

# Planning Justification Report

279 Hill Street, Port Stanley

Municipality of Central Elgin

Morgan Pavia



April 2021

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**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

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## 1.0 INTRODUCTION

Morgan Pavia has made applications to the Municipality of Central Elgin to amend the Village of Port Stanley Zoning By-Law (No. 1507) and permit a Plan of Vacant Land Condominium ('VLC') for the lands at 279 Hill Street in Port Stanley (the "subject lands"). The purpose of the proposed amendment and VLC is to permit the development of 27 townhouse units constructed in three and four-unit blocks with associated resident and visitor parking areas.

The purpose of the following land use Planning Justification Report is to evaluate the proposed Zoning By-Law Amendment (ZBA) and VLC within the context of existing land use policies and regulations, including the 2020 Provincial Policy Statement, the County of Elgin Official Plan, the Municipality of Central Elgin Official Plan, and the Village of Port Stanley Zoning By-law.

### 1.1 THE SUBJECT LANDS

The subject lands are comprised of a rectangular shaped parcel with an area of approximately 0.81 hectares (2.00 acres) on the north side of Hill Street, between East Street and Colborne Street. The subject lands have a frontage of 35.8m (117.5 ft) along Hill Street, with an approximate lot depth of 225.3m (739.2 ft). The subject lands are currently occupied by a single detached dwelling with a detached garage, and has access on Hill Street (Figures 1-3).

Figure 1 – Subject lands (highlighted in red) and surrounding area

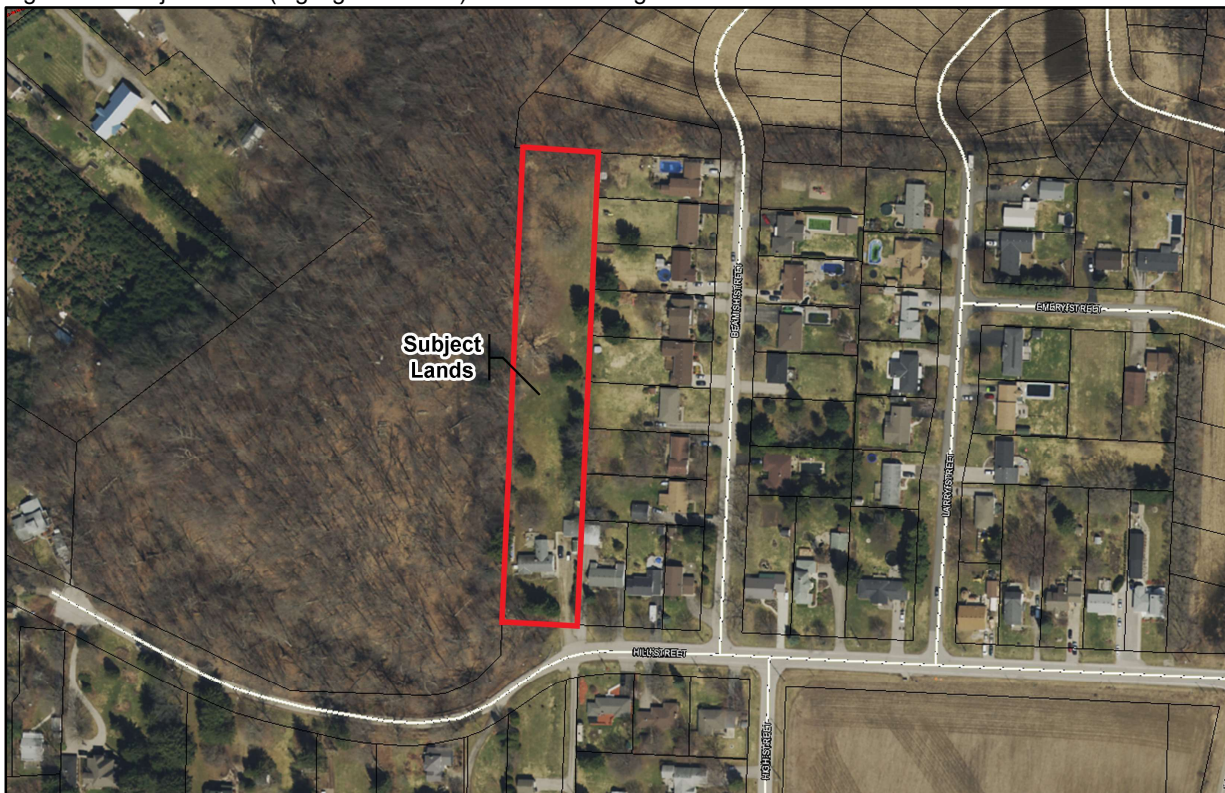


Figure 2 – Google Streetview showing Subject Lands from Hill Street (Dwelling behind trees, Accessory Building shown at right)



Figure 3 – Google Streetview showing Subject Lands from Hill Street (existing dwelling shown)



The southerly portion and along the westerly property line the subject lands slope from east to west down to the creek valley to the west. The majority of the subject lands are generally flat. A finger of trees is located along the front portion of the subject lands which are part of the

larger wooded area to the west. A few trees are located through the subject lands, and a few boundary trees along the easterly property line, and the wooded area running along the westerly property line. The Issues Scoping Report as identified the extent of tree removals required to facilitate the development, and as per the Conservation Authority’s comments, compensation for any tree removals will be provided.

## 1.2 SURROUNDING LAND USES

Surrounding land uses include low density residential (east, south, and north), and open space (west)(see Figures 6-8). Residential lands to the east, north, and south of the subject lands are comprised of single detached dwellings; these dwellings range in size and style. The adjacent dwellings are predominately 1-storey in height, with a few split levels providing 1.5-storey heights. A majority of the adjacent dwellings are clad in brick in a variety of colour with a few dwellings having horizontal siding cladding material. The existing dwelling on the subject lands is clad in horizontal siding. The lands immediately adjacent the subject lands to the east and south, and of an older built form, while the lands to the north are a recently approved and built subdivision with larger, more contemporary homes. The older built areas are on private services, while the newer subdivision has had full municipal services installed.

The lands at the southwest corner of Hill Street, and East Street is currently under construction for a new development consisting of low, medium, and high density uses. The approved building types within this development include, single detached dwellings, townhouse dwellings, and apartment buildings. Once build out is completed this development will bring a mix of land uses to the surrounding area not currently available.

Selbourne Park lies approximately 450m to the west of the subject lands, while Little Creek Park, is approximately 430m to the southeast.

Figure 6 – Hill Street streetscape across from Subject Lands



Figure 7 & 8– Beamish Street streetscape – Dwelling back onto Subject Lands



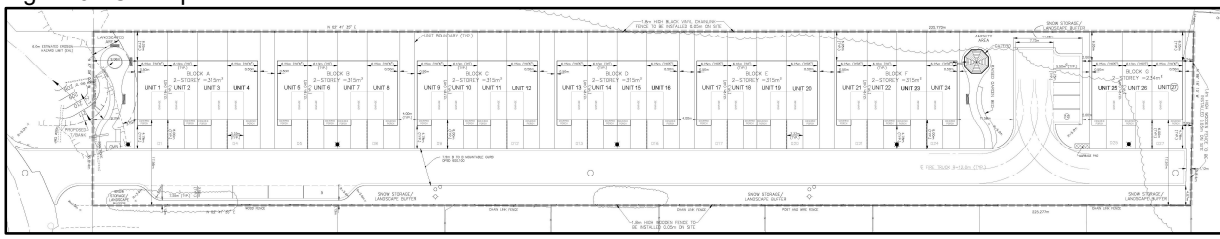
## 2.0 PROPOSED DEVELOPMENT

The subject lands are proposed to be developed for 27, two-storey townhouses in three-unit and four-unit blocks which will front onto an internal private laneway. Conceptual drawings and a render are shown below in Figures 9-12.

The proposed townhouses will be positioned along an internal laneway with private single driveways providing access to each unit and their respective garage. The rear of the townhouses will address the open space area to the west, with appropriate setbacks to mitigate impact to the wooded area. Visitor parking is provided parallel to the laneway immediately north

of the access point to Hill Street, with additional visitor parking providing off the vehicle turnaround towards the north portion of the subject lands. A total of 10 visitor parking spaces are being proposed. A vehicle turnaround is provided towards the north end of the subject lands to allow for emergency vehicle, garbage/recycling truck, and delivery truck movements to avoid the need to back out from the site onto Hill Street. The vegetated area at the front of the property will be retained as much as feasibly possible, with some adjustments to allow for the installation of the community mailbox and amenity features for the development. A landscape strip along the easterly property line will provide for landscaping and snow storage areas. New landscaping and fencing along the easterly property line will further screen the proposed development from the existing single detached dwellings that front onto Hill Street, and Beamish Street.

Figure 9: Conceptual Site Plan



Conceptual cladding materials are proposed to be stone with horizontal and vertical siding. The provided render shows a white and grey colour scheme; however final materials and colour will be determined as part of the Site Plan Approval process, and the current proposal is for discussion purposes. These materials are also found throughout Port Stanley, as siding (wood, vinyl, and cement board) is a popular cladding material in the area.

Figure 10: Conceptual Front Elevation of proposed townhouse dwellings



Figure 11: Conceptual Rear Elevation of proposed townhouse dwellings



The proposed townhouses provide a traditional hip roofline similar to the adjacent single detached dwellings with gables accenting the entrances and upper windows. Each units has a small covered porch over the entrance way to provide residents protection from the elements when entering/exiting their unit.

Each unit will have private outdoor amenity areas to the rear of the units, facing towards the wooded area to the west. Additional common outdoor amenity areas are located at the front of the subject lands addressing Hill Street and providing a buffer from the first block, similar to the buffer provided this area to the existing single detached dwelling on the subject lands, and adjacent the vehicle turnaround towards the north end of the subject lands. Both common outdoor amenity areas will serve as snow storage areas during the winter months.

Each unit will have two parking spaces, one in a private garage, and one in a private driveway. A total of 10 visitor parking spaces are provided along the easterly side of the laneway and off the vehicle turnaround. The development is proposing an excess of visitor parking spaces to mitigate the amount of on-street parking needed for visitors of the development.

A total of 27 residential units are proposed for a density of approximately 34 units per hectare.

Please see attached site plan for additional notes on the proposed development including specific site plan calculations.



Figure 12: Conceptual Rendering of proposed Townhouse Dwellings (for discussion purposes only)



## 2.1 PROPOSED ZONING BY-LAW AMENDMENT

In order to permit the proposed townhouses, an amendment to the Zoning By-Law is required. It is proposed that the subject lands be re-zoned to a site-specific “Residential Zone 2 (R2-(\_))” with special provisions to permit 27 townhouse dwellings with associated private, and visitor parking areas, and outdoor private amenity spaces. Site specific provisions are highlighted in Section 3.4 of this report.

## 2.2 PROPOSED VACANT LAND CONDOMINIUM

The proposed development will be constructed by way of VLC, allowing individual ownership of the units, and their associated rear and front yards. The amenity areas at the front, and towards the rear of the subject lands, along with the common access driveway and visitor parking areas will be common elements within the VLC. Site specific provisions are required to address reduce Lot Areas, and Lot Frontages in order to permit the VLC. Those provisions are highlighted in Section 3.4 of this report.

## 3.0 PLANNING POLICY ANALYSIS

### 3.1 2020 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient, cost-effective development and the protection of resources. All

planning applications, including Zoning By-Law Amendment applications, are required to be consistent with these policies.

In this section, relevant policies are *bordered and in italics* with discussion on how the proposed application is consistent with that policy immediately after:

**Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*

As the townhouse-style housing market in Port Stanley is currently under-served, the proposed development provides an appropriate form of housing to meet the growing demand for this type of dwelling unit in Port Stanley. Providing a denser, more compact form of housing allows for a greater number of persons to live in the proposed development for a lower cost and land consumption rate than less dense forms of housing, such as single-detached dwellings.

The proposed development will make efficient use of existing municipal water and sanitary sewer services, as noted in the submitted *Preliminary Servicing Report*. The provision of townhouse dwelling units can help accommodate people of all abilities and all age groups, removing land use barriers that restrict full participation in society.

**Section 1.1.3.1**

*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

The subject lands are located within and identified settlement area, being the village of Port Stanley, and are an appropriate location for redevelopment.

**Section 1.1.3.2**

*Land use patterns within settlement areas shall be based on:*

- a) densities and a mix of land uses which:
  - 1. efficiently use land and resources;**

*2. 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;*

*a) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated*

**Section 1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

The proposed development contributes to a diversified mix of land uses in a compact form which efficiently uses land and servicing resources. Existing servicing infrastructure is appropriate to accommodate the proposed development and only minor expansion of public services is required, which is planned for in order to provide services to existing dwellings currently on private services.

As the proposed development consists of a greater number of dwelling units than previously occupied the subject lands within the surrounding context of existing development, it is considered to be intensification. The PPS encourages appropriate intensification as a means of accommodating growth in a cost efficient and resource efficient manner. The subject lands are an ideal location for intensification by virtue of their location proximate to open space, and transportation corridors.

**Section 1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

The proposed implementing zoning regulations to permit the proposed development are based on recently approved zoning regulations for similar townhouse dwellings in Central Elgin (R2-4 regulations). The proposed zoning regulations facilitate appropriate intensification in a compact form. The proposed development does not contribute to risks to public health and safety.

**Section 1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

The proposed townhouse dwellings are an inherently compact building form, providing a slightly higher density than the adjacent single detached dwellings. As previously noted, this development makes efficient use of land, infrastructure, and public service facilities.

**Section 1.4.1**

*To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all time the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

The proposed townhouse development provides a form of housing specifically intended to meet the needs of the housing market in Port Stanley, and will provide accommodations for residential growth through redevelopment of underutilized lands. There is sufficient servicing capacity for the proposed development.

**Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

- b) permitting and facilitating:
  - 1. all forms of housing required to meet the social, health, and well-being of requirements of current and future residents, including special needs requirements;*
  - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*

The proposed residential intensification development is intended to provide a type of housing that is desired, but currently lacking, in the marketplace and in a form that is appropriate for the site's context. Appropriate levels of infrastructure and public service facilities currently exist to service the proposed development, including road infrastructure. This higher density form of development efficiently uses land and resources.

**Section 1.6.6.1**

*Planning for sewage and water services shall:*

- a) *direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
- d) *municipal sewage services and municipal water services;*
- e) *integrate servicing and land use considerations at all stages of the planning process;*

**Section 1.6.6.7**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

**Section 1.6.6.7**

*Planning for stormwater management shall:*

- a) *minimize, or, where possible, prevent increases in contaminant loads;*
- b) *minimize changes in water balance and erosion;*
- c) *not increase risks to human health and safety and property damage;*

The proposed development will make efficient use of full municipal services, being the preferred servicing solution for intensification and redevelopment projects. As outlined in a *Preliminary Servicing Report* by CJDLC Consulting Engineers Existing, municipal services have sufficient capacity to accommodate the proposed development.

**Section 1.6.7.1**

*Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.*

**Section 1.6.7.4**

*A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future uses of transit and active transportation.*

The *Traffic Impact Study* prepared by F.R. Berry & Associates concludes that existing road infrastructure is appropriate to accommodate the proposed development, and more specifically that *“the proposed residential development at 279 Hill Street will have no significant impact on the operation of the intersection of East Road and Hill Street.”*

Given the location of the subject lands proximate to Selbourne Park and Little Creek Park, it is anticipated that residents will choose to walk to these proximate locations.

Based on the above, the proposed Zoning By-Law Amendment is consistent with the policies of the 2020 Provincial Policy Statement.

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### 3.2 COUNTY OF ELGIN OFFICIAL PLAN

The subject lands are designated Tier 1 Settlement Area as per Schedule 'A' – Land Use in the County of Elgin Official Plan. **Section B2.6** provides policies regarding new development in existing settlement areas, in that new development shall be a logical extension to the existing built up area, be compact and minimize land consumption, and that adequate services are provided. Policies regarding settlement areas are found in **Section C.1**, which generally provides that residential areas should maximize the use of infrastructure and minimize the amount of land for new development, and ensure compatibility between land uses.

**Section D1.2** provides that development recognize and protect natural heritage features. The Elgin County Official Plan designates the adjacent lands to the west as 'Woodlands'. Through consultation with the Conservation Authority, any impacts to the wooded area will be compensated for. The subject lands are designated for residential development and it is not anticipated that any impacts to the wooded area will have lasting negative effects.

The proposed development is consistent with the policies of the Elgin County Official Plan for the following reasons:

- The proposed development utilizes land in a compact and efficient manner, and is located within the existing built-up area in Port Stanley;
- As discussed in this report, the proposed development is compatible with surrounding land uses, is integrated with existing development, contains a level of density that is appropriate for the area, and is consistent with the local Official Plan. Full analysis and discussion on land use compatibility is provided in Section 4.0 of this report ;
- It has been demonstrated through a *Preliminary Servicing Report*, prepared by CJDLC Consulting Engineers, that adequate services exist to properly service the proposed development.

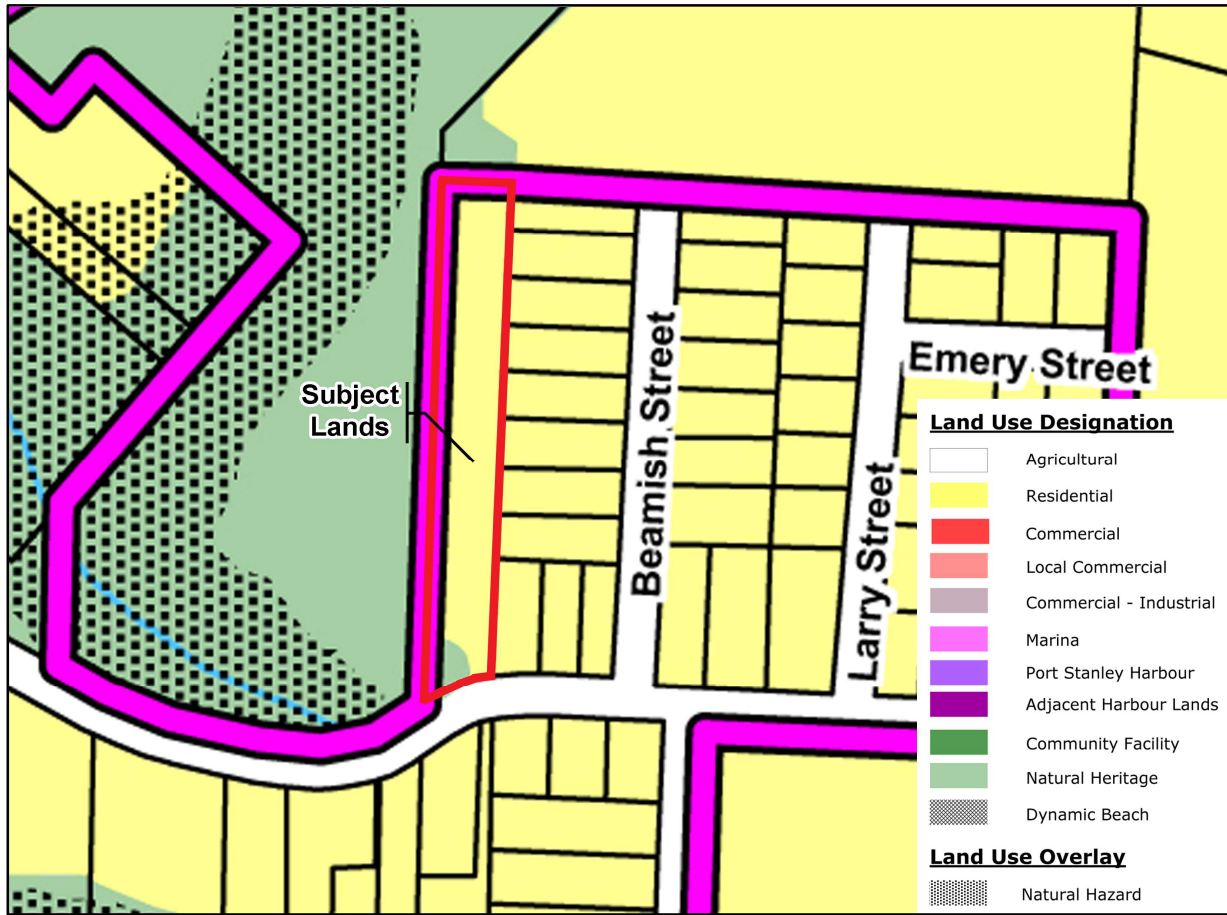
### 3.3 MUNICIPALITY OF CENTRAL ELGIN OFFICIAL PLAN

The subject lands are within the Port Stanley Urban Settlement Area as per Schedule "1" of the Municipality of Central Elgin Official Plan and are further designated "*Residential*" as per Schedule "G" – Land Use (Figure 13). The "*Residential*" designation extends to include lands to the north, east, and south, while the lands to the west are designated as '*Natural Heritage*'.

The proposed development is considered to be residential intensification, as the development seeks to add additional dwelling units to the subject lands. **Section 2.3** provides goals regarding housing and residential intensification. Notable goals are the encouragement of a sustainable mix and range of housing that is required to meet the needs of present and future residents;

encouragement of intensification within built-up areas; and, encouragement of the provision of a full range of housing types and densities to meet demographic and market requirements.

Figure 13 – Municipality of Central Elgin Official Plan – Schedule G



Section 2.3.2 provides specific policies for residential intensification as follows:

- a) Residential intensification shall only be supported within the built up areas of the Urban Settlement Areas identified in Subsection 2.1.1 to this Plan.
- b) Residential intensification shall only be permitted where full municipal sewer and water services exist, and in accordance with the policies of Subsection 2.8 to this Plan.
- c) Residential intensification shall comply with the policies contained within Section 4.0 of this Plan.

The proposed development on the subject lands is consistent with the above noted policies by being located within the built up area; can be serviced by full municipal services; and, as demonstrated through this report, is consistent with the Land Use policies in Section 4.0 of the Official Plan.

**Section 2.13.1** provides policies for healthy communities: development is encouraged to be of a compact urban form that incorporates mixed land uses and promotes active transportation and trip reduction. The proposed development is consistent with the goal of contributing to a healthy community by making efficient use of land in a compact form, incorporating a higher density form of residential use, and provides opportunities for active transportation in the Port Stanley area. Furthermore, residents of the proposed development will be able to enjoy the amenities of nearby public open space including the adjacent valley lands, Selbourne Park, and Little Creek Park; all of which are within short walking distance.

The “*Residential*” designation permits a range of residential uses, including **single detached dwellings** and **townhouse dwellings**, along with ancillary uses such as schools, parks, and places of worship. **Section 4.2.2** provides that medium density residential uses, of up to 35 units per hectare, are permitted within the “*Residential*” designation, subject to additional policies. As the proposed development results in a density of 34 units per hectare, the following section lists the applicable policies *bordered and in italics* of Section 4.2.2 with reasons why the proposed development is consistent with each policy underneath:

1. *The proposed design of the residential development is compatible in scale with the character of surrounding uses;*

The conceptual design of the townhouses is intended to be complimentary to existing buildings in the area through the use of cladding materials and architectural details. The buildings are slightly taller than the abutting 1 & 1.5-storey dwellings to the south, and east, and provide a range of cladding materials that are already present in the immediate area. As further analyzed in Section 4.0 of this report, the proposed development is compatible in scale and character with surrounding land uses.

2. *The site is physically suited to accommodate the proposed development;*

As shown on the conceptual site plan, the subject lands provide ample space for the proposed development, required parking, and amenity areas. The *Preliminary Servicing Report* and *Traffic Impact Statement* demonstrates that the lands and available infrastructure are physically capable of appropriately accommodating the proposed development.

3. *The proposed site can be serviced with adequate water supply and sanitary sewage disposal in accordance with the policies contained in Section 2.8 of this Plan;*

As demonstrated in the *Preliminary Servicing Report*, the proposed development can be fully serviced with existing municipal services.

4. *The property shall have direct access to an arterial or collector road maintained to a municipal standard with capacity to accommodate traffic generated from the site;*



The subject lands have frontage on Hill Street which is designated as a Local Road from the subject lands to Larry Street, approximately 170m (558 ft) to the east, where it switches to a Collector Road until it reaches an East Street, an arterial. Both Beamish Street, and Larry Street are designated as Local Roads; however, both roadways have since been extended and connected to the new subdivision to the north resulting in a slight increase in traffic. It is anticipated a similar minor increase in traffic will result from the proposed development along Hill Street. A *Traffic Impact Statement*, prepared by F.R. Berry & Associates provides that there will be no significant impacts to traffic along Hill Street and the intersection of Hill Street and East Street will continue to operate within the planned for range and no improvements are warranted at this time. While Hill Street directly in front of the subject lands is not an arterial or collector road, it has been demonstrated that the proposed development will not impact traffic flow of the existing neighbourhood.

5. *Sufficient off-street parking facilities is provided in accordance with the standards set out in the Zoning By-law; and*

The proposed development provides all required off-street parking to meet current zoning standards. The units require a total of 41 parking spaces (27 units @ 1.5/unit = 41 spaces) and visitor parking requires 3 parking spaces (27 units @ 1 space for every 10 units), for a total parking demand of 44 spaces, whereas 64 parking spaces are provided.

6. *Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts.*

The proposed development is compatible with surrounding uses (see discussion in Section 4.0 of this report) and traffic impacts have been addressed through the *Traffic Impact Statement*. The townhouses will not be a source of any significant noise or visual impacts.

Policies to evaluate the design of the proposed development are laid out in **Section 2.10.3.1**. These policies provide that development applications will be reviewed to ensure that new development is designed to:

- Remain in keeping with the traditional character of the Settlement Areas in a manner that both preserves their traditional community image and enhances their sense of place within Central Elgin;
- Promote cost effective and efficient land use patterns;
- Be respectful of traditional street patterns and neighbourhood structure; and
- Will encourage tree retention/replacement and open space enhancements.

The proposed development has been designed to be compatible with adjacent land uses and minimise any potential impacts. The treed area along the front portion of the subject lands is proposed to be retained as much as feasibly possible which will screen the proposed structures

from the roadway similar to how the existing dwelling is screened currently. The landscape strip along the easterly property line will provide opportunities for mature tree retention and new plantings will further screen the proposed townhouses from the adjacent low density uses. The proposed development will use an underutilised parcel for an intensification project that will take advantage of land and servicing resources. Any tree loss through the development of these lands will be compensated for. Specific details of the proposed buildings, including architectural treatments, cladding materials, landscaping, can be implemented through the Site Plan Approval process.

The Zoning By-Law Amendment seeks to intensify underutilized lands and make efficient use of space and existing services. Section 4.0 of this report provides analysis concluding that the development is compatible with surrounding land uses, will not create undue adverse effects in the area, and is a desirable addition to the Port Stanley community. As such, the proposed Zoning By-Law Amendment to permit the development of townhouse dwellings on the subject lands is consistent with the intent and policies of the Central Elgin Official Plan.

### 3.4 MUNICIPALITY OF CENTRAL ELGIN ZONING BY-LAW

The subject lands are currently zoned “*Open Space Zone (OS2)*”, in the Municipality of Central Elgin Zoning By-Law (Figure 14).

The “*Open Space Zone (OS2)*” is intended to regulate open space uses including parkland, while permitting the existing single detached dwelling. The subject lands are designated for residential development, and as such, the current zoning does not implement the planned function of the subject lands.

The existing zone on the subject lands do not permit the proposed development. As such, a Zoning By-Law Amendment is being sought to re-zone the “*Open Space Zone (OS2)*” to a special provision “*Residential Zone 2 (R2-(\_))*”, to permit the proposed development.

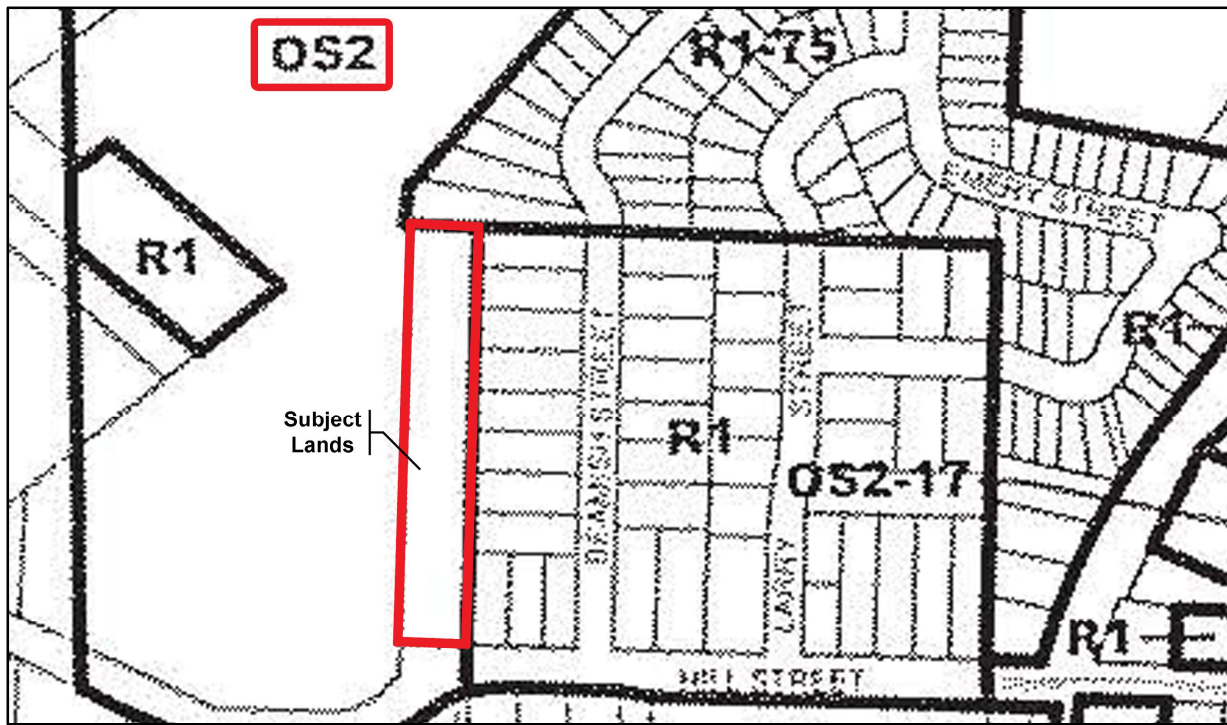
As the *R2-4* zone was recently approved in Port Stanley to permit townhouse dwellings, it is being used as a template for the implementing zone for townhouses on the subject lands.

Special provisions for the proposed “*Residential Zone 2 (R2-(\_))*” will include:

<b>R2-(_)</b> Zone Regulation	<b>Proposed</b>
Permitted Use	Townhouse Dwellings
Lot Area (Site)	8,080 m <sup>2</sup>
Lot Area (Unit)	147 m <sup>2</sup>
Minimum Lot Frontage (Site)	35 m

Minimum Lot Frontage (Unit)	6.1 m
Maximum Density	35 UPH
Maximum Building Height	2 Storeys
Lot Coverage (Unit)	66.0% max
Minimum Front Yard Setback (Site)	9 m
Minimum Side Yard Setback (Site)	6.0m (west)/17.0m (east)
Minimum Rear Yard Setback (Site)	2.0 m
Minimum Front Yard Setback (Unit)	4.78m (Porch) 6.00m (Garage)
Minimum Side Yard Setback (Unit)	0.00m (End unit adjacent common areas)
Minimum Rear Yard Setback (Unit)	6.05m (to west property line of the site)
Parking Space Dimensions	Parallel: 2.5 m x 7.25 m Perpendicular: 2.75 m x 5.5 m
Permitted Setbacks for deck	1.0m from west property line 2.0m from north property line

Figure 14 – Municipality of Central Elgin Zoning By-Law – Schedule A (excerpt)



The unit specific provisions noted in the previous table are required to facilitate the proposed VLC, in order to allow for private ownership of the respective units and their associated yards, and parking.

Considering the land use designation (Residential), existing use (single detached residential), adjacent land uses (residential and open space), and the context of the subject lands, the proposed Zoning By-Law Amendment represents a more efficient use of land in a manner that, as discussed in Section 4.0 of this report, is compatible and desirable for the area.

## **4.0 LAND USE COMPATIBILITY**

The proposed Zoning By-Law Amendment seeks to permit 27 townhouse dwellings on the subject lands. This section outlines how the proposed development is compatible with the surrounding land uses.

### **4.1.1 Abutting Land Uses**

Land uses abutting the subject lands are residential (north, east, and south), and open space (west). The residential uses to the east and south are in the form of single detached dwellings, primarily 1-1.5 storeys in heights, with brick or siding of various colours. The residential use to the north is a newer build subdivision with single detached dwellings ranging in height from 1-2 storeys, and clad in materials including stone, stucco, brick, siding, and Hardie board of varying styles and colours.

The open space lands to the west are wooded valley lands which slope downwards away from the westerly property line of the subject lands. A small finger of trees extends from this wooded area across the front of the subject lands screening the existing dwelling from Hill Street.

The proposed townhouse dwellings are positioned along the westerly side of the subject lands, away from existing low density residential uses to the east, and abutting the open space area. Placing the buildings in these locations limits the impact (visual and otherwise) of the development on lands to the east while the trees at the front of the subject lands serves as a buffer with low density residential uses to the south. The laneway, visitor parking, and landscape strip further buffers the proposed buildings from the private rear amenity spaces of the adjacent dwellings to the east. New landscaping and fencing details will be confirmed through the Site Plan Approval process. The relationship between the proposed 2-storey townhouses and the single detached dwellings on the west side of Beamish Street is compatible.

The amenity of open space is not anticipated to be impacted by the proposed development. Any impacts to the trees in this area will be compensated for through the SPA process.

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### **4.1.2 Intensity of Use**

Intensity of use incorporates several factors, including the general nature of use, intended users, number of users, and the activity level of those users. The proposed development contains a single use, consisting of townhouse dwellings. The proposed development will provide a total of 27 dwelling units which correspond to a residential density of 34 units per hectare (UPH), which is generally considered to be medium density. With the approval of the Plan of Subdivision at the southwest corner of Hill Street and East Street, it has been demonstrated that medium density uses are appropriate to interface with low density residential uses, and furthermore, that there are opportunities to properly interface low density uses with high density uses. The proposed medium density development has properly sited the buildings, to minimise overlook on to adjacent properties, and the number of units proposed is consistent with density policies of the medium density range. The number of units is further supported by the provided TIS and FSR which concludes no adverse impacts on the function of Hill Street or infrastructure systems.

### **4.1.3 Scale and Massing**

The two-storey height of the proposed townhouse dwellings is a slight increase from the abutting one and 1.5-storey dwellings to the east, and matches the two-storey dwellings to the north.

Conceptual building elevations show a complimentary built form with hip roof, and gables similar to the adjacent dwellings. This design serves to provide a form similar and compatible with the design of the adjacent dwellings. While an increase in scale over what currently exists in the surrounding area, the proposed building design, is compatible with abutting development.

### **4.1.4 Traffic**

A *Traffic Impact Assessment*, prepared by F.R. Berry & Associates, examines the impact of the proposed development on the function of Hill Street and the intersections of Hill Street with East Street. The study projects traffic volumes to the year 2028, and concludes that the proposed development will not have a significant effect on existing traffic flow and that the intersection noted will continue to function at a good level of service without the need for any roadway or intersection improvements.

## **4.2 KETTLE CREEK CONSERVATION AUTHORITY**

Through consultation with the Kettle Creek Conservation Authority, it has been noted that any tree loss as a result of the development is to be compensated for. The extent of the loss has been determined through the Issues Scoping Report. Compensation will be determined through the Landscape Plan and potential monetary donations.

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### **4.3 PORT STANLEY COMMUNITY INVESTMENT CONSIDERATIONS**

The proposed development will incur development charges, as per the Municipality of Central Elgin's development charges by-law. The residential units will generate approximately \$254,436 in applicable development charges (at a rate of \$9,087.00 per unit). Development charges are utilized to improve existing services in community, including water, sewer, recreation facilities, and libraries.

### **4.4 RESPONSE TO COMMENTS**

This report, and provided site plan have been revised from the initial submission following meetings/discussions with municipal staff on the original submission. Concerns regarding density, compatibility, snow storage, garbage pick-up, and interface with existing uses were raised by staff. This revised submission attempts to address those concerns.

The revised plan removed one unit from the rear most block of townhouses, dropping the unit count from 28 units to 27 units. This unit reduction decreased the proposed density from 35 uph to 34 uph. The removal of the single unit also provided addition common outdoor amenity areas, and visitor parking was able to be relocated from the easterly side of the subject lands, to a bank of spaces adjacent the vehicle turnaround. By relocating the visitor parking a 4.0m wide landscape strip is proposed along the easterly property line. This landscape strip will provide for opportunities for mature tree retention and an area for new landscaping. Existing and new tree plantings will provide a screen of the townhouse dwellings from the adjacent low density uses.

The common outdoor amenity areas will be used for snow storage during the winter months. The easterly landscape strip also provides a secondary snow storage area. Garbage pick-up will be curb-side for all units, except the last block at the north end of the property. A concrete pad adjacent the vehicle turnaround will be a designated pick-up point for those three units. The garbage truck will be able to access this pick-up location while completing the turnaround maneuver.

Based on the above the revised plan addresses staff's comments, by decreasing the unit count and overall site density, increasing the amount of amenity area, and snow storage, defines an appropriate garbage pick-up strategy, and provides a significant landscape buffer strip to screen the proposed development from surrounding land uses.

### **5.0 CONCLUSIONS**

The proposed Zoning By-Law Amendment and Vacant Land Condominium to permit the development 27 townhouse dwellings, is an efficient and desirable use of the underutilized subject lands. The buildings have been demonstrated to be compatible with surrounding land

uses and will not create undue negative effects for adjacent residents. The addition of residential units in the area will have a positive effect in the local economy and will generate significant development charges that may be used to improve services in the community.

The proposed Zoning By-Law Amendment and Vacant Land Condominium is consistent with the policies and intent of both the County of Elgin Official Plan and the Municipality of Central Elgin Official Plan. The practice of intensification on underutilized lands while making efficient use of existing municipal services is consistent with the policies of the 2020 Provincial Policy Statement. The proposed development is desirable for the subject lands and represents good planning practice.