



Working together with our community

Public Hearings Committee – July 05, 2022

Subject: Application ZNPL2022080 proposes to change the zoning of the subject lands from "Urban Residential Type 1 (R1-A) Zone" and "Urban Residential Type 1 (R1-B) Zone" with a Holding (H) to "Urban Residential Type 4 (R4) Zone" and "Open Space (OS) Zone" to permit the development of 85 two-storey townhouse units. A Redline revision of an approved Draft Plan of Subdivision (28TPL2017086) is also associated with this application.

Report Number: CD 22-065
Division: Community Development
Department: Planning
Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD 22-065 for development application ZNPL2022080 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 30th, 2022.

Discussion:

The subject lands were originally approved through a draft plan of subdivision (28TPL2017086) for 93 single detached residential lots. Phase-1 of this subdivision comprises 51 single-detached residential lots and is currently registered. This application is to change the original plan of phase II by transforming the rest of the 42 single-detached residential lots into 85-unit two-storey townhouse development.

The proposal includes a 0.069 Ha Parkette which is intended to be a part of Cash-In-Lieu of parkland dedication. The proposal also includes Fifteen two-story townhouse blocks with 6 m lot frontage. Through this Zoning By-Law amendment, the proposal requested a zoning relief of minimum lot frontage, front yard, exterior side yard, interior side yard and rear yard.

An overview summary of the development application that have been submitted for the subject property 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 draft zoning by-law amendment is included as Attachment C.

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: The proposed development may facilitate and promote appropriate growth and density within the neighbourhood.

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 Draft Zoning Bylaw Amendment

Approval:

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

Prepared By:
Mohammad Alam, MPL, MUD, MCIP, RPP
Principal Planner
Community Development Division

Attachment A – Report CD 22-065

DEVELOPMENT APPLICATION OVERVIEW

APPLICATION FILE NUMBERS: ZNPL2022080

LOCATION: CONCESSION 4 PART LOT 1, PART 1, REGISTERED PLAN 37R633, NORFOLK COUNTY

APPLICANT: BIG SKY SIMCOE LIMITED PARTNERSHIP

AGENT: WESTON CONSULTING GROUP INC.

STATUTORY PUBLIC HEARING

DATE: JULY 5TH, 2022

Site Context

Characteristics:

- Located within the Urban Area of Simcoe;
- Vacant lot located along the south side of Phase-1
- 2.91 hectares (7.18 acres);
- Mostly vacant with some wooded areas;

Surrounding Land Use:

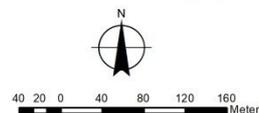
- **North:** Phase-1 of the previously approved draft Plan of Subdivision (28TPL2017086) ;
- **East:** agricultural lands and single-detached dwellings ;
- **South:** wooded areas and agricultural lands;
- **West:** low-density residential and few commercial uses.



Legend

- Subject Lands
- Lands Owned
- 2020 Air Photo

4/29/2022

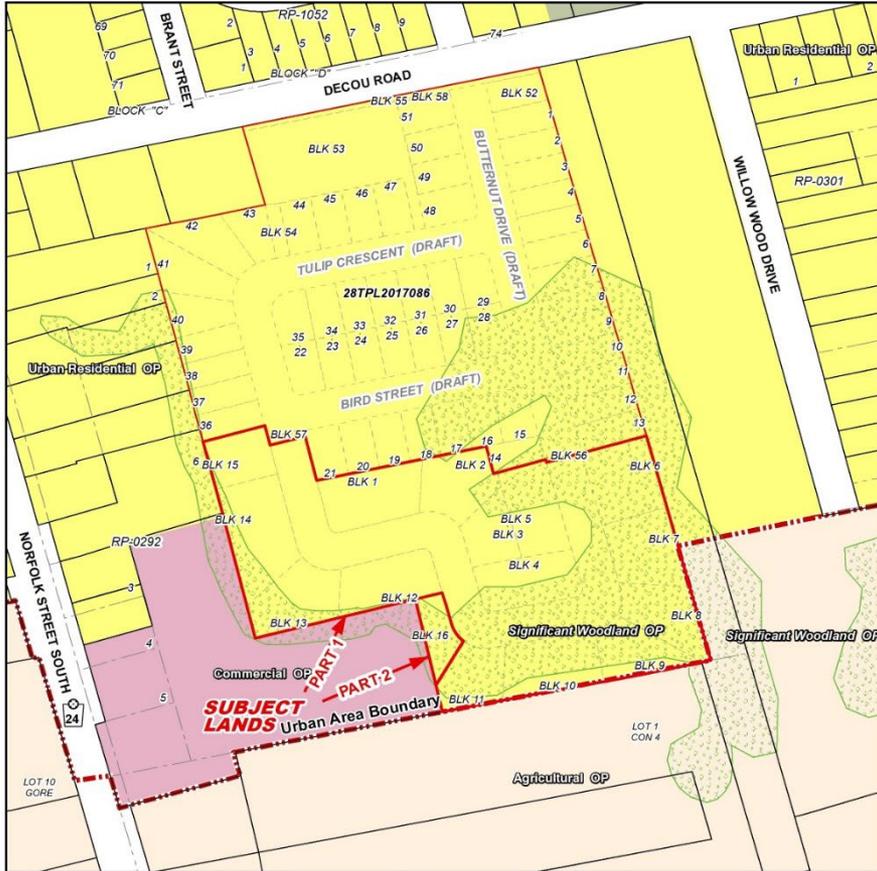


Site Context



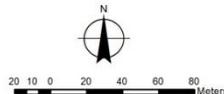
MAP B
OFFICIAL PLAN MAP
Urban Area of SIMCOE

28TPL2022079
ZNPL2022080



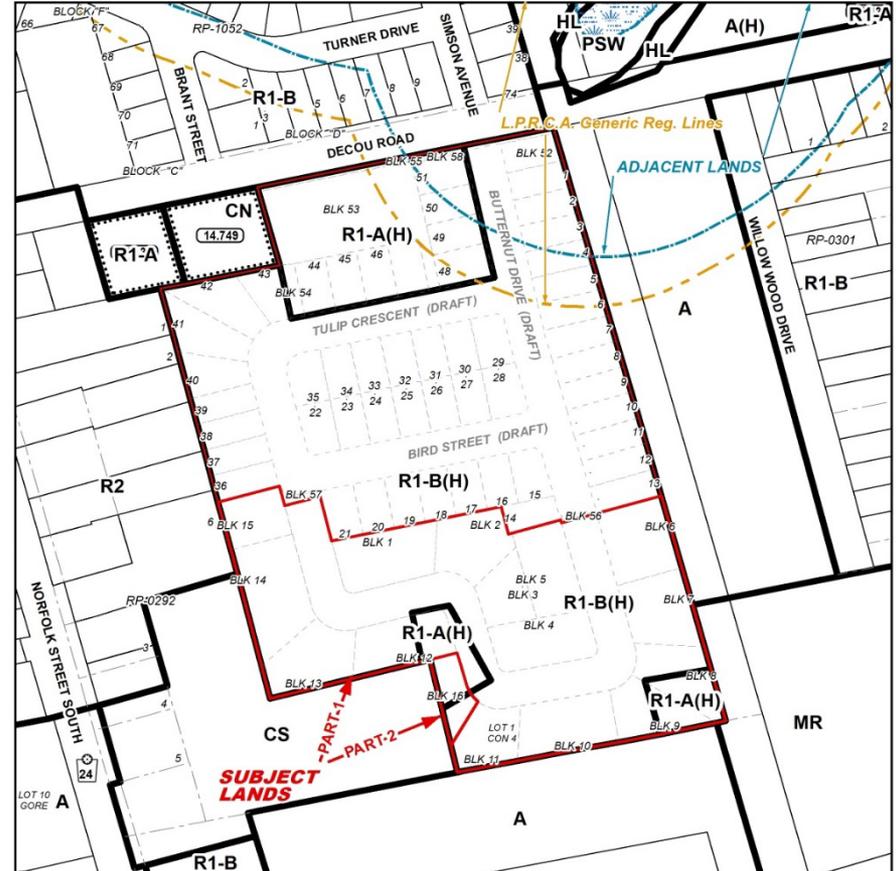
- Legend**
- Subject Lands
 - Lands Owned
 - Agricultural
 - Hazard Lands
 - Urban Residential
 - Commercial
 - Urban Area Boundary
 - Significant Woodland

4/29/2022



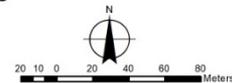
MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
Urban Area of SIMCOE

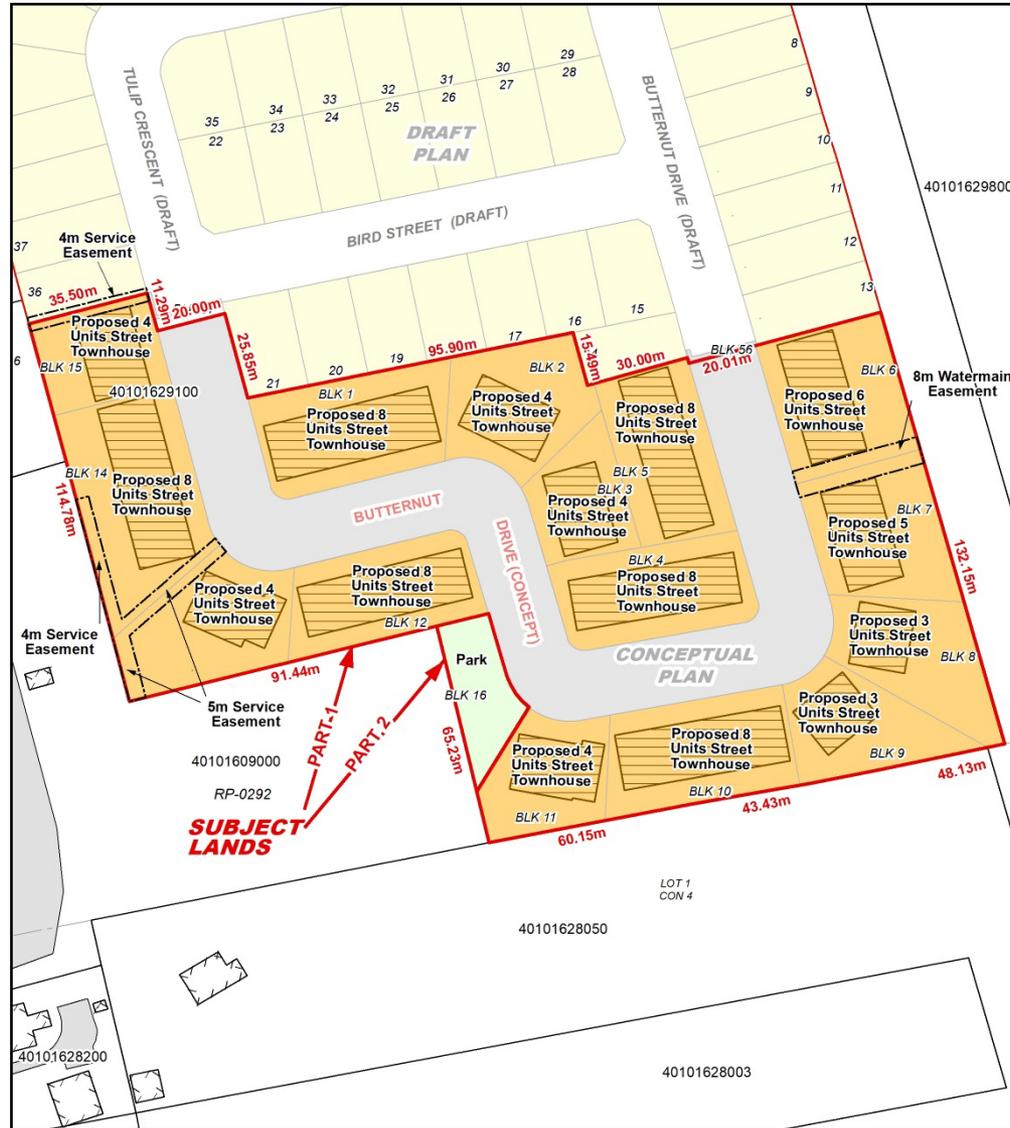
28TPL2022079
ZNPL2022080



- LEGEND**
- Subject Lands
 - Lands Owned
 - Adjacent Lands
 - Wetland
 - LPRCA Generic RegLines
 - (H) - Holding
 - A - Agricultural Zone
 - CS - Service Commercial Zone
 - CN - Neighbourhood Commercial Zone
 - HL - Hazard Land Zone
 - PSW - Provincially Significant Wetland Zone
 - R1-A - Residential R1-A Zone
 - R1-B - Residential R1-B Zone
 - R2 - Residential R2 Zone
 - MR - Rural Industrial Zone
- PART 1**
From: R1-B(H) & R1-A(H)
To: R4 with a Special Provision
- PART 2**
From: R1-B(H) & R1-A(H)
To: OS

4/29/2022

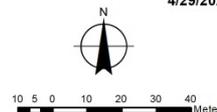




Legend

- Subject Lands
- Lands Owned

4/29/2022



Development Proposal

- 85 Street Townhouse units;
- 15 townhouse blocks;
- Medium density: 29 UPH
- 2 parking spaces/unit
- On Street Parking
- Access through Phase-1 of the approved subdivision

- **Other Amenities:**
 - 0.069 Ha Park

Proposed Amendment

- **Zoning:** From “Urban Residential Type 1 (R1-A & R1-B) zone” To “Urban Residential Type 4 (R4)” and “Open Space (OS) Zone.”

- Redline of the previously approved Draft Plan of subdivision (28TPL2017086)

PRELIMINARY REVIEW

Technical Reports

- Planning Justification Report, prepared by Weston Consulting, dated March 2022;
- Functional Servicing Report, prepared by Counterpoint Engineering, dated March 10, 2022;
- Geotechnical Report by Peto MacCallum Ltd., dated May 2007, and
- Traffic Impact and Parking Study, prepared by BA Group, dated March 11, 2022.

Consultation Comments to Date

Technical

- Internal roadways to be built as fire access routes and provide adequate turning radius for fire apparatus;

Public

- No Public comments has been received so far.

PRELIMINARY CONSIDERATIONS



Park/Trails: Payment in full has already been made for Parkland Dedication for Phase I and Phase II. The proposal includes a 0.069 Ha Parkette;



Parking: Two (2) parking spaces for each dwelling unit and on-street visitor parking space;



Transportation: No physical improvements are proposed to accommodate forecasted traffic volumes;



The proposal will involve road connections with Phase 1 for access and servicing.

PRELIMINARY CONSIDERATIONS



Housing: A total of 85 street townhouse units will contribute to the local housing market;



Building Height: 2 storeys; Maximum allowable height is 11 metres;



Servicing: Allocation of water and sanitary services will not be confirmed or committed until a development agreement is processed and executed.



Woodlands: Tree Removal Permit has been received and posted on site. This process has been completed. Permit executed on June 2nd for 3 acres.

NEXT STEPS AND RECOMMENDATION

- Consideration of Public Hearing Input
- Review of all Technical Comments
- Recommendation Report

Public Hearing Committee Report Recommendation:

THAT staff Report CD 22-065 for development ZNPL2022080 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.

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Attachment B - Planning Considerations and Applicable Policies

Planning Act

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:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development and

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 34 of the Planning Act permits amendments to the zoning by-law by Councils of local municipalities.

Consistency with the Provincial Policy Statement – 2020

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 2020 promotes strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 1.1.3.1 related to Settlement Areas states that Settlement areas shall be the focus of growth and development. It further states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.4.3, related to Housing policies, states 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 by permitting and facilitating:

- all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities;

- 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;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Conformity with the Official Plan

The proposed development is within the designated area of 'Urban Residential' in Norfolk County Official Plan. The "Urban Residential" designation is meant to encompass neighborhoods in the County's urban area capable of providing a variety of residential forms that serve a diverse population.

Section 5.3 related to Housing states that The County shall ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged. The County shall target that 15 percent of all new housing built in Norfolk County be multi-residential dwellings and 15 percent be semi-detached and townhouse dwellings.

Planning Comments: *The proposed 85-townhouse units will contribute to the County's 15% target for multi-residential developments.*

Section 5.3.1 related to residential intensification states that urban residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of the County's housing needs. Residential intensification policies include:

- infill development and residential development of vacant land or underutilized land in existing neighbourhoods will be encouraged;
- redevelopment shall include the replacement of existing residential uses with compatible new residential developments at a high density;
- the County shall target that a minimum 25 percent of its annual residential growth be accommodated through infill, intensification and redevelopment within the existing built-up areas in the Urban Areas with full municipal services;
- on lands designated Urban Residential and located outside of the Built-Up areas of Simcoe, Port Dover, Delhi, Waterford and Port Rowan, the minimum overall

density of residential development shall be 15 units per hectare of developable land area;

- developable land shall not include Hazard Lands, Provincially Significant Wetlands and Significant Natural Areas;
- the existing water and sanitary sewer services can accommodate the additional development;
- the road network can accommodate the traffic generated;
- the proposed development shall be compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
- the proposed development shall be consistent with the policies of the appropriate Land Use Designation associated with the land.

Planning Comments: The proposed development will be tested with the above noted evaluation criteria.

Section 7.7.1 indicates that the predominant use of the 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. Triplex, fourplex, townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 uph. New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:

- the density, height and character of the development shall have regard to adjacent uses;
- 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;
- the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
- 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, save and except for in the Courtland Urban Area, where private septic systems shall be permitted;
- the development is adequately serviced by parks and school facilities;
- 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; 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; and

Planning Comments: The proposed development will be tested with the above noted evaluation criteria.

Section 9.6.4 related to subdivision approval identifies the following policies to be applied for the proposed development:

- a) The provisions of the Planning Act relating to subdivision control, including subdivision agreements, shall be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
- b) Prior to approval of an application for plan of subdivision or plan of condominium, the County shall confirm the availability of adequate servicing infrastructure and allocation in accordance with Section 8.9.3 (Servicing Allocation and Phasing), waste collection and disposal services, and roads.
- c) Applications for plan of subdivision or plan of condominium approval shall be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
- d) The review of plans of subdivision or plan of condominium shall be based in part on the consideration of the community design policies included in Section 5.4 (Community Design) and Section 11.8 (Community Design Strategy) of the Lakeshore Special Policy Area Secondary Plan of this Plan.
- e) All lots within a plan of subdivision shall have frontage on a public road maintained on a year-round basis, constructed to an acceptable County standard. Plans of condominium shall have access to a public road maintained on a year-round basis, however, it is recognized that development within the condominium plan may occur on private roads.
- f) Provincially Significant Features and Natural Heritage Features shall be protected and preserved in the design of any plan of subdivision or condominium.
- g) Plans of subdivision or condominium shall be appropriately phased to ensure orderly and staged development.
- h) All plans of subdivision shall be subject to a subdivision agreement between the County and the development proponent.
- i) All plans of condominium shall be subject to a development agreement between the County and the development proponent.
- j) Parkland dedication shall be provided pursuant to Section 9.10.5 (Parkland Dedication) of this Plan. Land to be dedicated for park purposes must be acceptable to the County. Under no circumstances shall the County be obligated to accept parkland being offered in a proposed plan of subdivision.

- k) The County shall consult with the appropriate Conservation Authority and the Province, as well as other relevant agencies, in considering an application for approval of a plan of subdivision or condominium.

Planning Comments: The proposal will be further reviewed through the lens of the above-mentioned policies.

Zoning By-law 1-Z-2014 and the Proposed Amendments

The subject lands are currently zoned as “Urban Residential Type 1 (R1-A & R1-B) zone”. Single detached residential dwellings are the primary permitted use in the current zones.

A Holding (H) was imposed on the subject lands due to the insufficient sanitary capacity in Simcoe at that time when the current zoning was approved through the By-law ZN-006/2007.

The proposed zoning is “Urban Residential Type 4 (R4)” which will allow 85 street townhouse dwellings within 15 blocks. A 0.069 Ha “Open Space (OS) Zone” is also proposed as a parkette.

Permitted Uses in R4 zone:

- a) group townhouse
- b) stacked townhouse
- c) street townhouse
- d) semi-detached, duplex, tri-plex and four-plex dwellings provided they are located on the same lot with, and in accordance with the Zone provisions of, group townhouse
- e) home occupation.

Permitted Uses in OS zone:

- a) campground
- b) dwelling, single detached
- c) dwelling unit in any permitted non-residential building – maximum one (1)
- d) fairground
- e) golf course
- f) golf driving range
- g) home occupation
- h) park
- i) place of recreation ancillary to a golf course but excluding an arena
- j) place of sports and recreation.
- k)

To facilitate the development proposal, the following special provisions will be required:

Section	Special Provision	Required	Proposed
5.4.2 b)	Minimum Lot Frontage Street Townhouse	6.5 m	6 m
5.4.2 c)	Minimum Front Yard	6 m	4.4 m
5.4.2 d)	Minimum Exterior Side Yard	6 m	2.5 m
5.4.2 e)	Minimum Interior Side Yard Street Townhouse	1.2 m	1.1 m
5.4.2 f)	Minimum Rear Yard	7.5 m	5 m

A draft of the Zoning By-Law amendment is included as Attachment C.



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 CONCESSION 4 PART LOT 1, Part 1, REGISTERED PLAN 37R633, NORFOLK COUNTY in the Name of BIG SKY SIMCOE GP INC.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) (Holding) of the *Planning Act, R.S.O. 1990*, CHAPTER P.13, as amended;

AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of the Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from Urban Residential Type 1 Zone (R1-A) and Urban Residential Type 1 Zone (R1-B) to Urban Residential Type 4 Zone (R4) and Open Space Zone (OS) with Special Provision 14.XXX;
2. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by delineating the lands identified as Part 1 and Part 2 of the subject lands on Map A (attached to and forming part of this By-Law) as having reference to Subsection 14.XXXX;
3. That Subsection 14 Special Provisions is hereby further amended by adding 14.XXXX with the following site specific provisions:

In lieu of the corresponding provisions in the Urban Residential Type 4 Zone (R4), the following shall apply:

- a) minimum *lot frontage*:
 - i. *interior lot* – 6 metres;
 - ii. *corner lot* – 8.5 metres;
- b) minimum *front yard*: – 4.4 metres;
- c) minimum *exterior side yard* – 2.5 metres;

- d) minimum *interior side yard*:
 - i. attached garage – 1.1 metres;
 - e) minimum *rear yard* – 5 metres;
4. **THAT** Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by replacing the existing Holding (H) with a new Holding (H) on the subject lands identified on Map A (attached to and forming part of this By-Law);
5. That the holding (H) provision of this By-Law shall be removed upon the execution of a development agreement and only when the water and sewer capacity is allocated to the satisfaction of Norfolk County.
6. **AND THAT** the effective date of this By-Law shall be the date of passage thereof.

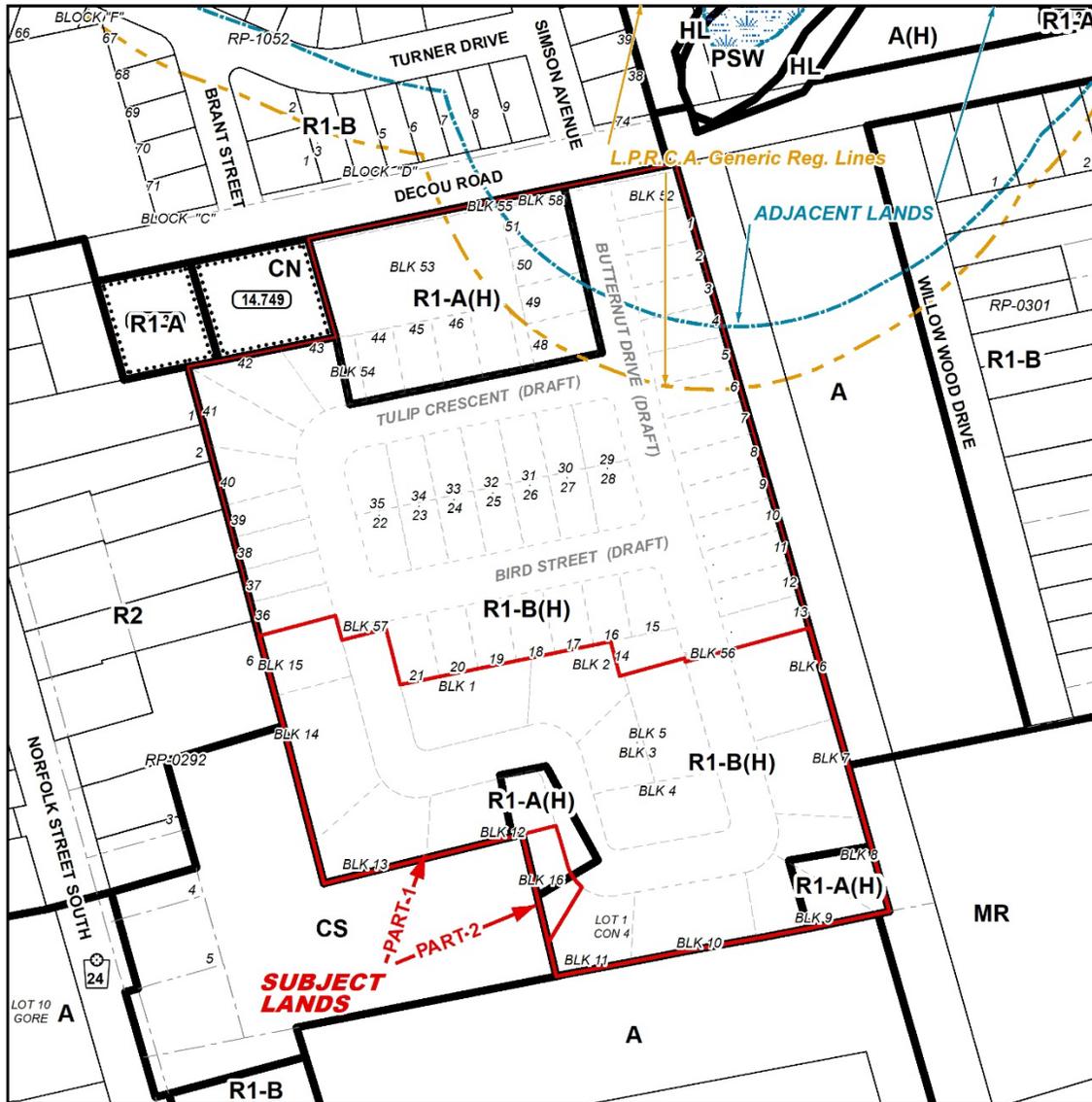
ENACTED AND PASSED this **XXX** day of **XXX**, 2022.

Mayor

County Clerk

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

28TPL2022079
 ZNPL2022080



LEGEND

- Subject Lands
- Lands Owned
- Adjacent Lands
- Wetland
- LPRCA Generic Reg Lines

ZONING BY-LAW 1-Z-2014

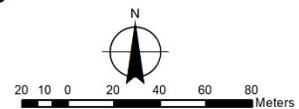
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- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone
- R1-B - Residential R1-B Zone
- R2 - Residential R2 Zone
- MR - Rural Industrial Zone

PART 1

4/29/2022
From: R1-B(H) & R1-A(H)
To: R4 with a Special Provision

PART 2

From: R1-B(H) & R1-A(H)
To: OS



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

This By-Law affects a parcel of land described as Concession 4 Part Lot 1, Part 1, Registered Plan 37r633, Norfolk County.

1. The purpose of this By-Law is to change the zoning on the subject lands from Urban Residential Type 1 *Zone* (R1-A) and Urban Residential Type 1 *Zone* (R1-B) to Urban Residential Type 4 *Zone* (R4) and Open Space *Zone* (OS) with a Holding (H) and a Special Provision;
2. A Holding “(H)” provision is being placed on the zoning on the subject lands to ensure the appropriate development agreement is executed and registered on title. As well the holding will remain until the servicing capacities are confirmed and allocated by the General Manager of Environment and Infrastructure Services or anyone designated by Norfolk County.