



Working together with our community

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Public Hearings Committee – November 04, 2025

Subject: Application ZNPL2025179 proposing to remove Special Provision 14.611 which restricts the uses within the CSC Zone for the lands described as 129 Queensway East, Simcoe.

Report Number: CDS 25-078
Division: Community and Development Services
Department: Planning
Ward: Ward 5
Purpose: For Public Meeting

Recommendation(s):

That staff Report CDS-25-078 for development application ZNPL2025179 be received for information; and

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

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 October 15, 2025.

Discussion:

The applicant is proposing a Zoning By-law Amendment (ZBA) to facilitate the further development of the site for a fitness facility and a commercial plaza. The site is currently zoned Shopping Centre Commercial (CSC) with special provision 14.611 which restricts all CSC uses apart from department store. This ZBA would seek to remove this special provision in its entirety and revert to the full uses afforded to the CSC zone.

An overview summary of the development application that has been submitted for the subject property at 129 Queensway East, Simcoe is contained within Attachment A.

This includes an outline of the site context, the applications and technical reports, any technical or public feedback to date and overview of development considerations. The submitted or 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 for business.

Conclusion:

A recommendation report will be provided 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 Considerations
Attachment C Technical Comments
Attachment D Public Comments
Attachment E Proposed Zoning By-law Amendment

Approval:

Approved By:
Bill Cridland, General Manager, Community and Development Services

Reviewed By:
Alisha Cull, BES, MCIP, RPP, Ec.D., Acting Director, Planning and Realty Services

Prepared By:
Andrew Wallace, MScArchCon, MScIP, Planner

Attachment A - Report CDS 25-078
Development Application Overview

129 Queensway East, Simcoe

Application File Number: ZNPL2025179

Applicant: 2650243 Ontario Ltd and Burtch Recycling Inc.

Agent: Brimage Law Group c/o Nathan Kolomaya

Statutory Public Hearing

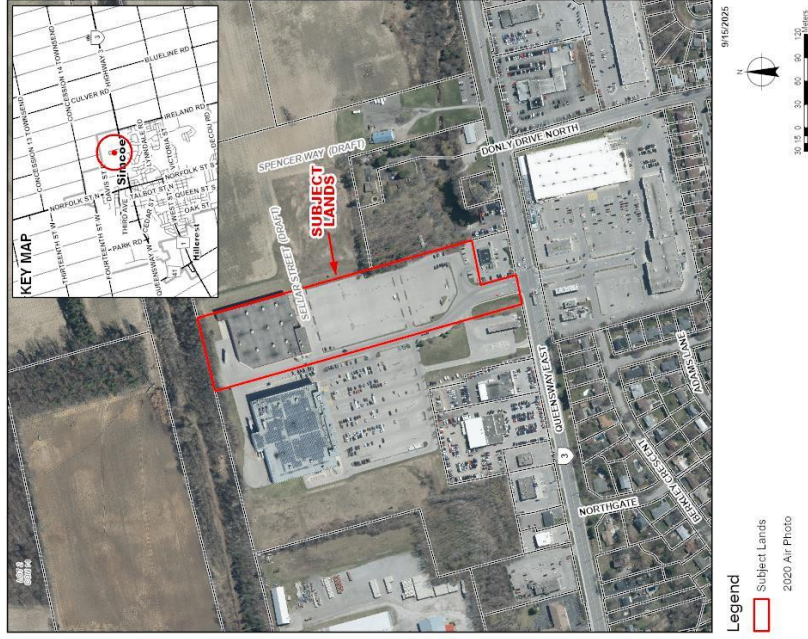
Date: November 4th, 2025

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Site Context

MAP A
CONTEXT MAP
In the Urban Area of SIMCOE

ZNPL2025179



Site Characteristics:

- Approximately 3.7 hectares (9.15 ac) lot area.
- Interior lot located on the north side of Queensway East.
- Former location of Zellers
- Located within the Shopping Centre Commercial OP designation.
- Existing lot zoned Shopping Centre Commercial (CSC) with special provision 14.611 allowing only a department store.

Surrounding Land Use: The subject lands are surrounded to the north with General Industrial (MG) zone, to the east with commercial and residential zones (CS, R6 and R1-B) and to the south and west with commercial zones (CS and CSC)

Official Plan Map

ZNPL2025179

[illegible]

MAP A
ZONING BY-LAW AMENDMENT
NORFOLK COUNTY

In the Urban Area of
SIMCOE

KEY MAP

LEGEND

- Subject Lands
- Previously Significant Wetland Zone
- Residential R1 & R2 Zone
- Residential R1 & R2 Zone
- Residential R2 Zone

ZONING BY-LAW 12, 2014

PH - existing

CS - Service Commercial Zone

CSC - Shopping Centre Commercial Zone

MG - General Industrial Zone

MG(H)

CSC

R6

PSW

HL

CS

R1-B

SPENCER WAY (DRAINAGE)

QUEENWAY (EAST)

3

13.475

2013.10

20

70

100

metres

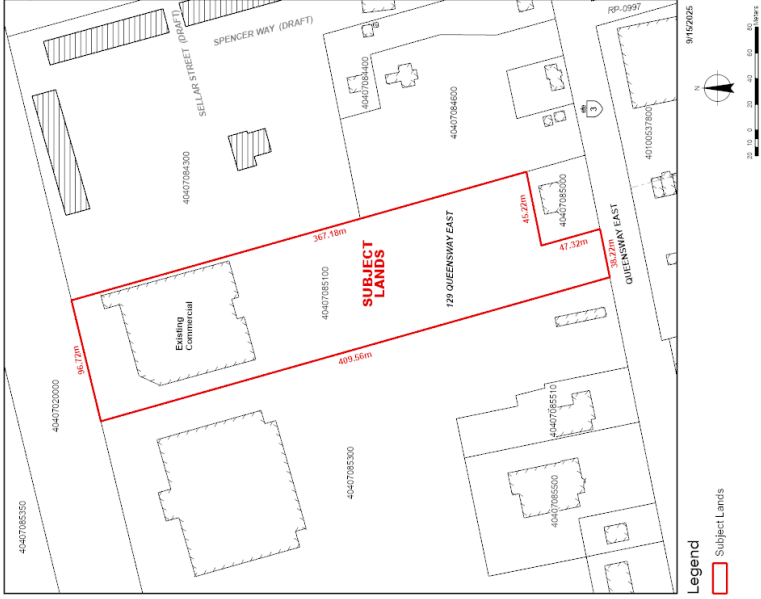
Passed the _____ day of _____

Mavor: A. Martin

Development Proposal

Concept Plan

MAP D
CONCEPTUAL PLAN
In the Urban Area of SINCOE
ZNPL2025179



Key Features:

Development Proposal:

- The Development being proposed is to allow for the use of the land for a gym, restaurant, car wash and retail.
- Site Plan has already been carried out for both the former Zellers building and a new plaza to the south.

Proposed Zoning Amendment:

- The land would be changed from Shopping Centre Commercial (CSC) with Special Provision 14.611 to Shopping Centre Commercial (CSC).
- It is proposed to remove the restrictive Special Provision 14.611 which was added in 1997. Please see Attachment B – Existing Policies and Zoning Considerations for history of this provision.
- Removal of this Special Provision would allow for all uses within the CSC Zone to be in force and effect.

Preliminary Review

Technical Reports:

- None

Technical Comments:

Technical comments are provided in Attachment C to report CDS-25-078

Public Input:

No public comments have been received at time of submission of this report and presentation. Staff will update Committee on this should any comments be received prior to the meeting.

Preliminary Considerations

Key Items		Preliminary Review
Economy/Business		The proposal would increase the variety of business that can take place on this site, thereby supporting the local economy and making use of a site which has been vacant for some time.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CDS-25-078 for development application ZNPL2025179 be received for information;

AND FURTHER THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

ATTACHMENT B

Existing Policies and Zoning Considerations

Planning Act

Section 2 of the Planning Act outlines those land use matters that are of provincial interest and for which all county planning decisions shall have regard. The provincial interests that apply to development on this site are:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development and

Section 3 of the Planning Act requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the Planning Act permits amendments to the zoning by-law by Councils of local municipalities.

Consistency with the 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 2024 promotes strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 2.2.1.1 promotes a flexible and adaptable economic environment that encourages investment and a broad range of employment opportunities while recognizing retail trends and community needs.

Section 2.3.1 related to Settlement Areas states that Settlement areas shall be the focus of growth and development. It further states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 4.1 states that the Official Plan maintains an appropriate land use framework to accommodate evolving land use needs as they related to economic activity.

Section 4.3 states that the County shall act to capitalize on the opportunities for economic activity by adopting different strategies for different parts of the County in an

effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development and services they require to thrive.

Conformity with the Official Plan

The proposed development is within the designated area of 'Shopping Centre Commercial OP' in the Norfolk County Official Plan. This designation permits uses which are less diverse than in the Downtown Designation and are primarily of a general retail nature, and may include drug stores, hardware, general merchandise, automotive and highway commercial uses, personal service shops, restaurants, and a limited amount of office uses related to the local area or which cannot be reasonably justified within the Downtown Designation, in accordance with the policies of Section 6.4 (b) (Urban Areas).

Section 7.10.2 states that the following policies apply to land designated Shopping Centre Commercial.

- a) Shopping Centre Commercial development shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses.
- b) Adequate off-street parking and loading spaces shall be provided in accordance with the Zoning By-law.
- c) Shopping Centre Commercial uses shall generally only locate on Provincial Highways, subject to the approval of the Province and the County, or arterial roads, subject to the approval of the County.
- d) A high standard of site design, including landscaping, buffer areas, building design and location, parking and loading areas, pedestrian and vehicular circulation, lighting and signage shall be required and shall be subject to the Site Plan Control Bylaw.
- e) Any enlargement of an existing Large Retail Use in the Shopping Centre Commercial Designation shall only be permitted by way of site-specific amendment to the Zoning By-law. Prior to considering a Zoning By-law amendment to accommodate an enlarged Large Retail Use, the following criteria shall be met to the satisfaction of the County:
 - i) a planning rationale report, shall be completed assessing the expansion in relation to the planned function of the Downtown Designation, the Shopping Centre Commercial Designation and the Commercial Designation, impacts on adjacent uses, as well as any other matters determined by the County;
 - ii) a retail market impact study shall be completed in accordance with the policies of Section 9.7.2 (Retail Market Impact Study) of this Plan;
 - iii) a traffic impact study shall be completed in accordance with the specific requirements of the County and the Province, as appropriate;
 - iv) an urban design study and guidelines shall be completed, as outlined in policies of Section 5.4 (Community Design) of this Plan; and
 - v) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian

amenities, and other site elements, shall be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.

Planning Comments: The proposed amended use shall be evaluated in relation to these policies.

Zoning By-law 1-Z-2014 and any Proposed Amendments

The subject lands are currently zoned as “Shopping Centre Commercial (CSC)” with special provision 14.611 (originally known as 38.127 in the Town of Simcoe Zoning By-law No. 1-S 83 as amended) which states at Section 2.(b) that notwithstanding the permitted uses of the Service Commercial Zone, the land shall be used only for a department store. The use of the land was amended to Shopping Centre Commercial as part of the Town of Simcoe Zoning by-law No. 1-1999 as amended but carried over this special provision as CSC.1a. This was then added to subsequent Norfolk County By-law amendments to become 14.611.

Permitted Uses in CSC zone (Section 6.2.1) only includes multiple commercial uses which includes places of sports and recreation, restaurants and retail. For a full list, please refer to Zoning By-law 1-Z-14 Section 6.2.

Planning Comments: The removal of the Special Provision will be evaluated against the permitted uses and zone provisions of the by-law.

ATTACHMENT C

Technical Comments

GIS – Reviewed

Norfolk GIS have no requirements at this time.

Development Engineering – Reviewed

Development Engineering has reviewed application **ZNPL2025146** and has no conditions or concerns. The existing Site Plan application for the proposed new building on the property will require re-modelling to confirm water supply will meet with the requested water demand for a fully utilized site (former department store building remaining active as opposed to being disconnected). Staff will ensure the Owner addresses this matter prior to issuance of final Site Plan approval for the proposed new buildings.

Zoning – Reviewed

Seek breakdown of the floor area ratio calculation of 0.82.

Planning staff note: The agent has been asked to provide this information. If not available prior to submission of this report, an update will be provided at the Public Hearing meeting or at Council.

Building – Reviewed

The building department has reviewed the proposal and has NO comments or conditions.

No Ontario Building Code review has been completed at this time and will be done at permit application stage. Please reach out to the building department as you get closer to having the planning and applicable approvals in place and staff will be happy to assist you with information on preparing for the building and demolition permit stage of the project. All general permitting inquiries: by email: permits@norfolkcounty.ca or by phone: 226- NORFOLK (226-667-3655) Ext 6016

Please refer to our website for current forms, and fees.

<https://www.norfolkcounty.ca/business-building-and-development/building-and-renovating/>

Finance – Reviewed

Finance has no comments at this time.

Canada Post – Reviewed

Please be advised that if this 1 existing commercial unit redevelops into multiple buildings / units then please advise so that Canada Post can review and determine if a Community mailbox maybe required for mail delivery. if this will remain as 1 building, then Canada Post does not have any further comments as mail delivery will not be affected since we already service this building.

Union Gas – Reviewed

Enbridge Gas does not object to the proposed application(s), however, we reserve the right to amend or remove development conditions.

Fire – Reviewed

Norfolk Fire does not have any concerns with this proposal at this time.

Agreements Administrator– Reviewed

No comments.

Mississaugas of the Credit - Reviewed

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the fitness centre & future plaza will take place. Specifically, the project is located on the Between the lakes Treaty No. 3, of 1792. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has filed the project-related correspondence identified above. We have no questions or comments for you at this time. This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights.

DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in, and provided the opportunity to review any environmental and/or archaeological assessments. At its

discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

If you have any questions for the DOCA consultation team, please feel free to contact us.

Realty - Circulated

Six Nations of the Grand River - Circulated

Hydro One - Circulated

ATTACHMENT D

Public Comments

No public comments have been received at this time. Members will be updated should any comments be received following the agenda publication.



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 TWN CON 14 PT LOT 2 RP 37R6340 PT PART 1, Norfolk County, municipally known as 129 Queensway East, Simcoe.

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 Shopping Centre Commercial (CSC) with Special Provision 14.611 to Shopping Centre Commercial (CSC).
2. That Subsection 14 Special Provisions is hereby amended by deleting Special Provision 14.611.

That this By-Law shall become effective upon final approval of this file.

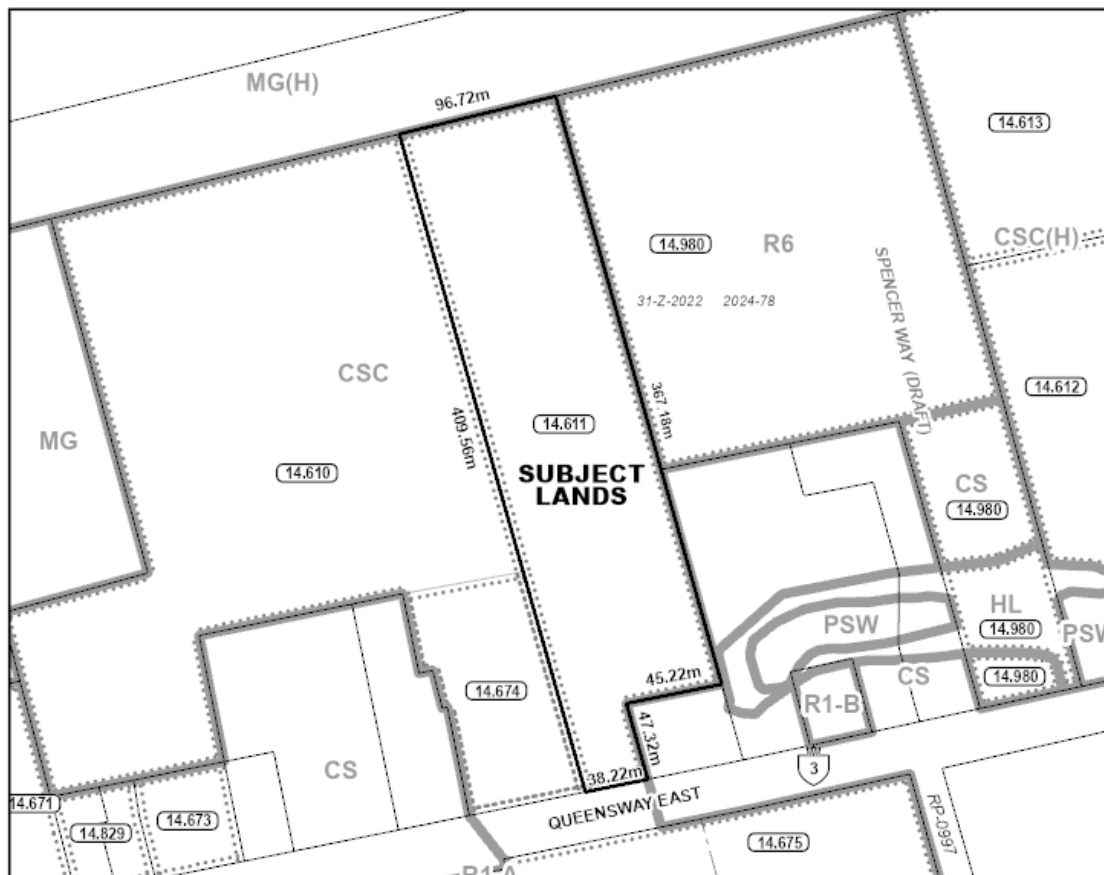
Enacted and passed this 25th day of November, 2025.

Mayor A. Martin

County Clerk

MAP A
ZONING BY-LAW AMENDMENT
NORFOLK COUNTY

In the Urban Area of **SIMCOE**



LEGEND

☐ Subject Lands

ZONING BY-LAW 1-Z-2014

(H) - Holding

C5 - Service Commercial Zone

CSC - Shopping Centre Commercial Zone

14.1063 MG - General Industrial Zone

HL - Hazard Land Zone

PSW - Provincially Significant Wetland Zone

R1-A - Residential R1-A Zone

R1-B - Residential R1-B Zone

R6 - Residential R6 Zone



1:3,475

25 12.5 0 25 50 75 100 Meters

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-**

This By-Law affects a parcel of land described as TWN CON 14 PT LOT 2 RP 37R6340 PT PART 1, Norfolk County, municipally known as 129 Queensway East, Simcoe.

The purpose of this By-Law is to change the zoning of the subject lands from Shopping Centre Commercial (CSC) with Special Provision 14.611 to Shopping Centre Commercial (CSC) to allow full use of the CSC provisions in the Zoning By-law 1-Z-2014.