



May 13, 2019

*Submitted by Hand

**Town of Midland
575 Dominion Avenue
Midland, Ontario, L4R 1R2**

Attn: Wes Crown, Director of Planning and Building Services

**Re: 219 Queen Street, Town of Midland, County of Simcoe
Zoning By-law Amendment Application
Planning Justification Report**

1.0 Introduction

MORGAN Planning & Development Inc. (herein, MP&D) was retained by Macquinton Holdings, the owner of 219 Queen Street, to review the planning policies pertaining to the subject property and to assess whether converting the existing 2-unit dwelling to a proposed 4-unit dwelling is supportable. After visiting the property, pre-consulting with municipal officials and reviewing the Provincial, County and Town planning policies, MP&D concluded that the proposal is supportable and was further retained to prepare this Planning Justification Report.

2.0 Purpose of Zoning By-law Amendment Application

The purpose of this Zoning By-law Amendment (ZBA) application is to rezone the property from the Residential Two (R2) Zone, to a site specific Residential Apartment Exception ## (RA-##) Zone. The purpose of the proposed RA-## Zone is to permit the conversion of the existing 2-unit dwelling to a 4-unit dwelling with site specific performance standards. Note that a 4-unit dwelling is defined in the Town of Midland Zoning By-law as an 'apartment building'.

3.0 Location and Description of Subject Property

The property is known municipally as 219 Queen Street, which is within the built-boundary of the Town of Midland. The legal description of the property is Lot 9, East Side of Queen Street, Registered Plan 166. The property is developed with a 2-unit building.

The total lot area of the subject property is 557.4 m² (0.05 ha / 0.13 ac), and the total frontage onto Queen Street is 18.29 metres. Queen Street is defined as a 'local street'

by the Town of Midland Official Plan. Queen Street consists of one north bound and one south bound lane of traffic. Queen Street is located 3 blocks east of King Street, which is the primary commercial corridor through downtown Midland.

The property is serviced by the municipal water system and the municipal sanitary sewer system.

The image below illustrates the existing 2-unit building as viewed from the road frontage. Note that the two garage doors illustrated in the picture below have since been removed.



A Surveyor's Real Property Report which illustrates the footprint of the existing building was prepared by Eplett Worobec Raikes Surveying Ltd. on March 26, 2019 and is enclosed herein as **Appendix 1**.

3.1 Surrounding Uses

North: The property is bound to the north by a 2-unit dwelling which is located on the south-east corner of Queen Street and Bay Street.

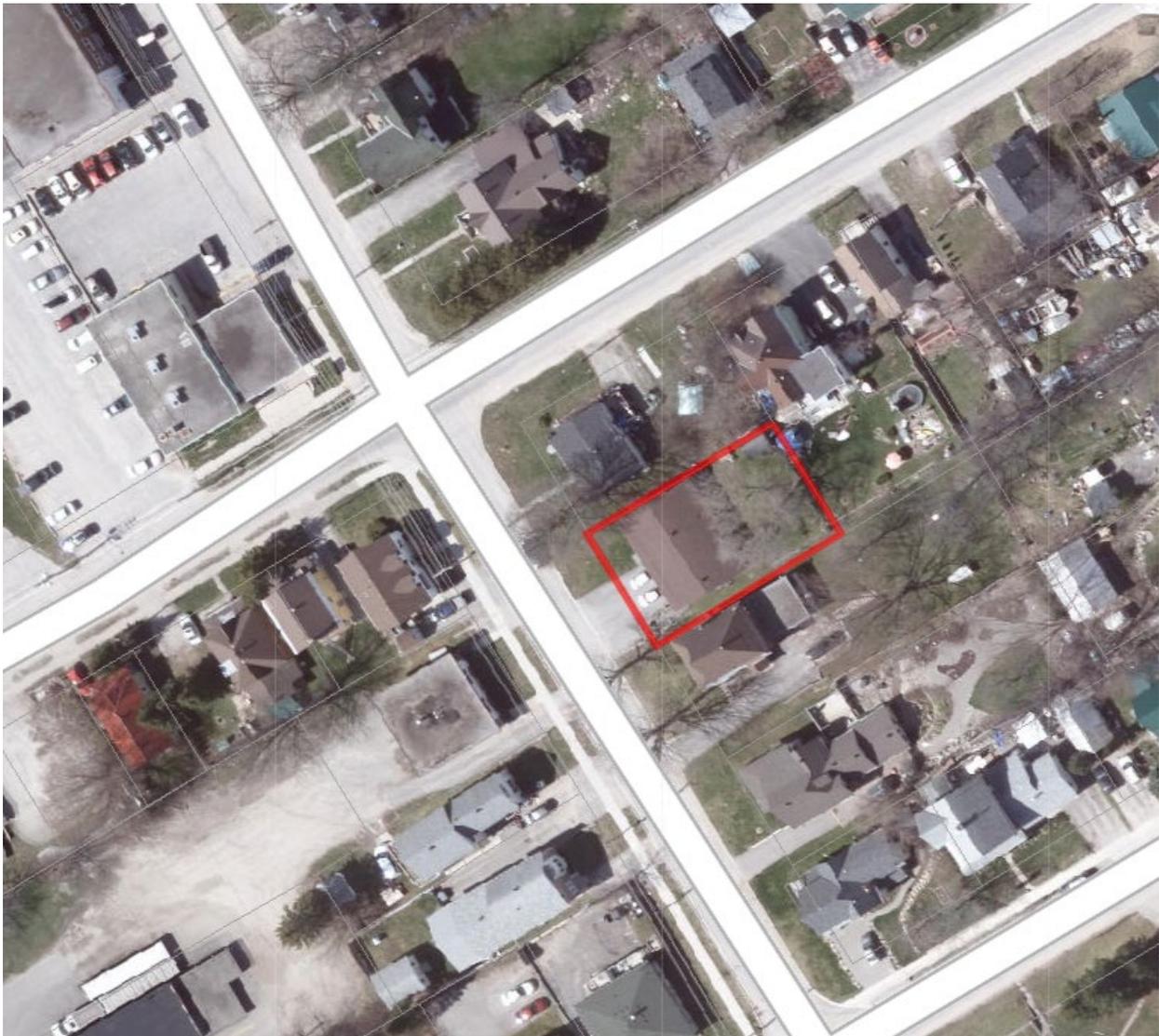
East: The property is bound to the east by what appears to be a 3-unit dwelling which has frontage onto Bay Street.

South: The property is bound to the south by a single detached dwelling.

West: The property is bound to the west by Queen Street. The west side of Queen Street immediately across from the subject property are two 2-unit dwellings.

The character of Queen Street could reasonably be described as a mixture of single detached dwellings, 2-unit dwellings, 3-unit dwellings and a variety of residential buildings that have been converted to add additional dwelling units. We note that the west side of Queen Street across from the subject property and stretching north toward the waterfront is designated 'Downtown District' by the Town of Midland Official Plan and is typified by a mixture of residential and commercial uses.

The following aerial image illustrates the subject property in relation to the adjacent lot fabric.



4.0 Overview of Proposed Development

The current building is comprised of one entrance door on the front facing side of the building, a second entrance door on the south facing side of the building (interior side yard), and a third entrance door on the east facing side of the building (rear yard). It is proposed that each of the three existing entrance doors be maintained and that each provide private access to three separate dwelling units. It is proposed that a fourth and final entrance door be added to the front facing side of the building adjacent to the existing driveway. The proposed fourth entrance door would provide access to the fourth proposed dwelling unit, thereby resulting in 4-units each having direct and private access. Note that the garage doors which are depicted in the image within Section 3 of this report have been removed.

It is proposed that 1 parking space be provided for each of the four proposed dwelling units, and that the parking spaces be provided with dimensions of 2.5 m x 5.8 m. The modest decrease in the width of the proposed parking spaces would have the effect of decreasing the ultimate width of the driveway, and increasing the grassed area for leisure and snow storage. The site specific Zoning By-law Amendment proposes to site specifically permit 1 parking space per unit with the dimensions noted above.

The depth of the front yard of the property is 7.6 metre deep, when measured from the front facing side of the building to the front property line. For this reason, it is proposed that the four parking spaces be aligned adjacent to one another as illustrated on the attached site plan. The proposed parking alignment will require the existing driveway to be widened by 2.4 metres, resulting in a total driveway width of 10.2 metres. It is proposed that the driveway width of 10.2 metres be addressed via the proposed site specific Zoning By-law Amendment.

It should be noted that the proposed conversion from the existing 2-unit dwelling to the proposed 4-unit dwelling will not result in any expansion to the existing building footprint, rather the increased density will be realized via interior renovations.

A Site Plan is appended to this report as **Appendix 2**. The Site Plan illustrates the existing building footprint, and the proposed parking alignment, the proposed parking space dimensions and the proposed driveway width. The site plan is based upon the March 2019 Surveyor's Real Property Report.

The existing and proposed floor plans for the building are appended to this report as **Appendix 3**.

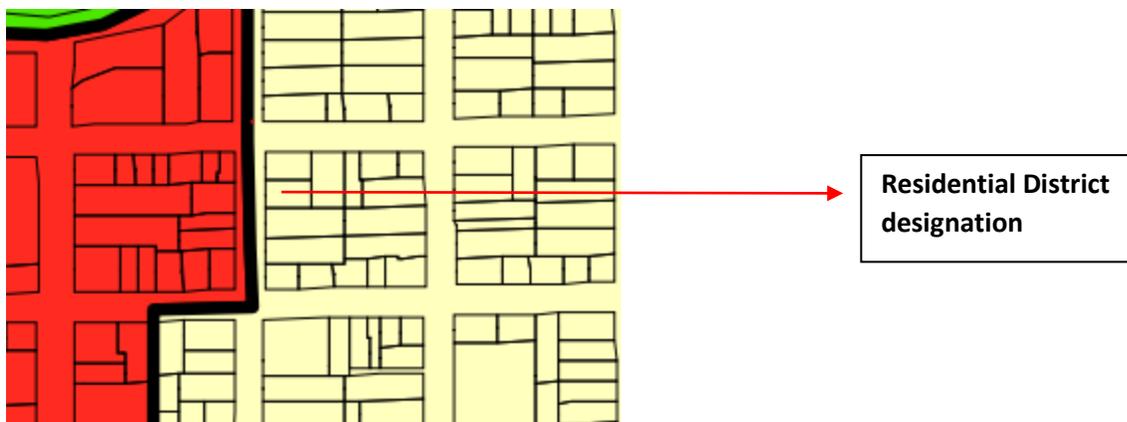
4.1 Zone Matrix Pertaining to Proposed Use

Zone Matrix		
	Residential Apartment (RA) Zone	Proposed RA-## Zone
Lot Area (min.)	100 m ² / unit 4 units x 100 = 400 m ²	557 m ²
Lot Frontage (min.)	40 m	18.29 metres (existing) ZBA to address
Lot Coverage (max.)	40 %	30% (171 m ² / 1,840 ft ²)
Front Yard (min.)	12 m	7.6 m (existing) ZBA to address
Rear Yard (min.)	The greater of ½ building height or 7.5 m	12.6 m
Interior Side Yard (min.)	The greater of ½ the building height or 6.0 m	0.8 m (existing) ZBA to address
Building Height (max.)	11 m	6 m (approx. / existing)
Parking Spaces (min.)	6 spaces <ul style="list-style-type: none"> • 1.5 per dwelling unit • 25% shall be for visitor parking 	4 spaces as per parking standards for a triplex ZBA to address
Parking Space Dimensions	2.8m x 5.8m	2.5m x 5.8m ZBA to address
Driveway Width	8.5 metre maximum	10.2 metres ZBA to address

5.0 Town of Midland Official Plan (Updated January 2017)

The property is designated 'Residential District' by Town of Midland Official Plan Schedule 'A'. The 'Residential District' designation is intended to allow for a variety of housing types and densities together with appropriately located neighbourhood commercial and institutional uses. It is a goal of the Official Plan to provide opportunities to create affordable, accessible and adequate housing for the needs of the community.

Uses permitted with the 'Residential District' include all forms of housing together with appropriate institutional uses such as schools, parks, community recreational uses and limited private institutional uses such as group homes, day care centers and places of worship.



The Official Plan must not be amended to introduce higher density uses into neighbourhoods, rather locations for low, medium and high-density residential uses shall be determined through the policies of the Official Plan and implemented through the Zoning By-law. An overview of the Official Plan policies related to medium density residential developments is provided in section 8.4 of this report.

5.1 Town of Midland Official Plan Review DRAFT 2 (February 2019)

The Town of Midland is currently undertaking an Official Plan Review, wherein the subject property is designated 'Neighbourhood District' by Schedule 'B' (Urban Structure) and 'Neighbourhood Residential' by Schedule 'C' (Land Use) of the Draft Official Plan.

The 'Neighbourhood Districts' as identified on Schedule 'B' are intended to allow a variety of housing types and densities together with appropriately scaled and located neighbourhood commercial and institutional uses. It is the intent of the draft OP to provide a range and mix of housing types, including opportunities for accessible and assisted and affordable housing throughout the Neighbourhood Districts to meet the expected needs of the community.

The 'Neighbourhood Residential' designation which applies to the subject property is within the 'Neighbourhood Districts'. It is the intent of the draft OP that change within the Neighbourhood Residential designation be managed by ensuring that these areas evolve slowly and accommodate only compatible development that is in keeping with the desirable character of the areas.

Low and mid-rise residential uses are permitted within the 'Neighbourhood Residential' designation subject to a Zoning By-law Amendment which is able to illustrate the use meets the definition of compatible development. Key elements of determining compatibility will be neighbourhood context and character, transitions in height and density, massing, setbacks and, to a lesser extent, building materials and architectural

character. The draft OP directs that the Towns shall not approve any development that creates an undue, adverse impact on neighbouring properties within the Neighbourhood Residential designation.

5.2 Simcoe County Official Plan (OMB Approved Dec. 2016)

The subject property is designated 'Settlement' by Schedule 5.1 of the Simcoe County Official Plan (SCOP). The SCOP directs growth and development to settlement areas.

5.3 Town of Midland Zoning By-law 2004-90

The property is zoned Residential Two (R2) by the Town of Midland Zoning By-law. The proposed conversion to a 4-unit dwelling is defined as an 'apartment building dwelling' by the Zoning By-law. An apartment building is not a permitted use within the R2 Zone, therefore a ZBA application is submitted herein to permit the proposed use with site specific performance standards as outlined in Section 6.0 of this report (below).

6.0 Proposed Zoning By-law Amendment

It is proposed that the subject property be rezoned from the Residential Two (R2) Zone, to a site specific Residential Apartment Exception (RA-## Zone) to permit the conversion of the existing 2-unit dwelling to a 4-unit apartment dwelling.

In addition to permitting the conversion to a 4-unit apartment building, the Zoning By-law Amendment proposes the following site specific performance standards:

- Lot Frontage of 18 metres (existing);
- Front Yard of 7.6 metres (existing);
- Interior Side Yard of 0.8 metres (existing);
- A total of 1 parking per dwelling unit;
- Parking stall dimensions of 2.5 m x 5.8 m;
- A driveway width of 10.2 metres.

7.0 Supporting Technical Documents

The following is a summary of the plans and technical studies which have been submitted concurrently with this Planning Justification Report in support of the Zoning By-law Amendment application:

- Surveyor's Real Property Report
- Site Plan
- Floor Plans

8.0 Planning Analysis

In formulating a land use planning opinion on this matter, the following documents have been reviewed:

- Provincial Policy Statement (2014)
- Growth Plan for the Greater Golden Horseshoe (2017)
- County of Simcoe Official Plan (OMB Approved December 2016)
- Town of Midland Official Plan (Updated January 2017)
- Town of Midland Official Plan DRAFT 2 (February 2019)
- Town of Midland Zoning By-law (2004-90)
- Inspected the property during the spring of 2019 to observe its relationship with the surrounding neighbourhood.

8.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters related to land use planning and sets the policy foundation for regulating the development and use of all land in the province.

The most directly applicable policy areas affecting the proposed residential development are Section 1.1.3 (Settlement Areas) and Section 1.6.6 (Sewage, Water and Stormwater).

A review of those policies as they relate to the proposed development is as follows:

Section 1.1.3.1

Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Section 1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

MP&D Comment The subject property is located within the Town of Midland, which is a built-up and serviced settlement area. The proposal would increase the density of the site from 2 units to 4 units, which is supported by the intensification direction provided by the PPS.

Section 1.6.6.2

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted wherever feasible.

MP&D Comment The proposed medium density development will be serviced by existing municipal sewage services and existing municipal water services.

It is the opinion of the undersigned that the proposed Zoning By-law Amendment application conforms to the Provincial Policy Statement (2014).

8.2 Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) was prepared under the Places to Grow Act, 2005 to guide decisions on a wide range of issues such as transportation; infrastructure planning; land-use planning; urban form; housing; natural heritage and resource protection. All planning decisions made within the Greater Golden Horseshoe must have regard for the Growth Plan, and the Growth Plan prevails where there is a conflict between it and the Provincial Policy Statement.

The most directly applicable policy areas affecting the proposed residential development are Section 2.2.2 (Delineated Built-up Areas), Section 2.2.6 (Housing) and Section 6.2 (Growth Forecasts).

It is the opinion of the undersigned that the proposed development conforms to the Growth Plan for the following reasons:

- The 2 proposed additional residential units will assist the Town in meeting its intensification targets within built-up areas.
- The property is serviced by municipal water and sanitary services.
- No expansions to municipal infrastructure are required to accommodate the proposed use.
- The 2 proposed additional dwelling units will assist the Town of Midland in developing a more complete community by adding more housing options and densities to its housing stock.
- The property is within walking distance to the Town's downtown core, schools, day care facilities, places of worship, municipal parkland, public parking areas, and a variety of commercial amenities.

For these reasons the proposed development is exactly the type of project that is encouraged by the Growth Plan.

8.3 Simcoe County Official Plan (OMB Approved December 2016)

As noted in Section 5.2 of this report the subject property is designated 'Settlement' by Schedule 5.1 of the Simcoe County official Plan (SCOP).

One of the primary planning strategies of the SCOP is to direct a significant portion of growth and development to settlements where it can be effectively serviced, while at the same time protecting agricultural lands and key natural heritage features.

The most directly applicable sections of the SCOP are 3.3 (General Development), 3.5 (Settlement) and 4.7 (Infrastructure). The proposed apartment building development conforms to the applicable sections of the SCOP for the following reasons:

- The subject property is located within a designated settlement area.
- The development will be serviced by municipal water and sewer systems.
- The proposed 4-unit apartment building represents a compact urban form which is promoted within fully serviced settlement areas by the SCOP.
- The density of the proposed development will assist the Town in reaching its intensification targets.

Based on the foregoing, it is the opinion of the undersigned that the proposed Zoning By-law Amendment conforms to the Simcoe County Official Plan.

8.4 Town of Midland Official Plan (Updated January 2017)

The Town of Midland's objectives as they pertain to the 'Residential District' are outlined in Section 3.3.1 of the Official Plan and may generally be summarized as follows:

- a) Create, maintain and enhance residential areas and protect them from inappropriate development.
- b) Encourage a high standard of design in existing and future residential development, including the harmonious integration of housing types.
- c) Encourage a broad range of housing styles including affordable and rental housing types, and consider incentives that would foster such development.
- d) Encourage innovative development, re-development and intensification.
- e) Encourage the development of residential uses where appropriate community and commercial facilities can be provided.

When considering these objectives in the context of the subject property, it is the opinion of the undersigned that the proposed conversion of the existing 2-unit dwelling to the proposed 4-unit apartment dwelling is supported by the Town's policy direction. This opinion has been reached for the following reasons:

- The proposed conversion will not result in any outward expansion of the existing dwelling, therefore the dwelling will continue to maintain its low-density residential form;
- The proposed conversion will add 2 additional dwelling units immediately adjacent to the Town of Midland's downtown core, which provides a variety of cultural, recreational, employment, educational, and commercial opportunities and uses.
- The 2 additional dwelling units would support the Town of Midland's intensification goals and the overarching Provincial and County policy objectives related to intensification;

- Small scale multi-unit dwellings, such as that being proposed, are common within the neighbourhood and therefore the proposed dwelling is considered to be a compatible form of development.

The Town of Midland's criteria for zoning amendments which seek to permit medium density residential development are outlined in Section 3.3.6 of the Official Plan. Those criteria are listed below together with the associated policy analysis:

- a) Medium density residential development shall consist of single detached, semi-detached, linked semi-detached, duplexes, triplexes, **fourplexes**, townhouses, street townhouses and similar multiple dwellings.

MP&D Comment: The proposed fourplex is a permitted use within the Residential District designation.

- b) Medium density residential uses shall be connected to full municipal services and shall generally not exceed 30 units per net hectare.

MP&D Comment: The proposed 4-unit apartment dwelling will be serviced by full municipal services. The Residential Apartment Zone, which is proposed to facilitate this proposal directs that a site provide a minimum of 100 m² per dwelling unit, thus equating to a minimum of 400 m² to accommodate the proposed 4-unit dwelling. The area of the subject property is 557 m² which exceeds this threshold. It should be noted that the proposed density is also supported by the overarching Provincial and County planning policies which encourage the intensified development of sites such as these.

- c) Medium density residential uses may be permitted, by amendment to the Zoning By-law, subject to the following:
- i) Consideration must be given to the eventual community structure, desirability and fit of the proposed use. The potential impact of such development on adjacent residential uses and appropriate design features such as setbacks, height, buffering, landscaping, building style, treatment and layout, in harmony with the neighbourhood, will form important components in the approval process.
 - ii) The site should be well suited in terms of amenities such as schools, parks, recreational facilities, shopping, parking, public transportation, traffic circulation and surrounding transportation features.
 - iii) The site should have direct access to arteria or collector roads or be located in the immediate vicinity of such roads.
 - iv) Medium density residential development may be encouraged in and adjacent to the Downtown District.
 - v) Medium density residential uses should be subject to site plan control.

MP&D Comment: It is the opinion of the undersigned that the proposed site specific Zoning By-law Amendment meets each of the criteria listed above for the following reasons:

- The proposed conversion will not result in any outward expansion of the existing dwelling, therefore the dwelling will continue to maintain its low-density residential form;
- The only visible physical change to the site that is required to accommodate the proposed conversion is a 2.4 metre expansion to the width of the existing driveway, together with the installation of one additional pedestrian door on the front facing wall of the dwelling.
- The subject property is immediately adjacent to the Town of Midland's downtown core, which provides a variety of cultural, recreational, employment, educational, and commercial opportunities and uses.
- There are an abundance of public parking lots within walking distance to the subject property, which can suitably accommodate any daytime visitor parking needs.
- The subject property is 1 ½ blocks south of Bayshore Drive which is defined as an Arterial Road and 1 ½ blocks north of Hugel Avenue which is defined as a Collector Road.
- Small scale multi-unit dwellings, such as that being proposed, are common within the neighbourhood and therefore the proposed dwelling is considered to be a compatible form of development.
- A detailed site plan together with both existing and proposed floor plans have been submitted in support of the ZBA application. Each of these documents has been prepared with the compatibility of the adjacent properties at the forefront of the design process.

Concluding Remarks

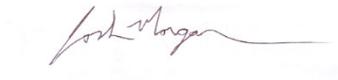
Based on the foregoing it is the opinion of the undersigned that the proposed zoning by-law amendment which seeks to permit the conversion of an existing 2-unit dwelling to a 4-unit apartment dwelling is compatible with the directive Provincial, County and Town of Midland planning policies.

The supporting documents illustrate that the development can be appropriately serviced, that safe ingress and egress to the site is achievable, and that no expansions to or improvements of existing municipal infrastructure will be required.

In closing, it is important to add that the two proposed additional dwelling units will assist the Town of Midland in diversifying its housing stock and bringing to market an influx of rental accommodations which are a recognized need in the community.

With this submission we respectfully request that the proposed Zoning By-law Amendment application be presented to Council and the public at large at the Town of Midland's earliest opportunity.

Respectfully submitted,
MORGAN Planning & Development Inc.

A handwritten signature in black ink, appearing to read "Josh Morgan", is written over a light blue rectangular stamp.

Joshua Morgan, MCIP, RPP