

MEMORANDUM

DATE: APRIL 18, 2024

TO: TOWNSHIP OF EDWARDSBURGH CARDINAL – COMMITTEE
OF THE WHOLE - COMMUNITY DEVELOPMENT

FROM: NOVATECH

RE: 161 – 163 SHANLY ROAD, CARDINAL – ZONING BY-LAW
AMENDMENT

Background

A Zoning By-law amendment application has been received for a property known locally as 161-163 Shanly Road in the Village of Cardinal. The application proposes to rezone the lands to permit a 12-unit apartment building on a portion of the property and to establish zone standards for a portion of the property which is used for commercial purposes. The application was filed to fulfill conditions of a related consent application (File No. B-82-23) which received provisional approval from the United Counties of Leeds and Grenville Consent Granting Authority.

The subject property is located within the Village of Cardinal, on the east side of Shanly Road between Adelaide Street and Marjorie Street. The subject property is irregular in shape and is approx. 3,200 m² with approx. 20 m of frontage on Shanly Road, approx. 55 m of frontage on Marjorie Street and approx. 23m on Adelaide Street. The property is presently developed with 1-2 storey commercial buildings and small accessory structures. Access to the property is presently obtained from Shanly Road and Marjorie Street. It is also understood that the property also contains a dwelling. Surrounding residential uses are predominately low rise single detached dwellings. There are a few commercial properties within the immediate surrounding area of the property and approximately 200m southwest of the site is the Cardinal Shopping Plaza along County Road 2.

The subject property is designated within the Township's Official Plan as Settlement Policy Area and is zoned General Commercial (CG) by Zoning By-law 2022-37.

Applicant's Proposal

The Zoning By-law amendment application proposes to rezone the subject property from General Commercial (CG) to General Commercial – Special Exception (CG-X) and Residential Third Density – Special Exception (R3-X). The amendment proposes to rezone approximately 0.12 ha of the property to CG-x and approximately 0.18 ha to R3-x. The zoning amendments are necessary to fulfill conditions of consent which include establishing appropriate zone standards for the commercial property and proposed residential property which is proposed to be developed with a 12-unit apartment building. The applicant's proposal herein is described based on how the lots are to be divided for the proposed land uses and requested rezoning.

In October 2023, the United Counties of Leeds and Grenville approved consent application B-82-23 subject to conditions which proposed to create a new 0.18 ha parcel with frontage on Adelaide Street and Marjorie Street to be used for residential purposes. The applicant is proposing to develop the proposed 0.18 ha parcel with a 12 unit apartment building, less than 3 storeys in height with 16 surface parking spaces (Refer to Attachment A, P1). Access to the proposed development and surface parking area is to be provided from Marjorie Street and pedestrian accesses to the building are proposed from both Marjorie Street and Adelaide Street. The type of units proposed (number of bedrooms) will to be determined at the detailed design/site plan control stage of the development and no affordable housing units are proposed. The zoning by-law amendment is required to establish permitted uses and appropriate zone provisions.

The applicant is proposing to rezone the approximately 0.18 ha portion of the property to Residential Third Density – Special Exception (R3-x) and are requesting the following site-specific zone provisions to accommodate the proposal:

- Reduce the minimum lot frontage requirement from 45m to 22m;
- Increase the maximum permitted density from 1 dwelling unit per 230 m² of lot area to 1 dwelling unit per 152 m² of lot area; and
- Reduce the minimum required parking area setback from a property line abutting a residential zone from 3 m to 0 m.

The proposed 0.12 ha retained parcel is to remain used for commercial purposes. Some of the existing buildings are proposed to be removed from the property to accommodate the severance proposal and provide the property with space for on-site parking spaces both at the front and rear of the property. The applicants are proposing to rezone the property to General Commercial – Special Exception (CG-x) and are requesting the following site-specific zone provisions to accommodate the proposal:

- Allow a single dwelling as an additional permitted use;
- Increase the maximum lot coverage from 30 % to 44%;
- Establish a minimum parking requirement for the property of 10 parking spaces; and
- Reduce the minimum required parking area setback from a property line abutting a residential zone from 3 m to 0 m.

The zoning amendment application is supported by a Planning Rationale and Concept Plans prepared by Fotenn Planning + Design, Phase 1 Environmental Site Assessment and a Traffic Brief prepared by Greer Galloway.

Public & Agency Feedback

At the time of writing this report, no public comments were received. Enbridge noted they had no objections to the zoning by-law amendment.

Planning Policy

The application has been reviewed against the following planning policy documents.

Provincial Policy Statement

The PPS has specific policies regarding settlement areas stating that they should be the focus of growth and development (Section 1.1.3.1). The PPS encourages development to efficiently use existing infrastructure, encourages opportunities for intensification and providing a range of housing options (Section 1.1.3.2 & 1.1.3.3). The PPS also states that planning authorities shall provide for an appropriate range of housing options and densities to meet projected market-based and affordable

housing needs of current and future residents by permitting and facilitating all housing options and all types of residential intensification (Section 1.4.3.b)).

The development proposes residential intensification and commercial uses on an underutilized site within a settlement area where existing municipal services exist. The proposed zoning by-law amendment and proposed development are found to meet the general intent of the PPS.

United Counties of Leeds and Grenville Official Plan

The subject property is designated as Urban Settlement Area on Schedule A of the UCLG Official Plan. Similar to the PPS, the Counties' Plan encourages growth and development to be directed towards settlement areas and that a broad range of uses are permitted (Section 2.3.2). Section 2.4.1 of the Counties Plan encourages residential intensification within settlement areas. One of the goals of the Counties Official Plan is to achieve an overall minimum target of 20% of dwelling unit growth to occur in the form of residential intensification and redevelopment (Section 2.4.1b)). The Counties also encourages residential intensification that is of an appropriate scale and character, availability of servicing and demonstration of compatibility with existing neighbourhoods (Section 2.4.1c)). The Counties Plan also notes that local Official Plans are to identify appropriate locations and the type and form of intensification to be promoted. Further, the Counties Official Plan encourages opportunities for affordable housing to be provided. The Counties Official Plan includes policies regarding access to County Roads (Section 6.2.2.3).

The proposed zoning by-law amendment will allow for residential intensification through the creation of a new apartment building on full municipal services. The proposed zoning by-law amendment and development proposal is found to meet the general intent of the Counties Official Plan.

Township of Edwardsburgh Cardinal Official Plan

The subject property is designated as Settlement Policy Area on Schedule A of the Township's Official Plan and is located within the Urban Settlement Area of Cardinal. The Township's Official Plan focuses residential and commercial growth to occur within the Cardinal settlement area where full municipal services are available. Objectives for residential development in the Township's settlement areas are to ensure the provision of an adequate supply of residential uses, provision of a range of low, medium and high-density housing types, provision of neighbourhood amenities and facilities and ensure safe and accessible transportation routes and other municipal services to the development of functional neighbourhood area (Section 3.1.3.1). Subject to availability of services in order to meet varied housing requirements, zoning regulations are to provide for a mix of 70% low density, 20% medium density and 10% high density residential development within settlement areas (Section 3.1.3.4). The Township's Official Plan also defines high density development as more than 24 units per net hectare. The proposed 12-unit apartment building is considered a high density development as the site proposes approximately 66 units per net hectare.

With regards to commercial development, the Official Plan permits a variety of commercial uses within the settlement area provided uses are compatible with the surrounding area and can be adequately serviced.

The Plan notes that when reviewing development applications including redevelopment or infill, consideration shall be given to the impact of the proposed development on the neighbourhood/surrounding area in terms of parking, traffic, open space, functionality, pedestrian access, and proposed uses and that consideration shall also be given to the criteria set out in the Development Criteria (Section 6.8) section of the Plan.

While majority of the criteria of Section 6.8.1 can be further addressed during the detailed design process, the proposed development is generally found to satisfy the criteria of Section 6.8.1. The subject property is located within the Village of Cardinal where a number of municipal, community facilities and recreational services exist for future residents to benefit from. The development of the residential use will be subject to site plan control and further review.

However, there are some concerns regarding the proposed development of the subject lands. These concerns stem from the commercial development exceeding the maximum lot coverage requirement and request for a reduced parking standard. The subject property is located adjacent to a County Road where it is understood that on-street parking discouraged. The concern relates to that some of the permitted uses of the General Commercial zone require higher parking requirements and that parking would directly abut a residential use. The zoning amendment could address some of these concerns by restricting commercial permitted uses to those which by their nature require less parking and requiring fencing or landscaping where parking directly abuts a residential lot.

Further, the nature of the proposed high density residential development on the 0.18 ha parcel results in a site which may be difficult to establish functional site designs regarding garbage collection, stormwater management and on-site snow storage requirements. Similarly, the zoning amendment for the residential parcel could require fencing or landscaping where parking directly abuts a residential lot to screen the parking areas/access aisles and headlights from adjacent yards as well as permitting a reduced residential density than requested.

The zoning by-law amendment will establish permitted uses and appropriate zone standards for both properties. Detailed site designs will be required at the site plan control stage as both the commercial and residential developments will be subject to site plan control.

Site Plan Control

A site plan control approval will be required for the commercial property and the proposed 12-unit apartment building. Detailed site plans, site servicing, grading & drainage and landscaping will be further reviewed at the site plan control stage. The zoning by-law amendment process presents an opportunity to establish appropriate site-specific provisions to ensure that these are addressed at the site plan control or building permit stage.

Recommendation

A zoning by-law amendment would be prepared following the public meeting and will include suitable zone standards and where necessary may include measures to address comments received through the zoning amendment public and agency consultation process.

Sincerely,

NOVATECH



Jordan Jackson, MCIP, RPP
Project Manager

Attachment A: Concept Plan, P1 Severed Lot, prepared by Fotenn Planning + Design
Concept Plan, P2 Retained Lot, prepared by Fotenn Planning + Design