville Library to overview and discuss the project with interested parties. Seven (7) residents attended the private open house. Most of the residents expressed no concerns but were generally interested in whether the development would be rental or condominium, the timing of development, and the cost per unit. One resident asked questions regarding site lighting (to be reviewed via a photometrics plan at the detailed site plan stage) and had concerns regarding existing traffic at the corner of Maple Street and South Cayuga Street East (to be reviewed).

The next steps in the public process are as follows:

1. Concerns or information gaps identified as a result of the circulation process will need to be addressed prior to advancing the applications for a Council decision.
2. Planning staff will conduct a detailed review of the proposal in terms of conformity with Provincial and County policy. This detailed review will result in recommendations regarding the suitability/appropriateness of the application. Comments from circulated Departments and external agencies will also be considered in drafting the recommendations.
3. Public comments received as part of this public meeting will be considered and addressed as part of the formal review process. Where appropriate, they will be integrated into the final recommendations drafted by staff.

All of the above will ultimately culminate in a formal staff recommendation report regarding the submitted Official Plan and Zoning By-law amendment application which will be presented to CIC for its consideration in the near future (staff is targeting the August 27th CIC meeting but such is dependent on the issues, the suitability of reports, etc.) that may be required to ensure public interest matters and commitments are addressed.

In addition to the subject application which deals with principle of land use matters, approval of a detailed (engineering/technical) site plan application will be required prior to issuance of building permits and construction should the Official Plan and Zoning By-law amendment application be

approved. The proponent has the option to submit the full site plan package at any time through this process. It is in the proponent's interest to wait to hear public comments and receive all staff/agency comments prior to beginning more detailed work. The site plan application cannot be approved prior to approval of the Official Plan and Zoning By-law amendment.

4. Public Meeting Notice:

A public meeting notice for this report was circulated to the applicant and neighbours (assessed persons within 120 metres (400 feet) of the site). The notice clearly states that the purpose of this public meeting is to present an information report consisting of details relating to the development, summary of the key planning issues that are to be addressed, and description of the next steps in the application process. The notice also clarified that a formal recommendation relating to the official plan and zoning by-law application will not be presented at this meeting and as such, CIC will not be making a decision on the proposed land use. However, all interested members of the public will be given the opportunity to address the development proposal and their comments will be considered as part of the application review process. Upon completion of the formal staff assessment of the application, an additional public meeting will be scheduled to introduce recommendations relating to the proposed land use. A public meeting notice relating to that meeting will be sent to all landowners in the circulation area and anyone else that shows interest or requests notice as part of this process.

5. Conclusion:

The subject staff report advises CIC of the details relating to the subject application, provides a summary of the key planning issues involved, and describes the next steps in the application process. The subject report is meant to assist CIC in fully understanding the potential impacts of this infill project in the existing locational context. It will also allow early public engagement (in combination with the private open house held by the proponent and his team) in the process, identification of potential development issues, and the opportunity to address these prior to a recommendation relating to principal of land use coming forward for Committee's consideration.

FINANCIAL/LEGAL IMPLICATIONS:

If this application is approved in the future, a site plan agreement will be required as part of the detailed site plan process. Securities and deposits will be held through the site plan agreement process for works within the right of way and landscaping. Cash-in-lieu of parkland and development charges will also be required.

STAKEHOLDER IMPACTS:

The Notice of Complete Application was circulated in April to required agencies and the public. The proponent and his team held a public open house on April 25, 2019, as discussed above. The Notice of Public Meeting was circulated on Monday, May 13, 2019.

Staff and agency comments will be collected and provided to the proponent's team and will be listed in the future staff report.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Site Plan.
3. Ground Floor Plan.
4. Second Floor Plan.
5. Third Floor Plan.
6. Elevation Plan.