

September 12, 2023

Township of Edwardsburgh Cardinal
18 Centre Street
Spencerville, ON.
K0E 1X0

**RE: Application for Zoning By-Law Amendment
2084 Dundas Street
Part Lot 6, Concession 1, Geographic Cardinal
Edwardsburgh/Cardinal
Applicant: CFT Group**

ZanderPlan has been retained by the owner to assist with a Zoning By-Law Amendment for the property located at 2084 Dundas Street in the Settlement Area of Cardinal. The property is irregular in shape with an existing 3 storey 209.9 sq.m building located closest to Dundas Street, extending back to a 2 storey 171.3 sq.m building along Bridge Street. The lot contains numerous parking spaces for the existing use and proposed uses and also provides for additional off-property parking for the nearby property at 2073 Dundas Street through an agreement. The property owner is seeking a Zoning By-Law Amendment to transition the interior of the rear building from a single large 1 bedroom unit into 4 residential units, utilizing both upper and lower floors. The single residential unit is legal non-complying, where the zoning amendment will create a site specific zone to permit the new units on the first and second floor of the mixed use building in the Main Street Commercial Zone. The front portion of the building will remain untouched and continue to offer 6 residential units fronting onto Dundas Street. The lot will offer a total of 10 residential units and throughout with adequate parking on site; the ground floor residential space on the front of the building is recognized as legal non-conforming and is not affected by the current proposal. The lot resides within the Urban Settlement Area of the UCLG Official Plan, and within the Settlement Policy Area of the Edwardsburgh/Cardinal Official Plan, which permits the use of residential units on the ground floor. The Edwardsburgh/Cardinal Main Street Commercial zone (MC) does not permit ground floor residential, requiring a Zoning By-Law Amendment for a site specific Main Street Commercial zone (MC-x).

SITE LOCATION

The subject property is located at the corner of Dundas Street and Bridge Street in the Urban Settlement Area of Cardinal in the Township of Edwardsburgh/Cardinal. The total property is approximately 2,149.7 sq.m in size with the existing building located approximately 2.9 metres from Dundas Street and 3.4 metres from Bridge Street. The property maintains 18.6 metres of frontage onto Dundas Street, which includes a throughway between the abutting property's

building to access the rear parking area; access is also available via Bridge Street. The lot also maintains 75.9m of frontage onto Bridge Street where the building utilizes approximately 42 metres leaving the remaining space for access and parking (Figure 1). Seventeen parking spaces are shown on the attached site sketch and are accessed from Bridge Street, but could also be accessed via Dundas Street using the throughway between buildings. This parking area is also used by 2073 Dundas Street for additional off-property parking, located 56 metres down Dundas Street. The neighbouring lots consist of a mix of smaller commercial buildings as well as mixed density residential. A majority of the buildings along Bridge Street are fairly spaced out and consist of a mix of commercial to low to medium style apartments, where Dundas Street appears to have a more compact mix of semi-detached and smaller style apartments in addition to mixed use and commercial buildings. The St. Lawrence River is located South of the property approximately 270 metres away and can be accessed via William Street and Legion Way, providing different view sheds and open space to the community.



Figure 1. Aerial Image of Subject Site

PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS, 2020), created under the authority of Section 3 of the *Planning Act*, identifies matters of Provincial interest which must be considered when planning applications are filed in Ontario. Approval authorities are required to ensure that decisions on planning matters are consistent with these policies.

The proposed development is consistent with **Section 1.0** Building Strong Healthy Communities, as it presents opportunities to provide a mix range of intensification to an existing developed area, using land and connecting to existing infrastructure networks efficiently (1.1.1b). The proposed development is not anticipated to cause or create any environmental or public health and safety concerns (Sec 1.1.1c). The additional residential units will not affect any of the settlement boundaries or prevent further expansion of these boundaries as it will take place within existing building stock within the settlement area (Sec. 1.1.1d). The existing building and lot front onto Dundas Street and Bridge Street, both Township Roads with connectivity to major corridors in and out of the urban area, providing intensification within a transit-supportive area (Sec. 1.1.1e). Rezoning to permit the existing ground floor and new proposed units within the mixed use building, within this particular area of Cardinal, improves the accessibility of the land and surroundings. It will allow persons with disabilities or elderly to fully participate and engage with their community, as it places most necessities within close proximity to ground floor living corridors (Sec. 1.1.1f). The proximity also increases walkability, preparing for impacts of climate change (Sec. 1.1.1i). Ultimately the request to allow the additional residential units within the existing buildings first and second floor will help build a healthy, liveable and safe community.

Section 1.1.3 speaks to Settlement Areas and the focus on growth and development relying on vitality and regeneration of the communities for long-term economic growth. The current land use and building stock will efficiently use land and resources (Sec. 1.1.3.2a) and will continue to maintain proper infrastructure and servicing to the site (Sec.1.1.3.2b). The site will provide a variety of living accommodations for the community, contributing to an intensified mixed community, aiding in minimizing the effects of climate change and urban sprawl (Sec. 1.1.3.2d). The site falls within an area that can promote active transportation as amenities are close by and accessible by sidewalks (Sec. 1.1.3.2.e). Additionally, the site falls closely along County Roads (2 and 22), making it easily accessible for future transit plans (Sec. 1.1.3.2f).

Section 1.2.6 speaks to Land Use Compatibility, noting that “*Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects*”. The existing development and proposed plans of the site requiring amendments to the Zoning By-Law does not meet the definition of a major facility as

defined by the Provincial Policy Statement as there are no adverse effects expected from contaminant discharges, noise, odour, or other public health risks from the additional proposed residential uses of the existing lot and building (Sec. 1.2.6). The subject property does reside along a functioning railway corridor where no barriers or crossing arms are in place. The railway and property have functioned cohesively for some time, where no foreseen adverse effects shall affect the 3 additional residential units or the function of the railway.

Section 1.4 speaks to housing and providing an appropriate range and mix of housing options and densities. The proposed development will offer 3 new residential units to meet the social, health, economic and well-being requirements of future residents (Sec. 1.4.3b). The subject site will also ensure the appropriate levels of infrastructure and servicing are continued to be available to the site (Sec.1.4.3c). As mentioned, the subject site falls within the Settlement Area, that is supported by active transportation through the access of side walks and close proximity to amenities and open space areas (Sec. 1.4.3d).

Section 1.6.6 of the PPS speaks to sewage, water and stormwater. Municipal sewage and water services is the preferred form of servicing within Settlement Areas. There are existing connections on site, requiring no additional costly expansions to the Township's existing infrastructure, ensuring feasibility is financially viable over the lifecycle.

Section 1.6.7 of the PPS speaks to transportation systems, noting connectivity among transportation systems should be maintained. The development and lot already front onto two existing roads, where no foreseen implications shall arise due to the proposed and existing use of the lot. The area shall continue to facilitate the movement of people and goods in a safe and energy efficient manner.

Section 1.7.1 of the PPS speaks to long-term economic prosperity. The proposed use of the lot will optimize the long-term availability and use of land, resources, infrastructure and public service facilities through the intensification and mixed use opportunities proposed within the existing structure. In addition to promoting opportunities for economic development and the increased residential uses, the proposed development will minimize the negative impacts from a changing climate and respond to market-based needs by providing residential units while utilizing existing servicing and infrastructure.

Section 2.1 of the PPS speaks to Natural Heritage requiring natural features and areas to be protected for the long term (Sec. 2.1.1) and the diversity and connectivity of natural features shall be maintained, restored, or where possible improved (Sec. 2.1.2). There are no natural heritage features identified on or surrounding the existing lot.

Section 2.2 of the PPS speaks to water. No significant water resource areas are identified on or surrounding the lot. The existing building will continue to be serviced with municipal water service, and there are no site changes that would result in any stormwater impacts. **Section 2.3** speaks to agriculture. The subject property is within a Settlement Area with no identified agricultural lands. **Section 2.4** of the PPS speaks to minerals and petroleum. The subject site does not contain any known significant minerals and petroleum resources that need to be preserved. **Section 2.5** speaks to mineral aggregate resources; there are no known mineral aggregate resources on or within close proximity to the subject site. **Section 2.6** of the PPS speaks to cultural heritage and archaeology; there are no known cultural heritage or archaeological resources on or within close proximity to the subject site.

Section 3 of the PPS speaks to protecting public health and safety. The subject site does not contain any known natural hazards. At this time there are no other known public health and safety hazards identified on the property or man-made hazards pursuant to the policies of Section 3.2.

Overall, the proposed amendment to maintain the front portion of the mixed use building, while renovating the rear portion to add 3 additional residential units on the first and second floor is consistent with the policies in the 2020 Provincial Policy Statement.

UNITED COUNTIES OF LEEDS AND GRENVILLE OFFICIAL PLAN, 2016

The United Counties of Leeds and Grenville Official Plan establishes the goals, objectives and policies to manage and direct physical change and the effects on the social, economic and natural environments of the Counties. The subject property resides within the Urban Settlement Area of Cardinal in the Township of Edwardsburgh/Cardinal as found on Schedule A of the Leeds and Grenville Official Plan.

Section 2.3.2 speaks specifically to Urban Settlement Areas and their function as the primary centre for growth, development and urban activities. The policies of the Urban Settlement Area are in place to promote growth and accommodate a broad range of uses. The proposed interior renovations of the building are intended to provide intensification within the existing building while continuing to utilize the existing municipal servicing and infrastructure in place. The proposed will create new residential opportunities within a portion of the building, while maintaining the existing mixed-use fronting to Dundas Street, contributing to mixed-use development along an accessible pedestrian-oriented streetscape. Due to the already developed nature of the lot and all renovations for new residential units occurring inside the building, the exterior aesthetic of the Dundas streetscape will be preserved, minimizing any public health and safety concerns.

Section 2.4.1 speaks to intensification, creating efficient and cost effective development without the need for expansion of the settlement area boundaries. The proposed use of the lot will create opportunities for additional housing units that are appropriate for the mixed use area. Appropriate locations for intensification are considered, *“small scale intensification through modifications to an existing dwelling to include secondary units”*, which is the intended purpose of the proposal.

Section 2.7 speaks to the supply of land for housing where local municipalities are encouraged to provide an appropriate range of housing types and densities to meet the projected requirements of current and future residents. The proposed re-development within the existing building will continue to offer residential units on all floors of the building, opening the options for accessible housing for the aging or physically disabled population of Cardinal.

Section 6.0 speaks to transportation, infrastructure and servicing where the subject property is located in an area with established transportation systems and support active transportation through the use of sidewalks. Municipal sewage and water services are already in place and fiscally viable over their life cycle. Due to the already developed and built-up community, effective, efficient and sustainable infrastructure is already in place to support the mixed use building within the Main Street Area of Cardinal.

Overall, the proposed re-development inside of the existing building at the corner of Dundas Street and Bridge Street meets the intent of and is supported by the policies of the United Counties of Leeds and Grenville Official Plan.

TOWNSHIP OF EDWARDSBURGH CARDINAL OFFICIAL PLAN, 2020

The Township of Edwardsburgh Cardinal Official Plan sets forth a framework to guide land use decisions for the next 20 years. It puts an emphasis on growth and development while reflecting on community values and protecting the health of residents to ensure an economically and environmentally sustainable community. The subject property resides within the Settlement Policy Area on Schedule A of the Official Plan.

Section 3.1 speaks to the Settlement Policy Area with the overall goal to create sustainable mixed-use communities while maintaining the local character of each Village and Hamlet within the Township. The proposed intensified residential use of the existing building complies with the objectives of the Settlement Policy Area as it will enhance the existing residential uses and create a new form of low to medium density residential units. Lastly, the location of the building residing on Dundas Street promotes pedestrian and cycling circulation throughout the Main Street area of Cardinal.

Section 3.1.3 speaks to the specific residential development policies which are in place to provide an adequate supply and range of low to high density housing types. Although the subject property isn't specifically identified as a sole residential development, the additional residential units on the ground floor will provide additional rental units in a neighbourhood that is appropriate and offers safe and accessible transportation routes. Overall, the proposal complies with the residential development policies of the Official Plan.

Section 3.1.5 speaks to commercial development policies where the main objective is to permit a mix and range of commercial uses providing local employment opportunities that are compatible with the neighbourhood and can be appropriately serve. The building no longer has any commercial spaces, with the ground floor front part of the building previously being renovated for residential use, and being recognized as a legal non-conforming use. Renovating the rear portion of the building, increases the number of available residential units for future growth and utilizes the building to its full potential are the goals of the development proposal.

Section 6.2.1 speaks to additional residential units as an efficient means of increasing the supply of housing. The proposed additional units on the first and second floor will offer new rental housing units within the existing mixed use building, contributing to the overall supply of housing in the community.

Section 6.8 speaks to development criteria. The site is existing and there are no exterior changes or new development proposed, therefore the building and proposed use will continue to comply with the development criteria policies of the Official Plan.

Section 6.16 speaks to land use compatibility to minimize conflicts between incompatible land uses. There are no identified land uses surrounding the subject property that would cause conflict with the proposed use, aside from the mentioned railway corridor. The railway has been in operation alongside the existing residential unit with no adverse effects or impacts to its existing residents. The existing building and 3 additional units are located 30 metres from the railway, leaving enough buffer space to limit any conflict between the proposed renovations and existing landscape.

The proposed re-development to add 3 residential units to the existing building located at 2084 Dundas Street complies with the general objectives, goals and policies of the Edwardsburgh/Cardinal Official Plan.

TOWNSHIP OF EDWARDSBURGH CARDINAL ZONING BY-LAW NO. 2022-37

The Township of the Edwardsburgh/ Cardinal Zoning By-Law outlines the permitted uses and provisions for specific zones throughout the Township. The subject property is zoned as Main Street Commercial (MC), where an exception is sought to permit the continued use of a ground floor residential with the addition of 3 more units.

Section 3.11 speaks to non-conforming and non-complying uses, where the building currently contains a large ground floor residential unit. The existing residential unit would enjoy legal non-conforming status, as ground floor residential units are not permitted in the Zoning By-law. The applicant is proposing to split the single unit into a total of 4 units utilizing the first and second floor of the rear portion of the building. In order to change the non-conforming use, the applicant is seeking a zoning amendment to re-zone to a site specific MC-x zone to permit the use of ground floor residential units within the mixed use building. The height, size and volume of the building will not be affected as the reconstruction of the units will take place inside, conforming to the provisions set forth for non-complying and non-conforming uses.

Section 3.14 speaks to parking, outlining the number of spaces required per use. As the proposed building will contain a total of 10 residential units, the required parking is 1 space per dwelling unit, for a total of 10 required parking spaces for the residential portion. The site itself is large enough to provide over 17 parking spaces, 10 for the residential, leaving 7 spaces for visitor use and additional offsite parking for 2073 Dundas Street. If more spaces are needed, the proposed spaces shown on the site sketch can easily be reconfigured to allocate the required number of spaces needed, while still maintaining landscaping and open space for the residents.

Section 3.14.10 speaks to parking exceptions where uses located within the MC zone shall provide one parking space per dwelling.

Section 7.1 speaks to the Main Street Commercial (MC) zone listing the permitted uses as:

- *apartment dwelling unit(s) in upper storey of a non-residential building*
- *antique shop*
- *bank*
- *catering establishment*
- *clinic*
- *commercial parking lot*
- *community service*
- *custom workshop*
- *day nursery*
- *existing automobile service station*
- *funeral home*
- *hotel*
- *instructional facility*
- *laundromat or dry cleaners*
- *microbrewery*
- *motel*
- *open market*
- *personal service*
- *place of assembly*
- *place of worship*
- *professional or business office*
- *recreational establishment*
- *retail store*
- *restaurant*
- *service outlet*
- *specialty food store*
- *veterinary clinic*

An exception to Section 7.1 is sought to permit the single existing non-conforming residential unit facing to Bridge Street and to renovate the interior to add 3 more units along the ground and second floor of the building, retaining the front portion 6 residential units.

Section 7.1.2 outlines the zone provisions for the Main Street Commercial zone. As the building is existing and the proposed use shall not affect or modify the exterior of the building, all existing building setbacks will continue as is.

The application is proposing to establish a Main Street Commercial (MC) exception zone, to permit a total of three residential units on the ground floor at the rear of the existing residential building, where the Zoning By-law does not currently permit ground floor residential uses in this Zone.

SUMMARY

The applicant is proposing to convert the rear portion of the existing building to offer three ground floor and one second floor residential units while maintaining the existing 6 residential units in the front portion of the building. The proposal will contribute to a compatible and cohesive neighbourhood with the surrounding properties which already contain mixed density residential and commercial uses along Dundas Street and Bridge Street. Permitting the proposed residential units at 2084 Dundas Street creates an opportunity for diverse intensification within a settlement area, while creating rental units within a dense area of Cardinal.

The requested use of the subject property is consistent with the policies found in the Provincial Policy Statement (PPS) 2020, and meets the intent of the policies in the United Counties of Leeds and Grenville Official Plan and the Edwardsburgh/Cardinal Official Plan. The Zoning By-Law Amendment is requesting a site-specific designation for the subject property, to permit the proposed addition of residential units on the ground floor of the building, ultimately benefiting the Counties and Township.

An exception to Section 7.1 of the Edwardsburgh/Cardinal Zoning By-Law is requested to permit up to three ground floor residential units within the Main Street Commercial building.

Should you require any additional information in order to process this application, please don't hesitate to contact the undersigned.

All respectfully submitted by:



Tracy Zander, M.Pl, MCIP, RPP