



## Development Services Staff Report

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Report Number: DS17-2022  
Report Title: Zone Change Application 6/2021 (Township of Woolwich) / Surplus Property -28 South Street Elmira (Kiwanis)  
Author: Jeremy Vink, Manager of Planning  
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Consent Item: No  
Final Version: Yes  
Reviewed By: Deanne Friess, Director of Development Services  
Final Review: Senior Management Team

### Recommendation:

That the Council of the Township of Woolwich, considering Report DS17-2022 respecting Zone Change Application 6/2021 (Township of Woolwich) / Surplus Property -28 South Street Elmira (Kiwanis):

1. approve, in principle, to change the zoning from Open Space (O-1) and Residential – Mixed Medium Density (R-4) to Residential – Multiple with Design Guidelines (R-7A) with site specific provisions to permit an affordable housing development subject to the amending By-law being in accordance with the proposed By-law attached as Appendix 'A' to Report DS17-2022, and that By-law be presented once the new Township Official Plan comes into effect;
2. declare a portion of the subject lands at 28 South Street, being approximately 43m. wide by 44m. deep, for the purpose of conveying it for affordable housing in accordance with the Sale and Disposition of Township Land By-law (86-2013); and
3. direct staff to:
  - a. have the lands, declared as surplus at 28 South Street, be appropriately surveyed;
  - b. conduct preliminary, Phase 1, environmental investigation and determine future clean-up work required obtain a Record of Site Condition for the Lands to permit the subsequent development to a residential use;
  - c. finalize a Request For Proposal (RFP) for the sale and disposition of the lands at 28 South Street for a 100% affordable/low income housing development, including terms and conditions to enter into a Purchase/Sale Agreement;

- d. have staff track costs to ensure cost recovery through the RFP process for items related to legal, surveying, and record of site works (including demolition if required); and
- e. initiate the RFP process.

## **Background:**

In December of 2021, the Township held a public meeting to consider the development of a portion of Township-owned lands in Elmira for affordable housing.

The subject lands are a portion of a 4088 m<sup>2</sup> Township-owned property identified as 28 South Street West and located at the corner of South Street West and Snyder Avenue South in Elmira. The lands are designated Residential and Ancillary Use in the Township's Official Plan and are zoned Residential – Mixed Medium Density (R-4) at the front and Open Space (O-1) towards the rear.

To facilitate this project the Township proposed the following:

- To consider declaring lands as surplus in accordance with Section 7 of the Township of Woolwich By-law 86-2013 for the sale and disposition of Township lands; and
- To rezone lands pursuant to Section 34 of The Planning Act, 1990, as amended.

The subject lands contain an unoccupied single detached dwelling (formerly the Kiwanis House), an accessory shed, a community garden and approximately half of an existing parking lot (28 spaces) adjacent to the Lion's Hall building. The subject lands are approximately 44 metres deep by 43 metres wide, totalling 1825 m<sup>2</sup> in area, with approximately 43 metres of opened road frontage on Snyder Avenue and approximately 25 metres of opened road frontage on South Street West. The remaining portion of South Street (approximately 19 metres) to the west of the subject lands was closed by By-law and used for a driveway to the Woolwich Memorial Centre and the Lion's Club Hall. A new delineation of the property lines for the subject lands may be established if the property is conveyed for the development of affordable housing.

The Township also owns a strip of land directly north of this site being approximately 6 by 61 metres, and is used for utility corridor (e.g., hydro lines). The Township is also part owner of the lands to the west being Lions Hall and the Township owns the Woolwich Memorial Centre lands to the south. These properties are not part of this proposed surplus land declaration or rezoning.

The Zoning By-law amendment is proposed to rezone the subject lands from Open Space (O-1) and Residential – Mixed Medium Density (R-4) to Residential – Multiple/Design Guidelines/Mixed Uses (R-7B) with site-specific provisions to allow:

- additional forms of multiple housing types;
- a reduction in the amount of required parking and,
- special regulations as deemed appropriate.

## Comments:

The subject lands are within the Elmira settlement which allows for a variety of urban uses on full municipal services.

Both the Provincial Policy Statement (PPS) and A Place to Grow (P2G) encourage strong health communities, encouraging efficient use of lands in serviced settlement with the intensification and redevelopment. Redevelopment with more intensification of such a site in a residential area that has access to services, that is within walking distance to the downtown and grocery stores, schools, the Woolwich Memorial Centre (WMC) and on a transit route is consistent to these policies. With the inclusion of affordable housing, it helps to support a needed type of housing in the community. This aids in providing options in the housing market to meet the needs of the community, consistent with the policies in the PPS and P2G. The development will support the objectives of building a strong health community.

As part of addressing compatibility the Region of Waterloo noted noise relative to the nearby WMC (heating and cooling units etc), Lions Hall (heating and cooling) and the transformer located along Park Ave needed to be addressed. The Township provided a noise study to the Region which identified that with the installation of a barrier and silencer on the WMC, the development of up to four storeys could be considered in accordance with Ministry regulations. Township Recreation staff is budgeting the installation of these items in 2023 (an estimated cost of \$11,300 for the barrier, and quotes still to be obtained for the silencer). The Region has noted that the area identified as parking on the concept plan and situated to the west of the building footprint exceeds the nighttime criteria of 45 dBA. This is acceptable as parking use is not considered sensitive. To ensure this area is not developed for sensitive uses (approximately 20 metres from western limit of the proposed site), and the Region recommends the proposed ZBL prohibit sensitive uses within this area. Appropriate noise warning clauses will also be required.

Stationary noise was raised as a concern given the proximity of the Lions Hall site in regard to the heating and cooling units as well as the transformer on Park Ave owned by Waterloo North Hydro (WNH). WNH has noted that the transformer has been decommissioned and is no longer a concern. Upon review between the Township and Region the units at Lions Hall are far enough away not be to a concern.

A Record of Site Condition (RSC) is required as the use of the site is changing to a more sensitive residential use from a community use to a residential use. Staff have requested from the Region that the RSC be delayed until prior to building permit, as the Building Code also requires the Record of Site, versus the need for holding provision or delaying approval of the zoning. The Region has agreed.

The area is a residential neighbourhood, surrounded parking for Lions Hall and the WMC to the west and north and single detached dwellings to the south and east. It is also not uncharacteristic to see multi-unit developments in residential neighbourhoods. Given the setting, the creation of such a unit is expected to have minimal impact to surrounding properties.

The Region is supportive of the development but notes that geothermal energy systems are not supported to prevent any opportunities for leaching into the ground water system. The Region has also outlined their requirements for what is considered Affordable Housing. As Township staff is working with Regional Housing staff the intent is to provide affordable housing that meets the Region's definitions.

With respect to the Township Official Plan the lands are designated Residential and Ancillary Use which allows for the use of the lands for residential purposes on full municipal services. The Official Plan also supports housing which addresses the needs of the community. The proposed development is intended to address an affordable housing need in the community. A three to four storey residential unit is a form of development that is encouraged in the residential area (providing a mix of housing units and types), is similar in height to other uses in the area. This development would be similar to other apartments found in Elmira.

The location is also appropriate given the proximity, within walking distance, to commercial uses, the core area, schools, transit, and services that Elmira has to offer.

The density of a development with 16 to 18 units would be around 85 to 95 units per hectare on the proposed surplus lands. This density is in keeping with the recently approved Official Plan with a maximum net density of 120 units per hectare but not the current Official Plan. The Township is anticipating the approval by the Region of the new Official Plan which would then allow this development. To allow the survey work and RFP to proceed, it is proposed to approve the zone change in principle but bring the final by-law forward only once the new Official Plan is in effect.

Given the policies, staff is satisfied that the proposed development conforms to the PPS, P2G, Regional Official Plan and the Township Official Plan.

### **Zoning**

The proposal is to rezone a portion of the site to allow flexibility for a future residential development, with the option of street front townhouses, back-to-back townhouses, stack townhouses or an apartment unit depending on result of the Request of Proposal.

A reduction in the required parking is proposed. In discussion with Region of Waterloo Housing staff, affordable housing usually sees parking at 0.7 spaces per unit as many of those in affordable housing generally do not have a vehicle and require limited visitor parking. Allowing less parking reduces costs and also allows the site to maximize the building and amenity space.

In other apartments or multi-unit structures staff has supported a reduction from the required 1.5 spaces per unit down to 1.25 spaces per unit. With a potential of 6 to 18 units in the proposed development, potential parking calculations are as follows:

Parking Required		
Spaces per unit	With 6 units	With 18 units
1	6	18
1.1	7	20
1.2	8	22
1.25	8	23
1.5	9	27

Although residents in Elmira generally rely on a vehicle as their major mode of transportation, the site is on a transit route and in a walkable location of the community. Furthermore, as the units are more likely 1 or 2 bedroom, the parking demand will also be less than that of a single-detached house. The demand for visitors is also low, and with on street parking there is the opportunity to accommodate visitors for a short period on the street. As the opportunity exists for the tenants not to rely on a personal vehicle and based this information staff are recommending 1.0 space per unit be provided.

The current R-7A zone regulations allow for various multi-unit structures, but not does not allow for a stacked townhouse which is becoming a more common form of development. To allow for the stacked townhouse, regulations similar to other communities and those of the row townhouses are proposed. To help maximize the developable area on the property, a reduced front yard setback of 3.5 metres for the building and 2 metres for a front porch is also proposed. These setbacks are similar to the single detached residential units to the north of the site which have similar setbacks to Snyder Ave. No rear yard buffer strip is proposed, and a 0.6m rear and side yard setback for parking is proposed. The setback for parking would allow space to grading and drainage and fencing to take place. The regulations are contained in the draft bylaw as attached.

As per the noise study, the rear (west side) portion of the site does exceed the minimum noise levels and will need to be limited to parking as a non-sensitive use. A holding provision is proposed to implement this requirement but would a developer to complete further noise study and works to potentially allow development on this rear portion.

As the area generally consists of tall two storey dwellings and taller structures such as the WMC and school, staff are proposing a maximum building height of 4 storeys. A four-storey structure is also consistent with the information used to generate the noise study results. Notably a three-storey structure is more likely to be constructed given the more likely wood frame construction and that anything over three floors will require the installation elevators. Adding elevators increases costs which makes the site less viable for affordable housing.

As South Street is the smaller of the two frontages and typically would be considered the front yard. Having the dwelling face Snyder is more appropriate from a noise perspective

and orientation rather than facing a parking lot, so it is recommended that the by-law verify that the front yard is Snyder Ave, versus South Street.

The proposed zoning should then allow for a variety of options for affordable housing that is appropriate to the area.

### **Surplus land**

It is recommended that only a portion of the parcel, being approximately 43m. wide by 44m. deep (approximately 1825sq.m.), of the subject 4088sq.m. parcel be deemed surplus. The remainder of the lands, immediately adjacent to Lions Hall will continue to be used for parking and will be separated from the affordable housing development by a solid fence. The lands will have approximately 43 metres of opened road frontage on Snyder Avenue and approximately 25 metres of opened road frontage on South Street West. This size of parcel will provide the greatest flexibility and reasonable sized development to maximize the number of affordable housing units with minimal impact to adjacent properties.

A parcel with the same frontage but smaller depth would allow for street front row townhouses, having driveways onto Snyder Ave, which then removes on street parking. In comparison, the proposed depth would provide flexibility for a larger apartment or stacked townhouse building, allowing for different unit sizes (i.e., with options for 1 and 2 bedroom units), with up to 18 units. This would allow for parking on site and maintaining on street parking. It is staff's opinion that the proposed size would create the most efficient size for supporting an affordable housing unit, while also creating a logical separation from the existing parking lot.

At this time staff do not foresee a need to open more of South Street West to accommodate any future driveways. Preference would be that the access for the site be off of Snyder Ave to reduce any conflicts or confusion between uses.

If the lands are deemed surplus, it is recommended that the lands be disposed of through a competitive "request for proposal" (RFP) for those interested in developing the subject lands for affordable housing. Township Staff has been consulting with the Region's Housing Division, who has expertise in affordable housing as well as the preparation of the RFP. As per the surplus land by-law and policy, Council is able to dispose of the lands in this manner.

The RFP would set the minimum criteria to be met, which would also include an agreement for purchase and sale and require a clause on title that the lands be maintained for affordable/low income housing for no less than 25 years although a 40 year timeframe may be proposed. By setting minimums the applicants can also exceed the minimum where the RFP can be structured to award greater points to a development that exceeds the minimums.

The range of housing types being considered as part of the RFP and rezoning of the subject lands may include, but is not limited to, street-front townhouses, stacked townhouses, back-to-back townhouses or and/or apartments.

It is noted that Waterloo North Hydro (WNH) does have an underground line running from Snyder Ave to the Woolwich Memorial Centre (WMC) that impacts the subject surplus lands. An easement will need to be conveyed to WNH over this line, but it should only impact the parking and rear yard area, with no major impact to the development.

It is also recommended to have the land shovel ready. This then requires that the works be done to determine what is necessary to obtain a Record of Site, where the Phase 1 study works are recommended at this time, and that the zoning be in place. The existing Kiwanis House does not need to be demolished for the lands to be shovel ready but will be noted in the RFP that the purchaser is required to address the demolition.

It is also proposed that the Township track the costs of the surplus land process as it relates to advertising and surveying so costs can be recovered through the RFP process. To help in the affordability, it is then recommended the lands be sold at a minimal cost to cover the Township expenses, including that the legal costs for the transfer be at the expense of the purchaser.

It is recommended that the lands as identified be declared surplus and staff be directed to proceed with a final survey, record of site and proceed with the RFP process to lead to the disposal of the lands. The demolition of the existing building would be at the future landowners expense.

### **Other Comments Received**

A number of public comments were received in regard to the proposed zone change and surplus land process. Generally, all of the comments were supportive of the affordable housing approach, but a few additional questions/ comments were raised for consideration as it relates to parking for the WMC and Lions Hall, impacts to Lions Hall, traffic on South Street, and the Community Garden.

Parking has been raised as an issue relative to the WMC and Lions Hall and how a loss of parking from the sale of the surplus lands would impact parking for these operations.

Lions Hall has an agreement with the Township to share the parking around the WMC and Lions Hall, and Lions Hall has 80 spaces guaranteed to the west of the hall. These 80 spaces are not impacted by this proposal. The subject lands are not the parcel associated with the agreement nor part of the parcel associated with the Lions Halls lands.

The Township has proposed to pave the gravel parking lot to the west of Lions Hall. The paving and associated works are proposed in 2024 and should provide for better parking in the area with the delineation of spaces.

Staff have calculated the parking requirements for all of the uses in the WMC and Lions Hall. In total 558 spaces are required if all the uses were to be operating at once (i.e., both facilities at full capacity). Lions Hall would require just under 100

spaces. It is estimated that between the gravel and paved parking on site WMC and WNH lands there is a total of approximately 450 spaces, a shortfall of about 110 spaces, and combined with the proposed reduction from this development, a shortfall of about 135 spaces. Again, this shortfall assumes that every section in the WMC is operating at capacity at the same time, which is not the case, so the shortfall would be less than that noted.

The time when both the WMC and Lions Hall are functioning where parking is at a premium is weekends, namely Friday and Saturdays, and mostly the evenings. The remainder of the time there is more than ample parking. This would mean that maybe 8 days of the month, in the evening (i.e., less than 3% of the time), there would be insufficient parking on site and overflowing onto the streets. It is estimated that this overflow is about 40 spaces. In looking at the surrounding streets, such as Park Ave, Ernst, South and Brubacher Streets, there are over 75 potential parking spaces and this does not even consider the high school parking lot, or other roads like Sugar King. The vast majority of the time the parking is sufficient, and it would not be efficient use of lands to maintain or add parking for such a limited need. The proposed use makes better use of the lands, with minimal and acceptable impact.

The Lions are also seeking clarification on the WNH lands, and legal ownership of 28 South Street. The Township is the sole owner of 28 South Street which is a separate parcel from the WMC and Lions Hall. WNH will need to retain the pole line to the east to service the houses on Park Ave, however they are working on decommissioning the transformer at 33 Park Ave, but not before 2024. The Lions do have part ownership with the Township as it relates to the lands which the Lions Hall is located. The Lions Hall lands are not subject to these applications and will not hinder or impact the use of Lions Hall or the agreement that is in place.

The Lions Club has raised concerns that the development is a shift from the original plan to provide parking when the WMC and Lions first agreed to the Lions Hall operation 20 years ago. Staff agree, this is a shift from that approach noting that planning policy has changed, that housing is a greater need, and infill in situations like this are more valuable than parking. The Lions also listed a number of other points for consideration. Staff have addressed many of them in this report and some of the others such as status of berms, horse ties etcetera are not impacted by this development and are separate parking lot items.

Parking around the WMC will continue in a similar fashion as has been taking place. With parking on site, combined with on-street parking in the area, and potential to consider work with the school board to use the high school parking after hours, there is ample parking in the area. This does mean that nearby residences may at times be impacted by on street parking, but it remains a reasonable use of already existing infrastructure.

The development of the Kiwanis house lands for affordable housing does not detract or prevent the ongoing operations as Lions Hall, nor does it suggest that there is no commitment to Lions Hall as part of the community. As noted, the proposal does not impact the parking allocated or impact the agreement between the Township and Lions Hall. The proposal is supporting the fact that this redevelopment can take place as well as see the WMC and Lions Hall continue. This proposal helps the Township solidify support to other needed elements in the community by addressing housing needs while yet continuing support to Lions Hall.

A comment was also raised about increased traffic and directing traffic down South Street off of Arthur Street to the WMC and Lions Hall. Although not connected to this application, directing traffic along South Street the most direct route to the site as it leads right to Lions Hall and the WMC. Infrastructure Services has confirmed traffic volumes are still well within acceptable local road limits and speeds are in line with the posted limit suggesting that traffic calming does not appear to be warranted. Although traffic could be directed along First Street and Snyder Ave instead of South Street, it is likely people will take most direct route, being South Street. Although traffic volumes may be higher as result of the WMC and Lions Hall, the volumes are still minimal for a local street and no further action is warranted at this time.

Additionally, some concerns were raised about the loss of the community garden operated by Woolwich Community Services. Woolwich Community Services have closed this garden and have no plans to open another. This garden has only a few remaining users as most have moved to the space at Victoria Glen or work with Gale Presbyterian Church. There is space in both locations for the few remaining users.

A comment was received that the use should address the character of the area. The development of residential, subject to the zoning will maintain the residential nature of the area.

### **Agency / Department Comments**

Development Engineering note that South Street may need to be extended as an open public road if the access needs to be located further back.

Township Building Section has noted that a Record of Site is required.

Waterloo North Hydro notes that the development is to have the appropriate clearance from the adjacent pole line. It is also noted that an underground service from Snyder Ave to the WMC runs through the parking lot, being a portion of the subject lands, and that WNH would require a three (3) metre easement over the same.

GRCA – has no comments as the lands are not regulated.

The Region of Waterloo comments note that no geothermal is permitted, a record of site is required, and the Region has outlined what they consider affordable. The Region has reviewed the noise study and supports the development subject to limiting development

in the rear 20 metres to parking, the noise mitigation measures being implemented and appropriate noise warning clauses being applied.

Waterloo North Hydro note that any modifications to the hydro service must be handled by a service request.

The school boards have no objections. The development is required to pay the applicable development charges. This would be collected as part of a change of use permit under the Building Code.

### **Interdepartmental Impacts:**

Recreation and Community Services – lands overseen are being declaring surplus.

### **Financial Impacts:**

- Costs for surveying, legal, record of site and demolition as necessary be transferred to the purchaser.
- Development charges – site would be exempt from the Township portion. Township will need to absorb impacts.
- RSC, phase 1. Approx. \$5,000 to \$10,000
- Noise abatement at WMC

### **Strategic Plan Impacts:**

- Planning for Growth and Exploring Economic Development Opportunities
- Healthy Communities
- Fiscally Responsible and Sustainable Community

### **Conclusion:**

The use conforms to the Provincial Policies and Guidelines, Regional Official Plan, and the Township Official Plan.

Therefore, staff recommend that Council of the Township of Woolwich approve, in principle, Zone Change Application 6/2021 (Township of Woolwich) concerning a property at 28 South Street to amend the Open Space (O-1) and Residential – Mixed Medium Density (R-4) to Residential – Multiple with Design Guidelines (R-7A) with site specific provisions to permit an affordable housing develop as per the proposed by-law as attached to this report. The final zoning by-law will be presented once the new Official Plan has been approved.

In addition it is recommended that the associated lands be declared surplus and disposed through an RFP process to see the lands developed for affordable housing. It is also recommended that the Township dispose of the lands at a nominal price to cover costs associated with the Record of Site, demolition, surveying and legal costs.

**Attachments:**

Appendix A - Proposed Zoning By-law Amendment

Appendix B - Location Plan / Site Plan

Appendix C - Draft RFP