



Working together with our community

Public Hearings Committee – June 01, 2021

Subject: ZNPL2021068 – An application has been received to rezone the subject lands from R1-A to R2 to permit the construction of two semi-detached dwelling blocks (four dwellings total). DON FIELD & SON CONSTRUCTION has put forth the application affecting the lands described as 1077 Bay Street, Port Rowan.

Report Number: CD 21-36
Division: Community Development
Department: Planning
Purpose: For Information

Executive Summary:

This Public Meeting report is for a zoning by-law amendment submitted by Dennis Field on behalf of DON FIELD & SONS CONSTRUCTION Ltd, with respect to the subject site located at 1077 Bay Street in Port Rowan. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive recommendation report.

The applicant is proposing to rezone the subject lands from 'Residential Type 1-A (R1-A)' to 'Residential Type 2 (R2)' to facilitate the construction of two semi-detached dwellings (total of four units) as infill development within the Town of Port Rowan. The applicant has indicated that in the future they may wish to sever off each of the four (4) units as individual lots, being approximately 535 sq.m in area and 10.7 m of frontage each along Bay Street.

This report is being presented as part of the statutory public meeting required by the Planning Act. A subsequent report will be brought forward containing a recommendation for Council consideration.

Site Features and Land Use:

As shown in Map 3 of this report, the subject lands are located on the west side Bay Street, within the urban boundary Port Rowan, across from John Street. The subject lands used to contain a single family dwelling but was demolished and is currently vacant except for an accessory building, seen on the plan as "metal sided building". The accessory building is intended to be removed. The subject lands have an area of approximately 2153 square metres, with approximately 43 metres of frontage on Bay Street.

There are no significant site features on the property to make note of. The property is currently designated urban residential in Norfolk County's Official Plan and zone 'Residential Type 1-A (R1-A)'.

The predominant land use in the area is residential, with Residential Type 1-A zoned low-density, single detached residential dwellings to the north (Figure 1) of the subject lands and low/medium density Residential Type 2 development south of the subject lands (Figure 2). The exception is a mix of commercial and light industrial properties further north along Bay Street, parallel with Chestnut Street.



Figure 1: perspective along Bay Street (south)

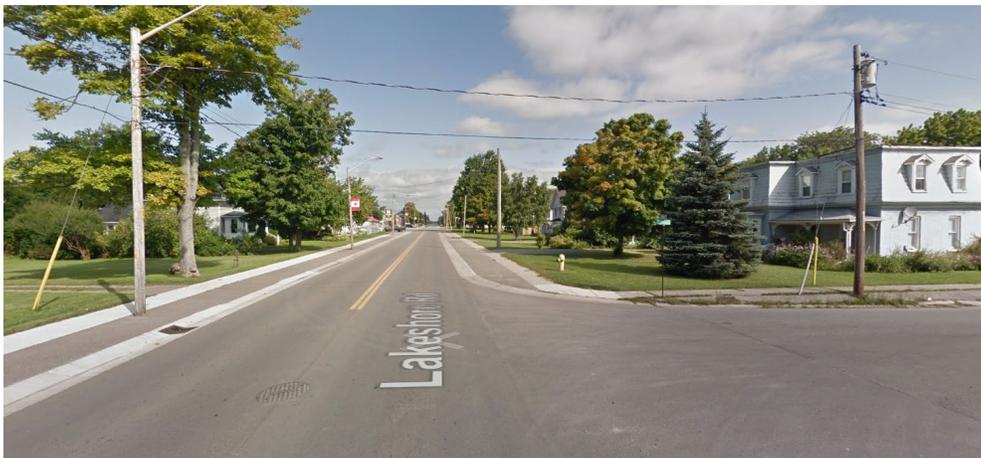


Figure 2: perspective along Bay Street (north)

Discussion:

The proposed rezoning to permit the 2 semi-detached buildings (4 residential units total) is supported by a site survey and sketch, and application. Based on the submission material reviews and staff comments, the following issues are presented for discussion:

Neighbourhood Character and Compatibility: The character of the surrounded area is primarily low density residential lots, dominated by smaller lot sizes, moderate setbacks from the dwelling to the road, and soft massing of the homes as a result of the setbacks and the single to two-storey nature of the neighbourhood. The proposed semi-detached homes, facilitated through the Residential Type 2 Zone, mirrors the surrounding

neighbourhood in character by proposing similar setbacks and unit sizes which complement the existing built form. The intended lot for each of the four (4) dwelling units will accommodate a sizeable backyard and a living space which is appropriate for the area.

A comprehensive review of neighbourhood character and compatibility will be completed as part of the final recommendation report to Council.

Multiple Lot Severance as Infill: The subject lands (if permitted to proceed with the proposed development) may in the future wish to sever the four (4) units into individual lots. According to section 9.6.3.2 (a) of the Official Plan, related to *general consent to sever land policies*, a Plan of Subdivision is the preferred method of land division when there is i) more than three (3) lots (two severed and one retained) from a land holding are being created. Policy 9.6.3.2 (b) states that a Plan of Subdivision can be waived for up to four (4) lots which are considered infill or redevelopment, have frontage on a public road which is maintained rear-round in an urban area, and is serviced by municipal water and sanitary sewer.

Sidewalk Encroachment into Subject lands: It was noted during staff's review of the submitted sketch (prepared by Jewitt and Dixon Ltd.) that a portion of the County sidewalk along Bay Street encroaches into the subject lands. This is a result of a road-widening which was never conveyed to the County. Planning staff are currently working with Reality Services to confirm this item and to come to a resolution.

Circulation Comments: Planning staff has received a Department and applicable agency comments, which have been consolidated and attached as Appendix A.

Regard for Public Input: No public input has been received for this application and therefore was not considered as part of this report.

This report is being presented as part of the statutory public meeting where any comments received during the public meeting will be considered and ultimately reflected in the final recommendation report to Council.

Planning Considerations:

It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Provincial Policy Statement, 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It promotes efficient development and land use patterns and encourages growth and development within existing settlement areas. The subject land is within the 'settlement area' as defined in the Provincial Policy Statement.

Section 1: Building Healthy Communities of the PPS promotes the building of strong, healthy communities and includes policies about avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.3.1 indicates that “Settlement areas shall be the focus of growth and development.” Additionally, Section 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 efficiently 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.

Section 1.1.4 related to providing a range of housing options state that, 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.

Section 1.4.3 of the PPS 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:

- 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.
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

Planning Comments: *The proposed development is located within Port Rowan’s urban core. The subject lands are within walking distance to the downtown of Port Rowan, schools, and a plethora of amenities. The development is anticipated to provide four (4) additional housing units, further contributing to Port Rowan’s housing stock. The development is anticipated to require municipal servicing allotment for sewage and water servicing. Planning staff will provide a full conformity check based on the above mentioned policies of the PPS, 2020 within the recommendation report.*

Norfolk County Official Plan

The subject lands are designated “Urban Residential” in the Official Plan. This designation is meant to encompass neighbourhoods in the County’s urban area capable of providing a variety of residential forms that serve a diverse population.

Section 7.7.1 indicates that the predominant use of the Urban Residential land shall be a variety of urban dwelling types, including semi-detached dwellings. Further, section 7.7.2 indicated that single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare

Section 5.3 of Norfolk County's Official Plan focuses on the importance of housing for the area. Section 5.3 (b) specifically speaks to the importance of providing, "*a full range of housing types and densities*" which meet the anticipated demand and demographic change. Section 5.3 (b) also identifies a target of 15 percent of all new housing built being either semi-detached or townhouse dwellings.

Section 5.3.1 speaks to residential intensification, stating the following:

- 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.

Further section 5.3.1 states the following:

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.

Section 5.4, related to 'Community Design' policies, provide direction to the physical design of the communities for development proposals

Section 8.9.1 outlines the policies surrounding Services in the Urban Areas of Norfolk County. Subsection c) states, all development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems.

Subsection e) states, Infilling of vacant areas within the Urban Areas which are already provided with full municipal services is encouraged, and shall be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction.

Section 8.9.3 outlines the policies surrounding Servicing allocation and phasing. Subsection a) states, when unallocated servicing capacity does not exist for a proposed development, the County shall defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.

Planning comments: A conformity check of the Official Plan policies will be provided within the recommendation report. No new development shall be permitted without confirmation of adequate servicing capacity.

Norfolk County Zoning By-Law 1-Z-2014

Current Zoning

The subject lands are currently zoned "Urban Residential Type 1-B Zone (R1-A). Section 5.1.1 outlined the permitted uses of the R1 zone (including R1-A and R1-B). The R1 zone does not permit semi-detached dwellings.

Surrounding Zoning

The predominant land use in the area is residential, with Residential Type 1-A zoned low-density, single detached residential dwellings to the north (Figure 2) of the subject lands and low/medium density Residential Type 2 development south of the subject lands (Figure 3). The exception is a mix of commercial and light industrial properties further north along Bay Street, parallel with Chestnut Street.

Proposed Zoning

The subject Zoning By-law Amendment proposes to rezone the subject lands from 'Urban Residential Type 1-A (R1-A)' to 'Urban Residential Type 2 (R2)' to permit the 2 semi-detached dwellings (cumulative four units).

Section 5.2.1 of the Zoning By-law lists the permitted uses in the R2 zone and include, but is not limited to, semi-detached dwellings. Section 5.2.2 lists the provisions which regulate the R2 zone.

The applicant has not requested any special provisions and has indicated they intent to conform to all applicable provisions of the Zoning By-law including the provisions of the R2 zone.

Planning Comments: *A conformity check of the Zoning By-law policies will be provided within the recommendation report. Further, the proposed zoning is still being evaluated in terms of compatibility with the surrounding neighborhood and staff will be considering built form provisions and character for the final recommendation report to ensure future compatibility with any zone change.*

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation: The proposed semi-detached use should facilitate and promote appropriate growth and density in the neighbourhood.

Conclusion:

The purpose of this report is to summarize the planning application proposal, provide the comments received from applicable departments and agencies, summarize comments received from member of the public, and to provide general information in relation to the overall application. A staff report with related recommendations will be submitted to Council for consideration at a later date.

Recommendation(s):

THAT Report CD 21-36, Public Hearing report for ZNPL2021068, be received for information;

THAT any outstanding technical comments received be provided to the applicant and addressed prior to submission of a future recommendation;

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

Attachment(s):

Maps 1 to 4
Appendix A Circulation Comments
Appendix B Public Input

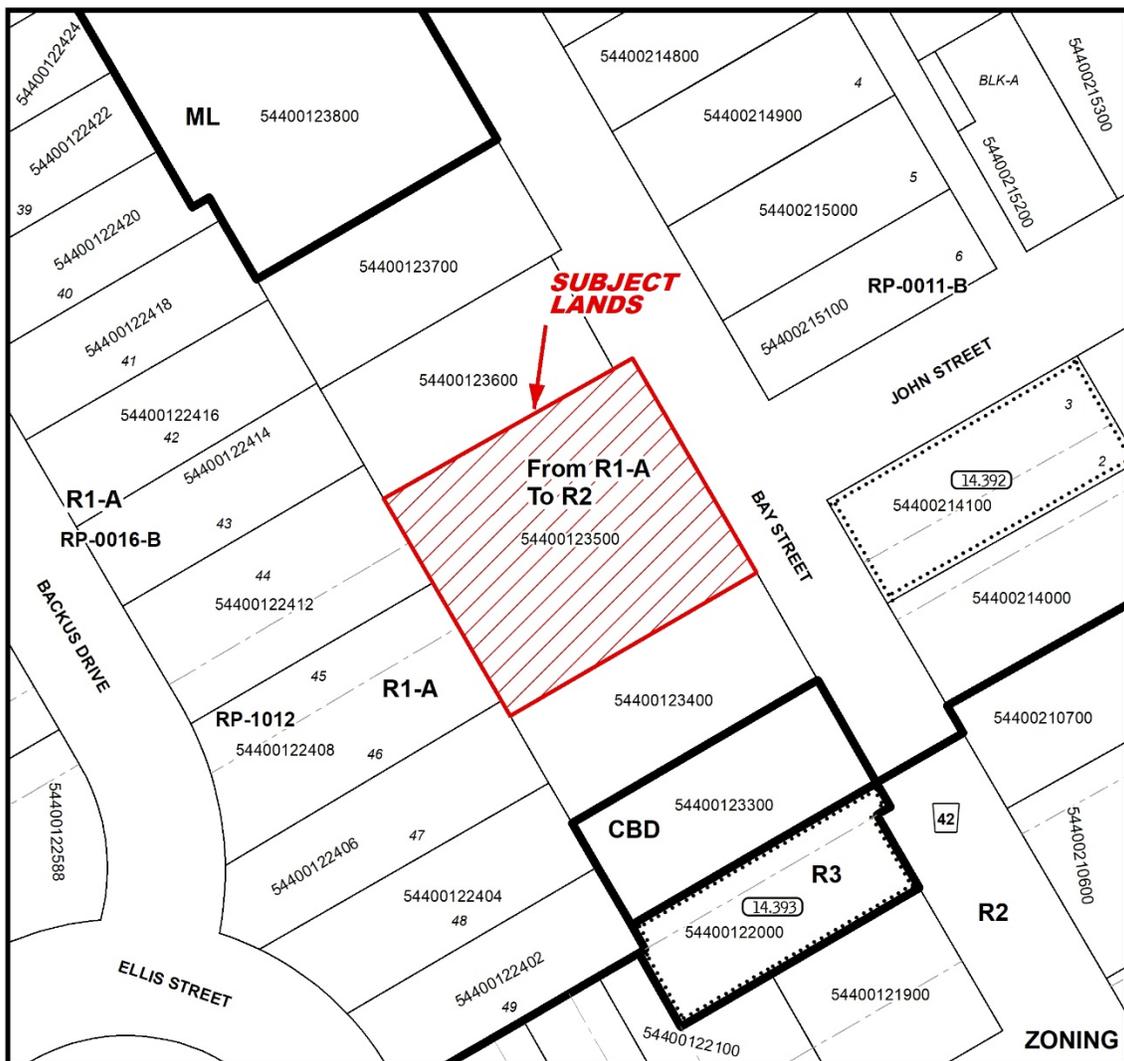
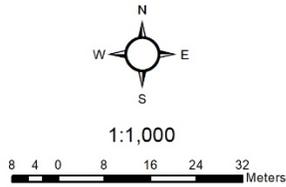
Submitted By:
Brandon Sloan, BES, MCIP, RPP
General Manager
Planning and Development Division
185 Robinson Street
Simcoe, Ontario, Canada, N3Y 5L6
519-426-5870 ext. 1348

Reviewed By:
Tricia Givens, M.Sc.(PL), MCIP, RPP
Director of Planning
185 Robinson Street
Simcoe, Ontario, Canada, N3Y 5L6
519-426-5870 ext. 189

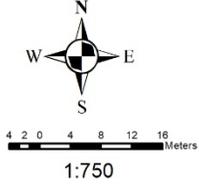
Prepared By:
Scott Wilson, BES, Hons Planning

Planner
519-426-5870 ext. 1892

MAP 1
File Number: ZNPL2021068
Urban Area of
PORT ROWAN



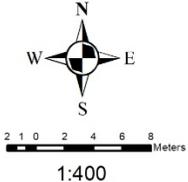
MAP 3
File Number: ZNPL2021068
Urban Area of PORT ROWAN



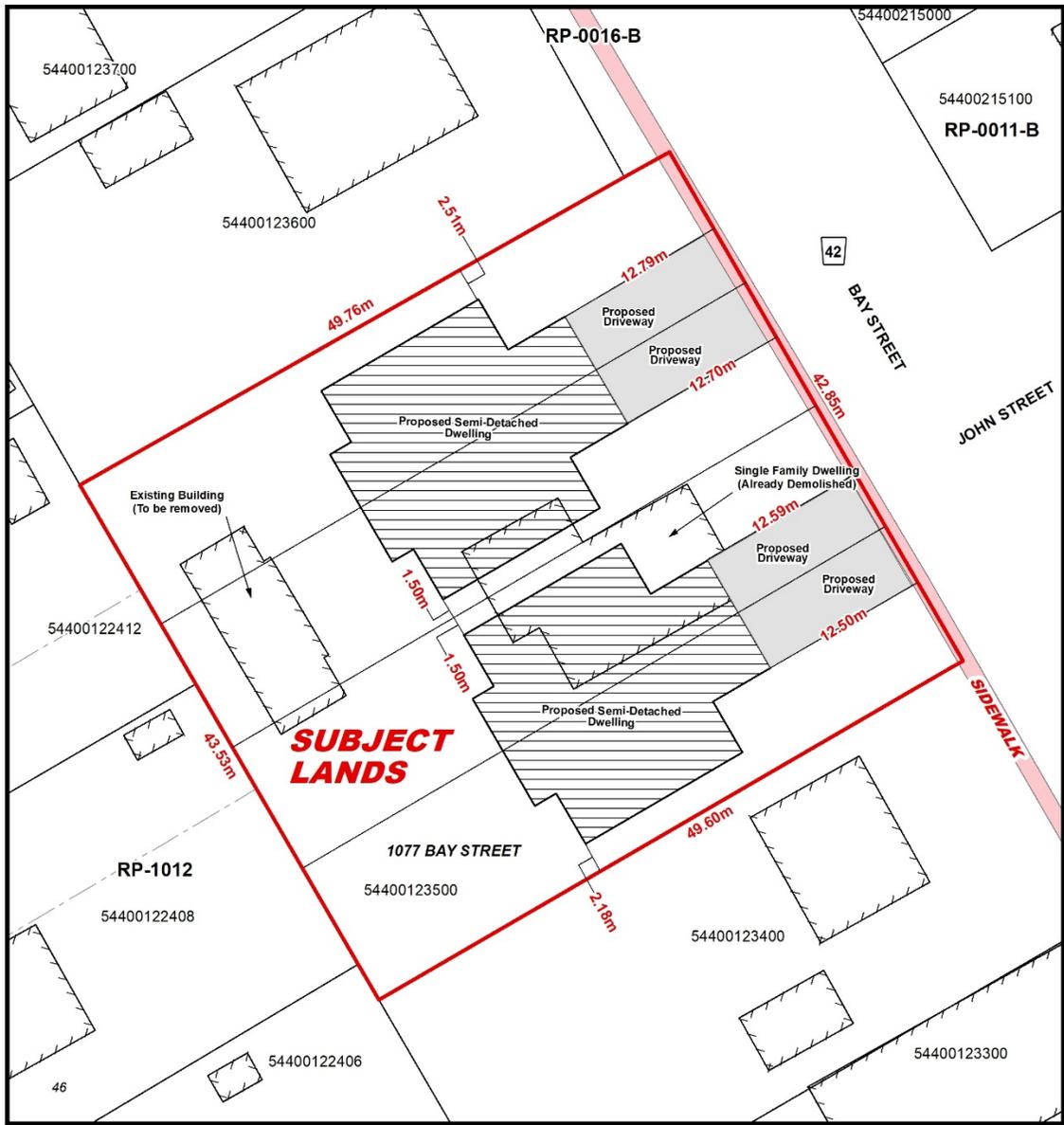
A north arrow is located in the top right corner of the map frame, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the north arrow is a scale bar marked with 0, 4, 8, 12, and 16 meters. The text '1:750' is centered below the scale bar.



MAP 4
File Number: ZNPL2021068
Urban Area of PORT ROWAN



A north arrow is located in the top right corner of the map frame, with 'N' at the top, 'S' at the bottom, 'E' to the right, and 'W' to the left. Below the north arrow is a scale bar marked with 0, 2, 4, 6, and 8 meters. The scale is labeled '1:400'.



CD 21-36 ZNPL2021068 – 1077 Bay Street, Port Rowan

Appendix A: Circulation Comments

Financial Services – Reviewed - Comments are as follows:

1. Pending comments

Zoning Administrator – Reviewed – Comments are as follows:

Zoning as per R2 zone provisions for semi-detached dwellings:

1. Ensure 3.3m x 5.8m uninterrupted parking space is provided in each attached garage
2. Any proposed rear decks required to be 1.2m from interior lot line, and no closer than 3m to rear lot line.
3. 50% of front yard to be maintained as landscaped
4. Maximum building height is 11 meters
5. If garages attached they must accommodate a parking spot at a minimum of 3.3m x 5.8m with no interruptions like stairs, landings, or doors.

Development Engineering – Reviewed – Comments are as follows:

1. Pending comments

Building and By-Law – Reviewed – Comments are as follows:

1. No concerns

Geographic Information Systems – Reviewed – Comments are as follows:

1. Contact Norfolk GIS for new civic address when building

Fire – Reviewed – Comments are as follows:

1. No concerns

Canada Post – Reviewed – Comments are as follows:

1. Please be advised that this new development will be serviced by Postal boxes at the Port Rowan Post Office. Please advise the customer that they need to register with the Post Office to obtain a box number for their mailing address.

Paramedic Services – Circulated - No comments received – No concerns

Parks and Recreation – Circulated - No comments received – No concerns

Forestry – Circulated - No comments received – No concerns

Health and Social Services – Circulated - No comments received – No concerns

Economic Development – Circulated - No comments received – No concerns

Health Unit: Residential - Circulated - No comments received – No concerns

Accessibility - Circulated - No comments received – No concerns

Public Comment: ZNPL2021068 – 1077 Bay Street, Port Rowan – Rezoning to R2 to permit two semi-detached dwellings (4 residential dwelling unit, total)

- No public comments received