
HALDIMAND COUNTY

Report PDD-20-2022 Zoning By-law Amendment to Permit Townhouse Development



For Consideration by Council in Committee on May 10, 2022

OBJECTIVE:

To amend the Zoning By-law to facilitate the development of 39 stacked townhouse units (condominium) within the urban area of Dunnville.

RECOMMENDATIONS:

1. THAT Report PDD-20-2022 Zoning By-law Amendment to Permit Townhouse Development be received;
2. AND THAT application PLZ-HA-2021-184 to amend the Haldimand County Zoning By-law HC 1-2020 for the subject lands, from “Neighbourhood Institutional – Holding (IN(H))” and “Urban Residential Type 2 – Holding (R2(H))” to “Urban Residential Type 4 (R4)” with a special provision be approved for the reasons outlined in Report PDD-20-2022;
3. AND THAT the Zoning By-law Amendment attached to Report PDD-20-2022 to amend the Haldimand County Zoning By-law HC 1-2020 be presented for enactment;
4. AND THAT the application is considered to be consistent with the Provincial Policy Statement 2020, Provincial Growth Plan 2020 or other matters of provincial interest.

Prepared by: Alisha Cull, BES, MCIP, RPP, Supervisor, Planning & Development

Reviewed by: Shannon VanDalen, MCIP, RPP, CMMI, Manager, Planning & Development

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

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

EXECUTIVE SUMMARY:

The Richardson Group is proposing to develop a 39 unit stacked townhouse condominium on the subject lands. The development will consist of two blocks, one with six sections and 18 units, and the other with seven sections and 21 units. The subject lands are located at 114 Cross Street East in Dunnville. In order to facilitate the development, the proponents are seeking to amend the existing zoning to the “Urban Residential Type 4 (R4) zone with a special provision for building height, lot frontage, and to permit tandem parking. A condominium application will be submitted pending approval of the proposed Zoning By-law amendment. Staff have reviewed the proposal in accordance with Provincial and County policies and are recommending approval.

BACKGROUND:

This is a follow-up report to report PDD-04-2022, which was presented to Council-in-Committee on March 29, 2022. At that time, the applicant was requesting to rezone the lands from IN and R2 to R4 with a special provision to permit relief from:

- Minimum number of parking spaces;
- Maximum building height;
- Minimum gross floor area;
- Minimum number of loading spaces; and
- Minimum lot frontage.

The following was raised by Council and members of the public at the public meeting:

- Questions about how the density was calculated (examined in this report);
- No parking reductions should be granted (examined in this report);
- The map was difficult to read (improved mapping provided);
- Questions about where else the developer has built in Ontario (to be addressed by developer at public meeting);
- The proponent should host another public meeting (completed/summarized below);
- Units should be reduced in order to eliminate some of the requested deficiencies (parking in particular) (examined in this report); and
- Increased traffic will be inappropriate for Cross Street East (examined in this report).

The proponent hosted a second community meeting on April 14 at 6:00 p.m. at the Dunnville Community Lifespan Centre. As a result of feedback received from Council and the public, the requested relief has been amended. The proponents are requesting relief from the following three Zoning By-law provisions:

- 2.21 metres (7.2 feet) from the minimum required lot frontage per block of 8 metres (26.2 feet) to permit a frontage of 5.79 metres (19 feet).
- One metre from the maximum permitted building height of 11 metres (36 feet) to permit a maximum height of 12 metres (39.3 feet).
- Permission to provide tandem parking in conjunction with stacked townhouses.

The following relief is no longer required for the reasons outlined below:

- Relief of one loading space to permit zero – the Zoning By-law was reviewed again and it was noted that this relief was not required. A loading space is only required for a building containing 30 or more apartment dwelling units. The proposal for stacked townhouses does not include any apartment units. Therefore, a loading space is not required.
- 2.3 square metres (24.8 square feet) from the minimum required gross floor area of 65 square metres (699.7 square feet) to permit 62.7 square metres (675 square feet) for some of the units – the proponent has amended the unit designs such that they now all meet the minimum required gross floor area.
- Relief of five resident parking spaces from the required number of 78 to permit 73 – the proponent has re-evaluated the site and found room on the site for additional spaces. As a result, the parking requirements will be met. At total of 81 resident spaces and 4 visitor spaces are proposed (including one barrier free space) for a total of 85 parking spaces. Four of the resident spaces are proposed as tandem parking spaces, which require relief from the Zoning By-law as these are not permitted in conjunction with stacked townhouses. This exceeds the zoning requirement by 3 spaces total.

It was suggested at the statutory public meeting that the number of units could be reduced to reduce the parking deficiency. The application still includes 39 units as the developer developed a solution that includes all of the parking on the subject lands.

The purpose of this application is to amend Haldimand County Zoning By-law HC 1-2020 to facilitate the development of a 39 unit 3-storey stacked townhouse condominium in the form of two buildings located at 114 Cross Street East in Dunnville (Attachment 1). A stacked townhouse is defined in the Zoning By-law as “a building containing 3 or more dwelling units, with each dwelling unit separated from the other both horizontally and vertically that may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule, or landing”. Essentially, a stacked townhouse is a cross between a low rise condominium apartment and a townhouse; they are multi-unit buildings that “stack” the residential units on top of each other and each unit has its own separate entrance. Concept elevations and massing are included as Attachments 4 and 5 to provide a visual representation and clarification for the proposed building design. There are three proposed floorplans for the units. Two of the floorplans include two bedrooms, and one of the floorplans includes three bedrooms. The smaller units would be ideal as starter homes or for retirees looking to downsize, and the larger units would be suitable for families.

ANALYSIS:

The majority of relevant policy analysis was completed through report PDD-20-2022. This report will focus on the relief requested through the amended application.

Provincial Policy Statement, 2020

1.4 Housing

The PPS requires planning authorities to provide an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by permitting all forms of housing and residential intensification; directing new housing developments towards locations with appropriate levels of infrastructure and public service facilities; promoting efficient development patterns and supporting active transportation; and establishing development standards for residential intensification, redevelopment and new residential development. The subject proposal satisfies these policy requirements as it would introduce a medium density housing type into the neighbourhood; it is compatible with the surrounding area in terms of density, form, and traffic; the development can use existing infrastructure; and the site would be functional. Residents of the proposed development could use existing public services facilities in Dunnville (hospital, library, recreational programs, fire services, etc.). It would also serve to satisfy the energy conservation, air quality and climate changes policies which speak to promoting compact form and promoting active transportation between uses (e.g. the close distance between the place of residence and downtown).

1.6 Infrastructure and Public Service Facilities

Municipal water and sewage services are the preferred form of servicing for development within settlement areas. The proposed building is intended to tie into existing water and sewage infrastructure, which also satisfies the efficient use and optimization policies. A functional servicing and stormwater management report has been submitted by the applicant and reviewed by County staff. The report recommends connecting to the sanitary service on Forest Street East, and the water main and storm sewer on Cross Street East. Staff agree with these conclusions. Further, there is sufficient water and wastewater capacity available in Dunnville to service the property.

The PPS requires stormwater management to minimize, or where possible, prevent increases in contaminant loads; minimize changes in water balance and erosion; not increase risks to human health and safety and property damage; maximize the extent and function of vegetative and pervious surfaces;

and promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development. Stormwater management will be addressed more thoroughly through the site plan approval process; however, through initial review, the design is considered to be functional. The project will also utilize existing road infrastructure.

It is the opinion of Planning staff that the subject application is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan) were analyzed in report PDD-04-2022. Staff are of the opinion that the subject application is consistent with the Growth Plan.

Haldimand County Official Plan

The subject lands are designated 'Residential' in the OP. Stacked townhouses are classified as medium density, which generally permits 40 units per gross residential hectare. The OP states that this measure is taken at the neighbourhood scale which represents an area extending beyond an individual development site. The proposed development of 39 dwelling units over 0.59 hectares (1.46 acres) represents a density of 65.9 units per hectare. The block as a whole (bound by Cross Street East, Forest Street East, Tamarac Street, and Cedar Street), including the proposed stacked townhouses, would have a density of approximately 19.3 units per hectare. Staff also reviewed a larger area bound by Cross Street East, Cedar Street, Tamarac Street, and South Cayuga Street East. This area represented a density of 19.5 units per hectare. Both configurations are well below the 40 units per hectare that is generally recommended as the maximum for medium density development.

The OP requires that the following matters are addressed when considering medium and/or high-density residential development:

- a) The effect of the development on the overall housing needs of the community;

Planning Comment: According to the Haldimand County Population, Household & Employment Forecast 2019 study completed on the County's behalf by Watson and Associates Economists Ltd., approximately seven percent of housing growth in the County is projected to occur in Dunnville. The Watson study finds that future housing growth will be dominated by low-density housing forms; however, increased market opportunities will exist for medium and high-density housing as the local and provincial population base continues to age. The projections anticipate that there will be a mixture of densities required to meet the needs of an aging population.

- b) The effect of the use on neighbouring residential development with respect to the density, form, height and arrangement of buildings and structure;

Planning Comment: The proposed development is located within a mixed density area of Dunnville. The building locations and design would be reviewed as part of the Site Plan application; however, it is noted that the placements on the property are such that they maximize separation from existing and established residential dwellings and will minimize any shadowing effects on those properties. Additionally, through the Site Plan process, screening and buffering through fencing and landscaping will be taken into consideration to mitigate vehicle lights and privacy impacts for neighbouring properties.

In addition to above, staff have also examined the density of several projects within the neighbourhood on the south side of Forest Street, namely the Wabasso condominiums (2 buildings of 3+ storeys with 18 units - fully developed) and the South Cayuga condominiums (1 – 3 storey building with 30 units - fully approved, not yet constructed). Each of these developments are bounded by low density, single storey residential development and represent densities of 75 units per hectare and 60 units per hectare respectively (subject project is 65.9 units per hectare). These same two projects have been constructed (Wabasso) at a height of

14.5 metres (47.5 feet) and approved (South Cayuga) at 13.7 metres (45 feet), whereas the subject development is proposed at 12 metres (39 feet). The point of this is to demonstrate that within the neighbourhood there are higher density developments that have been approved to inter-mix with low density, and as in the case of the Wabasso condominiums, have done so with success.

- c) 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, landscape buffers, garbage storage enclosures and emergency vehicle access;

Planning Comment: The proposed development includes the provision of 81 resident parking spaces and 4 visitor parking spaces (including one barrier free space), for a total of 85 parking spaces. This exceeds the Zoning By-law requirements of 82 total spaces. The applicant is requesting permission to use 4 tandem parking spaces to accommodate the proposed resident parking. Tandem spaces are defined in the Zoning By-law as “two parking spaces, one behind the other, which are accessed by the same parking aisle.” In other words, two parking spots are shared in the same space – the spaces are located one in front of the other, which means that the person in the back would have to move if the car in front wants out. The proposed tandem parking spaces would be shared by individual household units.

Given the uniqueness of the units (somewhere in between traditional townhouse and apartment), it is not unreasonable to consider alternative parking requirements. The parking stalls would be unitized, meaning that they would be assigned to specific condominium units. As such, a purchaser is aware of what is available and would make their decision accordingly. This would allow the condominium operator to ensure that tandem spaces are connected to the same unit, so residents would not block each other from exiting the spaces. Due to Haldimand County's location within the Growth Plan, and the requirement that 20% of new growth be located within built up areas, it is important to consider creative approaches to accommodating that growth. Permitting tandem parking spaces on the site helps support the introduction of new housing forms that can assist with meeting density targets. This is an approach used for other development types in the County and also used by other jurisdictions for this type of project. It is in the County's best interest to support additional housing opportunities wherever possible, as long as the intent of the PPS, Growth Plan, and Official Plan are maintained. Making housing more affordable in Ontario is partially achieved by accommodating more housing units.

- d) 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;

Planning Comment: The subject lands are located on Cross Street East. The density of the proposed development density is not sufficient to trigger the need for a formal traffic impact study; however, a transportation and parking brief was provided by the proponent. The brief has been stamped by a professional transportation engineer and can be found as Attachment 6. Haldimand County's Transportation Engineering Technologist has reviewed the traffic impact study and advised that the existing road network is able to accommodate the traffic generated without improvements.

- e) The proximity of the use to public parks and other open space amenities and pedestrian access to these amenities;

Planning Comment: The subject lands are located in proximity to a linear park serves as a connecting link to other greenspace within Dunnville. Further, the project site will include amenity space for residents in addition to the landscaping and greenspace that are proposed throughout the site. Pedestrians can easily access Cross Street East to the north, while Forest Street East via the south side of the subject lands.

- f) The adequacy of community services and facilities, including special needs facilities, to accommodate the needs of the residents of the use.

Planning Comment: Given the location of the subject lands and the compact/developed nature of the downtown core, there are adequate community services and facilities to meet the needs of the residential development. The subject lands are located approximately 375 metres from the downtown core of Dunnville, a distance that is easily reached via active transportation. Also of note, as part of the plan design changes, the proponent has included a pedestrian connection from the site to Forest Street (would run on east side of site, adjacent to the Dunnville Multi-purpose Building as shown on Attachment 2).

The proposal conforms to the medium density development criteria outlined in the OP. Additionally, the impacts are anticipated to be of a similar nature to the nursing/retirement home that has been approved for the subject lands.

The OP states that intensification shall be permitted within stable residential neighbourhoods provided that such intensification respects and reinforces the stability of the residential neighbourhoods, is not out of keeping with the physical character of those neighbourhoods, and is of a scale and built form that reflects the surrounding neighbourhood. The subject proposal has been evaluated with respect to compatibility criteria outlined in the OP relating to intensification. The OP states that new dwellings on lots within stable residential neighbourhoods shall:

- i) Limit building heights to reflect the heights of adjacent housing;

Planning Comment: Three storeys (12 metres/39.3 feet) is higher than what is typically seen in Haldimand County for a townhouse project; however, there are several three storey apartment buildings in Haldimand County and the building form, scale, and design are consistent with this type of development. It is not excessive and only exceeds the maximum height provision by 1 metre (3 feet). It allows the proponent to provide for a more aesthetically pleasing building design. Further, a three storey assisted living facility is permitted as-of-right on the subject lands currently which would represent a similar constructed height if it were to proceed. Also, as noted above, there are other projects just to the south that are constructed or fully approved which are at least 1 metre higher than what is proposed in this application. Site plan control applies to the R4 Zone and will ensure that the site is designed in such a way that impacts on neighbouring properties are mitigated. Screening and buffering can be implemented through site plan control or the condominium process. The buildings are proposed to be located such that they are not directly adjacent to surrounding residential uses.

- ii) Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;

Planning Comment: The proposed structures will be taller than the surrounding area, but the lot coverage will be similar to development that has taken place in this neighbourhood. There are three storey apartment-style buildings to the south, in the area of South Cayuga Street East and Chestnut Street. To the east, there is the Dunnville Multi-Purpose Building, in addition to the existing single detached dwellings in the neighbourhood. The subject lands represent a transitional area. The previously-approved nursing/retirement home was proposed to be constructed as one large building, and the proposed stacked townhouses are proposed as two blocks, which breaks up the larger-scale nature of the proposal.

- iii) Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;

Planning Comment: The shape of the subject lands makes it difficult to establish development near the front of the subject lands. Haldimand County staff intend to require a landscaped entrance to the development to beautify this feature of the project.

- iv) Provide for similar side yard setbacks to preserve the spaciousness on the street;

Planning Comment: The front yard and side yard setbacks in the surrounding area are quite small. The proposed development is intended to be set back from the street in an effort to minimize the visual impact that the project will have on the streetscape, and due to the lot configuration. The proposed side yards are large in size and will ensure significant buffering between the stacked townhouses and surrounding residential development. The setbacks on the east and south sides of the property are minimum 8 metres (26 feet) to abutting residential property lines and a minimum of 4.5 metres (14.76 feet) to the rear property lines of residential lots to the north. Landscaping is proposed along the frontage of the property which will provide buffering from headlights, as well as soften the increase in height that the proposed development would exhibit.

- v) Provide a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details;

Planning Comment: Dunnville does not have a cohesive architectural style; the town contains a wide variety of architectural styles from Victorian to 21st century typical small-town construction. The proposed building will include wood and metal finishes and balconies. The proposal is reflective of what staff consider quality urban design and all faces of the building will accommodate enhanced design features. This creates an attractive building view from all directions. The concept elevations can be found as Attachment 4 of this report, and the concept massing can be found as Attachment 5.

- vi) Include provisions for landscaping and screening if required;

Planning Comment: Landscaping and screening will be required through the site plan approval process with particular emphasis on the entrance from Cross Street East.

- vii) Provide a limitation on the width of a garage so that the dwelling reflects the façade character of adjacent housing;

Planning Comment: There will be no garages provided with the proposed building. All of the parking would be in a parking lot as surface parking.

- viii) Provide for a consistent arrangement of parking in terms of amount, size and location of parking areas;

Planning Comment: The proposed development will provide a sufficient number parking spaces (85). The barrier free and visitor parking space will be located close to the buildings to provide a convenient and accessible path of entry along the walkways to the entrances. The parking spaces do not interfere with common areas, garbage areas, landscape buffers, or emergency vehicle access.

- ix) Ensure that any increased traffic movements and activity are appropriate for the area.

Planning Comment: Based on staff analysis completed, the traffic movements appear appropriate for the area. The transportation and parking brief has been accepted by staff.

The proposal conforms to the OP's infilling and intensification policies.

Haldimand County Zoning By-law HC 1-2020

The subject lands are currently zoned 'Neighbourhood Institutional (IN(H))' with a site specific provision with a small strip of 'Urban Residential Type 2 (R2(H))' along the west side of the property. The lands

are primarily IN(H) which permits a range of institutional uses and an assisted living facility, but does not permit the proposed stand-alone residential use. The proponent requested to amend the zoning of the subject lands to 'Urban Residential Type 4 (R4)' to permit the construction of the 39 stacked townhouse units. Further, the proponents are requesting relief from some of the R4 and parking provisions as follows:

Development Standard	Required	Proposed	Deficiency
Minimum Lot Frontage Per Block	8.0 m (26.2 ft.)	5.79 m (19 ft.)	2.31 m (7.6 ft.)
Maximum Building Height	11.0 m (36 ft.)	12.0 m (39.4 ft.)	1.0 m (3.3 ft.)
Tandem Parking	Not permitted for stacked townhouses	Permitted for four of the required resident spaces	

The purpose of the minimum lot frontage requirement is to ensure adequate access to the property and to provide a minimum standard that is logical with the typical building size seen in the subject zone. The relief that is requested to accommodate the proposed minimum frontage of the units is sufficient to provide adequate access to the units and maintain a similar frontage to other lots within the area. It is appropriate for the proposed townhouse blocks. Combining the two blocks into one would remove the need for relief; however, it is more aesthetically appropriate from a massing perspective to divide the units into two blocks. Staff are supportive of the reduced minimum frontage.

The additional height that is being requested is necessary to accommodate the proposed roofline of the buildings. This feature of the development is being offset by being set back as far as possible from the surrounding dwellings while maintaining the overall functionality of the site. A shadow study has been requested as part of the forthcoming site plan application to ensure there will be no undue impacts on neighbouring properties. Overall, the configuration of the site and the proposed landscaping will, in staff's opinion, serve to reduce the visual impact of the structures that are proposed. There are two three+ storey apartment buildings within the general area of the subject lands (111 South Cayuga Street), which provide for a mix of heights within the neighbourhood. Those buildings are higher than the subject proposal as noted earlier in this report. Another 3 storey building (South Cayuga condominiums on the former feed mill site) has been fully approved but construction has not yet commenced. It, too, is to be built higher than the subject proposal.

Finally, Planning staff consider the requested relief for tandem parking to be minor and appropriate. Duplex, semi-detached, single-detached, and street townhouse dwellings are permitted to provide one tandem parking space per dwelling unit. Stacked townhouses are not permitted as-of-right to use tandem parking spaces. The reason for this is because the spaces become difficult to access if another car is parked behind them. However, since the proposed development would be a condominium, the spaces can be assigned to specific units such that only two cars from the same unit can park in tandem. The applicant is proposing four tandem spaces, so there would be four units that include one tandem space and one regular space. This approach will allow for the site to accommodate all of the required parking for both residents and visitors. The tandem spaces can be assigned to specific units such that there will be no cars blocked by unrelated vehicles.

Conclusion

The subject application represents an excellent infill opportunity. All of the required parking will be accommodated on site, along with greenspace and an amenity area. It is Planning staff's opinion that the proposal is consistent with the PPS (2020), conforms to the Growth Plan (2020), and meets the

general intent and purpose of the Official Plan and Haldimand County Zoning By-law HC 1-2020. Additional details will need to be reviewed through the condominium or site plan process, including servicing, stormwater management, grading plans, photometrics plan, landscaping plan, the potential need for archeological study/clearance, etc. Planning staff support this application and recommend that it be approved.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Comments were received from Forestry, Canada Post, Haldimand County Development Technologist, Emergency Services, Grand River Conservation Authority, Mississaugas of the Credit First Nation, and Haldimand County Transportation Engineering Technologist. The comments are outlined in report PDD-04-2022 and can be addressed at the site plan stage.

Two neighbourhood meetings were hosted by the proponent. The first was via Zoom on Tuesday, November 30, 2021 at 6:00 p.m. Report PDD-20-2022 outlines the comments that were received at that meeting and how they were addressed.

A second neighbourhood meeting was held at the Dunnville Community Lifespan Centre on Thursday, April 14 at 6:00 p.m. In response to the comments received, the proponent included the following on the concept plan:

- Additional parking;
- Pedestrian connection at the southwest corner of the site with a gate and walkway; and
- Speed bumps along the driveway.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Owner's Sketch.
3. Draft Zoning By-law Amendment.
4. Concept Elevations.
5. Concept Massing.
6. Transportation and Parking Brief.