

Title: Recommendation Report: Draft Plan of Vacant Land Condominium for Block 155 (Peach Street), Rolling Meadows Phase 12 (File No. D07-01-2021)

Report Number: PDS2021-42

Meeting Date: Tuesday, October 05, 2021

Report Prepared: Tuesday, September 29, 2021

RECOMMENDATION(S):

1. That the Planning and Development Services Report PDS2021-42 BE RECEIVED;
2. That Application D07-01-2021 for a proposed Draft Plan of Vacant Land Condominium consisting of 23 townhouse units, applying to the property legally described as Block 155, Plan 59M-479, Part of Lots 91 and 92; City of Thorold, BE APPROVED, subject to the conditions noted in Appendix A of this Report.

REPORT:

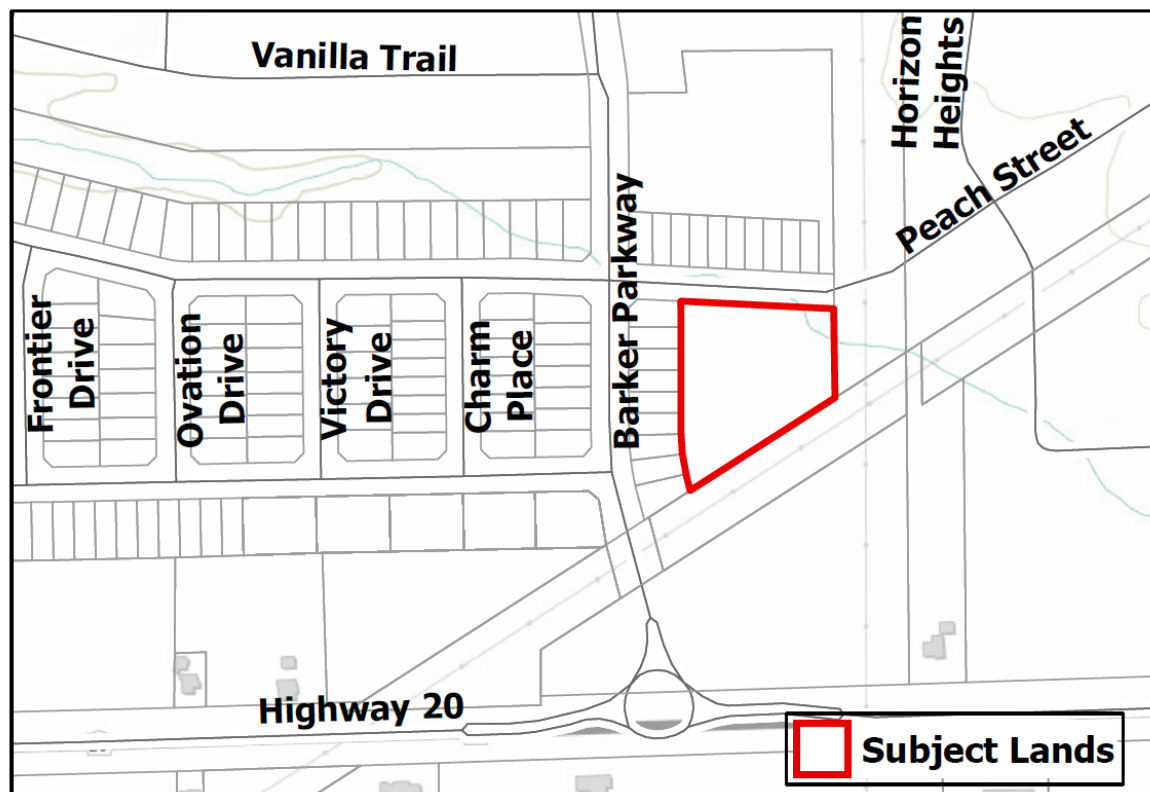
Executive Summary

- Planning staff have received an application for Draft Plan of Vacant Land Condominium to facilitate the creation of a private street development with 23 townhouse units.
- The applications are consistent with, or conform to, provincial, regional, and local planning policies, as applicable;
- All comments from internal staff and external agencies have been addressed or will be addressed through conditions of Final Condominium Approval; and
- Planning staff support the application, and recommend that Council approve the application.

Site Context and Description

The subject lands are approximately 0.717 ha and are located within Phase 12 of the Rolling Meadows subdivision, which is currently under construction (see Figure 1). The subject lands, which is a block in a registered plan of subdivision, is located on the south side of Peach Street, east of Barker Parkway. The south and east sides of the block are adjacent to the Hydro One corridor. Residential uses (future and under construction) are located west, north and east of the property. South of the property are

lands which front on to Highway 20, and are intended for future commercial uses. The subject lands are currently vacant.



KEY MAP

Figure 1: Location Map

The subject lands are legally described as:

BLOCK 155, PLAN 59M-479, PART OF LOTS 91 AND 92; CITY OF THOROLD

Purpose of Application

The subject Block, was approved as part of Rolling Meadows Phase 12, which received final approval on July 7, 2020. The proposed Draft Plan of Vacant Land Condominium (attached as Appendix B) proposes the following:

- 23 vacant land units for townhouse dwellings;
- 13 visitor parking spaces; and
- A private street / driveway to access the development off Peach Street.

A site plan control application has also been submitted (D11-05-2021), which will be finalized concurrently with final approval of the vacant land condominium. A future Minor Variance application will be required prior to final approval to address the minimum dwelling unit area, the minimum front yard setback to dwelling and maximum garage

width. Finally, the Holding (H) Symbol associated with the subject lands must be removed by By-law prior to the Building Permit stage.

Planning Legislation and Documents

Planning staff have reviewed the applications 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 (2014);
- City of Thorold Official Plan (2016);
- Rolling Meadows Urban Design Guidelines (2010);
- Zoning By-law 2140 (97) (1997); and
- Comprehensive Zoning By-law 60-2019 (2019) [partially under appeal].

Planning Act, R.S.O. 1990, c. P.13

Section 2 of the Planning Act outlines matters of provincial interest that Council shall have regard to in carrying out their responsibilities under the Act. Matters relevant to the subject applications include:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the protection of public health and safety;
- the appropriate location of growth and development; and
- the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Section 3 (5) of the Act states that Council decisions in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements in effect on the date of the decision; and shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

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. An assessment of these criteria is included later in this report.

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 Greenfield area within an existing Plan of Subdivision, which aligns with the key directives in the PPS.

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 the Rolling Meadows community.

Planning staff are of the opinion that the applications are in conformity with the Growth Plan.

Regional Official Plan (2014)

The Regional Official Plan (ROP) provides a policy framework for planning matters of Regional interest.

Section 4.A.1 of the ROP sets out Growth Management Objectives for the Niagara Region, including:

- Direct the majority of growth and development to Niagara's existing Urban Areas;
- Build compact, mixed use, transit supportive, active transportation friendly communities in the Built-up Area and in Designated Greenfield Areas;
- Ensure the availability of sufficient employment and residential land to accommodate long term growth in Niagara to the year 2031; and
- Direct growth in a manner that promotes the efficient use of existing municipal sewage and water services.

The application would facilitate compact growth within a Designated Greenfield Area and contribute significantly to the Region's housing stock. New infrastructure would be efficiently utilized by the dense development pattern proposed.

Section 4.C.6 of the ROP states that the Density target of 50 persons and jobs combined per hectare is required across all Designated Greenfield Areas. The proposed development will meet, and exceed the minimum density target when combined with the remainder of the Rolling Meadows Subdivision.

City of Thorold Official Plan (2016)

The subject lands are designated as Residential with Greenfield Overlay, within the Rolling Meadows Secondary Plan Area, in the City's Official Plan. The principles of the Rolling Meadows Secondary Plan include developing the land as a compact urban form that is pedestrian oriented, providing a variety of dwelling forms, and providing good quality urban design. The proposed vacant land condominium provides a dense residential development, with a high level of urban design, with pedestrian access into the greater neighbourhood.

The predominant use of lands in the Residential designation is for residential dwellings. Additional permitted uses include: churches and places of worship; nursery schools and daycare centres; group homes (subject to the requirements of the Zoning By-law); home occupations (subject to the requirements of the Zoning By-law); neighbourhood parks and interconnected trails; accessory buildings and structures; and, stormwater management facilities.

The proposed development was contemplated as part of the final subdivision approval for Phase 12 of Rolling Meadows. The proposal is considered medium density as per Section B1.8.6.2b), with a density of approximately 33 units per hectare. The proposed unit count for Block 155 was included in all density calculations thus far and helps to increase the density within the subdivision to meet the requirements of the Official Plan and provincial policy.

Section B1.8.6.5 of the Official Plan provides criteria for siting of Medium Density Residential within the Rolling Meadows Subdivision. This was reviewed through the initial subdivision approval to ensure Block 155 is an appropriate location. With the Hydro One corridors abutting the site to the south and east, and being located near higher traffic road (Barker Parkway), and the proximity of commercial to the south along Lundy's Lane, the site is an ideal location for this form of development. The character of the community is maintained as all homes constructed must meet the approved Rolling Meadows Secondary Plan Area Urban Design Guidelines, which is discussed further below.

Overall, the proposed condominium development is in conformity with the Official Plan.

Rolling Meadows Urban Design Guidelines (2008)

The Rolling Meadows Urban Design Guidelines form Appendix B of the City of Thorold Official Plan. All development within the Rolling Meadows Subdivision are intended to

be reviewed against these guidelines to ensure a consistency of design and a high level of urban design within the neighbourhood. Section 3 of the Guidelines are specific to the private realm and are therefore applicable to the proposed vacant land condominium.

Section 3.1.2 of the Guidelines provides input on the siting of townhouse units, including that they should have varied setbacks, varied architectural treatments, and corner units should locate main entries on the flanking face. The proposal includes slight variation in setbacks from the private and public street, and variation in building materials is proposed. The two corner units are to have a main pedestrian entry off Peach Street.

Section 3.3 provides Architectural Design Guidelines for Ground Based Dwellings, which includes townhouses. The proposed townhouses are consistent with the urban design guidelines (see Figure 2). There is variation in materials and setbacks, the townhouse blocks are maximum 5 units in length, and the proposed building elevations maintain the character of the remainder of the Rolling Meadows Subdivision.

Elevation Style A – Colour Package 7A



Elevation Style B – Colour Package 12B



Elevation Style C – Colour Package 15C



Figure 2: Proposed Building Elevations

Overall, the proposal is consistent with the Rolling Meadows Urban Design Guidelines.

Comprehensive Zoning By-law 2140 (97) (1997)

Comprehensive Zoning By-law 2140 (97) zones the subject property as 'Site Specific Rolling Meadows Residential Third Density Holding (rm-R3-4 (H)) Zone'. This is a site specific zone which was implemented by Zoning By-law Amendment in 2019 (By-law No. 48-2019). The site specific amendment was designed to account for a private street development (which includes a vacant land condominium) on the subject block. Therefore the proposed use is a permitted use and generally meets the majority of the regulations under the 'rm-R3-4 (H)' Zone. The chart below reviews the zone requirements against what is being proposed through the subject applications.

rm-R3-4 (H) Zone		Proposed	Conforms to By-law?
Permitted Uses	Private Street Development	Private Street Development	√
	Accessory Uses		
Minimum Lot Area	N/A	0.717 ha	√
Minimum Lot Frontage	12.0 m for lot	84.76 m	√
Minimum Front Yard	3.0 m to dwelling front wall or side wall	3.47 m	√
	6.0 m to attached private garage or to rear wall of dwelling	N/A	√
	Notwithstanding anything to the contrary, no principal entrance of a dwelling shall be setback more than 1.5 m from the front wall to the dwelling or the front face of an attached private garage or carport	N/A	√
Minimum Rear Yard	3.0 m to dwelling front wall or side wall	N/A	√
	6.0 m to attached private garage or to rear wall of dwelling	6.14 m	√
Minimum Interior Yard	3.0 m to dwelling front wall or side wall	N/A	√

	6.0 m to attached private garage or to rear wall of dwelling	6.03 m	√
Minimum Exterior Side Yard	3.0 m to dwelling front wall or side wall 6.0 m to attached private garage or to rear wall of dwelling Notwithstanding anything to the contrary, no principal entrance of a dwelling shall be setback more than 1.5 m from the front wall to the dwelling of the front face of an attached private garage or carport	N/A	√
Maximum Lot Coverage	45 %	29.43 %	√
Minimum Landscape Open Space	35 %	44.63 %	√
Minimum Planting / Buffer Strip	1.5 m where abutting R1A, R1B, R1C, R1D, R2A and R2B zones	1.52 m	√
Maximum Building Height	11.0 m	9.12 m	√
Maximum Number of Attached Units	6	3-6 units	√
Maximum Width of a Private Garage Attached to the Main Building	55% of the main building front wall length	60%	X
Minimum Condominium Unit Frontage	6.0 m per interior unit 7.5 m per end unit	6.1 m 7.5 m	√ √
Minimum Dwelling Unit Area	160.0 m ² per interior unit 200.0 m ² per end unit	133.0 m ² 163.0 m ²	X X

Minimum Yard Requirements Between Buildings	3.0 m between side walls	3.1 m	√
	12.0 m between rear walls	N/A	√
	9.0 m between side wall and rear wall	N/A	√
Minimum Distance from Private Street or Condominium Roadway	4.5 m to dwelling	5.29 m	√
	6.0 m to attached private garage or rear wall	6.13 m	√

As noted in the chart above Minor Variances are required for the subject property for garage width and minimum dwelling unit area (i.e. lot area). These requirements will be included as a condition of Final Condominium Approval. Additionally the Holding (H) Symbol will not be recommended for removal by staff until final approval of the variances are received.

Overall, the proposal meets the requirements of the Zoning By-law, with the minor relief required being dealt with through future Minor Variance applications.

Comprehensive Zoning By-law 60-2019 (2019) [partially under appeal]

Comprehensive Zoning By-law 60-2019 is currently not in force and effect for the subject property. This By-law zones the property 'Private Street Development 'R3D' Zone. This Zone contains the same requirements as the applicable zoning under Zoning By-law 2140(97). Therefore, the development generally complies to the future zoning of the site, with the same variances being required under the new By-law for Maximum width of a private garage attached to the main building, and minimum dwelling unit area.

Supporting Documents

Various supporting documents and plans were submitted with the application to satisfy City and external agency requirements. Submission requirements were determined during the pre-consultation meeting, held on April 1st, 2021. Key supporting documents are summarized below:

Urban Design Brief

An Urban Design Brief was submitted to summarize how the proposed townhouse condominium development complies with the Rolling Meadows Urban Design Guidelines, which form part of the Official Plan. The Urban Design Guidelines encourage a high standard of site and building design, landscaping and streetscape.

Overall the report confirms that the proposed condominium development is consistent with the Urban Design Guidelines.

Functional Servicing Report

A Functional Servicing Report was prepared to illustrate how the proposed development will be serviced, and how it will fit in to the greater Rolling Meadows servicing plan. The report provides recommendations on servicing details that will inform detailed design and construction of the condominium, and indicates that servicing of the condominium is feasible.

Comments Received

The applications were circulated to various agencies and municipal departments for comment on July 15, 2021. In accordance with Planning Act requirements, notice of the Statutory Public Meeting for the applications was mailed to nearby property owners, and a notice sign was erected on the property. The Public Meeting was held virtually on September 7, 2021.

Department/Agency Comments

All City department and external agency comments received in regards to the applications are included in Appendix C. No objections to the proposal were received, but conditions of Final Condominium Approval were requested by the following agencies and departments:

- Bell Canada;
- Canada Post;
- Niagara Region;
- Hydro One; and
- City of Thorold Fire Department.

The Conditions of Final Subdivision Approval are included in Appendix A to this Report.

Public Comments

No comments on the application were received from member of the public.

Conclusion

It is the opinion of Planning staff that the proposed Draft Plan of Vacant Land Condominium is consistent with the PPS, conforms to provincial, regional and local policies and requirements, are appropriate for the subject lands, and are compatible with the surrounding area.

Planning staff recommend that Council approve the application to facilitate the proposed development.

BUDGETARY STATUS:

Not applicable

STRATEGIC PLAN:

Responsible Community Growth and Infrastructure Planning

CANADIAN CONTENT:

Not Applicable

ATTACHMENTS:

Appendix A - Conditions of Final Condominium Approval

Appendix B – Draft Plan of Condominium

Appendix C – City and Agency Comments

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