



Development Services Staff Report

Report Number: DS31-2024
Report Title: Official Plan Amendment 3/2024 and Zone Change Application 3/2024 (Trinity United Church) 21 Arthur St N and 4 Cross St, Elmira
Author: Deanne Friess, Director of Development Services
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Reviewed By: Deanne Friess, Director of Development Services
Final Review: Senior Management Team

Recommendation:

That the Council of the Township of Woolwich, considering Report DS31-2024 respecting Official Plan Amendment 3/2024 and Zone Change Application 3/2024 (Trinity United Church) 21 Arthur St N and 4 Cross St, Elmira:

1. Recommends approval of OPA 3/2024 in accordance with the amendment as attached in Attachment 5 of this report to the Region of Waterloo;
2. Amend the current site-specific provisions in Section 16.267 to reduce the required parking spaces from 12 to 4 parking spaces for the proposed place of worship;
3. Approve the allocation of sewage capacity within the Elmira Settlement Area equivalent to a population of approximately 94 people (53 units at 1.77ppu) provided the development proceeds within 2 years;
4. Delegate the removal of the Holding (H) to the director of Development Services to remove once the Record of Site Condition with acknowledgement from the Ministry has been provided to the satisfaction of the Region of Waterloo.

Background:

GSP Group on behalf of the property owners, Trinity United Church, has submitted the above-noted Official Plan and Zoning Amendment applications proposing changes to the previous approval, to redevelop the properties at 21 Arthur Street North and 4 Cross Street in Elmira. The 0.316-hectare lands are currently designated Core Area in the Township Official Plan and developed and zoned in the following manner:

- 21 Arthur Street North, containing a church and associated parking; and
- 4 Cross Street, containing a single detached dwelling, zoned Residential High Density (R-5).

In January of 2023 (DS02-2023) Council approved Official Plan Amendment 4/2022 and Zone Change Application 9/2022 which permitted the redevelopment of the property with a five storey, mixed-use building with a total of 40 residential units (consisting of 25 one-bedroom units and 15 two-bedroom units ranging in size from 44m² up to 88m² (473 sq ft to 947 sq ft)). The ground floor of the building was proposed to accommodate a worship area and related space together with one residential unit for the Trinity United Church. Three upper storeys (2nd, 3rd and 4th floors) are proposed for residential use, with the roof top (5th) storey proposed as indoor and outdoor amenity space. Parking for the development would be provided in a surface parking lot as well as within an at-grade parking area within the first floor of the proposed building. Council approval included:

- A site-specific Official Plan amendment to permit an increased residential density from 120 to 127 units per hectare. The proposed total residential complement of 40 units equates to a net residential density of 127 units per hectare.
- Amendment to the Zoning from Residential (R-5) and Core Commercial (C-1) with site specific provisions to:
 - Add a holding provision for the Record of Site;
 - The amending By-law being in accordance with the proposed By-law attached as Attachment 5 to this report;
 - Official Plan Amendment 4/2022 coming into effect;
- Approve the allocation of sewage capacity within the Elmira Settlement Area equivalent to a population of approximately 71 people [40 units at 1.77ppu (71 people) provided the development proceeds within 2 years;

The applicant is proposing to further amend those approvals to demolish the existing structures and redevelop the property with a new six storey mixed used building with 53 residential units, being:

- a ground floor to accommodate a place of worship, associated uses and a studio residential unit;
- four storeys for 52 apartment units (32 one bedroom and 20 two-bedroom units); and
- the final storey and roof top being used for indoor and outdoor amenity areas.

Previous site-specific regulations for this property limited the height to 18.1 metres however, the new C-1 zoning provisions now allow a maximum height of 30 metres or 8 storeys, whichever is less. The applicant has submitted a plan that illustrates how this site could be developed based on the proposed amendments.

The following specific amendments are requested to facilitate the proposed development:

- Official Plan Amendment - to amend the maximum net residential density contained in the 21 Arthur Street North Policy Area with an increase from 127 units per hectare to 168 units per hectare.
- Zoning Amendment - to amend the site-specific provisions in Section 16.267 with a proposed reduction in the required parking spaces from 65 to 57 parking spaces for the proposed place of worship and residential units. 53 parking spaces will be provided, as required, for the residential units. Therefore the proposed reduction is to allow 4 parking spaces for the place of worship whereas the by-law requires 12 spaces.

Supporting Studies

The applicant has submitted the following studies in support of their planning applications:

- Location Map and Site Plan
- Planning Justification Report
- Urban Design Brief
- Functional Servicing Report
- Noise Study
- Hydrogeological information
- Site Plan, Floor Plans, Building Elevations, Perspectives, Shadow Study Plans
- Landscape Plan

A public meeting was held on July 16, 2024.

Comments:

Provincial Policy

The development is required to conform to the Provincial Policy Statement and the Places to Grow Act. The applicant provided a review in the Planning Justification Report outlining how the application conforms and Township Planning Staff have reviewed and agree with the analysis provided that the use conforms to and is consistent with the Provincial Policy Statement and the Places to Grow Act. The proposed development will result in intensification of the site within the built-up area and will provide efficient use of existing Township infrastructure.

Regional Official Plan

The proposed development is within a Township Urban Area and Township Urban Growth Centre as per the Regional Official Plan. The redevelopment of the site with a mixed-use development on full services as proposed is consistent with these policies and other associated policies in the Regional Official Plan (both current and Council approved).

Township staff is satisfied that the proposed redevelopment of the site with a mixed-use development as proposed conforms to the Regional Official Plan.

Township Official Plan

The lands are within the Core Area designation and Township Urban Growth Centre as part the Elmira Settlement, and subject to the respective policies in the Official Plan.

The applicant is requesting to amend the Official Plan to increase the density of the site from the previously approved 127 units per hectare to 168 units per hectare. It is noted that 120 units per hectare is permitted elsewhere in the Township.

As 0.316-hectare site, 120 units per hectares would equate to 38 units, the current approval at 127 units per hectare equates to 40 units, and the proposal is for 167 units per hectares for a total of 52 units.

Although this density is above what is permitted elsewhere in the Township the increased density in this particular location will add residential units in the core which will support downtown businesses and provide needed apartment units consistent with the Elmira Settlement policies and the Housing policies.

The site is proposed on full municipal services consistent with the requirements in the Official Plan. The Functional Servicing Study has confirmed how that servicing can be accomplished and that the various water, sanitary and storm system are capable of supporting. It is noted that to address storm water management the applicant will need to provide storage on site, and they are proposing an underground tank in the parking lot to accommodate. Furthermore, it is likely in the building permit stage that that building will require a pump to ensure adequate fire protection.

The development of the site will support the intensification of existing developed areas, using existing services. Consistent with the Official Plan policies and the 3% growth rate (366 people per year for Elmira) the creation of 57 residential units or 101 people (using 1.77 people per unit for approximating servicing) will support the achieving the growth and use servicing capacity set aside for intensification at 20% of the 366 people per year target, being 73.2 people year. The allotment will be provided subject to the development proceeding within 2 years. As the Township has historically not achieved the annual 20% intensification rate more than adequate servicing is available for the subject development. The development will conform to the staging of the development plan.

With respect to conformity to the Core Area designation, staff note the development will have a main floor public oriented space, with the church use and a residential unit to the rear and additional residential on subsequent floors. The proposed building will be setback adjacent to the street which supports good urban design consistent with the Elmira Core Urban Design Study approved by Council in 2022. This includes stepping the building back so as to reduce the dominance of the building along the street.

A portion of the site adjacent to Arthur Street will also be for parking. Parking is not conducive to a pedestrian oriented core, however with some landscaping (planting and fencing etc.) as part of the site plan can ensure the impacts can be mitigated. Further work, at the site plan stage, will consider such item as massing, front entry which will ensure the appropriate front door and window area is provided to ensure and street-oriented development.

A noise study was completed and identified the impacts of road traffic noise on the proposed development. The study concluded central air conditioning and warning clauses are required as well as upgraded building construction in terms windows, walls and doors be designed so that indoor sound levels comply with noise criteria. The implementation of the report will be addressed in the Site Plan approval.

The site is in the Core Area surrounded by commercial, light industrial uses and residential single detached dwellings. It is staff's opinion that the proposed mixed-use development is compatible with these uses.

A shadow study was also completed. The Township does not have any shadow policies or requirements; however, it is appropriate to ensure that neighbouring lands have adequate sunlight access. Adequate access does not mean a property cannot be in a shadow but should allow sunlight on neighbouring properties for part of the day. The applicant provided a shadow study that demonstrates the adjacent lands will still have sunlight through large portions of the day, although the greatest impact will be to the adjacent residential dwelling to the east with a long shadow at certain times of the year. The long shadow will impact the adjacent residence rear yard area. Generally, in staff's opinion the extent and duration of the shadowing does not demonstrate an unacceptable impact.

Amenity Areas are not required in the C-1 zone for residential development; however, the applicant is proposing a roof top area as an amenity space. This amenity space would also provide a Green Building element. A rain garden area is also proposed in the rear parking lot.

Sustainability / Green Building elements will need to be addressed in the site plan phase to be consistent with the Official Plan.

At the site plan stage the applicant will need to finalize landscaping. The applicant will be expected to meet all of the Landscape and Design Guideline items including the provision of 1 tree for every 5 parking spaces and perimeter planting.

The amount of traffic from the site can be accommodated within the existing road network.

A geotechnical and hydrogeological report was provided which demonstrate the building can be constructed on site, and the elements around that report will be addressed in site plan and building permit accordingly.

The Phase 1 and 2 Environmental Reports were received as part of the previous submission and do not suggest any issues that would prevent the residential development of the site.

In summary, the development will support the overall goals and objectives of the Official Plan and the Elmira Settlement, and staff support the Official Plan Amendment for increased density as proposed.

Zoning

The new zoning by-law allows buildings up to up to 8 storeys and permits places of worship in the zone. The applicant is requesting a reduction in the required parking spaces from 65 to 57 spaces to accommodate the required 53 parking spaces for the residential units but only 4 spaces for the place of worship whereas the zoning requires 12 spaces.

Apartments generally require 1.25 spaces per unit plus the required parking for the commercial uses. In this case the residential would typically require 66.25 spaces and the church and the church would require 23 spaces (total of 90 spaces). However, in the C-1 Zone it does permit off street parking at a 50% reduction, but in no case shall less than 1 space be provided for each use. This calculation would require that they provide one for each residential unit (53 spaces) and 50% of the required parking for the church (11.5 spaces) for a total of 65 spaces.

For the requested reduction they suggest that the parking proposed will provide each residence a space and some parking for regular church use, but realizing most church use will generally on be on Sundays when other off-site parking in the downtown core area is available.

The site is within walking distance of a bus route and options for other travel modes to access the site. On street parking as well as nearby public parking lots are also available for public use. The applicant is also providing bicycle parking which can be secured through site plan approval.

The applicants are not required to request a parking reduction as they also have two other alternatives given the zoning and location in a core area to address the parking deficiency including the following:

- the zoning allows required parking to be located on another property, and
- the Township does allow cash-in-lieu of parking at the rate of \$4000.00 per space for properties in the core

Staff agree that most of the church uses would be at off peak times and as such a reduction to 4 spaces from 12 should have minimal impact to parking use in the core. Any reduction should then be tied to a place of worship use only. Any change of use to commercial or office would require further approvals to seek a reduction, or as noted above, the applicant will need to either enter into an agreement on another property or pay the appropriate cash-in-lieu of parking.

Lastly, the revision to the bylaw will only be in regard to the parking, and the other provisions as previously required by the Region with respect to Holding Provisions for the Record of Site and prohibitions for geothermal will remain as previously approved.

It is staff's opinion that the draft recommended by-law conforms to the Official Plan and is consistent with the application submitted, as attached.

Public Comments

One letter of objection was received noting concerns with:

- The reduced parking. Part of the concern was that some of the parking details were not provided. Staff note that the reports and the site plan contain information on the requirements for parking for the entire building and the deficiency, including the capacity of the sanctuary. The issue around parking has been addressed elsewhere in this report.
- Cross Street and parking. On street parking is provided for anyone and no changes are proposed to on street parking as part of this development. Issues with the adjacent neighbour's driveway and previous road work are separate from this development, but have been noted to Township Infrastructure Staff for consideration.
- The retaining wall which has always been on the neighbouring property and how this will be addressed moving forward. The new development will not change the grading on adjacent properties and will be required to ensure that there is no drainage towards other properties. Detailed grading and drainage plans will form part of the site plan process where the exact details on the grade changes and retaining walls will be finalized. The applicant will need to work with the adjacent land owner for any grading on the adjacent property.

A number of letters of support were received noting the need and value of such a development in the core.

Lastly a comment was received providing comment on the urban design and how to minimize the impact of the parking to the street. This is an item that will be reviewed at the site plan stage to minimize any impacts.

Public comments received are included in Attachment 3.

Agency Comments

Region of Waterloo comments are included as Attachment 3 to this report. Regional staff have no objection to the Official Plan and Zoning By-law Amendment applications. A holding (H) provision is requested with the proposed zoning to ensure a Record of Site Condition and Ministry Acknowledgement Letter is provided to the satisfaction of the Region of Waterloo.

Grand River Conservation Authority (GRCA) has no objection to the zoning.

Other agencies have reviewed the application and had no concerns with the proposed zone change.

Interdepartmental Impacts:

Various internal departments and divisions, including Fire, Building and Development Engineering have reviewed the proposed development and have no objections to the proposed applications but do require some technical elements to be resolved through the site plan approval process.

Financial Impacts:

All costs will be borne by the applicant.

Strategic Plan Impacts:

The application will cultivate long-term economic prosperity by encouraging redevelopment on existing services and creating intensification in the core of Elmira.

Conclusion:

It is staff's opinion that the proposed development conforms to the Provincial Policies, Regional Official Plan, and the Township Official Plan and is an appropriate and compatible use for the subject property.

Therefore, staff recommend that Council of the Township of Woolwich:

- Recommend approval of OPA 3/2024 to increase the density from 127 to 168 units per net residential hectare;
- Amend the site-specific provisions in Section 16.267 with a proposed reduction in the required parking spaces from 12 to 4 parking spaces for the proposed place of worship; and,
- Allocate sewage capacity within the Elmira Settlement Area equivalent to a population of approximately 94 people provided the development proceeds within 2 years.

Attachments:

1. Site Plan
2. Minutes of July 16, 2024, Public meeting
3. Public Comments received
4. Comments from Region of Waterloo
5. Proposed Official Plan Amendment
6. Proposed Zoning By-law