

STAFF REPORT

Department: Administration

Date: October 8, 2024

Item: Consent Application B06/24 and Zoning Bylaw Amendment
Application Z03/24

Recommendation: Be It Resolved That: Council approve Consent Application B06/24 providing that the following conditions are met: 1. That the Owner file with the Clerk three copies of the registered Reference Plans, prepared by an Ontario Land Surveyor registered in the Province of Ontario, for the purposes of facilitating the transaction to which this consent applies, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office. The Reference Plan should conform substantially to the sketch filed with the Application for Consent. 2. Confirmation from a Surveyor that the existing shed on the retained lot does not encroach onto the laneway. 3. A Zoning Bylaw Amendment is obtained for site specific deficiencies for both the retained and newly created lots. 4. The balance of any outstanding taxes, including penalties and interest shall be paid to the Town of Espanola, if required. 5. That the Owner provides payment for the cash-in-lieu of parkland representing 5% of the value of the land to be paid to the Town of Espanola 6. Adequate water and sewer capacity is confirmed to the Town's satisfaction.

Background: The subject application concerns land legally described as MERRITT CON 5 LOT 7 PCL 11204, locally known as 134 Syroid Street. The property is zoned R1 – Residential First Density. The purpose of the consent application is to create one new lot to allow for the development of a Semi-Detached with an additional dwelling unit permitted by Section 35.1 of the Planning Act. The purpose of the Zoning Bylaw Amendment is to rezone the subject property from R1 to R1-15 to permit site specific deficiencies which are minor in nature.

Analysis: *Provincial Policy Statement (PPS), 2024*

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities;
Section 2.2 of the PPS directs planning authorities to *provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by permitting and facilitating: 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents; and 2. all types of residential intensification, including the development and introduction of new housing options within previously developed areas, and*

redevelopment, which results in a promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities.

Section 2.3 further directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options.

The proposal intends to create three additional rental units, adding to the range of mixed housing options and densities. It allows for the redevelopment of an existing property which will provide new housing that efficiently uses the land, infrastructure and public services in place.

Growth Plan for Northern Ontario Communities (GPNO)

Section 3.4.3 of the GPNO speaks to a Healthy Population which can be supported and promoted by communities providing a diverse mix of land uses and housing types.

Section 4.2 encourages municipalities to employ the use of available tools to support and facilitate land-use planning that implements their long-term community strategies.

The proposal directly supports section 3.4.3 and further guides Council to make use of their authority to approve consent and zoning bylaw amendments to support their #1 Strategic Goal of Housing that offers a plentiful and varied supply of housing, including low and medium density.

The Espanola Official Plan

Section 3.6; subsection 3.6.4 - Division of Land

2. The proposed development shall be at a scale which is compatible with the existing or anticipated scale of development in the area.

The land is designated Residential in the Town's Official Plan (OP). The Residential designation promotes the development of a mix of housing types in order to satisfy the Town's projected housing needs. These needs have been identified in the current Strategic Plan.

8. The proposal shall be appropriately served by existing levels of municipal services, such as fire protection, police protection, garbage collection and school facilities. Any proposal requiring substantial upgrading to existing services will generally not be permitted unless it is determined by the Town and any pertinent agencies to be appropriate.

A condition of approval is that adequate water and sewer capacity is confirmed.

Town of Espanola Zoning Bylaw



The subject land is zoned R1 which permits semi-detached dwellings and accessory apartments.

The developer is requesting a Zoning Bylaw Amendment to address the deficiencies that will result from the Consent Application and Proposed Development.

For the New Lot, the current requirement for lot area is 300m²/unit (3 units = 900m²), the proposed lot area is 768.91m² or 256.30m²/unit. Lot frontage requirement is 27m and 21.2m is proposed. Finally, the minimum interior side yard requirement is 2.0m and 1.0m is proposed.

For the retained lot, the required lot frontage is 16.5 m and 15.54 m is proposed. The existing accessory structure is located 0 m from the rear lot line and 1.22 m is required. The minimum front yard requirement is 5.0 m and the existing single detached dwelling only provides 2.13 m.

These deficiencies are minor in nature and are desirable for the appropriate development of the land. The general intent and purpose of the Zoning Bylaw is maintained. When properties with existing structures that are legal non-complying are the subject of consent applications minor variance or zoning bylaw amendments must be approved to recognized deficiencies to current day standards. This is a normal practice in such cases.

For clarity, all other aspects of the proposal are in compliance with the Zoning Bylaw.

Public Comments

The Clerk's office has received public comments with respect to the proposal which are part of the agenda package. A summary of answers to the questions/comments are provided below:

The proposed housing development is simply too large for the lot

Staff comment: The proposal does not exceed the maximum lot coverage of 40%

By today's standards that could mean 2 vehicles for each unit (with respect to parking)

Staff comment: The current minimum parking requirement is 1.5 per unit for the first two units and one for the third unit pursuant to the Planning Act. The Town cannot require more than one additional parking space for a third residential unit on any residential lot. The application is providing 6 parking spaces which exceeds those minimum requirements.

The new owner wants to put an entire triplex on the lot line.

Staff comment: The proposal is seeking a reduced side yard set back of 1.0 where 2.0 m is required, which is minor relief.



There are too many negative aspects of this proposed build that than there are positives.

Staff comment: The relief being requested is minor in nature, the land is generally zoned to permit residential development in this area, and this development will help address the housing needs of the community.

This project will have a massive negative impact to the community causing way too much street traffic, loud construction and dangers to the young children in the area.

Staff comment: An increase to street traffic, if any due to 3 additional housing units would be considered minor. Further, the developer would be required to conform to the Noise Bylaw.

The increased population, noise and construction would put a negative strain on our community and public services.

Staff comment: Confirmation of adequate water and sewer services are a condition of this approval. Discussions with engineers and the developer so far do not indicate that this will be a challenge.

This would alter our area by replacing open space and single family homes with a high density housing complex.

The area is properly zoned for this type of development, further it falls under our development area in the Official Plan which consists of the entire Urban Area.

In summary, consent application B06/24 and the proposed Zoning Bylaw Amendments are aligned with the Provincial Policy Statement, the Growth Plan for Northern Ontario, the Town's Official Plan and the Town's Zoning Bylaw with minor relief requested. In addition, the proposal helps to address the shortage of housing options available in Espanola which was identified in the Strategic Planning process.

Existing Policy: Town of Espanola Zoning Bylaw; Official Plan, Strategic Plan

Strategic Goal: Housing; Quality of Life, Town Government

Financial Commitment: NA

Budgeted: **Yes** ☐ **No** ☐

Implementation: Upon council resolution and adoption of Bylaw

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Department Manager:



CAO/Clerk: Joseph Burke

Approval of Recommendation: Yes ☒ No ☐

Comments: