



Working together with our community

Public Hearings Committee – May 07, 2024

Subject: Development Application ZNPL2024008 proposing to extend Temporary Zoning By-Law 50-Z-2018 to continue the use of a garden suite for a period of 3 years for the lands described as 145 Teeter Street.

Subject: Development Application ZNPL2024009 proposing to extend Temporary Zoning By-Law 5-Z-2020 to continue the use of a garden suite for a period of 3 years for the lands described as 275 Norfolk County Road 13.

Subject: Development Application ZNPL2024010 proposing to extend Temporary Zoning By-Law 63-Z-2018 to continue the use of a garden suite for a period of 3 years for the lands described as 316 Charlotteville West Quarter Line Road.

Report Number:	CD 24-049
Division:	Community Development
Department:	Planning
Ward:	Multiple Wards
Purpose:	For Public Meeting

Recommendation(s):

That staff Report CD-24-049 for development application(s) ZNPL2024008, ZNPL2024009, and ZNPL2024010 be received for information; and

That any comments received as part of the statutory public meeting be considered as part of the decision process; and

That the zoning bylaws for applications ZNPL2024008, ZNPL2024009, and ZNPL2024010 shall be completed in accordance with By-law 2022-106 which assigns delegated approval to the Director of Planning for these types of applications.

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 the Director of Planning making a final decision on the applications.

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 each site on March 13, 2024.

Discussion:

The three subject applications are proposing the extension of applicable Temporary Zoning By-Laws to continue the use of existing garden suites for a period of 3 years.

Due to the nature of these applications, they are being presented in one staff report; with the public hearing to address each of the three applications. An overview summary of the development applications that have been submitted for the subject properties at 145 Teeter Street, 275 Norfolk County Road 13, and 316 Charlotteville West Quarter Line Road is contained within Attachment A. This includes an outline of the site contexts, the applications and technical reports, any technical or public feedback to date, and overview of development considerations. The submitted or draft by-laws is/are included as Attachments E, F, and G

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 decision will be made by the Director of Planning under delegated authority as per By-law 2022-106 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 Public Comments
Attachment E Draft By-Law for File ZNPL2024008
Attachment F Draft By-Law for File ZNPL2024009
Attachment G Draft By-Law for File ZNPL2024010

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:
Kendall Wharton, BEDP
Junior Planner
Community Development Division
Planning Department

Attachment A - Report CD 24-049
Development Application Overview

Extensions of Temporary Use By-laws

Application File Number:
ZNPL2024008

Applicant:
Angela McComb

Agent: None

Application File Number:
ZNPL2024009

Applicant:
Rhonda Leigh Vanderven

Agent: None

Application File Number:
ZNPL2024010

Applicant:
Wendy Gee

Agent: None

Statutory Public Hearing
Date: May 7th, 2024

Site Context: ZNPL2024008

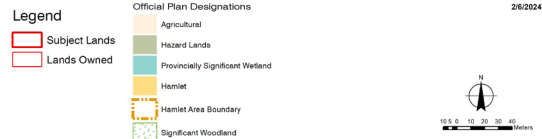
MAP A
CONTEXT MAP
Geographic Township of WINDHAM

ZNPL2024008



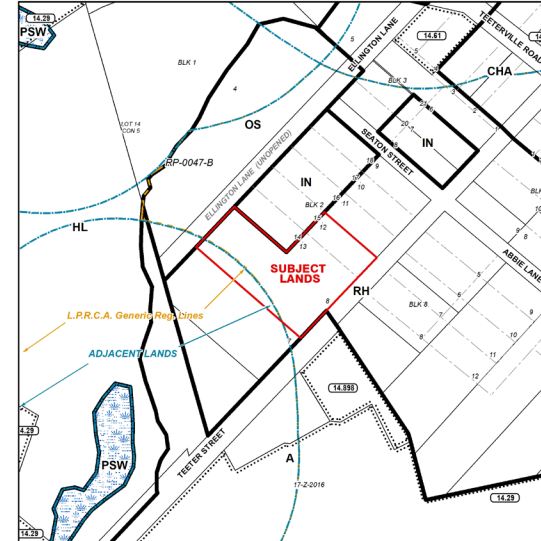
MAP B
OFFICIAL PLAN MAP
Geographic Township of WINDHAM

ZNPL2024008



MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
Geographic Township of WINDHAM

ZNPL2024008



Site Characteristics:

- 0.61 hectares
- Frontage onto Teeter Street
- Located within the Hamlet of Teeterville
- A single detached dwelling, detached garage, and garden suite exist on the property

Surrounding Land Uses:

Residential and Agricultural

Address:

145 Teeter Street

Site Context: ZNPL2024009

MAP A
CONTEXT MAP
Geographic Township of MIDDLETON

ZNPL2024009



Legend
 Subject Lands
 Lands Owned
 2020 Air Photo

MAP B
OFFICIAL PLAN MAP
Geographic Township of MIDDLETON

ZNPL2024009

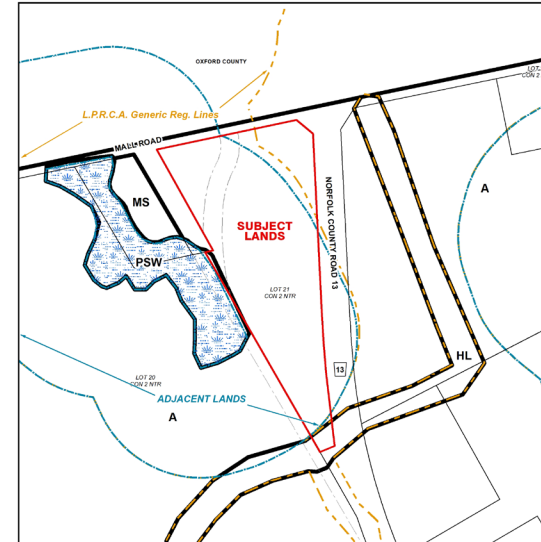


Legend
 Subject Lands
 Lands Owned

Official Plan Designations
 Agricultural
 Hazard Lands
 Provincially Significant Wetland
 Significant Woodland

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

ZNPL2024009



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

ZONING BY-LAW 1-Z-2014
 (H) - Holding
 A - Agricultural Zone
 HL - Hazard Land Zone
 PSW - Provincially Significant Wetland Zone
 MS - Special Industrial Zone

Site Characteristics:

- 3.38 hectares
- Frontage onto Norfolk County Road 13 and
- A single detached dwelling, detached shop, detached barn, and garden suite exist on the property

Surrounding Land Uses:

Agricultural, Hazard Lands, Provincially Significant Wetland

Address:

275 Norfolk County Road 13

Site Context: ZNPL2024010

MAP A
CONTEXT MAP
Geographic Township of CHARLOTTEVILLE

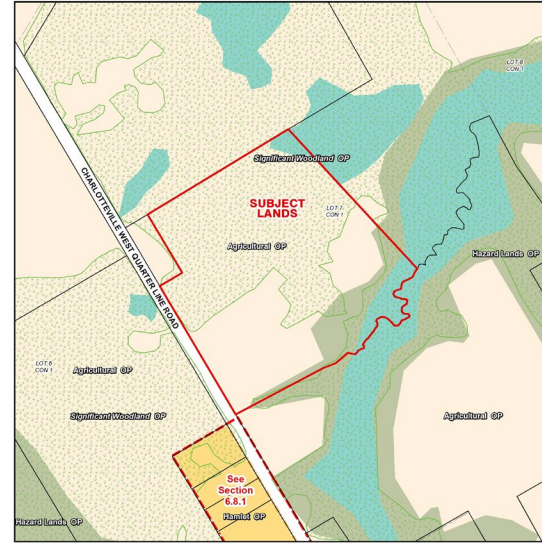
ZNPL2024010



Legend
 Subject Lands
 Lands Owned
 2020 Air Photo

MAP B
OFFICIAL PLAN MAP
Geographic Township of CHARLOTTEVILLE

ZNPL2024010

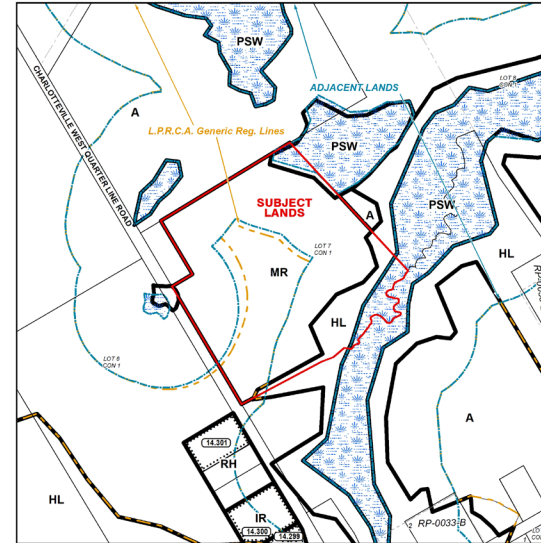


Legend

 Subject Lands	 Agricultural	 Special Policy Area
 Lands Owned	 Hazard Lands	 Hamlet Area Boundary
	 Provincially Significant Wetland	 Significant Woodland
	 Hamlet	

MAP C
PROPOSED ZONING BY-LAW AMENDMENT MAP
Geographic Township of CHARLOTTEVILLE

ZNPL2024010



LEGEND

 Subject Lands	 Lands Owned	 L.P.R.C.A. Generic Reg. Lines
 Adjacent Lands	 Wetland	

ZONING BY-LAW 1-Z-2014

(H) - Holding	A - Agricultural Zone
RH - Hamlet Residential Zone	HL - Hazard Land Zone
PSW - Provincially Significant Wetland Zone	MR - Rural Industrial Zone
IR - Rural Institutional Zone	

Site Characteristics:

- 11.35 hectares
- Frontage onto Charlotteville West Quarter Line Road
- Located just north of the Hamlet of Forestville
- A single detached dwelling, various outbuildings, and garden suite exist on the property

Surrounding Land Uses:

Residential, Agricultural, Hazard Lands, Provincially Significant Wetland

Address:

316 Charlotteville West Quarter Line Road

Preliminary Review


Technical Comments:

- No comments on any file from Development Engineering.
- No comments on any file from Zoning.
- No comments on any file from Building.

Public Input:

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

Preliminary Considerations

Key Items		Preliminary Review
Housing		Each subject property contains an existing garden suite. The intent is for the use of the garden suite to continue for an additional period of 3 years through a temporary use by-law.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

That staff Report CD-24-049 for development application(s) ZNPL2024008, ZNPL2024009, and ZNPL2024010 be received for information; and

That any comments received as part of the statutory public meeting be considered as part of the decision process; and

That the decision for these applications is made by the Director of Planning or designate through delegated approval as per By-law 2022-106.

ATTACHMENT B 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 1.4.3, 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 existing garden suites intended for temporary use extensions are within the designated area of “Agricultural” and “Hamlet” in the Norfolk County Official Plan.

Section 9.4.4 relating to Temporary Use By-laws states that the County may pass a temporary use by-law to allow a use otherwise prohibited by the Zoning By-law. This by-law will define the land to which it applies, for a prescribed period of time.

Extensions may be permitted through the passing of further by-laws, subject to the specific policies of the Official Plan and the following considerations:

- The compatibility of the proposed use with the surrounding land uses;
- The adequacy of and serviced required for the use;
- Access and parking requirements;
- Traffic impacts; and
- The conformity of the proposed temporary use with the policies of the Official Plan

Planning Comments: All three applications are for the extension of the use of an existing garden suite. Each is located within a permitted designation, with ZNPL2024008 being located within the Hamlet designation, and ZNPL2024009 and ZNPL2024010 being located within the Agricultural designation. The potential extensions will be reviewed according to the above noted criteria to ensure that an extension of the use is appropriate in each case.

Section 5.3.3 related to special housing forms includes garden suites as a type of special housing.

Under this policy, the proposed special housing form must have regard for the surrounding neighbourhood and shall be compatible with it. The Zoning By-law shall provide the standards to ensure compatibility.

Section 5.3.3.2 refers specifically to garden suites (also referred to as “granny flats”), and outlines the policies that shall apply:

- A maximum of one garden suite shall be permitted per lot and shall only be permitted in association with a single-detached dwelling in the Agricultural or Hamlet Designations.

- A garden suite cannot be located on a lot that contains another form of special housing, such as an Accessory Residential Dwelling Unit (ARDU) or mobile home.
- The Province's Minimum Distance Separation Formulae shall apply, where appropriate.
- The development of a garden suite shall be subject to the following criteria:
 - the exterior design of any proposed unit in terms of height, massing, scale and layout shall be consistent with the present land uses in the neighbourhood;
 - the siting of the unit and any related features shall have a minimal effect on light, view and privacy of adjacent yards;
 - the garden suite shall not be placed in the front yard or the required front yard as set out in the Zoning Bylaw;
 - the garden suite does not require an additional separate access to a municipal road;
 - adequate parking can be provided on site;
 - the garden suite, if situated on a farm, shall be sited near to the principal farm residence;
 - the garden suite is well removed from potential land use conflicts such as animal operations and operating pits and quarries; and
 - the site can accommodate a potable water supply system and be serviced by an on-site waste water disposal system designed and installed as per the Ontario Building Code.
- Garden suites shall be permitted by way of Temporary Use By-laws for a period of 11 years, renewable for further periods of up to 3 years, in accordance with the policies of Section 9.4.4 of the Official Plan and Section 39 of the *Planning Act*.
- In addition to the requirements of Section 9.4.4, the County must be satisfied that:
 - a legitimate and justified need exists to accommodate a person in a separate garden suite unit that is in close proximity to the principal unit;
 - the use is temporary and shall only be required for a limited period of time; and
 - the unit must be removed once the legitimate need no longer exists.

Planning Comments: The proposed garden suite extension applications will be tested with the above noted evaluation criteria.

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

The subject lands for application ZNPL2024008 are currently zoned as "Hamlet Residential". The subject lands for applications ZNPL2024009 are currently zoned as "Agricultural". The subject lands for ZNPL2024010 are currently zoned "Rural Industrial".

All three zones do not permit a garden suite as a use as of right.

Planning Comments: The proposed use does not fall under the existing Zoning provisions in terms of use and would require the passing of a Temporary Use Zoning By-law for the continued use of the existing garden suites.

Section 3.2.3 f) of the Zoning By-law states that:

“only one (1) accessory residential dwelling unit is permitted on a lot occupied by a primary dwelling unit. Where an accessory residential dwelling unit is located on a lot, none of a garden suite, a boarding or lodging house, or rooming house are permitted on that lot. If a garden suite a boarding or lodging house, or rooming house already exists on a lot, an accessory residential dwelling unit is not permitted”.

Planning Comments: The subject properties do not contain accessory residential dwelling units, allowing the existence of the garden suites to continue provided that all other requirements as set out in this report are met.

ATTACHMENT C

Technical Comments

Development Engineering – Reviewed

ZNPL2024008 – Development Engineering has reviewed application **ZNPL2024008** and have no comments.

ZNPL2024009 – Development Engineering has reviewed application **ZNPL2024009** and have no comments.

ZNPL2024010 – Development Engineering has reviewed application **ZNPL2024010** and have no comments.

Zoning – Reviewed

ZNPL2024008 – No comments from Zoning.

ZNPL2024009 – No comments from Zoning.

ZNPL2024010 – No comments from Zoning.

Building – Reviewed

ZNPL2024008 – The building department has reviewed the proposal and has NO conditions.

ZNPL2024009 – The building department has reviewed the proposal and has NO comments or conditions.

ZNPL2024010 – The building department has reviewed the proposal and has NO comments or conditions.

ATTACHMENT D

Public Comments

To date, no comments have been received from members of the public who were notified about the proposed developments.



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 Lot 8 12A, Block 2, Plan 47B, Geographic Township of Windham, Norfolk County, municipally known as 145 Teeter Street.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 39(1) (Temporary Uses) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

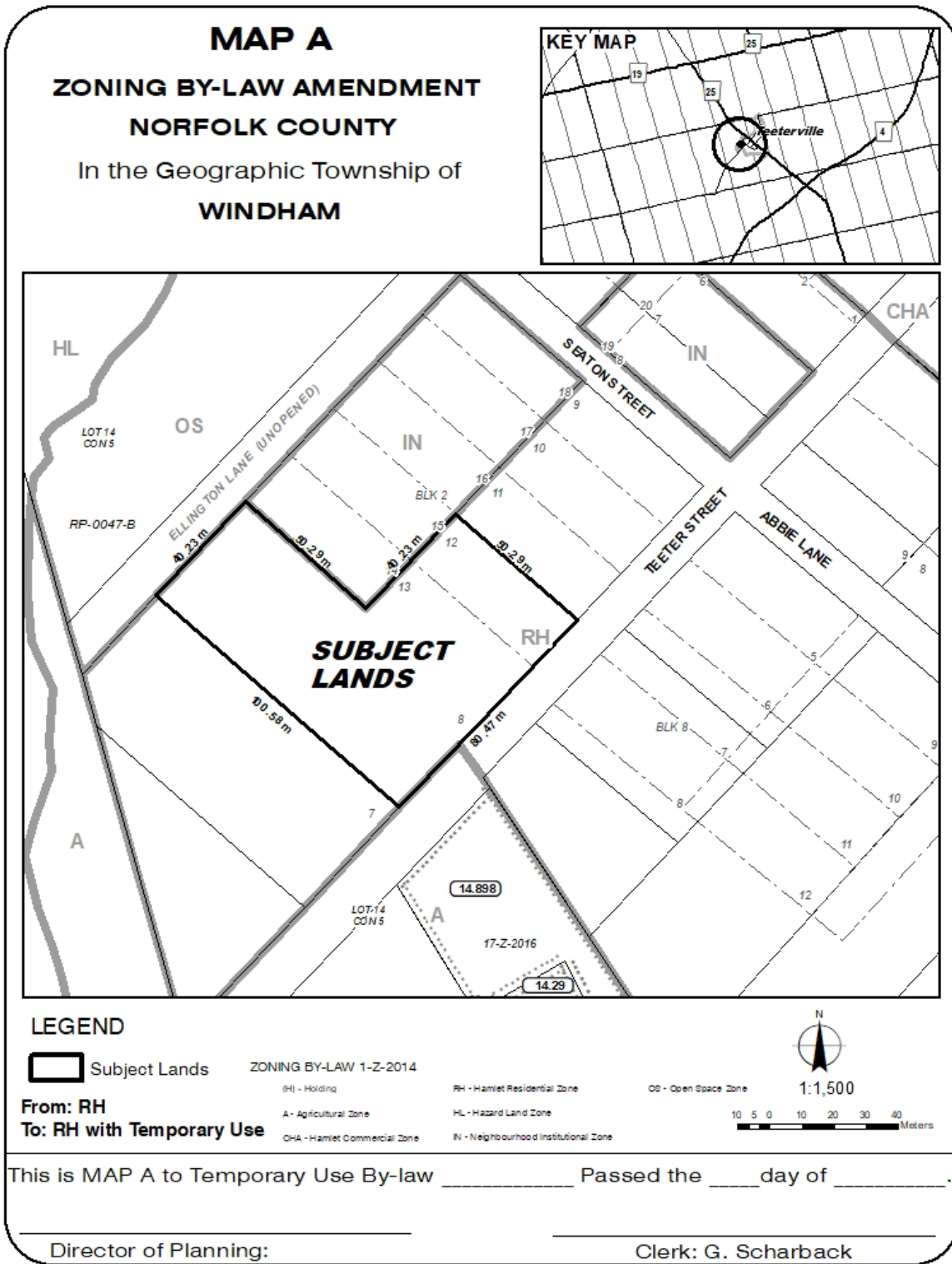
AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

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

1. That for the purpose of this By-Law, a temporary dwelling unit shall be defined as follows:
"a detached mobile home unit that is placed on the same lot as, and is ancillary to, the principal single detached dwelling whereby:
 - a) a legitimate and justified need exists to accommodate a person;
 - b) such unit is located in close proximity to the principal single detached dwelling;
 - c) such unit is established to accommodate a person on a temporary basis;
 - d) such unit shall be removed at such time the legitimate need no longer exists".
2. That in addition to the uses permitted in the A Zone (Subsection 12), a temporary dwelling unit may be permitted for a temporary period of time commencing at the time of passing of this By-law and to expire on December 31, 2027.
3. That this By-Law shall become effective upon final approval of this file.

ENACTED AND PASSED this xx day of xx, 2024.

Director of Planning
*Delegated Authority pursuant to
By-law No. 2022-106*



**Explanation of the Purpose and Effect of
By-Law XX-Z-2024**

This By-Law affects a parcel of land described as Lot 8 12A, Block 2, Plan 47B, Geographic Township of Windham, Norfolk County, located at 145 Teeter Street.

The purpose of this By-Law is to permit the use of a garden suite on the subject lands for a period of three years until December 31, 2027.



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 Part Lot 21, Part Road Allowance, Concession 2, NTR, Geographic Township of Middleton, Norfolk County, municipally known as 275 Norfolk County Road 13.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 39(1) (Temporary Uses) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

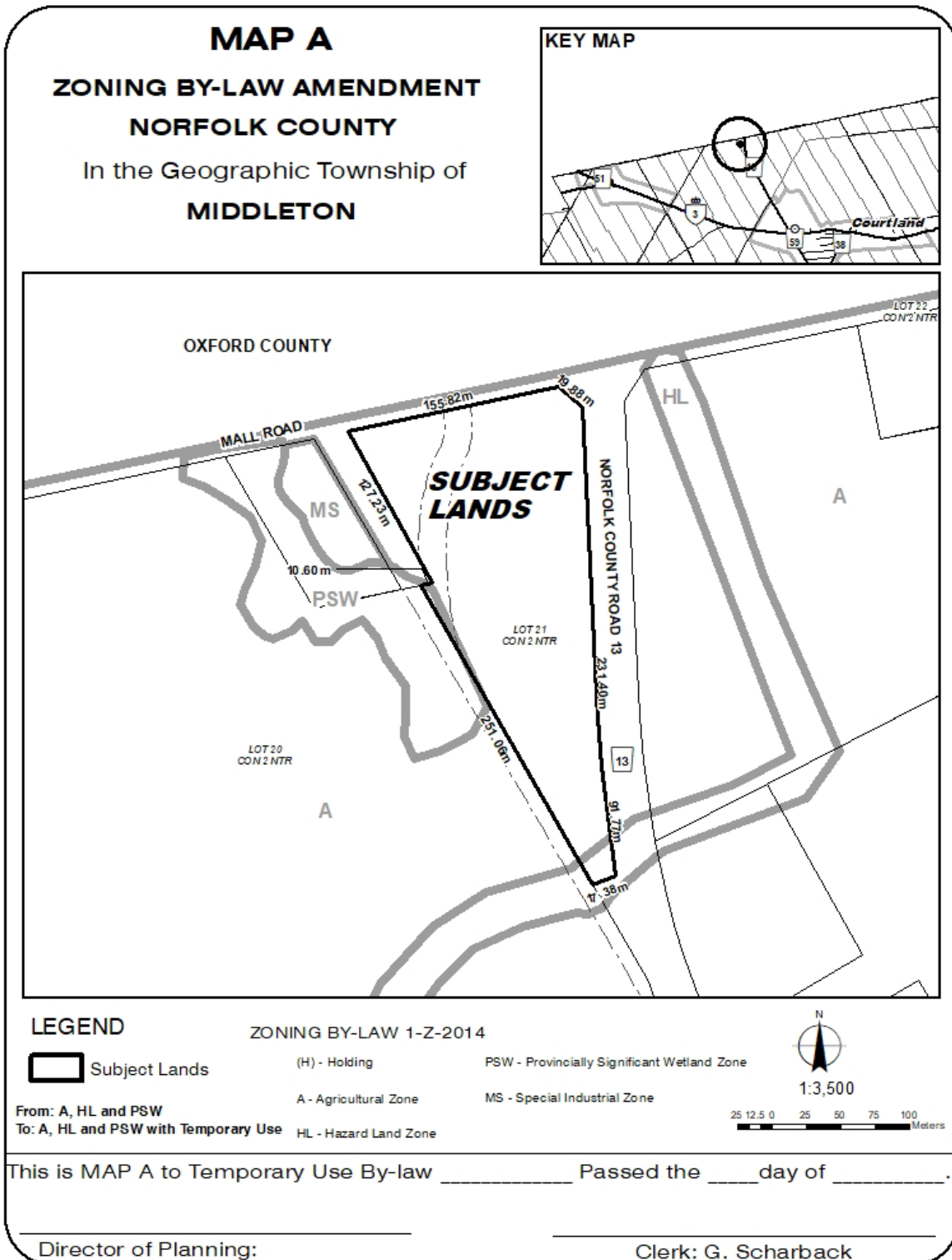
AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

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

1. That for the purpose of this By-Law, a temporary dwelling unit shall be defined as follows:
"a detached mobile home unit that is placed on the same lot as, and is ancillary to, the principal single detached dwelling whereby:
 - a) a legitimate and justified need exists to accommodate a person;
 - b) such unit is located in close proximity to the principal single detached dwelling;
 - c) such unit is established to accommodate a person on a temporary basis;
 - d) such unit shall be removed at such time the legitimate need no longer exists".
2. That in addition to the uses permitted in the A Zone (Subsection 12), a temporary dwelling unit may be permitted for a temporary period of time commencing at the time of passing of this By-law and to expire on December 31, 2027.
3. That this By-Law shall become effective upon final approval of this file.

ENACTED AND PASSED this xx day of xx, 2024.

Director of Planning
*Delegated Authority pursuant to
By-law No. 2022-106*



Explanation of the Purpose and Effect of
By-Law XX-Z-2024

This By-Law affects a parcel of land described as Part Lot 21, Part Road Allowance, Concession 2, NTR, Geographic Township of Middleton, Norfolk County, municipally known as 275 Norfolk County Road 13.

The purpose of this By-Law is to permit the use of a garden suite on the subject lands for a period of three years until December 31, 2027.



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 Part Lot 7, Concession 1, Geographic Township of Charlotteville, Norfolk County, municipally known as 316 Charlotteville West Quarter Line Road.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 39(1) (Temporary Uses) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

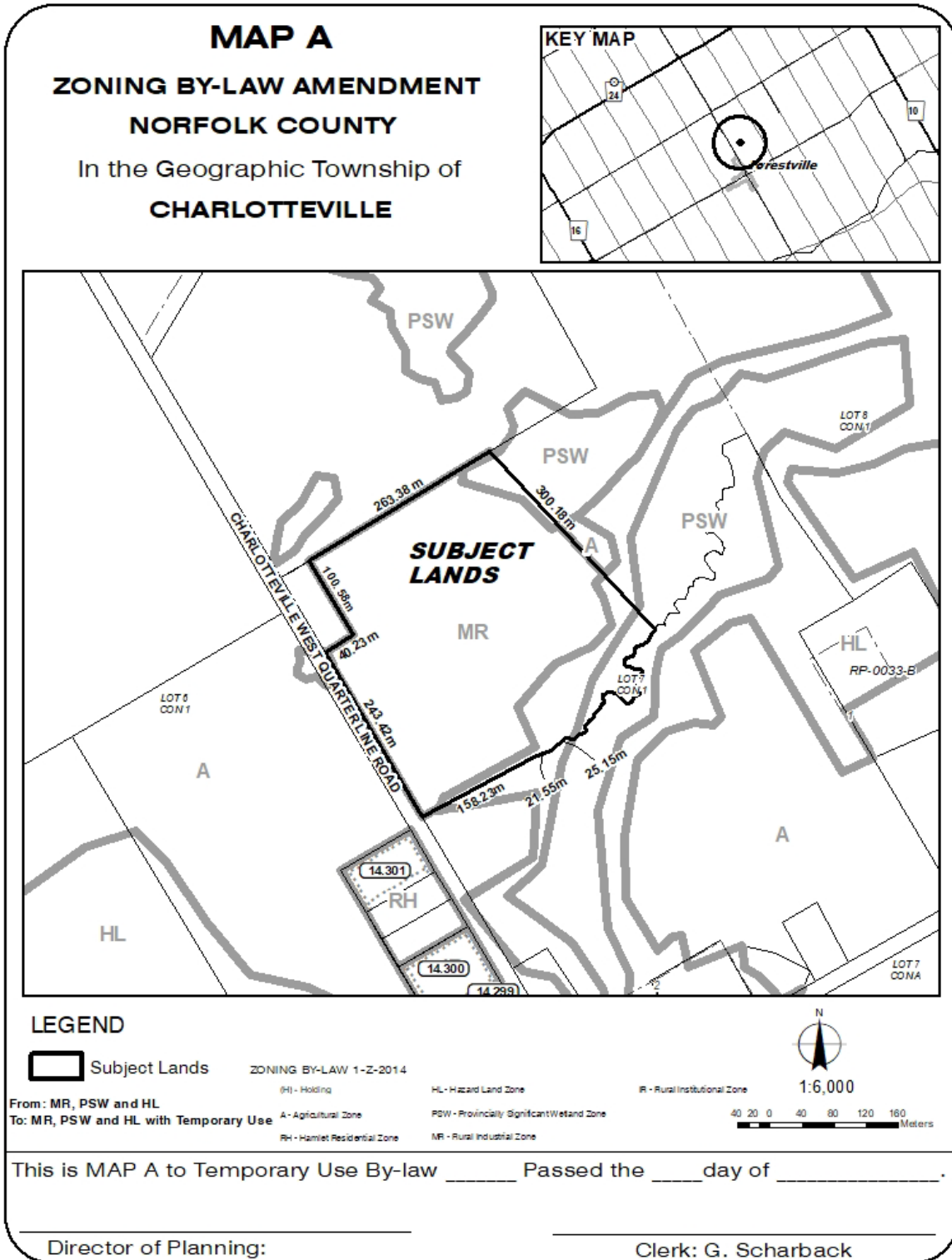
AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

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

1. That for the purpose of this By-Law, a temporary dwelling unit shall be defined as follows:
"a detached mobile home unit that is placed on the same lot as, and is ancillary to, the principal single detached dwelling whereby:
 - a) a legitimate and justified need exists to accommodate a person;
 - b) such unit is located in close proximity to the principal single detached dwelling;
 - c) such unit is established to accommodate a person on a temporary basis;
 - d) such unit shall be removed at such time the legitimate need no longer exists".
2. That in addition to the uses permitted in the A Zone (Subsection 12), a temporary dwelling unit may be permitted for a temporary period of time commencing at the time of passing of this By-law and to expire on December 31, 2027.
3. That this By-Law shall become effective upon final approval of this file.

ENACTED AND PASSED this xx day of xx, 2024.

Director of Planning
*Delegated Authority pursuant to
By-law No. 2022-106*



**Explanation of the Purpose and Effect of
By-Law XX-Z-2024**

This By-Law affects a parcel of land described as Part Lot 7, Concession 1, Geographic Township of Charlotteville, Norfolk County, municipally known as 316 Charlotteville West Quarter Line Road.

The purpose of this By-Law is to permit the use of a garden suite on the subject lands for a period of three years until December 31, 2027.