



Working together with our community

Public Hearings Committee – September 07, 2021

Subject: ZNPL2021200 - An application has been received to change the zoning of the subject lands from Neighbourhood Commercial (CN) Zone to Urban Residential Type 5 (R5) Zone, with special provisions, to permit 4 levels of the residential apartment of 14 rental units. SUNFIELD HOMES (SIMCOE LTD.) and agent LANDPRO PLANNING SOLUTIONS has put forth the application affecting the lands described as 76 Evergreen Hill Road.

Report Number: CD 21-83
Division: Community Development
Department: Planning
Purpose: For Information

Executive Summary:

An application has been received to change the zoning of the subject land from Neighbourhood Commercial (CN) Zone to Urban Residential Type 5 (R5) Zone, with special provisions, to permit 4 levels of the residential apartment which is proposed to include 14 rental units. A site plan application (SPPL2021201) is also associated with this submission.

The Zoning Bylaw Amendment and Site Plan applications were deemed complete on July 7th, 2021. Technical comments are pending and no public comment is received as of yet.

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

Discussion:

Public Meeting Details

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

Site Characteristics

As shown in the figure below, the property is located in the Simcoe Urban Area, east of Queen Street South and south of Evergreen Hill Road. The subject lands are primarily surrounded by low to medium density residential developments including single-detached, semi-detached, duplex and townhouse developments. The closest commercial uses are within 600 metres to the south along Norfolk Street South. Holy Trinity Catholic High School and the Simcoe Recreation Centre are also within proximity. The rectangular-shaped land has a total area of 0.16 Hectares and a lot frontage of 54 metres along Evergreen Hill Road. Historically this property has been used for residential purposes, although it has recently been vacant for some time.

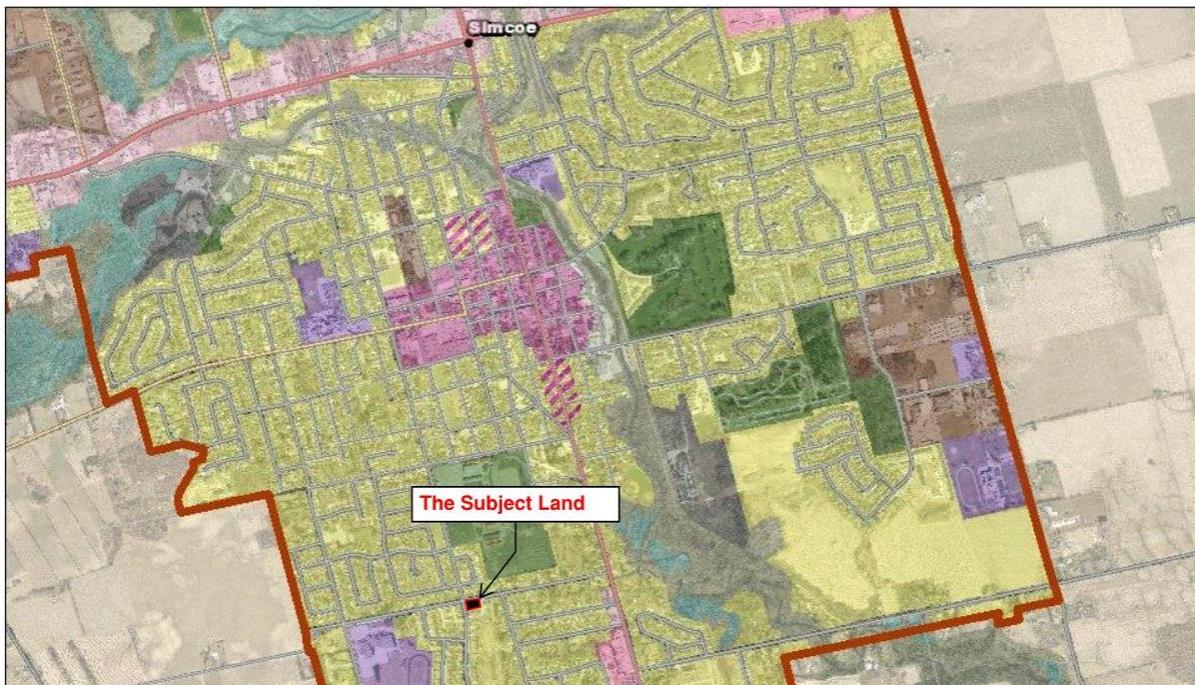


Figure 01. Location of the subject land in Simcoe



Figure 02. Surrounding Land-use of the Subject Land

Previous Planning Applications: In 2017, the applicant received Site Plan approval for this property to develop the site with a two-storey mixed-use (commercial and residential) building. The Planning Justification Report dated April 2021, prepared by Land Pro Planning Solutions, stated that the applicant re-considered their development plans for the property and determined that commercial space is no longer viable due to the current COVID situation.

Proposal Summary

The applicant proposes to replace the previously approved mixed-use, 2-storey building with a 3.5 storey residential only building. The proposed building is intended to offer 14 residential rental units on four floors. These four floors include a partially sub-grade basement. The footprint of the building will remain unchanged from the building previously approved by the County.

The applicant has submitted a site-specific zoning by-law amendment application to rezone the subject lands from 'Neighbourhood Commercial' (CN) Zone to 'Residential Type 5 (R5) Zone to allow the apartment building. The R5 zoning allows the following uses:

- a) dwelling, apartment
- b) home occupation
- c) retirement home

The zoning by-law amendment Application also requests reduced maximum Floor Area Ratio (FAR), number of parking spaces (including visitor parking), driveway aisle width and building height as shown in the following table:

| Zoning Provision | Required | Proposed | Required Relief |
|--|----------|----------|-----------------|
| Building Height | 11.0 m | 12.0 m | 1.0 m |
| Floor Area Ratio (for 4 storey) | 0.72 | 0.94 | 31% increase |
| Residential Parking Space (1.5 space/Dwelling) | 21 | 18 | 14% reduction |
| Visitor Parking Space (0.3 space/dwelling) | 5 | 0 | 100% reduction |
| Driveway Aisle Width | 7.3 m | 6.0 m | 9% reduction |

Table 1: Proposed site specific zoning relieves

A Site Plan Application is also associated with the zoning by-law amendment and is under review at this moment. Details of the proposed development are provided in Attachment A.

In support of the proposed development, the applicant has submitted the following:

- Planning Justification Report prepared *by Landpro Planning Solutions (April, 2021)*
- Stormwater Management Report and Additional Storm Sewer Design Information *by MC Engineering (April 2017)*
- Traffic Report *by F.R. Berry & Associates (June 7, 2021)*
- Functional Servicing – Sewage and Water Usage *by MC Engineering (March 2021)*
- Site Plan, Engineering and Landscape Drawings *by MC Engineering (March 2021)*

Planning Considerations

The application will be considered in terms of conformity and consistency with Provincial Policy Statement, Norfolk County Official Plan and applicable Zoning By-Law provisions. A summary of planning considerations including applicable policies and zoning provisions is summarized in Attachment A and will be evaluated in a future comprehensive report.

Technical Circulation Comments

The application has been circulated to various internal departments and external agencies for review and comments, and no comments are received at this moment.

The responses to the technical circulation will be further addressed in the technical review and included in the comprehensive report for consideration at a future Council meeting.

Consultation:

Notice Provisions

A complete Application Notice was mailed to neighbours within 120 m of the subject lands on August 08, 2021. Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 ("Planning Act"), a notice of the statutory public meeting is required to be posted at least 14 days in advance of the Public Meeting (Attachment C). As part of this process, a yellow notification sign was posted on the site on August 16, 2021 and a Notice by mail occurred on August 18, 2021.

Public Comments

Planning Staff received a number of public comments in relation to this proposal. While the development of this vacant land is appreciated, the following are primary concerns received from the residents:

1. **Building height and type** Should be consistent with the surrounding residential developments;
2. **Parking** should be sufficient not to over burden surrounding areas;
3. **Drainage** should not be directed to any neighbouring property;
4. **Residential development** is preferable than having a food outlet/convenience store as approved before; however **density** should be consistent with the neighbourhood.

This report is being presented as part of the statutory public meeting, and any public comments will be considered within the future recommendation report.

Preliminary Review

The following are the summary of key issues and comments that will be further reviewed before the completion of a recommendation report:

| Key Items | Preliminary Review |
|-----------|--|
| Land Use | Currently, the subject land is zoned Neighbourhood Commercial with an approved site plan for approximately 378 sq.m. of commercial use on the ground floor and four residential units on the second floor. The new proposal will replace the previously approved commercial use with a new proposal of 14 rental units. There is a growing concern about the transformation of commercial and other non- |

| | | |
|----------------------|---|--|
| | | residential uses in downtown and surrounding areas in Simcoe. The planning staff also recognizes the urgent need for affordable and rental housing across Norfolk County. These issues will be further analyzed in the recommendation report. |
| Park / Trails |  | Simcoe Recreation Centre and playground area are on the south side across Evergreen Hill Road. As well, there are other public parks and trails close to the subject site. |
| Parking |  | The zoning by-law amendment application proposes no visitor parking space and requests relief to required residential parking space. The current requirement for parking space is 1.5 spaces/dwelling-unit for residential units and 0.3 spaces/dwelling-unit for visitor parking spaces. The planning staff suggests that a study of adjacent municipalities would be helpful to examine the current parking requirement for residential apartments. As a targeted small-scale rental apartment, parking can be assigned to residents according to current market trends and municipal standards, with surplus parking being designated to visitors |
| Transportation (TIS) |  | The TIS prepared by F.R. Berry & Associates proposes two-way access from Evergreen Hill Road and Queen Street. The presented 14 units apartment will generate five vehicle trips in the morning peak hour and seven in the afternoon peak hour. The report suggested the streets will continue to operate at a good level of service with this development. The technical review from Development Engineering is pending. |
| Housing |  | The proposed development of 14 units ranging from 1 bedroom to 2 bedrooms will contribute to the local rental market. In addition, the proposed development will encourage younger renters into the community. As per the Planning Justification Report, there will also be accessible units for those with disabilities. |
| Building Height |  | The concept plan proposed a four-storey apartment building with a partially sub-grade basement. This will make the building appear to be 3.5 storey high. The proposed building height is 1 meter higher than the required building height (13 m). Therefore, a relief of the maximum building height will be required. |
| Servicing (W & WW) |  | As the subject land is within the Simcoe urban area, the proposed development will be serviced by municipal water and sewer services. As per |

| | | |
|---------------------------|---|--|
| | | <p>Environmental Infrastructure Services (EIS) recommendation, the current planning applications will be processed to a decision by Council. A Holding Provision and agreement requirement would be needed. Water and sewer capacity will be reviewed during the development application and confirmed and allocated as part of the development agreement.</p> |
| <p>Design / Site Plan</p> |  | <p>A site plan application is also associated with the zoning by-law amendment application and is under review at this moment. The zoning by-law amendment will be required to be approved first before a site plan agreement can be processed.</p> |

Strategic Plan Linkage:

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

Explanation: The proposed development should facilitate a diverse and attractive mix of developments and promote affordability.

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 detailed recommendation report, responding to any outstanding matters, including those brought forward by members of the public, will be submitted to Norfolk County Council at a future meeting.

Recommendation(s):

THAT Report CD 21-83, Public Hearing report for ZNPL2021200, be received for information;

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

Attachments

Map A Neighbourhood Context / Key Map
Map B Official Plan Map
Map C Proposed Zoning Bylaw Amendment Map
Map D Conceptual Plan

Attachment A Planning Considerations and Applicable Policy and Zoning Attachment B
Site Plan

Attachment B Public Comments

Attachment C Site Plan

Attachment D Planning Justification Report *prepared by Landpro Planning Solutions
(April, 2021)*

Attachment E Notice of the Statutory Public Meeting

Submitted By:

Brandon Sloan, *BES, MCIP, RPP*
General Manager
Community 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
Community Development Division
185 Robinson Street
Simcoe, Ontario, Canada, N3Y 5L6
519-426-5870 ext. 1893

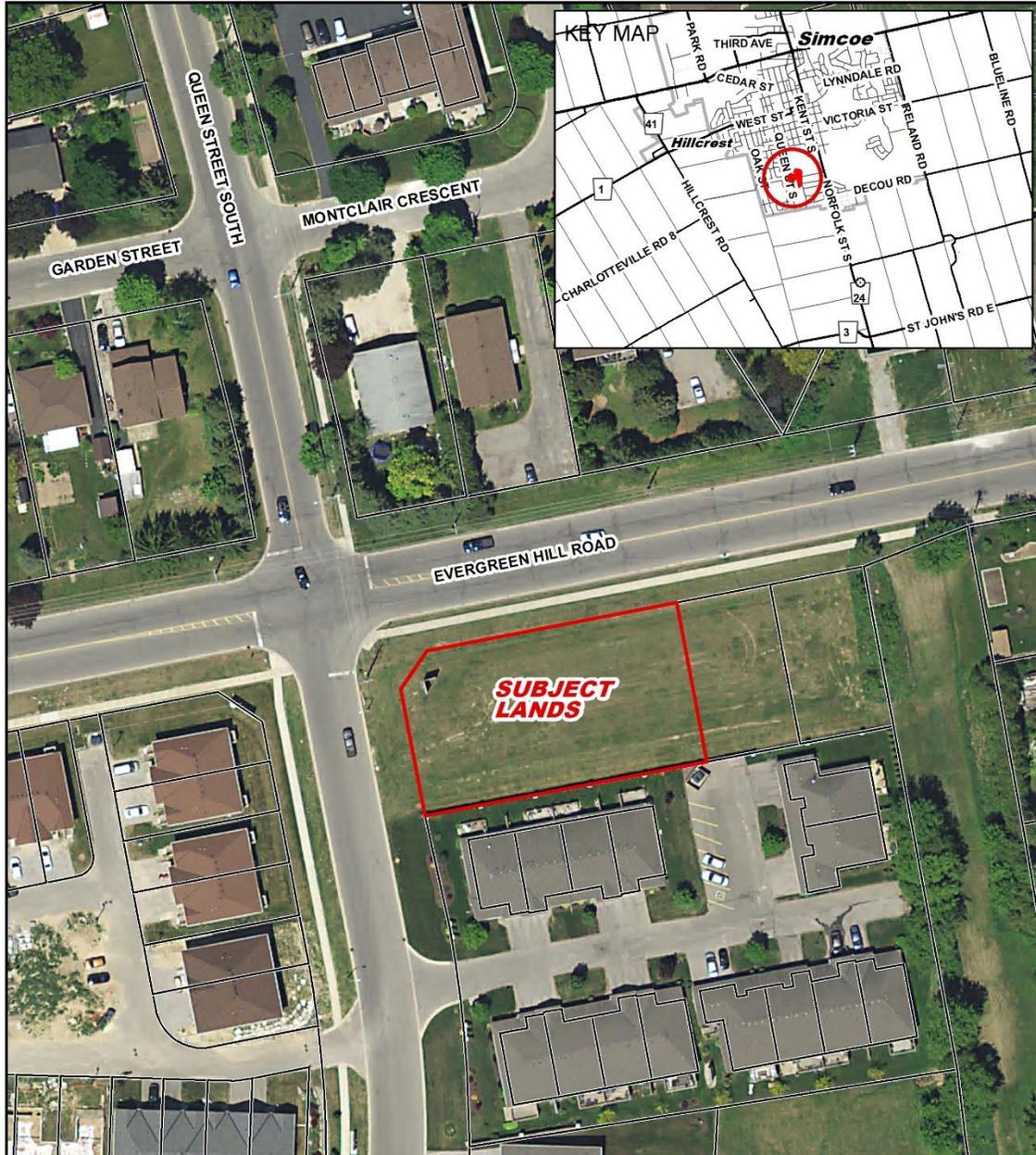
Prepared By:

Mohammad Alam, *MPL, MUD, MCIP, RPP*
Senior Planner
Community Development Division
519-426-5870 x. 1828

Map A Neighbourhood Context / Key Map

MAP A
CONTEXT MAP
Geographic Township of WOODHOUSE

ZNPL2021200
SPPL2021201



Legend

-  Subject Lands
- 2015 Air Photo

2021-07-12



Map B Proposed Official Plan Amendment Map

MAP B
OFFICIAL PLAN MAP
Geographic Township of WOODHOUSE

ZNPL2021200
SPPL2021201



Legend

Subject Lands

Official Plan Designations

Urban Residential

Parks & Open Space

Urban Area Boundary

2021-07-12



Map C Proposed Zoning Bylaw Amendment Map

MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
 Geographic Township of WOODHOUSE

ZNPL2021200
 SPPL2021201



2021-07-12

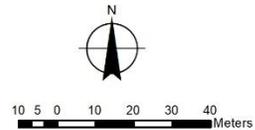
LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- CN - Neighbourhood Commercial Zone
- OS - Open Space Zone
- R1-A - Residential R1-A Zone
- R1-B - Residential R1-B Zone
- R3 - Residential R3 Zone
- R4 - Residential R4 Zone

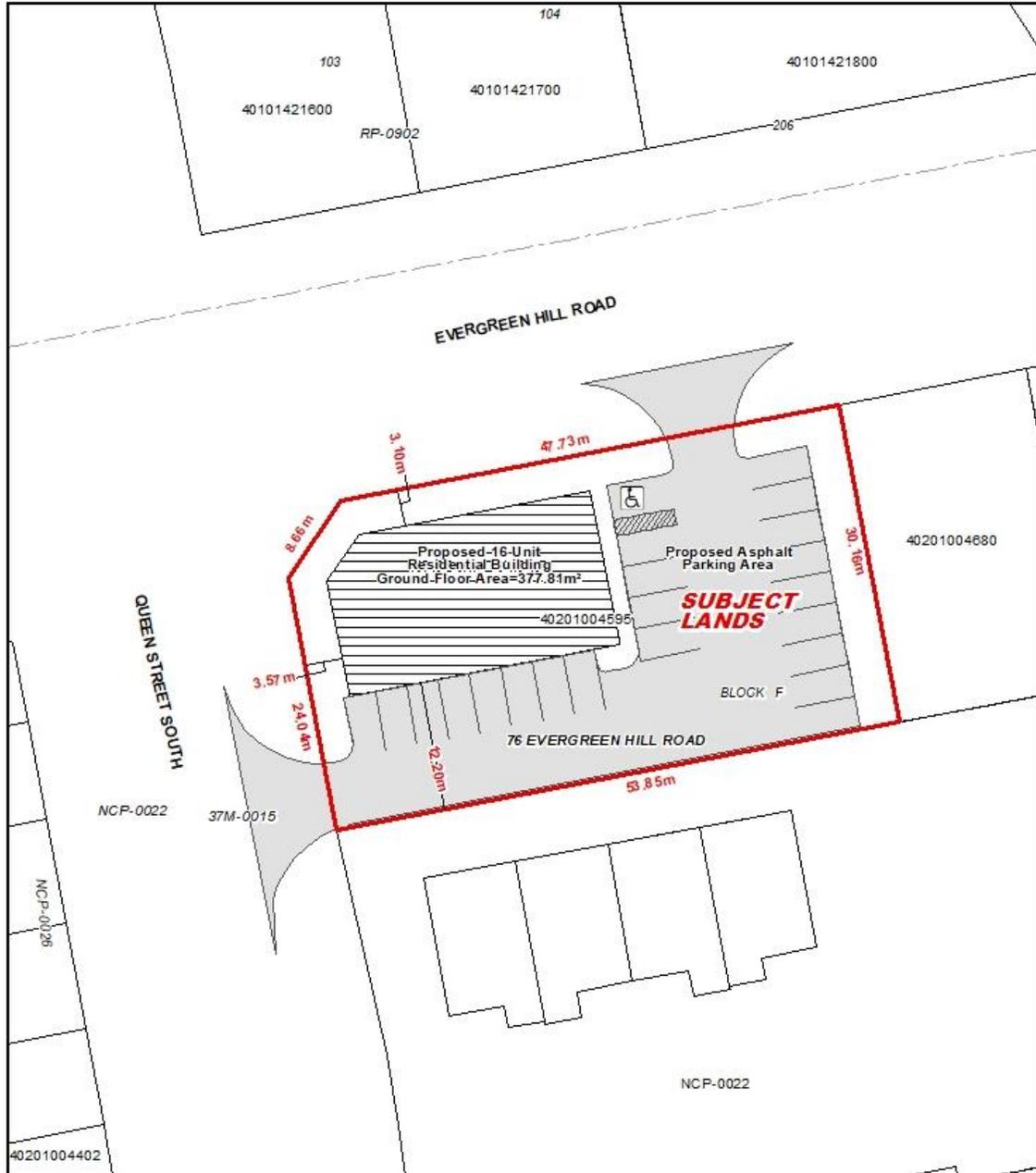
From: CN with Special Provision 14.815
To: R5 with Amended Special Provision 14.815



Map D Conceptual Plan

MAP D
CONCEPTUAL PLAN
Geographic Township of WOODHOUSE

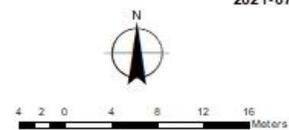
ZNPL2021200
SPPL2021201



Legend

 Subject Lands

2021-07-12



ATTACHMENT A

Provincial Policy Statement, 2020 Considerations

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, which is intended to be complemented by local policies addressing local interests. The PPS promotes healthy, livable and safe communities through the efficient use of land throughout the Province of Ontario. The PPS directs municipalities to focus their growth within settlement areas where full municipal services are available.

Section 1.1.3.1 states that Settlement areas shall be the focus of growth and development.

Section 1.1.3.2 states that Land use patterns within settlement areas shall be based on densities and a mix of land uses with opportunities for intensification and redevelopment.

Section 1.1.3.3 states that Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

A detailed evaluation of the application against the applicable policies of the Provincial Policy Statement will be included in a future comprehensive report.

Official Plan Considerations

The subject Land is designated as 'Urban Residential'.

Section 6.4 - Urban Areas recognizes that each Urban Area is unique and will accommodate a varied range and type of growth and development. Urban areas are intended to incorporate a full range of housing types. The County shall ensure, through its planning activities that each urban area develops with efficient land use patterns that minimize the extension of municipal services and infrastructure to sustain the financial well-being of the County of the long-term. Specifically, "development of vacant land within the Urban Area boundary on the edge of the existing built-up portions of Urban Areas shall include efficient provision of water supply, sanitary sewers, roads, parks, schools and other public community and municipal services.

Section 7.7.1, Permitted Uses in the Urban Residential designation, permits medium and high density residential uses in the building form of townhouse dwellings and apartments, except in Courtland.

Section 7.7.2 c) provides the criteria for high density residential uses, including apartment buildings that must be achieved, especially when in close proximity to lower density residential developments.

Section 8.9.3, Servicing Allocation and Phasing, 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.”*

A detailed evaluation of the application against the applicable policies will be included in a future recommendation report.

Zoning By-Law Considerations

Existing Zoning: Neighbourhood Commercial (CN) Zone.

Uses permitted in the “Neighbourhood Commercial (CN) Zone” as outlined in the Zoning By-law 1-Z-2014, include:

- a) clinic or doctors’ offices
- b) community centre
- c) convenience store
- d) day care nursery
- e) dry cleaning distribution station
- f) dwelling, single detached
- g) dwelling, semi-detached
- h) dwelling, duplex
- i) dwelling units in any permitted building – maximum two (2)
- j) financial institution
- k) fruit and vegetable outlet
- l) home occupation
- m) laundromat
- n) personal service shop
- o) restaurant, take-out, provided it has no drive through window
- p) video store.

Special Provision 14.815: Currently, there is a special provision in place that allows a florist shop and a restaurant in addition to what is permitted in a CN zone. The special provision also allows a maximum usable floor area of 139.4 square metres. In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a) maximum lot coverage – 22 percent;
- b) required parking spaces – one (1) per 25 square metres of usable area;
- c) no parking within 3 metres of a lot line.

Proposed Zoning: Urban Residential Type 5 (R5) Zone.

Uses permitted in the “Urban Residential Type 5 (R5) Zone” as outlined in the Zoning By-law 1-Z-2014, include:

- a) dwelling, apartment
- b) home occupation
- c) retirement home

The following site specific zoning relieves are proposed:

| Zoning Provision | Required | Proposed | Required Relief |
|--|----------|----------|-----------------|
| Building Height | 11.0 m | 12.0 m | 1.0 m |
| Floor Area Ratio (for 4 storey) | 0.72 | 0.94 | 31% increase |
| Residential Parking Space (1.5 space/Dwelling) | 21 | 18 | 14% reduction |
| Visitor Parking Space (0.3 space/dwelling) | 5 | 0 | 100% reduction |
| Driveway Aisle Width | 7.3 m | 6.0 m | 9% reduction |

If approved, the above mentioned site specific special provisions will replace the current special provision 14.815.

Planning Comments: The Planning Justification Report by Land Pro Planning Solutions suggested that the proximity of this building to two main roads in Simcoe and reasonable proximity to food, shopping and other community services lessens the need for additional parking. As a targeted small-scale rental apartment, parking can be assigned to residents according to current market trends and municipal standards, with surplus parking being designated to visitors. Bicycle racks are provided and will be sufficient for all residents to use.

ATTACHMENT B

Tuesday, August 17, 2021 7:19 AM

Dear Planner: Concerns about FILE ZNPL20221200

1. Because of our experience during the construction of neighbouring properties by the same builder, we have little confidence that what is asked for and granted will be what is constructed.
2. Parking on the street on both boundaries is non-existent so more than average off street parking will be necessary for this site.
3. Drainage from this property is a concern. At present the water runoff from 66-72 Evergreenhill Road, a previous and still ongoing project of this builder, is still flooding onto our common driveway leaving clay scum after heavy rains.
4. Having residential construction on this site is preferable to having a food outlet but if the density causes overcrowding in the area then it is a no-win situation. There are already 8 families squeezed onto the two adjacent lots by special permissions. To allow extra families by special exemptions into this area is to degrade the living space for all of us.

Please make this an appropriate plan without special exceptions that only benefit the builder.

Thank you for your consideration.

David or Nancy Baldock

Friday, August 13, 2021 12:25 PM

Dear Sir:

The details regarding this proposal are very sketchy indeed. Is this a proposal for a single apartment building that will be four storeys high and contain 14 units? I ask because the notice we received is, in my opinion, unclear on this point. Also what provision will be made for parking for this proposed site? Will it be underground or street level parking? Will the entrance to the parking be off Evergreen Hill Road or off Queen Street South? This proposal is of great concern as we live on Queen Street South just down from the corner. I am pleased that something is finally being done to improve that lot that has been derelict and truly an eyesore for years.

That being said, we are definitely not in favour of any building that is too high to conform with existing residences in the area. Ideally we would prefer to see stand alone, semi-

detached or condo type buildings such as those that already exist on Queen Street South and Evergreen Hill Road.

I look forward to your sending me the specifics regarding this proposal that I requested earlier in this email.

Sincerely,
Heather Rognvaldson

August 18, 2021 3:13 PM

Dear Sir,

My wife and I strongly object to Sunfield's latest application for zoning change.

When we built in 2007 we were led to believe "LUXURY TOWN HOME CONDOMINIUMS" on the west corner(that was changed), and "A SMALL(4 unit) BUSINESS PLAZA" on the east corner containing a Variety Store, a Take Out Restaurant and a Professional Office(Doctor/Dentist/Lawyer) (this has already been changed twice).

Over the past 14 years we have seen one zoning application after another made and approved for this area and have always said when will it stop!
We have been told by neighbours in the Elm St. area that there was a proposed apartment building on the east corner years ago but it was defeated at the time as unsuitable for the neighbourhood.

Now that Queen St. S. has been developed it would be even more unsuitable to have a 14 unit apartment at the main corner.

The two units that have already been built on the site are causing problems with parking on Evergreen Hill Rd.(I have counted 4 and 5 cars parked on the street by them on many occasions), this will only increase with an apartment building on the corner. Once again, we feel that any apartment building on this corner would not blend in with the existing area, would cause traffic concerns for the neighbourhood and for the daily traffic to and from Holy Trinity High School.

Thank you for your attention

John & Jackie Holm