



March 7, 2018

*Submitted by Hand

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

Attn: Wes Crown, Director of Planning and Building Services

**Re: 786 William 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 786 William Street Inc., the owner of 786 William Street, to review the planning policy environment pertaining to the subject property and to assess whether the two proposed 5-storey 40-unit apartment buildings are 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 Townhouse Exception 19 (RT-19) Zone, to a site specific Residential Apartment Exception ## (RA-##) Zone. The purpose of the proposed RA-## Zone is to permit the development of two 5-storey 40-unit apartment buildings with site specific performance standards.

3.0 Location and Description of Subject Property

The property is known municipally as 786 William Street, which is within the built-boundary of the Town of Midland. The property is vacant, has a total lot area of 11,217 m² (1.12 ha / 2.7 ac) and a total frontage onto William Street of 135 metres. William Street is an arterial road with 2 south-bound lanes and 1 north-bound lane.

The property is serviced by the municipal water system and the municipal sanitary sewer system. A storm water management pond is located in the south-west corner of the property, which accepts overland flow from the subject property as well as storm

water collected in catch basins within the existing internal road network. It is understood that the storm pond acts as a catchment area for the storm water, prior to discharging via underground pipe in a southeasterly direction before connecting to the municipal storm system. **See attached Appendix A – Midland Site Servicing Drawing.**

In addition to the storm pond, there is existing water and sanitary sewer infrastructure which traverses the property. This infrastructure is protected by easements.

As noted above there is an existing internal roadway which traverses the property. The roadway extends from a townhouse development which abuts the property to the north and provides pedestrian and vehicular access to William Street. It is understood that the existing roadway which extends across the property is subject to an access easement for pedestrian and vehicular travel in favour of the adjacent townhouse development. Similarly, the subject property has pedestrian and vehicular easement rights over the existing roadway which crosses the adjacent townhouse development.

A summary of all applicable easements together with the associated survey plans was prepared by Downey Tornosky Lassaline & Timpano Law and has been submitted in support of this application.

The following is an image of the property looking in a westerly direction from the east side of William Street. Note the existing internal road which traverses the property and connects with William Street. Also note the townhouse development which abuts the property to the north.



3.1 Surrounding Uses

North: The property is bound to the north by a residential townhouse development. The primary access to the townhouse development is from Galloway Boulevard. A secondary access is via the existing roadway which traverses the subject property.

East: The property is bound to the east by William Street. On the east side of William Street is a townhouse development, a woodlot and a subdivision predominated by single detached dwellings.

South: The property is bound to the south by a self-storage facility.

West: The property is bound to the west by a vacant lot which is designated Residential District and zoned to permit medium density residential development.

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



4.0 Overview of Proposed Development

It is proposed that the vacant 1.12 hectare property be developed with two 5-storey apartment buildings, each with 40 units, resulting in a total of 80 residential apartments. The subject property is currently approved for a 48 unit townhouse development.

The primary access to the site is proposed from William Street in generally the same location as the existing entrance. As noted in preceding section of this report the property enjoys pedestrian and vehicular access over the roadway of the adjacent townhouse development thus providing a secondary access.

It is proposed that two 40-unit apartment buildings be serviced with 90 parking spaces dedicated to tenants and an additional 30 parking spaces dedicated to visitors. The total number of proposed parking spaces is 120, which equates to 1.5 spaces per unit, thus meeting the performance standards of the zoning by-law. Of the 120 parking spaces, 2 are designed to the barrier free standard.

The site plan submitted in support of the ZBA application illustrates the location of the existing stormwater pond, an outdoor amenity area, a garbage and recycling area, the directional traffic arrows, snow storage areas, sidewalks and potential hydrant locations.

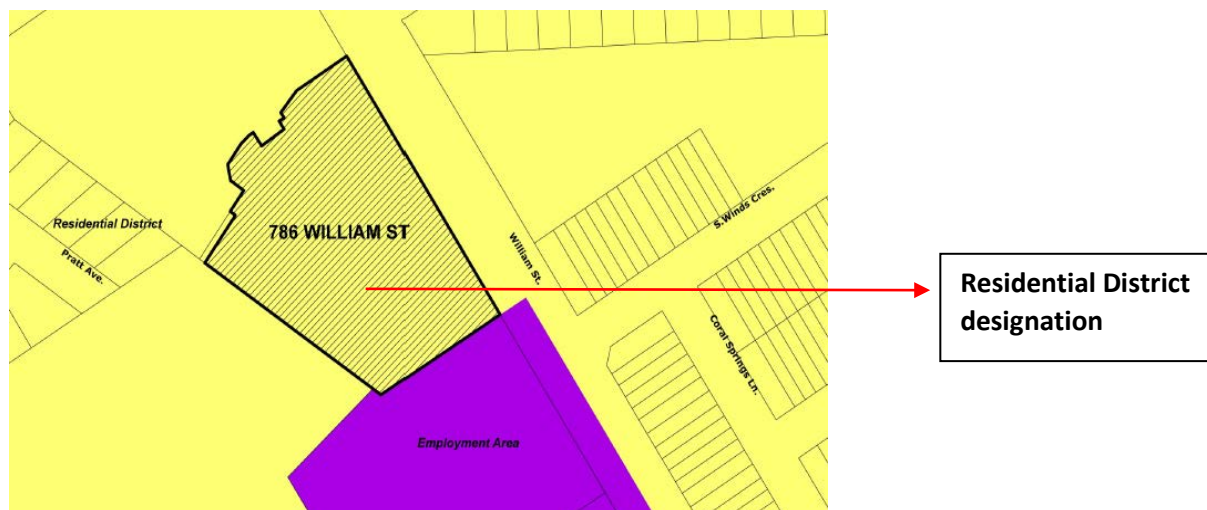
Total Lot Area	11,217 m ² (120,746 ft ²)
Building Area	2,286.2 m ² (24,608 ft ²)
Total Lot Coverage	20.3%
Roadway Area	2,491 m ² (26,818 ft ²)
Sidewalk Area	475.5 m ² (5,118 ft ²)
Parking Space Area	2,150 m ² (23,151 ft ²)
Stormwater Pond Area	440.4 m ² (4,740 ft ²)
Landscaped Area (incl. sidewalks)	3,848.7 m ² (41,427 ft ²) - 34.3%
Snow Storage Area	218.3 m ² (2,350 ft ²) - 4.7% of roadway and parking

	Residential Apartment (RA) Zone	Proposed RA-## Zone
Lot Area (min.)	100 m ² / unit 80 units x 100 = 8,000 m ²	11,217 m ²
Lot Frontage (min.)	40 m	135.5 m
Lot Coverage (max.)	40 %	20.3%
Front Yard (min.)	12 m	6 m (Building 2) To be addressed by ZBA

Rear Yard (min.)	The greater of ½ building height or 7.5 m (18 m height as proposed = 9 m setback)	9 m (Building 2)
Interior Side Yard (min.)	The greater of ½ the building height or 6.0 m (18 m height as proposed = 9 m setback)	4.9 m (Building 1) To be addressed by ZBA
Building Height (max.)	11 m	18 m To be addressed by ZBA
Building Separation (min.)	No less than height of tallest building (20 m as proposed)	69.4 m
Parking Spaces (min.)	1.5 per dwelling unit Including 2 barrier free spaces and 25% visitor parking	120 total spaces - 90 tenant - 30 visitor incl. 2 barrier free
Parking Space Dimensions	2.8m x 5.8m	2.8m x 5.8m
Barrier Free Parking Space Dimensions	4.6m x 7.3m	4.6m x 7.3m
Two-Way Aisle Width	6.7 m	6.7 m

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 and high-density residential developments is provided in section 8.4 of this report.

5.1 Town of Midland Official Plan DRAFT 2 (May 2017)

The Town of Midland is currently undertaking an Official Plan Review, wherein the subject property is designated Neighbourhood District. The two proposed 5-storey 40 unit apartment buildings are defined as 'mid-rise residential development' by the most recent draft of the Official Plan. Similar to the 'Residential District' policies of the Town's existing Official Plan the proposed development may be permitted without amendment to the Plan subject to an amendment to the Zoning By-law that appropriately considers neighbourhood compatibility, desirability, traffic, and good planning principles.

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 Townhouse Exception 19 (RT-19) Zone. This is a site specific zoning which permits a townhouse development to a maximum of 43 units per hectare. As noted above, the lot area is 1.12 hectares, therefore the maximum number of townhouses permitted as of right are 48.

The following are the permitted uses in the RT-19 Zone:

- Accessory Building
- Home Occupation
- Public Use
- Street Townhouse Dwelling Unit
- Townhouse Dwelling Unit

Apartment buildings are not permitted in the RT-19 Zone, therefore a ZBA application is submitted herein to permit two 5-storey 40-unit buildings with site specific performance standards.

6.0 Proposed Zoning By-law Amendment

It is proposed that the subject property be rezoned from the Residential Townhouse Exception 19 (RT-19) Zone, to a site specific Residential Apartment Exception Zone with the following site specific performance standards:

- 6.0 metre front yard (Building 2)
- 4.9 metre interior side yard (Building 1)
- 18 metre building height (Buildings 1 and 2)

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:

- Functional Servicing and Stormwater Management Report by Capes Engineering
- Geotechnical Report prepared by The Gonneau Building Group
- Traffic Brief by JD Northcote Engineering Inc.
- Easement Summary by Downey Tornosky Lassaline & Timpano Law
- Site Plan prepared by The Gonneau Building Group
- Building Elevation Drawings

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 (May 2017)
- Town of Midland Zoning By-law (2004-90)
- Inspected the property during the summer and fall of 2017 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 proposed development of this vacant fully serviced site is precisely the type of development which is encouraged 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-high 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 80 proposed residential units will assist the Town in meeting its intensification targets within built-up areas.
- The property has access to municipal water and sanitary services.
- No expansions to municipal infrastructure are required to accommodate the development.
- The two proposed 5-storey 40-unit apartment buildings 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 schools, day care facilities, places of worship, 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 apartment buildings will expand the range of housing types within the community.
- The proposed apartment buildings represent 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 vacant fully serviced subject property, it is clear that the two proposed apartment buildings are a use that is fully supported by the Town's policy direction. In terms of compatibility with the adjacent uses and with the neighbourhood generally, it is felt that the Site Plan approval process will suitably address exterior building elevations, landscape design, and buffering to ensure that the character of the community is not only maintained, but rather that it is enhanced.

The Town of Midland's criteria for zoning amendments which seek to permit high 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) High density residential development shall consist of low-rise apartments and similar buildings and high-rise apartment buildings.

MP&D Comment: The apartment buildings are proposed at 5-storeys which qualify as a low-rise apartment building, thus meeting the tests of this policy.

- b) High density residential uses shall be connected to full municipal services and should generally provide a density of less than 60 units per net hectare.

MP&D Comment: The proposed development will be serviced by full municipal services. The proposed development of two 40-unit apartment buildings on a 1.12 hectare parcel equates to 71 units per net hectare, which is within an acceptable range of the density targets outlined in the policy. 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) High density residential uses may be permitted, by amendment to the Zoning By-law, subject to the following:
- i) The site should have good accessibility along arterial or collector roads
 - ii) The various location and site consideration factors set out in Section 3.3.5, Medium Density Residential, shall apply.
 - iii) High density residential development or redevelopment shall be subject to site plan control as set out in sections 8.8 and 3.1.5e).
 - iv) High density residential development is encouraged to locate near the Downtown District. Development may also be considered within the Downtown District if appropriate sites are identified.

MP&D Comment: The site is located on William Street which is an arterial road. A traffic report has been submitted in support of the application which concludes that the additional traffic generated by the proposed development is expected to have a negligible impact on the existing traffic operations in the area, and will not add significant delay or congestion to the local roadway network.

A detailed site plan together with conceptual building elevations 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 two 5-storey 40-unit apartment buildings within on a vacant fully serviced property 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 proposed apartment buildings 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.

Respectfully submitted,
MORGAN Planning & Development Inc.



Joshua Morgan, MCIP, RPP

