

## APPLICATION BRIEFING

<b>Prepared For:</b>	Planning Advisory Committee
<b>Submitted by:</b>	Jason Fox, Director of Planning & Development
<b>Date:</b>	January 26, 2017
<b>Subject:</b>	Development Agreement application by Van Aardt Investments Limited to permit the development of a health care/institutional use at 63 Queen Street.

### Background

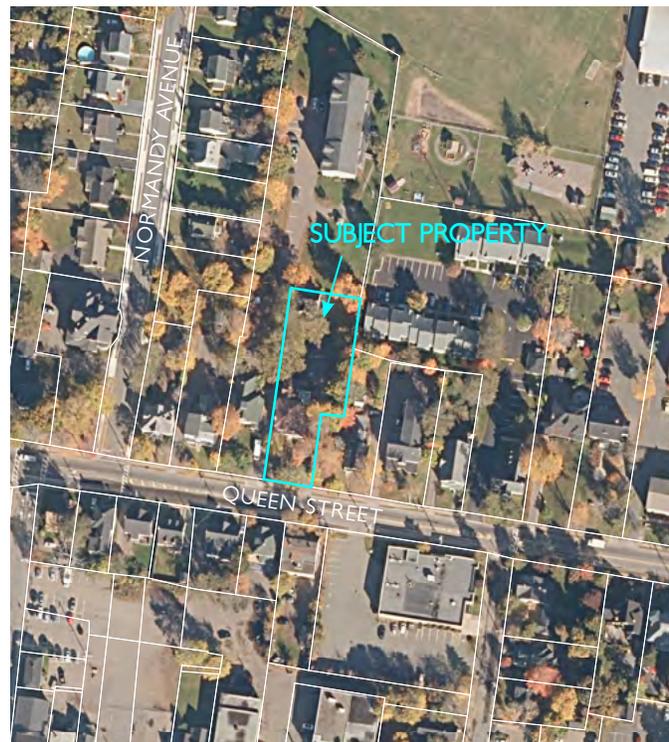
On January 17<sup>th</sup>, 2017, Van Aardt Investments Limited submitted an application to enter into a development agreement and thereby permit the development of an aesthetic medicine practice and two ancillary dwelling units at 63 Queen Street. The proposed development can be considered a “health care” use which falls under the broad heading of “Institutional Uses”.

### Subject Properties

The subject property is 63 Queen Street, also identified as PID no. 20361358. This parcel is 1909 m<sup>2</sup> (20548 ft<sup>2</sup>) in area and has 19.3 m (63 ft) of frontage on Queen Street. The property is currently developed and contains a two storey, two-unit converted dwelling and two accessory buildings. The main building, known as the William J. Kent House, was constructed in 1890 and it is a municipally designated heritage property. The property has been developed as a bed & breakfast with an accessory dwelling unit. The land is zoned Mixed Use Residential (R6) and is situated in the Downtown Residential Future Land Use Designation.

### Development Proposal

The proposed development consists of a medical practice/office & professional use occupying the main floor and most of the second floor of the existing main dwelling. The remainder of the second floor will be utilized as a 1-bedroom dwelling unit. The proposal also includes the creation of an accessory dwelling unit in the existing carriage house and the construction of a new three car garage. The dwelling units proposed for the carriage house and main building are ancillary to the main medical practice/office & professional use and are to be used as accommodations for medical professionals practicing or training in the main building. A site plan of the existing site conditions and the proposed development are shown on page 3 of this report.



Air Photo showing the subject property and surrounding area



Photo of the subject property looking northeast from Queen Street



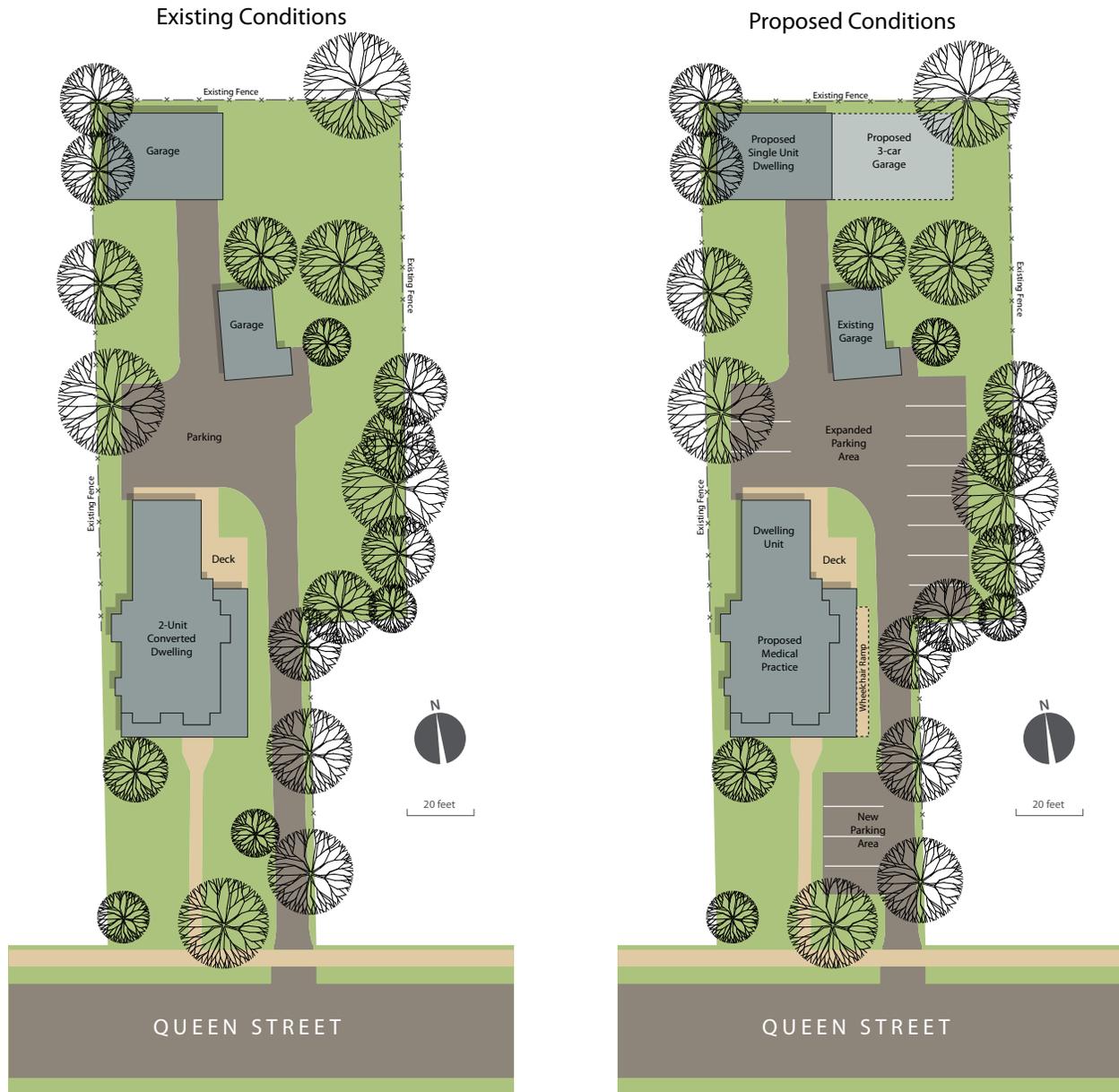
Photo of the rear yard of the subject property taken from the driveway and showing the two existing accessory buildings.

## Application Status

The proposed aesthetic medicine practice and ancillary dwellings can be considered a *Health Care* use. Health care uses are part of a broader use category called *Institutional Uses* which includes hospitals and medical centres. 63 Queen Street is zoned Mixed Use Residential (R6). Institutional uses (such as the proposed health care use) are permitted in the R6 Zone by development agreement in accordance with Municipal Planning Strategy Policy I-12.

Planning Staff have not completed a full analysis of the development application at this time. This report is preliminary and intended to provide the Planning Advisory Committee and members of the public with the necessary background to conduct an initial review of the proposal and provide feedback to the developer. The Committee is expected to review the proposal based on the applicable policies found in the Town's Planning Documents and provide direction to the developer on how the proposal could better conform to the Town's planning policies and objectives. A list of relevant policies is attached to this Application Briefing as Appendix A.

### 63 Queen Street Site Plan



The proposal is currently at Step 1 of the Town's development application review process. Once the Applicant has had an opportunity to present their proposal to the Committee and once the Committee has had an opportunity to provide their comments, the Applicant will indicate what, if any, changes or revisions will be made to the proposal. The proposal will then proceed to a second meeting of the Committee which will be advertised and intended to engage the public in the review process. Further revisions to the development proposal may be considered at that time based on public feedback at that meeting. Staff will then prepare a Staff Report and recommendation and Staff will conduct an on-line community survey. The results of this survey, along with the Staff Report, will be presented at a third meeting of the Committee. At the third meeting, the Committee will make its recommendation to Council and the application will proceed to a public hearing. Staff will present a Final Report and recommendation at that time.

The Committee also has the option of processing this application using the Standard (short) Application Process which would shorten the process by 1 month. Given that the subject property is situated in a mixed-use area in the downtown core, there is minimal potential for this proposal to generate land use conflict and Planning Staff do not anticipate a great deal of public interest in this application. Staff therefore believe that the Standard Process may be appropriate. The Standard Process would involve this application proceeding to the next Committee meeting with a full analysis and recommendation from Staff. The public participation survey would take place after the Committee has made its recommendation and the results would only be available to Town Council at the public hearing.

Respectfully Submitted

A handwritten signature in blue ink, appearing to read 'J. Fox', is written over a faint, light blue circular stamp or watermark.

Jason H. Fox, MCIP, LPP  
Director of Planning & Development

## Appendix A

### RELEVANT POLICY

#### ***Policy R-50***

*It shall be a policy of Council to establish Architectural Design Requirements for the Downtown Residential Designation and require that all new development and conversions conform to these standards and that these standards be considered as part of any development agreement application process.*

#### ***Policy R-51***

*It shall be a policy of Council to require that all conversions and new construction within the Downtown Residential Designation maintain the integrity of the surrounding residential neighbourhoods and that any new structures complement the architectural style of nearby heritage properties and contribute to the development, preservation, and enhancement of downtown heritage streetscapes.*

#### ***Policy R-52***

*It shall be a policy of Council to forward development agreement proposals within the Downtown Residential Designation to the Heritage Advisory Committee for review and recommendation.*

#### ***Policy R-53***

*It shall be a policy of Council to take into consideration advice from the Heritage Advisory Committee on the following matters when evaluating a development agreement proposal in the Downtown Residential Designation that involves any exterior structural alterations, new signage, new parking, lighting, or landscaping:*

- a) the proposal's architectural design and its compatibility with heritage architectural styles found in the neighbourhood;*
- b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;*
- c) the impact of the proposal on any heritage streetscape;*
- d) the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and*
- e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting heritage properties or any heritage streetscape.*

#### ***Policy I-12***

*It shall be a policy of Council to consider and permit institutional uses in the Single Unit Residential (R1), Two Unit Residential (R2), Mixed Use Residential (R6), and Heritage Residential (R7) Zones by development agreement only.*

#### ***Policy I-13***

*When considering institutional development agreement applications pursuant to Policy I-12, it shall be a policy of Council to require the following:*

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;*
- b) that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;*
- c) that the proposal be compatible with adjacent uses in terms of architectural design, including roof pitch, roof type, materials, and fenestration;*

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- d) *that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street; and*
- e) *that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from neighbouring properties and the public right-of-way.*

### **Policy G-18**

*It shall be a policy of Council to consider allowing a reduction in the number of required parking spaces where it can be demonstrated the proposed development is intended for residents who are less likely to own an automobile due to factors such as age, income, or mobility issues.*

### **Policy G-29**

*It shall be a policy of Council to permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night.*

### **Policy G-30**

*It shall be a policy of Council to prohibit outdoor lighting that is misdirected, excessive, or unnecessary.*

### **Policy G-31**

*It shall be a policy of Council to require that all outdoor lighting fixtures in or abutting a residential zone or designation be full cut-off fixtures approved by the International Dark Sky Association.*

### **Policy G-35**

*It shall be a policy of Council to require that all development proposals or other proposals that may impact upon vehicle access to a public street be subject to the approval of the Town's Traffic Authority.*

### **Policy IN-34**

*It shall be a policy of Council to require that all new construction that is subject to a development agreement, to submit a Storm Water Management Plans for the development, either as a condition of approval or for Council's consideration as part of a development agreement application.*

### **Policy IM-19**

*It shall be a policy of Council to require the submission of a detailed proposal as part of any development agreement application. The proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission shall be accompanied by professionally prepared plans that effectively illustrate the proposal and include details such as, but not necessarily limited to, the following:*

- a) *the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor;*
- b) *elevation drawings of the proposed structure or structures;*
- c) *the proposed location, dimensions, height, and proposed use of all buildings;*
- d) *the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*
- e) *the proposed location and nature of any outdoor storage or display;*
- f) *the proposed location, design, and content of any signage;*
- g) *the proposed location and dimensions of any parking stalls, driveways, and walkways;*

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- h) the proposed location of any fencing, refuse containers, and snow storage;*
- i) the proposed location and type of any exterior lighting,*
- j) the proposed location of any outdoor amenity space;*
- k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;*
- l) architectural features including type of materials,*
- m) the location of any watercourses on or near the site;*
- n) existing and proposed drainage patterns including any stormwater management measures;*
- o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and*
- p) any proposed phasing of the development.*

### **Policy IM-20**

*It shall be a policy of Council to require the submission of additional information to address issues such traffic impact, stormwater management, landscaping, servicing, heritage preservation, and impact on the streetscape where Council considers this information to be pertinent to the development process. This information may be required prior to Council's approval or as a condition of approval and required prior to issuance of any development permit.*

### **Policy IM-21**

*Where a structure proposed as part of a development agreement application raises concerns with respect to compliance with the National Building Code, it shall be a policy of Council to require that the applicant submit conceptual building plans for review by the Town's Building Inspector.*

### **Policy IM-22**

*When considering a development agreement application it shall be a policy of Council to have regard for the following matters:*

- a) compatibility of the proposed land use with adjacent land uses;*
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;*
- c) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;*
- d) the adequacy of sewer services, water services, waste management services and storm water management services;*
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;*
- f) the adequacy and proximity of schools;*
- g) the adequacy and proximity of recreation and community facilities;*
- h) the adequacy of the road network in, and adjacent to, or leading to the development;*
- i) the potential for the contamination or sedimentation of watercourses or for erosion;*
- j) environmental impacts such as air and water pollution and soil contamination;*
- k) previous uses of the site which may have caused soil or groundwater contamination;*
- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;*

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- m) the application of sustainable and energy efficient design principles;*
- n) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law;*
- o) the financial ability of the Town to absorb any costs relating to the amendment.*
- p) the ability of emergency services to respond to an emergency at the location of the proposed development;*
- q) the application of sustainable and energy efficient design principles;*
- r) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law;*
- s) the financial ability of the Town to absorb any costs relating to the amendment.*

### **Policy IM-34**

*It shall be a policy of Council to consider scheduling an evening public hearing and to consider holding an advertised public information meeting where there is a great deal of public opposition or concern regarding a development proposal or amendment application. The cost of advertising these meetings shall be the responsibility of the applicant.*