

**For Office Use Only:**

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

ANPL 2020153

BNPL 2020152

BNPL 2020153

Aug 10 2020

Application Fee

Conservation Authority Fee

Well &amp; Septic Info Provided

Planner

Public Notice Sign

2761 x 2 1529 x 1

**Check the type of planning application(s) you are submitting.**

- ☒ Consent/Severance/Boundary Adjustment  
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment  
☒ Minor Variance  
☐ Easement/Right-of-Way

**Property Assessment Roll Number:** 40101301700**A. Applicant Information****Name of Owner**

Nathan and Ashley Bertrand

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.

Address

171 Queen St. South

Town and Postal Code

Simcoe, N3Y 3C7

Phone Number

226-567-4099

Cell Number

Email

**Name of Applicant**

Bradley Mottashed

Address

41 Thomson Road

Town and Postal Code

Simcoe, N3Y 4Z6

Phone Number

519-427-6199

Cell Number

Email

bradlemottashed@gmail.com

<b>Name of Agent</b>	Mike Sullivan
Address	707 East Main St.
Town and Postal Code	Welland, Ontario, L3B 3Y5
Phone Number	289-687-3730
Cell Number	
Email	mike@sullivanplanning.ca

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices 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):

PT LT 31-32 BLK 108 PL 182 AS IN NR535470; SIMCOE, NORFOLK COUNTY

Municipal Civic Address: 171 Queen S.

Present Official Plan Designation(s): Urban Residential

Present Zoning: Urban Residential Type 2 Zone

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

☐ Yes
 ☒ No
 If yes, please specify:

3. Present use of the subject lands:

Subject lands currently host a single dwelling unit and large rear yard.

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, and height on your attached sketch which must be included with your application:

Please see attached justification letter.

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

Not applicable

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, and height on your attached sketch which must be included with your application:

Please see attached justification letter.

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:  
unknown

9. Existing use of abutting properties:  
urban residential

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. Site Information	Existing	Proposed
Please indicate unit of measurement, for example: m, m <sup>2</sup> or %		
Lot frontage	25.4 m	12.70 m
Lot depth	+/- 45.7 m	19.54 m
Lot width	25.4 m	12.70 m
Lot area	+/- 1160 m	248.158 sq. meters
Lot coverage		+/- 90 sq. meters
Front yard		2.80 m
Rear yard		4.50 m
Left Interior side yard		5.33 m
Right Interior side yard		5.33
Exterior side yard (corner lot)		N/A

#### 2. Please outline the relief requested (assistance is available):

We are seeking relief in the form of four variances below.

1. Rear yard setback in the amount of approximately -3.0m.
2. Front yard setback in the amount of approximately -3.5m.
3. Minimum lot area, approximately -10 sq. metres.
4. Maximum projecting of steps into a required front yard. -0.3m.



#### 3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

The dwellings proposed for these lots are pre-fabricated, it is not possible to reduce their length to meet the County's setbacks.

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

Frontage:	12.70 m (x 2)
Depth:	19.54 m (x 2)
Width:	12.70 m (x 2)
Lot Area:	248.158 sq. meters (x 2)
Present Use:	residential, rear yard
Proposed Use:	2 lots, with a semi-detached dwelling unit

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: +/- 25.4 m  
Depth: +/- 26.15 m  
Width: +/- 25.4 m  
Lot Area: +/- 664.2 sq. m  
Present Use: residential, single dwelling unit  
Proposed Use: to remain the same  
Buildings on retained land: dwelling unit, shed

**5. Description of proposed right-of-way/easement in metric units:**

Frontage: not applicable  
Depth: \_\_\_\_\_  
Width: \_\_\_\_\_  
Area: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_

**6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:**

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

**Note: If additional space is needed please attach a separate sheet.**

**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 (for example: gas station, or petroleum storage):
  
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:

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:

The property has been and continues to be a dwelling house. This has not been identified as a habitat of endangered species and threatened species

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:

Lot is on full municipal services. Minimal risk to the WHPA.

Note: If in an area of source water Wellhead Protection Area (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 \_\_\_\_\_

Morris Printing Services Inc. and Son

**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  
☐ Individual wells

- ☐ Communal wells  
☐ Other (describe below)
- 

Sewage Treatment

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

Storm Drainage

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

2. Existing or proposed access to subject lands

- ☒ Municipal road  
☐ Unopened road
- ☐ Provincial highway  
☐ Other (describe below)

Name of road/street:

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## G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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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.

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#### **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. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

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 (to verify location and condition)
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, 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. 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/Agent Signature



Date

## J. Owner's Authorization

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

I/We \_\_\_\_\_ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize \_\_\_\_\_ 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.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

**K. Declaration**

I, BRADLEY MOTTASHED of TOWN OF SIMCOE

solemnly declare that:

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 and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

\_\_\_\_\_



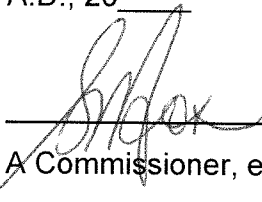
Owner/Applicant/Agent Signature

In \_\_\_\_\_

This 10<sup>th</sup> day of AUGUST 202

A.D., 20

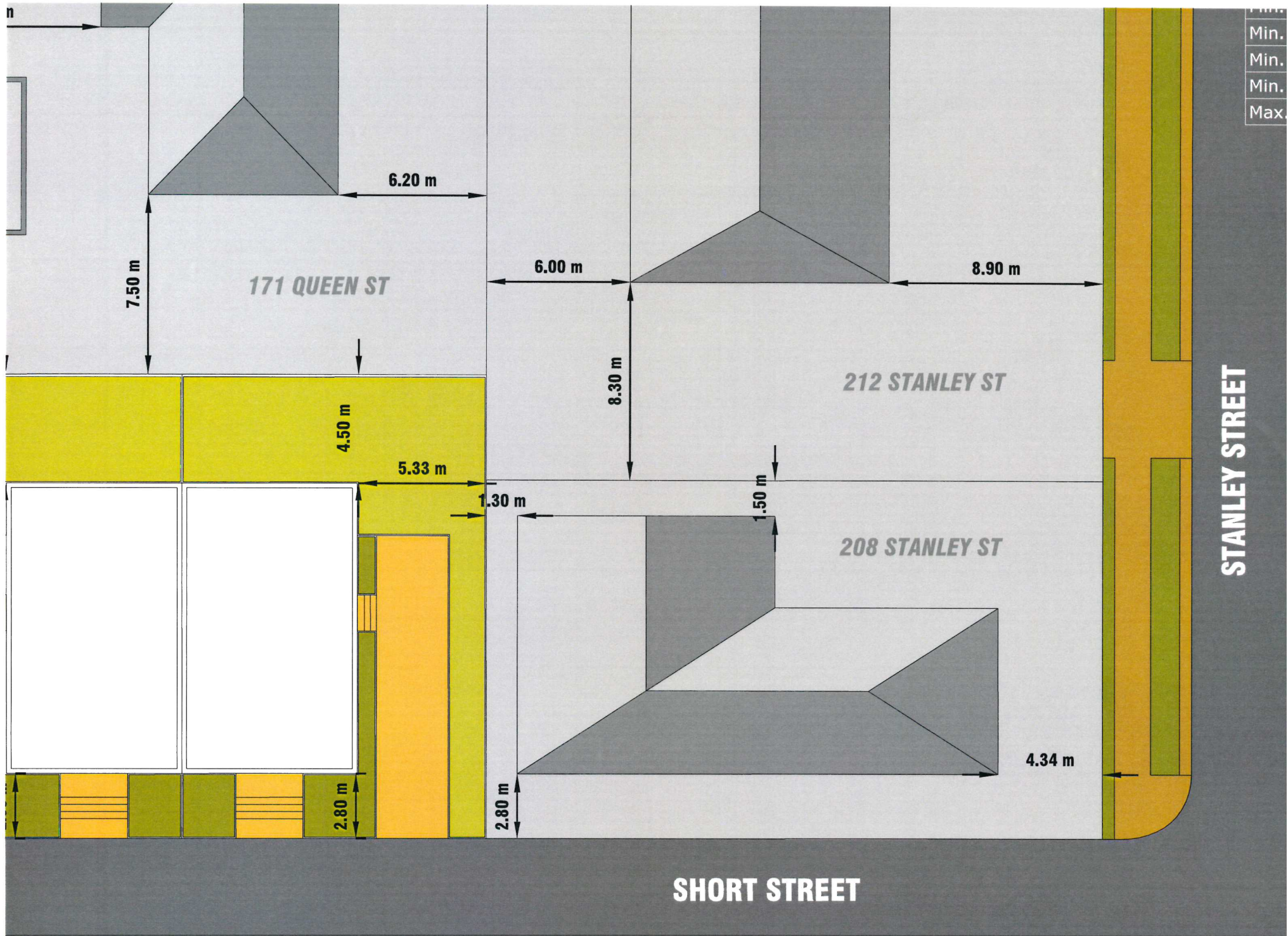
Sherry Ann Mott, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires January 5, 2023.



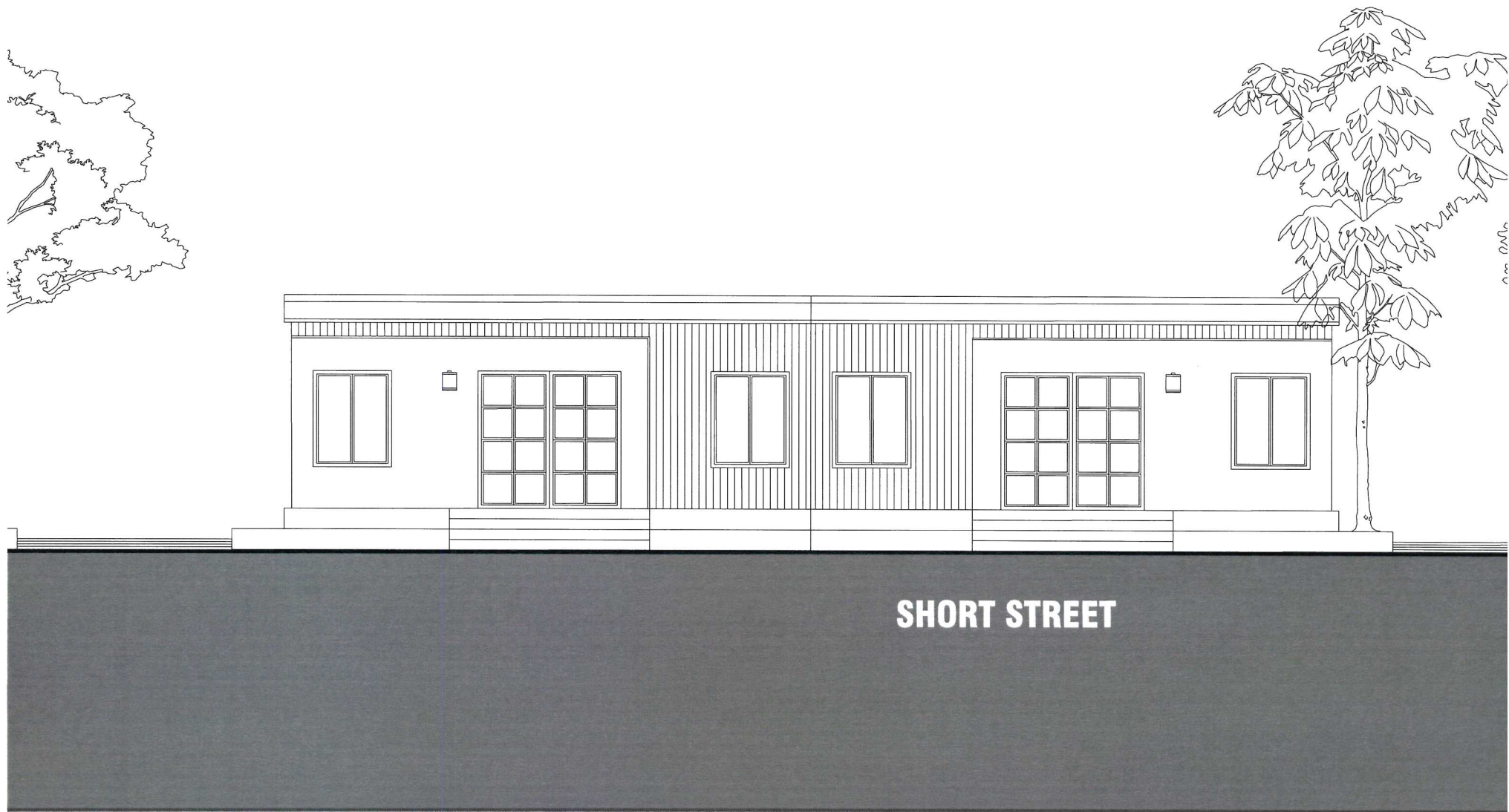
A Commissioner, etc.







## SEVERANCE APPLICATION



SHORT STREET

**SEVERANCE APPLICATION**



August 5, 2020

Ms. Sherry Mott, Secretary-Treasurer  
Committee of Adjustment  
Planning & Development Department  
Norfolk County  
Langton, ON

**Re: Planning Justification – Urban Infill Severances  
171 Queen Street, Simcoe  
Norfolk County**

Sullivan Planning Services Inc. (SullivanPLAN) was retained by Bradley Mottashed (agent) and property owners, Nathan and Ashley Bertrand to provide planning justification in support of a proposed residential infill severance and redevelopment of the property at 171 Queen Street, Simcoe.

## 1. PURPOSE

This letter outlines our position that this lot is a good candidate for the proposed severances. Four minor variances are also required to comply with County zoning.

## 2. REPORT PREPARATION

SullivanPLAN attended the site, meet with the applicants; and reviewed all applicable planning documents, towards developing our opinion.

it is our opinion that the project does not require either an Official Plan amendment or a Zoning By-law (ZBL) amendment in order to proceed, but four minor variances.

We are pleased to offer our opinion, including full rationale in this letter report.

## 3. THE PROJECT

The applicant contacted SullivanPLAN to provide support to ensure this application is well represented. As Norfolk County does not offer a Pre-Consultation meeting for severance applications, our role is to provide technical justification and support at the hearing. The purpose of this report is to:

1. Ensure that the proposed residential severance conform with planning policy; and
2. To seek Zoning relief in the form of a reduced rear yard setback.



## Property Description & Location

The location of the subject property is 171 Queen St. South in the community of Simcoe, in Norfolk County, Ontario. The site currently hosts an occupied dwelling unit that covers less than half of the entire property. The rest of the property is an underutilized yard. The owners are interested in severing the back yard of the property to redevelop into affordable housing dwellings.

## Surrounding Land Uses

Queen Street is a main north-south artery in Simcoe. Short Street is a local road, offering access to local residents only.

North = Residential (low density)

South = Residential (low density)

East = General Industrial, print shop (low density)

West = Residential (low density)

## General Topography

The lot is generally rectangular in shape, fronting onto Queen St. South, and extends in an east-west direction. Drainage flows generally from east to west, being collected by County owned storm drainage on the streets. The house is set at the relative high point of the property, closer to and slightly higher than the street. Drainage does not appear to be an issue on this property, with no obvious signs of ponding or wet areas noted during a site visit in May 2020. The rear yard slopes down (eastward) to Short Street, with a slight rise highlighted at the south-east corner of the property.

## 4. THE DEVELOPMENT PROPOSAL

The applicant seeks to create two new residential lots, fronting onto Short Street:

1. Sever the rear yard of the existing lot; and
2. Further sever that parcel in half to accommodate a proposed semi-detached dwelling development that would front on Short St., a municipally maintained road.

An initial inquiry Norfolk County's Planning Department has indicated that a severance is possible for this property as Short Street is a municipally maintained road, which has access to County-owned water and sewage services.

**171 Queen Street South, Simcoe: Severance | Minor Variance**  
**Mr. Brad Mottashed & Mr. Gaston Fernando**

**Figure 1**, below illustrates the existing property outlined in red, and the proposed severances, outlined in yellow dashes.

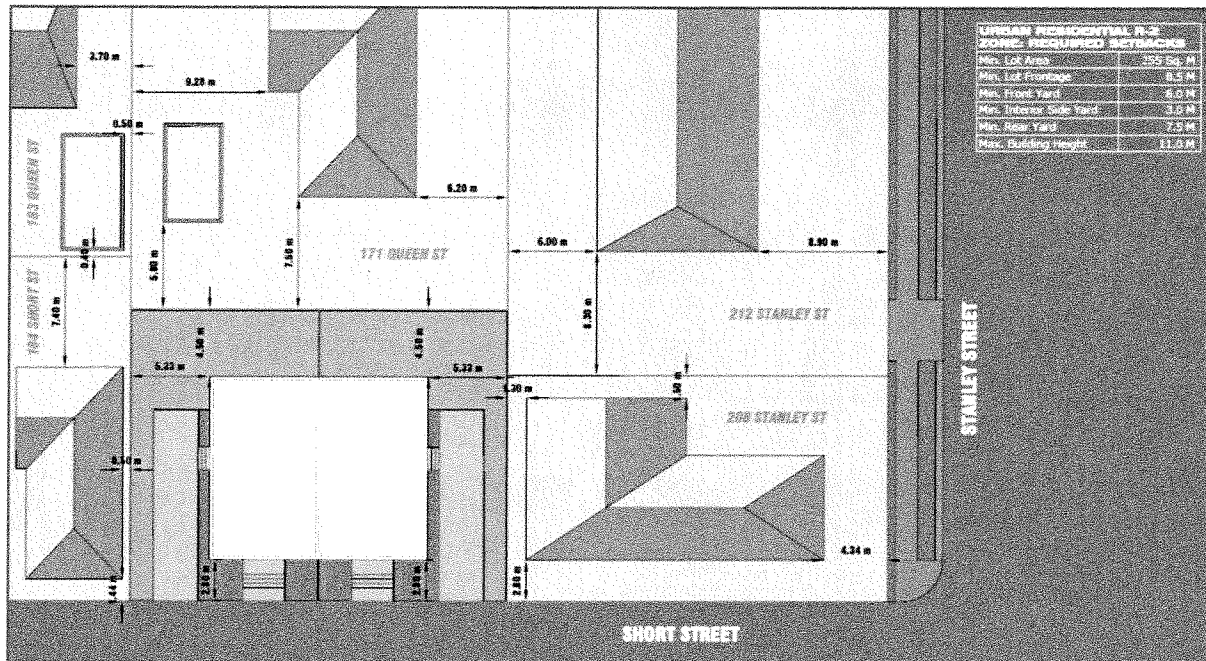
Figure 1: Subject Lands (Red) and Proposed Severed Lands (Yellow Dashed)



Figure 2 - Aerial View of Proposed Development

## 171 Queen Street South, Simcoe: Severance | Minor Variance

Mr. Brad Mottashed &amp; Mr. Gaston Fernando



## SITE CONCEPT FOR SEVERANCE APPLICATION

Severance Concept in Relation to Prevailing Setbacks

171 QUEEN STREET SOUTH, SIMCOE, ON N3Y 3C7



SullivanPLAN

This application seeks to redevelop the site by creating two infill residential lots that will accommodate one semi-detached structure (two dwelling units). We offer the following additional information for the County's consideration:

## 1. INNOVATIVE DESIGN

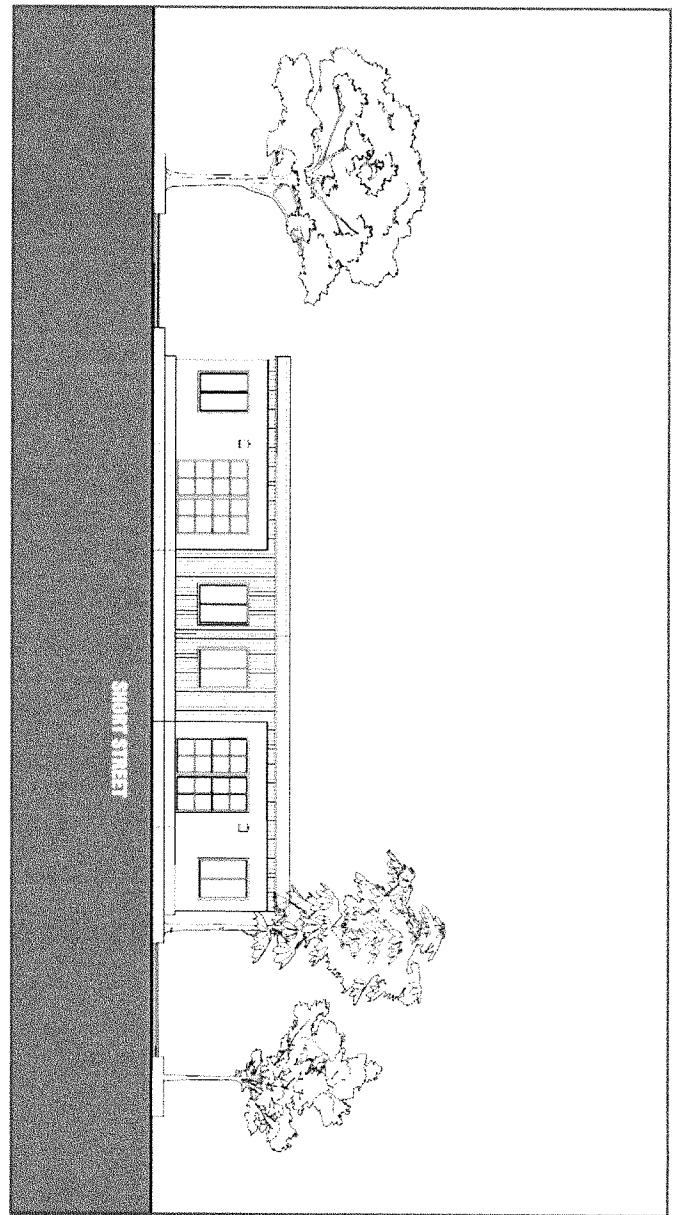
The first issue that needs to be addressed is that this proposal will utilize innovative designs, construction techniques and materials to build the dwellings. Specifically, this redevelopment will utilize prefabricated materials to construct the dwelling units that will be consistent with the definition and requirements of "modular homes" as found in County's zoning bylaw.

## 2. AFFORDABILITY

While we understand that the County is generally supportive of affordable housing units, we want to ensure that our design is supported by staff. An example of a pre-fabricated modular homes built with customized shipping containers framing is found in **Figure 2** below.

**171 Queen Street South, Simcoe: Severance | Minor Variance**  
**Mr. Brad Mottashed & Mr. Gaston Fernando**

Figure 2: A concept design of a modular home built with shipping container framing



**SITE CONCEPT FOR SEVERANCE APPLICATION**  
**Front Elevation of Proposal as Seen From Short Street**  
**171 QUEEN STREET SOUTH, SIMCOE, ON N5Y 3G7**

**SullivanPLAN**  
SCALE 1" = 10' 0" 1/2  
N



**SullivanPLAN**

## 171 Queen Street South, Simcoe: Severance | Minor Variance

Mr. Brad Mottashed & Mr. Gaston Fernando

As these units will be pre-fabricated, the footprint will be much smaller than what is commonly seen in larger housing developments. To keep the size of the dwellings to a suitable living space, and because the pre-fabricated units offer limited flexibility in size and dimensions, this application will require zoning relief.

This application for two severances and four minor variances based on our review of the development, and the applicant's initial inquiry with former County staff.

## 5. LAND USE PLANNING FRAMEWORK

Land development in Ontario is governed by a set of policies and regulations at the provincial and municipal levels. Demonstrating how this application conforms with these policies is necessary to achieve good planning. In this instance, the following rules apply: Provincial Policy Statement (2020), Norfolk County Official Plan (Consolidated January 1, 2019) and the Zoning By-law of Norfolk County Zoning By-Law (I-Z-2014).

### Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) governs all land uses in Ontario by providing policy direction on matters of provincial interest related to land use planning and development. The current PPS is based on three overarching principles: **1) Building Strong Healthy Communities; 2) Wise Use and Management of Resources; and 3) Protecting Public Health and Safety.** To be considered good planning, an application must be consistent with the policies of the PPS.

The subject property is located within Simcoe, an "urban settlement area" in the County. The following policies apply to this application:

Table 1 - Provincial Policy Statement Review

Section	Title	Description	Comment
<b>1.1</b>		<b>Growth Management</b>	
	1.1.1	Healthy and Safe communities are sustained by: b) accommodating an appropriate affordable and market-based range and mix of residential types, to meet long-term needs.	This application provides additional stock to the range of residential uses in Simcoe.
<b>1.1.3</b>		<b>Settlement Areas</b>	
	1.1.3.1	Shall be the focus of growth and development	Simcoe is a settlement area and a designated growth area.
	1.1.3.2	Land use patterns shall be based on densities and mix of land uses that: a) are efficient b) are appropriate and efficiently used the infrastructure and public service facilities in Town	This application represents infill which is more efficient and uses existing County services.
	1.1.3.5	Planning authorities shall establish and implement minimum targets for	This application represents a slight

## 171 Queen Street South, Simcoe: Severance | Minor Variance

Mr. Brad Mottashed & Mr. Gaston Fernando

Section	Title	Description	Comment
		intensification and redevelopment within built-up areas, based on local conditions	increase in density of a low-density area
<b>1.4</b>		<b>Housing</b>	
	1.4.1	Appropriate range and mix of housing options and densities to meet Town's growth objectives	This application represents increasing density with affordable housing

This application is consistent with the current PPS policies.

## Norfolk County - Official Plan Policy

The County's Official Plan (NCOP) is the principal land use planning tool used to management growth and development within the County to the year 2036. Its purpose is to provide a policy framework to guide economic, environmental, and social decisions that have implications for the use of land.

The proposed redevelopment of 171 Queen St. South is consistent with the County's OP and is supported by the following policies : Table 2 – Norfolk County Official Plan Policy Review

Section	Title	Description	Comment
<b>5.0</b>	<b>Maintaining Healthy Communities</b>		
	5.3 Housing	Ensuring a full range of housing types, including affordable housing	This application provides affordable, low maintenance housing to County stock
	5.3.1 Residential Intensification	Reducing the need for urban sprawl; and expansion into agricultural areas	This application represents residential infill development, which seeks
	5.3.1.a)	i) Small scale intensification through modifications to an existing dwelling	
		ii) Infill development and residential development of vacant or underutilized land in existing neighbourhoods	This application is infill development on underutilized land
		iii) Re-development including the replace of existing residential uses, or replace of non-residential with mixed use or residential	
	5.3.1.f)	Infill development, intensification and redevelopment through intensification will be considered based on the following criteria: i) It is in an urban area and is appropriately located	Yes, and is proximate to Queen St and downtown
		ii) Existing water and sanitary sewer connections are available	Yes, full municipal servicing is available.

Section	Title	Description	Comment
			We are not aware of any servicing constraints in Simcoe.
		iii) Road network can accommodate the traffic generated	Two new driveways will result, which is an incremental increase.
		iv) The proposed development is compatible with the character of the neighbourhood	Yes, the immediate area comprises smaller lots, with smaller homes. This development will fit well with the character.
		v) The proposed development is consistent with the Urban Residential policies.	Yes, see Section 7.7, below.
<b>6.0</b>	<b>Managing Growth</b>		
	6.5.1 Simcoe Urban Area	b) incorporating a full range of housing types, including affordable and special needs housing.	Yes. This application represents adding affordable housing stock
<b>7.7</b>	<b>Urban Residential</b>		
	7.7.1 Permitted Uses	a) Predominant use shall be a variety of dwellings, including...semi-detached	Yes, meets this policy. This application represents 1 dwelling per lot.
	7.7.2 Land Use Policies	a) Single, semi-detached and duplex housing forms shall <i>generally have an average net density</i> of 15 units per hectare (uph);	Yes. There is no maximum density*. Lot size = 0.117ha 3 units = 25.6 uph
<b>9.6</b>	<b>Development Control</b>		
	9.6.3.2- General Consent to Sever Land Policies	f) Consents for building purposes shall NOT be considered under the following circumstances: 1) natural heritage feature; 2) floodplain; 3) proximate to an aggregate or petroleum resource area.	Yes. This application does not any of the features identified.
	9.6.3.2.c)	i) Consents shall only be granted when the land fronts onto an existing, assumed public road that is maintained on a year-round basis;	Yes. The lots will front onto to Short St. an assumed public road maintained on a year-round basis
		ii) Consents shall have the effect of infilling in existing areas and not extending existing development	Yes. These applications are infill in existing areas.
		iii) Creation of the lot does not compromise the long-term use of the remaining land or retained parcel	Yes. These applications maximize the use of the remaining lands.

Section	Title	Description	Comment
		iv) Consents may be considered for large parcels, where future development will proceed by plan of subdivision	Yes. Does not apply to this application.

\*The policy is purposefully vague, allowing for residential lots far smaller and larger than the 666m<sup>2</sup> average of 15u/ha. The rest of the block surrounding the subject land has a density of about 29 units/hectare. The R2 zone designation allows for up to 44 units/hectare.

This application conforms with NCOP policy and meets the policy tests for severances.

## Norfolk County Zoning By-Law 1-Z-2014

The subject lands are designated **Urban Residential Type 2 Zone (R2)** of the County's Zoning By-law.

The proposed development compiles with the Permitted Uses in this zone, that being a semi-detached dwelling. Furthermore, it is also in compliance with 5.2.2 Zone Provisions for Semi-Detached and Duplex Dwellings except for the rear yard setback. A comparison of the zoning provisions for this zone against the proposed development is found in the table below.

Table 3 - Residential R2 Zone Regulation Analysis

Zone Provisions for Semi-Detached Dwelling	Required	Proposed	Requested Variance
a) Minimum Lot Area (interior)	255m <sup>2</sup>	245 m <sup>2</sup>	-10m <sup>2</sup> (3.9%)
b) Minimum Lot Frontage	8.5 meters	12.7 meters	n/a
c) Minimum Front Yard	6 meters	2.5 meters	-3.5m (58.3%)
Minimum Exterior Side Yard	6 meters	--	n/a
Minimum Interior Side Yard (parking space accessed via front yard).	3 meters	5.3 meters	n/a
Minimum Rear Yard	7.5 meters	4.5 meters	-3.0m (40%)
Maximum building height	11 meters	3-6 meters	n/a

General Provisions	Required	Proposed	Requested Variance
3.10.f Maximum projecting of steps into a required front yard.	1.5 meters	1.8 meters±	-0.3m (17%)
Parking	2 spaces	2 spaces	n/a



As demonstrated above, this application generally compiles with the zone requirements, the exception being the rear yard set back. Given that the dwellings proposed for these lots are pre-fabricated, it is not possible to reduce their length to meet the County's setbacks.

The applicant is seeking a total of four (4) variances to the Zoning By-law.

It is our opinion that the minor variances are justified and meets the criteria through the four tests as prescribed by **Sec. 45(1) of the Planning Act**, this is detailed below.

## Justification for Minor Variances

As noted, a minor variance request is for the rear yard setback in the amount of approximately 1.5 meters.

### 1. The variances are minor in nature?

Yes, area reduction is very minor: 10 metres square (3.9%) . Front and rear yard setback are somewhat larger at 3.5m and 3.0m respectively, with steps projecting into the front yard at 0.3m.

The reduced front yard is to a minor lane, Short Street. The reduction may be significant numerically but is in keeping with the existing built form of Short Street and the neighbourhood. The majority of the dwellings have setbacks of 4.5 metres or less to the Short Street streetline.

The proposed rear yard is shallow but wide. The minimum rear yard amenity area per the R2 zoning by-law is 64m<sup>2</sup> while the proposed dwellings will have a 73m<sup>2</sup> private amenity area. The variances are a minor change from the community standard, and are requested to accommodate a pre-fabricated dwelling that has pre-set dimensions.

The variance for the projection into the front yard will allow a single extra step towards the streetline, which is minor.

### 2. Is the variance desirable for the appropriate development or use of the land, building or structure?

Yes, the variances are desirable as the proposal is looking to maximize an otherwise underutilized parcel through infill. The minor variances allow for the provision a functional level of indoor living space, which retains the marketability of both dwellings.

A walking tour of Short Street and the immediate neighbourhood confirmed that several smaller dwellings exist historically in the area. This includes several dwellings that front onto Short St. and a new infill, semi-detached development has recently occurred on the corner of Short St. and Grove St.

The reduced setback required to facilitate the creation of two lots for semi-detached dwellings is appropriate to the area.

### 3. Is the general intent and purpose of the Official Plan maintained?

Yes, as indicated above the proposal meets the intent and purposes of the OP. Specifically sections: 5.0 Maintaining Healthy Communities (affordable housing, and residential intensification), 6.0 Managing Growth (full range of housing types), and 9.6.3.2 General Consent to Sever Land Policies (the intent is to provide for infill development).

The lots are proposed for semi-detached pre-fabricated dwellings, which County Council views as tiny homes and has publicly supported.

4. Is the general intent and purpose of the Zoning By-law maintained?

Yes, the proposal is consistent with the intent and purpose of the ZBL as the development of the site is consistent with the current zoning and the permitted uses will not change, its uses will remain as residential dwelling, on a slightly smaller lot.

## 6. ANALYSIS

Based on the above, it is our position that this application is consistent with all applicable land use planning legislation and this application represents a residential infill redevelopment and increased intensification of the urban area in a historically oversized lot.

This letter demonstrates that this application meets all applicable governing policies including, the PPS and the NCOP by providing for a range of residential types, tenures and sizes; and seeking to create more intensification in the Simcoe urban area through infill; based on affordable housing principles, all of which are goals of the municipality as identified in the Official Plan. This application specifically conforms to the General Consent to Sever policies of the NCOP.

The application conforms to the spirit and intent of the Zoning By-law. The use is permitted. The variances should be considered minor within their neighbourhood context.

This application seeks to build on recent support from Council for the “Tiny Homes” concept, and supports meeting lower income housing targets through innovative designs, construction techniques and materials.

By adding these two lots and developing them with affordable housing dwelling units, using innovative building methods, the County will benefit from ensuring a mix of housing types which is a goal of both provincial and municipal planning policies.

## 7. CLOSING

We look forward to discussing this issue with the County, and to mapping out a way forward to help our client and the County achieve the goals of facilitating innovative and affordable housing in the community.

This application represents good planning as it meets provincial and county planning policy, while requiring minor reductions in four provisions of the Zoning By-law. We recommend that the minor variances be approved, subject to any appropriate conditions.

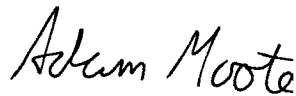
We plan to attendance the Committee hearing to answer any questions and clarify this application. Should you require anything further in advance of the hearing, please contact us via email at [mike@sullivanplanning.ca](mailto:mike@sullivanplanning.ca) or by phone at 289-687-3730.

Sincerely,

SULLIVAN PLANNING SERVICES INC.



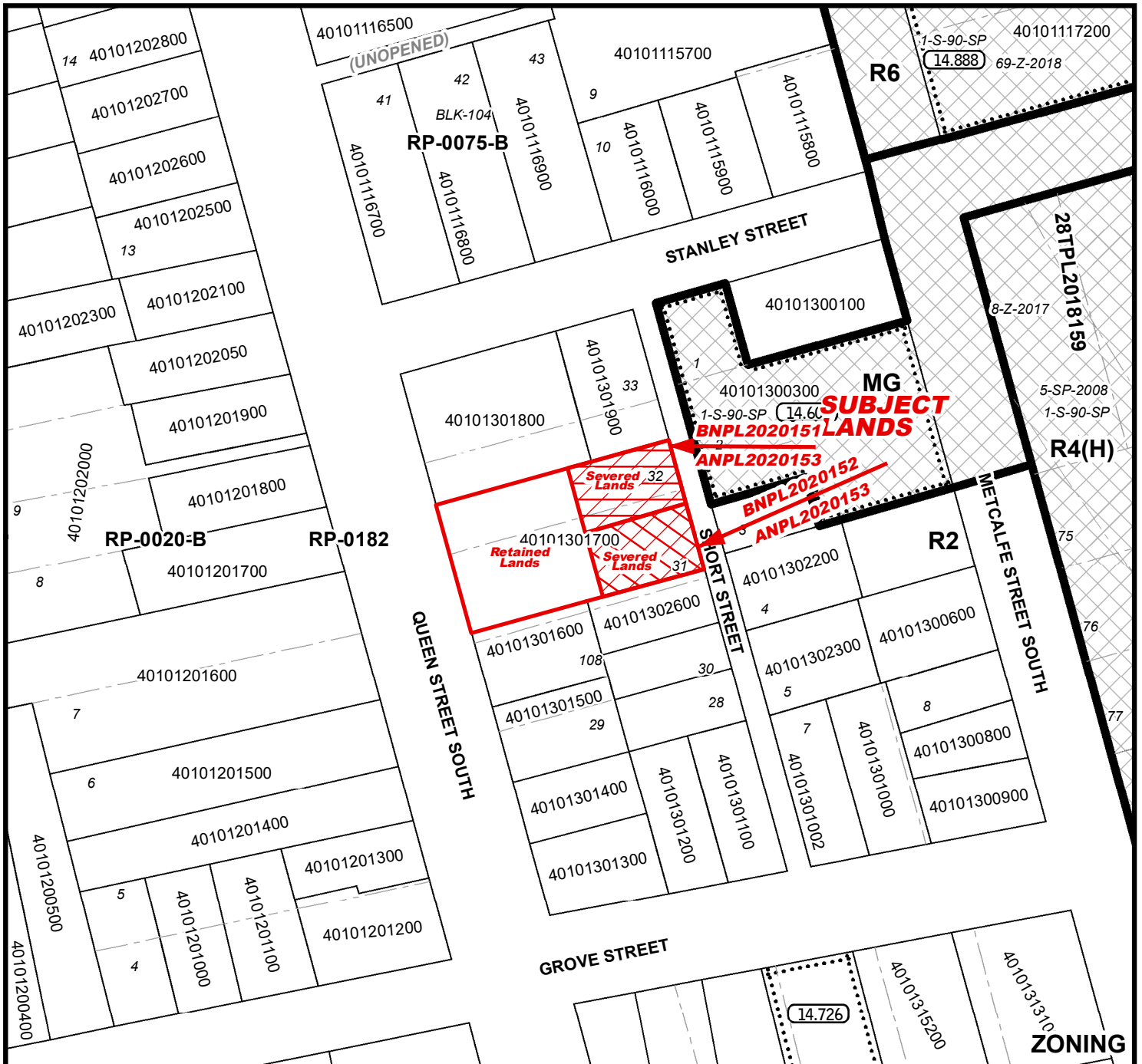
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Cc Bradley Mottashed, Applicant  
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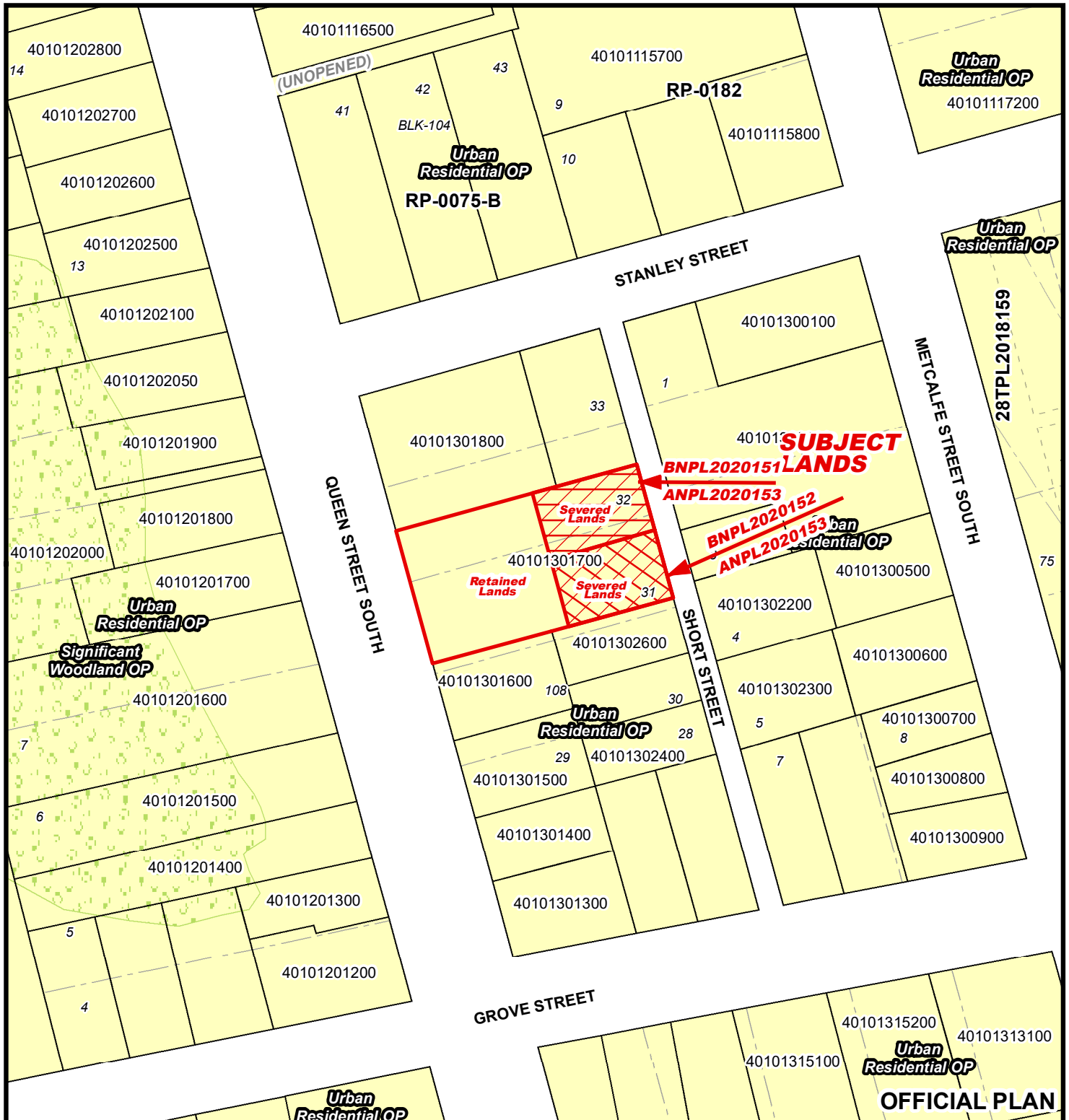
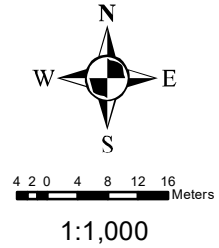
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BNPL2020152  
& ANPL2020153**



# MAP 2

File Number: BNPL2020151, BNPL2020152  
& ANPL2020153

Urban Area of SIMCOE

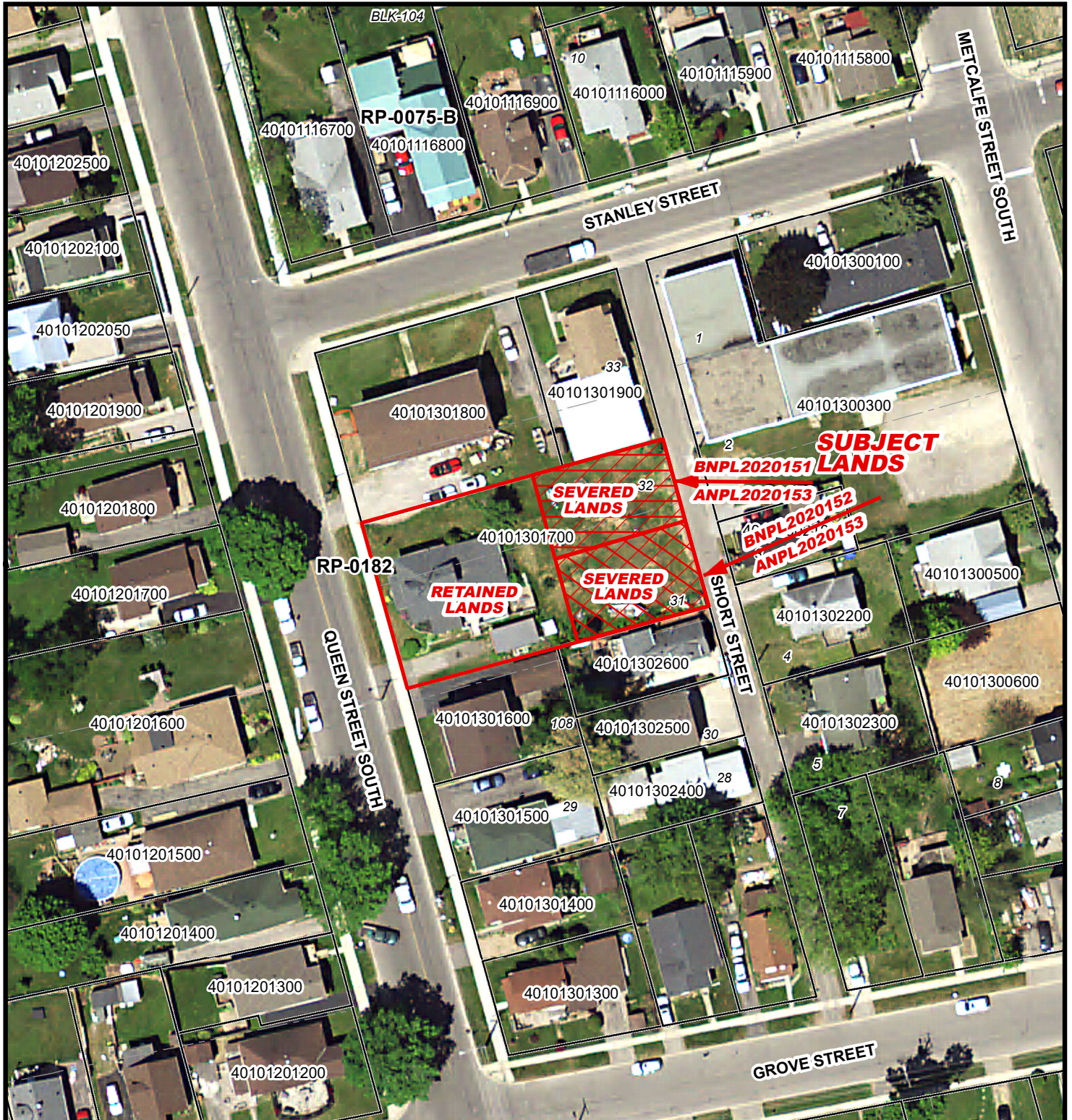
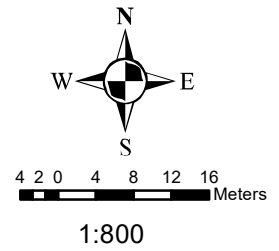




# MAP 3

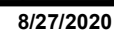
File Number: BNPL2020151, BNPL2020152  
& ANPL2020153

Urban Area of SIMCOE





## Urban Area of SIMCOE



# LOCATION OF LANDS AFFECTED

File Number: BNPL2020151, BNPL2020152  
& ANPL2020153

Urban Area of SIMCOE

