

Staff Report

Development Services Department



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REPORT TO: Committee of Adjustment

DATE OF MEETING: February 20, 2024

SUBMITTED BY: Tina Malone-Wright, Manager, Development Approvals
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PREPARED BY: Eric Schneider, Senior Planner, 519-741-2200 ext. 7843

WARD(S) INVOLVED: Ward 4

DATE OF REPORT: February 8, 2024

REPORT NO.: DSD-2024-086

SUBJECT: Minor Variance Application A2024-012
628 New Dundee Road

RECOMMENDATION:

That Minor Variance Application A2024-012 for 628 New Dundee Road requesting relief from the following Sections of Zoning By-law 85-1:

- i) Section 6.1.2 a) to permit a parking requirement of 1.17 parking spaces per dwelling unit (247 parking spaces) instead of the minimum required 1.5 parking spaces per dwelling unit (317 parking spaces); and
- ii) Section 6.1.2 b) to permit a visitor parking requirement of 25 parking spaces (10% of required) instead of the minimum required 64 parking spaces (20% of the required parking);

to facilitate the development of a townhouse development having 211 dwelling units, in accordance with Site Plan Application SP23/053/N/ES, BE APPROVED.

REPORT HIGHLIGHTS:

- The purpose of this report is to review an application for minor variances to facilitate the development of a 211-unit multiple dwelling development.
- There are no financial implications.
- Community engagement included a notice sign being placed on the property advising that a Committee of Adjustment application has been received, notice of the application was mailed to all property owners within 30 metres of the subject property and this report was posted to the City's website with the agenda in advance of the Committee of Adjustment meeting.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is located at the northwest intersection of New Dundee Road and Robert Ferrie Drive. The site has frontage on the north side to Blair Creek Drive. The subject lands currently contain a single detached dwelling and two structures previously used for agricultural operations.



Figure 1: Location of Subject Property

The subject property is identified as ‘Neighbourhood Node’ on Map 2 – Urban Structure and is designated ‘Mixed Use’ on Map 3 – Land Use in the City’s 2014 Official Plan.

The property is zoned ‘Neighbourhood Shopping Centre Zone (C-2) with Special Regulation Provision 492U and Special Use Provision 387U’ in Zoning By-law 85-1.

Special Use Provision 387 states that “Notwithstanding Section 8.1 of this By-law, within the lands zoned Neighbourhood Shopping Centre Zone (C-2) the following uses shall also be permitted: Cluster Townhouse Dwelling, Duplex Dwelling, Multiple Dwelling, Religious Institution, Retirement Home, and Street Townhouse Dwelling.”



Figure 2: View of Subject Lands, Intersection of New Dundee Road and Robert Ferrie Drive (January 31, 2024)

The purpose of the application is to facilitate the redevelopment of the lands with a townhouse development containing 210 units within eleven (11) buildings. The existing single detached dwelling (heritage building) is proposed be relocated on site, bringing the total amount of units to 211. Site Plan Application SP23/053/N/ES was granted Conditional Approval on September 22, 2023. Heritage Permit HPA-2023-IV-30 is currently under review.

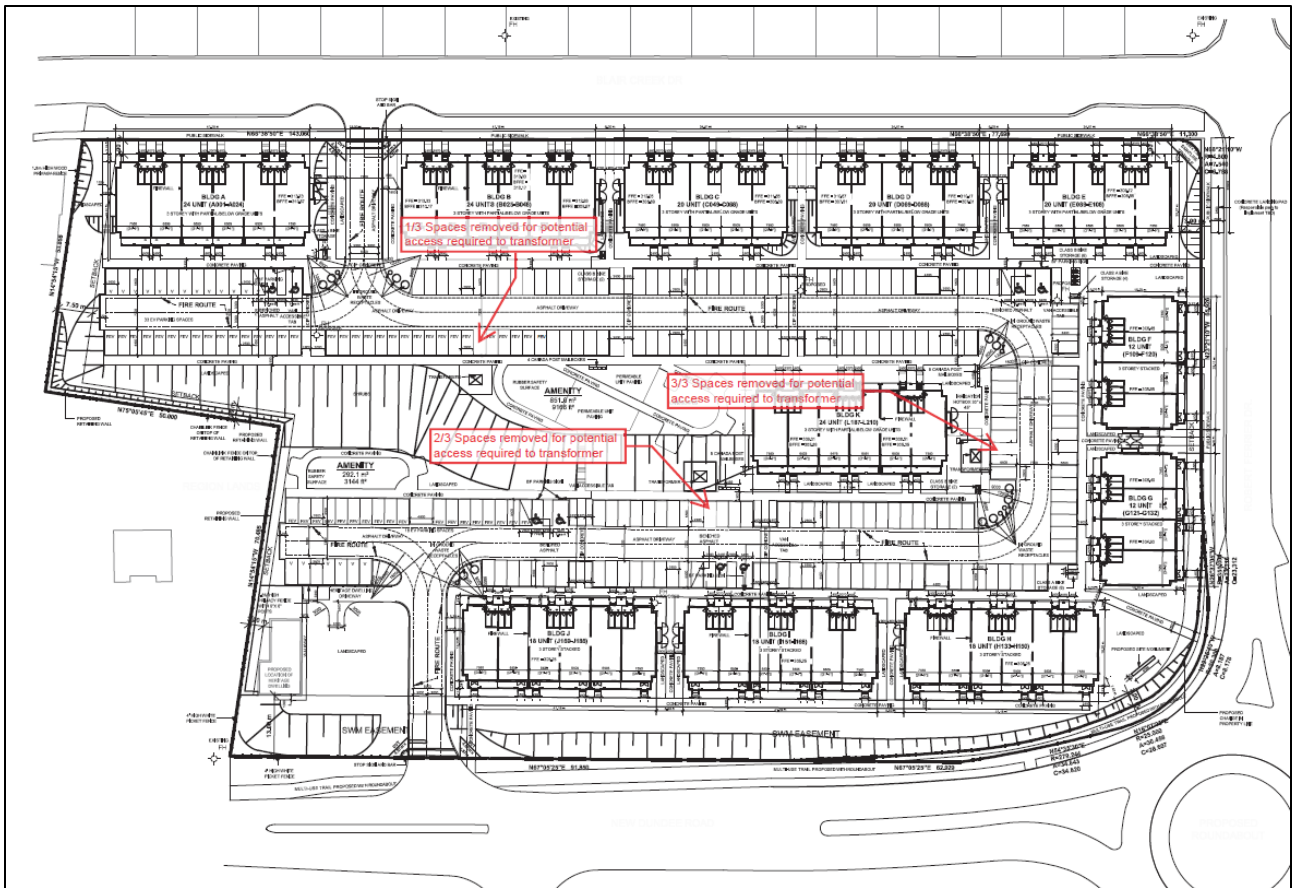


Figure 3: Site Plan SP23/053/N/ES (Conditional Approval)

REPORT:

Planning Comments:

In considering the four tests for the minor variances as outlined in Section 45(1) of the Planning Act, R.S.O, 1990 Chap. P 13, as amended, Planning staff offers the following comments:

General Intent of the Official Plan

The subject lands are designated 'Mixed Use' in the City's Official Plan. The intent of this designation is to allow for an appropriate and compatible mix and range of commercial, institutional, retail, and residential uses. It is intended to be flexible and responsive to land use pattern changes and demands. Lands designated Mixed Use are intended to be transit-supportive, walkable, and integrated and interconnected with other areas of the city. The requested variance for reduction in parking supports a range of transportation options for future users and contributes to an appropriate Mixed Use form of development. Planning Staff are of the opinion that the requested variance meets the general intent of the Official Plan.

General Intent of the Zoning By-law

The intent of the regulations that require 1.5 parking spaces per unit and 20% visitor parking is to ensure there is adequate storage for motor vehicles on site. These required rates are based on Zoning By-law 85-1, the current zoning on the site. The applicant is

proposing 1.17 parking spaces per unit and 10% visitor parking, which meet and exceed the standards in Zoning By-law 2019-051. Staff consider the rates in Zoning By-law 2019-051 to be appropriate for new land development on the subject lands, as they are updated rates based on provision of alternative transportation options, such as active transportation and public transit. For active transportation, the applicant is proposing to provide 106 Class 'A' Bicycle storage spaces, not required in By-law 85-1 but would be required if the site were within By-law 2019-051. In regards to public transit, the site is well served by transit as it is located along Regional Road New Dundee Road. The site would include a future transit pad for Grand River Transit bus routes located adjacent to the site at the intersection of Robert Ferrie Drive and Blair Creek Drive. The rate will provide vehicle storage at a rate of greater than one (1) space per dwelling unit, in addition to 25 visitor parking spaces. Staff are of the opinion that the proposed parking rate will be sufficient to provide vehicle storage on site. Therefore, Staff are of the opinion that the requested reduction in required parking and visitor parking meets the general intent of the Zoning By-law.

Is/Are the Effects of the Variance(s) Minor?

Staff are of the opinion that the effects of the requested variance are minor, as sufficient vehicle storage can be provided on site for both residents and visitors.

Is/Are the Variance(s) Desirable For The Appropriate Development or Use of the Land, Building and/or Structure?

The lands are located in a neighbourhood node and are well connected to transit and future active transportation routes. The requested variance for reduction in vehicle parking is desirable and appropriate for the development of the lands.

Environmental Planning Comments:

No natural heritage concerns. Tree management will be addressed through Site Plan Application SP23/053/N/ES.

Heritage Planning Comments:

Heritage Permit Application HPA-2023-IVVV30 is currently under review. No concerns with the variances to permit a reduced parking requirement.

Building Division Comments:

The Building Division has no objections to the proposed variance.

Engineering Division Comments:

No engineering concerns.

Parks/Operations Division Comments:

No parks/operations concerns or comments.

Transportation Planning Comments:

On August 23, 2023, a Site Plan Review Committee meeting was held and Transportation Services supported the same reduced tenant and visitor parking ratios being sought in this application. It should be noted that a Traffic Impact Study was submitted (July 14, 2023) by GHD Limited and reviewed by Transportation Services.

Region of Waterloo Comments:

No concerns.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Committee of Adjustment meeting. A notice sign was placed on the property advising that a Committee of Adjustment application has been received. The sign advises interested parties to find additional information on the City’s website or by emailing the Planning Division. A notice of the application was mailed to all property owners within 30 metres of the subject property.

PREVIOUS REPORTS/AUTHORITIES:

- *Planning Act*
- *Provincial Policy Statement (PPS 2020)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 85-1 and 2019-051*
- *HPA-2023-IVVV30*

ATTACHMENTS:

Attachment A – Site Plan (Conditional Approval)

Attachment B – Traffic Impact Study, GHD Limited (July 14, 2023)