



To: Council
From: Peter Young, Director of Planning/Building
Date of Meeting: January 27, 2021
Subject: By-law No. 2021-008 to Amend By-law No. 2011-100 (2534794 Ontario Inc)
Roll Nos.: 040600101469000
Owner/Applicant: 2534794 Ontario Inc (Prime Home Builders)
Legal: Lots 223 and 224, Plan 228, Geographic Township of Cornwall, Township of South Stormont French Avenue, Long Sault



Recommendation:

That By-law No. 2021-008, being a by-law to amend By-law No. 2011-100 (2534794 Ontario Inc), be read and passed in open Council, signed and sealed this 27th day of January, 2021.

Purpose:

The purpose of this zoning amendment is to rezone Lots 223 and 224, Plan 228, Geographic Township of Cornwall, Township of South Stormont, and as shown on the Key Plan,

From: "Residential Services First (RS1)"
To: "Residential Services Two - Special Exception Two (RS2-2)"

The Residential Services Two – Special Exception Two (RS2-2) Zone will permit a proposed semi-detached dwelling to be constructed on each lot as well as allow a minimum lot frontage of 18 meters.

Background:

1. Subject Lands:
The proposed zoning amendment pertains to the property located Lots 223 and 224, Plan 228, Long Sault. The subject property is located on the south side of French Avenue, between Cherry Avenue and Mille Roches Road
2. Present Use:
 - a. Residential Services First (RS1) – Vacant Lot
3. Proposed Use:
 - b. Residential Services Two - Special Exception Two (RS2-2) – proposed semi-detached dwelling and a lot frontage of 18 meters.
- c. Surrounding Land Uses
 - a. North: Residential (semi-detached)
 - b. South: Residential (single detached)
 - c. West: Vacant (future single detached)
 - d. East: Single detached
- d. Provincial Policy Statement (PPS) (2020):
 - a. Sections 1.1.1 & 1.1.3 of the Provincial Policy Statement outlines the policies applicable to sustaining healthy, liveable, and safe communities through land use compatibility and efficiency, and generally outlines that Settlement Areas shall be the focus of growth and development in municipalities. An appropriate mix of land uses and densities within settlement areas is promoted to allow an efficient use of land, resources, and existing infrastructure.
 - b. Section 1.7.1 states that long-term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.
 - c. The subject property is a vacant lot located within an urban settlement area. The surrounding neighborhood consists of an existing residential subdivision with a mix of single detached and semi-detached units. The proposed zoning amendment would allow for the development of the subject vacant lands with semi-detached

dwellings and utilize the existing municipal water and sewage infrastructure.

The proposal is consistent with the Provincial Policy Statement (2020)

2. Official Plan:

- a. The SDG County Official Plan designates the subject area as **“Urban Settlement Area – Residential District.”**
- b. Table 3.5 of the Official Plan outlines the permitted uses in the Residential District, which includes a full range of low, medium and high-density housing
- c. Section 3.2.1.2 identifies Urban Settlement Area as “Urban Settlement Areas are communities with a diverse mix of land uses and full or partial municipal sewage and water services. These communities are the primary settlement areas for future development.” The subject lands are in the Long Sault settlement area located on full municipal sewage and water services.
- d. Section 3.5.1 and 3.5.2 of the Official Plan outlines the set of planning principles that municipalities shall apply to the review of planning applications
- e. Section 3.5.2.1 of the Official Plan states that “Local Municipalities will encourage compact development by directing development onto vacant lands within existing settlement areas. Development which is contiguous to existing built-up areas within these settlement areas shall be prioritized over fragmented, remote or unserved development that could also negatively impact natural heritage systems.”
- f. Section 3.5.2.2 of the Official Plan states that “Residential developments of different heights and densities may be permitted where the scale and character is in keeping with existing or planned surrounding residential heights and densities.
- g. The predominant character of lands on French Avenue includes semi and single detached dwellings, with semi-detached dwellings located particularly on the north side of the street and on the south side of the street to the west of the subject property. It appears that the proposed semi-detached dwellings are compatible with the existing low-density residential character of the neighborhood. The existing zoning permits a single detached home with an accessory apartment that could be built at the same scale as the proposed semi-detached

dwelling.

The proposal confirms to the United Counties Official Plan (2018)

3. Zoning:

- a. The subject property is zoned "**Residential Services First (RS1)**" under Zoning By-law No. 2011-100.
- b. The applicant proposes to rezone the subject property from "Residential Services First (RS1)" to "Residential Services Two - Special Exception Two (RS2-2)".
- c. The Residential Services Two – Special Exception Two (RS2-2) Zone will permit a proposed semi-detached dwelling to be constructed on the subject property as well as allow a minimum lot frontage of 18 meters. The standard frontage required in the RS2 zone is 20 metres. It is noted that the properties are slightly irregularly shaped and widen at the rear of the lots (19.6-20.3m).
- d. The Township has lots with similar widths other areas of the municipality and the applicant has provided a concept plan showing that the zoning requirements can be met. It is noted that the lots are deeper than most new subdivisions (approximately 41m deep, where most subdivisions have 30-35m depths) and widen towards the rear of the lots. Given the existing residential character of the surrounding neighborhood, with a mix of housing types and densities provided, the proposed semi-detached dwellings are compatible.

The Zoning By-law amendment is appropriate for the development of the lands.

4. Comments

- a. Agencies: No comments have been received as of January 21, 2021.
- b. Public: As of January 21, 2021 32 written submissions have been received against the proposed development

Concerns raised include:

- Impact on property values and aesthetics
- Impact from having renters rather than owner-occupied homes
- Overcrowding, congestion, and poor visibility near the corner
- There are issues with drainage and the subdivision has still not been completed

- There is a desire to keep the original plan for single detached zoning

Provincial and County policies require municipalities to provide for a range of housing types and densities, and the proposed semi-detached dwellings would be consistent with the character of other developments on the north side of French Avenue and on lands to the west. Excluding the subject lots, there are 40 built or future semi-detached units (20 dwellings) on French Avenue and 13 single detached dwellings.

Based on existing and planned development including traffic studies submitted for lands to the east, it is not expected the units would have an impact on traffic patterns. There is no evidence that property values would decrease as a result of the proposed application. Furthermore, property values are not considered legitimate land use planning grounds (e.g. *Bonventre v. Algem Properties Ltd, 2003* and *Lazare v. Toronto (City), 2016*) and zoning does not affect the tenure of the homes.

Additional Information

Attachment #1: Rezoning Concepts

Options:

1. That By-law No. 2021-008, being a by-law to amend By-law No. 2011-100 (2534794 Ontario Inc), be read and passed in open Council, signed and sealed this 27th day of January, 2021. This is the recommended option.
2. That Council refuse the proposed amendment.
3. That Council defer the proposed amendment.

Financial Impact:

The applicable application fee has been paid.

Others Consulted:

Senior Management, Planning Act circulation

Attachment #1: Rezoning Concepts

