



Working together with our community

Public Hearings Committee – September 06, 2022

Subject: Application ZNPL2022202 proposes to change the zoning of the subject lands from "General Industrial Zone (MG)" to "Urban Residential Type 1 (R1-B) Zone" and "Urban Residential Type 2 Zone (R2)" with Special Provision to permit one single-detached dwelling and 6 semi-detached dwelling units for the lands described as 166 Metcalfe Street South.

Report Number: CD 22-078
Division: Community Development
Department: Planning
Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD 22-078 for development application ZNPL2022202 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.

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 August 11, 2022.

Discussion:

The applicant is proposing a zoning by-law amendment application to facilitate a development of one single detached dwelling and 6 semi-detached dwelling units on the subject lands. The Zoning By-law amendment will change the existing "General Industrial Zone (MG)" to:

1. "Urban Residential Type 1 (R1-B) Zone" for the single-detached dwelling; and
2. "Urban Residential Type 2 Zone (R2)" for 3 semi-detached buildings (6 dwelling units).

A Special Provision will be required to allow reduced lot frontage and reduced lot area for all proposed units.

Future severance applications will be required to create three severed lots for the semi-detached dwellings and one retained lot for the single detached dwelling.

An overview summary of the development application that have been submitted for the subject property at 166 Metcalge Street South is contained within Attachment A. This includes an outline of the site context, the applications and technical reports, any technical or public feedback to date and overview of development considerations. The draft by-law amendment is included as Attachment C

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities";

Explanation: Development that results from applications under consideration can help contribute to a vibrant community through intensification and mixed of housing options.

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 Proposed Zoning Bylaw Amendment

Approval:

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

Prepared By:
Mohammad Alam, MPL, MUD, MCIP, RPP
Principal Planner
Community Development Division

Attachment A – Report CD 22-078

DEVELOPMENT APPLICATION OVERVIEW

APPLICATION FILE NUMBERS: ZNPL2022202

LOCATION: 166 METCALFE ST S, SIMCOE, NORFOLK COUNTY

APPLICANT: 1498745 ONTARIO LTD.

AGENT: J H COHOON ENGINEERING LTD.

STATUTORY PUBLIC HEARING

DATE: SEPTEMBER 6TH, 2022

Site Context

Characteristics:

- Located within the Urban Area of Simcoe;
- Industrial Land with frontage on Metcalfe St S and Stanley St
- 0.367 acres;

Surrounding Land Use:

- **North:** low density residential including semis and a future high density residential site;
- **East:** medium density towns;
- **South:** : low density residential including semis;
- **West:** low density residential including semis and towns.



Legend

Subject Lands

2020 Air Photo

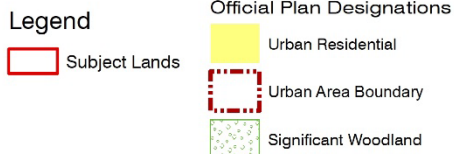
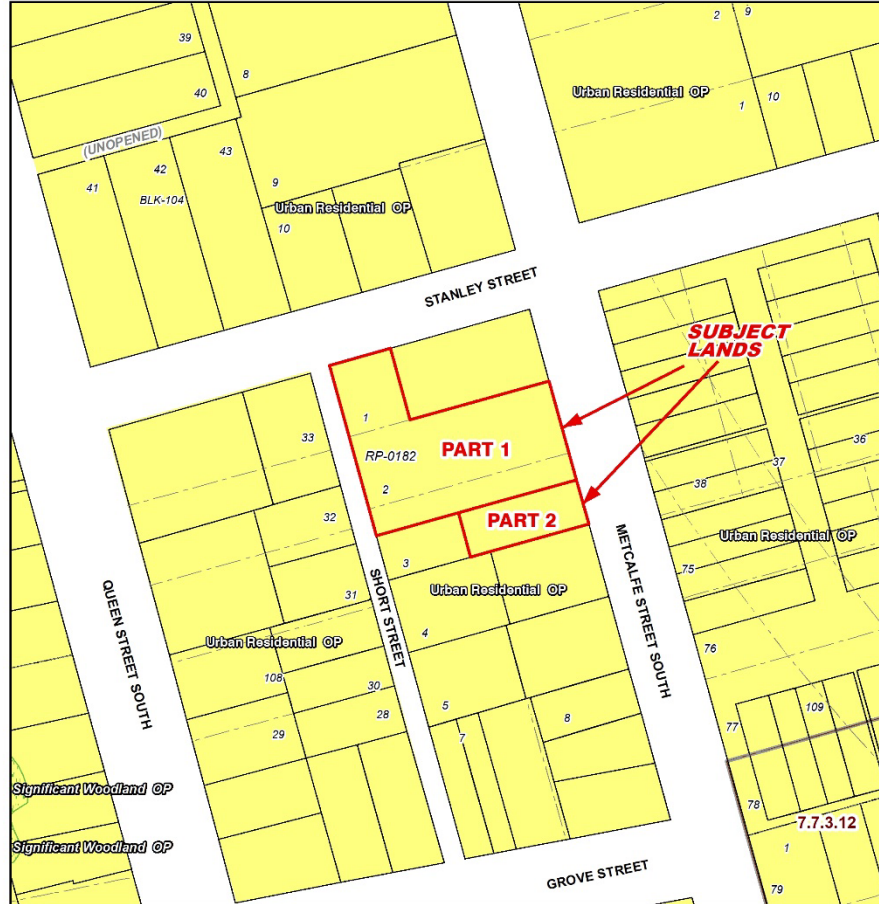


10 5 0 10 20 30 40 Meters

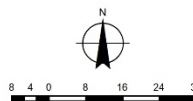
Site Context

MAP B
OFFICIAL PLAN MAP
Urban Area of SIMCOE

ZNPL202220

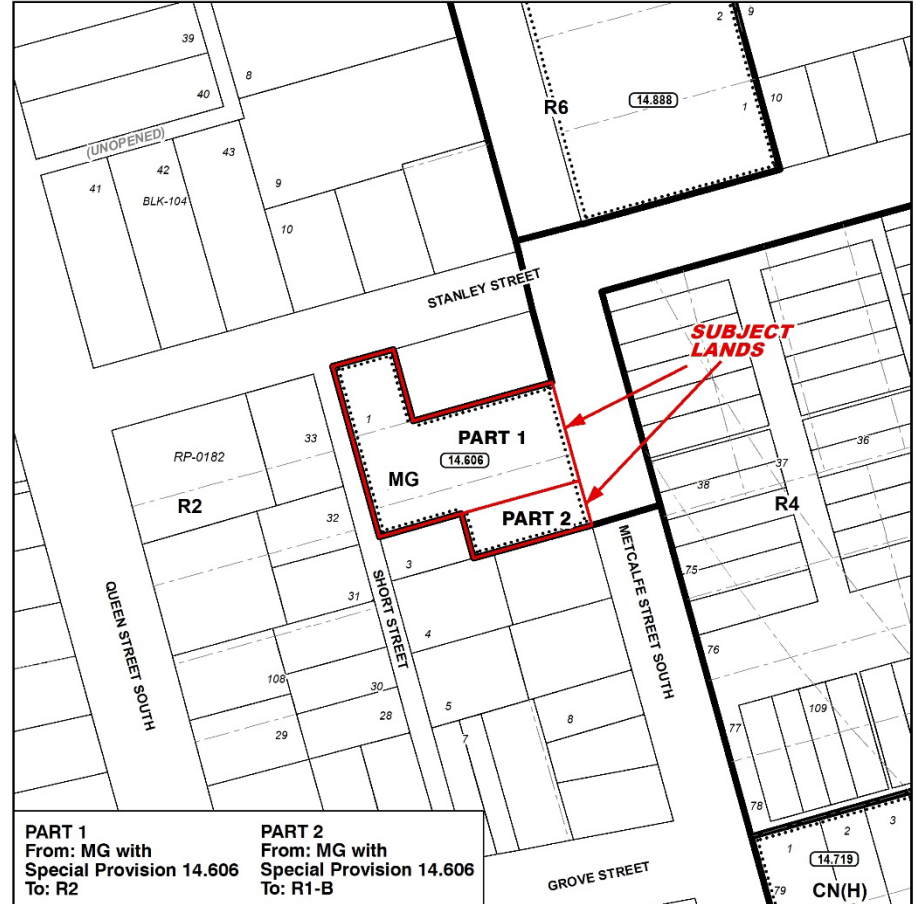


7/12/20



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

ZNPL2022202

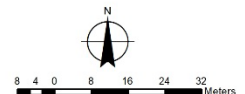


PART 1
From: MG with
Special Provision 14.606
To: R2

PART 2
From: MG with
Special Provision 14.606
To: R1-B



7/12/2022

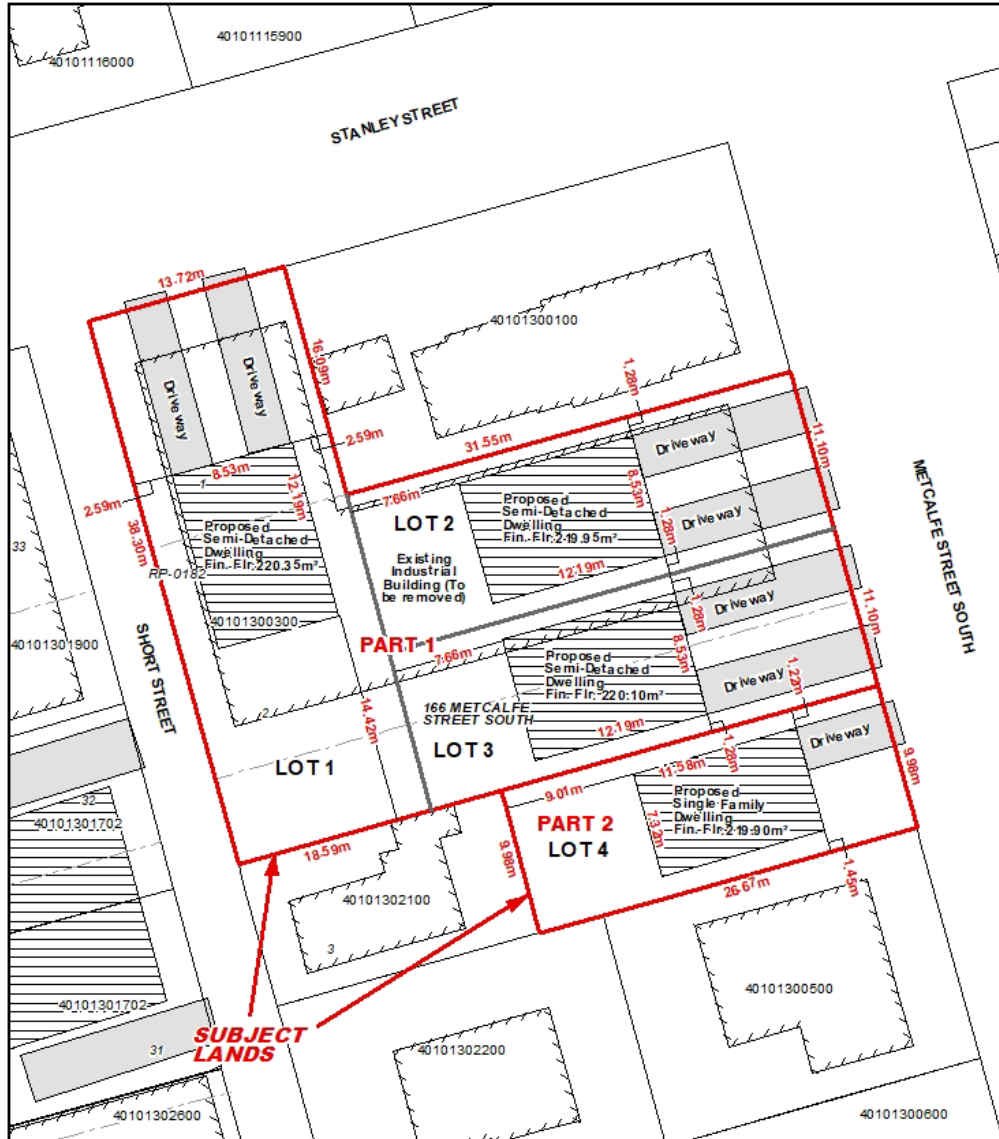


Development Proposal

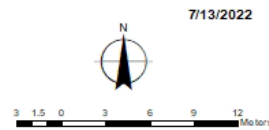
- 1 single-detached Units
- 6 semi-detached units;
- 2 parking spaces/unit

Proposed Zoning Amendment

From: General Industrial Zone (MG)
 To: Urban Residential Type 1 (R1-B), and
 Urban Residential Type 2 (R2)



Legend
 Subject Lands



PRELIMINARY REVIEW

Technical Reports

- Functional Servicing Report, prepared by J H Cohoon Engineering Ltd, dated May, 2022;
- Traffic Impact Brief, prepared by J H Cohoon Engineering Ltd, dated June 10, 2022.

Consultation Comments to Date

- A reduced lot frontage proved difficult to meet Norfolk County servicing requirements;
- Water and Wastewater Modelling has been completed and meet the design requirements for volume;
- A Holding (H) is recommended until Water / Wastewater allocations are confirmed.

Public Input

- No Public comments has been received so far.

PRELIMINARY CONSIDERATIONS



Park/Trails: Cash-in-Lieu of parkland dedication will be required.



Parking: Generally, Two (2) parking spaces for each dwelling unit will be satisfied as per zoning by-law.



Transportation: Metcalfe and Stanley Street intersection is currently traffic controlled with all way stop signs. No physical improvements are warranted by the report for this 7-unit development;



Housing: A total of 7 units will contribute to the local housing market. The proposed development will provide a mix of housing units of single-detached and semi-detached units;

Design/Frontage: The proposed reduced lot frontage, function and streetscape will have to be further considered

PRELIMINARY CONSIDERATIONS



Building Height: 11 metres as per the zoning by-law.



Servicing: Allocation of water and sanitary services will not be confirmed or committed during the zoning stage.



Record of Site Condition: The subject lands are zoned General Industrial; There is a known printing house facility located on the property. It is the owner's responsibility to find out any contamination on site or any leeching of contamination from neighboring properties to the subject lands (Ph 1 and/or 2 ESA). A Record of Site Condition will likely be required as a condition of the proposed Holding (H) given the proposed use.

NEXT STEPS AND RECOMMENDATION

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD 22-078 for development application ZNPL2022202 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.

Planning Considerations and Applicable Policies

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.

Planning Comments: The proposed development will be analyzed through the lens of above mentioned PPS policies.

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 299 units development will contribute to the County's both 15% target for multi-residential developments and townhouse dwellings.*

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;
- developable land shall not include Hazard Lands, Provincially Significant Wetlands and Significant Natural Areas;
- 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.

Section 7.7.1 indicates that the predominant use of the land shall be a variety of urban dwelling types, including semi-detached dwellings. Further, section 7.7.2 indicated that single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare.

Planning Comments: The proposed development will require to have a minimum density of 15 UPH.

Section 4.8 related to 'potential contaminated site' states that the historic use of land in Norfolk County has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and neighbourhood revitalization, if properly remediated.

Where the development or redevelopment of land involves the change of use of the property to a more sensitive use, a Record of Site Condition shall be completed by a qualified person and filed on the Brownfields Environmental Site Registry, in accordance with the requirements of Ontario Regulation 153/04, before the issuance of a building permit for the proposed use.

Planning Comments: It is owner's responsibility to find out any historical contamination of the site or any leeching of contamination from neighboring properties to the subject lands. The subject site is currently zones as General Industrial (Mg) zone; as per provincial guidelines, the change of use to a sensitive land-use triggers for a Record of Site Condition.

Section 9.6.3.2 related to 'General Consent to Sever Land Policies' states that the requirement for a plan of subdivision may be waived for infilling or redevelopment of up

to four (4) lots having frontage on a public road that is maintained on a year-round basis in an Urban Area serviced by municipal water and sanitary sewers.

Planning comments: The proposed development comprises with one retained lot for a single detached dwelling and three severed lot for semi-detached buildings. The proposal is consistent with the above mentioned policy, therefore the lot creations for the proposed units can be completed by severance applications if the zoning application is approved.

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

The subject lands are currently zoned as “General Industrial Zone (MG)”.

Permitted Uses in MG zone:

- a) ambulance service
- b) animal hospital
- c) auction centre
- d) bus terminal
- e) call centre
- f) Cannabis Production and Processing, subject to General Provisions 3.21 [25-Z-2018]
- g) construction shop
- h) contractor’s yard
- i) crematorium
- j) fire hall
- k) food processing, excluding abattoir
- l) general material manufacturing
- m) graphics and design
- n) industrial supply
- o) material processing, excluding asphalt plant, cement works and concrete batching
- p) merchandise service shop
- q) office, industrial, accessory to a permitted use
- r) personal and health services for employees, accessory to an industry on the same lot
- s) research and development facility
- t) retail sales accessory to an industry on the same lot
- u) storage
- v) taxi terminal
- w) telecommunications and data processing
- x) trade school
- y) transportation
- z) vehicle services and repair, including automobile body shop and industrial garage
- aa) wholesale outlet.

The proposed zoning changes are as follows:

Proposed Zoning	Number of Units
Urban Residential Type 1 (R1-B)	1 single-detached units
Urban Residential Type 2 (R2)	6 semi-detached units (3 buildings)

Permitted Uses in R1-B zone:

- a) dwelling, single detached
- b) bed & breakfast, subject to Subsection 3.4
- c) home occupation
- d) accessory residential dwelling unit, subject to Subsection 3.2.3.

Permitted Uses in R2 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.

To facilitate the development proposal, the following special provisions will be required:

Urban Residential Type 1 (R1-B) one single-detached units

Section	Special Provision	Required	Proposed
5.1.2 a)	Minimum Lot Area	i) interior lot : 360 square metres ii) corner lot: 450 square metres	266 square metres
5.1.2 b)	Minimum Lot Frontage	i) interior lot: 12 metres ii) corner lot: 15 metres	9.90 metres

Urban Residential Type 2 (R2) for 6 semi-detached units

Section	Special Provision	Required	Proposed
5.4.2 a)	Minimum Lot Area	i) interior lot : 255 square metres	175 square metres

		ii) corner lot: 345 square metres	
5.4.2 b)	Minimum Lot Frontage	i) interior lot: 8.5 metres ii) corner lot: 11.5 metres	5.50 metres
5.4.2 d)	Minimum exterior side yard	6 metres	2.5 metres

A draft of the Zoning By-Law amendment is included as Attachment C. The proposed zoning changes will be further reviewed against relevant official Plan policies during the recommendation report.



The Corporation of Norfolk County

By-Law __-Z-2022

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as PLAN 182 BLOCK 108 LOT 2 PART, LOTS 1 & 3, Urban Area of Simcoe, Norfolk County in the Name of 1498745 ONTARIO LTD.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) (Holding) 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 as part-1 and part-2 on Map A (attached to and forming part of this By-Law) from General Industrial Zone (MG) with Special Provision 14.606 to Urban Residential Type 1 Zone (R1-B) and Urban Residential Type 2 Zone (R2), with a Holding (*H*) and a new Special Provision 14.XXXX.
2. That Subsection 14 Special Provisions is hereby further amended by removing the existing Special Provision 14.606 and adding 14.XXX with the following provisions:

Part 1:

In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *lot area* – 175 square metres;
- b) minimum *lot frontage* – 5.50 metres;

Part 2:

In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a. minimum *lot area* – 266 square metres;
- b. minimum *lot frontage* – 9.90 metres;
- c. minimum *exterior side yard* – 2.5 metres

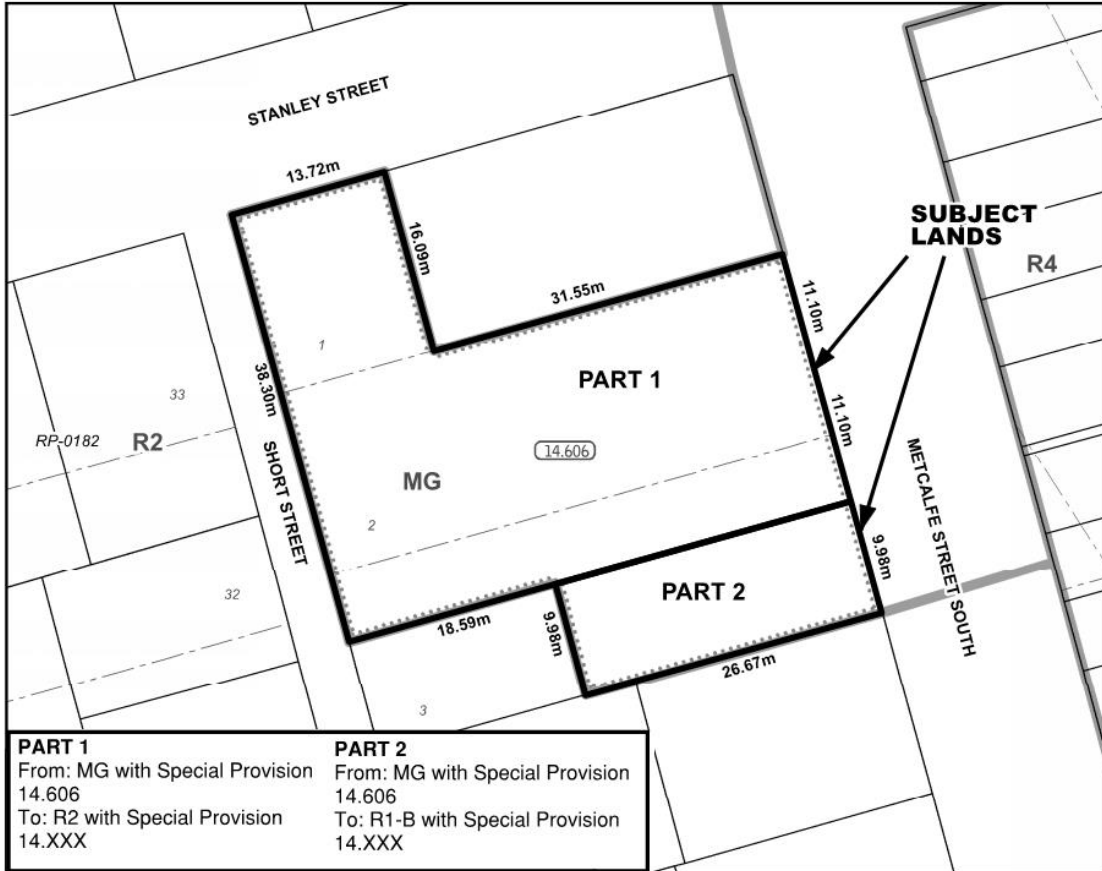
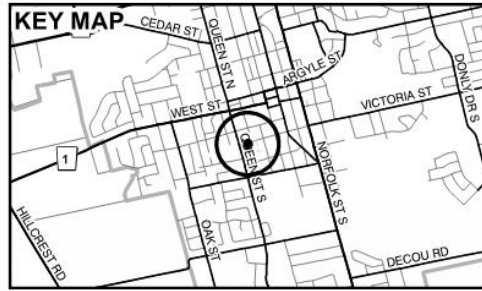
3. That the Holding (H) provision of this By-Law shall be removed upon a successful registration of a Record of Site Condition (RSC) and allocation of municipal water and sewer services to the satisfaction of Norfolk County.
4. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this **date** day of **month**, 2022.

Mayor

County Clerk

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



LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

(H) - Holding

MG - General Industrial Zone

R2 - Residential R2 Zone

R4 - Residential R4 Zone



1:500



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

 MAYOR

 CLERK

**Explanation of the Purpose and Effect of
By-Law __-Z-2022**

This By-Law affects a parcel of land described as Plan 182 Block 108 Lot 2 Part, Lots 1 & 3, Urban Area of Simcoe, Norfolk County.

The purpose of this By-Law is to change the *zoning* on the subject lands from General Industrial *Zone* (MG) with Special Provision 14.606 to:

Part 1: Urban Residential Type 1 *Zone* (R1-B) with a Holding (H) and Special Provision 14.XXX

Part 2: Urban Residential Type 2 *Zone* (R2) with a Holding (H) and Special Provision 14.XXX

The Holding “(H)” provision is being placed on the zoning on the subject lands to ensure the completion of a Record of Site Condition (RSC). As well the holding will remain until water and sanitary servicing capacities are confirmed and allocated by the General Manager of Environment and Infrastructure Services or anyone designated by Norfolk County.