

Staff Report

Report To: City Council
Report From: Jacklyn Iezzi, Junior Planner
Meeting Date: July 19, 2021
Report Code: CS-21-091
Subject: Site Plan Approval (ST2021-008) – 1300-1396 15th Avenue East – Block 5 East Court Residences Subdivision

Recommendations:

THAT in consideration of Staff Report CS-21-091 respecting Site Plan Approval (ST2021-008) for an 11-unit townhouse development at 1300-1396 15th Avenue East, City Council:

1. Approves the Site Plan by GM BluePlan Engineering Ltd. dated May 28, 2021, and last revised June 22, 2021, subject to the conditions outlined in Schedule 'H'; and
2. Directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement, Servicing Agreement, and any other items for implementing Site Plan Approval for 1300-1396 15th Avenue East.

Highlights:

- A Site Plan Approval Application has been received by Andpet Realty Limited for lands located at 1300-1396 15th Avenue East.
- The lands form Block 5 of the East Court Residences Subdivision which received final approval by Council on April 6, 2020.
- The application is proposing to construct 11 townhouses. The proposed dwellings are life lease tenure.
- Staff recommend approval of the application, subject to conditions.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: A City that Grows - KR4 - 95% of site plan applications reviewed within 4 weeks

The subject application also represents a legislated review process.

Background & Proposal:

A Site Plan Approval application (ST2021-008) has been submitted by Andpet Realty Limited for the construction of 11 townhouses at 1300-1396 15th Avenue East.

Property Description

The subject lands form Block 5 of the East Court Residences Subdivision (Plan 16M-75), which received final approval by City Council on April 6, 2020.

The subdivision is approximately 7.07 ha and is border by 16th St E and retail commercial uses to the north, 16th Ave E to the east, 10th St E to the south, and 14th Ave E and low-density residential uses to the west.

The approved Concept Plan for the East Court Residences Subdivision is attached as Schedule 'D' and outlines the location of Block 5 relative to the overall subdivision.

The subject lands are a vacant, regularly shaped lot with frontage along the future 15th Ave E, which will be constructed as part of the subdivision development and assumed by the City.

Surrounding land uses include:

North: proposed cluster townhouses (Block 3), semi-detached and townhouse dwellings (Block 1 and 2), restaurants (East Side Mario's, A&W, Wendy's) and professional offices (Hilltop Dentistry), retail commercial (Heritage Place Mall)

East: retirement home (Block 7 and Seasons), long term care (Southbridge), professional offices (Vet Clinic)

South: high density residential (Block 6), institutional (Georgian College, East Ridge)

West: low density residential (single and semi-detached dwellings)

The subject lands are designated 'Residential' in the City's Official Plan (2006) and are within the Sydenham Heights Phase I Planning Area which further scopes this designation to 'Medium Density Residential'. The lands are zoned 'Medium Density Residential' (R4), with a Special Provision 14.119, in the City's Zoning By-law (2010-078, as amended),

For location context and surrounding land uses, please see the Orthophoto in Schedule 'A'. For the planning policy context, please see the Official Plan and Zoning Map in Schedule 'B'. The subject lands are fully described in Schedule 'C'. The approved Concept Plan for the overall subdivision is attached as Schedule 'D'.

The Proposal

The subject application is proposing to construct three (3) buildings – two (2) containing three (3) townhouse units, and one (1) containing five (5) townhouse units, for a total of 11 units. The dwelling units are proposed to be life lease tenure.

Each unit includes an attached garage and a covered porch within the functional front and rear yard. The townhouses are fronting on 15th Avenue East, which is to be constructed as part of the subdivision development and will be assumed by the City.

As part of a complete application, the applicant has submitted the following materials for consideration:

| Submission Item Title | Submission Item Detail |
|--|--|
| Site Plan (4) | Prepared by GM BluePlan Engineering Ltd. dated May 28, 2021, and last revised June 22, 2021. |
| Grading, Drainage & Servicing Plan (5) | Prepared by GM BluePlan Engineering Ltd. dated May 28, 2021, and last revised June 22, 2021. |
| Landscape Plan (6) | Prepared by GM BluePlan Engineering Ltd. dated May 28, 2021, and last revised June 22, 2021. |

| Submission Item Title | Submission Item Detail |
|--|--|
| Servicing and Stormwater Management Letter | Prepared by GM BluePlan Engineering Ltd. dated May 28, 2021. |
| Building Elevations (A9 & A10) | Prepared by Pj Design Drafting & Technology Services dated May 10, 2021. |

The applicant engaged the City in the Pre-consultation process in May of 2021. Subsequently, the process relating to the formal application has proceeded as follows:

| Date | Step |
|---------------|---|
| June 28, 2021 | Submission of formal Site Plan Approval Application and fees. |
| June 29, 2021 | Circulation to commenting staff and agencies. |
| July 19, 2021 | Recommendation Report to City Council. |

Analysis:

The proposal is required to meet all development standards and policies applicable to projects within the City of Owen Sound. The proposal is required to be consistent with the Provincial Policy Statement and in conformity with the City Official Plan and Zoning By-law.

The application is subject to review by the City Planning, Engineering, and Building staff as well as external commenting agencies. All applicable policies, standards, and comments received are reviewed below.

Provincial Policy Statement

The Provincial Policy Statement (PPS), 2020 has been reviewed with regard to the subject proposal. The PPS promotes a mix of land uses within settlement areas that efficiently use land and resources, infrastructure, and public service facilities, and encourage intensification and regeneration on lands with existing municipal services. Settlement areas shall be the focus for growth and their vitality and regeneration shall be promoted.

The subject lands are within an existing settlement area. Residential development on the subject lands consisting of cluster townhouse dwelling with full municipal services and fronting onto a future publicly assumed roadway is consistent with the approved Concept Plan for the overall subdivision, attached as Schedule 'D'.

Low to medium density residential development on the subject lands is consistent and compatible with that of the surrounding area, and particularly existing north of the subject lands, within Block 1 and 2 of the East Court Residences Subdivision and west, along 14th Ave E.

The proposal supports efficient and compatible development within a settlement area and is therefore consistent with the policy direction provided by the PPS.

City of Owen Sound Official Plan

The subject lands are designated 'Residential' in the City's 2006 Official Plan (OP) and are within the Sydenham Heights Phase I Planning Area, which further designates the property 'Medium Density Residential'. Housing forms within the medium density designation shall consist of row houses, stacked townhouses, and low-profile multiple dwellings.

The policies of the OP require that all new development within the Sydenham Heights Planning Area proceed on the basis of full municipal services. The proposal satisfies this policy.

Section 7.8 of the OP provides urban design direction and supports well-coordinated and designed streetscapes that support the established or desired character of the area. Each proposed townhouse dwelling includes an attached garage and covered porch at the front and rear consistent with the design and character of the low-density residential uses existing along 14th Ave E, adjacent to the subdivision. The proposed dwellings are also consistent with the character and form of those recently approved in Block 1, 2 and 3 of the East Court Residences subdivision, to the north of the subject lands.

The policies of Section 7.8.9 of the OP further state that new residential development should create identifiable area of the City with simple street patterns, a coherent built form, and a well-connected, safe pedestrian system and local amenities such as neighbourhood parks and convenience shopping. The proposed townhouse dwellings are a typical form of street-

fronting residential development seen elsewhere in the City. Adequate pedestrian access is provided to nearby retail amenities along the 16th Ave E and 16th St E corridor via 1.5 m concrete sidewalk along both sides of 15th Ave E and 14th St E.

The submitted Building Elevations attached as Schedule 'G', illustrate the architectural design of the proposed development. Overall, the units have an attractive, low-profile design. To ensure a coherent built form, in support of the policies of the City's OP, and that the proposed architectural design is adhered to, Staff recommend that the elevations be instilled within the Site Plan Agreement.

In the interest of cohesion and to ensure consistent design in perpetuity, Staff are proposing that the Site Plan Agreement will provide that no further lot creation can proceed without the implementation of Architectural Control Guidelines registered on title of the subject lands. The guidelines would address requirements of consistent building types, materials, and colours in the event that the dwelling units are no longer under single ownership.

Lastly, the Landscape Plan submitted in support of the proposed development and attached as Schedule 'F', includes the planting of Autumn Blaze Maple and Serviceberry trees within the front and rear yard of the proposed dwelling units. A cedar tree screen is also proposed along the southern interior lot line shared with Block 4 to buffer the site from the unvaried appearance of the 1.5 m solid board fence.

These plantings are consistent with the rest of the subdivision and provide adequate buffering of the subject lands from surrounding land uses. The proposal conforms to the policies of the City's Official Plan.

City of Owen Sound Zoning By-law (2010-078, as amended)

The subject property is zoned 'Medium Density Residential' (R4), with a Special Provision 14.119, in the City's Zoning By-law (2010-078, as amended). Townhouses are among the uses permitted in the R4 Zone. There are no further provisions in Special Provision 14.119 to limit this use.

Staff have undertaken a thorough review of the Site Plan relative to the City's Zoning By-law. Based on this review, the following merits note:

| Zoning Matter | How is the Requirement Met? |
|-----------------------------|--|
| Standard Parking Stalls | <p>The provisions of the City's Zoning By-law require that one (1) off-street parking space be provided for each street fronting townhouse dwelling unit. Accordingly, 11 spaces are required to serve the proposed development.</p> <p>As illustrated by the submitted Site Plan, attached as Schedule 'E', each proposed dwelling unit includes off-street parking for two (2) vehicles within an exterior driveway and an attached single car garage.</p> <p>In total, the development includes 22 spaces, which exceeds the requirements of the Zoning By-law.</p> |
| Barrier-Free Parking Stalls | <p>Each of the proposed exterior driveways are wide enough to accommodate a van accessible (Type 'A') parking stall in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) and the City's Zoning By-law.</p> <p>The development requires two (2) barrier-free parking stalls whereas 16 are provided.</p> |
| Loading Spaces | Loading spaces are not required for the proposed development. |
| Bicycle Parking Spaces | Bicycle parking spaces are not required for the proposed development. The proposed attached garages can accommodate any bike storage required by residents and visitors. |
| Setbacks | The setback requirements of the Zoning By-law are met or exceeded. |
| Lot Coverage | The lot coverage maximum is not exceeded. |
| Building Height | The building height maximum is not exceeded. |
| Landscape Buffer Strips | Landscape buffer strips are not required for the proposed development |

The dwelling units as proposed meet the requirements of the City's Zoning By-law. It merits note that if the owner were to seek release of part lot control or a consent to sever for the creation of individual lots, some component of the development would not comply with zoning. This includes requirements for minimum lot frontage and minimum interior side yard setbacks. This report considers the development as a comprehensive project. Future lot creation and zoning conformity would be addressed under subsequent review and/or applications.

Details Respecting Accessibility:

Section 41 of the *Planning Act*, which legislates Site Plan Control, stipulates that no development shall be undertaken unless the Council has approved plans showing the location of all buildings, facilities, and works forming part of the development, including facilities designed to have regard for accessibility for persons with disabilities.

A recommended condition of Site Plan approval is proposed to ensure that matters of accessibility are addressed and that the final approved site and construction plans reflect the requirements of the *Accessibility for Ontarians with Disabilities Act* and the Ontario Building Code respecting matters of accessibility.

Matters of accessibility as it relates to the proposed development are as follows:

Vehicular Access and Paths of Travel

It is proposed that each unit will front onto and gain vehicular access from 15th Ave E, which will be constructed as part of the subdivision development and assumed by the City.

As noted, the proposed development includes 22 parking stalls whereas 11 are required by the Zoning By-law. Parking for each dwelling is provided within an attached single car garage and exterior driveway wide enough to accommodate a van accessible (Type 'A') parking stall.

Exterior Paths of Non-vehicular Travel

The subject lands are well-located and serviced for non-vehicular travel. The proposed dwelling units front onto 15th Ave E which is equipped with a 1.5 m concrete sidewalk along both sides of the roadway. 15th Ave E connects to 14th St E, which is also equipped with a 1.5 m sidewalk on both sides.

A painted pedestrian crossing is proposed at the intersection of 15th Ave E and 14th St E to the north of the site. The intersection is equipped with tactile walking surface indicators (TWSIs) in accordance with AODA requirements. Pedestrian pathways will be well-lit with street lighting installed along 15th Ave E and 14th St E, as part of the subdivision development.

Site Design & Functionality

The proposed townhouse dwellings are a typical form of street-fronting residential development seen elsewhere in the City. Parking for the proposed dwelling units is functional as it relates to matters of accessible and the units are well-located for accessible, well-lit pedestrian paths of travel.

Access to Transit & Amenities

Several stops for the East Bayshore transit route serving the northeast quadrant of the City existing along the 16th St E corridor, to the north of the subject lands. To access the nearest existing bus stops, pedestrian would travel north along the 1.5 m sidewalk on 15th Ave E, east along the 1.5 m sidewalk along 14th St E, and slightly north to the intersection of 16th St E and 16th Ave E.

Alternatively, the Core transit bus route has excellent connectivity through the central City over the east and west sides. There is a stop at Heritage Place Mall, along 16th Ave E to the east of the site, and along 10th St E, to the south of the site. Pedestrians will be able to access stops along 10th St E via future pedestrian connections through Block 6 to the south.

City Staff & Agency Comments

In response to the request for comment from the Planning & Heritage Division, the following comments have been submitted for review pertaining to the subject application. All comments can be found attached hereto as Schedule 'I'.

City of Owen Sound Planning & Heritage Division

The Planning & Heritage Division has undertaken a full review of the application in consideration of the principles of good planning, which ensures a safe, functional, and attractive site layout. The following aspects of the site design merit note in addition to the planning policy analysis outlined above.

| Design Aspect | Policy Context/Staff Comments |
|------------------------------------|---|
| General Layout | The proposed townhouse dwellings are a typical form of street-fronting residential development seen elsewhere in the City that is attractive and functional. |
| Parking Layout | Off-street parking for the townhouses is provided within exterior driveways and attached single car garages which is safe and functional. As noted, 22 off-street parking stalls are provided whereas 11 are required by the Zoning By-law. |
| Loading Location | Not applicable. |
| Pedestrian Access and Connectivity | <p>The proposed dwellings front onto the future 15th Ave E which is equipped with AODA compliant sidewalks on both sides of the roadway. The sidewalks will connect to future 1.5 m sidewalks on both sides of 14th St E.</p> <p>A painted pedestrian crossing, equipped with TWSIs, is proposed at the intersection of 14th St E and 15th Ave E.</p> |
| Lighting | Street lighting to serve the proposed development will be constructed as part of the East Court Residences Subdivision. |
| Landscaping | <p>The submitted Landscape Plan, attached as Schedule 'F', proposes the planting of Autumn Blaze Maple and Serviceberry trees within the front and rear yards of the proposed dwelling units.</p> <p>The proposed tree plantings are consistent with the rest of the subdivision and will contribute to an attractive streetscape. Tree plantings within the rear yard of the proposed dwellings soften the unvaried appearance of the 1.5 m solid board fence constructed on the shared lot line with Block 4.</p> |

| Design Aspect | Policy Context/Staff Comments |
|---------------------|---|
| | A cedar tree screen is also proposed along the southern interior lot line of Block 5 to buffer the southern most townhouse dwelling unit from the unvaried appearance of the 1.5 m solid board fence constructed on the lot line shared with Block 4 and a reduce porch setback for the cluster townhouse dwelling units within Block 4. |
| Garbage & Recycling | The proposed dwellings front onto 15 th Ave E which will be assumed by the City following development of the subdivision; therefore, the dwellings will benefit from curb side garage collection services administered by Miller Waste on behalf of the City. |
| Snow Storage | Locations for snow storage can be accommodated within the front and rear yards of the proposed dwelling units. Standard provisions within the Site Plan Agreement require that snow storage areas drain into the internal stormwater management system, cannot be located on city-owned property, or be located within parking stalls required for zoning compliance. |
| Building Design | <p>The submitted Building Elevations attached as Schedule 'G', illustrate the architectural design of the proposed development. Overall, the units have an attractive, low-profile design.</p> <p>Conditions of approval included in Schedule 'H' will ensure a coherent built form and consistent design in perpetuity.</p> |

The City's Planning & Heritage Division recommends approval of application ST2021-007, subject to the recommended conditions.

City of Owen Sound Engineering & Public Works Department

Comment has been received from the City's Engineering & Public Works Department with no objection to the subject proposal.

| Engineering Detail | Staff Comments |
|--|--|
| Stormwater Management (SWM) | <p>A SWM Report was prepared for the overall East Court Residences Subdivision which included a conceptual 11-unit townhouse development on Block 5, with a maximum overall impervious surfaces allowance of 75 percent (75%). The SQM Letter submitted as part of the Site Plan Approval application demonstrates that water quality will be controlled to an “enhanced protection” level and water quantities will be controlled for all storm events up to and including the 100-year design storm.</p> <p>The submitted SWM Letter is acceptable to the Engineering Services Division.</p> |
| Grading & Drainage | <p>The site grading supports the SWM design and conforms to Section 2.2.2 of the City’s Property Standards By-law.</p> |
| Site Servicing | <p>The Servicing Letter submitted as part of the Site Plan Approval application indicates that the servicing design conforms to the approved servicing design for the East Court Residences subdivision.</p> <p>The City’s Engineering Division requires that completion of roads and services to the lot line in accordance with the requirements of the East Court Residences Subdivision Agreement, prior to the issuance of a Building Permit.</p> |
| Traffic Impact Study (TIS) | <p>A TIS has been approved as a component of the East Court Residences Subdivision; it was not required for the proposed development.</p> |
| Parking, Site Access & Traffic Circulation | <p>Vehicular access to the site is from the future 15th Ave E. Adequate on-site parking is provided at each residence.</p> |

| Engineering Detail | Staff Comments |
|---------------------------|--|
| Pedestrian Access | Pedestrian connections from the City street (future 15 th Ave E) are provided. |
| Landscaping | Standard provisions within the Site Plan Agreement require that no landscaping features, signs or vegetation with a mature height greater than 0.6 m are to be located within the 5.0 m by 5.0 m sight triangles required at all access points. |
| Fees | Payment of the Engineering Review Fee has been included as a condition of Site Plan Approval. A Street Occupation Permit and/or Special Services Application, which may include a Servicing Agreement, will be required prior to any work commencing on City property. |

The City's Engineering & Public Works Department recommends approval of application ST2021-008, subject to the recommended conditions.

City of Owen Sound Fire Prevention Division

Comment has been received from the City's Fire Prevention Division with no objection to the subject proposal.

County of Grey

Comment has been received from the County of Grey with no objection to the subject proposal.

Hydro One

Comment has been received from Hydro One with no objection to the subject proposal.

Historic Saugeen Metis (HSM)

Comment has been received from HSM with no objection to the subject proposal.

Canada Post

Comment has been received from Canada Post with no objection to the subject proposal. Comments received indicate that mail delivery service to the proposed development will be provided through centralized Community Mail Boxes (CMBs). A CMB is located east of the subject lands, adjacent to Block 1 of the East Court Residences Subdivision to serve the proposed development. The owner is responsible for the cost to supply and install CMBs to the satisfaction of Canada Post.

Financial Implications:

The City will require that securities in the amount of \$10,000 be provided under the Site Plan Agreement. As the proposed dwelling units are life lease tenure, payment of City Development Charges in the amount of \$68,453 will be due upon issuance of a Building Permit.

Communication/Consultation:

The application was circulated to various City Departments and our commenting agencies as part of the consultation process. Planning staff have been in communication with the applicant throughout the process.

Attachments:

- Schedule 'A': Orthophoto
- Schedule 'B': Official Plan and Zoning Map
- Schedule 'C': Property Details
- Schedule 'D': Concept Plan – East Court Residences Subdivision
- Schedule 'E': Site Plan
- Schedule 'F': Landscape Plan
- Schedule 'G': Elevations
- Schedule 'H': Conditions of Approval
- Schedule 'I': Agency Comments

Recommended by:

Jacklyn Iezzi, BES, Junior Planner

Reviewed by:

Amy Cann, M. PL. MCIP, RPP, Manager of Planning & Heritage

Reviewed by:

Pam Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Jacklyn Iezzi, Junior Planner at planning@owensound.ca or 519-376-4440 ext. 1250.