



Working together with our community

Public Hearings Committee – March 04, 2025

Subject: Application ZNPL2024139 proposing to amend the zoning of the subject lands from CBD to CBD with special provision for the lands described as 76 Culver Street, Simcoe.

Report Number: CD 25-013
Division: Community Development
Department: Planning
Ward: Ward 5
Purpose: For Public Meeting

Recommendation(s):

That staff Report CD-25-013 for development application ZNPL2024139 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 12, 2025.

Discussion:

The applicant is proposing a Zoning By-law Amendment to facilitate the construction of a 3-storey, mixed use development with 22 rental housing units. The ground floor would be split between 25% commercial and 75% residential uses.

An overview summary of the development application that has been submitted for the subject property at 76 Culver Street 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 submitted or draft by-law amendment is included as Attachment E.

Please note, this application would be followed by a Site Plan application.

Strategic Plan Linkage:

This report aligns with the 2019-2022 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 by adding additional, much need rental housing units within the town centre of Simcoe.

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 Public Comments
Attachment E Proposed draft Zoning Bylaw Amendment

Approval:

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

Reviewed By:
Bohdan Wynnyckyj, MCIP, RPP
Director of Planning
Community Development Division
Planning Department

Prepared By:
Andrew Wallace, MSc.ArchCon, MScIP
Planner
Community Development Division
Planning Department

Attachment A - Report CD 25-013
Development Application Overview

76 Culver Street, Simcoe

Application File Number: ZNPL2024139

Applicant: Sam Bunting

Agent: Sam Bunting

Statutory Public Hearing

Date: March 4th, 2025

Site Context

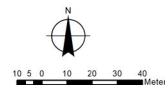
MAP A
CONTEXT MAP
Urban Area of SIMCOE

ZNPL2024139



Legend

-  Subject Lands
- 2020 Air Photo



Site Characteristics:

- 743 square metre (0.18 ac) lot area.
- Lot has a frontage onto Culver Road in Simcoe
- Located within the Downtown OP designation
- Existing mixed commercial and residential 2-storey building

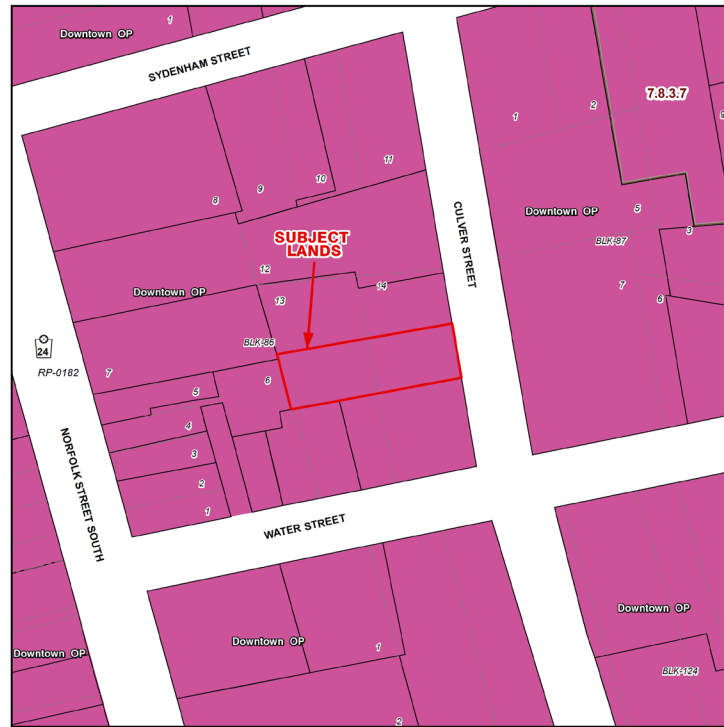
Surrounding Land Use: Central Business District with a mixture of commercial uses, some with residential above ground floor level, and both private and municipal parking lots opposite.

Site Context

Official Plan Map

MAP B
OFFICIAL PLAN MAP
Urban Area of SIMCOE

ZNPL2024139

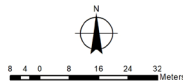


Legend

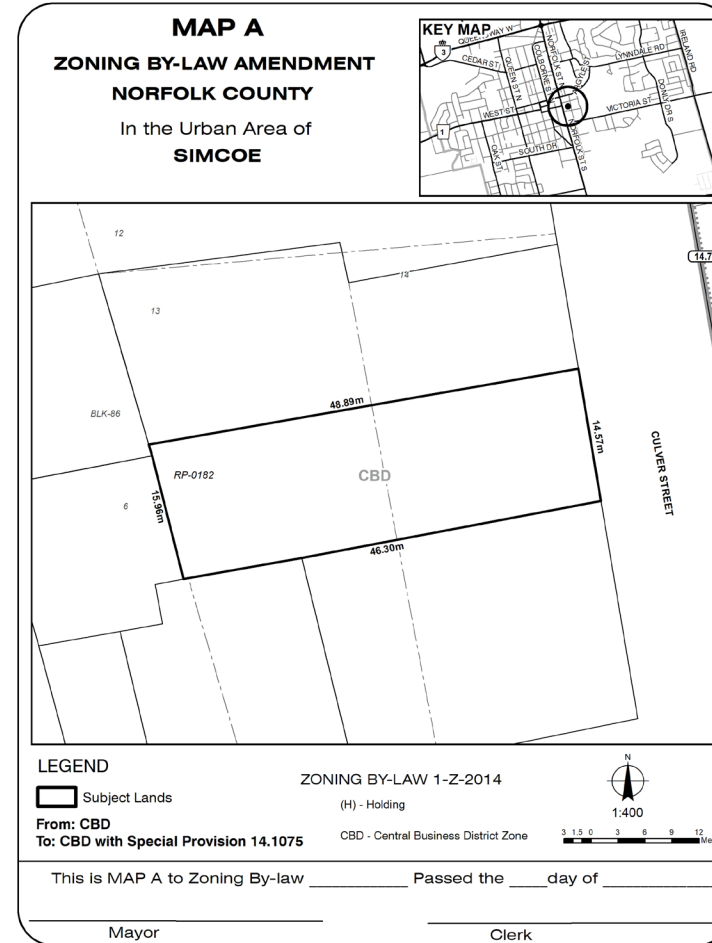
Official Plan Designations

- Subject Lands
- Downtown
- Urban Area Boundary

1/27/2025



Proposed Zoning By-law Amendment Map

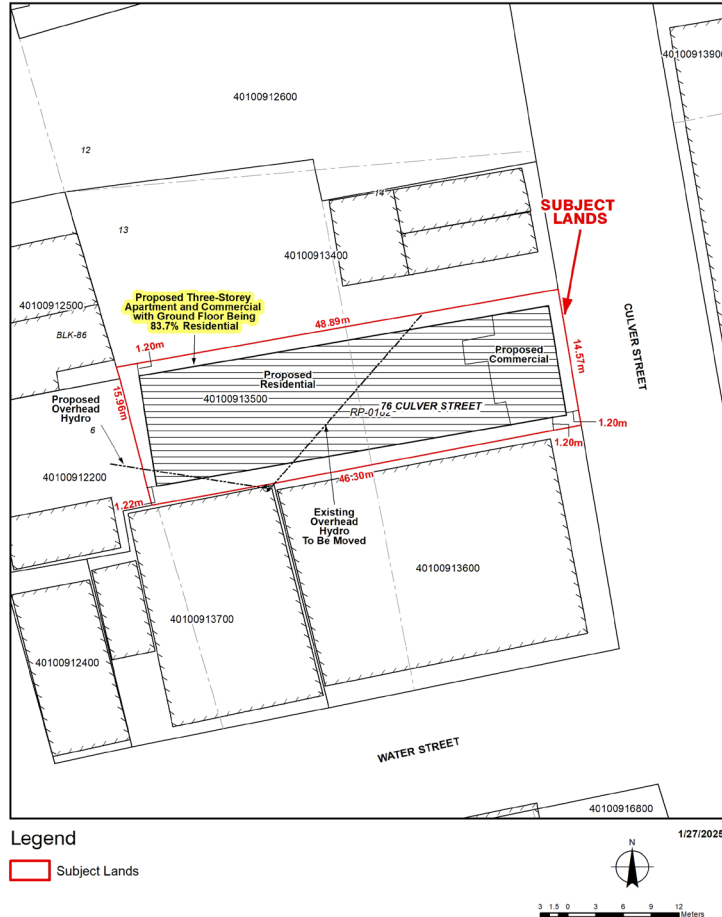


Development Proposal

Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of SIMCOE

ZNPL2024139



Key Features:

Development Proposal:

- The Development being proposed is to allow for a reduced ground floor commercial area to facilitate the construction of a 3-storey mixed use building with 22 affordable rental units (6 on ground floor, including 4 'accessible' units, and 8 units on both the second and third floors).
- This application would be followed by a Site Plan application

Proposed Zoning Amendment:

- The land would remain CBD, Central Business District, with a special provision allowing a reduced ground floor commercial usable floor area.
- Zoning provisions would require a minimum of 50% of the ground floor be in commercial use; the proposal seeks 23.75% ground floor commercial use.
- The site meets the Zoning provisions in terms of setbacks, distance to nearest dwellings and parking provision.

Preliminary Review

Technical Reports:

- Planning Justification Brief and Cover Letter (Sam Bunting, September 2024)
- Site Plan (Design Logix Engineering Inc., November 2024).
- Traffic Impact Brief (Paradigm Transportation Solutions Ltd, August 2024).
- Stormwater Management Brief (Design Logix Engineering Inc., November 2024).
- Functional Service Brief (Design Logix Engineering Inc., October 2024).


Technical Comments:

There are a few technical comments pending at this time. Any received prior to the Public Hearing Committee meeting will be updated at that meeting.

Public Input:

No Public input has been received at time of submission of this report and presentation. Staff will update Committee on this should any comments be received prior to the meeting.

Preliminary Considerations

Key Items		Preliminary Review
Housing		There are currently 2 rental units and one commercial unit on the subject lands. The proposal would allow for 22 rental units and 1-2 commercial units on the land, increasing the affordable housing numbers in a central and sustainable location.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD-25-013 for development applications ZNPL2024139 be received for information;

AND FURTHER THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

ATTACHMENT B Existing 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 Planning Statement – 2024

The Provincial Planning Statement, 2024 (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 2024 promotes strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 2.3.1 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 2.2.1, 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;

- all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- 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 'Downtown' in the Norfolk County Official Plan. The "Downtown" designation is meant to encompass neighborhoods in the County's urban area serving as primary activity centres for the County and the location for a wide range of uses, including retail, service commercial, cultural, recreational, entertainment, business and professional, governmental, institutional, arts and cultural, community, employment, and residential uses.

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 these 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 “Central Business District (CBD)”.

Permitted Uses in CBD zone (Section 6.1.1):

- z) dwelling, apartment subject to the requirements of Subsection 6.1.4
- aa) dwelling units in any permitted commercial building subject to the requirements of Subsection 6.1.4

Section 6.1.4 states that any dwelling units in the CBD Zone shall not occupy more than 50 percent of the usable floor area of the first storey, and the frontages of the first storey shall be dedicated to retail, office or service uses. [66-Z-2018]

Section 4.11 prohibits parking in the front yard and states that no parking spaces are required in the CBD Zone.

Planning Comments: There is no specific limit to the number of residential units permitted in a mixed-use building in the CBD Zone. However, the provisions do restrict the residential use to only 50% of the first/ground usable floor area. This will require a special provision to address the requested 75% residential ground floor usable floor area. No off-street parking is proposed which complies with provision 4.11.

ATTACHMENT C

Technical Comments

GIS – Reviewed

Please contact NorfolkGIS for new civic addresses when building.

You can apply for a new civic address here. If a green sign is required in order to issue you an address (generally anywhere outside of an urban area) you will have to call Norfolk County Customer Service after applying to make payment before the address is issued (519-426-5870 or 226-NORFOLK). If you would like to apply for a new Civic Address because you are planning to build on a vacant parcel of land, this is dealt with as part of the building permit process. The building inspector can provide you with a copy of a Civic Address Request Form or it can be downloaded below. On the form there are several areas that need to be filled out with information, and a sketch showing the lot layout of the property for which the Civic Address is being requested. A sample sketch will be included with the form.

Development Engineering – Reviewed (Initial Comments)

Development Engineering has reviewed application ZNPL2024139 and have the following comments:

1. Water and Wastewater modelling has not been completed for the specific application. The Simcoe WTP has sufficient capacity to support this development (from a consumption demand aspect). Further, the Simcoe Calibrated Water model however indicates that the current water distribution system abutting this development appears to also have sufficient pressure and fire flow to support this development. The application however, is required to be examined through a modelling exercise that will connect this site (and its demands) to the water system to confirm capacity, water pressure and fire flow supply. With respect to wastewater flows, demand calculations were provided, however modelling has not yet been completed to confirm support for this development. The modelling (once completed) will either confirm 1) support for this development, 2) the need or option to scale back the development to the available servicing capacity or 3) complete any necessary upgrades to the sanitary distribution network to support the proposed development. Staff support the re-zoning with the application of a Holding provision condition until servicing capacity is confirmed.

2. An updated Stormwater Management Report will be required for this proposal. The updated submission will need to comply with the County CLI-ECA requirements along with County design criteria. Should a mainline storm sewer be required to provide service to this site (as anticipated) the mainline sewer would require a manhole at the front of the site (within the road allowance) and a storm lateral to the subject lands. The mainline sewer would also need to be connected to the nearest, most appropriate existing mainline sewer manhole (capable of supporting the site). Connections to a catch-basin would not be acceptable. This aspect can be dealt with through the subsequent Site Plan process.

3. With respect to Traffic Impacts, the site is located in the Commercial Business District and is supported by an existing road network that is capable for supporting the additional traffic demands brought forward from the proposal. The applicant has submitted a Traffic Impact study that demonstrates support for this development. The site is also supported by a municipal sidewalk facility that is well connected to the Downtown core area and provides access to nearby municipal parking services. The site will not be providing on-site parking and hence, there is no proposed access being provided onto any adjoining street.

4. The proposed plan provides some setback from its property lines (approx. 1.22m). The applicant is advised that during construction, all works must be limited to the lands of the owner and that shoring may be required to protect abutting lands and buildings given their proximity to this site. Should the owner need to rely on adjoining lands in order to complete the construction works, written agreements will be required to demonstrate support for such use, be it physical presence and/or temporary aerial trespass (in the case of craning operations). Pre-construction (condition) surveys of abutting lands and buildings is highly recommended. The new commercial components fronting onto Culver Street will be required to ensure barrier free access to the units and the applicant is advised to ensure all barrier free requirements are housed within the applicant's lands holdings (e.g. not to rely on the abutting municipal lands to achieve compliances).

5. Any works which require the use of the municipal right of ways abutting or surrounding the site, will require a temporary street occupation permit which will have conditions imposed.

6. A construction and site access management plan will be imposed as a condition during the Site Plan review/approval process to ensure the proposed works address construction impacts beyond the site itself (haul routes, trades parking, sidewalk and road impacts).

7. The applicant will be required to submit a geotechnical report in support of the proposed works at the Site Plan stage.

Zoning – Reviewed

Parking

Parking in a Central Business District (CBD) Zone

4.11.1 Notwithstanding Subsection 4.9, no parking spaces are required for any lands identified in the Central Business District Zone (CBD).

4.11.2 Parking is prohibited in the front yard.

Zone Provisions

In a CBD Zone, no building or structure shall be erected or altered except in accordance with the following provisions:

- a) minimum front yard: 0 metres
- b) minimum exterior side yard: 0 metres
- c) minimum interior side yard: 0 metres except abutting any residential Zone in which case the minimum interior side yard shall be 1.2 metres
- d) minimum rear yard: 0 metres except abutting any residential Zone in which case the minimum rear yard shall be 6 metres
- e) maximum building height: six (6) storeys
- f) maximum front yard setback: 3 metres but does not permit parking
- g) maximum lot coverage: 80 percent

6.1.4 Location and Use of First Storey

Any dwelling units in the CBD Zone shall not occupy more than 50 percent of the usable floor area of the first storey, and the frontages of the first storey shall be dedicated to retail, office or service uses. [66-Z-2018]

Definition of Usable Floor Area from the Zoning Bylaw

“USABLE FLOOR AREA” shall mean the total area of all floors of a building, outdoor patio or cafe, or dwelling unit including: a) a hallway, aisle, stairway and corridor within a suite or unit; b) an internal wall and partition within a suite or unit; c) a storage room and storage area within a suite or unit; d) a boatslip in the case of a boathouse; e) a habitable room or area in the basement of a dwelling. But excluding: a) an area occupied by a common area in a multi-tenant building including but not limited to a public stairwell, public or shared corridor and lobby; b) a mechanical shaft; c) an entry vestibule not within a dwelling unit; d) a garage attached to a building; e) an unfinished basement in a dwelling used for storage or laundry. The usable floor area for a dwelling is measured from the outside face of exterior walls or to the centre-line of party or common walls. The usable floor area for all other buildings shall be measured from the inside face of exterior walls, interior common walls and firewalls.

- Main floor building area – 6055 sq. ft. proposed.

-Commercial unit total usable floor area– 1198 sq.ft. proposed. (599 sq.ft x 2)

- Dwelling units total usable floor area – 3682 sq.ft.

6.1.4 Location and Use of First Storey

Any dwelling units in the CBD Zone shall not occupy more than 50 percent of the usable floor area of the first storey, and the frontages of the first storey shall be dedicated to retail, office or service uses. [66-Z-2018]

(1198 sq.ft. + 3682 sq.ft.) = 4880 sq.ft. usable floor area (1198 / 4880)x100 = 24.5%

Zoning review comments:

Recommend 23.75 % for usable floor area to allow for minor discrepancies and changes to final floor plans. 24.5% current design calculation however, recommending a reduction to 23.75% from the required minimum 50% usable floor area for the commercial portion.

Building – Reviewed

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

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 or by phone: 226-NORFOLK (226-667-3655) Ext 6016

Housing – Reviewed

The Housing and Homelessness team review does not have any concerns with the proposed 22 residential unit build, with the exception of no parking being available, that I could see.

I do have concerns with the proposal using the broad term “affordable” units without any confirmation of proposed rents or CMHC investment requirements with respect to capped rents?

The proposal mentions local information from the media with out context. For example it makes reference to “400 people” waiting for affordable housing and this would assist with that pressure.

The 400 people he’s referencing are people on the Centralized Wait List waiting for rent-geared-to-income housing. These are people in deep core housing need who’s rent would be calculated at no more than 30% of their monthly income and/or as per the HSA rent scales for OW/ODSP.

This build is not proposed to be an extension of our community housing system, either for RGI units or affordable units, and thus would not be considered development of affordable housing without further information about proposed rental amounts and/or prioritization of units awarded based on a status of homelessness. The proposal as stands does not have enough information to comment on any impact to increase supply of affordable housing to actually assist with low to deep core housing need residents of our community.

Canada Post – Reviewed

Please be advised that Canada Post does not have any comments on this application for a zoning change as this will not affect mail delivery.

Union Gas – Reviewed

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

Please always call before you dig, see web link for additional details:
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

Agreements Coordinator – Reviewed

I will recommend that a Holding (H) provision be placed on your land zoning that should remain in place until the Owner has provided accepted engineering drawings, performance securities, clearance of site plan approval conditions and entered into a site plan agreement that has been executed and registered on title.

I look forward to assisting you with your agreement.

Accessibility – Reviewed

No comments from Accessibility.

Realty Services – Circulated

Mississaugas of the Credit - Circulated

Six Nations of the Grand River - Circulated

Hydro One - Circulated

Finance - Circulated

Fire – Circulated

Economic Development – Circulated

ATTACHMENT D

Public Comments

To date, no public comments have been received at this time. Members will be updated should any comments be received following the agenda publication.



The Corporation of Norfolk County

By-Law 2025-XX

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as PLAN 182 BLK 86 PT LOT 13,14, IRREG, Norfolk County, municipally known as 76 Culver Street, 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 Commercial Business District (CBD) to Commercial Business District (CBD) with a Special Provision.
2. That Subsection 14 Special Provisions is hereby amended by adding new Special Provision 14.1075 to the subject lands as follows:
 - 14.1063 In addition to the uses permitted in the Central Business D Zone, the following shall apply:
 - a) The ground floor can be used for a maximum of 76.25% residential at the rear with a minimum of 23.75% commercial space facing Culver Street.

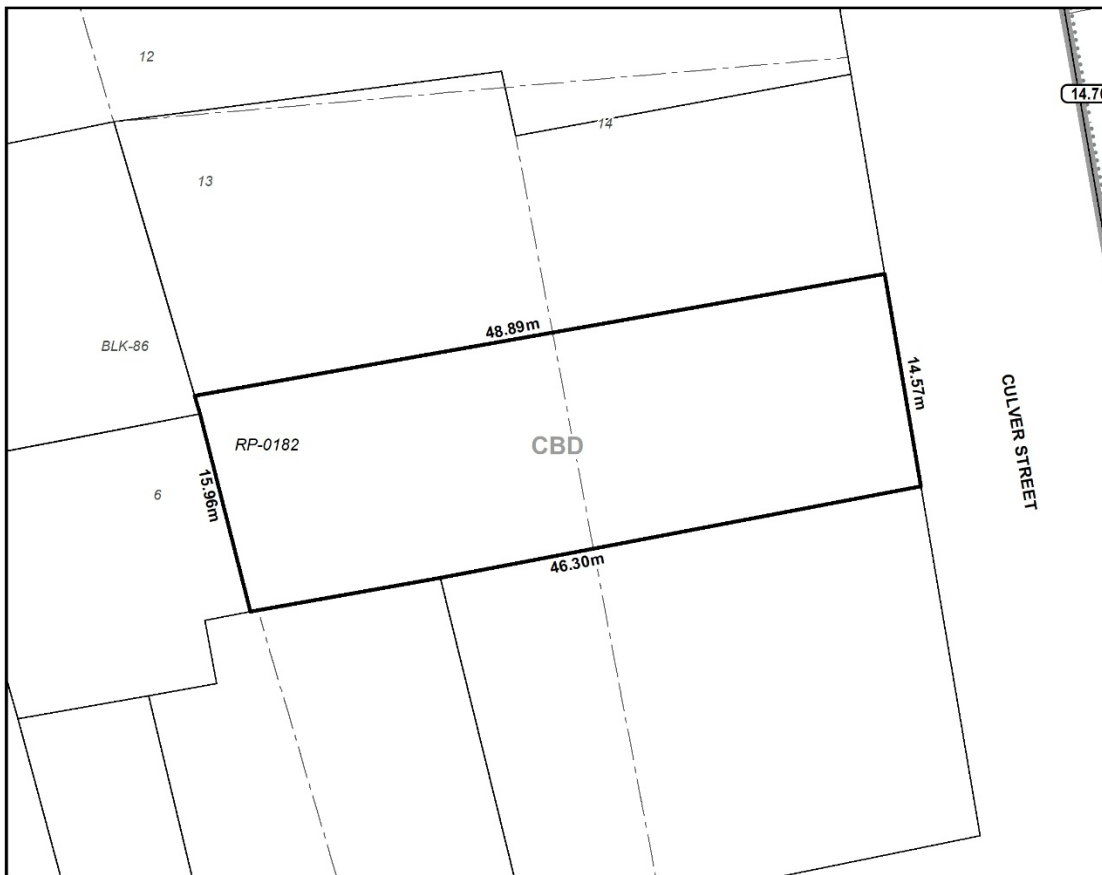
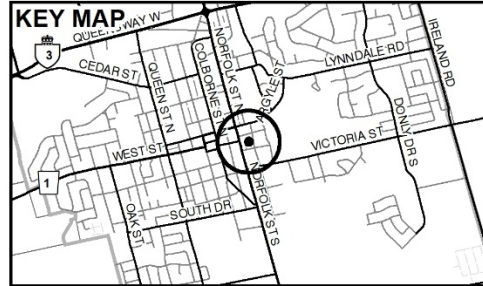
That this By-Law shall become effective upon final approval of this file.

Enacted and passed this day of March, 2025.

Acting Mayor D. Brunton

County Clerk

MAP A
ZONING BY-LAW AMENDMENT
NORFOLK COUNTY
 In the Urban Area of
SIMCOE



LEGEND

Subject Lands

From: CBD
To: CBD with Special Provision 14.1075

ZONING BY-LAW 1-Z-2014

(H) - Holding

CBD - Central Business District Zone



1:400



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

Mayor

Clerk

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

This By-Law affects a parcel of land described as **PLAN 182 BLK 86 PT LOT 13,14, IRREG, Norfolk County, municipally known as 76 Culver Street, Simcoe.**

The purpose of this By-Law is to change the zoning of the subject lands from Commercial Business District (CBD) to Commercial Business District (CBD) with a Special Provision 14.1075 to allow a maximum of 75% residential space at the rear of the ground floor.