



**STAFF REPORT  
MUNICIPALITY OF WAWA**

**Maury O'Neill, CAO-Clerk**

<b>Prepared By: Maury O'Neill</b>	<b>Report No.: CAO 2025-02</b>
<b>Agenda Date: Feb. 18, 2025</b>	<b>File No. D-14 Zoning</b>

**Downtown Commercial (C1) Zoning Amendment  
Initiated by Municipality**

**Staff Recommendation**

**THAT** Council receive Report No. CAO 2025-02 dated February 18, 2025, and approve the following staff recommendations:

- a) Initiate and publish a Notice of Public Meeting to receive input on a proposed amendment to Wawa Zoning By-Law 2821-15 to permit more than one secondary dwelling unit in a building located in a Commercial (C1) zone, on the second or upper storeys of the building.
- b) Remove all other zoning requirements set out in Section 4.4 that would restrict residential units in the Commercial (C1) zone including minimum and maximum floor area sizes, egress locations and window opening locations that are specified in the Building and Fire Codes.
- c) That no restrictions be set out on the maximum number of residential dwelling units to be built on upper storey levels.
- d) That a Public Meeting be held to receive public comment on the proposed zoning by-law amendment.

**Background**

Current land use planning documents restrict the development of additional residential units in the Commercial (C1) zone located along the Broadway Avenue Area, outlined in the following map:



**A) WAWA OFFICIAL PLAN (2379-20)**

The Official Plan for the Municipality of Wawa (OP) was adopted on November 2, 2010, and it sets out a planning policy framework for the Municipality to direct land uses throughout the community.

Section A3 sets out the goals of the OP, including the following:

- Section A3.2.4 – To permit a broad range of housing types and densities to meet the needs of a changing demographic of current and future residents.”

- Section A3.2.7 – “to encourage further intensification and use of the lands within the downtown core and to make every effort to improve the economic health of the core by encouraging redevelopment and the broadest mix of uses.”
- Section A3.4.1 – “to encourage economic growth and provide opportunities for economic development in a manner which will sustain and improve the quality of life in the Municipality.”

Section B4.5.3 recognizes and encourages residential uses in the Downtown area, provided such uses are in the second storey of buildings or are developed on land or in buildings which are vacant or underutilized.

Although the Plan is out-dated and over 15 years old, it does appear that the Official Plan does encourage residential development in the Commercial (C1) Zone.

### **B) WAWA ZONING BY-LAW (2821-15)**

The Municipality adopted Zoning By-law 2821-15 to implement the policies of the Official Plan and identify permitted land uses and provisions guiding development in Wawa.

The properties within the Downtown area are primarily zoned General Commercial (C1) which permits a wide range of commercial uses. Further, the Zoning By-law states in Section 4.4 – Apartment Dwelling Unit Accessory to Commercial Use that:

Notwithstanding any other provisions of this By-law, one secondary dwelling unit is permitted in a building in the C1 and C2 Zones provided:

- a) the floor area of the secondary dwelling unit does not exceed 33% of the gross floor area of the commercial building;
- b) the minimum floor area of the secondary dwelling unit is 45 m<sup>2</sup>;
- c) the maximum floor area of the secondary dwelling unit is 55 m<sup>2</sup>;
- d) the dwelling unit has a means of egress only to the rear or
- e) side yard and is separate from any means of egress for the commercial
- f) use(s); and,
- g) window opening in the unit having an area of 0.30 m<sup>2</sup> above grade.

This section restricts housing units to one per commercial building, along with requirements that exceed the current Ontario Building Code for size.

### **C) PROVINCIAL POLICY STATEMENT (2024)**

The new Provincial Policy Statement came into effect on October 2024. The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Planning Statement sets the policy foundation for regulating the development and use of land that municipalities must follow.

There are a number of policies throughout the Statement that direct that municipalities must do everything possible to encourage new housing development. The following statement from the Policy is an example:

#### ***Section 2.2 Housing***

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

1. Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g. shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units.

### **D) WAWA DOWNTOWN COMMUNITY IMPROVEMENT PLAN (CIP)**

The goals of the Wawa CIP are to encourage the development and redevelopment of municipally and privately-owned vacant and underutilized land and buildings, including the provision of additional housing units.

It identified that the current provisions of the General Commercial (C1) Zone restricted the development of more than one residential dwelling unit in an upper floor of a building located in the C1 zone. Further, it identified that to encourage more residential development in the Downtown along with private

sector investment in underutilized and vacant buildings in the CI zone, the Municipality should:

1. Undertake a municipally initiated Zoning By-law Amendment to more broadly permit multiple residential dwelling units on the upper storeys of buildings containing ground-level commercial uses within the C1 Zone, and;
2. Support standalone multi-unit residential uses on vacant or underutilized lands or buildings within the C1 Zone, subject to a Zoning By-law Amendment.

### **E) WAWA HOUSING ACTION PLAN**

Council has identified in the Wawa Housing Action Plan and Housing Pledge that supporting a wide range of new housing development is a priority. As stated in the Housing Plan, Council committed to strive to ensure that its policies and procedures are in place to encourage and promote innovative housing development and directives which will promote housing maintenance.

Further, in the Housing Pledge, Council committed to:

- Implement strategies to encourage and promote intensification to enable and expedite additional residential units in existing residential areas as set-out in the Wawa Housing Action Plan; and
- Update the Official Plan and Wawa Zoning by-laws to permit a greater range of housing (e.g. nanny flats, secondary units in commercial zones) to be built without the need for minor variance and rezoning applications.

### **Options/Recommendation**

Permitting multiple residential dwellings units on the upper storeys of buildings containing ground-level commercial uses within the C1 Zone would ensure that the Zoning By-law better conforms to and implements the Official Plan policies for Downtown Wawa and better aligns with other municipal planning documents such as the Wawa Housing Action Plan, Provincial Policy Statement and Community Improvement Plan.

The Amendment would also enable the redevelopment of Downtown Wawa properties and buildings by the private sector to support the housing-focused goals and Financial Incentive Programs of the CIP as well as reduce the need for privately initiated, site specific Zoning By-law Amendments to permit multi-unit upper storey apartments in the CI Zone.

Standalone multi-unit residential uses which are proposed on vacant or underutilized lands or buildings within the C1 Zone would still require a Zoning By-law Amendment. This would ensure that there is opportunity for a thorough community engagement process under the Planning Act to contemplate such uses in a Commercial Zone, and to confirm that they are proposed on an appropriate site and do not detract from the primarily commercial nature of the Downtown.

Options include not proceeding with the zoning amendment or moving forward with publishing a Notice to gauge public input prior to amending the planning document.

Staff recommend proceeding with the rezoning application and public meeting requirements.

Submitted By:

Maury O'Neill  
CAO-Clerk