

MEMORANDUM



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To: Natalie Bray, City Clerk, Director of Planning
Services, City of Elliot Lake

Date: December 2, 2021

JLR No.: 27355-002.1 (18)

CC:

From: Gursimran Saini, Planner

Re: City of Elliot Lake Zoning By-law Amendment
7 Diefenbaker Court, Elliot Lake, P5A 2T7 (PIN: 316230196)

PROPERTY

The subject property is generally located on the east side of Pearson Drive, along the Diefenbaker cul-de-sac, and is legally described as PCL 6922 SEC AES; PT LT 35 PL M367 GUNTERMAN PT 2 1R4075; ELLIOT LAKE. The subject property has an area of approximately 351 square metres and a frontage of approximately 6 metres on Diefenbaker Court. The subject property is currently occupied by a semi-detached residential dwelling.

APPLICATION

Elliot Lake Women's Group Inc. has initiated a Zoning By-law Amendment for the subject property to permit the use of the existing semi-detached dwelling as a men's transitional housing facility.

The effect of the proposed Zoning By-law Amendment is to rezone the subject property from Residential One and Two-Unit Dwelling – M (R1M) to Residential One and Two-Unit Dwelling Exception 9 (R1M-9) zone to permit the establishment of the proposed transitional housing facility.

RECOMMENDATION

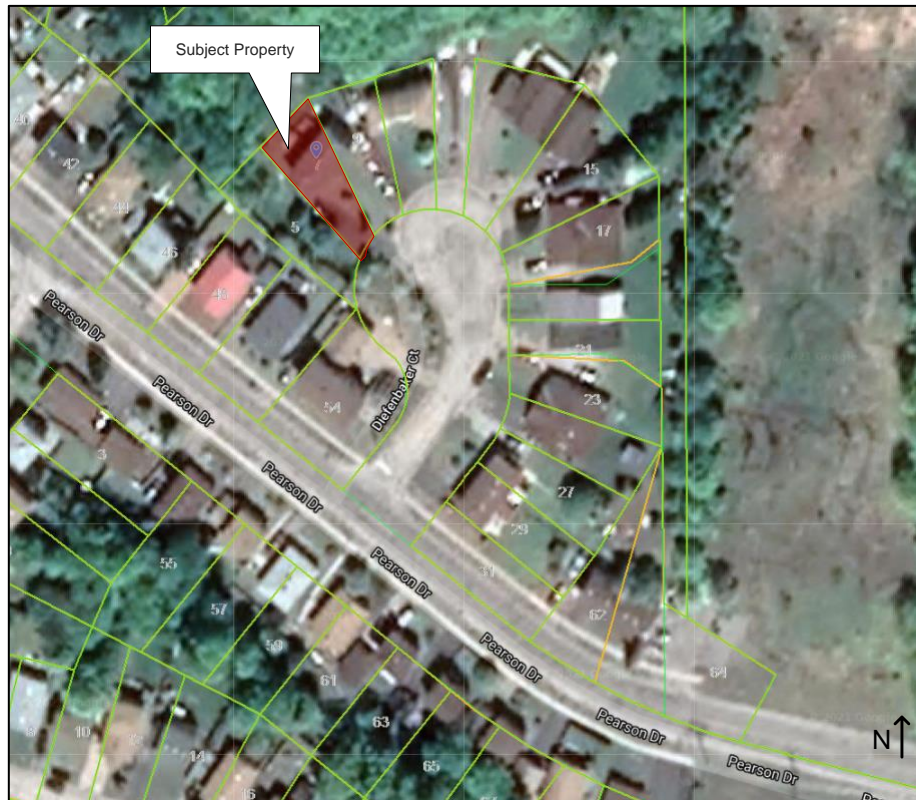
The proposed Zoning By-law amendment is consistent with the intent and policies of the Provincial Policy Statement, the Growth Plan for Northern Ontario and conforms to the City of Elliot Lake's Official Plan. As such the amendment is recommended for approval.

1.0 Background

The subject property is municipally addressed as 7 Diefenbaker Court and is generally located on the east side of Pearson Drive, along Diefenbaker cul-de-sac. The subject property is legally described as PCL 6922 SEC AES; PT LT 35 PL M367 GUNTERMAN PT 2 1R4075; ELLIOT LAKE, with an area of approximately 351 square metres and a frontage of approximately 6 metres on Diefenbaker Court. The subject property is currently occupied by a semi-detached residential dwelling, comprising of four bedrooms, two washrooms and a kitchen. Further, the subject property is surrounded by low density residential development towards the west, south and east, with dense treed lands further east. Lands to the north are occupied by dense natural vegetation, with residential development further north.

Figure 1 shows an aerial view of the subject lands and Attachment 1 shows the survey of the subject property as submitted by the Applicant.

Figure 1 Aerial View of the Subject Property



The subject property was purchased by the applicant, Elliot Lake Women's Group Inc., in March 2021. The applicant intends to use the existing building on the subject lands as a men's transitional housing facility. It is our understanding that the applicant owns and runs Maplegate House for women and Larry's Place for men, which are emergency housing shelters in the City of Elliot Lake. The proposed amendment, if approved, would enable the use of the existing structure on the subject property to provide, affordable temporary housing to vulnerable persons, who face multiple barriers to traditional housing. Further, it would relieve pressure from the housing shelters and support their use for emergency requirements.

The applicant, through this application has declared that each resident of this facility would have a separate bedroom, and pay an all-inclusive rent, which would include various amenities such as hydro, cable, internet, gas, heat, laundry and a land line telephone. The applicant has indicated that parking will be provided for 3 cars, as not all future residents are anticipated to have a vehicle. Further, the applicant has declared that the subject property will have security cameras which will be monitored by Staff at Maplegate. This use is currently not permitted by the Zoning By-law, and an amendment is required to proceed with the proposed uses.

The subject property is located within the City of Elliot Lake Urban Settlement Area and designated 'Residential' in the City of Elliot Lake Official Plan (*Schedule A – Urban Map*) and zoned 'Residential One and Two Unit Dwelling – M (R1M)' in the City of Elliot Lake Zoning By-law No. 18-36 (*Schedule A – Urban Map*). The proposal has been reviewed in context of the applicable policy framework as discussed in the following sections.

2.0 Analysis

2.1 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) 2020 provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. There are several PPS considerations with respect to the severance application. The Planning Act requires that municipal decisions in respect to the exercise of any authority that affects a planning matter "shall be consistent with" the PPS.

Section 1.1.1.b of the PPS states that healthy, liveable, and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, including affordable housing. Section 1.1.3.1 identifies settlement areas to be the focus of growth and their vitality and regeneration shall be promoted, as these areas are critical to the long-term economic prosperity of a community. Section 1.1.3.2 indicates that land use patterns within settlement areas should be appropriate for, and efficiently use, planned or existing infrastructure and public service facilities. Section 1.1.3.3 directs that where appropriate, intensification and redevelopment are encouraged, and should consider existing building stock or areas.

Further, Section 1.4.3 deals with Housing and states that “*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...*
- 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;*”

The proposed use is located within the settlement area boundary of the City, has access to municipal servicing, and is proposed within the existing semi-detached building on the subject property. Further, the proposed use represents temporary affordable housing for vulnerable persons, thus supporting social and economic well-being of populations who face barriers to traditional housing and contributing towards reducing homelessness in the City.

Based on our review, the subject application is consistent with the relevant policies of the PPS.

2.2 Growth Plan for Northern Ontario (GNPO), 2011

The GPNO indicates that communities, both large and small, function as the economic and service hub of the North. In order to ensure the prosperity of northern communities, Section 4.2 of the GPNO directs that municipalities should prepare long-term community strategies. These strategies, among other items, should achieve economic sustainability, accommodate the diverse needs of all residents, now and in the future, and optimize use of existing infrastructure. Further, Section 4.3.3.a directs municipalities maintain updated Official Plans which contain strategies for, “*developing a diverse mix of land uses, an appropriate range of housing types...*”

The proposed use will contribute to the continuance of a strong community as it represents temporary affordable housing for vulnerable persons, within the municipal urban boundary and on full municipal services. The intended use of the subject property is therefore supported by this Plan.

2.3 City of Elliot Lake Official Plan, (2018)

The subject property is located within the City of Elliot Lake Urban Settlement Area and designated ‘Residential’ in the City of Elliot Lake Official Plan (Schedule A – Urban Map). The ‘Residential’ designation permits the use of land for a wide range of residential dwellings. The proposed transitional housing will provide temporary rental housing for men, and is therefore a permitted use on the subject lands.

The Official Plan’s objectives as stated in Section 1 include “*to support a community which is affordable, healthy, and resilient*”. Section 3.4 directs that Elliot Lake will be a healthy community and the mental and physical health of the City’s residents will depend on effective delivery of, among other things, “affordable housing (rental and ownership) for people of all ages and levels of independence”.

Section 4 of the Official Plan outlines general development policies for the City of Elliot Lake, and Section 4.6 provides policy guidance on housing in the City, which states that:

“4.6.1.1 Affordable housing shall be encouraged through infilling and intensification where servicing is appropriate, by encouraging non-profit housing, and providing an appropriate mix of housing types and low to medium densities. Council will encourage affordable rental housing accommodation in existing and new housing stock...”

The proposed transitional housing use supports the above noted housing policies of the Official Plan by contributing towards the affordable housing stock in the City. Further, it supports emergency housing shelters and positions them to cater to more urgent or emergency requirements. Section 5.1 of the Official Plan provides policy guidance on development of residential areas in the Urban Settlement Area. Residential design principles provide that:

“5.1.4.1 A diversity and variety of housing types and arrangements of housing areas is intended to... provide opportunities for offering choice for consumers and facilitate the integration of a range of socio-economic groups within the community.

5.1.4.4 Housing should be suitable for the intended housing market by:

- Encouraging housing forms and densities to be affordable to moderate- and lower-income households in addition to meeting the needs for an upscale market.*

The above noted policies indicate that it is the intention of the Official Plan to support the creation of affordable housing in the City. Further, the policies provide for provision of a range and mix of housing to cater to all sections of the population. The proposed application contributes towards diversification of housing mix in the City by adding rental, transitional housing to the existing housing stock. This supports the integration of economically vulnerable sections of the society in the community through the provision of an affordable, temporary housing facility, before they gain the capacity to move to more permanent housing forms.

Based on a review of relevant policies, the proposed transitional housing facility in ‘Residential’ designated lands conforms to the City of Elliot Lake Official Plan.

2.4 City of Elliot Lake Zoning By-law No.18-36

The subject lands are zoned ‘Residential One and Two Unit Dwelling – M (R1M)’ in the City of Elliot Lake Zoning By-law No. 18-36 (*Schedule A – Urban Map*). R1M zone permits the use of lands for various residential uses, which includes, but is not limited to semi-detached dwellings, boarding homes and group homes. The subject property is currently occupied by a semi detached dwelling. The applicant is proposing to use the existing dwelling as an affordable, rental transitional housing facility for men. The permitted uses in the Zoning By-law which closely relate to the proposed use are defined as follows:

“Boarding House: any house or building, in which the proprietor resides, where meals, lodging or meals and lodging are provided for compensation for not more than four (4) persons other than the proprietor and his immediate family.”

“Group Home: A single housekeeping unit in a residential dwelling in which unrelated residents, live under responsible supervision consistent with the requirements of its residents and includes a home licensed or approved under the Provincial statute as a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, Children's Residence, Accommodation Services for the Developmentally Handicapped, Satellite Residences for Seniors and Halfway Houses for the Socially Disadvantaged, in compliance with municipal by-laws.”

Based on the definitions in the Zoning By-law, a use is considered a ‘Boarding House’ the owner of the property must reside within the dwelling unit. As the applicant is not proposing to reside on the subject property, the proposed use does not

satisfy this definition. Similarly, for a use to be considered a 'Group Home' use, requires the residents to live under responsible supervision, and the facility in this case should be licensed and approved. The applicant is proposing to provide temporary, interim accommodation, aimed at helping people make the transition to long-term and permanent housing. As such, the applicant does not intend to obtain a license for a specialized facility as is required for a 'Group Home'.

Based on the above discussion, it is evident that the use of the subject property for temporary housing by un-related individuals is permitted in principle as Boarding House and Group Home are permitted uses. As such, the intent of the Zoning By-law for the subject lands is maintained if the subject property is used as a transitional housing facility. However, the proposed use is not permitted as of right, and rezoning is required to allow for the establishment of a transitional housing facility on the subject property. The proposed uses on the subject property, can be defined as:

Transitional housing: Temporary or interim accommodation (in the form of multi-unit apartments, single room occupancies, scattered site apartments, etc.), and may be combined with case managed support services, aimed at helping people make the transition to long-term and permanent housing, self-sufficiency and independence.

The applicant is not proposing any changes to the existing semi-detached structure on the subject property through this application. If granted approval, the provisions of Section 8.2.2 of the Zoning By-law for Semi-Detached dwellings will apply to the subject property. These include:

Provision	Requirement	Existing/Proposed
Lot Area, minimum	590 sq m	351 sq m
Lot width for interior lots for semi-detached building, minimum	18.5 m	~7.75 m
Building Line from Side Lot Lines (minimum)		
For buildings having 1 storey:	1 m	3.24 m
For buildings having more than 1 storey	1.5 m	
Building line from street lot lines	6 m	~12.9 m
Building line from rear lot lines for interior lots (minimum)	7.5 m	~12 m
Lot Coverage (maximum)	33%	~15%
Density (maximum)	30 units per net hectare	-N.A.-

The subject property appears to be deficient in the lot area and lot width requirements and is likely legal non-complying. The applicant is not proposing to change the existing structure on the subject property through this application. As such, the existing deficiencies will be addressed through this Zoning By-law Amendment to bring the existing development into compliance with the current provisions of the Zoning By-law.

Section 6 of the Zoning By-law contains parking provisions for all zones. Transitional housing is not included in the list of permitted residential uses in the Zoning By-law, but the By-law contains provisions for Boarding Houses, which requires 1 space per boarder, and a Group Home which requires a total of 3 spaces. As such, given the similar nature of the proposed use, a transitional house use should provide 3 – 4 parking spaces. The existing semi-detached dwelling has four bedrooms, and thus anticipated to house four individuals. The applicant is proposing to provide three (3) parking spaces for the facility. Further, the future residents of the transitional housing facility will have access to public transit through the existing bus stop on Pearson Drive at Laurier Road, approximately 200 metres from the subject property. Transit Service is provided on this route from Monday to Saturday. As such, 3 parking spaces are considered appropriate for the proposed facility.

RECOMMENDATION


The application for a Zoning By-law Amendment is consistent with the Provincial Policy Statement, the Growth Plan for Northern Ontario, and conforms to the City of Elliot Lake Official Plan. With this in mind, we recommend the following:

- That Council enact a By-law to rezone the lands subject to this application from 'Residential One and Two Unit Family Dwelling – M (R1M)' to 'Residential One and Two Unit Dwelling – M Exception 9 (R1M-9)', and permit 'Transitional Housing' as a permitted use on the subject property.

Should you have any questions regarding the above, or if additional information is required, please contact the undersigned.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Gursimran Saini
Planner

Reviewed by:



Sarah Vereault, MCIP, RPP
Associate, Senior Planner

GS:sv

Attachment 1: Survey of the Subject Property as submitted by the Applicant

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