



Working together with our community

Public Hearings Committee – March 05, 2024

Subject: Development Application ZNPL2024031 proposing to add a special provision in the R2 Zone to add uses including boarding or lodging house, rooming house and group home, to facilitate a supportive housing opportunity for the lands described as 13-15 Ashton Drive, Simcoe.

Report Number: CD 22-24-027
Division: Community Development
Department: Planning
Ward: Ward 5
Purpose: For Public Meeting

Recommendation(s):

That staff Report CD-24-027 for development application ZNPL2024031 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 February 14, 2024.

Discussion:

The applicant is proposing a zoning by-law amendment to facilitate the expanded use of 2 existing semi-detached dwellings for group housing/supported housing.

An overview summary of the development application that has been submitted for the subject property at 13-15 Ashton Drive 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 is included as Attachment E.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority "Foster Vibrant, Creative Communities" and "Build Solid Foundations"

Explanation: Development that results from applications under consideration can help contribute to a vibrant community and support local residents.

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 Policies and Zoning Considerations
Attachment C Technical Comments
Attachment D Public Comments
Attachment E Draft Zoning Bylaw Amendment

Approval:

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

Reviewed By:
Tricia Givens
Director of Planning
Community Development Division
Planning Department

Prepared By:
Andrew Wallace
Planner
Community Development Division
Planning Department

Attachment A - Report CD 24-027
Development Application Overview

13-15 Ashton Drive, Simcoe

Application File Number: ZNPL2024031

Applicant: Haldimand Norfolk Housing Corporation.

Agent: None

Statutory Public Hearing

Date: March 5th, 2024

1

Site Context

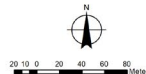
MAP A
CONTEXT MAP
Urban Area of SIMCOE

ZNPL2024031



Legend

- Subject Lands
 - Lands Owned
- 2020 Air Photo



Site Characteristics:

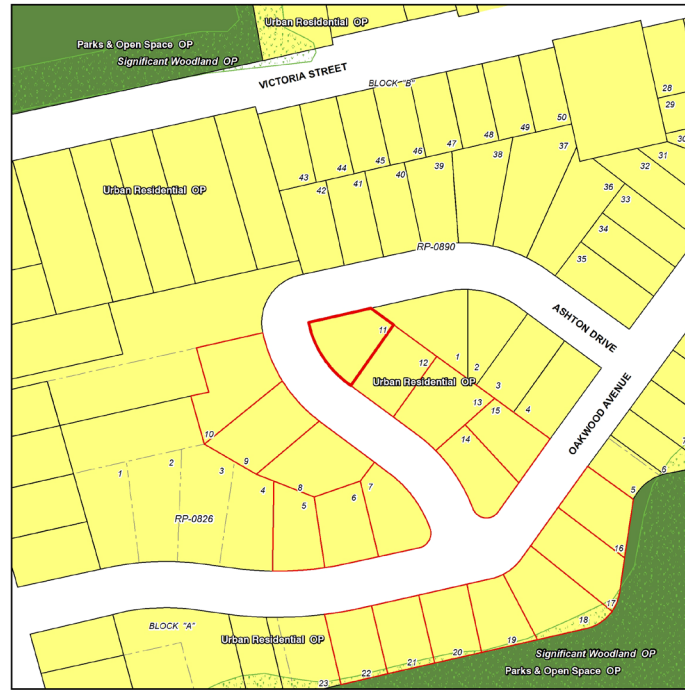
- 566.56 sqm
- Corner lot with boundaries to Ashton Drive on two sides
- Located within the Urban Area of Simcoe.
- A pair of semi-detached residential dwellings are located on the subject lands.

Surrounding Land Use: Residential.

Site Context

Official Plan Map

MAP B
OFFICIAL PLAN MAP
Urban Area of SIMCOE
ZNPL2024031



- Legend**
- Subject Lands
 - Lands Owned
- Official Plan Designations**
- Urban Residential
 - Parks & Open Space
 - Urban Area Boundary
 - Significant Woodland

1/24/2024

Proposed Zoning By-law Amendment Map

MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
Urban Area of SIMCOE
ZNPL2024031



- LEGEND**
- Subject Lands
 - Lands Owned
- ZONING BY-LAW 1-Z-2014**
- (H) - Holding
 - IN - Neighbourhood Institutional 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
 - R5 - Residential R5 Zone
 - R6 - Residential R6 Zone

**From: R2
To: R2 with Special Provision**

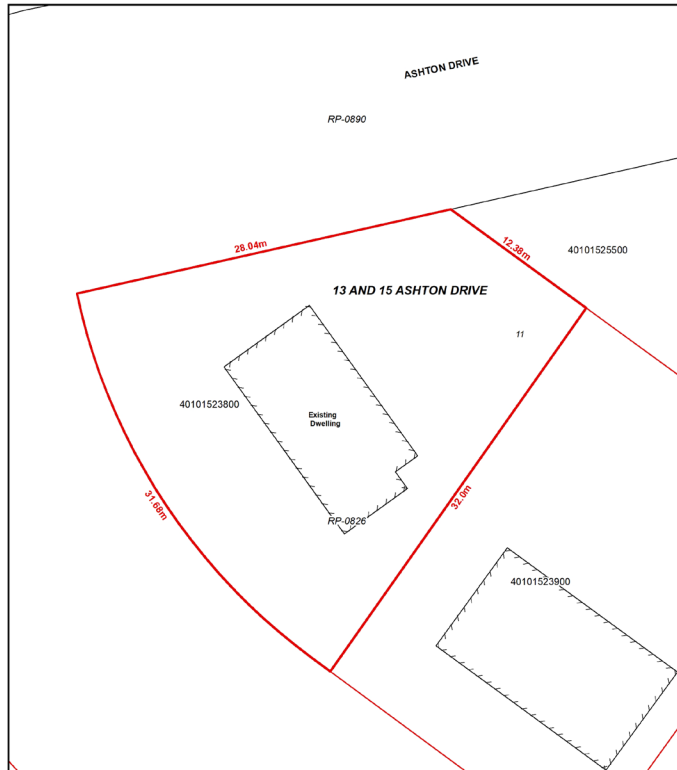
1/24/2024

Development Proposal

Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of SIMCOE

ZNPL2024031



Legend

- Subject Lands
- Lands Owned

Key Features/Proposed Subdivision:

Development Proposal:

- The Development being proposed is to allow for the use of the existing semi-detached dwellings for supported group housing.

Proposed Zoning Amendment:

- The land would remain R2, Urban Residential, with a special provision allowing the use of the land for group housing.
- Zoning provisions for a group home would require 12 parking spaces for the proposed amended use of the two units. 3 parking spaces exist for each unit for a total of 6 spaces, a deficiency of 6 parking spaces.

Preliminary Review

Technical Reports:

- Planning Justification Report/Cover Letter (Haldimand Norfolk Housing Corporation, January 2024)
- Survey Drawing (Ontario Housing Corporation, 1967).
- Site Sketch (Haldimand Norfolk Housing Corporation, January 2024)


Technical Comments:

Technical Comments pending.

Public Input:

No Public input has been received at time of submission of this report and presentation. However, 3 members of the public spoke to the planner on file about the proposal but have not yet submitted any comments.

Preliminary Considerations

Key Items		Preliminary Review
Housing		The subject lands consists of two semi-detached residential dwellings. The existing dwellings are to remain and a special provision is to apply to allow for the use as supported housing/group home.
Parking		The proposed development would not meet the parking requirements of the Zoning By-law.
Servicing		There is no change to the servicing of this site as the number of units remains unchanged.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD-24-027 for development applications ZNPL2024031 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 E

Existing Policies 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 3 of the Planning Act requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

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

Consistency with the Provincial Policy Statement – 2020

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, which is intended to be complemented by local policies addressing local interests. The PPS promotes healthy, livable and safe communities through the efficient use of land throughout the Province of Ontario.

The PPS 2020 promotes strong, 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.

Conformity with the Official Plan

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

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

Planning Comments: The proposed use for group housing/supported housing will be further reviewed for the alignment with this housing policies.

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;

- the existing water and sanitary sewer services can accommodate the additional development;
- the road network can accommodate the traffic generated;
- the proposed development shall be compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
- the proposed development shall be consistent with the policies of the appropriate Land Use Designation associated with the land.

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

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

The subject lands are currently zoned as “Urban Residential Type 2 (R2)”.

Permitted Uses in R2-A zone:

- a) *dwelling, single detached*
- b) *dwelling, semi-detached*
- c) *dwelling, duplex*
- d) *bed & breakfast*, subject to Subsection 3.4
- e) *day care nursery*
- f) *home occupation*
- g) *accessory residential dwelling unit*, subject to Subsection 3.2.3.

Planning Comments: The proposed use does not fall under the existing Zoning provisions in terms of use as communal supported housing/group home. It should be noted that the application stated they were seeking permission for Group Housing, Rooming House and Boarding House. However, based on the definitions from the Zoning Bylaw, they would only require permission for the group home, could use the property as a rooming house with 4 or fewer residents and could not operate a boarding house.

“BOARDING OR LODGING HOUSE” shall mean a single detached dwelling, with or without meals, for lodging or sleeping accommodation and may provide communal but not individual cooking facilities. The dwelling shall be occupied by the proprietor and shall provide accommodation for no more than ten (10) individuals including the proprietor’s family. A boarding or lodging house does not include a hotel or bed & breakfast. The ‘proprietor’ of these properties will not be occupying these dwellings and as such, this cannot be considered an appropriate use.

“ROOMING HOUSE” shall mean a single detached dwelling not exceeding 600 square metres in area containing individual rooms rented, with or without meals, for lodging or

sleeping accommodation and may provide communal but not individual cooking facilities. A rooming house does not include a hotel or bed & breakfast. The definitions in terms of zoning versus building code definitions would suggest that this use could be carried out without the requirement for planning given no more than 4 people would be resident in either unit.

“GROUP HOME” shall mean a building that is licensed or funded for the accommodation of two (2) to ten (10) individuals, exclusive of staff, living with support and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing. This is the proposed use of the land as described in the submitted documentation and would require planning approval.

Section 4.9.d) would require a minimum parking requirement of 2 parking spaces per dwelling unit plus 1 parking space for each room for boarders.

Planning Comments: The proposed end users of this supported housing are vulnerable and would be highly unlikely to have access to vehicles. The existing parking on site is considered to be adequate for the proposed use.

ATTACHMENT C

Technical Comments

Agreements Coordinator – Reviewed

No Comments.

GIS – Reviewed

No requirements from GIS.

Development Engineering – Reviewed

Development Engineering has reviewed application **ZNPL2024031** and have the following comments.

1. Water / wastewater allocation will not be issued as part of the Zoning By-Law Amendment as there is no increase in servicing being proposed to the property at this time. If any future upsize in servicing is proposed at this site, all applicable permits and inspections are to be issued by Public Works.
2. As per Norfolk County By-Law 2013-65, only one domestic water service pipe and one water meter shall be installed per lot.

Zoning – Reviewed

Our zoning bylaw does not allow the counting of off-street parking as a parking space. As per parking bylaw section 4.9(d) 2 parking spaces are required for the dwelling unit, plus 1 parking space for each room for boarders. A parking lot layout on this lot has not been provided, they may be deficient in parking spaces on this lot for [the proposed use].

The application states there will be 4 tenants, therefore the parking spots required will be 6 in total.

Building – Reviewed

The building department has reviewed the proposal and has NO conditions.

Unfortunately, the OBC definition (see Below) of a Boarding, lodging or rooming house are not in line with the definition proposed in this application, therefore so long as there are no more than 4 persons and the accommodations are shared kitchen and bathrooms the use remains as a dwelling unit.

Boarding, lodging or rooming house means a building,

(a) that has a *building height* not exceeding three *storeys* and a *building area* not exceeding 600 m²,

(b) in which lodging is provided **for more than four persons** in return for remuneration or for the provision of services or for both, and

(c) in which the lodging **rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.**

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

Fire – Reviewed

Norfolk Fire has the following comment(s) for this application:

- Haldimand Norfolk Housing Corporation will need to contact the Fire Prevention Officer, Cory Armstrong-Smith, to discuss Fire Code requirements associated with these proposed uses to ensure the safety of the occupants.

Social Services and Housing – Reviewed

Health and Social Services has a vested interest in new developments in Haldimand/Norfolk County from a number of perspectives that can impact the health of the community. Our comments for this proposal are as follows:

Housing services:

Service manager consent is being submitted to MMAH for this project.

Provided the proposed development meets the intent and purpose of applicable policy, by-laws, codes and servicing capacity, Housing Services is supportive of the establishment of new supportive affordable housing in the community.

Canada Post – Reviewed

Please be advised that Canada Post does not have any comments on this application for rezoning a semi detached dwelling into lodging / boarding house / group home as this will not affect mail delivery. Since the units will not be their own contained fully functional units, there will only be 1 delivery address associated to this address for mail delivery.

Realty Services – Reviewed

Realty Services notes that there are Restrictive Covenants registered on title to this property as NR557432Z (copy attached). The Property Owner must ensure that this document (specifically paragraph "vi" therein) is complied with in their project.

ATTACHMENT D

Public Comments

To date, three members of the public who were notified about the proposed development have come to the office for further information. They were asked that should they have any comments to make, to write to Planning to lodge these formally. The concerns raised during these discussions were related to impact on property values and concerns about increased anti-social behavior in the area.

From: Toni Wallace
Sent: Thursday, February 15, 2024
To: DCS Planning General Email
Subject: In regards to rezoning at 13-15 Ashton in Simcoe

Hello to whom this may concern,

It has been brought to our attention that there is a plan to transition geared income housing into a recovering house for 8 recovering addicts??

This is completely concerning for a number of reasons.

1. I find it very interesting that the older population on this street and surrounding streets has received some sort of notice about this and people within the community with young children have not been notified of these possible changes.
2. We decided to move to Simcoe from Brantford where addictions are getting out of control to ensure a nice and safe environment for our young child. We also, were lucky to be able to buy a house in this area and one of its highlights was the small parks, the close schools, its cleanliness, kind neighbours and what appears to be a nice safe area and quietness.
3. I also, find it very inconsiderate that our children's safety has not been in the front of the city's mind or our elderly population... how do we know these people in recovery aren't previous sex offenders, pedophiles?, thieves, how do we know our children and elderly will be safe walking to the park and playing and not being preyed upon?
4. From seeing with my own two eyes what's going on in Brantford for example that people struggling from addiction bring company, filth and uncleanly environments (needles, other types of drugs, general garbage) this is really unsettling to me.
5. This is currently a safe and clean area and I'm afraid that addictions also most times bring around people who steal and everyone on this street works hard for what little they have and just for the general safety of young families. I'm just worried about our safety to be honest.

This is just very disappointing that the general populations feelings within this area have not been considered or genuinely taken into account the safety of our children has definitely not been considered, or the elderly. Why else would you think this would be an acceptable or an appropriate place? Putting a recovery house right beside a children's park?and within feet from a catholic and public school?

A letter sent to one of neighbours it was stated that there would be minimal supervision that isn't or wouldn't be enough to ensure the general public's safety. Also and I quote "by introducing this zoning we begin to diversify the neighbourhood" this is the most foolish thing I have ever read.

Put this Diversity in an area closer to the police station, social care unit, by the hospital, or maybe closer to the planning building? Those seems like more reasonable locations to have people who are recovering ! not recovered.

This is the first I have ever written a letter like this, I don't agree with what is going on.

I am speaking up for the ones that can't or won't. My first thought is for the safety of my child, future children and the other vulnerable children of this neighbourhood.

Also, want to add we need geared housing for families struggling to afford rent don't take away possible housing for them and please don't make this area of Simcoe unsafe.

I for one along with my family are not in agreement with this possible decision.

Sincerely Toni Wallace and family

From: Rick Purchase

Sent: Tuesday, February 13, 2024

To: DCS Planning General Email

Subject: Rezone application for 13-15 Ashton Drive Simcoe Ont

Concerns: As the proposed new tenants have shown by their past life styles to have "VERY QUESTIONABLE" behavior, my main concerns are as follows.

1 - Many young children walking to and from the 2 elementary schools in the immediate area pass within meters of the property.

2 - 13-15 Ashton Drive is "DIRECTLY" across the street from the only green space/park in the neighborhood, and is "RIGHT" beside a group of Canada Post mail boxes. There is "NO WAY" residents can use these facilities and feel as secure as they do now without this rezoning.

3 - As a previous planning board allowed this neighborhood to be developed "WITHOUT SIDEWALKS", on street parking is already a problem when walking. This rezoning can only increase the risk to pedestrians.

Comments: I have made the effort to read the entire contents of the of the file in question at the planning office. Near the end of the file the “APPLICANT REPRESENTATIVE” states as follows. By introducing this zoning we “BEGIN TO DIVERSIFY” the neighborhood. What’s “NEXT”? This is currently a fairly desirable residential neighborhood of mainly “SENIORS” and “YOUNG FAMILIES”. This type of rezoning will begin to “DESTROY” our quality of life.

In closing I feel I must inform the planning board I am already researching the process to submit an appeal to the Ontario Land Tribunal should this rezoning be allowed.

Kind regards,

Rick Purchase – property owner

From: Andrea McCoy
Sent: Monday, February 12, 2024
To: DCS Planning General Email
Subject: Oakwood Avenue Area Rezoning

I would like to bring forth a concern regarding a rezoning issue for the property near the park on Ashton Street.

I understand that a building will be rezoned to use as transitional housing. While I understand the need to help these people, our neighborhood is full of young families with children and older folk. This is most certainly NOT the appropriate location for this type of housing.

I would ask that you please reconsider especially for the safety of the many children in this area. We have a 9 year old and adding housing of this sort to our neighborhood will just make this area unsafe for him.

Please feel free to contact me if you have any questions.

Andrea McCoy



The Corporation of Norfolk County

By-Law **XX-Z-2024**

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Plan 826 Lot 11 IRREG C.14AC 112.58FR, Urban Area of Simcoe, Norfolk County, municipally known as 13-15 Ashton Drive, Simcoe.

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

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

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

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from *Urban Residential Type 2 Zone (R2)* to *Urban Residential Type 2 Zone (R2)* with a Special Provision.
2. That Subsection 14.Special Provisions is hereby amended by adding new Special Provision 14.1052 to the subject lands as follows:

14.1052 In lieu of the corresponding provisions in the Urban Residential Type 2 (R2) Zone, the following shall apply:
 - a) The site can be used for:
 - i. *Group Home*
 - b) Minimum parking spaces for *Group Home*:
 - i. 3 parking spaces per unit (to a total of 6 for the subject lands);
3. That this By-Law shall become effective upon final approval of this file.

ENACTED AND PASSED this **5th day of March, 2024.**

Mayor A. Martin

County Clerk G. Sharback

MAP A

ZONING BY-LAW AMENDMENT

NORFOLK COUNTY

In the Urban Area of

SIMCOE

LEGEND

Subject Lands

From: R2
To: R2 with Special Provision

ZONING BY-LAW 1-Z-2014

(H) - Holding

R1-B - Residential R1-B Zone

R2 - Residential R2 Zone

1:250

Meters

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 of the subject lands from Urban Residential Type 2 Zone (R2) to Urban Residential Type 2 Zone (R2) with a Special Provision to allow accommodation up to 8 (eight) individuals living with daily, weekly and monthly support and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing. The Special Provision 14.1052 also permits a reduced parking requirement with a minimum of 6 parking spaces.