



Working together with our community

## Public Hearings Committee – January 09, 2024

Subject: Development Application ZNPL2023374 – 19 North Street, Courtland.

Report Number: CD 24-002  
Division: Community Development  
Department: Planning  
Ward: Ward 2  
Purpose: For Public Meeting

### Recommendation(s):

That staff Report CD-24-002 for development application ZNPL2023374 be received for information; and

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 December 14<sup>th</sup>, 2023.

### Discussion:

The subject lands are currently designated Urban Residential in the Norfolk County Official Plan and is Zoned General Industrial in the Norfolk County Zoning By-Law 1-Z-2014. The subject lands are located between Highway 58 and Talbot Street, intersecting with North Street in the Urban Area of Courtland. The subject lands are 1.6 hectares (3.95 acres) in size and are currently vacant. The property was previously an Agri-industrial operation and all associated buildings, infrastructure and services have been removed.

To the north of the subject lands are residential uses and agricultural uses as well as the some commercial and institutional uses (Courtland Public School and Grace Family Bible Fellowship). To the west are agricultural uses and to the east are residential uses and Courtland Collectables Antiques Market, Courtland Variety and Café. Lastly, to the south, there are residential uses, commercial uses, open spaces and places of worship.

The Development proposal is to redevelop of the subject lands to allow for the creation of 24 Semi-detached residential dwelling units. The applicant is proposing a Zoning By-Law amendment to change the zoning of the subject lands from General Industrial (MG) Zone to Urban Residential Type 2 Zone (R2) and to add a Special Provision to the subject lands to permit the use of Semi-Detached Dwellings and to accommodate relief of various lot provisions and yard provisions (see Attachments).

Due to the servicing constraints in Courtland and the proposed servicing for the development, staff are of the opinion that the proposed zoning of Hamlet Residential (RH) is more suitable for the subject lands. The property would be zoned Hamlet Residential, with a Special Provision to permit the use of Semi-Detached Dwellings and to accommodate relief of various lot provisions and yard provisions that would be similar to the R2 zone.

An overview summary of the development application(s) that have been submitted for the subject property at 19 Noth Street, Courtland 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 amendment is included as Attachment D.

### **Strategic Plan Linkage:**

This report aligns with the 2022-2026 Council Strategic Priority Building Norfolk.

Explanation: The proposed development will provide additional residential dwellings within the urban boundary of Courtland including townhouse options to enhance housing options in that area.

### **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 Zoning Bylaw Amendment

## Approval:

Approved By:

Brandon Sloan, BES, MCIP, RPP General  
Manager  
Community Development Division

Reviewed By:

Tricia Givens, M.Sc.(PL), MCIP, RPP  
Director of Planning  
Community Development Division Planning  
Department

Prepared By:

Fabian Serra, M.Sc. (PL) Planner  
Community Development Division  
Planning Department

Attachment A - Report CD 24-002  
**Development Application Overview**

# 19 North Street, Courtland

Application File Numbers: ZNPL2023374

Applicant: 2741112 Ontario Inc.

Agent: Carmen Jandu, Arcadis/IBI Group

**Statutory Public Hearing**

Date: January 9<sup>th</sup>, 2024

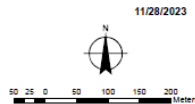
# Site Context

MAP A  
CONTEXT MAP  
Geographic Township of MIDDLETON

ZNPL2023374



Legend  
Subject Lands  
Lands Owned  
2020 Air Photo



## Site Characteristics:

- 1.6 hectares (3.95 acres).
- Located between Highway 58 and Talbot Street, intersecting with North Street in Courtland.
- The property does not consist of the Antique Market.
- Located within the Urban Area of Courtland.
- Property was previously an Agri-industrial operation.
- All buildings, infrastructure and services have been removed.
- The subject lands currently vacant.

## Surrounding Land:

**North:** Residential uses, agricultural uses Courtland Vinyl Windows, Courtland Public School and Grace Family Bible Fellowship.

**East:** Courtland Collectables Antiques Market, Courtland Variety and Café and Residential uses.

**West:** Agricultural.

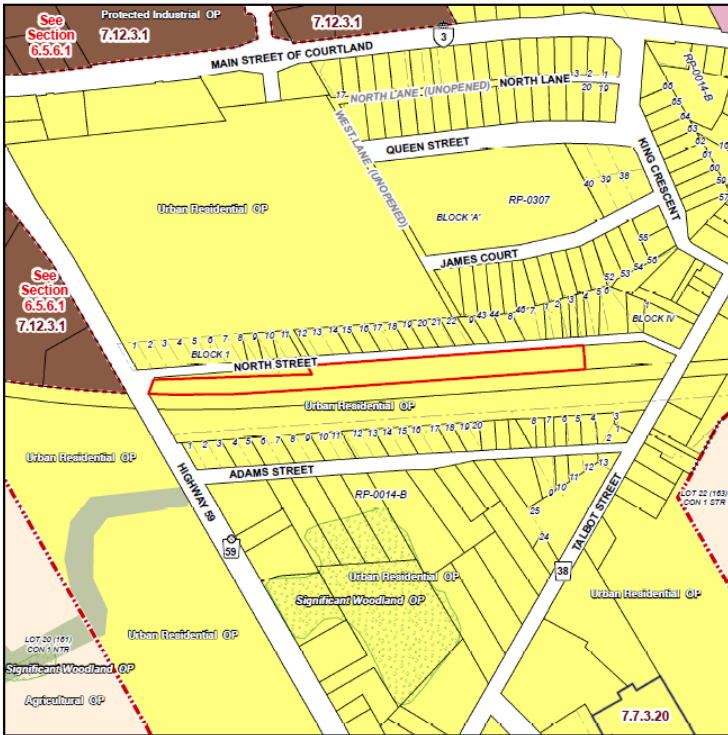
**South:** Residential, Open space, commercial uses and places of worship.

# Site Context

## Official Plan Map

**MAP B**  
OFFICIAL PLAN MAP  
Geographic Township of MIDDLETON

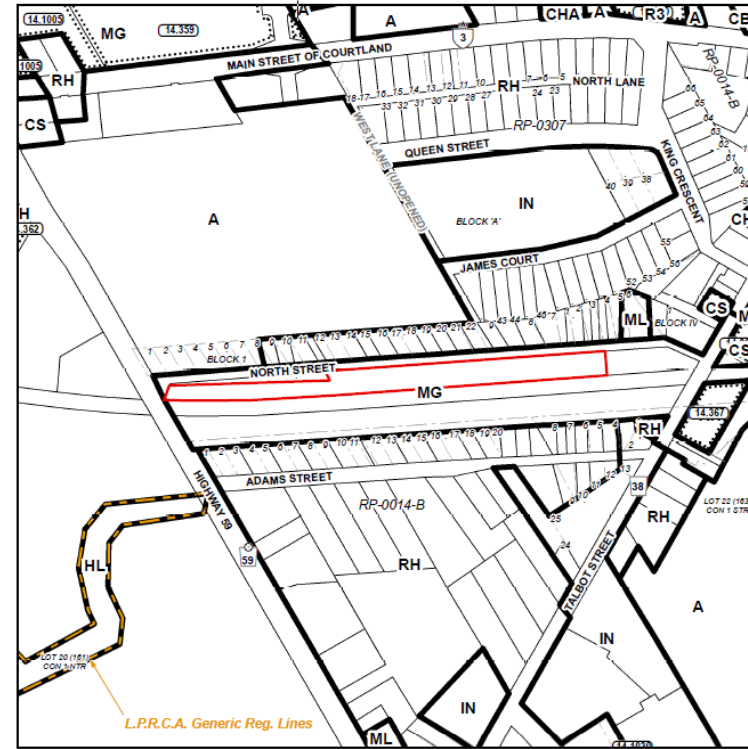
ZNPL2023374



## Proposed Zoning By-law Amendment Map

**MAP C**  
PROPOSED ZONING BY-LAW AMENDMENT MAP  
Geographic Township of MIDDLETON

ZNPL2023374



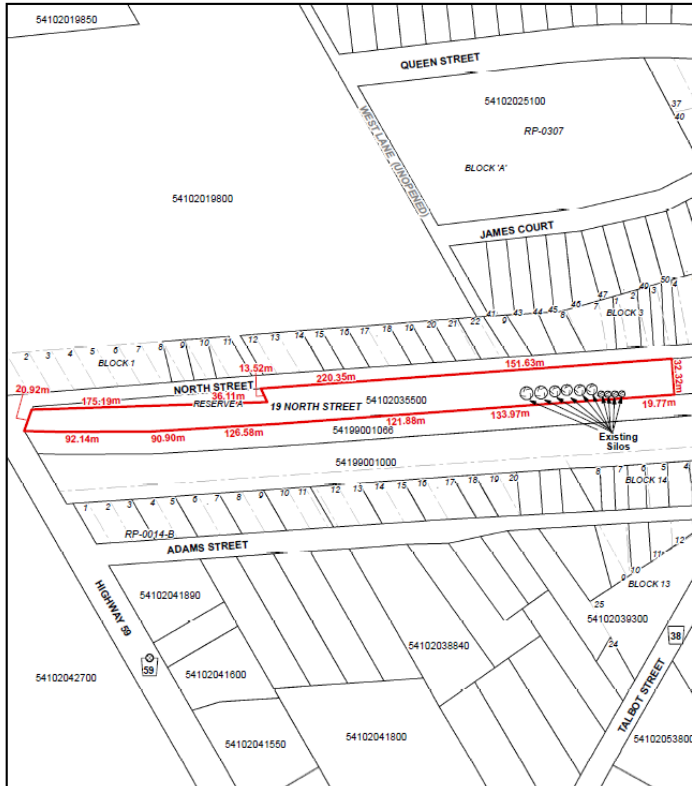


# Development Proposal

## Concept Plan

MAP D  
CONCEPT PLAN  
Geographic Township of MIDDLETON

ZNPL2023374



### Legend

- Subject Lands
- Lands Owned

## Key Features/Proposed Development:

### Development Proposal:

- A Zoning By-law amendment to facilitate the development of 24 Semi-Detached Residential Dwelling Units.

### Proposed Zoning Amendment:

- To change the zoning of the subject lands from General Industrial (MG) Zone to Urban Residential Type 2 (R2).
- To add Semi-Detached Dwellings as a permitted use in the Hamlet Residential Zone through a Special Provision.
- To establish specific zone provisions for Lot area, frontage, side yard setbacks etc.,

# Preliminary Review

## Technical Reports:

- Planning Justification Report (Arcadis, October 2023)
- Traffic Impact Brief (Paradigm Transportation Solutions Limited, August 2023)
- Geotechnical Report (Englobe, January 2022)
- Functional Servicing Report (J.H. Cohoon Engineering Limited, September 2023)
- Record of Site Condition (Ontario, May 2021)
- Site Plan Drawing (J.H. Cohoon Engineering Limited, October 2023)



## Technical Comments:

Technical Comments Pending

**Public Input:** Public input has not been received at this time.



# Preliminary Considerations

Key Items		Preliminary Review
Housing		The subject lands are currently vacant. The applicant is proposing to construct 24 Semi-detached dwelling units.
Parking		The proposed development meets the parking requirements outlined in Section 4 of the Norfolk County Zoning By-Law 1-Z-2014.
Servicing		The proposed 24 Semi-detached dwellings are proposed to be partially serviced. The proposed units are to be connected to municipal water services and each lot would have its own on-site septic tank to provide private waste and wastewater services.

# Next Steps & Recommendation

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

## Public Hearing Committee Report Recommendation:

*THAT staff Report CD 24-002 for development applications ZNPL2023374 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.*

**CD-24-002 – ZNPL2023374 – 19 North Street, Simcoe**

**Attachment B - Planning Policy and Zoning Considerations**

**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, 2020**

The Provincial Policy Statement is intended to be read in its entirety, and the relevant policies are to be applied in each situation. Part IV: Vision for Ontario's Land Use Planning System provides the overall context for Ontario's long-term prosperity and social well-being. It states that efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities.

The subject land is within the settlement area as defined in the Provincial Policy Statement. Section 1.1.3.1 states that Settlement areas shall be the focus of growth and development. Section 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 of the PPS states, "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."

Policy 1.4.3 of the PPS states, "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 through subsections a), b), c) d) e) and f).

The PPS defines Special needs as "any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for

persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.”

Section 1.6 of the PPS outlines policies surrounding Infrastructure and Public Service Facilities. Policy 1.6.1 b) states that infrastructure and public service facilities are to be integrated with land use planning and growth management while meeting current and projected needs.

Section 1.6.6 of the PPS outlines policies surrounding Sewage, Water and Stormwater.

Policy 1.6.6.1 a) outlines that planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

- 1) Municipal sewage and municipal water services; and
- 2) Private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;

Subsection d) outlines that sewage and water services shall be integrated and considered throughout all stages of the planning process.

Policy 1.6.6.2 of the PPS states, that municipal sewage and water services are the preferred form of servicing for settlement areas to minimize potential risks to human health and safety. Within settlement areas existing municipal sewage and water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of services.

Policy 1.6.6.3 of the PPS states, that where municipal sewage and water services are not available, planned or feasible, private communal sewage services and private communal *water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

## **Norfolk County Official Plan**

The subject lands are currently designated “Urban Residential” in the Norfolk County Official Plan.

Section 2.2.3.2 of the Official Plan outlines objectives surrounding Maintaining and Enhancing the Rural and Small Town Character, in which policy e) states that “Develop land use patterns in the Urban Areas that are compact and efficient”.

Section 2.2.4.2 outlines the objectives of maintaining a high quality of life in that the County must provide a variety of housing forms, tenures and levels of affordability through development, redevelopment, intensification and infilling projects.

Section 4.8, of the Norfolk County Official Plan outlines the policies surrounding Potentially Contaminated Sites through subsections a), b) c) d) and e). The County encourages the remediation and redevelopment of identified contaminated sites in accordance with the Environmental Protection Act. Where the redevelopment of land involves a change of use of the property to a more sensitive use, a Record of Site Condition shall be completed.

Section 5.3 b of the Norfolk County Official Plan outlines policies surrounding Housing. This section outlines that the County is to ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change, while meeting the social, health and well-being of both current and future residents, including those with special needs.

***Planning Comments:*** *The proposed semi-detached dwellings will provide a type of housing that is currently in short supply. This development will help the County meet its 15% targets as outlined above.*

Section 5.3.1 Residential Intensification f) outlines a list of criteria in which infill development, intensification and redevelopment of sites is based on. The criteria is as follows:

- i. The development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;
- ii. The existing water and sanitary sewer services can accommodate the additional development;
- iii. The road network can accommodate the traffic generated;
- iv. The proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood;  
and
- v. The proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land.

***Planning Comments:*** *A Traffic Impact Brief (TIB) and Functional Servicing Report (FSR) has been submitted as a part of the application. Greater details within the FSR and TIB may be required during the Site Plan Stage. The proposed residential condominium would provide a high density form of housing within Courtland. The proposed development is an infill development on a uniquely shaped parcel.*

Section 7.7.1 of the Norfolk County Official Plan outlines the permitted uses of the Urban Residential Land Use designation of the Norfolk County Official Plan. Section 7.7.2 a) outlines that “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.

Section 7.7.2 of the Norfolk County Official Plan outlines the land use policies of the Urban Residential Land Use designation of the Norfolk County Official Plan. Section

7.7.2 a) states that “Single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare (uph), save and except for land designated Urban Residential in the Courtland Urban Area, where private servicing limitations shall determine the density of development.

***Planning Comments:*** *The proposal for the 22 semi-detached residential dwellings is proposed to be partially serviced. The proposal aims to utilize municipal water services, however, each respective lot would have an on-site septic tank to provide private waste and wastewater services.*

Section 7.7.2 of the Norfolk County Official Plan outlines the land use policies of the Urban Residential Land Use designation of the Norfolk County Official Plan. Section 7.7.2 c) states that “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. This includes:

- Density;
- Height;
- Character of the development
- The accommodation of amenities such as garbage storage, parking and landscaping;
- Mitigating impacts on surrounding uses through traffic increases and overshadowing;
- Accessibility to open space (parks);
- Proximity to schools; and
- The site is subject to Site Plan Control.

Section 8.9.1 outlines the policies surrounding Services in the Urban Areas of Norfolk County. Subsection c) states, all development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems.

Section 8.9.3 outlines the policies surrounding Servicing allocation and phasing. Subsection a) states, when unallocated servicing capacity does not exist for a proposed development, the County shall defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.

#### **Norfolk County Zoning By-Law 1-Z-2014**

The Subject lands are currently zoned General Industrial Zone (MG) in the Norfolk County Zoning By-Law. Section 7.1.1 outlines the permitted uses within the MG Zone. The MG zone does not allow the use of semi-detached dwellings.



The applicant is proposing a Zoning By-Law amendment to change the zoning of the subject lands from General Industrial (MG) Zone to Urban Residential Type 2 Zone (R2) and to add a Special Provision to the subject lands to permit the use of Semi-Detached Dwellings

The following zoning provisions would require amendments.

Table 1: Zoning Provisions Required/proposed for the proposed Development if Urban Residential Type 2 (R2) Zoning is applied.

Zoning Provision	Required	Proposed	Deficient
Minimum Front Yard Setback	6 meters	4.5 meters to the face of the dwelling	1.5 meters
Minimum Interior Side Yard	3m	1.28 meters	1.72 meters

Staff are proposing that the Hamlet Residential Zoning be applied to the subject lands as it is consistent with the surrounding area within Courtland. Section 5.7.1 outlines the permitted uses within the Hamlet Residential Zone (RH). The permitted uses in the RH Zone are as follows:

- a) *dwelling, single detached*
- b) *bed & breakfast*, subject to Subsection 3.4
- c) *day care nursery*
- d) *home industry*
- e) *home occupation*
- f) *accessory residential dwelling unit*, subject to Subsection 3.2.3 [7-Z-2020]

The Zoning By-Law amendment would change the zoning on the subject lands from General industrial (MG) to Hamlet Residential (RH) with a Holding Provision (H) and a Special Provision to add the use of a semi-detached dwelling as a permitted use and to establish zoning provisions for the use.

**Attachment C: Technical Comments**  
**ZNPL2023374 19 North Street Courtland**

**Zoning:** Reviewed – Comments are as follows:

1. Zoning table provided. Relief required for minimum front yard setback, 4.5 meters proposed (6 meters required)
2. Parking to comply with section 4.0 of the Norfolk County Zoning Bylaw
  - One parking space permitted in front yard, required to be 3.0m X 5.8m
  - Parking space in garage required to be an uninterrupted space (no stairs or landing) of 3.3m X 5.8m
3. Any proposed decks and porches required to comply with section 3.6 of the Norfolk County Zoning Bylaw
  - Deck required to be 1.2 meters from mutual side lot line (5.2.4)

**Building –** Reviewed – Comments are as follows:

The building department has reviewed the proposal and has NO conditions but does have the following comments:

1. The site is serviced by municipal water supply only. The Design will need to comply with OBC Article 7.3.5.7. Spatial Separation in regards to protection of water supply piping. The provisions of this Article are intended to limit the probability that failure of an in-ground building drain or building sewer would lead to the contamination of potable water in a water service pipe.
2. The Design will need to comply with OBC Subsection 3.1.19. Above Ground Electrical Conductors, depending on the voltage, the clearances to the building will vary.
3. The private septic systems will need to meet all OBC clearances from property lines, structures and any possible wells.

No Ontario Building Code review has been completed at this time and will be done at 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 and septic permit stage of the project.

All general permitting inquires: by email: [permits@norfolkcounty.ca](mailto:permits@norfolkcounty.ca) or by phone: 226-NORFOLK (226-667-3655) Ext 6016

**Development Engineering:** Comments Pending.

**Agreement Coordinator:** Reviewed – Comments are as follows:

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

**GIS:** Reviewed – Comments are as follows:

Please contact NorfolkGIS for new civic addresses when building

**Canada Post:** Reviewed – Comments are as follows:

Please be advised that these customers will be serviced by Post office boxes and they will need to go to the Courtland Post office to register for mail delivery and get assigned to a Post office box. Their civic address will not appear in our Canada Post website / database because their mailing address will be a Post office box.

**Paramedic Services:** Reviewed – No comments.

**Realty Services:** Reviewed – No comments.



## The Corporation of Norfolk County

### By-Law 1-Z-2024

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Plan 14B Station Grounds, RP 37R7071 Part 1, Rural Area of Middleton, Norfolk County in the Name of 2741112 Ontario Inc.

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

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

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

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from *General Industrial (MG) Zone* to *Hamlet Residential (RH) Zone* with a holding and Special Provision 14.1047;
2. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by delineating the lands identified as the subject lands on Map A (attached to and forming part of this By-Law) as having reference to Subsection 14.1047;
3. That Schedule 14.1047, (attached to and forming part of this By-Law) be included and form part of By-Law 1-Z-2014;
4. That Subsection 14 Special Provisions is hereby further amended by adding the following:

14.1047 In addition to the uses *permitted* in the *Hamlet Residential (RH) Zone*, a *semi-detached dwelling* shall be *permitted*.

14.1047 In lieu of the corresponding provisions in the *Hamlet Residential (RH) Zone*, the following shall apply:

- a) minimum *lot area*:
  - i. *interior lot* – 447.4 square metres;
  - ii. *corner lot* – 447.4 square meters;

b) minimum *interior side yard*:

i. attached garage – 1.28 metres;

5. That the holding (H) provision of this By-Law shall be removed upon the registration of a Development agreement to the satisfaction of the General Manager of Community Development (or designate).

6. That the effective date of this By-Law shall be the date of passage thereof.

**ENACTED AND PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

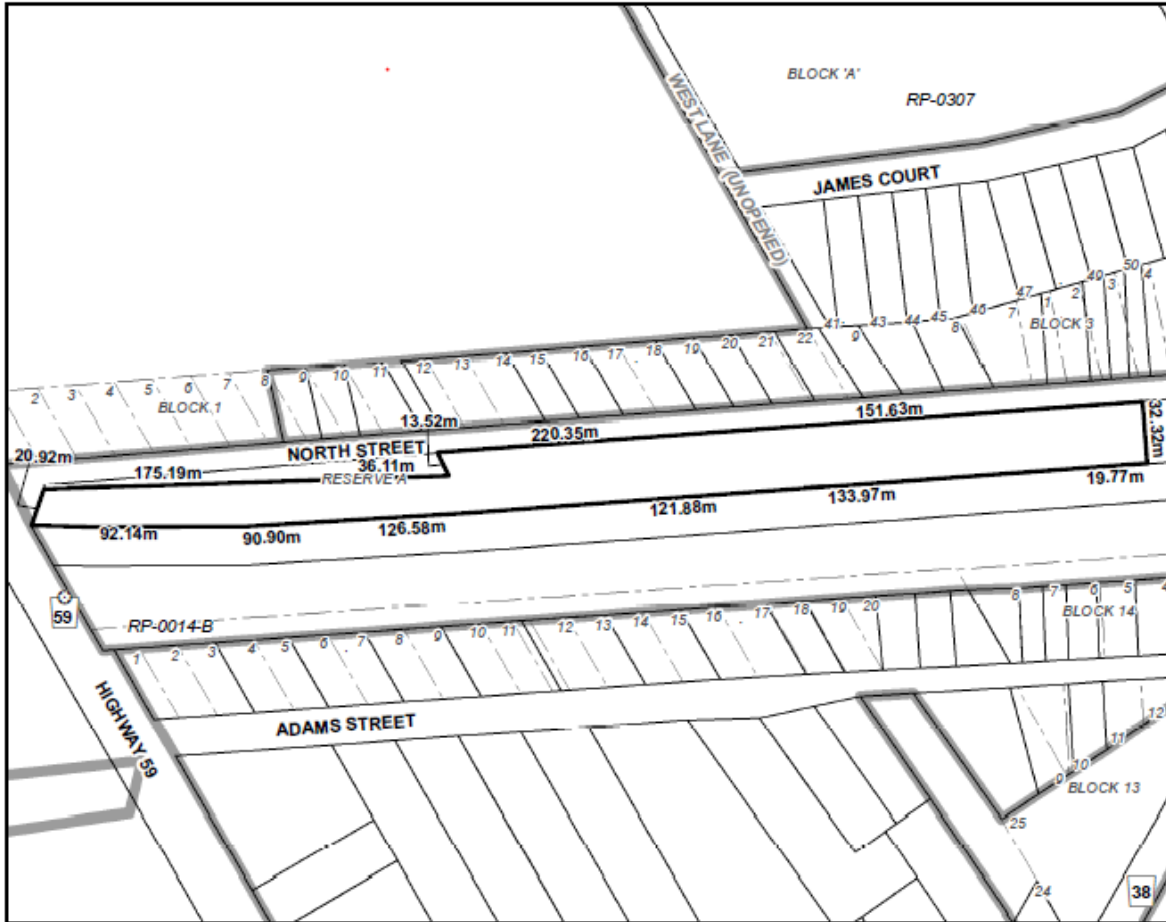
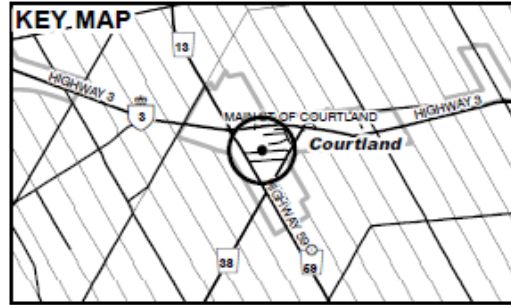
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
County Clerk

# MAP A

## ZONING BY-LAW AMENDMENT NORFOLK COUNTY

In the Geographic Township of  
**MIDDLETON**



### LEGEND

Subject Lands

**From: MG**

**To: RH with Special Provision**

### ZONING BY-LAW 1-Z-2014

(H) - Holding

A - Agricultural Zone

MG - General Industrial Zone

RH - Hamlet Residential Zone

HL - Hazard Land Zone

IN - Neighbourhood Institutional Zone



1:3,200



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 1-Z-2024**

This By-Law affects a parcel of land described as Plan 14B Station Grounds, RP 37R7071 Part 1, Rural Area of Middleton, Norfolk County in the Name of 2741112 Ontario Inc.

The purpose of this By-Law is to change the zoning on the subject lands from *General Industrial Zone (MG)* to *Hamlet Residential (RH) Zone* with a Holding (H) and Special Provision being applied to the subject lands for Special Provision 14.1047 to allow the use of a semi-detached dwelling on the subject lands with the special provisions for lot area and side yard setbacks.

The holding “(H)” provision will ensure a development agreement has been executed and registered on title to the satisfaction of the General Manager of Community Development (or designate).