



Working together with our community

Public Hearings Committee – June 04, 2024

Subject: Application ZNPL2024076 proposing to amend the Zoning By-Law to rezone the property from Urban Residential Type 1 (R1-A) to Urban Residential Type 2 (R2) for the lands described as 94 Sovereign Street, Waterford.

Report Number: CD 24-059
 Division: Community Development
 Department: Planning
 Ward: Ward 7
 Purpose: For Public Meeting

Recommendation(s):

That staff Report CD-24-059 for development application ZNPL2024076 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 April 23, 2024.

Discussion:

The applicant is proposing a Zoning By-Law Amendment application to rezone the subject lands from Urban Residential Type 1 (R-1A) to Urban Residential Type 2 (R2) to facilitate the development of a semi-detached dwelling. The subject lands require the following amendments to facilitate the construction of the semi-detached dwelling as proposed:

1. Section 3.6 a) (Setback of Decks and porches) – required 1.2 meters from an interior side lot line to proposed 0.76 meters. The relief required is 0.44 meters.
2. Section 5.2.2 b) i) Minimum lot frontage – required 8.5 meters per unit whereas proposed 7.62 meters per unit. The relief required is 0.88 meters.

An overview summary of the development application(s) that have been submitted for the subject property at 94 Sovereign Street, Waterford is contained within Attachment A. This includes an outline of the site context, list technical reports and plans, any technical or public feedback to date and overview of development considerations. The draft by-law amendment is included as Attachment D.

In a subsequent application, the applicant will be submitting a consent application to sever the subject lands into two lots (semi-detached dwelling).

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation: The proposed development will provide additional residential dwellings within the urban area of Waterford as an infill development.

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 Proposed Zoning Bylaw Amendment

Approval:

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

Reviewed By:
Mohammad Alam,
MUD, MPI, RPP, MCIP
Supervisor of Development Planning
Community Development Division

Prepared By:
Fabian Serra, M.Sc.(PL)
Planner
Community Development Division
Planning Department

Attachment A - Report CD 24-059
Development Application Overview

94 Sovereign Street, Waterford

Application File Number: ZNPL2024076

Applicant: Mayberry Homes

Agent: J H Cohoon Engineering Ltd.

Statutory Public Hearing

Date: June 4th, 2024

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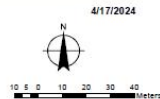
Site Context

MAP A
CONTEXT MAP
Urban Area of WATERFORD

ZNPL2024076



Legend
Subject Lands
2020 Air Photo



Site Characteristics:

- 0.13 acres (526 square meters)
- Located east of the intersection of John Street and Sovereign Street in Waterford.
- Located within the Urban Area of Waterford.
- Foundation permit issued

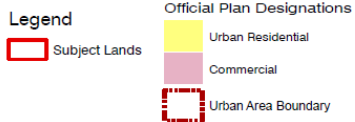
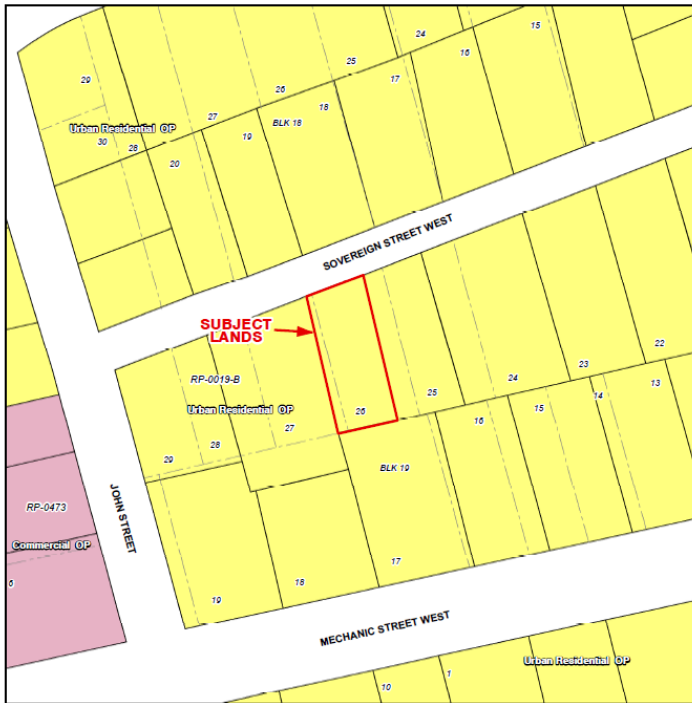
Surrounding Land Use: Residential.

Site Context

Official Plan Map

MAP B
OFFICIAL PLAN MAP
Urban Area of WATERFORD

ZNPL2024076

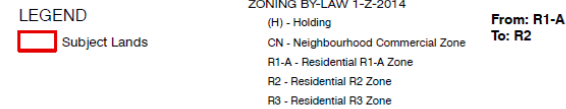
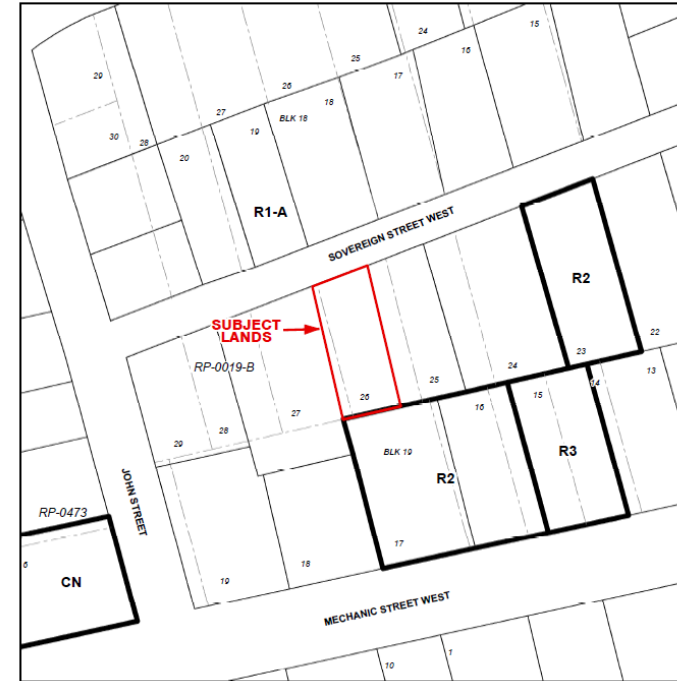


4/17/2024

Proposed Zoning By-law Amendment Map

MAP C
ZONING BY-LAW MAP
Urban Area of WATERFORD

ZNPL2024076



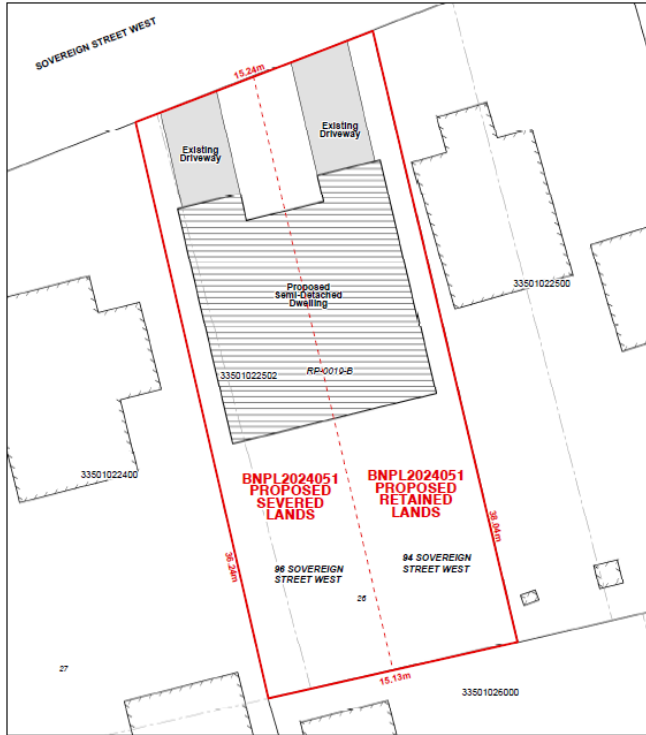
4/17/2024

Development Proposal

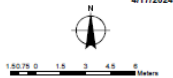
Concept Plan

MAP D
CONCEPTUAL PLAN
Urban Area of WATERFORD

ZNPL2024076



Legend
Subject Lands



Key Features/Proposed Subdivision:

Development Proposal:

- The Development being proposed is the construction of a semi-detached dwelling within the Urban Area of Waterford. In a subsequent consent application, the applicant will apply to sever the subject lands into two lots.

Proposed Zoning Amendment:

- The proposed Zoning By-Law Amendment for the Subject lands is to rezone the subject lands from Urban Residential Type 1 (R1-A) to Urban Residential Type 2 (R2) to facilitate the development of a semi-detached dwelling.

Provision	Required	Proposed	Deficient
3.6 Decks and Porches a)	Be nearer than 1.2 meters from an interior side lot line	0.76 meters	0.44 meters
5.2.2 b) i) Minimum lot frontage	8.5 meters (per unit)	7.62 meters	0.88 meters

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Preliminary Review

Technical Reports/Plans:

- Site Plan Drawing (September, 2023)


Technical Comments:

Comments of interest include Development Engineering and Zoning.

Public Input:

Public input has not been received at time of submission of this report and presentation.

Preliminary Considerations

Key Items		Preliminary Review
Housing		The subject lands is currently vacant. The applicant is proposing to rezone the property from R1 to R2 to facilitate the development of a semi-detached dwelling.
Parking		The proposed development meets the parking requirements of the Zoning By-law.

Next Steps & Recommendation

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

Public Hearing Committee Report Recommendation:

THAT staff Report CD 24-059 for development applications ZNPL2024076 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 Planning Policy and Zoning Considerations

Report CD 24-059

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

Provincial Policy Statement (PPS)

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

Planning Comment: The subject lands are located within the urban settlement area of Waterford.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

a) Efficiently use land and resources;

b) Are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.1.3.5 outlines that planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

Planning Comments: *The zone change proposed will allow for gentle residential intensification within the Urban Area of Waterford. Future development applications will follow the appropriate planning application process to ensure orderly division of lands and applicable development criteria.*

Section 1.1.3.6 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 of the PPS provides policies regarding Housing in Ontario. Section 1.4.1 of the PPS states that municipalities are to provide an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market. Planning authorities shall:

a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and

b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Planning Comments: *The proposal allows for the facilitation of residential intensification and would provide additional housing options to the community (semi-detached dwelling).*

Section 1.4.3 indicates 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:

a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

b) permitting and facilitating:

1. 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; and

2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

c) 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;

d) 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;

e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and

f) 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 purpose of this application is to change the zoning of the subject lands to accommodate the potential for a semi-detached dwelling on the subject lands. The increase in housing in the Urban Area of Waterford would provide additional housing to the community.*

Norfolk County Official Plan

Existing Land Use Designation: Urban Residential.

Section 5.3.1 Residential Intensification

The intensification of urban residential development reduces the need to use vacant designated land on the periphery of the Urban Areas. It also reduces the need for urban expansions encroaching into the Agricultural Area. 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.

The following shall be the policy of the County:

a) Housing shall, in part, be provided through urban residential intensification, which may include any of the following:

ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods;

f) The County shall consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:

i) the development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;

ii) the existing water and sanitary sewer services can accommodate the additional development;

iii) the road network can accommodate the traffic generated;

- iv) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
- v) the proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land.

Section 6.4 Urban Areas

This section of the Official Plan outlines that Areas will accommodate the greatest amount of the targeted growth throughout the planning period, and will be the focus of residential, commercial, employment, government, institutional, office, entertainment, cultural, and health and social service activities.

- b) It is the policy of this Plan that the Urban Areas will incorporate the following:
 - i. a full range of housing types, including affordable and special needs housing;
 - ii. business opportunities at appropriate locations to provide a wide range of employment and services to residents, businesses and visitors;
 - iii. full municipal services, as feasible and appropriate, and an appropriate level of transportation infrastructure;

Section 7.7 Urban Residential Designation, 7.7.1 Permitted Uses

The Urban Residential Designation applies to the Urban Areas of the County. The Urban Areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as neighbourhood facilities such as elementary schools, parks, places of worship and convenience commercial uses integral to and supportive of a residential environment.

A variety of housing types are needed to meet the needs of a diverse population. Opportunities to provide housing for individuals or groups with special needs including the elderly and those with special physical, social or economic needs within the County will be encouraged. The following policies shall apply in determining uses permitted on land designated Urban Residential :

- a) The predominant use of land shall be a variety of urban dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2 dwelling units per lot.

Zoning By-law

The subject lands are zoned Urban Residential Type 1 (R1-A) in the Norfolk County Zoning By-Law.

The current Urban Residential Type 1 (R1) zoning does not permit Semi-Detached dwellings as a permitted use. The purpose of the Zoning By-Law Amendment is to rezone the property from Urban Residential Type 1 (R1-A) to Urban Residential Type 2 (R2) for the development of a semi-detached dwelling.

The subject lands require the following amendments to facilitate the construction of the semi-detached dwelling:

1. Section 3.6 a) (Setback of Decks and porches) – required 1.2 meters from an interior side lot line to proposed 0.76 meters. The relief required is 0.44 meters.
2. Section 5.2.2 b) i) Minimum lot frontage – required 8.5 meters per unit whereas proposed 7.62 meters per unit. The relief required is 0.88 meters.

Attachment C – Technical Comments - Report CD 24-059

Building: Reviewed. Comments are as follows:

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

The building department will require a change of use permit if constructed as a SFD.

No Ontario Building Code review has been completed at this time and will be done at permit application stage.

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

Development Engineering: Reviewed. Comments are as follows:

General Comments:

1. At the time of future severance application, Development Engineering will have the following condition:
 - a. Receipt of a letter from Development Engineering that a drawing was received and reviewed to identify the proposed restoration within the Sovereign St. ROW, paying particular attention to the location of new entrances, location of proposed services, restoration of the existing road base, asphalt, curb and gutter and the grading / drainage of all lands to ensure no changes to Municipal Drainage areas.
2. All review of detailed engineering will take place at severance application stage. Drawings are to include the following comments:
 - a. As per Norfolk County Design Criteria Section 9.7.00 - "All sanitary sewer lateral connections shall be installed using prefabricated tees. The use of any service saddle must be approved by Norfolk County Environmental Services Division. All connections shall conform to current OPSD 1006.010 and OPSS 410." Please include this information as a note on the drawing in your next submission.
 - b. Please add a note "All applicable permits are to be applied for prior to the installation of any services".
 - c. Please add a note to the drawings "No work on Water services can take place without supervision of a licensed Norfolk County Water Operator on- site"
3. Further Development Engineering comments will be provided through planning application **BNPL2024051**.

Enbridge Gas: Reviewed. Comments are as follows:

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details:

<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Zoning: Reviewed. Comments are as follows:

The parcels will be deficient in lot frontage. Lot frontage of 8.5m is required for each semi in an R2 zone. The lot area is ok at min 255sqm each unit. The decks in the rear yard must be 1.2m to the new interior lot line, this looks to be deficient as well.

Cambium: Reviewed. Comments are as follows:

This property is not within a Source Protection Zone

GIS: Reviewed. Comments are as follows:

Norfolk GIS has no requirements at this time.

Canada Post: Reviewed. Comments are as follows:

Please be advised that Canada Post does not have any comments on this application for a semi detached dwelling. Please have the customer register for mail delivery at the Waterford Post office.

Realty Services: Reviewed. No Comments.

Fire: Reviewed. No Comments.

Realty Services: Reviewed. No Comments.



The Corporation of Norfolk County

By-Law 2024-XX

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as PLAN 19B BLK 19 PT LOTS, 26 AND 27 RP37R11460 PART 1, municipally known as 94 Sovereign Street, Waterford.

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

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

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

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-Law) from Urban Residential Type 1 *Zone* (R1-A) to Urban Residential Type 2 *Zone* (R2).
2. That Subsection 14 Special Provisions is hereby further amended by adding Special Provision 14.1058 as follows:

14.1058 In lieu of the corresponding provision of Urban Residential Type 2 (R2) *Zone*, the following shall be applied:

- a) minimum *lot frontage*: 7.62 meters per unit.

In lieu of corresponding provisions of Section 3.6 *Decks and Porches a)*, the following shall be applied:

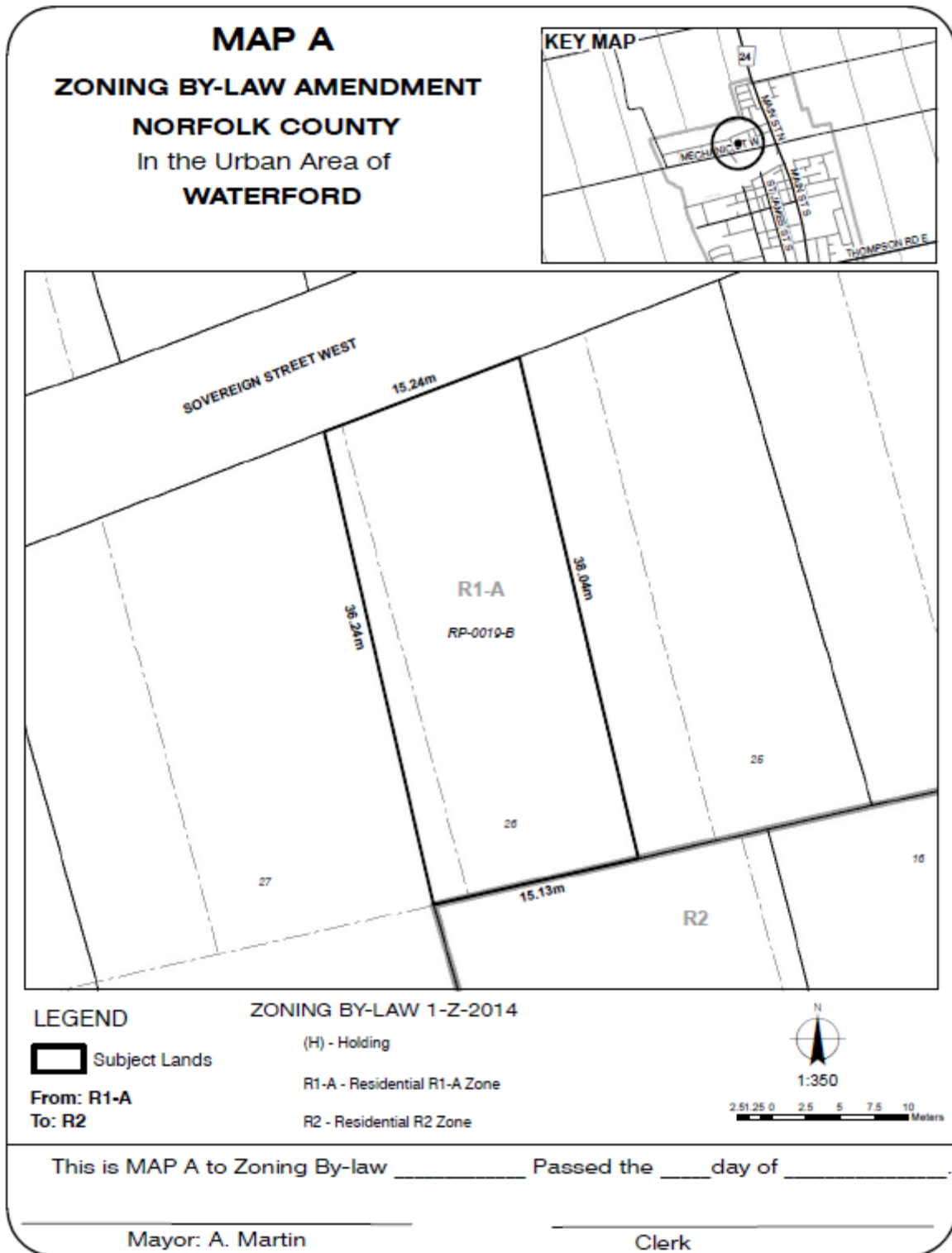
- a) no *deck or unenclosed porch* shall be nearer than 0.76 metres from an interior side lot line.

3. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this ____ day of July, 2024.

Mayor
Amy Martin

County Clerk



Applicant Mayberry Homes
 File Number ZNPL2024076
 Report Number CD 24-059
 Assessment Roll Number 3310335010225020000
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**Explanation of the Purpose and Effect of
By-Law 2024-XX**

This By-Law affects a parcel of land described as PLAN 19B BLK 19 PT LOTS, 26 AND 27 RP37R11460 PART 1, municipally known as 94 Sovereign Street, Waterford.

The purpose of this By-Law is to change the zoning on the subject lands from Urban Residential Type 1 *Zone* (R1-A) to Urban Residential Type 2 *Zone* (R2) to facilitate the development of a semi-detached dwelling.