



Working together with our community

Public Hearings Committee – September 06, 2023

Subject: Development Applications OPNPL2023206 and ZNPL2023207 – 395 Queensway West, Simcoe.

Report Number: CD 22-054
Division: Community Development
Department: Planning
Ward: Ward 5
Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD-23-054 for development applications OPNPL2023206 and ZNPL2023207 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 August 8th, 2023.

Discussion:

The subject lands is currently designated Commercial, Hazard and Provincially Significant Wetland (PSW) in the Norfolk County Official Plan and is zoned Service Commercial (CS) with Special Provision 14.627 in the Norfolk County Zoning By-Law 1-Z-2014. The subject lands are located at the northwest corner of Queensway West and Hunt Street North in the Urban Area of Simcoe.

The applicant is proposing an Official Plan and Zoning By-Law Amendment to facilitate

the development of a mixture of commercial and residential uses in the following manner:

- 1) A six (6) storey Mixed Use building on the southern portion of the subject lands containing:
 - a. 114 studio one and two bedroom units (floors 2-6)
 - b. 2,714 square meters of leaseable commercial space.
 - c. 166 underground parking spaces for the residential units
 - d. 136 surface parking spaces for visitor and commercial parking.

- 2) Low rise dwellings on the northern portion of the subject lands containing:
 - a. 38 three (3) storey townhouse dwellings with outdoor rooftop amenity space; and
 - b. 6 two storey semi-detached dwelling units.

The development proposal, when analyzed in its entirety, has a total density 54.67 units per hectare. The density of the northern parcel is 22 units per hectare and the density of the southern parcel is 101 units per hectare, which does not include the proposed commercial and office spaces in the 6 storey building.

The purpose of the Official Plan amendment is to change the land use designation for the northern parcel from Commercial, Hazard and PSW to Urban Residential, Hazard and PSW. In regards to the southern parcel, the Official Plan amendment is proposing to keep the southern parcel designated Commercial.

The purpose of the Zoning By-Law amendment is to amend the Zoning of the of the Northern parcel from Service Commercial (CS) with Special Provision 14.627 to Urban Residential Type 4 (R4) with Special Provision 14.1039 to establish amended provisions for the following:

- i. maximum building height of 13 meters for the townhomes;
- ii. a minimum rear yard setback of 3 meters for both the townhouse and semi-detached dwellings.

For the southern parcel, the Zoning would remain as Service Comercial (CS) with Special Provision 14.627 being amended as required. The zoning By-Law amendment will also look to establish zoning provisions for the following items:

- i) building height (30 meters or 6 stories, as opposed to the permitted 11 meters);
- ii) a reduction in residential parking (1.25 parking spaces per dwelling unit); and
- iii) commercial parking (1 space per 35 square meters of useable floor area).

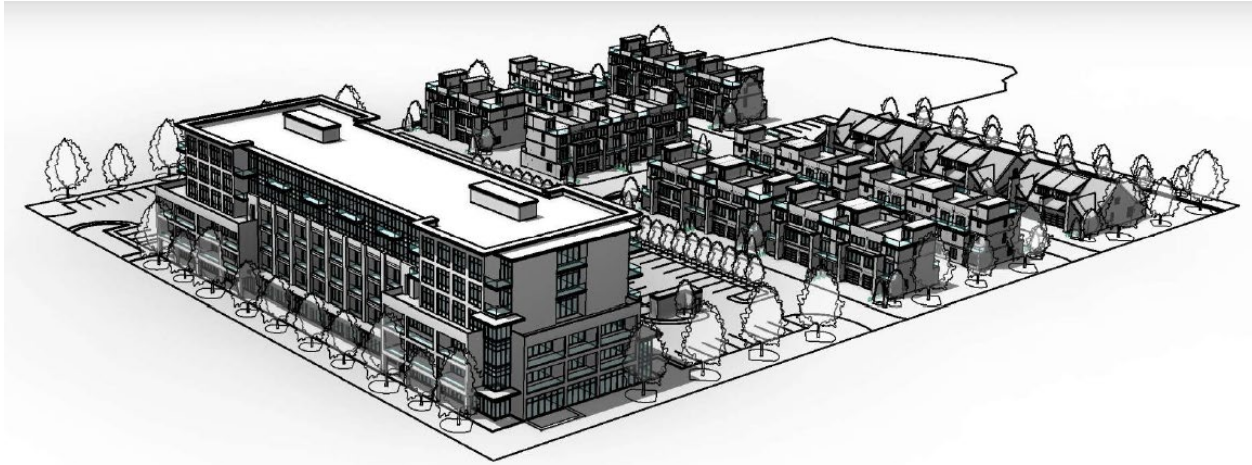


Figure 1: Concept Drawing of the proposed development.

In a future severance application, the applicant will apply for a severance in order to modify the existing parcel fabric into two components, the northern parcel and the southern parcel. This is shown below in Figure 2. In addition, the subject development is also required to undergo the Site Plan process.



Figure 2: Proposed future severance delineating the Northern and Southern parcels.

An overview summary of the development application(s) that have been submitted for the subject property at 395 Queensway West is contained within Attachment A. This includes an outline of the site context, the applications and technical reports. Attachment B contains the existing applicable policy and zoning framework, while Attachment C is comprised of the Technical comments that were received. The draft by-law amendment(s) are included as Attachment(s) D and E.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priorities "Empowering Norfolk" and Building Norfolk"

Explanation: The proposed development consists of a mixture of residential and commercial uses to ensure both businesses' and residents' success, while developing the infrastructure needed to create complete communities.

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 Technical 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:
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Director of Planning
Community Development Division
Planning Department

Prepared By:
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Planner
Community Development Division
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Attachment A - Report CD 23-054
Development Application Overview

395 Queensway West, Simcoe

Application File Numbers: OPNPL203206 & ZNPL2023207

Applicant: HFW Holdings Limited

Agent: G. Douglas Vallee Limited

Statutory Public Hearing

Date: September 6th, 2023

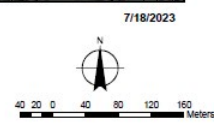
Site Context

MAP A
CONTEXT MAP
Urban Area of SIMCOE

OPNPL2023206
ZNPL2023207



Legend
Subject Lands
Lands Owned
2020 Air Photo



Site Characteristics:

- Total size 2.89 Hectares (7.14 acres)
- Located in the Urban Area of Simcoe, on the northside of Queensway West, and westside of Hunt Street North.
- Subject lands consist of an existing single detached dwelling, Wilson Truck and Trailer Service and repair shop and a two-storey office building utilized by the Brant Haldimand Norfolk Canadian Mental Health Association

Surrounding Land Uses:

North: Single detached dwellings, Don Shay Memorial Dog Park, Hazard Lands, Provincially Significant Wetlands and industrial uses.

East: Existing commercial development (restaurant and hotel).

West: Existing commercial development (retail plaza, automotive sales and veterinary hospital)

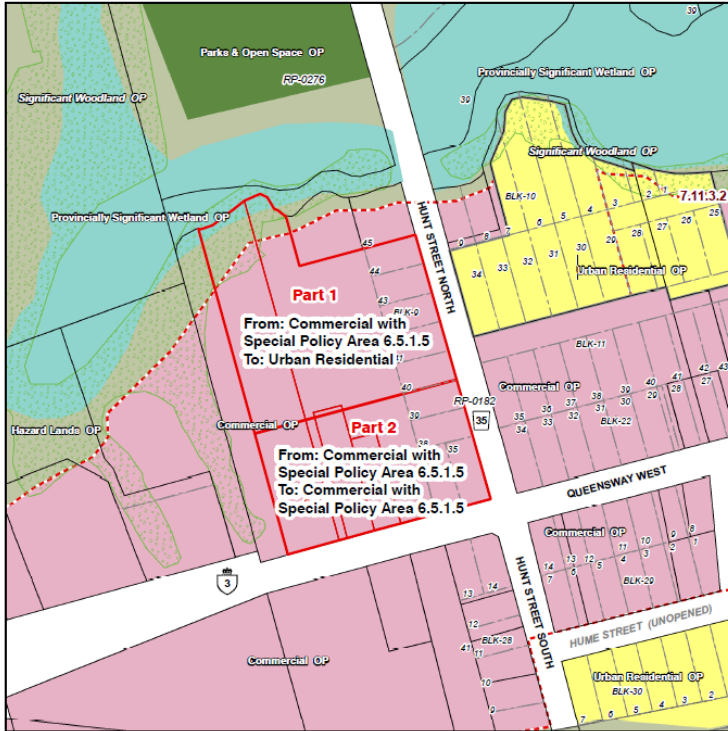
South: Existing 4 storey retirement home and existing commercial development.

Site Context

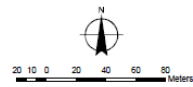
Proposed Official Plan Amendment Map

MAP B
 PROPOSED OFFICIAL PLAN AMENDMENT MAP
 Urban Area of SIMCOE

OPNPL2023206
 ZNPL2023207



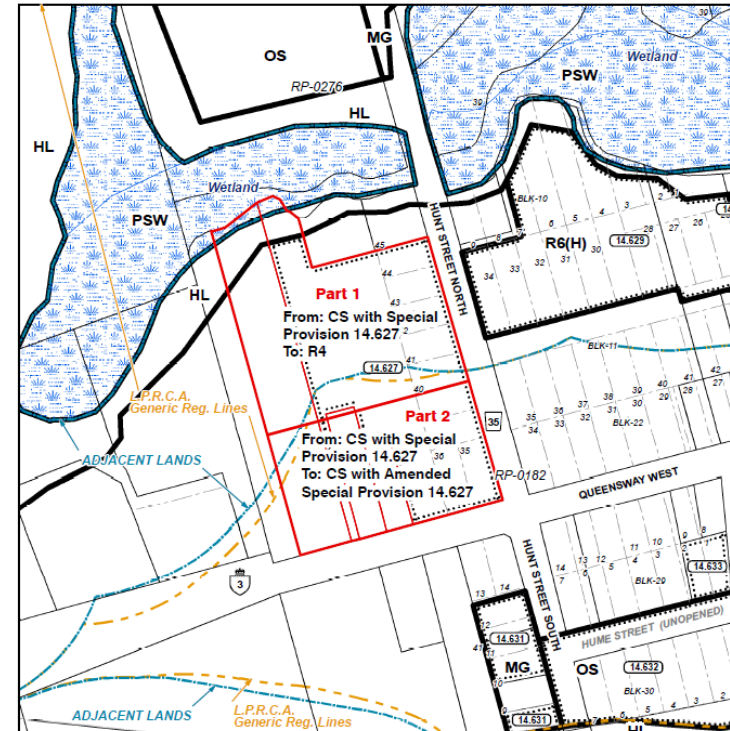
- Legend**
- Subject Lands (Red outline)
 - Lands Owned (Pink outline)
- Official Plan Designations**
- Hazard Lands (Green)
 - Provincially Significant Wetland (Light Blue)
 - Urban Residential (Yellow)
 - Commercial (Pink)
 - Protected Industrial (Brown)
 - Parks & Open Space (Dark Green)
 - Special Policy Area (Red dashed outline)
 - Urban Area Boundary (Black dashed outline)
 - Significant Woodland (Green with dots)



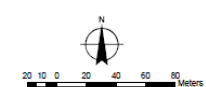
Proposed Zoning By-law Amendment Map

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

OPNPL2023206
 ZNPL2023207



- LEGEND**
- Subject Lands (Red outline)
 - Lands Owned (Pink outline)
 - Adjacent Lands (Blue outline)
 - Wetland (Blue with dots)
 - LPRCA Generic RegLines (Yellow dashed outline)
- ZONING BY-LAW 1-2-2014**
- (H) - Holding
 - CS - Service Commercial Zone
 - MG - General Industrial Zone
 - HL - Hazard Land Zone
 - OS - Open Space Zone
 - PSW - Provincially Significant Wetland Zone
 - R6 - Residential R6 Zone

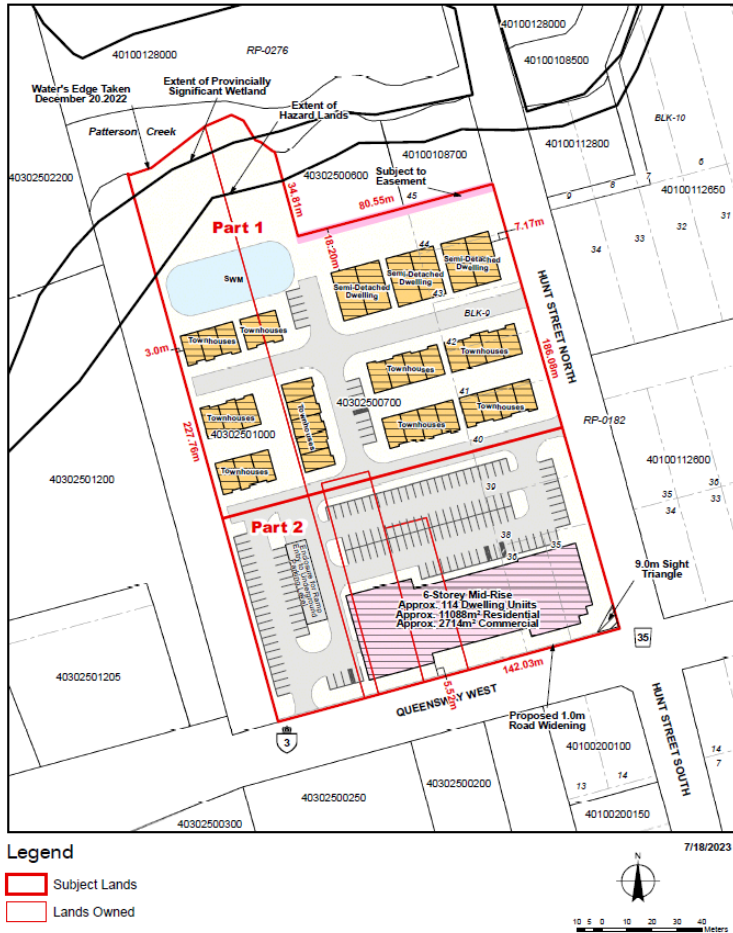


Development Proposal

Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of SIMCOE

OPNPL2023206
ZNPL2023207



Key Features/Proposed :

Development Proposal: Consists of a mixture of commercial and residential uses in the following manner:
A six (6) storey Mixed Use building on the southern portion of the subject lands containing:

- 114 studio one and two bedroom units (floors 2-6)
- 2,714 square meters of leaseable commercial space.

- 166 underground parking spaces for the residential units

- 136 surface parking spaces for visitor and commercial parking.

Low rise dwellings on the northern portion of the subject lands containing:

- 38 three (3) storey townhouse dwellings with outdoor rooftop amenity space; and

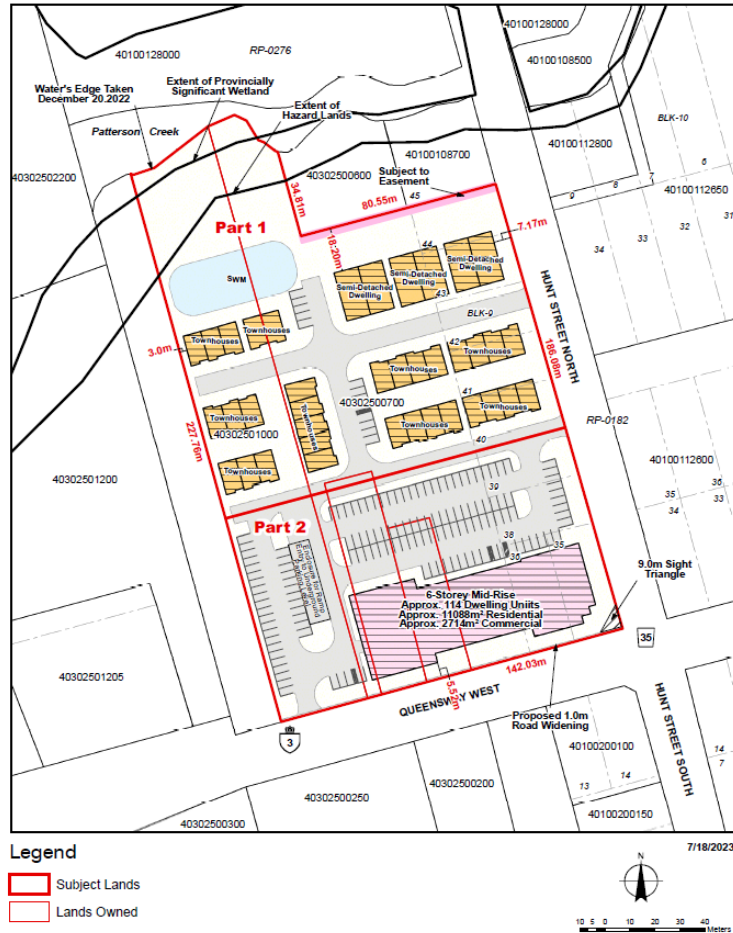
- 6 two storey semi-detached dwelling units.

Development Proposal

Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of SIMCOE

OPNPL2023206
ZNPL2023207



Proposed OP Amendment Northern Parcel:

- To amend the Norfolk County Official Plan to change the land use designation for the northern parcel from Commercial, with Special Policy Area 6.5.1.5 to Urban Residential.

Proposed OP Amendment Southern Parcel:

- To keep the southern parcel designated Commercial with Special Policy Area 6.5.1.5.

Proposed Zoning Amendment Northern Parcel:

- To amend the Norfolk County Zoning By-Law 1-Z-2014 to change the zoning from Service Commercial (CS) with Special Provision 14.627 to Urban Residential Type 4 (R4) with Special Provision 14.1039

Proposed Zoning Amendment Southern Parcel:

- To amend the Norfolk County Zoning By-Law 1-Z-2014 to change the zoning from Service Commercial (CS) with Special Provision 14.627 to Service Commercial (CS) with amended Special Provision 14.627.

Preliminary Review

Technical Reports:

- Proposed Site Plan Drawing (G. Douglas Valle Ltd, 2023)
- Planning Justification Report (G. Douglas Valle Ltd, May 2023)
- Environmental Impact Study (Pinchin Ltd, June 2023).
- Stage 1 Archaeological Assessment (Earthworks Archaeological Services Inc, February 2023).
- Functional Servicing & Stormwater Management Report (G. Douglas Valle Ltd, June 2023)
- General Plan of Services (G. Douglas Valle Ltd, January 2023)
- Traffic Impact Study (Paradigm Transportation Solutions Ltd., April, 2023).
- Legal and Topographical Survey, Jewitt and Dixon Ltd. March 2023).




Technical Comments:

- Technical Comments Pending.





Public Input:

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

Preliminary Considerations

Key Items		Preliminary Review
Housing		The proposal would add 114 studio one and two bedroom units within a 6 storey building from floors 2-6 (commercial on 1 st floor), provide 38 3 storey townhouse dwellings and 6 two storey semi –detached units. The proposed development is considered an infill development within the urban area of Simcoe.
Building Height		The proposed height of the apartment dwelling is 6 storeys (30 meters or 98.5 feet). The proposed maximum building height of the townhouse dwellings is 3 storeys (13 meters or 42.65 feet). The proposed height of the semi-detached dwellings is 2 storeys.
Parking		The proposed development consists of 166 underground parking spaces for the residential units and 136 surface parking spaces for visitor and commercial parking.
Transportation (TIS)		The TIS provided indicates that the development as proposed are forecasted to operate at acceptable levels of service under 2025, 2030, and 2035 total traffic conditions.

Preliminary Considerations

Key Items		Preliminary Review
Park and Trails		The proposed development contains a storm water management pond and to the north of the proposed development, is the Sutton Conservation Area and the Don Shay Memorial Dog Park.
Archeology		The archaeology study provided, determined that the study area contains archeological potential and that a Stage 2 Archeological Assessment is recommended,
Commercial		The proposed first storey, of the 6 storey apartment dwelling, consists of approximately, 2,714 square meters of commercial space
Hazard Lands		A portion of the subject lands to the north of the proposed development is Designated and Zoned Hazard Land in the Official Plan and Zoning By-Law. No building is proposed nor permitted within this area.
Natural Heritage (EIS)		The proposed development is not anticipated to have any negative impacts adverse impact to the ecological integrity of the adjacent natural heritage features. Further environmental studies may be required per the submitted EIS.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD 23-054 for development applications OPNPL2023206 & ZNPL2023207 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 Considerations

Report CD 23-054

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.

Provincial Policy Statement (PPS)

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.

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

Section 1.1.3.1 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.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Are appropriate for, and efficiently use, the *infrastructure and public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

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;

- a) 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;
- b) 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;
- c) 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.

Planning Comments: The proposed development would provide the community with a total of 158 residential units (114 apartment units, 38 townhouses and 6 semi-detached dwellings). The addition of these units will contribute to the County's housing demand.

Section 3.1 outlines policies as it pertains to Natural Hazards. Section 3.1.5 states that development shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

Norfolk County Official Plan

The subject lands are designated Commercial in the Norfolk County Official Plan.

Section 7.11 Commercial Designation, outlines policies pertaining to lands designated commercial across the county.

Commercial areas are accessible locations along the County's major transportation routes offering suitable accommodation for a specific range of commercial uses which have the following basic characteristics:

- a) highway-oriented uses which rely on exposure to the travelling public and require a location readily accessible to major transportation routes;
- b) destination uses, which are principally commercial in nature, provide a less diverse array of goods and services than the Downtown Designations, and provide a specialized product or service to persons coming specifically to the premises to do business and therefore do not require to locate in the Downtown Designations;
- c) space-extensive uses having physical requirements in terms of the size or configuration of the site or building such that they cannot be accommodated within the Downtown Areas; and
- d) mixed residential and commercial uses that have historically located along the major transportation routes.

Section 7.11.1 outlines the permitted uses for lands designated commercial. Subsection e) outlines that Residential uses shall be permitted, provided that the uses do not negatively impact the planned function of the Commercial areas subject to the following provisions:

- i. in a building of commercial character, residential uses shall only be permitted above the ground floor; and
- ii. in a building of residential character, either single detached or multiple dwelling, residential and/or commercial uses shall be permitted, provided the residential character of the building is maintained.

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 158 units will contribute to the County's 15% target for multi-residential developments.*

Section 4.8 of the Official Plan outlines policies pertaining to Potentially Contaminated Sites. This section outlines that the historic use of land in Norfolk County has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment. Subsection b) outlines that the following shall be the policy of the County:

- b) where the development or redevelopment of land involves the change of use of the property to a more sensitive use, a Record of Site Condition shall be completed by a qualified person and filed on the Brownfields Environmental Site Registry, in accordance with the requirements of *Ontario Regulation 153/04*, before the issuance of a building permit for the proposed use. The issuance of any building permit for the proposed use shall also be consistent with any certificate of property use or order issued for the property on the Environmental Site Registry.

Planning Comments: *The applicant has submitted a Phase 1 and Phase 2 Environmental Site Assessment. A Record of Site Condition is required prior to Site Plan approvals or the issuance of a building permit.*

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:

- d) infill development and residential development of vacant land or underutilized land in existing neighbourhoods will be encouraged;
- e) redevelopment shall include the replacement of existing residential uses with compatible new residential developments at a high density;
- f) 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;
- g) 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;
- h) developable land shall not include Hazard Lands, Provincially Significant Wetlands and Significant Natural Areas;
- i) the existing water and sanitary sewer services can accommodate the additional development;
- j) the road network can accommodate the traffic generated;
- k) the proposed development shall be compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
- l) the proposed development shall be consistent with the policies of the appropriate Land Use Designation associated with the land.

Section 6.4 Urban Areas

This section of the Official Plan outlines that Areas will accommodate the greatest amount of the targeted growth throughout the planning period, and will be the focus of residential, commercial, employment, government, institutional, office, entertainment, cultural, and health and social service activities.

- b) It is the policy of this Plan that the Urban Areas will incorporate the following:
 - i. a full range of housing types, including affordable and special needs housing;
 - ii. business opportunities at appropriate locations to provide a wide range of employment and services to residents, businesses and visitors;
 - iii. full municipal services, as feasible and appropriate, and an appropriate level of transportation infrastructure;
- c) 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 and will sustain the community and financial well-being of the County over the long-term.

6.5.1.5 Queensway Corridor Special Policy Area

The following shall be the policy of the County with respect to the Queensway Corridor Special Policy Area as illustrated on Schedule “B”.

a) The Queensway Corridor represents a linear area of auto-oriented highway and service commercial activities. As such, the planned function of the Queensway Corridor is to be an area of auto-oriented commercial activities, providing for highway commercial uses for the residents of Simcoe and the surrounding area.

b) Selective, site-specific changes implemented through the policies of Sections 7.10.2 (Shopping Centre Commercial Designation – Land Use Policies) and 7.11.2 (Commercial Designation – Land Use Policies) of this Plan may result in the broadening of the permitted uses applicable to certain land within the Queensway Corridor. These changes would be made to accommodate those types of space-extensive or destination outlets for which there is not a realistic location in the Downtown Area, as further provided in the land use policies of this Plan.

c) The development and upgrading of the Queensway Corridor shall be undertaken in an orderly and controlled manner which does not prejudice the planned function of the Downtown Area, and in accordance with the provisions of this Plan. Expansion shall be subject to the policies of Sections 7.10.2 (Shopping Centre Commercial Designation – Land Use Policies) and 7.11.2 (Commercial Designation – Land Use Policies) of this Plan.

Section 7.7.2 Urban Residential Land Use Policies:

b) Triplex, fourplex, townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 uph, save and except for in the Courtland Urban Area where private servicing limitations shall determine the density of development. New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:

- 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, save and except for in the Courtland Urban Area, where private septic systems shall be permitted;
- 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; and
 - 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.
- c) High density residential uses, including apartment buildings and other forms of multiple housing of a similar density shall be carefully located. The following criteria shall be addressed in the consideration of such applications, especially in proximity to lower density residential development:
- a. the density, height and character of the development shall be compatible with adjacent uses;
 - b. the ability of the site to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;
 - c. the height, form and density of the proposed development is such that no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area are created for surrounding residential uses;
 - d. the relationship of the site to nearby lower density residential uses, in view of the desire to provide a gradual transition in height and density wherever possible;
 - e. the degree to which the site has access to significant open space amenities such as valleylands or major parks;
 - f. municipal watermains and sanitary sewers shall be required and shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County;
 - g. the proximity of the site to arterial or collector roads, and/or pedestrian accessibility to a Downtown Area or, in the case of the Simcoe Urban Area, a Secondary Centre, or other locations of supporting services and facilities;

- h. the adequacy of local services including schools and other community services. It is recognized that accessibility to such facilities, including health care services, may be particularly important to residents with special needs; and
 - i. the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- d) In evaluating applications for neighbourhood commercial uses in the Urban Residential Designation, the following criteria shall be met:

- i. no more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use shall generally not exceed 300 square metres;
- ii. building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height shall be subject to the surrounding residential density provisions;
- iii. landscaping, fencing, berms and other forms of visual screening, as may be necessary, shall be provided adjacent to residential land uses;
- iv. all required parking shall be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 8.2.3 (Parking) of this Plan, shall not be accepted by the County;
- v. driveway access shall be approved by the County;
- vi. the facility shall be located at or in proximity to the intersection of arterial or collector roads, and shall not be located mid-block within a residential area; and
- vii. the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.

Section 7.3.2 Hazard Land Designation

Land Use Policies of 'Hazard Land Designation' states that Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption. In these areas, a reasonable compromise shall be made between the extent of the hazard and the continued use and future development of the area. This situation is particularly applicable to the Urban Areas, Hamlet Areas and Resort Areas, as set out on Schedule "A" of the Official Plan.

7.3.2 a) outlines that Development on Hazard Lands which would aggravate or contribute to the hazard shall not be permitted.

Section 3.5.1 outlines policies pertaining to Provincially Significant Features.

Subsection b) outlines that Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land shall be defined as indicated in Table 1. An Environmental Impact Study (EIS) in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan shall be required for all development proposals adjacent to or abutting areas identified as Provincially Significant Features.

***Planning Comments:** As a part of a complete application, an Environmental Impact Study was submitted. The study consisted of a Phase 1 and Phase 2 Environmental Site Assessment. The study provided indicates that an Environmental Risk Assessment can be undertaken to determine if the contaminated soils and groundwater can remain in place without the need for any remediation or engineered controls. It is also recommended that the monitoring wells be preserved for future monitoring purposes, and if those monitoring wells become damaged or are no longer required, they should be decommissioned in accordance with Ontario Regulation 903.*

Zoning By-Law 1-Z-2014

The subject lands are zoned Service Commercial in the Norfolk County Zoning By-Law and have Special Provision 14. 627.

The proposed zoning of the northern parcel of the subject lands is to change the zoning from Service Commercial (CS) with Special Provision 14.627 to Urban Residential Type 4 (R4) with no special provision.

Uses permitted in the “Urban Residential Type 4(R4) Zone” as outlined in Zoning By-Law 1-Z-2014, includes:

- a) group townhouse
- b) stacked townshou
- 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*

For the southern parcel, the Zoning would remain as Service Comercial (CS) with Special Provision 14.627 being amended as required.

The zoning By-Law amendment will also look to establish zoning provisions for the following items:

- i) building height (30 meters or 6 stories, as opposed to the permitted 11 meters);
- ii) a reduction in residential parking (1.25 parking spaces per dwelling unit); and
- iii) commercial parking (1 space per 35 square meters of useable floor area).

Attachment C: Technical Comments

Development Engineering: Comments Pending.

Long Point Region Conservation Authority: Comments Pending.

Building: Reviewed – Comments are as follows:

1. MULTI LEVEL ROOFS AND SNOW LOADS

AND FURTHER THAT - A letter signed by a Professional Engineer licensed in the Province of Ontario regarding multi-level roof drifting snow load is required. Provide calculations as required by Ontario Building Code 4.1.6.5. – 4.1.6.15. If additional snow load is calculated to fall on neighboring structures, an engineered analysis of the neighboring is required. Completion of compensating construction to the neighboring structure may also be required. Separate building permit required for compensating construction.

2. POWER LINE CLEARANCES

The Designer will also need to review OBC Subsection 3.1.19. Above Ground Electrical Conductors, depending on the voltage, the clearances to the building will vary.

Record of site condition is required prior to Building Permit application as per applicable law.

No Ontario Building Code review has been completed at this time and will be done at site plan and building permit application stage.

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 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-in-norfolk-county/>

Zoning: Comments Pending.

Canada Post: Reviewed – Comments are as follows:

Please be advised that the townhouses will be serviced by Community mailboxes for mail delivery and I will work with the developer on site locations. The multi unit building

with more than 3 units and a common entry point will require a mail panel to be installed by the owner / developer in the lobby for mail delivery. If over 100 units then a mail room will also be required.

Further comments have been attached as Appendix A.

Accessibility: Reviewed – Comments are as follows:

- 1) Recommend relocating two accessible parking spaces at the southwest corner of the Site Plan to join the existing 4 accessible parking spaces in front of the 6-storey mid rise building.

GIS: Comments Pending.

Realty Services: Comments Pending.

Fire: Comments Pending.

Paramedic Services: Comments Pending.



The Corporation of Norfolk County

By-Law 7-OP-2023

Being a By-Law to Adopt Amendment Number 155 to the Norfolk County Official Plan in respect of lands described as Part Lot 2, Lots 35, 36, and 38 to 44, Block 9, Windham Concession 14, Urban Area of Simcoe, Norfolk County, municipally known as 395 Queensway West, Simcoe, in the name of HFW Holdings Ltd.

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 159 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 17th day of October 2023.

Mayor A. Martin

County Clerk G. Sharback

Amendment Number 159 to the Norfolk County Official Plan

Part A: Preamble to the Amendment

The purpose of amendment number 159 to the Norfolk County Official Plan is to re-designate the northern parcel of the subject lands from Commercial, Hazard Land and Provincially Significant Wetlands to Urban Residential, Hazard Land and Provincially Significant Wetlands and to remove the existing Special Policy Area 6.5.1.5 “Queensway Corridor Special Policy Area”. In regards to the southern parcel, the Official Plan amendment is proposing to keep the southern parcel designated Commercial and keep the existing Special Policy Area 6.5.1.5 “Queensway Corridor Special Policy Area”

Location of the Lands Affected

As shown on the attached ‘Schedule “A”’, the subject lands are located on Part Lot 2, Lots 35, 36, and 38 to 44, Block 9, Windham Concession 14, Urban Area of Simcoe, Norfolk County.

Basis of the Amendment

The basis for permitting this Amendment is to accommodate the development of multiple residential dwellings in conformity with overall Provincial Policy and to incorporate a mixture of land uses on the subject lands.

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” Part 1 attached to and a part of this amendment with the Urban Residential Land Use designation.

That Schedule B, Land Use, in the Norfolk County Official Plan is further amended by identifying all the lands shown as the subject lands on ‘Schedule “A” Part 1 attached to and a part of this amendment with the 7.7.3__ site specific policy number.

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” Part 2 attached to and a part of this amendment with the Commercial Land Use designation.

That Schedule B, Land Use, in the Norfolk County Official Plan is further amended by identifying all the lands shown as the subject lands on 'Schedule "A" Part 2 attached to and a part of this amendment with the 7.11.3 __ site specific policy number.

Text Amendment

That the following site specific policy area be added to Section 7.7 Urban Residential Designation.

7.7.3.__ – 395 Queensway West Site Specific Policy Area [7-OP-2023]

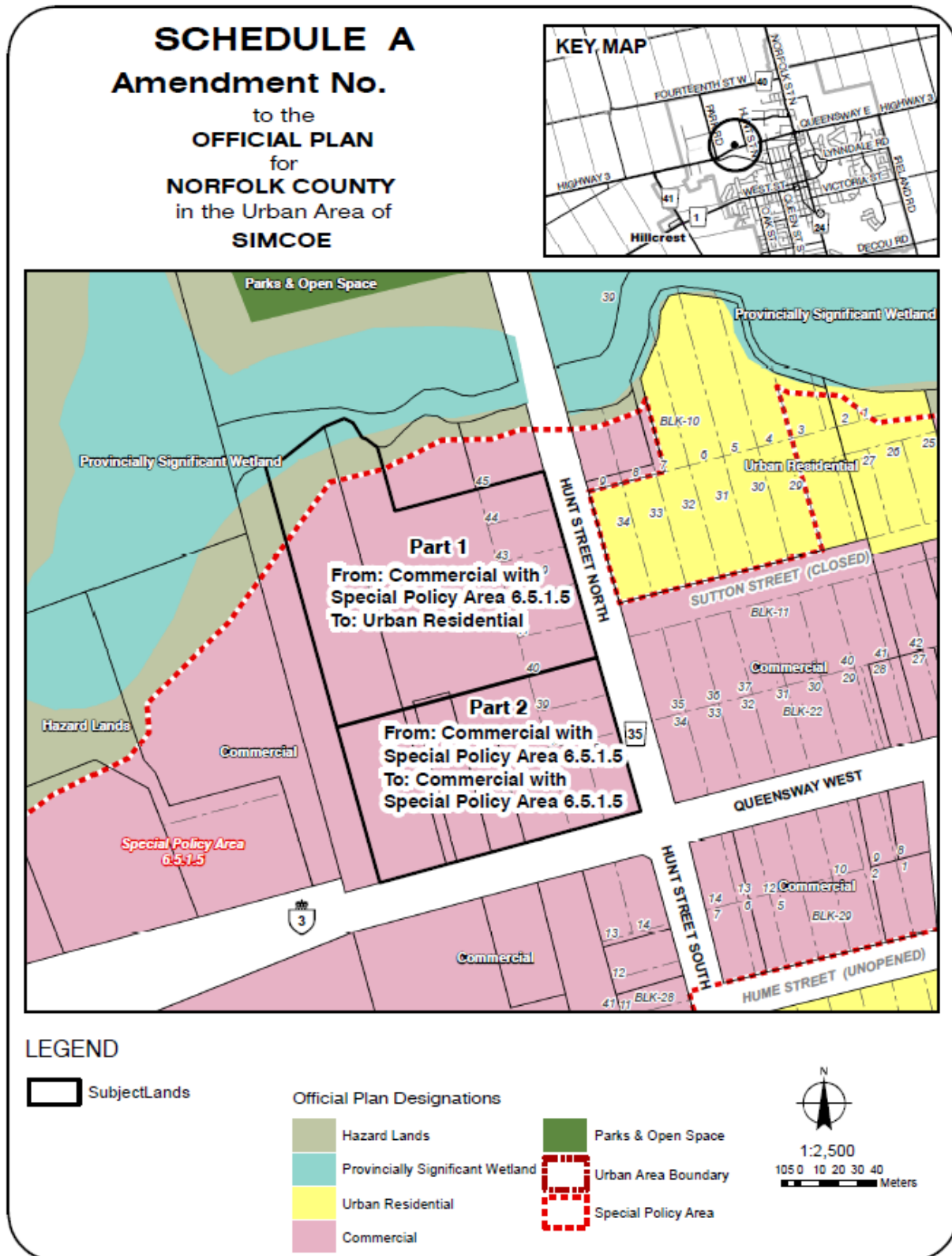
THAT on land designated Urban Residential – Site Specific Policy Area 7.7.3.__ on Schedule "B" to this Plan, permits the construction of townhouse and semi-detached dwelling units.

That the following site specific policy be added to Section 7.11 Commercial Designation.

THAT on land designated Commercial – Site Specific Policy Area 7.11.3__ on Schedule "B" to this Plan, permits the existing Commercial designation to include retail stores, business and personal services, specialty food stores, public and private institutions, college or trade schools, drug stores and professional offices. In addition, a building shall be deemed of commercial character provided the entirety of the ground floor is dedicated to commercial uses, excluding space dedicated exclusively as a lobby entrance or for access to upper floor levels. Additionally, the planned function of the commercial areas is not negatively impacted by residential uses given that the design of the entrances and interior circulation spaces are kept isolated and distinct from commercial spaces, and that sufficient dedicated off-street parking is provided for both residential and commercial uses.

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 HFW Holdings Ltd. «Applicant»
 File Number OPNPL2023206
 Report Number CD 23-054
 Assessment Roll Number 3310403025007000000



The Corporation of Norfolk County

By-Law 27-Z-2023

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 2, Lots 35, 36, and 38 to 44, Block 9, Windham Concession 14, Urban Area of Simcoe, Norfolk County, municipally known as 395 Queensway West., Simcoe.

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 Part 1 of the subject lands identified on Map A (attached to and forming part of this By-Law) from *Service Commercial Zone (CS)* to *Urban Residential Type 4 Zone (R4)*.
2. That Subsection 14 Special Provisions is deleted from Part 1 of the subject lands.
3. That Subsection 14.Special Provisions is hereby further amended by adding new Special Provision 14.1039 to Part 1 of the subject lands as follows:

14.1039 In lieu of the corresponding provisions in the Urban Residential Type 4 (R4) Zone, the following shall apply:

 - a) Maximum building height – 13 meters
 - b) Minimum rear yard setback
 - i. Attached garage – 3 meters
4. That Schedule A of By Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of Part 2 of the subject lands identified on Map A (attached to and forming part of this By-Law) from *Service Commercial Zone (CS)* to *Service Commercial Zone* with amended Special Provision 14.627 as follows.
5. That Subsection 14 Special Provisions is hereby further amended by revising 14. 627 as follows:

14.627 In addition to the uses *permitted* in the *Service Commercial Zone* (CS), the following uses shall also be permitted: dwelling units in a commercial building, a boutique, a college or trade school, a delicatessen and specialty food stores, an office accessory to a shopping centre operation and a retail store.

In accordance with the corresponding provisions of the (CS) zone, the following provisions apply:

h) maximum *building height*: 30 meters or 6 stories.

In accordance with the corresponding provisions of Section 4.0 Off Street Parking, the following provisions apply:

4.9 b) a reduction in residential parking (1.25 parking spaces per dwelling unit);

4.9 uu) commercial parking (1 space per 35 square meters of useable floor area).

6. 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 registration of a site plan agreement to the satisfaction of the General Manager of Community Development (or designate).
7. That this By-Law shall become effective upon final approval of the related Amendment number 159 to the Norfolk County Official Plan.

ENACTED AND PASSED this 17th day of October, 2023.

Mayor A. Martin

County Clerk G. Sharback

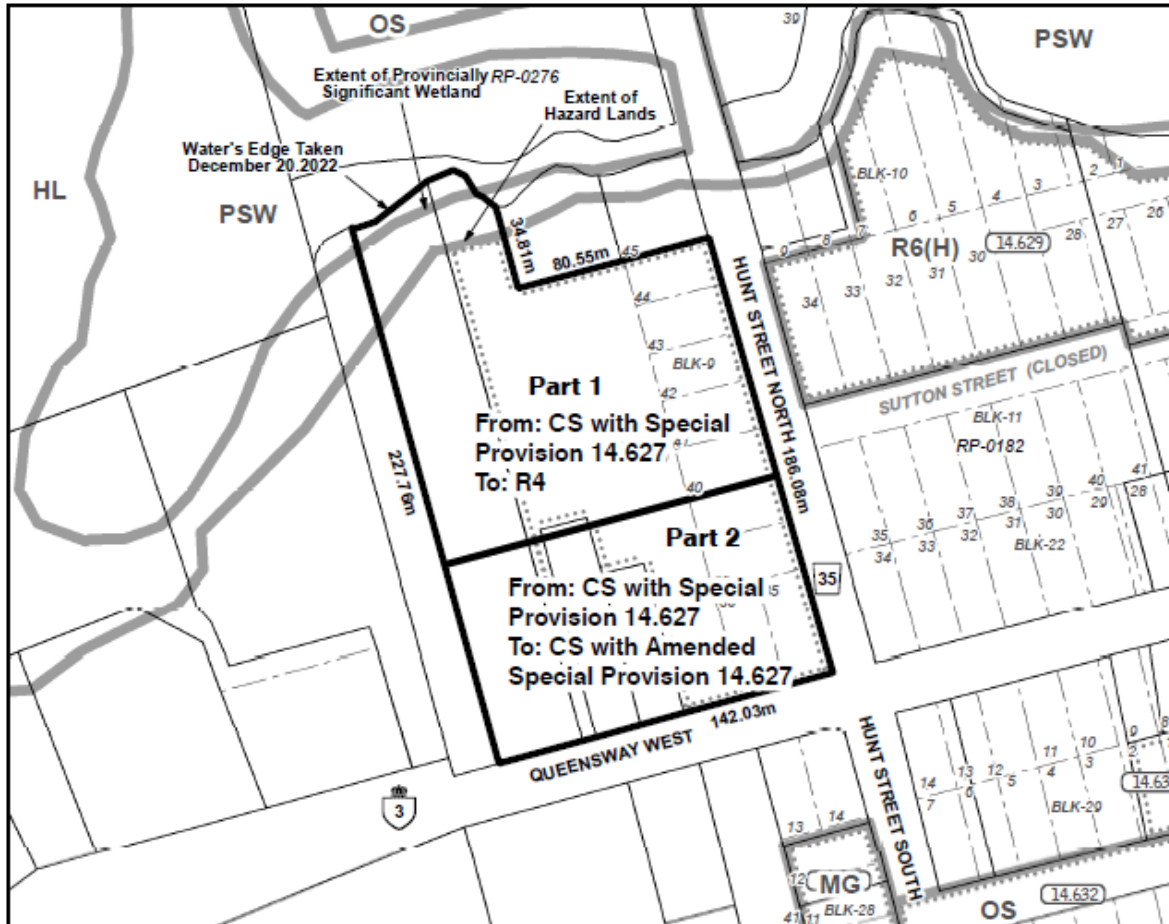
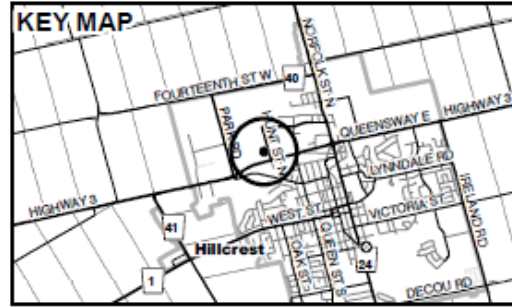
MAP A

ZONING BY-LAW AMENDMENT

NORFOLK COUNTY

In the Urban Area of

SIMCOE



LEGEND

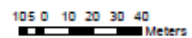
Subject Lands

ZONING BY-LAW 1-Z-2014

- | | | |
|------------------------------|---|--------------------------|
| (H) - Holding | HL - Hazard Land Zone | R6 - Residential R6 Zone |
| OS - Service Commercial Zone | OS - Open Space Zone | |
| MG - General Industrial Zone | PSW - Provincially Significant Wetland Zone | |



1:2,500



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

Mayor: A. Martin

Clerk: G. Scharback

**Explanation of the Purpose and Effect of
By-Law 27-Z-2023**

This By-Law affects a parcel of land described as Part Lot 2, Lots 35, 36, and 38 to 44, Block 9, Windham Concession 14, Urban Area of Simcoe, Norfolk County, located at 395 Queensway West, Simcoe.

The purpose of this By-Law is to change the zoning on Part 1 of the subject lands from Service Commercial (CS) with Special Provision 14.627 to Urban Residential Type 4 (R4) with Special Provision 14.1039. The change would establish a maximum building height of 13 meters and a minimum rear yard setback to facilitate the development proposal to accommodate 38 group townhouses.

In addition, the purpose of this By-Law is to change the zoning on Part 2 of the subject lands from Service Commercial (CS) with Special Provision 14.627 to Service Commercial (CS) with amended Special Provision 14.627 to allow additional permitted uses on the subject lands. This includes dwelling units in a commercial building, a boutique, a college or trade school, a delicatessen and specialty food stores, an office accessory to a shopping centre operation and a retail store. The amended special provision would also allow for a maximum building height of 30 meters or 6 storeys, a reduction in residential parking (1.25 parking spaces per dwelling unit) and commercial parking (1 space per 35 square meters of useable floor area).

The holding “(H)” provision will ensure a development agreement has been executed and registered on title. The Phase 1 and Phase 2 Environmental Site Assessment provided as a part of the application, indicates that an Environmental Risk Assessment can be undertaken to determine if the contaminated soils and groundwater can remain in place without the need for any remediation or engineered controls. A condition of a future development agreement, which may be a part of the future Site Plan Application, is that an Environmental Risk Assessment be completed and that a Record of Site Condition be obtained.