

Date: March 17, 2021

Report To: Committee of Adjustment

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: B1-2021: Zoning By-Law Amendment – 820 Fifth Street East

Background

An application to amend the Zoning By-law 03/14 (File B1-2021) submitted by authorized agent Rainy River District Social Services Administration Board (RRDSSAB) for 820 Fifth Street East proposes to amend the applicable zoning of the lands from Institutional (I) to Residential Type Two (R2) with a site-specific accessory use as a day nursery. The proposal would see the former school renovated to accompany seniors housing with the inclusion of a day nursery (Early ON center) and the remainder of the property utilized for the construction of up to five 8-plexes.

Property History

This property and building were formerly used as an elementary school.

Information contained on file indicates the following building permits:

- 1962: Construct of school
- 1989: 161'x123' addition to school
- 1997: Roofing upgrades
- 2000: Construct a 20'x24' detached accessory building
- 2002: temporary 24'x32' portable classroom
- 2006: plumbing renovation
- 2008: repairs to fire damaged classroom
- 2011: 136m² addition and interior renovations

In 1975 a severance application was approved to transfer the easterly 6 feet of the property to a depth of 120 feet from Fifth Street East. This was then added to the residential property of 900 Fifth Street East.

Official Plan

The property is currently designated as a Living Area. Living areas typically promote residential developments including institutional uses which directly serve the surrounding residential uses everyday activities.

The existing Living Area designation suits the proposal being considered such that an Official Plan amendment is not deemed to be necessary.

Zoning

The property is currently zoned **Institutional (I)** which does not support the proposed use for the facility and property. The property is requested to be rezoned to **Residential Type Two (R2)** where the following uses are permitted:

- a) single detached dwelling
- b) semi-detached dwelling
- c) duplex dwelling
- d) townhouse dwelling
- e) triplex dwelling
- f) fourplex dwelling
- g) apartment dwelling
- h) group home
- i) home occupation
- j) boarding house
- k) community garden

In addition to the rezoning, a site-specific permitted accessory use as a day nursery is requested to permit an early on centre within the senior's apartment building. The zoning by-law offers the following definition for this use:

DAY NURSERY: A day nursery as defined by the Day Nurseries Act, R.S.O., 1980, c.111 as amended or a building where temporary care and/or guidance is provided for five or more individuals, for a continuous period not to exceed 24 hours.

The zoning provisions for the Residential Type Two (R2) zone have been attached with this report. The applicant will be required to comply with the zoning provisions, and where not feasible, apply for a minor variance to the Committee of Adjustment.

Provincial Policy Statements

The Planning Act requires that official plan amendments and zoning by-law amendments be consistent with provincial policy statements as identified in the 2020 Provincial Policy Statements (PPS). The proposed re-development appears to be consistent with the 2020 PPS as follows:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. 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.

Divisional Comments

Fort Frances Power Corporation

- No comments received

Fort Frances Fire Rescue

- Looking at the fire hydrant location in proximity to the proposed 2-storey apartment units, it appears that a second hydrant may need to be installed to meet the requirements of the OBC – judging by the conceptual site plan, the distance from hydrant to building face may be exceeded. I also have some concerns regarding fire department access/access lane. It appears as though the access for fire apparatus is either the parking lot or the road. There is a significant distance from the road to the north units and the parking lot has restrictions for responding apparatus. I feel this warrants further discussion.

Fort Frances Public Works

- water/sewer connect to Fifth Street mains near intersection of Fifth/Frenette – possibly require upgrade (unsure of sizing). Would each building have a separate curb stop?
- 2 fire hydrants in existence currently at site
- Existing storm sewer will need to be upgraded
- The Storm Sewer that exists to the parking area is 300mm and runs all the way to Frenette Ave. The area of the new parking lots will be at least four times the area of the existing and will take the water from the housing area as well. Not sure that they have the depth or if the storm sewer can handle the amount of water period. With all of the changes to the curb and entrances on the Fifth Street frontage it would be nice if we could run a larger main down the curb line on the north side of Fifth and that all of the curb was new on the frontage.
- There is currently no storm sewer along this section of 5th to tie additional infrastructure into.
- Concerns as well with the amount of new services tying into older Sewer and Water Mains. Resulting in potentially numerous patches. New services should be consolidated as much as possible.
- Not sure if there is any options for piggybacking on funding for a project like this but it would be nice to reconstruct the whole street at least to the East property limits.

Fort Frances Planning & Development

- On street parking to be converted back to calendar parking
- Site plan control will be required for the development including thorough site servicing plan and stormwater management plan.

Planning and Development Executive Committee

Scheduled for April 5, 2021

Public Meeting

Scheduled for April 12, 2021

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Summary

Administration acts as an advisory body to the Committee of Adjustment. Comments received and information provided above are provided in the form of information to assist the Committee.

Administration is seeking a recommendation from the Committee of Adjustment to provide Mayor and Council in the ultimate decision on this rezoning application.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Cody Vangel', with a stylized, flowing script.

Cody Vangel
Chief Building Official & Municipal Planner