

## **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.

***Planning Comments:*** The proposed development will facilitate an increased density within a compact built-form with mix of housing units and recommended provision for mix of uses.

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 contribute to the neighbourhood's diverse range of housing options. The proposal is compact in form and can be supported future allocation of municipal services. The increased density will contribute to existing local transit routes. The addition of 15 rental units will contribute to the County's overall rental housing demand.

In conclusion, it is the staff's opinion that the proposed application meets the intent of both the Planning Act and the PPS on the basis that it encourages growth and development in the settlement areas and supports appropriate range and mix of housing options and densities to meet local housing needs.

### **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 applies to the 'Urban Areas' of the County and is expected to continue to accommodate attractive neighbourhoods by providing a wide range of residential forms.

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 15-unit rental housing development will contribute to the County's 15% target for multi-residential developments.*

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 is a small-scale infill development with 15 rental housing unit. The proposal is reviewed through the lens of the above-mentioned intensification policies. The revised proposal incorporated 5 visitor parking spaces which will help eliminating any potential traffic overflow on surrounding areas. The revised version of one-way traffic flow, in and out of the property, will help reducing pressure on both Queens Street south and Evergreen Hill Road. It is the Staff's opinion that the proposed development is consistent with the residential intensification policies.

Section 7.7.2 (c) related to high density residential development policies state that apartment buildings and other forms of multiple housing of higher density shall be carefully located with certain policy criteria. Staff reviewed the high density residential development policies and analyzed the following policy criteria:

High Density Residential Development Policies (Section 7.7.2 c)	Planning Comments
i) the density, height and character of the development shall be compatible with adjacent uses;	The proposed development is surrounded by medium-density townhouse buildings on the south and west side. There are

	<p>also medium-density developments across the street to the north within 100 meters of the subject lands. The closest higher-density apartment buildings are within 500-600 meters on Norfolk Street South. Both Evergreen Hill Road and Queens Street South are collector roads and are expected to receive a higher level of traffic than the local roads. The 4-storey building height will not cause any overshadowing on adjacent lands due to the sufficient buffer on all sides of the building. Appropriate setbacks and fencing are proposed to provide sufficient screening to the adjacent uses. The building character and materials will be further reviewed for compatibility during the site plan stage. It is the Staff's opinion that a 15-unit rental apartment is appropriate on a collector road and will have an insignificant impact on the overall density, height and character of the adjacent uses.</p>
<p>ii) the ability of the site to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;</p>	<p>After several revisions, the proposal incorporated all required visitor parking spaces according to County's zoning by-law. The proposed residential parking ratio is also updated based on a comparative study of parking requirements of other comparable municipalities. Landscape areas are provided which will be further reviewed during the site plan stage. Garbage storage is also provided and reviewed by the Staff.</p>
<p>iii) the height, form and density of the proposed development is such that no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area are created for surrounding residential uses;</p>	<p>The proposed development will not result in any loss of amenities for the surrounding areas. The parking spaces are revised and increased from the original proposal. The visitor parking spaces are allocated as per the Zoning By-law requirements. The Traffic Consultant provided an addendum to the original proposal and recommended that the revised parking supply is adequate and would have no significant impact on</p>

	adjacent streets. The Traffic Study and the addendum are reviewed by Development Engineering with no further comments.
iii) the relationship of the site to nearby lower density residential uses, in view of the desire to provide a gradual transition in height and density wherever possible;	It is Staff's opinion that the proposed four storey rental housing along the collector road has an appropriate gradual transition to the adjacent medium density town houses and then to the low density single detached houses. There will be approximately 13 m setback from the southern building face to the adjacent property line. There will be no overshadowing from the north side to the southern property (existing condominium development) because of the proposed building orientation.
iv) the degree to which the site has access to significant open space amenities such as valleylands or major parks;	There are a number of major amenities, parks and open spaces within 100-300 meters of the subject lands. These facilities include the open space and trail – part of Simcoe Recreation Center, and recreation facilities of Holy Trinity Catholic School.
v) municipal watermain and sanitary sewers shall be required and shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County;	<p>Water and Wastewater Modelling has recently been completed. Water modelling has identified that the water distribution system would provide sufficient pressure and be available for Fire Flow to the proposed building with a metal frame and core slab. Wastewater Modelling also indicates that the existing sanitary collection system has adequate conveyance capacity to carry peak design flows from the proposed development to the Wastewater Treatment Plant. All costs to connect with the municipal services will be borne by the Developer.</p> <p>Water / wastewater allocation will not be issued as part of the zoning by-law amendment.</p>
vi) the proximity of the site to arterial or collector roads, and/or pedestrian accessibility to a Downtown Area or, in the case of the Simcoe Urban Area, a	The subject lands are at the intersection of two collector roads and well connected by pedestrian walkways and sidewalks to nearby parks, open spaces, recreation

Secondary Centre, or other locations of supporting services and facilities;	facilities and institutions. The development is also well connected with the CBD zone roughly within 1 kilometer with existing sidewalk facilities.
vii) the adequacy of local services including schools and other community services. It is recognized that accessibility to such facilities, including health care services, may be particularly important to residents with special needs; and	Public school, recreation facilities, parks & open spaces and secondary commercial uses are within walking distance from the proposed development. Accessible measures and design standards will be further reviewed during site plan stage.
x) the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.	A site plan application has already been submitted by the applicant and is under review at this moment.

**Planning Comments:** The proposed development is tested with these evaluation criteria. It is the Planning Staff's opinion that the proposed development meets the overall intent and purpose of these policy criteria.

Section 9.6.2.1 related to provision for increased height and density of any development states that The County may pass a site-specific Zoning By-law amendment to authorize increases in the height and density of development above what is permitted in the Zoning By-law, in return for the following:

- i) the provision of affordable or rental housing;
- ii) The preservation of built heritage or cultural heritage landscape features;
- iii) The enhancement of Natural Heritage Features;
- iv) Parkland greater than that required by this Plan;
- v) The provision of community centres, day care facilities or other public service facility; and/or
- vi) Public art.

**Planning Comments:** It is Staff's opinion that the proposed development satisfy this policy by providing 15 rental housing units which will contribute to the county's much needed rental housing supply.

*In summary, it is the professional opinion of the staff that the proposed zoning change complies with the Official Plan and meets the intent and purpose of the related policies.*

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

### **Existing Zoning:** Neighbourhood Commercial (CN) Zone.

Uses permitted in the “Neighbourhood Commercial (CN) Zone” as outlined in the Zoning By-law 1-Z-2014, include:

- a) clinic or doctors’ offices
- b) community centre
- c) convenience store
- d) day care nursery
- e) dry cleaning distribution station
- f) dwelling, single detached
- g) dwelling, semi-detached
- h) dwelling, duplex
- i) dwelling units in any permitted building – maximum two (2)
- j) financial institution
- k) fruit and vegetable outlet
- l) home occupation
- m) laundromat
- n) personal service shop
- o) restaurant, take-out, provided it has no drive through window
- p) video store.

**Existing Special Provision 14.815:** Currently, there is a special provision in place that allows a florist shop and a restaurant in addition to what is permitted in a CN zone. The special provision also allows a maximum usable floor area of 139.4 square metres. In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a. maximum lot coverage – 22 percent;
- b. required parking spaces – one (1) per 25 square metres of usable area;
- c. no parking within 3 metres of a lot line.

### **Proposed Zoning:** Urban Residential Type 5 (R5) Zone.

Uses permitted in the “Urban Residential Type 5 (R5) Zone” as outlined in the Zoning By-law 1-Z-2014, include:

- a. dwelling, apartment
- b. home occupation
- c. retirement home

Although the current zoning allows a mixed use development, the proposed development intends to eliminate the commercial component of the permitted uses due with a fact that the market has changed during the COVID-19 era, and a commercial use is no more financially feasible for the development. It is the Planning Staff’s opinion that neighborhood scale commercial uses are gradually decreasing County-wide which plays an important role catering various services at local level. While the proposal of 15 rental units would provide an important contribution to County’s rental housing supply, Staff also believes that any future provision for a commercial use at ground floor level

should be kept available. Staff, therefore, recommends that commercial uses are also permitted in the R5 zone through a special provision.

In addition to the permitted use in R5 zone, Staff recommends the following uses are permitted at grade on the subject lands:

- Clinic or Doctors' Offices, Pharmacy, Convenience Store, Laundromat, Personal Service Shop, Office, and Restaurant.

In addition to permitted uses the following site specific zoning provisions are proposed:

Table 4: Site Specific Zoning Provisions

Section	Zoning Provision	Required	Proposed	% of Relief
2.93 f)	In the case of a corner lot, the shorter lot line abutting a street shall be considered as front lot line	Lot line abutting Queen Street South to be the Front	Lot line abutting Evergreen Hill Road to be the Front	-
4.2.4 b)	no parking lot shall be located closer than 3 metres from any dwelling on the lot or of any interior lot line abutting another residential Zone	3 m setback	0 m setback	100% reduction
4.9 b)	Number of Parking Space (Apartment Dwelling)	1.5 space/dwelling unit	<b>Residential:</b> <b>Bachelor:</b> 1 space/ dwelling unit <b>1 bedroom:</b> 1 space/ dwelling unit <b>2 Bedroom:</b> 1.5 space/ dwelling unit <b>Commercial:</b> 1 parking space for every 50 square metres.	26% reduction
5.5.2 g)	Floor Area Ratio (for 4 storey)	0.72	0.85	15% increase

The above mentioned site specific special provisions will replace the current special provision 14.815.

The proposed Zoning By-Law amendment includes a reduction of residential parking spaces which will result an overall parking ratio of 1.13 spaces/dwelling unit. Planning



Staff examined various parking rates in other neighboring municipalities which are illustrated in the following table:

<b>Municipalities</b>	<b>Residential Parking Ratio of Apartment Dwellings</b>
Haldimand County	1.25 per unit
Brant County	1 Space for 1 bed unit 1.25 for 2 bed unit
Guelph	1.25 per unit
Hamilton	1.25 per unit
Waterloo	1.1 – 1.25 per unit

While two-bedroom units are still proposed with a parking ratio of 1.5 parking spaces/unit, smaller units such as one bedroom and bachelor units in a rental housing environment are common to have one parking space with additional bike-parking facilities. The zoning amendment will still permit commercial uses such as clinic or doctors' offices, pharmacy, convenience store, laundromat, offices and restaurant at ground level with a parking ratio of 1 parking space for every 50 sq.m.

A Holding (H) provision is also recommended until the site plan agreement is executed and registered on title. The recommended Zoning By-Law Amendment can be found in Attachment C.

In summary, it is the professional opinion of the staff that the proposed zoning change meets the intent and objective of the Zoning By-law 1-Z-2014.