



## Town of Minto

DATE: June 16, 2016

TO: Mayor Bridge and Members of Council

FROM: Bill White C.A.O. Clerk, Terry Kuipers Chief Building Official

RE: Zoning Amendment Update, Metzger, George St. Townhouses

### **STRATEGIC PLAN**

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

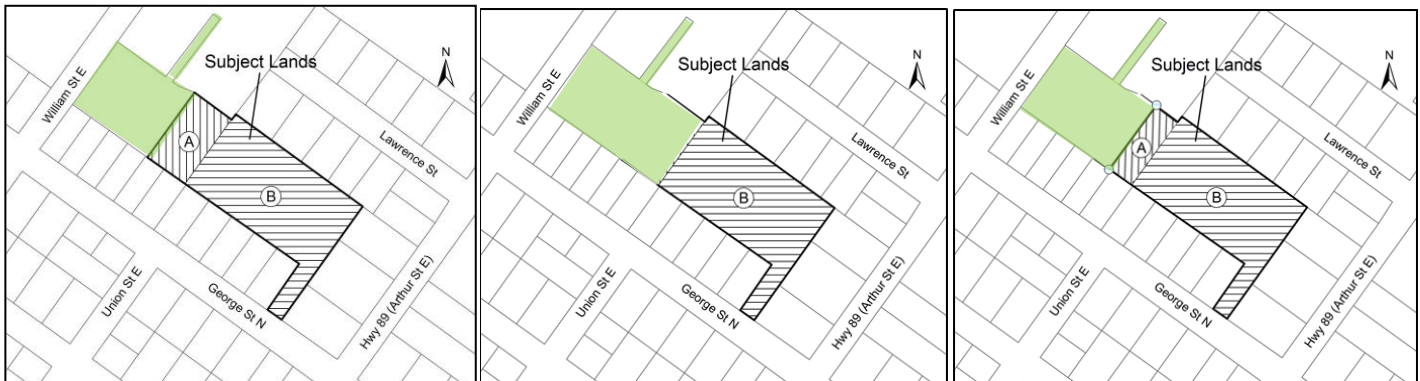
### **BACKGROUND**

At the June 7 public meeting Council had feedback on the proposed Zoning Amendment that affects lands labelled A and B differently (see map labelled Original Proposal below). The land shown as A is part of a 1.45 acre parcel of Town owned land set to accommodate a combined park and storm pond. The amendment would rezone these lands from Open Space (OS) to Residential Exception Zone (R2-46). On the lands shown as B, the amendment is to allow relief from the required rear yard setback and distance between buildings. The impact of the original proposal is to allow 23 Townhouses on the lands labelled as A and B. Option #1 and Option #2 to be considered are shown in similar maps.

**Original Proposal**

**Option #1**

**Option #2**



Option #1 allows no development on Town owned parkland. The zoning amendment would only change setback requirements on the applicant's own lands and would likely reduce total possible townhouse units to about 19 unless units were made smaller or garages eliminated. The County has prepared a rezoning by-law to implement Option #1.

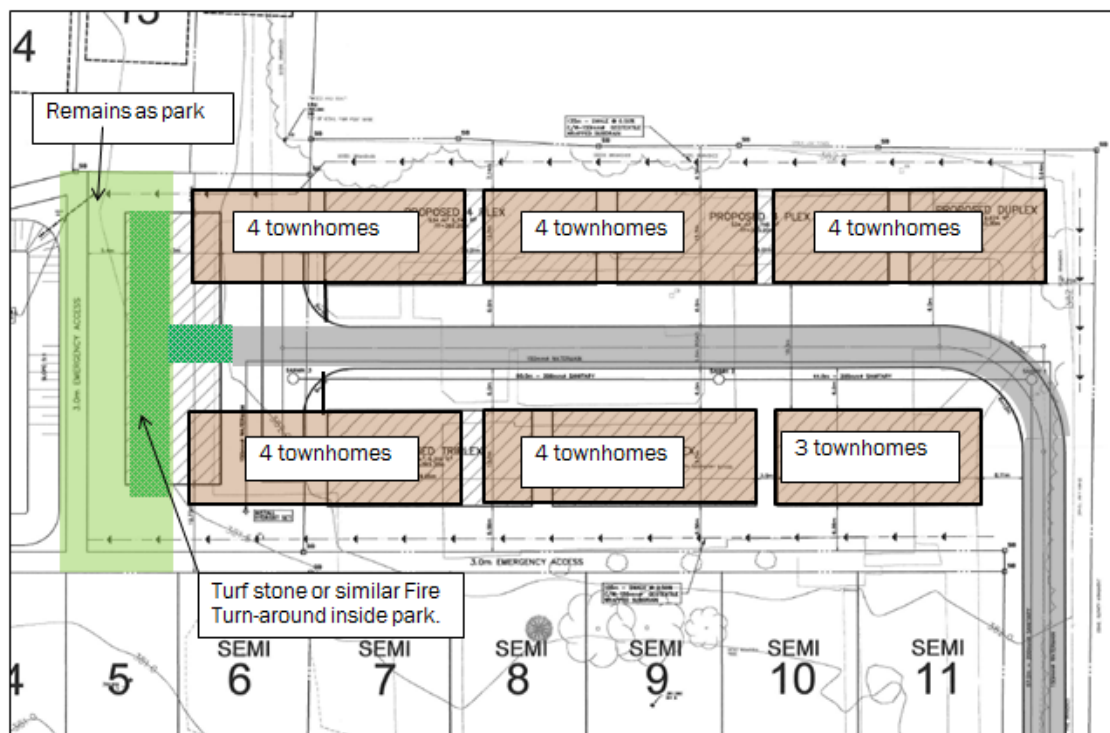
Option #2 illustrates a revised concept plan which would require +0.08 ha less Town owned land than the original proposal. Option #2 would allow a 23 unit townhouse development with the firetruck turnaround being constructed of turf stone on the edge of the Town owned lands. If Council accepts Option #2 the overall park and pond size would be changed from 1.45 acres (0.586 ha) to 1.247 acres (0.5047 ha). The County has prepared a rezoning by-law to implement Option #2.

The applicant's engineer has submitted a Storm Water Management Design Brief for the subject lands and nearby parcels of land. This brief is being reviewed by Town staff and has

been sent to the Maitland Valley Conservation Authority for comment. The engineer confirms the pond as designed can address stormwater from the subject lands, the back of the lots fronting on George Street and surface water from Lawrence Street. Future development of the “Litt lands” on the opposite side of William Street can also be accommodated in the pond. The combined park and pond is over one acre in size.

## **COMMENTS**

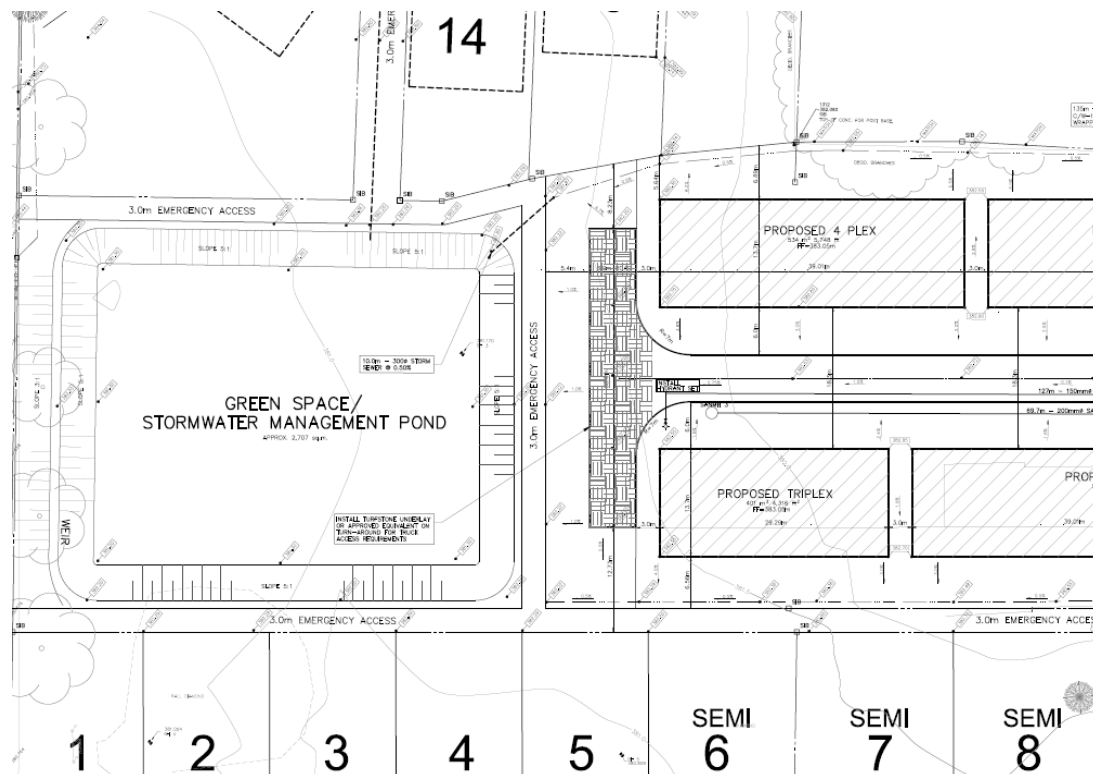
The minutes of the public meeting are included in the agenda package. Council heard feedback from a number of neighbours in writing and verbally. As a result of the concern the applicant’s reconsidered the layout and met with the C.A.O. Clerk and Chief Building Official Tuesday June 14. A notice of further proceedings was mailed to property owners on Wednesday June 15 with the following sketch included generally showing the new proposal.



The following points of clarification are outlined for Council in response to some concerns:

- The Chief Building Official issued a stop work order when footings were illegally installed.
- Grading work on the site including the Town owned pond is required in the July 1, 2013 Site Servicing Agreement in which the Developers must rough grade, contour, bring to finished grade and seed the pond and park at their cost. Work completed to date is not accepted and any re-contouring is at the Developer’s cost.
- There was not (and still is not) a verbal, written or implied agreement between the Town and developer to sell any part of the park and pond. If Council approves Option #2 terms of the sale of the land must be negotiated. The land cannot be sold without following the Town disposition of land by-law which includes a public notice of sale.
- If Council rezones the lands to permit the development the owner(s) will be required to sign a new development agreement with the Town. This agreement will secure site plan requirements for the townhouse development such as grading, drainage, paving, landscaping, fire safety, lighting, garbage, recycling, water and sewer installation etc. This agreement must be signed before a building permit can be issued.

- The turfstone hammerhead is only be used if an emergency vehicle must turn around. It will be designed to bear the weight of a fire truck but allow grass to grow through and be maintained like any other lawn area. The Town will maintain the pond and park including the turfstone area. The applicant would be permitted to store snow in that location as the pond design will prevent run-off on to adjoining lands
- The revised design removes building from behind 50 George Street (Lot 5) and changes the building face that would have been directed toward newer homes to the north.



- The development of one family and semi-detached lots on George Street has proceeded according to protocols agreed upon between the Chief Building Official and the Maitland Valley Conservation Authority. The emergency access grade must be set to meet grades of new homes and the townhouses as units are built and occupied.
- The park is still over one acre which was the minimum size proposed during earlier discussion of the development.
- Property value and tenure (rental vs condo) are not relevant to the land use issue. Larger one story units with garages suit senior aged clients, but may not be exclusive to them.
- If there is concern about parkland lost to Option #2 a further compromise between #1 and Option #2 would require at least 2 fewer units, smaller units or no garages.

The original proposal, Option #1 and Option #2 result in well planned development making reasonable use of lands. Council must decide if it is in the community's best interest to add any part of the Town owned land to the townhouse site to permit 23 larger units with garages next to a slightly smaller park.

### **RECOMMENDATION**

That Council receives the C.A.O Clerk and Chief Building Official June 16 report Zoning Amendment Update, Metzger, George St. Townhouses and considers adopting the rezoning by-law to implement Option #2 as outlined in the County Staff report.