

# Planning Justification Report

## ZONING BY-LAW AMENDMENT

950-960 St. David Street North, Fergus, Township of Centre Wellington

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May 2022

Prepared For:  
**Groves Hospital Volunteer Association**

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250 Union Street East  
Fergus, ON  
N1M 1W3

Prepared By:  
**Baker Planning Group**

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## 1 INTRODUCTION

On behalf of the Groves Hospital Volunteer Foundation (“Owner”) and Reid’s Heritage Homes (“Applicant”), Baker Planning Group is submitting a Zoning By-law Amendment Application for land known municipally as 950 to 960 St. David Street, Fergus, Township of Centre Wellington, Wellington County (“Site”)(Figure 1). The Site is 19,655.2 square metres in area with 100.11 metres of frontage on St. David Street North.

The Owner is proposing a comprehensive redevelopment of the Site for the purposes of a mixed-use development, comprising a new commercial space for the Owner along St. David Street North and residential uses in the form of 2-bedroom stacked townhouses to the rear (“Proposed Development”). The commercial component will include a 1-storey building with 1,254.5 square metres of floor area and 53 off-street parking spaces. The residential component provides for 112 dwelling units, common and private amenity areas as well as 135 off-street parking spaces.

The Site is designated as “Urban Centre” in the County of Wellington Official Plan and “Highway Commercial” in the Township of Centre Wellington Official Plan. In keeping with the local Official Plan, the Site is zoned as “Highway Commercial (C2)” in the Township of Centre Wellington Zoning By-law.

To permit the Proposed Development, a Zoning By-law Amendment is required to establish the site-specific provisions within the C2 Zone. The Owner and Applicant are requesting the following site-specific provisions:

15.XX.XX	C2-XX.X	<p>Notwithstanding anything else in this By-law to the contrary, the lands zoned C2.XX.X shall be used in accordance with the following:</p> <p><b>C2-XX.X Zone</b></p> <p><u>Permitted Uses</u></p> <ul style="list-style-type: none"> <li>i. All uses within the C2 Zone</li> <li>ii. Stacked Townhouse Dwelling</li> </ul> <p><u>Lot Regulations</u></p> <ul style="list-style-type: none"> <li>i. Minimum Lot Frontage: 15 metres</li> <li>ii. Minimum Setback from a Provincial Highway: 14 metres</li> <li>iii. Minimum Rear Yard Setback: 6.5 metres (Stacked Townhouse Dwelling)</li> <li>iv. Minimum Setback Between Side Walls of Stacked Townhouse Dwelling Units: 5 metres</li> <li>v. Minimum Interior Side Yard Setback: 4.0 metres (Stacked Townhouse Dwelling)</li> <li>vi. Minimum Average Private Amenity Area: 10 square metres per Dwelling Unit</li> <li>vii. Minimum Landscaped Open Space: 40% (Stacked Townhouse Dwelling)</li> <li>viii. Maximum Building Height: 15 metres (Stacked Townhouse Dwelling)</li> </ul>
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Figure:

1

## SITE

Site Location: 950 & 960 St. David Street North, Fergus, ON



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		<p>ix. Minimum Off-Street Parking: 1.2 spaces per Dwelling Unit; 1 per 30 square metres of GFA (Retail)</p> <p>x. Where lands have been comprehensively planned and are subject to an approved site plan and associated agreement pursuant to Section 41 of the <i>Planning Act</i>, any zoning deficiencies resulting from the creation of the condominium units, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with</p> <p><u>Stacked Townhouse Regulations</u></p> <p>i. A Stacked Townhouse Dwelling shall be located a minimum of 75 metres from the front lot line of St. David Street North</p> <p>ii. A Stacked Townhouse Dwelling shall mean a building containing 3 or more Dwelling Units, with each dwelling unit separated both vertically and horizontally, and may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule, or landing.</p>
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The Planning Justification Report ("Report") is being prepared to fulfill the submission requirements set out by the Township of Centre Wellington. In addition to the Planning Justification Report, the following technical studies have been prepared to support the Application:

- Transportation Impact Study, prepared by Paradigm Transportation Solutions Limited
- Functional Servicing Report and Stormwater Management, prepared by Stantec Consulting Ltd.
- Geotechnical Investigation, prepared by Stantec Consulting Ltd.
- Architectural Renderings by Fryett Turner Architects Inc. and Reid's Heritage Homes
- Survey Plan and Topographic Information, prepared by BSR&D

This Report provides a summary of the Proposed Redevelopment, the applicable land use policies, and will address the appropriateness of the Application and if it constitutes good land use planning.

## 2 SITE AND AREA CONTEXT

Located within the settlement area of Fergus, the Site has an area of 19,655.2 square metres with 100.11 metres of frontage on St. David Street North. The Site is rectangular in shape, with a shorter property frontage along St. David Street North.

In this location, St. David Street North is within the Ministry of Transportation Corridor Area and is a two-way road with a posted speed of 50 km/hr. Access to the Site is located along St. David Street North.

The front portion of the Site contains an existing building and associated parking, loading and access areas. The Owners operate the existing building as the New to You store, providing second hand goods and merchandise. The existing building is one-storey in height with 700 square metres of floor area and is generally oriented to St. David Street North. There are approximately 50 unmarked off-street parking spaces and loading areas to the rear.

The rear portion of the Site is a combination of manicured grass and farm fields utilized for crop production. Aside from lawn area, the Site does not contain any vegetation. The Site is generally flat with minimal grade change. The Site has bounding elevations of 422.0 metres above mean sea level at St. David Street North and 421.0 metres along the west property line and east property line. The majority of the Site runoff is therefore directed to the east/rear corner, crossing over Township owned lands and discharging to the existing wetland and agricultural drain.

The area surrounding the Site includes a range of land uses and a varied built-form that is typical for land located outside the core area on an arterial road (Figure 2). There is no consistent lotting fabric or architectural style in the immediate area. Uses within the settlement area include both residential and commercial and land to the immediate north is agricultural. The Site is itself is boarded by:

- North: Agricultural land located outside the defined settlement area
- South: Webster Place and Fergusson Place affordable rental dwelling units, in two 4-storey buildings
- East: Low density residential and Gibbons Drive Park
- West: Low density residential and highway commercial uses, including Fergus Fireplace, Ultramar Gas Station, and Little Tree Garden Market

The Site is well connected to area amenities that will support the Proposed Development, including the shopping plaza at Gordon Street and St. David Street North, St. Joseph Catholic School and area employment opportunities to the east.

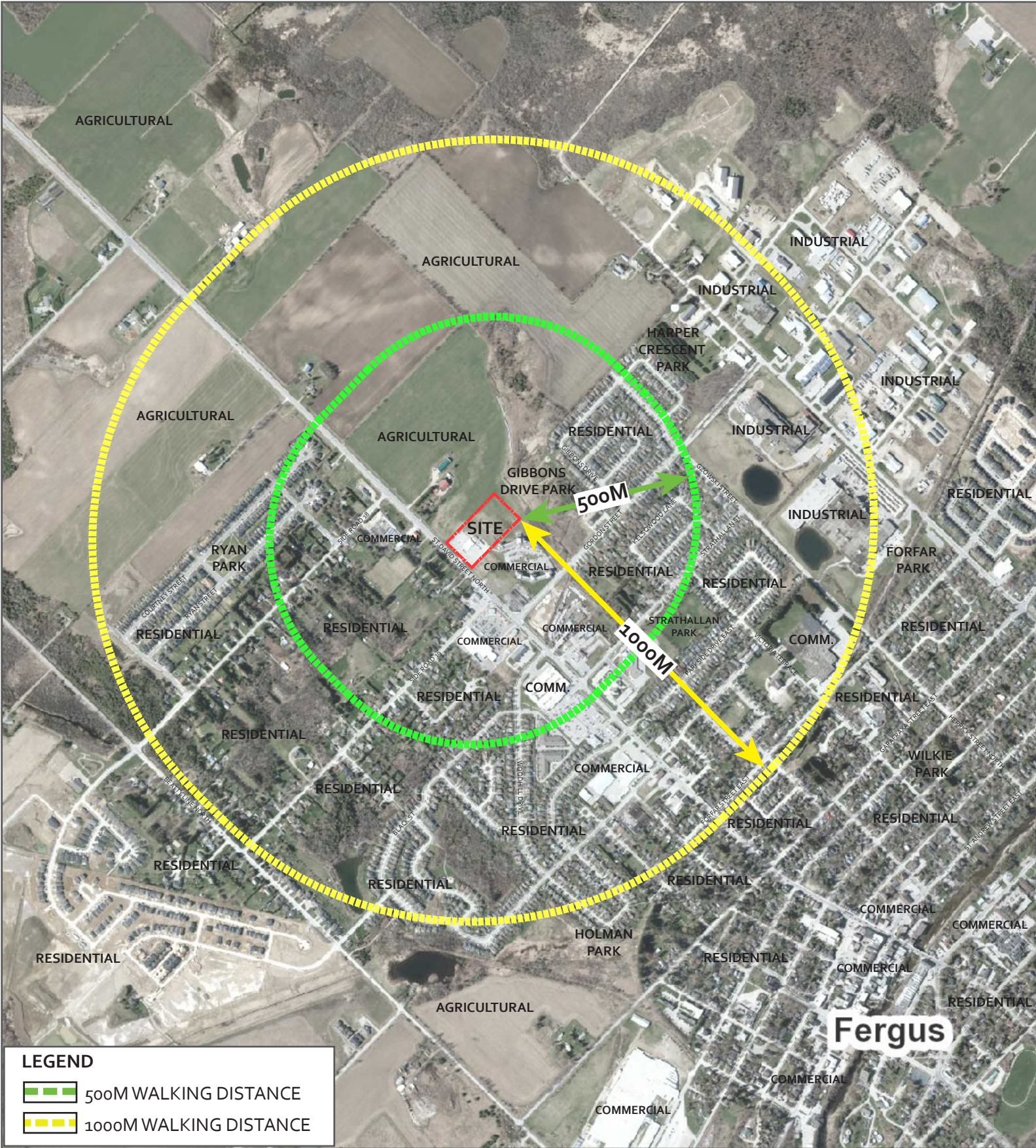


Figure:  
**2**

# SITE & SURROUNDING LAND USES

Site Location: 950 & 960 St. David Street North, Fergus, ON



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### 3 PROPOSED REDEVELOPMENT

The Owner is proposing a comprehensive redevelopment of the Site as a mixed-use development including commercial and residential uses ("Proposed Redevelopment"). The intent is to develop an active, pedestrian-friendly mixed-use area that is conveniently located on a main thoroughfare in the Fergus settlement area, while contributing to a greater range of housing choices (Figure 3 and 4). Overall, the redevelopment will provide for 1,254.5 square metres of commercial space and 112 dwelling units.

The Proposed Redevelopment has been intentionally designed to provide a strong public frontage with active uses and pedestrian connections along St. David Street North, while providing for the efficient use of the Site given its elongated shape. The Proposed Redevelopment includes a connected pedestrian network of walkways and demarcated crosswalks to St. David Street North, the commercial use, the proposed common amenity areas, and off-street parking, as well as the residential walkway on the adjacent property to the south.

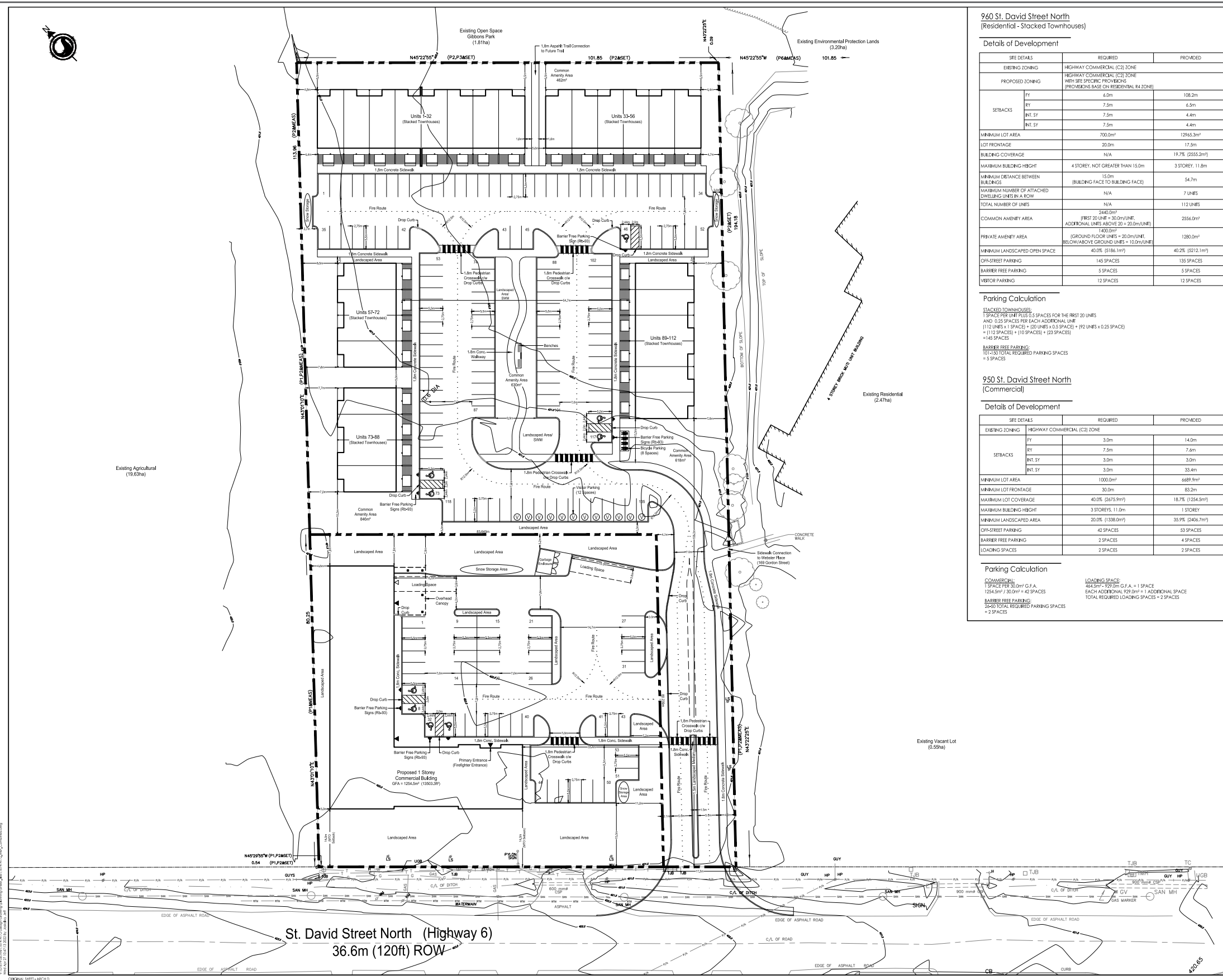
The Owner and Applicant are proposing screening along the proposed interior property lines through a combination of landscaping and solid wood fencing. Commercial functions, including the waste area and loading will include appropriate screening to be detailed through the future Site Plan Application.

The centralized vehicular access will serve both the commercial and residential uses. The access has been designed to facilitate two-way access, as well as sufficient extra width should there be an emergency.

The Proposed Redevelopment will include the following site functional features:

1. Consolidated pedestrian and vehicular access from St. David Street, with sufficient width to accommodate emergency vehicles
2. Off-street parking with 53 spaces for the commercial uses and 135 spaces for the residential uses, and includes visitor and accessible parking spaces
3. A loading area for the commercial uses
4. 8 bicycle parking spaces
5. Buffering and screening between the commercial and residential uses, including a privacy fence and landscaping
6. Interconnected walkways throughout the Proposed Redevelopment
7. Screened loading area for the commercial uses
8. A centralized amenity area adjacent to the residential uses, with opportunities for outdoor amenities such as walking paths and seating
9. Snow storage areas
10. Screened waste disposal areas





**960 St. David Street North  
(Residential - Stacked Townhouses)**

**Details of Development**

SITE DETAILS	REQUIRED	PROVIDED
EXISTING ZONING	HIGHWAY COMMERCIAL (C2) ZONE	
PROPOSED ZONING	HIGHWAY COMMERCIAL (C2) ZONE WITH SITE SPECIFIC PROVISIONS (PROVISIONS BASED ON RESIDENTIAL R4 ZONE)	
SETBACKS	FY	4.0m
	FY	7.5m
	INT. SY	7.5m
	INT. SY	7.5m
MINIMUM LOT AREA	700.0m <sup>2</sup>	12965.3m <sup>2</sup>
LOT FRONTAGE	20.0m	17.5m
BUILDING COVERAGE	N/A	19.7% (2555.0m <sup>2</sup> )
MAXIMUM BUILDING HEIGHT	4 STOREY, NOT GREATER THAN 15.0m	3 STOREY, 11.8m
MINIMUM DISTANCE BETWEEN BUILDINGS	15.0m (BUILDING FACE TO BUILDING FACE)	54.7m
MAXIMUM NUMBER OF ATTACHED DWELLING UNITS IN A ROW	N/A	7 UNITS
TOTAL NUMBER OF UNITS	N/A	112 UNITS
COMMON AMENITY AREA	2440.0m <sup>2</sup> (FIRST 20 UNITS = 30.0m <sup>2</sup> /UNIT, ADDITIONAL UNITS ABOVE 20 = 20.0m <sup>2</sup> /UNIT)	2556.0m <sup>2</sup>
PRIVATE AMENITY AREA	(GROUND FLOOR UNITS = 20.0m <sup>2</sup> /UNIT, BELOWGROUND UNITS = 10.0m <sup>2</sup> /UNIT)	1280.0m <sup>2</sup>
MINIMUM LANDSCAPED OPEN SPACE	40.0% (5136.1m <sup>2</sup> )	40.2% (5212.1m <sup>2</sup> )
OFF-STREET PARKING	145 SPACES	135 SPACES
BARRIER FREE PARKING	5 SPACES	5 SPACES
VEHICLE PARKING	12 SPACES	12 SPACES

**Parking Calculation**  
**STACKED TOWNHOUSES**  
 1 SPACE PER UNIT PLUS 0.5 SPACES FOR THE FIRST 20 UNITS AND 0.25 SPACES PER EACH ADDITIONAL UNIT  
 (112 UNITS x 1 SPACE) + (20 UNITS x 0.5 SPACES) + (92 UNITS x 0.25 SPACES) = 145 SPACES  
**BARRIER FREE PARKING**  
 10% OF TOTAL REQUIRED PARKING SPACES = 5 SPACES

**950 St. David Street North  
(Commercial)**

**Details of Development**

SITE DETAILS	REQUIRED	PROVIDED
EXISTING ZONING	HIGHWAY COMMERCIAL (C2) ZONE	
SETBACKS	FY	3.0m
	FY	7.5m
	INT. SY	3.0m
	INT. SY	3.0m
MINIMUM LOT AREA	1000.0m <sup>2</sup>	6689.9m <sup>2</sup>
MINIMUM LOT FRONTAGE	30.0m	83.2m
MAXIMUM LOT COVERAGE	40.0% (2675.9m <sup>2</sup> )	18.7% (1254.9m <sup>2</sup> )
MAXIMUM BUILDING HEIGHT	3 STOREYS, 11.0m	1 STOREY
MINIMUM LANDSCAPED AREA	20.0% (1338.0m <sup>2</sup> )	35.9% (2406.7m <sup>2</sup> )
OFF-STREET PARKING	42 SPACES	53 SPACES
BARRIER FREE PARKING	2 SPACES	4 SPACES
LOADING SPACES	2 SPACES	2 SPACES

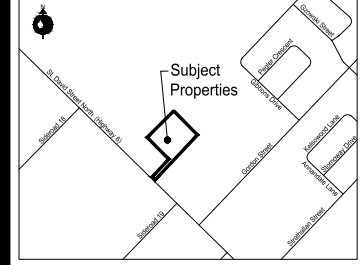
**Parking Calculation**  
**COMMERCIAL**  
 1 SPACE PER 30.0m<sup>2</sup> G.F.A. = 42 SPACES  
 1254.9m<sup>2</sup> / 30.0m<sup>2</sup> = 42 SPACES  
**BARRIER FREE PARKING**  
 50% OF TOTAL REQUIRED PARKING SPACES = 2 SPACES  
**LOADING SPACE**  
 44.4m<sup>2</sup> / 19.0m<sup>2</sup> G.F.A. = 1 SPACE  
 EACH ADDITIONAL 929.0m<sup>2</sup> = 1 ADDITIONAL SPACE  
 TOTAL REQUIRED LOADING SPACES = 2 SPACES



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Key Map NTS.



**Legal Description**  
 Part of Lots 4 and 5,  
 Registered Plan 207,  
 Township of Centre Wellington,  
 County of Wellington

REVISION	DATE	BY	APP'D
ISSUED FOR ZBA	2022.04.27	JJ	MD
Revision	YYYY.MM.DD	By	App'd
File Name: 161414172-RP_Combined	2021.11.08	JJ	MD

Permit-Seal

Client/Project  
 REID'S HERITAGE HOMES

950 & 960 ST. DAVID STREET NORTH

TOWNSHIP OF CENTRE WELLINGTON, ON

Title  
 CONCEPTUAL SITE PLAN

Project No. 161414172  
 Scale 1:400  
 Revision 0 Sheet 1 of 1 Drawing No. SP-1

Figure:  
**3**

**CONCEPTUAL SITE PLAN**

Site Location: 950 & 960 St. David Street North, Fergus, ON



Figure:

4

# DEVELOPMENT CONCEPT

Site Location: 950 & 960 St. David Street North, Fergus, ON

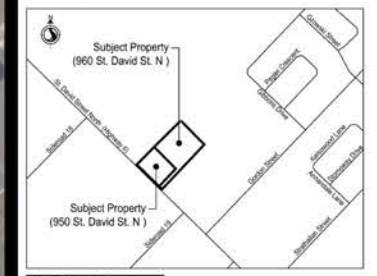


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Key Map NTS.



Legal Description  
Port of Lots 4 and 5,  
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Township of Centre Wellington,  
County of Wellington

Revision	By	Appr	Date
00-00 HGR JHA	JJ	MS	2022-04-17
1614172-0-SP_Combined_revised	JJ	MS	2021-11-08

Permit/Seal

Client/Project  
REID'S HERITAGE HOMES

950 & 960 ST. DAVID STREET NORTH

TOWNSHIP OF CENTRE WELLINGTON, ON

Title  
CONCEPTUAL SITE PLAN

Project No.  
1614172

Revision Sheet 1 of 1

Scale 1:400

Drawing No.  
SP-1



## Commercial Component

The commercial uses are proposed to be oriented to St. David Street North, optimizing the access and visibility along a major transportation corridor in the municipality. To accommodate the specific functional requirements of the New to You store, including a loading area for Canadian Diabetes, the new building is proposed to be an L-shape. The portion of the building oriented to St. David Street North will include the retail space for the store. The building area to the rear will be utilized for a staff area, washrooms and storage of donated and sorted items.

The commercial building is proposed to be 1-storey in height with a contemporary building design (Figure 5). Large windows are proposed for the retail area, including the building elevations fronting the municipal road. Off-street parking is generally screened by the proposed building, with the exception of a smaller parking area that is proposed to include landscape screening.

The commercial component will be raised 1-2 m to allow for blending to both St. David Street North and the residential component. An ongoing hydrogeological investigation is being completed to confirm high groundwater levels and any design revisions will be completed through the site plan approval process.

It is proposed by the Owner that the existing New to You store will be demolished in two stages, while the new space is being constructed to allow for business continuity and retention of store volunteers and customers. For the first stage, the rear portion of the existing building will be demolished and the east-west portion of the new building will be constructed. Once the operation is relocated to the new building, the remaining building area along the frontage will be constructed.

## Residential Component

Residential uses are proposed to the rear of the Site, adjacent to the residential uses to the south, continuing the form of development on St. David Street North and interface of commercial and residential uses.

The residential component is proposed to be constructed by Reid's Heritage Homes and will include 112 dwelling units in the form of Stacked Townhouse Dwellings. This particular product provides an opportunity for residents to purchase dwelling units that appear and function as townhouses, but achieve greater land-use efficiencies and densities. The overall height of the proposed buildings is 3 ½ storeys and 11.8 metres.

The residential component has been designed with residential buildings on the periphery and parking, site circulation and amenity areas generally being located to the interior. This achieves two design objectives: screening the parking area and providing for enclosed and comfortable amenity spaces for the residents. Centralized amenity areas provided "eyes" on the space for a sense of safety.



Figure:

5

## NEW TO YOU RENDERINGS

Site Location: 950 & 960 St. David Street North, Fergus, ON



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Amenity areas for the residential component include centralized common amenity areas and private balconies. Common amenity areas will include a playground, walking trail, landscaping and seating.

Within each vertical “townhouse”, there are four (4) dwelling units, being:

Unit	Size	Private Amenity Area	Entrance
Lower Level		Front Patio	Private Lower Entrance
Level 1		Balcony and Front Patio	Private Level 1 Entrance
Level 2		Two Balconies	Common Stairwell to Entrance
Level 3		Two Balconies	Common Stairwell to Entrance

The residential dwelling units have been designed to be complementary to and compatible with surrounding land uses, through building height, massing, orientation and architectural style (Figure 6). As noted, there is a range in building heights in the vicinity of the Site, and the residential buildings do not exceed prevailing heights. Residential uses to the south, including the multi-unit dwellings have a more traditional building design with dark brick and pitched roof lines. The proposed residential buildings extend a similar building shape, size and roof pitch, but include a more contemporary colour palette and selection of building materials.

The dwelling units include large windows on the front and rear elevations, along with patio areas to active the frontage of the buildings. Material and colour palette variation is proposed on the building elevations to provide breaks in the building massing and create architectural interest.

In general, the residential component is proposed to be raised an average of 1-3 m to provide sufficient clearance from the highest recorded high groundwater level in the development area to allow for infiltration facilities to be feasible.

Should the Zoning By-law Amendment be approved, the Owner and Applicant are proposing to sever the Site. The severance would create two legal lots, the residential component with the access to St. David Street North and the commercial component. The severance will facilitate the proposed Plan of Condominium for the residential component and the sale of the units to buyers and the ability to invest in the new retail store.



Figure:

6

## REID'S HERITAGE HOMES RENDERINGS

Site Location: 950 & 960 St. David Street North, Fergus, ON



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## 4 TECHNICAL STUDIES

This section of the Report provides a summary of the supporting technical studies to the Zoning By-law Amendment Application. It is recommended that each of the studies be reviewed in conjunction with this Report.

### 4-1 FUNCTIONAL SERVICING REPORT AND STORMWATER MANAGEMENT

Stantec was retained by the Owner and Applicant to complete a Functional Servicing Report and Stormwater Management Report for the Proposed Redevelopment. The Report concluded that:

- The Site can be adequately serviced with municipal sewage, water services and utilities;
- Sanitary servicing will be provided via the existing 300mm diameter sanitary sewer located on St. David Street North, connected to a 200mm diameter sanitary sewer to extend into the Site to serve residential component;
- The sanitary lateral servicing the commercial component will remain until such time as replacement is required;
- Water servicing will be provided via the existing 300mm diameter water sewer located on St. David Street North, and then extended through the Site to the residential component;
- With the exception of 0.07 ha that will drain to the Hwy 6 roadside ditch, runoff from the entire site will be directed to the agricultural drain, north of the site, via the existing swale immediately east of the Site and a new swale to be constructed at the northern Site limit;
- Municipal servicing and roadworks can be provided in accordance with the Township of Centre Wellington guidelines;
- Quality and quantity control requirements are achieved by way of OGS units, multiple infiltration galleries, and end of pipe storage;
- The development can be serviced with Hydro, Gas, and telecommunications extended from existing facilities surrounding the site; and
- It is further recommended that:
  - A detailed dewatering assessment be conducted during detailed engineering design to assess construction groundwater dewatering volumes anticipated and attain any required water taking permits.
  - The hydrogeological investigation be continued through 2022 to better understand the high groundwater levels on-site.
  - The report be circulated to the municipalities and various approval agencies in support of the Zoning By-Law Amendment for the North Fergus Property.
  - Detailed grading and servicing design drawings be prepared, and a Final Stormwater Management Report and Erosion and Sediment Control Plan be completed in support of Site Plan Approval following approval of the zoning bylaw amendment application.
  - The preliminary engineering design be approved to support the Zoning Bylaw Amendment application.

## 4-2 GEOTECHNICAL INVESTIGATION

Stantec was retained by the Owner to complete a geotechnical investigation. The soil stratigraphy encountered in the boreholes consisted of pavement structures, fill/possible fill and/or topsoil overlying native deposits of silt and sand, which in turn were underlain by glacial till.

Based on the Conceptual Site Plan and grading plans, development will generally be raised by about 1.0 to 2.5 metres above current grades, including construction of a retaining wall along the interface between the residential and commercial components. Proposed grades along the access driveway within the commercial component will be close to the existing site grades.

Sanitary sewers will generally be installed with a cover depth of 3.0 metres to 3.5 metres, equivalent to about 1.0 metres to 2.0 metres below existing grades within the residential development

## 4-3 TRANSPORTATION IMPACT STUDY

Paradigm Transportation Solutions Limited was retained by the Owner and Applicant to prepare a Transportation Impact Study for the proposed redevelopment of the Site. The Study concluded that:

- The site is expected to generate a total of 93 AM peak hour trips, 165 PM peak hour trips, and 135 Saturday peak hour trips at completion of full build-out.
- All intersections are forecast to operate without any problem movements for the total traffic operations (background and development)
- No improvements to the road network are recommended for the approval of this development.
- The proposed parking rate for the thrift store building is appropriate given that a substantial portion of the building is utilized for warehousing.



## 5 PLANNING POLICY FRAMEWORK

This section of the Planning Justification Report provides an overview of the relevant planning policies for the Proposed Redevelopment and the implementing Zoning By-law Amendment Application.

### 5-1 PLANNING ACT, R.S.O. 1990, CHAPTER P.13

The *Planning Act, R.S.O. 1990, CHAPTER P.13*, provides provincial legislation that “sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.”

Section 2 of the Planning Act outlines the matters of provincial interest that the council of a municipality, a planning board and Ontario Land Tribunal shall have regard to in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis as it relates to the proposed development and the Application.

**Table 5-1: Summary of Provincial Interest**

Section	Provincial Interest	Analysis
a)	the protection of ecological systems, including natural areas, features and functions	The Site is located within the settlement area and does not have any identified natural features or functions in provincial, county or local planning documents.
b)	the protection of the agricultural resources of the Province	The Site is located within the defined settlement area, intended long-term for urban land uses.
c)	the conservation and management of natural resources and the mineral resource base	The Site does not contain any natural resources or mineral resources.
d)	the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	There are no known significant features on the Site, per the mapping to the Official Plan. An archaeological assessment will be required as part of the future Site Plan Application.
e)	the supply, efficient use and conservation of energy and water	The proposed redevelopment can utilize existing municipal services on St. David Street (sanitary and water) and through the introduction of stormwater controls, will create an overall improvement to the water quality and quantity.
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	<ul style="list-style-type: none"> <li>• Communication services are available to the Site.</li> <li>• Active transportation will be facilitated through a pedestrian link to the south and the construction of municipal sidewalk</li> </ul>

Section	Provincial Interest	Analysis
		<p>across the frontage of St. David Street North.</p> <ul style="list-style-type: none"> <li>• Sanitary and water services are available.</li> <li>• Waste management has been considered through the Conceptual Site Plan, including waste storage (internally and externally) and waste removal.</li> </ul>
g)	the minimization of waste	The Owners will explore opportunities to minimize waste through the construction process, should the application be approved.
h)	the orderly development of safe and healthy communities	<p>The redevelopment provides for continuity of commercial uses, supporting the residents of Fergus.</p> <p>The redevelopment will contribute to providing a range of needed residential dwelling options in the urban area.</p> <p>The supporting technical studies support the appropriate municipal servicing of the Site, and safe access.</p>
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	Through future applications, including the Ontario Building Code, matters related to accessibility will be addressed.
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities	The Site is located within the urban area, in close proximity to schools, jobs and recreation opportunities.
j)	the adequate provision of a full range of housing, including affordable housing	The redevelopment will provide an alternative housing form, 2-bedroom condominium dwelling unit to the housing supply in Fergus, adding an attractive unit prices within the market area.
k)	the adequate provision of employment opportunities	The introduction of a greater range and amount of housing will support local employers in attracting employees to Fergus.
l)	the protection of the financial and economic well-being of the Province and its municipalities	The efficient use of land with existing and planned municipal infrastructure, provides for long-term financial stability and cost-effective development.
m)	the co-ordination of planning activities of public bodies	To be addressed through the circulation of the planning applications to applicable public bodies.
n)	the resolution of planning conflicts involving public and private interests	Planning conflicts involving public and private interests have not been identified through the pre-consultation review.

Section	Provincial Interest	Analysis
o)	the protection of public health and safety	The proposed commercial and residential uses will be fully serviced on municipal water and sanitary.
p)	the appropriate location of growth and development	The proposed commercial uses are situated towards St. David Street to maximize the visibility and viability of said uses. The proposed residential uses are setback from St. David Street North, in line with residential uses to the south, and in
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	The Site has frontage on a municipal road, with the future ability to connect municipal sidewalks.
r)	the promotion of built form that:	
r.i)	is well-designed	The development provides for a sense of community by maintaining and supporting the New to You Store, while also introducing compatible residential uses.
r.ii)	encourages a sense of place	
r.iii)	provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	Area parks and public spaces are available within walking distance to the Site, and on-site amenities will include new landscaped spaces and an outdoor amenity area.
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	The redevelopment of land within an urban area minimizes the consumption of agricultural land.

In summary, it is our opinion that the Proposed Redevelopment and the implementing Zoning By-law Amendment Application has regard for matters of public interest.

## 5-2 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement ("PPS"), 2020 is a province-wide policy document that sets the foundation for regulating development and the use of land. The PPS is issued under Section 3 of the *Planning Act*. The PPS "provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment." The document is to be read in its entirety and all relevant policies are to be considered. Municipal official plans are the most important vehicle for implementing the PPS and for achieving comprehensive, integrated and long-term planning.

The following section provides a summary of the policy directives that are relevant to the proposed development and associated Applications.

## Creation of Healthy and Livable Communities

The PPS, in Section 1.1.1., provides for the creation of healthy, liveable and safe communities through the promotion of efficient land use patterns which sustain the financial well-being of the Province and municipalities, accommodates an appropriate range of affordable and market-based housing as well as commercial uses and avoids development that may cause public health or safety concerns. Section 1.1.3 supports settlement areas as the focus of growth and development, and more specifically promotes growth areas to be compact and support a mix of uses.

The Proposed Redevelopment maximizes the benefits of the property's geographical location and frontage for commercial uses which require a larger parcel size, customer visibility and safe and convenient access. St. David Street North is a main thorough-fare in and out of Fergus, with volumes of traffic that provide exposure and visibility. The nature of the New to You Store, is one that requires a larger property for building area, off-street parking and loading.

The proposed residential uses to the rear of the Site provide for a logical extension of residential uses from the south, which includes multi-unit residential buildings. The proposed form of residential uses will introduce a new housing type to the community, being smaller units in ownership form.

There are no known environmental or public and health safety concerns related to the redevelopment of the Site for commercial and residential uses.

The ability to accommodate a mix of uses on the Site will contribute long-term to the efficient use of land and resources, promotion of walkability and the creation of complete communities.

## Housing

Section 1.4 of the PPS more specifically speaks to considerations for residential growth including intensification, redevelopment and the provision of an appropriate range and mix of housing types and densities. Section 1.4.3 states that planning authorities shall provide for a mix of housing types and densities 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. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  1. 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; and
  2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The residential component of the redevelopment assists in meeting housing needs in the community, while providing for a land use form that is compact, efficient and maximizes the use of existing infrastructure.

### Servicing

The Functional Servicing Report and Stormwater Management Report, prepared by Stantec (DATE) has demonstrated that the Proposed Redevelopment can be serviced through the extension of municipal water and sanitary services, in keeping Sections 1.1.1.g and 1.6.6.2 of the PPS.

### Supporting Long-Term Economic Prosperity

Section 1.7 of the PPS provides a detailed list of policies to support long-term economic prosperity in the Province, including the optimization of land, resources and infrastructure. Section 1.7.1 g) provides for the maintenance and enhancement of mainstreets and Section 1.7.1 a) encourages “residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce” .

### **Planning Analysis**

In summary, it is our opinion that the Proposed Redevelopment and the implementing Zoning By-law Amendment Application are consistent with the PPS. As outlined in the preamble to the PPS, the policy-led planning systems in Ontario seeks to address the complex inter-relationships between the pillars that contribute to good land use planning. This includes agricultural protection, creation of complete communities, range and mix of housing supply, long-term economic prosperity and climate change mitigation.

The Proposed Redevelopment maintains the viability of the Site for commercial uses, while also addressing the existing housing shortages in the Fergus area. The New to You store provides amenities and resources to the local community and supports the Groves Memorial Community Hospital. The Proposed Redevelopment leverages an underutilized property within the settlement area to contribute to the creation of a complete community with a range of land uses.

The Proposed Redevelopment addresses matters related to climate change and agricultural protection by providing new housing within the built boundary that alleviates long-term pressure to expand the settlement area.

### 5-3 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2020

The Growth Plan or the Greater Golden Horseshoe, 2020 (“Growth Plan”) establishes a unique land use planning framework that supports complete communities, a thriving economy, a clean and healthy environment, and social equity. The front portion of the Site is located with the “Delineated Built-Up Area” and the rear undeveloped portion is located in the “Designated Greenfield Area” (Figure 7).

Section 1.2.1 sets out the guiding principles for the Growth Plan and includes:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.

Section 2.2.1.2 c) states that within settlement areas, growth will be focused in:

- i. Delineated built-up areas;
- ii. Strategic growth areas;
- iii. Locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,
- iv. Areas with existing or planned public service facilities.

Section 2.2.1.4 states that the achievement of complete communities will be supported by a diverse mix of land uses and convenient access to local stores and services as well as improving social equity and overall quality of life, including human health.

The Growth Plan defines “complete communities” as:

*Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.*

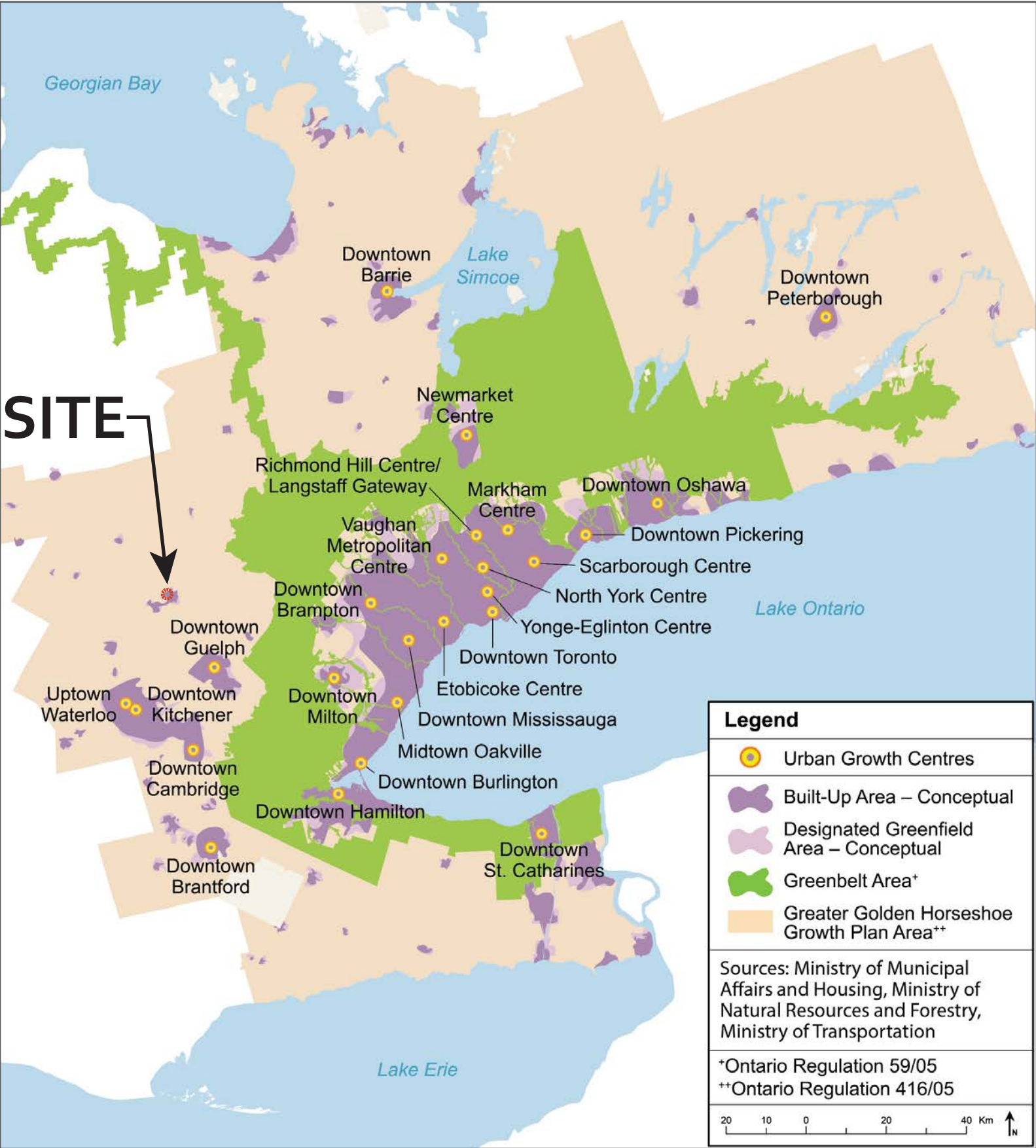


Figure:  
**7**

## GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

Site Location: 950 & 960 St. David Street North, Fergus, ON



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Section 2.2.2 b) of the Growth Plan provides that Wellington County shall establish through a municipal comprehensive review, minimum percentage of all residential development occurring annually within the delineated built-up area, maintaining or improving upon the target. The County of Wellington report, dated May 13<sup>th</sup>, 2021 and entitled “County Official Plan Review – Alternative Intensification Target” concludes that the communities of Centre Wellington and Wellington North will need to exceed a 20% intensification target to meet the overall County of Wellington Official Plan county-wide target of 20%.

Designated Greenfield Areas, as provided in Section 2.2.7.2, establishes a minimum density target of 40 residents and jobs per hectare. New development will be planned in a manner that supports the creation of complete community, supports active transportation and encourages integration of transit services.

Section 2.2.6 provides specific policies related to housing, stating that the creation of complete communities will be supported by tools that require multi-unit residential development with a “mix of unit sizes to accommodate a diverse range of household sizes and incomes.”

### **Planning Analysis**

In our opinion, the Proposed Redevelopment will assist the County of Wellington in achieving the minimum density targets set out in the Growth Plan by leveraging an underutilized Site that has access to existing infrastructure.

The Proposed Redevelopment will contribute to a complete community through the provision of local stores along St. David Street North and the introduction of a form of housing not currently present in the north end of Fergus. The Conceptual Site Plan provides consideration for greenspace and amenities, pedestrian connections and buffering to integrate the redevelopment into the community.

### **5-4 GRAND RIVER SOURCE PROTECTION PLAN**

The Province of Ontario passed the Clean Water Act in 2006 to ensure clean, safe and sustainable drinking water is available for Ontarians. The intent is to protect water before it enters the municipal drinking water system. All planning decisions shall be in conformity with the policies that address significant drinking water threats as per Section 39 (1) (a) of the Clean Water Act.

The Act established 22 source water protection areas and source protection regions to manage existing and future risks to municipal drinking water sources. The Site is located within the Grand River Protection Area. Grand River Conservation Authority mapping is provided in Figure 8.

Schedule G – Map C (Fergus)(Figure 9) to the Grand River Protection Area identifies the Site, and the majority of area surrounding the Site vulnerability score as 2, 4, 6 (drinking water threat) which limits the placement of waste disposal sites on the property. The Source Protection Plan (SPP) for the Township of Centre Wellington includes policies related chemicals and DNAPL storage/handling activities which apply to WHPA-C with vulnerability scores of 6. However, it is understood that these



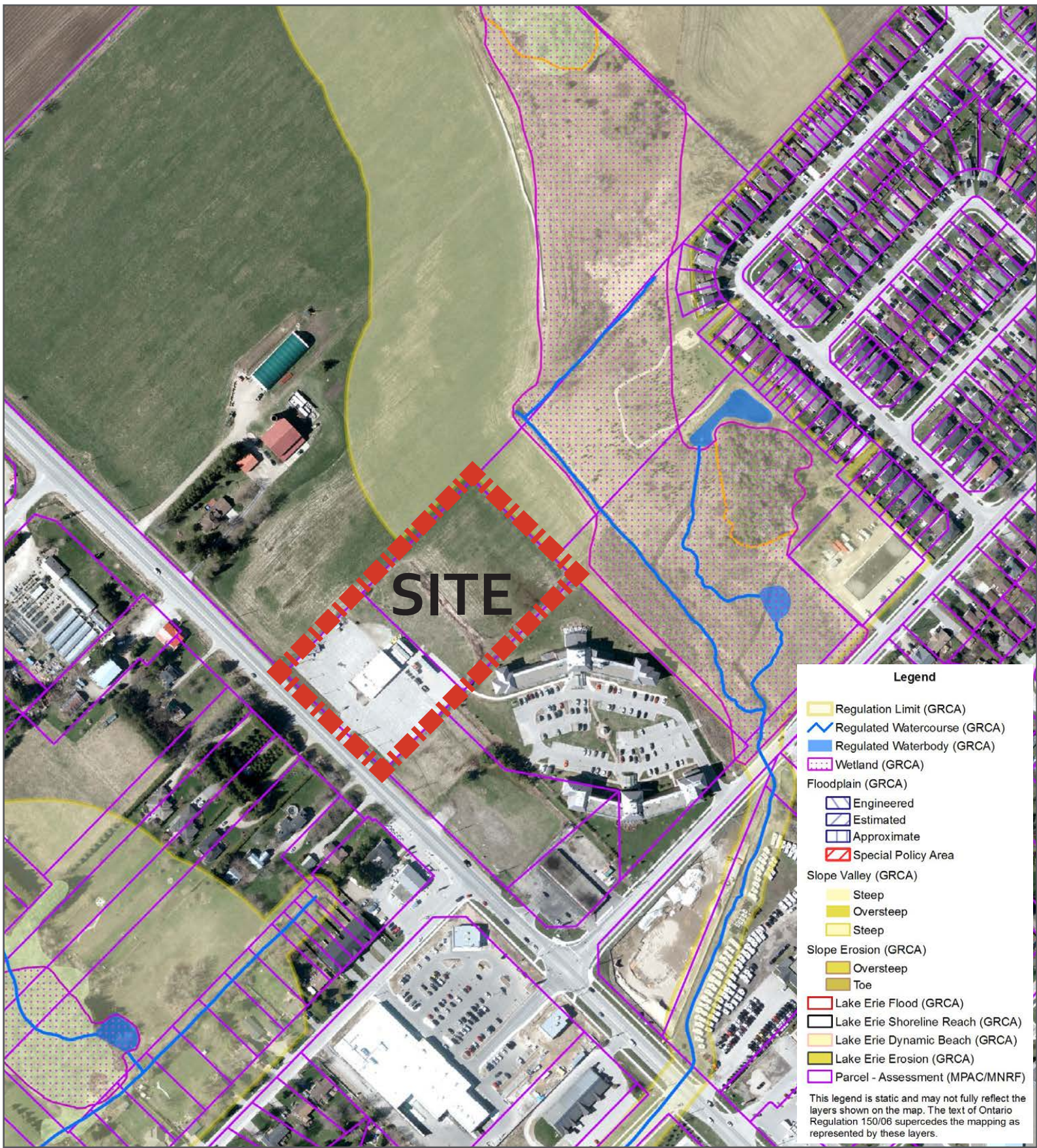


Figure:

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## GRCA MAPPING

Site Location: 950 & 960 St. David Street North, Fergus, ON



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Map C

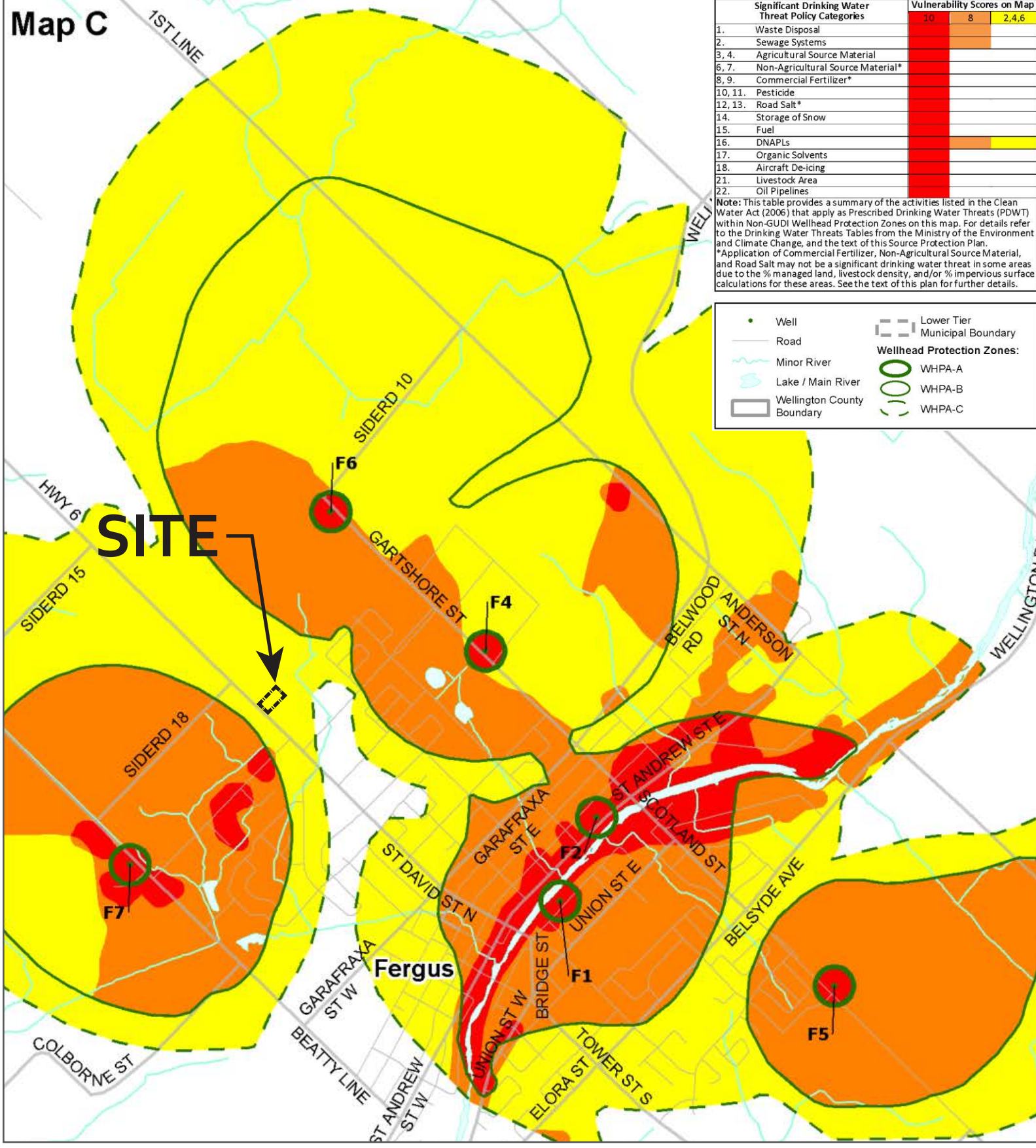


Figure:

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# LAKE ERIE SOURCE PROTECTION PLAN

Site Location: 950 & 960 St. David Street North, Fergus, ON



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actives are not expected as part of the future redevelopment plan for the Site.

The Site is also located within WHPA-Q assigned a risk level of significant. As such, it is understood that the Township of Centre Wellington may require the completion of a water balance as part of Site Plan approvals and expect that pre-development infiltration volumes at the site be maintained under the post-development conditions.

Portions of the Site intercept a SGRA and IPZ-3, with assigned low and/or moderate vulnerability scores. No protection policies are specified in the SPP for SGRA and IPZ-3 and, subsequently, such policies will not be applicable to the future development of the Site.

## **5-5 COUNTY OF WELLINGTON OFFICIAL PLAN, 1999**

The purpose of the Wellington County Official Plan ("County OP"), is to "give direction over the next 20 years to the physical development of the County, its local municipalities and to the long-term protection of County resources." In this regard, the County OP's vision is for sustainable development, land stewardship and healthy communities.

The Site is designated in the County OP as "Urban Centre", and the front portion of the Site is also identified as being within the "Built Boundary" on Schedule A-1 to the County OP (Figure 10). Growth targets for these lands are provided in Section 3.3.1 and are in keeping with the Growth Plan.

Growth management strategies are provided in Section 3.1 and the policies encourage development patterns which:

- are cost efficient
- are environmentally sound
- are compatible with existing uses
- maintain small town character
- maintain resource land
- provide access to community services and facilities

In the General County Policies section of the County OP (Section 4), residential intensification is supported in urban centres, which broadens the mix of housing types, supports adaptive re-use or redevelopment, adds residential uses to other main commercial areas and intensifies along major roadways. Intensification is encouraged to be cost-effective, environmentally sound and compatible with existing uses and in keeping with small town character.

Section 7.3 of the County OP (Planning Approach) provides that land use patterns in the urban system shall be based on densities and mix of land uses which efficiently use land and resources and provide for a range of uses and opportunities for intensification and redevelopment. Urban Centres are expected to provide a full range of land use opportunities, including residential and commercial uses. Development will occur on full municipal services with appropriate road access. Section 7.5.6 of the County OP specifically encourages residential uses above or to the rear of street-level commercial uses.

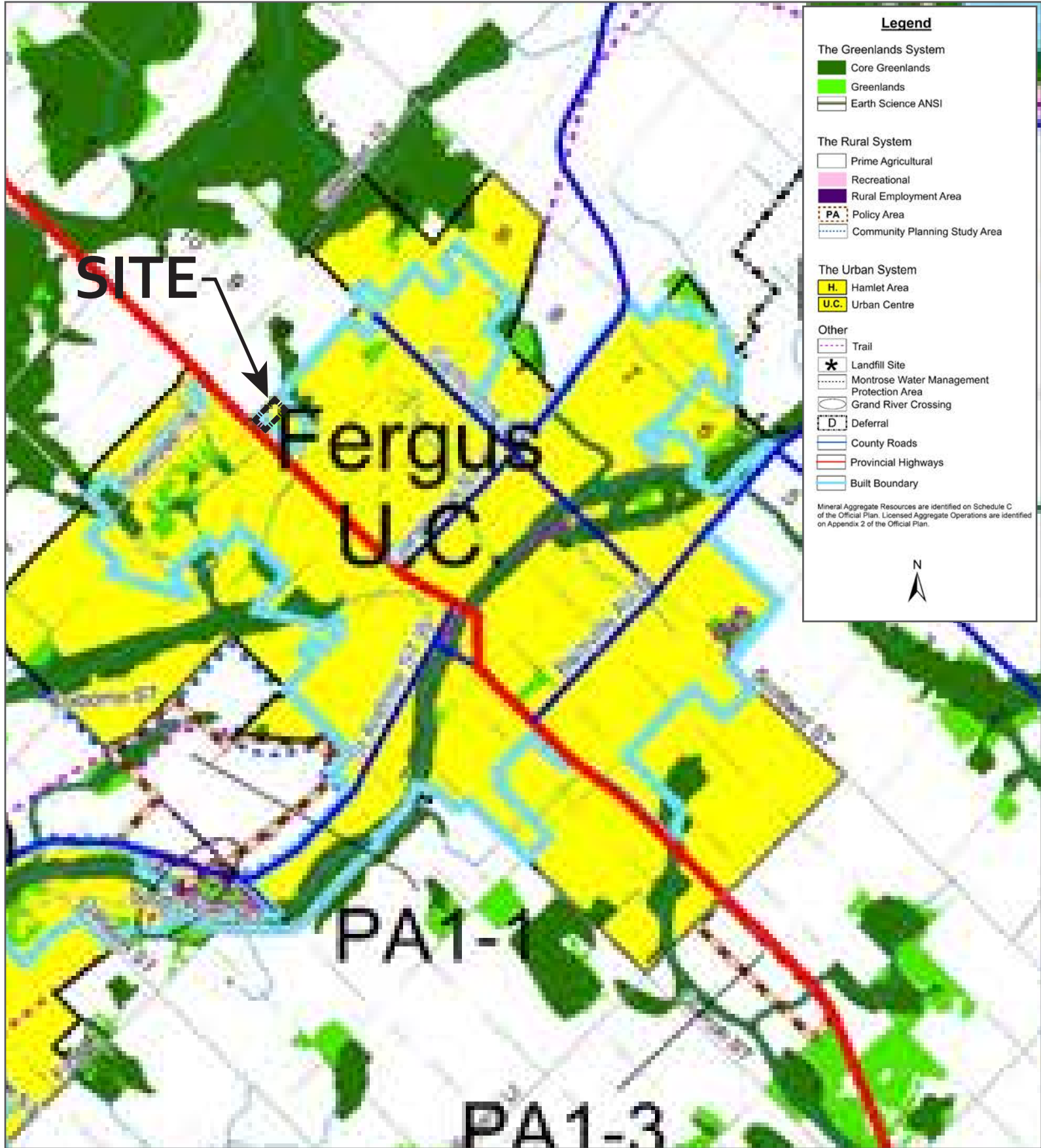


Figure:

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**COUNTY OF WELLINGTON  
OFFICIAL PLAN**

Site Location: 950 & 960 St.David Street North, Fergus, ON



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## Residential Policies

Policies related to residential uses are provided in Section 8.3, with the following objectives:

- a) to ensure that an adequate supply of land is available to accommodate anticipated population growth over the planning period;
- b) to provide a variety of dwelling types to satisfy a broad range of residential requirements and ensure that affordable housing is available;
- c) to manage the rate of growth and the amount of residential development within the urban centre in order to maintain and enhance the small town character;
- d) to support the development, at appropriate locations and densities, of residential facilities that meet the housing needs of persons requiring specialized care;
- e) to ensure that adequate infrastructure will be available to all residential areas;
- f) to minimize potential compatibility issues between residential and other land uses;
- g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods;
- h) to support the establishment of certain non-residential uses in appropriate locations of the municipality;
- i) to encourage residential developments which incorporate innovative and appropriate design principles which contribute to public safety, affordability, energy conservation and that protect, enhance and properly manage the natural environment;

Townhouses and apartments may also in residential areas, subject to the requirements of the Centre Wellington Zoning By-law. Section 8.3.5 provides that medium density development shall be designated to be compatible with existing or future development on adjacent properties and generally not exceed 75 units per hectare. Medium density is encouraged to locate on arterial roads. In addition, the following criteria are to be considered:

- Adequate off-street parking, on-site landscaping and screening
- Appropriate servicing, including water, sanitary, stormwater, roads and hydro

Intensification evaluation criteria is provided in Section 8.3.12, and includes:

- a) the compatibility of the proposed development in built form including height, massing, scale, setbacks, orientation, use, built form, architectural character and materials, separation distances, shadowing and privacy. Compatible development is considered to be development that may not be the same as existing adjacent development but which can co-exist with existing development while not creating unacceptable adverse impacts;
- b) the degree to which building height and massing shall provide a transition between planned and existing development;
- c) the maintenance of a lotting pattern that is generally consistent and compatible with the predominant character of the area;
- d) the ability of infrastructure to accommodate the proposal;
- e) the impact of the development on the streetscape including, where feasible, the protection of municipal street trees;

- f) the degree to which impact on the adjacent properties is minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, views, enjoyment of outdoor amenities, and shadowing; and
- g) the conservation of significant cultural heritage resources.

### Highway Commercial Policies

The main permitted use within the Highway Commercial designation shall be for commercial uses serving the travelling public or uses not compatible within the downtown of an urban centre (Section 8.6.1). Further uses that due to their nature require large sites to accommodate buildings, storage and parking are permitted within the Highway Commercial designation. Section 8.6.3 states that “residential uses may be permitted within mixed-use developments provided that commercial uses are located at street-level, and land use compatibility can be addressed.”

### Official Plan Review

It is noted that Wellington County is in the process of undertaking the required 5-year Municipal Comprehensive Review to the Official Plan. The County has completed the Urban Structure and Growth Allocations (Watson & Associates), which rationalizes the growth boundaries and establishes the growth projections to 2051. Through the review, the background documents continue to support the efficient use of land, the direction of growth to settlement areas and residential intensification.

### **Planning Analysis**

It is our opinion, the Application conforms to the County OP by providing for the adaptive re-use of a property within an urban centre, including both street level commercial uses oriented to the main street and residential uses to the rear. The proposed uses are permitted on the Site and support the general directives of the County OP for the efficient use of land, intensification and a greater range and mix of housing.

The nature of the proposed commercial uses are of those that require larger building area for the storage of donated materials and sufficient parking area for the movement of a transport truck. The Conceptual Site Plan provides for design considerations including buffering to the proposed residential uses, introduction of landscaping and defined pedestrian connections.

The proposed residential uses will provide for a medium density residential use that is appropriately sized to accommodate the required supporting site functions. The Site is well suited to a medium density use, being bordered by the proposed commercial use and existing 4-storey residential buildings, with access to an arterial road. The Conceptual Site Plan provides for setbacks to existing development that complies to the Zoning B-law as well as privacy fencing and landscaping for buffering.

The supporting technical studies demonstrate that the Site has appropriate municipal servicing and safe access to St. David Street North.

## 5-6 TOWNSHIP OF CENTRE WELLINGTON COMMUNITY IMPROVEMENT PLAN, 2015 & URBAN DESIGN GUIDELINES, 2015

The Township of Centre Wellington Urban Design Guidelines (“Guidelines”), 2015, provide a framework of principals and guidelines that include design direction for the development and redevelopment of buildings, facades and streetscapes.

The preparation of the Guidelines was a direct recommendation from the Centre Wellington Community Improvement Plan (“CIP”), 2015, which encompasses, amongst others, land within Fergus that is designated as a commercial area. The CIP is to be used by municipal staff, property owners and developers to champion efforts to improve the Township and market opportunities identified in the plan. Section 3.1 of the CIP states that “Highway Commercial Areas” in the OP are included in the Community Improvement Project Area. Goals for the Project Area (Section 3.2) include:

- Pride in Place
- Attraction and Expansion
- Growth and Intensification
- Remediation and Redevelopment
- Preservation and Promotion
- Successful Implementation

To support the above-noted goals, Section 3.3.2.6 of the CIP recommends a zoning review to consider alternative parking requirements and consider density bonusing.

Specific design guidelines for “Highway Commercial” areas are included in the Guidelines and apply to the Site and the redevelopment. The vision for this area is as follows:

- Are linked to their respective communities, through the use of materials and architectural design that is complementary to the existing heritage character of Elora and Fergus;
- Exemplify a safe, comfortable, and pleasant pedestrian environment through the use of trees, landscaping and landscape furnishings on both public and private property;
- Are well connected to the broader pedestrian network of the community as well as to the active transportation network;
- Have strong gateway features that echo those of the larger municipal area;
- Minimize the presence of parking areas along the street edge;
- Incorporate built form that creates a consistent and attractive edge to the street;
- Are both universally accessible and facilitate distinct pedestrian and vehicular experiences, while maintaining strong and safe connections between parking and the pedestrian realm;
- Ensure a seamless integration of development intensity and street infrastructure between residential areas and commercial areas.

Design parameters noted in the Guidelines include consideration of:

- Shared entrances are encouraged to minimize entry points

- Parking should be located to the side or rear to facilitate buildings being located close to the street
- Clear and delineated crosswalks with a minimum width of 3.0 metres
- Sidewalks on local roads with a minimum width of 1.5 metres
- Provide landscaping that does not impede pedestrian movement
- Plant highly tolerant trees for urban conditions with variety in species
- Provide consideration for CPTED in landscaping design
- Provide lighting that is “dark sky” friendly
- Include convenient and well-marked garbage and recycling areas

The Proposed Redevelopment provides the opportunity for redevelopment and intensification within an area defined for development. It will support the continued operation by the Owner, with the ability for re-investment and renewal, while bringing new housing to the community.

At a high-level, these design parameters have been incorporated into the Conceptual Site Plan and will be further addressed at the Site Plan Approval stage.

### **5-7 TOWNSHIP OF CENTRE WELLINGTON OFFICIAL PLAN, 2013**

The Township of Centre Wellington Official Plan (“OP”), adopted in 2013, is a policy document that sets out the Township's views on how land should be used. Schedule A-1 to the OP designates the Site as “Highway Commercial” (Figure 11), with the front portion of the Site being identified as part of the “Built Boundary”.

Major goals of the OP include (Section B.4) maintaining a high quality of life, provide opportunities for housing and shopping to serve a growing community, provide a diversity of housing, promote a safe and efficient road and pedestrian system and ensure new development is compatible with existing uses.

General policies are provided in Section C, with Section C.5 focusing on residential uses. The OP encourages a wide range of housing types, which are appropriate to a particular community. Affordable housing is supported by the OP, targeting 25% of new housing units in the County being affordable. Accessory residences, semi-detached, duplex, townhouse and low-rise apartment units will provide the bulk of affordable housing opportunities.

Section C.5.5 contains policies to encourage intensification in urban centres, including support for adaptive re-use or redevelopment and adding residential uses in other main commercial areas. Development standards are promoted that are “are cost effective, environmentally sound and compatible with existing uses, small town scale and character.”

Section C.6.1 require all new development and redevelopment in Fergus to be provided on full municipal services, including:

- a) Sanitary sewage disposal facilities
- b) Water supply facilities



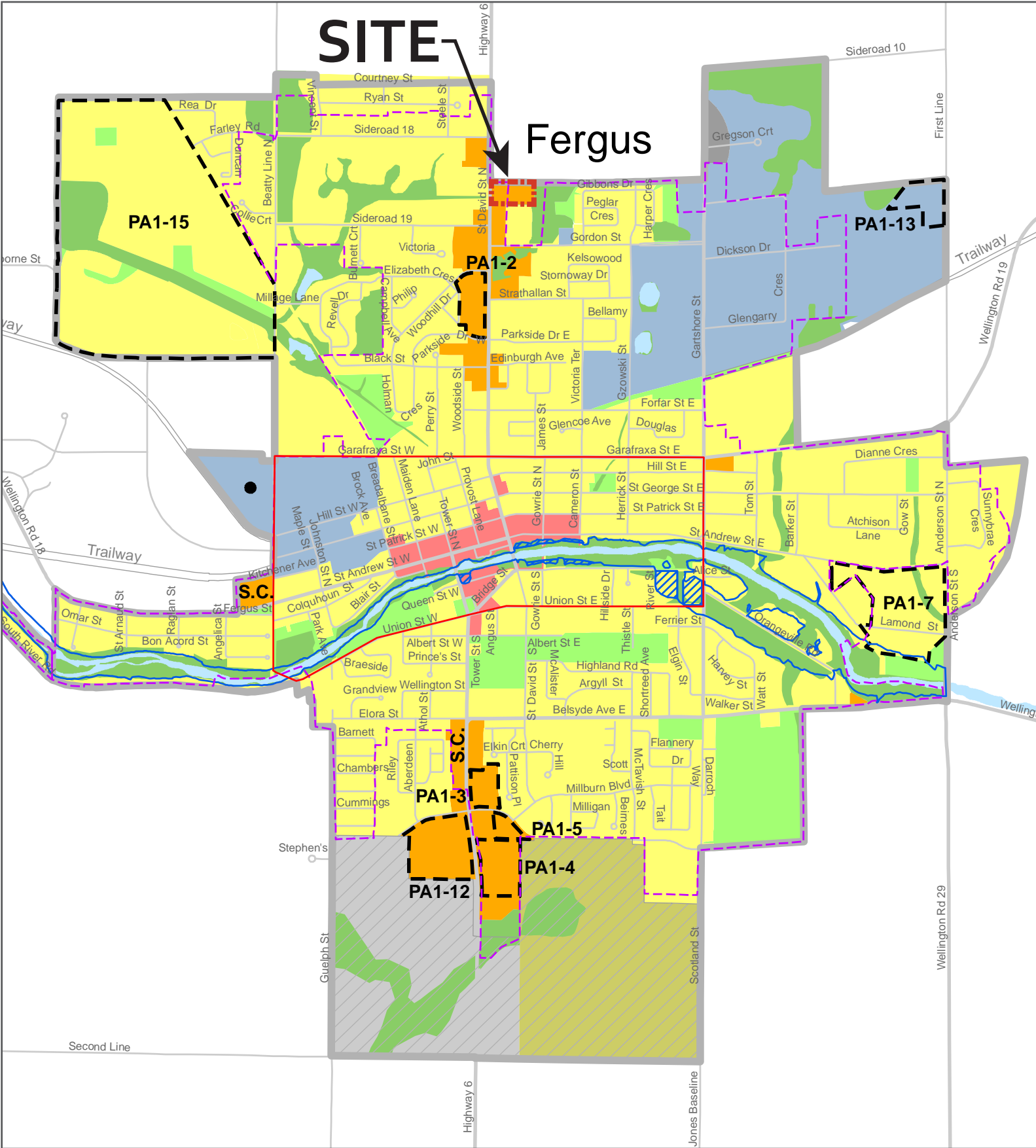


Figure:  
**11**

# TOWNSHIP OF CENTRE WELLINGTON OFFICIAL PLAN

Site Location: 950 & 960 St. David Street North, Fergus, ON



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- c) Storm drainage facilities
- d) Hydro
- e) Public roads
- f) Telecommunications

Urban design policies in Section C.15.3 set-out factors to be considered to evaluate development proposals. Greater detail is provided in the Council-approved Urban Design Guidelines (reviewed in subsequent sections). Urban Design Guidelines shall generally ensure that proposed developments:

- a) Are compatible in architectural form with abutting neighbourhoods;
- b) Form a cohesive and unified cluster of buildings which are architecturally compatible with each other;
- c) Provide links with the pedestrian, cycle and vehicular routes on their perimeter by such means as the extension of existing pathways and local streets into or through the site; and,
- d) Maintain and enhance remaining elements of valued historic development patterns in the layout of new development.

For commercial uses, loading bays and blank walls shall not directly along the street.

Further landscape design policies are provided in Section C.15.4 and will be incorporated into the future Site Plan Application and Landscape Plan. Central principles, including a larger amenity area, perimeter landscaping and a series of connected sidewalks have been incorporated into the Conceptual Site Plan.

Policies for the "Highway Commercial" designation (Section D.5), permits uses which generally serve the travelling public or are not compatible with the downtown. Commercial uses which require a larger land area due to building and loading requirements are also permitted. Residential uses may be permitted within mixed-use developments provided that commercial uses are located at street level, and land use compatibility can be addressed. Development should incorporate adequate setbacks, landscaping and screening.

### **Planning Analysis**

In our opinion, the Proposed Redevelopment and implementing Application conforms to the OP through the adaptive re-use of a commercial property with access to area amenities, servicing and an arterial road. The Proposed Redevelopment will assist in the long-term to the area becoming a node of commercial and residential uses.

The OP permits the development of the Site for both commercial and residential uses, provided the commercial uses are oriented to the street. The Proposed Redevelopment provides for an increase in the overall commercial floor area with improved landscaping, site access, parking and site circulation. The commercial uses are oriented to St. David Street to leverage the access and visibility from the main thoroughfare and will positively contribute to the St. David Street North streetscape with active frontages, pedestrian sidewalks and the screening of parking.

In adaptively re-using the Site, it can also accommodate 112 dwelling units in the form of multi-unit dwellings that will contribute to a greater range of housing in the community and provide the opportunity for home ownership to young families and those seeking to enter the housing market. Overall, this provides for an efficient and effective intensification of land within the settlement area and achieves the objectives to promote the appropriate integration and mix of land uses and does not detract from the vitality and viability of commercial uses on the Site.

Mixed-use sites, similar to mixed-use buildings, achieve planning policies, including:

- Locating residents proximate to commercial uses to increase the customer base
- Supporting alternative modes of transportation, including walking and biking
- Increasing the desirability to walk, socialize and participate in the community through the provision of active sidewalks, amenity areas and stores
- Appropriately addressing matters related to compatibility between uses, including buffering and screening, safe pedestrian movements and access

The addition of a greater mix of housing forms and tenures is a critical need in the Township as housing prices increase and supply has decreased. The dwelling units are proposed to range from approximately 900 to 1,100 square feet, with primarily 2-bedroom options.

Safe access from St. David Street North, through a consolidated entrance has been incorporated into the design, along with a connected pedestrian system of sidewalks and amenity areas.

The Conceptual Site Plan has been intentionally designated to address matters related to land use compatibility. In the context of land use planning, compatibility does not mean that new development must be the same or similar to existing development, but that it can co-exist within surrounding land uses without creating unacceptable adverse impacts. In our opinion, land use compatibility has been achieved through:

- Future highway commercial uses to the south of the Site, along St. David Street North will continue to border only highway commercial uses and will not be situated adjacent to the proposed residential uses, ensuring that future highway commercial uses are not precluded on those properties.
- The proposed residential buildings are of a similar height to the residential buildings south of the Site.
- The proposed redevelopment complies with all front and side yard setbacks, including the side yard setback to the low and medium density residential uses to the south. A minor rear yard reduction to the east from 7.5 metres to 7.0 metres is proposed and in our opinion is appropriate as this lot line abuts land designated as open space.
- Extensive landscaping and fencing are proposed along the interior property line to further enhance the privacy to adjacent residential uses to the south.
- A buffer area is proposed between the residential and commercial uses, including increased setbacks, landscaping and fencing.

- The interface of the proposed residential uses to the residential development to the south is that of a side yard, minimizing the potential for overlook into common or private amenity areas.
- The off-street parking area within the commercial component will be screened by either the new building or on-site landscaping.
- The required loading space for the commercial component is located interior to the building, providing full screening.
- TIS concluded that no road improvements are required to support the development
- The proposed off-street parking rate for the commercial use is appropriate for the nature of the specific use, with storage areas being a larger part of their floor space needs than a retail store.
- The proposed off-street parking rate of 1.25 spaces per unit is appropriate given the locational context of the Site and the overall scale and size of the proposed dwelling units.
- The Functional Servicing Report demonstrated that sufficient services and capacity are available to support the development.

Further detailed landscaping, signage, buffering and architectural design will be provided through the future Site Plan Application.

## 5-6 TOWNSHIP OF CENTRE WELLINGTON ZONING BY-LAW, 2009

The Township of Centre Wellington Zoning By-law ("By-law"), adopted in 2009, zones the Site as "Highway Commercial (C2) Zone" (Figure 12). The C2 Zone permits a fulsome list of commercial uses including Retail store with a gross floor area of 300 square metres or greater. Dwelling units above a ground floor commercial use are permitted.

The Owner is proposing a Zoning By-law Amendment to rezone the Site to a site-specific "Highway Commercial (C2)" Zone to permit a mixed-use site (horizontal mix of commercial and residential uses)(Figure 13). The site-specific provisions for the residential component of the Proposed Redevelopment have been based on the "Residential Four (R4)" Zone, which permits medium density residential uses, to ensure the appropriate development standards are applied.

The following table provides an assessment of the C2 Zone in the By-law and the Conceptual Site Plan. Where site-specific provisions are requested, it is noted in the table. For the residential component, the provisions in the R4 Zone have been used as a guide with respect to height, off-street parking and amenity area.

**Table 5-4: C2 Zoning Analysis (Commercial Component)**

	Provision	Proposed	Complies?
Minimum Lot Frontage	30 m	83.2m	Yes
Minimum Lot Area	1,000 sq. m.	6,689.9 sq.m.	Yes
Maximum Lot Coverage	40%	18.7%	Yes
Minimum Front Yard	3.0 m (18.0m for MTO)	14.0 m	<b>No</b>
Minimum Rear Yard	7.5 m	7.6 m	Yes
Minimum Interior Side Yard	3.0 m	3.0 m	Yes

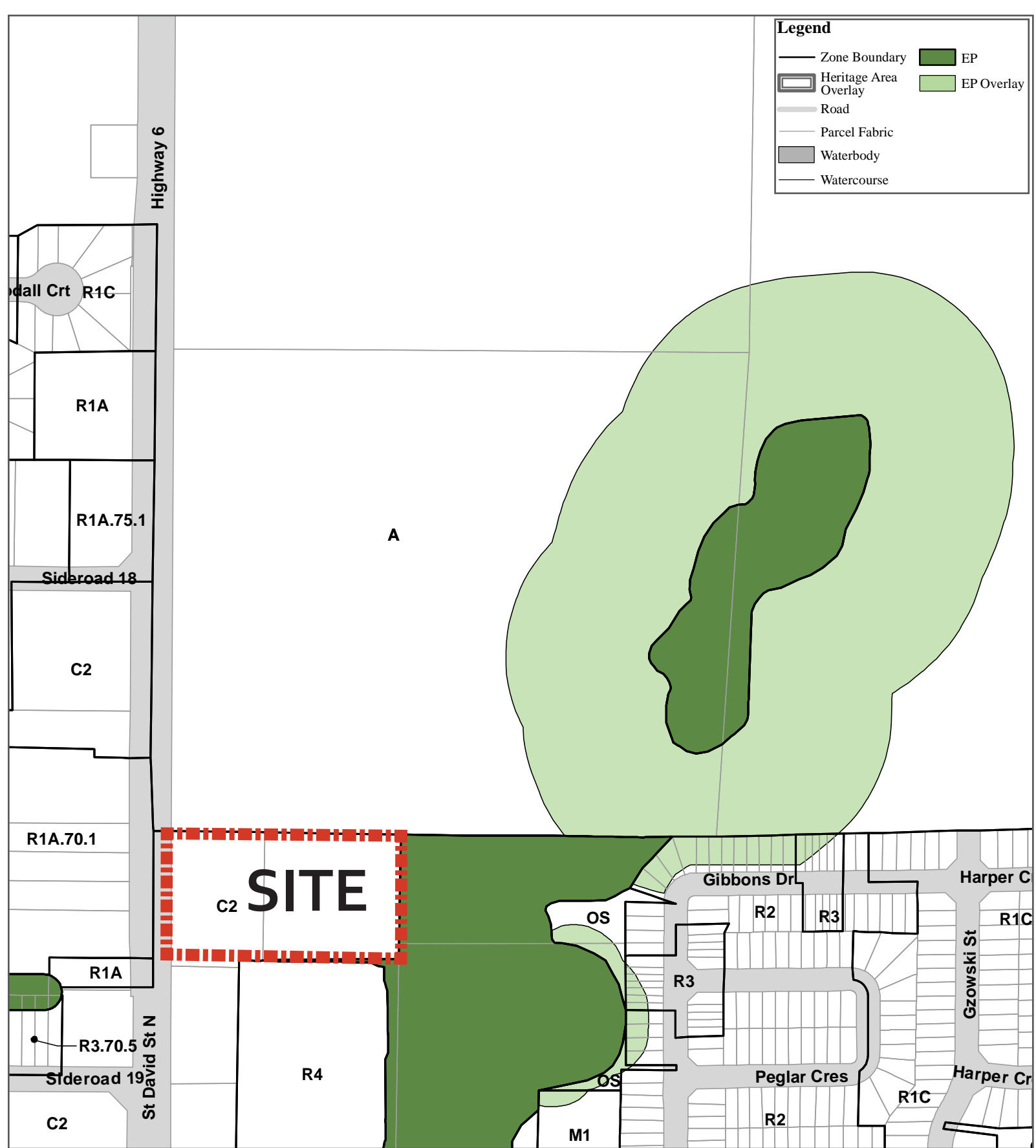


Figure:

**12**

**TOWNSHIP OF CENTRE  
WELLINGTON ZONING BY-LAW**

Site Location: 950 & 960 St. David Street North, Fergus, ON



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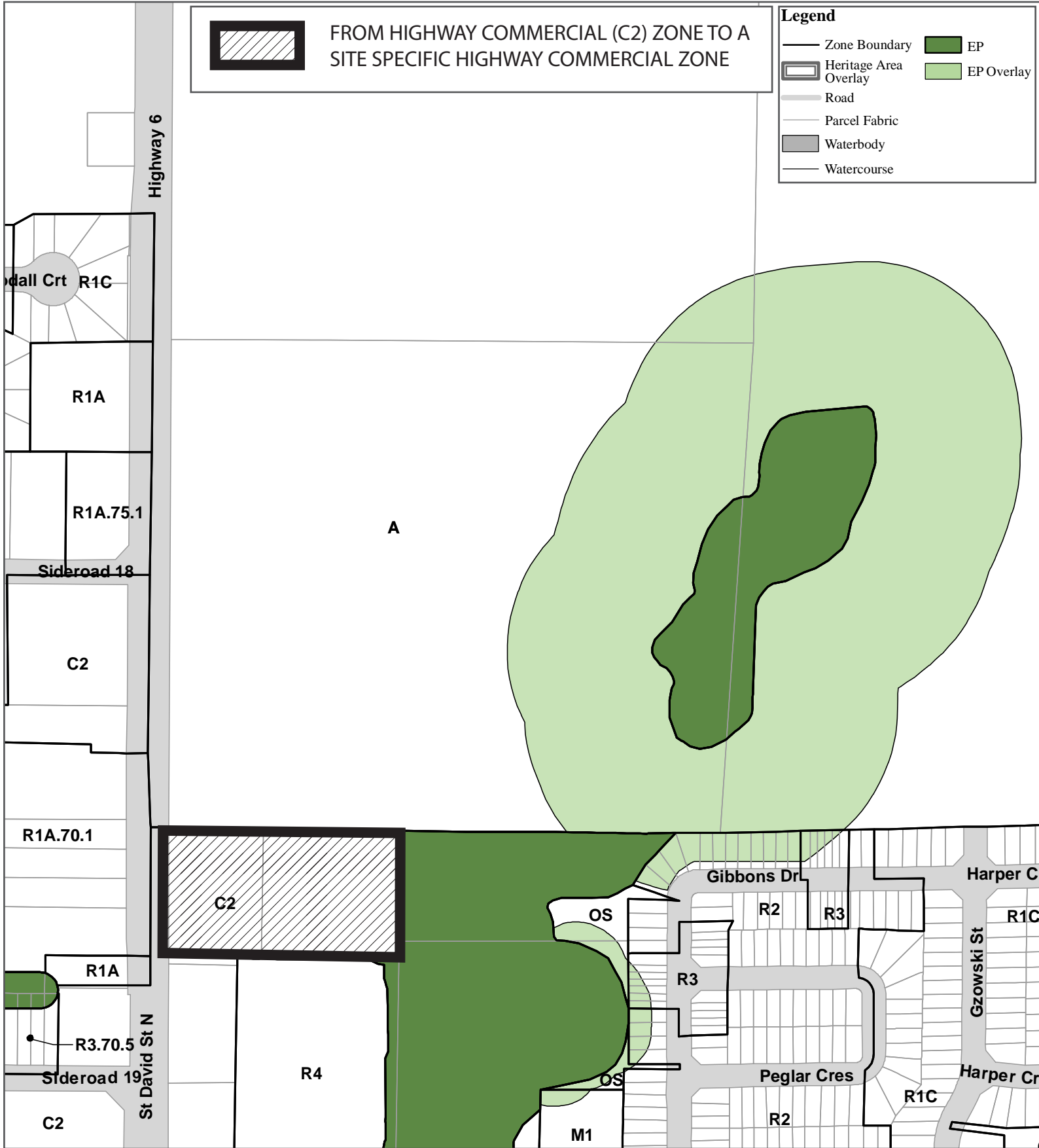


Figure:

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**TOWNSHIP OF CENTRE WELLINGTON  
ZONING BY-LAW AMENDMENT**

Site Location: 950 & 960 ST.DAVID STREET NORTH, ON



**BAKER**  
Planning Group

	Provision	Proposed	Complies?
Minimum Landscaped Open Space	20%	35.9%	Yes
Maximum Building Height	3 storeys; 11m	1 storey (<11m)	Yes
Minimum Parking Area Requirement (Retail Store)	1/20 sq.m. GFA	1/30 sq.m. of GFA	<b>No</b>
Minimum Barrier Free Parking Spaces	2	4	Yes

**Table 5-5: Zoning Analysis (Residential Component – Based on R4 Provisions)**

	Provision	Proposed	Complies?
Minimum Lot Frontage	20 m	17.5 m	<b>No</b>
Minimum Lot Area	700 sq. m.	12,965.3 sq.m.	Yes
Maximum Lot Coverage	N/A	%	Yes
Minimum Landscaped Open Space	40%	40.2%	Yes
Minimum Front Yard	6.0 m	Min. 6.0 m	Yes
Minimum Rear Yard	7.5 m	6.5 m	<b>No</b>
Minimum Interior Side Yard	7.5 m	4.4 m	<b>No</b>
Maximum Building Height	15 m	< 15m	Yes
Minimum Common Amenity Area	30 sq.m/unit	30 sq.m.	Yes
Minimum Privacy Yard Area Per Unit	Ground Floor Units - 20 sq.m./unit Upper Units – 10 sq.m./unit	10 sq.m/Dwelling Unit	<b>No</b>
Minimum Parking Area Requirement	1.0 space per dwelling unit plus 0.5 spaces per unit for the first 20 units and 0.25 spaces per unit for each additional unit = 145 parking spaces	135 parking spaces (1.2 spaces/unit)	<b>No</b>
Minimum Barrier Free Parking Spaces	5	5	Yes

In our opinion, the proposed site-specific zoning provides for the adaptive re-use of the Site for a mixed-use development that can be in a horizontal form. The site-specific provisions have been intentionally developed to address both conformity to the OP, while recognizing that the commercial component will ultimately be a separate legal lot operated and owned by the Owner and the residential component will be severed and sold to the Applicant. In this regard, the site-specific zoning must permit each component to be separately built and provide the appropriate development standards, including setbacks, landscaping, and off-street parking. Further, specific provisions to the Stacked Townhouse Dwellings related to building height and landscape open space have been carried forward from the R4 Zone to the site-specific C2 Zone.

Specific analysis and justification of proposed site-specific provisions is provided below:

- 1 To permit a minimum average private amenity area of 10 square metres per Dwelling Unit.

*A minor reduction in the overall provision of private amenity area is requested, such that the average amenity area per unit is 10 square metres. This will ensure that all units have access to private amenity, while providing access for all residents to the rear yard amenity area. The current zoning provisions would require only the ground level unit to have access to the rear yard amenity area, and given that all of the dwelling units are of a similar size with private amenity, it is our opinion that this approach is more equitable amongst the residents.*

- 2 To permit a minimum off-street parking of 1.2 parking spaces per dwelling unit; whereas the Zoning By-law requires a minimum of 1.5 parking spaces per dwelling unit and 1 space per 30 square metres of retail gross floor area; whereas 1 space per 20 square metres of gross floor area.

*Based on the analysis completed in the TIS, the proposed parking rate at 1.25 parking space per dwelling unit is appropriate as it will maintain 0.25 parking spaces per unit for visitors and 1.0 parking spaces per dwelling unit. The proposed dwelling units are limited to two bedrooms and sized in keeping with a multi-unit dwelling, which typically requires a standard of 1.25 spaces per dwelling unit in most small to mid-sized urban areas in southwestern Ontario. Research from Paradigm Transportation Solutions has illustrated that in these types of settlement areas, actual demand for condominium units is typically just under 1 space per dwelling unit.*

*The TIS prepared by Paradigm Transportation Solutions supports the proposed parking rate for the commercial component due to the nature of the use and the percentage of the floor area utilized by customers.*

- 3 Where lands have been comprehensively planned and are subject to an approved site plan and a development agreement pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the registration of a Condominium, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with.

*The Applicant is proposing a comprehensive development of the commercial component of the Site, including the elements illustrated on the Conceptual Site Plan. In order to phase construction and registration, it is anticipated that the creation of condominium units will be through a Phased Condominium (Standard). As each phase registers, the land naturally severs, and zoning compliance issues can arise to temporary lot lines until such time as future phases are registered.*

*This site-specific provision will provide the ability phase the development, provided that the development has been comprehensively designed and approved by the Township and the appropriate securities and site plan agreement can be completed.*



- 4 To permit a maximum building height of 15 metres.

*As noted above, the proposed height limit is reflective of the existing permissions in the R4 Zone and is being carried forward into the site-specific C2 Zone.*

*In our opinion, the proposed building height is compatible with the surrounding land uses. The development to the immediate south of the Site is 4 storeys in height and similarly has a 15-metre building height permission. Land to the south is intended for open space and land to the north is agricultural. Increased setbacks have been provided on the Conceptual Site Plan to the proposed commercial uses to the west on the Site; however, given the commercial nature of the use, matters related to privacy and overlook have been addressed.*

- 5 To require a minimum landscape open space of 40% for the Stacked Townhouse Dwellings.

*As noted above, the proposed landscape open space is reflective of the requirements in the R4 Zone and is being carried forward into the site-specific C2 Zone.*

- 6 To permit Stacked Townhouse Dwelling Units within the C2 Zone and include a specific definition and locational criteria.

*While permitted in the OP, standalone residential uses are not permitted in the C2 Zone. The overarching intent of the Zoning By-law Amendment Application is to permit a mixed-use development with both commercial and residential uses, but in a horizontal development form. This results in a mixed-use site, opposed to a mixed-use building.*

*The permission for a mixed-use site continues to meet the planning policies and objectives established in the PPS, Growth Plan, County OP and OP by promoting efficient use of land and services, supporting connectivity and walkability, preserving commercial land in prominent and accessible locations and supporting a greater range and mix of housing.*

*The form of development proposed on the Conceptual Site Plan maintains the intended commercial form along St. David Street North and supports the re-investment into the Groves Hospital Volunteer Association. Residential uses are proposed to be restricted to at least 75 metres from St. David Street North to maintain the intended commercial presence.*

*The mixed-use site achieves the following objectives:*

- *Facilitating an increase in the overall commercial floor area with a new building oriented to the street*
- *Maintaining the commercial presence to the portion of the Site with higher visibility and access*
- *Sensitively integrated the proposed residential uses to provide for compatible integration on the Site*

- *An integrated pedestrian system, connecting the residential and commercial and to municipal frontage*
  - *Ability to accommodate 112 dwelling units on an existing developed lot, efficiently utilizing land within the settlement area*
  - *Promoting residential growth that will support commercial uses, particularly commercial uses within walking distance*
  - *Provision of landscaping, common amenity areas and private amenity areas, distributed throughout the Site to appropriately address the need for amenity and screening and buffering*
  - *Ability to provide off-street parking and loading to support both the residential and commercial uses*
  - *Continued screening of parking to create an active street frontage*
- 7 To permit a minimum lot frontage of 15.0 metres; whereas the By-law requires a minimum of 30 metres.

*The proposed reduction in minimum lot frontage will apply to the residential component and reflects the proposed width of the driveway entrance at 950-960 St. David Street North. In our opinion, this proposed lot width is appropriate as it is sufficiently sized to provide for vehicular, pedestrian and emergency access, while minimizing the amount of visible frontage utilized to support the residential uses. This will maximize the visible frontage for the proposed commercial uses.*

- 8 To permit a minimum setback from a Provincial Highway of 14.0 metres; whereas the By-law requires a minimum of 18.0 metres.

*The MTO requires a 14.0 metre setback from a Provincial Highway and this requirement is achieved with the Conceptual Site Plan. It is the intent of the Owner to maximize visibility and frontage on St. David Street North, and an additional front yard setback of 4.0 metres reduces said visibility.*

*The 14.0 metre setback is to protect land for future road widenings. It is our understanding that the additional 4.0 metres imposed by the Zoning By-law is to provide a front yard setback should MTO expropriate the 14.0 metres. This section of the MTO corridor area is a 50 km/hr zone with urban development on both frontages. St. David Street North is also a four-lane roadway. The necessity to widen St. David Street further, would not be in keeping with the urban context or the intent of the Township to create an urban streetscape. The proposed reduction will comply with the MTO requirement, while meeting urban design objectives.*

- 9 To permit a minimum rear yard setback of 6.5 metres; whereas the By-law requires a minimum of 7.5 metres.

*The requested reduction will apply to the residential component, and more specifically, the easterly property line. In this location, the property line abuts open space land that is owned*

by the Township of Centre Wellington. In our opinion, the reduction is appropriate given that:

- i. It does not create any privacy, overlook or shadow impacts
  - ii. The residential component complies with the required landscape open space and common amenity area provisions, ensuring that sufficient opportunity for amenity and fresh air is provided to the residents
  - iii. The proposed buildings do not face other buildings, where spatial separation would need to be addressed
- 10 To permit a minimum interior side yard setback of 4.4 metres; whereas the By-law requires a minimum of 7.5 metres.

*The proposed reduction in the side yard applies to the residential component and is generally limited to the most easterly buildings on the Conceptual Site Plan.*

*In this location, the setback is to a side yard of building with limited windows and the building wall abuts a treed and open area on the adjacent residential development and farmland to the north. Similar to the rear yard setback, in our opinion, there are no negative impacts related to privacy, shadow and overlook.*

- 11 To permit a minimum setback between side walls of Stacked Townhouse Dwellings of 5.0 metres.

*The provisions in the Zoning By-law contemplate setbacks between the "face" of the building wall, which typically applies to the front and rear faces where front and rear yard setbacks are required.*

*The proposed reduction is to the side walls of the Dwelling Units, to provide greater clarity and certainty on where the building setbacks apply. The proposed side yard setback to building walls is, in our opinion, appropriate as the subject building walls will have a limited number of smaller windows, spatial separation will be complied with, and the proposed side yard setback is in keeping with or exceeds setbacks required for other residential uses.*

## 6 SUMMARY

The Owner and Applicant are proposing a comprehensive redevelopment of commercial property in the settlement area of Fergus to achieve the following objectives

- Provide for the re-investment in the New to You store, serving members of the community and supporting the hospital
- Augmenting the commercial space offerings, including size, layout and presence on St. David Street North
- Intensifying a underutilized commercial property, located within a settlement area that has access to existing and planned infrastructure
- Adding new residential units to the market that diversifying the form and type of housing available to residents
- Creating a well designed site, that co-locates residential and commercial uses in a compatible and mutually beneficial manner to support the long-term objectives of the Township and the community

Based on the foregoing analysis within this Report, it is our opinion that the Proposed Redevelopment and the implementing By-law Amendment Application, is in the public interest, is appropriate and represents good land use planning.

The Application is consistent with the Provincial Policy Statement and have regard for matters of Provincial interest. The Proposed Redevelopment supports the continued presence of commercial uses in strategy locations, while also addressing existing housing shortages in the community. The County OP and OP provide for mixed-uses on the Site to realize the benefit of mixed-use properties, from increased support and promotion of commercial uses to the efficient use of land and resources.

The supporting technical studies have demonstrated that:

1. The Site and the Proposed Redevelopment can connect to existing municipal services and there is capacity in the overall municipal system
2. Sufficient off-street parking is available to accommodate the proposed dwelling units
3. The area road network, including the St. David Street North, can accommodate the additional traffic generation

Further, the proposed redevelopment continues to support economic activity in both the construction related jobs and the introduction of new housing to support employee attraction and retention.

As outlined in this Report, the proposed site-specific regulations are appropriate and reflective of the specific form of development proposed and the context and location of the Site in Fergus.