

The Corporation of the Town of Lakeshore

Report to Council

Community & Development Services

Development Services



To: Mayor & Members of Council

From: Kim Darroch, Manager of Development Services

Date: February 20, 2020

Subject: ZBA-1-2020, H&N Platinum Interiors LTD., 350 St. Charles St.

Recommendation

Council approve Zoning By-law Amendment Application ZBA-1-2020 (By-law 022 - 2020), to re-zone the current zone category from R1, Residential –Low Density Zone to an R2, Medium Density Zone, to permit a *Duplex Dwelling*, for a parcel of land, indicated as the “Subject Land” on the Key Map, Figure 1 (Appendix 1) located at 350 St. Charles Street, in the Community of Belle River, Town of Lakeshore and adopt the implementing by-law.

Background

The subject property is a 696.75 m² residential lot, located on the south side of St. Charles Street, west of Eleventh Street, in the Community of Belle River (See Appendix 1).

The applicant is proposing to renovate the existing single detached dwelling to a duplex dwelling (a dwelling with 2 units divided by a horizontal common wall with separate entrances). No changes to the building’s footprint are proposed.

Subject Parcel	Lot Area – 696.75 m ² Existing Use – single detached dwelling Proposed Use –Duplex Dwelling (max. 2 dwelling units) Access – existing – St. Charles St. Servicing – full municipal servicing available
Surrounding Uses	North – residential land uses East – residential land uses West – residential land uses South – residential land uses

Official Plan	Residential
Existing Zoning	R1, Residential – Low Density

Comments

Provincial Policy Statement (PPS), County Official Plan and Lakeshore Official Plan

There are no issues of Provincial, County or municipal significance raised by this application.

Section 1.1.3.2 of the 2014 PPS notes that land use patterns within Settlement Areas shall be based on:

- 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.

Section 1.1.3.3 of the PPS notes that 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 subject lands are designated ‘Settlement Area’ in the County Official Plan and ‘Residential’ in the Lakeshore Official Plan, which permits residential uses of this type (i.e. Duplex).

Zoning By-law

The subject lands are currently zoned “R1, Residential-Low Density Zone” which permits the existing single detached dwelling.

An amendment to Lakeshore’s Zoning By-law 2-2012 is required in order to permit a duplex dwelling (a dwelling with 2 units divided by a horizontal common wall with separate entrances).

Site Plan

The site plan drawing attached as Appendix 2 prepared by the applicant details the proposed *Duplex Dwelling* (i.e. maximum of 2 dwelling units).

Issues

The main issues associated with this development application, concerns traffic, parking, suitability of the property for a *Duplex Dwelling*, compatibility to surrounding residential uses, site design, property values and snow removal.

Traffic and Parking

With respect to the amount of traffic the proposed use will generate, a traffic study was not deemed necessary given the number of dwelling units (2) and its nominal impact to the Town's Road system. Adequate parking is being provided in accordance with the Town's Zoning By-law requirements (i.e. 1.5 parking spaces per dwelling unit (2) = 3 parking spaces). Additional parking is permitted on the nearby local streets on one side of the street if signed or on both sides of the street if not signed.

Suitability of the Property, Compatibility with Surrounding Uses and Official Plan Conformity

The subject property is large enough to accommodate the 2 unit development and contributes towards the supply / affordability, of alternative forms of housing in Lakeshore. The development is of a size that it will fit into the community without disrupting the existing residential character of the neighbourhood. By examining the site plan provided, it is evident that the site is large enough to accommodate the parking required and still provide adequate room for amenity space. In terms of its location, the subject site has direct access to a local road, in addition to being close to the downtown area of the Community of Belle River, making it very accessible to a wide range of potential residents. The subject site is able to retain its urban residential setting. The provision of this form of housing on the subject lands would contribute towards increasing the supply of housing options in Lakeshore and makes use of existing municipal infrastructure. Overall, these types of applications encourage intensification and infilling in the existing urban area and provides a use that is needed in an established residential area in the Community of Belle River.

Site Design

The proposal appears to be safe, functional and similar conversions are constructed throughout the municipality.

Property Values

Frequently, when intensification proposals are reviewed, residents perceive that their property values may be negatively impacted.

Devaluation of properties is a perceived effect that is difficult to assess. Property values are influenced by many factors and are primarily determined by the condition of the property for sale and other broader, more complex forces, such as, overall area development and neighbourhood prosperity. The location of the residential development

has no significant impact on these other conditions which determine property values. The assumption is that property values will decline with the location of the development is typically based on an idea that this one development would affect the whole neighbourhood. The building is being designed to fit in with the residential character of the area and is simply a conversion of an existing single detached dwelling to a duplex dwelling.

Snow Removal

During snow events, priority is given to higher travelled roads. This means local residential roads are plowed after the main roads are clear. The landowner will be responsible for snow removal from the parking area. As with any other residential driveways on the street, snow is typically piled on the sides of the driveway.

Conclusion

Staff recommend approval of the zoning by-law amendment application as it is consistent with the 2014 PPS, County of Essex Official Plan and the Town of Lakeshore Official Plan.

Based on the foregoing, the Town's Planner supports Alternative 4 (Approval).

Under the Planning Act, when considering a Zoning By-law Amendment, Council has the following four alternatives when making its decision:

1. Alternative 1 - Refusal - should Council choose to refuse an application to amend a Zoning By-law, under Subsection 34(10.9) of the Planning Act, it is now required that a Notice of Refusal be issued, not later than 15 days after the day of the refusal, containing the prescribed information, to be given to:
 - (a) the person or public body that made the application;
 - (b) each person and public body that filed a written request to be notified of a refusal; and
 - (c) any prescribed person or public body.

As part of the required prescribed information, the Notice of Refusal must also now contain a written explanation for the refusal.

Comment - In this particular instance, the Applicant would have the option of appealing Council's decision to the LPAT.

2. Alternative 2 - Deferral - deferral of an application often occurs when further information or consultation is required, usually becoming apparent after the scheduled public meeting date has been set or after the planning report has been completed. Consequently, it is usually something that Administration will recommend either in the planning report or in lieu of the written recommendations. From Council's perspective, a deferral option is often considered should new

issues arise at the public meeting or when Council feels that it requires further information in order to make an informed decision.

Comment - At the time of writing, no additional information or studies were deemed necessary.

3. Alternative 3 - Approve as modified or revised - this is an approach used where the planning review of the application or the consultation process reveals the need for mitigation measures or compromises. Often the planning report will recommend to approve the application, subject to certain modifications, conditions, etc., that are slightly different from what has been requested in the application. From Council's perspective it may also choose to approve the application, but also modify the approval to the recommendations as submitted.

Comment - There are no modifications that would substantially improve the application.

4. Alternative 4 - Approval - the application is approved as submitted without modifications.

Others Consulted

Internal departments and external agencies in accordance with *Planning Act* regulations.

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendation.

**Attachment(s): Appendix "1" Key Plan
 Appendix "2" Site Plan & Elevations**

Report Approval Details

Document Title:	ZBA-1-2020 H N Platinum Interiors.docx
Attachments:	- Appendix 1- 350 St Charles St.pdf - Appendix 2 Site Plan Elevations.pdf
Final Approval Date:	Feb 28, 2020

This report and all of its attachments were approved and signed as outlined below:

Tammie Ryall

Truper McBride