



Working together with our community

Public Hearings Committee – July 05, 2022

Subject: Application ZNPL2022099 is proposing to amend the Zoning By-law to change the zone from Residential Type 2 (R2) to Residential Type 3 (R3) and add a special provision to permit two (2) additional parking spaces located within the required front yard for the lands described as 182 Talbot Street North

Report Number: CD 22-057

Division: Community Development

Department: Planning

Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD-057 for development application(s) ZNPL2022099 be received for information;

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

Public Meeting Notification:

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

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on May 29, 2022.

Discussion:

The applicant is proposing zoning by-law amendment to facilitate the conversion of a duplex to a triplex.

An overview summary of the development application(s) that have been submitted for the subject property at 182 Talbot Street North is contained within Attachment A. This includes an outline of the site context, the applications and technical reports, any

technical or public feedback to date and overview of development considerations. The submitted or draft by-law amendment(s) is/are included as Attachment(s) B.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities" and "Create an Optimal Place for Business".

Explanation: Development that results from applications under consideration can help contribute to a vibrant community and for business.

Conclusion:

A recommendation report will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, "complete" development applications.

Attachments:

Attachment A Development Application Overview
Attachment B Existing Planning Policy and Zoning
Attachment C Proposed Zoning Bylaw Amendment

Approval:

Approved By:
Brandon Sloan, BES, MCIP, RPP
General Manager
Community Development Division

Prepared By:
Hannelore Yager, MSc.PI.
Junior Planner
Community Development Division
Planning Department

Attachment A – Report CD 22-057

DEVELOPMENT APPLICATION OVERVIEW

APPLICATION FILE NUMBER(S): ZNPL2022099

LOCATION: 182 TALBOT STREET NORTH, NORFOLK

APPLICANT: DOUG BRAZIER

STATUTORY PUBLIC

HEARING DATE: JULY 7TH, 2022

MAP B
OFFICIAL PLAN MAP
 Urban Area of SIMCOE

ZNPL2022099



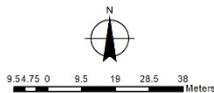
Legend

Subject Lands

Official Plan Designations

- Hazard Lands
- Urban Residential
- Mixed Residential/Commercial
- Protected Industrial
- Urban Area Boundary

5/2/2022



Site Context



MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
 Urban Area of SIMCOE

ZNPL2022099



LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- CRB - Residential Commercial Business Zone
- R2 - Residential R2 Zone
- R6 - Residential R6 Zone

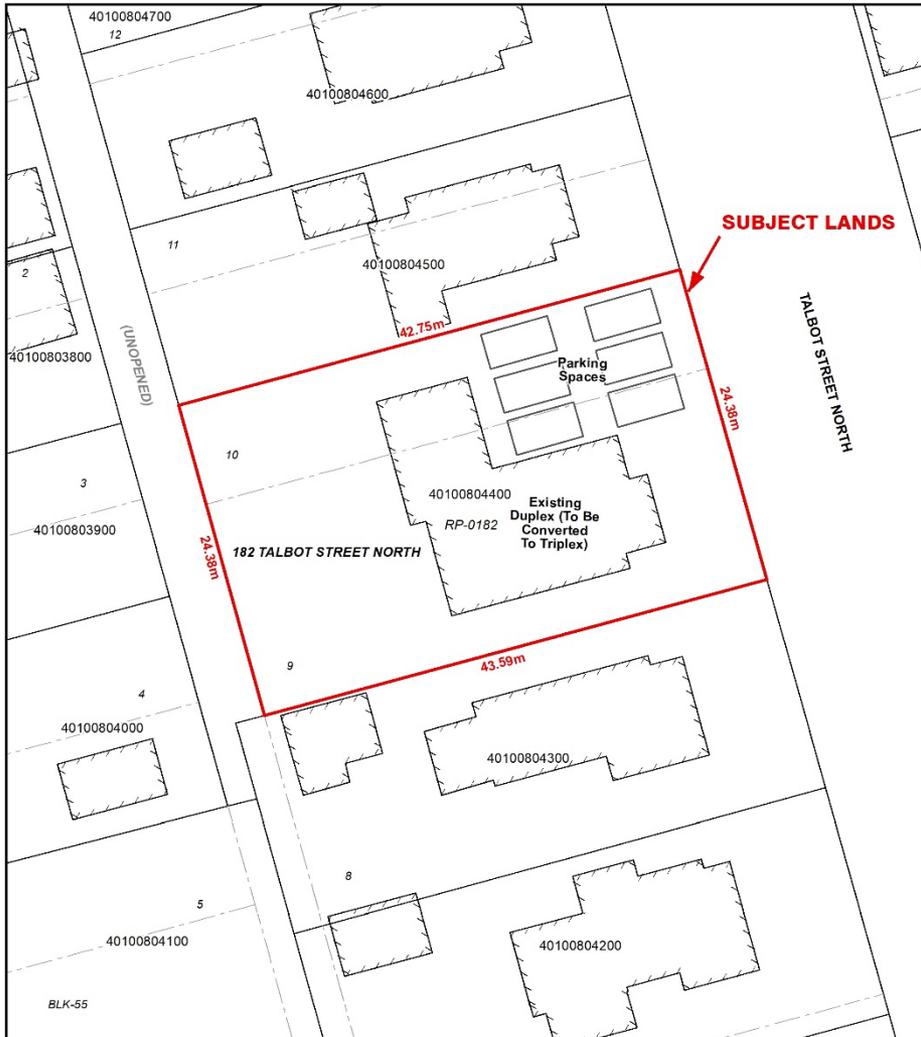
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From: R2
To: R3 with special provision



MAP D
CONCEPTUAL PLAN
Urban Area of SIMCOE

ZNPL2022099



SUBJECT LANDS

Development Proposal

- Conversion from a duplex to a triplex

Proposed Amendment

- From R2 to R3 for ZBA

Legend

 Subject Lands

5/2/2022



3 1.5 0 3 6 9 12 Meters

PRELIMINARY REVIEW

Technical Reports

- None required as part of a complete application for a Zoning By-Law Amendment.

Consultation Comments to Date

Technical

- GIS division: only one civic address showing; please contact for new civic addresses
- Building division: A building permit is required for the change of major occupancy. No Ontario Building Code review has been completed at this time and will be done at permit application stage.

Public

- None received to date.

PRELIMINARY CONSIDERATIONS

Key Items		Preliminary Review
Parking		The concept plan submitted as part of the application identifies parking for the proposed residential use. A site specific provision will be required to permit three (3) parking spaces in the <i>required front yard</i> .
Housing		The subject application will facilitate the intensification by adding a <i>dwelling unit</i> to an existing duplex.
Servicing (W & WW)		A Holding (H) provision will be added to ensure water and sewer capacity is available and site plan control is executed) to the satisfaction of Norfolk County.

NEXT STEPS AND RECOMMENDATION

- Consideration of Public Hearing Input
- Issue Resolution as per comments
- Recommendation Report

Public Hearing Committee Report Recommendation:

THAT staff Report CD-22-057 for development application(s) ZNPL2022099 be received for information;

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

Attachment B Existing Planning Policy and Zoning

Planning Act Considerations

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

1. the orderly development of safe and healthy communities;
2. the adequate provision of a full range of housing, including affordable housing; and
3. the appropriate location of growth and development;

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: 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. Further, section 1.1.3.2. states “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, planning authorities shall promote opportunities for a range of housing options, taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs

Planning comment: In converting an existing duplex into a triplex, the subject application will intensify an existing parcel of land. Further, proposing to amend the zone from Residential Type 2 (R2) to Residential Type 3 (R3) provides additional permitted uses – such as a fourplex – which may facilitate future intensification for the Simcoe area.

Official Plan Considerations

Existing Land Use Designation: “Urban Residential”

Section 7.7. of the Official Plan highlights that “A variety of housing types are needed to meet the needs of a diverse population”. Section 7.7.1 (Permitted Uses) indicates that while the predominant use of land shall be low-profile residential buildings not exceeding 2 dwelling units per lot, medium density residential uses such as triplex

dwelling and fourplex dwellings, shall also be permitted subject to the policies of 7.7.2. b).

Section 7.7.2. b) lists the criteria for new medium density residential development, which are outlined in Table 1.

Policy Section	Policy Area
i)	the density, height and character of the development shall have regard to adjacent uses
ii)	the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer
iii)	the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
iv)	the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County
v)	the development is adequately serviced by parks and school facilities
vi)	in developments incorporating walk-up apartments, block townhouse dwellings and medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required
vii)	the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized
viii)	except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required from the proponent and approved by the County
ix)	triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.

Planning comment: The subject application proposes to add an additional dwelling unit on the lower level of a duplex only through internal renovations. This will be achieved by: 1) installing a wall in an existing bathroom and 2) adding a kitchen. No external changes (such as height, entrances, or façade) will occur.

The agent has been made aware all new development applications will be subject to the application of a “Holding” provision to allow for the review and confirmation of water and wastewater servicing capacity allocation. Requirement to lift the Holding may include confirmation of access to sufficient servicing clauses or alternative solutions in accordance

with Official Plan policy and as approved by the General Managers of Community Development and Environmental & Infrastructure Services.

Zoning By-Law Considerations

Existing Zoning: Urban Residential Type 2 Zone (R2)

Proposed Zoning: Urban Residential Type 3 Zone (R3)

Uses permitted in the R2 zone include *dwelling, duplex*. Uses permitted in the R3 zone include *dwelling, triplex*. Section 5.3.2. of the Zoning By-Law outlines provisions for triplexes in the R3 zone.

Planning comment: Staff have determined the existing lot and building complies with provisions for triplexes in the R3 zone. Since the additional dwelling unit shall be accommodated by internal renovations only, the existing building shall not expand further. Any potential, *legal non-complying* characteristics of the building shall not be increased through the subject application or development.

Section 4.0 of the Zoning By-Law outlines requirements for Off Street Parking in Norfolk County. Section 4.1.1. (Access to a Street) states only one (1) parking space per dwelling unit shall be required to have direct access to a street, aisle, lane or private drive. Section 4.1.3. outlines parking dimension (width and depth) requirements.

Section 4.2.4. (Other Provisions) notes that for both duplex and tri-plex dwellings, “required parking spaces shall be prohibited within the required front yard or required exterior side yard; except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space subject to the size requirements herein”. Similarly, the 50% landscaped front yard requirements outlined in section 4.2.5. are consistent between duplex and triplex dwellings. Section 4.9. (Number of Parking Spaces) specifies that for tri-plex dwellings, 2 parking spaces are required for each dwelling unit.

Planning comment: Staff have determined that a site-specific provision to permit two parking spaces in the front yard shall be required to meet section 4.9. (Number of Parking Spaces) of the Zoning By-Law.



The Corporation of Norfolk County

By-Law __-Z-2022

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 10, Lot 9, Block 55, Plan 182, Urban Area of Simcoe, Norfolk County in the Name of Dave Brown.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) 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:

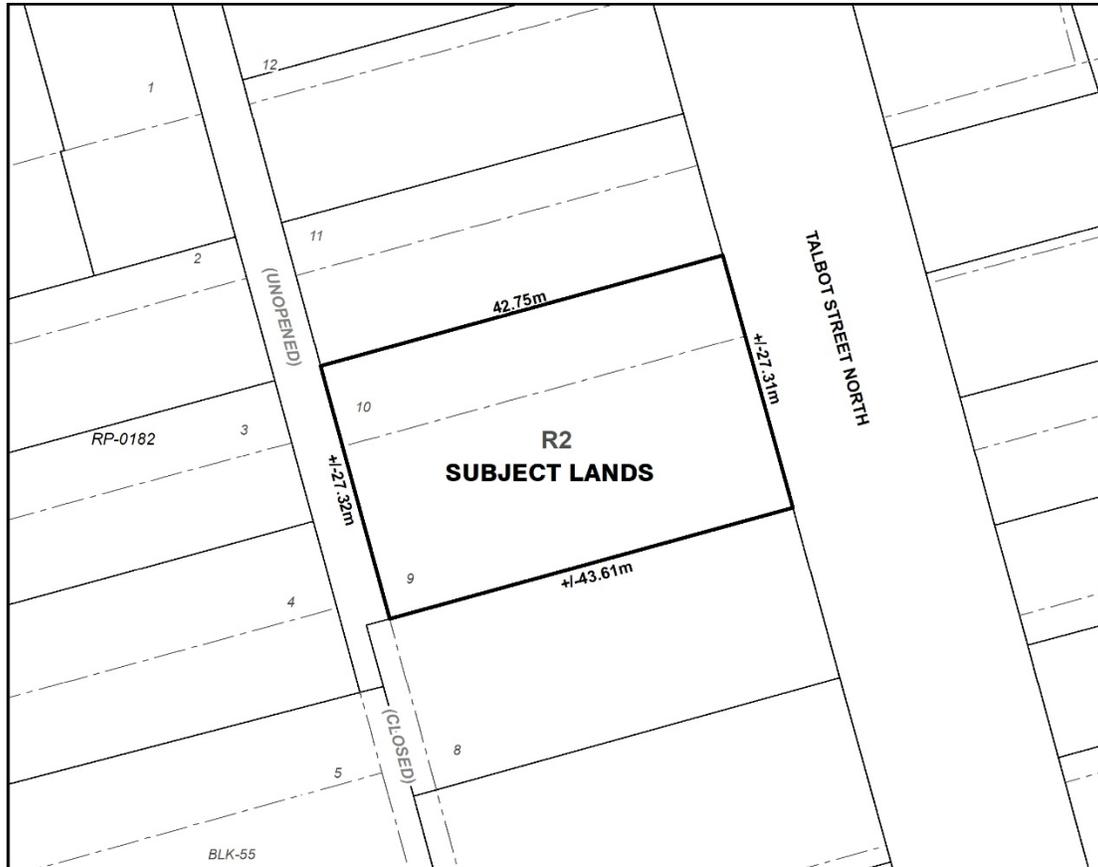
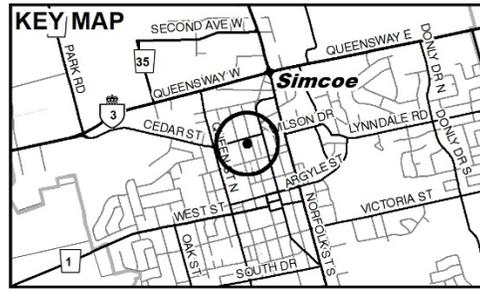
1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from Urban Residential Type 2 *Zone* (R2) to Urban Residential Type 3 *Zone* with a holding and a special provision (R3(H));
2. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by delineating the lands identified as the subject lands on Map A (attached to and forming part of this By-Law) as having reference to Subsection 14.____;
3. That Schedule 14.____, (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._____ In lieu of the corresponding provisions in Section 4.2.3. (Location of Parking on a *Lot*) the following shall apply:
 - a) Three (3) required parking spaces may be located within the *required front yard*.
5. That the holding (H) provision of this By-Law shall be removed upon the confirmation that water and wastewater capacity is available to the satisfaction of Norfolk County.
6. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this date day of month, 2022.

Mayor

County Clerk

MAP A
ZONING BY-LAW AMENDMENT
NORFOLK COUNTY
 In the Urban Area of
SIMCOE



LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

(H) - Holding

From: R2

To: R3 with special provision

R2 - Residential R2 Zone



1:600



This is MAP A to Zoning By-law _____ Passed the ___ day of _____.

MAYOR

CLERK

**Explanation of the Purpose and Effect of
By-Law __-Z-2022**

This By-Law affects a parcel of land described as Part Lot 10, Lot 9, Block 55, Plan 182, Urban Area of Simcoe, Norfolk County, located at 182 Talbot Street North.

The purpose of this By-Law is to change the zoning on the subject lands from Urban Residential Type 2 Zone (R2) to Urban Residential Type 3 Zone with a Holding (R3(H) and a special provision that specifies three of the required parking spaces are permitted within the required front yard.

A Holding “(H)” provision is being placed on the zoning on the subject lands until confirmation of access to sufficient servicing clauses or alternative solutions in accordance with Official Plan policy and as approved by the General Managers of Community Development and Environmental & Infrastructure Services.