

### Statement of Anticipated Evidence – Jim McCoomb

It is anticipated that Jim McCoomb will provide the following evidence:

1. He is currently employed as Manager of Planning Services for the City of St. Thomas.
2. A photocopy of his current Curriculum Vitae is attached as Schedule "A" to this Statement. The Curriculum Vitae refers to prior qualification as an expert witness before the Ontario Municipal Board and Local Planning Appeal Tribunal and provision of opinion evidence within hearings before those bodies.
3. Pursuant to a services agreement between the Municipality of Central Elgin and the City of St. Thomas, he, among others, provides planning services to the said Municipality of Central Elgin – in this regard, when he provides planning services to the Municipality of Central Elgin, he does so as its Manager of Planning Services.
4. Records for the St. Thomas Planning Department reveal that, in 2004, the principal of the current developer advised that he had purchased the lands at the intersection of William Street and Edith Cavell Boulevard in the Community of Port Stanley and, at that time, he was considering a development involving single detached dwellings along the Edith Cavell Boulevard frontage and up to two (2), four (4) or five (5) storey apartment buildings on the balance of the property. Through only informal discussions, planning staff recommended that only one centrally located apartment building be constructed, incorporating one (1) or two (2) levels of parking decks with dwelling units above, that an outdoor activity area be established, and that, overall, significant buffering landscaping be planned.
5. He first became aware of and involved with the proposed development at 146-156 William Street, Port Stanley, Ontario, through a mandatory pre-consultation process with the principal of the landowner/proposed developer Prespa Construction Ltd. The general purpose of pre-consultation is disclose/review of the nature of any proposed development, identification of possible planning applications required for such development, and an opportunity to provide comment with respect to element or elements of the proposed development relative to planning issues.
6. With respect to the development relevant to this hearing, the pre-consultation process involved two (2) meetings, one on November 26, 2014 and the second on February 3, 2015. During the first meeting, the developer and its representatives proposed an eight (8) storey apartment building fronting on William Street, including a one (1) storey commercial component along the William Street frontage. The frontage along Edith Cavell Boulevard includes a pool facility with associated deck, terrace, and washroom/change room facility. During the second consultation meeting, the development concept proposed involved a nine (9) storey apartment style building, still fronting on William Street and still incorporating a one (1) storey commercial element on William Street – the proposed pool and amenity area along Edith Cavell Boulevard was replaced with three (3) detached residences, similar in appearance to other units being constructed immediately to the west.

7. During the course of the pre-consultation process, I personally cautioned the landowner/developer representative against simply maximizing construction on the site, specifically suggesting that a development appropriate for the site be designed and that resident amenities be incorporated into the concept.
8. By correspondence dated March 3, 2015, the developer was advised that the then current development proposal was considered premature, specifically citing the following factors:
  - (i) Lack of consideration of stormwater management;
  - (ii) The possible need for parkland dedication and road widening along Edith Cavell Boulevard, and;
  - (iii) A lack of compliance with Official Plan Policies regarding mixed use developments and keeping with scale and character of surrounding development.

A photocopy of the said correspondence is attached as Schedule "B" to this Statement.

9. An application for re-zoning of the lands comprising 146 – 156 William Street, Port Stanley, Ontario was received by St. Thomas Planning Department, on behalf of the Municipality of Central Elgin, from the Planning Consultant retained by the landowner/developer on or about October 19, 2015. The application for zoning by-law amendment contemplated approval for and eventual construction of a single nine storey condominium building and three (3) detached dwellings. The Zoning By-Law Application Form was supported by, amongst other documentation, a Planning Justification Report, Preliminary Servicing Report, Traffic Impact Study, Shadow Impact Study, and Preliminary Site Plan.
10. A photocopy of the Application for Zoning By-Law Amendment is attached as Schedule "C" to this Statement.
11. In accordance with provisions in the Planning Act, R.S.O. 1990, c. P 13, as amended, and by letter dated October 19, 2015, he sought input from the Municipality of Central Elgin as to completeness of the Zoning By-Law Amendment Application.
12. On October 27, 2015, an email was received from Steve Evans, Manager of Planning Services for Elgin County, which confirmed receipt of an inquiry for a condominium plan for the subject property but advised that there was insufficient information, including as to detail of proposed units, to allow for final application or consideration of such application.
13. On or about November 12, 2015, the subject Zoning Application was found to be incomplete due to the absence of a required geotechnical report detailing soil conditions and the acceptability of such soils to support the proposed apartment building.
14. The required geotechnical report was received via email on November 18, 2015, and the Zoning By-Law Amendment Application was deemed complete on December 1, 2015.
15. He prepared a preliminary Planning Report in respect of the Application for Zoning By-Law Amendment, dated January 12, 2016, providing general comment on planning merits of the proposed nine-storey development and otherwise recommending scheduling of a statutory



public meeting. It is noted that the said Planning Report raised concerns with respect to compatibility of the proposed nine-storey building with the surrounding building, which is predominately comprised of one and two storey buildings.

16. A photocopy of the preliminary Planning Report, dated January 12, 2016, is attached as Schedule "D" to this Statement.
17. The preliminary Planning Report was presented to and considered by Municipal Council at its meeting held January 18, 2016. Due to public interest in the subject application, Council directed staff to arrange a Public Meeting at a larger venue.
18. A public meeting for the subject Application and the then proposed development was scheduled for the Port Stanley Arena and Community Centre on March 1, 2016. He is aware that Notice of such Meeting was prepared and thereafter delivered to individuals and/or entities in accordance with the process of the Planning Act or its Regulations and otherwise published in newspapers of local circulation.
19. A photocopy of the said Notice of Public Meeting and Affidavit of Service in respect of delivery thereof is attached as Schedule "E" to this Statement.
20. The Public Meeting for the subject Application and then development was held, as scheduled, on March 1, 2016. He did personally attend upon such Meeting and made a brief presentation as to planning merits and in keeping with the contents of his Planning Report attached as Schedule D to this Statement. He does otherwise recall that the Meeting was well attended, attracting in excess of an estimated 200 individuals and that the majority of comments made were in objection to the proposal as presented, most often citing reasons of extreme height and/or an incompatibility with the character of the Community, and neighbourhood.
21. Subsequent to the Public Meeting, the developer and his planning consultant indicated a desire to reconsider and, potentially, revise the proposed development in light of the public opposition expressed during the said Meeting. As a result, consideration of the Zoning By-Law Amendment Application by Council is deferred.
22. Concurrently, the developer and its planning consultant proposes a land exchange with the Municipality, the result of which would be a reconfiguration and enlargement of the public park at the northwest corner of the intersection of William Street and Edith Cavell Boulevard and the acquisition of a strip of land along the north side of Edith Cavell Boulevard (west of William Street) required for road widening – by the land exchange, the developer would acquire title to lands along the Edith Cavell Boulevard frontage which would facilitate a revised development plan. Eventually the Municipality and the developer reached a consensus to proceed with the land exchange although the Municipality was clear that its agreement with such exchange ought not to be interpreted as support of or consent to any specific development plan, original or revised.
23. By email received June 8, 2016, from the developer's planning consultant, he received a concept plan for a revised development incorporating two (2), five (5) storey apartment buildings

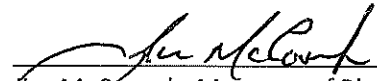
“framing” the intersection at William Street and Edith Cavell Boulevard. The email noted that the proposal presumed completion of the land exchange that resulted in a larger parkette.

24. A photocopy of the concept site plan for the revised development is attached as Schedule “F” to this Statement.
25. On June 21, 2016, he attended a meeting of Municipal and developer representatives to allow the revised concept to be introduced and discussed. Although the general reaction from Municipal representatives was positive, there was no commitment to any position of support until more details were provided and the revised plan was the subject of a formal resubmission with a view to a further Public Meeting.
26. In October, 2017, with the support of senior Municipal staff, and at the original request of the developer’s planning consultant, he facilitated a meeting between the developer and the Port Stanley Village Association. A meeting was eventually scheduled for and held on January 22, 2018.
27. In December, 2017, he was contacted by the planning consultant for the developer, who advised that the developer intends to file an appeal prior to year-end, citing the failure of the Municipality to make a decision on the original application within the time period provided in the Planning Act (Ontario).
28. He learned that the developer’s appeal was filed by the developer on January 2, 2018, the first business day for the Municipal Office following December 31, 2017.
29. He attended at the meeting between the developer and the Port Stanley Village Association on January 22, 2018, but, at the direction of the Municipal Solicitor, only for purposes of observation and clarification of factual matters.
30. In August, 2018, he provided assistance and guidance to the Municipal Solicitor in preparation for the Pre-Hearing Conference scheduled for August 22, 2018.
31. He attended at the Pre-Hearing Conference on August 22, 2018, and provided assistance and input to the Municipal Solicitor in respect of planning issues and scheduling related to the appeal.
32. On or about October 10, 2018, he received and reviewed a photocopy of Procedural Order No. 1 issued with respect to this appeal, including the various deadline dates contained therein.
33. On or about November 13, 2018, he received documentation detailing the proposed revised development from the developer’s planning consultant, including Concept Drawing and Plans, a Planning Justification Report (updated), Preliminary Servicing Report, Traffic Impact Assessment (updated), and Access to Sunlight – Sun Study (updated)
34. He subsequently reviewed the documentation submitted in support of the revised development proposal in relation to planning principles, concepts, and documents and thereafter prepared a

comprehensive Planning Report to reflect my analysis and opinion in respect of relevant planning issues.

35. A photocopy of such comprehensive Planning Report, dated January 11, 2019, is attached as Schedule "G" to this Statement.
36. Also attached to this Statement as Schedules "H" and "I" are photocopies of the Peer Review Reports (Agar; Bumstead) as referred to in the recent Planning Report.
37. It is his opinion that, although consistent with relevant and/or applicable policies in both the 2014 Provincial Policy Statement and the County of Elgin Official Plan, the proposed revised development does not comply with policies in the Central Elgin Official Plan relating to scale and character of the area and surrounding uses and adequacy of on-site parking. The scale and massing of the proposed development will, in his opinion, result in an unacceptable adverse impact on the character of the surrounding neighbourhood and streetscape. For this reason, he is of the opinion that the proposed development does not represent sound land use planning.

Date: January 30, 2019

  
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Jim McCoomb, Manager of Planning Services  
For the City of St. Thomas

## **SCHEDULE A**

9 Grandview Crescent, London, Ont. N6K 2Y3  
Work: (519) 631-1680, Ext. 4188; home: (519) 641-3960

## **James D. McCoomb, BA, MCIP, RPP**

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<b>Experience</b>	<b>2018 – Present</b>	<b>St. Thomas Planning Department, City of St. Thomas, ON</b> <b>Manager of Planning Services</b>
		<ul style="list-style-type: none"><li>• Manage the plan review function for all development applications within the City;</li><li>• Provide supervision of the Planning Services function including the Planner and the Senior Planning Technician staff involved in the review and processing of development applications;</li><li>• Collaborate with other departments, staff and external stakeholders to identify and implement continuous improvement opportunities with respect to the delivery of the development review function and associated customer service;</li><li>• Provide planning recommendations and advice to the Director, Planning &amp; Building Services, Council, other departments and the public on a wide variety of planning matters;</li><li>• Undertake and assign policy research and special planning studies/reports related to land use and development as required;</li><li>• Develop and manage the annual priorities for the Planning Services function based on key performance indicators;</li><li>• Manage the interpretation and ongoing maintenance of municipal planning documents and policies including Official Plans and Zoning By-laws;</li><li>• Provide support to Building Services staff on matters related to the interpretation and implementation of the City zoning by-law;</li><li>• Provide professional planning evidence at the Ontario Municipal Board/Local Planning Appeals Tribunal on planning matters as required.</li></ul>
	<b>2000 – 2018</b>	<b>St. Thomas Planning Department, City of St. Thomas, ON</b> <b>Planner</b>
		<ul style="list-style-type: none"><li>• Provide a full range of land use planning services to City Council and, by agreement, to the Council of the Municipality of Central Elgin;</li><li>• Review and process development applications including Official Plan and Zoning By-law amendments;</li><li>• Preparation and presentation of planning reports and recommendations to Council on a variety of planning matters;</li><li>• Preparation of presentations on land use planning matters to Council and the public;</li><li>• Review Committee of Adjustment, Land Division Committee and site plan applications and provide timely and thorough reports on planning considerations and recommendations;</li><li>• Assist in the interpretation and ongoing maintenance of municipal planning documents including Official Plans and zoning by-laws;</li><li>• Provide land use planning advice, information and direction concerning municipal land use policies and procedures to the general public, development industry, government agencies and other municipal staff;</li></ul>

- Undertake policy, research and special planning studies/reports related to land use and development matters as required
- Provide expert witness testimony and represent municipal interests at the Ontario Municipal Board and other tribunals as required.

1989 – 2000                      Kettle Creek Conservation Authority, St. Thomas, ON  
**Planning Coordinator**

- Provided review and comment on land use planning applications and proposals with regards to Conservation Authority policies and procedures;
- Maintained Authority planning policies to keep current with Provincial planning reform initiatives;
- Attended public meetings and hearings to make presentations to various councils, boards and committees on behalf of the Authority;
- Performed site inspections and liaise with property owners with respect to planning application review and regulations enforcement;
- Administration of the Authority's Shoreline Management Program to review and comment on land use planning matters along 27 kilometres of Lake Erie shoreline;
- Administration and enforcement of the Authority's regulations made under Section 28 of the Conservation Authorities Act;
- Administration and enforcement of regulations made under Part VIII of the Environmental Protection Act (Private Sewage Disposal) in Middlesex County as a program inspector/evaluator and Provincial Offences Officer (until 1999);
- Preparation of reports, studies and policy documents relative to the planning and regulations program areas of the Authority.

1988 – 1989                      Simmons and Tapping Corporation, London, ON  
**Assistant Planner**

- Preparation of Official Plans, Zoning By-laws and amendments for municipal clients;
- Preparation of plans of subdivision and condominium;
- Preparation of planning impact analysis in support of development proposals;
- Data collection, analysis and interpretation for reports and studies;
- Preparation of exhibits and displays of development proposals for presentations to public, committees and Councils;
- Preparation of land use feasibility studies, market area analysis and demographic studies;
- Assisted the Senior Planner with specialized assignments as required;
- Assisted the real estate appraisal department with the planning aspects of real estate appraisals including "highest and best use" analysis;
- Conducted property searches at the local registry offices as required for projects or to assist in appraisals.

- Education**
- Bachelor of Arts Degree (Honours Geography – Urban Development)**  
University of Western Ontario, London, ON, 1985.
- Major course emphasis included urban geography, municipal planning, urban economics, planning law, transportation planning, political science, cartography, computer science and business.
- Municipal Administration Program**, Association of Municipal Clerks and Treasurers of Ontario, Fanshawe College, London, Ontario, 1988.
- Major course emphasis included municipal administrative structures, municipal budgeting and financial controls, planning, municipal/provincial relations and municipal law.
- Professional Associations**
- I am a Registered Professional Planner (RPP) with full membership in the Canadian Institute of Planners (CIP) and the Ontario Professional Planners Institute (OPPI)
- Community**
- Active in my church parish ministries including as an usher and reader.  
Served on the organizational committee for the Thames Talbot Land Trust.

## **SCHEDULE B**



## Central Elgin Planning Office

P.J.C. Keenan  
Director of Planning

9 Mondamin Street  
St. Thomas, Ontario  
N5P 2T9

633-2560 or  
631-1680, ext. 4186  
633-6581 (fax)

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March 3, 2015

Prespa Homes  
8750 Centennial Road  
St. Thomas, Ontario  
N5P 3S6

Attention: Frank Sharifi:

**Re: Proposed Condominium Development  
146-156 William Street, Port Stanley**

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Further to our meeting of February 3<sup>rd</sup>, 2015 and the e-mail correspondence from Ron Delanghe dated February 12<sup>th</sup>, 2015, we have reviewed the concept plans for the proposed three additional lots fronting onto Edith Cavell Boulevard. Please be advised that we feel the proposal is premature and therefore cannot recommend that Council support it at this time. The reasons for this are as follows:

- i. The Stormwater Management policies contained within Subsection 3.3.2 of the Municipality of Central Elgin Official Plan require that a Stormwater Management Concept Plan be prepared where a subwatershed study or master drainage plan has not been completed (as is the case with the subject lands). Further, in order to demonstrate how the recommendations of the Stormwater Management Concept Plan will be implemented, a Stormwater Management Functional Report must also be completed. In relation to this proposal to develop three more lots on the southern portion of the property, the current proposed high rise and associated parking lot will add considerable impervious surface to the lands. Until an assessment of the stormwater management needs (quality and quantity) is complete, it may be premature to consider further development, and hardening, of additional lands on the site. It is noted that the subject lands fall within the Intake Protection Zone 2 (IPZ2) for the Lake Erie Primary Water Supply.

In addition to management of stormwater internally on the site, the Municipality will be seeking confirmation of the adequacy of the existing storm sewer infrastructure within the area to determine if it is suitable to accommodate anticipated flows from the site. The municipality has undertaken a stormwater study for the Erie, William and Edith Cavell Boulevard area. The proposed development is located within the study area. This study reviewed the sizing, condition and elevation of existing stormwater collection

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systems in the area. As a result of the study a final design has been completed and the implementation of the design will commence in the fall of 2015 subject to budget approval. We would note however, that design of the collection system was based on the existing conditions and did not anticipate any redevelopment of existing lands or increased runoff. Due to the foregoing, it is imperative that a Stormwater Management Concept Plan be undertaken to determine the quality and quantity control measures that will need to be implemented to support the proposed redevelopment of the subject lands.

- ii. It was noted at our February 3<sup>rd</sup> meeting that the Municipality may require that a parkland dedication be provided as a condition to this development for the purpose of enlarging Why Not Park, located adjacent to the subject lands. The Edith Cavell Boulevard/William Street intersection is a major transportation node within the community and focal point of tourist activity. The Municipality and the local Business Improvement Association are currently planning for improvements to Edith Cavell Boulevard and the intersection to improve traffic flow and the streetscape. Enhancement of Why Not Park is seen as means to further the Municipality's and community's interests in this regard.
- iii. The Official Plan also contains policies for Port Stanley dealing with mixed use development, which include the provision of open space amenities, landscaping and buffers. The proposed development of three additional lots could detract from the ability to meet these criteria, by removing land that could otherwise be used to provide outdoor amenity areas for the benefit of the future residents. The provision of outdoor amenity space could also help in meeting Healthy Communities goals and policies set out in Subsection 2.13 of the Plan.

It was noted during our last meetings that the proposed high-rise development has now reached a total of 9 stories. This will be significantly taller than all other development within Port Stanley, and in particular the existing development within the immediate area. In considering the future use of the lands adjacent to Edith Cavell Boulevard, you may wish to consider how further intensification of development on this site may impact on your ability to meet Official Plan policies for new medium or high density developments, particularly with respect to how the proposed design of the development is compatible in scale with the character of surrounding uses.

If there are any questions regarding any of the above, please do not hesitate to contact the undersigned.

Yours truly,

Jim McCoomb  
Planner

cc. D. N. Leitch, CAO-Clerk, Municipality of Central Elgin  
L. Perrin, Director of Physical Services, Municipality of Central Elgin  
D. Lyle, CJDLC Consulting Engineers  
H. Froussios, Zelinka Priamo Limited  
R. Delanghe, Lerner's LLP  
S. Evans, County of Elgin

## **SCHEDULE C**



The Corporation of the Municipality of

# Central Elgin

## ZONING BY-LAW AMENDMENT APPLICATION

### REQUIREMENTS FOR A COMPLETE APPLICATION:

Note: Until the Municipality of Central Elgin has received the information and material requested herein (as required under subsections (10.1) and (10.2) of Section 34 and any fee under Section 69(1) of the *Planning Act*), the application will be deemed incomplete and the time periods referred to in sections 34(10.7) and 34(11) of the Act will not begin. Please ensure your submission includes:

### OFFICE USE ONLY

Date Stamp – Date Received:

**OCT 19 2015**

Fee Paid: ☒ Yes ☐ No

- 1. The completed application form and declarations as required under subsection 34 (10.1) (10.2) of the *Planning Act*.
- 2. 1 copy of sketch/plan showing **EXISTING** and **PROPOSED** building(s) and structure(s) on subject lands, where applicable. Sketch is to include, for each existing and proposed building or structure, the location including setbacks from lot lines, height and dimensions (or floor areas) in metric units. See Section 22 of this application for more detail.
- 3. Application Fee made payable to "The Municipality of Central Elgin".
- 4. A Letter of Authorization from the Owner (with dated, original signature) OR completion of the Owner's Authorization on page 7, if the Owner is not filing the application.
- 5. Other information identified through Pre-consultation.

### PLEASE LIST THE REPORTS OR STUDIES THAT ACCOMPANY THIS APPLICATION (supply two copies of each):

Note: This section applies to all reports that may have been identified as a result of any pre-application consultation meeting as studies required for a complete application.

Shadow Study (renderings only)

Planning Justification Report - Zelinka Priamo Ltd. - William Haas Architects

Traffic Impact Statement - F.R. Berry & Associates

Functional Servicing Report - CJD Consulting Engineers

### About Pre-Consultation

Prior to submitting this application for a Zoning By-law Amendment to the Municipality of Central Elgin, a proponent is required to consult with relevant staff. Pre-application consultation is intended to facilitate early discussions between the proponent and staff pertaining to the application, and to allow staff to assist in determining the specific reports, studies and information that may be required to be submitted together with the application form as part of a complete application. Has pre-consultation occurred?: ☒ Yes ☐ No

Date of Pre-Consultation: Nov. 26, 2014

Staff Contact: Jim McCoomb

### THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

Central Elgin Planning Office

9 Mondamin Street, St. Thomas, Ontario N5P 2T9

Telephone: 519-633-2560

Facsimile: 519-633-6581

Personal information is collected under the authority of the Planning Act and will be used only for the purposes of considering and reviewing your application.



The Corporation of the Municipality of

# Central Elgin

## ZONING BY-LAW AMENDMENT APPLICATION

I/We hereby apply, as outlined in this application, to the Council of the Corporation of the Municipality of Central Elgin pursuant to the provisions of the Planning Act, for an amendment to the Zoning By-law.

1. Name of applicant: Prespa Construction Limited  
Address: 8750 Centennial Road, St. Thomas, Ontario N5P 3S6  
Telephone (home): \_\_\_\_\_ (business) 519-631-1739  
E-Mail: frank@prespahomes.com
2. Is the applicant the owner of the land? ☒ Yes ☐ No If no, please provide:  
Name of owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone (home): \_\_\_\_\_ (business) \_\_\_\_\_  
E-Mail: \_\_\_\_\_  
Date Lands Acquired: \_\_\_\_\_
3. Name of Agent (if any): Zelinka Priamo Ltd. c/o Harry Froussios  
Address: 318 Wellington Road, London, Ontario N6C 4P4  
Telephone (home): \_\_\_\_\_ (business) 519-474-7137  
E-Mail: harry.f@zpplan.com
4. Location of Property ("subject lands"):  
Registered Plan No.: 117 Lot No.(s): PART LOT 15  
Concession No.: SOUTH OF ERIE ST Lot No.(s): 6-9  
Reference Plan No.: \_\_\_\_\_ Part No.(s): \_\_\_\_\_  
Municipal Address: N/A
5. Name and address of mortgagee, holders of charges, or other encumbrances:  
N/A
6. Municipality of Central Elgin Official Plan:  
Designation of the subject lands: Residential & Commercial  
Explain how this application conforms to the Official Plan (add additional pages if necessary):  
See Planning Justification Report

7. Current applicable Zoning By-law: Village of Port Stanley  
Current applicable zone: R1, B1, OS3
8. What is the present use(s) of the subject lands? Vacant  
  
  
How long has this use(s) continued on the subject lands? N/A
9. What is the proposed use(s) of the subject lands? 9-storey, 52-unit apartment building with  
ground floor commercial & 3 detached  
dwelling  
  
Nature and extent of rezoning requested: See Planning Justification Report  
  
  
Reason(s) for the requested rezoning: To permit the proposed development
10. Dimensions of the subject lands:  
Frontage (m): 71.7m on William Street Street/Road/Highway  
Depth (m): Irregular  
Area (m<sup>2</sup>): 6,300 sq m
11. Access to the subject lands is provided by:  
☒ A Provincial highway or municipal road that is maintained year-round or other public road;  
☐ A right of way; or  
By water (Please provide a description of the parking/docking facilities to be used and the approximate distance of these facilities from the subject lands and the nearest public road):
12. Is the purpose of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement? Yes ☐ No ☒ If Yes, please provide details of the official plan or official plan amendment that deals with the matter:
13. Is the purpose of this application to remove land from an area of employment? Yes ☐ No ☒  
If Yes, please provide details of the official plan or official plan amendment that deals with the matter:

14. Particulars of all existing and proposed structures on the subject lands (as applicable - add additional pages if necessary):

<u>EXISTING</u>	<u>BUILDING 1</u>	<u>BUILDING 2</u>	<u>BUILDING 3</u>
Building type:	N/A		
Length (m):			
Width (m):			
Height (m):			
No. of storeys:			
Ground floor area (m <sup>2</sup> ):			
Gross floor area (m <sup>2</sup> ):			
Parking area (m <sup>2</sup> ):			
Setback, front lot line (m):			
Setback, rear lot line (m):			
Setback, side lot line (m):			
Setback, side lot line (m):			
Date constructed:			

<u>PROPOSED</u>	<u>BUILDING 1</u>	<u>BUILDING 2</u>	<u>BUILDING 3</u>
Building type:	Apartment	3 detached dwellings	
Length (m):	~52.7m	see Site Plan	
Width (m):	~29m		
Height (m):	~29m		
No. of storeys:	9		
Ground floor area (m <sup>2</sup> ):	N/A		
Gross floor area (m <sup>2</sup> ):	N/A		
Parking area (m <sup>2</sup> ):	N/A		
Setback, front lot line (m):	0.4m		
Setback, rear lot line (m):	>20m		
Setback, side lot line (m):	10.6m		
Setback, side lot line (m):	8.1m		

15. Potable water will be supplied to the subject lands through:

- ☒ Publicly owned and operated piped water system.  
☐ Privately owned and operated individual or communal well.  
☐ Lake or other water body.  
☐ Other means. Explain: \_\_\_\_\_

16. Sewage disposal will be supplied to the subject lands through:

- ☒ Publicly owned and operated sanitary sewage system.  
☐ Privately owned and operated individual or communal septic system.  
☐ A privy.  
☐ Other means. Explain: \_\_\_\_\_



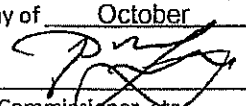
17. If sanitary sewage disposal is to be supplied through a privately owned and operated individual or communal septic system, and more than 4500 litres of effluent will be produced per day as a result, the following reports must be provided with this application:
- ☐ A servicing options report; and
  - ☐ A hydrogeological report.
18. Storm drainage will be supplied to the subject lands through:
- ☒ Publicly owned and operated storm sewer system.
  - ☐ Privately owned and operated storm sewer system.
  - ☐ Ditches and swales.
  - ☐ Other means. Explain: \_\_\_\_\_
19. Has the subject lands ever been the subject of any of the following matters under the Planning Act:
- (a) For approval of a plan of subdivision under Section 51. ☐ Yes ☒ No  
File No.: \_\_\_\_\_ Status: \_\_\_\_\_
- (b) For approval of a consent under Section 53. ☐ Yes ☒ No  
File No.: \_\_\_\_\_ Status: \_\_\_\_\_
- (c) For approval of zoning under Section 34. ☐ Yes ☒ No  
File No.: \_\_\_\_\_ Status: \_\_\_\_\_
- (d) A Minister's Zoning Order under Section 47. ☐ Yes ☒ No  
O. Reg. No.: \_\_\_\_\_ Status: \_\_\_\_\_
20. Is this application for a zoning by-law amendment consistent with policy statements issued under Section 3(1) of the Planning Act? ☒ Yes ☐ No Explain: See Planning Justification Report
- 
21. Has there been an industrial or commercial use, or an orchard, on the subject land or adjacent lands?  
☒ Yes ☐ No ☐ Unknown If yes, specify the use(s): Furniture repair establishment,  
railway
- 
- |   | Yes                                 | No                                  | Unknown                             |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| Has the grading of the subject land been changed by adding earth or other material(s)?                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Has a gas station been located on the subject land or adjacent land at any time?                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Has there been petroleum or other fuel stored on the subject land or adjacent land?                                 | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
- What information did you use to determine the answers to the above questions on former uses? Phase II ESA
- 
- (i) If Yes to any of the above, an inventory of previous uses of the subject land or, if appropriate, of the adjacent land(s), is needed. Is the inventory of previous uses attached? ☐ Yes ☒ No  
If the inventory is not attached, why not? Land has been remediated
- 
- (ii) If Yes to any of the above, was an Environmental Site Assessment (ESA) conducted under the *Environmental Assessment Act* or has a Record of Site Condition (RSC) been filed? ☒ Yes ☐ No  
If no, why not? Explain on a separate page, if necessary. Phase II ESA was conducted and land has been remediated.
-

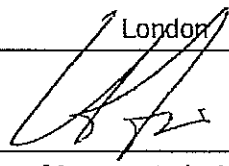
22. This application must be accompanied by a sketch, in metric, showing as applicable:
- ✓ The boundaries and dimensions of the subject lands;
  - ✓ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
  - ✓ The approximate location of all natural and artificial features (i.e. buildings, railways, roads, watercourses, drainage ditches, rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
    - (i) are located on the subject land and on land that is adjacent to it; and
    - (ii) in the applicant's opinion, may affect the application.
  - ✓ The current uses of land that is adjacent to the subject land;
  - ✓ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
  - ✓ If access to the subject lands will be by water only, the location of the parking and docking facilities to be used; and
  - ✓ The location and nature of any easement affecting the subject land.
23. This application must be filed with the **Central Elgin Planning Office, 9 Mondamin Street, St. Thomas, Ontario, N5P 2T9** and must be accompanied by the application fee of **\$750.00**. Note: If the application is being filed concurrent with an application for an official plan amendment, the fee for both applications together is **\$750.00**.

**PLEASE MAKE CHEQUES PAYABLE TO "THE MUNICIPALITY OF CENTRAL ELGIN"**

**DECLARATION:**

I, Harry Froussios of the City of London  
do solemnly declare that all above statements contained in all of the exhibits transmitted herewith are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the \_\_\_\_\_ of \_\_\_\_\_  
City \_\_\_\_\_ London  
In the County of Middlesex  
this 16<sup>th</sup>  
day of October A.D. 2015  
  
A Commissioner, etc.

  
Signature of Owner or Authorized Agent

RICHARD HENRY ZELINKA, a Commissioner, etc.,  
County of Middlesex, for Zelinka Priamo Ltd.  
Expires March 28, 2018.

**OWNER'S AUTHORIZATION:**

**THIS MUST BE COMPLETED BY THE OWNER IF THE OWNER IS NOT FILING THE APPLICATION**

**Note:** If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each Owner must sign the following authorization.

I, (we) See attached authorization letter, being the Applicant(s) and/or registered Owner(s) of the subject lands, hereby authorize \_\_\_\_\_ to prepare and submit an Application for a Zoning By-law Amendment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Day Month Year

**Municipal Freedom of Information Declaration:**

In accordance with the provisions of the Planning Act, it is the policy of the Municipality of Central Elgin to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Harry Froussios (please print name) the Owner Applicant ☒ Authorized Agent, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Municipality of Central Elgin to post a "Possible Land Use Change" sign and allow municipal staff to access to the subject lands for purposes of evaluation of the subject application.

  
\_\_\_\_\_  
Signature

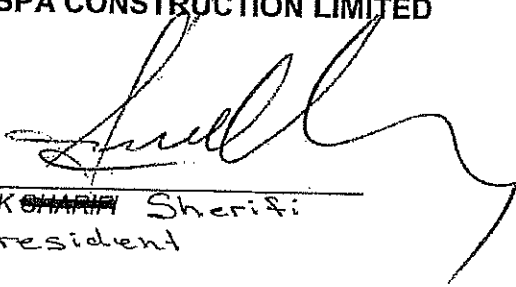
\_\_\_\_\_  
15 October 2015  
Day Month Year

## AUTHORIZATION AS AGENT

TO WHOM IT MAY CONCERN:

I/we hereby authorize Zelinka Priamo Ltd. as my/our agent in connection with all required municipal approvals associated with lands located at 146-156 William Street, Port Stanley, in the Municipality of Central Elgin.

**PRESPA CONSTRUCTION LIMITED**



FRANK ~~SHARIF~~ Sherifi  
President

10 October 19, 2015  
DATE

## **SCHEDULE D**



The Corporation of the Municipality of  
**Central Elgin**

**REPORT**

**DATE:** January 12<sup>th</sup>, 2016

**REPORT:** CEP.05.16  
**CEPO FILE:** PS2-02-15

**TO:** His Worship the Mayor and Council

**PREPARED BY:** Jim McCoomb, Planner  
Central Elgin Planning Department

**SUBJECT:** Application to Amend Village of Port Stanley By-law 1507 – Prespa Construction Limited, 146-156 William Street

**ATTACHMENTS:** Planning Justification Report; Preliminary Servicing Report; Traffic Report; Shadowing Study; Site Plan, Elevation Drawing

**TO COUNCIL:** January 18<sup>th</sup>, 2016

**RECOMMENDATION:**

**THAT** Report CEP.88.15 be received;

**AND THAT** direction be given by Council to prepare a site-specific draft amendment to the Zoning By-law to permit a mixed use development on lands located at 146-156 William Street, which may be legally described as Plan 117, Part of Lots 6-9, South Side of Erie Street geographic Village of port Stanley, now Municipality of Central Elgin;

**AND FURTHER THAT** a date for a public meeting be established in accordance with Ontario Regulation 545/06 as amended. (***Recommended Date: February 16th, 2016 @ 7:00 p.m.***)

**ORIGIN:**

- The applicant has approached the Municipality of Central Elgin with a proposal to construct a nine storey mixed use development on the west side of William Street, north of Edith Cavell Boulevard. The development proposes 52 residential units within the 9 storeys with ground floor commercial space and three detached dwellings fronting onto Edith Cavell Boulevard. It is proposed that the units on the site will be in condominium ownership.



- Through the consultation process it was noted that documentation to support the proposed development would include planning justification (to address, among other things, land use compatibility), shadowing study, servicing study and traffic impact analysis. A geotechnical study to determine the suitability of the local soils to accommodate the proposed building was also requested.
- Staff have reviewed the application and documentation provided by the applicant and are satisfied that the application is complete relative to the requirements of Subsections 34(10.1) and 34(10.2) of the Planning Act, R.S.O., 1990 as amended. In accordance with Subsection 4.1(d) of By-law 1864, the applicant has been notified that the application is considered complete.

### **ANALYSIS:**

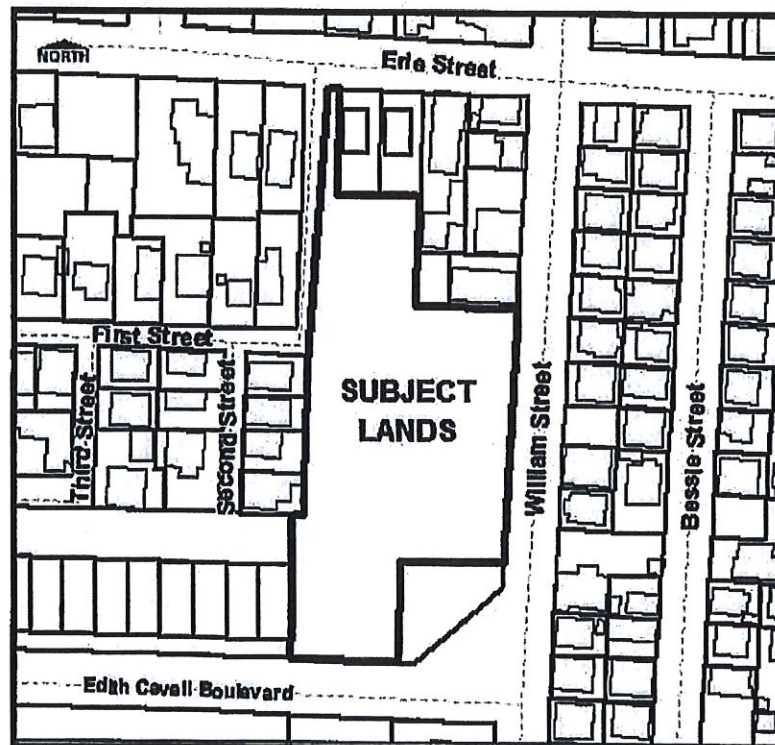
#### **1) Location:**

The subject lands, which are located on the west side of William Street, north of Edith Cavell Boulevard, have approximately 71.7 metres of frontage on William Street and are approximately 6300m<sup>2</sup> (1.56 acres) in lot area (see Location Plan). Municipally known as 146-156 William Street, they may be legally described as being Plan 117, Part of Lots 6-9, South Side of Erie Street geographic Village of port Stanley, now Municipality of Central Elgin.

**Location Plan:**

#### **2) Proposal:**

The applicant is proposing to rezone the subject lands to permit a mixed use development consisting of 52 residential units in a nine storey apartment building with commercial space (2 units) on the main floor and three detached residential units fronting onto Edith Cavell Boulevard. It is proposed that all of the units will be in condominium ownership. A conceptual elevation drawing and preliminary site plan are attached.



### 3) Existing Policies:

#### a) Official Plan Policies:

The subject lands are located within the "Residential" and "Commercial" designations in accordance with Schedule "G" – Community of Port Stanley Land Use Plan, to the Municipality of Central Elgin Official Plan. The Residential Policies of the Plan permit a full range of dwelling types including the proposed apartments and detached dwellings. A full range of density is permitted including low, medium and high density, subject to the policies of the Plan. The 55 residential units proposed for the subject lands equates to a density of 87 units per hectare, which falls within the high density definition. The proposal also meets the Plan's definition for residential intensification, which states that *"Intensification means the development of a property, site or area at a higher density than currently exists through redevelopment (including the reuse of brownfield sites); the development of vacant and/or underutilized lots; infill development; and, the expansion or conversion of existing buildings."* Subsection 2.3.2.1 of the Plan contains the policies applicable to intensification proposals. They include:

- a) Residential intensification shall only be supported within the built up areas of the Urban Settlement Areas identified in Subsection 2.1.1 to the 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 the Plan.
- c) Residential intensification shall comply with the policies contained within Section 4.0 of the Plan.

Subsection 4.2.2(c) of the Plan contains policies specific to new medium or high density residential developments. Those policies require that:

1. The proposed design of the residential development is compatible in scale with the character of surrounding uses;
2. The site is physically suited to accommodate 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 the Plan;
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;
5. Sufficient off-street parking facilities are provided in accordance with the standards set out in the Zoning By-law; and
6. Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts.

Subsection 4.2.2(d) of the Plan states that medium and high density residential projects shall be developed on the basis of comprehensive site plans, and that such projects shall require an amendment to the zoning by-law and site plan approval.



The commercial policies of the Plan permit a range of commercial uses including retail stores, personal and business services, offices, restaurants and other eating establishments, hotels, motels, places of entertainment and general assembly. A high standard of building and landscape design shall be applied to commercial development through the requirements of the implementing Zoning By-law and site plan approval, particularly where such developments are adjacent to residential uses or are located in a strategic location. Proposals for new commercial uses shall be reviewed on the basis of general conformity with the following:

1. The proposed development shall provide adequate buffering and landscape screening to ensure visual separation between the commercial use and adjacent land uses;
2. Landscape screening may include the provision of plantings, earthen berms, fences, trees; the construction of screen walls or a combination of the aforementioned techniques. The use of native species in landscaping shall be encouraged.;
3. Provision shall be made for parking, loading, vehicle circulation, garbage collection/storage, and other required facilities for the development;
4. The property shall have frontage on a public road maintained to a municipal standard;
5. The site shall be provided with full municipal services; and
6. Outside storage or display of merchandise shall be regulated through the implementing zoning by-law and through Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.

Subsection 4.6.6.6 of the Plan contains additional policies for commercial uses in Port Stanley. Many of the policies are general in nature and deal with matters of preserving and improving streetscapes, active transportation including access to the beach and harbourfront, and infilling. Subsection 4.6.6.6(i) provides additional policies specific to reviewing mixed use commercial/residential development in the commercial core. These include:

1. Compatibility with the general character of the area and, in particular, proximity effects upon adjacent uses, i.e. visual, shadowing;
2. Capacity of existing infrastructure services and roads to accommodate the proposed use(s);
3. Proximity to community services and facilities;
4. Availability of on-site or shared off-street parking;
5. Structural/physical character of a host building or site to accommodate intensification, re-use and/or redevelopment; and,
6. Provision of open space amenities, landscaping, buffers, etc.



**b) Zoning By-law No. 1507:**

The subject lands are located within the Residential Zone 1 (R1), Business Zone 1 (B1) and Open Space Zone 3 (OS3) of the Village of Port Stanley Zoning By-law No. 1507, as amended.

The R1 zone permits residential use, institutional uses lawfully existing on the day of passing of the by-law, home occupations and accessory uses. However, the only permitted dwelling types are single detached and semi-detached dwellings to a maximum density of one unit per lot.

The B1 zone permits retail store, restaurant, business office, personal service shop and dwelling units above the main or first storey. However, the B1 zone limits the height of buildings and structures to 10 metres.

The OS3 zone permits farm use, public, private and commercial recreational uses, summer cottages and residential uses that legally existed on the day of passing of the by-law.

A site specific zoning by-law amendment is required in order to support the proposed development on the subject lands, and establish site specific regulations to control the development.

**Staff Comments:**

The applicant retained the services of a planning consultant to prepare a Planning Justification Report for the proposed development (see attached). That report identifies many of the same policies noted in this staff report as being applicable to the proposal. While staff do not necessarily disagree with many of the conclusions drawn by the consultant as to compliance with Official Plan policies, there are some noted areas where staff do not agree with the interpretations provided. These include:

- (a) It is noted in Section 3.3 of the report (on page 10) that the proposed development straddles the boundary between the "Residential" and "Commercial" designations, however the commercial component occupies only a portion of the area designated "Commercial". The balance of the development in the "Commercial" designation consists of residential units above the parking lot. The report author is relying on the provisions of Subsection 5.1(a) and concludes that the land use boundaries are considered approximate and no amendment is required to make minor adjustments to a land use boundary.

***Staff Comment:** While it is true that Subsection 5.1(a) states that the boundaries of the land use designations as shown on the land use schedules to the Plan are approximate, it also states that they shall be considered absolute only where they coincide with roads, railway lines, lot lines or other clearly defined physical features. In the case of the "Commercial" designation affecting the subject lands, its westerly boundary does coincide with the westerly or rear lot lines of the majority of the lots fronting onto William Street. In that regard the policy states that the boundary shall be considered absolute where it coincides with a lot line.*

*Notwithstanding the above, it is staff's opinion that Council can consider the proposed development concept without requiring an amendment to the Plan. There are policies in Subsection 4.6.6.6(i) that specifically deal with mixed use*



*commercial/residential developments in the commercial core. The very existence of these policies clearly indicates that mixed use development is anticipated in the commercial designation, subject to meeting the policies of the Plan.*

- (b) It is noted in two sections of the Planning Justification report that no off street parking spaces are being provided for the commercial component of the development (see the last paragraphs on pages 12 and 13). The rationale provided is that the (unspecified) commercial uses are not intended to be destination uses attracting users from outside Port Stanley. Further, they are intended to take advantage of the passing pedestrian traffic and local population, and there is local municipal parking proximate to the subject lands to provide for the needs of the proposed commercial uses.

**Staff Comment:** *There are a very limited range of commercial uses in Port Stanley that are not dependent from one degree to another on users from outside of the Community. Further, this argument does not address the parking needs of employees of the commercial uses, who would be forced to seek parking opportunities on the street or in paid parking lots. Also, given the size of the subject lands it is not reasonable for the applicant to argue that they cannot provide off street parking to meet even the minimum requirements of the zoning by-law.*

- (c) In the discussion about Section 4.6.6.6(i) policies on mixed use developments, Item 6 (page 15) regarding provision of open space amenities, landscaping and buffers, the response provided by the consultant is that there are open space and parkland opportunities in locations in close proximity to the subject land, and that landscaping and buffering will be addressed at the site plan approval stage.

**Staff Comment:** *The intention of this policy is to encourage open space, landscape and urban design elements to be incorporated into mixed use developments as an integral component of the site plan. This would typically serve to soften the look of proposed development and avoid too much hardened surface. The proposed development leaves little opportunity for any on-site open space amenity as it is largely covered by buildings and paved surface. During the consultation process staff had suggested using the area close to Edith Cavell Boulevard as an opportunity for some on-site outdoor amenity area, but the applicant has chosen instead to seek a further three detached units in that location. Open space and landscaping opportunities are reduced to perimeter planting areas.*

*Staff have advised the applicant that the Municipality may seek a parkland dedication rather than cash-in-lieu. It is considered an opportunity to enlarge Why Not Park, which will lose some area as a result of future road widening and intersection improvements. Staff would suggest that enlarging the park, which is located adjacent to the subject lands, would help in adding some more green space that the development is not providing.*

#### **Compatibility:**

The consultants who prepared the applicant's Planning Justification Report attempt to demonstrate compatibility with the surrounding neighbourhood on six grounds, being abutting land uses; intensity of use; scale and massing; shadowing; pedestrian circulation; and traffic. The discussion within the report is not so much about how the proposed development is compatible with the surrounding land uses but how the



proposal attempts to mitigate against anticipated impacts associated with the recognition that it may not be viewed as compatible with the scale of surrounding uses. This is an important distinction because the report recognizes clearly that:

- "...the scale of the proposed development is larger than surrounding buildings..." (p.12)
- "...the proposed apartment building is larger than any other building in Port Stanley and, by virtue of its size, does not fall within the traditional built form character of the area." (p.16)
- "...the proposed apartment building represents a significant increase in massing, scale, and intensity in the area." (p.19)
- "...no existing building in Port Stanley contains this level of residential density..." (p.20)
- "The height of the proposed apartment building is an increase beyond the maximum building height that currently exists in Port Stanley." (p.20)

These statements from the report focus on the height and massing of the proposed apartment building more so than the proposed uses. This is likely coming from the reasonable expectation that if there will be objections to the proposal they will likely be with respect to the height/mass. However, if that aspect of the proposal is isolated from the discussion and the use itself is examined there is little argument that the use, being residential with a commercial component on the William Street frontage, is compatible with existing development in the area.

The height of the proposed apartment, at 9 storeys, would make it the tallest building in Port Stanley. To give it some perspective, according to existing contour information the bluff upon which the Mariner's Bluff condominium development was built is 30 metres (98.4 feet) high. The front elevation drawing provided with the application shows a height from grade level to the roof top recreation level of 25.36 metres. If the roof top recreation level has a height at least that of the first floor commercial (3.66 metres) that will make the overall height approximately 29 metres (95.14 feet). Therefore the proposed apartment will be almost as high as the nearby bluff to the northwest.

The difficulty with this proposed development is that there is no transition between the proposed 9 storey apartment and the surrounding neighbourhood, which is predominantly single and two storey buildings. Compatibility does not require that higher density development be identical to the surrounding neighbourhood, but it should complement the character of the neighbourhood. It should try and achieve a good fit with the surrounding neighbourhood in terms of architecture, built form, streetscape and land use. In staff's opinion the proposed development does not achieve this.

**Staff Comment:**


In addition to the planning justification report the applicant has submitted a preliminary servicing report, traffic impact study and a shadowing study to support the proposed development. The reports conclude that the proposed development can be adequately serviced and will have no impact on the traffic function and operation of local streets. The shadowing study indicates that there would be shadowing impacts to nearby properties during certain times of the day and of the year, however no property is subject to constant shadowing impacts.

Infilling in the form of higher density development has many advantages and is supported by Provincial and local planning policies. It can help municipalities to maximize the efficient use of existing serviced areas, increase assessment and bring larger numbers of residents into an area that will support local businesses and services. However, if not implemented properly it can have impacts on existing, established neighbourhoods.

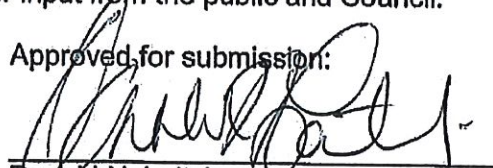
It is not being suggested by staff that higher density development could not work in Port Stanley, or that all new development should be limited in scale to match that of existing development. On the other hand Port Stanley has great potential for attracting development and investment, particularly in the harbor lands. There is a balance to be sought between preserving the charm of the quaint fishing village and yet demonstrating that the Community is open for business and investment. The Harbour Visioning exercise yielded possible development scenarios that promoted higher density residential development on both sides of the harbour.

Staff are not recommending that Council reject the application outright, but rather receive it and establish a public meeting date. That way public review and input into the proposal can be sought and considered by Council and the applicant before final decisions are made. The applicant has indicated in discussions with staff that a lower height design is possible, but would be more of a standard rectangular building, a block so to speak. Therefore there may be avenues for further negotiation with the developer on the overall design concept for the lands after input from the public and Council.

Respectfully submitted:

  
Jim McCoomb  
Planner

Approved for submission:

  
Donald N. Leitch  
CAO/Clerk

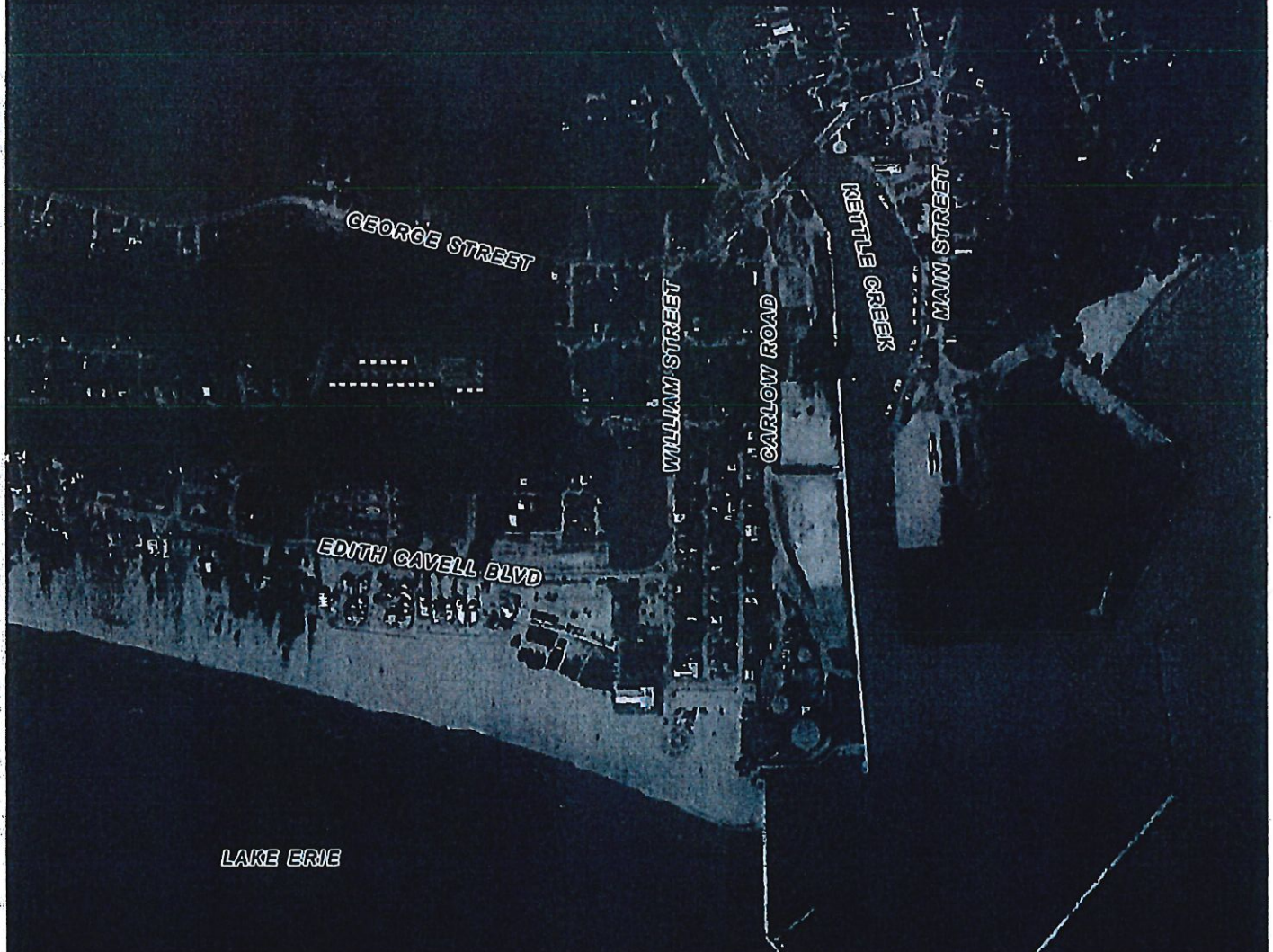


# Planning Justification Report

146-156 William Street, Port Stanley

Municipality of Central Elgin

Prespa Homes



October 9, 2015



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## 1.0 INTRODUCTION

Prespa Group has made application to the Municipality of Central Elgin to amend the Zoning By-Law for the lands at 146-156 William Street in Port Stanley (the "subject lands"). The purpose of the proposed amendment is to permit the development of an apartment building and detached (vacant land condominium) dwellings on the subject lands. In addition, Prespa Group has made application to County of Elgin for a Draft Plan of Condominium for the proposed development

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

### 1.1 THE SUBJECT LANDS

The subject lands are comprised of several rectangular shaped parcels with a combined area of approximately 0.63 hectares (1.56 acres) on the west side of William Street, between Erie Street and Edith Cavell Boulevard. The subject lands have a frontage of 71.7m (235 ft) along William Street, 30.4m along Edith Cavell Boulevard, and 42.1m along First Street. The subject lands are currently vacant and have access points on William Street, Edith Cavell Boulevard, and First Street (Figures 1-5).

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

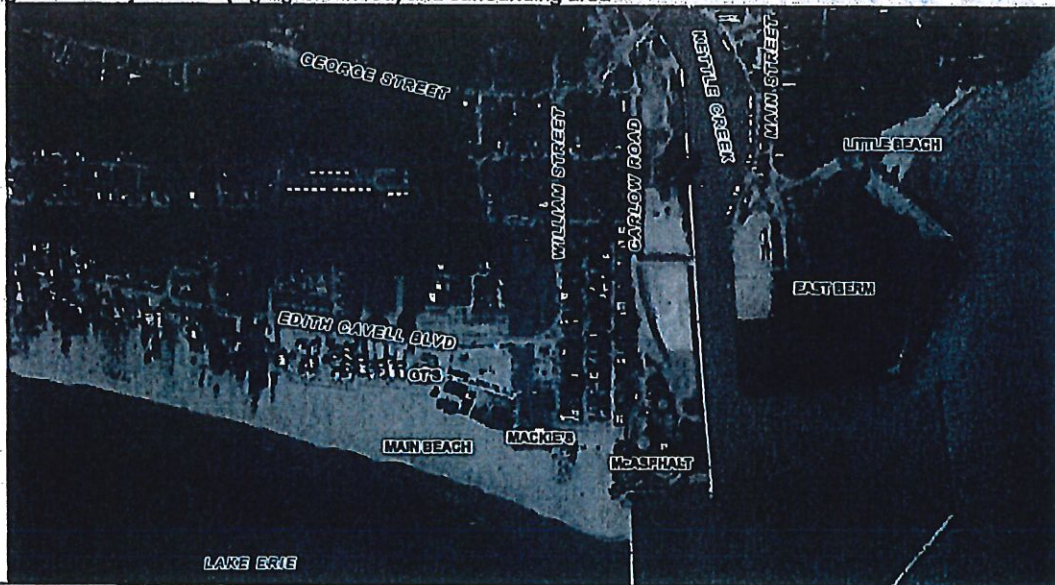




Figure 2 – Subject lands and surrounding area



Figure 3 – Subject lands (looking northeast from Edith Cavell Boulevard)



The northerly portion of the subject lands slopes from north to south while the remainder of the lands are generally flat. No significant vegetation exists on the lands.



## 1.2 SURROUNDING LAND USES

Surrounding land uses include low density residential (east, west, north), commercial (south, southwest, east), and open space (south). Residential lands to the east, north, and west of the subject lands are comprised of single detached dwellings and cottages; these dwellings are generally small, single storey, cottage style dwellings with very small yards and near zero lot line setbacks. Some dwellings have been converted to bed and breakfast establishments and restaurants, including the Pierside Pub which abuts the subject lands to the north. A parkette lies adjacent to the south of the subject lands at the northwest corner of Edith Cavell Boulevard and William Street. Built form around the subject lands is entirely 1 to 2-storey structures.

Port Stanley harbour lies approximately 220m to the east of the subject lands, while Main Beach, including the recently reconstructed West Pier, is approximately 150m to the south.

Figure 4 – Subject lands (looking southwest from William Street)

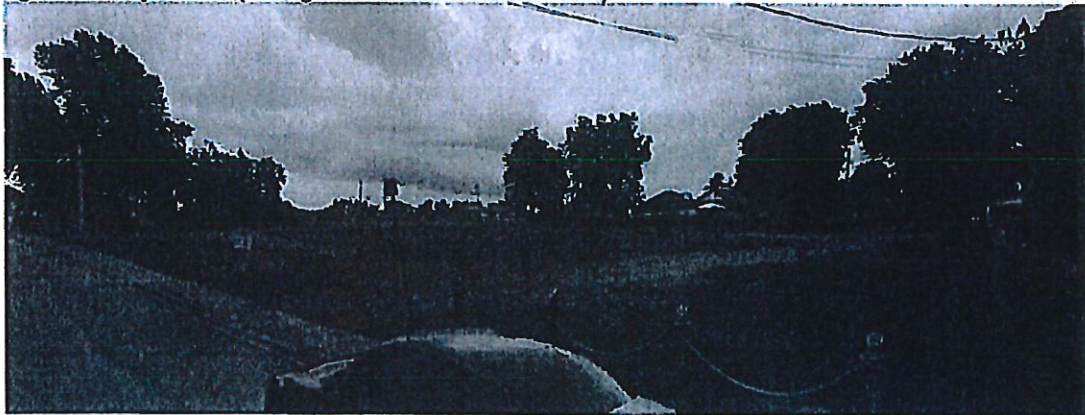


Figure 5 – Subject lands (looking southeast from First Street)



The existing municipal parking lot to the west is currently being developed for detached condominium dwellings.

## **2.0 PROPOSED DEVELOPMENT**

The attached conceptual elevation (Figure 6), and site plan (Figure 7,) shows a 9-storey, mixed use building consisting of two commercial units on the ground floor with 52 condominium apartments above. In addition, there will be three vacant land condominium units intended to be developed as detached dwellings.

The proposed apartment building will be positioned along the William Street frontage, promoting a strong and active street edge along the primary access to Main Beach. Extensive glazing will be provided along the ground floor to encourage views into and out of the building. Commercial uses on the ground floor will engage the public environment and improve the existing street edge.

Above the ground floor commercial uses, 7 floors of condominium units are proposed, plus a 9<sup>th</sup> floor common area on the top floor, which is planned to include a games room, gym, social room, and lounge. Numerous large, decorative windows are proposed for each unit, occupying the vast majority of exterior elevations. Each unit on the 2<sup>nd</sup> to 4<sup>th</sup> floor is provided with a balcony with decorative iron and glass railings. Beginning at the 5<sup>th</sup> floor, each floor is stepped back to provide each unit with a walk-out, open air terrace, incorporating the same decorative glass and iron railings as provided in the lower storeys.

Conceptual cladding materials consist of decorative stone and brick, and high quality siding. Decorative cornice lines and a hipped roof add visual interest to the building.

A total of 86 parking spaces, including 4 accessible spaces, are provided in the form of surface parking underneath a portion of the building as well as behind the building. Placing parking behind the building screens the parking area from view from William Street. Access to the parking area is proposed along First Street with an emergency access to Edith Cavell Boulevard via the adjacent detached condominium development.

In addition to the proposed high-rise mixed use building, the southerly portion of the subject lands adjacent to Why Not Park is proposed to be developed for three detached vacant land condominium dwellings. These dwellings are to be an extension of the detached dwellings that are currently under development to the west along Edith Cavell Boulevard and are anticipated to be similar in terms of massing and architectural treatments.



Figure 6: Conceptual Front Elevation (facing William Street)

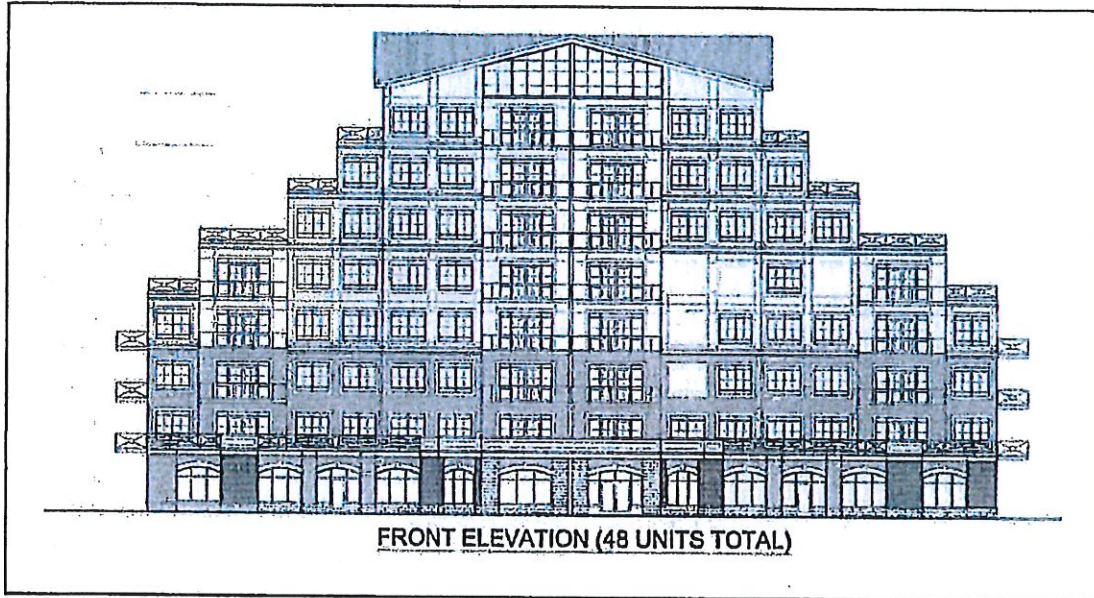
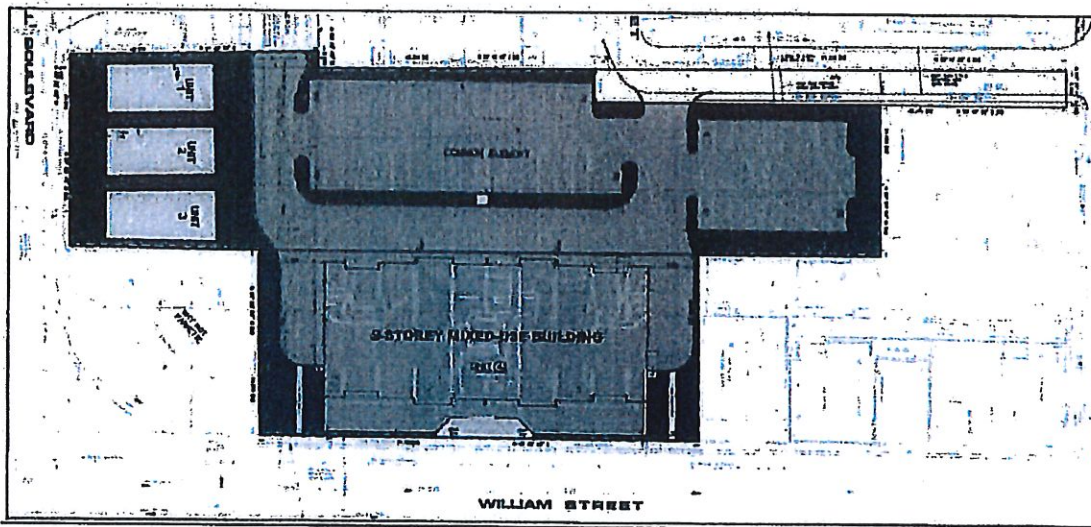


Figure 7: Conceptual Plan



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

## **2.1 PROPOSED ZONING BY-LAW AMENDMENT**

In order to permit the proposed apartment building and detached condominium dwellings, an amendment to the Zoning By-Law is required. It is proposed that the subject lands be rezoned to two separate, site specific zones; a site-specific "*Business Zone 1 (B1-())*" which permits the proposed apartment building and commercial uses on the lands north of Why Not Park with a special provision to permit a maximum height of 9-storeys, a maximum depth for commercial uses of 30m from the William Street frontage, and no parking requirement for commercial uses; and, a site-specific "*Residential Zone 1 R1-()*" to permit the three proposed vacant land condominium dwelling units. Nearly all of the provisions of the adjacent R1-45 zone will be appropriate for the vacant land condominium units as they are essentially a continuation of the dwellings to the west, except for the minimum lot area which is proposed to be 700m<sup>2</sup>. The zone boundary between the two zones is proposed to be the lot line between the common element (parking area) and rear yard of Units 1-3.

## **3.0 PLANNING POLICY ANALYSIS**

### **3.1 2014 PROVINCIAL POLICY STATEMENT (PPS)**

Decisions regarding proposed amendments to Zoning By-law documents are required to be consistent with applicable policies in the PPS. The proposed Zoning By-Law Amendment to permit an apartment building and three detached dwelling units is consistent with the policies of the PPS as follows

- The proposed development uses land efficiently, adds to the mix of uses and dwelling types in the area and makes efficient use of existing services (*Section 1.1.1, 1.1.3.2.a)1-2*)
- The subject lands are adjacent to existing development within a settlement area and are proposed to contain a mix of uses (*Sections 1.1.3.1, 1.1.3.6*)
- The proposed development is considered infill and intensification on underutilized land and will increase residential density (*Sections 1.1.3.2, 1.1.3.3*)
- The proposed development promotes active transportation (*Section 1.1.3.2.a)4*)
- The proposed development adds to the variety of housing forms in the area and contributes a form of housing for which demand exists (*Section 1.4.3*)



### 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 D3.2** provides that Conservation Authorities have developed design standards within shoreline hazard areas. Although the proposed development is located in proximity to the Lake Erie shoreline and may be subject to natural hazards associated with flood uprush, the finished floor elevation of the development will be at or above the flood uprush elevation, thereby eliminating flood uprush risk.

**Section E1.2** provides policies for the subdivision of land within the County, including plans of condominium. This section provides that development agreements may be entered into with the County and/or Municipality, a series of subdivision review criteria, and subdivision development policies.

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;
- It has been demonstrated through a Functional Servicing Report, prepared by CJDLC Consulting Engineers, that adequate services exist to properly service the proposed development; and,
- The proposed development is compatible with surrounding land uses. Full analysis and discussion on land use compatibility is provided in Section 4.0 of this report.

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" and "Commercial, as per Schedule "G" – Land Use (Figure 8). The "*Residential*" designation extends to include lands to the north and west, while the "*Commercial*" designation extends to the north, south, and east, along both sides of William Street.

The proposed mixed use development falls within two land use designations; the westerly portion of the lands are designated "*Residential*" and the easterly portion "*Commercial*". The proposed concept plan locates the apartment building on the "*Commercial*" lands with the associated parking area within the "*Residential*" designation.. As such, the residential component above the first floor will be within the Commercial designation. **Section 5.5** provides policies regarding the interpretation of land use designation boundaries, in that boundaries are considered approximate and no amendment to the Plan is required to make minor adjustments to a land use boundary. The Intent of the Official Plan to provide commercial uses along the William Street frontage is maintained through the proposed development. Using the policies provided in **Section 5.5**, the development of dwelling units above ground floor commercial units in the "*Commercial*" designation complies with the purpose and intent of the Official Plan. Conversely, a maximum depth for commercial uses is proposed to ensure the intent of the "*Residential*" designation is maintained.



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.

**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, incorporates both residential and commercial uses, and providing 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 Main Beach, the newly reconstructed West Breakwater, and the future Hofhuis Park; all of which are within short walking distance.

The "*Residential*" designation permits a range of residential uses, including **single detached dwellings** and **apartment dwellings**, along with ancillary uses such as schools, parks, and places of worship. **Section 4.2.2** provides that high density residential uses, in excess of 35 units per hectare, are permitted within the "*Residential*" designation, subject to additional policies. As the proposed development results in a density of 88 units per hectare, the following section lists the applicable policies (*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;*

Although the scale of the proposed development is larger than surrounding buildings, the conceptual design is intended to be complimentary to existing buildings in the area through the use of cladding materials and architectural details. A full discussion on how the proposed development is compatible with surrounding land uses is provided in Section 4.0 of this report.

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, including the detached condominium dwellings adjacent to Why Not Park and all required parking. The location of the lands along a main route to Main Beach and area amenities is well suited to accommodate a landmark 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 Functional 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 William Street (a Collector Road), Edith Cavell Boulevard (a Collector Road), and First Street (a Local Road). It is neither practical, nor in the interest of good urban design, to place a driveway on William Street. As such, access to the apartment building is along First Street. A Traffic Impact Statement, prepared by F.R. Berry & Associates provides that all intersection deemed affected by the proposed development (William Street with Erie Street, Smith Street, and George Street) will continue to operate at a good level of service and no intersection improvements will be required.

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 for the residential component. The commercial uses are intended to take advantage of passing pedestrian traffic and the existing population proximate to the subject lands; the commercial uses are not intended to be destination uses attracting users from outside the Port Stanley community. As such, parking for the commercial uses can be provided through proximate municipal parking lots.

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) and traffic impacts have been addressed through the Traffic Impact Statement. Neither the apartment building, nor detached condominium dwellings will be a source of any significant noise.

The easterly portion of the lands is designated "Commercial" and falls under the policies of **Section 4.2** of the Official Plan. The commercial designation permits general commercial uses such as retail stores, personal and business services, offices, restaurants and other eating establishments, hotels, motels, places of entertainment, and general assembly. As the subject lands are a prominent location along William Street, and lie adjacent to residential uses, a high standard of building and landscape design shall be applied to the proposed development, as per **Section 4.3.2.c)** In addition, the Official Plan states in **Section 4.3.2.e)** that proposals for new general commercial uses shall conform to the following policies (details of how each policy is satisfied is provided below each policy):

1. *The proposed development shall provide adequate buffering and landscape screening to ensure visual separation between the commercial use and adjacent land uses;*

Buffering from adjacent low density uses to the west is provided by the parking area, which provides a distance buffer between the two uses. Landscaping along the perimeter (implemented through the Site Plan Approval process) will provide additional buffering. Buffering from low density residential uses to the east is provided by William Street.

Buffering from commercial uses to the north, including the Pierside Pub, and Why Not Park to the south is to be accomplished with landscape plantings.

2. *Landscape screening may include the provision of plantings, earthen berms, fences, trees; the construction of screen walls or a combination of the aforementioned techniques. The use of native species in landscaping shall be encouraged;*

A landscape plan will be provided at the time of Site Plan Approval to ensure appropriate screening is provided.

3. *Provision shall be made for parking, loading, vehicle circulation, garbage collection/storage, and other required facilities for the development;*

All required parking for the residential component is provided on-site for the proposed development at a rate of 1.5 spaces per unit residential unit. No parking spaces for the commercial component are being provided, as the commercial uses are intended to take advantage of passing pedestrian traffic and the existing population proximate to the



subject lands; they are not intended to be destination uses attracting users from outside the Port Stanley community. There is ample municipal parking proximate to the subject lands to provide for the needs of all proposed commercial uses. The scale of the proposed development does not warrant a loading space; a resident pick-up/drop-off area is located to the west of the building, internal to the site. Garbage is to be stored internally and brought outdoors on collection day.

*4. The property shall have frontage on a public road maintained to a municipal standard;*

The subject lands have frontage on three, year-round maintained municipal roads.

*5. The site shall be provided with full municipal services;*

The proposed development will be serviced with full municipal services, as outlined in the Functional Servicing Report.

**Section 4.6.6.6** provides special policies for commercial lands in Port Stanley, as designated on Schedule 'G'. Generally, improvements to streetscapes, provisions for pedestrian connectivity, and infill development are encouraged. Special policies for review of proposed mixed-use commercial/residential developments are provided, stating that proposals shall be reviewed with regard to compatibility with the surrounding area, capacity of infrastructure services and roads, proximity to community services and facilities, parking, physical character, and the provision of open space amenities, landscaping, and any necessary buffering. A full discussion on these items is provided in Section 4.0 of this report. The proposed development is consistent with policies relating to streetscape improvements and landscaping (subsections a, e, f) by filling in a gap in the William Street streetscape with a well designed building with landscaping.

**Section 4.6.6.6.i)** provides policies for reviewing applications for mixed-use commercial developments. Details on how each policy is satisfied are provided below:

- 1. Compatibility with the general character of the area and, in particular, proximity effects upon adjacent uses, i.e. visual, shadowing;*

The proposed development is compatible with surrounding uses. A full discussion on how the development is compatible, including shadow and proximity effects is provided in Section 4.0 of this Report.

- 2. Capacity of existing infrastructure services and roads to accommodate the proposed use(s);*

Through the Functional Servicing report it has been demonstrated that there is sufficient capacity in existing servicing infrastructure to fully service the proposed development on municipal services.

A Traffic Impact Statement provides that the existing municipally maintained roads are sufficient to accommodate the proposed development and will not require any improvements.

*3. Proximity to community services and facilities;*

The subject lands are proximate to community services and facilities including Main Beach, the Port Stanley Memorial Arena, the Royal Canadian Legion, and Port Stanley Public School. Many facilities and commercial amenities are within short walking distances from the subject lands, promoting active transportation.

*4. Availability of on-site or shared off-street parking;*

All required parking is provided on site. Parking for the commercial uses is readily available in nearby municipal parking lots.

*5. Structural/physical character of a host building or site to accommodate intensification, reuse and/or redevelopment; and,*

The proposed building types are appropriate to accommodate the proposed residential intensification. The proposed apartment building will contain large units with balconies and open-air terraces, in addition to top-floor amenity features including a gym and games room.

*6. Provision of open space amenities, landscaping, buffers, etc.*

Open space is located adjacent to the subject lands at Why Not Park, while Main Beach and the recently re-opened Port Stanley Pier lie to the south. Additional parkland is available at Selbourne Park. Future improvements to open space in the area, including the development of Hofhuis Park and remediation of the East Berm will expand open space resources within walking distance. Landscaping and buffers will be addressed through the Site Plan Approval phase.

The subject lands lie within the Regulatory Flood Uprush area as shown on Schedule "G2" – Natural Hazards. The finished floor elevation of the proposed buildings will be above the flood uprush level, thereby mitigating flood risk. Approval from the Kettle Creek Conservation Authority (KCCA) will be required for any proposed dwellings on the subject lands required. Any further floodproofing requirements will be satisfied through the Site Plan Approval and building permit stages, in consultation with KCCA.



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;
- Promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks; and,
- Be respectful of traditional street patterns and neighbourhood structure.

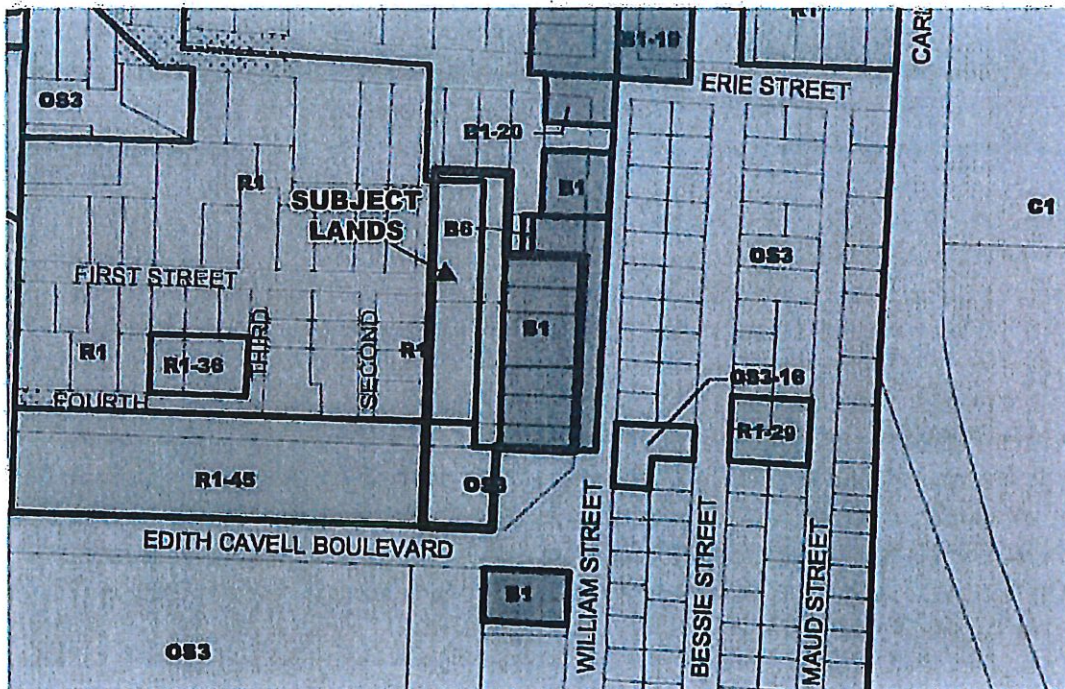
The proposed development has been designed to improve the streetscape along both William Street and Edith Cavell Boulevard by placing buildings close to the street and providing a pedestrian friendly environment with active frontages. It is noted that the proposed apartment building is larger than any other building in Port Stanley and, by virtue of its size, does not fall within the traditional built form character of the area. However, through the Site Plan Approval process, architectural treatments, cladding materials, landscaping, and any necessary mitigative requirements can be implemented that reflect the character of the surrounding lands to the greatest degree possible.

The Zoning By-Law Amendment seeks to intensify underutilized lands and make efficient use of space and existing services. Although the scale of the building is beyond what currently exists in the area, Section 4.0 of this report demonstrates 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 a 9-storey apartment building and three detached 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 "*Residential Zone 1(R1)*", "*Business Zone 1 (B1)*", and "*Open Space Zone (OS3)*" in the Municipality of Central Elgin Zoning By-Law (Figure 9).

Figure 9 – Municipality of Central Elgin Zoning By-Law – Schedule A (excerpt)



(It is noted that a zone line runs through the *R1* zoned lands which denotes an *R1* zone on either side. This appears to be a mapping error in the Zoning By-Law schedule.)

Permitted uses within the "*Business Zone 1 (B1)*" are:

- Retail stores;
- Restaurants;
- Business Office;
- Personal Service Shop;
- Dwelling units above the main or first storey; and,
- Accessory uses.

Permitted uses within the "*Residential Zone 1(R1)*" are:

- Residential uses (single detached dwelling or semi detached dwelling);
- Institutional uses (lawfully existing on the day of passing of the by-law)



- Home occupations; and,
- Accessory uses.

The "Open Space Zone (OS3)" is intended to regulate open space uses including parkland.

The existing zones on the subject lands do not permit the proposed development. As such, a Zoning By-Law Amendment is being sought to re-zone the "Business Zone 1 (B1)" and "Residential Zone 1(R1)" lands to a special provision "Business Zone 1 (B1-(\_))", and re-zone the "Open Space Zone (OS3)" lands to a special provision "Residential Zone 1(R1-(\_))" zone to permit the proposed development.

The existing zone provisions of the "Business Zone 1 (B1)" allow for dwelling units above the first floor. This provision is sufficient to allow for the development of a mixed-use building, which contains ground floor commercial and residential units above. Furthermore, no density limitation is provided in the B1 zone which would limit the number of units for the apartment building.

The maximum height permitted by the "Business Zone 1 (B1)" is 10m, which is significantly lower than the approximately 29m height (9 storeys) of the building. As such, a special provision to permit a height of 9 storeys is being sought through the Zoning By-Law Amendment. Permitting height based on number of storeys rather than a specific distance allows for design flexibility and the ability to incorporate architectural features that may enhance the design of the building.

The proposed special provision "Business Zone 1 (B1-(\_))" is to be applied to all the lands to north of Why Not Park, including the west of the apartment building, to permit the accessory parking area. However, it is noted that the Official Plan designates these lands "Residential". In order to ensure that no commercial uses develop on the lands designated "Residential" it is proposed that a special provision be included that limits all commercial uses to within 30m of the William Street frontage. The intent of the proposed special provision zone is to satisfy both land use designations on the subject lands through the proposed permitted uses.

The existing "Open Space Zone (OS3)" zoned portion of the subject lands is proposed to be re-zoned to a special provision "Residential Zone 1(R1-(\_))" to permit the three proposed vacant land condominium dwellings. The provisions of the adjacent R1-45 zone would be appropriate for these lands, with an amendment to the minimum lot area to recognize the smaller area the three proposed dwellings will occupy (700m<sup>2</sup>). It is noted that the intended use of these lands, as per the Central Elgin Official Plan, is for residential purposes. The proposed detached dwellings are essentially a continuation of the detached dwellings to the west and make efficient use of the lands.

It is appropriate to permit the development of the proposed three dwellings on the lands adjacent to Why Not Park, as opposed to expanding the park, for several reasons. Development on these lands will continue the built form along the north side of Edith Cavell Boulevard, opposite the parking area and amenities for Main Beach, creating a cohesive streetscape punctuated by the existing park on the corner. The area is not lacking open space, as Main Beach, the reconstructed West Pier, and the future Hofhuis Park are all within short walking distance of the subject lands. Furthermore, considering the proximity of open space resources, the highest and best use of these lands is for residential and/or commercial uses; leaving the lands within the OS3 zone to become a component of Why Not Park is not necessary to fulfil the goals of the Official Plan and provide for parkland in the area.

Considering the existing permitted uses on the subject lands through the existing zones, 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 development seeks to add a 9-storey apartment building and three detached condominium dwellings to the subject lands. The detached condominium dwellings are planned as an extension of condominium dwellings to the west of the subject lands. While the detached condominium dwellings are consistent with the existing built form in this area of Port Stanley, the proposed apartment building represents a significant increase in massing, scale, and intensity in the area. This section outlines how the proposed apartment building is compatible with the surrounding land uses.

##### **4.1.1 Abutting Land Uses**

Land uses abutting the subject lands are commercial (north), open space (south), and low density residential (east and west).

The commercial lands to the north consist of restaurants and a personal service establishment; the function and amenity of these uses will not be impacted by the proposed development. In fact, their planned function will be improved through the introduction of additional residential density in this area.

The proposed apartment building is positioned along the William Street frontage, away from existing low density residential uses to the west, and abutting a main road. Placing the building in this location limits the impact (visual and otherwise) of the development on lands to the west while William Street serves as a buffer with low density uses to the east. The relationship between the proposed apartment building and the single detached dwellings on



the east side of William Street is considered compatible, with many examples of this type of interface functioning positively in other urban areas such as London.

The amenity of Why Not Park is not anticipated to be negatively impacted by the proposed development. Development of the subject lands will provide for a more aesthetically pleasing view north, northwest, and west of the park.

#### **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 limited range of uses, consisting of ground floor commercial (likely to be retail, restaurant, office, and/or personal service), detached dwellings, and apartment residential units. The ground floor commercial uses will complement the existing uses along William Street and are the intended uses for this portion of the subject lands. Commercial uses are intended to take advantage of passing pedestrian traffic and the existing population proximate to the subject lands; the commercial uses are not intended to be destination uses attracting users from outside the Port Stanley community. As such, the added intensity of the proposed ground floor commercial uses will be relatively low, and likely less than the adjacent Pierside Pub.

The proposed development will provide a total of 55 dwelling units (apartment building contains 52 units plus 3 detached dwellings) which correspond to a residential density of 88 units per hectare (UPH), which is generally considered to be high density. Although no existing building in Port Stanley contains this level of residential density, it has been demonstrated in other urban environments that high density uses, including much higher residential densities than is being proposed, are appropriate to interface across a main road with low density residential uses.

It is also noted that Port Stanley receives significant volumes of tourist activity in the summer months which congregate at Main Beach, proximate to the subject lands. The influx of tourists to the area has a demonstrably greater impact on surrounding uses than the level of intensity proposed for the subject lands.

#### **4.1.3 Scale and Massing**

The height of the proposed apartment building is an increase beyond the maximum building height that currently exists in Port Stanley. It is noted that buildings surrounding the proposed development are a maximum of 2-storeys in height. The proposed height is necessary to make efficient use of the subject lands and to reduce the building footprint to preserve existing view sheds to the greatest extent possible.

Conceptual building elevations show a terraced building design which is much narrower at the top than at the base. This design serves to reduce the visual impact of the building when viewed from the east or west, and reduces shadow impacts.

Views of the Lake Erie shoreline from the north are preserved to the greatest extent possible by orienting the building perpendicular to the shore. This orientation reduces the massing of the building when viewed from the north and south.

Lands on the east side of William Street will be most impacted by the scale of the apartment building due to the placement of the building along the William Street frontage. Placement of the building at this location maintains the intent of the Official Plan and will enhance the William Street streetscape. Therefore, although the proposed apartment building will appear large from directly across the street, improvements to the streetscape to fill in a large gap will mitigate these impacts.

#### **4.1.4 Shadowing**

A shadow study has been prepared by William Haas Consultants Inc. which demonstrates shadow impacts on adjacent lands from the proposed apartment building. As the subject lands are surrounded by existing buildings, some shadowing of adjacent lands is expected.

Summer solstice (June 21<sup>st</sup>) shadows are largely contained to the subject lands until after 4pm. After this time shadows begin to fall on the west side of William Street.

Equinox shadows (March 21<sup>st</sup> and September 21<sup>st</sup>) are also largely contained to the subject lands with minor shadowing of lands to the north. Afternoon shadows are present on few properties to the east of the subject lands.

Winter solstice (December 21<sup>st</sup>) shadows are cast on adjacent lands to the north in the morning. After 2pm, shadows are present on few properties on the west side of William Street. Shadows are most evident in the winter months due to the lower angle of the sun.

Overall, due to the position of the building and its medium-rise height, shadow impacts on surrounding lands are minimal and will not create undue adverse impacts on adjacent lands.

#### **4.1.5 Pedestrian Circulation**

The proposed site design provides direct pedestrian access to the apartment building and ground floor commercial uses from William Street. Vehicular access will not interfere with pedestrians along William Street as vehicular access is proposed from First Street. The proposed site design will enhance pedestrian flow along the improved William Street



streetscape and commercial uses will serve as a point of interest for pedestrians walking past the site.

#### **4.1.6 Traffic**

A Traffic Impact Assessment, prepared by F.R. Berry & Associates, examines the impact of the proposed development on the function of William Street and the intersections of William Street with Erie Street, Smith Street, and George Street. The study projects traffic volumes to the year 2021, using a volume increase of 1.5% per year. The study finds that the proposed development will not have a significant effect on existing traffic flow and that the intersections noted will continue to function at a good level of service without the need for any roadway or intersection improvements.

In addition, First Street is proposed to be reconstructed from Erie Street to the main entrance of the proposed development, including road widening and drainage improvements. This reconstruction will have a positive effect on the traffic flow along First Street.

#### **4.2 KETTLE CREEK CONSERVATION AUTHORITY**

The subject lands lie within the regulated flood uprush level, as shown on Central Elgin Official Plan mapping. As such, approval from the Kettle Creek Conservation Authority will be required for any building permits

#### **4.3 SERVICING**

As outlined in the Preliminary Servicing Report (CJDL Consulting Engineers), there is sufficient capacity and infrastructure to fully service the proposed development. Services installed to service the adjacent condominium development to the west along Edith Cavell Boulevard were designed with capacity to service the subject lands as well. Sanitary sewage servicing will connect to an existing sanitary pipe that bisects the subject lands, running east/west, south of the proposed apartment building. Storm drainage and stormwater management will utilize a combination of stormwater connections to existing services and an on-site drywell system. The drywell system is intended to delay flows from major storm events to reduce the possibility of localized flooding. Water service is proposed to connect to the existing watermain on William Street.

#### **4.4 SITE SOIL CONDITIONS**

A Phase II Environmental Site Assessment (ESA) on the subject lands was undertaken by Exp Services Inc. which identified soil contaminants in a concentration beyond the acceptable limit, as established by the Ministry of Environment and Climate Change (MOECC). The

report recommended that approximately 300 tonnes of soil be removed from the site and replaced with suitable fill material. In May and October 2014, contaminated soil was removed from the site. Subsequent testing determined that the site is now suitably remediated and that soil and groundwater quality on the subject lands is now in compliance with the applicable MOECC standards. It is the opinion of Exp Services Inc. that no further investigative or remedial efforts are required.

#### **4.5 PORT STANLEY COMMUNITY INVESTMENT CONSIDERATIONS**

The proposed development seeks to add 55 dwelling units proximate to Main Beach in Port Stanley. The subject lands are within walking distance to commercial amenities along William Street, Bridge Street, and Main Street. The addition of at least 55 permanent residents to the area will have a positive impact on local businesses.

The proposed development will incur development charges, as per the Municipality of Central Elgin's development charges by-law. The 52-unit apartment building will generate approximately \$336,285 in applicable development charges (at a rate of \$6,314 per unit plus \$4.29 per ft<sup>2</sup> for commercial space), and the three detached dwellings will generate approximately \$31,203 (at a rate of \$10,401 per unit), for a total of approximately \$367,489. Development charges are utilized to improve existing services in community, including water, sewer, recreation facilities, and libraries.

#### **5.0 CONCLUSIONS**

The proposed Zoning By-Law Amendment to permit the development of a 9-storey, 52-unit condominium apartment building with ground floor commercial uses and three detached condominium dwellings is an efficient and desirable use of the underutilized subject lands. Although the scale of the proposed apartment building is larger than what currently exists in Port Stanley, the building has been demonstrated to be compatible with surrounding land uses and will not create undue negative effects for adjacent residents and businesses. 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 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 2014 Provincial Policy Statement. The proposed development is desirable for the subject lands and represents good planning practice.



1406

5 October 2015

**LAKEVIEW CONDOMINIUMS  
WILLIAM STREET, PORT STANLEY  
PRESPA CONSTRUCTION LIMITED  
PRELIMINARY SERVICING REPORT**

**INTRODUCTION**

Herein follows a Preliminary Servicing Report for Prespa Construction Limited's Lakeview Condominium Development. The proposed development consists of 0.63 ha of vacant land located at the northwest corner of Edith Cavell Boulevard and William Street in the Village of Port Stanley, Municipality of Central Elgin.

The site was originally part of a larger parcel of land owned by the Applicant. Located easterly adjacent to the site is a vacant land condominium at Municipal No. 355 Edith Cavell Boulevard (housing construction is currently underway by Prespa) and northerly adjacent to the site are two (2) single detached residential lands fronting Erie Street constructed c. 2009.

Existing lands north and south of the site are currently of commercial use, and lands east and west are of residential use.

The development proposal for this land is inclusive of three (3) detached units that front Edith Cavell Boulevard and a nine (9) storey, fifty-two (52) unit apartment condominium unit that fronts William Street. The three (3) units fronting Edith Cavell will appear contiguous with the easterly condominium development.

**TRANSPORTATION**

Primary vehicular access to the condominium site is proposed to be via First Street, which forms the westerly perimeter of the subject lands. The existing First Street right-of-way is approximately 6.1±m in width and contains a 3.3 to 4.0±m wide asphalt roadway. Road widening was negotiated during the Erie Street Development which will widen the First Street right-of-way to 11.43m (varies).

It is proposed to reconstruct First Street from Erie Street to the site entrance concurrent with development of this project. The cross-section of First Street is proposed as 7.38m back to back mountable curb (2 x 3.25m travel lanes, no parking), and a 1.2m sidewalk adjacent to the easterly sidewalk; further widening of travel lanes or addition of a parking lane is restricted by existing topography. Refer to Traffic Impact Study by F.R. Berry & Associates.

Internal road network within the condominium site has been designed to ensure 12m centreline turning radii and 6m clear travel path for designated emergency access routes, in accordance with the Ontario Building Code (OBC). An emergency access route is also proposed south of the building, designed to provide through access from the 355 Edith Cavell Boulevard Condominium site directly to William Street. This access route will be controlled by 'knock-down' bollards on the parking lot side to prevent vehicular access. There is no fencing to separate the roadway between the subject lands and the 355 Edith Cavell Boulevard site.

A total of eighty-two (82) standard and four (4) accessible parking spaces are proposed to be provided on site, which will service condominium residents as well as employees of the commercial development.

### **SANITARY SEWAGE**

There is an existing sanitary sewer located within an easement that bisects the site, located south of the proposed apartment condominium building. The building has been located so the structure, including overhanging balconies, are clear of the easement limits.

A manhole and service stubs were installed in line to the existing sanitary sewer concurrent with servicing of the 355 Edith Cavell Condominium Development. These stubs were sized and at sufficient elevation for extension to service the proposed apartment condominium and three (3) detached units.

### **STORM DRAINAGE AND STORMWATER MANAGEMENT (SWM)**

A 450mmØ storm sewer was installed toward the southwesterly limit of the site concurrent with development of 355 Edith Cavell Condominium Development, which was designed with sufficient capacity to service the subject lands. Storm run-off will be conveyed to this outlet through an internal network of catchbasins and storm sewers. Sewers are sized to convey a 2-year design storm in accordance with standards previously employed by CJD in Central Elgin; storms with greater intensity than 5-years will cause catchbasin surcharge in the internal system.

Due to the proximity to Lake Erie, it is recommended that SWM quantity controls not be required; delay in peak flow from the site may increase the duration of the localized area of flooding at Edith Cavell Boulevard and William Street, prior to outflow to Lake Erie. Site grading has been designed to ensure existing major flow paths to William Street and Edith Cavell Boulevard will be maintained under post-development conditions.

To reduce volume of storm outflow from the site, the proposed internal drainage network has been designed with a drywell system that will utilize groundwater recharge potential as its outlet. Surface water flows that exceed the gravity capacity of the outlet storm sewer will outlet (underground) to a series of "Equalizer 36 Chambers" by Infiltrator Water Technologies (or equivalent). These chambers are designed at an elevation above the outlet sewer to allow sediment to settle in catchbasin sumps (600mm deep min.) prior to entering infiltration systems, to ensure long-term functionality and minimize maintenance requirements.

Reconstruction of First Street includes installation of two (2) catchbasins to collect flows from the proposed curb and gutter. It is understood from the Municipality that the existing drainage outlet to this system is a series of drywells/french drains. Relocated catchbasins will be reconnected to the existing system as their primary outlet; however, a storm sewer is proposed as a relief outlet to the condominium site. The Municipality may elect to abandon the relief outlet in the future, if installation of storm sewers is pursued in the Crimmond's Beach Community.



## **WATERMAIN**

Water service to the apartment condominium will be extended from the existing 200mmØ watermain on William Street. Required service size will be confirmed by the building's Mechanical Engineer prior to permit application, which will include analysis of fire protection requirements.

Individual water services will be provided to the three (3) detached units from the existing watermain on Edith Cavell Boulevard. Sufficient fire protection for these units is provided by existing hydrants on Edith Cavell Boulevard.

## **ELECTRICAL AND UTILITIES**

It is understood that Erie Thames Power is the electrical service provider for this site. Utility plant within the 355 Edith Cavell Condominium site was designed with capacity to extend electrical, communications and natural gas service to the three (3) detached units fronting on Edith Cavell Boulevard.

Utility companies will be contacted for detailed designs prior to filing of the Site Plan Application. Site lighting distribution design will also be completed at this time.

## **GRADING**

The Lake Erie Flood Uprush Elevation applicable to this site is 176.8 MASL; habitable space of all buildings will be "dry flood proofed" below this elevation, in accordance with KCCA Guidelines.

Structures to be constructed on site will be of slab-on-grade foundation with finished floor elevation set to 176.8m. Setback to the front entrance of the apartment condominium and commercial areas will be designed to accommodate OBC requirements for accessible entry.

Some areas of green space will be landscaped with low maintenance native species. Design will be advanced and included as part of the Site Plan Application drawings.

All of which is respectfully submitted,



Deren Lyle, P. Eng.

DL/sed

**PROPOSED APARTMENT DEVELOPMENT  
WILLIAM STREET, PORT STANLEY**

**F.R. Berry & Associates  
September, 2015  
Revised October, 2015**





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## **PROPOSED APARTMENT DEVELOPMENT WILLIAM STREET, PORT STANLEY**

### **1. INTRODUCTION AND BACKGROUND**

Prespa Homes has proposed the development of a 52 unit apartment building west of William Street and south of Erie Street in Port Stanley. The location of the site is shown in **Figure 1**.

William Street is the primary access to Port Stanley's main beach. In the summer months recreational traffic is known to cause localized congestion. The purpose of this report is to assess the impact of the proposed development on summertime traffic operation on William Street.

### **2. EXISTING CONDITIONS**

The existing lane configuration on William Street between George Street and Erie Street is shown in **Figure 2**. William Street is a two lane street with curb and gutter and sidewalks on both sides and a posted speed limit of 50km/h.

The intersection of William Street and George Street has a dedicated left turn lane and a shared through and right turn lane on the westbound (George Street) approach. All other approaches have single shared lanes. The northbound approach on William Street has a channelized right turn movement.

There are stop signs on all approaches except the westbound approach on George Street. The left turn is a free flow movement.

At the intersections of William Street with Smith Street and Erie Street all approaches are shared single lanes. There is a stop control on the minor street (Smith Street and Erie Street) approaches. Erie Street is a two lane street with curb and gutter and sidewalks and a posted speed limit of 50km/h.

For the purposes of this study, peak period traffic counts were made at the intersections of William Street with Erie Street and George Street on Wednesday, August 19 and Thursday, August 20, 2015. Peak hour turning movements derived from these counts are shown in **Figure 3**. Traffic count reports are contained in Appendix A.

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It was noted that there was a significant discrepancy between northbound and southbound counted traffic volumes on William Street south of George Street and north of Erie Street in the afternoon peak hour. In order to resolve this discrepancy, traffic volumes on the major approaches at William Street and George Street were adjusted upwards to provide a match between the two intersections. The adjusted peak hour turning movements are shown in **Figure 4**.

### **3. PROPOSED DEVELOPMENT**

The proposed development will include a 52 unit apartment building with approximately 1 855sf of retail space on the ground floor fronting William Street and three condominium townhouse units. A preliminary site plan is shown in **Figure 5**.

The only vehicular access to the development will be to and from Erie Street via First Street. There will be no direct vehicular access to William Street. First Street currently is a single lane street with an approximate pavement width of 3.3 metres. Photographs of First Street are contained in Appendix B.

It is understood that First Street will be reconstructed as part of this project to provide two traffic lanes 3.25 metres wide plus a 1.2 metre sidewalk. The maximum grade on the reconstructed First Street will be eight percent. The proposed design is acceptable for low volume urban streets.

Since the section of First Street providing access to the proposed development is relatively short (approximately 110 metres) there would be no need to post a lower speed limit. Normal driver behaviour will ensure that vehicles will travel at low speeds on First Street.

Peak hour vehicle trip generation was estimated based on rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Eighth Edition. A summary of the estimated trip generation is shown in **Table 1**.

It is anticipated that the retail component of the development will attract walk-in traffic from William Street. Vehicle trips generated by staff of the

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retail establishments will generally arrive after the morning peak hour and leave after the afternoon peak hour. It is understood that parking for retail employees will be made available on site.

Vehicle trip generation rates for townhouses are lower than those for apartment units. To simplify the estimates, therefore, the three townhouse units were treated as apartment units and included in those estimates.

It should be noted that rates for conventional rental apartments were used in the estimates. Trip generation rates for apartment buildings occupied by seniors and retirees are significantly lower.

It was assumed that all peak hour trips generated by the proposed development would use Erie Street, William Street and George Street to access the downtown area of Port Stanley as well as Highway 4 to the north. No trips were assigned to the south since the development is within walking distance of the beach. **Figure 6** shows the assignment of peak hour site generated trips.

#### **4. ANALYSIS**

##### **4.1 Projected Traffic**

A five year planning horizon was assumed for this study. In the expectation that the development will be completed in 2016, adjusted peak hour turning volumes shown in **Figure 4** were projected to 2021 assuming an annual traffic growth rate of 1.5 percent.

Projected 2021 background peak hour traffic volumes are shown in **Figure 7**. Total projected peak hour traffic volumes are shown in **Figure 8**. The turning movements shown in **Figure 8** were obtained by adding site generated traffic from **Figure 6** to background traffic from **Figure 7**.

##### **4.2 Level of Service Analysis**

Each of the intersections of William Street with George Street and Erie Street was analyzed for volume to capacity (v/c) ratios, delays and queue lengths using the Synchro 6 analysis program. The results of the analysis are summarized in **Tables 2** and **3**. Analysis reports are contained in Appendix C.

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The intersection of William Street and Smith Street was not analyzed. There would be no increase in turning movements to and from Smith Street. Any delays to traffic entering William Street from the side street would be minor.

Level of service is a measure of how well an intersection operates under prevailing traffic conditions. It is expressed on a scale of A to F where A is the highest level of service and F indicates unacceptable congestion and delay. Level of service is measured in terms of average delay to all vehicles passing through the intersection in the peak hour.

#### 4.2.1 William Street and George Street (Table 2)

As noted above, traffic control at this intersection is somewhat unusual, with three of the four approaches controlled by stop signs and the other free flowing. The Synchro 6 program only considers all-way stops or two-way stops at four leg intersections.

The intersection was analyzed assuming no stop control on the eastbound and westbound approaches. It was reasoned that, while this assumption would likely under-estimate delays on the eastbound approach, it would over-estimate delays on the free flowing westbound approach, particularly for the left turn movement. Since this approach includes the heaviest approach volumes, the analysis would give a conservative estimate of intersection performance.

Results of the analyses for existing, projected background and projected total conditions are summarized in **Table 2**. The existing conditions assume the adjusted afternoon peak hour volumes from **Figure 4**.

Analysis of existing conditions indicates that the intersection operates at a good level of service. Overall intersection utilizations are approximately 20 percent in the morning peak hour and 40 percent in the afternoon peak hour. All major approaches would operate at level of service B or better.

Under projected background conditions, all approaches would continue to operate at a good level of service. Intersection utilization would increase by 1.2 percent in the morning peak hour and by 3.3 percent in the afternoon peak hour.

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The addition of site generated traffic would increase intersection utilizations by two percent in the morning peak hour and by 2.3 percent in the afternoon peak hour. Approach delays would increase marginally with no changes in the levels of service.

The calculated 95th percentile queue length for the westbound left turn movement in the afternoon peak hour is 6.2 metres. Approximately 40 metres is available for storage in the left turn lane.

#### **4.2.2 William Street and Erie Street (Table 3)**

This intersection has single shared lanes on all four approaches and stop control on the Erie Street approaches. Results of the analyses for existing, projected background and projected total peak hour conditions are summarized in **Table 3**.

Analysis of existing conditions indicates that the intersection operates at a good level of service. Overall intersection utilizations are less than 20 percent in the morning peak hour and about 30 percent in the afternoon peak hour. All approaches would operate at level of service B or better.

Under projected background conditions, all approaches would continue to operate at a good level of service. Intersection utilization would increase by 0.6 percent in the morning peak hour and by 3.4 percent in the afternoon peak hour.

The addition of site generated traffic would increase intersection utilizations by 5.8 percent in the morning peak hour and by 1.9 percent in the afternoon peak hour. The larger increase in the morning peak hour is due to the increase in the volume turning left from Erie Street to William Street.

Approach delays would increase marginally with the eastbound approach delay on Erie Street increasing from 14.3 to 15.2 seconds and thus placing this movement at level of service C.

## **5. CONCLUSIONS**

The proposed development will generate about 28 vehicle trips in the morning peak hour and 34 vehicle trips in the afternoon peak hour.



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All site generated trips are likely to use Erie Street, William Street and George Street to access downtown Port Stanley and Highway 4 to the north.

Under projected 2021 summer weekday peak hour conditions, the intersections of William Street with George Street and Erie Street will continue to operate at a good level of service. No intersection improvements are required.

The reconstruction of First Street between Erie Street and the site will ensure safe vehicular access.



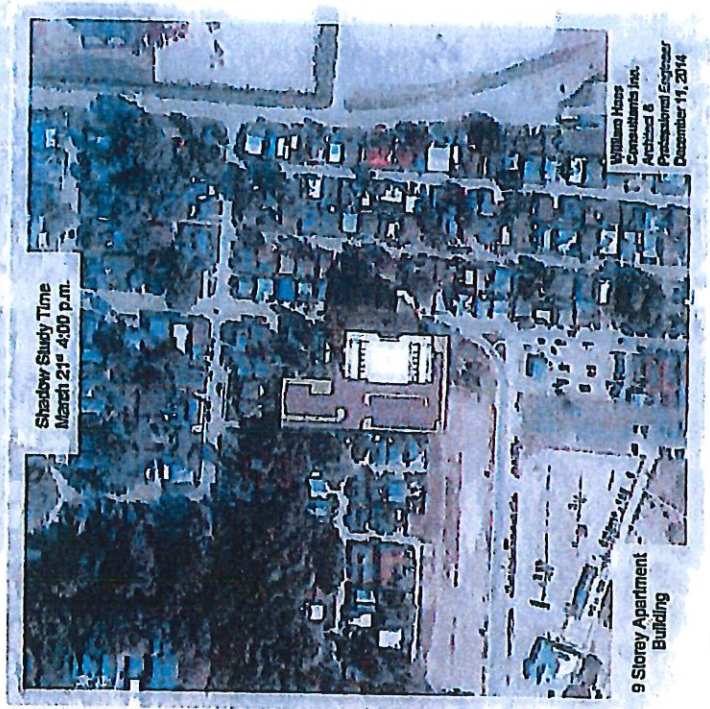
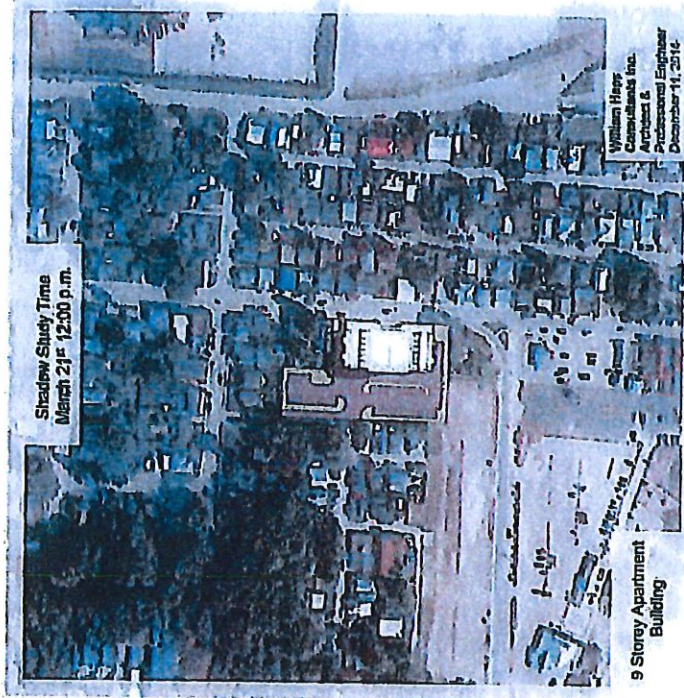
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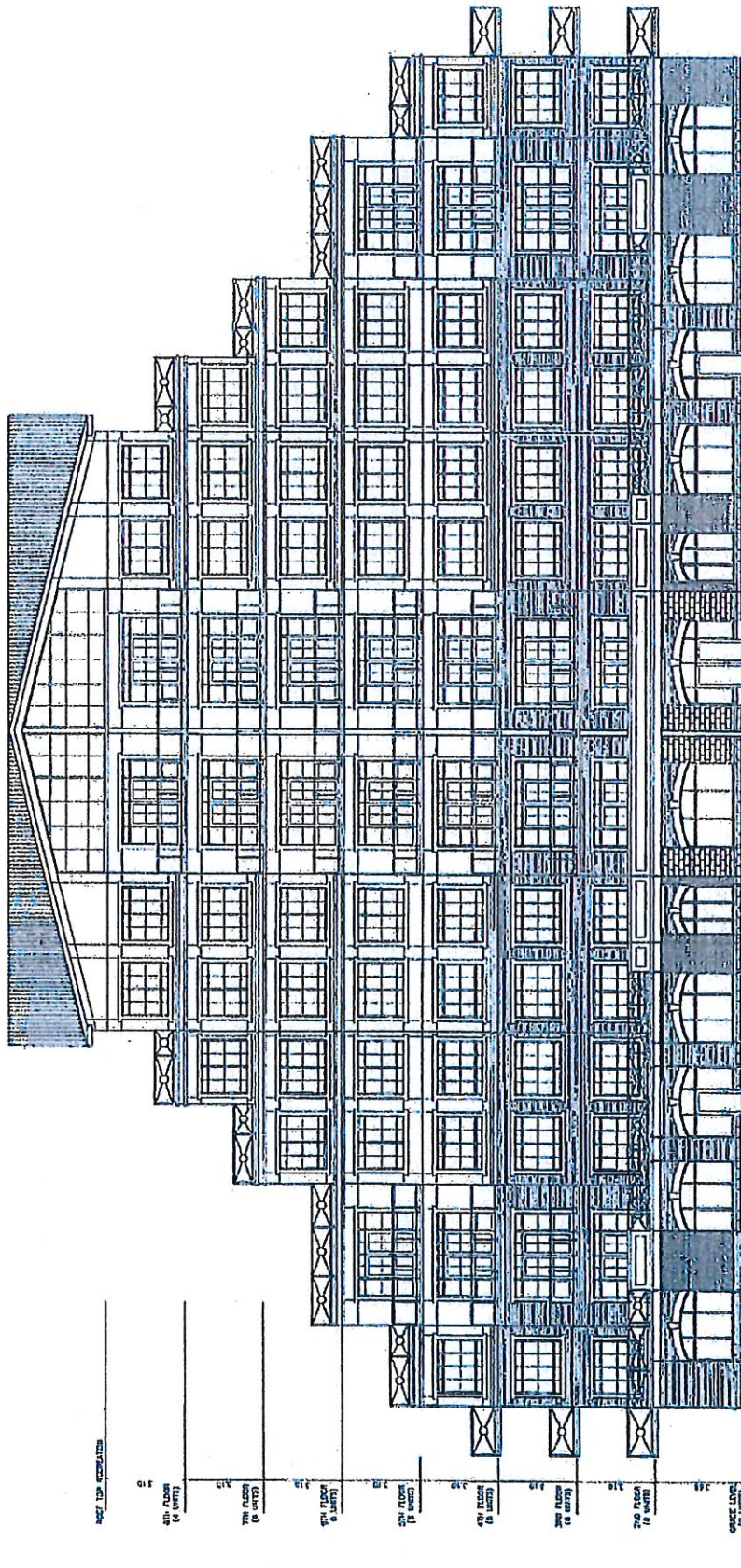












FRONT ELEVATION  
FACING WILLIAM ST.



## **SCHEDULE E**

**MUNICIPALITY OF CENTRAL ELGIN  
PUBLIC MEETING CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT**

**Lots 6-9, S/S Erie Street and Part of Lot 15, W/S Sydenham, Plan 117,  
geographic Village of Port Stanley - 146-156 William Street**

**TAKE NOTICE** that pursuant to Section 34(10) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the Corporation of the Municipality of Central Elgin received an application from Prespa Construction Limited for an amendment to the Village of Port Stanley Zoning By-law No. 1507 (File No. PS2-02-15).

**AND TAKE NOTICE** that pursuant to Section 34(10.7) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the application was deemed complete by the Council of the Corporation of the Municipality of Central Elgin on January 18<sup>th</sup>, 2016 and the information and material provided under Subsections (10.1) and (10.2) is available to the public.

**AND TAKE NOTICE** that pursuant to Section 34(12) of the Planning Act, R.S.O. 1990, as amended, the Council of the Corporation of the Municipality of Central Elgin will hold a **Public Meeting** on the 1<sup>st</sup> day of March, 2016, at 7:00 P.M. in the Port Stanley Arena and Community Centre, located at 332 Carlow Road, Port Stanley to consider an amendment to the Village of Port Stanley Zoning By-Law 1507. The purpose of the Public Meeting is to afford any person that attends an opportunity to make representation with respect to the Zoning Proposal.

The subject lands, which are located on the west side of William Street, north of Edith Cavell Boulevard, have approximately 71.7 metres of frontage on William Street and are approximately 6300m<sup>2</sup> (1.56 acres) in lot area (see Key Map). Municipally known as 146-156 William Street, they may be legally described as being Plan 117, Part of Lots 6-9, S/S Erie Street, Part Lot 15, W/S Sydenham, geographic Village of Port Stanley, now Municipality of Central Elgin.

The applicant is proposing to rezone the subject lands to permit a mixed use development consisting of 52 residential units in a nine storey apartment building with commercial space (2 units) on the main floor and three detached residential units fronting onto Edith Cavell Boulevard. It is proposed that all of the units will be in condominium ownership.

The subject lands are located within the Residential Zone 1 (R1), Business Zone 1 (B1) and Open Space Zone 3 (OS3) of the Village of Port Stanley Zoning By-law No. 1507, as amended. The R1 zone permits residential use, institutional uses lawfully existing on the day of passing of the by-law, home occupations and accessory uses. The only permitted dwelling types are single detached and semi-detached dwellings to a maximum density of one unit per lot. The B1 zone permits retail store, restaurant, business office, personal service shop and dwelling units above the main or first storey. The B1 zone limits the height of buildings and structures to 10 metres. The OS3 zone permits farm use, public, private and commercial recreational uses, summer cottages and residential uses that legally existed on the day of passing of the by-law. A site specific zoning by-law amendment is required in order to support the proposed development on the subject lands, and establish site specific regulations to control the development.

**ANY PERSON OR PUBLIC BODY** may attend the Public Meeting and/or make written or verbal representation either in support of, or in opposition to the proposed Zoning By-law Amendment.

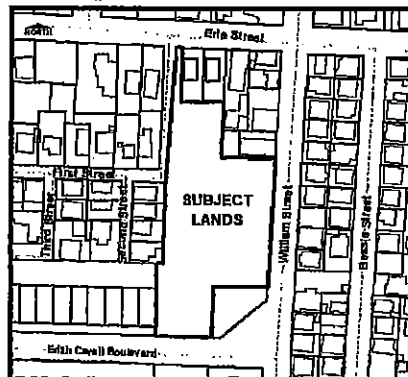
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Central Elgin before the by-law is passed, the person or public body is not entitled to appeal the decision of the Municipality of Central Elgin to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of Central before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

**ADDITIONAL INFORMATION** relating to the proposed Zoning By-law Amendment is available for inspection daily, Monday to Friday, 9:00 A.M. to 4:00 P.M. at the Municipal Offices and at the Central Elgin Planning Office, 9 Mondamin Street, St. Thomas.

**DATED** at the Municipality of Central Elgin, this 29<sup>th</sup> day of January, 2016.

**Key Map:**



Dianne Wilson, Deputy Clerk  
Municipality of Central Elgin  
450 Sunset Drive, 1st Floor  
St. Thomas, Ontario  
N5R 5V1  
(519) 631-4860, Ext. 286

*Certified a True Copy*  
*Dianne Wilson*  
Administrator/Clerk - Deputy  
Municipality of Central Elgin

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AFFIDAVIT OR SWORN DECLARATION

Appeal: Zoning By-law Amendment  
Prespa Construction Ltd., 146-156 William Street

I, Dianne Lynn Wilson, Deputy Clerk of the Corporation of the Municipality of Central Elgin, in the County of Elgin


DO MAKE THIS SOLOMN OATH AND SAY:

1. Statutory requirements for the giving of notice and the holding of a public meeting were as follows:
  - (i) Pursuant to Section 34(13) of the Planning Act, Notice of a Public Meeting was given/mailed by Regular Post on January 29<sup>th</sup>, 2016 (copy of circulation list attached)
  - (ii) Pursuant to Section 34(14.1) of the Planning Act, a Public Meeting was held on Tuesday, March 1<sup>st</sup>, 2016.

SWORN before me at the  
Municipality of Central Elgin in  
the County of Elgin this 15th day  
of January, 2018

)  
)  
)  
)

  
Dianne Wilson, Deputy Clerk

  
(a commissioner of oath, etc.)  
Mary Louise Vanhooy, a Commissioner, etc.,  
Province of Ontario, for the Corporation  
of the Municipality of Central Elgin.  
Expires October, 6, 2019.



## **SCHEDULE F**



## **SCHEDULE G**





The Corporation of the Municipality of  
**Central Elgin**

**REPORT**

**DATE:** January 11<sup>th</sup>, 2019

**REPORT:** CEP.04.19  
**CEPO FILE:** PS2-02-15

**TO:** Her Worship the Mayor and Council

**PREPARED BY:** Jim McCoomb, Planner  
Central Elgin Planning Department

**SUBJECT:** Prespa Construction Limited, Revised Development Concept, 146-156 William Street

**ATTACHMENTS:** Staff Report CEP-05-16, elevation drawings, site plan, original revised concept plan

**TO COUNCIL:** January 14<sup>th</sup>, 2019

**RECOMMENDATION:**

**THAT** Report CEP.04.19 be received.

**BACKGROUND**

- In October of 2015 Prespa Construction Limited (the "applicant") approached the Municipality of Central Elgin with a proposal to construct a nine storey mixed use development on the west side of William Street, north of Edith Cavell Boulevard. The original development concept proposed 52 residential units within a 9 storey apartment building with ground floor commercial space and three detached dwellings fronting onto Edith Cavell Boulevard. It was proposed that the units on the site will be in condominium ownership.
- A staff report was prepared for Council at their January 18<sup>th</sup>, 2016 meeting (Report CEP-05-16, attached as Appendix 1) with a recommendation to receive the application and set a public meeting date.
- A public meeting was held on March 1<sup>st</sup>, 2016 at the Port Stanley Community Centre. The public meeting was well attended with in excess of 200 people. The majority of comments at the public meeting were in objection to the development proposal, with most citing as reasons that they thought it was too high and not compatible with the character of the village.



- The staff report on the original development concept concluded that *"The difficulty with this proposed development is that there is no transition between the proposed 9 storey apartment and the surrounding neighbourhood, which is predominantly single and two storey buildings. Compatibility does not require that higher density development be identical to the surrounding neighbourhood, but it should complement the character of the neighbourhood. It should try and achieve a good fit with the surrounding neighbourhood in terms of architecture, built form, streetscape and land use. In staff's opinion the proposed development does not achieve this."*
- After the public meeting the applicant and his consultants indicated that they wanted an opportunity to reconsider the development concept, given the significant public opposition to it. Consideration of the amendment was deferred.
- Without formally amending its application, the applicant revised the development concept to two five-storey buildings. In order to make the revised concept work the applicant requested that Council consider a land exchange of a portion of the west side of Why Not Park in exchange for more land on the north side of the park, with the net result of a larger, reconfigured park. Without interpretation as approval of the application, Council indicated support in principle, subject to receiving details on the revised concept. The applicant also presented the revised concept to the Port Stanley Village Association, however the concept was not formally brought to Council in the form of a revised application.
- In December of 2017 the applicant filed an appeal with the Local Planning Appeals Tribunal (LPAT), citing as the reason the lack of a decision from Council within the 120 days as was then required under the Planning Act. The applicant's planning consultant advised staff that the appeal was submitted to protect their client's rights under the old Ontario Municipal Board rules, since the new Tribunal was just coming into place, and that they still wished to continue negotiating with the Municipality. However, the applicant was advised that since an appeal had been filed the practice of the Municipality is that any further communications go through the Municipal solicitor.
- A Pre-Hearing Conference was held by the LPAT on August 22, 2018 in the County Council Chambers. During the course of the Pre-Hearing Conference, the applicant formally advised that it would be changing its application from the 9 storey building to two 5 storey buildings on the reconfigured parcel. That process resulted in a Procedural Order that identified the parties to the matter as the Municipality of Central Elgin and Prespa Construction Limited. 9 participants from the community were also identified. A hearing has been set for the week of March 11, 2019 and is scheduled for 5 days. It will be held in the upper hall at the Port Stanley arena.
- The Procedural Order further required the applicant/appellant to produce updated documentation in support of the revised development concept no later than November 15<sup>th</sup>, 2018. That documentation was received November 14<sup>th</sup> and is available at the Municipal website at <https://www.centralelgin.org/en/business->



[development/current-planning-applications.aspx](#). The Order also required that on or before January 18, 2019, the Applicant/Appellant shall arrange for and hold a Public Information Session at an appropriate facility within the Community of Port Stanley at which the details and specifications and planning justification for such modified proposal shall be disclosed to the public. That Session has been scheduled for Tuesday, January 15<sup>th</sup>, 2019 from 6:00 to 8:00 p.m.

## **REPORT:**

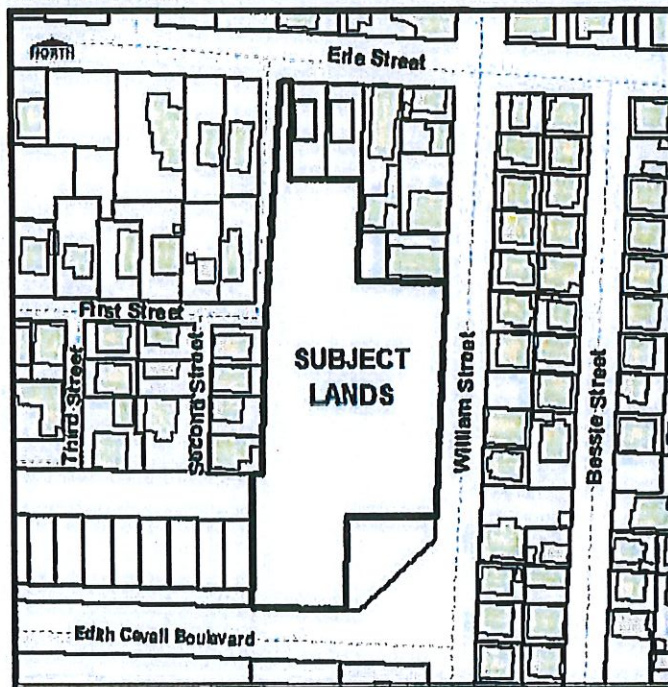
### **1) Revised Development Proposal:**

The applicant's revised development concept consists of two 5-storey residential apartment buildings. The first building ("Building 1"), which fronts onto William Street, has 32 residential units with ground floor parking and commercial uses at the William Street frontage. The second building ("Building 2") is a 30-unit residential apartment building fronting onto Edith Cavell Boulevard (total of 62 residential units). Conceptual elevation drawings and a preliminary site plan are attached as Appendices 2 & 3.

It is noted on the site plan that the first floor terraces and balconies for the second and third stories for Building 1 abut the property line at the southerly end, and similarly on Building 2 on both the east and west ends. Units above the third storey on both buildings are stepped back from the property lines (see elevation drawings, attached).

A total of 93 parking spaces are provided in the form of surface parking underneath a portion of Building 1 as well as in the area behind both buildings. Primary access to the site is from First Street. There is an emergency access proposed from the abutting development to the west on Edith Cavell Boulevard, to be controlled through the use of a gate or bollards.

Location Plan:



Approximately 168m<sup>2</sup> (1,808ft<sup>2</sup>) of commercial floor area is proposed. The commercial space is located on the frontage of Building 1 along William Street.

The subject lands have approximately 0.63 hectares (1.56 acres) of lot area with approximately 71.7m (235 ft.) of frontage along William Street, 30.4m (100 ft.) of frontage along Edith Cavell Boulevard, and 42.1m (138 ft.) along First Street. They may



be legally described as Part of Lots 6-14, South Side of Erie Street & Part of Lot 15, West of Sydenham Street, Plan 117, geographic Village of Port Stanley, now Municipality of Central Elgin. Known municipally as 146-156 William Street, the subject lands are shown on the Location Plan.

### 3) Existing Policies:

#### a) 2014 Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. In my opinion, the key policies from the PPS that are applicable to the proposed development include (with staff comment in parentheses and italics):

- 1.1.1 Healthy, liveable and safe communities are sustained by:
  - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; *(The proposed amendment seeks approval of apartment dwellings, which would contribute to the range and mix of residential dwelling types in Port Stanley.)*
  - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; *(The proposed high density residential development is a means to minimize land consumption and efficiently uses existing services.)*
- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. *(The Community of Port Stanley is designated as an Urban Settlement Area in the Municipality's Official Plan.)*
- 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;
  - b) 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. *(The proposed amendment supports an intensification project of a density that efficiently uses resources and available infrastructure.)*

- 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. *(The proposed amendment supports an intensification project that efficiently uses available infrastructure.)*
- 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:
    - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3; *(The proposed development is an intensification project that adds to the mix of housing choices in Port Stanley.)*
  - 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; *(The Director of Physical Services advises that there is adequate servicing capacity to service the proposed development. The updated servicing study submitted further confirms there are adequate services.)*
- 1.6.6.2 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. *(The proposed development is intensification on full services.)*

The updated Planning Justification Report submitted in support of the revised development concept (Zelinka Priamo Ltd., November 12, 2018) suggests that there are additional PPS policies that support the proposed development. Those policies were reviewed and it is my opinion that they are not necessarily applicable as I believe that they are not being read in the proper context by which they were intended.

In the final analysis, it is my opinion that the proposed amendment is consistent with what I believe to be the applicable policies of the 2014 PPS.

**b) County of Elgin Official Plan:**

The Official Plan of the County of Elgin designates the subject lands as a Tier 1 Settlement Area in accordance with Schedule 'A' – Land Use. Section B1 of the Plan states that "Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted." Tier 1 settlement areas have both municipal sewage and water services, and are the preferred locations for new development.



The Planning Justification Report provided in support of the revised development concept refers to the policies of Subsection B2.6 of the County Plan as applicable to the proposal. However, the Plan clearly states that the policies of B2.6 are applicable where "new development is proposed outside of a built up area, but within a settlement area boundary". The subject lands are within a settlement area, but are not located outside of the built up area. As such, it is my opinion that the policies of B2.6 are not applicable to the proposed amendment.

The County's Official Plan does not contain extensive policies governing specific land uses within the settlement areas. In that regard it defers to the more specific policies of the respective lower tier plans. The Plan sets out a series of objectives for the various areas of land use in settlement areas (residential, commercial, employment) in Section C1.1 of the Plan. The objectives for residential areas are set out in Subsection C1.1.1 and include:

- a) maintain and enhance the character and identity of existing residential areas;
- b) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing;
- c) promote the efficient use of existing and planned infrastructure by supporting opportunities for various forms of residential intensification, where appropriate;
- d) encourage increases in density in new development areas to maximize the use of infrastructure and minimize the amount of land required for new development;
- e) ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small-scale commercial uses and recreational open space areas;
- f) require a high standard of urban design for development and redevelopment; and,
- g) encourage local municipalities to establish comprehensive design guidelines and policies to foster the establishment of communities that are safe, functional and attractive.

Recognizing that these are objectives and not policies, it is noteworthy that support is provided for residential intensification, *where appropriate*. The objectives also encourage increases in density *in new development areas*. The subject lands are not in a new development area but rather within an established neighbourhood characterized by a mix of residential and commercial in a low density, low rise form. It is therefore questionable as to if the proposed development meets with the first objective of maintaining and enhancing the character and identity of existing residential areas.

Section C1.3 of the County Plan contains the policies regarding housing. The general policies are found in Subsection C1.3.2 and state, among others, that the County supports "residential intensification and redevelopment within settlement areas, where



an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of this Plan." The housing goals encourage "the development and redevelopment of lands within settlement areas and in appropriate locations at higher densities to maximize the use of infrastructure".

The County Plan contains policies relative to Natural Hazards, including those associated with the shoreline of Lake Erie. The policies require that the lower tier plans reflect the specific hazards for their respective jurisdictions. There is further discussion on this in the section on the Central Elgin Official Plan.

While the proposed amendment supports a development concept that may not meet with some of the objectives established for development in settlement areas, in my opinion it does conform with the applicable Housing policies of the County of Elgin Official Plan.

**c) Municipality of Central Elgin Official Plan:**

The subject lands are located within the "Residential" and "Commercial" designations in accordance with Schedule "G" – Community of Port Stanley Land Use Plan, to the Municipality of Central Elgin Official Plan. The Residential Policies of the Plan permit a full range of dwelling types including the proposed apartment dwellings. A full range of density is permitted including low, medium and high density, subject to the policies of the Plan. The 62 residential units proposed for the subject lands equates to a density of approximately 98 units per hectare, which falls within the high density definition (>35 units per net hectare). The proposal also meets the Plan's definition for residential intensification, which states that "Intensification means the development of a property, site or area at a higher density than currently exists through redevelopment (including the reuse of brownfield sites); the development of vacant and/or underutilized lots; infill development; and, the expansion or conversion of existing buildings."

Subsection 2.3.2.1 of the Plan contains the policies applicable to intensification proposals. They include (with staff comments in parentheses and italics):

- a) Residential intensification shall only be supported within the built up areas of the Urban Settlement Areas identified in Subsection 2.1.1 to the Plan. *(The subject lands are located within the built area limits of the Community of Port Stanley, which is designated an "Urban Settlement Area" in accordance with Schedule "1", Land Use Structure to the Municipality of Central Elgin Official 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 the Plan. *(The Community of Port Stanley is serviced with full municipal piped water and sanitary sewer services. The Director of Physical Services has advised that there is sufficient capacity in the piped water system and the sewage treatment system to accommodate the proposed development.)*
- c) Residential intensification shall comply with the policies contained within Section 4.0 of the Plan. *(See below.)*



Subsection 4.2.2(c) of the Plan contains policies specific to new medium or high density residential developments. Those policies require that:

1. The proposed design of the residential development is compatible in scale with the character of surrounding uses; *(Surrounding uses are a mix of commercial and low density residential uses that are typically 1 to 2 storeys with some at 3 storeys, see Analysis below)*
2. The site is physically suited to accommodate the proposed development; *(While the draft site plan shows that the buildings and parking will fit into the site, it proposes zero setbacks at three of four ends of the two buildings; the balance of the site is predominantly parking with little in terms of outdoor landscaping or amenity area.)*
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 the Plan; *(The Director of Physical Services has advised that there is sufficient capacity in the piped water system and the sewage treatment system to accommodate the proposed development.)*
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; *(Access to the site is proposed from First Street, which is designated as a local street in accordance with Schedule "G1" – Community of Port Stanley Roads Classification and Widening to the Official Plan. This triggered the requirement for a traffic study.)*
5. Sufficient off-street parking facilities are provided in accordance with the standards set out in the Zoning By-law; *(The applicant is proposing two different standards for parking for each building and has sized the parking spots smaller than the by-law standard, see Analysis below.)*
6. Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts. *(The applicant has submitted supporting documentation including the Planning Justification Report, Traffic Impact Report and a Shadowing Study to address impacts, see Analysis.)*

Subsection 4.2.2(d) of the Plan states that medium and high density residential projects shall be developed on the basis of comprehensive site plans, and that such projects shall require an amendment to the zoning by-law and site plan approval.

The commercial policies of the Plan permit a range of commercial uses including retail stores, personal and business services, offices, restaurants and other eating establishments, hotels, motels, places of entertainment and general assembly. A high standard of building and landscape design shall be applied to commercial development through the requirements of the implementing Zoning By-law and site plan approval, particularly where such developments are adjacent to residential uses or are located in



a strategic location. Proposals for new commercial uses shall be reviewed on the basis of general conformity with the following:

1. The proposed development shall provide adequate buffering and landscape screening to ensure visual separation between the commercial use and adjacent land uses; *(The proposed commercial component is one storey in height and separated from nearby residential uses by William Street, a similar condition for existing commercial uses in this same area.)*
2. Landscape screening may include the provision of plantings, earthen berms, fences, trees; the construction of screen walls or a combination of the aforementioned techniques. The use of native species in landscaping shall be encouraged; *(In my opinion, landscape screening is not a requirement for the limited commercial component.)*
3. Provision shall be made for parking, loading, vehicle circulation, garbage collection/storage, and other required facilities for the development; *(There are four parking spaces allocated for the commercial uses, there is no dedicated loading area proposed.)*
4. The property shall have frontage on a public road maintained to a municipal standard; *(The commercial component has frontage along William Street.)*
5. The site shall be provided with full municipal services; *(Full municipal services are available.)* and
6. Outside storage or display of merchandise shall be regulated through the implementing zoning by-law and through Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.

Subsection 4.6.6.6 of the Plan contains additional policies for commercial uses in Port Stanley. Many of the policies are general in nature and deal with matters of preserving and improving streetscapes, active transportation including access to the beach and harbourfront, and infilling. Subsection 4.6.6.6(i) provides additional policies specific to reviewing mixed use commercial/residential development in the commercial core. These include:

1. Compatibility with the general character of the area and, in particular, proximity effects upon adjacent uses, i.e. visual, shadowing; *(The applicant has submitted supporting documentation to address impacts including a Planning Justification Report and a Shadow Impact Study, see Analysis, below.)*
2. Capacity of existing infrastructure services and roads to accommodate the proposed use(s); *(The Director of Physical Services has advised that there is sufficient capacity in the piped water system and the sewage treatment system to accommodate the proposed development.)*
3. Proximity to community services and facilities; *(Community facilities within proximity are the public main beach, the harbour, the library, the arena and the school.)*



4. Availability of on-site or shared off-street parking; *(There is parking provided on-site (see discussion in Analysis) and nearby municipal lots.)*
5. Structural/physical character of a host building or site to accommodate intensification, re-use and/or redevelopment; *(The site is just large enough to accommodate the proposed buildings, parking and minimal landscaping but no outdoor amenity area is provided.)*
6. Provision of open space amenities, landscaping, buffers, etc. *(There is little to no outdoor landscaping and amenity area.)*

The subject lands are within the Regulatory Flood Uprush for Lake Erie as indicated on Schedule "G2" – Community of Port Stanley Natural Hazards. The policies for the Lake Erie shoreline uprush hazard are found in Section 3.2.4(ii) of the Plan. The policies require that

- a) All development on the lands within the Lake Erie Regulatory Flood Uprush as shown on Schedule G2 to this Plan shall be floodproofed to the 1:100 year flood uprush level of 176.8m Geodetic Survey of Canada.
- b) Prior to the issuing of building permits, plans and designs for floodproofing measures shall be submitted to the Municipality for review. All plans and designs for floodproofing shall be prepared by a qualified professional with recognized expertise in the appropriate principles using accepted methodologies.
- c) All plans and designs for floodproofing measures shall also be submitted to the Kettle Creek Conservation Authority for review and approval.
- d) The Regulatory Flood Uprush shall be recognized in a separate category in the Zoning By-law.

The policies of the Official Plan relative to Natural Hazards are implemented through the Port Stanley Building By-law, which requires that plans for floodproofing measures be submitted for all building proposals within the flood prone areas of Port Stanley. Floodproofing measures must also be approved by the local conservation authority.

**b) Zoning By-law No. 1507:**

The subject lands are located within the Residential Zone 1 (R1), Business Zone 1 (B1) and Open Space Zone 3 (OS3) of the Village of Port Stanley Zoning By-law No. 1507, as amended.

The R1 zone permits residential use, institutional uses lawfully existing on the day of passing of the by-law, home occupations and accessory uses. However, the only permitted dwelling types are single detached and semi-detached dwellings to a maximum density of one unit per lot.

The B1 zone permits retail store, restaurant, business office, personal service shop and dwelling units above the main or first storey. However, the B1 zone limits the height of buildings and structures to 10 metres.



The OS3 zone permits farm use, public, private and commercial recreational uses, summer cottages and residential uses that legally existed on the day of passing of the by-law.

A site specific zoning by-law amendment is required in order to support the proposed development on the subject lands, and establish site specific regulations to control the development.

The applicant's consultants have suggested an amendment to the by-law that would apply the B1 zone to all lands north of Why Not Park, including Building 1 and the lands west of the apartment building. The amendment also proposes to place Building 2 into an R2 zone, with site specific regulations to control the use. It is staff's position that the B1 zone should apply only to the commercial component of Building 1. The reason being that the apartment building, and the parking underneath it, is a residential use. In my opinion it would be more appropriately zoned R2, similar to Building 2.

#### **ANALYSIS:**

##### **Planning Justification Report (Zelinka Priamo Ltd., November 12, 2018):**

The applicant's planning consultant has prepared an updated Planning Justification Report (PJR) for the revised development concept. That report identifies many of the same policies noted in this staff report as being applicable to the proposal. While staff do not necessarily disagree with many of the conclusions drawn by the consultant as to compliance with Official Plan policies, there are some noted areas where staff do not agree with the interpretations provided. These include:

- (a) It is noted in Section 3.3 of the PJR (on page 18) that the proposed development straddles the boundary between the "Residential" and "Commercial" designations, however the commercial component occupies only a portion of the area designated "Commercial". The balance of the development in the "Commercial" designation consists of residential units above the parking lot. The report author is relying on the provisions of Subsection 5.5.1(a) and concludes that the land use boundaries are considered approximate and no amendment is required to make minor adjustments to a land use boundary.

*Staff Comment: Staff concur with this assessment.*

- (b) It is noted in the PJR that only a minimum of off street parking spaces are being provided for the commercial component of the development. The rationale provided is that the (unspecified) commercial uses are intended to take advantage of the passing pedestrian traffic and local population, and there is local municipal parking proximate to the subject lands to provide for the needs of the proposed commercial uses. The Report further states that the nature and scale of the proposed development does not warrant a loading space. It is intended to use the resident pickup/drop off area internal to the site for loading as required.



Staff Comment: There are a very limited range of commercial uses in Port Stanley that are not dependent on users from outside of the Community. However, this is a common issue for commercial uses in Port Stanley and one of the reasons that the Municipality has created and maintains public parking facilities. The parking on the site should be made available for the owners/employees of the commercial uses to ensure that they do not have to pay to park in order to be at work.

- (c) In the discussion about Section 4.6.6.6(i) policies on mixed use developments, Item 6 (page 23) regarding provision of open space amenities, landscaping and buffers, the response provided by the consultant is that there are open space and parkland opportunities in locations in close proximity to the subject land, and that landscaping and buffering will be addressed at the site plan approval stage.

Staff Comment: The intention of this policy is to encourage open space, landscape and urban design elements to be incorporated into mixed use developments as an integral component of the site plan. This would typically serve to soften the look of proposed development and avoid too much hardened surface. The proposed development leaves little opportunity for any on-site open space amenity as it is largely covered by buildings and paved surface. During the consultation process on the original development concept staff had suggested using the area close to Edith Cavell Boulevard as an opportunity for some on-site outdoor amenity area, but the applicant has chosen instead to seek a further block of apartments in that location. Open space and landscaping opportunities are reduced to perimeter planting areas.

It has already been noted that the applicant sought a land swap with the Municipality to facilitate the new development concept that will result in an enlarged Why Not Park, which lost some area as a result of recent road widening and intersection/streetscape improvements. However, the updated development concept proposes that the two buildings will be located immediately adjacent to the revised park boundaries (zero setback). This has the potential effect of making the park less of a public asset and more of one for the development itself. This was not the scenario shown by the applicant to Council at the time of the discussions on the proposed land swap for Why Not Park (see original concept, Appendix 4 attached).

(d) Compatibility:

Section 4.0 of the PJR attempts to demonstrate compatibility with the surrounding neighbourhood on six grounds, being abutting land uses; intensity of use; scale and massing; shadowing; pedestrian circulation; and traffic.

- (i) Abutting Land Use: The PJR acknowledges the surrounding land uses, albeit incorrectly referring to land use west of the subject lands as commercial. It correctly characterizes those uses as a mix of predominantly low density residential and commercial uses. There is little argument that the proposed use, being residential with a commercial component on the William Street frontage, is compatible with existing development in the area.



In my opinion, the last paragraph of this section of the PJR, which argues that the development of the subject lands will encourage the improvement of the park and its usage, is debatable. As shown on the site plan and elevation drawings, the revised development concept proposes that the balconies/terraces of the buildings will abut the west and north property lines of the park. It isn't until the fourth and fifth stories that the buildings are stepped back. The park may end up appearing as more of an amenity area for the proposed development and less of a public space, particularly with the first level patios for Building 2 opening up onto the park.

- (ii) Intensity of Use: The PJR suggests that the commercial component will be of an intensity that is similar to, and compatible with, existing commercial uses along William Street and there is no disagreement with this. The report then goes on to suggest that the 62 residential dwelling units, representing high density at 98 units per hectare, is appropriate because other urban environments have permitted this and even higher densities to interface with low density residential uses "across a main road". The report goes on to suggest that the influx of tourists to main beach in the summer has a "demonstrably greater impact on surrounding uses than the level of intensity proposed for the subject lands."

William Street is designated as a collector road on Schedule "G1" – Community of Port Stanley Roads Classification and Widening Plan to the Official Plan. However, it is physically constrained by existing development and has an allowance width of only approximately 15 metres. This offers very little separation distance between the proposed development and the low density uses on the east side of William. Further, while the main beach does attract a great number of tourists, this is particular to the summer season and peaks typically on long weekend, weather dependant. The potential impact associated with the proposed development would be a permanent one to the surrounding neighbourhood.

- (iii) Scale and Massing: The PJR describes the proposed five storey height of the buildings as "a modest increase from the abutting three storey dwellings" and "less than the recently approved six storey apartment buildings in the Wastell Homes development". While height may be a modest increase above the abutting buildings to the west (also owned by the applicant/appellant) it is a more significant increase above the predominantly 1 and 2 storey buildings that exist surrounding the subject lands. The comparison to the Wastell development is, in my opinion, irrelevant as the Wastell development is located on green field lands with no surrounding development so there is no comparison in terms of compatibility.



In my opinion, scale and massing includes height as a consideration but it is also about the way a building is arranged on its site and is particularly important for larger buildings. The orientation of the principal mass of the building on the site should avoid significant and visually jarring contrast between the scale of the proposed building and any adjacent buildings. Where the building is at the street edge, step backs for the upper floors can help to prevent visual dominance at the street edge. The proposed development includes a step back for the William Street frontage through the use of the single storey commercial component, however the Edith Cavell Boulevard frontage does not incorporate a similar step back and is located just over 1 metre away from the road allowance. The lower levels are the parts of the building that most affect the experience of people in the public realm that pass by. Issues of privacy for occupants at these lower levels also require consideration. The proposed development has residential uses in ground floor areas that adjoin the public realm at both the Edith Cavell Boulevard frontage and at Why Not Park.

The proposed development places the greatest massing at the two principle street frontages. Further, it extends that massing virtually to each of the lot lines, save for that adjacent to the Pierside Pub, where there is a 4.58m setback to the building and a 3.08m setback to the balconies. Where buildings are intended to be of a greater height or mass than existing developments there should be an attempt to blend into the neighbourhood. While the proposed height is better than the previously proposed 9 storeys, the proposed scale and massing of the buildings being pushed out to the property limits at the street frontage is not, in my opinion, in keeping with the character of the surrounding community. This is contrary to the policies of Subsection 4.2.2(c) of the Official Plan regarding new medium and high density developments, which require that the proposed design of the residential development is compatible in scale with the character of surrounding uses.

- (iv) Shadowing: A shadowing study ("Access to Sunlight – Sun Study", Strik, Baldinelli, Moniz, File SBM-18-2286) was submitted along with the revised development concept. The study itself contained no analysis, only the imagery from the shadow modeling. Analysis was contained in the PJR and consisted of a summary of the modeling results and a conclusion that "shadow impacts on surrounding lands are minimal and will not create undue adverse impacts on adjacent lands." No criteria were identified upon which the analysis was based.

Because the study and the analysis were completed by different consultants, it was suggested by planning staff that the Municipality have a peer review of the shadowing study completed. Philip Agar Architect Inc. ("Agar") was retained to do an independent shadowing study and analysis to compare against the work submitted with the revised development concept. Since the Municipality does not have its own shadow study criteria, the Agar study (Shadow Impact Study, Project No. 1000) employs the City of Waterloo Shadow Study Criteria that



have been used and accepted in other municipalities in this area including St. Thomas and London. Those criteria contain the following design principles:

- *As a principle, at least 50% or more of any property should not be shaded for more than two interval times (a four hour equivalency); or,*
- *As a principle, at least 50% of any property should be in full sun for at least two interval times (a four hour equivalency).*

Based on these principles, the Agar study concluded that *"the study shows that there is minimal to no impact on the surrounding buildings and properties. The siting of the new development is such that the shadow impact is mostly internal due to the north-south orientation of the site."* Staff asked Agar to take a closer look at the impacts associated with the fall equinox (September 21<sup>st</sup>) for periods just before and after the modeling timeframes of 3 p.m. and 6 p.m. given the extended shadows at this time of the year. That further review concluded that:

*"The small park at the north-west corner of Edith Cavell Boulevard and William Street is impacted by shadowing during this time period. The park is more than 50% shaded from 3pm to 7pm. Sunset for this time period is approximately 7:24pm. The park would still be more than 50% shadowed up until the setting of the sun. This park will be in shade for more than the maximum 4 hours from the City of Waterloo Shadow Study Criteria using these time periods."*

Therefore, while the proposed development will not have an impact on most surrounding properties from a shadowing perspective in accordance with accepted criteria, it will have a negative impact on Why Not Park during the fall period. It is noted that the analysis in the PJR stated that "shadow models for the early morning (8am) and evening (6pm) are typically not used to evaluate shadow impacts, due to the small timeframe that the sun is at a very low angle." Staff are advised by staff at Agar that 8 a.m. is almost never used and that 6 p.m. is actually a critical time period for the analysis.

- (v) **Pedestrian Circulation:** The PJR concludes that the proposed development will enhance pedestrian flow along the William Street streetscape and the proposed commercial uses will serve as a point of interest for pedestrians. Staff do not disagree with this conclusion. However, the massing of the proposal does not facilitate public pedestrian movement through the site by those living in the area to the west and wanting to access William Street.
- (vi) **Traffic:** The PJR references the Traffic Impact Assessment ("TIA") that was submitted in support of the revised development concept (F.R. Berry & Associates, November, 2018). The Report summarizes the findings of the TIA that "the proposed development will not have a significant effect on existing traffic flow and that the intersections noted will continue to function at a good level of service without the need for any roadway or intersection improvements." Municipal staff requested clarifications on the report but



otherwise did not take issue with those conclusions. However, it was also noted by staff that the TIA did not examine potential traffic movements from Smith Street through Sydenham to George Street. It was noted that during busy weekends traffic may avoid William Street and access George Street via Sydenham Street.

The Municipality retained Paul Bumstead of Dillon Consulting to perform a peer review of the TIA. Mr. Bumstead commented that he did not believe that the traffic associated with the proposed development will have an impact on the function of any of the local roads and intersections. This addressed the concern raised by staff.

### **Parking:**

It is noted that the Municipality's Official Plan, in subsections 4.2.2(c)(5) and 4.6.6.6(l)(4) requires high density and mixed use developments to have adequate parking on site.

As noted earlier in the discussion on the Municipality's Official Plan policies, the applicant is proposing two different standards for parking for each building and has sized the parking spaces smaller than the by-law standard. For Building 1 it is proposed to use the B1 standard of 1.25 spaces per dwelling unit, for a total of 44 parking spaces for the 32 dwelling units. For building 2 it is proposed to use the residential standard of 1.5 spaces per dwelling unit, for a total of 45 spaces. It is also proposed to apply the B1 standard for the commercial component in Building 1, which results in an additional 4 spaces for a grand total of 93 spaces required.

While staff are in agreement with the B1 commercial parking standard being applied to the commercial component of the proposed development, it is not felt to be appropriate to apply the B1 residential standard to the balance of Building 1. The B1 zone is a common zone applied to much of the existing commercial core area along Main Street, Bridge Street and William Street. The zone permits a limited range of commercial uses (retail store, restaurant, business office, personal service shop) as well as dwelling units above the main or first storey. The standards were created based upon the built form common to these areas, being predominantly 1 – 2 storey buildings. This in turn means little opportunity for a significant number of residential units, which in turn requires less parking for the potential residential uses. Residential is treated as more of an accessory use, with the main use being commercial.

The character of Building 1 is just the opposite. It is predominantly a residential building. Even the parking area underneath the second floor is predominantly for the residential use as only 4 spaces are identified as necessary for the commercial component. As such, it would be more appropriate to apply the same residential parking standard to Building 1 that is being applied to Building 2. Doing otherwise implied that there is less of a need or demand for parking spaces between the two buildings, which makes no logical sense, particularly when Building 1 has more units. People who occupy these units will be dependent on cars to get to work, appointments,



etc. as there is no public transit servicing Port Stanley, so adequate parking is a critical consideration.

Applying 1.5 spaces per dwelling unit to Building 1 results in a parking requirement for the residential component of 48 spaces. This increases the overall parking requirement for the development to 97 spaces. The site plan appears to maximize the available space for parking, so it is doubtful that the site can accommodate another 4 spaces. Further, the site plan indicates that parking spaces have been sized at 2.75m x 5.5m (9ft. x 18ft.). The Port Stanley by-law requires that parking spaces be sized at 10ft. x 20ft. If the size requirement is applied there will be even less parking spaces available for the proposed development.

#### **STAFF CONCLUSIONS:**

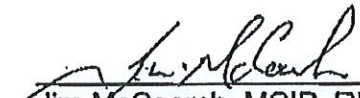
Infilling in the form of higher density development has many advantages and is supported by Provincial and local planning policies. It can help municipalities to maximize the efficient use of existing serviced areas, increase assessment and bring larger numbers of residents into an area that will support local businesses and services. However, if not implemented properly it can have impacts on existing, established neighbourhoods.

It is not being suggested by staff that higher density development could not work in Port Stanley, or that all new development should be limited in scale to match that of existing development. On the other hand, Port Stanley has great potential for attracting development and investment, particularly in the harbor lands. There is a balance to be sought between preserving the charm of the village and yet demonstrating that the Community is open for business and investment. The Harbour Visioning exercise yielded possible development scenarios that promoted higher density residential development on both sides of the harbour.

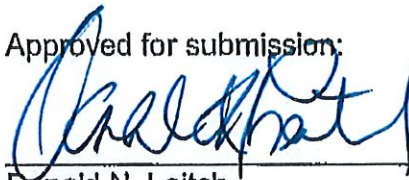
This analysis has determined that the proposed development is consistent with what I see as the relevant policies from the 2014 Provincial Policy Statement. It also finds that the proposed development complies with the applicable policies of the County of Elgin Official Plan. This is not surprising as the policies associated with both documents are higher level and do not necessarily get into the details associated with the site and its relationship to the surrounding neighbourhood.

In my opinion it is compliance with the policies of the Municipality of Central Elgin Official Plan that is at issue. Particularly those policies associated with compatibility (scale) and parking. The policies of subsections 4.2.2(c)(1) and 4.6.6.6(i)(1) speak to new development being compatible with the scale and character of the area and surrounding uses. In my opinion the scale and massing of the proposed development does not comply with these policies. Further, subsections 4.2.2(c)(5) and 4.6.6.6(i)(4) requires high density and mixed use developments to have adequate parking on site. This analysis has shown that the site likely cannot accommodate the required parking if the appropriate standards are applied and I am of the opinion that the proposed development is not in compliance with these policies.

Respectfully submitted:

  
\_\_\_\_\_  
Jim McCoomb, MCIP, RPP  
Manager of Planning Services

Approved for submission:

  
\_\_\_\_\_  
Donald N. Leitch  
CAO/Clerk



Appendix 1  
Staff Report CEP-05-16



The Corporation of the Municipality of  
**Central Elgin**

**REPORT**

**DATE:** January 12<sup>th</sup>, 2016

**REPORT:** CEP.05.16  
**CEPO FILE:** PS2-02-15

**TO:** His Worship the Mayor and Council

**PREPARED BY:** Jim McCoomb, Planner  
Central Elgin Planning Department

**SUBJECT:** Application to Amend Village of Port Stanley By-law 1507 – Prespa Construction Limited, 146-156 William Street

**ATTACHMENTS:** Planning Justification Report; Preliminary Servicing Report; Traffic Report; Shadowing Study; Site Plan, Elevation Drawing

**TO COUNCIL:** January 18<sup>th</sup>, 2016

**RECOMMENDATION:**

**THAT** Report CEP.88.15 be received;

**AND THAT** direction be given by Council to prepare a site-specific draft amendment to the Zoning By-law to permit a mixed use development on lands located at 146-156 William Street, which may be legally described as Plan 117, Part of Lots 6-9, South Side of Erie Street geographic Village of port Stanley, now Municipality of Central Elgin;

**AND FURTHER THAT** a date for a public meeting be established in accordance with Ontario Regulation 545/06 as amended. (*Recommended Date: February 16th, 2016 @ 7:00 p.m.*)

**ORIGIN:**

- The applicant has approached the Municipality of Central Elgin with a proposal to construct a nine storey mixed use development on the west side of William Street, north of Edith Cavell Boulevard. The development proposes 52 residential units within the 9 storeys with ground floor commercial space and three detached dwellings fronting onto Edith Cavell Boulevard. It is proposed that the units on the site will be in condominium ownership.



- Through the consultation process it was noted that documentation to support the proposed development would include planning justification (to address, among other things, land use compatibility), shadowing study, servicing study and traffic impact analysis. A geotechnical study to determine the suitability of the local soils to accommodate the proposed building was also requested.
- Staff have reviewed the application and documentation provided by the applicant and are satisfied that the application is complete relative to the requirements of Subsections 34(10.1) and 34(10.2) of the Planning Act, R.S.O., 1990 as amended. In accordance with Subsection 4.1(d) of By-law 1864, the applicant has been notified that the application is considered complete.

### **ANALYSIS:**

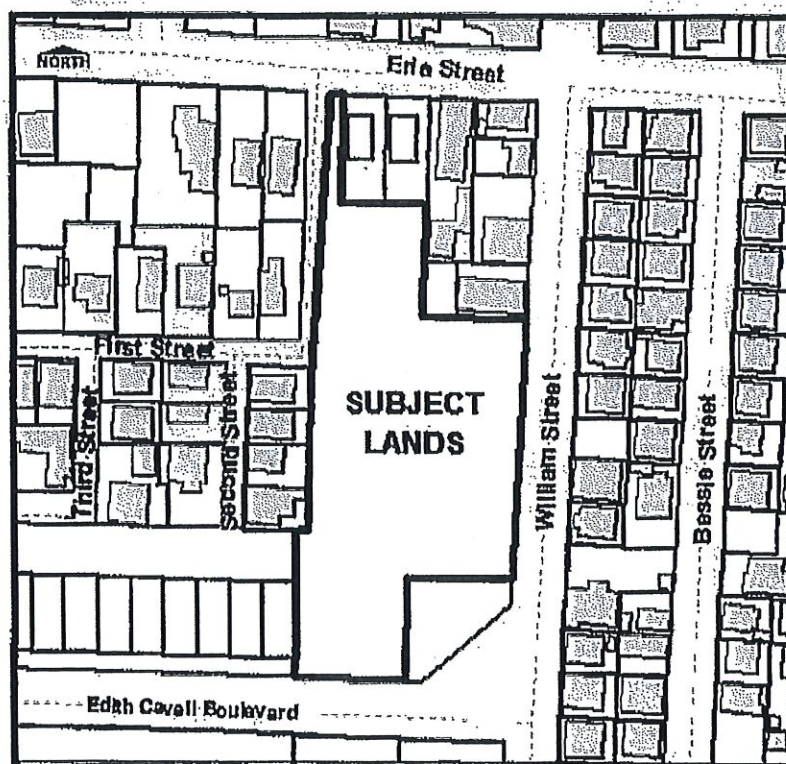
#### **1) Location:**

The subject lands, which are located on the west side of William Street, north of Edith Cavell Boulevard, have approximately 71.7 metres of frontage on William Street and are approximately 6300m<sup>2</sup> (1.56 acres) in lot area (see Location Plan). Municipally known as 146-156 William Street, they may be legally described as being Plan 117, Part of Lots 6-9, South Side of Erie Street geographic Village of port Stanley, now Municipality of Central Elgin.

#### **2) Proposal:**

The applicant is proposing to rezone the subject lands to permit a mixed use development consisting of 52 residential units in a nine storey apartment building with commercial space (2 units) on the main floor and three detached residential units fronting onto Edith Cavell Boulevard. It is proposed that all of the units will be in condominium ownership. A conceptual elevation drawing and preliminary site plan are attached.

**Location Plan:**



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### 3) Existing Policies:

#### a) Official Plan Policies:

The subject lands are located within the "Residential" and "Commercial" designations in accordance with Schedule "G" – Community of Port Stanley Land Use Plan, to the Municipality of Central Elgin Official Plan. The Residential Policies of the Plan permit a full range of dwelling types including the proposed apartments and detached dwellings. A full range of density is permitted including low, medium and high density, subject to the policies of the Plan. The 55 residential units proposed for the subject lands equates to a density of 87 units per hectare, which falls within the high density definition. The proposal also meets the Plan's definition for residential intensification, which states that *"intensification means the development of a property, site or area at a higher density than currently exists through redevelopment (including the reuse of brownfield sites); the development of vacant and/or underutilized lots; infill development; and, the expansion or conversion of existing buildings."* Subsection 2.3.2.1 of the Plan contains the policies applicable to intensification proposals. They include:

- a) Residential intensification shall only be supported within the built up areas of the Urban Settlement Areas identified in Subsection 2.1.1 to the 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 the Plan.
- c) Residential intensification shall comply with the policies contained within Section 4.0 of the Plan.

Subsection 4.2.2(c) of the Plan contains policies specific to new medium or high density residential developments. Those policies require that:

1. The proposed design of the residential development is compatible in scale with the character of surrounding uses;
2. The site is physically suited to accommodate 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 the Plan;
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;
5. Sufficient off-street parking facilities are provided in accordance with the standards set out in the Zoning By-law; and
6. Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts.

Subsection 4.2.2(d) of the Plan states that medium and high density residential projects shall be developed on the basis of comprehensive site plans, and that such projects shall require an amendment to the zoning by-law and site plan approval.



The commercial policies of the Plan permit a range of commercial uses including retail stores, personal and business services, offices, restaurants and other eating establishments, hotels, motels, places of entertainment and general assembly. A high standard of building and landscape design shall be applied to commercial development through the requirements of the implementing Zoning By-law and site plan approval, particularly where such developments are adjacent to residential uses or are located in a strategic location. Proposals for new commercial uses shall be reviewed on the basis of general conformity with the following:

1. The proposed development shall provide adequate buffering and landscape screening to ensure visual separation between the commercial use and adjacent land uses;
2. Landscape screening may include the provision of plantings, earthen berms, fences, trees; the construction of screen walls or a combination of the aforementioned techniques. The use of native species in landscaping shall be encouraged.;
3. Provision shall be made for parking, loading, vehicle circulation, garbage collection/storage, and other required facilities for the development;
4. The property shall have frontage on a public road maintained to a municipal standard;
5. The site shall be provided with full municipal services; and
6. Outside storage or display of merchandise shall be regulated through the implementing zoning by-law and through Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.

Subsection 4.6.6.6 of the Plan contains additional policies for commercial uses in Port Stanley. Many of the policies are general in nature and deal with matters of preserving and improving streetscapes, active transportation including access to the beach and harbourfront, and infilling. Subsection 4.6.6.6(i) provides additional policies specific to reviewing mixed use commercial/residential development in the commercial core. These include:

1. Compatibility with the general character of the area and, in particular, proximity effects upon adjacent uses, i.e. visual, shadowing;
2. Capacity of existing infrastructure services and roads to accommodate the proposed use(s);
3. Proximity to community services and facilities;
4. Availability of on-site or shared off-street parking;
5. Structural/physical character of a host building or site to accommodate intensification, re-use and/or redevelopment; and,
6. Provision of open space amenities, landscaping, buffers, etc.



**b) Zoning By-law No. 1507:**

The subject lands are located within the Residential Zone 1 (R1), Business Zone 1 (B1) and Open Space Zone 3 (OS3) of the Village of Port Stanley Zoning By-law No. 1507, as amended.

The R1 zone permits residential use, institutional uses lawfully existing on the day of passing of the by-law, home occupations and accessory uses. However, the only permitted dwelling types are single detached and semi-detached dwellings to a maximum density of one unit per lot.

The B1 zone permits retail store, restaurant, business office, personal service shop and dwelling units above the main or first storey. However, the B1 zone limits the height of buildings and structures to 10 metres.

The OS3 zone permits farm use, public, private and commercial recreational uses, summer cottages and residential uses that legally existed on the day of passing of the by-law.

A site specific zoning by-law amendment is required in order to support the proposed development on the subject lands, and establish site specific regulations to control the development.

**Staff Comments:**

The applicant retained the services of a planning consultant to prepare a Planning Justification Report for the proposed development (see attached). That report identifies many of the same policies noted in this staff report as being applicable to the proposal. While staff do not necessarily disagree with many of the conclusions drawn by the consultant as to compliance with Official Plan policies, there are some noted areas where staff do not agree with the interpretations provided. These include:

- (a) It is noted in Section 3.3 of the report (on page 10) that the proposed development straddles the boundary between the "Residential" and "Commercial" designations, however the commercial component occupies only a portion of the area designated "Commercial". The balance of the development in the "Commercial" designation consists of residential units above the parking lot. The report author is relying on the provisions of Subsection 5.1(a) and concludes that the land use boundaries are considered approximate and no amendment is required to make minor adjustments to a land use boundary.

Staff Comment: While it is true that Subsection 5.1(a) states that the boundaries of the land use designations as shown on the land use schedules to the Plan are approximate, it also states that they shall be considered absolute only where they coincide with roads, railway lines, lot lines or other clearly defined physical features. In the case of the "Commercial" designation affecting the subject lands, its westerly boundary does coincide with the westerly or rear lot lines of the majority of the lots fronting onto William Street. In that regard the policy states that the boundary shall be considered absolute where it coincides with a lot line.

Notwithstanding the above, it is staff's opinion that Council can consider the proposed development concept without requiring an amendment to the Plan. There are policies in Subsection 4.6.6.6(i) that specifically deal with mixed use

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*commercial/residential developments in the commercial core. The very existence of these policies clearly indicates that mixed use development is anticipated in the commercial designation, subject to meeting the policies of the Plan.*

- (b) It is noted in two sections of the Planning Justification report that no off street parking spaces are being provided for the commercial component of the development (see the last paragraphs on pages 12 and 13). The rationale provided is that the (unspecified) commercial uses are not intended to be destination uses attracting users from outside Port Stanley. Further, they are intended to take advantage of the passing pedestrian traffic and local population, and there is local municipal parking proximate to the subject lands to provide for the needs of the proposed commercial uses.

Staff Comment: *There are a very limited range of commercial uses in Port Stanley that are not dependent from one degree to another on users from outside of the Community. Further, this argument does not address the parking needs of employees of the commercial uses, who would be forced to seek parking opportunities on the street or in paid parking lots. Also, given the size of the subject lands it is not reasonable for the applicant to argue that they cannot provide off street parking to meet even the minimum requirements of the zoning by-law.*

- (c) In the discussion about Section 4.6.6.6(i) policies on mixed use developments, Item 6 (page 15) regarding provision of open space amenities, landscaping and buffers, the response provided by the consultant is that there are open space and parkland opportunities in locations in close proximity to the subject land, and that landscaping and buffering will be addressed at the site plan approval stage.

Staff Comment: *The intention of this policy is to encourage open space, landscape and urban design elements to be incorporated into mixed use developments as an integral component of the site plan. This would typically serve to soften the look of proposed development and avoid too much hardened surface. The proposed development leaves little opportunity for any on-site open space amenity as it is largely covered by buildings and paved surface. During the consultation process staff had suggested using the area close to Edith Cavell Boulevard as an opportunity for some on-site outdoor amenity area, but the applicant has chosen instead to seek a further three detached units in that location. Open space and landscaping opportunities are reduced to perimeter planting areas.*

*Staff have advised the applicant that the Municipality may seek a parkland dedication rather than cash-in-lieu. It is considered an opportunity to enlarge Why Not Park, which will lose some area as a result of future road widening and intersection improvements. Staff would suggest that enlarging the park, which is located adjacent to the subject lands, would help in adding some more green space that the development is not providing.*

#### **Compatibility:**

The consultants who prepared the applicant's Planning Justification Report attempt to demonstrate compatibility with the surrounding neighbourhood on six grounds, being abutting land uses; intensity of use; scale and massing; shadowing; pedestrian circulation; and traffic. The discussion within the report is not so much about how the proposed development is compatible with the surrounding land uses but how the



proposal attempts to mitigate against anticipated impacts associated with the recognition that it may not be viewed as compatible with the scale of surrounding uses. This is an important distinction because the report recognizes clearly that:

- "...the scale of the proposed development is larger than surrounding buildings..." (p.12)
- "...the proposed apartment building is larger than any other building in Port Stanley and, by virtue of its size, does not fall within the traditional built form character of the area." (p.16)
- "...the proposed apartment building represents a significant increase in massing, scale, and intensity in the area." (p.19)
- "...no existing building in Port Stanley contains this level of residential density..." (p.20)
- "The height of the proposed apartment building is an increase beyond the maximum building height that currently exists in Port Stanley." (p.20)

These statements from the report focus on the height and massing of the proposed apartment building more so than the proposed uses. This is likely coming from the reasonable expectation that if there will be objections to the proposal they will likely be with respect to the height/mass. However, if that aspect of the proposal is isolated from the discussion and the use itself is examined there is little argument that the use, being residential with a commercial component on the William Street frontage, is compatible with existing development in the area.

The height of the proposed apartment, at 9 storeys, would make it the tallest building in Port Stanley. To give it some perspective, according to existing contour information the bluff upon which the Mariner's Bluff condominium development was built is 30 metres (98.4 feet) high. The front elevation drawing provided with the application shows a height from grade level to the roof top recreation level of 25.36 metres. If the roof top recreation level has a height at least that of the first floor commercial (3.66 metres) that will make the overall height approximately 29 metres (95.14 feet). Therefore the proposed apartment will be almost as high as the nearby bluff to the northwest.

The difficulty with this proposed development is that there is no transition between the proposed 9 storey apartment and the surrounding neighbourhood, which is predominantly single and two storey buildings. Compatibility does not require that higher density development be identical to the surrounding neighbourhood, but it should complement the character of the neighbourhood. It should try and achieve a good fit with the surrounding neighbourhood in terms of architecture, built form, streetscape and land use. In staff's opinion the proposed development does not achieve this.

**Staff Comment:**

In addition to the planning justification report the applicant has submitted a preliminary servicing report, traffic impact study and a shadowing study to support the proposed development. The reports conclude that the proposed development can be adequately serviced and will have no impact on the traffic function and operation of local streets. The shadowing study indicates that there would be shadowing impacts to nearby properties during certain times of the day and of the year, however no property is subject to constant shadowing impacts.



Infilling in the form of higher density development has many advantages and is supported by Provincial and local planning policies. It can help municipalities to maximize the efficient use of existing serviced areas, increase assessment and bring larger numbers of residents into an area that will support local businesses and services. However, if not implemented properly it can have impacts on existing, established neighbourhoods.

It is not being suggested by staff that higher density development could not work in Port Stanley, or that all new development should be limited in scale to match that of existing development. On the other hand Port Stanley has great potential for attracting development and investment, particularly in the harbor lands. There is a balance to be sought between preserving the charm of the quaint fishing village and yet demonstrating that the Community is open for business and investment. The Harbour Visioning exercise yielded possible development scenarios that promoted higher density residential development on both sides of the harbour.

Staff are not recommending that Council reject the application outright, but rather receive it and establish a public meeting date. That way public review and input into the proposal can be sought and considered by Council and the applicant before final decisions are made. The applicant has indicated in discussions with staff that a lower height design is possible, but would be more of a standard rectangular building, a block so to speak. Therefore there may be avenues for further negotiation with the developer on the overall design concept for the lands after input from the public and Council.

Respectfully submitted:

Approved for submission:

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Jim McCoomb  
Planner

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Donald N. Leitch  
CAO/Clerk

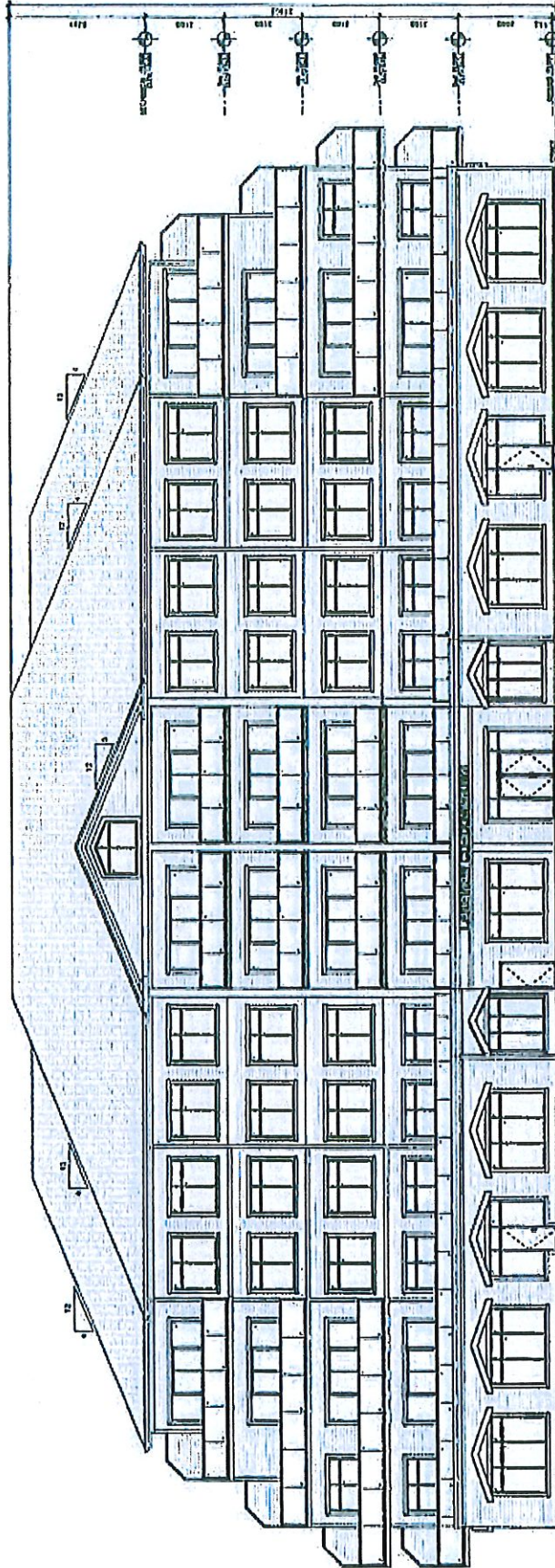
Appendix 2  
Site Plan





**Appendix 3  
Elevation Drawings**





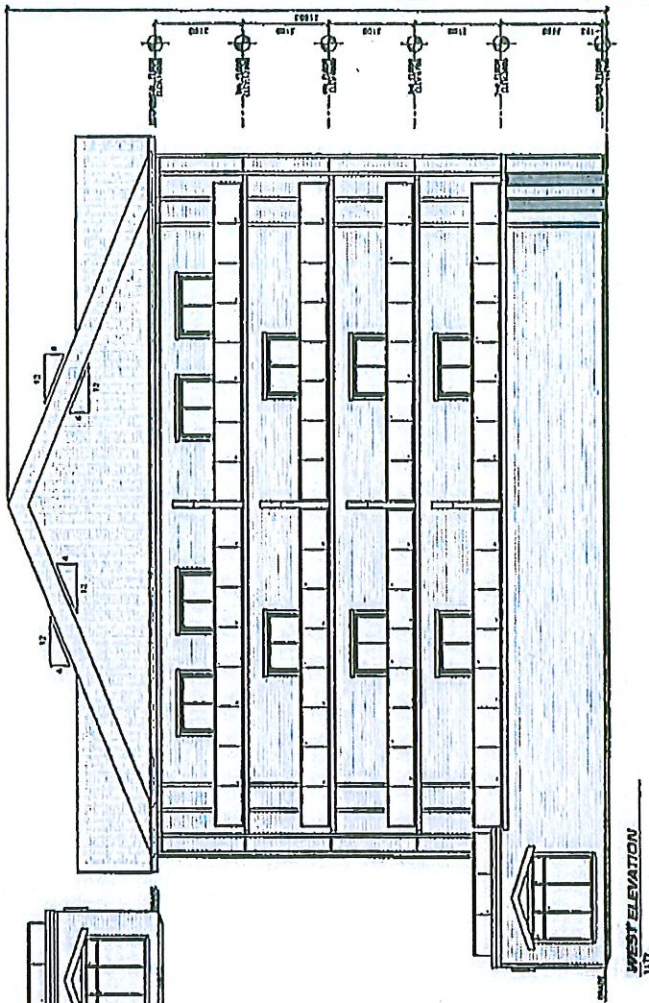
NORTH ELEVATION  
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<p><b>GENERAL NOTES</b></p> <p>1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2018 INTERNATIONAL BUILDING CODE (IBC).</p> <p>2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT.</p> <p>3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE AND BONDS.</p> <p>4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES LOCATIONS AND DEPTHS.</p> <p>5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR.</p> <p>6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SUBMITTALS AND APPROVALS.</p> <p>7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULING AND COORDINATION.</p> <p>8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY AND PROTECTION.</p> <p>9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY QUALITY CONTROL.</p> <p>10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DOCUMENTATION.</p>	<p><b>STRIK BALDINELLI MONTE</b></p> <p>ARCHITECTS</p> <p>1000 10TH AVENUE, SUITE 1000 PORTLAND, OREGON 97204</p> <p>503.281.1234</p> <p>www.strikbaldinelimonte.com</p>	<p><b>PRESPA CONSTRUCTION LTD</b></p> <p>386 EDITH CAVEILL ST. PORT STANLEY, ON</p>	<p><b>BUILDING 1 - NORTH ELEVATION</b></p>	<p><b>3.0</b></p>
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**WEST ELEVATION**

**GENERAL NOTES**

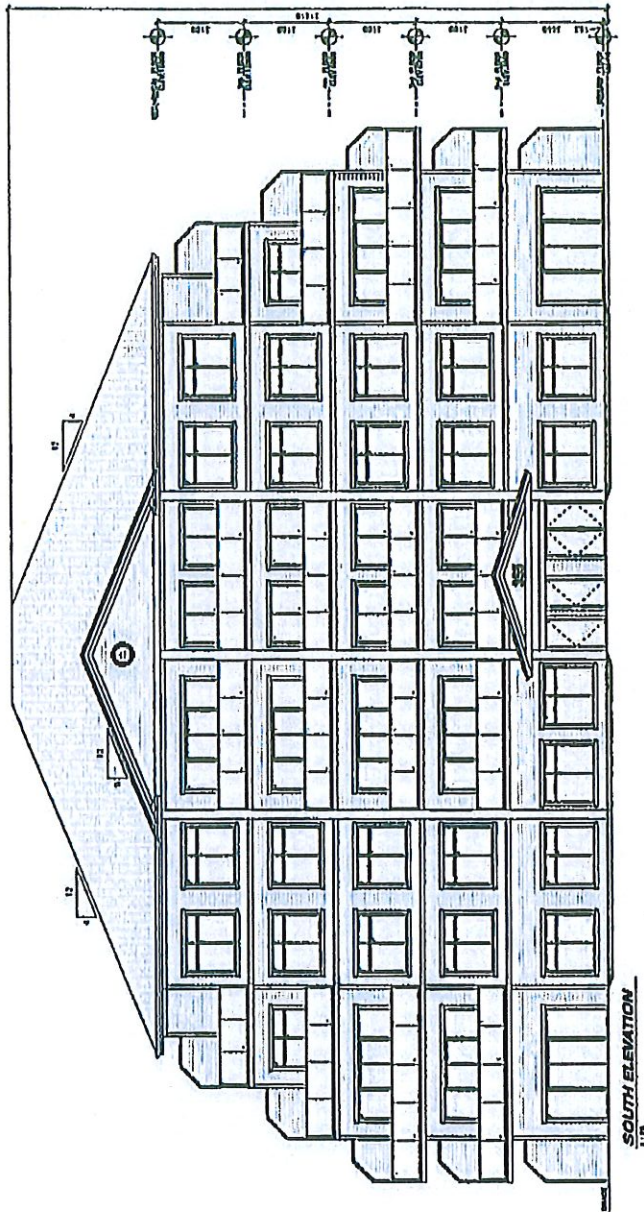
1. It is the responsibility of the Engineer to provide the following information to the contractor, which shall include:

- a. A clear and concise description of the work to be performed.
- b. A clear and concise description of the materials to be used.
- c. A clear and concise description of the methods to be used.
- d. A clear and concise description of the schedule to be followed.
- e. A clear and concise description of the quality control program to be followed.
- f. A clear and concise description of the safety program to be followed.
- g. A clear and concise description of the environmental protection program to be followed.
- h. A clear and concise description of the traffic control program to be followed.
- i. A clear and concise description of the utility relocation program to be followed.
- j. A clear and concise description of the construction of the project.
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**REVISIONS**

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**GENERAL NOTES**

1. All work shall be in accordance with the specifications of the City of Chicago and the Department of Public Works.

2. All materials shall be of the best quality and shall be subject to inspection and approval by the City Engineer.

3. All work shall be completed within the time specified in the contract.

4. All work shall be done in accordance with the plans and specifications.

5. All work shall be done in accordance with the latest edition of the City of Chicago Building Code.

6. All work shall be done in accordance with the latest edition of the City of Chicago Electrical Code.

7. All work shall be done in accordance with the latest edition of the City of Chicago Mechanical Code.

8. All work shall be done in accordance with the latest edition of the City of Chicago Plumbing Code.

9. All work shall be done in accordance with the latest edition of the City of Chicago Fire Code.

10. All work shall be done in accordance with the latest edition of the City of Chicago Sanitary Code.

**PERMITS REQUIRED**

1. Building Permit

2. Electrical Permit

3. Mechanical Permit

4. Plumbing Permit

5. Fire Permit

6. Sanitary Permit

**OWNER'S REPRESENTATIVE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

**CONTRACTOR'S REPRESENTATIVE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

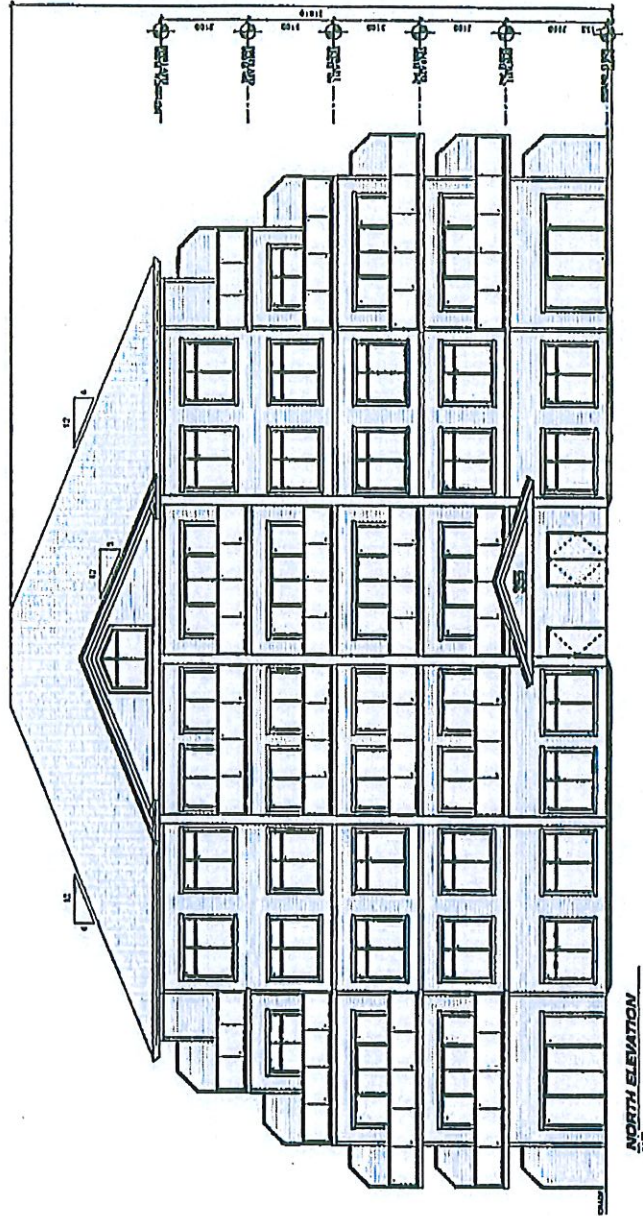
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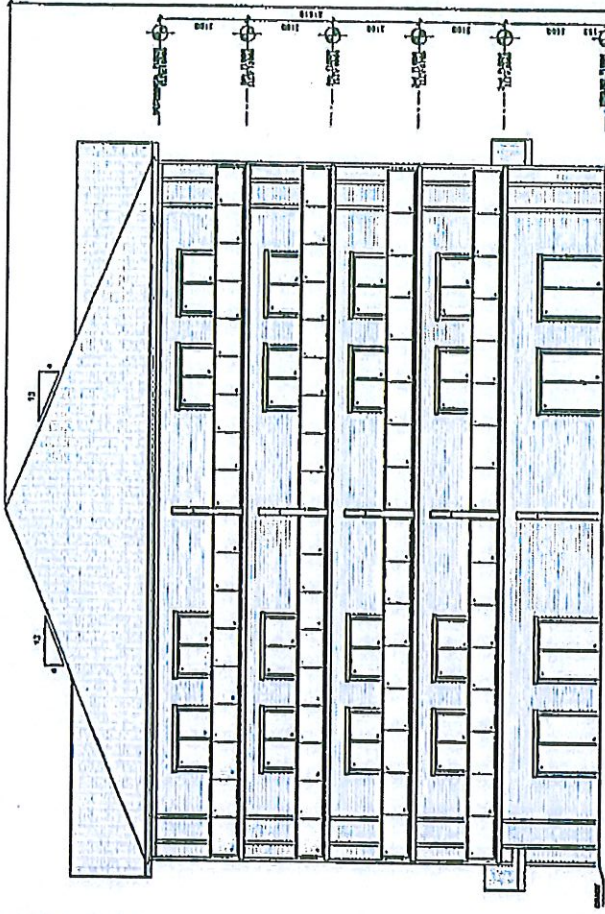
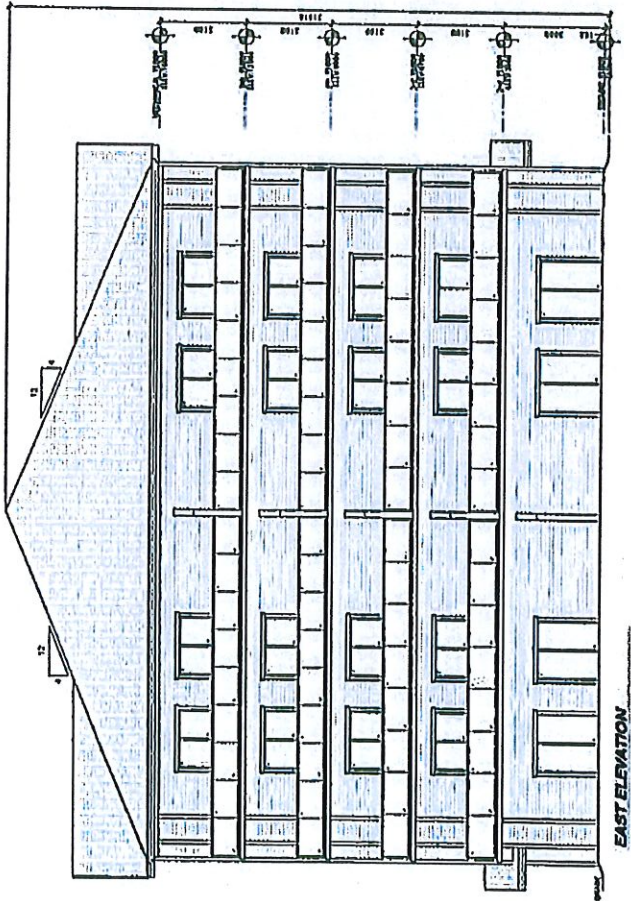
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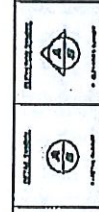
NORTH ELEVATION

<p><b>GENERAL NOTES</b></p> <p>1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.</p> <p>2. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>3. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>4. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>5. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>6. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>7. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>8. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>9. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p> <p>10. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.</p>	<p><b>ARCHITECT</b></p> <p>STRICK BALDWIN MONIZ</p> <p>ARCHITECTS</p> <p>10000 100th Avenue</p> <p>Edmonton, Alberta T6E 1K1</p> <p>Canada</p>	<p><b>CLIENT</b></p> <p>PRESIPA CONSTRUCTION LTD</p> <p>365 EDITH CAVELL ST.</p> <p>PORT STANLEY, ON.</p>	<p><b>PROJECT NO.</b></p> <p>BUILDING 2 - NORTH ELEVATION</p>	<p><b>DATE</b></p> <p>2014</p>	<p><b>SCALE</b></p> <p>1:100</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>	<p><b>PROJECT NO.</b></p> <p>A3.4</p>
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**GENERAL NOTES**

1. All dimensions are in feet and inches.
2. All elevations are shown in perspective.
3. All elevations are shown in perspective.
4. All elevations are shown in perspective.
5. All elevations are shown in perspective.
6. All elevations are shown in perspective.
7. All elevations are shown in perspective.
8. All elevations are shown in perspective.
9. All elevations are shown in perspective.
10. All elevations are shown in perspective.



**PRESIPA  
CONSTRUCTION LTD  
365 EDITH CAVELL ST.  
PORT STANLEY, ON.**

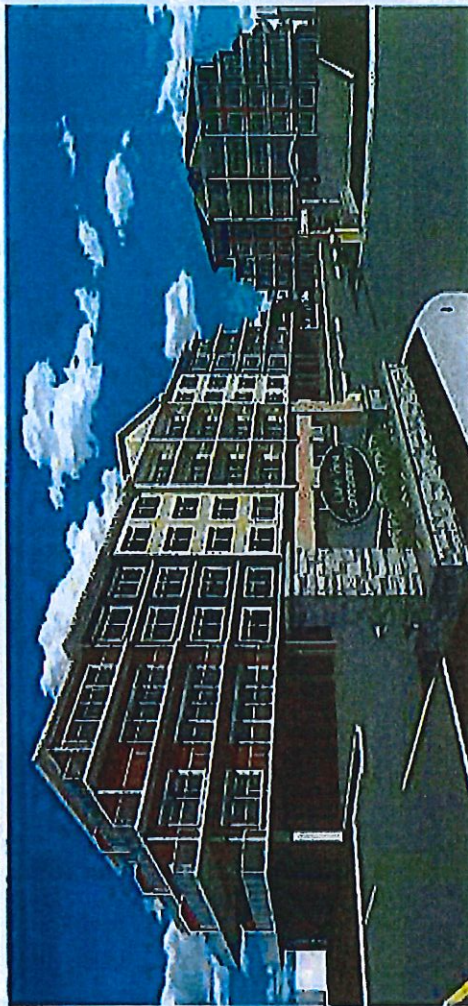
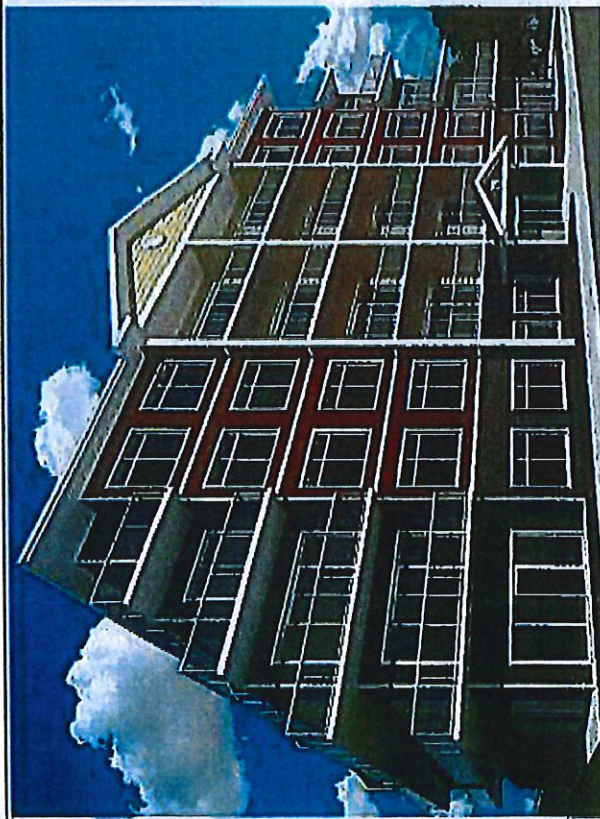
**BUILDING 2 - EAST &  
WEST ELEVATIONS**

**DATE: 11/11/11**

**SCALE: 1/8" = 1'-0"**

**3.5**



[illegible]



Appendix 4  
Original Revised Concept





## **SCHEDULE H**



# **Proposed Apartments**

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## **Shadow Impact Study**

Date: January 10, 2019

Location: 146-156 William Street  
Port Stanley, Ontario

Project Number: 1000

Prepared for: Municipality of Central Elgin

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## **Executive Summary**

### Site Data

Location: 146-156 William Street  
Port Stanley, Ontario

Latitude: 42.6641° N  
Longitude: 81.2156° W

Time Zone: Eastern  
Standard Time: GMT -5 hours  
Daylight Time: GMT -4 hours  
Building Height: 21.603m

The Municipality of Central Elgin is currently reviewing a Local Planning Appeal Tribunal (LPAT) appeal respecting a proposed zoning by-law amendment application for a proposed development at 146-156 William Street, Port Stanley, Ontario. Philip Agar Architect Inc. has been engaged to carry out a Shadow Impact Study as a peer review of the Shadow Impact Study done by the Developer.

### **Process**

As the Municipality of Central Elgin does not have standards for Shadow Impact Studies we have used the City of Waterloo Shadow Study Criteria. Other shadow study criteria were considered for this study. The City of Mississauga Shadow Study Criteria was reviewed. The criteria from this municipality is considered to be for a more urban environment and would not be appropriate for use for this site. A copy of the City of Waterloo Shadow Study Criteria has been included for reference. A 3D model of the area surrounding the site has been created in order to show the effects of the shadows, and the calculations have been included for reference. See the attached 3D model and shadow length calculations.

The Shadow Impact Study will show the effect of the proposed new development on the surrounding environment during the equinox, shortest and longest days of the year in the morning, noon and afternoon.

### **The Development**

The current working plan is to develop two apartment buildings. The first building faces William Street. For the purposes of this report we have indicated this as Building A. The proposed building is a 5 storey apartment building with a building area of approximately 1,364 sm. There are 32 apartment units and 2 commercial units proposed for this building.

The second building faces Edith Cavell Boulevard. For the purposes of this report we have indicated this as Building B. The proposed building is a 5 storey apartment building with a building area of approximately 766 sm. There are 30 apartment units proposed for this building.

The height of both of the apartment buildings is 21.603 m.



Two buildings are rectangular shaped buildings with a north-south orientation for the Building A on William Street and east-west orientation for the Building B on Edith Cavell Boulevard. Surface parking is proposed for the development. Two vehicular entries are proposed for the site. Erie Street to the north and a private roadway parallel to Edith Cavell Boulevard to the west. A pedestrian entry from each building to William Street and Edith Cavell Boulevard is proposed along with rear entrances to the surface parking on the site.

## Observations

Review of the study shows that there is minimal to no impact on the surrounding buildings and properties. The siting of the new development is such that the shadow impact is mostly internal due to the north-south orientation of the site. Building A has some shadow impact on the property immediately north of the site and on the east side of William Street in the afternoon. There are also shadow impacts on other properties east of the building on Bessie and Maud Streets in early evening time periods. Building B has some shadow impact on the property immediately west of the site and the parkette immediately east of the site. There are also shadow impacts on other properties east of the building on Bessie and Maud Streets in early evening time periods. See the attached drawings. However, none of the shadows impact these adjacent properties for more than the time intervals given in the criteria.

The City of Waterloo Shadow Study Criteria requires the following design principals:

- *As a principle, at least 50% or more of any property should not be shaded for more than two interval times (a four hour equivalency); or,*
- *As a principle, at least 50% of any property should be in full sun for at least two interval times (a four hour equivalency).*

## March 21

The property to the west of Building B, 355 Edith Cavell Boulevard, is shaded in excess of 50% for the 10am time period. There is some minor shadowing north of Building A at 158 William Street. Building B shadows the park east of the building at 4 and 6pm in excess of 50%. Building A shadows properties at 155 and 157 William Street in excess of 50% at the 4 and 6pm time periods. There are also multiple properties on William, Bessie and Maud Streets that are shadowed in excess of 50% at the 6pm time period. None of these shadowed areas exceeds the maximum 4 hour period from the criteria.

## June 21

The property to the west of Building B, 355 Edith Cavell Boulevard, is shaded in excess of 50% for the 10am time period. Building B shadows the park east of the building at 4 and 6pm in excess of 50%. Building A shadows properties at 149, 151, 153, 155 William Street and 152 and 154 Bessie Street in excess of 50% at the 6pm time period. None of these shadowed areas exceeds the maximum 4 hour period from the criteria.

## September 21

The property to the west of Building B, 355 Edith Cavell Boulevard, is shaded in excess of 50% for the 10am time period. There is some minor shadowing north of Building A at 158 William Street. Building B shadows the park east of the building at 4 and 6pm in excess of 50%. Building A shadows properties at 153, 155, 157

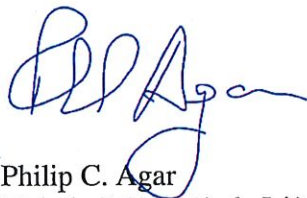
and 159 William Street in excess of 50% at the 4pm time period and 149, 151, 153, 155 and 157 William Street at the 6pm time period in excess of 50% . There are also multiple properties on William, Bessie and Maud Streets shadowed in excess of 50% at the 6pm time period. None of these shadowed areas exceeds the maximum 4 hour period from the criteria.

In addition to the prescribed time periods of 10am, 12pm, 2pm, 4pm and 6pm from the City of Waterloo Shadow Study Criteria additional time periods have been included . The time periods of 2:30pm, 3pm, 3:30pm, 6:30pm and 7pm have also been included in the 3D model for these time periods for the Autumn Shadows on the Equinox. These time periods have been included at the request of the Municipality.

The small park at the north-west corner of Edith Cavell Boulevard and William Street is impacted by shadowing during this time period. The park is more than 50% shaded from 3pm to 7pm. Sunset for this time period is approximately 7:24pm. The park would still be more than 50% shadowed up until the setting of the sun. This park will be in shade for more than the maximum 4 hours from the City of Waterloo Shadow Study Criteria using these time periods.

### **December 21**

The property to the west of Building B, 355 Edith Cavell Boulevard and properties at 145, 149 and 149 Second Street is shaded in excess of 50% for the 10am time period. There is some minor shadowing north of Building A at 158 William Street at the 10am time period. At the 12pm time period the property north of Building A is shaded in excess of 50% at 158 William Street. There is some minor shadowing from Building B to the small park to the east of the site at the 2pm time period. At 2pm the properties at 158 and 162 William Street are shaded in excess of 50%. None of these shadowed areas exceeds the maximum 4 hour period from the criteria.



Philip C. Agar  
M. Arch., B. Tech. (Arch. Sci.), OAA



## K: SHADOW STUDY CRITERIA

To evaluate the impact of intensification, the City of Waterloo may require a Shadow Study to illustrate the shadow impact the proposed development has on the site and surrounding properties with emphasis on residential uses, outdoor amenity spaces and park spaces, and to provide recommendations to reduce shadowing based on City criteria. At the discretion of the City, a Shadow Study may be required for development over 6 storeys (18m) height. The Shadow Study requirement will be identified through the pre-consultation process for the following types of applications:

- Official Plan applications
- Zone Change applications
- Site Plan applications
- Minor Variance applications

Ideal times to measure the impact of sun and shadow occur during the equinox, the beginning of spring and fall (around March 21 and September 21) and the summer solstice, the beginning of summer in the northern hemisphere. During the equinox, the sun shines directly on the equator and the length of day and night are nearly equal in all parts of the world. Another important time to consider is during the summer, a time when people generally use their amenity space or public space the most. Based on this, the City of Waterloo shall require shadow tests for the following dates and times:

Date(s)	Times
• Spring shadows, March 21 (equinox):	10am, 12 pm, 2 pm, 4 pm, 6 pm
• Summer shadows, June 21 (solstice):	10am, 12 pm, 2 pm, 4 pm, 6 pm
• Autumn shadows, September 21 (equinox):	10am, 12 pm, 2 pm, 4 pm, 6 pm
• Winter shadows, December 21 (solstice)	10 am, 12 pm, 2 pm

These times allow for measuring of hours of sunlight intervals. Additional times may be requested to respond to specific site conditions and shading concerns. The level of impact is measured by the time of shadow, or duration. To be considered compatible, a Shadow Study must demonstrate:

- As a principle, at least 50% or more of any property should not be shaded for more than two interval times (a four hour equivalency); or,
- As a principle, at least 50% of any property should be in full sun for at least two interval times (a four hour equivalency).

These criteria are similar to other municipal shadow study requirements in the Province. The study should include a summary letter describing how the proposed development meets minimum shadow criteria. If the proposal does not meet the general Shadow Study criteria, the Shadow Study must identify other massing options that would meet the intent of shadow criteria.

The study model is to include the site (highlighted on the plan), as well as, surrounding streets, blocks, parks and all buildings located within the shadow impact boundary during the requested times. Where possible, the model should include other approved but not built buildings within the model area. The City of Waterloo will provide this information. The shadow model is to be plotted in colour to a standard metric scale.

124



# SPRING SHADOWS

MARCH 21 (EQUINOX)

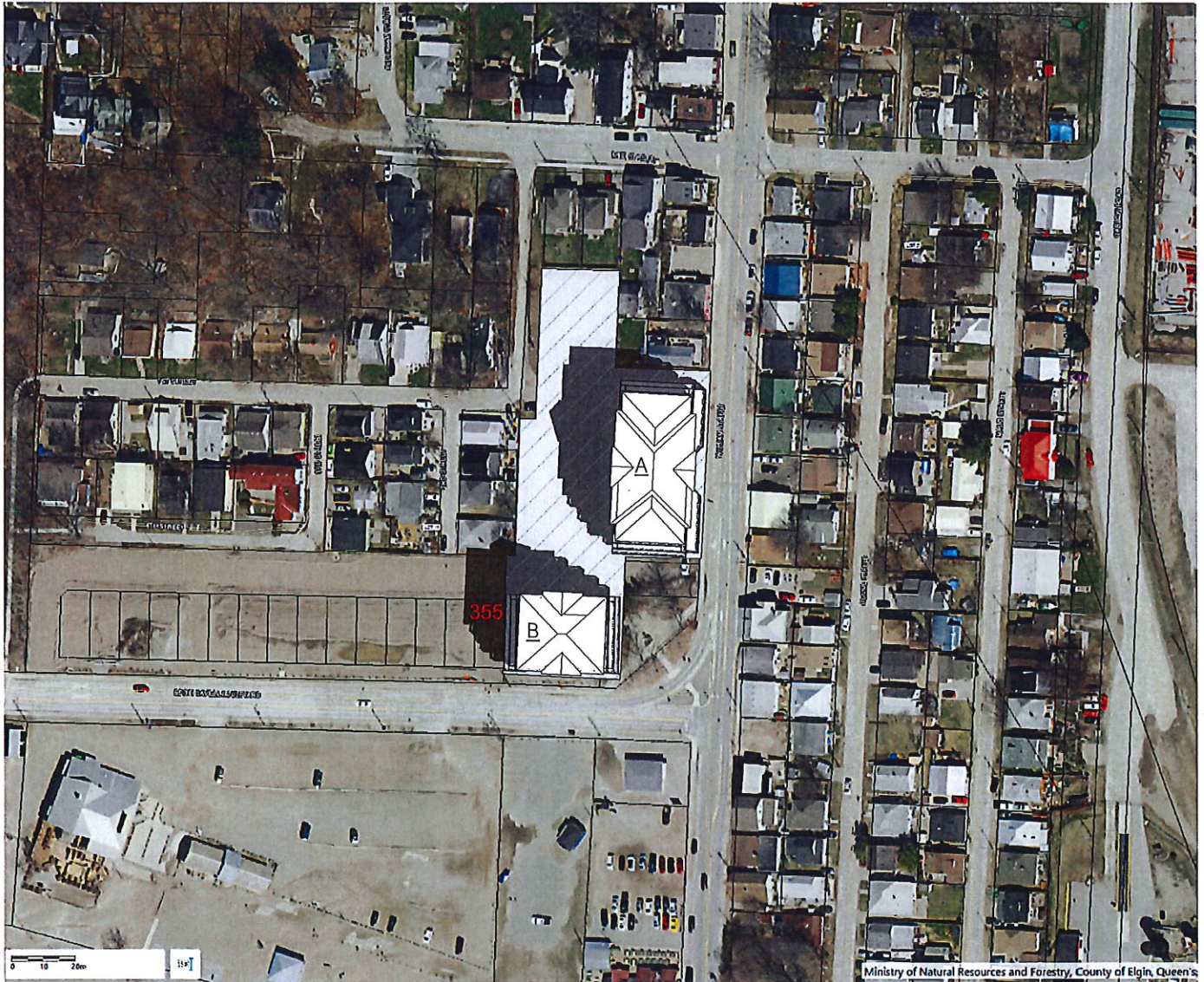
10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - MARCH 21 - 10:00AM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: MARCH 21 - 10:00AM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

125



# SPRING SHADOWS

MARCH 21 (EQUINOX)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - MARCH 21 - 12:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: MARCH 21 - 12:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

126



# SPRING SHADOWS

MARCH 21 (EQUINOX)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - MARCH 21 - 2:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: MARCH 21 - 2:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

127



# SPRING SHADOWS

MARCH 21 (EQUINOX)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - MARCH 21 - 4:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: MARCH 21 - 4:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

128



# SPRING SHADOWS

MARCH 21 (EQUINOX)

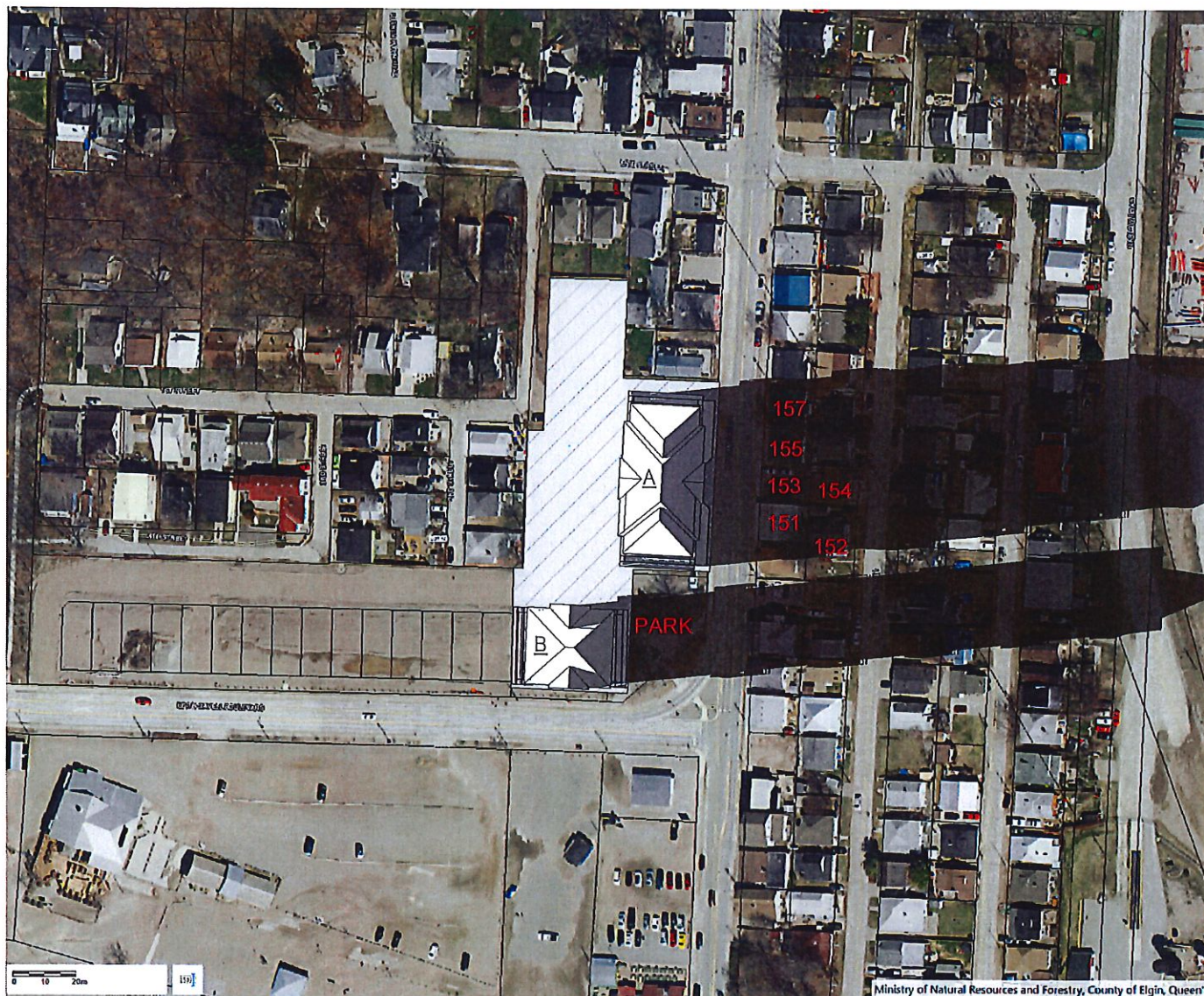
10AM

12PM

2PM

4PM

6PM




SHADOW STUDY SITE LAYOUT - MARCH 21 - 6:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
 SHADOW STUDY: MARCH 21 - 6:00PM (EQUINOX)  
 5 STOREY APARTMENT BUILDINGS

## LEGEND

- A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)
- B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)
-  PROJECT SITE



# SUMMER SHADOWS

JUNE 21 ( SOLSTICE)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - JUNE 21 - 10:00AM (SOLSTICE)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: JUNE 21 - 10:00AM (SOLSTICE)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

130



# SUMMER SHADOWS

JUNE 21 ( SOLSTICE)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - JUNE 21 - 12:00PM (SOLSTICE)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: JUNE 21 - 12:00PM (SOLSTICE)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

131



# SUMMER SHADOWS

JUNE 21 ( SOLSTICE)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - JUNE 21 - 2:00PM (SOLSTICE)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: JUNE 21 - 2:00PM (SOLSTICE)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

132



# SUMMER SHADOWS

JUNE 21 ( SOLSTICE)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - JUNE 21 - 4:00PM (SOLSTICE)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: JUNE 21 - 4:00PM (SOLSTICE)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A: BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B: BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

▨ PROJECT SITE



# SUMMER SHADOWS

JUNE 21 ( SOLSTICE)

10AM

12PM

2PM

4PM

6PM



SHADOW STUDY SITE LAYOUT - JUNE 21 - 6:00PM (SOLSTICE)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: JUNE 21 - 6:00PM (SOLSTICE)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

134



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM 12PM 2PM 2:30PM 3PM 3:30PM 4PM 6PM 6:30PM 7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 10:00AM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 10:00AM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

▨ PROJECT SITE

135



# AUTUMN SHADOWS

## SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

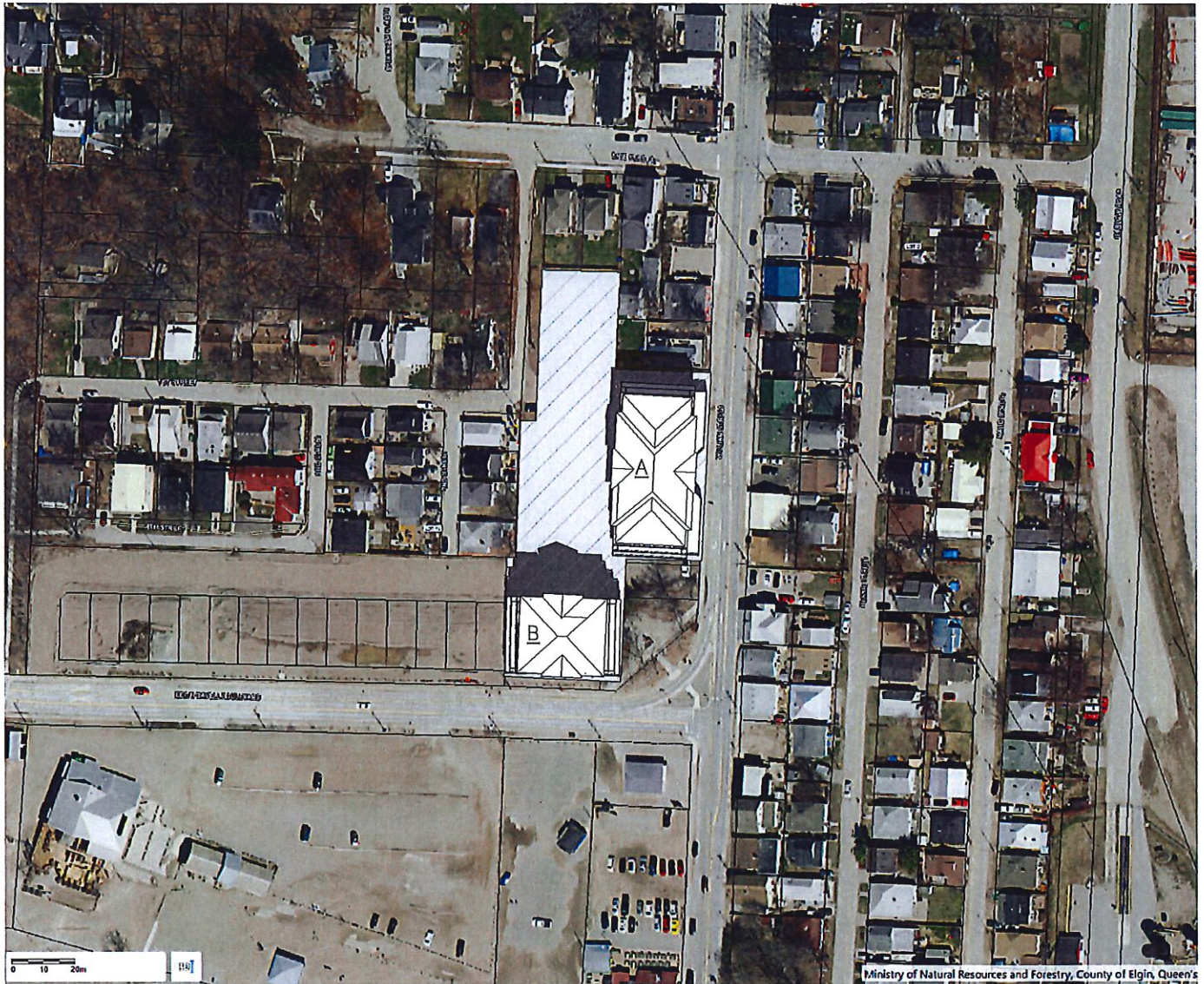
3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 12:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
 SHADOW STUDY: SEPTEMBER 21 - 12:00PM (EQUINOX)  
 5 STOREY APARTMENT BUILDINGS

### LEGEND

A : BUILDING A (5 STOREYS  
 APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
 APARTMENT CONDOMINIUM)

PROJECT SITE

136



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 2:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 2:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

137



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM 12PM 2PM 2:30PM 3PM 3:30PM 4PM 6PM 6:30PM 7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 2:30PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 2:30PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A: BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B: BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

138



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM 12PM 2PM 2:30PM 3PM 3:30PM 4PM 6PM 6:30PM 7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 3:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 3:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 3:30PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 3:30PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

▨ PROJECT SITE

140



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

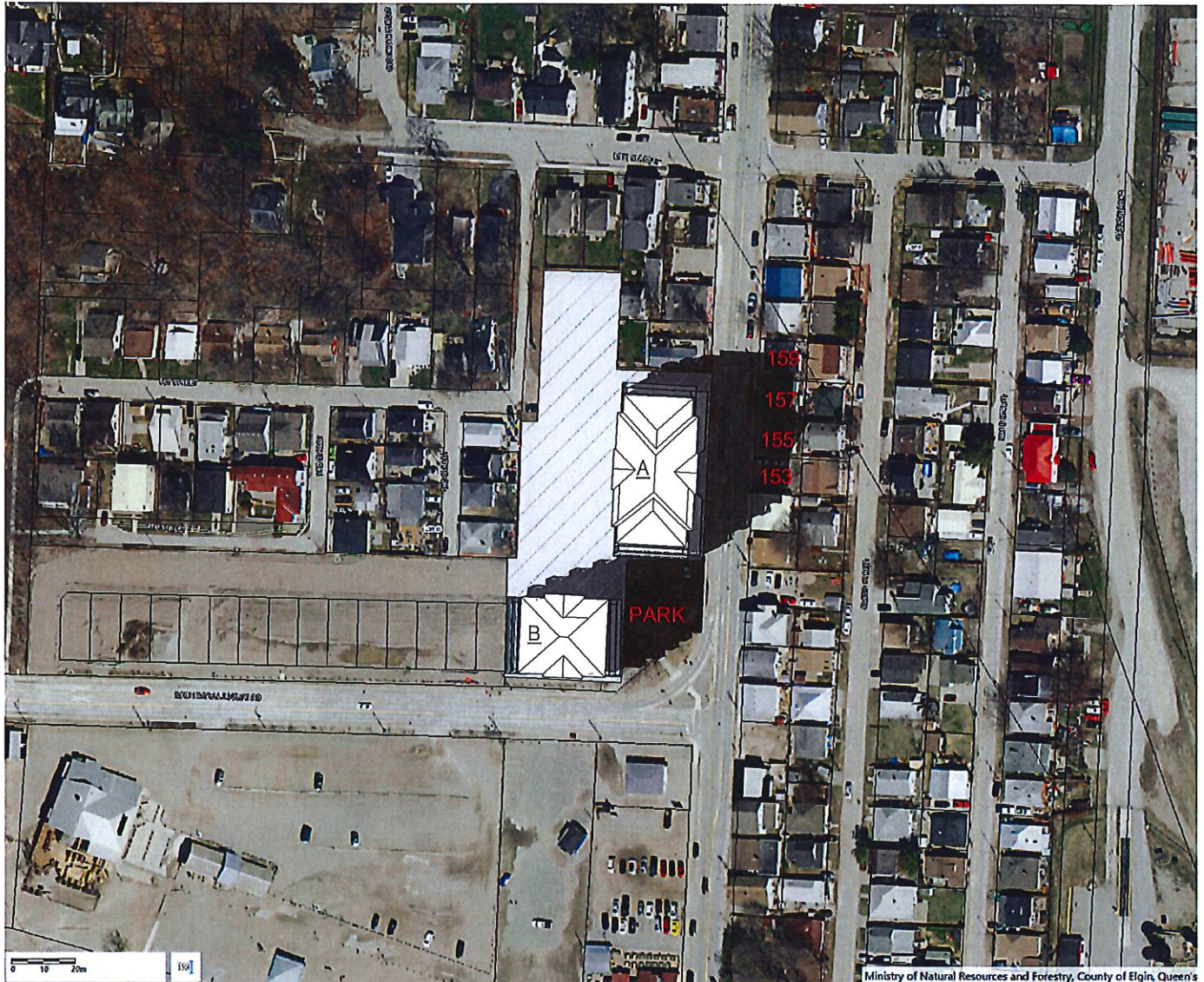
3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 4:00PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 4:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

141



## AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 6:00PM (EQUINOX)

SCALE 1:2000



### PROPOSED APARTMENT BUILDINGS

146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 6:00PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

### LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

142



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

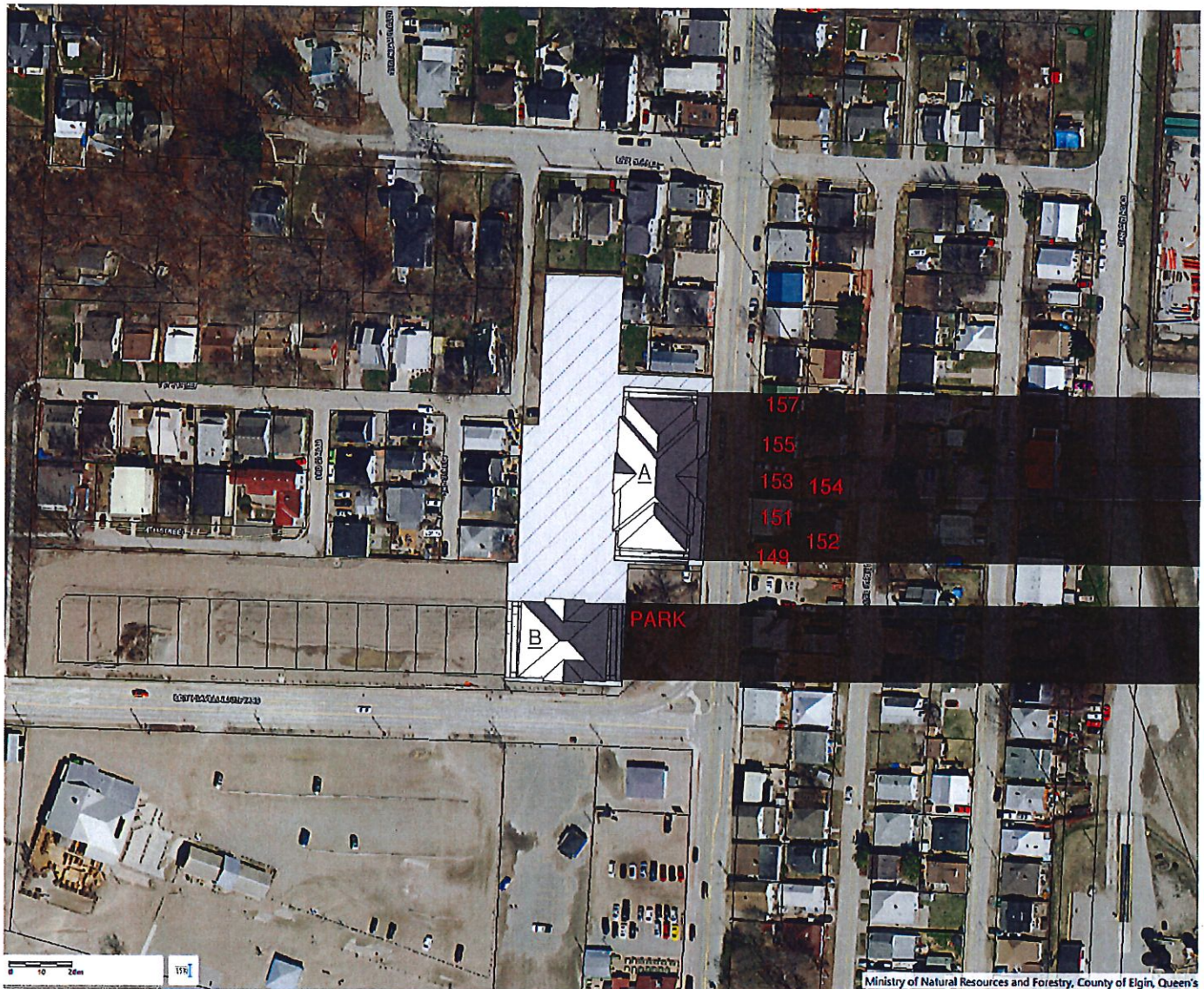
3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 6:30PM (EQUINOX)

SCALE 1:2000



PROPOSED APARTMENT BUILDINGS  
146-156 WILLIAM STREET, PORT STANLEY ON  
SHADOW STUDY: SEPTEMBER 21 - 6:30PM (EQUINOX)  
5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

▨ PROJECT SITE

143



# AUTUMN SHADOWS

SEPTEMBER 21 (EQUINOX)

10AM

12PM

2PM

2:30PM

3PM

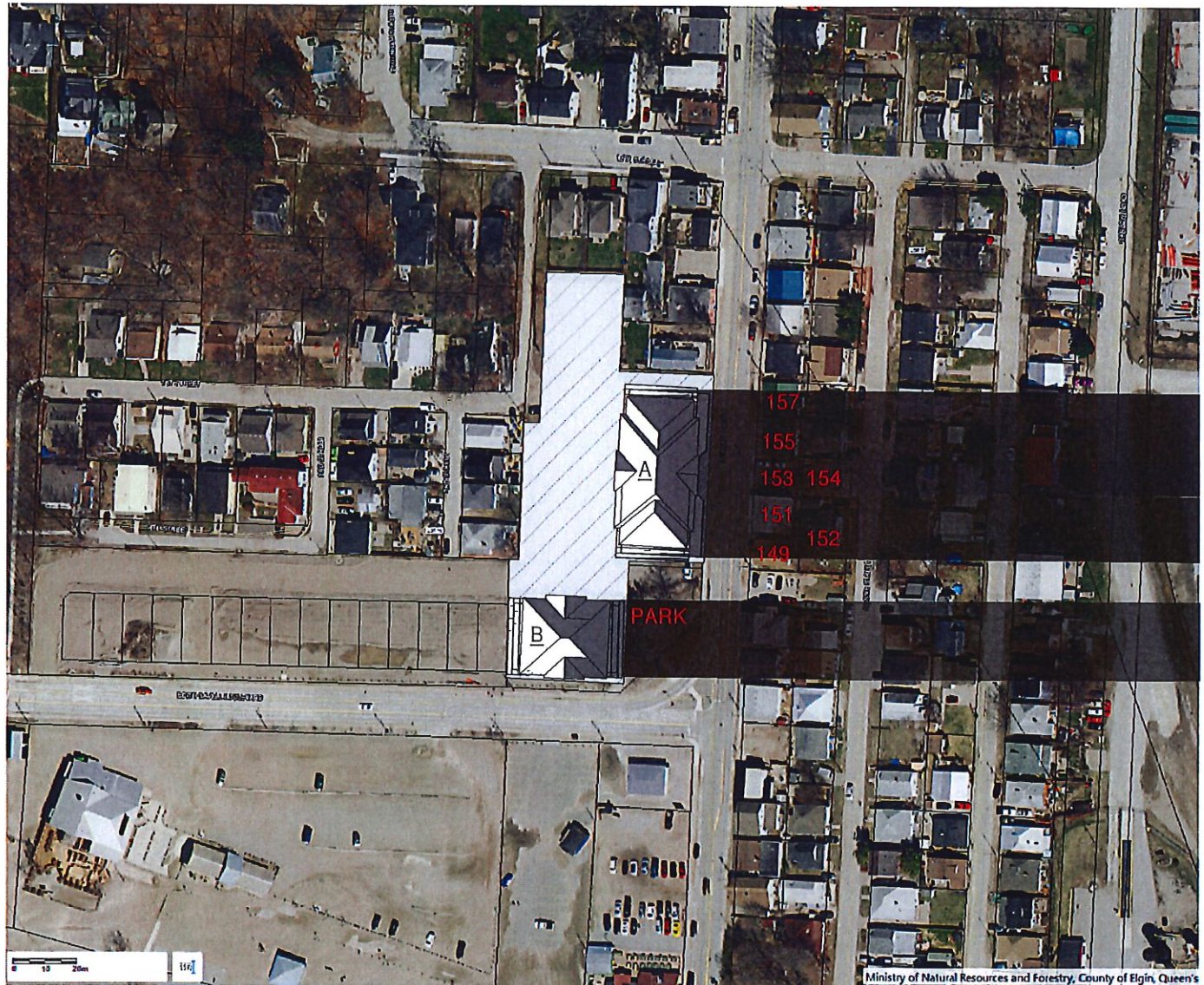
3:30PM

4PM

6PM

6:30PM

7PM



SHADOW STUDY SITE LAYOUT - SEPTEMBER 21 - 7:00PM (EQUINOX)

SCALE 1:2000



## PROPOSED APARTMENT BUILDINGS

146-156 WILLIAM STREET, PORT STANLEY ON

SHADOW STUDY: SEPTEMBER 21 - 7:00PM (EQUINOX)

5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

144



# WINTER SHADOWS

DECEMBER 21 (SOLSTICE)

10AM

12PM

2PM



SHADOW STUDY SITE LAYOUT - DECEMBER 21 - 10:00AM (SOLSTICE)

SCALE 1:2000



## PROPOSED APARTMENT BUILDINGS

146-156 WILLIAM STREET, PORT STANLEY ON

SHADOW STUDY: DECEMBER 21 - 10:00AM (SOLSTICE)

5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

145



# WINTER SHADOWS

DECEMBER 21 (SOLSTICE)

10AM

12PM

2PM



SHADOW STUDY SITE LAYOUT - DECEMBER 21 - 12:00PM (SOLSTICE)

SCALE 1:2000



## PROPOSED APARTMENT BUILDINGS

146-156 WILLIAM STREET, PORT STANLEY ON

SHADOW STUDY: DECEMBER 21 - 12:00PM (SOLSTICE)

5 STOREY APARTMENT BUILDINGS

## LEGEND

A: BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B: BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

 PROJECT SITE

146



# WINTER SHADOWS

DECEMBER 21 (SOLSTICE)

10AM

12PM

2PM



SHADOW STUDY SITE LAYOUT - DECEMBER 21 - 2:00PM (SOLSTICE)

SCALE 1:2000



## PROPOSED APARTMENT BUILDINGS

146-156 WILLIAM STREET, PORT STANLEY ON

SHADOW STUDY: DECEMBER 21 - 2:00PM (SOLSTICE)

5 STOREY APARTMENT BUILDINGS

## LEGEND

A : BUILDING A (5 STOREYS  
APARTMENT CONDOMINIUM)

B : BUILDING B (5 STOREYS  
APARTMENT CONDOMINIUM)

PROJECT SITE

147



Mar 21

**STANDARD TIMES OF SOLAR ANGLES FOR  
ST THOMAS ON (closest city to Port Stanley)**

Longitude = 81° 11.4' West, Latitude = 42° 46.8' North  
Time zone is EST, -5 UTC

Data from: <https://www.nrc-cnrc.gc.ca/eng/services/sunrise/advanced.html>

Mar 21 Time	DST adjustment	Hour Angle	Solar Altitude	Solar Azimuth	Shadow Length Factor	Shadow Length (m)	
	01:00					21.60	
06:45 AM	07:45 AM	-5.78	2.40	92.20	24.12	520.99	
07:00 AM	08:00 AM	-5.53	5.10	94.80	11.16	241.06	
07:15 AM	08:15 AM	-5.28	7.90	97.30	7.25	156.60	
07:30 AM	08:30 AM	-5.03	10.60	100.00	5.35	115.56	
07:45 AM	08:45 AM	-4.78	13.30	102.60	4.24	91.58	
08:00 AM	09:00 AM	-4.53	15.90	105.30	3.50	75.60	
08:15 AM	09:15 AM	-4.28	18.60	108.10	2.97	64.15	
08:30 AM	09:30 AM	-4.03	21.20	111.00	2.58	55.73	
08:45 AM	09:45 AM	-3.78	23.70	114.00	2.28	49.25	
09:00 AM	10:00 AM	-3.53	26.20	117.10	2.03	43.85	
09:15 AM	10:15 AM	-3.28	28.60	120.30	1.83	39.53	
09:30 AM	10:30 AM	-3.03	31.00	123.70	1.67	36.07	
09:45 AM	10:45 AM	-2.78	33.20	127.30	1.53	33.05	
10:00 AM	11:00 AM	-2.53	35.30	131.00	1.41	30.46	
10:15 AM	11:15 AM	-2.28	37.30	134.90	1.31	28.30	
10:30 AM	11:30 AM	-2.03	39.20	139.00	1.23	26.57	
10:45 AM	11:45 AM	-1.78	40.90	143.40	1.15	24.84	
11:00 AM	12:00 PM	-1.53	42.50	148.00	1.09	23.54	
11:15 AM	12:15 PM	-1.28	43.90	152.80	1.04	22.46	
11:30 AM	12:30 PM	-1.03	45.00	157.80	1.00	21.60	
11:45 AM	12:45 PM	-0.78	45.90	163.00	0.97	20.95	
12:00 PM	01:00 PM	-0.53	46.60	168.30	0.95	20.52	
12:15 PM	01:15 PM	-0.28	47.00	173.70	0.93	20.09	
12:30 PM	01:30 PM	-0.03	47.20	179.20	0.93	20.09	local noon
12:45 PM	01:45 PM	0.22	47.10	184.80	0.93	20.09	
01:00 AM	02:00 AM	0.47	46.80	190.20	0.94	20.30	
01:15 AM	02:15 AM	0.72	46.10	195.60	0.96	20.74	
01:30 AM	02:30 AM	0.97	45.30	200.80	0.99	21.38	
01:45 AM	02:45 AM	1.22	44.20	205.90	1.03	22.25	
02:00 AM	03:00 AM	1.47	42.90	210.70	1.08	23.33	
02:15 AM	03:15 AM	1.72	41.40	215.40	1.13	24.41	
02:30 AM	03:30 AM	1.97	39.70	219.80	1.20	25.92	
02:45 AM	03:45 AM	2.22	37.90	224.00	1.29	27.86	
03:00 AM	04:00 AM	2.47	35.90	228.00	1.38	29.81	
03:15 AM	04:15 AM	2.72	33.80	231.70	1.49	32.18	
03:30 AM	04:30 AM	2.97	31.60	235.30	1.63	35.21	
03:45 AM	04:45 AM	3.22	29.30	238.80	1.78	38.45	
04:00 AM	05:00 AM	3.47	26.90	242.00	1.97	42.55	
04:15 AM	05:15 AM	3.72	24.40	245.20	2.20	47.52	
04:30 AM	05:30 AM	3.97	21.90	248.20	2.49	53.78	
04:45 AM	05:45 AM	4.22	19.30	251.10	2.86	61.78	
05:00 AM	06:00 AM	4.47	16.70	253.90	3.34	72.14	
05:15 AM	06:15 AM	4.72	14.00	256.60	4.01	86.62	
05:30 AM	06:30 AM	4.97	11.30	259.30	4.99	107.78	
05:45 AM	06:45 AM	5.22	8.60	261.90	6.61	142.78	
06:00 AM	07:00 AM	5.47	5.90	264.50	9.72	209.95	
06:15 AM	07:15 AM	5.72	3.10	267.10	18.29	395.06	
06:30 AM	07:30 AM	5.97	0.40	269.70	151.58	3,274.13	

148

June 21

STANDARD TIMES OF SOLAR ANGLES FOR  
ST THOMAS ON (closest city to Port Stanley)

Longitude = 81° 11.4' West, Latitude = 42° 46.8' North  
Time zone is EST, -5 UTC

Data from: <https://www.nrc-cnrc.gc.ca/eng/services/sunrise/advanced.html>

June 21 Time	DST adjustment	Hour Angle	Solar Altitude	Solar Azimuth	Shadow Length Factor	Shadow Length (m)
	01:00					<b>21.60</b>
05:00 AM	06:00 AM	-7.44	1.30	58.60	44.91	970.06
05:15 AM	06:15 AM	-7.19	3.70	61.10	15.66	338.26
05:30 AM	06:30 AM	-6.94	6.10	63.50	9.37	202.39
05:45 AM	06:45 AM	-6.69	8.60	65.90	6.63	143.21
06:00 AM	07:00 AM	-6.44	11.10	68.30	5.09	109.94
06:15 AM	07:15 AM	-6.19	13.70	70.60	4.10	88.56
06:30 AM	07:30 AM	-5.94	16.30	72.90	3.42	73.87
06:45 AM	07:45 AM	-5.69	19.00	75.20	2.91	62.86
07:00 AM	08:00 AM	-5.44	21.60	77.50	2.52	54.43
07:15 AM	08:15 AM	-5.19	24.30	79.90	2.21	47.74
07:30 AM	08:30 AM	-4.94	27.00	82.20	1.96	42.34
07:45 AM	08:45 AM	-4.69	29.80	84.60	1.75	37.80
08:00 AM	09:00 AM	-4.44	32.50	87.00	1.57	33.91
08:15 AM	09:15 AM	-4.19	35.30	89.50	1.41	30.46
08:30 AM	09:30 AM	-3.94	38.00	92.10	1.28	27.65
08:45 AM	09:45 AM	-3.69	40.80	94.70	1.16	25.06
09:00 AM	10:00 AM	-3.44	43.50	97.60	1.05	22.68
09:15 AM	10:15 AM	-3.19	46.20	100.50	0.96	20.74
09:30 AM	10:30 AM	-2.94	48.90	103.70	0.87	18.79
09:45 AM	10:45 AM	-2.69	51.60	107.10	0.79	17.06
10:00 AM	11:00 AM	-2.44	54.20	110.90	0.72	15.55
10:15 AM	11:15 AM	-2.19	56.70	115.00	0.66	14.26
10:30 AM	11:30 AM	-1.94	59.20	119.50	0.60	12.96
10:45 AM	11:45 AM	-1.69	61.50	124.60	0.54	11.66
11:00 AM	12:00 PM	-1.44	63.70	130.40	0.49	10.58
11:15 AM	12:15 PM	-1.19	65.70	137.00	0.45	9.72
11:30 AM	12:30 PM	-0.94	67.40	144.50	0.42	9.07
11:45 AM	12:45 PM	-0.69	68.80	152.90	0.39	8.42
12:00 PM	01:00 PM	-0.44	69.90	162.20	0.37	7.99
12:15 PM	01:15 PM	-0.19	70.50	172.20	0.35	7.56
12:30 PM	01:30 PM	0.06	70.60	182.50	0.35	7.56
12:45 PM	01:45 PM	0.31	70.30	192.80	0.36	7.78
01:00 PM	02:00 PM	0.56	69.40	202.50	0.38	8.21
01:15 PM	02:15 PM	0.81	68.20	211.30	0.40	8.64
01:30 PM	02:30 PM	1.06	66.60	219.30	0.43	9.29
01:45 PM	02:45 PM	1.31	64.70	226.30	0.47	10.15
02:00 PM	03:00 PM	1.56	62.60	232.50	0.52	11.23
02:15 PM	03:15 PM	1.81	60.40	237.90	0.57	12.31
02:30 PM	03:30 PM	2.06	58.00	242.70	0.63	13.61
02:45 PM	03:45 PM	2.31	55.50	247.10	0.69	14.90
03:00 PM	04:00 PM	2.56	52.90	251.00	0.76	16.42
03:15 PM	04:15 PM	2.81	50.30	254.60	0.83	17.93
03:30 PM	04:30 PM	3.06	47.60	257.90	0.91	19.66
03:45 PM	04:45 PM	3.31	44.90	260.90	1.00	21.60
04:00 PM	05:00 PM	3.56	42.20	263.80	1.10	23.76
04:15 PM	05:15 PM	3.81	39.40	266.60	1.22	26.35
04:30 PM	05:30 PM	4.06	36.70	269.20	1.34	28.94
04:45 PM	05:45 PM	4.31	33.90	271.70	1.49	32.18
05:00 PM	06:00 PM	4.56	31.20	274.20	1.65	35.64
05:15 PM	06:15 PM	4.81	28.40	276.60	1.85	39.96
05:30 PM	06:30 PM	5.06	25.70	278.90	2.08	44.93
05:45 PM	06:45 PM	5.31	23.00	281.30	2.35	50.76
06:00 PM	07:00 PM	5.56	20.30	283.60	2.70	58.32
06:15 PM	07:15 PM	5.81	17.70	285.90	3.14	67.82
06:30 PM	07:30 PM	6.06	15.00	288.20	3.72	80.35
06:45 PM	07:45 PM	6.31	12.40	290.50	4.53	97.85
07:00 PM	08:00 PM	6.56	9.90	292.90	5.74	123.98
07:15 PM	08:15 PM	6.81	7.40	295.30	7.74	167.18
07:30 PM	08:30 PM	7.06	4.90	297.70	11.66	251.86
07:45 PM	08:45 PM	7.31	2.50	300.10	22.97	496.15
08:00 PM	09:00 PM	7.56	0.10	302.60	400.54	8,651.66

local noon

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Sep 21

**STANDARD TIMES OF SOLAR ANGLES FOR  
ST THOMAS ON (closest city to Port Stanley)**

Longitude = 81° 11.4' West, Latitude = 42° 46.8' North  
Time zone is EST, -5 UTC

Data from: <https://www.nrc-cnrc.gc.ca/eng/services/sunrise/advanced.html>

Sep 21 Time	DST adjustment 01:00	Hour Angle	Solar Altitude	Solar Azimuth	Shadow Length Factor	Shadow Length (m) 21.60
06:15 AM	07:15 AM	-6.05	0.10	88.80	840.44	18,153.50
06:30 AM	07:30 AM	-5.80	2.80	91.40	20.30	438.48
06:45 AM	07:45 AM	-5.55	5.60	93.90	10.26	221.62
07:00 AM	08:00 AM	-5.30	8.30	96.50	6.85	147.96
07:15 AM	08:15 AM	-5.05	11.00	99.10	5.13	110.81
07:30 AM	08:30 AM	-4.80	13.70	101.80	4.09	88.34
07:45 AM	08:45 AM	-4.55	16.40	104.50	3.39	73.22
08:00 AM	09:00 AM	-4.30	19.10	107.30	2.89	62.42
08:15 AM	09:15 AM	-4.05	21.70	110.20	2.52	54.43
08:30 AM	09:30 AM	-3.80	24.20	113.10	2.22	47.95
08:45 AM	09:45 AM	-3.55	26.70	116.20	1.99	42.98
09:00 AM	10:00 AM	-3.30	29.20	119.50	1.79	38.66
09:15 AM	10:15 AM	-3.05	31.50	122.90	1.63	35.21
09:30 AM	10:30 AM	-2.80	33.80	126.40	1.49	32.18
09:45 AM	10:45 AM	-2.55	35.90	130.10	1.38	29.81
10:00 AM	11:00 AM	-2.30	38.00	134.10	1.28	27.65
10:15 AM	11:15 AM	-2.05	39.90	138.20	1.20	25.92
10:30 AM	11:30 AM	-1.80	41.70	142.60	1.12	24.19
10:45 AM	11:45 AM	-1.55	43.20	147.20	1.06	22.90
11:00 AM	12:00 PM	-1.30	44.60	152.00	1.01	21.82
11:15 AM	12:15 PM	-1.05	45.80	157.10	0.97	20.95
11:30 AM	12:30 PM	-0.80	46.80	162.30	0.94	20.30
11:45 AM	12:45 PM	-0.55	47.50	167.80	0.92	19.87
12:00 PM	01:00 PM	-0.30	47.90	173.30	0.90	19.44
12:15 PM	01:15 PM	-0.05	48.10	178.90	0.90	19.44
12:30 PM	01:30 PM	0.20	48.00	184.50	0.90	19.44
12:45 PM	01:45 PM	0.45	47.70	190.10	0.91	19.66
01:00 PM	02:00 PM	0.70	47.10	195.50	0.93	20.09
01:15 PM	02:15 PM	0.95	46.20	200.90	0.96	20.74
01:30 PM	02:30 PM	1.20	45.10	206.00	1.00	21.60
01:45 PM	02:45 PM	1.45	43.80	210.90	1.04	22.46
02:00 PM	03:00 PM	1.70	42.30	215.60	1.10	23.76
02:15 PM	03:15 PM	1.95	40.60	220.10	1.17	25.27
02:30 PM	03:30 PM	2.20	38.80	224.30	1.25	27.00
02:45 PM	03:45 PM	2.45	36.80	228.30	1.34	28.94
03:00 PM	04:00 PM	2.70	34.70	232.10	1.45	31.32
03:15 PM	04:15 PM	2.95	32.40	235.80	1.57	33.91
03:30 PM	04:30 PM	3.20	30.10	239.20	1.72	37.15
03:45 PM	04:45 PM	3.45	27.70	242.50	1.90	41.04
04:00 PM	05:00 PM	3.70	25.20	245.60	2.12	45.79
04:15 PM	05:15 PM	3.95	22.70	248.70	2.39	51.62
04:30 PM	05:30 PM	4.20	20.10	251.60	2.73	58.97
04:45 PM	05:45 PM	4.45	17.50	254.40	3.18	68.69
05:00 PM	06:00 PM	4.70	14.80	257.10	3.78	81.65
05:15 PM	06:15 PM	4.95	12.10	259.80	4.66	100.66
05:30 PM	06:30 PM	5.20	9.40	262.50	6.05	130.68
05:45 PM	06:45 PM	5.45	6.70	265.00	8.57	185.11
06:00 PM	07:00 PM	5.70	3.90	267.60	14.65	316.44
06:15 PM	07:15 PM	5.95	1.2	270.2	49.63	1,072.01

local noon

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Dec 21

**STANDARD TIMES OF SOLAR ANGLES FOR  
ST THOMAS ON (closest city to Port Stanley)**

Longitude = 81° 11.4' West, Latitude = 42° 46.8' North  
Time zone is EST, -5 UTC

Data from: <https://www.nrc-cnrc.gc.ca/eng/services/sunrise/advanced.html>

Dec 21 Time	DST adjustment	Hour Angle	Solar Altitude	Solar Azimuth	Shadow Length Factor	Shadow Length (m)	
	00:00					<b>21.60</b>	
08:00 AM	08:00 AM	-4.38	0.40	123.30	139.32	3,009.31	
08:15 AM	08:15 AM	-4.13	2.70	125.80	21.38	461.81	
08:30 AM	08:30 AM	-3.88	4.90	128.50	11.73	253.37	
08:45 AM	08:45 AM	-3.63	7.00	131.20	8.16	176.26	
09:00 AM	09:00 AM	-3.38	9.00	134.00	6.31	136.30	
09:15 AM	09:15 AM	-3.13	10.90	136.90	5.17	111.67	
09:30 AM	09:30 AM	-2.88	12.80	139.90	4.41	95.26	
09:45 AM	09:45 AM	-2.63	14.50	143.00	3.87	83.59	
10:00 AM	10:00 AM	-2.38	16.10	146.10	3.47	74.95	
10:15 AM	10:15 AM	-2.13	17.50	149.40	3.16	68.26	
10:30 AM	10:30 AM	-1.88	18.90	152.70	2.92	63.07	
10:45 AM	10:45 AM	-1.63	20.10	156.20	2.74	59.18	
11:00 AM	11:00 AM	-1.38	21.10	159.70	2.59	55.94	
11:15 AM	11:15 AM	-1.13	22.00	163.20	2.48	53.57	
11:30 AM	11:30 AM	-0.88	22.70	166.90	2.39	51.62	
11:45 AM	11:45 AM	-0.63	23.20	170.60	2.33	50.33	
12:00 PM	12:00 PM	-0.38	23.60	174.30	2.29	49.46	
12:15 PM	12:15 PM	-0.13	23.80	178.10	2.27	49.03	
<b>12:30 PM</b>	<b>12:30 PM</b>	<b>0.12</b>	<b>23.80</b>	<b>181.80</b>	<b>2.27</b>	<b>49.03</b>	local noon
12:45 PM	12:45 PM	0.37	23.60	185.60	2.29	49.46	
01:00 PM	01:00 PM	0.62	23.20	189.30	2.33	50.33	
01:15 PM	01:15 PM	0.87	22.70	193.00	2.39	51.62	
01:30 PM	01:30 PM	1.12	22.00	196.60	2.48	53.57	
01:45 PM	01:45 PM	1.37	21.10	200.20	2.59	55.94	
02:00 PM	02:00 PM	1.62	20.10	203.70	2.73	58.97	
02:15 PM	02:15 PM	1.87	18.90	207.10	2.92	63.07	
02:30 PM	02:30 PM	2.12	17.60	210.50	3.15	68.04	
02:45 PM	02:45 PM	2.37	16.10	213.70	3.46	74.74	
03:00 PM	03:00 PM	2.62	14.50	216.90	3.86	83.38	
03:15 PM	03:15 PM	2.87	12.80	220.00	4.39	94.82	
03:30 PM	03:30 PM	3.12	11.00	223.00	5.14	111.02	
03:45 PM	03:45 PM	3.37	9.10	225.90	6.26	135.22	
04:00 PM	04:00 PM	3.62	7.10	228.70	8.08	174.53	
04:15 PM	04:15 PM	3.87	4.90	231.40	11.56	249.70	
04:30 PM	04:30 PM	4.12	2.80	234.10	20.78	448.85	
04:45 PM	04:45 PM	4.37	0.50	236.70	116.69	2,520.50	

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## **SCHEDULE I**

**From:** Bumstead, Paul [mailto:pbumstead@dillon.ca]  
**Sent:** Thursday, January 24, 2019 1:55 PM  
**To:** Lloyd Perrin <LPerrin@centralelgin.org>  
**Subject:** Re: Prespa Development Traffic Study - William/Edith Cavell Blvd area Port Stanley

Lloyd,

After reviewing the TIS, I confirm the conclusions our original discussion. The trip generation calculations as documented appear reasonable and reflect a small number of vehicles in comparison to the future traffic as assessed in the Harbourfront Study. The Dillon traffic analysis would have accounted for all land use in the area to there would only be a minor change in trip generation from the 52 unit single-building to the 62 unit 2 -building development. Even if we were to assume that all 21-28 vehicle trips were additional to the assessment the impact to the conclusions of the broader study would be negligible.

Regards  
Paul



**Paul Bumstead**  
*Senior Consultant*  
**Dillon Consulting Limited**  
235 Yorkland Boulevard Suite 800  
Toronto, Ontario, M2J 4Y8  
M - 905-260-4887  
[PBumstead@dillon.ca](mailto:PBumstead@dillon.ca)  
[www.dillon.ca](http://www.dillon.ca)

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On Tue, 22 Jan 2019 at 17:15, Bumstead, Paul <[pbumstead@dillon.ca](mailto:pbumstead@dillon.ca)> wrote:

Hi Lloyd,

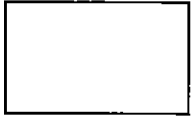
Message and attachment received.

I confirm that during our December (I believe it was the 18th) call I stated that I did not expect the proposed change in land use to be significant compared to previously document traffic analysis undertaken by Dillon. That said I will review the F. R. Berry TIS report and provide my additional thoughts. I will do this before the end of day Thursday.

Paul

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**Paul Bumstead**  
*Senior Consultant*  
**Dillon Consulting Limited**  
235 Yorkland Boulevard Suite 800  
Toronto, Ontario, M2J 4Y8  
M - 905-260-4887  
[PBumstead@dillon.ca](mailto:PBumstead@dillon.ca)  
[www.dillon.ca](http://www.dillon.ca)

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On Tue, 22 Jan 2019 at 16:18, Lloyd Perrin <[LPerrin@centralelgin.org](mailto:LPerrin@centralelgin.org)> wrote:

Good Afternoon Paul

We spoke a couple of weeks ago regarding the proposed development that Prespa moving forward on at the intersection of William and Edith Cavell Blvd in Port Stanley. You reviewed this development as part of the traffic study you did for the municipality looking at overall traffic patterns. I am just confirming that you do not have concerns with FR Berry's report (copy attached). We are going to the board on this file for the rezoning and if there are concerns I would need to know that. My recollection was that there were not any concerns with traffic either at the Erie/William intersection or how it may affect traffic at the George/Sydenham and George/William intersections. Can you please confirm that my recollection of our conversation and your study finding was that there were no concerns from a traffic perspective?

Thanks

*Lloyd J. Perrin*

Director of Physical Services

***Corporation of the Municipality of Central Elgin***

450 Sunset Drive, St. Thomas, ON N5R 5V1

Phone: (519) 631 4860 ext 277

Cell: (519) 617 0469

Fax: (519) 631 4036

[lperrin@centralelgin.org](mailto:lperrin@centralelgin.org)



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Municipality of Central Elgin



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