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PLANNING JUSTIFICATION REPORT

Application for:
Zoning By-law Amendment

2273925 Ontario Inc.

185 Robinson Street,
Town of Simcoe
Norfolk County
East of Queen Street North
North of Robinson Street

Prepared by
DESIGN PLAN SERVICES INC.
File 2069
November 25, 2020

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Table of Contents

- 1. Introduction..... 3
 - 1.1 Description of the Subject Property 3
 - 1.2 Description of Proposal..... 4
 - 1.3 Current & Past use 6
 - 1.4 Surrounding Land Uses..... 6
- 2. Provincial Policy Statement, 2020 8
- 3. Norfolk County Official Plan, 2020 Consolidation 11
- 4. Norfolk County Zoning By-law 1-Z-2014..... 22
 - 4.1 Existing Zoning By-law 22
 - 4.2 Proposed Zoning By-law 22
- 5. Other Supporting Reports and Studies Reviewed..... 23
- 6. Summary & Conclusion 24
- 7. Schedules 26

Schedules

Schedule A Context Map

Schedule B Survey

Schedule C Site Plan

Schedule D Floor Plans

Schedule E Elevations

Schedule F Norfolk County Official Plan, Community Structure

Schedule G Norfolk County Official Plan, Land Use

Schedule H Norfolk County Official Plan, Natural Heritage

Schedule I Norfolk County Official Plan, Water Resources

Schedule J Norfolk County Official Plan, Transportation

Schedule K Norfolk County Official Plan, Active Transportation

Schedule L Norfolk County Official Plan, Natural Resources

Schedule M Norfolk County Zoning By-law 1-Z-2014, Zone Map

Schedule M1 Norfolk County Zoning By-law 1-Z-2014, Zone Map Excerpt

Schedule N Proposed Draft Zoning By-law

Schedule O Proposed Draft Zoning By-law Schedule

Schedule P By-law No. 4-S 96

1. Introduction

This Planning Justification Report has been prepared in support of a development application under the *Planning Act*, R.S.O. Chapter p.13, as amended, for a Zoning By-Law Amendment (Regular and Removal of Holding) and Consent to Sever (or exemption from part lot control) for lands in Norfolk County located at 185 Robinson Street. These applications, if approved, would result in one new 8-storey mixed-use building containing commercial units on the ground floor, a retirement home and/or long-term care facility on the 2nd to 4th floors and residential apartment dwelling units from the 5th to the 8th floor with full municipal services. A Pre-Consultation Meeting took place on April 22, 2020, where it was determined that a Planning Justification Report was one of the supporting reports required in order to submit a complete application. This Planning Justification Report has been prepared in conjunction with other supporting documents as required by the Pre-Consultation Meeting checklist dated April 22, 2020. The Pre-Consultation Meeting checklist has also identified that this proposed development will require a Site Plan Application (Major) however, the Site Plan Application will be dealt with at a later date. A Consent to Sever application (or exemption from part lot control) is planned to be submitted as a part of this development application to sever the existing subject property into one new lot and one retained lot. The retained lot is planned to consist of the existing 3-storey mixed-use building which has frontage along Robinson Street as well as most of the existing at-grade parking lot. The new lot is planned to consist of the proposed 8-storey mixed-use building, which has frontage along Kars Street, as well as proposed at-grade parking, a private driveway and will include a portion of the existing at-grade parking lot on the subject property.

1.1 Description of the Subject Property

The subject property is located in the western portion of the unincorporated Town of Simcoe, within Norfolk County. It is more specifically located on the east side of Queen Street North, north of Robinson Street (See Schedules “A” and “B”).

The municipal address of the subject property is 185 Robinson Street and the legal description of the subject property is Block 68, Registered Plan 182 including Part 1 and

Part 3, Plan 37R-10794. The subject property is currently occupied by a single 3-storey mixed-use building as well as an at-grade parking lot. The proposed development is to be situated on a portion of the subject property which is currently vacant and has been vacant for over 20 years. The vacant portion where the proposed development is to be situated on is the north half of the subject property. The vacant portion is proposed to be severed from the existing subject property.

The existing subject property is a total of 1.70 ha in size and is rectangular in shape, with approximately 161.84 metres of frontage on Queen Street North, and an approximate depth of 90.49 metres. The existing mixed-use building and at-grade parking lot is located on the southern portion of the subject property and the balance of the property is currently vacant.

The subject property has historically been used for industrial land uses however; industrial land uses and associated activities have not been present on the subject property in over 20 years. Please see the Phase I/II Environmental Site Assessment prepared by A&A Environmental Consultants Inc. for further details on the historical use of the subject property.

The subject property contains little to no natural features as the vegetation consists of mainly grass (unpaved vacant portion) and less than 10 trees (see Schedule "H"). The site is serviced with municipal water as well as municipal sewer and no wells or septic systems are present.

1.2 Description of Proposal

A portion of the subject property (the vacant portion) is proposed to be developed for one 8-storey mixed-use building consisting of commercial units, a retirement home and/or long-term care facility and residential apartment dwellings units. A private driveway will provide internal circulation and access from Kars Street. The private driveway will also be connected through the proposed at-grade parking lot to the existing at-grade parking lot on the subject property, which currently has access from Robinson Street. The private driveway being

proposed, which is connected to Kars Street will provide primary community connectivity to the proposed development (See Schedule “C”).

A Phase I/II Environmental Site Assessment was executed to assess the environmental condition of the subject property. A Phase I/II Environmental Site Assessment report was prepared and issued by A & A Environmental Consultants Inc. on January 3, 2011. The Phase I/II Environmental Site Assessment report concluded that the soil and groundwater sampling conducted during the investigation revealed no exceedances in the tested contaminants: toxic metals, VOCs including BTEX components and petroleum hydrocarbon fractions F2-F4 and therefore shows no evidence of contamination by these parameters which effectively match the possible contaminants from the previous operations and neighbouring land use. As well, the Phase I/II Environmental Site Assessment stated that the results of the soil and groundwater analysis found that the potential contaminants related to historical operations on and off site were all within O. Reg. 153/04 standards for Table 2 RPIC. As such, no further environmental investigation was recommended.

The proposed development intends to increase and maximize the amount of vegetation on site (See Schedule “C”). As shown on Schedule “C”, vegetation is proposed throughout the front yard of the proposed development as well as along the western and southern property lines. The proposed development and included vegetation will increase the amount of vegetation located on the subject property by providing an amount of trees which is much greater than the number of trees which currently exist on the subject property.

The proposed Consent to Sever (or exemption from part lot control) which is a part of this application will result one new and one retained lot. The proposed retained lot will consist of the existing 3-storey mixed-use building as well as a large portion of the existing at-grade parking lot. The proposed new lot will consist of the proposed 8-storey mixed use building as well as a portion of the existing at-grade parking lot, a new private driveway and a new at-grade parking lot. If approved, the proposed Consent to Sever (or exemption from part lot control) will allow the existing 3-storey building and the proposed 8-storey building to be situated on separate lots.

The subject property is approximately 17,049 sq.m. (1.70 ha). The density proposed for the mixed-use building development which is to be situated on the subject property is 140 dwelling units per 1.70 ha (4.20 acres). Note this unit count does not include 7 non-residential units within the proposed building. Based on 140 dwelling units, this proposed density would result in 82 units per hectare (140 units/1.70 ha = 82 units) within the proposed mixed-use building development. The proposed development will help the County to achieve the density target for “Urban Residential” areas.

1.3 Current & Past use

The subject site was developed by American Can in 1930 and operated as a metal can manufacturing facility until closure in 1991. Currently, a portion of the subject property is used for mixed-use purposes as there is an existing 3-storey mixed-use building located on the south side with frontage along Robinson Street. The existing building is a multi-tenant building containing a mix of office and retail uses. The portion of the subject property where a mixed-use development is being proposed is currently vacant land and is located on the north side of the subject property. One of the tenants operating within the existing 3-storey mixed-use building is Norfolk County Tourism and Economic Development.

1.4 Surrounding Land Uses

a) North

- Generally, to the north of the subject property there are predominantly residential land uses. The urban residential land uses north of the subject property extend to Queensway West. The urban residential land uses to the north of the subject property consist of single detached dwellings;
- To the immediate north of the subject property, there are residential detached dwellings fronting onto Kars Street and Union Street. There is also a large vacant lot immediately north of the subject property, which is located adjacent to the residential detached dwellings. The vacant lot is used as an at-grade parking lot;

- Also to the immediate north of the subject property, there is an industrial facility (Unilever facility);
- Further North, Sainte-Marie Catholic Elementary School is located in close proximity to the subject property (approx. 245 metres);
- St. Mary Parish Catholic Church is located within close proximity to the subject property (approx. 176 metres);
- Maple Lodge Retirement Home is located within close proximity to the subject property;
- A variety of commercial uses are located north of the subject property, along Queensway West.

b) South

- Generally, to the south of the subject property there are downtown, urban residential and parks/open space uses;
- There is a commercial plaza located within close proximity to the subject property (approx. 343 metres) containing a grocery store and other retail stores;
- There is a health centre (Pharmsave Clark's Health Centre) located in close proximity to the subject property (approx. 249 metres);
- Further south, there are residential detached dwellings;
- The Norfolk County Fairgrounds is also further south of the subject property (Approx. 850 metres).

c) East

- Immediately east of the subject property is protected industrial lands;
- The protected industrial lands consist of a warehousing facility (Trademark Warehousing Limited), which is connected to the industrial facility (Unilever) located immediately north of the subject property;
- Further east, there are downtown, mixed-use, urban residential and parks/open uses.
- Such uses to the east of the subject property consist of: a hockey arena (Talbot Gardens), a movie theatre (Strand Theatre) as well as other commercial/downtown uses along Robinson Street;
- Norfolk Golf and Country Club is also located further east of the subject property.

d) West

- The general land uses to the west of the subject property consist of urban residential as well as major institutional land uses;
- The residential uses located immediately west of the subject property primarily consist of detached dwellings;
- Further west of the subject property, there is the Norfolk General Hospital (approx. 300 metres) as well as Elgin Avenue Public School (approx. 280 metres).

2. Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020 was issued under section 3 of the *Planning Act* R.S.O. Chapter p.13, as amended, and came into effect on May 1, 2020. It replaces the Provincial Policy statement issued April 30, 2014. It was approved by the Lieutenant Governor in Council, Order in Council No 229/2020. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The relevant and applicable policies of the PPS 2020 are addressed below.

- Policy 1.1.3.1 states: Settlement areas shall be the focus of growth and development.
- Policy 1.1.3.2 states that Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and effectively use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - d) prepare for the impacts of a changing climate;
 - e) support active transportation;
 - f) are transit-supportive, where transit is planned, exists or may be developed; and
 - g) are freight supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- Policy 1.1.3.4 states: Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- Policy 1.1.3.6 states: 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.
- Policy 1.4.1 states: To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
 - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

- Policy 1.4.3 states: 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. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- 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; and
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The subject property is located within a “Settlement Area”. The proposed development will efficiently make use of currently under-utilized lands within Norfolk County, in the unincorporated Town of Simcoe. The subject property is considered as under-utilized lands as the portion where development is being proposed is currently vacant and has remained vacant for over 20 years. The subject property is serviced with municipal water and municipal sewer and the proposed development will avoid the need for unjustified and/or

uneconomical expansion of the municipal services within Norfolk County. As well, the subject property is located in close proximity to the Town of Simcoe “Downtown” area and is within the “Urban Residential” designated lands of the Town as per the Norfolk County Official Plan. The built form proposed for the site is compatible with the existing housing stock in the Town of Simcoe as the proposed 8-storey mixed-use building will incorporate a podium and storeys above the podium which will be setback. This will ensure any potential adverse impacts on adjacent land uses are mitigated and to ensure compatibility with the existing character of the area. Despite adjacent land uses to the north and west consisting of predominantly single detached dwellings, there is already a mixed-use building located on the subject property and the subject property is located in close proximity to the “Downtown” area of Simcoe. As such, the proposed development is in keeping with its surrounding context. The proposed development will provide desirable and anticipated mixed-use residential and commercial development to the community, adding a greater variety of housing types, retirement living options, employment opportunities, and represents a logical progression of the community. The proposed development is consistent with and will implement the policies of the Provincial Policy Statement, 2020.

3. Norfolk County Official Plan, 2020 Consolidation

The subject property is dually designated as “Urban Residential” as well as “Downtown” (See Schedule “G”). The proposed development is to be situated entirely on the portion of the subject property designated as “Urban Residential”.

Section 5.3 of the Official Plan addresses Housing within Norfolk County. The intent and purpose of this section is to provide policy direction for the provision of sufficient and affordable housing, and a stable residential housing market. The Official Plan states: “the provision of housing is an essential part of planning in Norfolk County.” It is also the intent of this Section to ensure that a full range of housing types are provided within the County, to meet the anticipated demand and demographic change, including accessible housing forms to facilitate aging in place and for persons with disabilities.

Subsection 5.3.1 of the Official Plan establishes policies with regard to residential intensification on lands within “Urban Areas”. The purpose of the section is to implement the policies of the Provincial Policy Statement and to provide policy direction for infill development or redevelopment on lands within settlement areas. The subject property is located within a settlement area and more specifically, an “Urban Area” and the proposed development meets the intent and purpose of the policies outlined in the Norfolk County Official Plan. Key policies from the Section 5.3.1 have been summarized below:

- a) Housing shall, in part, be provided through urban residential intensification, which may include any of the following:
 - i) small scale intensification through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units;
 - ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or
 - iii) redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density or the replacement of non-residential uses with compatible residential or mixed use development with a residential component.
- b) The County shall target that a minimum 25 percent of its annual residential growth be accommodated through infill, intensification and redevelopment within the existing built-up areas in the Urban Areas with full municipal services. The boundary of the Built-Up areas of Simcoe, Port Dover, Delhi, Waterford and Port Rowan are indicated on Schedule “B” to this Plan and delineates the extent of existing development at the time of the approval of the Official Plan Amendment implementing the Five-Year Review of the Official Plan. Development within the Built-Up Area boundary will be considered as infill development and development situated between the Built-Up Area boundary and the boundary of the Urban Area will be considered as greenfield development.
- f) The County shall consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:

- i) the development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;
 - ii) the existing water and sanitary sewer services can accommodate the additional development;
 - iii) the road network can accommodate the traffic generated;
 - iv) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
 - v) the proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land
- h) Small scale intensification shall be permitted in all areas designated for urban residential use, except where infrastructure is inadequate or there are significant physical constraints.

The proposed mixed-use development will consist of developing currently vacant lands on the subject property, and will provide housing through urban residential intensification as described in policy 5.3.1(a)(iii). The proposed development will also be located within the “Simcoe Urban Area”. The proposal will be compatible with the existing development and physical character of adjacent properties and surrounding neighbourhoods. The proposed development will be compatible by incorporating a podium as well as setback storeys above the podium level, in order to mitigate any overlook/shadowing impacts. The proposed development will also be pedestrian oriented through the inclusion of ground-related retail units and vegetation throughout the subject property. As well, the proposed development is in close proximity to the “Downtown” designated area of Simcoe, where a mix of uses and building forms are permitted and present. Further, municipal water and municipal sewer services are available for the subject property.

Section 4.8 of the Official Plan addresses Potentially Contaminated Sites. Within Section 4.8 the Official Plan states: “The historic use of land in Norfolk County has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and neighbourhood

revitalization, if properly remediated.” The following County Official Plan policies are applicable to potentially contaminated sites:

- a) The County encourages the identification of contaminated sites, their remediation, and appropriate redevelopment, in accordance with the Environmental Protection Act and its regulations and in accordance with the procedures and the policies of this Plan.
- b) Where the development or redevelopment of land involves the change of use of the property to a more sensitive use, a Record of Site Condition shall be completed by a qualified person and filed on the Brownfields Environmental Site Registry, in accordance with the requirements of Ontario Regulation 153/04, before the issuance of a building permit for the proposed use. The issuance of any building permit for the proposed use shall also be consistent with any certificate of property use or order issued for the property on the Environmental Site Registry.
- c) The County shall ensure that the decommissioning and remediation of contaminated sites are completed in an environmentally responsible manner.
- d) Norfolk County is reliant on ground water sources for drinking water. The County shall require that all environmental remediation of contaminated sites be carried out to achieve potable ground water site condition standards as established by the Ministry of the Environment and Climate Change.
- e) The County may prepare community improvement plans for known contaminated properties, in accordance with the applicable policies of this Plan, and may consider a variety of incentives to encourage the remediation and redevelopment of these sites.

A Phase I/II Environmental Site Assessment was executed and prepared by A & A Environmental Consultants Inc. and was issued on January 3, 2011. The Phase I/II Environmental Site Assessment concluded that soil and groundwater sampling conducted during the investigation revealed no exceedances in the tested contaminants and as a result shows no evidence of contamination by the established parameters which effectively match the possible contaminants from the previous operations and neighbouring land uses. As well, the Phase I/II Environmental Site Assessment notes that the results of the soil and groundwater analysis found that potential contaminants related to historical operations on

and off site were all within O. Reg. 153/04 standards for Table 2 RPIC and that no further investigation is recommended. As such, it is our professional opinion that the proposed development conforms to the above Official Plan policies within Section 4.8.

Section 6.5 of the Official Plan addresses lands identified as “Specific Urban Areas”. It is the objective of this section to maintain and promote the small town character of “Specific Urban Areas” within Norfolk County. The County of Norfolk will ensure the unique character of each of the “Urban Areas” is identified and maintained. Section 6.5 deals with each of the six “Urban Areas” within the County.

Subsection 6.5.1 establishes policies specifically for the “Simcoe Urban Area”. Key policies established within Subsection 6.5.1 have been summarized below:

6.5.1.2 establishes policies specifically applicable to the Urban Structure of Simcoe;

- a) The County shall promote Simcoe’s function as the major service centre, providing a broad range of activities, goods and services, within a strong commercial structure focused on the Downtown Area of Simcoe, and in other appropriately located major commercial areas, as identified on Schedule “B”, to meet the diverse needs of the County’s residents, work force, business and institutional sectors, and visitors.
- b) The urban structure of Simcoe and its image and identity as a community are influenced by the locational pattern of commercial functions carried out in the Urban Area. The Downtown Area, Secondary Centres and Queensway Corridor, as defined by this Plan, shall serve as the focal centres for commercial functions but are not necessarily areas exclusively devoted to commercial use.
- c) A major priority of the County shall be to maintain and enhance the range, intensity and continued viability of retail functions, particularly for:
 - i) those types of higher-order retail facilities, specialty shopping and comparison shopping which attract and serve residents from throughout the County and surrounding area; and

ii) the food, drug and convenience shopping functions, personal services and other facilities which are of particular significance in reinforcing the attractiveness of the Downtown Area and nearby central areas of Simcoe for residential purposes.

The proposed mixed-use development will be located within the “Simcoe Urban Area”. As well, it will promote Simcoe’s function as the major service centre of the County by providing a range of uses within the proposed development such as; at-grade retail units, a retirement home and/or a long-term care facility and residential dwelling units. The ranges of uses being proposed within the mixed-use building will provide additional housing opportunities within the “Simcoe Urban Area” while also enhancing the range and intensity of retail functions, which are considerably the same as the retail functions the County shall maintain and enhance as per policy 6.5.1.2 (c). Considering the subject property is directly adjacent to the “Downtown” area of Simcoe and is within the “Simcoe Urban Area”, it is our professional opinion that the proposed development conforms to the policies of Section 6.5.

Section 7.7 addresses and establishes policies for lands designated as “Urban Residential”. The Official Plan states the following in regard to the purpose of lands designated as “Urban Residential”: “The Urban Areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as neighbourhood facilities such as elementary schools, parks, places of worship and convenience commercial uses integral to and supportive of a residential environment. A variety of housing types are needed to meet the needs of a diverse population. Opportunities to provide housing for individuals or groups with special needs including the elderly and those with special physical, social or economic needs within the County will be encouraged. Key policies applicable to lands designated as “Urban Residential” are summarized below:

Policy 7.7.1 Permitted Uses:

- a) The predominant use of land shall be a variety of urban dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2 dwelling units per lot.
- b) Medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing

more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).

c) High density residential uses in development forms greater than those described in Subsections (a) and (b) shall be permitted subject to the policies of Section 7.7.2 (c) (Urban Residential Designation – Land Use Policies), save and except for in the Courtland Urban Area where high density residential uses shall not be permitted.

d) An accessory residential dwelling unit or garden suite shall be permitted subject to the policies of Sections 5.3.3.1 (Accessory Residential Dwellings) and 5.3.3.2 (Garden Suites) of this Plan.

e) In accordance with Section 4.5.4 b) (Tourism), bed and breakfast establishments shall be permitted in any single detached residential dwelling, provided that all the required parking is accommodated on the same lot, and subject to criteria established in the Zoning By-law.

f) Elementary schools and day care centres shall be permitted, provided that they have access to an arterial or collector road.

g) Places of worship with a site area of up to 1 hectare, neighbourhood community and cultural centres and institutional uses of similar scale shall be permitted, provided that they have access to an arterial or collector road.

h) Neighbourhood parks and parkettes, as defined in Section 5.6.1 (Parks) of this Plan shall be permitted, whereas community parks, major parks and other largescale recreational uses shall only be permitted in the Parks and Open Space Designation, through the policies of Section 7.15.1 (Parks and Open Space Designation – Permitted Uses).

i) Senior citizens' homes or similar housing facilities for senior citizens including nursing homes shall be permitted to develop in accordance with the medium density residential policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).

j) A home occupation in a dwelling unit shall be permitted, except where an accessory dwelling unit, garden suite, or bed and breakfast establishment exists on the lot, provided the use does not change the residential character of the building and lot, and residential

remains the principal use. The use shall be compatible with the surrounding residential uses.

k) Group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing shall be permitted, subject to the policies of Section 5.3.2 (Special Needs Housing) of this Plan. In the Courtland Urban Area, only small-scale group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing shall be permitted.

l) Small scale neighbourhood convenience commercial and personal service uses to serve the daily shopping needs of a neighbourhood shall be permitted, subject to the policies of Section 7.7.2 (d) (Urban Residential Designation – Land Use Policies).

m) Mobile homes or trailer parks shall not be permitted.

n) Uses accessory to any of the permitted uses in the Residential Designation are permitted.

7.7.2 Land Use Policies;

c) High density residential uses, including apartment buildings and other forms of multiple housing of a similar density shall be carefully located. The following criteria shall be addressed in the consideration of such applications, especially in proximity to lower density residential development:

i) the density, height and character of the development shall be compatible with adjacent uses;

ii) the ability of the site to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;

iii) the height, form and density of the proposed development is such that no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area are created for surrounding residential uses;

iv) the relationship of the site to nearby lower density residential uses, in view of the desire to provide a gradual transition in height and density wherever possible;

v) the degree to which the site has access to significant open space amenities such as valleylands or major parks;

- vi) municipal watermains and sanitary sewers shall be required and shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County;
- vii) the proximity of the site to arterial or collector roads, and/or pedestrian accessibility to a Downtown Area or, in the case of the Simcoe Urban Area, a Secondary Centre, or other locations of supporting services and facilities;
- viii) the adequacy of local services including schools and other community services. It is recognized that accessibility to such facilities, including health care services, may be particularly important to residents with special needs; and
- ix) the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.

The proposed mixed-use building is permitted as per policy 7.7.1(c), subject to the policies of section 7.7.2(c). The proposed development will be designed to ensure compatibility with adjacent uses in terms of density, height and character. It will do so by incorporating setback storeys to mitigate overlook/shadowing impacts and will incorporate traditional architectural design to maintain the existing character of the Simcoe. The proposed development will have the ability to accommodate necessary facilities and amenities as facilities and amenities will be provided within either the proposed building or on the subject property. The subject property is in close proximity to both an arterial and collector road (Queen Street North and Robinson Street) as well as the “Downtown” area of Simcoe (see Schedule “J”). As well, the proposed development is in close proximity to a variety of local services such as: Sainte-Marie Catholic Elementary School, St. Mary Parish Catholic Church, Pharamsave Clark’s Health Centre, Norfolk County Fairgrounds, Talbot Gardens, Elgin Avenue Public School and the Norfolk General Hospital. The subject property currently has municipal water and municipal sewer services available and will not require any extension of such services. As such, it is our professional opinion that the proposed development conforms to the policies set out within Section 7.7.

The proposed development is in close proximity to the “Downtown” designated area of Simcoe. The existing building which is located on the subject property is within the

“Downtown” designated area of Simcoe. As such, a mixed-use building located on the portion of the subject property designated as “Urban Residential” will be in keeping with the surrounding “Downtown” area.

Section 9.4 addresses Zoning By-laws and other By-laws within Norfolk County. Subsection 9.4.2 addresses Holding Provisions and states that: “Holding zones may be established in order to achieve orderly development and ensure that policies established in this Plan have been met.” Subsection 9.4.2 gives Council the authority to place a holding symbol on a zone that prevents development from occurring until the County is satisfied that certain conditions have been met. Council may establish a holding symbol on a zone to enforce the following actions or requirements, but are not necessarily limited to the following:

- a) The allocation of municipal servicing capacity on the part of Council;
- b) The phasing and logical progression of development;
- c) The provision of adequate service or road infrastructure and works;
- d) The completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the County;
- e) The completion of an appropriate supporting study(ies) to the satisfaction of the County, in consultation with other agencies, as required;
- f) Confirmation that the requisite permits and approvals from external authorities have been received;
- g) The completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;
- h) That site plan approval has been granted by the County, and a site plan agreement has been entered into, pursuant to the provisions of the Planning Act; and/or
- i) That the specific policies of this Plan have been complied with.

A portion of the subject property, located on the northeast side, is zoned “R6(H)”. This is a result of the passing of Zoning By-law No. 4-S 96 by the Council of the Corporation on the 22nd day of April, 1996 (see Schedule “P”). The purpose and effect of By-law No. 4-S 96 was

to facilitate the redevelopment of the former Ball Packaging property (the subject property) for a mixture of residential and commercial uses. By-law No. 4-S 96 states: “This zone will remain in place until the Town of Simcoe Council concerns regarding site cleanup, site plan approval and necessary development agreements have been addressed”. A Phase I/II Environmental Site Assessment for the subject property was completed and a corresponding report was issued on January 3, 2011. The Phase I/II Environmental Site Assessment indicates that the soil and groundwater for the subject property are within O.Reg 153/04 standards for Table 2 RPIC. Further, the Phase I/II Environmental Site Assessment notes the following: “A partial previous environmental assessment of the subject site has been made known to A&A. R.V Anderson Associates Limited completed a Phase III remediation of the subject site (Report RVA 4052) in November 1994. Only part of this report was available. The information gathered indicates that most of the site was remediated to an acceptable level in 1994 with one potential exception being: one area on the east boundary of the property and one area on the west boundary of the property.” As well, the southern portion of the subject property has already been redeveloped with the existing 3-storey mixed-use building indicating that the subject property is suitable, from an environmental perspective, for more sensitive land uses. As such, this application proposes to remove the Holding “H” zone on the subject property and the concerns regarding site plan approval and necessary development agreements will be addressed at a later date.

The proposed mixed-use development is compatible with the surrounding land uses of the “Simcoe Urban Area” and is a logical extension of the residential and mixed-uses which already exist within the neighbourhood. This is in part, a result of the subject property being in close proximity to the “Downtown” area of Simcoe. It is our professional opinion that the proposed development conforms to the objectives and policies of the Norfolk County Official Plan for the above mentioned reasons.

4. Norfolk County Zoning By-law 1-Z-2014

4.1 Existing Zoning By-law

The subject property (vacant portion) is currently dually zoned Urban Residential Type 6 “R6” and Urban Residential Type 6 Holding “R6(H)” under Norfolk County Zoning By-law 1-Z-2014, as amended (see Schedules "M" and “M-1”).

Pursuant to Section 36 of the Ontario Planning Act, holding Zones are established by the use of the symbol “H” as a suffix to the Zone symbols in Subsection 1.4.1. Land subject to the symbol “H” shall not be used, nor any building or structure used, altered or erected except in accordance with the Zone applied thereon and until the “H” is removed by an amendment to this By-Law. A portion of the subject land is designated Urban Residential Type 6 Holding “R6(H)”. The “Holding” zone applicable to the subject property was established with the passing of By-law No. 4-S 96. The purpose and effect of By-law No. 4-S 96 was to facilitate the redevelopment of the former Ball Packaging property (the subject property) for a mixture of residential and commercial uses. By-law No. 4-S 96 states: “This zone will remain in place until the Town of Simcoe Council concerns regarding site cleanup, site plan approval and necessary development agreements have been addressed”. This application proposes to remove the Holding “H” zone on the subject property due to the justification provided within this report and the concerns regarding site plan approval and necessary development agreements will be addressed at a later date.

4.2 Proposed Zoning By-law

The proposed Draft Zoning By-law and corresponding Schedule is included as Schedules "N" and “O” of this report and includes standards that would permit the 8-storey mixed-use development as shown on the Site Plan (See Schedule “C”). The proposed zone will be “R6-Site Specific Special Provision 14.XXX” (Urban Residential Type 6 Site-Specific Special Provision Zone 14.XXX) to permit the proposed uses, within the 8-storey mixed-use building, which are not currently permitted as per the existing “R6” and “R6(H)” zone.

At the time of writing this report, the specific design for the mixed-use development is still under consideration, and therefore some basic development regulations are proposed in the draft Zoning By-law, however, we would suggest that the County accept some minor changes to the proposed development standards as the specific building designs are progressed closer to the time of passing of the zoning by-law.

5. Other Supporting Reports and Studies Reviewed

- a) Phase I/II Environmental Site Assessment for an Industrial Property Located at 185 Robinson Street Simcoe, ON (prepared by A & A Environmental Consultants Inc. dated January 3, 2011).

The Phase I/II Environmental Site Assessment which was executed has demonstrated that the subject property is healthy, safe and able to accommodate more sensitive land-uses. The report has concluded that the soil and groundwater sampling conducted during the investigation revealed no exceedances in the tested contaminants: toxic metals, VOCs including BTEX components and petroleum hydrocarbon fractions F2-F4 and therefore shows no evidence of contamination by these parameters which effectively match the possible contaminants from the previous operations and neighbouring land use. The results of the soil and groundwater analysis found that the potential contaminants related to historical operations on and off site were all within O. Reg. 153/04 standards for Table 2 RPIC. No further environmental investigation is recommended at this time.

- b) Transportation Study for the Proposed Mixed-Use Development at 185 Robinson Street in the Community of Simcoe (Norfolk County), ON (prepared by Trans-Plan Transportation Inc. dated August 2020).

The Transportation Study which was executed for the subject property has demonstrated that the intersections included in the study area are all currently operating at acceptable conditions or better with minor delays. The analysis indicates that the future background volumes can be expected to operate similar to existing conditions.

The subject site is expected to have minimal impacts on the traffic operations of the study area based on the review of operational conditions between future background and to-tal volume scenarios. The analysis indicates that survey results conducted at proxy sites accommodating a retirement home and long-term facility uses show an averaged parking rate that is significantly less than the minimum parking requirements outlined in Norfolk County's Zoning By-law. Through the application of the surveyed parking rate for retirement and long-term care uses, the estimated parking demands of the subject site will be accommodated by the proposed parking supply. The parking survey shows that the peak parking demand for the parking lot of the adjacent County building is 17 percent utilized, suggesting that the proposed severance of the northern section of the lot will not affect the existing parking demands of the County building. Our analysis indicates that the vehicles expected to use or service the site are expected to be able to safely circulate within the site.

6. Summary & Conclusion

The proposed development is contemplated by the policies of the Norfolk County Official Plan and represents a logical progression of the "Urban Residential" and "Downtown" community within the "Simcoe Urban Area".

While contributing to the overall variety of dwelling types and commercial opportunities available to the current and future residents of the Town, this development directly assists the Town and County in achieving a complete community with appropriate density that reflects current policy and plans for the Province as well as the County.

The proposed development will contribute positively to the lives of current and future residents of the Town and County by implementing Official Plan policies and goals. The proposed development will do so by providing additional housing opportunities, retail/commercial opportunities as well as a retirement home and/or long-term care facility in close proximity to a variety of local services, facilities and amenities.

Based on all of the information above, and after a review of all the supporting documentation, it is our professional opinion that the proposed land uses and building typology are appropriate given the mixed-use development characteristics of the site and surrounding context. This

development proposal conforms to all applicable Provincial and County policies, and will have minimal impact on the surrounding land uses. It is our professional opinion that the proposed mixed-use development represents an appropriate and desirable use of the subject property in an area that has been designated for modest intensification and development consistent with Provincial Policies.



I hereby certify that this plan/report was prepared by or under the supervision of a Registered Professional Planner, within the meaning of the Ontario Professional Planner Institute Act, 1994.

Date: November 25, 2020

A handwritten signature in blue ink, appearing to read "T.J. Cieciora".

T.J. Cieciora, MSc MCIP RPP

Planner and Principal

7. Schedules

Schedule A Context Map

Schedule B Survey

Schedule C Site Plan

Schedule D Floor Plans

Schedule E Elevations

Schedule F Norfolk County Official Plan, Community Structure

Schedule G Norfolk County Official Plan, Land Use

Schedule H Norfolk County Official Plan, Natural Heritage

Schedule I Norfolk County Official Plan, Water Resources

Schedule J Norfolk County Official Plan, Transportation

Schedule K Norfolk County Official Plan, Active Transportation

Schedule L Norfolk County Official Plan, Natural Resources

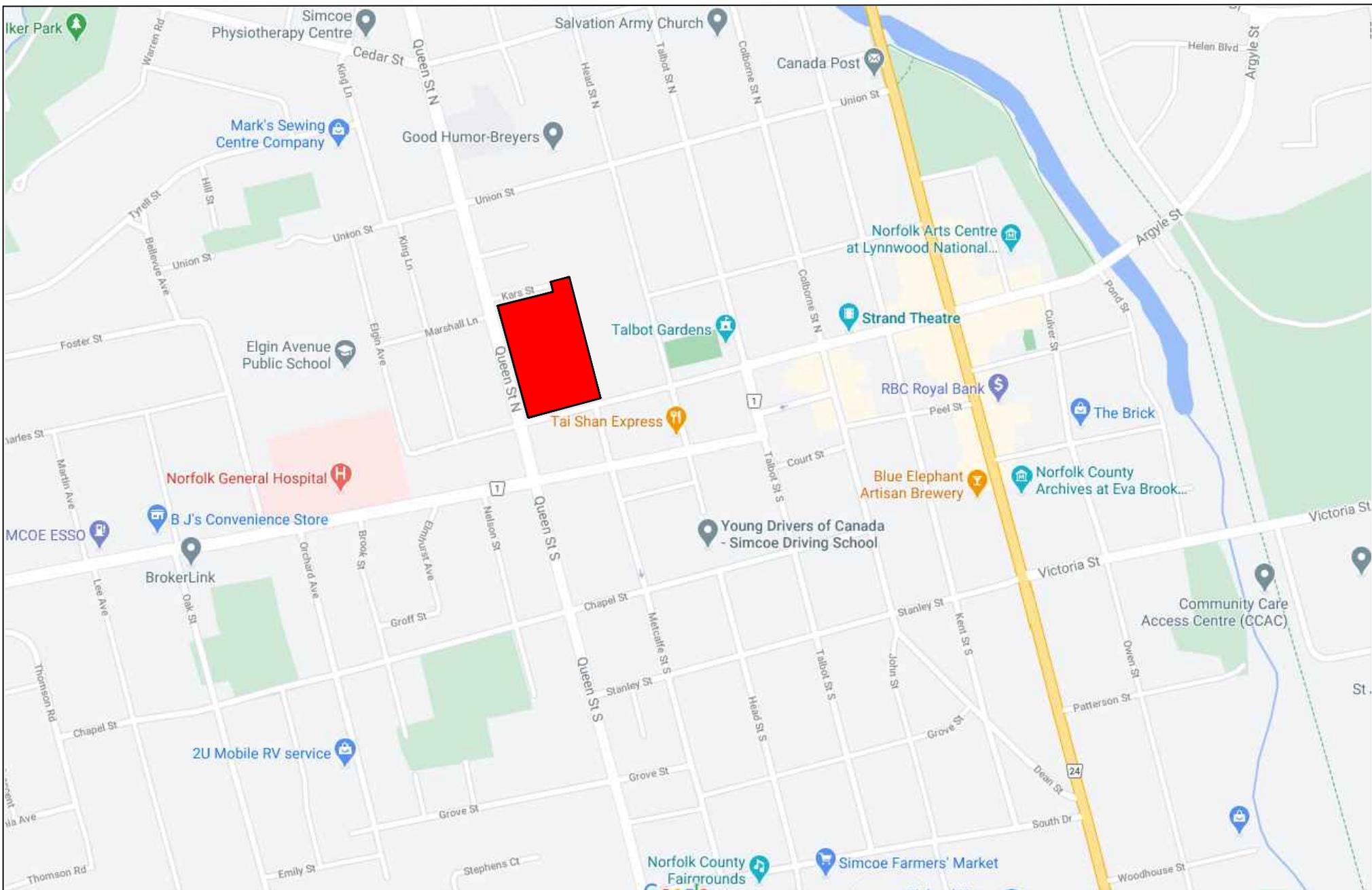
Schedule M Norfolk County Zoning By-law 1-Z-2014, Zone Map

Schedule M1 Norfolk County Zoning By-law 1-Z-2014, Zone Map Excerpt

Schedule N Proposed Draft Zoning By-law

Schedule O Proposed Draft Zoning By-law Schedule

Schedule P By-law No. 4-S 96



Schedule A

Context Map

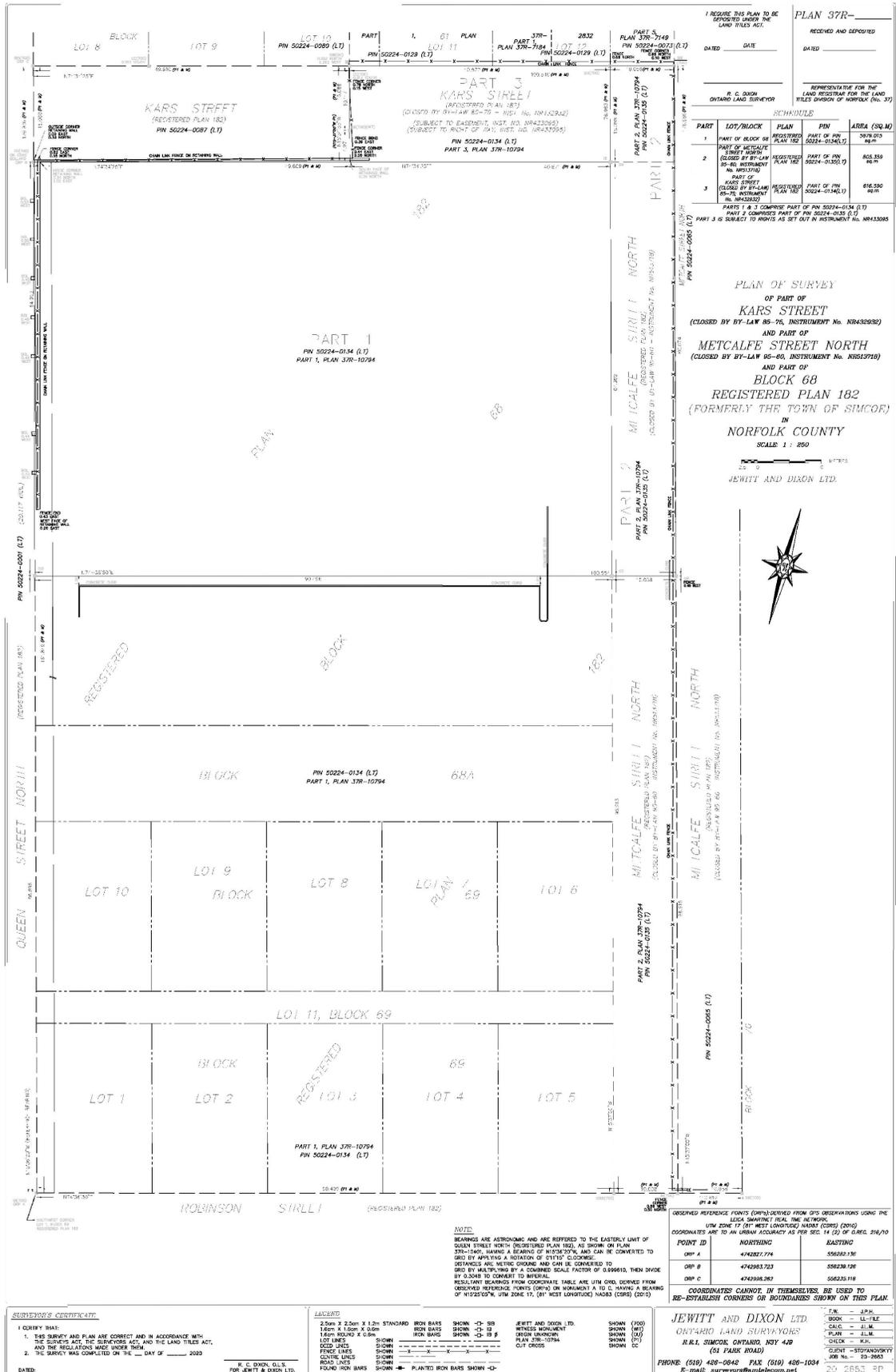
 SUBJECT PROPERTY

DESIGN PLAN SERVICES INC.
Town Planning Consultants



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| NTS Scale | Nov. 5/2020 Date | 2069-2a Drawing Number | Rev. | Drawn | JD Design |
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RECEIVED AND DEPOSITED

DATE: _____

DATE: _____

R. C. DIXON
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE
LAND REGISTRATION FOR THE LAND
TILES DIVISION OF NORFOLK (No. 37)

| SCHEDULE | | | | |
|----------|------------------|---------------------|---------------------|--------------|
| PART | LOT/BLOCK | PLAN | PIN | AREA (SQ.M) |
| 1 | PART OF BLOCK 68 | REGISTERED PLAN 182 | PIN 50224-0134 (L1) | 265,870 SQ.M |
| 2 | PART OF LOT 10 | REGISTERED PLAN 182 | PIN 50224-0134 (L1) | 803,850 SQ.M |
| 3 | PART OF LOT 10 | REGISTERED PLAN 182 | PIN 50224-0134 (L1) | 616,590 SQ.M |

PARTS 1 & 3 COMPRISE PART OF PIN 50224-0134 (L1)
PART 2 COMPRISES PART OF PIN 50224-0134 (L1)
PART 3 IS SUBJECT TO RIGHTS AS SET OUT IN INSTRUMENT NO. M9433985

PLAN OF SURVEY
OF PART OF
KARS STREET
(CLOSED BY BY-LAW 86-76, INSTRUMENT NO. N8432682)
AND PART OF
METCALFE STREET NORTH
(CLOSED BY BY-LAW 86-60, INSTRUMENT NO. N8619718)
AND PART OF
BLOCK 68
REGISTERED PLAN 182
(FORMERLY THE TOWN OF SIMCOE)
IN
NORFOLK COUNTY
SCALE: 1 : 250
JEWITT AND DIXON LTD.

OBSERVED REFERENCE POINTS (OBS) DERIVED FROM GPS OBSERVATIONS USING THE LEICA SHIMMER TOTAL STATION. COORDINATES ARE TO AN UTM ZONE 17 (UTM WEST LONGITUDE) MEANS (CGRS) (2011). POINT ID: _____

| POINT ID | NORTHING | EASTING |
|----------|------------|------------|
| OSP A | 474287.074 | 556287.136 |
| OSP B | 474288.723 | 556288.136 |
| OSP C | 474298.262 | 556285.118 |

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, AND THE LAND TILES ACT, AND THE REGULATIONS MADE UNDER THEM ON THE _____ DAY OF _____ 2020
- THIS SURVEY WAS COMPLETED ON THE _____ DAY OF _____ 2020

DATE: _____

R. C. DIXON, O.L.S.
FOR JEWITT & DIXON LTD.

LEGEND

| | | | |
|---|--------------|-----------------------|-------------|
| 2.5mm x 2.5mm x 1.2m STANDARD IRON BARS | SHOWN -> SB | JEWITT AND DIXON LTD. | SHOWN (700) |
| 1.6m x 1.5m x 0.6m IRON BARS | SHOWN -> IB | WITNESS MONUMENT | SHOWN (W) |
| 1.6m ROUND X 0.6m IRON BARS | SHOWN -> RB | ORION ORNAMENT | SHOWN (O) |
| LOT LINES | SHOWN -> L | PLAN 378-10794 | SHOWN (P) |
| ROAD LINES | SHOWN -> R | CUT CROSS | SHOWN (C) |
| FENCE LINES | SHOWN -> F | | |
| CENTRE LINES | SHOWN -> CL | | |
| ROAD LINES | SHOWN -> RL | | |
| FOURD IRON BARS | SHOWN -> FIB | | |

JEWITT AND DIXON LTD.
407480 LAMB SURVEYORS
R.R.1, SIMCOE, ONTARIO, N5Y 4J9
(51 PARK ROAD)
CLIENT - STYFANDSKI
JOB NO. - 19-3853
PHONE (519) 428-0842 FAX (519) 428-1034
E-mail: surveyors@jdwilco.com.on.ca

| | | | | |
|--------------|---------------------|---|------|-------------|
| Schedule B | Survey | DESIGN PLAN SERVICES INC. Town Planning Consultants | | |
| | | 900 The East Mall, Suite 300 Toronto, ON M9B 6K2 Telephone: 416-526-5445 www.designplan.ca | | |
| NTS Scale | Nov. 5/2020 Date | 2069-n Drawing Number | Rev. | JD Drawn |

Norfolk County OFFICIAL PLAN Schedule "A-1"

COMMUNITY STRUCTURE

LEGEND

RURAL AREA

Rural Area 

SETTLEMENT AREAS

Urban Area 

Hamlet Area 

Resort Area 

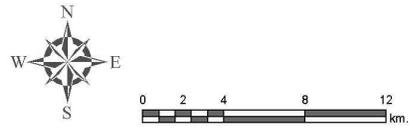
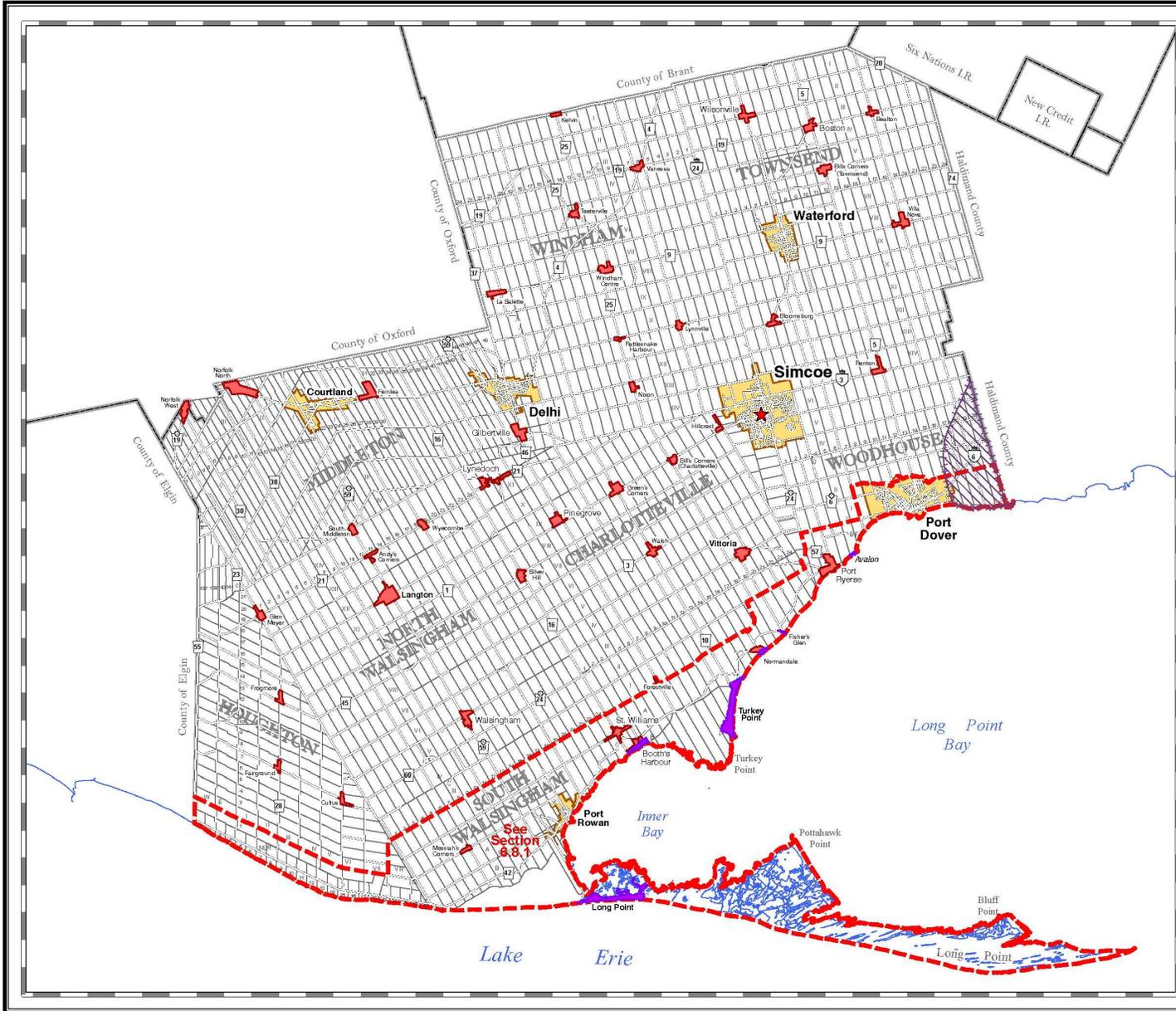
LAKESHORE SPECIAL POLICY AREA

Lakeshore Special Policy Area 

INDUSTRIAL INFLUENCE AREA

Industrial Influence Area 

Subject Property 



Revision Date: October 5, 2018

Schedule F

Norfolk County Official Plan, Community Structure

DESIGN PLAN SERVICES INC.
Town Planning Consultants



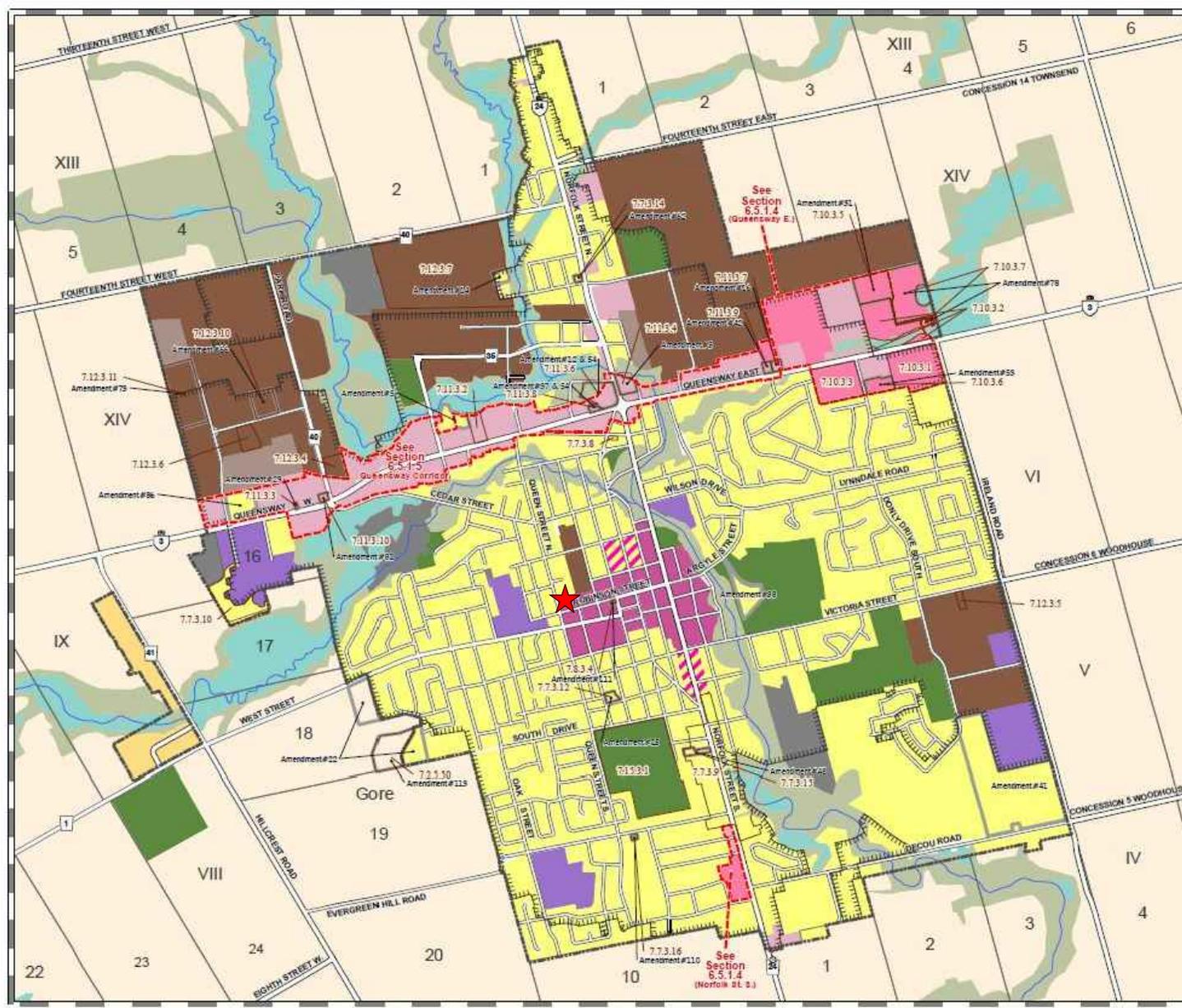
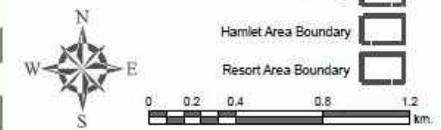
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Norfolk County OFFICIAL PLAN Schedule "B-15"

LAND USE LEGEND

- Agricultural
- Hazard Lands
- Provincially Significant Wetland
- Hamlet
- Resort Residential
- Urban Residential
- Mixed Residential/Commercial
- Downtown
- Shopping Centre Commercial
- Commercial
- Protected Industrial
- Industrial
- Major Public Infrastructure
- Major Institutional
- Parks & Open Space
- Urban Waterfront
- Built Boundary
- Special Policy Area
- Site Specific Policy Area
- Industrial Influence
- Marine Use in Hazard Lands (Section 7.3.1(g)(iii))
- Urban Area Boundary
- Hamlet Area Boundary
- Resort Area Boundary



Revision Date: January 01, 2020

Schedule G

Norfolk County Official Plan, Land Use

Subject Property

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Town Planning Consultants



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Norfolk County OFFICIAL PLAN Schedule "C-4"

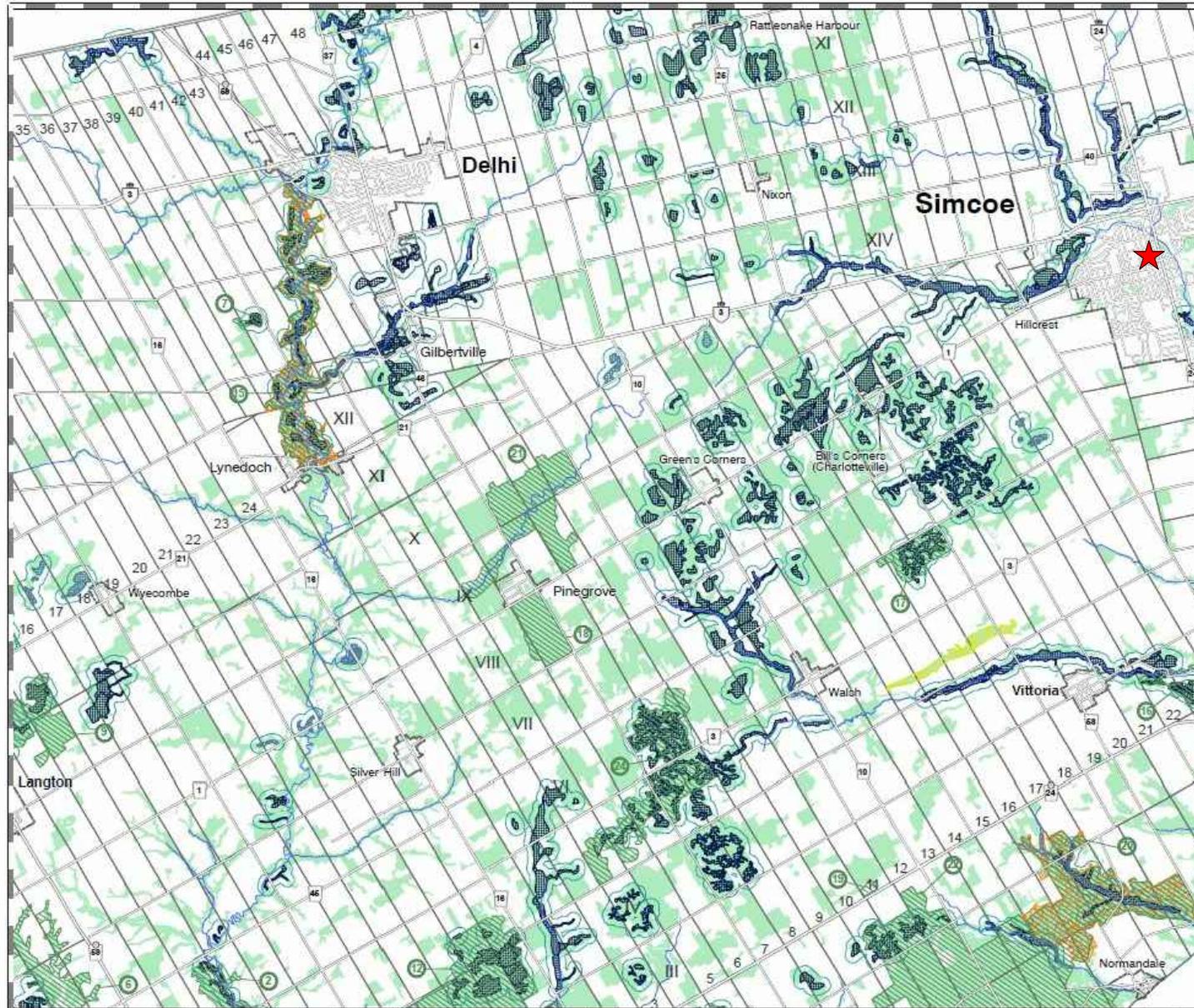
NATURAL HERITAGE LEGEND

NATURAL HERITAGE (Section 3.0)

- Provincially Significant Wetland 
- Locally Significant Wetland 
- Adjacent Land 
- Significant Woodland 
- Significant Natural Area (See Appendix A) 
- Areas of Natural Scientific Interest: Life Science (ANSI) 
- Areas of Natural Scientific Interest: Earth Science (ANSI) 
- Long Point Biosphere Reserve (Core Area) 
- Long Point Biosphere Reserve (Buffer Area) 

LOOKOUT POINT (Section 4.5)

- Existing Lookout Point 
- Proposed Lookout Point 
- Urban Area Boundary 
- Hamlet Area Boundary 
- Resort Area Boundary 
- Subject Property 



Revision Date: October 5, 2018

Schedule H

Norfolk County Official Plan, Natural Heritage

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Town Planning Consultants



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Nov. 5/2020
Date

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Drawing Number

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JD
Design

Norfolk County OFFICIAL PLAN Schedule "D-4"

SOURCE WATER PROTECTION

LEGEND

- Urban Area Boundary 
- Hamlet Area Boundary 
- Resort Area Boundary 

VULNERABLE AREAS

WELLHEAD PROTECTION AREAS

- Municipal Well 
- WHPA A 
- WHPA B 
- WHPA C 
- WHPA D 
- WHPA E 

VULNERABILITY SCORE

- 10 
- 8 
- 6 or Less 

ISSUE CONTRIBUTING AREA

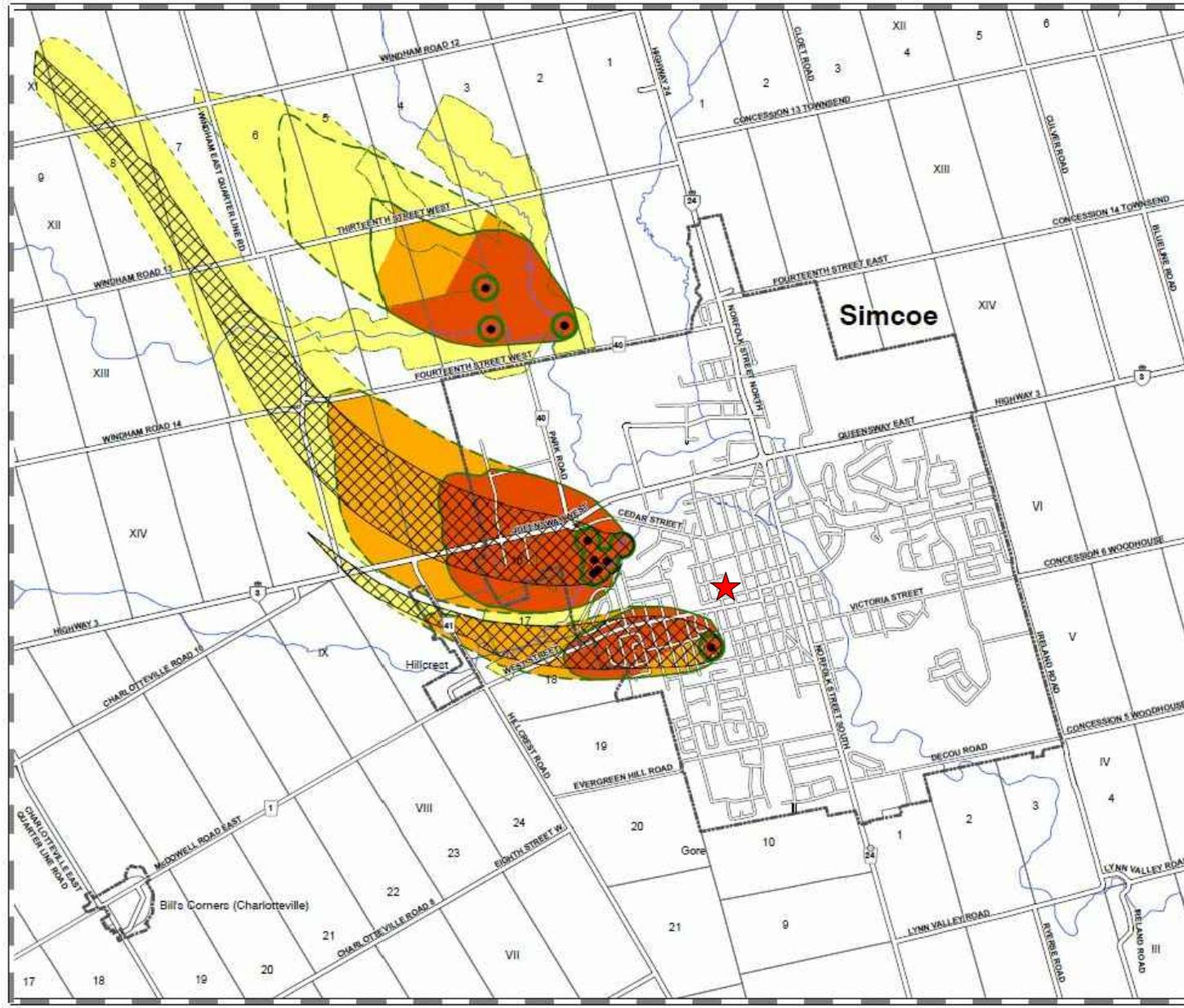
- Issue Contributing Area (Nitrate) 

INTAKE PROTECTION ZONES

- IPZ-1 
- IPZ-2 

VULNERABILITY SCORE

- 9 
- 6.3 



Revision Date: October 5, 2018

Schedule I

Norfolk County Official Plan, Water Resources

 Subject Property

DESIGN PLAN SERVICES INC.
Town Planning Consultants

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| | S |

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Drawing Number

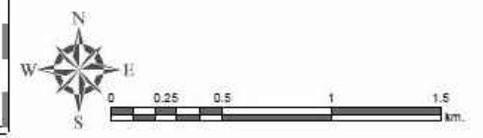
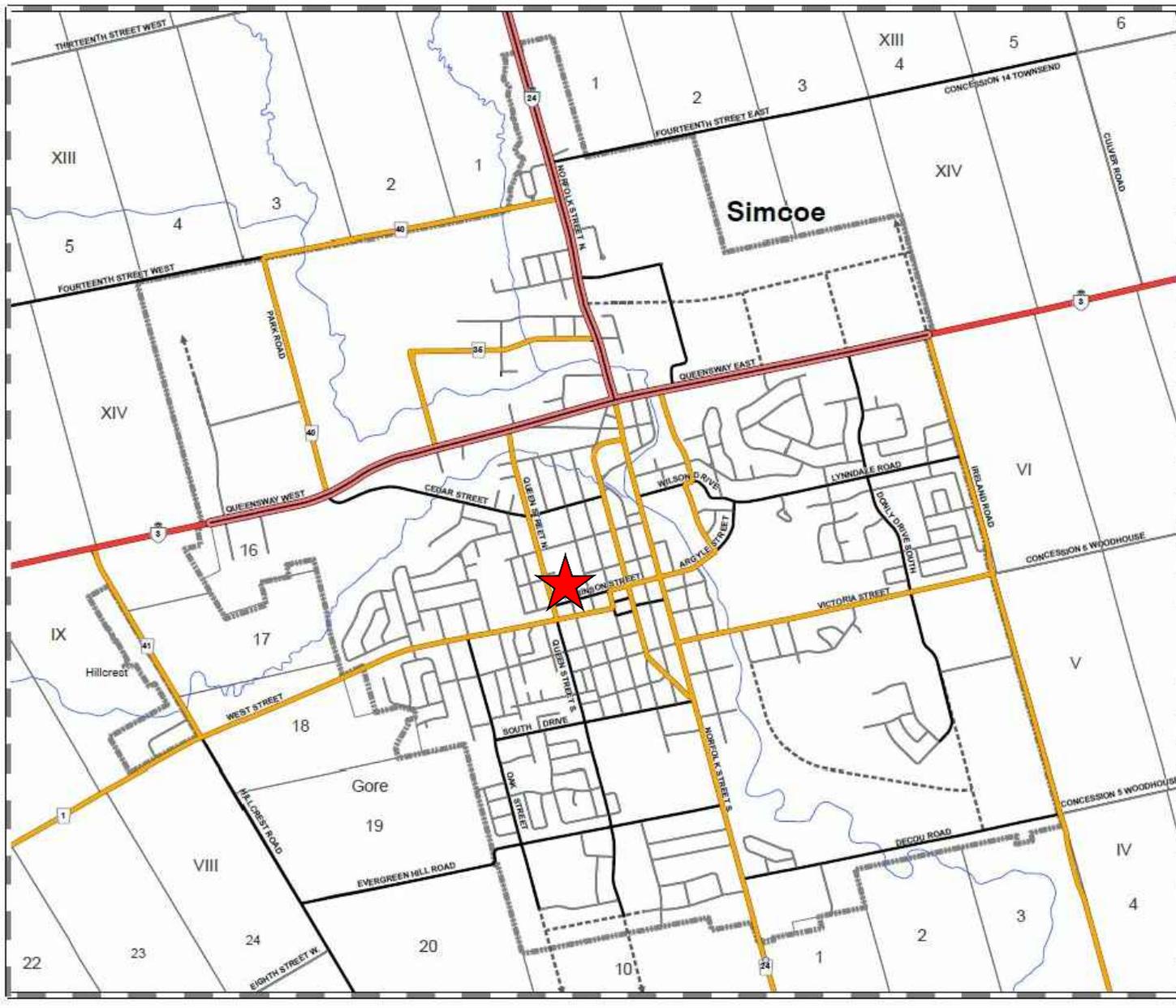
Rev. Drawn Design

JD

Norfolk County OFFICIAL PLAN Schedule "E-2"

TRANSPORTATION LEGEND

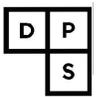
- Provincial Highway 
- Connecting Link 
- Arterial Road 
- Collector Road 
- Local Road 
- Potential Road 
- Railway 
- Subject Property 



Schedule J

Norfolk County Official Plan, Transportation

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Revised Date: October 1, 2018

Norfolk County OFFICIAL PLAN Schedule "I-2"

ACTIVE TRANSPORTATION LEGEND

ACTIVE TRANSPORTATION ROUTES

- Existing Off Road Trail 
- Existing Paved Shoulder 

NETWORK ENHANCEMENTS

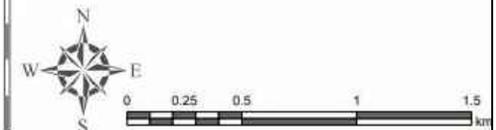
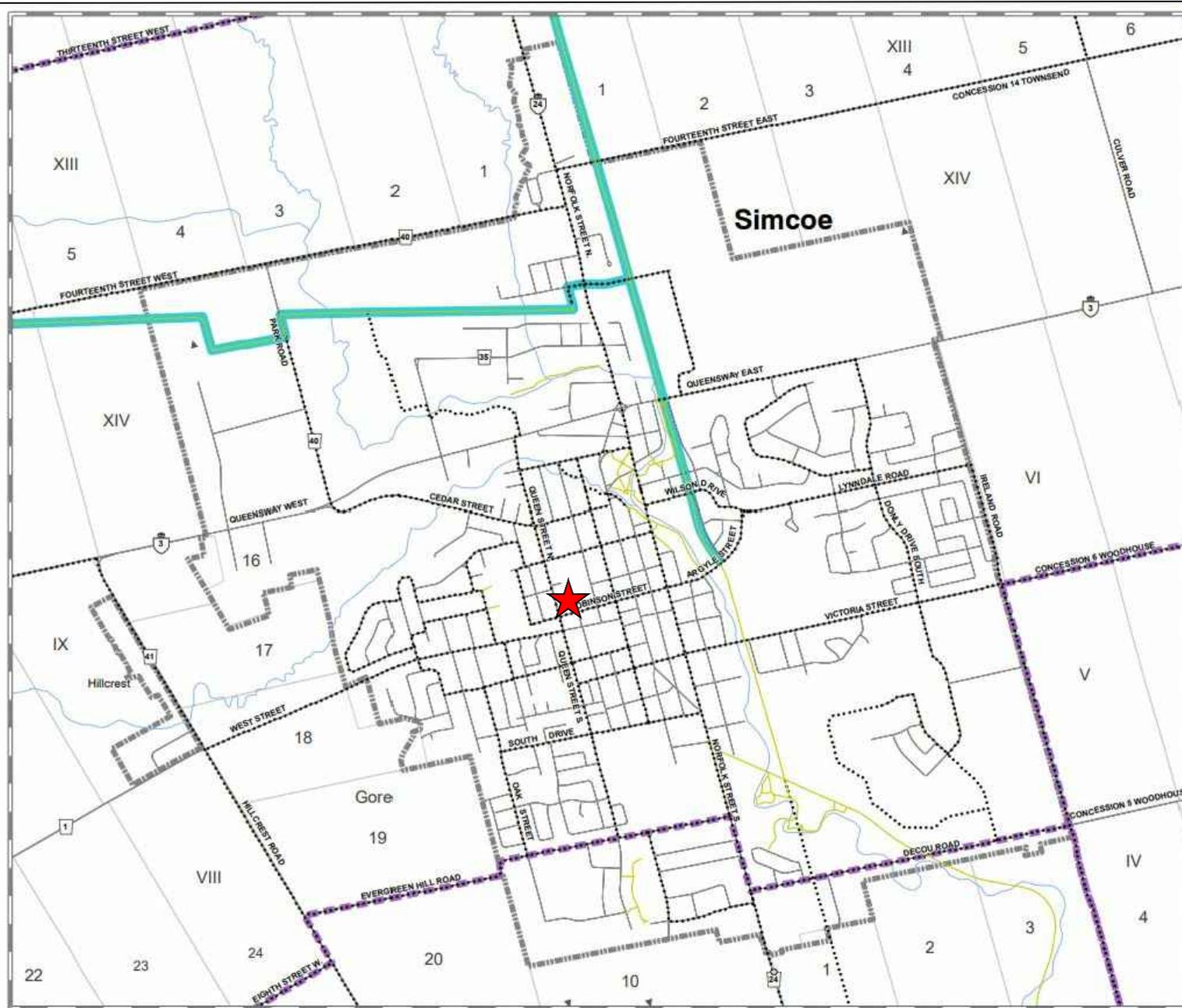
- Connection to Surrounding Municipality

REGIONAL ROUTES

- Trans Canada Trail 
- South Coast Cycling Route 
- Lake Erie Waterfront Trail 
- Lake Erie Waterfront Trail / South Coast Cycling Tour 
- On-Road Cycling Route 

CANDIDATE AT ROUTES

- Additional Routes being Considered 
- Subject Property 



Schedule K

Norfolk County Official Plan, Active Transportation

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Town Planning Consultants



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Norfolk County OFFICIAL PLAN Schedule "J-4"

NATURAL RESOURCES LEGEND

AGGREGATE RESOURCES (Section 4.6.1)

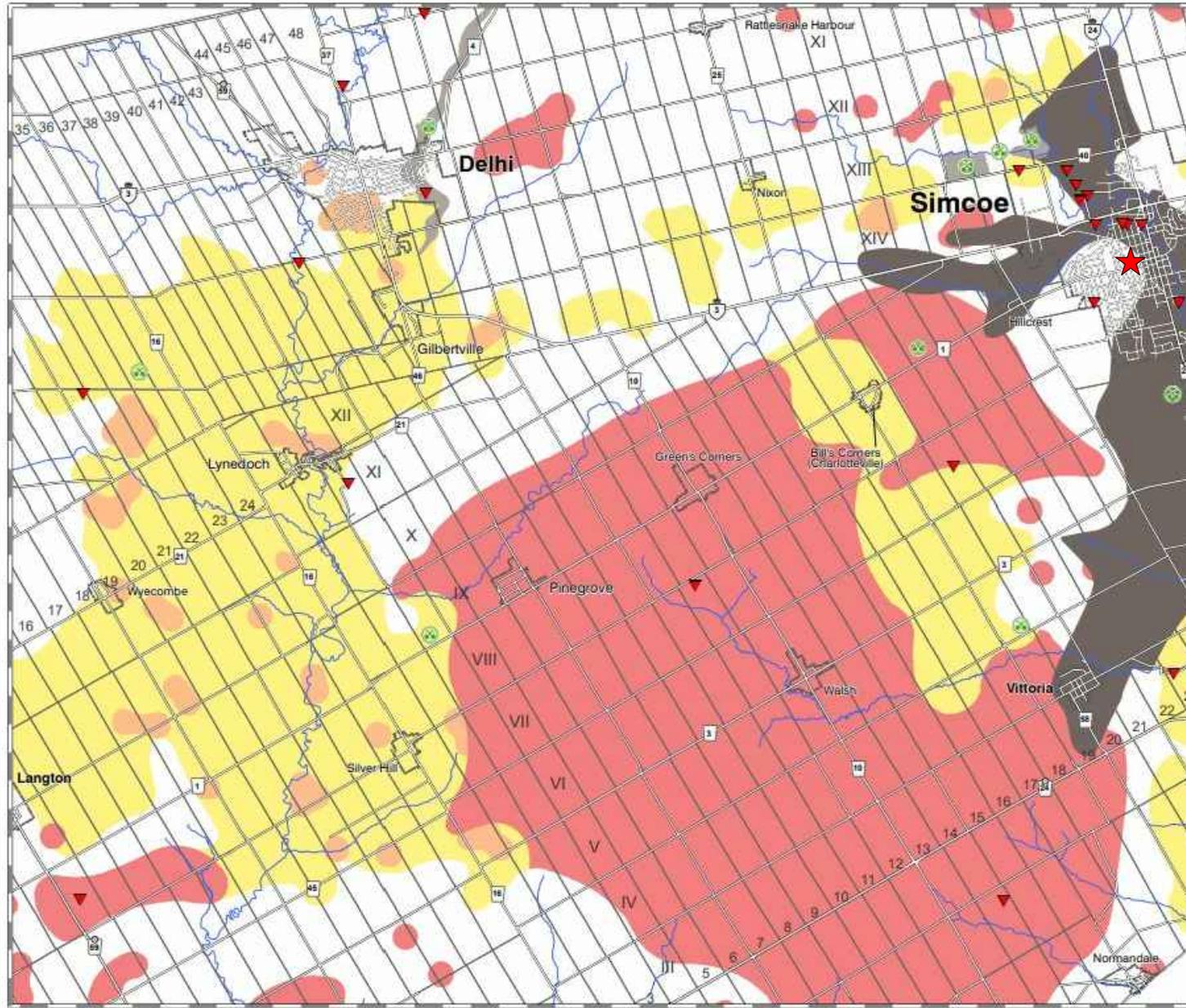
- Pits and Quarries 
- Bedrock Resource Area 
- Sand & Gravel Resource Area 
- Buried Aggregate Resource Area 

PETROLEUM RESOURCES (Section 4.6.2)

- Active Petroleum Pools 
- Suspended Petroleum Pools 
- Abandoned Petroleum Pools 

WASTE MANAGEMENT (Section 8.10)

- Closed Waste Disposal Site 
- Urban Area Boundary 
- Hamlet Area Boundary 
- Resort Area Boundary 
- Subject Property 



Revision Date: October 5, 2018

Schedule L

Norfolk County Official Plan, Natural Resources

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Town Planning Consultants



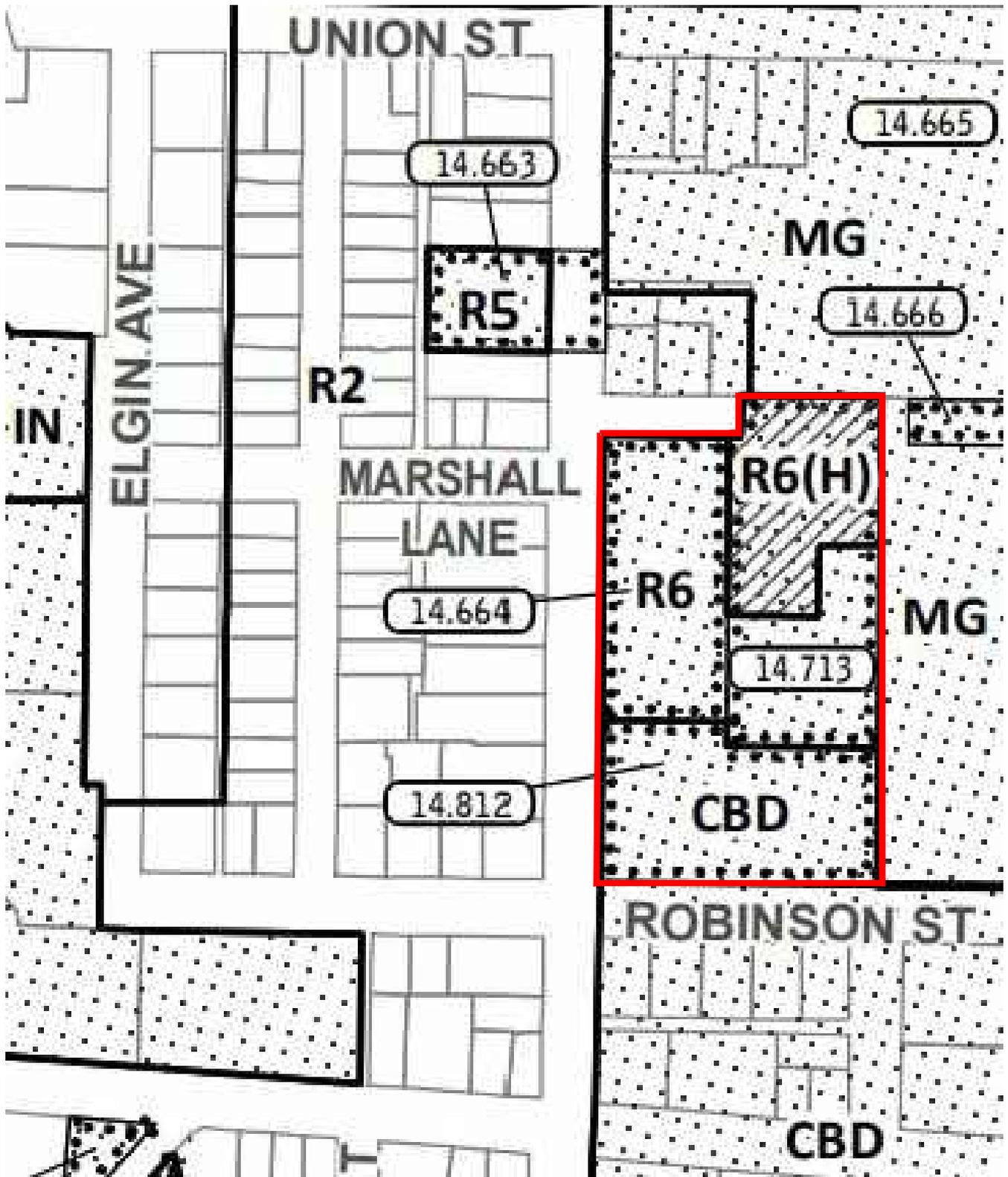
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Nov. 5/2020
Date

2069-21
Drawing Number

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JD



Schedule M1

Norfolk County Zoning By-law 1-Z-2014
Zone Map Excerpt

 SUBJECT PROPERTY

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Town Planning Consultants

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The Corporation of Norfolk County

By-Law __-Z-2020

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as 185 Robinson Street, Simcoe, Norfolk County.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1)(Holding) 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 R6 and R6(H) Zone to R6 Special Provision Site Specific 14.XXX Zone;
2. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by delineating the lands identified as Part 2 of the subject lands on Map A (attached to and forming part of this By-Law) as having reference to Subsection 14.XXX;
3. That Schedule 14.XXX, (attached to and forming part of this By-Law) be included and form part of By-Law 1-Z-2014;
4. That Subsection 14 Special Provisions is hereby further amended by adding the following:

14.XXX In addition to the uses permitted in the R6 Zone, a long-term care facility and retail units shall be permitted.

14.XXX In lieu of the corresponding provisions in the R6 Zone and the parking provisions of Section 4.0, the following shall apply:

- a) minimum rear yard – 3 metres;
b) Max FAR for 8 Storey Building – 2.6 FAR (18,420 sq.m.);
c) Step Back of Upper Floors – To be determined;
d) Angular Plane - To be determined;



e) number of *parking spaces*:

i. total *parking spaces* – 206 Spaces;

f) Any other Site-Specific provisions to be included to permit the proposal...

5. That the holding (H) provision of this By-Law shall be removed upon the execution of Site Plan Approval and necessary development agreements to the satisfaction of Norfolk County.
6. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by removing the symbol (H) on the subject lands identified on Map A (attached to and forming part of this By-Law);
7. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this **date** day of **month**, 2020.

Mayor

County Clerk

**Explanation of the Purpose and Effect of
By-Law __-Z-2020**

This By-Law affects a parcel of land described as Block 68, Registered Plan 182 including Part 1 and Part 3, Plan 37R-10794, Town of Simcoe, Norfolk County.

The purpose of this By-Law is to change the zoning on the subject lands from “R6” and “R6(H)” to “R6” Special Provision Site Specific 14.XXX Zone.

A holding “(H)” provision is being removed on the zoning on the subject lands once issues related to site plan approval and the necessary development agreements have been addressed.

This By-law will remove the existing Special Provision Site Specific Zones which are applicable to the subject property prior to the enactment of this By-law.

Schedule N 3/3

Draft Zoning By-Law - 185 Robinson Street, Simcoe (Norfolk)

DESIGN PLAN SERVICES INC.
Town Planning Consultants

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Toronto, ON M9B 6K2
Telephone: 416.626.5445
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QUEEN STREET

R6
(PART2)

14.XXX

CBD
(PART1)

ROBINSON STREET

Schedule O

Proposed Draft Zoning By-law Schedule

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Town Planning Consultants

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D P
S

NTS
Scale

Nov. 5/2020
Date

2069-20
Drawing Number

Rev. Drawn

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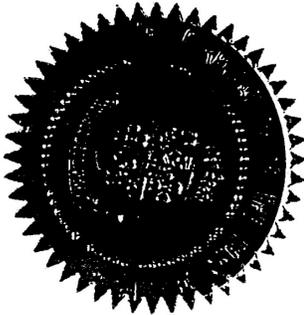
**THE CORPORATION
OF THE
TOWN OF SIMCOE**

DECLARATION UNDER SECTION 34 OF THE PLANNING ACT

I, BEVERLEY DIANE WOOD, hereby certify that the Notice for By-Law No. 4-S 96 of the Corporation of the Town of Simcoe, passed by the Council of the Corporation on the 22nd day of April, 1996, was given in manner and form and to the persons and agencies prescribed by regulation made by the Lieutenant Governor-in-Council under Subsection 18 of Section 34 of The Planning Act.

I also certify that the twenty day appeal period expired on May 13, 1996 and to date, no notice of appeal of the By-Law has been filed by any person in the office of the Clerk

DATED THE 15th DAY OF JULY, 1996.



Beverley D Wood
Deputy Clerk

File No. Z-S-2/95
First Burton Developments Inc.

THE PLANNING ACT
NOTICE OF THE PASSING
OF A ZONING BY-LAW BY THE
COUNCIL OF THE CORPORATION
OF THE TOWN OF SIMCOE

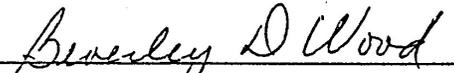
TAKE NOTICE THAT the Council of the Corporation of the Town passed By-Law No. 4-S 96 on the 22nd day of April, 1996 under Section 34 of the Planning Act.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-Law by filing with the Clerk of the Corporation of the Town of Simcoe, not later than the 13th day of May, 1996 a notice of appeal setting out the objection to the By-Law and the reasons in support of the objection.

The Complete By-Law with an explanation of the purpose and effect of the By-Law, describing the lands to which the By-Law applies, and the key maps showing the location of the lands to which the By-Law applies are attached for your review.

Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group.

DATED at the Town of Simcoe this
23rd day of April 1996.



(Mrs.) Beverley D. Wood
A.M.C.T., C.M.C., C.M.O., C.M.M. II
Deputy-Clerk/Planning Administrator
Corporation of the Town of Simcoe
50 Colborne Street South
Simcoe, Ontario N3Y 4N5
(519) 426-5870

(See Reverse Side
for Explanatory Note)

Schedule P 2/10

By-law No. 4-S 96

DESIGN PLAN SERVICES INC.
Town Planning Consultants

900 The East Mall, Suite 300
Toronto, ON M9B 6K2
Telephone: 416.626.5445
www.designplan.ca



EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 4-S 96

This By-Law has been enacted by the Town of Simcoe Council to facilitate the redevelopment of the former Ball Packaging property. A mixture of residential and commercial uses are proposed for the site.

As shown on the attached maps, Part "A" and "B" are to be developed with condominium apartment units. Part "C" is to be developed for office and commercial purposes.

The By-Law also places all of the lands under an "(H)" Holding Zone. This zone will remain in place until the Town of Simcoe Council concerns regarding site cleanup, site plan approval and necessary development agreements have been addressed.

The lands affected by this By-Law are bounded on the north by Kars Street (partially closed) on the west by Queen Street, on the east by the centre of Metcalfe Street (closed) and on the south by Robinson Street. The property is presently known as 185 Robinson Street.

File No. Z-S-2/95
P.E.D. Report No. 170/95, 174/95 and 126/96
First Burton Developments
Assessment Roll No. 28-40-001-010-00100



BY-LAW NO. 4-S 96

OF THE
*Corporation of the Town
of Simcoe*

BEING A BY-LAW TO AMEND BY-LAW 1-S 83, AS AMENDED, OF THE TOWN OF SIMCOE. (File No. Z-S-5/96, First Burton Developments)

WHEREAS the Town of Simcoe Council is empowered to enact this By-Law, by virtue of the provisions of Sections 34 and 36 of The Planning Act, R.S.O. 1990, c.P.13 and Section 98(1) of the Regional Municipalities Act, R.S.O. 1990, c.R. 8;

AND WHEREAS this By-Law conforms to the Official Plan for the Haldimand-Norfolk Planning Area including the District Plan for the Town of Simcoe;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF SIMCOE HEREBY ENACTS AS FOLLOWS:

1. THAT Schedule "A3" to Town of Simcoe Zoning By-Law 1-S 83, as amended, is hereby further amended by changing the zoning of the lands shown as the subject lands and further identified as parts of the same on Maps A and B (attached to and forming part of this By-Law) as follows:

Parts 'A' and 'B'

From "General Industrial (MG) Zone" to "Urban Residential Type 6 (R6)(H) Zone."

Part 'C'

From "General Industrial (MG) Zone" to "General Commercial (CG) (H) Zone."

2. THAT Schedule "A3" to said By-Law 1-S 83 is hereby further amended by identifying Part 'A' of the said subject lands as having reference to subsection 38.120, Part 'B' of the said subject lands as having reference to subsection 38.121 and Part 'C' of the said subject lands as having reference to subsection 38.122.

3. THAT the following subsections be added to Section 38 of said By-Law 1-S 83:

38.120 THAT the following provisions shall apply to the lands identified as having reference to this subsection:

(a) The provisions of subsections 6.17 and 16.2.2 shall not apply and the following shall apply in lieu thereof:

Minimum Yard Requirements

- (i) front yard 1.5 metres except that any portion of an apartment dwelling house greater than 6 storeys in height shall be setback a minimum of 12 metres.
- (ii) exterior side yard 1.5 metres
- (iii) interior side yard 6.5 metres
- (iv) rear yard 9 metres

Maximum Building Height 8 storeys

Maximum Number of Dwelling Units 74

Minimum Rentable Floor Area 40 square metres per dwelling unit

Minimum Services connection to a public water system and a public sanitary sewer system

(b) In lieu of the provisions of subsection 7.1(e), the minimum parking aisle requirement for 90 degree parking shall be 6.6 metres.

(c) The provisions of subsections 7.2.3 (c), 7.2.3(d) and subsection 38.120(a) above shall not apply to underground parking and underground parking structures.

(d) The provisions of subsection 7.2.3(d) shall not apply.

38.121 THAT the following provisions shall apply to the lands identified as having reference to this subsection:

- (a) The provisions of subsections 6.17 and 16.2.2 shall not apply and the following shall apply in lieu thereof:

Minimum Yard Requirements

- (i) front yard 2 metres
- (ii) exterior side yard 3.5 metres
- (iii) interior side yard left 3.5 metres
- (iv) interior side yard right 4 metres
- (v) rear yard 9 metres

Maximum Building Height 5 storeys

Maximum Number of Dwelling Units 66

Minimum Rentable Floor Area 40 square metres per dwelling unit

Minimum Services connection to a public water system and a public sanitary sewer system

- (b) The provisions of subsection 4.50.1 shall not apply and the following shall apply in lieu thereof:

“Front Lot Line” shall mean the most westerly lot line.

- (c) The provisions of subsection 4.90 shall not apply and the following shall apply in lieu thereof:

“Storey” shall mean the portion of a building, other than a cellar, included between any floor level and the floor, ceiling or roof next above it. For the purposes of this definition, lofts forming part of an apartment dwelling unit shall not be considered a separate storey.

- 38.121
- (d) In lieu of the provisions of subsection 7.1(b) and 7.1(c), the minimum parking space width shall be 3 metres.
 - (e) In lieu of the provisions of subsection 7.1(e), the minimum parking aisle requirement for 90 degree parking shall be 6.6 metres.
 - (f) Notwithstanding subsection 7.2.1, six (6) parking spaces adjacent to the southerly wall of the apartment dwelling house may be used for commercial parking purposes.
 - (g) The provisions of subsections 7.2.3(c) and 7.2.3(d) shall not apply.
 - (h) In lieu of the provisions of subsection 7.3(b), parking spaces for the handicapped shall have a minimum width of 3.65 metres and a minimum length of 6 metres.
 - (i) In lieu of the provisions of subsection 7.8, a minimum of 86 parking spaces shall be provided.

38.122 THAT the following provisions shall apply to the lands identified as having reference to this subsection:

- (a) The provisions of subsection 18.1 shall not apply and the following shall apply in lieu thereof:

Permitted Uses

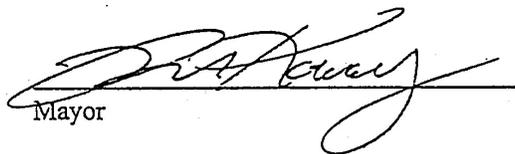
- (i) retail establishment
 - (ii) office
 - (iii) personal service shop
 - (iv) clinic
 - (v) laundromat
 - (vi) dry cleaning establishment
 - (vii) merchandise service shop
 - (viii) day nursery
 - (ix) art gallery
 - (x) restaurant
 - (xi) dwelling unit in a permitted building.
- (b) The total rentable floor area of restaurant use shall not exceed 260 square metres

- 38.122 (c) In lieu of subsections 7.1(b) and 7.1(c), the minimum parking space width for 45 degree parking shall be 2.7 metres.
- (d) In lieu of subsections 7.1(b) and 7.1(c), the minimum parking space width for 90 degree parking shall be 2.9 metres.
- (e) In lieu of subsection 7.3(b), parking spaces for the handicapped shall have a minimum width of 3.7 metres and a minimum length of 5.8 metres.
- (f) In lieu of the provisions of subsection 7.8, a minimum of 66 parking spaces shall be provided.

4. AND THAT this By-Law shall become effective from and after the date of Passing hereof.

ENACTED AND PASSED THIS 22nd DAY OF APRIL, 1996.

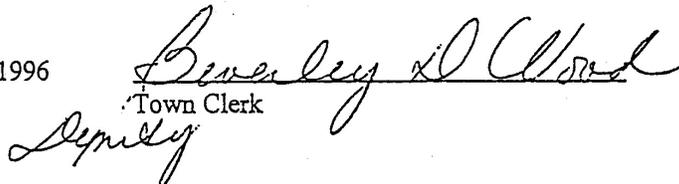
First Reading: April 22, 1996



Mayor

Second Reading: April 22, 1996

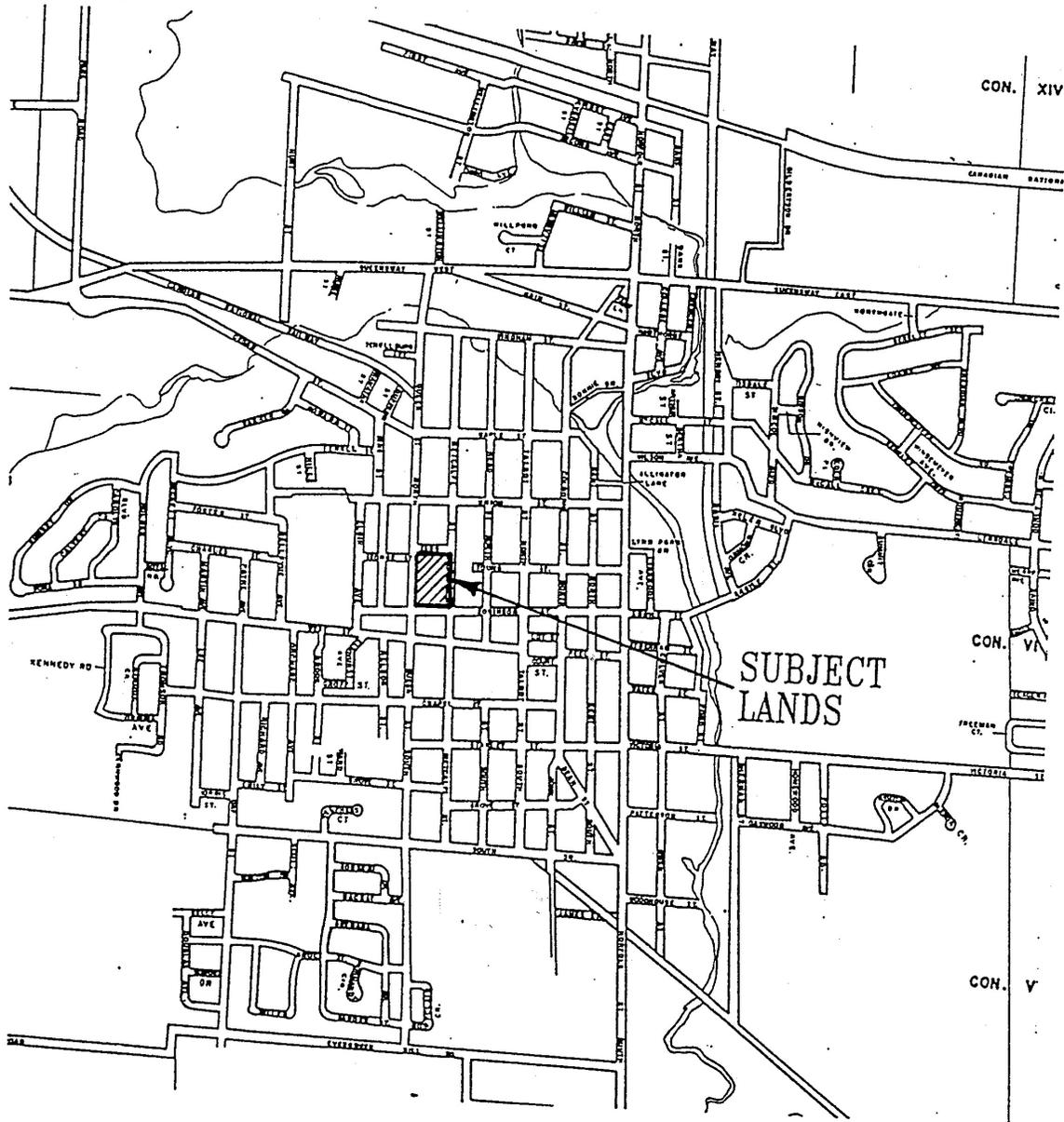
Third Reading: April 22, 1996



Town Clerk

Map A - key map

TOWN OF SIMCOE
FORMER TOWN OF SIMCOE



This is Map A to Zoning By-law 4-S 96 Passed the 22nd day of April 1996.

[Signature]
MAYOR

[Signature]
CLERK

Schedule P 9/10

By-law No. 4-S 96

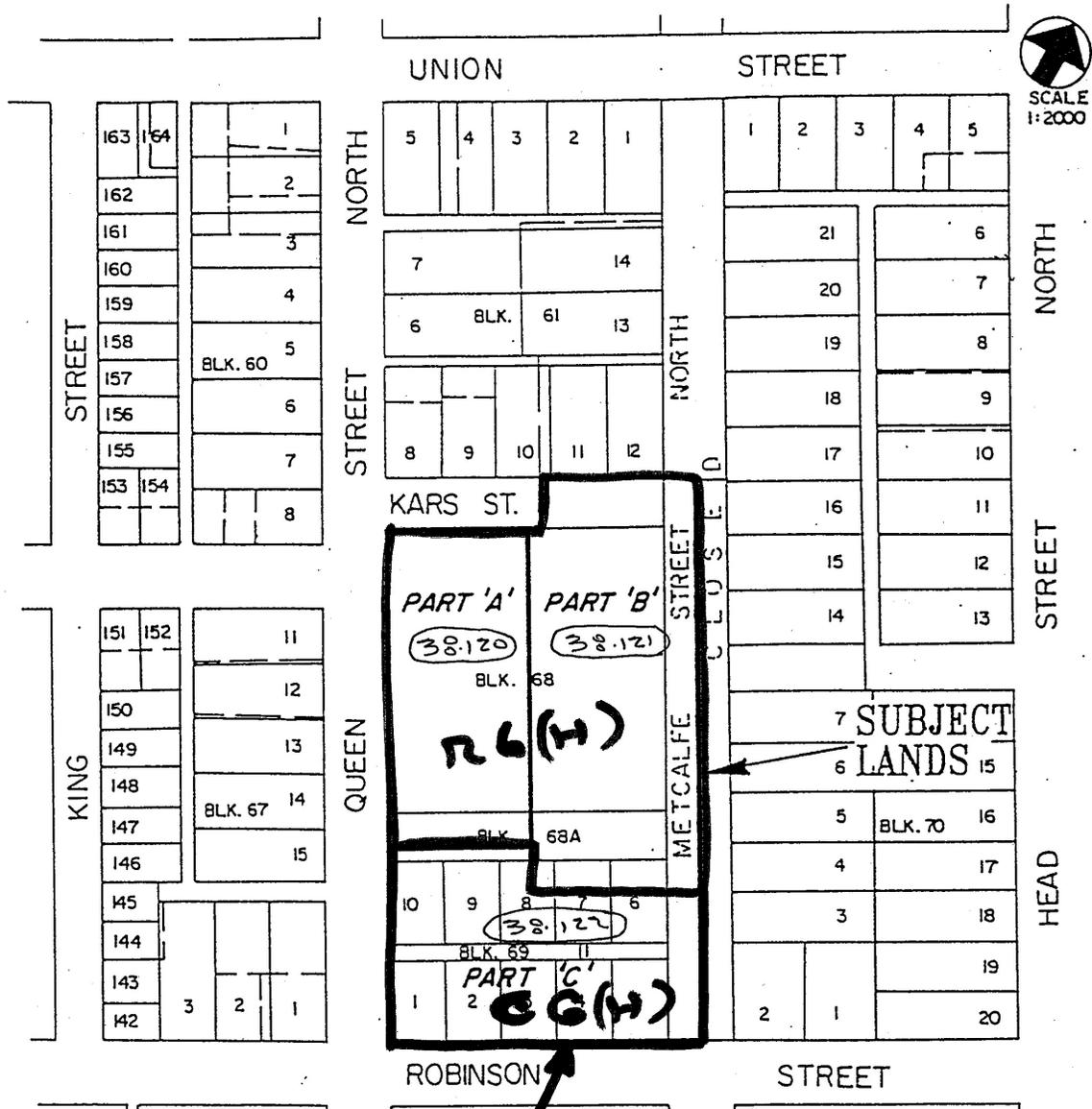
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Map B - detailed map

TOWN OF SIMCOE
FORMER TOWN OF SIMCOE



4-5-96

NOTE: Measurements shown on this plan are in metres and may be converted into feet by dividing by 0.3048

This is Map B to Zoning By-Law 4-S 96 Passed the 22nd day of April 1996

[Signature]
MAYOR

[Signature]
CLERK