

COMMUNICATION 132100

Received From: Niki Dwyer, MCIP RPP, Director of Development Services
Addressed To: Committee of the Whole
Date: August 10, 2021
Topic: Taber Street – Block 4 Townhome Proposal (DP3-01-21)

BACKGROUND:

Purpose and Effect:

The applicant (Cavanagh Developments Ltd.) has submitted an application for a Class 3 Development Permit for the property known municipally as Block 4, 27M-97 on Taber Street in the Jackson Ridge Subdivision.

The proposal seeks to recognize seven (7) townhomes fronting on a private road with the following variations to the provisions prescribed for a “townhouse dwelling”:

- A reduction in Lot Frontage from 5.5m to 4.6m;
- A reduction in Rear Yard Depth from 6.5m to 6.0m;
- A reduction in Usable Landscaped Open Space in the rear yard from 30m² to 27.6m².
- An increase in the Maximum Front Yard setback from 7.5m to 8.03m;

The premise of the proposal’s configuration stems from the basis that all seven (7) townhomes would be recognized with frontage on a private lane. Section 3.16 of the Development Permit By-law prescribes that:

“No person shall erect any building or structure in any designation unless the lot upon which such building or structure is to be erected has sufficient frontage on a public road or street maintained year round, as per the requirements of the applicable designation.

Notwithstanding the foregoing, buildings or structures may be erected on privately maintained access ways by means of a condominium application and approval.

Development and/or redevelopment on privately maintained access roads shall be subject to a legal and binding agreement which shall address ownership and maintenance. ...”

The applicant’s submission forms indicated that the seven (7) townhome units were to be subject to further subdivision: *“Division of units are proposed to be completed through Part Lot Control and a Common Elements Condominium”*. Staff had previously noted in the pre-consultation record that a plan of condominium would be required if the lands were to be subdivided for separate ownership.

Through the circulation and revision of the file, the applicant has noted that they no longer intend to file a condominium application, but rather seek to partition the lots by Part Lot Control and register a “Joint Use and Maintenance Agreement” on the property regarding shared services.

Description of the Subject Lands

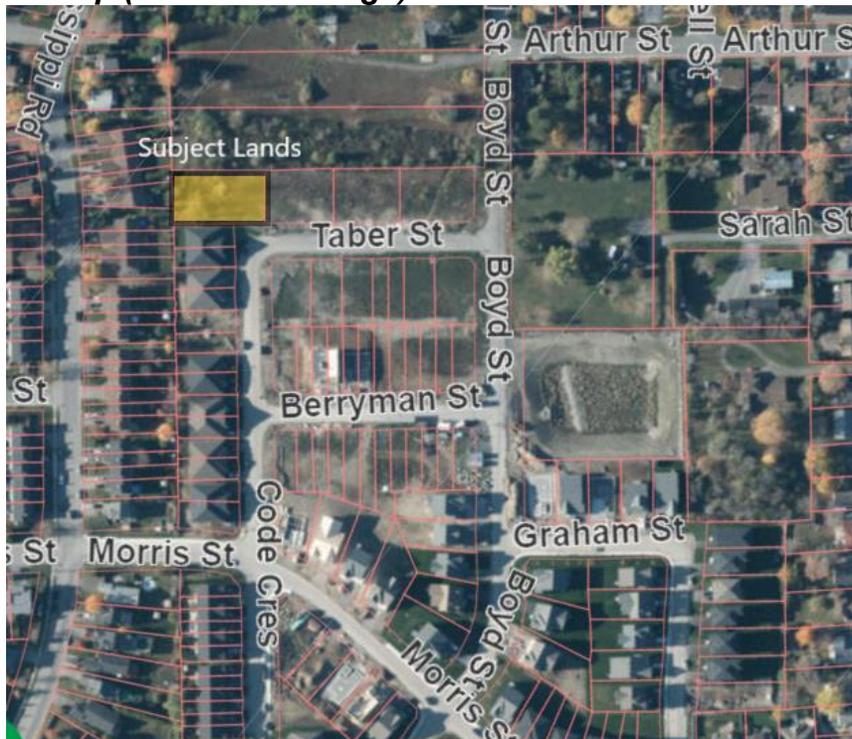
The subject lands are located in the northwest corner of the Jackson Ridge Subdivision. The lands are part of a four-block plan of subdivision on the north side of Taber Street, and this particular block is located at the intersection of Taber Street and Matthew Street.

The site is approximately 1,223.33m² with a frontage on Taber Street of 15.61m.

The lands to the west, east and south of the site are presently developed as bungalow and two-storey townhomes, semi-detached and single detached dwellings. The lands to the north of the site are vacant and designated “Residential” in the Official Plan and Development Permit By-law.

The subject lands are the last vacant parcel within the Jackson Ridge Subdivision and as such as subject to the overall grading, drainage and servicing plans of the larger neighbourhood. The applicant has pre-emptively filed an Environmental Compliance Approval for the extension of the watermain into the subject lands.

Figure 1 – Context Map (2019 aerial image):



COMMENT

Evaluation

Provincial Policy Statement (PPS) (2020)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As per Section 3(5)(a) of the Planning Act, R.S.O. 1990, all planning decisions must be consistent with the PPS.

The PPS encourages municipalities to manage and direct land use activities in healthy, livable and safe communities by promoting efficient development patterns and accommodate an appropriate range and mix of land uses within the settlement area (Policy 1.1.3.2).

Healthy livable communities in Settlement Areas will be proposed through appropriate development standards which facilitate intensification and redevelopment while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4). Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, *based on local conditions* (Policy 1.1.3.5).

Planning authorities shall also provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs by permitting and facilitating all types of residential intensification (Policy 1.4.3b2). These intensification developments should be directed to locations where appropriate infrastructure is available to support the projected needs of the development to promote the most efficient use of services and resources (Policy 1.4.3c).

County of Lanark Sustainable Communities Official Plan

The County Official Plan delineates the Town of Carleton Place as a Settlement Area. Section 2.3, Settlement Area Policies, encourages efficient development patterns in Settlement Areas to optimize the use of land, resources, infrastructure and public service facilities. Further, the plan states that local land use policies shall be further elaborated in local Official Plans (Town of Carleton Place Official Plan).

Local land use policies shall provide for mixed use development including residential, commercial, employment lands, parks and open space and institutional uses are in areas designated as a settlement area in local Official Plans.

Official Plan (2015)

The Carleton Place Official Plan (OP) was established to achieve a vision of measured and balanced growth within the community. At the time the OP was written in 2011, the document noted that the community had experienced a steady increase in growth over the past 10 years and established provisions to continue to ensure that future development similarly represented the Town's cultural and natural heritage and "unparalleled quality of life" (Policy 1.3). Like any good local municipal Official Plan, the Town envisioned a type of development that was unique to the character and charm of small-town rural life. This statement was further supported through the OP's guiding principals which included the following statements:

- 1. We will continue to value and preserve our built heritage and our small town character as we provide for appropriate development to generate residential... opportunities...*
- 2. We will ensure that growth and development occurs through sustainable and economically viable land use development patterns which will include a broad range of uses and a balanced mix of appropriate residential densities. (Policy 1.3)*

These value statements emphasize that the Town wishes to grow in a way which is reflective of the existing built landscape while offering opportunities for growth and infill in a manner which does not simply duplicate the development models of suburban expansion exhibited in other communities. The reoccurring use of the words “small town character”, “appropriate residential densities” and “balanced mix/growth” are themes which can be found throughout the Official Plan.

This fundamental principal of preservation of the existing Town’s identity and culture is again stressed through the “Planning Context” in Policy 1.4 which specifically identified a form over function framework for new development which is carried throughout both the Official Plan and the Development Permit By-law.

When introduced more specifically in Policy 2 “Community Design Framework”, the basis for the policy’s application is identified as a framework which places “*vital importance that on-going changes to the built form be undertaken through high quality developments that are integrated with the surrounding community*” (Policy 2.1). The objectives further provide that “high quality design of the built form” should reflect the Town’s heritage, and that this principal be applicable to “the entire municipality” (Policy 2.2).

At implementation, new development and re-development shall enhance the image of the Town by complimenting and contributing to:

- 1) *The character of the area*
- 2) *Local landmarks;*
- 3) *The consistency and continuity of the area with its surroundings;*
- 4) *The edges of the area; and*
- 5) *Linkages within, to and from the area.*

Additional design policies specifically listed include:

- The establishment of pedestrian scales by creating continuous horizontal faces, repetition of landscaping features, and using familiar sized architectural elements;
- Be complementary to adjacent development in terms of overall massing, orientation and setbacks,
- Maintain and enhance valued historic development patterns

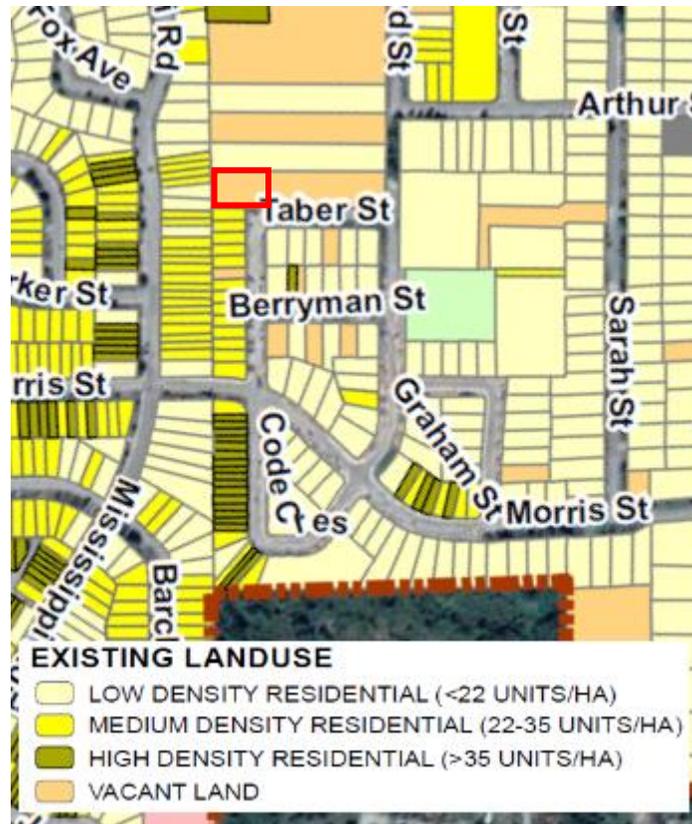
These principals will be measured against the design through the compatibility analysis below. The Official Plan identifies the subject lands as “Residential”. The intent of the designation is to be the focus of most of the housing development within the Town of Carleton Place through the provision of a broad range of housing types and densities in the diverse residential neighbourhoods (Policy 3.5.1).

The Residential area is intended to achieve a density range of 26 to 34 units per net hectare calculated on a site-by-site basis (Policy 3.5.4).

In the case of the application proposal, the lot area is approximately 0.122 hectares with a proposed gross density of 57 units per hectare and meets the classification of a “high density”

development in accordance with Policy 3.5.4.4. A comparison of density ranges on adjacent sites is provided for reference.

Figure 2 – Land Use Densities¹:



“High Density” development classified in Policy 3.5.4.4 is specified to include “apartments in excess of 35 units per net ha”. In contrast, “Medium Density” develops are considered to include “town or row houses and apartments in a range of greater than 22 units per net ha up to a maximum of 35 units per net ha.”

The plan provides that new medium or high-density residential development shall be subject to the following criteria:

- *The proposed design of the residential development is compatible in scale with the character of surrounding uses;*

The surrounding land uses include a range of single, semi and street facing townhome dwellings. The units are single story and two-story dwellings with “clusters” of higher density townhomes concentrated around Code Crescent. All of the dwellings within the subdivision maintain sufficient setbacks and coverage in accordance with the Development Permit By-law and each is oriented to face the street.

¹ Map source: Comprehensive Review Land Needs Background Report, March 2021. JL Richards and Associates.

The existing dwellings vary in architectural style but generally feature large landings and front porches which have created usable spaces for residents to sit and interact with neighbours, which is particularly evident on weekends. Traditional models of homes in the neighbourhood feature hipped or gable end roofs with additional symmetrical gable end features anchored by a modern bargeboard or accented with shakes. This feature provides the dwellings with a weighted dominance over the entrance of the dwelling and draws emphasis away from the garage.

Alternatively, the more modern architectural style features a strong horizontal banding between the first and second stories of the dwellings with heavy anchoring by masonry on the first floor and part way up the second floor and lighter stuccoing on the top 1/3 of the building. These proportions similarly emphasize a low profile for the dwellings. It is also noted that the designs tend to favour projecting façade walls which create a rhythm and syncopation to the streetscape.

Figure 3 – Examples of existing facades



Townhouse Model – Code Crescent



Two Story Single Model – Boyd Street



Bungalow Semi-detached Model – Matthew Street



Two Story Semi-detached Model – Berryman Street

In contrast, the proposed built form of this development application will include a 3-story walk-up style townhouse where the first level of the dwelling is composed of a garage and staircase. The dwellings' front entrance is elevated $\frac{1}{2}$ story off the first floor and is serviced by a small front step with a flat projecting "awning" over the platform. The façade features vertically emphasized window profiles, and the narrow front door is similarly accented vertically by two clerestory windows (one on each side of the awning).

While the design does include vertical banding and a mixing of masonry materials between each of the three (3) stories, the large continuous façade front does not compensate for the previously mentioned vertical features. Additionally, when included on the two-unit design, the massing of the building is even more vertically emphasized. The hipped roof line of the dwellings similarly run uninterrupted by dormers or varied peaks.

Figure 4– Front Elevations



3 STOREY SEMI DETACHED - 2020



3 STOREY TOWNS - 2020

Due to the configuration of the block of land, the majority of the dwellings will be oriented to front on the interior private road, and the two-unit block will be set back 8.03m from the front property line, exceeding the maximum front yard setback of 7.5m.

It is also noted that due to the minimized widths of the townhomes, the designated snow areas and the presence of the ½ story staircases, there is no room for the planting of trees in the front yard (with the exception of one (1) street tree located on the southeastern corner of the site). While the presence of street trees may have been used to buffer or conceal the

massing of the buildings from the public space, there does not appear to be sufficient room to plant sizable trees.

The proponent has provided several visual illustrations to demonstrate the property's compatibility in relation to the neighbourhood (see Appendix A).

- *The site is physically suited to accommodate the proposed development;*

The development proposal requires several variations to the Development Permit By-law in order to proceed. These include:

- Front yard setback increases
- Rear yard setback reductions
- Lot Frontage reductions
- Rear Yard Open Space Reductions.

The site as proposed also cannot be serviced by municipal snow removal or garbage collection through the development configuration as there is insufficient width in the private road. In discussions with the applicant, various proposal for garbage collection were suggested including:

1. Private consolidated dumpster storage at the rear of the driveway.
 - a. This was ruled out as the end of the driveway is required for snow storage
2. Public curbside collection on Taber Street.
 - a. This was ruled out as there was insufficient area to identify a location for all of the cans and recycling containers that did not obstruct the driveway.
3. Public driveway pick up from each unit.
 - a. This was ruled out as there was insufficient driveway width and no turnaround for the truck.

The applicant has indicated that they will proceed with private services to be arranged and managed through the "Joint Use and maintenance Agreement" at an additional cost to the property owners. Snow removal will similarly be managed privately with the potential need for removal of snow from the site in exceptional snow events.

The Fire Department has noted concerns regarding the ease of access to the units in the case that suppression is required. While the site does meet the minimum distance requirements from the closest hydrant, the Department is concerned that the service may not be able to respond with the same degree of service as they would if a truck had access to the front of the dwelling.

- *The proposed site can be serviced with adequate water and wastewater services;*

The proponent has demonstrated through the provision of a Servicing Brief that adequate water and wastewater capacity exists to service the development. As a watermain extension is required to service the 5-unit townhome block, an Environmental Compliance Approval is required by the Ministry of Environment. Both the water and sanitary mains will be private

assets after they leave the municipal road allowance. The cost of maintenance and replacement shall be the responsibility of the shared property owners and should be identified through a Condominium Agreement.

Stormwater will be managed through rear yard swales and catch basins which will be directed to the storm pond on Boyd Street.

- *The property shall have appropriate access to an arterial or collector road maintained to a municipal standard with capacity to accommodate traffic generated from the site;*

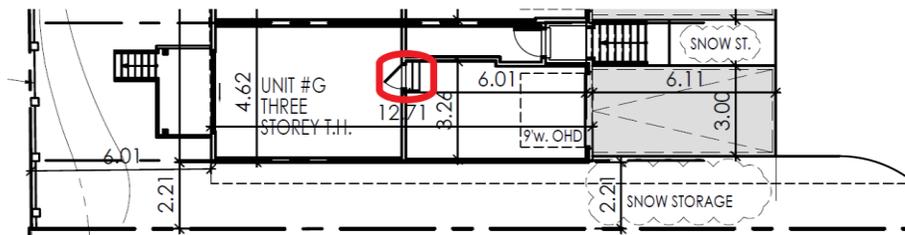
The subject lands are located on Taber Street, a municipally maintained local road. The nearest arterial or collector road is Mississippi Road, a travel distance of approximately 250m. The original subdivision approval for the Taber Street lands was supported with a traffic assessment supporting four townhome units on Block 4 and a total of 19 units across the subdivided parcels. The applicant has provided a supplemental Traffic Brief indicating that the volume of traffic generated by the additional three (3) units does not cause adverse impacts to the capacity of Matthew or Taber Street.

- *Sufficient off-street parking facilities is provided in accordance with the standards set out in the Development Permit By-law;*

The development is required to provide two (2) parking spaces per dwelling. The spaces must be a minimum unobstructed size of 2.75m by 6.0m. The proponent has indicated that the spaces will be provided as tandem parking in the garage and driveway. No supplemental visitor parking is required to be provided and staff note that the private road will be required to be marked as a fire lane and must be unobstructed.

In reviewing the final submitted floor plan package, staff noted the addition of a set of stairs in the garage which may obstruct the clearance length for the vehicle. It is possible that at time of building permit review the final elevations for the entrance will require an encroachment and will result in the requirement for cash-in-lieu of parking for one (1) of the spaces to compensate for the loss of sufficient parking.

Figure 5 – Garage Floorplan



- *The development can take place in accordance with the policies of Section 2.0.*

As noted above, there are several specific policies pertaining to the Community Design Framework which merit review in this application.

Does the proposal compliment and contribute to the character of the area, local landmarks, consistency and continuity of the area, edges of the area and linkages within and to and from the area?

In a lot of ways this policy is of greater consideration in the review of a comprehensive neighbourhood design. However, as a component of the large neighbourhood, the proposed three-story towns could have been a viable built form option in a more prominent location in the subdivision and used as a focal point for the neighbourhood. In combination with larger public open spaces adjacent to the stormwater pond/parkette or at the gateway into the neighbourhood on a wider public street (i.e. Morris Street), the dominant massing of the structures could have been balanced by the additional public space.

Instead, tucked away into the rear corner of the development, the proposal presents as an afterthought that does not have regard for the context of the wider community.

Does the proposal establish a pedestrian scale to compliment the neighbourhood?

The Community Design Framework establishes specific parameters for what a pedestrian scale to compliment the neighbourhood would include. Specifically, continuous horizontal facades, repetition of the landscaping and familiar architectural massing are encouraged to create harmonious and relatable spaces.

The proposed design proposes a single block of two (2) units fronting on the street which are situated further back from the established building line of the street by virtue of the required private driveway entrance. The remaining units are similarly set back further than the established building line of Matthew Street. Visible from the street will be a dominance of asphalt and hard surface as both the standard driveways and the additional private road will dominate the centre of the site. This car-oriented configuration does not contribute to creating a pedestrian favoured place.

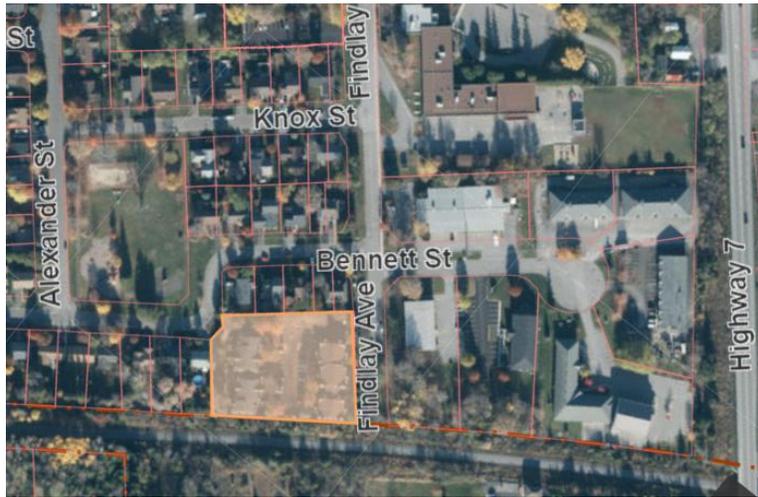
Does the proposed development complement the massing, orientation and setbacks of the adjacent development?

As noted above, the proposal breaks the rhythm of the orientation of the dwellings in the established neighbourhood, does not conform to the setbacks prescribed in the by-law (or exhibited by adjacent properties) and represents both a larger massing in terms of height and the number of dwelling units in a continual row (5).

Does the proposal maintain and enhance the historic development pattern of the Town?

While there are a handful of private road developments in Town, the vast majority of the developments continue to exhibit strong street facing orientation with additional units in the depth of the site. The only example of a similar proposal that staff could find to the proposed infill is a 1980's development at 85 Findlay Avenue which acts to buffer the adjacent lower density residential units from the "Business Park" and former Railway lands. Generally speaking, this configuration is not consistent with the historic development pattern of the Town which is dominated by connected and planned municipal streets. It is also noted that 85 Findlay Avenue was developed through a Plan of Condominium.

Figure 6 – 85 Findlay Ave



Finally, staff has considered the potential for this development to fulfill the Town's mandate to provide an affordable market housing product in accordance with Policy 6.21.1. When asked to provide details regarding the proposal's ability to contribute to the affordable housing market, the proponent provided the following statement:

"Housing affordability, including housing considered market affordable on the affordability spectrum, is of critical importance to both the builder and the Town of Carleton Place. This application proposes smaller building footprints to accommodate 7 units, which will result in the same density range as that approved for Blocks 1, 2, and 3. The proposed development will be much more affordable for home buyers than a lower number of units with larger building footprints."

Without additional information regarding the cost benefits of the dwellings as smaller models or long-term implications of additional costs associated with the "Joint Use and Maintenance Agreements" staff are not of the opinion that the proposal could be considered to be an "affordable housing" product per the targets outlined in the OP.

Overall staff conclude that the proposed development is inconsistent with the intent of the Carleton Place Official Plan and while efforts have been made to manage the internal potential

impacts of the development through private agreements, the development has not demonstrated how it contributes to enhancing the neighbourhood.

Town of Carleton Place Development Permit By-law

This property is designated “Residential” in the Development Permit By-law. The purpose of the designation is to provide an array of residential uses ranging from single detached dwellings to four-storey apartment dwellings.

Provision	Required	Proposed
Lot Area (min)	Nil	1,223.33m ²
Lot Coverage (max)	60%	33.53%
Lot Frontage (min)	5.5m	4.6m*
Front Yard Build Within Area	4.5m (min) 7.5m (max)	8.03m*
Exterior Side Yard Build Within Area	4.5m (min) 7.5m (max)	N/A
Interior Side Yard (min)	1.5m	1.5m
Rear Yard (min)	6.5m	6.0m*
Usable Landscaped Open Space in the Rear Yard (min)	30.0m ²	27.6m²
Height (max)	11.0m	11.0m
Parking Spaces (min)	2 spaces / unit	2 spaces / unit * TBD

As noted in the compatibility analysis, staff do not believe that the variations requested are appropriate or minor as they contribute to a development proposal which is inconsistent with the established neighbourhood. While each variation in isolation can be evaluated to be largely “minor” in its allowance, the compounding nature of the requests combined with the proposed aesthetic of the building is out of keeping with the intent of the policy.

PUBLIC CONSULTATION

The application has been circulated in accordance with the requirements of the Planning Act and Development Permit By-law. Notice was posted on site, circulated by mail to property owners within 120m of the subject lands and provided electronically to prescribed agencies.

The application was subject to two (2) additional circulations to commenting parties to assess each of the draft revisions of the design.

While a number of the technical comments and questions were addressed by the applicant, there are several overall comments resulting from the circulation which remain outstanding. The comments are summarized as follows:

- Waste storage and removal have not been addressed. Snow removal remains a concern, particularly in years when accumulation exceeds the limited on-site storage capacity. Parking for visitors is non-existent. The logistics for emergency services and egress in the event of a fire are concerning. Moreover, the sustainability of the shared-cost condominium

plan, with maintenance and services divided among only seven (7) homeowners presents problems that could undermine the affordability envisioned by smaller units as well as future management of the common assets.

- The lack of services nearby for the target occupants (young families) is also a concern. Where are the nine (9) children in the occupancy forecast supposed to play? There's no common green space outside of the proposed snow storage area.
- These buildings [should] look different and we need to have developers offer something to the people of Carleton Place such as a percentage of affordable housing - a-unit or two.
- The townhouses proposed to be built are very narrow and tall. This density is not consistent with the other residential units in this area. Three (3) stories high is also a full storey taller than the surrounding homes. The proposed changes to lot frontage, rear yard, etc. will again increase the density of these dwellings.

SUMMARY:

Staff has consistently advised the applicant through the review process that the proposal should be modified to include no more than five (5) units and a reduced profile to 2-storeys. The applicant has been made aware that staff cannot support the proposal as presented and will not be supportive of the application.

Having reviewed and assessed the proposed application, staff are unsatisfied that the proposal complies with the provisions of the Provincial Policy Statement 2020, conforms to the policies of the Official Plan and satisfies the applicable sections of Development Permit By-law 15-2015.

STAFF RECOMMENDATION

THAT the Committee deny Development Permit application DP3-01-2021 respecting the property known as Block 4 on 27M-97 located on Taber Street.

Appendix A – Visual Illustrations (provided by Applicant)



MATTHEW STREET - LOOKING NORTH



TABER STREET - LOOKING WEST



MISSISSIPPI ROAD - LOOKING NORTHEAST



MISSISSIPPI ROAD - LOOKING SOUTHEAST