



Working together with our community

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## Public Hearings Committee – July 22, 2025

Subject: Application ZNPL2025199 proposing to amend the Zoning By-law to rezone the subject lands from Agricultural to Hamlet Residential for the lands described as 4929 Highway 59.

Report Number: CDS 25-015  
Division: Community and Development Services  
Department: Planning  
Ward: Ward 2  
Purpose: For Public Meeting

### Recommendation(s):

That staff Report CD-25-062 for development application ZNPL2025103 be received for information; and

That any comments received as part of the statutory public meeting be considered in a future recommendation staff report; and

That the zoning by-laws for application ZNPL2025199 shall be completed in accordance with By-law 2022-106 which assigns delegated approval to the Director of Planning or designate for these types of applications.

### Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 ("Planning Act"), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on July 3, 2025

### Discussion:

The applicant is proposing a Zoning By-law Amendment to rezone the subject lands from Agricultural (A) to Hamlet Residential (RH) to facilitate Official Plan conformity and the future development of the lands.

An overview summary of the development application that has been submitted for the subject property at 4929 Highway 59 is contained within Attachment A. This includes an outline of the site context and any received technical and/or public feedback. It is recognized that the application itself did not include any supporting technical documentation aside from a Planning Justification Report and a focused geotechnical study that examined the soils percolation rate. The draft by-law amendment is included as Attachment E.

### **Strategic Plan Linkage:**

This report aligns with the 2022-2026 Council Strategic Priority Building Norfolk - Develop the infrastructure and supports needed to ensure complete communities

Explanation: Development that results from applications under consideration can help contribute to a vibrant community and future development opportunities.

### **Conclusion:**

A decision will be made by the Director of Planning or designate under delegated authority as per By-law 2022-106 on this matter following review of the circulation, planning considerations, and this statutory public hearing meeting regarding the submitted, “complete” development applications.

### **Attachments:**

Attachment A Development Application Overview  
Attachment B Existing Planning Policy and Zoning  
Attachment C Technical Comments  
Attachment D Public Comments  
Attachment E Proposed Zoning Bylaw Amendment

### **Approval:**

Approved By:  
Al Meneses  
Chief Administrative Officer

Reviewed By:  
Alisha Cull, BES, MCIP, RPP, Ec.D.  
Manager of Planning Services

Prepared By:  
Kendall Wharton, BEDP  
Planner

Attachment A - Report CDS 25-015  
**Development Application Overview**

# **4929 Highway 59, Hamlet of Courtland**

Application File Number: ZNPL2025199

Agent: David McPherson

**Statutory Public Hearing**

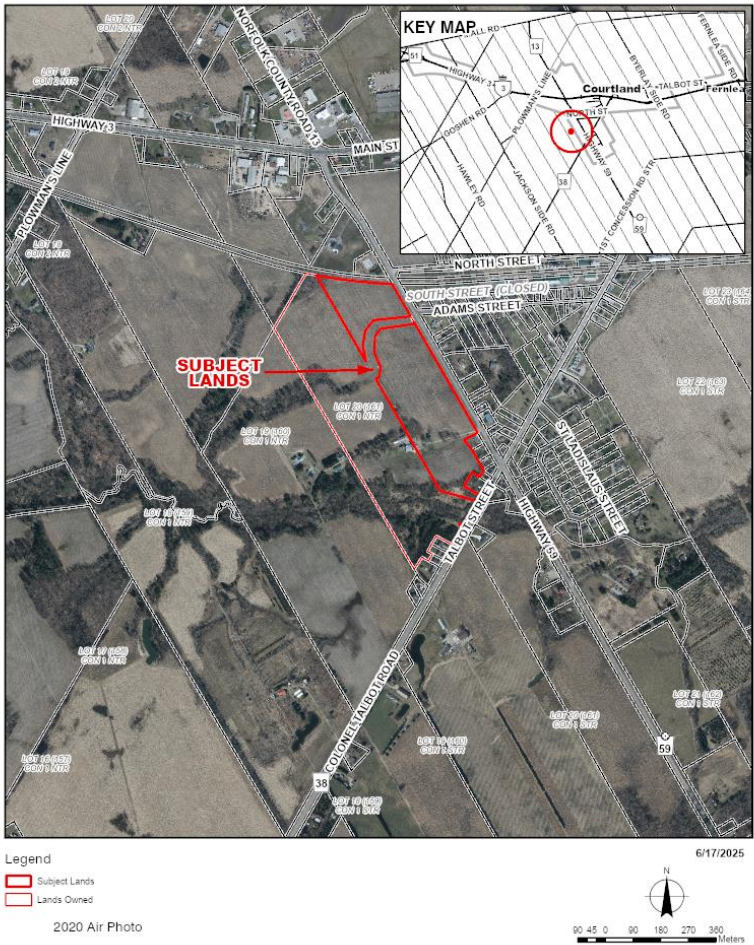
Date: July 22<sup>nd</sup>, 2025

1

# Site Context: ZNPL2025199

MAP A  
CONTEXT MAP  
Geographic Township of MIDDLETON

ZNPL2025199



## Site Characteristics:

- 34.37 ha (84.93 acres)
- Agricultural lot with frontage onto Highway 59
- Located within the Hamlet of Courtland
- Property contains an existing single detached dwelling, agricultural buildings, and a bunkhouse

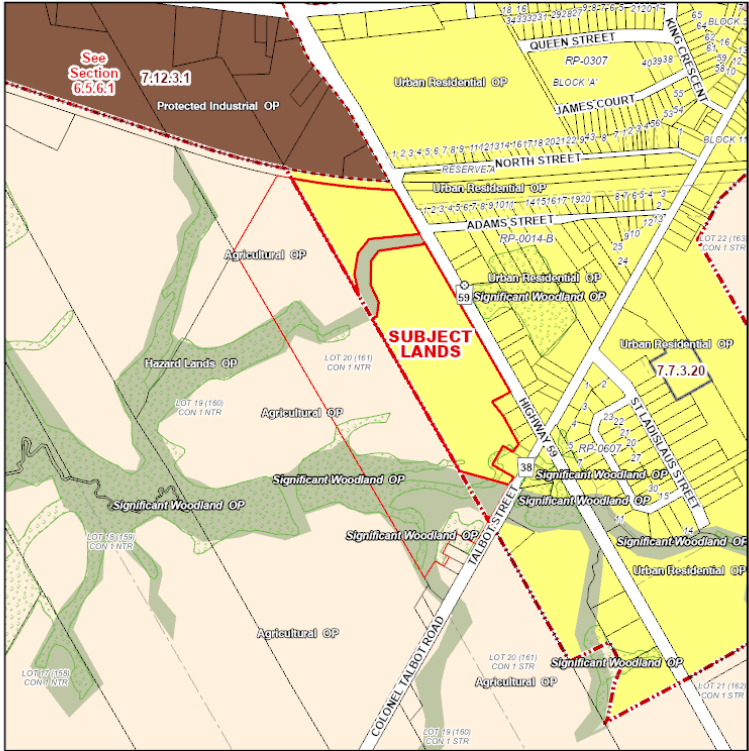
## Surrounding Land Uses:

Residential, Agricultural, Hazard Lands, Protected Industrial Area

# Site Context: ZNPL2025199

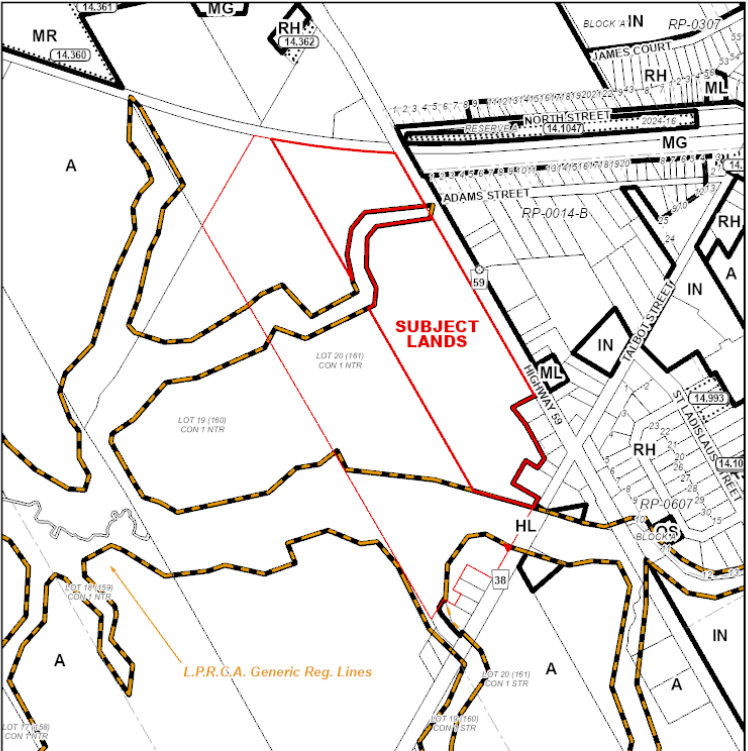
**MAP B**  
OFFICIAL PLAN MAP  
Geographic Township of MIDDLETON

ZNPL2025199



**MAP C**  
PROPOSED ZONING BY-LAW AMENDMENT MAP  
Geographic Township of MIDDLETON

ZNPL2025199

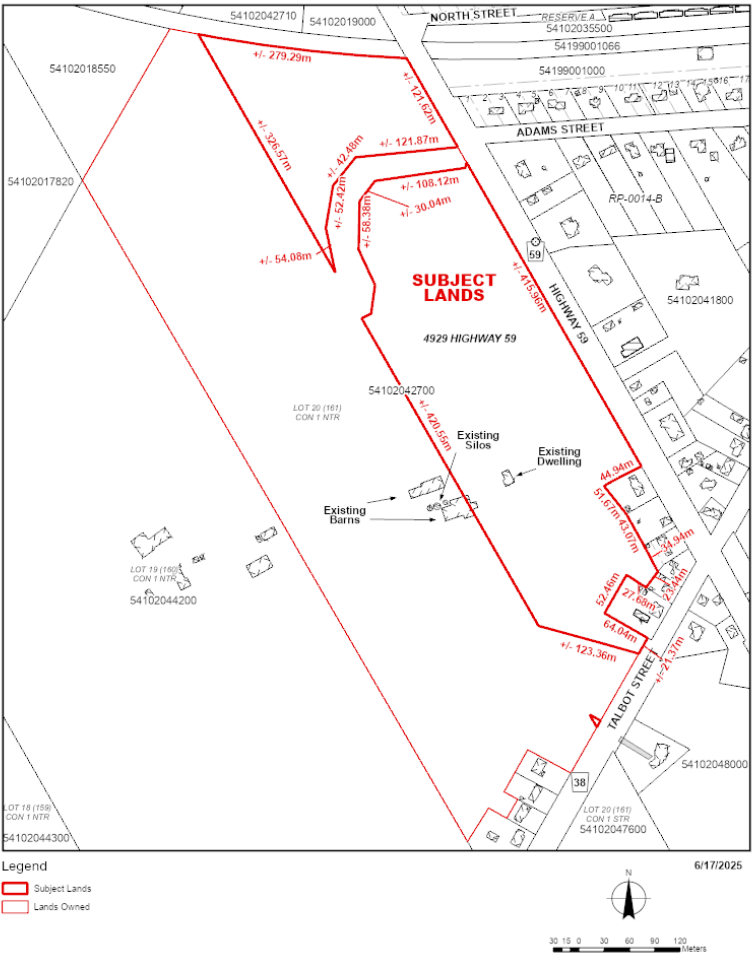




# Development Proposal

MAP D  
CONCEPTUAL PLAN  
Geographic Township of MIDDLETON

ZNPL2025199



**Development Proposal:**

- Re-zoning the subject lands to facilitate compliance with the Official Plan and future development

**Proposed Zoning Amendment:**

- Re-zoning the subject lands, designated Urban Residential OP, from Agricultural Zone to Hamlet Residential Zone

# Preliminary Review

## **Technical Reports**

Planning Justification Report and Scoped Soils Analysis.


## **Technical Comments**

No technical comments secured as no technical reports were provided. Engineering has requested that the Re-zoning include a Holding Provision until the matters set out in Attachment C are addressed.

## **Public Input**

No Public input has been received at time of submission of this report and presentation.

# Preliminary Considerations

Key Items		Preliminary Review
Agriculture		A portion of the subject property will remain in use for agriculture.
Housing		The proposed rezoning will facilitate the future development of the lands for housing.



# Next Steps & Recommendation

- Consideration of Public Hearing Input
- Review of all Technical Comments

## Public Hearing Committee Report Recommendation:

*That staff Report CD-25-062 for development application ZNPL2025199 be received for information; and*

*That any comments received as part of the statutory public meeting be considered in a future recommendation staff report; and*

*That the decision for this application will be made by the Director of Planning or designate through delegated approval as per By-law 2022-106.*

## **ATTACHMENT B**

### **Existing Policies and Zoning Considerations**

#### **Planning Act**

Section 34 of the Planning Act grants Councils of municipalities the authority to pass a Zoning By-Law as well as subsequent amendments to the Zoning By-Law.

***Planning Comment:*** *It is not unusual to find issues within a comprehensive Zoning By-Law and the intent of housekeeping amendments is to make technical and administrative updates to the Zoning By-Law in order to address minor issues and inconsistencies.*

#### **Provincial Planning Statement, 2024**

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, which is intended to be complemented by local policies addressing local interests. The PPS promotes healthy, livable and safe communities through the efficient use of land throughout the Province of Ontario. The PPS directs municipalities to focus their growth within settlement areas where full municipal services are available.

Section 2.3 Settlement Areas and Settlement Area Boundary Expansions states that settlement areas shall be the focus of growth and development and that planning authorities shall support general intensification and redevelopment.

***Planning Comment:*** *The subject lands are located within the Urban Area of Courtland. The application will rezone the portion of the lands that is designated as Urban Residential in the Official Plan from Agricultural Zone to Hamlet Residential Zone.*

#### **Norfolk County Official Plan**

Existing Land Use Designation: “Urban Residential”, “Agricultural”, and “Hazard Land”

Section 7.7 outlines the permitted uses and land use policies for the Urban Residential Designation. Urban Residential areas are expected to continue to accommodate neighbourhoods and provide a variety of residential forms.

Section 7.2. outlines permitted uses and land use policies for the Agricultural designation, which precludes the severance of lands for residential development outside of agricultural-related purposes.

Section 7.3. outlines permitted uses and land use policies for the Hazard Land designation.

Section 6.5.6 provides the specific policies for the Courtland Urban Area, where there are limitations upon the amount, type, form and density of development due to the nature of sanitary services in the area.

***Planning Comments:*** *The subject application seeks to facilitate compliance with the Official Plan. The subject lands are designated as Urban Residential, and thus the zone of Hamlet Residential is appropriate in order to facilitate future development.*

### **Zoning By-law 1-Z-2014**

Existing Zoning: Agricultural Zone

Proposed Zoning: Hamlet Residential Zone

Section 12.1.1. outlines permitted uses in the Agricultural Zone, which includes a range of agricultural and agricultural-related uses, single detached dwellings, cannabis production and processing, bed & breakfasts, home industries, home occupations, accessory residential dwelling units and uses accessory to permitted uses.

Section 5.7.1 outlines permitted uses in the Hamlet Residential Zone, which includes single detached dwellings, home industry and occupation, and accessory residential dwelling units.

***Planning Comment:*** *The current Agricultural zoning would not permit future development of the lands within the Urban Residential designation. The purpose of the Zoning By-law Amendment is to rezone the portion of lands designated as such to Hamlet Residential zoning to facilitate future development.*

*In addition, the rezoning of this portion of the subject property would bring the proposed lot into compliance with the Official Plan.*

## **ATTACHMENT C**

### **Technical Comments**

#### **Building**

The Building Department has reviewed the application and has no comments.

#### **Zoning**

Circulated.

#### **Engineering**

Engineering has reviewed the application and notes that no supporting documents were provided for review aside from a Planning Justification Letter and a focused Geotechnical letter that provided an examination of the soils percolation rate. Additionally a Pre-Consultation meeting was not held for this application and therefore our comments have more regard for procedural steps rather than comment on preliminary technical matters. Engineering is aware that the applicant has a severance application in before the County to create a total of four (4) lots (3 severed a 1 retained). The current zoning of Agriculture (A) does not allow for lot creation for residential use. Per the Official Plan, the subject lands appear to be limited to the creation of a maximum of three (3) lots by way of severance. The requirement for a plan of subdivision may be waived to allow for infilling or redevelopment of up to four (4) lots in an Urban Area (which Courtland is), where the lands are serviced by municipal water **and** sanitary sewers. The subject lands are not serviced by municipal sanitary sewers. An Official Plan amendment may be required to permit the creation of four (4) lots, or the severance proposal may need to be revised to simply create three (3) lots post re-zoning.

We note that the request is to re-zone the entire subject lands as Residential Hamlet (RH) and as such farming uses would no longer be permitted on the subject lands. We might suggest that the request be revised to dual zone the lands as R1(A) specifically for the proposed severed parcels and Development (D) for the remaining retained parcel.

The use of the RH zoning requires a minimum lot area of 0.4ha whereas the applicant seeks to create lots with areas of 0.18 ha. The R1A zoning appears to be more appropriate in this case.

The applicant is advised that the lands contain, and is supported by the Purdy Drain. Should the lands be rezoned and subsequently severed, the applicant will be required (as a condition of severance) to enter into a Development Agreement with the County to address the proposed modifications to the lands within the Purdy Drain watershed area per the appropriate Section of the Drainage Act.

The section of the Purdy Drain within the subject lands, is located within lands designed as Hazard Land (See Schedule B-20 of the Official Plan) and currently zoned as Hazard Lands. These hazard lands and its limits require further study and confirmation and as such, confirmation of the hazard land boundary line will be a necessary step before finalizing any plans that about these hazard lands.

Given that the application provides no supporting information on servicing and land suitability for residential use, the re-zoning should be accompanied by a Holding Provision (H) which may be lifted on all or parts of the land when the following matters are addressed:

Should the lands be dual zoned:

- 1) the R1(A), zoned lands shall have a Holding Provision requiring:
  - a. Providing an acceptable Functional Servicing Plan dealing with aspects of:
    - i. Water servicing (including confirmation of attachment of the lands/lots to the municipal water system; i.e. no servicing by private well within the Urban Boundary of Courtland)
    - ii. Wastewater servicing
    - iii. Lot grading, stormwater servicing and storm water management
  - b. Providing an acceptable Geotechnical Study to confirm that the land is suitable to support residential land development.
  - c. Providing an acceptable Hydrogeological Study to confirm that the land/lots are of suitable in size and capacity to support on-lot septic servicing
  - d. The applicant secures confirmation that a driveway access permit will be issued to support the attachment of a new driveway to Highway 59.
  - e. The submission of a legal plan of survey confirming the boundaries and land ownership of the applicant. It is recognized that the plan submitted in support of the severance application is not a plan of survey and is simply an illustration plan for the suggested severance. To avoid any issues post severance, a legal plan of survey should be provided confirming or adjusting the illustrative plan.
  - f. Recognizing that the subject lands or portions therefore are within the capture of the Ministry of Transportation (MTO) Permit Control Area, that the applicant secure comments from the MTO on the proposed re-zoning.
- 2) The D, zoned lands shall have a Holding Provision requiring:
  - a. That a Plan of Subdivision will be required to support any further land division.

Should the lands proceed to be wholly zoned as RH, Engineering requests that a Holding Provision be attached to the Zoning to address matters 1 and 2 above.

**GIS**

Circulated.

**By-law**

Circulated.

**Agreement Administrator**

Circulated.

**Fire**

Circulated.

## **ATTACHMENT D**

### **Public Comments**

To date, no comments have been received from members of the public who were notified about the proposed developments.





## **The Corporation of Norfolk County**

### **By-Law 2025-XX**

**Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Middleton Concession 1 NTR, Part Lot 161, Norfolk County, municipally known as 4929 Highway 59.**

**WHEREAS** Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, CHAPTER P.13, as amended;

**AND WHEREAS** this By-Law conforms to the Norfolk County Official Plan.

**NOW THEREFORE** the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from Agricultural (A) to Hamlet Residential (RH).

**ENACTED AND PASSED** this xx day of xx, 2025.

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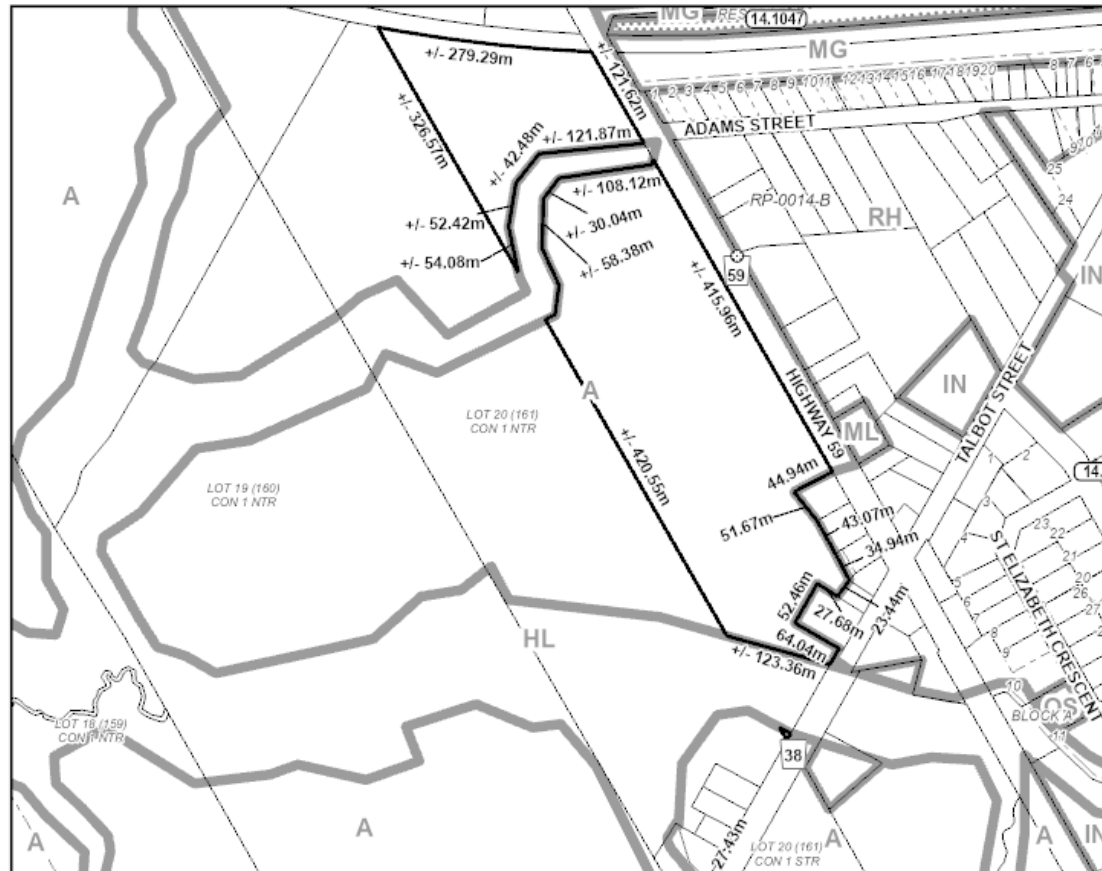
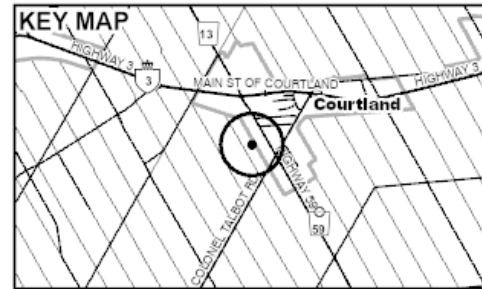
Director of Planning or Designate

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County Clerk

**MAP A**  
**ZONING BY-LAW AMENDMENT**  
**NORFOLK COUNTY**

In the Geographic Township of  
**MIDDLETON**



### LEGEND

☐ Subject Lands

From: A  
To: RH

## ZONING BY-LAW 1-Z-2014

(H) - Holding

A - Agricultural Zone

MG - General Industrial Zone

RH - Hamlet Residential Zone

HL - Hazard Land Zone

ML - Light Industrial Zone

IN - Neighbourhood Institutional Zone

OS - Open Space Zone



1:6,671

A scale bar labeled 'Meters' with markings at 40, 20, 0, 40, 80, 120, and 160.

This is MAP A to Zoning By-law \_\_\_\_\_ Passed the \_\_\_\_\_ day of \_\_\_\_\_.

Mayor: A. Martin

Clerk

## **Explanation of the Purpose and Effect of**

### **By-Law 2025-XX**

This By-Law affects a parcel of land described as Middleton Concession 1 NTR, Part Lot 161, Norfolk County, municipally known as 4929 Highway 59.

The purpose of this By-Law is to change the zoning on the subject lands from Agricultural Zone (A) to Hamlet Residential (RH) to facilitate compliance with the Official Plan and future development.