

For Office Use Only:

File Number

ANPL2018185

Related File Number

Pre-consultation Meeting

Application Submitted

AUGUST 9, 2018

Complete Application

Public Notice Sign

SPRT Meeting

Application Fee

\$ 1406-

Conservation Authority Fee

OSSD Form Provided

Planner

SHANNON VAN DAKEN**Check the type of planning application(s) you are submitting.**☐
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Official Plan Amendment

Zoning By-Law Amendment

Temporary Use By-law

Draft Plan of Subdivision/Vacant Land Condominium Forthcoming

Condominium Exemption

Site Plan Application Previously submitted

Consent/Severance

Minor Variance

Easement/Right-of-Way

Extension of a Temporary Use By-law

Part Lot Control

Cash-in-Lieu of Parking

Renewable Energy Project or Radio Communication Tower

Property Assessment Roll Number: 502200356**A. Applicant Information****Name of Owner**Warren D. Sinclair Construction Ltd. c/o Dan Sinclair

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address264 Lawrence Ave.**Town and Postal Code**Kitchener**Phone Number**519 743 8421**Cell Number****Email**dan@sinclairconstruction.ca

Name of Applicant IBI Group c/o David Galbraith
Address 410 Albert Street, Suite 101
Town and Postal Code Waterloo N2L 3V3
Phone Number 519-585-2255
Cell Number _____
Email dave.galbraith@ibigroup.com

Name of Agent Same as applicant.
Address _____
Town and Postal Code _____
Phone Number _____
Cell Number _____
Email _____

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence, notices, etc., in respect of this application will be forwarded to the agent noted above.

☐ Owner ☐ Agent ☒ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):
Block 11, Plan 37M76 Norfolk County

Municipal Civic Address: Westwood Trails II
Present Official Plan Designation(s): Urban Residential and Significant Woodlands
Present Zoning: Urban Residential Type 4 (R4)

2. Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

55-Z-2016 and special provision 14.828

3. Present use of the subject lands:

Vacant.

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

NA

5. If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). If new fixtures are proposed, please describe.

NA.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

71 Townhouse Units. See attached cover letter which explains the minor variance application requested.

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

NA

9. Existing use of abutting properties:

Residential (north), agricultural (south), woodlot (east)

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

C. Purpose of Development Application

Note: Please complete all that apply.

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:

Proposal to develop 71 townhouse units on a condominium street. Minor variances are proposed to allow for reduction in required yards, as detailed in the attached cover letter.

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:

Conforms to Official Plan. Variances anticipated to address deficiencies noted on Site Plan.

3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality? ☐ Yes ☒ No If yes, describe its effect:

4. Does the requested amendment remove the subject land from an area of employment? ☐ Yes ☒ No If yes, describe its effect:

5. Does the requested amendment alter, replace, or delete a policy of the Official Plan? ☐ Yes ☒ No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

6. Description of land intended to be severed in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Proposed final lot size (if boundary adjustment): _____

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

7. Description of proposed right-of-way/easement:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed use: _____

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known):

9. Site Information**Existing****Proposed**

Please indicate unit of measurement, i.e. m, m² or %, etc.

Lot frontage	20 m (Fernwood)	20 m (Fernwood)
Lot depth	128 m	128 m
Lot width	245 m	245 m
Lot area	28,013 m ²	28,013 m ²
Lot coverage	NA	10,398 m ² (37%)
Front yard	NA	See SP
Rear yard	NA	See SP
Left Interior side yard	NA	See SP
Right Interior side yard	NA	See SP
Exterior side yard (corner lot)	NA	See SP
Landscaped open space	NA	9070 m ²
Entrance access width	NA	6 m
Exit access width	NA	6 m
Size of fencing or screening	NA	See landscape plan
Type of fencing	NA	See landscape plan

10. Building Size

Number of storeys	NA	2
Building height	NA	TBD
Total ground floor area	NA	TBD
Total gross floor area	NA	TBD
Total useable floor area	NA	TBD

11. Off Street Parking and Loading Facilities

Number of off street parking spaces	NA	255
Number of visitor parking spaces	NA	25
Number of accessible parking spaces	NA	5
Number of off street loading facilities	NA	NA

12. Multiple Family Residential (if applicable)

Number of buildings existing: 0

Number of buildings proposed: 71 townhouse units in 13 blocks

Is this a conversion or addition to an existing building? ☐ Yes ☒ No

If yes, describe: _____

Type

Number of Units 71

Floor Area per Unit in m²

Bachelor	_____	_____
One bedroom	_____	_____
Two bedroom	_____	_____
Three bedroom	_____	_____
Townhouse	<u>TBD</u>	_____

Other facilities provided (e.g. play facilities, underground parking, games room, swimming pool etc.):

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe: _____

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

Seating Capacity (for assembly halls, etc.): _____

Total number of fixed seats: _____

Describe the type of business(es) proposed: _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Is open storage required: ☐ Yes ☐ No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

☐ Yes ☐ No If yes please describe:

14. Institutional (if applicable)

Describe the type of use proposed: _____

Seating capacity (if applicable): _____

Number of beds (if applicable): _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

15. Describe Recreational or Other Use(s) (if applicable)

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown
If yes, specify the uses (example: gas station, petroleum storage, etc.):
2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown
3. Provide the information you used to determine the answers to the above questions:
Historic use of site (woodlot and agriculture)
4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☒ No

E. Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*? ☒ Yes ☐ No
If no, please explain:
2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No
If no, please explain:
See Environmental Impact Study prepared by Dillon Consulting.

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

Note: If in an area of source water WHPA A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☒ On the subject lands or ☐ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water
☐ Communal wells
☐ Individual wells
☐ Other (describe below)
-

Sewage Treatment

- ☒ Municipal sewers
☐ Communal system
☐ Septic tank and tile bed
☐ Other (describe below)
-

Storm Drainage

- ☐ Storm sewers
☐ Open ditches
☒ Other (describe below)

SWM pond

2. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

Thompson Road and Fernwood Drive

G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No
If yes, how many people are employed on the subject lands?
-

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

See attached cover letter.

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, **folded hard copies** (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Existing and proposed easements and right of ways
11. Zoning compliance table – required versus proposed
12. Parking space totals – required and proposed
13. Loading spaces, facilities and routes
14. All dimensions of the subject lands
15. Dimensions and setbacks of all buildings and structures
16. Gross, ground and useable floor area
17. Lot coverage
18. Floor area ratio
19. Building entrances and grades
20. Names of adjacent streets
21. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
22. Fire access and routes
23. Location, dimensions and number of parking spaces (including visitor and accessible) and aisles
24. Location of mechanical room
25. Refuse disposal and storage areas including any related screening
26. Winter snow storage location
27. Landscape areas with dimensions
28. Natural features, watercourses and trees
29. Fire hydrants and utilities location
30. Fencing, screening and buffering – size, type and location
31. All hard surface materials
32. Light standards and wall mounted lights

33. Signs
34. Sidewalks and walkways with dimensions
35. Pedestrian access routes into site and around site
36. Bicycle parking
37. Professional engineer's stamp

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form
- ☐ Architectural Plan
- ☐ Buildings Elevation Plan
- ☐ Cut and Fill Plan
- ☐ Erosion and Sediment Control Plan
- ☐ Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- ☐ Landscape Plan
- ☐ Photometric (Lighting) Plan
- ☐ Plan and Profile Drawings
- ☐ Site Servicing Plan
- ☐ Storm water Management Plan
- ☐ Street Sign and Traffic Plan
- ☐ Street Tree Planting Plan
- ☐ Tree Preservation Plan
- ☐ Archaeological Assessment
- ☐ Environmental Impact Study
- ☐ Functional Servicing Report
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm Water Management Report
- ☐ Agricultural Impact Assessment

- ☐ Traffic Impact Study – please contact the Planner to verify the scope of the study required

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
☐ Draft condominium declaration

Your development approval might also be dependent on Ministry of Environment and Climate Change, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Development Agreements

A development agreement may be required prior to approval for site plan, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

J. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.



Owner/Applicant Signature

August 1, 2018

Date

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We authorize IBI Group c/o David Galbraith to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

August 1, 2018

Date _____

Date _____

David Galbraith of the City of Kitchener

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force t. and effect as if made under oath and by virtue of The Canada Evidence Act.

Applicant Signature

AD 2018

**Betty Anne White, a Commissioner, etc.,
Regional Municipality of Waterloo,
for IBI Group.
Expires May 27, 2021.**



IBI GROUP
101 – 410 Albert Street
Waterloo ON N2L 3V3 Canada
tel 519 585 2255
ibigroup.com

August 9, 2018

Ms. Shannon VanDalen, MCIP, RPP
Principal Planner
Community Planning, County of Norfolk
185 Robinson Street
Simcoe, ON N3Y 5L6

Dear Ms. VanDalen:

**PROPOSED MINOR VARIANCE APPLICATION
WARREN D. SINCLAIR CONSTRUCTION LTD.
WESTWOOD TRAILS II, SIMCOE**

On behalf of our client, Warren D. Sinclair Construction Ltd. c/o Dan Sinclair, please accept this letter and the attached authorized application form, cheque (in the amount of \$1,406.00), and proposed Site Plan as the complete application for a Minor Variance for the proposed Westwood Trails II development. This letter provides an overview of the subject property, the recently submitted Site Plan application, the proposed Minor Variance application and justification for same.

SITE LOCATION

The subject property is municipally known as Block 11, Plan 37-M76 Norfolk County, which is located on the eastern side of the Simcoe Settlement Area. The subject property is accessed by Thomson Road/Fernwood Drive to the north, which connects the property to the core area of the community. Aerial imagery of the subject property is provided as Figure 1.



Figure 1: Location of Subject Property

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OVERVIEW OF MUNICIPAL LAND USE PLANNING CONTROLS

The use and development of the subject property is guided by a range of Provincial and municipal land use planning controls, including:

- The Planning Act;
- The Provincial Policy Statement;
- The County of Norfolk Official Plan; and
- The County of Norfolk Zoning By-Law.

The following subsections of this letter provide an overview of the municipal land use planning controls applicable to the subject property.

County of Norfolk Official Plan

The subject property is designated Urban Residential by Schedule B6 (Land Use) of the County of Norfolk Official Plan. The Official Plan provides that 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 types of residential forms as well as neighbourhood facilities such as elementary schools, parks, places of worship and convenience commercial uses which are integral to and supportive of a residential environment. A variety of housing types are anticipated to be developed to meet the varying demands and characteristics of the 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.”

Section 4.7.1 of the Official Plan outlines the types of uses that are permitted within the Urban Residential land use designation, which includes:

- a) 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.
- b) Medium density residential uses including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings; and,
- c) High density residential uses in development forms greater than those described above.

For townhouse developments, such as the development being proposed by the applicant, the Official Plan requires that residential development achieve a net density of between 15 and 30 units per hectare.

In our opinion, the proposed townhouse development is in keeping with the Urban Residential land use designation and policies which apply to the subject property, likewise, based on a lot area of about 2.8 hectares and a total unit count of 71 townhouses, it is our opinion and understanding that the development will feature a density of approximately 25 units per hectare, which conforms to the density requirements of the Official Plan.

County of Norfolk Zoning By-Law

The subject property is zoned ‘Urban Residential Type 4’ (R4) and is subject to site-specific regulation 14.828, as shown on Figure 2.

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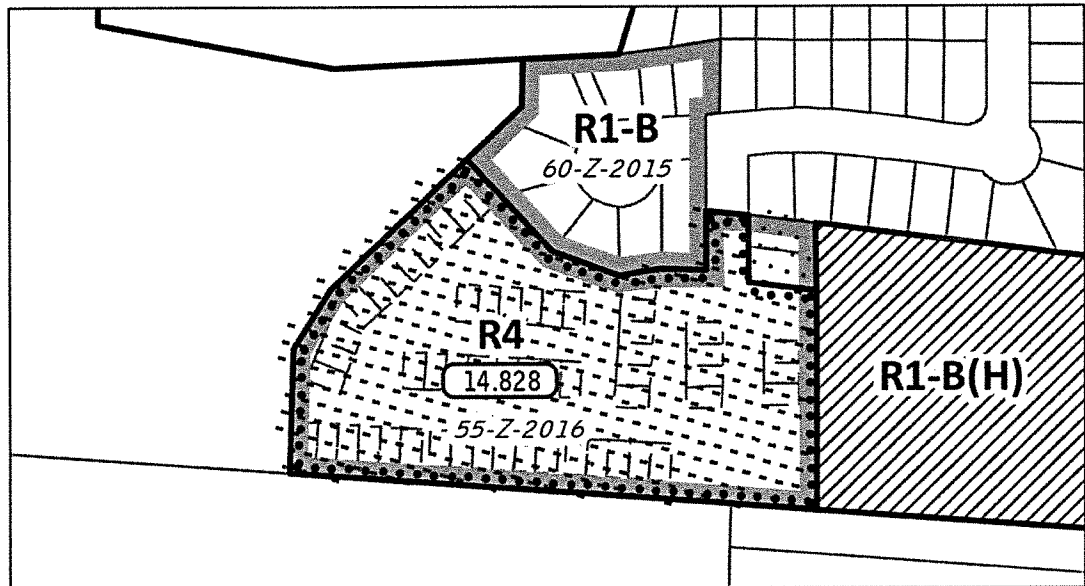


Figure 2: Zoning of Subject Property

The R4 zoning applicable to the site permits a range of uses, including:

- group townhouse;
- stacked townhouse;
- street townhouse;
- semi-detached, duplex, tri-plex and four-plex dwellings provided they are located on the same lot with, and in accordance with the Zone provisions of, group townhouse; and,
- home occupations.

The use of the site for condominium townhouse development is subject to site-specific regulation 14.828. Regulations and requirements of the zoning applicable to the subject property are summarized in the following table:

Regulation	Requirement	Deficiencies
Min. Lot Area (attached garage)	156 sq. m	NA
Min. Lot Frontage	Interior: 6.5 m Exterior: 9 m	NA
Minimum Front Yard (attached garage)	6.0 m	Minimum 5.0 metre setback proposed for Units 50, 52, 54, and 56 (all within the same Townhouse Block). Min. setback of 2.90 metres proposed for Unit 36.
Min. Rear Yard (attached garage)	6.0 m	Minimum rear yard of 5 metres is proposed for Units 50, 52, 54, 56, 58 and 60.

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Regulation	Requirement	Deficiencies
Min. Separation Between Units	2.0 m	NA
Max. Building Height	11.0 m	NA
Max. Units per Townhouse Block	8 units	NA
Parking	Min. 2 Spaces per Unit	Minimum 1 space per unit for Units 50, 52, and 54.

In order to accommodate the deficiencies noted above, approval of a Minor Variance application by the County's Committee of Adjustment will be required.

SITE PLAN APPLICATION

Recently, the applicant submitted a Site Plan application to the County of Norfolk with regard to the subject property which proposes a townhouse development featuring 71 townhouse units situated on a common condominium street. The townhouse units will be three (3) to four (4) bedrooms in size and will be two (2) storeys in height. A copy of this Site Plan is attached for your reference purposes. This Site Plan application is the basis for the Minor Variance application currently proposed.

PROPOSED MINOR VARIANCE APPLICATION

As noted on the proposed Site Plan and discussed in the 'Overview of Municipal Land Use Planning Controls' section of this letter, the current development concept requires the following minor variances from the County's Zoning By-Law:

Reduced Front Yard Setback

- A minimum setback of 5 metre setback proposed for Units 50, 52, 54, and 56 (all within the same Townhouse Block) whereas the By-Law requires 6 metres.
- A minimum setback of 2.90 metres proposed for Unit 36, whereas the By-Law requires 6 metres.

Reduced Rear Yards

- A minimum rear yard of 5 metres is proposed for Units 50, 52, 54, 56, 58 and 60 (all within the same Townhouse Block), whereas the Zoning By-Law requires a minimum of 6 metres.

Reduced Exterior Side Yard

- A minimum exterior side yard of 2.73 metres is proposed for Unit 1, whereas the By-Law requires a minimum of 3 metres.

Parking Reduction

- A minimum of one (1) parking space required for Units 50, 52, and 54, whereas the By-Law requires two (2) per unit.

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Planning rationale for these variances is discussed in the following subsection of this letter.

PLANNING RATIONALE – FOUR TESTS OF A MINOR VARIANCE

This section of the letter summarizes the land use planning rationale for the proposed Minor Variance. The Planning Act establishes four tests which are used as criteria to assess whether a minor variance should be approved, which are:

- Does the application conform to the Official Plan of the County of Norfolk?
- Does the application maintain the general intent and purpose of the County of Norfolk Zoning By-Law for the Simcoe Settlement Area?
- Is the application minor in nature?
- Is the application desirable for the use of the property?

These tests are discussed and our planning opinion is as follows:

1. Does the application conform to the Official Plan of the County of Norfolk?

Yes, the proposed Minor Variance application conforms to the County of Norfolk Official Plan as:

- The Official Plan contemplates the use and development of the site for Urban Residential purposes, which allows for the development of various housing types including townhouse developments.
- Section 4.7.2 of the Official Plan supports the development of townhouses within the Urban Residential land use designation up to 30 units per hectare. Given a lot area of about 2.8 hectares, the proposed density of the development is approximately 25 units per hectare, which conforms to the density objectives set out in the Official Plan.
- The Official Plan directs that medium density developments, such as townhouses should have a density, height and character which has regard for adjacent uses. The proposed development will complement and respect the neighbouring uses and will feature a low-rise (1-2 storey) built form. The style of the proposed townhouses is similar to housing designs of common single-detached and semi-detached dwellings.
- The Official Plan also directs that “the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer”. The development will feature an internal street along the northern property line which will provide a buffer between existing dwellings to the north, and the northernmost townhouse units. As noted, all of the townhouse units will be 1-2 storeys in height (i.e., similar heights as adjacent residences).
- The Official Plan is silent on matters relating to yard setbacks and defers the establishment of setbacks to the Zoning By-Law.
- The Official Plan is silent on matters relating to parking requirements and defers the establishment of parking standards to the Zoning By-Law.

2. Does the application maintain the general intent and purpose of the County of Norfolk Zoning By-Law for the Simcoe Settlement Area?

- Yes, the proposed Minor Variance application maintains the general purpose and intent of the County of Norfolk Zoning By-Law.

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- With the exception of the deviations/deficiencies proposed, the proposed Site Plan fully conforms to the regulations and requirements of the Zoning By-Law.
- The R4 zoning contemplates the use of the property for medium density residential purposes, such as the proposed townhouse development.
- Typically, condominium developments are not subject to the same regulations and requirements as non-condominium development (i.e., development on a municipal road). If this were the case in this instance, the requirements relating to interior yard requirements, front yard setbacks from private streets and rear yard requirements of internal lots would not apply.
- Despite the proposed reductions, each of the proposed units will feature both front and rear yards for the use and enjoyment of future residents.
- The proposed front and rear yard reductions are minor in nature as the proposed reduction (1 metre) is less than a 17% reduction from the requirements of the Zoning By-Law.
- The proposed parking reduction is in keeping with the purpose and intent of the Zoning By-Law as each of the units will have a parking space within a private garage as well as an undersized driveway (i.e., does not meet the length requirements of the By-Law) which will still provide an opportunity for vehicular parking. As discussed in the following test, many cars will fit within the spaces provided, despite the spaces not meeting the length requirements of the Zoning By-Law.
- The proposed exterior side yard reduction is minor in nature (i.e., a reduction of 27 cm), and provides a greater yard setback than typical for internal units. This side yard is approximately the same size/dimension as the requirement of the Zoning By-Law and does not conflict with the general intent and/or purpose of the Zoning By-Law.

3. *Is the application minor in nature?*

Yes, the proposed Minor Variance application should be considered minor in nature for the reasons set out in the following table:

Proposed Variance	Discussion
Reduced Front Yard Setbacks - Units 50, 52, 54, and 56	<p>The proposed reduction of 1 metre (i.e., 5.0 metre whereas 6.0 metre is required) represents a 17% reduction in the required depth of the front yard.</p> <p>This reduction will not eliminate the front yards of these units, but conversely still provide an opportunity for landscaping/sodding of the front yard.</p> <p>The reduction will not result in the creation of any spatial separation issues or result in unsafe setbacks from the condominium street.</p> <p>The reduced front yard setback will still provide an opportunity for driveway parking for many types of cars (compact to mid-size).</p>
Reduced Front Yard Setback – Unit 36	<p>This Unit is located at a bend in the condominium street (Street C). As a result of this bend, a portion of the Unit is located within 2.9 metres of the street line.</p> <p>In our opinion, this Variance is minor in nature as the majority of the Unit is setback more than 6.0 metres, consistent with the purpose and intent of the Zoning By-Law. Additionally, the Unit will feature a driveway in excess of 6.0 metres which will provide ample space for parking.</p>
Reduced Rear Yard Setbacks – Units 50, 52, 54, 56, 58 and 60	<p>As shown on the proposed Site Plan, Units 50-60 are proposed to have 5.0 metre rear yards, whereas the By-Law requires 6.0 metre rear yards.</p>

Ms. Shannon VanDalen, MCIP, RPP – August 9, 2018

	<p>In our opinion, this Variance should be considered minor in nature as the 5.0 metre rear yards will provide ample outdoor amenity space for the future residents of these Units.</p> <p>Further, this reduction should be considered minor in nature as the proposed reduced rear yards will have no impact on existing residents/homes as this block of townhouses is a centrally located block on the Site Plan (i.e., impact will be limited to the townhouse development).</p>
Parking Reduction - Units 50, 52, and 54	<p>The parking reduction is required as the driveways proposed for these units are not 5.8 metres in length (each of these driveways will be about 5 metres in length), and as such the driveways are not considered a parking space for the purposes of the Zoning By-Law.</p> <p>Notwithstanding this, it is our opinion that these driveways will be sufficient in length to accommodate the parking size requirements of many small to mid-sized cars/SUV's, including:</p> <ul style="list-style-type: none"> • Toyota Corolla (2019): 4.65 metres • Honda Fit (2019): 4.03 metres • Mini Cooper (2019): 3.82 metres • Honda Civic (2019): 4.52 metres • Nissan Rogue (2018): 4.63 metres <p>We also note that each of these units will feature a wide garage that, although not considered a double car garage for the purposes of the Zoning By-Law, can accommodate two (2) cars.</p> <p>Based on the above, it is our opinion that the proposed parking reduction for these units should be considered minor in nature.</p>
Reduced Exterior Side Yard – Unit 1	<p>This request is due in large part to the angle of the street north of the site.</p> <p>This reduction should be considered minor in nature as the majority of this unit will still be 3.0 metres away from the lot line.</p> <p>A 27 cm reduction is not, in our opinion, a significant reduction from the standard requirement for exterior side yards. This reduction represents a 9% decrease from the standard requirements for exterior side yards.</p>

4. Is the application desirable for the use and development of the property?

Yes, in our opinion the proposed Minor Variance is desirable for the use and development of the property as it:

- Will allow for the development of the proposed townhouse development, which is consistent with the vision for the site as set out in the County's Official Plan and Zoning By-Law;
- Supports the creation of new housing types within a community largely comprised of single detached homes; and,
- Will not result in any negative land use compatibility issues with the surrounding neighbourhood.

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CONCLUSION

This letter provides an overview of the proposed Westwood II townhouse development, the land use planning framework applicable to the site, and the variances required to facilitate the development of the property.

As discussed, it is our opinion that the proposed Minor Variance satisfy the four tests of a Minor Variance as they conform to the Official Plan of the County of Norfolk, maintain the purpose and intent of the Zoning By-Law, are minor in nature, and are desirable for the use and development of the property. Accordingly, it is our opinion that the proposed Minor Variance represents good land use planning.

Sincerely,

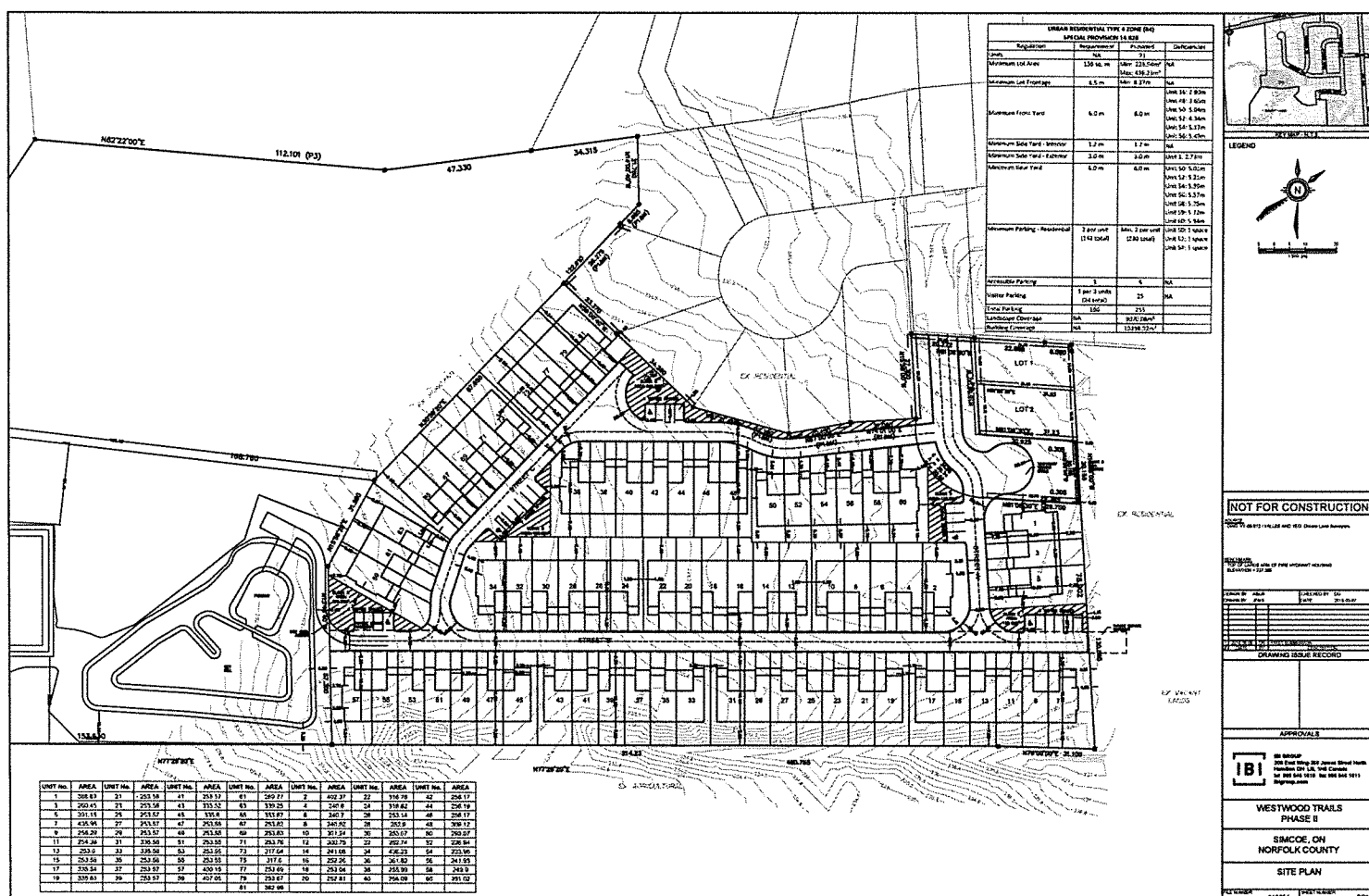
IBI GROUP

A handwritten signature in black ink, appearing to read 'D. Garbraith', is written over the printed name.

David Garbraith
Planner

DG/baw
Encl.

cc: Dan Sinclair, Warren D. Sinclair Construction Ltd.





Zoning Deficiency

Simcoe: 185 Robinson St.
Simcoe, ON
N3Y 5L6
519-426-5870
Langton: 22 Albert St.
Langton, On.
N0E 1G0
519-875-4485

PROPERTY INFORMATION

Address: Westwood Trails (Phase2)

Legal Description: Plam 37M76 BLK 11

Roll Number: 402 010 03515

Application #:

Information Origins: site plan and summary of deficiencies by IBI Group

Urban Residential Type 4 Zone (R4)		Zoning	Street	Townhouse	
Main Building		REQUIRED	PROPOSED	DEFICIENCY	UNITS
5.4.2	a) minimum lot area				
	i) interior lot	156.00		N/A	m.sq
	ii) corner lot	264.00		N/A	m.sq
	iii) detached garage	162.00		N/A	m.sq
	b) minimum lot frontage				
	i) interior lot	6.50		N/A	m
	ii) corner lot	9.00		N/A	m
	c) minimum front yard				
	i) attached garage (unit 50,52,54,56)	6.00	5.00	1.00	m
	i) attached garage (unit 36)	6.00	2.90	3.10	m
	ii) detached garage or rear yard parking	1.50		N/A	m
	d) minimum exterior side yard				
	i) exterior side yard (unit 1)	3.00	2.73	0.27	m
	e) minimum interior side yard	1.20		N/A	m
	f) minimum rear yard				
	i) attached garage (unit 50,52,54,56,58,60)	6.00	5.00	1.00	
	g) minimum separation between townhouse dwellings	2.00		N/A	m
	h) maximum building height	11.00		N/A	m
	Comments				

applicant proposing vacant land condo units, therefore each lot is considered its own entity and setbacks adhere to the R4 zone for each individual lot under zone provisions of a street townhouse. Special provision 14.828 applies to zone provisions

Decks and Porches		REQUIRED	PROPOSED	DEFICIENCY	UNITS
3.6	a) interior side lot line	1.20		N/A	m
	b) have a floor higher than the height, above finished grade, of the floor of the first storey of the main building on the lot.			N/A	m
	c) project more than 3 m into a required rear yard but in no circumstance be closer than 3m from the rear lot line.	3.00		N/A	m
	d) project more than 1.5m into the required front yard or required exterior side yard.	1.50		N/A	m
	e) sloping rear yard.				
	i) interior lot line	3.00		N/A	m
	ii) rear lot line	6.00		N/A	m

Comments

No rear yard decks proposed at this time. Any proposed decks will require a separate permit.



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Urban Residential Type 4 Zone (R4)

Parking	Zoning REQUIRED	Street Townhouse PROPOSED	DEFICIENCY	UNITS
4.1 number of parking spaces for each unit	2			2
Units (50,52,54)	2	1.00	1	

Comments

units 50,52,54 will each be deficient by one parking spot for a total of 3 parking spots within the total development

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

Prepared By:

Roxanne Koot

I have read and understand the above.

Signature of owner or authorized agent

Aug. 9, 2018

date

Aug 9/2018

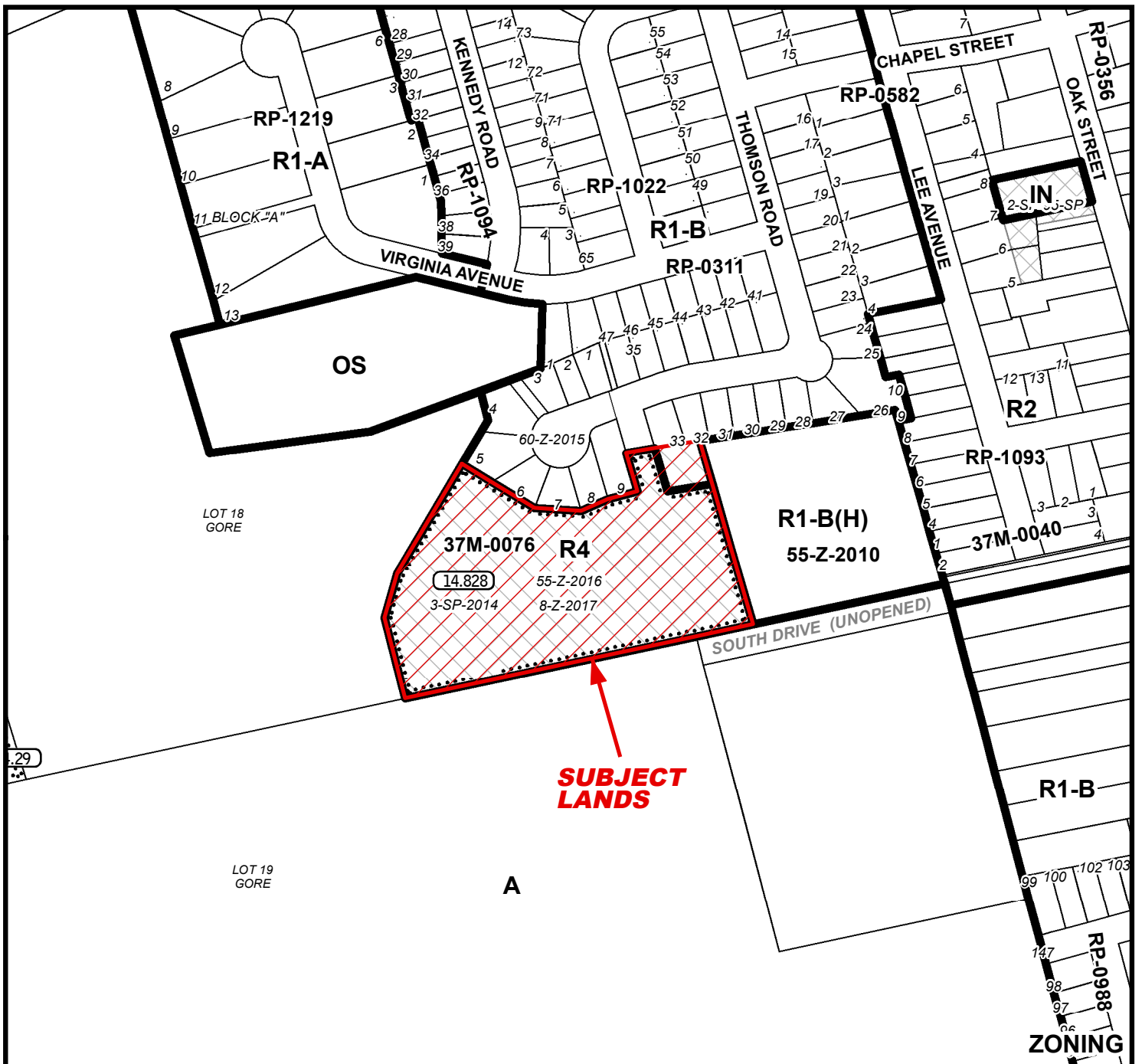
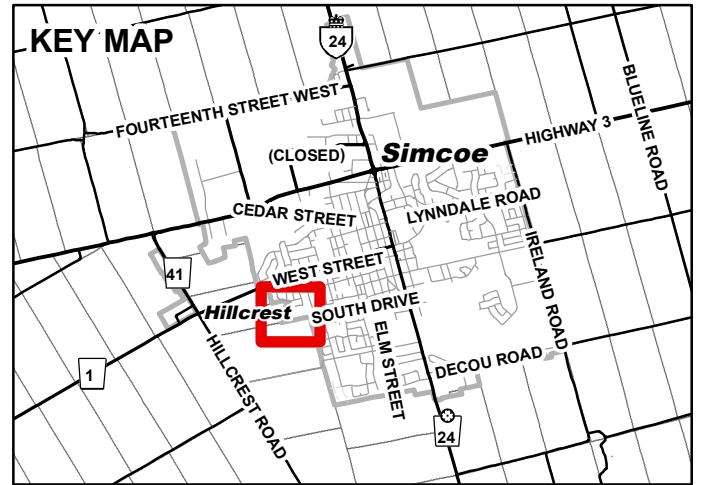
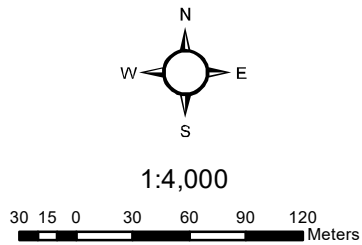
AS PER: Fritz R. Enzlin. CBCO,
CRBO - Chief Building Official
Manager, Building & Bylaw
Division, Norfolk County

MAP 1

File Number: ANPL2018185

Geographic Township of

WOODHOUSE



MAP 2

File Number: ANPL2018185

Geographic Township of WOODHOUSE



105 0 10 20 30 40
Meters

1:3,000



MAP 3

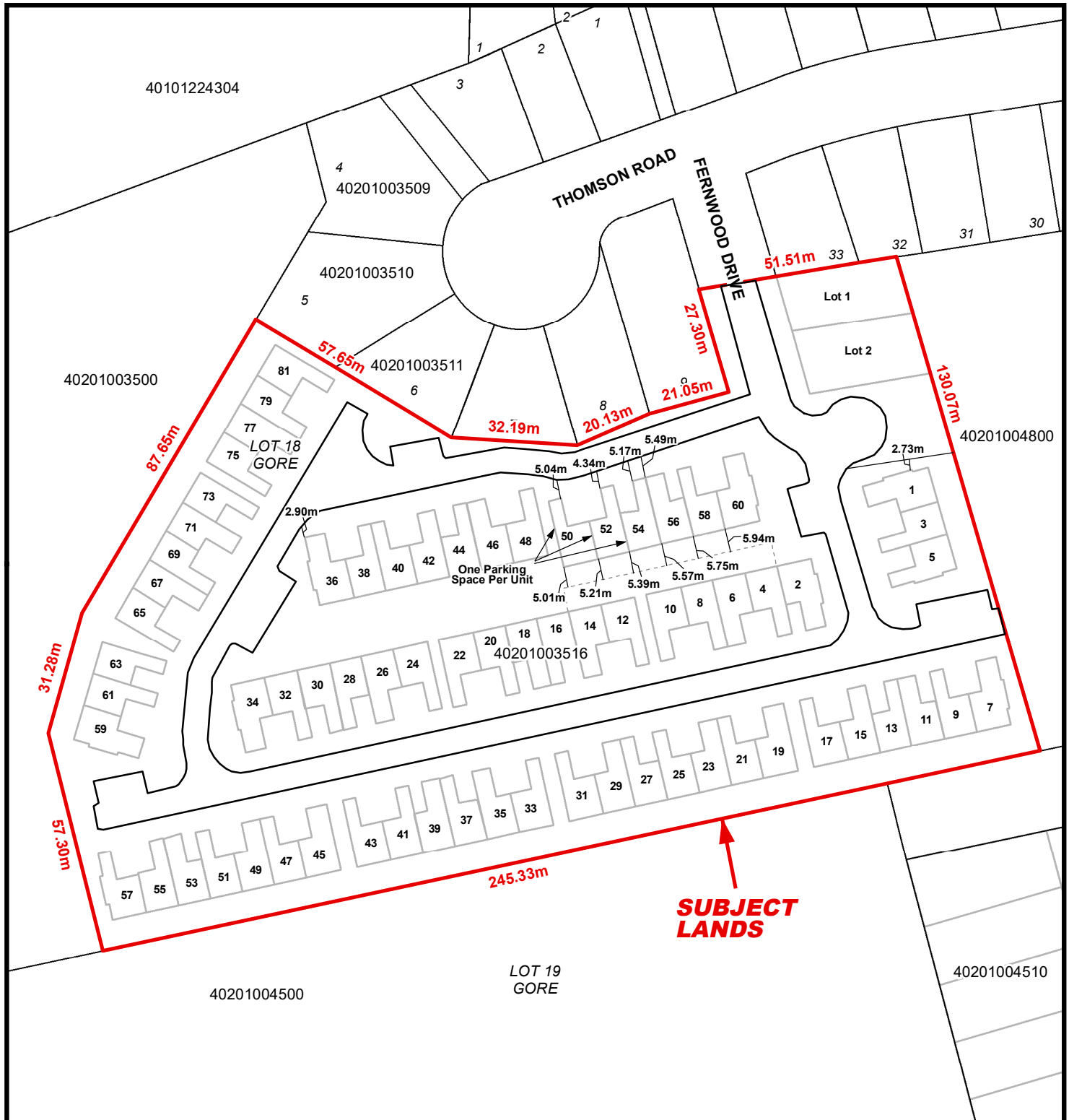
File Number: ANPL2018185

Geographic Township of WOODHOUSE



5.8.75 5.5 11 16.5 22
Meters

1:1,400



LOCATION OF LANDS AFFECTED

File Number: ANPL2018185

Geographic Township of WOODHOUSE



5.8.75 5.5 11 16.5 22
Meters

1:1,400

