

A G E N D A

**THE FOURTH MEETING OF THE COMMITTEE OF ADJUSTMENT
OF THE CITY OF ST. THOMAS 2021**

TELECONFERENCE

10:00 A.M.

**THURSDAY
MARCH 25, 2021**

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on March 11, 2021.

HEARING OF APPLICATIONS

A03/21 - Corporation of the City of St. Thomas - 10-20 Queen Street **Pages 2-30**

Planning Report - A03/21 **Pages 31-33**

UNFINISHED BUSINESS

NEW BUSINESS

Next Meeting

To Be Determined.

ADJOURNMENT

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

March 1st, 2021

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on February 10th, 2021 with Planning staff and the applicant.

An application for a minor variance, regarding 10-20 Queen Street, was filed on February 26th, 2021 and the required fee under Section 69 of the Planning Act has been provided.

Please contact the Planning & Building Services Department if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read "Jim McCoomb". The signature is fluid and cursive, with a large loop at the end.

Jim McCoomb, MCIP, RPP
Manager of Planning Services



Sent via email

February 25, 2021

Jon Hindley
Assistant Secretary-Treasurer
Committee of Adjustment
City Clerk's Department
City of St. Thomas
545 Talbot Street
St. Thomas, ON
N5P 3V7
jhindley@stthomas.ca

Dear Mr. Hindley:

**RE: Application for Minor Variance
Corporation of the City of St. Thomas & Indwell
10-20 Queen Street
St. Thomas, ON
Our File: IND/STH/20-01**

Zelinka Priamo Ltd., on behalf of the Corporation of the City of St. Thomas ("City") and Indwell, is pleased to submit an application for Minor Variance as it relates to the above noted property (the "subject lands").

The City is the current owner of the subject lands which form part of a larger parcel of land bounded by Talbot Street to the north, Queen Street to the east, Centre Street to the south, and William Street to the west; and are known municipally as 230 Talbot Street. Indwell is the developer and operator of a proposed 4-storey mixed use building on a portion of the subject lands, which are rectangular in shape; have 59.4 metres of frontage along Queen Street; a total area of 2,692 square metres; and are currently vacant.

The subject lands are surrounded by predominantly retail and service commercial uses within the City's downtown area.

The subject lands are within the "Downtown - Talbot West" land use designation in the City of St. Thomas Official Plan; and are currently zoned "Downtown Talbot West Commercial (C1) Zone" in the City of St. Thomas Zoning By-Law. The Downtown - Talbot West designation permits and encourages residential uses in new buildings; and the C1 Zone permits a wide range of commercial uses, as well as residential dwelling units within new buildings.

The proposed development would consist of 45 residential dwelling units occupying the upper three floors of the building, together with associated administrative, service, and amenity space on the ground floor. The residential dwelling units are intended to be provided as one-bedroom affordable housing units with varying unit sizes. A municipal fire station would occupy the south portion of the ground and second floors of the building. In order to permit the proposed development, the following variances to the Zoning By-Law are required:

- Relief from Section 4.3.4 to permit no loading spaces for the proposed development, whereas a minimum of one (1) loading space is required for buildings greater than 450 square metres; and
- Relief from Section 12.3.5 to permit a minimum floor area of 35 square metres for a one-bedroom apartment unit, whereas a minimum area of 42 square metres is required;

To assess the merit of an application for Minor Variance, the four tests for Minor Variance under the Planning Act are applied. An overview of the four tests is as follows:

Do the proposed variances maintain the intent and purpose of the Official Plan?

The proposed variances to reduce the minimum unit area for one-bedroom units and eliminate the need for a loading space within the proposed development maintains the intent and purpose of the current Official Plan.

The Downtown – Talbot West Main designation within the Official Plan permits and encourages multi-unit residential uses in new buildings at a density of up to 250 units per hectare. The proposed development will provide a density of 167 units per hectare. Furthermore, the proposed development of 45 dwelling units is consistent with the following Housing policies:

- Council will attempt to ensure that there is an adequate provision of a variety of dwelling and tenure types at affordable prices in St. Thomas (Section 6.2.1)
- The City shall encourage the provision of sufficient residential land and satisfy housing in terms of type, tenure, size, location, and cost, taking into account household size and income of new households (Section 6.2.2)
- Council shall implement standards in the Zoning By-law to ensure that an affordable mixture of housing is available in the City of St. Thomas (Section 6.2.5)
- The City, where deemed appropriate, shall consider the use of alternative cost-effective development standards for new residential development/redevelopment to minimize land consumption, reduce servicing costs and lower the cost of housing (Section 6.2.12)

- Council shall recognize both infilling of vacant land and the intensification or redevelopment of existing buildings as potential contributors to the City's future housing stock (Section 6.2.16)

The nature and operational requirements of the proposed uses (residential, fire station) do not require a loading space, as defined in the Zoning By-law for a building greater than 450 square metres. The lack of a required loading space will not create any adverse impacts on the subject lands or surrounding lands.

As such, the proposed variances maintain the intent and purpose of the 1989 Official Plan and London Plan policies.

Do the proposed variances maintain the intent and purpose of the Zoning By-Law?

The subject lands are zoned C1, which permits the proposed use consisting of residential and public service uses on the ground floor; and residential uses on the 2nd, 3rd, and 4th storeys.

As noted above, the one-bedroom units will be provided in varying sizes broken down as follows:

- 35 m² (20 units)*
- 36 m² (14 units)*
- 38 m² (3 units)*
- 43 m² (2 units)
- 46 m² (3 units)
- 51 m² (3 units)

* *minor variance required.*

Based on the above, 37 of the 45 units will have a floor area less than 42 m². The intent of the minimum dwelling unit area requirement is to ensure appropriate living accommodations with the necessary amenities (bathroom, kitchen, sleeping accommodations) are available for future tenants of the dwelling unit. Indwell is an experienced developer of affordable housing units in the Province of Ontario and has previously constructed one-bedroom units with an area of 35 m² that are not only affordable* but provide comfortable living arrangements.

For the Committee's information, we have attached a Residential Unit Floor Area Study, prepared by Indwell, that provides detailed information and examples with respect to various dwelling unit sizes within similar developments operated by Indwell.

The proposed minor variance to eliminate the loading space requirements for the proposed building is appropriate as loading spaces, as defined in the Zoning By-law, are intended primarily to serve the needs of commercial uses within commercial zones. The nature and operational requirements of the proposed uses (residential, fire station) do not require a loading space with

the minimum dimensions prescribed in the Zoning By-law for a building greater than 450 square metres. The lack of a required loading space would not result in any adverse impacts on the subject lands or surrounding lands.

Other than the requested variances noted above, the proposed development complies with all other provisions of the Zoning By-law. As such, the requested variances are consistent with the intent and purpose of the Zoning By-Law.

Are the proposed variances minor in nature?

The proposed variance to reduce the minimum dwelling unit area for one-bedroom units in this instance is minor considering that affordable housing units are to be provided within the proposed development, and a reduced unit size allows for a wider range and supply of accommodations depending on an individual tenant's needs. As noted above, the units are designed in such a manner to provide all necessary amenities (bathroom, kitchen, sleeping area) within a comfortable living space.

The proposed variance to eliminate the loading space requirement is minor in this instance as the nature and operational requirements of the proposed uses (residential, fire station) do not require a loading space with the minimum dimensions prescribed in the Zoning By-law for a building greater than 450 square metres. The lack of a required loading space would not result in any adverse impacts on the subject lands or surrounding lands.

It is important to note that the proposed building complies with all zoning regulations relating to height, density, lot coverage, and setbacks.

Therefore, the proposed variances are minor in nature.

Are the proposed variances desirable for the appropriate use of subject lands?

The minor variance to permit a reduced unit area for one-bedroom units is appropriate as the intended use (mixed-use building) is permitted under the current Official Plan and the Zoning By-Law and will provide a necessary and desired form of housing (affordable units) from a developer with proven experience in affordable housing developments.

The minor variance to eliminate the loading space requirement is appropriate as the nature and operations of the proposed uses do not have loading requirements that would warrant the need for a loading space, as defined in the Zoning By-law. Implementation of a loading space on the subject lands would result in an unnecessary element and inefficient use of the property.

The requested variances will not result in unacceptable adverse effects on adjacent properties and are desirable for the appropriate use of the subject lands.

As demonstrated above, the requested variances to reduce the minimum unit area for one-bedroom units, and elimination of the required loading space for the subject lands satisfies the four tests for a Minor Variance as they maintain the intent and purpose of the Official Plan and the Zoning By-Law, are minor in nature, and are desirable for the appropriate use of the subject lands.

As per the submission requirements for a Minor Variance application, please find the following materials enclosed in support of the application:

- Completed application form and declarations;
- One (1) cheque made payable to the "City of St. Thomas" in the amount of \$400.00;
- Residential Unit Floor Area Study, prepared by Indwell;
- Site Plan; and
- Floor Plans and Typical Unit Enlarged Plans.

We trust that the enclosed information is complete and satisfactory and look forward to a timely approval process. Should you have any questions or require additional information, please feel free to contact our office.

Yours very truly,

ZELINKA PRIAMO LTD.



Harry Froussios, BA, MCIP, RPP
Senior Associate

cc. Wendell Graves - Corporation of the City of St. Thomas
Indwell



Clear Form

CORPORATION OF THE CITY OF ST THOMAS
COMMITTEE OF ADJUSTMENT

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION
(Section 45 of the Planning Act, RSO, 1990, as amended)

OFFICE USE: Date Application Received: February 26/21 Consultation Date: February 10/21
Date Application Deemed Complete: March 1/21

Application #: A03/21

APPLICATION IS HEREBY MADE TO:

City of St. Thomas
545 Talbot Street
St. Thomas ON N5P 3V7
Tel: (519) 631-1680 ext 4125 Fax: (519) 633-9019
Email: jhindley@stthomas.ca

Please note that in accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. After consultation, the application will be filed with the Assistant Secretary-Treasurer, together with the sketch referred to in Note 1 and \$400 made payable to the City of St. Thomas. All information and materials submitted for the application shall be made available to the public, as indicated by Section 1.0.1 of the Planning Act, R.S.O. 1990.

Personal information contained on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended, and Ontario Regulation 200/96 and will be used for the purpose of processing this application.

1. Name of Owner(s) Corporation of the City of St. Thomas

Address 545 Talbot Street, St. Thomas ON

Postal Code N5P 3V7 Tel: 519-631-1680 e-mail:

2. Name of Authorized Agent (if any) Zelinka Priamo Ltd. Attention: Harry Froussios

Address 318 Wellington Road, London ON

Postal Code N6C 4P4 Tel: 519-474-7137 e-mail: harry.f@zpplan.com

Note: Please specify to whom all communications should be sent: Owner [checked] Agent [checked]

3. Nature and extent of relief from the Zoning By-law applied for:

- permit no loading spaces, whereas a minimum of one loading space is required (Section 4.3.4)

- permit a minimum floor area of 35 sq m for a one-bedroom unit, whereas 42 sq m is required (Section 12.3.5)

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:

Purpose of development is to provide a wide range and supply of affordable units depending on individual tenant needs.

Nature and operational requirements of proposed uses (residential, public service) do not require loading spaces

5. Location of Land:

Concession No. Lot(s) Registered Plan No. 23 Lot(s) 1, 2, 5-11, 13

Reference Plan No. Part(s)

Geographic/Former Township _____

Name of Street Queen Street Street No. 10-20

6. Dimensions of land affected: (portion of lands to be developed)

Frontage 59.4 m Depth 45.32 m

Area 2,692 sq m Width of Street _____

7. Access to the subject land is by:

- a Regional Road
- a Municipal road that is maintained all year
- a Municipal road that is maintained seasonally
- a private road

8. Particulars of all buildings and structures on or proposed for the subject land (Specify ground floor area, gross floor area, number of storeys, width, length, height). Please specify use of existing structures.

Existing: (portion of lands to be developed)

Vacant

USE Vacant

Proposed:

Four (4) storey mixed use building consisting of 45 dwelling units and a fire station (see also attached site plan & floor plans).

9. Location of all buildings and structures on or proposed for the subject land (Specify distance from side, rear and front lot lines). Please specify use of proposed structure.

Existing: (portion of lands to be developed)

n/a

Proposed: (portion of lands to be developed)

see attached Site Plan

USE _____

10. Date of acquisition of subject land: unknown

11. Date of construction of all buildings and structures on subject land: n/a

12. Existing uses of the subject land: (portion of lands to be developed)

vacant

13. Existing uses of abutting lands:

North: commercial/mixed use East: commercial/mixed use

South: commercial/mixed use West: commercial/mixed use

14. Length of time the existing uses of the subject land have continued:

unknown

15. Services available (check appropriate space or spaces):

Water:

Municipally owned and operated piped water system Other (Specify) _____

Sewage Disposal:

Municipally owned and operated sanitary sewer system Other (Specify) _____

Storm Drainage

Storm sewers Other (Specify) _____

16. Present Official Plan designation of the subject land:

Downtown - Talbot West

17. Present Zoning of the subject land:

Downtown Talbot West Commercial (C1)

18. Has the owner previously applied for relief (minor variance) under Section 45 of the Act in respect of the subject property?

yes no

If the answer is yes, describe briefly (and if known, quote Application #)

19. Is the subject property the subject of a current application for a consent under Section 53 or a plan of subdivision under Section 51 of the Planning Act, 1990?

yes no If so, state Application # and status _____

APPLICANT DECLARATION

By making this application, permission is hereby granted to any Municipal staff members and Municipal Planning Consultant to enter upon the premises described in this application at a reasonable time for the purpose of inspecting the property in relation to the proposed application and for distributing information concerning the same. This information is being collected pursuant to the Planning Act, Municipal Act, and Freedom of Information Act. The information contained herein will be distributed to bodies and agencies prescribed by legislation and regulation and also to interested parties.

If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application (**Appendix A**). If the applicant is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Application information is collected under the authority of the Planning Act, R.S.O. 1990, c.P.13. In accordance with that Act, it is the policy of the City of St. Thomas to provide public access to all Planning Act applications and supporting documentation submitted to the City.

I, Harry Froussios, the Owner or Authorized Agent, hereby agree and acknowledge
(Print name of Owner or Authorized Agent)
that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M. 56, I hereby consent to the City of St. Thomas making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Collection of Personal Information:

Personal information on this form is collected under the authority of Section 41 of the *Planning Act*, R.S.O. 1990 and Sections 8 (1) and 10 of the *Municipal Act*, 2001, as amended, and will be used to contact the owner, applicant and/or agent regarding the Committee of Adjustment Application. Questions about this collection should be directed to the City Clerk, 545 Talbot Street, St. Thomas, Ontario, N5P 2T9 (519) 631-1680.

AFFIDAVIT OR SWORN DECLARATION

I, Harry Froussios of City of London in the province of Ontario,
name of applicant City

make oath and say (or solemnly declare) that the information required under Schedule 1 of Ontario Regulation 545/06 and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the City of London on this 25th day of February, 2021.
City Day Month Year



Signature of Owner or Authorized Agent

Feb. 25 / 21

Date



Signature of Commissioner of Oaths, etc.

Feb. 21 / 21

Date

APPENDIX A – AUTHORIZATION OF OWNER

If the applicant is not the owner of the subject lands, please complete the owner authorization concerning personal information as set out below.

I, Corporation of the City of St. Thomas, am the owner of the subject lands, and I authorize Zelinka Priamo Ltd. c/o Harry Froussios, to act on our behalf as the agent for the submissions required for all matters relating to the subject lands, and to provide any of my personal information that will be included in this application or collected during the planning process.

February 24, 2021

Date

Signature of Owner


W.S. GRAVES
CITY MANAGER

APPENDIX B – ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

In addition to the application fees listed in this application package, please note that where the City requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all fees incurred by the City.

***Please note, Appendix B must be completed by the owner, not the authorized agent.**

I, Corporation of the City of St. Thomas, am the **owner** of the subject lands, and I understand that further fees may be incurred by the City throughout the planning process and that I am responsible for reimbursing all fees.

February 24 2021

Date

Signature of Owner


W.S. GRAVES
CITY MANAGER

NOTES:

1. Each copy of this application must be accompanied by a Sketch. The Sketch need not necessarily be to scale, but dimensions must be accurate, and showing the following:
 - (a) The boundaries and dimensions of the subject land;
 - (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
 - (c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, driveways, swimming pools, roads, railways, drainage ditches, wells, septic tank and tile bed, and trees;
 - (d) The current uses on land that is adjacent to the subject land;
 - (e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way;
 - (f) If access to the subject land is by water only, the location of the parking and docking facilities to be used;
 - (g) The location and nature of any restrictive covenant or easement affecting the subject land;
2. The Committee of Adjustment may require that a preliminary drawing be prepared, signed and dated by an Ontario Land Surveyor.
3. If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

Indwell Community Homes

Residential Unit Floor Area Study

February 24, 2021



Indwell has a proven track record of developing and maintaining exceptional quality affordable housing communities that enhance the lives of their tenants and add value to the surrounding neighbourhood. Since 2011, Indwell has built 543 units that average 34.4m² (370 square feet) - See Table 1. This experience has informed the design of the Queen Street development, demonstrating that modest units can be very livable when they are conscientiously designed to maximize the tenant experience. The units at McQuesten Lofts in Hamilton are very similar to what is being presented here. Pictures are attached on page 4. Together with their architectural consultants, Indwell specializes in designing affordable housing communities that combine efficient apartment layout with a variety of multi-use spaces to foster tenant interaction and sense of belonging. Indwell solicits regular feedback from tenants on their lived experience in their apartments to improve on building functionality and tenant experience. Tenants report a high degree of quality of life and pride living in an Indwell building.

Table 1: Indwell Development Experience – Location, Year, Construction Type, Number, Size

Year	Project	Location	Type	# Units	Average apartment area (m ²)
2011	Perkins Centre	Hamilton	Adaptive reuse	46	24
2012	124 Wentworth	Hamilton	Renovation	11	33
2015	Harvey Woods Lofts	Woodstock	Adaptive reuse	54	41
2016	Rudy Hulst Commons	Hamilton	New Construction	47	36
2016	311 Strathearne - Renovations	Hamilton	Renovation	38	22
2016	Hambleton Hall - Simcoe	Simcoe	Adaptive Reuse	40	31
2017	Harvey Woods Lofts Phase 2	Woodstock	New Construction	26	38
2018	205 Melvin Renovation/Addition	Hamilton	Renovation / New Construction	57	24
2018	500 James Redevelopment	Hamilton	New Construction	45	44
2018	Blossom Park Redevelopment		New Construction	34	33
2019	256 Parkdale	Hamilton	New Construction	50	35
2020	North End Landing	Hamilton	New Construction	45	42
2020	McQuesten Lofts	Hamilton	New Construction	50	35
	Total			543	34.4 (average)

Single-person households with very low incomes experience severe difficulty in finding appropriate housing, as seen by the overwhelming demand for Indwell's apartments. Within months of opening Indwell's first program in London, with 67 one-bedroom units, over 350 individuals were waiting for housing with Indwell. A majority are looking for one-bedroom units.

Designing for affordability is essential. Modest unit sizes contribute to their energy efficiency and improve tenant's ability to cover utility costs. Passive House Design, which this building will be built to, decreases the building's energy consumption by over 50%. Tenants in other Indwell Passive House Buildings report that their heating bills are less than \$30 annually. Energy efficient appliances and onsite laundry at a discounted rate help contribute to the affordability and livability of Indwell apartments.

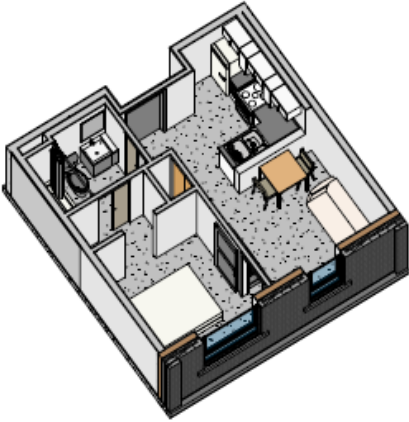
QUEEN STREET DESIGN APPROACH

The units at the Queen Street site range from 35m² to 51m². See below for a breakdown of the unit types and their sizes:

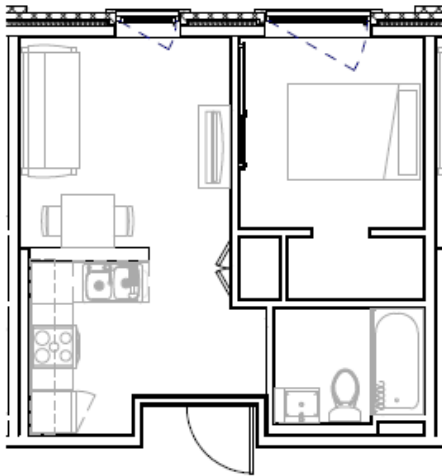
- Type A = 38 m² (3 units)
- Type B = 35 m² (20 units)
- Type C/G = 36 m² (14 units)
- Type D (Barrier Free) = 46 m² (3 units)
- Type E (Barrier Free) = 51 m² (3 units)
- Type F (Barrier Free) = 43 m² (2 units)

The design approach this project will maintain an emphasis on natural light, space efficiency, and usable community spaces to create a living environment that tenants enjoy and take pride in. The layout of each unit is specifically designed to create circular flow and options for movement within the unit, enhanced by the use of sliding pocket doors. See below for typical unit layouts.

Example of Unit in Proposed Development:

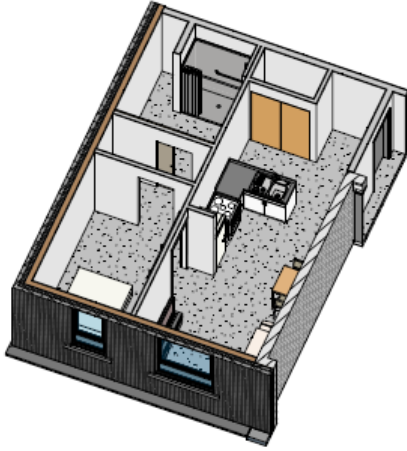


TYP. UNIT B 1BR 6
A4.1

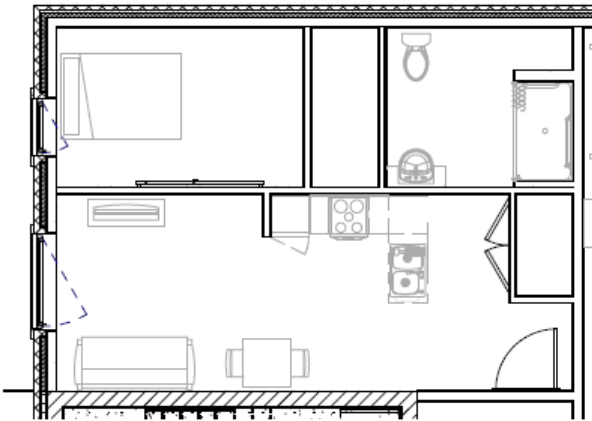


UNIT TYPE B 1BR - RCP 4
1:50 A4.1

Example of Barrier-Free Unit in Proposed Development:



TYP. UNIT E 3
A4.3



UNIT TYPE E 1BR ACC - RCP 2
A4.3
1:50

Large ceiling heights also contribute to the quality of the space at this development. The ceiling height in the units will be a minimum of 9' (more likely to be 9'4", but structural/mechanical drawings haven't yet been finalized). Ample commons areas (interior and exterior) are provided for the tenants to gather or host larger social functions if desired.

The building will meet the VisitAble design requirements and 17.7% of units meet Ontario barrier-free standards. The Passive House standard increases the comfort of the units through improved indoor air quality, temperature control, and decreased noise transfer, all with minimal utility costs transferred to the tenant.

INDWELL SELECTED PROJECTS:



**McQuesten Lofts,
Hamilton, 2021**

Indwell’s most recent building. 50 affordable apartments, very similar to what the proposed units will look like, amenity space, and a Hamilton Public Library branch on the ground floor. Built to Passive House standards.





North End Landing, Hamilton, 2021

Indwell's first church/affordable housing mixed-use housing development. 45 units on 3 storeys above church space and a church sanctuary. Built to Passive House standards.





Blossom Park Redevelopment, Woodstock (2019)

Indwell's first new construction Passive Housing project, completed in June 2019. The building replaced an existing group home to offer tenants a full one-bedroom apartment suite and access to ample community and program space. The build features 34 one-bedroom apartments at 33m².



RUDY HULST COMMONS, Hamilton (2016)

At 1430 Main Street East, Hamilton, this is an in-fill project on a remediated former auto dealership, with 47 one and two-bedroom apartments on five floors above ground-floor commercial that includes Indwell's head office. In 2017, Rudy Hulst Commons won the City of Hamilton Urban Design and Architecture Award for mixed use construction.


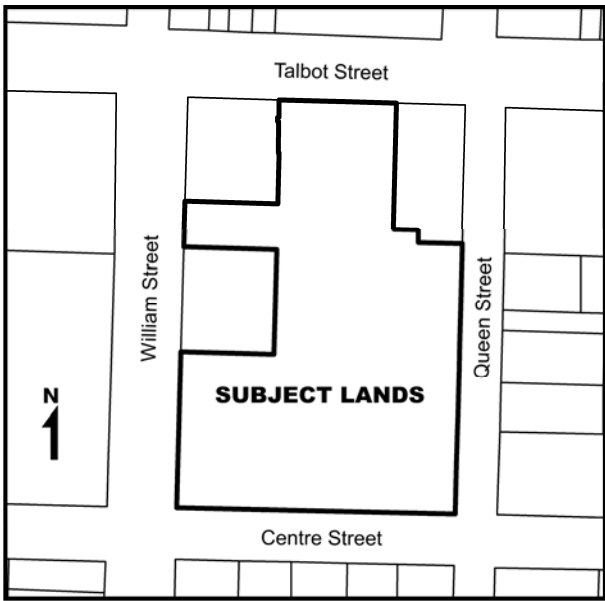




HARVEY WOODS LOFTS, Woodstock (2015 & 2017)

At 18 Vansittart Avenue, Woodstock. Phase 1 converted a 50,000ft² knitting mill into 54 one-bedroom apartments with an atrium for community events, community kitchen, and other amenities. This project opened August 2015. Phase 2 opened in 2017, adding an additional 26 units. In 2018, Harvey Woods won a Canadian Green Building Award for Existing Upgrade.



 <p>The Corporation of the City of St. Thomas</p>	<p>Report No.: COA03-2021</p>
	<p>Applicant: Corporation of the City of St. Thomas</p>
<p>Members of the Committee of Adjustment</p>	<p>Report Date: March 11, 2021 Meeting Date: March 25, 2021</p>
<p>Location: 10-20 Queen Street, City of St. Thomas</p>	
<p>Subject: Request for a minor variance pursuant to 45(1) of the Planning Act, R.S.O, as amended</p>	
<p>Department: Planning and Building Services Department Prepared by: Steve Craig, Senior Planning Technician</p>	<p>Attachments: Location Plan, Aerial Photograph</p>
<p>Recommendation:</p>	
<p>That: Report COA03-2021 be received.</p>	
<p>BACKGROUND: In cooperation with the Corporation of the City of St. Thomas Indwell is proposing to develop a four storey building on part of the subject lands, consisting of 45 one-bedroom apartment units and a new fire station, as shown on the plans accompanying the subject application.</p> <p>MINOR VARIANCE(s):</p> <p>(i) To permit zero (0) off-street loading spaces on the subject lands, whereas Subsection 4.3.4 of the City of St. Thomas Zoning By-law requires a minimum of one (1) off-street loading space for a building or structure with a ground floor area greater than 450sqm, in a commercial zone.</p> <p>(ii) To permit a minimum floor area of 35sqm for a one-bedroom apartment unit, whereas Subsection 12.3.5 of the City of St. Thomas Zoning By-law requires a minimum floor area of 42sqm for a one-bedroom apartment.</p>	<p>Location Plan:</p> 
<p>OFFICIAL PLAN:</p> <ul style="list-style-type: none"> The subject lands are in the Talbot West designation as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas, permitted uses include residential uses and public uses (5.3.2.3.1). Council will attempt to ensure that there is an adequate provision of a variety of dwelling and tenure types at affordable prices in St. Thomas (6.2.1). The City shall encourage the provision of sufficient residential land and satisfy housing demands in terms of type, tenure, size, location and cost, taking into account household size and income of new households (6.2.2). The City where deemed appropriate shall consider the use of alternate cost-effective development standards for new residential development/redevelopment to minimize land consumption, reduce servicing costs and lower the cost of housing (6.2.12). The City will support programs that meet the most pressing of housing requirements. The City may encourage and assist non-profit housing corporations such as private, community, church, labour, and service clubs that provide housing for low- and moderate-income groups (6.2.14). The City shall encourage the development of non-profit housing by cooperative and private non-profit housing corporations (6.2.17). Council shall recognize the requirements of special needs groups throughout the City and encourage infilling and intensification activity to provide appropriate housing for special needs groups (6.2.19). Adequate fire and police protection will be provided to accommodate increased population or development. Reciprocal service arrangements with outside agencies to improve service will be supported (9.4.1). 	
<p>ZONING BY-LAW:</p> <ul style="list-style-type: none"> The subject lands are in the Downtown Talbot West Commercial Zone (C1) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended (Section 12). Permitted uses of the C1 zone include residential uses (12.1(m)) subject to the provisions of 12.3. Minimum number of dwelling units, 75 units per hectare (12.3.3) Proposed 167 units per hectare. Maximum number of dwelling units, 250 units per hectare (12.3.4). Proposed 167 units per hectare. 	

- Minimum floor area of one-bedroom dwelling unit 42sqm (12.3.5). Proposed floor area(s) twenty units - 35sqm, fourteen units - 36sqm, three units - 38sqm, two units - 43sqm, three units - 46sqm and three units - 51sqm (3 units).
- Minimum side yard depth 0m (12.5.1.1). Proposed south side yard depth - 1.8m and proposed north side yard depth - 3.7m.
- Minimum rear yard depth 0m (12.5.1.2). Proposed rear yard depth 27.5m.
- Maximum building height 45m (12.5.1.3). Proposed building height 14m.
- In commercial zones one (1) off-street loading space shall be provided on the lot for a building or structure with a ground floor area greater than 450sqm (4.3.4). Proposed 0 off-street loading spaces.
- A public authority may erect any building or structure for any public service use, carried on by it in any zone (4.1.7.2). Public Authority includes the Corporation of the City of St. Thomas (1.88). The proposed fire station is considered a public service use.

Provincial Policy Statement (PPS) 2020:

- Healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (1.1.1b).
- Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - (a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans (1.4.3a);
 - (b) permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities (1.4.3(b)1) and permitting and facilitating all types of residential intensification (1.4.3(b)2).
- In staff's opinion the proposed variances and development are consistent with the Provincial Policy Statement.



LEGISLATIVE FRAMEWORK FOR A MINOR VARIANCE:

In considering this application, the Committee must have regard to the following criteria and determine whether:

- The general intent and purpose of the Official Plan will be maintained;
- The general intent and purpose of the Zoning By-Law will be maintained;
- The variance is desirable for the appropriate development or use of the land, building or structure; and
- The variance is minor in nature.

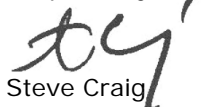
INDWELL:

- Indwell is a registered Canadian charity that creates affordable housing communities that support people seeking health, wellness and belonging. Indwell specializes in designing permanent affordable housing communities that combine efficient apartment layouts with a variety of interior and exterior multi-use spaces.
- In cooperation with the Corporation of the City of St. Thomas Indwell is proposing to develop a four storey building on part of the subject lands, consisting of 45 one-bedroom apartment dwelling units, including 8 barrier free units and a new fire station to serve the residents of the City of St. Thomas.

COMMENTS:

- The Zoning By-law regulates the floor area for dwelling units in apartment dwellings to ensure that sufficient floor area is provided to support an independent dwelling unit. A dwelling unit is defined in the Zoning By-law as one or more habitable rooms occupied or designed to be occupied by one or more persons as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or persons.
- Indwell are proposing 37 one-bedroom apartment dwelling units, with floor areas ranging from 35sqm-38sqm, the units are designed for affordability and livability and the unit areas contribute to energy efficiency and reduced costs.
- The proposed 35sqm-38sqm one-bedroom apartment dwelling units exceed the minimum 28sqm floor area requirement for a bachelor apartment dwelling unit in the Downtown Talbot West Commercial Zone (C1). A bachelor apartment dwelling unit is one common room, which includes an area for sleeping accommodation.
- The proposed one-bedroom dwelling units include a fully functional kitchen, living room, three-piece bathroom, storage closets and a separate bedroom for sleeping accommodation. The ground floor area of the apartment dwelling will include multi-use amenity space for tenants, guests, and staff, which includes laundry facilities, medical services, common meeting areas, restroom facilities, and a secure bicycle storage area.
- The Downtown Talbot West Commercial Zone (C1) does not regulate off-street parking or lot coverage, however, to improve site functionality and tenant experience Indwell has integrated off-street parking, including barrier free parking and outdoor amenity area for tenants, guests, and staff.
- Indwell has provided supporting documentation in the form of a Residential Unit Floor Area Study. Staff reviewed the document and are of the opinion that the proposed variance meets the general intent and purpose of the Official Plan, Zoning By-law, is minor in nature, and is desirable and appropriate for the use of the subject lands.
- A minor variance has also been requested to deal with the one (1) off-street loading space requirement in the Zoning By-law, as no commercial development is proposed. In Staff's opinion an off-street loading space is not required for the subject development and the proposed variance meets the general intent and purpose of the Official Plan, Zoning By-law, is minor in nature, and is desirable and appropriate for the use of the subject lands.
- Pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended the development of the subject lands is subject to the site plan control approval process.
- In Staff's opinion the proposed variances satisfy the four tests, as set out in Section 45 of the Planning Act. Therefore, planning staff recommend that minor variance application COA03-2021 be approved.
- Should the Committee of Adjustment approve Minor Variance Application COA03-2021, the decision should reflect that the Committee is approving zero (0) off-street loading spaces and a minimum floor area of 35sqm for one-bedroom apartment dwelling units.

Respectfully submitted,



Steve Craig
Senior Planning Technician