



Subject: 46 & 48 St David Street West - Zoning By-law Amendment (D14-02-2024)

Report to: Thorold City Council

Recommendations

1. That Report DS 33-2024 **BE RECEIVED**; and
2. That application D14-02-2024 for a proposed Zoning By-law Amendment to rezone 46 and 48 St. David Street West from Residential One Zone (R1C) to a site specific Residential Four Zone (R4-104) **BE APPROVED**.

Key Facts

- The purpose of this report is to provide recommendations to Council regarding a proposed Zoning By-law Amendment application for the lands municipally known as 46 & 48 St David Street West, which was submitted by Upper Canada Consultants on behalf of 1834583 Ontario Inc. o/a Marken Homes & Construction.
- The intent of the application is to facilitate the development of the subject lands for a 3-storey apartment building containing seventeen (17) units.
- The lands are currently zoned Residential One Zone (R1C) in Zoning By-law (60) 2019. The proponents propose to rezone the Subject Lands to site specific Residential Four Zone (R4A-104) in accordance with Part 4 and 6 of Comprehensive Zoning By-law (60) 2019.
- Supporting studies have been submitted with the application package, including: Planning Justification Report, Draft Zoning By-law Amendment, Preliminary Functional Servicing Report, Stage 1 and 2 Archaeological Assessment, Elevation Drawings, and a Site Plan
- Public and agency circulation of the application has occurred. A summary of all comments received has been attached to this report.
- Planning Staff support the application and recommend that Council approve the requested Zoning By-law amendment.

Budgetary Status

Analysis

Site context and description

The subject lands have an area of approximately 0.24 hectares (0.59 acres) with approximately 50 metres of frontage along the north side of St. David Street West. The site is situated west of Queen Street North and south of Townline Road West. Figure 1 depicts the subject lands.



Figure 1 –Location Map

Purpose of application

The proposal is to develop the 0.24 hectare (0.59 acres) parcel of land for a three (3) storey apartment building containing seventeen (17) units and an amenity area. The lands are proposed to be accessed by a private driveway off St. David Road West where twenty-two (22) parking spaces (including two accessible spaces) are to be situated. The

development will be serviced through connections to the existing water, sanitary and stormwater infrastructure along St. David Road West.

The subject lands are currently designated as Urban Living Area in the Thorold Official Plan (OP) and located within the City of Thorold Urban Area Boundary. Furthermore, the site is designated in the Regional Official Plan (ROP) as within the Thorold Urban Area within the Delineated Built Up Area.

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

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable and resilient communities that will protect matters of Provincial interest.

Section 1.0 of the PPS provides policies related towards managing change and promoting efficient and effective development patterns that lead to healthy, liveable and resilient communities.

Section 1.1.3 provides a policy direction for settlement areas; providing for the efficient development and wise use of land resources, while promoting green spaces and ensuring that infrastructure is efficient used, and minimizing public expenditures

Based on the above noted policies staff is of the opinion that the proposal is consistent with the PPS.

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

The Growth Plan sets out a long-term plan for growth and development within the Greater Golden Horseshoe Area of Ontario. The Growth Plan policies require that municipalities achieve several goals including: building complete communities; prioritize intensification

and higher densities to make efficient use of land and infrastructure; capitalize on new economic and employment opportunities; support a range and mix of housing options; protect and enhance, hydrologic systems features and functions; conserve and promote cultural heritage resources; and integrate climate change considerations for a more resilient and adaptable community and infrastructure.

The Growth Plan contemplates a policy framework which will be implemented in the Region of Niagara Official Plan. Specifically, Section 1.2.1 outlines the guiding principles.

Section 2.2.2.1(a) of the Growth Plan speaks to intensification targets for built-up areas.

The proposed development would permit an intensification project to meet the needs of both the current and future residents of the City of Thorold. Based on the above analysis, it is staff's opinion that the proposal is consistent with the provisions of the Growth Plan.

Niagara Region Official Plan (2022)

The new Regional Official Plan (ROP) was approved by the Province's Ministry of Municipal Affairs and Housing on November 4th, 2022. As such the proposed development application was evaluated based on the policies of the new ROP. The site is designated as Built-Up Area in the ROP.

Section 2.2.2 of the Official Plan provides strategic intensification policies for higher Densities. Specifically Policy 2.2.2.1 deals with development within urban areas, forecasted population growth. Directing that growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations.

Staff is of the opinion that the proposal is consistent with the provisions of the ROP.

City of Thorold Official Plan (2016)

The City of Thorold Official Plan (CTOP) designates the subject lands as Urban Living Area.

Policy B1.1.5 outlines that in considering a zoning by-law amendment and site plan application to permit apartment development, Council shall be satisfied that the proposal:

- a) *Respects the character of the adjacent residential neighbourhoods, in terms of height, bulk and massing;*
- b) *Can be easily integrated with surrounding land uses;*

- c) *Will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads; and*
- d) *Is located on a site that has adequate land area to incorporate required parking, amenity areas, recreational facilities, landscaping and buffering on-site.*

The proposed apartment building provides for an appropriate scale of development in the existing residential area. In addition, items related to amenity areas, landscaping and buffering would be addressed through a future application for site plan control. Staff is of the opinion that the proposed development is consistent with the CTOP.

City of Thorold Zoning By-law 60(2019)

The lands are currently zoned as Residential One Zone (R1C) in Zoning By-law (60) 2019 and the proposal seeks to rezone the subject lands to site specific Residential Four Zone (R4A-104).

The lands are zoned as Residential One Zone (R1C) in Zoning By-law (60) 2019. The proposal is to rezone the lands to a site specific Residential Four Zone (R4A-104) to allow for an apartment and to modify Section 4.4.3 (Parking Aisles). The site specific zoning provisions associated with the width of the parking aisles, specifically include:

4.4.3 Parking Aisles		
Provision	Required	Proposed
Minimum Width of Parking Aisle	A parking aisle shall have a minimum width of 6.4 metres	6.0 metres

Staff is of the opinion that the proposed change of zoning category and relief from the minimum width of parking aisle are appropriate for the site.

Comments received

The application was deemed complete on March 28, 2024 and was subsequently circulated to various agencies and municipal departments for comment. A public notice sign with details of the application and the public meeting was installed on the subject lands, and notices were also mailed to property owners within 120 metres of the subject lands, as per *Planning Act* requirements.

Public comments

A public meeting was held on June 18, 2024. At the meeting an adjacent landowner delegated before Council and raised concerns with the proposal, specifically the impact on his property and the surrounding neighbourhood.

Correspondence was received from the owner of 42 St David Street West, noting that the proposed 3-storey (17-unit apartment) will be complimentary to the surrounding neighbourhood and takes the privacy of the abutting neighbours into consideration.

The owner of 30 St David Street West provided correspondence noting their disappointment at the change to the architecture of this neighbourhood by putting in apartment buildings and semi-detached structures. Further concerns were raised with impacts on property values, and increased traffic in an already busy area.

Staff notes that the proposal will be required to go through a further Planning Act application for site plan control. At that time, items related to the architecture, buffering and traffic will be reviewed in greater detail.

Department and agency comments

The following table summarizes additional agency review and comments received through the formal circulation process at this time of the writing of this report:

Agency	Comment
Canada Post	No Comments
City of Thorold Building Department	No objection.
City of Thorold Engineering Department	See attached letter for detailed comments
City of Thorold Fire & Emergency Department	No objection
Cogeco	No comment
Enbridge	No objection

Agency	Comment
Hydro One	No concerns
MTO	No comments, outside of permit jurisdiction
NEC	No comments
Region of Niagara	No objection, see attached letter for detailed comments

Comments from Council

During the question and answer period from Council, clarification was sought regarding:

- timing of the development;
- landscaping;
- amenity spaces;
- affordability of the units;
- whether the units would be marketed towards students;
- accessible parking spaces;
- location of bicycle parking spaces;
- the reduction in the aisle width; and
- landscaping/fencing/green space.

At the Public Meeting, the consultant responded and addressed all of Council's inquiries regarding the application.

Conclusion

It is the opinion of Planning Staff that the proposed Zoning By-law Amendment to rezone the subject lands to a site specific Residential Four Zone (R4-104) to permit a three (3) storey apartment building is consistent with the Provincial Policy Statement, and conforms to Provincial, Regional and local policies and requirements. The proposal is appropriate for the development of the subject lands.

Planning Staff recommend that Council approve the application, which would facilitate the proposed redevelopment of the subject lands.

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 and Prosperous Community
 - Livable Community
 - Economic Prosperity
 - Community Wellbeing

Other Pertinent Reports

N/A

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Appendices

Appendix 1 Agency Comment Letters