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**Subject:** Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Vacant Land Condominium (D09-02-2023, D14-04-2023 & D07-01-2023) - 2248 Centre Street

**Report to:** Thorold City Council

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## Recommendations

1. That Development Services Report DS 47-2023 **BE RECEIVED**;
2. That the Official Plan Amendment to amend the City of Thorold Official Plan, to re-designate the subject lands from Urban Living Area to Urban Living Area Special Policy Area 10 **BE APPROVED**;
3. That the Zoning By-law Amendment to amend Zoning By-law 60-2019, to rezone the subject lands to Private Street Development Residential 3D Zone **BE APPROVED**;
4. That the Zoning By-law Amendment to amend Zoning By-law 2140(97), to rezone the subject lands from Residential R1A-1 Zone to a Residential Third Density R3 Zone **BE APPROVED**; and
5. That application D07-01-2023 for a proposed Draft Plan of Vacant Land Condominium, consisting of a 10-unit bungalow townhouse development, applying to the property legally described as Lot 53 and Part of Lot 52, Registered Plan No. M-28 in the City of Thorold **BE APPROVED**.

## Key Facts

- The purpose of this report is to seek a decision from Council regarding a proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Vacant Land Condominium for the subject lands (located at 2248 Centre Street), which was submitted by Emerald Development Group on behalf of Lally Holdings Ltd.

- The intent of the application is to facilitate the redevelopment of the subject lands for bungalow townhouse dwelling units, as well as providing parking, open space and stormwater management infrastructure.
- Supporting studies have been submitted with the application package, including a Planning Justification Report, Functional Servicing / Stormwater Management Report, Noise and Vibration Study, Environmental Site Assessment, Draft Plan of Condominium, and proposed Site Plan.
- Public and agency circulation of the application has occurred. There were no concerns from Agencies circulated. Public comments are also summarized herein. In response to public comments, the applicant adjusted the proposal to provide fewer units and additional parking.
- Planning Staff support the applications and recommend that Council approve the requested amendments as well as the related Draft Plan of Vacant Land Condominium.

## **Budgetary Status**

There is no budgetary impact resulting from this report.

## **Analysis**

### Site context and description

The subject lands are located within Allanburg, on the east side of Centre Street, between Henderson Street and Barron Road. The lands are presently vacant and are the site of a former industrial use. A rail line is located immediately to the east, and hydro corridors are located to the north and south of the subject lands. The Welland Canal is located further to the west, across Centre Street.

The subject lands have an area of 0.774 hectares and are irregular in shape. The lands are municipally known as 2248 Centre Street, and legally described as Lot 53 and Part of Lot 52, Registered Plan No. M-28, City of Thorold. **Figure 1** depicts the site context.



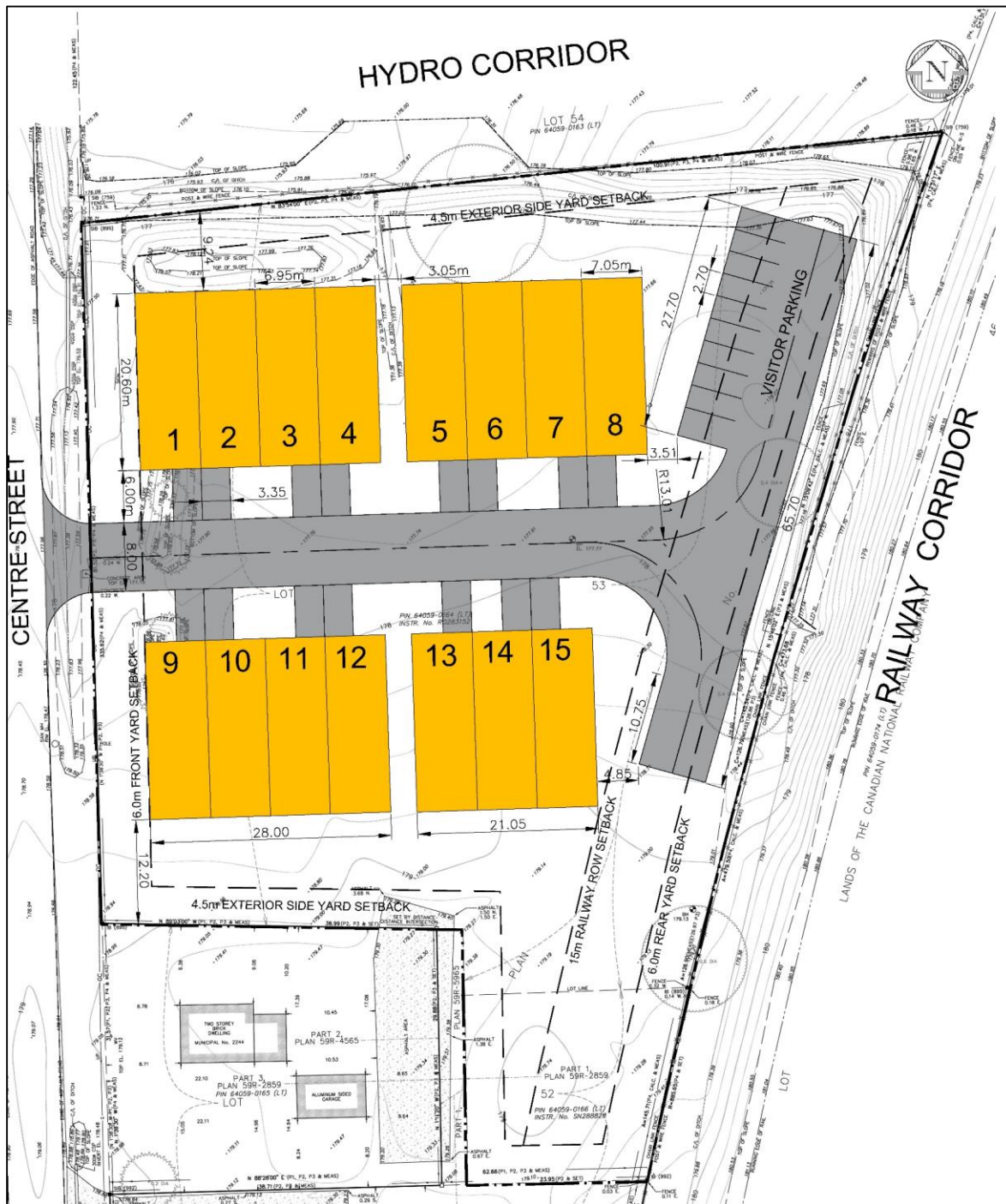
**Figure 1 – site context** (source: applicant)

### Purpose of applications

The purpose of the application is to facilitate the development of the subject lands for a condominium development containing 10 bungalow townhouse units located on a private street. Following the Public Meeting regarding the application, the proposal was revised from 15 units to 10 units, and the form adjusted to bungalow-style units. The change also allowed the applicant to provide for double-car driveways and garages, increasing the available parking onsite.

The townhouse units are split into 2 blocks of 5 units each, which front onto a private street that connects to Centre Street. Visitor parking is provided along the rail corridor (10 spaces), and common open space is also provided. It is the intent of the applicant to provide a landscaped buffer along the common boundaries with the single-detached

dwelling located to the immediate southwest of the subject lands. **Figure 2** below depicts the original proposed development concept, and **Figure 3** depicts the revised development concept submitted by the applicant.



**Figure 2 – Excerpt from original development concept (source: applicant)**



**Figure 3 – Excerpt from revised development concept (source: applicant)**

In order to facilitate the proposed development, an Official Plan Amendment and Zoning By-law Amendments have been applied for. The amendments would add site-specific policies and regulations to recognize the proposed density increase and built form.

The proposed Official Plan Amendment would amend the designation of the property by adding a Special Policy Area to permit a density of 13 units per hectare for the subject lands (whereas 9.77 units per hectare would be permitted in accordance with Section B1.1.3 of the Official Plan).

The proposed Zoning By-law Amendment to By-law 60-2019 would rezone the subject lands to Private Street Development Residential 3D Zone.

The proposed Zoning By-law Amendment to By-law 2140(97) would rezone the subject lands from Residential R1A-1 Zone to a Residential Third Density R3 Zone.

The proposed Draft Plan of Vacant Land Condominium would set out the legal boundaries and limits of the lots (called 'units') for the proposed development as well as the common areas. The accompanying Condominium Declaration would then dictate how the development is managed and regulated once registered.

### **Planning Legislation and Documents**

Planning staff have reviewed the application in accordance with the *Planning Act*, R.S.O. 1990, c. P.13, and the following provincial, regional, and local planning documents:

- Provincial Policy Statement (2020);
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020);
- Regional Official Plan (2022);
- City of Thorold Official Plan (2016);
- Zoning By-law 60 (2019) [partially under appeal]; and,
- Zoning By-law 2149(97) [the in-effect Zoning By-law for residential zones].

### **Planning Act**

Section 51 allows for the consideration of a Plan of Condominium and Section 51(24) sets out criteria to be considered in the review of an application for a Plan of Subdivision and/or Plan of Condominium. Section 51(25) further permits approval authorities to impose conditions of approval related to applications submitted.



Planning staff have reviewed the applications in light of the provincial interests highlighted above, as well as the aforementioned planning documents, which are examined in greater detail below.

*Provincial Policy Statement (2020)*

Municipal decisions affecting planning matters must be consistent with the Provincial Policy Statement (PPS). The PPS provides direction on matters of provincial interest related to land use planning and development, including criteria for healthy, livable, and safe communities, and policies directing land use patterns in settlement areas.

The applications facilitate the development of a vacant parcel of land within the urban area. Planning staff are of the opinion that the applications are consistent with the PPS.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) sets out a policy framework for the Greater Golden Horseshoe area, focusing on sustainable growth and protection of various resources. The Growth Plan directs development to settlement areas, emphasizing built-up areas as a focus for growth. The achievement of complete communities is another focus of the Growth Plan.

The applications facilitate growth within an existing urban area and contribute to the creation of a complete community when considered in the context of ongoing and planned development in this area of the City. Planning staff are of the opinion that the applications are in conformity with the Growth Plan.

*Regional Official Plan (2022)*

The new Regional Official Plan (ROP) was approved by the Province's Ministry of Municipal Affairs and Housing on November 4<sup>th</sup>, 2022. As such the proposed development application was evaluated based on the policies of the new Niagara Official Plan.

The new Official Plan establishes a regional structure that directs forecasted growth to settlement areas. Most development is to occur in urban areas, where municipal water and wastewater systems/services exist or are planned and a range of transportation options can be provided. The new Official Plan directs that development in urban areas will support intensification and density targets, provide a compact built form, a mix of land uses, and a diverse range and mix of housing. Additionally, the policies direct that development will reduce costs of municipal water and wastewater systems/service by

making efficient use of services, and also support opportunities for transit-supportive development.

The subject lands are located within an area identified for future urban growth. The proposal provides for a compact urban form on municipal services, at a density that is within the targets set by the Region. The proposed development conforms to the Niagara Region Official Plan.

#### City of Thorold Official Plan

The subject lands are within the City of Thorold Urban Area Boundary, and are designated as 'Urban Living Area'. The Urban Living Area designation permits a range of land uses, including the proposed use of the subject lands. The proposed development provides for a scale of development that is in keeping with the surrounding residential area, incorporates applicable amenities and landscaping, and provides parking and pedestrian access to accommodate both residents and visitors. Traffic will be accommodated by linking to the existing municipal road (Centre Street) in the area.

A number of matters are identified in the Official Plan as being considerations related to Zoning By-law amendments for multiple or apartment developments, including respecting the character of residential neighbourhoods (i.e. height, bulk, massing), easily integrating with surrounding land uses, not creating traffic concerns, and providing adequate area for site requirements (i.e. parking, amenity areas, landscaping, buffering). The proposed development provides for a scale of development that is in keeping with the surrounding residential area, by providing for a low-rise built form that integrates into the surrounding area. Applicable landscaping and open space is being proposed onsite, and parking has been provided to accommodate both residents and visitors.

The Official Plan also contains considerations for proposals to increase density of properties through infill development, and indicates that an increase of 75% as it relates to the surrounding gross density of lands within 75 metres of the site. Given the large-lot form of the surrounding area, the density is 5.58 units per hectare. Increasing the density by 75% would result in a density of 9.77 units per hectare for the subject lands, which would permit 7.5 dwelling units (based on a site area of 0.77 hectare). The applicant initially was proposing an increase to 19.38 units per hectare (to permit 15 units), however the revised 10-unit proposal would result in a density of 13 units per hectare.

The proposed increase has been evaluated against the intent of the policy and context of the surrounding area. The intent of the provision for increasing density was to allow for a slight increase in density within built-up areas of the City of Thorold without requiring an



amendment to the Official Plan. Given the large-lot development within this area of Allanburg in past decades, the density is quite low compared to other areas of the City. Therefore, the 75% increase in density would still result in a very low overall density of the area. The increase to a higher density would still permit relatively large units in a form that continues to be low-rise and in character with the surrounding area, and provide for a more efficient use of the subject site.

In summary, the proposed development is consistent with the intent of City of Thorold Official Plan.

#### City of Thorold Zoning By-law 2140(97)

The subject lands are currently zoned R1A-1, which includes special regulations that permit the previous butcher's shop and related activities. Townhouses are not permitted per the current zoning. It is proposed to re-zone to R3 (Residential Third Density) zone, in order to permit the proposed built form. The application meets all of the regulations of the R3 zone, and no site-specific regulations are proposed.

#### City of Thorold Zoning By-law 60-2019

The subject lands are currently zoned R1A. It is proposed to re-zone to R3D (Private Street Development) zone, in order to permit the proposed built form. The application meets all of the requirements of the R3D zone, and no site-specific regulations are proposed.

#### **Comments received**

The applications were deemed complete as of April 6<sup>th</sup>, 2023, and subsequently circulated to various agencies and municipal departments for comment. Public notice in accordance with the *Planning Act* requirements was provided, and notices were also mailed to property owners within 120 metres of the subject lands. In accordance with *Planning Act* requirements approved through Bill 23, public notice is no longer required for applications for Draft Plan of Subdivision / Condominium. As such, the public meeting held related only to the Official Plan and Zoning By-law Amendments.

#### Public comments

A public meeting for this application was held on June 20<sup>th</sup>, 2023. At the meeting, the agent for the applicant made a presentation about the proposal, and the applicant also spoke about the proposed development. Members of the public spoke about the application, and raised concerns related to water services, sewage capacity, traffic impacts, lack of parking onsite, and the overall density of the proposed development.

### Circulation Comments

The following comments were received as a result of the circulation of the application:

### Responses to questions and comments

In response to the Council questions at the public meeting, the applicant committed to review provision for sidewalks and additional landscaping through the final site design. The owner also committed to work with City staff and the community to address concerns related to the amount of parking and the proposed density of development.

**Attachment F** includes agency and public comments received.

### Conclusion

It is the opinion of Planning Staff that the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Vacant Land Condominium is consistent with the PPS, conforms to Provincial, Regional and local policies and requirements, is appropriate for the subject lands, and is compatible with the surrounding area.

Accordingly, Planning Staff therefore recommend as follows:

1. That the proposed Official Plan Amendment to add a special policy area permitting increased density for the subject lands be approved.
2. That the proposed Zoning By-law Amendment to By-law 2140(97) be approved.
3. That the proposed Zoning By-law Amendment to By-law 60-2019 be approved.
4. That the proposed Draft Plan of Vacant Land Condominium for the property known as 2248 Centre Street be approved.

### **Impact on the Environment, Climate Change**

There are no known environmental or climate change related impacts to this Report.

### **Alternatives Reviewed**

N/A

### **Relationship to Strategic Plan**

- Vibrant, Inclusive Neighbourhoods

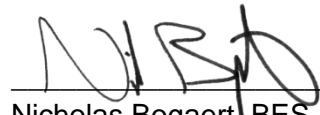
## Other Pertinent Reports

N/A

## Attachments

Attachment A	Draft Official Plan Amendment
Attachment B	Draft Zoning By-law Amendment (60-2019)
Attachment C	Draft Zoning By-law Amendment 2140(97)
Attachment D	Proposed Conditions of Final Condominium Approval
Attachment E	Draft Plan of Vacant Land Condominium
Attachment F	Public and agency comments

## Prepared by:



Nicholas Bogaert, BES, MCIP, RPP, CAHP  
Associate, MHBC Planning



Andrea Sinclair, BES, MUDS, MCIP, RPP  
Partner, MHBC Planning

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## Prepared by:

Tara O'Toole  
Manager, Planning

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## Recommended by:

Jason Simpson  
Director, Development Services

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## Approved and Submitted by:

Manoj Dilwaria  
Chief Administrative Officer