

Attachment 9 – Staff Review and Planning Analysis

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to land use planning and development and is issued under the authority of Section 3 of the Planning Act. All planning decisions shall be consistent with the PPS. Section 1.0 of the PPS – Building Strong and Healthy Communities, speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 1.1.1 of the PPS speaks to accommodating an appropriate range and mix of residential uses (including second units, affordable housing and housing for older persons) and focusing growth within settlement areas. Section 1.1.3.2 outlines that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and which 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. Section 1.1.3.3 also promotes opportunities for intensification and redevelopment including brownfield sites where it can be accommodated taking into account existing building stock or areas.

The purpose of this application is to place the existing semi-detached dwelling in an R.2 zone, which would also allow further intensification by providing additional residential dwelling units under the Additional Residential Dwelling Units Bylaw. The R.2 zone is more appropriate to recognize the existing building type, than the current R.1B zone. The existing semi-detached dwelling is on full municipal services and is using existing infrastructure and public service facilities. This zone will allow for intensification of the site by allowing additional accessory residential dwelling units. The proposed additional dwelling units will add density which is permitted in the standard zone, similar to and compatible with adjacent land use patterns. The dwellings will also efficiently use land, infrastructure and public service facilities that are available.

The proposed Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement, 2020.

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

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides broader policy direction on matters of provincial interest, the Growth Plan provides more focused direction for development within the Greater Golden Horseshoe area.

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The policies of the Growth Plan focus on the key themes of building more compact and vibrant communities; directing a significant share of new growth to existing built-up areas of the City; promoting the development of transit-supportive densities and the use of active transportation methods; and creating complete communities through ensuring a healthy mix of residential, employment and recreational land uses.

The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities by directing growth to built-up areas, the promotion of transit-supportive densities, and a healthy mix of residential, employment and recreational land uses.

The guiding principles of the plan include:

- Building compact, vibrant and complete communities;
- Optimizing the use of existing and new infrastructure to support growth in a compact and efficient form;
- Providing for different approaches to managing growth that recognize the diversity of communities in the Growth Plan.

The subject property is located within the City's "Built-Up Area" as shown on Schedule 1: Growth Plan Elements of the Official Plan.

Section 2.2.1 and 2.2.2 of the Growth Plan identify how population growth will be accommodated within the "Delineated Built-up Areas". These sections introduce policies related to intensification, reducing dependence on the automobile, complete communities and efficient use of infrastructure and public service facilities. The proposed Zoning By-law Amendment conforms with the policies of this section by:

- Directing development to the built-up area;
- Promoting development that supports active and public transportation options;
- Proposing different housing forms in the neighbourhood that contributes to the mix of housing types in the area;
- Contributing to the objective of a 'complete community' by encouraging development in close proximity to services, public transit and public open space; and,
- Making efficient use of existing infrastructure and public service facilities (e.g. roads, water and sewer, etc.).

The proposed Zoning By-law Amendment is consistent with and conforms to the Growth Plan.

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Conformity with the Official Plan

The Official Plan land use designation that applies to the subject property is “Residential 1” in the Downtown Secondary Plan. These areas include portions of the broader residential neighbourhoods that extend into Downtown. They are mostly occupied by low-rise forms of housing, including detached and semi-detached houses, townhouses and apartment buildings. The designation is intended to generally maintain the character of these areas. The policies of the Official Plan, applicable to the General Residential designation (now Low Density Residential designation) shall apply to Residential 1 area. The Low Density Residential designation applies to residential areas within the built-up area of the city which are currently predominantly low-density in character. The predominant land use in this designation shall be residential. This area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3 of the Official Plan. Detached, semi-detached and duplex dwellings as well as multiple unit residential buildings, such as townhouse and apartments may be permitted. The maximum height shall be three storeys and the maximum net density is 35 units per hectare and not less than 15 units per hectare.

The proposed Zoning By-law amendment will recognize an existing semi-detached dwelling and allow for future development of additional residential dwelling units, which is a permitted use within the land use designations and is therefore considered to conform to the policies of the Official Plan.

Affordable Housing Strategy

The City’s Affordable Housing Strategy (AHS) sets an annual City-wide 30% target for housing that is affordable with the goal of ensuring that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2 (Affordable Housing). These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities and have been applied to the review of this proposed residential development application.

Implementing the City’s affordable housing target is largely dependent upon designating a suitable amount of land and density for a variety of residential uses, including mixed use developments. There is a high correlation between the City’s growth management policies and the ability to meet both growth management and affordable housing targets. Apartment and townhouse units represent the vast majority of residential units that are below the affordable benchmark price, as identified in the AHS.

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The proposed application recognizes the existing semi-detached dwelling and permits the development of two accessory residential dwelling units. This is anticipated to contribute to the City meeting its overall affordable housing target.

However, it is also noted that how much of any given development may be affordable cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

Community Energy Initiative Update

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as consents, to ensure that new residential development includes sustainable design features.

Staff are recommending a condition to be implemented through consent applications that would require the Owner/Developer to provide a commitment to incorporate features into future dwellings that will contribute to meeting the action items from the CEI (see condition in Attachment 3).

Proposed Zoning

The applicant has requested that the zoning on the subject property be changed to the "Residential Semi-Detached/Duplex" (R.2) zone to recognize the existing semi-detached dwelling and permit future development of accessory residential dwelling units. No specialized regulations have been requested by the applicant.

Staff have no concerns with the requested zoning as it will recognize the existing semi-detached dwelling and permit the creation of two additional accessory residential dwelling units within appropriate lot layouts.

Statutory Public Meeting Comments

At the Public Meeting on June 14, 2021, comments were provided by Council related to the stacked parking configuration for each side of the semi-detached dwelling. It was questioned how this stacked parking arrangement would function between occupants in the main dwelling and accessory dwelling unit for each side of the semi-detached dwelling. The existing driveway allows for three vehicles to be parked in a stacked arrangement (see concept plan in Attachment 7). The applicant has proposed the driveway will remain as is, without changes.

The proposal would comply with the standard R.2 zone and the Residential Intensification regulations (section 4.15 of the Zoning By-law, as amended). Regulation 4.15.1.4 states that "the required off-street **Parking Spaces** for **Additional Residential Dwelling Units** may be stacked behind the required off-

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street **Parking Space** of the primary **Dwelling Unit** in the **Driveway (Residential).**” There is no limit to the number of stacked parking spaces in the Zoning By-law. One parking space is required for the main dwelling and one additional parking space is required for each accessory residential dwelling unit. In this case the third parking space is provided in addition to the required two spaces (one for main dwelling unit and one for accessory residential dwelling unit). It is the responsibility of the future occupants to establish private arrangements regarding off-street parking allocation.

The existing driveway widths are 3.1 metres and 3.2 metres for 29 and 31 Fountain Street West respectively. The maximum driveway width in an R.2 zone is 3.5 metres. The minimum exterior parking space dimensions for a semi-detached dwelling is 2.5 metres wide by 5.5 metres long. Therefore, the driveways could not be widened further to allow for vehicles to park side by side. The driveway would need to be 5.0 metres wide, but only 3.5 metres wide is permitted in the R.2 zone. Additionally, two existing street trees in the front yard would be negatively impacted by any proposed driveway widening. The one tree closest to 29 Fountain Street is a very large mature tree.

The proposed development will retain the existing semi-detached dwelling and provide new accessory residential dwelling units within the existing structure, resulting in a modest increase in density on the site, without enlargement or additions. This will happen within the existing neighbourhood and avoid the need to extend infrastructure. The compact nature of the new development within currently developed lands will contribute to meeting the action items from the CEI. Further to this, staff are recommending, through future consent conditions, that the Owner/Developer shall provide a commitment to incorporate features into future dwellings that will contribute to meeting the action items from the CEI (see condition in Attachment 3).

The Zoning By-law permits up to 3 storeys in R.2 zones. The existing semi-detached dwelling is two storeys. The number of storeys for dwellings in the immediate vicinity range from 1 to 2 storeys. The Surrey Street Medical Centre is a two storey commercial building across Fountain Street West from this site.

A listed heritage property at 35 and 37 Fountain Street is located next to the subject site. This one storey semi-detached dwelling has been severed in the past and is now two separate lots. Heritage Planning staff have provided comments that, since no exterior changes are proposed to 29 and 31 Fountain Street West, there is no negative impacts to the listed heritage property.

The proposed development of two accessory residential dwelling units on this site represents an appropriate residential infill opportunity. This would also increase the overall mix of housing forms in the area.

The requested zoning regulations recognize the existing semi-dwelling and allow for future development of two accessory residential dwelling units in accordance with the standard R.2 Zone and Residential Intensification regulations. Staff recommend that the proposed zoning by-law amendment be approved.