



Working together with our community

Public Hearings Committee – July 06, 2021

Subject: OPNPL2021103 and ZNPL2021104 – An application has been received to amend the Official Plan and Zoning By-law to permit further development on an existing commercial site. A site specific policy is proposed to amend the Official Plan to remove the Hazard Lands designation and a special provision is proposed to amend the zoning by-law Service Commercial Zone (CS) to reduce the rear yard setback from 9 metres to 5 metres to facilitate the development. The purpose of the applications would be to support the construction of two (2) additional buildings, totalling three (3) units, and all associated infrastructure to support the development. LEE GREENWOOD and agent G. DOUGLAS VALLEE LTD. has put forth the application affecting the lands described as 9 Queensway West.

Report Number: CD 21-54
Division: Development and Cultural Services
Department: Planning
Purpose: For Information

Executive Summary:

This Public Meeting report is for an official plan amendment and zoning by-law amendment submitted by G. Douglas Vallee Ltd. on behalf of Lee Greenwood and Canadian Commercial with respect to the subject site located at 9 Queensway West, in Simcoe. 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 existing commercial site currently contains Shoppers Drug Mart, Staples, Boston Pizza, and the Bulk Barn. Two additional commercial buildings are proposed. One building will contain a restaurant, and the other building will contain a restaurant and a commercial unit. In total 3 new units are proposed. The new buildings will be located along the south-west and westerly property boundaries. The lands are designated Commercial and Hazard Lands and are zoned “Service Commercial (CS)”. The application proposes an Official Plan Amendment to remove the Hazard Lands designation and a Zoning By-law Amendment to amend the zone with a site specific special provision to address proposed deficiencies in the rear yard setback which would result in a setback of 5 metres (instead of the required 9 metres).

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:

The subject lands are located on the northwest corner of the intersection of Queensway West (Highway 3) and Norfolk Street North (Highway 24) in Simcoe. The subject lands are used for commercial purposes and currently includes Shoppers Drug Mart, Staples, Boston Pizza, and the Bulk Barn. The site has an area of approximately 23,089 square metres, with an irregular depth and approximately 111.30 metres of frontage on Queensway West.

Figure 1. View of Subject lands from Norfolk Street North



Discussion:

The proposed Official Plan Amendment and Zoning By-law Amendment to facilitate additional development of the existing commercial site is supported by a number of reports and documents, including a planning justification report, a functional servicing report, a storm water management report, as well as documents addressing lot grading, erosion, water and wastewater servicing (and modelling).

The proposed development is required to connect to municipal water and sewer services.

Servicing Constraints: While undergoing the Inter-Urban Water Supply study, Norfolk County staff have identified a potential water supply concern in Simcoe. As a result, development applications, such as this one, that have recently been submitted and deemed complete will be processed only to the point of a public hearing. Final decisions will be deferred until allocation and water servicing is confirmed to be available. This decision is consistent with the Norfolk County Official Plan (Section 8.9.3 – Servicing Allocation and Phasing) and the Norfolk County Zoning By-law. *This requirement may change based on decisions of Council made after the completion of this report.*

Circulation Comments: The technical comments received from Departments and Agencies are attached (Appendix A) and form part of this information report. Full comments will be provided with the recommendation report.

Regard For Public Input:

No public input has been received for this application and therefore was not considered as part of this recommendation.

This report is being presented as part of the statutory public meeting.

Planning Considerations:**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 1.1.3.1 identifies that "settlement areas shall be the focus of growth and development." Further it identifies that "land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- i. efficiently use land and resources;
- ii. 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;
- iii. minimize negative impacts to air quality and climate change, and promote energy efficiency;
- iv. prepare for the impacts of a changing climate;
- v. support active transportation;
- vi. are transit-supportive, where transit is planned, exists or may be developed; and
- vii. are freight-supportive."

Section 2.1.1 identifies that "Natural features and areas shall be protected for the long term."

Planning Comments: *The proposed development is located within the settlement area of Simcoe. 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 "Commercial" and "Hazard Lands" in the Official Plan. The commercial designated lands are accessible locations along the County's major transportation routes offering suitable accommodation for a specific range of commercial uses.

Section 7.11.1 identifies that the primary permitted use of the Commercial designation shall include include retail establishments and commercial uses, which are destination oriented or are intended to serve the travelling public.

In addition to the uses identified in Section 7.11.1, the site is also subject to a site specific policy, 7.11.3.6, indicating the following:

“.....in addition to the uses permitted, a business office equipment and supply sales outlet with a maximum gross leasable floor area of 1,860 square metres and a bulk food store with a maximum gross leasable floor area of 522.8 square metres shall also be permitted. One bulk food store shall either be permitted in the site specific area 7.11.3.6 or 7.11.3.8.”

As per section 7.11.2 d), a high standard of site design shall be required through site plan control. This is further explored in Section 9.6.5.

The northwest corner of the subject lands is designated Hazard Lands. This designation identifies lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption.

The applicants are proposing that the designation on the north west corner of the property be amended to remove the Hazard Lands designation. The applicants identify that the Long Point Region Conservation Authority (LPRCA) floodplain mapping no longer includes the subject lands within the floodplain. The existing Official Plan designation has not yet been updated to reflect these changes, thus an Official Plan Amendment is required. The subject lands are also adjacent to a Provincially Significant Wetland (PSW), however, there is existing development between the subject lands and planning staff, in collaboration with LPRCA, have identified an Environmental Impact Study is not required.

The proposed development engages with issues highlighted through the Official Plan Goals and Objectives, including, 2.2.1 – Strong and Diversified Economy Goals, 2.2.2 - Protecting and Enhancing the Natural Environment, and 2.2.3 - Maintaining and Enhancing the Rural and Small-Town Character.

Section 3 also focuses specifically on sustainable natural heritage and the policies of this section generally seek to promote the protection, enhancement and restoration of the natural environment while ensuring the reduction of risk to public safety and property from natural hazards, such as flooding and unstable slopes.

Community Design is addressed through Section 5.4 of the Official Plan, and is relevant to the proposed development of this application. Section 5.4 b) identifies that through the review of development applications, the County:

- i. shall ensure that new development is designed in keeping with the traditional character of the Urban Areas, in a manner that both preserves the traditional image of the Urban Areas and enhances the sense of place within the County while maintaining the community image of existing settlement areas;

- ii. shall promote efficient and cost-effective development design patterns that minimize land consumption;
- iii. shall promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
- iv. shall encourage tree retention and tree replacement;
- v. shall ensure that design is sympathetic to the heritage character of an area, including the area's cultural heritage resources;
- vi. shall strongly encourage design that considers and, wherever possible, continues existing and traditional street patterns and neighbourhood structure; and
- vii. may require, at the County's sole discretion, that proponents submit design guidelines with development applications, establishing how the policies of this Section have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, sidewalks, signage, garage placement, and architectural treatment.

Section 6.5 highlights the unique character of specific urban areas. Within this Simcoe Urban Area is identified, and more specifically the Queensway Corridor Special Policy Area is identified. This section promotes development of commercial node and recognizes the need to focus on commercial functions especially for retail, specialty and convenience shopping. The Queensway Corridor Special Policy Area promotes auto-oriented highway and service commercial activities. Section 6.5.1.5 a) states the following: "The Queensway Corridor represents a linear area of auto-oriented highway and service commercial activities. As such, the planned function of the Queensway Corridor is to be an area of auto-oriented commercial activities, providing for highway commercial uses for the residents of Simcoe and the surrounding area".

Planning comments: *The proposed development will be further reviewed based on the above mentioned policies. A conformity check of the Official Plan policies will be provided within the recommendation report.*

Norfolk County Zoning By-Law 1-Z-2014

The subject lands are currently zoned "Service Commercial (CS)".

The following uses are permitted in the CS zone:

- | | |
|---|--|
| a) ambulance service | h) automotive parts shop |
| b) animal hospital, provided the entire operation is carried on within an enclosed building | i) bar or night club |
| c) any non-residential use permitted in the Neighbourhood Institutional Zone (IN), subject to the provisions of that Zone | j) clinic or doctors' offices |
| d) auction centre | k) commercial greenhouse, tree and plant nursery |
| e) automobile gas station | l) community centre |
| f) automobile service and repair station | m) contractor shop |
| g) automobile washing establishment | n) contractor supply and service shop |
| | o) convenience store |
| | p) day care nursery |
| | q) dry cleaning distribution station |
| | r) dry cleaning establishment |

- | | |
|---|---|
| <ul style="list-style-type: none"> s) dwelling, single detached or dwelling unit in a non-residential building - maximum one (1) [8-Z-2020] t) equipment rental establishment u) farm implement sales and service establishment v) financial institution w) fire hall x) florist shop y) fruit and vegetable outlet z) funeral home aa) garden supply centre bb) home occupation cc) hotel dd) laundromat ee) lumber yard and building supply establishment ff) manufacturing and retail sale of monuments gg) merchandise service shop hh) miniature golf, golf driving range and baseball pitch | <ul style="list-style-type: none"> ii) outdoor storage accessory to permitted uses jj) parking lot or structure kk) personal service shop ll) place of assembly mm) place of sports and recreation nn) place of worship oo) police station pp) private club qq) restaurant rr) restaurant, fast-food ss) restaurant, take-out tt) sheet metal, plumbing, heating, electrical or woodworking shop or any similar activity uu) swimming pool sales and service establishment vv) training and rehabilitation centre ww) vehicle sales or rental establishment xx) video store yy) wholesale outlets. |
|---|---|

The surrounding area consists of commercial uses, as well as residential uses to the north identified through multiple zonings, including Urban Residential Type 2 (R2), Urban Residential Type 6 (R6), Service Commercial (CS), and Provincially Significant Wetland (PSW).

The applicants are requesting to amend the existing Service Commercial (CS) zone to reduce the required minimum rear yard setback and to recognize existing deficiencies as follows:

	Zoning Provision	Proposed	Deficiency
d) minimum <i>exterior side yard:</i>	3 metres	2.94 metres (existing)	
e) minimum <i>interior side yard:</i>	3 metres	0.81 metres (existing)	
f) minimum <i>rear yard:</i>	9 metres	5 metres	4 metres
g) minimum <i>usable floor area:</i> for a <i>dwelling unit</i> in a non-residential <i>building</i>	40 square metres		

Provision 3.9 identifies that no building or structure shall be erected, used or occupied, unless servicing capacity is confirmed as being available for all watermains and sanitary systems.

Additionally, the proposed development would be subject to the provisions in section 4.0, which speak to Off Street Parking. Using calculations provided by provision 4.3.3 and 4.9, the applicants have provided the existing, required, and proposed parking spaces calculations as outlined below:

Figure 2. Parking Assessment Table

EXISTING PARKING TABLE				
BUILDING	USAGE	AREA (sq. m)	REQUIRED PARKING	Total Spaces
STAPLES	RETAIL (OFFICE SUPPLY)	1857.99	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	62
SHOPPERS DRUG MART	RETAIL STORE	1582.7	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	53
BOSTON PIZZA	RESTAURANT	555	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	56
BOSTON PIZZA PATIO*	RESTAURANT, OUTDOOR PATIO	64	1 SPACE / EVERY 4 SEATS	16
BULK BARN	RETAIL STORE	437.82	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	15
OVERALL SITE REQUIRED IN EXISTING CONDITION				202
TOTAL EXISTING PARKING SPACES PROVIDED				249
EXISTING ACCESSIBLE SPACES				12
REQUIRED ACCESSIBLE SPACES				7
*LIQUOR LICENSE FOR BOSTON PIZZA PATIO IS FOR 64 PEOPLE.				
PROPOSED PARKING TABLE				
BUILDING	USAGE	AREA (sq. m)	REQUIRED PARKING	Total Spaces
STAPLES	RETAIL (OFFICE SUPPLY)	1857.99	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	62
SHOPPERS DRUG MART	RETAIL STORE	1582.7	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	53
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BOSTON PIZZA PATIO*	RESTAURANT, OUTDOOR PATIO	64	1 SPACE / EVERY 4 SEATS	16
BULK BARN	RETAIL STORE	437.82	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	15
PROP. UNIT B	RESTAURANT, FAST FOOD WITH DRIVE-THRU	213.67	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	22
PROP. UNIT A	RESTAURANT, FAST FOOD WITH DRIVE-THRU	241.55	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	25
PROP UNIT C	COMMERCIAL UNIT	185.82	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	19
OVERALL SITE PARKING REQUIRED				268
TOTAL PROPOSED PARKING SPACES PROVIDED				272
EXISTING ACCESSIBLE SPACES				12
REQUIRED ACCESSIBLE SPACES				4 TYPE A 4 TYPE B
ADDITIONAL ACCESSIBLE SPACES PROPOSED				2 TYPE A 2 TYPE B
TOTAL ACCESSIBLE SPACES				16
*LIQUOR LICENSE FOR BOSTON PIZZA PATIO IS FOR 64 PEOPLE.				

Planning Comments: The proposed lot layout on the provided concept plan complies with the provisions as identified above for the Service Commercial (CS) zone, save and except the deficiencies identified in the chart above. A full compliance check of the Zoning By-law provisions will be provided within the recommendation report.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Create an Optimal Place for Business".

Explanation: This proposed development would facilitate additional commercial development on an existing site.

Conclusion:**Recommendation(s):**

THAT Report CD 21-54, Public Hearing report for OPNPL2021103 and ZNPL2021104, 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 Planning Justification Report

Submitted By:
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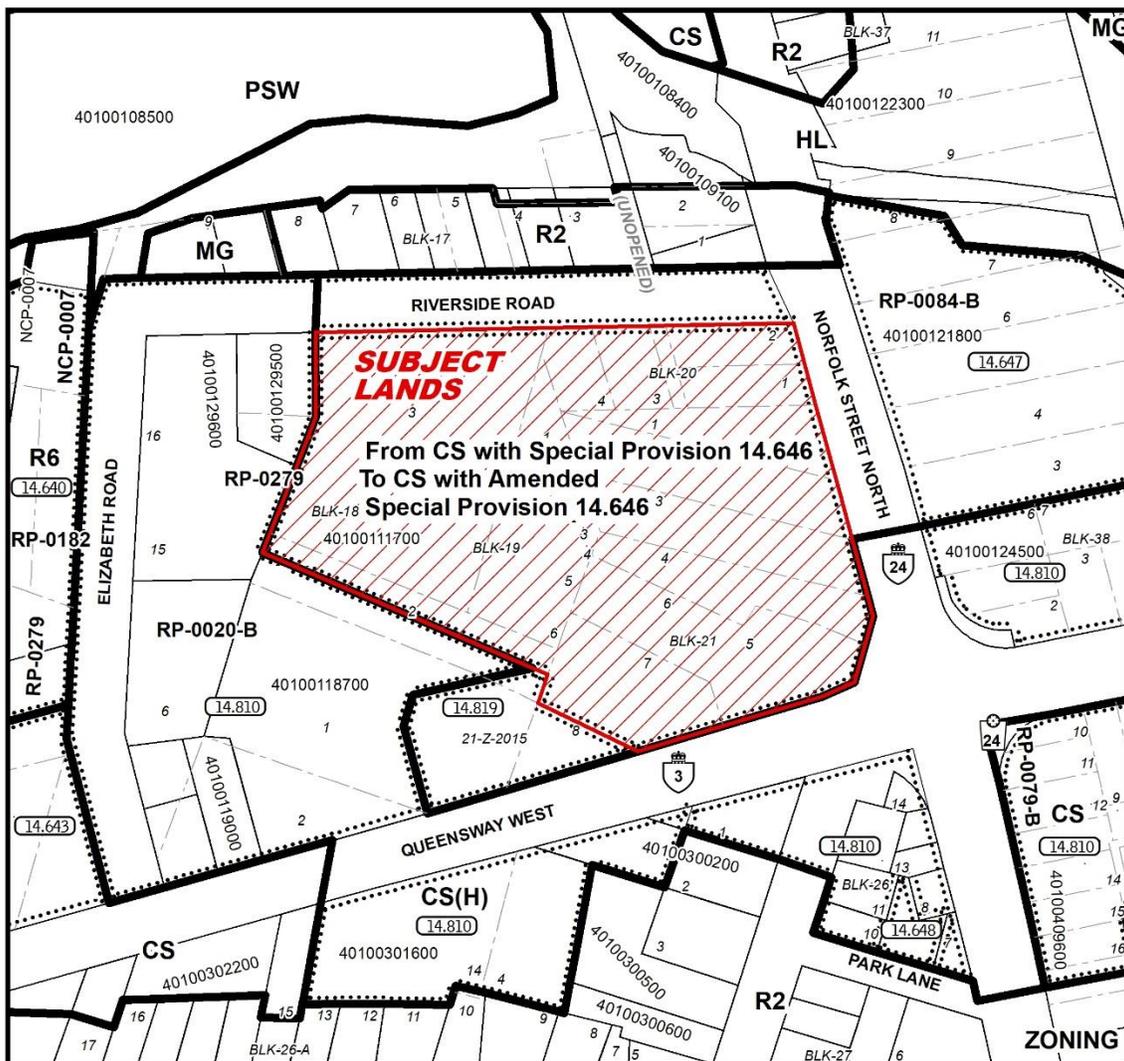
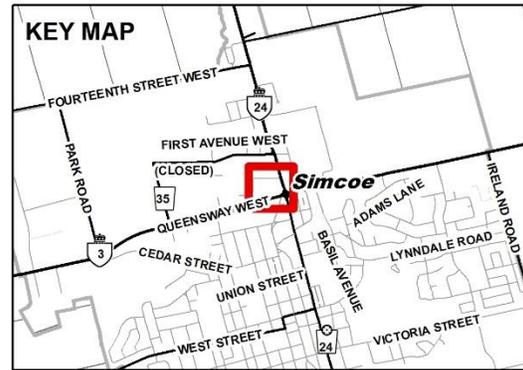
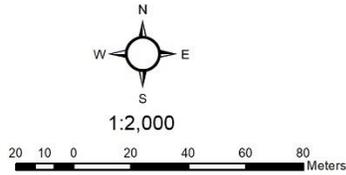
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Senior Planner
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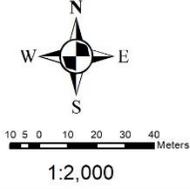
MAP 1

File Number: OPNPL2021103 & ZNPL2021104

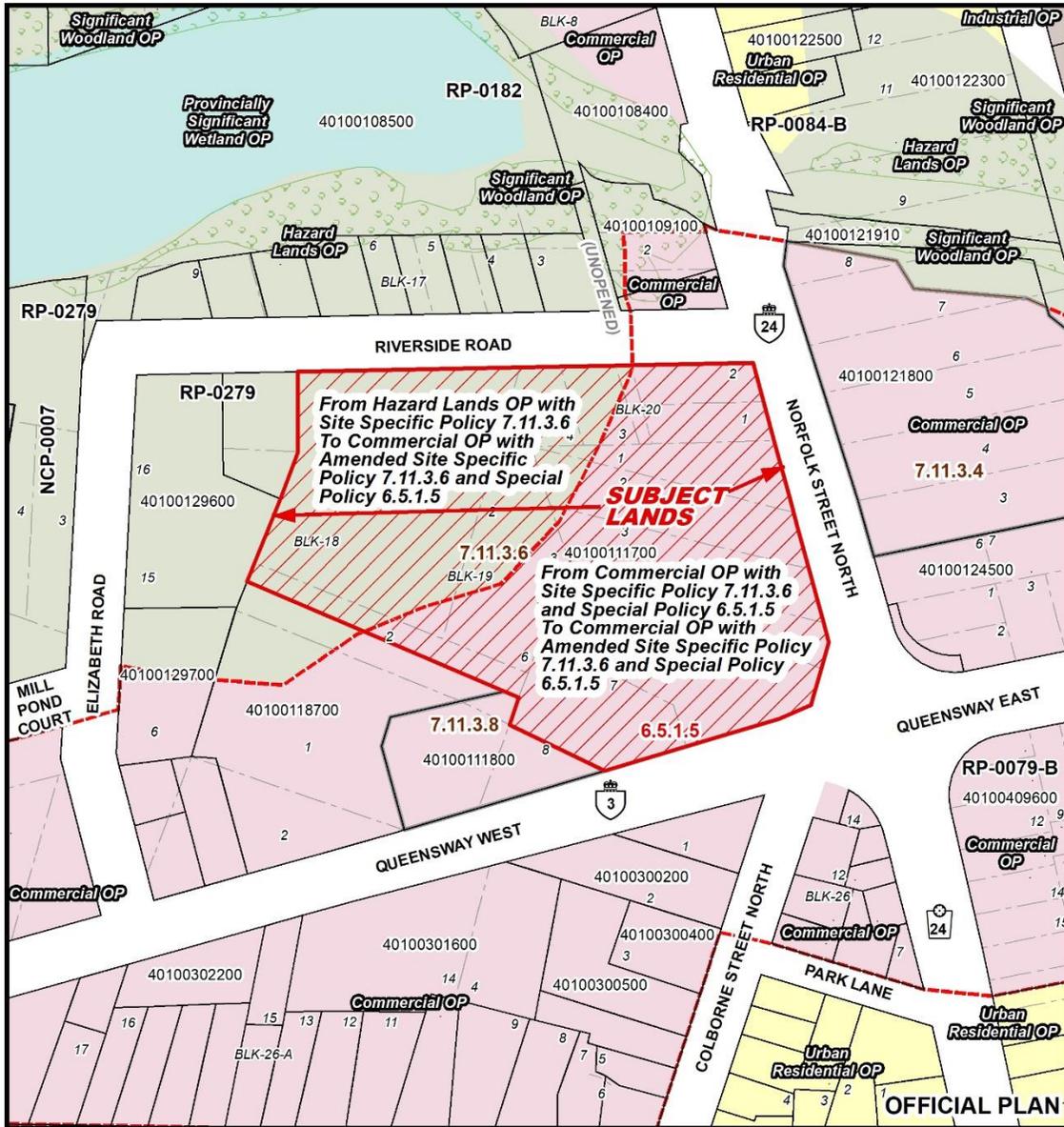
Urban Area of
SIMCOE



MAP 2
File Number: OPNPL2021103 & ZNPL2021104
Urban Area of SIMCOE



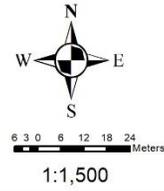
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MAP 3

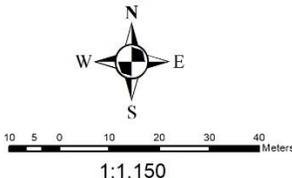
File Number: OPNPL2021103 & ZNPL2021104

Urban Area of SIMCOE

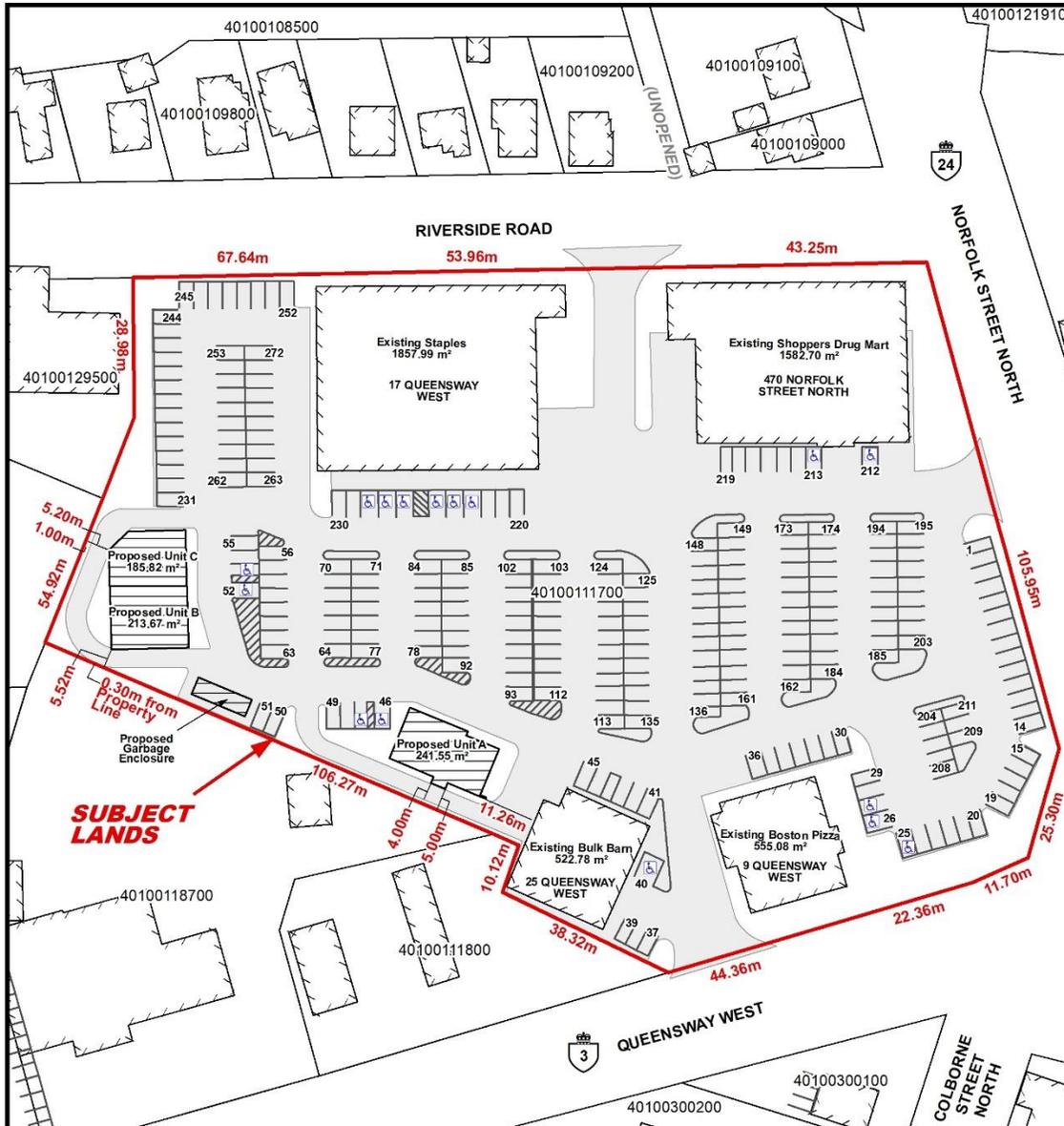


2021-05-21

MAP 4
File Number: OPNPL2021103 & ZNPL2021104
Urban Area of SIMCOE



1:1,150



APPENDIX A

Circulation Comments

Financial Services:

This application would have a positive impact on assessment growth and commercial tax revenues. The amount of growth is dependent on the assessment of the properties by the Municipal Property Assessment Corporation (MPAC). Norfolk County would also receive Development Charges as per the most recent Development Charges By-law.

Zoning Administrator: Reviewed. No Comment.

Geographic Information Systems: Please contact Norfolk GIS for new civic addresses when building.



vallee

*Consulting Engineers,
Architects & Planners*

March 10, 2021

County of Norfolk
Robinson Administration Building
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Attention: Mohammad Alam, Senior Planner

**Reference: Planning Justification Report
Application for Official Plan/Zoning By-law Amendment I-Z-2014
G. Douglas Vallee Limited on behalf of Canadian Commercial (Simcoe) Inc.
17 Queensway West, Simcoe, Norfolk County
Our Project 20-084**

Introduction:

G. Douglas Vallee Limited has been retained by Canadian Commercial (Simcoe) Inc. (c/o Lee Greenwood) to make application for an Official Plan Amendment and Zoning By-law Amendment to permit further development of the existing commercial site at the intersection of highways 3 & 24 in Simcoe, Norfolk County. The existing commercial site currently contains Shoppers Drug Mart, Staples, Boston Pizza, and the Bulk Barn. Two additional commercial buildings are proposed. One building will contain a restaurant, and the other building will contain a restaurant and a commercial unit. In total 3 new units are proposed. The new buildings will be located along the south-west and westerly property boundaries.

The 2 restaurants will include drive through pick up windows and stacking lanes in accordance with the permitted uses of the Service Commercial Zone.

The lands are designated Commercial and Hazard Lands in accordance with the Official Plan. It is proposed to amend the Official Plan to remove the Hazard Lands designation and to amend the zoning by-law Service Commercial Zone (CS) to reduce the rear yard setback from 9 metres to 5 metres to facilitate the development.

This application:

- Complies with the Norfolk County Official Plan.
- Is supported by the revisions to the Conservation Authority's revised floodplain mapping.
- Is consistent with the general intent and purpose of the Provincial Policy Statement 2020.
- Represents good planning.

Purpose:

The purpose of this Planning Justification Report is to provide planning support and information to the County to consider when reviewing the proposed applications for an Official Plan and Zoning By-law amendment.

Site Description:

The subject site is located within the urban settlement boundary at the northwest corner of Queensway West and Norfolk Street North, on the south side of Riverside Road in Simcoe. The lands are approximately 24,900 sqm in area. There are four existing commercial buildings located closest to the property lines with parking located centrally.

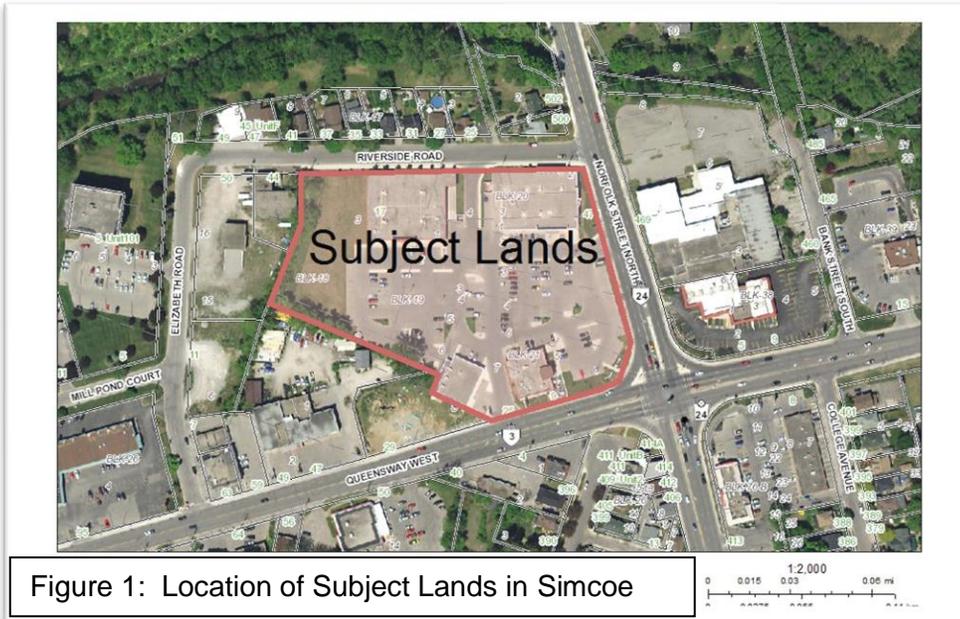


Figure 1: Location of Subject Lands in Simcoe

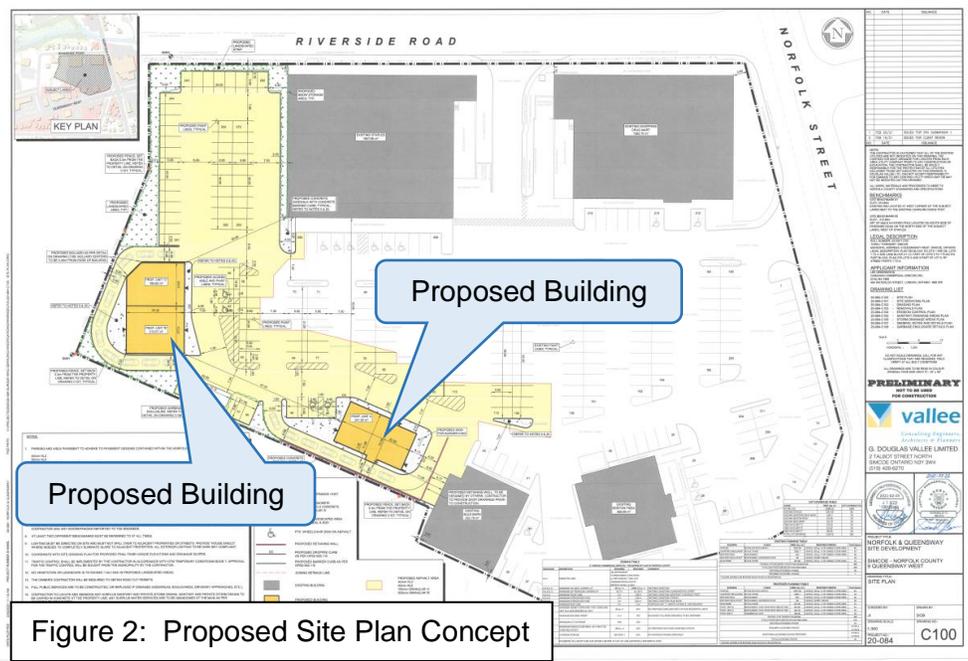


Figure 2: Proposed Site Plan Concept

**G. DOUGLAS VALLEE LIMITED
 Consulting Engineers, Architects & Planners**



Authorized by the Association of Professional Engineers of Ontario to offer professional engineering services.



Surrounding Land Uses

Commercial lands surround the property on the west, south and east sides. Residential development exists to the north.

Appendices

Appendices to this report include the following:

Appendix A - Draft Site Plan

Appendix B – Norfolk County Official Plan Policy Compliance

This application was submitted to include the information and material required under Section 34 (10.1) and 22 (4) of the *Planning Act* as part of a complete application.

Planning Review:

The proposed Official Plan and Zoning By-law amendments were prepared in light of several planning documents including the *Planning Act*, the Provincial Policy Statement, the County Official Plan and Zoning By-law.

Planning Act

Section 2 of the *Planning Act* outlines matters of provincial interest.

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

Section 22 of the *Planning Act* outlines the requirements for considering an Official Plan Amendment.

Section 34 of the *Planning Act* allows for the consideration of amendments to the zoning by-law.

Provincial Policy Statement (2020)

The Provincial Policy Statement was recently updated and took effect on May 1, 2020. The subject land is identified as being within a Settlement Area according to the Provincial Policy Statement, 2020 (PPS).

The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment, and will facilitate economic growth.

It is encouraged that planning authorities consider infilling, redevelopment and intensification in a compact form in areas that support active transportation and can take advantage of existing infrastructure. Development should be designed to improve accessibility for persons with disabilities and older persons.

G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners

Policy 3.0 discusses natural and human-made hazardous lands, where development is prohibited or permitted subject to conditions addressing flooding and erosion.

The Long Point Region Conservation Authority has recently released new mapping which demonstrates that the lands are no longer within the floodplain. Therefore, LPRCA will support the removal of these lands from the Hazard Land Designation. This provides the clear justification to amend the Official Plan to remove the Hazard Land designation to permit development and intensification of the subject lands.

A decision by Council to approve the Official Plan and Zoning By-law amendment will be consistent with PPS, 2020.

Norfolk County Official Plan

The lands are designated Commercial and Hazard Lands in accordance with the Official Plan. As discussed, the Hazardous Land Designation is to be removed, and the underlying Commercial Designation is to remain. The amendment is necessary at this time as the County has not completed an Official Plan update to reflect the updated mapping.

Several sections of the Official Plan apply when considering zoning by-law amendments and are discussed in detail under Appendix B. On a high level, details of the Official Plan policies are captured by the overarching Goals and Objectives. Section 2.2 of the Official Plan set out six “Goals and Objectives” to which the following 5 are applicable to the proposed residential development:

- Strong and Diversified Economy
- Protecting and Enhancing the Natural Environment;
- Maintaining and Enhancing the Rural and Small-Town Character;
- Upgrading and Expanding Infrastructure; and
- A Well Governed, Well Planned and Sustainable County.

The proposed zoning by-law amendment achieves the applicable ‘Goals and Objectives’ of the Official Plan as discussed in Appendix B.

Provincially Significant Wetland

This site is within the “adjacent lands” are of a Provincially Significant Wetland (PSW) that lies to the north. This site will not have any impact on the PSW since:

1. There is significant existing development between the subject lands and the Provincially Significant Wetland (PSW)
2. Norfolk County’s Riverside Road and several residential dwellings are located between the subject lands and the PSW.

For these reasons, the Long Point Region Conservation Authority has advised that an Environmental Impact Study (EIS) is not required.

Site Servicing

Through the site plan application process, stormwater management design approvals and land use permits from the Conservation Authority will be required prior to building permit issuance.

The development intends to make efficient use of this existing infrastructure. Through the site plan application process, proposed infrastructure will be designed and constructed in accordance with Norfolk County's requirements, and will be subject to Norfolk County's approval. Details related to servicing do not impact the proposed Official Plan or Zoning By-law amendment application.

Summary of Official Plan review

The proposed Official Plan and zoning by-law amendment meets the policies of the Official Plan. The development concept represents an appropriate land use considering the size of the property, proximity to existing residential and commercial uses, avoidance of Conservation Authority regulated floodplains, and the provision of buffering and/or landscaping through the site plan process. Accordingly, the proposed applications meet the intent and purpose of the Official Plan and represent good planning.

Norfolk County Comprehensive Zoning By-law 1-Z-2018

The lands are currently zoned Service Commercial Zone (CS). This zone permits a multitude of commercial uses. Special Provision 14.646 was passed to permit a limit the size of specific uses. The uses proposed are permitted in accordance with the Service Commercial Zone. The application to amend the zoning by-law is necessary to address setbacks and are captured in the following table.

Zoning Table for Section 6.3	Service Commercial Zone (CS)	Notes:
6.3.1 - PERMITTED USES		
	Various Service Commercial uses including restaurants and site-specific retail and bulk food store.	
6.3.2 ZONE PROVISIONS FOR NON-RESIDENTIAL USES		
Minimum Lot Area		
i) Interior	450m ²	23,089.26 m ²
ii) Corner	495m ²	
Minimum Lot Frontage		
i) Interior	15m	111.30 m
ii) Corner	16.5m	
c) Front Yard Setback	3m	3.89m
d) Exterior Side Setback	3m	2.94m (Existing Condition)
e) Interior Side Yard Setback	3m	0.81 m (Existing Condition)
f) Rear Yard Setback	9m	5m (Proposed)
h) Maximum Building Height	11m	<11m
i) Lot Coverage	35%	22%
4.9 Parking Space Requirements (Non-Residential)		See chart below

**G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners**

EXISTING PARKING TABLE				
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* LIQUOR LICENSE FOR BOSTON PIZZA PATIO IS FOR 64 PEOPLE.				
PROPOSED PARKING TABLE				
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BOSTON PIZZA PATIO*	RESTAURANT, OUTDOOR PATIO	64	1 SPACE / EVERY 4 SEATS	16
BULK BARN	RETAIL STORE	437.82	1 SPACE / 30 sq. m OF USABLE FLOOR AREA	15
PROP. UNIT B	RESTAURANT, FAST FOOD WITH DRIVE-THRU	213.67	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	22
PROP. UNIT A	RESTAURANT, FAST FOOD WITH DRIVE-THRU	241.55	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	25
PROP UNIT C	COMMERCIAL UNIT	185.82	1 SPACE / 10 sq. m OF USABLE FLOOR AREA	19
OVERALL SITE PARKING REQUIRED				268
TOTAL PROPOSED PARKING SPACES PROVIDED				272
EXISTING ACCESSIBLE SPACES				12
REQUIRED ACCESSIBLE SPACES				4 TYPE A 4 TYPE B
ADDITIONAL ACCESSIBLE SPACES PROPOSED				2 TYPE A 2 TYPE B
TOTAL ACCESSIBLE SPACES				16
* LIQUOR LICENSE FOR BOSTON PIZZA PATIO IS FOR 64 PEOPLE.				

At this time, it has not been determined how the commercial unit will be used. Accordingly, a review of the permitted uses and parking requirements has been completed. For the purposes of ensuring compliance with the County parking requirements, a restaurant use has been reviewed considering the more significant requirements to provide parking at a ratio of 1 space for every 10m² of usable floor area. This analysis reveals that the property will continue to be in compliance with the requirements of the zoning by-law. There total of all uses comply with the parking requirements of the by-law.

Summary of Zoning By-law review

It is proposed to reduce the rear yard setback from 9 metres to 5 metres to permit the restaurant and commercial unit without impacting the flow of internal traffic and ensuring compliance with the parking requirements of the zoning by-law. Impacts are not anticipated by reducing the setback as the adjacent lands are commercial in nature. Fencing is proposed in this area to improve buffering. As such it is our opinion that the proposed amendment to reduce the rear yard setback is appropriate.

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Planning Analysis:

The proposed Official Plan and Zoning By-law Amendment are in keeping with the general purpose and intent of the Provincial Policy Statement (PPS).

This report demonstrates that the removal of the Hazard Lands overlay designation from the lands can be supported as the Long Point Region Conservation Authority's updated floodplain mapping reveals that this property is no longer within the floodplain. A development permit is required by the Conservation Authority as the Conservation Authority GIS mapping indicates that the lands are within Regulated Area O. Reg. 178/06. This also ensures that the construction plans of the building meet Conservation Authority standards. Accordingly, the Official Plan Hazard designation can be removed.

The proposed zoning by-law amendment to reduce the rear yard setback, is appropriate for the subject lands, does not impact the adjacent commercial property and complies with the general intent and purpose of the Official Plan and Zoning By-law. Through the site plan process, buffering in the form of a fence can be considered.

Conclusion:

The proposed Official Plan and Zoning By-law Amendment implement the policies of the PPS and the Norfolk County Official Plan. The Hazard Lands designation can be removed as supported by revised Conservation Authority floodplain mapping. There are no impacts generated from the reduction of the rear yard setback. The analysis of this application is supportive. Accordingly, it is our opinion that the applications:

- model good planning;
- are not subject to natural and human made hazards; and
- ensures efficiency and compatibility with the surrounding land uses.

It is our recommendation that Norfolk County approve the application to amend the Official Plan and Zoning By-law to permit remove the Hazard Land designation and a reduced rear yard setback to facilitate the construction of 2 additional commercial buildings on the existing property.

Yours truly,



Eldon Darbyson, BES, MCIP, RPP
Director of Planning

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