

Council Meeting – October 16, 2024

Subject: Development Application ZNPL2020244 – 185 Robinson Street, Simcoe
Report Number: CD-24-115
Division: Community Development
Department: Planning
Ward: Ward 5
Purpose: For Decision

Recommendation(s):

That application ZNPL2020244 affecting the lands described as Lot 1, Block 68, Lot 1, Block 68A, Lots 1 to 11, Block 69, Part Kars Street, Part Metcalfe Street North, Plan 182, Urban Area of Simcoe, Norfolk County to amend the Norfolk County Zoning By-Law 1-Z-2014 from Urban Residential Type 6 (R6) with a Holding (H) and Special Provision 14.664 and Special Provision 14.713 to Urban Residential Type 6 (R6) with a Holding and a new Special Provision for 14.1061, be APPROVED, as presented in Report CD-24-115; and

AND FURTHER THAT all public input received for this application was considered as part of the decision, as outlined in staff report CD-24-115.

Executive Summary:

The proposal is to amend the Norfolk County Zoning By-Law 1-Z-2014 to facilitate the development of an 8-storey mixed-use building containing a total of 143 residential units between 2nd and 8th floor, as well as commercial retail units and office space on the ground floor.

The proposed development is located on the Northern portion of the property, which is currently vacant.

Regarding the required Zoning By-Law Amendments to facilitate the project, the application seeks to achieve the following:

- 1) Permit the uses of Commercial Retail Units (300m²) and office uses within the Urban Residential Type 6 Zone (R6).
- 2) A reduction in the rear yard setback from 9 meters to 3.5 meters
- 3) An increase in the maximum Floor Area Ratio (FAR) for an 8 storey building from the permitted '1' to a maximum Floor Area Ratio of '1.55'.

- 4) To allow a maximum number of dwelling units (143) be permitted.
- 5) To amend Section 4.1.3 to allow for a parking space width of 3 meters where 3.3 meters is required for a parking space adjacent to a wall.

It should be noted that a maximum height of 8-storeys for an apartment building is already permitted through the R6 Zoning that is currently on the property.

Initially, it was believed that the Angular Plane Provision of 5.6.4 required an amendment but staff have determined that this was not required as the property is not directly adjacent to an Urban Residential Zone (R1-A, R1-B or R2 zone).

This project was previously brought forward to the Public Hearing Committee on April 7th, 2021. Staff provided the applicant and agents with the public comments received from members of the public and the Public Hearing Committee. The applicants submitted a revised concept in response to the comments received. Due to the time that had passed between the first public hearing meeting and the receipt of the second submission, coupled with a new term of council, staff were of the opinion that a second public hearing should be held. A second Public Hearing Meeting was held on October 4th, 2023.

On July 16, 2024, Staff brought forward a negative recommendation report to the council because staff had not received a wholesome 3rd submission since the second Public Hearing on October 4th, 2023. On the July 16 date, County council voted to allow the applicant additional time to provide their submission in which the project was scheduled to return for Council's Decision in October of 2024.

Discussion:

See Public Hearing Report CD-21-20 and [CD-23-048](#) and [CD-24-015](#) for additional background information on the site proposal and context. Please note that Public Hearing Report CD-21-20 was attached as Attachment D due to technical difficulties.

Site Context:

The subject lands are located within the Urban Area of Simcoe at 185 Robinson Street. The subject site was home to a cannery manufacturing facility (American Can) until the early 1990's. Currently, the subject lands consist of an existing three (3) storey office building which consists of office uses, including the Norfolk County Offices and the Provincial Offences offices, as well as a parking lot for the office building. The existing 3-storey office building on the subject lands is currently undergoing extensive interior renovations to accommodate a Medical Centre.

The proposed 8-storey mixed-use building is proposed to be located on the vacant portion of 185 Robinson Street. Surrounding the subject lands are primarily residential uses to the north, an industrial building to the east, along with a hospital and more residential dwellings to the west of the subject lands.

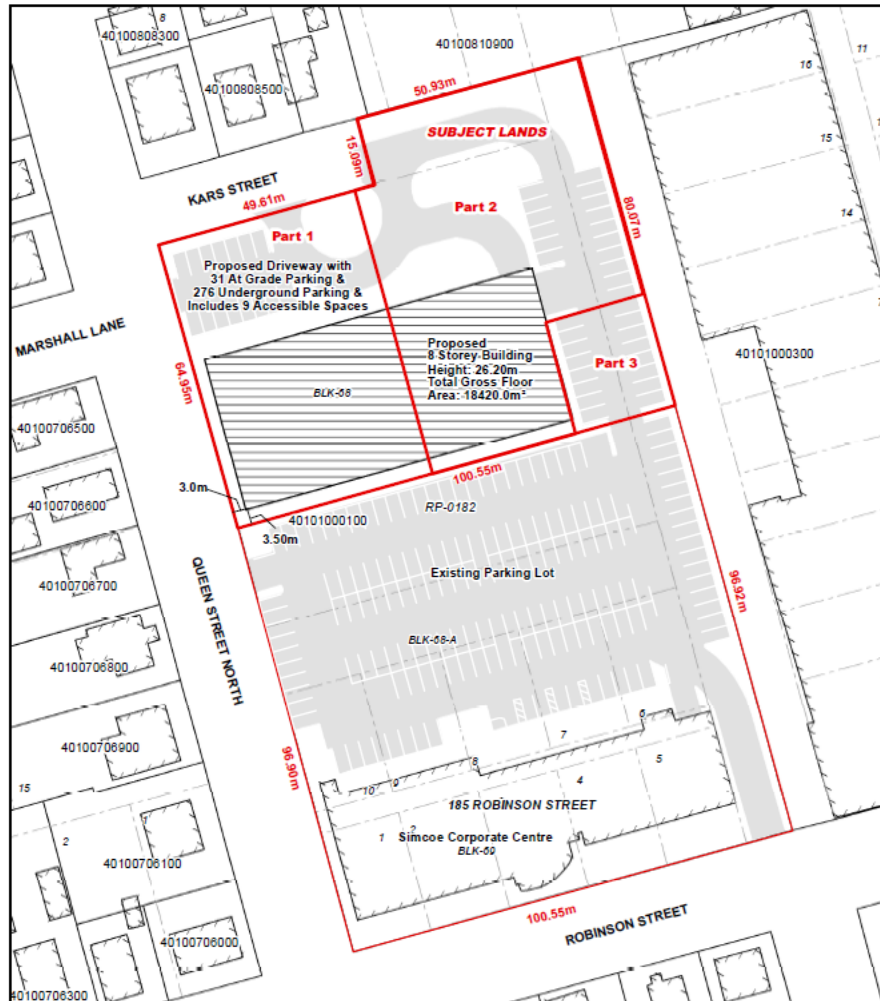


Figure 1: The subject lands is the vacant parcel at the intersection of Queen Street North and Kars Street. The proposal is to develop the vacant land into an 8-storey mixed-use apartment.

Proposal Summary:

Initially the proposed 8-storey mixed-use building would consist of a total of 147 units inclusive of residential, commercial and long-term care facility units. The most updated proposal consists of a total of 143 residential units.

Staff was not in support of a long-term care facility within a mixed-use building due to compatibility concerns and absence of adequate long term care functions such as emergency access and appropriate amenities for the LTC residents. The applicant provided a third submission on January 30th, 2024, which removed the long-term care use and proposed the following:

The proposed development will consist of an eight (8)-storey mixed-use building consisting of 6 office and retail units on the ground floor and 143 residential dwelling units in the upper floors from floors 2 – 8. The unit sizes of the residential apartment

dwelling units will range from:

- 1030 sq. ft. to 1480sq. ft. on the 2nd to 4th floor;
- 890 sq. ft. to 987sq. ft. on the 5th and 6th floor;
- 715 sq. ft. to 765 sq. ft. on the 7th;
- 605 sq. ft. to 1107sq. ft. on the 8th floor.

The proposal was further revised in the 4th submission. The major changes to the project includes a slight reduction in units (from 147 to 143 units) and an additional floor of underground parking was added. The proposal requires a total of 303 Parking spaces to support the proposal. The proposal appears to include a total of 307 Parking spaces which consists of 31 Spaces of surface parking and a total of 276 parking spaces within the underground parking garage (69 spaces per floor of underground parking for a total of 4 floors).

To implement the proposed mixed-use building, the applicant is proposing to amend the existing special provisions on the subject lands to allow for the following:

- 1) Permit the uses of Commercial Retail Units (300m²) and office uses within the Urban Residential Type 6 Zone (R6).
- 2) A reduction in the rear yard setback from 9 meters to 3.5 meters
- 3) An increase in the maximum Floor Area Ratio (FAR) for an 8-storey building from the permitted '1' to '1.55'.
- 4) To permit a maximum number of dwelling units (143).
- 5) To amend Section 4.1.3 to allow for a parking space width of 3 meters where 3.3 meters is required for a parking space adjacent to a wall.



Figure 2: Development Proposal.

In support of this application, the applicant submitted the following reports:

- Planning Justification Report & Addendum (Design Plan Services, November 2020, August 2024)
- Traffic Impact and Parking Study (Trans-Plan, August 2024)

- Site Survey (Jewitt and Dixon, August 2022)
- Shadow Study (Stoyanovsky Architects)
- Functional Servicing & Stormwater Management Report (August 2024)
- Architectural Drawings and Site Plan (Stoyanovsky Architects)
- Civil Engineering Drawings (Crozier Consulting Engineers,
- Environmental Site Assessment (A&A Environmental Consultants Inc. (January 2011).
- Street view Modeling (Design Plan Services, 2023).

Consultation(s): **Technical Comments/ Analysis:**

The application was circulated for comments amongst Norfolk County Departments and applicable agencies. Comments of interest are outlined from Development Engineering and Zoning. The Full technical comments can be found in Attachment B – Technical Comments.

It should be noted that all plans reports and studies identified are to be submitted at the time of Site Plan application and full development engineering comments will be provided at the time of the Site Plan Submission. The development engineering comments identify that Stormwater Management, Water and Wastewater Modeling, as well as Traffic (Traffic Impact Study) will require a comprehensive detailed engineering review. As a result of this, Development Engineering are recommending that a Holding Provision be placed on the subject lands to ensure adequate servicing, stormwater management principles and traffic management measures are dealt with accordingly through the Site Plan Process.

Zoning: Following is an explanation of Floor Area Ratio and how it is measured as identified in the Norfolk County Zoning By-Law 1-Z-2014.

Floor Area Ratio

Floor Area Ratio (FAR) as defined in the Norfolk County Zoning By-Law means the ratio of the usable floor area to the lot, determined by the calculation of:

$$\text{Floor Area Ratio} = \text{Useable Floor Area} / \text{lot area.}$$

“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

Storey	Usable Floor Area
First Floor*	1,178.4 sq.m
2 nd to 4 th floor	2,382.6 sq.m
5 th floor, 6 th floor	1,915.8 sq.m
7 th floor	1,507.5 sq.m
8 th floor	1,225.9 sq.m
Total	14,891.2sq.m

*All amenity space corridor and lobby are removed based on the definition zoning definition of usable floor area. Parking garages do not count towards usable floor area.

Therefore, the Floor Are Ratio for the proposed building would be calculated as follows:

Floor Area Ratio = Useable Floor Area/lot area.

FAR = 14,891.2 / 9,756 = 1.53 floor area ratio > 1.0 permitted for 8 storeys.

Therefore, the proposal is proposing a Floor Area ratio of 1.53 where the maximum Floor Area Ratio for an 8-storey building within the R6 zone is 1. Staff are recommending that a Floor Area Ratio of 1.6 be provided to assist the applicant when working through the Site Plan process in the event that the space on the main floor revised.

Regard for Public Input and Statutory Public Hearing Committee Meeting:

For this application, this project was previously brought to Public Hearing on two separate occasions. The first was on April 7th, 2021 and the second one was on October 4th, 2023.

At both Public Hearing meetings there were questions from Members of Committee. For this Zoning By-Law Amendment, there were also public comments and submissions that were received. Staff received several letters of concern regarding the proposed development. The letters have been attached as Appendix C. To summarize the contents of the letters, concerns were raised surrounding the following items:

- The proposed height of the building;
- Traffic volume and traffic increase;
- Pedestrian accessibility and safety;
- Inadequate parking;
- Parking concerns due to the potential increase in on street parking from visitors and residents;
- Compatibility with the surrounding area (height and character); and
- Privacy concerns.

The following is a summary of the questions from Committee:

- Compatibility with existing landscape
- Compatibility of proposed uses within the building
- Parking concerns

When comparing the four submissions, staff acknowledges that an attempt was made at addressing the public comments and concerns, through amendments to the proposed uses within the building, parking considerations and step backs.

It is understood that there are several concerns in regard to the proposed height of the building and the impacts that come from an 8-storey building, for instance, shadow impacts and privacy concerns. In discussions with the agents, staff also echoed the concerns raised by members of the public and the Council in regard to the building height in order to achieve a less intense proposal as this was seen as the simplest remedy to mitigate the height, shadow and parking concerns.

In discussions with the owner and agent, a pivot was made to remove the long-term care use, to achieve greater compatibility within the building and to lower the amount of required parking that the proposed development would require. An additional floor of underground parking was also proposed to achieve parking conformity. Further to this, appropriate building step backs were provided, a shadow study that indicates minimal shadow impacts was demonstrated and successfully achieved parking conformity to address the public concerns of potential increase of on-street parking.

In addition to this, Section 5.6.2 of the Norfolk County Zoning By-Law subsection f) allows for a maximum building height of eight (8) storeys within the Urban Residential Type 6 Zone (R6).

Building Height

Staff conducted an analysis of the area of Simcoe, primarily focusing on existing and recently approved building heights within Simcoe. In total there were 13 locations analyzed, 11 of which were apartment dwellings along with two non-residential buildings. The two non-residential buildings were the Norfolk General Hospital and the existing office building on the subject lands, the Robinson Administration building. The following Map identifies the locations analyzed.

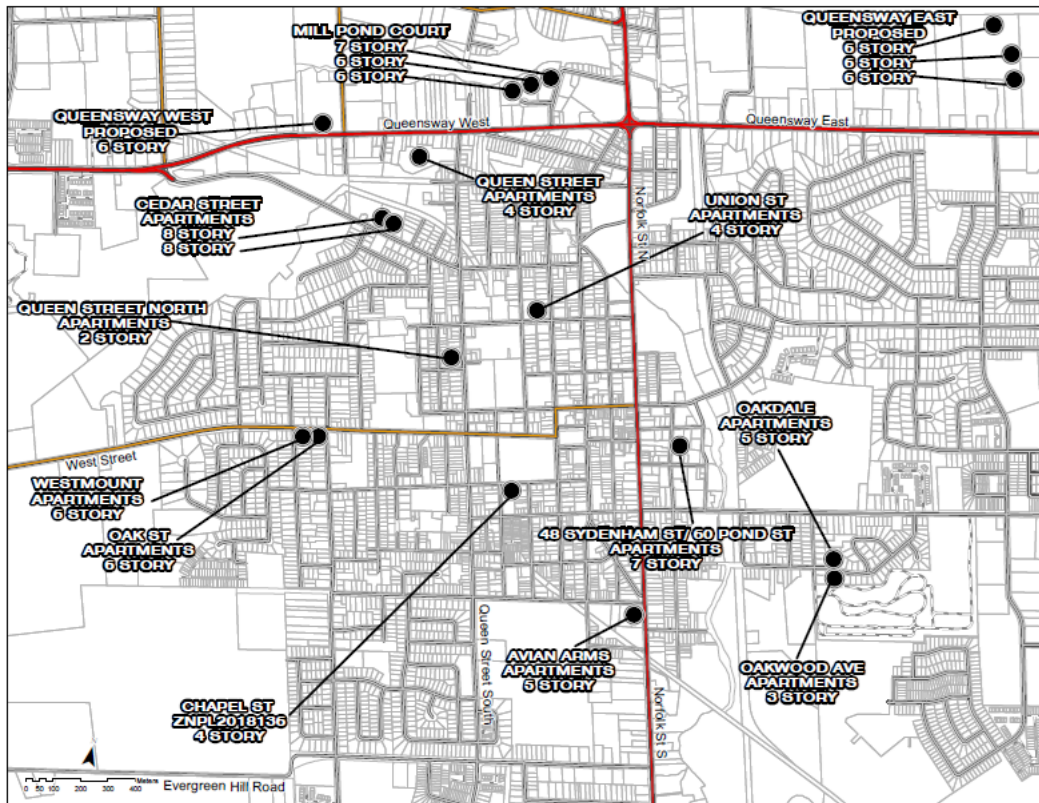


Figure 3: Map indicating the existing multi storey apartment buildings within the Urban Area of Simcoe, as well as locations that have recent planning applications that have received Council approval.

Table 1: The following table provides a summary of the locations analyzed above.

	Address	Zone	Permitted Uses	Number of Storeys	Parking Relief	Transition of Height
1)	Mill Street Pond Court (5, 11, 17 Mill Pond Court)	R6	Apartment buildings up to 8 storeys	Two 6 Storey buildings and One 7 storey building	required	1-2 storey buildings

	Address	Zone	Permitted Uses	Number of Storeys	Parking Relief	Transition of Height
2)	364 Queen Street - Kent Park Community	R4	Townhouses, semi-detached, duplex, tri-plex and four-plex dwellings provided, ARDUs	4 storey apartment 3 storey towns	required	Within development yes, but not amongst surrounding area
3)	309 & 315 Cedar Street	R6	Apartment buildings up to 8 storeys	Two 8 Storey buildings	Not required	Not provided
4)	135 Union Street - Union Street Apartments	R6	Apartment buildings up to 8 storeys	4 Storey apartment	Not required	Not provided
5)	86 Queen Street North – Queen Street North Apartments	R5	Apartment buildings up to 5 storeys	2 storey apartment	Not required	provided
6)	418 West Street - Westmount Apartments & 4 Oak Street - Oak Street Apartments	R6	Apartment buildings up to 8 storeys	Two 6 Storey buildings	Not required	Not provided
7)	48 Sydenham/60 Pond Street	CBD	Permitted height 6 storey's	One 7 storey building	Not required	Not Provided
8)	150 Chapel Street - Chapel Street Apartment	R6	Apartment buildings up to 8 storeys	4 Storey apartment	Required	Not provided
9)	20 South Drive - Avian Arms Apartments	R6	Apartment buildings up to 8 storeys	5 Storey apartment	Not required	Not provided
10)	53 Oakwood – Oakdale Apartments	R6	Apartment buildings up to 8 storeys	5 Storey	Not required	Not provided

	Address	Zone	Permitted Uses	Number of Storeys	Parking Relief	Transition of Height
11)	42 Oakwood Avenue	R5	Apartment buildings up to 5 storeys	3 Storey	Required	Provided
12)	395 Queensway West	CS	Amendment to permit a multi use building with residential units within	6 storey	Required	Not provided
13)	157 Queensway East	R6	Apartment buildings up to 8 storeys	Three 6 Storey Building	Required	Not provided

1) Mill Street Pond Court (5, 11, 17 Mill Pond Court) 3 Apartments: one 7-Storey, and two 6-storey buildings)

The first location that was analyzed was located on Mill Street Pond Court which consists of 3 apartment buildings, 2 of which are 6 storeys in height and 1 being 7 storeys in height. The property is designated Urban Residential and Hazard lands and are zoned Urban Residential Type 6 (R6). The surrounding land uses consists of commercial properties and low-rise residential development.

The property underwent a Zoning By-Law Amendment in the late 1980s (Z-S-7/89) to add a Special Provision to allow parking spaces between an apartment building and the street line. The present zoning at the time permitted three apartment building on the subject lands.

2) Kent Park Community (364 Queen Street)

The second location analyzed was the Kent Park Community located at 364 Queen Street North, which contains a four (4) storey apartment building which consists of 40 units and 5 block group townhouses which consists of a total of 36 townhouse units. The property is designated Urban Residential and are zoned Urban Residential Type 4. The property underwent a zoning By-Law Amendment in 2013 in which a component of the application was for a reduction in the parking counts (40 spaces). The surrounding land uses consist of a mixture of residential and commercial uses to the north and exclusively residential uses to the south. When looking at the site at the micro scale, there is a clear transition in building height as the townhouses range from 2-3 stories. However, when taking a step back and comparing the property to the immediate surrounding area, there is a clear lack in the transition of building height as most of the residential dwellings range from 1-2 storeys in height.

The property underwent a Zoning By-Law Amendment in 2013 (ZNPL2013012) to add Special Provision 14.636 to:

- a) increase the number of permitted townhouse units from 30 to 36;
- b) permit the construction of stacked townhouses;
- c) provide relief to parking resulting in a total of 118 on-site parking spaces;
- d) address the minimum separation between townhouse dwellings;
- e) decrease the minimum usable floor area from 65 sq.m. to 56 sq.m.

3) Cedar Street Apartments

The third location analyzed was the Cedar Street apartments located at 309 and 315 Cedar Street respectively. Both sites are designated Urban Residential and are zoned Urban Residential Type 6 (R6) and both sites contain an 8-storey apartment building that was constructed roughly during 1975. The surrounding land uses consists of primarily residential land uses. However, of all the sites analyzed, this is the only site that has several locations within the same street that contains properties that are zoned R6 and contains apartments. It should be noted that these apartments are low in height as they do not surpass 2 stories.

The apartment at subject lands did not require an Official Plan or Zoning By-Law amendment to facilitate the proposal.

4) Union Street Apartments (135 Union Street)

The fourth location that was analyzed was 135 Union Street Simcoe. The property consists of a 4-storey apartment building and are designated Urban Residential and are Zoned Urban Residential Type 6. The surrounding land uses consist of industrial lands and primarily residential lots that primarily consist of single detached dwellings that range from 1 to 2 storey buildings. The surrounding zoning of the residential lands ranges from R2 to R 3. This apartment on Union Street was orientated in a manner that mitigates visual impacts and oversight into neighbouring residential lots, similar to the proposed 8 storey apartment building.

The apartment at subject lands did not require an Official Plan or Zoning By-Law amendment to facilitate the proposal.

5) Queen Street North Apartments

The fifth location analyzed is located at 86 Queen Street North. The property is Designated and Zoned Urban Residential Type 5 with Special Provision 14. 663 (Z-018/86). Special Provision 14.663 allows for a minimum rear yard of 8 meters, and interior side yard of 3 meters and a maximum of 6 dwelling units. The property contains a 2 Storey 6 Unit apartment building and the surrounding land uses range from industrial lands primarily residential lots that primarily consist of single detached dwellings that range from 1 to 2 storey buildings. The surrounding zoning of the residential lands ranges from R1-B and R2 Zoning.

6) Westmount Apartments and Oak Street Apartments

The sixth location that was analyzed consists of two (2) apartment buildings along West Street in Simcoe, they are 4 Oak Street and 418 West Street. The properties are both zoned Urban Residential Type 6 and are both 6-storeys in height. The surrounding residential area consists exclusively of primarily low-rise residential development that with dwellings ranging from 1 to 2 storeys. Similar to the proposed development, these two apartment buildings are orientated in a manner in which visual oversight concerns are mitigated.

The apartment buildings at the subject lands did not require an Official Plan or Zoning By-Law amendment to facilitate the proposal.

7) Pond Place (48 Sydenham/60 Pond Street) Apartment

The seventh location that was analyzed was the proposed apartment building in Downtown Simcoe on Pond Street and Sydenham Street. The subject lands are designated Downtown and zoned Commercial Business District. The surrounding land uses consists of primarily commercial development with buildings consisting of 2 stories in height. At this location, due to the CBD zoning, parking is not required but is still provided. Further to this, there is no transition in building height or respective uses within the immediate area.

The property underwent an Official Plan and Zoning By-Law Amendment (OPNPL2020106/ZNPL2020107) to amend the Official Plan and Zoning By-law to permit an seven-story apartment building with a maximum of seven dwelling units at the ground floor of the building fronting onto Sydenham Street A new special provision was placed on the property to permit parking within the front yard, a step back of 0 metres for the upper floors, and replace existing special provisions 14.709 and 14.930.

8) 150 Chapel Street - Chapel Street Apartment (ZNPL2018136)

The eighth location analyzed is a project that recently received Council approval in 2018 through Zoning Application ZNPL2018136. The purpose of application ZNPL2018136 was to rezone the subject lands from General Industrial (MG) to Urban Residential Type 6 (R6) to facilitate the development of a 4-storey apartment with 52 Units and Special Provision 14.888 to permit a frontage of 21.38 m where 30 m is required, a floor area ratio of 0.82 where a maximum of 0.72 is permitted, and 78 parking spaces where 96 are required. The surrounding land uses consists of primarily low-rise residential development (1-2 storey residential dwellings) as well as the commercial spaces to the North (Simcoe Town Centre, home of the Food Basics grocery store).

9) 20 South Drive - Avian Arms Apartments (5 story)

The ninth location that was analyzed was the Avian Arms Apartments located at 20 South Drive in Simcoe. The property lands are designated Urban Residential and are Zoned Urban Residential Type 6 (R6). The surrounding land uses consists of

predominantly low-rise residential development. In the immediate area there is a lack of a transition in building height, however this site contains vegetation to create an additional mitigating barrier to reduce visual and privacy concerns.

The apartment at subject lands did not require an Official Plan or Zoning By-Law amendment to facilitate the proposal.

10)Oakdale Apartments (5 Story)

The tenth location that was analyzed was the Oakdale Apartments located at 53 Oakwood Avenue in Simcoe. The property is designated Urban Residential and is Zoned Urban Residential Type 6 (R6). The surrounding land uses consists of predominantly low-rise residential development with a 3 story apartment building across the road and St. Joseph's elementary school also located across the road. In the immediate area there is a lack of a transition in building height, however this apartment building was orientated in a manner in which visual impacts and oversight concerns were mitigated.

11)Oakwood Avenue Apartments (3 Story)

The eleventh location that was analyzed was 42 Oakwood Avenue, 3-storey apartment. The property is designated Urban Residential and is Zoned Urban Residential Type 5 (R5). The surrounding land uses consists of predominantly low-rise residential development with a 5 story apartment building across the road. The elementary school, St. Joseph's Elementary School is also located within walking distance to this site. In the immediate area there is a lack of a transition in building height.

The property underwent a Zoning By-Law Amendment in the late 1980s (Z-S-18/89) to add a Special Provision to allow parking spaces between an apartment building and the street line, and that the subject lands presently allow for permit one apartment building (up to 12 units).

12)395 Queensway West - OPNPL2023206/ZNPL2023207 (6 storey apartment)

The property located at 395 Queensway recently received Council Approval in October of 2023, OPNPL2023206/ZNPL2023207 for the development of a 6-storey apartment (114 units) and 38 townhouse units.

The purpose of application OPNPL2023206/ZNPL2023207 was to change the land use designation for the northern parcel from Commercial, Hazard and PSW to Urban Residential, Hazard and PSW with a special provision to facilitate the development of the 38 townhouse units.

In regard to the southern parcel, the Official Plan amendment proposes to keep the southern parcel designated Commercial. The purpose of the Zoning By-Law amendment was to amend the Zoning of the Southern parcel to permit the 6-storey mixed use building with a special provision to address parking deficiencies and the

building height. As a result of this the subject lands are designated Commercial (southern parcel) and Urban Residential (northern parcel). The surrounding land uses consists of primarily commercial development.

13) 157 Queensway East

The last high-density development that was analyzed was the property at 157 Queensway East. The property recently underwent an Official Plan and Zoning by-law amendment (OPNPL2022119/ZNPL2022120) that received Council approval in September 2022.

The purpose of application OPNPL2022119/ZNPL2022120 was to amend the Official Plan by changing the designation of the subject lands from 'Commercial' to 'Urban Residential' and by removing the existing site-specific policy - 'Queensway Corridor Special Policy Area.' The zoning by-law amendment was to change the zoning from 'Service Commercial (CS) Zone' to 'Urban Residential Type 6 (R6) Zone' to allow three 6-8 storeys apartment buildings containing approximately 300-390 rental units. In total there are three 6 storey buildings, each with 101 units within for a total of 303 units. The surrounding land uses consists of primarily commercial land uses and are not located near any residential lands.

Given the above noted locations that consists of high density residential development with minimal transitions in building height, which has a low level of compatibility with the surrounding land uses when considering building height. Further to this, the properties identified above consists of apartment buildings that contain apartment buildings, most of which do not provide a step-back of the upper floors, unlike the proposed 8 storey apartment building. The implementation of step-backs at the proposed 8 storey building will aid in mitigating shadow impacts, visual oversight and privacy concerns.

Intensification and Urbanization

The study area identified above analyzed existing and recently approved proposals that are providing high density residential uses. The area predominantly consists of low density residential development ranging from 1-2 story dwellings that were constructed between 50-100 years ago which makes full compatibility difficult to achieve given the historical change in architecture styles, housing types, housing need that communities are currently facing across Ontario as well as the increase in the cost of housing.

As urban areas across the province are redeveloped or intensified to provide a greater number of housing options, the amount of existing large parcels within the Urban Boundary decreases naturally over time as development occurs. As Urban Areas continue to grow across the County, staff are of the opinion that there may be an increase in development applications in the future to amend provisions in the Zoning By-Law to facilitate proposals, due to the limited amount of vacant lands within the urban area, predominantly in Simcoe.

Staff are of the opinion that through the implementation of the 8-storey and 143 residential unit apartment building, this would provide a large influx of affordable and attainable housing within the community while intensifying within the already established urban boundary.

Staff are of the opinion that that from a population density, intensification and redevelopment perspective, the subject lands are appropriate for the proposed 8 storey building.

Compatibility (within the building and with the Urban Landscape)

Staff outlined concerns regarding the compatibility of the site with the existing landscape, and compatibility of the proposed uses within the building (Long term care and residential apartments). Staff also proposed that some of the uses being proposed may be removed to reduce parking requirements and potentially lower the building to aid in achieving a more compatible design that could bring the proposed project closer to conformity in regard to parking requirements.

The long-term care use was removed from the proposal eliminating councils concern in regard to the compatibility of the proposed uses within the building. Therefore, to reiterate, the building proposes ground floor commercial, retail and office uses, while floors 2-8 consists of exclusively residential apartment dwellings.

As it relates to pedestrian accessibility, safety and traffic considerations, staff understand that more cars increase the potential for motor vehicle accidents. The proposed building proposes a clear walking path from the entryway along Kars Street that connects to the sidewalk along Queen Street. Staff are of the opinion that it is imperative that the proposed sidewalk on Queen Street not only be provided for the proposed 8-storey building, but also be extended to the intersection at Robinson Street to create a safe continuous path of travel for pedestrians. Given the nature of the Residential development proposed with 143 units, coupled with the Medical Centre at the existing building on 185 Robinson Street, this would greatly contribute to the ability of Norfolk Residents of all ages to safely access the subject lands.

Another way that pedestrian and public access can be improved through the proposed development that would in assist in increasing accessibility County wide, would be the implementation of a Bus Stop and Shelter and/or financial contributions to the operations of the transit system. Given that the proposed building is proposing 143 residential dwelling units that are located adjacent to the downtown, staff are of the opinion that residents of all ages, whether young adolescents, teens or the elderly, could benefit from the added bus stop whether trying to access school, a medical appointment or for recreational purposes. The cost of the bus stop and shelter is roughly in the ballpark of \$35,000. This would be consistent with the community needs

assessment of 2019, 2022 and the Council Strategic Priority of Connecting Norfolk by maximizing our mobility options to create and expand our mobility linkages (roads and transit) to bring Norfolk together.

Traffic

The traffic Impact Study that was submitted analyzed the existing road network, anticipated traffic growth, site generated traffic and potential transportation roadway intersection improvements within the immediate area. The proposed development is expected to generate 79 new two-way trips in the weekday AM peak hour and 104 new two-way trips in the weekday PM hour. The traffic study determined that the proposed development is acceptable for traffic operations with traffic signals at the intersections of Queen Street North and Robinson Street. The traffic study further outlines that no further roadway improvements would be required to support the development aside from the construction of the proposed internal roadway and site access. As outlined in Attachment B – Technical Comments, Development Engineering has outlined that all recommendations from the Traffic Impact Study are to be implemented into the future design and addressed fully as part of the Site Plan Application submission

Further to this, in a subsequent application, if approved by Council, the applicant will also be applying for an easement application to provide increased access throughout the site to allow residents to access the subject lands from the entrance along Robinson Street providing a connection from Robinson Street to Kars Street. This will also increase access within the property.

Building Step Backs and Shadow Impacts

Section 5.6.3 of the Norfolk County Zoning By-Law outlines the provision as it relates to the step back of upper floors of buildings. The provision reads as follows: “the exterior wall of each floor of a *building* facing a *street* and located above four (4) *storeys* shall be stepped back 2 metres from the exterior wall of the 4th *storey* and each floor above six (6) *storeys* shall be *setback* an additional 2 metres from the exterior wall facing a *street*.”

The proposed 8-storey building has step-backs incorporated into the design of the building. Per the definition of the Step Back Provision, the proposal must include a minimum 2 meter step back amongst the 4th – 6th floors, and an additional 2 meter step back at each floor above 6 stories. The proposal has exceeded the minimum step back requirements where the proposal has a proposed step back of 2.3 meters provided for floors 5 to 6 and Floor 7 is stepped back 4.8 meters, where only a 4 meter step back is required and Floor 8 is stepped back a total of 6.4 meters where only 6 meters is required.

The shadow study that was submitted analyzed the potential shadow impacts on the adjacent lands due to the proposed development. The submitted shadow study has been included as an attachment to this report as Attachment F. The study that was

conducted took four dates of analysis. The months of the year that were analyzed were March, June September and December 21st. The study indicates that there are minimal to no shadow impacts in March, June and September.

The Shadow Study provided indicates that during the month of March, the majority of the shadow impacts as a result of the proposed 8 Storey building would fall on the adjacent industrial use to the east. During the month of June, the majority of the Shadow impacts from the proposed 8 storey building falls on the adjacent industrial use and the parking lot for the existing building on the southern portion of the lot.

There were minimal shadow impacts to residential dwellings along Queen Street North. The period of time that has the largest shadow impact on residential dwellings is during the month of December at 9am. However, in the month of December the Residential lots (2) fronting onto Kars Street would be impacted by the shadow of the proposed building from 9:18am till roughly 2pm. The remaining shadow impacts as a result of the proposal shifts from the residential dwellings along Kars Street to the industrial use to the east.

It is staff's professional opinion that the proposed shadow impacts of the proposed 8 storey dwelling has a minimal impact on quality of life as a result of the shadows that would be created from the 8-storey building.

Parking

When considering parking the subject lands, the property must be considered in its entirety as they are currently all one parcel with existing and proposed uses on the subject lands. The existing uses are a 3-storey office building which currently houses the Norfolk County Health Unit and is the future home of the Norfolk Family Medical Team. The existing uses are identified as Phase 1, and Phase 2 consists of the proposed uses.

The portion of the subject lands that contains the parking lot and the existing 3-storey office building is currently Designated Downtown in the Norfolk County Official Plan and is Zoned Central Business District (CBD) with Special Provision 14. 812. The full Special Provision text can be found in Attachment A: Planning Policy and Zoning Considerations. For transparency, Special Provision 14.812 indicates that a minimum number of parking spaces that must be provided is sixty-six (66).

The existing building identified as Phase 1 One requires a total of 188 parking spaces per the Norfolk County Zoning By-Law 1-Z-2014 (without considering no-parking provision of CBD zone).

Table 2: Table outlining the existing uses and their parking requirements.

Use	Requirement		Required Parking
Office	1 space per 30 sq.m usable floor area	2556 sq. m UFA	86 spaces
Medical Clinic	1 space per 15 sq.m usable floor area	1183 sq. m UFA	79 spaces
Courthouse	1 space per 35 sq.m usable floor area	721 sq. m UFA	21 spaces
Pharmacy	1 space per 35 sq.m usable floor area	39 sq. m UFA	2 spaces
			188 total spaces

The drawing provided (Attachment E Architectural Drawing) indicates that a total of 158 parking spaces were provided for the existing building with the highlighted area consisting of 60 dedicated parking stalls for staff parking purposes. The existing site appears to be deficient in parking, however the property is Zoned CBD which has no parking requirements. As a result, staff are of the opinion that the Phase 1 Site complies and will not be impacted by the current phase 2 proposal.

The proposed 8-storey building identified as Phase 2 on the vacant parcel of the subject lands, requires a total of 307 parking spaces to accommodate the proposed uses of an apartment dwelling, visitor parking, retail and office parking space. Table 3 below shows the proposed uses and their respective parking requirements compared to the proposed parking counts.

Table 3: A table outlining the proposed uses, parking requirements compared to the amount of proposed parking.

Use	Requirement		Required Parking	Proposed Parking
Apartment dwelling	1.5 parking spaces per apartment dwelling	143 apartment dwellings	215 spaces	
Visitor parking	1 visitor space for every 3 dwelling units	143 apartment dwellings	48 spaces	
Retail	1 parking space per 30 sq.m usable floor area	299.6 sq.m UFA	10 spaces	
Office	1 space per 30 sq.m usable floor area	894.8 sq. m UFA	30 spaces	
			303 total spaces	307 total spaces

The proposal provides a total of 307 parking spaces which consists of 31 parking spaces on grade and 276 parking spaces divided amongst 4 floors of underground parking for a total of 69 parking spaces on each respective floor.

The proposal also meets the accessible parking space requirements as a total of 4 Type-A spaces are required and 5 Type-B Spaces are required. Section 4.3.3 of the Norfolk County Zoning By-Law 1-Z-2014 outlines that accessible parking space requirements are based on a range of parking space values. This means that for a total of 301-350 parking spaces a total of 4 Type A spaces and 5* Type B spaces are required for a total of 9 accessible spaces. It is important to note that the number of Type B spaces has an asterisk (*) beside it. When there is an asterisk beside the number the extra type B space may be changed to a type A space. Therefore, the proposal meets the accessible parking space provision of Section 4.3.3 as a an uneven number of parking spaces are required (9) and 5 Type A spaces are proposed and 4 Type B spaces are proposed.

Currently on the subject lands, there are three Special Provisions that exist. Special Provision 14.812 will remain on the subject lands as the Provision applies to the existing 3-storey office building on the property. The other two Special Provisions, Special Provision numbers 14.664 and 14.713 apply to the portion of the property that is currently zoned R6 (the subject area of the proposal). Staff are recommending that both 14.664 and 14.713 be removed and replaced with new Special Provision 14.1061 to allow for the uses of Commercial Retail Units (300m²), the width of a parking space for a vehicle parked along a wall be 3 meters, a maximum number of dwelling units will be restricted to 143, a minimum rear yard of 3.5 meters will be permitted, a maximum building height of 8-storeys and a maximum floor area ratio (FAR) for an 8 storey building will be 1.55.

Staff are of the opinion that the applicant has taken considerable measures to attempt to satisfy the public comments received as well as comments from staff and Council. It should be noted that the original proposal included an 8-storey building with the ground floor dedicated to retail, commercial and office space, with floors 2-4 dedicated to a long-term care facility with floors 5-8 being used for residential purposes. The proposal has been changed to consist of 6 office and retail units on the ground floor and 143 residential dwelling units in the upper floors from floors 2 – 8 with 4-storeys of underground parking, in addition to on-grade parking.

The proposed 8-storey building has been orientated in a in a manner where the building will be parallel to the existing 3-storey building at 185 Robinson Street. This means that the building will front onto Kars Street and the rear of the building would be facing the parking lot at the 185 Robinson Street Administration building. The east end of the building is facing the Warehousing/Gymnastics facility, and the east end of the building is facing Queen Street North. By orientating the building in this manner, this reduces the potential shadow impacts and further reduces the visual impacts as well as privacy

concerns for existing residents. The addition of greater vegetation can also be implemented to assist in further reducing visual impacts for the proposed 8-storey building located at 185 Robinson Street.

Planning Considerations:

It is staff's opinion that the proposed application does meet the provincial interests as identified in the *Planning Act* as it relates to orderly development of safe and healthy communities. The proposed development is consistent with the land-use compatibility as it has provided mitigation measures, through the orientation of the building and building step-backs.

Finally, the proposed development does meet the Norfolk County Official Plan policies and criteria related to high density residential uses and community design as the height, form and density of the proposed development may be compatible with existing land uses. Additional planning commentary is contained within Attachment A to this report.

Financial Services Comments:

This application would have a positive impact on assessment growth and tax revenues. The amount of assessment growth is dependent on the assessment of the new residential units, commercial retail units and office space area determined by the Municipal Property Assessment Corporation (MPAC).

Norfolk County would also receive Development Charges (DC) as per the Development Charges By-law in effect at the time of building permit issuance at the applicable residential rate on a per unit basis. These would be offset by increased infrastructure costs as a result of growth. DCs payable may be reduced as a result of any demolitions that may take place on site as per the criteria established in the active Development Charge By-law. Also, a Record of Site Condition (RSC) may be required for the site in any new development areas as a result of former industrial use. If site contamination is found, the property may be eligible to apply for additional Development Charge reductions through the DC brownfield grant program. If this is the case, the County will be responsible for funding the DC grant provided from levy and rate budgets as applicable. Accounting Services will work with Planning staff to administer the required security deposits of the potential development.

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priorities Building Norfolk - Develop the infrastructure and supports needed to ensure complete communities.

Explanation: This report does align with this Council's priority as staff are of the opinion that the proposed project will assist the County in achieving its Growth and residential intensification targets while providing more housing options to the current and future residents of Norfolk. Staff are of the opinion that the proposed development at the

subject lands is a suitable site considering its proximity to several schools, medical facilities, proximity to the downtown as well as providing the public with an attainable housing option.

Conclusion:

The proposed Zoning By-Law Amendment would result in considerable increase of density that is supported by the Official Plan Policies and Zoning By-Law (further explored in attachment A). When reviewing the requested amendments in relation to parking and floor area ratio, staff are of the opinion that these provisions would play a significant factor into the overall design and functionality of the proposed building and site as a whole.

Staff fundamentally understand the purpose of the zoning by-law amendment and the intention to amend with specific provisions to fit a proposed building design. Staff also understand that the zoning in place currently allows for a building height of 8 storeys (a permitted height in the R6 Zone). However, there are other key provisions in the Zoning By-Law that also require compliance, such as parking requirements and Floor Area Ratios.

Staff are of the opinion that appropriate mitigating measures has been taken by the applicant to minimize impacts from the proposed development onto the surrounding residential dwellings. Staff are of the opinion that the proposed development is compatible with the existing community as the building height is similar to apartment buildings located within the urban area of Simcoe.

In summary, it is staff's professional opinion that the proposed development does meet the intent of the Official Plan and is consistent with the PPS. It is staff's Professional Opinion that the proposed development does meet the intent of the Zoning By-Law 1-Z-2014 as described in report CD-24-115.

Attachment(s):

- Attachment A Planning Policy and Zoning Considerations
- Attachment B Technical Comments
- Attachment C Public Comments
- Attachment D Public Hearing Report CD-21-20
- Attachment E Architectural Drawings
- Attachment F Shadow Study
- Attachment G Recommended Zoning By-law

Approval:

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

Reviewed By:
Mohammad Alam, MPL, MUD, RPP, MCIP
Development Planning Supervisor
Community Development Division
Planning Department

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