

---

**TO:** GENERAL COMMITTEE

**SUBJECT:** APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT MEDIUM DENSITY RESIDENTIAL LAND USE AT 20, 30 AND 40 MILLER DRIVE

**WARD:** 5

**PREPARED BY AND KEY CONTACT:** C. TERRY, MCIP, RPP PLANNER, EXTENSION #4430

**SUBMITTED BY:** R. FORWARD, MBA, M.Sc., P. ENG., DIRECTOR OF PLANNING AND BUILDING SERVICES

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, M.Sc., P. ENG. GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER

---

**RECOMMENDED MOTION**

1. That the Official Plan Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally as 20 and 30 Miller Drive, to amend the land use designation on Schedule A - Land Use from General Commercial to Residential as identified in Appendix "A" to Staff Report PLN010-17 be approved.
2. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally 20, 30 and 40 Miller Drive to rezone the lands from General Commercial (C4) and Residential Single Detached (R1) to Residential Multiple with Specific Provisions (RM2)(SP-538) as identified in Appendix "B" to Staff Report PLN010-17 be approved with the following special provisions:
  - a) That a maximum density of 71 units per hectare shall be permitted;
  - b) That a maximum gross floor area of 100% shall be permitted;
  - c) That four storey walk-up apartment buildings, with underground or partially underground parking, to a maximum building height of 18 metres shall be permitted;
  - d) That a front yard setback of 5.0 metres shall be permitted;
  - e) That a rear yard setback of 4.5 metres shall be permitted;
  - f) That a 4.5 metre setback for secondary means of access shall be permitted; and
  - g) That tandem parking shall be permitted.
3. That the written and oral submissions received relating to this application, have been on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application, including the following matters raised in those submissions and identified within Staff Report PLN010-17: the transition of built-form on site, proximity to industrial land uses, sidewalks, parking, transit and potential shadow impacts.

4. That no further public notice is required in accordance with Section 34 (17) of the *Planning Act*.

## **PURPOSE & BACKGROUND**

### Report Overview

5. The purpose of this staff report is to recommend that the property municipality identified as 20, 30 & 40 Miller Drive be designated and zoned to permit medium density residential development. Several key issues were examined as a result of this proposed development, including but not limited to the proximity of industrial type uses, intensification criteria, transition of built-form and pedestrian connectivity.

### Location

6. The subject property is located on the west side of Miller Drive, north of the intersection with Dunlop Street North.

### Surrounding Land Uses

#### **North**

single detached residential uses

#### **East**

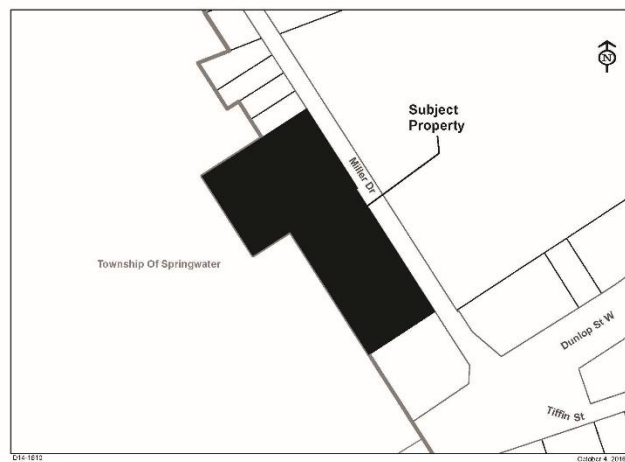
Miller Drive, vacant lands zoned Residential Hold

#### **South**

gas station and car wash (McEwen), Dunlop Street West, commercial and light industrial uses, Tiffin Street

#### **West**

Township of Springwater lands zoned Highway Commercial with self-storage and lumber yard uses (Miller Lumber)



### Background

7. The subject property was partially designated and zoned for commercial uses along with the lands to the south which are now occupied by a gas station and car wash (By-law 2001-263 & By-law 2002-177). The lands have remained vacant and were consolidated with a large single detached residential property to the north to create the subject property. The owner/applicant has proposed a development concept that permits a variety of medium density residential uses at an increased density of 71 units per hectare.
8. Reports submitted in support of this application include:
- Planning Justification Report (IPS, July 2016)
  - Urban Design Brief (IPS, July 2016)
  - Functional Servicing Report (Gerrits Engineering, November 2015)
  - Traffic Impact Study (JD Northcote Engineering, November 2015)

- e) Phase 1 Environmental Assessment (Azimuth Environmental Consulting, April 2016)
- f) Odour, Dust and Nuisance Study (SPL Consultants, November 2015)
- g) Noise Impact Study (Swallow Acoustic Consultants, July 2016)
- h) Shadow Study (IPS, December 2015)
- i) Tree Inventory and Preservation Plan (Kuntz Forestry Consulting, September 2015)

Department and Agency Consultation

- 9. The proposed concept and supporting documentation has been circulated and reviewed by City departments and external agencies including but limited to the Nottawasaga Valley Conservation Authority (NVCA).
- 10. The NVCA has confirmed that the property appears to be on the watershed divide between NVCA and the Lake Simcoe Region Conservation Authority (LSRCA). In accordance with the comments from NVCA, the property does not appear to have a natural hazard and once drainage patterns are identified through detailed stormwater management analysis, the determination of the appropriate Conservation Authority can be confirmed. NVCA further identified that provided adequate stormwater management is implemented; the development is not anticipated to have a negative impact on the wetland feature across Miller Drive to the east of the subject lands.
- 11. The additional comments received as a result of this circulation relate to detailed design and have been incorporated into the Analysis section of this report if warranted.

Public Consultation

- 12. A Neighbourhood Meeting was held on October 26, 2016. There were 12 people from the public in attendance. Comments from the public included concern with the provision of sidewalks, traffic impacts, transit service improvements, adequate parking, dust and noise from construction, privacy adjacent existing residences, location and appropriate lighting for the amenity area.
- 13. A Public Meeting was held on January 16, 2017, in accordance with the provisions of the Planning Act. The concerns voiced by the public included concern with the provision of sidewalks, the location of the park, the commercial use on site, density and height adjacent existing residential, and the existing unfinished development in the community.
- 14. The City has also received correspondence and inquiries regarding the project. The issues raised include investigating the introduction of sensitive land use in proximity to existing industrial uses, transition of built-form height, and the shadow impacts on lands on the opposite side of Miller Drive.
- 15. In response to the concerns raised by the public, staff offer the following summarized response:
  - a) Sidewalks The owner/applicant will be required to provide a sidewalk along Miller Drive across the face of this development. In addition, to improve pedestrian accessibility in the neighbourhood, the owner/applicant has offered to provide a sidewalk from this development north along Miller Drive to connect with the existing sidewalk.
  - b) Transition of Built-Form The owner/applicant has submitted a preliminary concept that transitions the height of buildings on site from four-storey walk-up apartments to 2-storey

- townhouses adjacent the existing single detached residences. This provision will be implemented through the Site Plan Control process.
- c) Parking The owner/applicant has not requested a decrease in the minimum parking standard required by the Zoning By-law. Staff will review the details of the parking provided for future residents and visitors through the Site Plan Control process.
  - d) Commercial The original concept plan did include a small commercial component. This is no longer part of the development.
  - e) Traffic Impacts The owner/applicant has submitted a traffic study in support of this application. The study does not recommend additional lanes or traffic calming measures.
  - f) Transit Improvements The owner/applicant has agreed to provide a transit stop and any additional improvements necessary to provide transit for the future residents of this area.
  - g) Proximity of Existing Uses The owner/applicant has submitted a study in accordance with the Ministry of Environment and Climate Change (MOECC) D-6 Guidelines for the location of sensitive land uses in proximity to industrial uses. The recommendations advise that a warning clause be registered on title for those lands within 50 metres of the Miller Lumber facility.
  - h) Shadow Impacts The owner/applicant has submitted a shadow study in support of this application. The study concluded that the heights proposed by this development would have minimal impact on the surrounding properties.
  - i) Amenity Area The final location, lighting and access to the required private amenity space will be confirmed through the Site Plan Control process.

## **ANALYSIS**

### Provincial Policy

- 16. The Provincial Policy Statement and Places to Grow policies generally direct growth to occur adjacent to existing built-up areas, have compact form and a variety of housing types that allow for the efficient use of land, planned infrastructure and public service facilities.
- 17. The proposed development is an infill property between the established single detached homes and commercial development at Dunlop Street West. Improved transit and pedestrian connection to the community are also being integrated into the project details.

### Compatibility between Industrial Facilities and Sensitive Land Uses

- 18. The owner/applicant has submitted a study to evaluate the introduction of the proposed residential use in proximity to surrounding commercial and industrial activity. The study was completed in accordance with the Ministry of Environmental and Climate Change (MOECC) D-6 Guidelines for the location of sensitive land uses in proximity to industrial uses. The uses include, but are not limited to the operations at Miller Lumber, Coco Paving and Carr Excavating.
- 19. A potential for dust nuisance from the Miller Lumber site has been identified. The report has recommended that a warning clause be put on title for the future residences within 50 metres of the property line closest to that facility to acknowledge the existence of the Miller Lumber use and

the potential for dust nuisance. This clause will be confirmed and implemented for the property through the Site Plan Control process.

Official Plan Policy

20. The subject lands are currently designated as General Commercial and Residential in the City's Official Plan. That portion of the lands designated as General Commercial is proposed to be changed to Residential. The property is located partially within or adjacent to a Secondary Intensification Node as identified on Schedule I – Intensification Areas of the Official Plan.
21. The original intent of the owner/applicant including the commercial use on the site was to comply with the mixed use provisions identified for Intensification Nodes. Staff have determined that the commercial use proposed by the applicant was not effectively integrated into the subject site due to parking and access constraints with the concept. Furthermore, staff have recommended that the general provisions for permitting intensification outside of Intensification Areas should be used to evaluate this project as the property is not located on an Intensification Corridor, or have direct access to the Intensification Node at the intersection of Dunlop Street West and Miller Drive.
22. With respect to section 4.2.2.3 Locational Criteria for medium and high density residential uses, Miller Drive is a collector road, the site is in close proximity to public transit, facilities and existing municipal services and infrastructure. The site therefore meets the intent of the intensification provisions of the Official Plan. In addition, the site acts as a transition property from the commercial and light industrial uses on Dunlop Street to the lower density residential uses along Miller Drive.
23. In support of the change in land use from General Commercial to the more sensitive designation of Residential, the owner/applicant has submitted a Phase 1 Environmental Assessment. The Phase 1 report is required to include a detailed history of the property and evaluate the potential for noxious uses or contamination on the site. The study concludes that the portion of the property currently designated as General Commercial is vacant and was not previously developed for any other use.

Zoning

24. The owner/applicant has demonstrated that a medium density development can be accommodated on this site, and integrated into the existing community. The site specific provisions requested, including the increase in density to 71 units per hectare, increase in height for the four-storey walk-up apartment buildings, and reduced setbacks, can be accommodated and further vetted to ensure good design through the Site Plan Control process.

Site Plan Control

25. Subject to Council approval of the Official Plan Amendment and Zoning By-law Amendment requested through this application, the owner/applicant will be required to complete the Site Plan Control process. Staff will investigate the design details of the development, including but not limited to:
  - a) transition of housing form and height;
  - b) amenity space location;
  - c) parking for both residents and visitors;
  - d) provision of sidewalks, including a connection to existing development;
  - e) noise and nuisance mitigation and/or warning clauses;

- f) transit improvements;
- g) garbage collection; and
- h) snow storage

**ENVIRONMENTAL MATTERS**

26. There is one environmental matter that was considered as part of this development:
- a) The existence of a natural hazard on the subject lands has been evaluated and as noted in the comments received from NVCA, a feature has not been identified.

**ALTERNATIVES**

27. The following alternative is available for consideration by General Committee:

**Alternative #1** General Committee could maintain the existing Official Plan designation of Commercial and zoning as Commercial (C4) and Residential Single Detached (R1). (i.e. Status Quo)

This alternative is not recommended as the owner/applicant has demonstrated that a medium density development can be accommodated on this site, which is in close proximity to an identified Intensification Node.

**FINANCIAL**

28. The final unit count and type will be confirmed through the Site Plan process. The estimated cost for each type of built-form, including the related municipal taxes can be summarized as follows:

<u>TYPE</u>	<u>SIZE</u>	<u>COST</u>	<u>TAXES</u>
Townhouse	3 BDRM	\$380,000.00	\$4,370.00
Stacked Townhouse	2 BDRM	\$340,000.00	\$3,910.00
Stacked Townhouse	1 BDRM	\$290,000.00	\$3,335.00
Apartment	2 BDRM	\$350,000.00	\$4,025.00
Apartment	1 BDRM	\$280,000.00	\$3,220.00

29. Development Charges are calculated and collected at the time of issuance of the building permit. The current fee for bachelor and 1 bedroom apartment units are \$19,168.00. The current fee for 2 bedroom or larger units is \$26,808.00 per unit. The current fee for townhouses is \$32,503.00 per unit. Education Levies are currently \$1,759.00 per unit.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

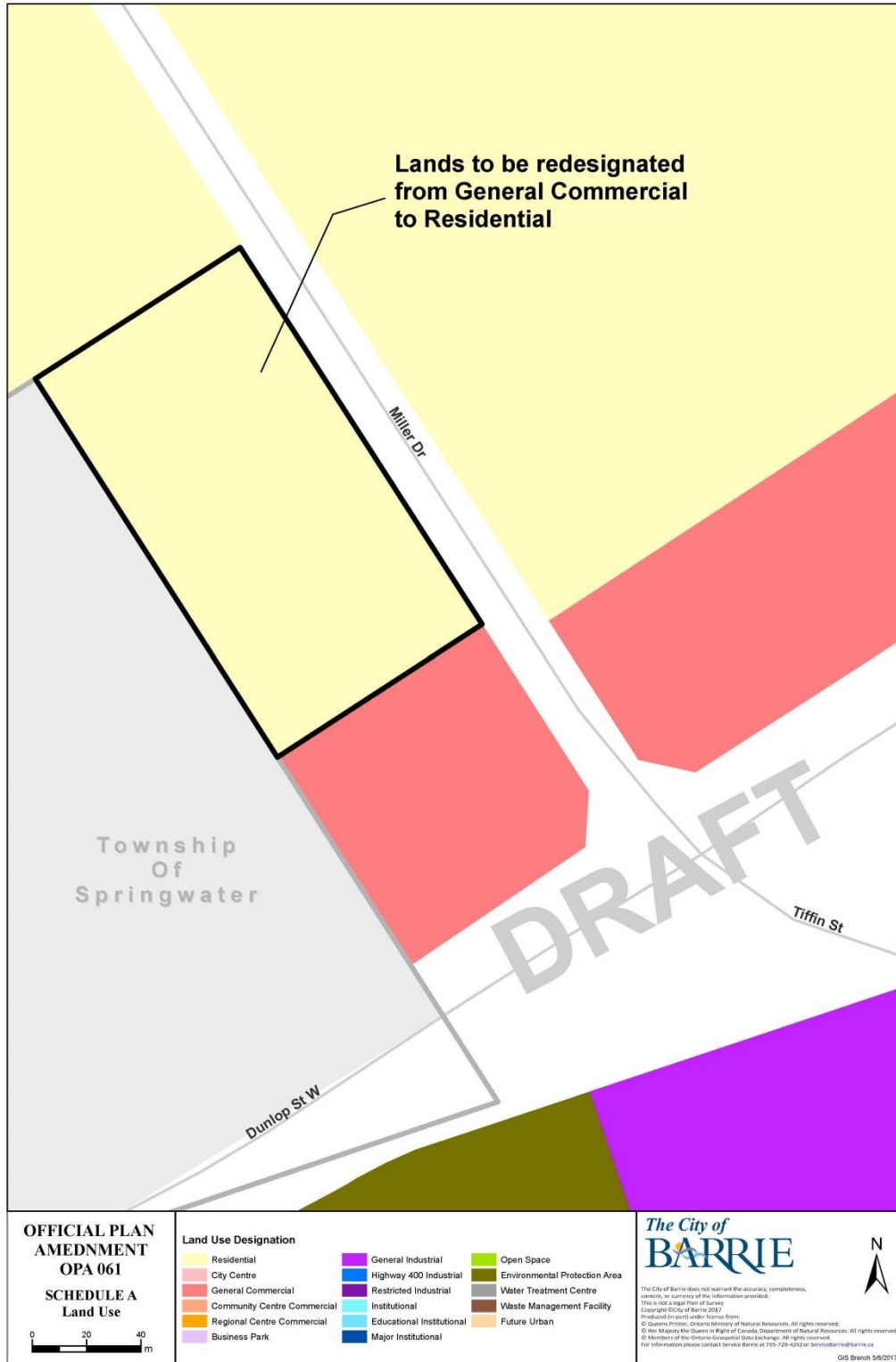
30. The recommendations included in this Staff Report support the 2014-2018 Strategic Plan goal of Inclusive Community in that the development supports safe neighbourhoods and promotes and facilitates community connections.

Attachments:

- Appendix "A" – Proposed Official Plan Schedule A: Land Use
- Appendix "B" – Proposed Zoning Map Schedule
- Appendix "C" – Proposed Draft Plan of Subdivision

APPENDIX "A"

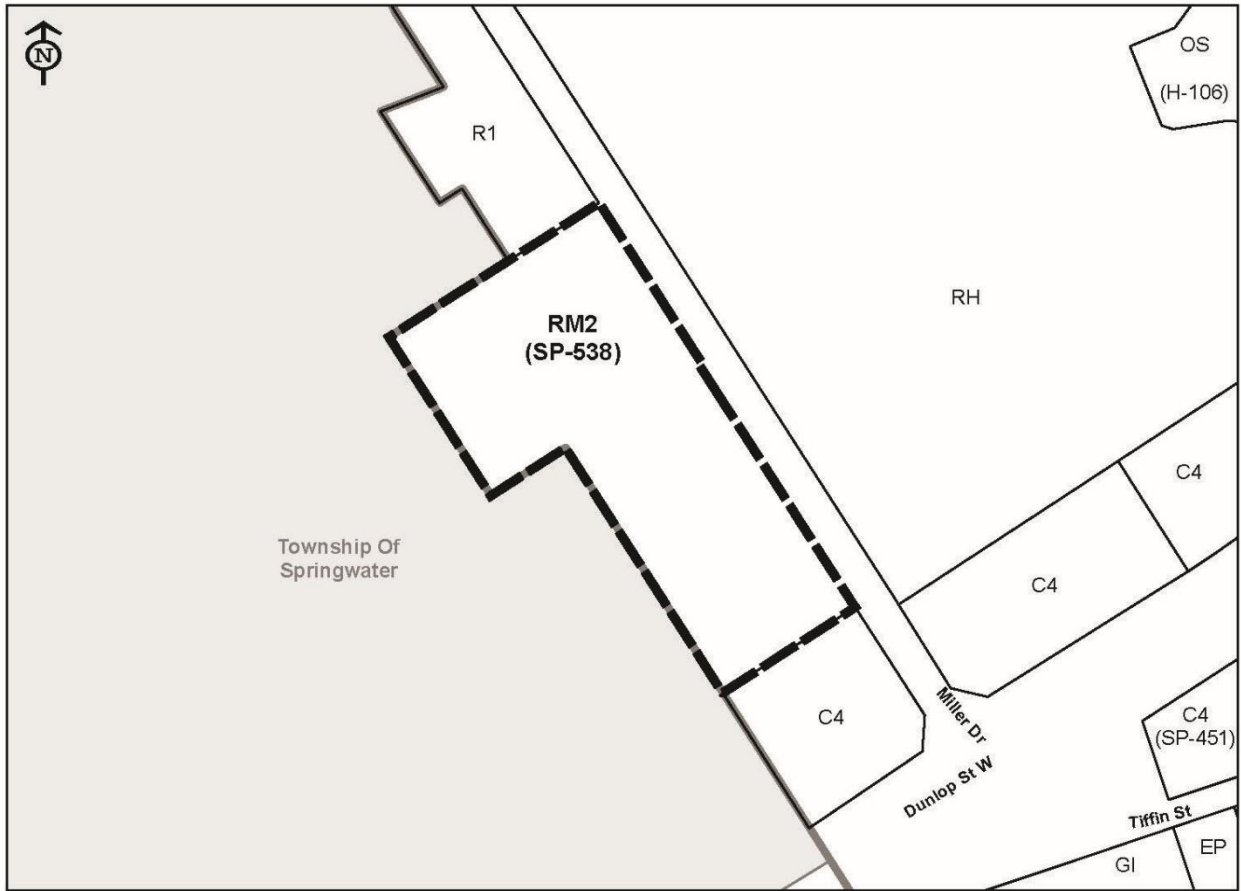
Proposed Official Plan Schedule A: Land Use





APPENDIX "B"

Proposed Zoning Map Schedule





APPENDIX "C"

Proposed Concept Plan

