

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2024-0052

**FOR THE CONSIDERATION OF
COUNCIL**

September 18, 2024

**SUBJECT: APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND ZONING
BY-LAW AMENDMENT
ORCHIDTRAIL BUILDING (BT) CORP. (ORCHIDTRAIL PHASE 2)
PART OF LOTS 14 AND 15, CONCESSION 3 (NG)**

1. RECOMMENDATIONS:

1. That Council receive Report No. DS-2024-0052 prepared by the Development Planning Division, Development Services Department dated September 18, 2024 respecting applications for Draft Plan of Subdivision - Orchidtrail Phase 2 (File 01.160, 19T-22G02) and Zoning By-law Amendment (File 03.1169) submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of the owner Orchidtrail Building (BT) Corp. for the property municipally addressed as 24996 Woodbine Avenue, Keswick, and legally described as Part of Lots 14 and 15, Concession 3 (NG);
2. That Staff report further to Council following the assessment of all Town Department and external agency comments presented in Report No. DS-2024-0052, as well as any comments raised by the public and Council at the Public Meeting; and,
3. That Staff provide written notice of the next Council meeting, a minimum of two weeks in advance of the date of said meeting, to the following:
 - a) Any person or public body that has requested to be notified of any future Council meeting(s); and,
 - b) Any person or public body that has requested to be notified of Council's decision regarding the approval or refusal of the subject applications.

2. PURPOSE:

The purpose of this report is to provide Staff's preliminary analysis and outline comments received respecting the applications for Draft Plan of Subdivision and Zoning By-law Amendment for Orchidtrail Phase 2 submitted by Michael Smith Planning Consultants; Development Coordinators Ltd. on behalf of the owner Orchidtrail Building (BT) Corp.

3. **BACKGROUND:**

3.1 **SUBJECT LANDS AND SURROUNDING LAND USES**

The subject lands are located west of Woodbine Avenue, south of Old Homestead Road, and north of Church Street in Keswick, as shown on the Location Map provided as Attachment 1.

Development of the Orchidtrail lands is planned in three phases. Phase 1 of the Orchidtrail lands and Phase 3 of the Starlish lands to the west were draft approved in December of 2022 for residential development and are currently undergoing earthworks or pre-servicing. Refer to Attachment 2 for a composite draft plan of subdivision (prepared in 2020) showing the proposed phasing plan for the Starlish and Orchidtrail lands. Orchidtrail Phase 2 is the subject of this staff report, and Orchidtrail Phase 3 is for future residential and commercial/employment development along Woodbine Avenue.

Surrounding properties and land uses are as follows:

- **North:** Old Homestead Road, beyond which are agricultural lands and a place of worship.
- **South:** Low density residential uses, and Church Street, beyond which are low density residential and commercial uses.
- **East:** Future Orchidtrail Phase 3 lands, an automotive repair shop and Woodbine Avenue, beyond which are agricultural lands and a garden centre.
- **West:** Phases 1, 2 and 3 of the Starlish lands, and Phase 1 of the Orchidtrail draft plan of subdivision.

Refer to Table 1 below for a summary of property information.

Table 1 – Summary of Property Information	
General Property Information	
Municipal Address	24996 Woodbine Avenue
Legal Description	Part of Lots 14 and 15, Concession 3 (NG)
Roll Number	095-563
Lot Frontage	N/A
Lot Area	9.94 ha
Zoning	Transitional (T)
Existing Keswick Secondary Plan Designation	Neighbourhood Residential
2023 Keswick Secondary Plan Designation	New Neighbourhood
York Region Official Plan	Urban Area
Related Applications	Pre-consultation 07.21.26
Land Use and Environmental Considerations	

Existing Structures	N/A	
Proposed Structures	Refer to proposed plan of subdivision	
Key Natural Heritage Features	North Keswick PSW	
Natural Hazards	None	
Regulatory Status		
Heritage Status	Neither listed or designated	
LSRCA	Yes	
MTO	No	
Servicing		
	Existing	Proposed
Water	N/A	Municipal
Sanitary	N/A	Municipal
Access	Woodbine Avenue and Old Homestead Road	To Woodbine Avenue, Old Homestead Road, and Church Street via existing and planned internal roads

3.2 PROPOSAL

The Owner has submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment to facilitate a residential development consisting of 125 single detached dwelling lots, and 114 street townhouse units on 17 blocks. The proposed development includes 11 single detached lots with 9.1 metre minimum frontages, 81 single detached lots with 11.0 metre minimum frontages and 33 single detached lots with 12.0 metre minimum frontages. The street townhouses are proposed to accommodate minimum lot frontages of 6.0 metres.

The proposed Orchidtrail Phase 2 development is a continuation of the Starlish Subdivision (also known as Treasure Hill and Daycornet) and the first phase of the Orchidtrail development lands, that are located directly west of the proposal. The northern and southern parts of the proposed development lands are divided by the future easterly extension of Danny Wheeler Boulevard. The northern lands propose two direct street connections to Danny Wheeler Boulevard (Streets 'A' and 'D'), while the southern lands show one street connection (Street 'E'). Two connections to the Orchidtrail Phase 1 lands to the west are shown, being Street 'B' from the northern lands to proposed Thomas Smith Street in Phase 1, and Street 'G' from the southern lands to proposed Street 'H' in Phase 1.

The proposed draft plan of subdivision is provided in Attachment 3 of this report.

3.3 SUBMISSION MATERIALS

Refer to Attachment 4 for a summary of all submission documents. Submitted documents are available from the Development Planning Division or via the below link:

[Orchidtrail Ph. 2 - Submitted Documents](#)

The Zoning By-law Amendment application proposes to rezone the lands from Transitional (T) to various site-specific Low Density Urban Residential [R1-XX(H), R1-XXB(H), R1-YY(H), R1-ZZ(H), and R1-ZZB(H)] and Medium Density Urban Residential [R3-XX(H)] zones.

The proposed Zoning By-law Amendment would also apply a compound zone [consisting of I, R1-XX(H), R1-YY(H) and R3-XX(H) zones] to permit future institutional and/or residential uses on the Fire Hall block of the draft approved plan for Orchidtrail Phase 1. The Fire Hall block is immediately north of the proposed Orchidtrail Phase 2 lands at the southeast corner of Old Homestead Road and Thomas Smith Street. This is discussed further in the Zoning By-law section of this report.

The proposed draft Zoning By-law is included in this report as Attachment 5.

4. **PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

4.1 PUBLIC CIRCULATION

The subject applications were deemed complete in October of 2022 (first submission). At that time the applicant requested that the applications not progress to a public meeting, and it was agreed that it would be best to have the applications circulated and reviewed to address any potential design changes or issues, prior to proceeding to a statutory public meeting. On March 31, 2024, the applicant made a second submission of the supporting documents in response to comments provided on the first submission.

Notice of Public Meeting was mailed to all assessed property owners within 120 metres of the subject lands on August 29, 2024, and public notice signage was posted on the property on August 28, 2024. At the time of writing this report, no comments from members of the public have been received.

4.2 EXTERNAL AGENCY AND TOWN DEPARTMENT COMMENTS

All comments received from internal departments and external agencies at the time of the first circulation are included as Attachment 6. All relevant comments continue to apply.

Those comments received following the circulation of the second submission have been noted below with respect to the applications for Zoning By-law Amendment and Draft Plan of Subdivision. The full text of second submission technical comments are included in Attachment 7.

Development Engineering Division

- Comments on revised draft plan of subdivision are forthcoming.

Building Division

- No comments or concerns.

Planning Policy

- The submitted Environmental Impact Study identified the presence of bats on the site. A separate Bat Study was conducted and must be sent to the Ministry of Natural Resources for review. A peer review of the EIS is required as there are potential species at risk on the subject lands.

Lake Simcoe Region Conservation Authority

- Technical comments provided with respect to plan of subdivision and supporting documents.

York Region

- Technical comments provided with respect to plan of subdivision and supporting documents. These are included as second submission comments in Attachment 7.

Hydro One

- As the subject lands abut and/or encroach onto a Hydro One high voltage distribution centre, Hydro One does not approve of the proposed subdivision at this time, pending review and approval of the required information.
- Provided conditions of draft approval.

5. ANALYSIS:

Based on the comments received to date, the information provided by the applicants, and a site visit, the following is a review of the applications against applicable Provincial, Regional and Town planning documents.

5.1 PROVINCIAL POLICY FRAMEWORK

Section 3(5) of the *Planning Act* requires that a decision of the Council of a municipality, in respect of the exercise of any authority that affects a planning matter, be consistent with the Provincial Policy Statement and shall conform with, or not conflict with, the Provincial Plans that are in effect.

5.1.1 The Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and plays a key role in setting the policy foundation for regulating development and the use of land in Ontario.

The subject property is in a 'Settlement Area', an area that is intended to be the focus of long-term growth and development. The subject property is also in a designated growth area, in which development should be cost-effective, compact, mixed use, make efficient use of land, infrastructure and public service facilities.

Land division is only permitted when water / sewage capacity is assigned. Servicing allocation within the Keswick Urban Service Boundary is very limited. Staff are currently undertaking a review of the Servicing Allocation Assignment Program for the area served by the Keswick Water Resource Recovery Facility, with a view towards ensuring that available servicing allocation is being assigned and/or redistributed to projects in the best position to proceed quickly. In the absence of servicing allocation being available and assigned to the subject draft plan of subdivision, staff will be recommending that the Town apply a Holding (H) Symbol in the proposed amending zoning by-law to prohibit development until adequate servicing allocation has been assigned.

Natural features, their diversity and connections shall be protected, maintained and restored for the long term. The applicant has provided an Environmental Impact Study which identifies the limits and buffers associated with on-site environmental features and recommends measures on how to preserve and enhance them, or provide compensation where appropriate.

Development and site alteration shall not be permitted on or near archaeological resources unless they have been appropriately conserved. The applicant has prepared Stage 1, 2, 3 and 4 Archaeological Assessments in support of the development applications. Three sites were identified and studied as part of the Stage 2 to 4 assessment reports.

Stage 4 mitigation of one of the sites has been completed. Excavation and documentation of one site, in the southeastern portion of the subject lands, was completed. More than two thousand post contact artifacts were removed. These artifacts represent a refuse area for the nearby homestead of James Crittenden, who lived there from ca. 1855. The artifacts recovered from the three excavated cultural features were dated from the 1840s to the 1870s and may be attributed to James Crittenden and his family. The artifacts have been fully removed and documented.

The Stage 4 assessment was entered into the Ontario Public Register of Archaeological Reports and a letter of confirmation was issued by the Ministry of

Heritage, Sport, Tourism and Culture Industries supporting the recommendations in the assessment.

Staff are of the opinion that the applications are consistent with the PPS.

5.1.2 The Greenbelt Plan, 2017 (GBP)

The Greenbelt Plan (GBP) identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on the landscape.

The GBP identifies the subject lands within a Town/Village. Section 3.4.3.1 of the GBP states that lands within a Town/Village in the Protected Countryside are not subject to the policies of the GBP, save and except for the policies of Sections 3.1.5, *Agri-food Network*, 3.2.3, *Water Resource System Policies*, 3.2.6, *External Connections*, 3.3, *Parkland, Open Space and Trails*, and 3.4.2, *General Settlement Area Policies*, where applicable.

Staff have reviewed the proposal against these policies and are satisfied that the development conforms to the GBP.

5.1.3 A Place to Grow, Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan) directs decision-making regarding growth management in the Greater Golden Horseshoe until the year 2051.

Section 2.2.1, *Managing Growth*, directs development to the settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. New development is encouraged to occur adjacent to the existing built-up areas and have a compact form, and mix of densities that allow for efficient use of land, infrastructure and public service facilities.

The first submission of the proposed draft plan of subdivision consisted of 197 single detached lots and 27 street townhouse units. Town Planning staff recommended that the draft plan be revised to incorporate additional townhouse units on the lands abutting the planned commercial/employment/mixed use area to the east along Woodbine Avenue. The revised draft plan of subdivision included a reduction in the number of single detached lots and an additional 87 proposed townhouse units, increasing the overall density of the proposed development, as well as providing for a gradual transition in built form from the development to the medium and high-density built forms contemplated in the area fronting Woodbine Avenue.

It is also noted that staff requested the addition of walkway connections between the Phase 2 lands and the planned commercial/employment/mixed use area to the east.

The revised plan of subdivision now includes walkway connections from proposed Streets 'C' and 'F'. The design and width of these walkways will be reviewed by the Development Engineering Division.

Section 2.2.7, *Designated Greenfield Areas*, states that new development will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services. The minimum density target applicable to the designated greenfield area of York Region will be 50 residents and jobs combined per hectare.

Staff note that this density goal is not intended to be implemented on a site-specific basis, rather, it is intended to be implemented on a broader scale via Official Plan designations. Despite the above, Staff have estimated that the proposed subdivision would have a density exceeding 50 residents per hectare. Staff are of the opinion that the proposed development is sufficiently dense to help achieve resident and job density goals for Designated Greenfield Area development within York Region.

Section 2.2.6, *Housing*, directs that complete communities will be achieved through a range and mix of housing options and densities of the existing housing stock and through diversifying the housing stock across the municipality.

Section 4.2.7 requires that cultural heritage resources be conserved to foster a sense of place and benefit communities. Municipalities are encouraged to cooperatively identify and make wise use of said resources. As discussed earlier, archaeological assessment reports (Phase 1 through 4) were completed.

Staff have reviewed the proposal against these policies and are satisfied that the development conforms to the Growth Plan.

5.1.4 The Lake Simcoe Protection Plan, 2009 (LSPP)

One of the main objectives of the Lake Simcoe Protection Plan (LSPP) is to protect, improve and restore the elements that contribute to the ecological health of the Lake Simcoe Watershed, including water quality, hydrology, key natural heritage features and their functions, and key hydrologic features and their functions.

The subject lands are located in a settlement area and an Environmentally Significant Groundwater Recharge Area. The LSPP considers the subject development as 'Major Development' and requires the proposal to conform to the policies 4.8-DP to 4.11-DP relating to stormwater management, 6.32-DP to 6.35-DP relating to settlement areas, and 6.40-DP relating to recharge areas. As noted, technical comments on the proposal have been provided by the LSRCA.

As noted previously, an Environmental Impact Study was submitted in support of these applications and it was determined that the only natural feature within the subject property is the North Keswick Provincially Significant Wetland (PSW)

situated within the northwestern portion of the property and appropriate mitigation has been proposed.

Staff have reviewed the proposal against these policies and are satisfied that the development conforms to the LSPP.

5.2 YORK REGION OFFICIAL PLAN, 2010 (YROP)

Staff note that the applications were submitted when the 2010 YROP was in force. Despite the fact that 2022 YROP is now in force and effect, the 2010 YROP continues to apply to the applications.

Map 2 of the York Region Official Plan (YROP) designates the subject lands 'Urban Area' and identifies the portion of the lands associated with the interior north/south hedgerow as part of the Regional Greenlands System.

The YROP policies in Section 2, *Sustainable Natural Environment*, aim to protect natural features from development through appropriate stormwater management, hydrogeological planning and development buffering. Development is generally prohibited within the Regional Greenlands System, evaluated wetlands, and all identified wetlands within the Lake Simcoe watershed. The YROP also requires a minimum 30-metre vegetation protection zone (VPZ) from PSWs.

Section 5, *An Urbanizing Region*, states that the designated greenfield area is to achieve an average minimum density of 50 residents and jobs per hectare. New community areas are to contain a wide range and mix of housing types, sizes and affordability. The subject proposal is an extension of the Starlish Phase 3 and Orchidtrail Phase 1 Subdivisions to the west and consists of 125 single detached dwelling lots, and 114 street townhouse units. The proposed development adds to the supply and mix of housing and will help to meet the projected housing needs of current and future residents. Staff will be requesting that the applicant provide an options package for rough-in and/or construction of accessory dwelling units to assist in achieving a range of housing types, sizes, and affordability.

Staff are satisfied that the proposed Zoning By-law Amendment and Draft Plan of Subdivision conform with the YROP.

5.3 KESWICK SECONDARY PLAN

5.3.1 KSP 2023 (Adopted/Under Appeal)

On July 12, 2023, Council adopted the proposed new Keswick Secondary Plan. An approval Notice of Decision was issued by York Region on September 29, 2023 and is currently subject to an appeal.

The KSP 2023 differs from the KSP 2024 in a number of ways, including:

- New land use designations;
- Increased maximum densities and heights; and,
- Permission of typical, modern land uses in Low Density Residential Neighbourhoods (such as townhouse dwelling units).

The lands subject to these applications would be designated New Neighbourhood in the KSP 2023, and low-rise and mid-rise residential uses would be permitted. Low-rise residential uses would include single detached, semi-detached, duplex, triplex, townhouses and low-rise apartment buildings, and shall have a net density of between 25 to 40 units per net residential hectare. The proposed plan of subdivision would fall within this range.

Urban Design and Architectural Control Guidelines are attached as Appendix 1 of the draft KSP and while they do not form a statutory part of the Secondary Plan, “they are meant to guide the preparation of detailed development plans in accordance with the Town’s vision for Keswick”. The Guidelines are intended to “assist in the achievement of the Secondary Plan policies, to provide criteria for the evaluation of development applications, and to serve as the foundation for site-specific Design Guidelines” [4.3.2(b)].

Section 4.3.2(j) of the 2023 KSP states that “cultural heritage and archaeological resource conservation shall be regulated in accordance with the policies of Section 8.8 of the Georgina Official Plan” and additionally when reviewing Planning Act applications, the Town will ensure that proposals are compatible with lands or properties which are designated or adjacent to a designated cultural heritage resource. As previously noted, the Stage 4 Archaeological Assessment was entered into the Ontario Public Register of Archaeological Reports and a letter of confirmation was issued by the Ministry.

The ‘Environmental Protection Area’ and ‘Adjacent Lands Overlay’ would apply to parts of the subject lands in accordance with the proposed KSP. According to Section 6.4.1 of the draft KSP, “the Environmental Protection Area designation is comprised of core conservation lands that predominantly contain key natural heritage features and key hydrologic features” and “also includes a 30-metre vegetation protection zone from the extent of identified key natural heritage features and key hydrologic features”.

The draft policies state that the boundaries of the Environmental Protection Area designation are approximate and minor boundary refinements may be permitted through an acceptable Environmental Impact Study (EIS).

An Environmental Impact Study (EIS) prepared by Beacon Environmental Limited was submitted in support of these applications stating that “a unit of the North Keswick Provincially Significant Wetland (PSW) Complex occurs in the northwestern portion of the subject property” with a Mineral Meadow Marsh (MAM2-2) community along the western part of the subject lands.

The wetland pockets located along the western edge of the northern part of the subject lands adjacent to the hydro station are Reed-Canary Mineral Meadow Marsh (MAM2-2). This area of limited habitat will be removed and replaced adjacent to the PSW located in Orchidtrail Phase 1. An area of Forb Mineral Meadow Marsh (MAM2-10) along the southern boundary of the subject lands may be removed without compensation. Two headwater drainage features on the subject lands are also proposed to be removed and water will be conveyed through the stormwater management system.

There will be wetland removals (totalling approximately 0.79 ha) however these are considered “common wetland communities that develop rapidly in areas where soil and hydrological conditions permit”. The LSRCA requires a replacement ratio for wetlands of 3:1 and 1:1 for the loss of buffers. Approximately 3.3 ha of compensation wetland is proposed adjacent to the existing PSW along with a viewing gallery and educational signage. A three year monitoring program is also proposed. The proposed mitigation plan prepared by Beacon Environmental is included as Attachment 8.

There are two hedgerows traversing the subject lands however the EIS determined that they “are lacking any large or specimen trees sometimes found in old hedgerows” and “the composition of the hedgerows is sparse with most dominated by the invasive Common Buckthorn, with associates of some native species of shrubs and young trees”. It is also indicated in the EIS that it is unlikely that the hedgerows are currently providing “a measurable level of function for wildlife movement or connectivity across and beyond the subject property”.

Table 5 from the EIS provides a summary of mitigation recommendations and is included in Attachment 9.

Some of the other mitigation recommendations include measures such as the installation of bat boxes in the PSW and establishment of an erosion and sedimentation control plan to ensure that sediment does not migrate in environmentally sensitive areas.

5.3.2 KSP 2004 (In Effect)

The subject lands are currently designated ‘Neighbourhood Residential’ and within the ‘Queensway East Development Area 2’ on Schedule F1: Land Use Plan of the KSP. The portion of the lands associated with the interior north/south hedgerow are identified as part of the Greenlands System and identified as ‘Environmental Protection Area’ on Schedule F2: Environmental Features Plan of the KSP.

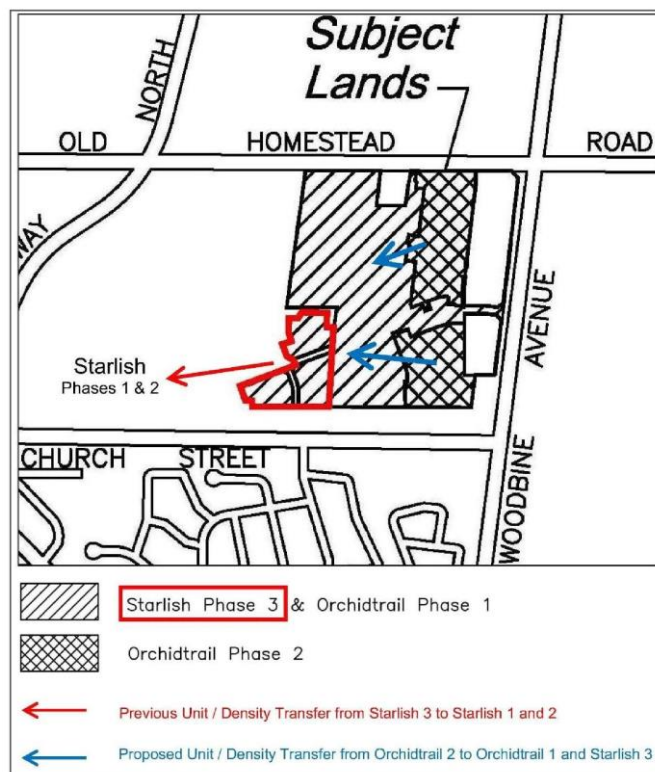
Housing, Permitted Uses and Densities (Section 13.1.2.6)

The KSP encourages a full range of housing types and densities to meet the projected demographic and market requirements of current and future residents

through residential development in Keswick. The Neighbourhood Residential designation permits low density residential uses. Section 13.1.2.7, *Low Density Residential Uses*, states that such uses include single detached, semi-detached and duplex dwelling units and accessory apartments and shall not exceed 11 units per gross residential hectare (upgrh). Therefore, an amendment to the KSP would ordinarily be required to permit townhouses and to exceed 11 upgrh if the development was approved under the current KSP.

At the time Phases 1 and 2 of the Starlish Subdivision were developed, all available units across the Starlish Lands (i.e. Phases 1, 2 and 3) were given/transferred to Phases 1 and 2. Therefore, Starlish Phase 3 technically had no unit capacity available for development and only Orchidtrail Lands can be considered in calculating the maximum units permitted for development.

Figure 1: Summary of Existing and Proposed Unit / Density Transfers



In 2022, the Town adopted Official Plan Amendment 146 to 'transfer' units from Orchidtrail Phase 2 to the Phase 3 Starlish Lands and Orchidtrail Phase 1 Lands.

The applicant requested that the applications be brought forward to Council with a recommendation report once the new KSP is in effect and that the policies of KSP (2023) be applied which would enable density to be applied to the Orchidtrail Phase 2 lands.

Neighbourhood Residential Designation (Section 13.1.3.1)

Development in the Neighbourhood Residential designation is to be well-designed, attractive and is to include an appropriate range of housing types, parks, open space and community features. Permitted uses include low density residential development which includes single detached dwellings, semi-detached dwellings and duplexes.

The subject property is also designated as Queensway East Development Area 2 in the KSP 2004. Medium density residential development is permitted in Queensway East Development Area 2, provided that a maximum density of 16.6 units per gross residential hectare is not exceeded. Medium density residential development includes townhouses, triplexes, fourplexes and low-rise apartments. The future residents will have nearby access to Terry Fox Park in Phase 1 of the Orchidtrail development as well as the trail system to the west through the earlier phases of the Starlish development.

5.4 ZONING BY-LAW 500

Current Zoning

The Orchidtrail Phase 2 lands, and the fire hall block in the draft approved plan for Orchidtrail Phase 1, are zoned 'Transitional (T)' on Map 3 of Zoning By-law 500.

Proposed Zoning By-law Amendment

To facilitate the development proposal, the Zoning By-law Amendment application proposes to rezone the lands from Transitional (T) to various site-specific Low Density Urban Residential [R1-XX(H), R1-XXB(H), R1-YY(H), R1-ZZ(H), and R1-ZZB(H)] and Medium Density Urban Residential [R3-XX(H)] zones with associated Holding (H) symbols to prevent development until certain conditions have been met.

(i) Site Specific Low Density Urban Residential Zones

The intent of minimum lot area and depth in the Zoning By-law is to ensure the lots sizes are of a sufficient size to accommodate permitted buildings and areas for amenity space, parking and drainage. Tables 2 and 3 below compare the required minimum lot frontages and areas for the R1 zone as required by Zoning By-law 500 with those proposed by the applicants.

Table 2: Minimum Lot Frontage and Area Comparison - Single Detached

	Required by ZBL 500	Proposed R1-XX Zone	Proposed R1-YY Zones	Proposed R1-ZZ Zones
Minimum Lot Frontage (metres)				
Interior Lots	15	9.1	11	12
Corner Lots	18	11.1	13	14
Minimum Lot Area (square metres)				
Interior Lots	450	270	300	350
Corner Lots	540	300	350	420

The existing provisions of Zoning By-law No. 500 were first introduced in 1994. Since then, it has become common to utilize more compact “urban” provisions that are similar to those in newer subdivisions aimed at achieving higher densities, as directed by Provincial and Regional policy.

The proposed Zoning By-law Amendment would also permit reduced minimum yard requirements for the R1-XX, R1-YY and R1-ZZ zones as follows:

- Front Yard
 - To attached garage: 5.8 metres
 - To dwelling: 4 metres
- Exterior Side Yard: 2.4 metres
- Rear Yard: 6 metres
- Interior Side Yard: 1.2 metres on one side and 0.6 metres on the other side, plus 0.5 metres for each additional or partial storey above the second

In addition, the proposed Amendment would not apply a maximum lot coverage requirement and permit a maximum building height of 13 metres or 12 metres where proposed lots abut existing residential lots to the south. Also, the following provisions would apply to garages, driveways and parking areas:

- a) On lands zoned ‘R1-XX(H)’ and ‘R1-XXB(H)’, the minimum number of parking spaces shall be two, one of which may be located in a driveway private to the unit and in the front yard.
- b) Every lot shall provide a garage.
- c) The minimum interior dimensions of a single parking space garage in the ‘R1-XX (H)’ and ‘R1-XXB (H)’ zones shall be 3.0 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres. In the ‘R1-YY’ and ‘R1-ZZ’ zones, the minimum interior garage dimensions shall be 5 metres X 5.7 metres.

- d) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
- e) No part of an attached garage shall project beyond the front wall of the first storey of the dwelling except where a porch is provided, in which case the attached garage shall not project beyond the front of the porch.
- f) In the case of a dwelling with an attached garage, no part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.6 metres from a side lot line. Furthermore, the minimum width of a driveway or parking area in the front yard shall be 5.0 metres and the maximum width of a driveway shall be the interior width of the attached garage on the lot, plus 0.5 metres.
- g) In the case of a lot with a detached garage in the rear yard, no part of any driveway or parking area shall be located closer than 0.9 metres from a side lot line. Furthermore, the minimum width of a driveway leading to a parking area and a detached garage in the rear yard shall be 2.5 metres, and the maximum width of a driveway or parking area in the front yard shall be 3 metres.

(ii) Site Specific Medium Density Urban Residential Zone (R3-XX)

The following table from the proposed Zoning By-law Amendment provides site specific regulations for the proposed townhouse blocks.

Table 3: Proposed Site Specific Medium Density Urban Residential

Lot Frontage (minimum)	
Interior Lot	6.0 metres
End Lot	7.5 metres
Corner Lot	8.5 metres
Lot Area per Unit (minimum)	
Interior Lot	165 m ²
End Lot	205 m ²
Corner Lot	235 m ²
Front Yard (minimum)	
To Attached Garage	5.8 metres
To Dwelling	4.0 metres
Exterior Side Yard (minimum)	2.4 metres
Rear Yard (minimum)	6.0 metres
Interior Side Yard (minimum)	
Interior Units (two walls attached)	nil
End Units (one wall attached)	1.2 metres
Floor Area per Dwelling Unit (minimum)	75 square metres

Lot Coverage (maximum)	Not applicable
Height of Dwellings (maximum)	13.0 metres
Number of Townhouse Dwelling Units per Lot (maximum)	1

Also, the following provisions would apply to garages, driveways and parking areas:

- a) Every lot shall provide a garage.
- b) The minimum interior dimensions of a garage shall be 3.0 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.
- c) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
- d) No part of an attached garage shall project beyond the front wall of the first storey of the dwelling except where a porch is provided, in which case the attached garage shall not project beyond the front of the porch.

The intent of front and exterior yard setback requirements is to ensure there is an appropriate and consistent front yard setback along streetscapes, and to also ensure there is sufficient room for items such as drainage, parking, and landscaping. Setback requirements for interior side yards and rear yards also provide space for drainage, access and appropriate setbacks from abutting land uses.

With respect to height, the proposed Zoning By-law Amendment proposes to increase the permitted height of single detached and townhouse dwellings from 11 metres to 12 and 13 metres as noted above. A modified definition of 'height' is also proposed to account for situations where there are significant grade differences around a dwelling, impacting the maximum allowable height since the definition in Section 2 of the Zoning By-law is based on the vertical distance of a building or structure measured between the average finished grade and the highest point of the roof surface. The proposed definition of 'height' included in the proposed Zoning By-law Amendment is "the vertical distance of a building or structure measured between the average finished grade along the front elevation of the building and the highest point of the roof surface".

The applicant indicates that the requested increase in height is to, in part, facilitate housing product that is on the market today. Any potential concerns with respect to potential impacts on existing neighbourhoods is limited as this is a Greenfield development without a direct interface to existing development or applicable consideration related to integrating infill / intensification in an established

neighbourhood. However, staff will consider the requested relief for height and other regulations following the public meeting and provide final recommendations to Council.

Holding (H) symbols are applied to the proposed zones pursuant to Section 36 of the *Planning Act*, with removal of symbols only permitted when the Director of Development Services has confirmed that adequate water and sanitary sewer capacity has been made available for the subject lands.

(iii) Compound Zoning

The proposed Zoning By-law Amendment would also apply a compound zone [consisting of I, R1-XX(H), R1-YY(H) and R3-XX(H) zones] to permit future institutional and/or residential uses on the Fire Hall block of the draft approved plan for Orchidtrail Phase 1. is immediately north of the proposed Orchidtrail Phase 2 lands and fronts onto Old Homestead Road.

Condition 46 of the draft approval of Orchidtrail Phase 1 requires that the owner enter into an option agreement with the Town for the transfer and acquisition of the Fire Hall b for a future Town fire hall. However, the condition also states that in the event that the Town has not notified the owner that it is exercising its option to acquire the fire hall site within seven years of the registration of any phase within Orchidtrail, or has confirmed in writing at any time within the term of the option agreement that it does not intend to exercise its option, then the option agreement will expire and the Block can be developed in its entirety in accordance with the Zoning By-law in effect. Town staff have noted that it may not be appropriate to pre-zone these lands for residential uses as the Town has every intention to acquire these lands for a future fire hall. Staff are of the opinion that even if the Town does not exercise the option in the future, that it is premature at this time to apply various residential zones without a detailed review and determination of appropriate housing forms, density, and zoning provisions for this site.

6. RELATIONSHIP TO STRATEGIC PLAN:

This report addresses the following strategic plan area:

Ensuring balanced growth

7. FINANCIAL AND BUDGETARY IMPACT:

There are no financial concerns or budgetary impacts on the Town as a result of this report. Should the applications be approved, the owners/applicants will be required to apply for and obtain all necessary approvals associated with building permits, site alteration permits and entrance permits, and to pay the applicable associated costs, such as development charges (at the prevailing rate at building permit issuance).

8. CONCLUSION:

Staff recommend that the applications be referred back to Staff for further review and consideration of Council and public comments, and that the applications be considered at a future meeting of Council.

Prepared By: Mark Stone, MCIP, RPP
MLS Planning Consulting

Reviewed By: Janet Porter, MCIP, RPP
Manager of Development Planning

Recommended By: Denis Beaulieu, MCIP, RPP
Director of Development Services

Approved By: Ryan Cronsberry
Chief Administrative Officer

Attachments:

Attachment 1 – Location Map
Attachment 2 – Phasing Plan
Attachment 3 – Proposed Draft Plan of Subdivision
Attachment 4 – Summary of Application Submission Documents
Attachment 5 – Proposed Draft Zoning By-law Amendment
Attachment 6 – Agency Comments First Submission
Attachment 7 – Agency Comments Second Submission
Attachment 8 – EIS Figure 3, Proposed Environmental Mitigation Plan
Attachment 9 – EIS Table 5, Proposed Environmental Mitigation Recommendations