



Working together with our community

Public Hearings Committee – February 07, 2023

Subject: Development Applications OPNPL2022333 & ZNPL2022335
– 260 West Church Street, Waterford
Report Number: CD 23-006
Division: Community Development
Department: Planning
Ward: Ward 7
Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD-23-006 for development applications OPNPL2022333 and ZNPL2022335 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 January 10th, 2023.

Discussion:

The applicant is proposing to amend the Norfolk County Official Plan and Zoning By-Law 1-Z-2014 to facilitate the development of a 30 lot residential subdivision (30 townhouse units).

The purpose of the Official Plan amendment is to change the land use designation of a portion of the subject lands from Industrial to Urban Residential.

The purpose of the Zoning By-Law amendment is as follows:

- To Change the zoning of the entire parcel from General Industrial Zone (MG) to Urban Residential Type 4 (R4)
- Apply the definition of “*Lot*” the entire condominium block
- To deem the condominium road as a private road not an open improved street;
- To define the “*FRONT LOT LINE*” as the “*LOT LINE*” abutting West Church Street; and
- Recognize the existing single detached dwelling and its future lot characteristics, with site specific zone provisions to facilitate a future severance of the dwelling lot from the condominium lot.
 - In order to facilitate the future severance of the existing dwelling lot from the condominium lot, staff are proposing to change the zoning of the property from General Industrial (MG) to Urban Residential Type 1 (R1-A). This would bring the property into conformity with the surrounding residential area, and eliminate the need for a special provision as the property appears to meet the zone provisions for the R1-A zone.

An overview summary of the development application(s) that have been submitted for the subject property at 260 West Church Street, Waterford 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 by-law amendments are included as Attachments D and E.

Strategic Plan Linkage:

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

Explanation: Development that results from applications under consideration can help contribute to a vibrant community that includes alternative housing types.

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 Agency Comments
Attachment D Proposed Official Plan Amendment
Attachment E Proposed Zoning Bylaw Amendment

Approval:

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

Reviewed By:
Tricia Givens, MSc (PL), MCIP, RPP
Director of Planning
Community Development Division
Planning Department

Prepared By:
Fabian Serra, MSc (PL)
Planner
Community Development Division
Planning Department

Attachment A - Report CD 23-006
Development Application Overview

260 West Church Street, Waterford

Application File Numbers: OPNPL2022333 & ZNPL2022335

Applicant: Aucion-Dixon Developments Inc.

Agent: G. Douglas Vallee Limited

Statutory Public Hearing

Date: February 8th, 2023

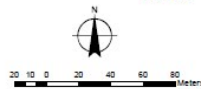
Site Context

MAP A
CONTEXT MAP
Urban Area of WATERFORD

OPNPL2022333
ZNPL2022335



Legend
Subject Lands
2020 Air Photo



Characteristics:

- 2.02 hectares total area
- One existing Single detached dwelling
- Located with access to West Church Street and Vanrooy Trail
- A combination of 3 parcels

Surrounding Land:

North: Commercial operations (a school bus transportation company and a telecommunication and utility infrastructure construction company).

East: Residential.

West: Industrial (a school furniture manufacturing company)

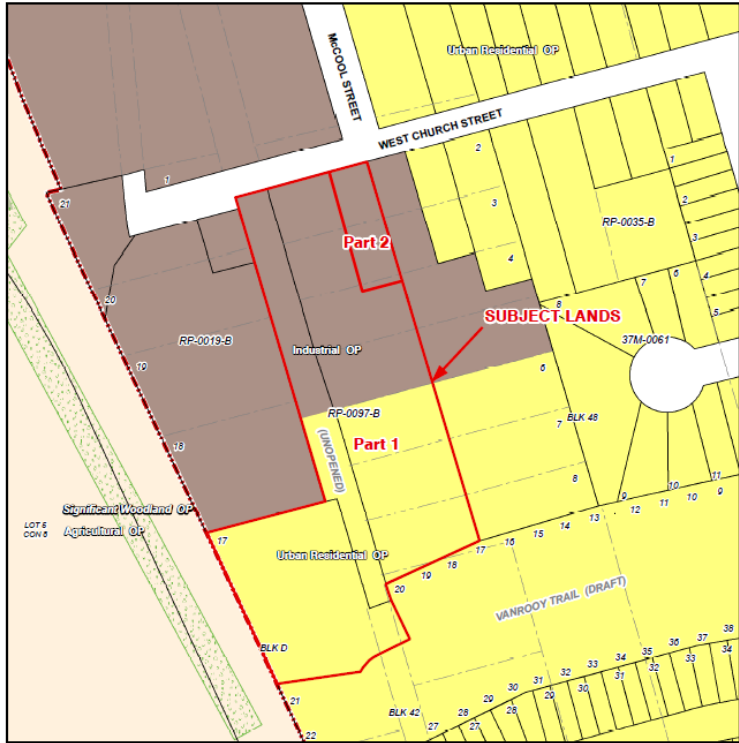
South: Cedar Park Subdivision (residential)

Site Context

Official Plan Map

MAP B
PROPOSED OFFICIAL PLAN AMENDMENT MAP
Urban Area of WATERFORD

OPNPL2022333
ZNPL2022335



Legend

- Subject Lands

Official Plan Designations

- Agricultural
- Hazard Lands
- Urban Residential
- Industrial
- Urban Area Boundary
- Significant Woodland

Part 1
From: Industrial & Urban Residential
To: Urban Residential

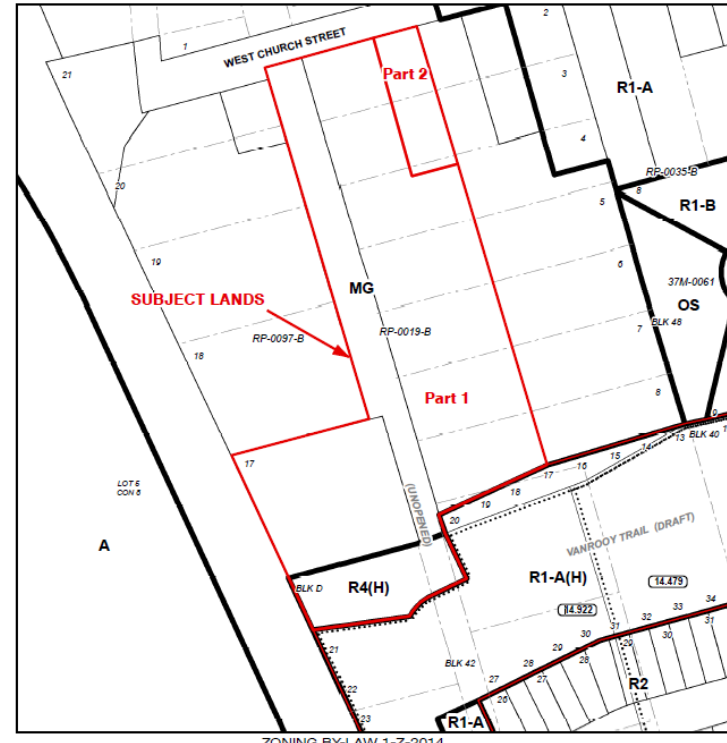
Part 2
From: Industrial
To: Urban Residential

1/10/2023

Proposed Zoning By-law Amendment Map

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

OPNPL2022333
ZNPL2022335



LEGEND

- Subject Lands

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- A - Agricultural Zone
- MG - General Industrial Zone
- OS - Open Space Zone
- R1-A - Residential R1-A Zone
- R1-B - Residential R1-B Zone
- R2 - Residential R2 Zone
- R4 - Residential R4 Zone

Part 1
From: MG & R4(H)
To: R4(H) with Special Provision 14.0624

Part 2
From: MG
To: R1-A

1/10/2023

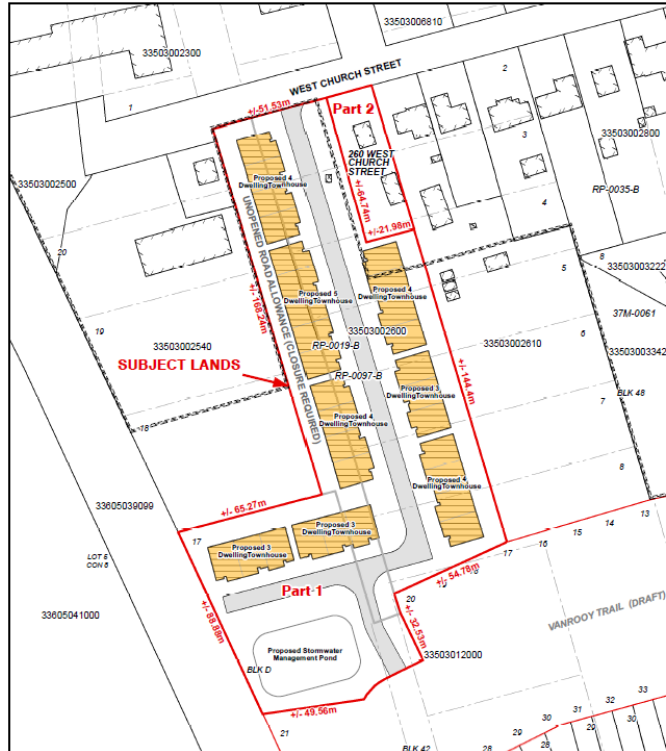
Development Proposal

Key Features/Proposed Subdivision:

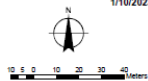
Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of WATERFORD

OPNPL2022333
ZNPL2022335



Legend
Subject Lands



Proposed OP Amendment:

- To change the land use designation of a portion of the subject lands from Industrial to Urban Residential (site is not protected industrial)

Proposed Zoning Amendment:

- To Change zoning from General Industrial Zone (MG) to Urban Residential Type 4 (R4)
- Apply the definition of “Lot” the entire condominium block
- To define the “FRONT LOT LINE” as the “LOT LINE” abutting West Church Street; and
- Recognize the existing single detached dwelling and its future lot characteristics, with site specific zone provisions to facilitate a future severance of the dwelling lot from the condominium lot.

Preliminary Review

Technical Reports

- Planning Justification Report – Submitted by G. Douglas Vallee.
- Functional Servicing Report – Submitted by G. Douglas Vallee.
- Proposed Building and elevation floor plans
- D-6 Compatibility & Noise Assessment Study (prepared by CCS Engineering Inc. dated August 2022);
- Traffic Impact Study (prepared by Paradigm Transportation Solutions Limited, dated August 2022).

Technical Comments:

Agreement Coordinator: a Holding (H) provision be applied to your land zoning until a development agreement has been executed and registered on title.

Zoning: If the townhouse units become individual lots, then section 4.2.5(a) may be compromised if the driveways take up more than 50% of the front yard.

Engineering comments pending.

Public Input:

No Public input has been received at time of submission of this report and presentation.

Preliminary Considerations



Park/Trails: 5% parkland dedication or Cash-in-Lieu of parkland dedication will be required.



Parking: Two (2) residential parking spaces for each dwelling unit and all required visitor parking is shown in the common elements of the condominium.



Transportation: West Church Street and McCool Street intersection is currently controlled with a stop sign facing McCool Street. No physical improvements are warranted by the report for this 30-unit development as traffic is considered an acceptable level of service under existing and future time horizons to 2034.



Housing: A total of 30 units will contribute to Norfolk County intensification policy for local housing needs.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD 23-006 for development applications OPNPL2022333 and ZNPL2022335 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: 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 34 of the Planning Act permits amendments to the zoning by-law by Councils of local municipalities.

Provincial Policy Statement (PPS)

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, liveable, 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.

Norfolk County Official Plan

The purpose of the Official Plan amendment is to change the land use designation of a portion of the subject lands from Industrial to Urban Residential.

The proposed development is designated both Industrial and Urban Residential in the 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 semi-detached and townhouse dwellings.

Planning Comments: *The proposed mix of townhouse units will contribute to the County’s 15% target for townhouse dwellings.*

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 evaluated with the above noted criteria.

Section 7.13 outlines policies for areas designated Industrial. Section 7.13.2 outlines the land use policies that apply to land designated Industrial:

- b) The conversion of lands designated industrial to other land use designations of this Plan shall be subject to an amendment to this Plan and to the rezoning of the subject lands. Applications for the conversion of lands designated Industrial to other land uses shall be subject to the consideration of the following policies:
 - i. Conversion to a residential land use shall be subject to the policies set out in Section 7.7 (Urban Residential) of this Plan;
 - ii. Conversion to a more sensitive land use shall be subject to the policies of Section 4.8 (Potentially Contaminated Sites) of this Plan;
 - iii. The proposed use shall be compatible with the surrounding neighbourhood;
 - iv. Appropriate buffers and landscaping shall be provided;
 - v. Adequate parking for residents, employees and visitors shall be provided on-site;
 - vi. A planning rationale report assessing the compatibility of the proposed use and potential impact on adjacent uses as well as addressing any other relevant matter outlined in Section 9.6.1 (Official Plan Amendments) of this Plan shall be provided;
 - vii. A traffic impact study, in accordance with the requirements of the County and the Province, shall be provided;
 - viii. An urban design study, including the preparation of appropriate development guidelines, as outlined in Section 5.4 (Community Design) of this Plan, shall be provided.

Section 7.7 of the Official Plan outlines policies for areas designated Urban Residential. Section 7.7.1 outlines the following:

- a) The predominant use of land shall be a variety of urban dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2 dwelling units per lot.

- b) Medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).

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

The subject lands are currently zoned General Industrial Zone.

The purpose of the zoning by-law amendment is to:

- To change the zoning of the entire parcel from General Industrial Zone (MG) to Urban Residential Type 4 (R4).
- Apply the definition of “*Lot*” the entire condominium block
- To define the “*FRONT LOT LINE*” as the “*LOT LINE*” abutting West Church Street; and
- Recognize the existing single detached dwelling and its future lot characteristics, with site specific zone provisions to facilitate a future severance of the dwelling lot from the condominium lot.
- To deem the condominium road as a private road not an open improved street;

The General Industrial Zone does not permit townhouses as a permitted use within the MG Zone.

The Urban Residential Type 4 (R4) zone does permit townhouses.

For the Single detached dwelling, the zoning of the property is being changed from General Industrial to Urban Residential Type 1 (R1-A) to conform to the surrounding area.

Attachment C: OPNPL2022333 & ZNPL2022335 Agency Comments

Zoning: All required visitor parking has been displayed in common elements. Two parking spaces are required per unit, and have been provided as; one in the garage and one in the driveway. The visitor parking that is labelled in private driveways is not a required parking space, therefore section 4.2.3(b) does not apply

If the townhouse units become individual lots, then section 4.2.5(a) may be compromised if the driveways take up more than 50% of the front yard.

GIS: If approved, please contact Norfolk GIS for new civic addresses when building.

Building: The building department has reviewed the proposal and has NO comments or conditions.

Please reach out to the building department as you get closer to having the planning and applicable approvals in place and staff will be happy to assist you with information on preparing for the building and septic permit stage of the project.

All general permitting inquires: by email: permits@norfolkcounty.ca or by phone: 519-426-5870x6016

Please refer to our website for current forms, and fees.

<https://www.norfolkcounty.ca/business/building/>

Agreement Coordinator: Recommend that a Holding (H) provision be applied to your land zoning until a development agreement has been executed and registered on title.

Development Engineering: Comments Pending.

Paramedic Services: Reviewed – No comments.



The Corporation of Norfolk County

By-Law 01-OP-2023

Being a By-Law to Adopt Amendment Number 153 to the Norfolk County Official Plan in respect of lands described as WAT PLAN 97B PT LOTS 2 TO, 9, REG, 2.85AC 177.92FR D, 260 West Church Street, Waterford in the name of Aucoin-Dixon Developments Inc.

WHEREAS the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended, Section 17 (22) states that “When the requirements of subsection (15) to (21), as appropriate, have been met and the Council is satisfied that the plan as finally prepared is suitable for adoption, the Council may adopt all or part of the Plan and, unless the plan is exempt from approval submit it for approval.”;

AND WHEREAS the Council of The Corporation of Norfolk County has considered an amendment to the Norfolk County Official Plan in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13 as amended, Sections 17, 21 and 22.

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

1. That amendment number 153 to the Norfolk County Official Plan as set out in the text and Schedule “A” attached hereto is hereby adopted.
2. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this ____ day of _____, 2023.

Mayor

County Clerk

Amendment Number 153 to the Norfolk County Official Plan

Part A: Preamble to the Amendment

The purpose of amendment number 153 to the Norfolk County Official Plan is to re-designate the land use designation of a portion of the subject lands from Industrial to Urban Residential.

Location of the Lands Affected

As shown on the attached 'Schedule "A"', the subject lands are located on WAT PLAN 97B PT LOTS 2 TO, 9, REG, 2.85AC 177.92FR D.

Basis of the Amendment

The basis for permitting this amendment is to change the land use designation of the subject lands from Industrial to Urban Residential to allow for the development of a 30 lot residential subdivision (30 townhouse units). Staff are of the opinion that the amendment is in conformity with overall Provincial and Norfolk County policy planning direction.

The subject lands are located on the westerly edge of the Urban Area of Waterford and are surrounded by predominantly low and medium density residential development. The industrial nature of the subject lands and area overall, are no longer viable for industrial purposes. The area is in transition from Industrial land uses to predominantly residential uses.

Part B: The Amendment

That the Norfolk County Official Plan is hereby amended as follows:

Map Schedule Amendment

That Schedule B, Land Use, in the Norfolk County Official Plan is amended by identifying all the lands shown as the subject lands on 'Schedule "A"' attached to and a part of this amendment, from the Industrial designation and to be re-designated Urban Residential designation.

Part C: Additional Information

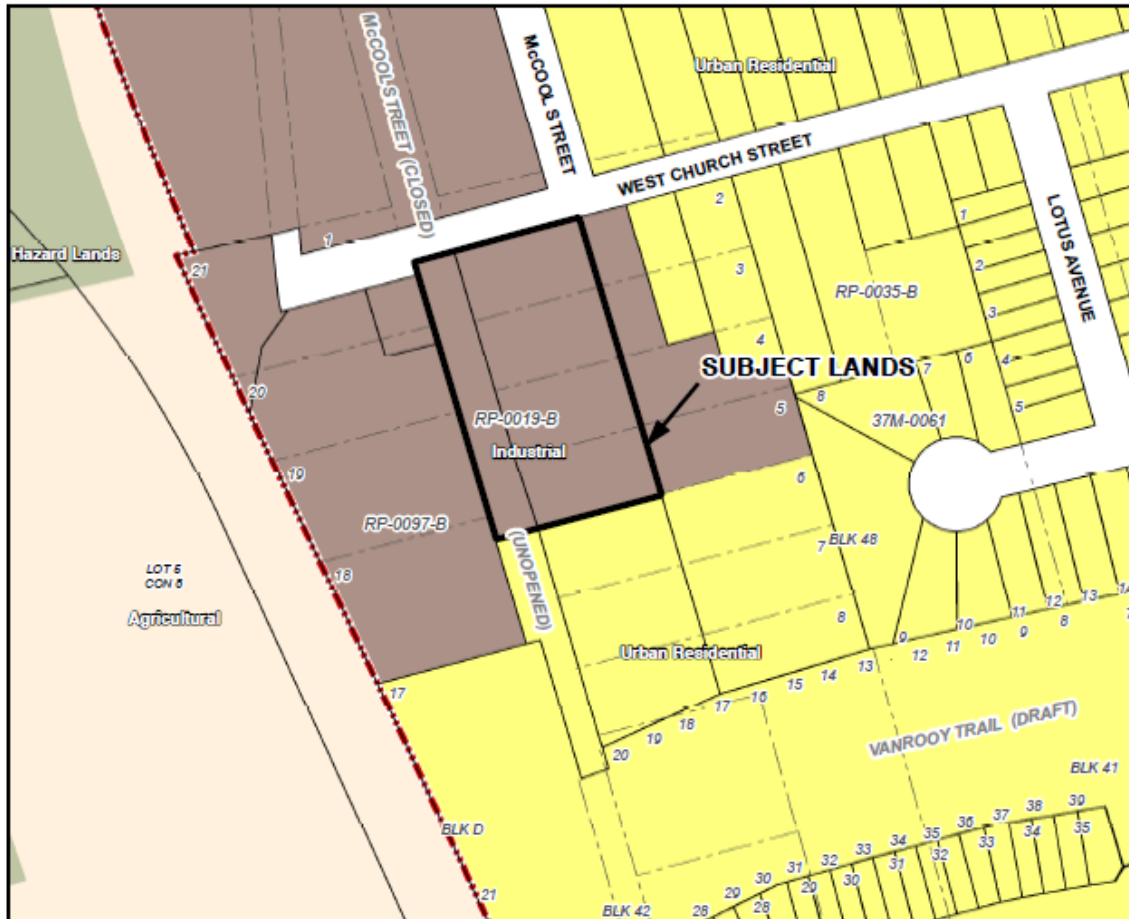
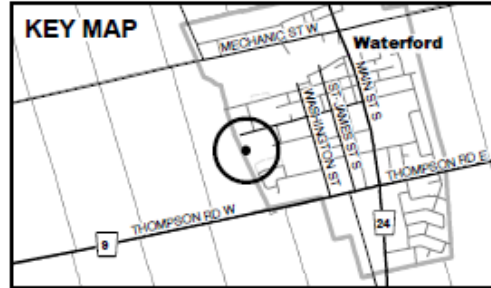
This document will be implemented by Norfolk County enacting an appropriate amendment to the Norfolk County Zoning By-Law 1-Z-2014.

Applicant «Applicant»
File Number OPNPL2022333«File_Number»
Report Number CD 22-006
Assessment Roll Number 331033503002600000

DRAFT

SCHEDULE A Amendment No. 153

to the
OFFICIAL PLAN
for
NORFOLK COUNTY
in the Urban Area of
WATERFORD



LEGEND

Subject Lands

From: Industrial
To: Urban Residential

Official Plan Designations

Agricultural

Hazard Lands

Urban Residential

Industrial

Urban Area Boundary



1:2,500





The Corporation of Norfolk County

By-Law 01-Z-2023

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as WAT PLAN 97B PT LOTS 2 TO, 9, REG, 2.85 AC 177.92FR, D., 260, West Church Street, Waterford.

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):
 - a. Part-1 on Map A (attached to and forming part of this By-Law) from *General Industrial Zone (MG)* to *Urban Residential Type 4 Zone (R4)* with Holding (H) Special Provision 14.0624;
 - b. Part-2 on Map A (attached to and forming part of this By-Law) from *General Industrial Zone (MG)* to *Urban Residential Type 1 Zone (R1-A)* with Special Provision 14.0624.
2. That Subsection 14 Special Provisions is hereby further amended by adding 14.0624 as follows:

Part 1 (as shown in Map A of the By-Law 01-Z-2023):

- a. Notwithstanding the definitions of "Lots" in Section 2.0 of this By-Law, the subject lands will be considered as one lot.
 - b. The property line along West Church Street will be considered as the *Front Lot Line*;
3. That the holding (H) provision of this By-Law shall be removed upon receipt of acknowledgement of a Record of Site Condition to the satisfaction of the General

Manager, Community Development (or designate), and the completion of a development agreement that has been executed and registered on title.

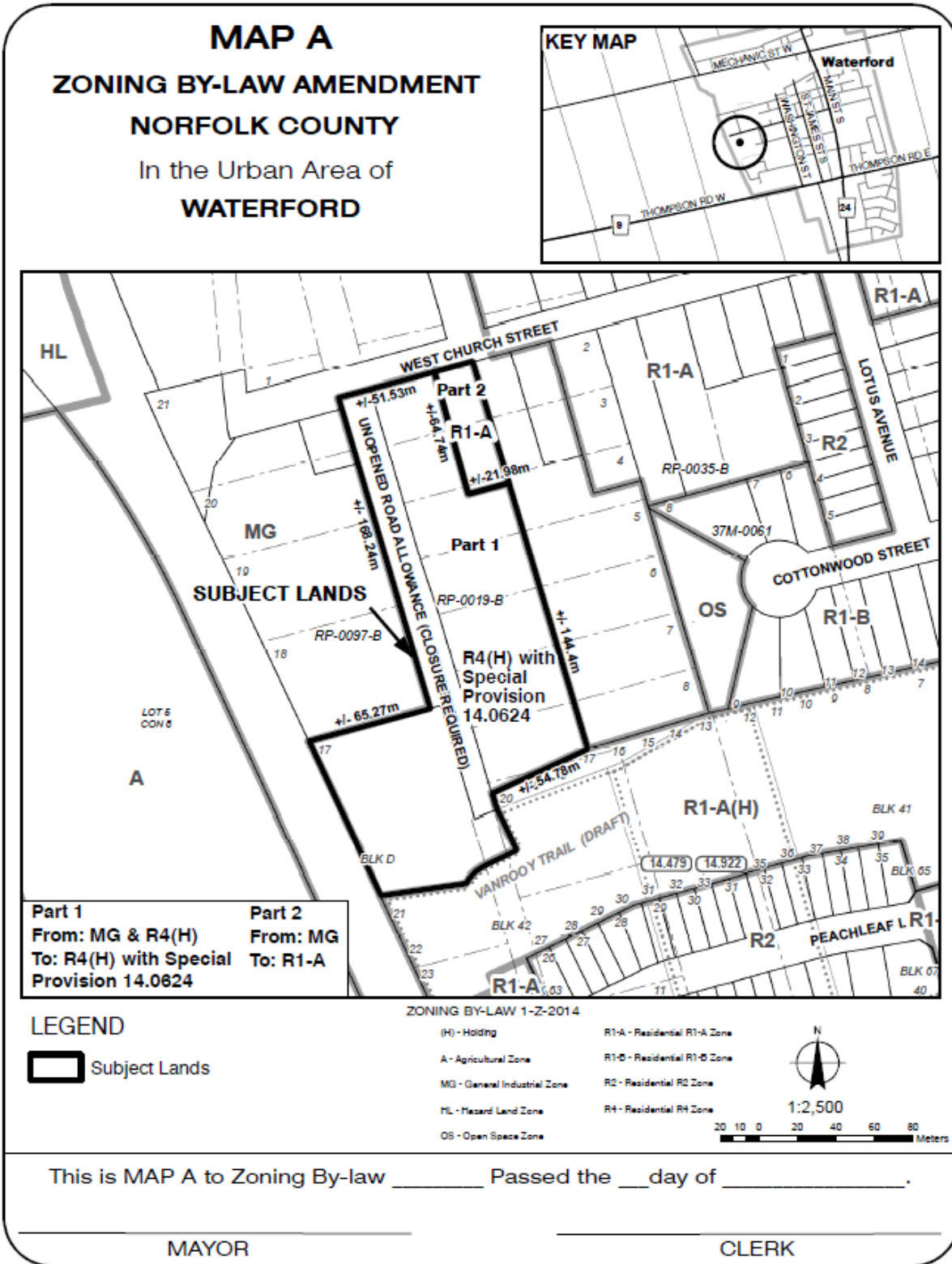
4. That this By-Law shall become effective upon final approval of the related Amendment number 153 to the Norfolk County Official Plan.

ENACTED AND PASSED this ____ day of _____, 2023.

Mayor

County Clerk

DRAFT



**Explanation of the Purpose and Effect of
By-Law 01-Z-2023**

This By-Law affects a parcel of land described as WAT PLAN 97B PT LOTS 2 TO, 9, REG, 2.85AC 177.92FR, D., 260 West Church Street, Waterford.

The purpose of this By-Law is to change the zoning on the subject lands from General Industrial Zone (MG) to Urban Residential Type 4 (R4), to apply the definition of “Lot” the entire condominium block, to define the “*Front Lot Line*” as the “*LOT LINE*” abutting West Church Street and to recognize the existing single detached dwelling and its future lot characteristics, in accordance with the Urban Residential Type 1 (R1-A) zone to facilitate a future severance of the dwelling lot from the condominium lot.

A holding “(H)” provision is being placed on the zoning on the subject lands to ensure a development agreement has been executed and registered on title. Further, a Record of Site Condition is required to lift the holding provision. If Phase 1 or 2 of the Environmental Site Assessment indicates that a Record of Site Condition is not required, it is considered satisfactory.