

# 129 SOUTH STREET

Application for Class III  
Development Permit



**FOTENN** PLANNING &  
URBAN DESIGN



# 129 SOUTH STREET

## PREPARED BY:

**FOTENN** PLANNING &  
URBAN DESIGN

FOTENN Consultants Inc.  
The Woolen Mill  
4 Cataraqui Street, Suite 15  
Kingston, ON K7K 1Z7  
613 542 5454  
[www.fotenn.com](http://www.fotenn.com)

## PREPARED FOR:



Riviyra Development Inc.  
PO Box 70  
Glenburnie, Ontario  
K0H 1S0

June 25, 2014

Brenda Guy  
Manager of Community Development  
Town of Gananoque

Dear Ms. Guy,

**Re: 129 South Street, Gananoque Ontario  
Planning Rationale - Riviyrá Condominiums, CaraCo Development Corporation**

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**EXECUTIVE SUMMARY**

**Background**

Riviyrá Development Inc. is proposing a six storey, 100 unit residential building with two levels of underground parking at 129 South Street. Townhouse suites occupy the ground and second floor of the west portion of the building. A new public pathway will follow the waterfront on the south side of the building. A marina associated with the residential building is also proposed.

The Town of Gananoque has indicated that this development application is eligible for a Class III Development Permit.

**Vision for Lowertown**

The Official Plan and Development Permit By-law share the same vision for Lowertown: it is to be a vibrant, year-round, mixed-use neighbourhood on an active waterfront where people live, work and play. New development in Lowertown must provide for an increased level of exterior design and enhance both private and public realms.

**Summary of Application**

An apartment building as permitted in the Development Permit By-law is being proposed. The building meets the By-law requirements regarding lot area, frontage, setback from the water (CRCA), amenity space and parking. The reliefs requested are for lot coverage, building height and yard setbacks and are for the most part necessary to accommodate the underground parking garage, which extends beyond the ground floor building footprint. When looking at the above-ground portion of the building, the development is very close to meeting the By-law requirements. The table below summarizes the reliefs requested.

Provision	Requirement	Based on Underground Parking Footprint (Technical)		Based on Ground Floor Footprint (Real/Visual)	
		Proposed	Relief	Proposed	Relief
Lot coverage (max)	35%	48%	13%	38%	3%
Front yard (min)	6.0 m	4.0 m	2.0 m	4.0 m	2.0 m

Provision	Requirement	Based on Underground Parking Footprint (Technical)		Based on Ground Floor Footprint (Real/Visual)	
		Proposed	Relief	Proposed	Relief
Ext. side yard (min)	15.0 m	0.5 m	14.5 m	5.0 m	10.0 m
Rear yard (min)	6.5 m	1.0 m	4.5 m	3.5 m	3.0 m
Height (max)	20.0 m	23.35 m	3.35 m	3.35 m	3.35 m

The relief requested is for the most part necessary due to two technical matters, rather than the placement of the above-ground building form. These are:

1. To accommodate the underground parking garage, which extends beyond the ground floor building footprint (i.e. not visible/covered by landscaping). When looking at the above-ground portion of the building, the development is very close to meeting the By-law requirements.
2. To recognize that for the purpose of the by-law, the yards are based on the lot frontage being located on Stone Street, despite the orientation of the development towards South Street.

The following provides further justification for the requested relief.

Lot Coverage: The requested relief is minor, particularly given permitted non-residential uses in the Lowertown designation (e.g. department store, home for the aged, hotel, restaurant) are allowed a maximum lot coverage of 75%. Furthermore, the proposed lot coverage includes the partially buried parking garage and therefore does not reflect the true footprint of the building (the exposed ground floor covers 38% of the total lot area). If the lot coverage were to be reduced, the underground parking garage would no longer be feasible, and surface parking would be required.

Front Yard: the relief requested recognizes that the front yard is measured from the Stone Street frontage, despite orienting the development towards South Street. The minimum required front yard is 6.0 metres and the proposed development is setback 4.0 metres from Stone Street.

Exterior Side Yard: Only because a portion of the property abuts Stone Street is the South Street frontage considered an exterior side yard with a minimum setback requirement of 15.0 metres. The above-ground residential building is set back more than 5 metres from South Street, which is close to the setback that would be required if South Street were the defined front yard (6 metres). The proposed 0.5 metre setback is needed because the parking garage, much of which is below grade, sits close to the property line. The setback has been rounded down from the architectural drawings to avoid encroachment of the footing into the required yard.

Rear Yard: the site's eastern property line (adjacent to the Thousand Islands Playhouse) is considered the rear yard. This property line would typically be considered an interior side yard, which has a minimum setback of 1.2 metres. Therefore, the proposal is in line with intended separation between properties fronting on to South Street, as the above-ground building footprint is 3.5 metres from this lot line.

Height: the By-law allows for a maximum building height of 20 metres (six storeys). The proposed development complies with this requirement at street level; however, because the property is steeply sloped and height is measured from average grade, some relief is required. The requested relief will not detract from the vision for Lowertown. Rather, it enhances the vision as it allows for architectural features including corner towers and various roof lines.

Urban Design: The proposed building design generally conforms to the urban design requirements for Lowertown as the development is oriented towards the street; provides for varied building materials; contains an appropriate number of projections and recessed areas; contains a variety of cladding types to avoid a monotonous building façade; appropriately screens garbage and service areas; and includes significant landscaping. It is recognized that the proposed building is large and will alter existing views to the water. However, views will be created from South Street through the proposed breezeway below the glass curtain wall and through the main lobby. Most important to note is the proposed public waterfront pathway at the water’s edge surrounding the property. This pathway provides the public with access to 100% of the view of the river furthering the town’s vision for a continuous waterfront pathway.

### **Development Permit System**

Under the Development Permit System, public participation is focused at the front-end of the process when the vision for the community is being established and is not intended to occur at the development permit stage. As such, only the applicant of a development permit has a right to appeal a decision or non-decision to the Ontario Municipal Board.

### **Findings**

It is our opinion that the proposed development is appropriate for the following reasons:

- The Development Permit By-law contemplates intensification in Lowertown, including a six storey residential building;
- The reliefs requested for lot coverage and setbacks are technical in nature and are necessary to (1) accommodate the underground parking structure, which in places extends close to the property line; and (2) recognize that the front yard is measured from Stone Street despite orienting the building towards South Street.
- The reliefs requested will not detract from the vision for Lowertown. Rather, the reliefs will allow for the architectural elements desired in Lowertown and will concentrate parking underground;
- The development will enhance access and views to the water through a public waterway;
- The proposal will improve property standards on the subject lands.

## INTRODUCTION

This planning rationale, prepared by FOTENN Consultants Inc. on behalf of Riviya Development Inc., is being provided in support of an application for a Class III Development Permit (“permit”) for the property known as 129 South Street. This permit is required to allow for the development of a six storey, 100 suite condominium building.

The purpose of this letter is to assess the appropriateness of the proposed development within the context of the surrounding community and the Town’s policy and regulatory framework. In support of this proposal we have prepared this letter assessing the application from a land use planning perspective.

The following technical studies have been prepared in support of this application:

- Heritage Impact Study
- Urban Design Rationale
- Transportation Impact Study
- Site Servicing Analysis
- Preliminary Landscape Plan
- Stage 1 Archaeological Assessment
- Environmental Site Evaluation
- Slope Erosion Assessment
- Phase 1 Environmental Site Assessment
- Wave Uprush Analysis

## OVERVIEW OF APPLICATION

A Class III Development Permit is being sought in order to permit the development of a six storey, 100 unit residential building. The permit seeks relief as follows:

- Increase the maximum permitted building height from 20.0 m to 23.35 m
- Increase the maximum permitted lot coverage from 35% to 48%
- Decrease the minimum required front yard setback from 6.0 m to 2.0 m
- Decrease the minimum required exterior side yard setback from 15.0 m to 0.5 m
- Decrease the minimum required rear yard from 6.5 m to 1.0 m

## SITE OVERVIEW AND SURROUNDING USES

The subject site is 7,254.4 square metres in size and is bound by South Street to the north, the Thousand Island Playhouse at 185 South Street to the east, the St. Lawrence River to the south, and Stone Street South to the west.

The amalgamated property encompasses several former parcels municipally known as 101 to 171 South Street. The site is currently occupied by a marina (Gordon Marine Limited) which contains a two storey commercial building and one warehouse building. These buildings are to be demolished as part of the redevelopment. The amalgamated property also contains residential uses including several single detached dwellings. All residential dwellings have been or will be demolished as part of the redevelopment.



Figure 1: Former marina use.



Figure 2: Former residential uses.

# CONTEXT



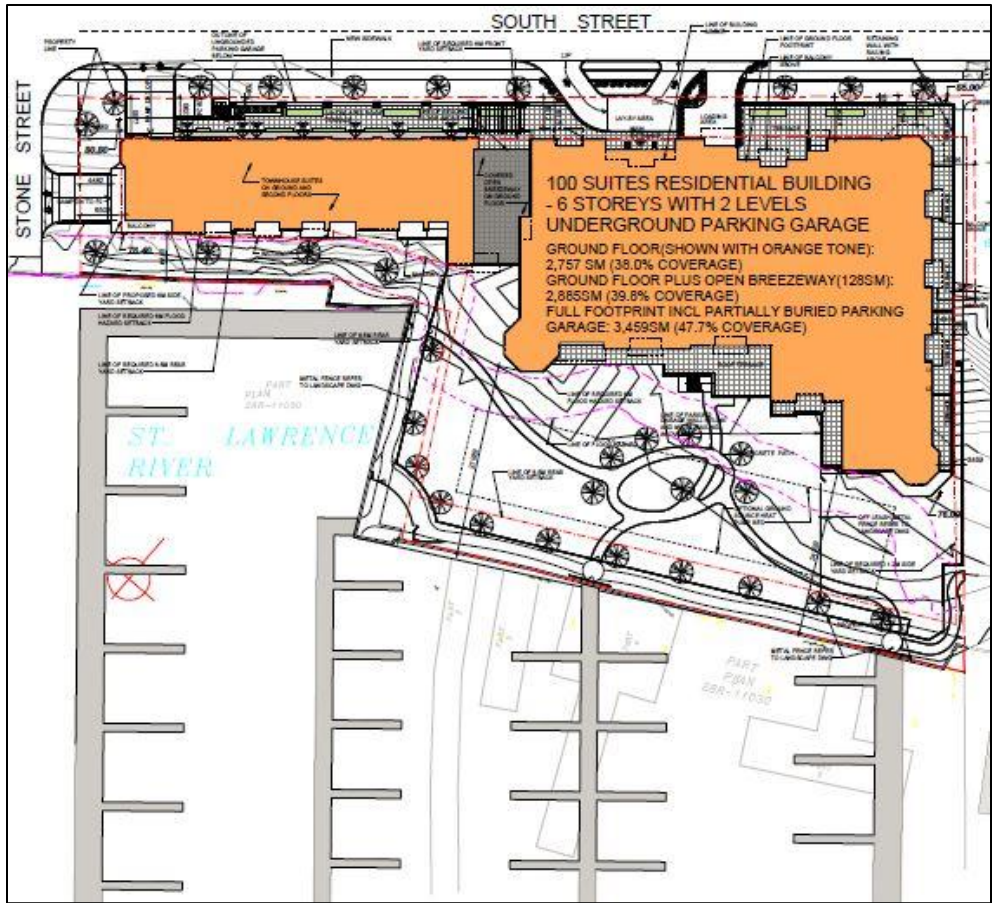
**Figure 3: Site Context**

South Street represents the immediate northern boundary of the subject property with low density residential uses on the north side of the street. The lands to the east of the property include the Thousand Island Playhouse. The Playhouse property is occupied by two buildings. The Firehall Theatre is located at street level and Springer Theatre is on the waterfront. Beyond the Playhouse there exists a mix of low and higher density residential uses including single detached dwellings and two condominiums, one 4 and one 5 storey building at the street. The St. Lawrence River directly abuts the property to the south and west of Stone Street is a commercial development known as the Gananoque Inn.

## DEVELOPMENT PROPOSAL

The proposed development consists of the removal of existing marina buildings and residential dwellings and the construction of a six storey, 100 unit residential building with two levels of underground parking. Townhouse suites occupy the ground floor and second floor of the west portion of the building. In-water private dockage will be provided for residents. Figure 4 illustrates the conceptual site plan for the proposed development.





**Figure 4: Conceptual Site Plan**

The proposed building has been carefully designed to reflect the vision for Lowertown as articulated in the Official Plan and Development Permit By-law. The proposed design is inspired by the Queen Ann style found in much of Lowertown. High turrets at corners, steep sloped roofs, decorative timbering gables, high quality brick and stone masonry walls and decorative window patterns are incorporated into the exterior design. A breezeway below a glass curtain wall extends through the main lobby creating views of the water from South Street.



Figure 5: View of the development from southwest.



Figure 6: View of the development looking south from South Street.



**Figure 7: View of the development from southeast.**



**Figure 8: View of the development from northwest.**



**Figure 9: View of the development from northeast.**

Landscaping is proposed throughout the site and along South and Stone Streets to provide a high quality amenity area. Trees and shrubs are also proposed around the entrances to the underground parking garage and along the stone foundation walls to soften the views. A 1.5 metre wide sidewalk is proposed along the north side of the building along South Street for use by residents and visitors of the development and the community more largely.

Views of the waterfront will be enhanced, and access that does not currently exist will be created, by providing a pathway at the water's edge which will span the entire water frontage of the property. This pathway will be publicly accessible, thus providing full water views and furthering the Town's vision for a continuous waterfront pathway. Private docking will be provided for residents of the proposed development.

## **SUPPORTING STUDIES**

### Heritage Impact Statement

A Heritage Impact Statement, dated November 2014, was prepared by Golder Associates Limited. It is the conclusion of the HIS that there will be no impact on any cultural heritage resources as a result of the proposed development based on the review of the legislative and policy framework in place, consideration of the cultural heritage value or interest of relevant heritage resources, and the visual assessment of the existing conditions and the impact of the proposed development.

### Urban Design Rationale

An Urban Design Rationale, dated April 4, 2014, was prepared by Chamberlain Architect Services Limited. This review found that the proposed development respects the cultural and architectural heritage integrity of the Lowertown designation, creates a signature building image, creates a high

quality streetscape along South Street as required in the Development Permit By-law, will benefit the community by providing water views from South Street through the building and from a waterfront path.

#### Transportation Impact Study

A Transportation Impact Study, dated October 2013, was prepared by MMM Group Limited. This report analyses the transportation impacts for this development, and addresses the suitability of the proposed parking arrangement and site circulation requirements. The expected traffic conditions in 2018 are not greatly impacted by the construction of this development, and the available roadway capacity is anticipated to be adequate to support the project trips generated by this site. Additionally, the proposed parking supply exceeds the Town's By-law requirements.

#### Site Servicing Impact Study

A Site Development Report, dated October 16, 2013, was prepared by Josselyn Engineering Inc. The results of this report include the following:

- Sanitary sewer for this site is available via the existing sanitary sewer main on South Street.
- Water service can be provided by 300 mm main on South Street.
- Stormwater Management will be specific to the site, and will meet the requirements of the Town of Gananoque and Cataraqui Region Conservation Authority.
- Provision of other utility services will be determined when a development application is made.
- All costs to upgrade the infrastructure would be required by the developer.

#### Preliminary Landscape Plan

A Preliminary Landscape Plan was prepared by Scott Wentworth Landscape Group Ltd. Some features include a front entrance planting bed, coniferous trees (which provide year round foliage) around access points to the underground parking garage, a sitting area with small trees and waterfront plantings, small columnar trees lining the sidewalk and along the water frontage and an off-leash dog run.

#### Stage 1 Archaeological Assessment

A Stage 1 Archaeological Assessment, dated September 10, 2013, was prepared by Past Recovery Archaeological Services Inc. A letter from the Ministry of Tourism, Culture and Sport indicates that based on the information contained in the report, the Ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's standards and guidelines. Stage II work will be completed at time of construction.

#### Environmental Site Evaluation

An Environmental Site Evaluation (including Fish Habitat Assessment), dated August 9, 2013, was prepared by Ecological Services. The only natural heritage feature of note at this location is fish habitat. An underwater assessment of the fish habitat determined that it has no significant attributes, although there may be limited spring spawning in front of one of the residential lots. There are no intentions to fill in fish habitat for the new development, but shoreline work may disrupt spawning and so the standard timing restriction for working in warm-water fish habitat are

recommended. As well, standard measures to prevent siltation and debris from entering the water are recommended, especially during the demolition phase of the project.

#### Slope and Erosion Assessment

A Slope and Erosion Assessment, dated September 19, 2013, was prepared by Concord Engineering. This assessment found that because the development will be situated on bedrock above normal high water levels with shoreline protection along the lines of existing seawalls, slope stability and erosion are not considered a significant risk to the structural integrity of the proposed structure.

#### Environmental Peer Review

An Environmental Peer Review, dated June 15, 2012, was prepared by Pinchin Environmental. As part of the EPR, Pinchin reviewed a Phase I and II Environmental Site Assessment as well as Screening Level Risk Assessment. These assessments were previously prepared by EXP Services Inc. for Gordon Marine. Based on Pinchin's review of EXP's previous assessments, no concerns were identified with respect to human or ecological health at the Site.

#### Wave Uprush Analysis

A Wave Uprush Analysis, dated June 12, 2013, was prepared by Riggs Engineering. The results of the analysis predict a wave excursion of 2.2 m onto the upland area, well within the 6 metre flood plain setback.

### **POLICY AND REGULATORY FRAMEWORK**

#### Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides high-level land use policy direction to be implemented through the actions of municipalities. Decisions of municipal councils must be consistent with the PPS which provides direction for issues such as: the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic diversity of households, and preserving natural resource stocks for their future use. In relation to the development of the subject site, the PPS includes the following considerations:

- existing settlement locations are intended to accommodate new growth;
- intensification and high-density compact growth is promoted as a means to make efficient use of existing infrastructure and community services;
- providing opportunities for public access to shorelines;
- limiting the impacts of development on the ecological features and functioning of natural areas; and
- limiting the impacts of development on cultural heritage resources (including archaeological sites).

Through setbacks, building design and landscaping as recommended through supporting studies, the redevelopment of the subject site with a high-density residential use is generally consistent with the PPS.

### The Town of Gananoque Official Plan

The Town of Gananoque Official Plan (2009) sets out the land use planning goals and policies that guide the physical development of the Town over the next 20 years. There are several sections of the Plan which are relevant to this application. These sections and the relevant policies are described below.

### **Section 3.0: Land Use Policies**

#### *Section 3.1 Our Heritage – Planning Lowertown*

According to Schedule A to the Official Plan, the subject property is located within the Lowertown District Policy Area designation. It is Council's goal to create a vibrant, year-round, mixed-use Lowertown neighbourhood on an active waterfront where people live, work and play.

According to Section 3.1.1 the objectives for Lowertown include:

1. *Protect and enhance existing residential uses in a mixed use setting.*
2. *Encourage new medium and high density residential uses in a mixed use setting.*
3. *Protect and enhance existing viable businesses in a mixed use setting.*
4. *Encourage the rehabilitation and or conversion of vacant industrial buildings.*
5. *Encourage appropriate new, street-related retail and commercial uses.*
6. *Protect and enhance existing recreation, tourism and cultural uses in a mixed use setting.*
7. *Provide opportunities for new water-related recreation activities.*
8. *Enhance vehicular and pedestrian circulation and orientation.*
9. *Encourage appropriate cultural activities and facilities.*
10. *Protect and enhance the natural heritage qualities of the shoreline.*

While four single detached dwellings will be removed as part of the redevelopment, 100 new units including townhouse suites and traditional strata units will be added to the Town's housing stock. The proposal involves the development of a higher density residential building in a mixed use setting. Prospective residents would benefit not only from on-site amenities but also from existing commercial uses nearby including the Thousand Islands Playhouse, the spa and restaurants associated with the Gananoque Inn, Stonewater Pub and other retailers located on the Town's main street, which is less than 1 kilometer away.

The subject lands are currently under private ownership and do not offer public access to the waterfront. The proposed development will improve public access to the waterfront with the provision of a public pathway that will run along the water's edge surrounding the property. The proposed development also includes the provision of boat slips for residents of the building, which will further encourage waterfront recreation. As well, considerable landscaping and overall site improvements are proposed which will improve residents' ability to enjoy the waterfront and associated recreational activities.

The lands are currently accessed via numerous driveways and access points with parking areas focused at street level. The proposed site design features a circular driveway in front of the

building's main entrance and two ramps that access the underground parking garage. Parking areas are concentrated entirely below grade, providing more space for landscaped amenity areas. The site will also benefit from a new sidewalk which extends along the South Street road frontage.

The proposed development is not expected to negatively impact the shoreline's natural heritage features. An Environmental Site Evaluation, dated August 9, 2013, was prepared by Ecological Services. This evaluation found that the only natural heritage feature of note at this location is fish habitat. An underwater assessment of the fish habitat determined that it has no significant attributes. There are no intentions to fill in fish habitat for the new development, but shoreline work may disrupt spring spawning and so the standard timing restrictions for working in warm-water fish habitat are recommended.

The proposed development conforms to the policies of Section 3.1.2.1 which specifically address Lowertown's natural heritage features. These policies seek to protect the features identified in Schedule F; ensure development is adequately setback from the stable top of bank; ensure the proper implementation of stormwater management practices and other pollution control measures; and implement shoreline protection measures designed to visually complement the waterfront. Schedule F does not identify any natural heritage features on the subject property that require protection. The Cataraqui Region Conservation Authority requires that all buildings and structures be set back a minimum of 6 metres from the regulatory flood plain. The proposed building will meet this setback in all locations. Stormwater management will be specific to the site, and will meet the requirements of the Town of Gananoque and the CRCA. The proposed redevelopment will also significantly improve the waterfront area which is currently completely paved and occupied by a metal clad warehouse.

The proposed development conforms to the policies of Section 3.1.2.2 which address public use of and access to the shoreline area. A continuous pedestrian walkway through the Lowertown district is to be implemented through development and/or redevelopment in accordance with the Lowertown Master Plan. The proposed development includes the provision of a publicly accessible waterfront walkway which will traverse the shoreline of the site.

Section 3.1.2.3 includes policies that address development and re-development in Lowertown. All of the Lowertown designation is considered to be a mixed use development area. Permitted uses (among others) include low, medium and high density residential. Council is to apply the Urban Design Guidelines as described in the Lowertown Master Plan for all proposed development and re-development. New development is to be consistent with the existing character and approved themes for Lowertown and any high density residential development will be directed away from existing low density residential areas. The proposed development generally conforms to the urban design requirements of the Lowertown Master Plan regarding built form, street tree planting and parking lot design. South Street in this location is characterized by low density residential uses along the north side and taller multi-unit residential buildings, the marina, an inn and the playhouse on the south side, adjacent to the waterfront. South Street is a good example of the mixed use that Lowertown represents. The residential use proposed is in keeping with the established street form and will be more in keeping with the Official Plan than the quasi-industrial marina that it will replace. Views to the water are being improved by redirecting people along the water. The new sidewalk along South Street will also provide an open view of the water through a breezeway.



The building design consists of elements that will ensure an interesting façade, such as a breezeway, glass curtain wall and the townhouse style units on the west side of the building. The combination of these features with the various building materials proposed ensure that there will not be a long uninterrupted façade. Significant landscaping in the form of trees, shrubs and flower beds is proposed to improve the streetscape and soften views. Finally, all parking will be located in an underground parking garage, the entrances to which will be screened by landscaping.

**Section 4.0: Making it Work – Our Infrastructures**

It is an objective of Council that water, waste water and stormwater will be managed in a fiscally and environmentally responsible manner. In particular, development will not be encouraged where such development would result in, or could lead to, unplanned expansion to existing water and waste water infrastructure (Section 4.1.4.1.2). The site is currently connected to municipal services. The developer will be responsible for any infrastructure improvements that are necessary to accommodate the proposed development.

**DEVELOPMENT PERMIT BY-LAW**

The Development Permit By-law articulates and establishes development requirements, provisions and standards that need to be met before approval(s) can be issued. The Town is divided into distinct areas on schedules which identify specific land use designations. The Development Permit By-law designations are consistent with the designations in the Official Plan and the By-law provisions implement Official Plan policies and directions provided for each specific designation. The subject property is located within the *Lowertown – Mixed Use* designation.

Permitted Uses

Residential uses permitted within the Lowertown Mixed Use designation include:

- A single family dwelling;
- A semi-detached dwelling;
- A duplex;
- A triplex;
- A townhome dwelling;
- An apartment; and
- A home based businesses.

The proposed development is therefore permitted within the Lowertown area.

Provisions – Residential Uses

The following table examines the site provision requirements for the Lowertown Mixed Use area as they relate to the proposed residential development.

Site Provisions	Requirements	Proposed	Compliance
Lot Area (min)	930 m <sup>2</sup>	7,254.4 m <sup>2</sup>	✓
Lot Coverage (max)	35%	47.7%	12.7% relief required
Lot Frontage (min)	24 m	25 m (Stone Street)	✓

Front Yard Setback (min)	6 m	4.0 m	2 m relief required
Exterior Side Yard Setback (min)	15 m	0.5 m	14.5 m relief required
Interior Side Yard (min)	1.2 m	N/A	N/A
Rear Yard Depth (min)	6.5 m	1.0 m	5.5 m relief required
Building Height (max)	20.0 m	23.35 m	3.35 m relief required
Flood plan setback	6.0 m	6.0 m	✓
Amenity Space	2,000 m <sup>2</sup>	4,330 m <sup>2</sup>	✓
Parking	128 spaces	162 spaces	✓

#### Additional Provisions

Section 4.4.2 provides addition provisions for multi-unit dwellings including the following:

- All multi-unit residential dwellings shall be required to obtain a Class II Development Permit
- No parking shall be allowed in the area which is required as part of the front or exterior side yard setback.
- A maximum of 40% of the lot area may be used for at grade parking.
- 20 square metres of amenity space shall be provided per dwelling unit. The provision of an equipped children’s play area may be required as a condition of any Development Permit.
- Pedestrian walks shall be not less than 1.2 metres in width and shall be provided wherever normal pedestrian traffic will occur.
- Garbage and refuse pickup and other multi-family utility areas shall be provided and shall be located so as not to detract from the aesthetic character of the development and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least 1.5 metres in height around the perimeter.
- Approaches to multi-family dwelling structures and entrance areas shall be provided with trees and attractively shrubbed. Areas not used for buildings, drives and parking space shall be seeded or landscaped.

The proposed development meets all of these requirements. A Class III Development Permit is being sought, which involves the most rigorous tests for approval. No parking will be provided in the front or exterior side yard setbacks as it will all be located below grade. Also, by placing the parking inside the building, the overall lot coverage is reduced from 75% (35% building + 40% paved parking area) to a total under 48%. By placing the parking underground, above ground structures will only represent 38% coverage of the site. The proposal provides more than double the required amenity space in the form of landscaped open space and rooftop terraces. A 1.5 metre landscaped walkway is being provided along the entire South Street frontage and a new public walkway is being provided along the waterfront. Garbage and refuse areas will not be visible from the street so as not to detract from the character of the development and landscaping will be provided at pedestrian and vehicular approaches.

#### Design Criteria

The objective within the Lowertown Mixed Use designation is to recognize the historical, architectural character and unique streetscape and waterfront advantages this distinctive area of Town enjoys. Accordingly, design criteria have been developed to inform the re-development of

existing built form and development of vacant spaces. The design of the proposed development was borne out of the design criteria for Lowertown which includes the following:

- Architectural interest through the use of exterior cladding materials that compliment the cultural heritage of the area is encouraged.
- Buildings should be oriented towards the street.
- All building service areas shall be located away from public view.
- Lighting and street furniture shall be to the municipal standard.
- Buildings should be integrated with the existing grade and provide at grade entrances or alternatively accessible modifications should be provided.
- Entrances to parking areas should be well designed by signage and curbing.
- Attention to façade details that provide for varied materials and details that add to the pedestrian and public experience. Where building elevation is adjacent to a roadway, elevations will be required to have an appropriate number of projections and recessed areas and a variety of cladding types in order to ensure that a monotonous building façade is not created.
- Buildings located at intersections should provide exterior details on both street fronts.
- Garbage enclosures are to be fenced and screened with soft landscape elements. Garbage receptacles require screening (wood or metal). Recommended locations include inside parking courts or at the end of parking bays. Locations should be conveniently accessible for trash collection and maintenance and should not block access drives during loading operations.
- Add character and interest to public spaces by the integration of public art, wayfinding and signage that considers the history and tradition of the area.
- Soft landscape materials including shrubs and plating at foundation base, container planting consisting of urns, planters, window boxes or suspended baskets shall be provided along the street.
- Provision for pedestrians and cyclists throughout the designation that considers access to open spaces, the waterfront and recreational spaces is required.
- Pedestrian crosswalks and pathways will be defined with the addition of unit pavers or feature pavers.

#### Waterfront Overlay

The Waterfront Overlay represents a 100 metre buffer area around the St. Lawrence River and Gananoque River. This overlay is intended to encourage the protection of these resources and to facilitate the preservation of views, access and public usage. The provisions of the overlay generally seek to preserve and enhance vegetation, preserve and enhance waterfront uses and views, ensure parking is obscured behind or below multi-residential buildings, and provide for exterior waterside walkway on all new multi-residential development.

The existing natural river edge of the property has been extensively hardened in order to provide water access for boats and docks. The proposed development will remove much of the paved area and introduce vegetation to the site. The shoreline area will feature a publicly accessible path which

will ensure views of the water are maintained and access enhanced. Finally, parking will be located entirely below grade, ensuring the site will not be dominated by surface parking.

## DISCUSSION

An apartment building as permitted in the Development Permit By-law is being proposed. The building meets the By-law requirements regarding lot area, frontage, setback from the water (CRCA), amenity space and parking. The reliefs requested are for lot coverage, building height and yard setbacks and are for the most part necessary to accommodate the underground parking garage, which extends beyond the ground floor building footprint. When looking at the above-ground portion of the building, the development is very close to meeting the By-law requirements.

The relief requested is for the most part necessary due to two technical matters, rather than the placement of the above-ground building form. These are:

1. To accommodate the underground parking garage, which extends beyond the ground floor building footprint (i.e. not visible/covered by landscaping). When looking at the above-ground portion of the building, the development is very close to meeting the By-law requirements.
2. To recognize that for the purpose of the by-law, the yards are based on the lot frontage being located on Stone Street, despite the orientation of the development towards South Street.

The following provides further justification for the requested relief.

Lot Coverage: The requested relief is minor, particularly given permitted non-residential uses in the Lowertown designation (e.g. department store, home for the aged, hotel, restaurant) are allowed a maximum lot coverage of 75%. When one considers that at grade parking is also permitted to cover 40% of the property, residential uses such as an apartment can also cover 75% of a property. The coverage being requested includes the partially buried parking garage and therefore does not reflect the true footprint of the building (the exposed ground floor covers 38% of the total lot area). If the lot coverage were to be reduced, the underground parking garage would no longer be feasible, and surface parking would be required – thereby increasing the required coverage.

Front Yard: the relief requested recognizes that the front yard is measured from the Stone Street frontage, despite orienting the development towards South Street. The minimum required front yard is 6.0 metres and the proposed development is setback 4.0 metres from Stone Street. Generally, a 6 m front yard setback is required to provide enough space for vehicle parking. In this instance no parking will be permitted within the front yard setback.

Exterior Side Yard: Only because a portion of the property abuts Stone Street is the South Street frontage considered an exterior side yard with a minimum setback requirement of 15.0 metres. The above-ground residential building is set back more than 5 metres from South Street, which is close to the setback that would be required if South Street were the defined front yard (6 metres). The proposed 0.5 metre setback is needed because the parking garage, much of which is below grade, sits close to the property line. To avoid encroachment of the footings into the municipal right-of-way, a setback of 0.5 metres is required.

Rear Yard: the site's eastern property line (adjacent to the Thousand Islands Playhouse) is considered the rear yard. This property line would typically be considered an interior side yard, which has a minimum setback of 1.2 metres. Therefore, the proposal is in line with intended separation between properties fronting on to South Street, as the above-ground building footprint is 3.5 metres from this lot line.

Height: the By-law allows for a maximum building height of 20 metres (six storeys) demonstrating the Town's desire for taller buildings within the Lowertown Mixed Use area. The proposed development complies with this requirement at street level; however, because the property is steeply sloped and height is measured from average grade, some relief is required. The requested relief will not detract from the vision for Lowertown. Rather, it enhances the vision as it allows for architectural features including corner towers and various roof lines.

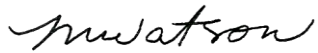
Urban Design: The proposed building design conforms to the urban design requirements for Lowertown as the development is oriented towards the street; provides for varied building materials; contains an appropriate number of projections and recessed areas; contains a variety of cladding types to avoid a monotonous building façade; appropriately screens garbage and service areas; and includes significant landscaping. It is recognized that the proposed building is large and will alter existing views to the water. However, views will be created from South Street through the proposed breezeway below the glass curtain wall and through the main lobby. Most important to note is the proposed public waterfront pathway at the water's edge surrounding the property. This pathway provides the public with access to 100% of the view of the river furthering the town's vision for a continuous waterfront pathway.

## CONCLUSION

It is our professional opinion that the requested Class III Development Permit meets the policy and regulatory framework of the Town of Gananoque, represents good planning, is appropriate for the subject property and is in the public interest for the following reasons:

- The proposal is consistent with the Provincial Policy Statement (2014) with respect to the redevelopment of a serviced site located within the settlement area;
- The Development Permit By-law contemplates intensification in Lowertown, including a six storey residential building;
- Supporting technical studies demonstrate that the site and the proposed development can be adequately serviced and that impact is reasonable or adequately mitigated
- The reliefs requested for lot coverage and setbacks are technical in nature and are necessary to (1) accommodate the underground parking structure, which in places extends close to the property line; and (2) recognize that the front yard is measured from Stone Street despite orienting the building towards South Street.
- The reliefs requested will not detract from the vision for Lowertown. Rather, the reliefs will allow for the architectural elements desired in Lowertown and will concentrate parking underground;
- The proposed residential development continues the existing building form of the south side of South Street;
- The development will enhance access and views to the water through a public waterway; and,
- The proposal will improve property standards on the subject lands.

Yours truly,



Margo Watson, MCIP RPP  
Director, Planning and Development



Mike Keene, MCIP RPP  
Senior Planner