

Planning Justification Report

740 10th Street West

City of Owen Sound

September 8, 2022

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Guelph, ON

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Guelph ON



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1.0 Introduction

1.1. Introduction

Mezcon Construction Ltd. is submitting an application for a zoning bylaw amendment for the property located at 740 10th Street West in the City of Owen Sound. The zoning amendment application is intended to permit the development of eight (8) cluster townhouses on the property.

1.2. Study Purpose

The purpose of the Planning Justification Report (PJR) is to provide background and support for the proposed zoning bylaw amendment. The PJR will review the project in the context of the site location and surrounding area, consider the project in terms of applicable Provincial and City policies and regulations, and provide a professional planning opinion on the proposal.

1.3. City Pre-Consultation

A formal pre-consultation meeting was held with City staff on July 14, 2022. Based on the comments received a site plan approval application was made to the City. Based on staff review of the submission follow up comments received dated May 6, 2022. The current submissions, including the Planning Justification Report and Zoning Bylaw amendment application are intended to address the comments received.

2.0 Site Context

2.1. Site Description

The subject property, known locally as 740 10th Street West is located east on the west side of the City west of 7th Avenue West. The legal description of the site is Part of Lots 45 and 46, Registered Plan 34, City of Owen Sound.

The property has a frontage on 10th Street West of 24.018 m. and a depth of 58.141 m. The total site area is 1347 m².

2.2. Existing Land Use

The subject property is currently vacant. Surrounding land uses include mixed commercial uses along 10th Street West in both directions from the property and West Hill Secondary School across the street from the property. Immediately east of the property and along 7th Avenue West are existing single detached dwellings.

Figure 1 is an aerial photograph of the site and surrounding area.

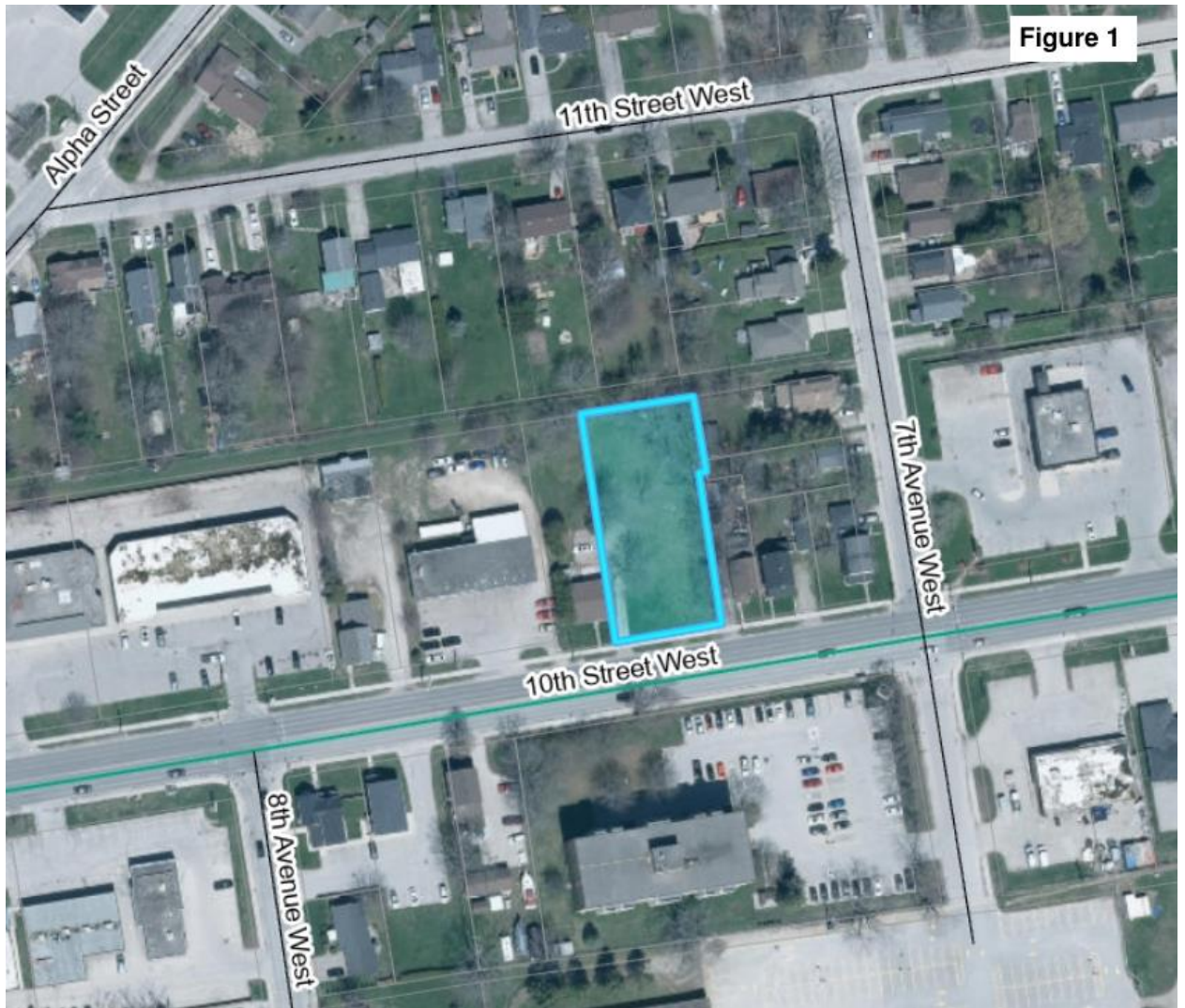


Figure 1: Site Location

3.0 Development Proposal

3.1. General Description

The applicant intends to construct an eight (8) unit cluster townhouse project on the property. The units will be stacked (divided horizontally and vertically) consisting of 4 lower level units and 4 upper level units in a two storey building. Each unit has a separate external entrance that provides access only to that specific unit.

The proposal provides an efficient use of land and supports the goals of residential intensification and compact urban form. The site provides access to nearby commercial uses and also has public bus service provided on 10th Street West.

3.2. Access and Parking

Vehicular access to the site is provided from 10th Street West and a laneway provides access to parking at the rear of the building. A total of 10 parking spaces are proposed, which is a ratio of 1.25 spaces per unit.

Figure 2 is a proposed site plan for the property.

LANE (NOT TRAVELLED)
PIN 37050-0105

Figure 2

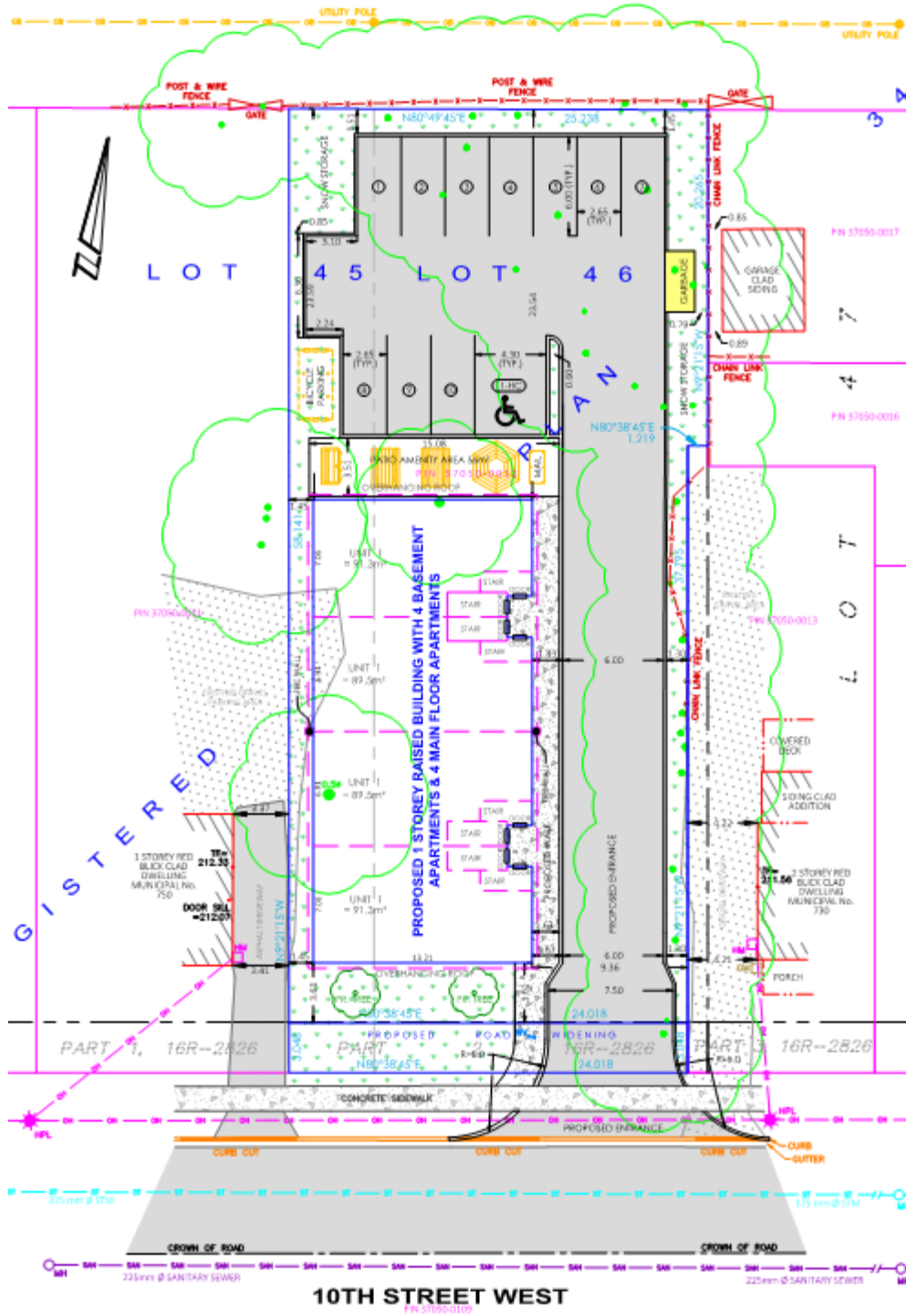


Figure 2: Site Plan

4.0 Provincial Planning Policy Context

4.1. Provincial Policy Statement (PPS 2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act and the current version came into effect May 1, 2020. Section 3 requires that; "*decisions affecting planning matters shall be consistent with policy statements issued under the Act*".

4.1.1. Building Strong Healthy Communities

Section 1.1.1 of the PPS 2020 provides that:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating 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), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;"*

Section 1.1.3 **Settlement Areas** provide policies directed to urban areas, including cities, and sets out policies promoting the use of land and resources wisely, efficient development patterns and effective use of infrastructure and public service facilities as follows:

"1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*

- b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;....*

Land use patterns within settlement areas shall also be based on 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.

- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”*

Section 1.4 **Housing** sets out the following policies:

- "1.4.1 *To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) *maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;*

Section 1.4.3 further states that:

- "1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and need arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety."

4.1.2. Summary of PPS (2020) Policies

The proposed development of eight (8) residential infill townhouse units on the subject property is consistent with the policies of the PPS 2020 on the following basis:

- it promotes an efficient and cost effective form of development and land use pattern
- it adds to the mix of residential unit types in the surrounding area, including rental accommodation
- the development is appropriate for and effectively utilizes the available public infrastructure
- provides intensification and redevelopment of an underutilized site

5.0 Local Planning Context

5.1. The Owen Sound Official Plan (Consolidated February, 2022)

The Owen Sound Official Plan was originally adopted in 2006 and most recently updated in 2021. The update was adopted by the City on June 28, 2021 and approved by the County of Grey on February 15, 2022.

5.1.1. Applicable Designation

The subject lands are designated West City Commercial in the Official Plan. The designation permits a wide range of small commercial uses and businesses and medium density form of housing as set out in Section 3.6.1.12 of the Plan:

“c. Non-commercial uses such as medium density forms of housing, congregate housing, churches and other institutional uses.”

5.1.2. General Policies

The general policies of Section 3.6.2 of the Official Plan are primarily focused on commercial development and does not provide policy guidance for new medium density residential housing. For policies related to residential development the policies of the Residential designation therefore provide the only policy reference for such uses.

Section 3.1.2 of the Plan, which therefore refers to the Residential designation, defines Medium Density Residential as from 26 to 60 units per residential hectare. The proposed development proposes 8 units on 0.137 ha. of land which is just under 60 units per hectare so within the permitted range.

The general policies further state in Section 3.1.2.5c. that:

“c. The City will plan to assist the County in achieving the growth allocation targets established in the County Official Plan by establishing a target of 15% of new residential units by way of intensification. For purposes of this Plan, intensification may include: redevelopment and revitalization; enabling ‘as of-right’ permissions for ARUs in residential areas and residential over retail; the development of vacant and/or underutilized lots within previously developed areas or existing built-up areas; and the expansion or conversion of existing buildings.”

The proposed development will provide residential intensification through redevelopment of an underutilized property within the existing built-up area.

5.1.3. Attainable and Rental Housing

Section 3.1.5 sets out the Official Plan policies for provision of attainable and rental housing as follows:

“3.1.5.1 The City will support a range of attainable housing development in proximity to transit and amenities to increase mobility and accessibility to goods and services, healthy food retailers, commercial areas, employment, medical and health facilities, recreation, transit and trails...”

3.1.5.3 The City will support the integration of attainable housing units within the existing community fabric in all designations and Planning Areas, where residential uses are permitted...

3.1.5.5 For the purpose of this Official Plan, attainable housing units are those that do not meet the provincial definition for ‘affordable’ rental rates but whose rental rates are less than the current market rate and attainable to the City’s residents and workforce.”

The development is proposed as rental housing and will assist in addressing the City’s need for additional rental units.

5.1.4. Residential Intensification

Section 3.1.8 of the Plan sets out policies for residential intensification, and the proposed development should be considered within the context of these policies which state:

“3.1.8.1 The City will support innovative residential development that meets the City’s housing objectives.

3.1.8.2 Housing intensification, infill development, and/or conversion of non-residential buildings to a residential use is supported subject to the following policies:

a. The proposed development meets locational and other criteria of this Plan.

b. The type, size and scale of the proposed development is compatible with adjacent development and planned land use.

c. The existing infrastructure, including sewer and water services, can support additional development.

d. The existing community and recreational facilities, such as schools and parks are adequate to meet the additional demand.

- e. *Required parking can be accommodated.*
- f. *The local road network can accommodate any additional traffic.”*

The proposed development is in conformity with the above policies for residential intensification.

5.2. Zoning Bylaw 2010-078

Comprehensive Zoning Bylaw 2010-078 for the City of Owen Sound was adopted in April, 2010 and subsequently has been amended numerous times.

5.2.1. Current Zoning

The subject property is currently zoned Retail Commercial C2. The C2 zoning category permits various types of residential uses including single detached, converted dwellings and apartment dwellings, but not townhouse dwellings. The proposed development is visually designed as a two (2) storey apartment building but since each unit has an individual external access they are considered to be townhouse dwellings. On this basis an amendment to the Zoning By-law to permit townhouse dwellings on the subject property on a site-specific basis is required.

5.2.2. Zoning Regulation Compliance

The regulations of the C2 zone category indicate that residential uses will be considered under the provisions of the Section 6.6 General Residential R5 zone. The following table sets out the proposal’s compliance with the R5 zone regulations for Townhouse Dwelling:

Regulations	Required	Provided
Minimum Lot Frontage	25 m	24.018 m
Minimum Lot Area	1600 m ²	1347 m ²
Maximum Lot Coverage	40%	27%
Minimum Front Yard	6.5 m	6.65 m inc. widening
Minimum Rear Yard	7.5 m	23.5 m
Minimum Side Yard	1.2 m 3.0 m	1.45 m 9.36 m
Maximum Building Height	10 m	7.0 m
Floor Space Index (FSI)	0.6 FSI	0.54 FSI
Parking	10 spaces	11 spaces

The proposed development generally complies with the R5 zone regulations except that it is deficient in lot frontage by 0.98 m and lot area by 253 m². However, it should be noted that the proposed development is not overbuilding of the site given that the lot coverage and floor space index (FSI) are less than permitted by the By-law, and also that the required parking can be provided. Rather it represents a compact urban development which effectively utilizes the available property.

An amendment of the current zoning is required and will amend the current C2 zoning for the subject property to permit a cluster townhouse development and provide relief for the required lot frontage and lot area. A draft zoning by-law amendment has been submitted with the zoning amendment application.

6.0 Supporting Documentation

The applicant has previously submitted the following documentation in support of the proposed site plan approval application, and this information also supports the required zoning amendment.

- a) Building Plans for the proposed development by Mezcon Construction Ltd. dated February 11, 2022
- b) A Site Plan prepared by Van Harten Surveying Inc. dated May 17, 2022 and the accompanying site plan approval application
- c) A Functional Servicing and Stormwater Management Report dated March 8, 2022 prepared by Van Harten Surveying Inc.

7.0 Conclusions

The conclusions of this Planning Justification Report (PJR) are:

- a) The proposed zoning amendment is consistent with Provincial Policy Statement (PPS 2020)
- b) The proposed zoning amendment conforms to the policies of the Owen Sound Official Plan.
- c) The proposed amendment generally complies with the applicable requirements of Zoning By-law 210-078, subject to minor relief required for lot frontage and lot area.
- d) Technical supporting background information has been provided to the City demonstrating that the proposed development is technically feasible.

In summary, it is my opinion that the proposed development is appropriate for the site and that the subject zoning bylaw amendment represents good planning.

Respectfully submitted

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