



Working together with our community

Public Hearings Committee – February 04, 2025

Subject: Application ZNPL2024396 proposes to rezone the subject property municipally known as 1904 Turkey Point Road from Agricultural (A) zone to Hamlet Residential (RH) zone to conform to the Official Plan Designation and to facilitate a future severance application for the creation of an infill lot within the Hamlet Area Boundary of Greens Corners.

Report Number: CD 25-002
Division: Community Development
Department: Planning
Ward: Ward 4
Purpose: For Public Meeting

Recommendation(s):

That staff Report CD-25-002 for development application ZNPL2024396 be received for information; and

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

Further that the zoning by-law for application ZNPL2024396 shall be completed in accordance with By-law 2022-106 which assigns delegated approval to the Director of Planning or designate for minor zoning bylaws.

Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on January 15, 2025.

Discussion:

The applicant is proposing to amend the zoning by-law of the subject property from Agricultural (A) zone to Hamlet Residential (RH) zone.

An overview summary of the development application that have been submitted for the subject property at 1904 Turkey Point Road is contained within Attachment A. This includes an outline of the site context, the application and technical reports, any technical or public feedback to date and overview of development considerations. The draft by-law amendment is included as Attachment E.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority "Foster Vibrant, Creative Communities" and "Ensure the health, safety and well-being of the community".

Explanation: Development that results from the application under consideration can help contribute to a vibrant community and ensure responsible growth and use of existing infrastructure.

Conclusion:

A recommendation and decision will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, "complete" development application.

Attachments:

Attachment A Development Application Overview
Attachment B Existing Planning Policy and Zoning Considerations
Attachment C Technical Comments
Attachment D Public Comments
Attachment E Proposed Draft Zoning Bylaw Amendment

Approval:

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

Prepared By:
Soumaya Ben Miled, MArch, MPI
Planner
Community Development Division
Planning Department

Attachment A - Report CD 25-002
Development Application Overview

1904 Turkey Point Road

Application File Numbers: ZNPL2024396

Applicant: ELDER PLANS INC.

Owner: CLARENCE BOER CONSTRUCTION LIM

C/O HENRY BOER

Statutory Public Hearing

Date: February 04, 2025

Site Context

MAP A
CONTEXT MAP
Geographic Township of CHARLOTTEVILLE

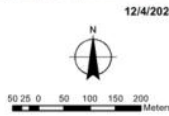
ZNPL2024396



Legend

 Subject Lands

2020 Air Photo



Site Characteristics:

- 0.81 hectares (2 acres).
- Abutting Turkey Point Road
- Located within the Hamlet Area Boundary of Green's Corner
- The subject lands include an existing residential dwelling, garage building, 4 sheds to be removed

Surrounding Lands:

North: Low density residential uses, Industrial disposal site and vacant lands zoned for residential uses

East: Vacant lands zoned for residential uses and agricultural uses

West: Low density residential uses, Industrial disposal site

South: Low density residential uses

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Site Context

Official Plan Map

MAP B
OFFICIAL PLAN MAP
 Geographic Township of CHARLOTTEVILLE

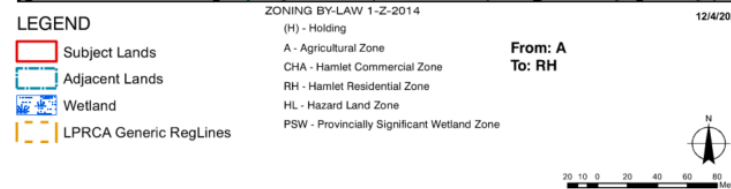
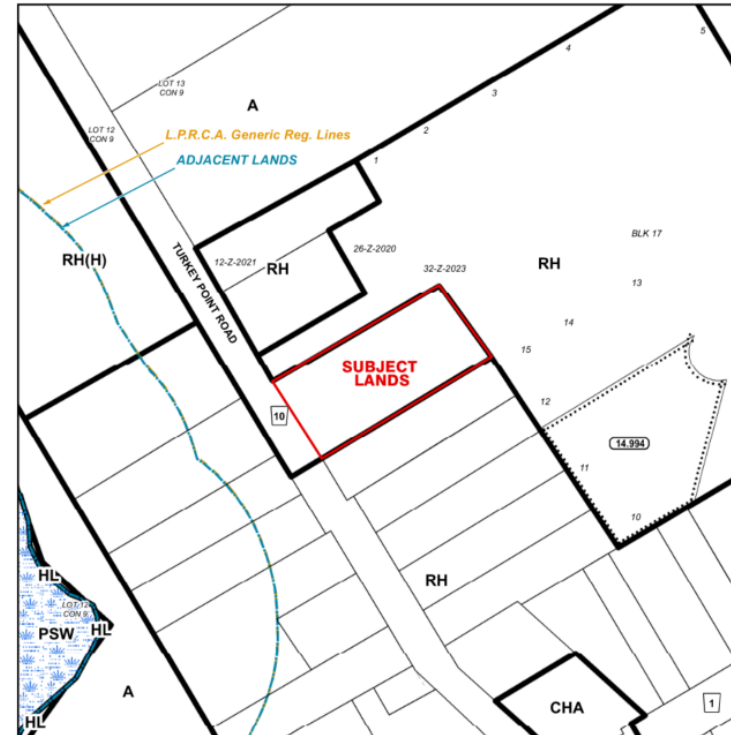
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Proposed Zoning By-law Amendment Map

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

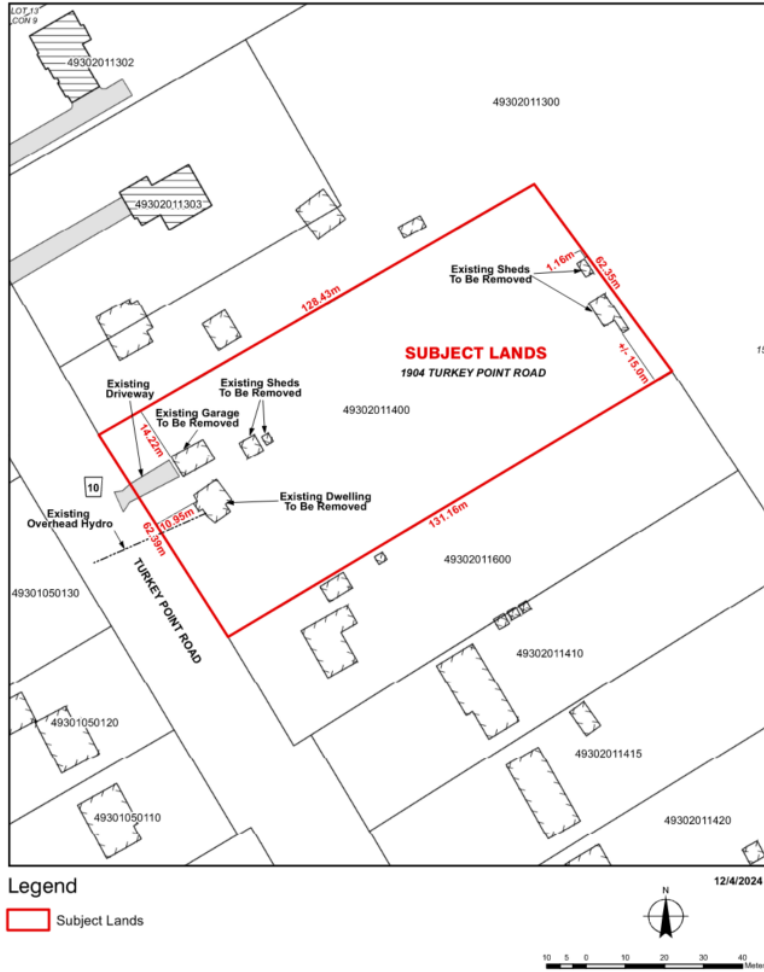
ZNPL2024396



Development Proposal

MAP D
CONCEPTUAL PLAN
Geographic Township of CHARLOTTEVILLE

ZNPL2024396



Key Features/Proposed Development:

Development Proposal:

- The application proposes to rezone the subject lands from Agricultural zone (A) to Hamlet Residential Zone (RH).
- Upon the approval of the zoning by-law amendment, the applicant intends to sever the subject property and construct 2 single detached dwellings (one dwelling on each lot)

Preliminary Review

Technical Reports:

- Planning Justification Report (Mary Elder, Elder Plans Inc, November 2024)
- Geotechnical Study and Hydrogeological Investigation (PML Peto MacCallum Ltd, November 2024).
- Site Plan Drawing (Jewitt and Dixon Ontario Land Surveyors, October 2024)

Technical Comments:



- All existing buildings are to be demolished. Zoning review for any proposed construction will be conducted upon the submission of a building permit(s) application.
- This application is within the watershed of the Langtry Drain and just a reminder that there is set back requirement of 9 meters of top of bank for open ditch drains.
- The Owner shall agree to make application for a Building Permit, and obtain the necessary Demolition, Building and Septic Permits prior to commencing construction.
- The recommendations in the geotechnical report completed by Peto MacCallum Limited, File Number 24HF008, dated November 28, 2024 be included as part of building permit applications.

Public Input:

Public input has not been received at this time.

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Preliminary Considerations

Key Items		Preliminary Review
Housing		The existing single detached dwelling and accessory uses are to be demolished/removed. The applicant intends to sever the subject lands and construct 2 single detached dwellings.
Parking		The existing development meets the parking requirements outlined in Section 4 of the Norfolk County Zoning By-Law 1-Z-2014.
Servicing		Private water and sanitary servicing is provided on-site.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD 25-002 for development applications ZNPL2024396 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-25-002 – ZNPL2024396 – 1904 Turkey Point

Attachment B - Planning Policy and Zoning Considerations

Planning Act

Section 2 of the Planning Act outlines matters of provincial interest to which the County shall have regard. Provincial interests that shall be considered for the proposed development 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;
- (o) the protection of public health and safety.

Provincial Policy Statement, 2024

The subject property is designated “Hamlet” and located within the “Hamlet Area Boundary” of Green’s Corners considered as a Settlement area as defined in the Provincial Policy Statement 2024.

Policy 2.3.1.1 states that *“Settlements areas shall be the focus of growth and development.”*

Policy 2.3.1.2 states that “Land use patterns within settlements areas should be based on densities and a mix of uses which:

- a) Efficiently use land and resources*
- b) Optimize existing and planned infrastructure and public service facilities”.*

Policy 2.3.1.3 states that *“Planning authorities shall support general intensification and redevelopment to achieve the achievement of complete communities”.*

Policy 3.5.1 states that *“sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...in accordance with provincial guidelines standards and procedures”.*

Policy 3.6.4 outlines that *“Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts”.*

Norfolk County Official Plan

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

Policy 6.6 provides that limited growth will be permitted within the Hamlet Area Boundary that “*will not be detrimental to the rural character the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences and will not have a negative impact on the County’s financial sustainability*”.

Planning comments

The proposed future residential use and residential intensification conforms with development policies within Hamlet areas with respect to the preservation of rural character and agricultural resource area.

Abutting northern lands are intended for low density future residential development (application ZNPL2020159). The proposed low density residential use is consistent with the surrounding residential uses within Green’s Corner.

We note that two adjacent western properties are used as industrial waste disposal sites. The closest site is located less than 23 metres from the subject property. The existing industrial disposal uses are considered [Class II Industrial facilities](#) according to the Environmental land use planning guides of the Ministry of the Environment, Conservation and Parks (MECP). The recommended minimum separation distance for Class II industrial use pursuant to “[D-6 Compatibility between Industrial Facilities Guideline](#)” is 70 metres. The potential influence area for the same category is 300 metres from the closest boundary line of the subject property.

Planning comments

Urban development and infilling that fails to meet the recommended minimum separation distance is subject to a feasibility study requirements as set out in section 4.10.3 of D-6 Compatibility between Industrial Facilities. Hence, it is recommended that future residential development within the minimum separation (70 metres) and/or the minimum potential influence area (300 metres) be supported with a land use compatibility study that addresses air quality. Mitigative measures shall be identified and addressed in the assessment.

Where mitigative measures are to be applied off-site to an existing industrial facility, the proponent shall demonstrate that the industrial facility has no objection to the proposed use or to the addition of the necessary mitigative measures.

A warning of potential anticipated nuisance effects shall be included in any offer of purchase and sale of the subject property. The warning may be registered on title according to the [Ministry of Consumer and Commercial Relations Bulletin No. 91003, "Environmental Warnings/Restrictions" \(Appendix D\)](#).

Section 7.5 of the Official Plan outlines that Hamlet development is a preferred alternative to scattered non-farm development. Hamlet development for residential purposes provides important services to surrounding Rural areas.

Permitted uses on land designated Hamlet include low density residential dwellings on lots suitably sized to accommodate private servicing systems.

Policy 7.5.2. b) specifies that *“The following criteria shall be addressed in the review of development applications within designated Hamlet Area boundaries:*

- i) availability of potable water;*
- ii) a servicing feasibility study has been completed in accordance with the Ministry of the Environment and Climate Change guidelines which demonstrates that the proposal’s impact on ground and surface water will be within acceptable limits;*
- iii) the proposed servicing will be appropriate for the proposed densities and land uses;*
- iv) the pattern of new development will be a logical extension of the existing built-up area;*

Planning comments

A Geotechnical study and Hydrological Investigation report prepared by Peto MacCallum Ltd. (dated November 28, 2024) concludes that “the site is geotechnically suitable for the proposed construction of the proposed two houses and that there are sufficient ground water resources in the study area to serve the proposed lots with individual wells”.

The intended residential intensification on the subject property consisting of two single detached dwellings on each lot, upon the future severance of the subject lands, can be suitably serviced with individual private water wells and individual on-site sewage treatment systems without negative impacts on ground water resources.

Surrounding lands include low density residential uses, primarily single detached dwellings. Abutting vacant lands are intended for low density future residential development. The pattern of residential development is therefore cohesive with the existing and planned residential development.

Policy 4.8.d) provides that *“Norfolk County is reliant on ground water sources for drinking water. The County shall require that all environmental remediation of contaminated sites be carried out to achieve potable ground water site condition standards as established by the Ministry of the Environment and Climate Change”.*

Planning Comments

The Geotechnical study and Hydrological Investigation report highlights that based on the predictive assessment of nitrate attenuation; individual on-site sewage treatment systems will require Ontario Building Code approved Advanced (Level IV) treatment systems with the capability to reduce nitrate concentration in sewage effluent to meet the Ontario Drinking water Quality Standard (refer to report).

It is recommended that the following requirement be addressed as a provisional consent condition as part of the future severance of the subject property.

Policy 5.3. provides that “The County shall ensure a full range of housing types are provided to meet the anticipated demand and demographic changes”.

Policy 5.3.g) provides that “*The County shall encourage that housing be considered when opportunities for redevelopment become available...Special attention shall be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses*”.

Policy 5.3.1. a) states that “*Housing shall, in part, be provided through urban residential intensification, which may include any of the following:*

- i) *small scale intensification through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units;*
- ii) *infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or*
- iii) *redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density”.*

Planning comments

The provision of housing is a priority in terms of land use planning in Norfolk County and aligns with provincial directions to accelerate housing supply and provide a wide range of housing types.

The intensification of existing residential development within the “Hamlet Area Boundary” reduces the need to use vacant lands on the periphery of Settlements Areas. It also reduces the need for urban expansions that encroach upon agricultural lands.

Policy 8.9.2. a) outlines that “*The primary means of wastewater disposal in the Rural Area and the Hamlet Areas, is the septic tank and weeping tile system. It is anticipated that such systems or other private waste water disposal systems will continue to be the principal means of waste water disposal outside of Urban Areas. The installation of septic systems is subject to the approval of the authority having jurisdiction*”.

Policy 8.9.2.c) states that “*The County and/or appropriate agency shall approve all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection*”.

Planning comments

The subject property is a legal lot-of-record with existing residential use and private on-site water and sewage servicing.

Given the fact that residential intensification is proposed as a future development that is contingent upon the approval of the present zoning by-law amendment application and future severance, it is recommended that new residential development on-private sewage servicing be approved by the appropriate Health Unit and that servicing systems be separately contained within each proposed lot (retained and severed).

Policy 8.2.2.3. a) provides that “Access from abutting properties to arterial roads shall be approved by the County”.

Planning comments

The subject property is a legal lot of record with an existing entrance abutting Turkey Point Avenue, classified as an arterial road. As such, upon the approval of the proposed zoning by-law amendment, an entrance permit application will be required for the new created lot at the severance stage.

Norfolk County Zoning By-Law 1-Z-2014

The Subject lands are currently zoned Agricultural (A) in the Norfolk County Zoning By-Law. The subject property is a lot of record with an existing residential use. The subject property is 0.81 ha with a frontage of 62.39 metres onto Turkey Point Road.

It is the intent of the proponent to sever the subject property to develop two (02) single detached dwellings on each lot (severed and retained lots) which can be accommodated under the Hamlet Residential (RH) Zone provisions that allow for a single detached dwelling on lots having a minimum lot area of 0.4 ha and a minimum lot frontage of 30 metres.

Existing development on the site, at the time of writing this report, includes a residential dwelling, an accessory garage building and 4 sheds that will be removed as specified by the applicant.

The subject property meets the requirements of the RH-zone under section 5.7.2, except for the required minimum rear yard setback of 1.2 metres for the existing accessory shed.

At the time of writing this report, the applicant confirmed in writing that the deficient accessory shed has been removed.

The Zoning By-Law amendment is recommended for approval to rezone the subject lands from Agricultural (A) to Hamlet Residential (RH).

Attachment C: Technical Comments
ZNPL2024396 – 1904 Turkey Point Road

Zoning Review Reviewed, Comments are as follows:

The proposed lots meet the minimum lot area and frontage provisions for the proposed Hamlet Residential zone (5.7.2 a and b)

All existing buildings to be demolished, Zoning review for any proposed construction has not been done at this time and will be done when the building permit(s) have been submitted.

New construction shall meet the setback requirements in section 3.30 - Setback from Municipal Drains (1-Z-2014)

Drainage

This application is within the watershed of the Langtry Drain and just a reminder that there is set back requirement of 9 meters of top of bank for open ditch drains.

2025 Service Fee #491 – $\$348.00 \times 6 = \2088 (possibly x2 if severance is granted before construction costs are billed in January 2025)

The Following drain schedules must be apportioned for maintenance:

- 1) Main Drain interval 1
- 2) Main Drain interval 2
- 3) Main Drain interval 3
- 4) Main Drain interval 4
- 5) Green's Corners Interval 1
- 6) Green's Corners Interval 2

Building Reviewed, Comments are as follows:

Building department has reviewed this application and has the following conditions to be satisfied prior to issuance of building permit.

- 1) The Owner shall agree to make application for a Building Permit, and obtain the necessary Demolition, Building and Septic Permits prior to commencing construction.
- 2) The recommendations in the geotechnical report completed by Peto MacCallum Limited, File Number 24HF008, dated November 28, 2024 be included as part of building permit applications.
 - a. Foundation design requirements in accordance with section 6.

- b. Septic design include an advance treatment unit with nitrate reduction be installed in accordance with section 8.3.2.

GIS: Reviewed, Comments are as follows:

Norfolk GIS has no requirements at this time.

Realty Reviewed, Comments are as follows:

Realty has no requirements at this time.

Development Engineering Reviewed, Comments are as follows:

Development Engineering has reviewed application ZNPL2024396 and have no comments.

Six nations No comments

Mississauga of the Credit No comments

Roads No comments

EIS GM No comments

Forestry No comments

Environmental No comments

Zoning Administrator No comments

Attachment D: Public Comments
ZNPL2024396 – 1904 Turkey Point Road

None received to date.



The Corporation of Norfolk County

By-Law __-Z-2025

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as CON 9 PT LOT 13, Norfolk County, municipally known as 1904 Turkey Point Road.

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

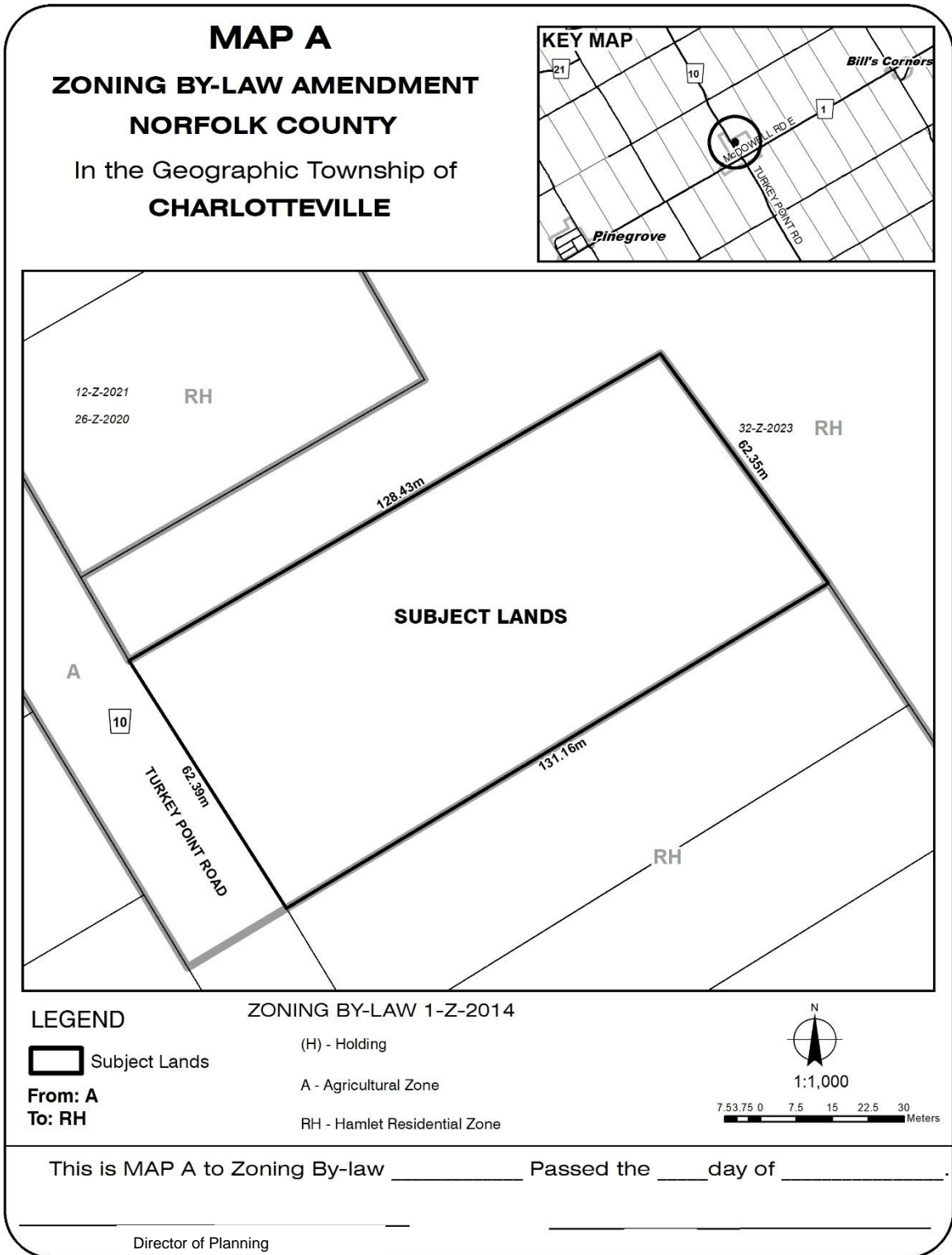
Whereas this By-Law conforms to the Norfolk County Official Plan; and

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 Agricultural (A) *Zone* to Hamlet Residential (RH) *Zone*;
2. That the effective date of this By-Law shall be the date of passage thereof.

Enacted and passed this ____ day of _____, 2025.

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



**Explanation of the Purpose and Effect of
By-Law __-Z-2025**

This By-Law affects a parcel of land described as CON 9 PT LOT 13, Norfolk County, located at 1904 Turkey Point Road.

The purpose of this By-Law is to change the zoning on the subject lands from the Agricultural (A) zone to Hamlet Residential (RH) zone. The change would have the effect of allowing future residential development and intensification of a lot.