

File Number	<u>ZNPL2021042</u>	Public Notice Sign	<u></u>
Related File Number	<u></u>	Application Fee	<u>3,430.00 - PAID</u>
Pre-consultation Meeting	<u>October 14, 2020</u>	Conservation Authority Fee	<u>N/A</u>
Application Submitted	<u>Jan 25, 2021</u>	Well & Septic Info Provided	<u></u>
Complete Application	<u>Feb 12, 2021</u>	Planner	<u>N. Goodbrand</u>

- ☐ Official Plan Amendment
- ☐ Zoning By-Law Amendment
- ☐ Temporary Use By-law
- ☐ Draft Plan of Subdivision/Vacant Land Condominium
- ☐ Condominium Exemption
- ☐ Site Plan Application
- ☐ 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:_____

A. Applicant Information

Name of Owner _____

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 _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Applicant _____

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent _____

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

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):

Municipal Civic Address: _____

Present Official Plan Designation(s): _____

Present Zoning: _____

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:

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:

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

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:

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:

9. Existing use of abutting properties:

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

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

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:

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

Buildings on retained land: _____

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, for example: m, m² or %

Lot frontage	_____	_____
Lot depth	_____	_____
Lot width	_____	_____
Lot area	_____	_____
Lot coverage	_____	_____
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____
Landscaped open space	_____	_____
Entrance access width	_____	_____
Exit access width	_____	_____
Size of fencing or screening	_____	_____
Type of fencing	_____	_____

10. Building Size

Number of storeys	_____	_____
Building height	_____	_____
Total ground floor area	_____	_____
Total gross floor area	_____	_____
Total useable floor area	_____	_____

11. Off Street Parking and Loading Facilities

Number of off street parking spaces	_____	_____
Number of visitor parking spaces	_____	_____
Number of accessible parking spaces	_____	_____
Number of off street loading facilities	_____	_____

12. Residential (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: _____

Type	Number of Units	Floor Area per Unit in m ²
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool): _____

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 (for example: office, retail, storage):

Seating Capacity (for assembly halls or similar): _____

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 (for example: office, retail, or storage):

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 (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:

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 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 _____

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

- | | |
|--|---|
| <input type="checkbox"/> Municipal piped water | <input type="checkbox"/> Communal wells |
| <input type="checkbox"/> Individual wells | <input type="checkbox"/> Other (describe below) |
-

Sewage Treatment

- | | |
|---|---|
| <input type="checkbox"/> Municipal sewers | <input type="checkbox"/> Communal system |
| <input type="checkbox"/> Septic tank and tile bed in good working order | <input type="checkbox"/> Other (describe below) |
-

Storm Drainage

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Storm sewers | <input type="checkbox"/> Open ditches |
| <input type="checkbox"/> Other (describe below) | |
-

2. Existing or proposed access to subject lands:

- | | |
|---|---|
| <input type="checkbox"/> Municipal road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Other (describe below) |

Name of road/street: _____

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.

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 properly named 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. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location

32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. All other requirements as per the pre-consultation meeting

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)
- ☐ 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

- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm water Management Report
- ☐ Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
- ☐ Draft condominium declaration
- ☐ Property Identification Number (PIN) printout

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.

K. 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.

L. 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

January 22/2021

Date

M. Owner's Authorization

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 Chris Nunn am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize G. Douglas Vallee Limited 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

January 22/2021

Date

Owner

Date

N. Declaration

I, Chris Nunn of Norfolk County

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:

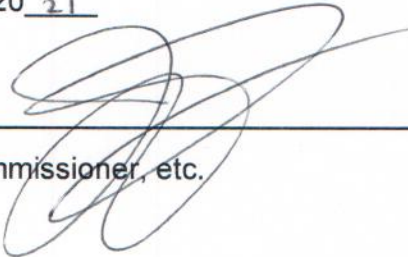
Simcoe

Owner/Applicant Signature

In Province of Ontario

This 22nd day of January

A.D., 20 21


A Commissioner, etc.

HEATHER L. NUNN
W. CHRISTOPHER NUNN
726 MCDOWELL RD E
SIMCOE ON N3Y 4J9

VJP

759

DATE 2021-01-12
Y Y Y Y M M D D

PAY TO THE
ORDER OF

NORFOLK COUNTY

\$ 3,430.00

Three thousand four hundred thirty

100 DOLLARS

Security features
included.
Details on back.



ROYAL BANK OF CANADA
SIMCOE BRANCH
55 NORFOLK ST S
SIMCOE ON N3Y 2W1

MEMO

Zoning Amendment

726 McDowell Rd. - ARDU

Kate A

MP

759 04662000315114723



vallee

*Consulting Engineers,
Architects & Planners*

January 12, 2021

County of Norfolk
Robinson Administration Building
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Attention: Nicole Goodbrand, Planner

**Reference: Planning Justification Report
Application for Zoning By-law Amendment I-Z-2014
G. Douglas Vallee Limited on behalf of Chris and Heather Nunn
726 McDowell Road East, Charlotteville, Norfolk County
Roll # 49303002100
Our Project 20-055**

Introduction:

G. Douglas Vallee Limited has been retained by Chris and Heather Nunn to make an application for a Site Specific Zoning By-law Amendment to permit an accessory residential dwelling unit (ARDU) to be located 160 metres from the main dwelling unit.

Application is also made to permit the subject lands to have two (2) driveway entrances.

This application:

- Complies with the Norfolk County Official Plan.
- Is consistent with the intent of the Provincial Policy Statement 2020.
- Adds to the mix of housing types established in the area.
- Generates an acceptable level of traffic.
- Utilizes private servicing infrastructure and do not create adverse effects on the County water and sanitary sewer systems.
- Protects existing significant woodlands.
- Avoids hazard lands.
- Represents good planning.

Site Description:

The lands are located at 726 McDowell Road East, Charlotteville, Norfolk County, outside the urban settlement boundary and to the east of Yuell Rd and south of McDowell Road east. Significant woodlands and a stream exist on the subject property and will be avoided. The lands are surrounded by agricultural croplands and wooded areas.

- Allowing 1 entrance per property for a residence;
- Allowing 1 entrance per property for a farm; and
- Allowing 1 field entrance per farm with additional field entrances where natural obstructions within the field prevent reasonable access across the field.

Analysis of the Entrance and By-law Guidelines and Compatibility

The primary use of the subject lands is for a single detached dwelling which is quaintly nestled within an area surrounded by protected woodlands. The residential use has outdoor amenity spaces including an inground swimming pool surrounded by a deck and concrete patio. There is an open space to the west of the pool and patio area which is used as the children's play area equipment. Adjacent to the west between the forest and primary dwelling is a large septic tile bed and tanks. An accessory building for keeping various items related to the maintenance of the property is located to the northeast of the primary dwelling and a small pool pump house is located towards the end of the pool and patio area. (See Figure 2 and Appendix B)

These existing site features (Pool, septic system, existing buildings) eliminates the ability to locate the ARDU within 30 metres of the primary dwelling. This triggers the need for an amendment to the zoning by-law.

Alternative locations outside the established area for the primary dwelling and outdoor features have been considered as follows:

Alternative Location 1:

It was considered to locate the ARDU near the primary access driveway. Several years ago, trees and gardens were planted along the sides of the driveway which creates an appealing character and streetscape along McDowell Rd East.

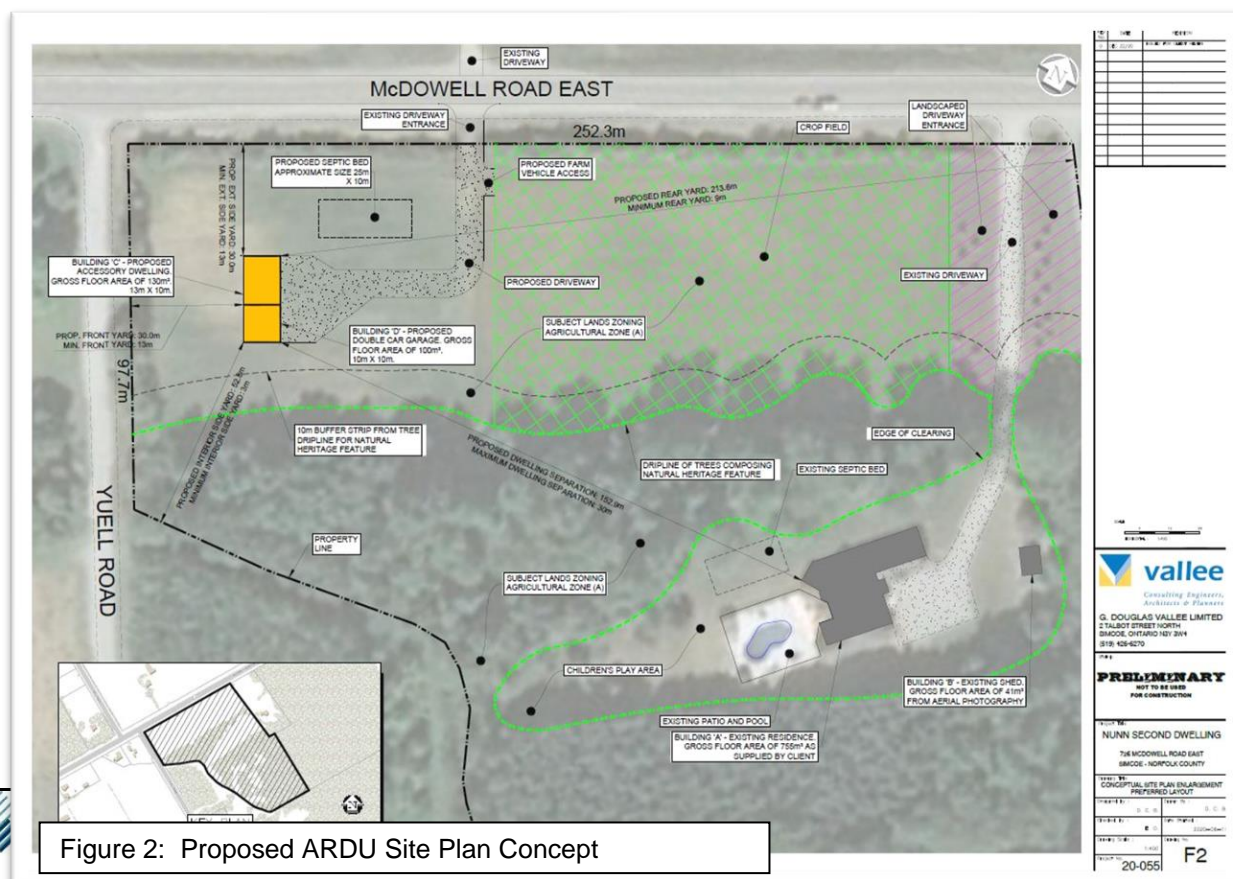
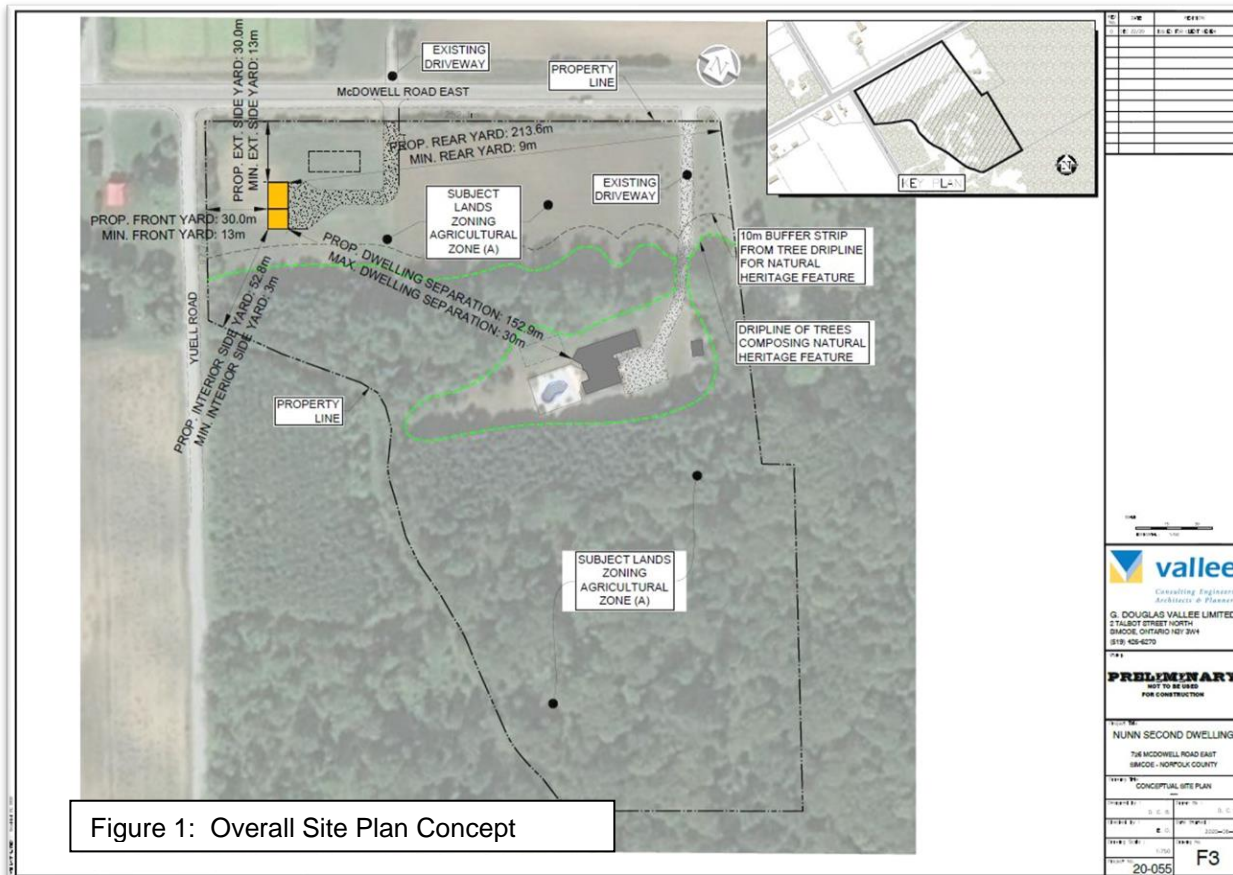
It is possible to locate the ARDU near this existing driveway. However, this is not the desired location of the property owner and other impacts are created which are discussed further below.

There are several impacts created if the proposed ARDU is located near the existing driveway and are discussed as follows and can be seen in Figure 3 (Appendix B):



- a) A wheelchair bus requires a significant amount of area to make a 3-point turn. Lands and landscaping would need to be removed to make accommodations for a driveway and wheelchair bus.
- b) If the original entrance is to be removed, then this access will be the farm access. Additional removal of landscaped lands for farm vehicle access would be required to provide access from the road to the farmlands.
- c) The path of travel for farm vehicles would be closer to and in the front yard of the ARDU and is not desirable.

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Consulting Engineers, Architects & Planners



Background:

The accessory residential dwelling unit (ARDU) is necessary to provide the owner's oldest son and their aging parents with an independent form of housing in close proximity to the owners. The owner's son has significant disabilities that require readily available supervision. He is 19 years old and desires to have some independence of his own. His disabilities require wheelchair accessible bus transportation and a dwelling design that is completely accessible. While the owners and their son desire to remain in close proximity to each other for care purposes, locating the ARDU as far away as possible from the existing primary dwelling on the same lot help to provide a level of independence. Furthermore, the owner's parents are reaching an age where it would be appropriate to be located closer to their family. The home would be designed to allow for both the owner's son and parents to live together for the interim until the day comes where the owner's parents no longer require this housing. This allows for a level of indirect supervision of the owner's son should an emergency occur.

At the time of construction of the existing dwelling, an access permit was obtained for the existing driveway to the existing home. The owner hired a contractor to install the culvert and fulfill the terms of the permit. The owner was not made aware of the requirement to close the original access used for farm vehicle access, and therefore that access remains in place today.

Through pre-consultation and subsequent discussions with staff, a new permit would be required to keep both the original farm access and the new main dwelling access. It was also identified that justification is needed to keep both access. As such, this report includes justification for the proposed location of the ARDU and the original farm access, which would continue to be used for farm vehicle access and access for the ARDU.

Appendices to this report include the following:

- Appendix A - Draft Concept Plan for Accessory Residential Dwelling Unit
- Appendix B – Alternative locations for Accessory Residential Dwelling Unit
- Appendix C – Provincial Policy Statement 2020 Policy Compliance
- Appendix D – Norfolk County Official Plan Policy Compliance

This application was submitted to include the information and material required under Section 34 (10.1) of the *Planning Act* as part of a complete application.

Planning Review:

The proposed Zoning By-law amendment was prepared in light of several planning documents including the *Planning Act*, the Provincial Policy Statement, the County Official Plan and Zoning By-law.

Planning Act

Section 2 of the *Planning Act* outlines matters of provincial interest.

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* allows for the consideration of amendments to the zoning by-law.

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Provincial Policy Statement (2020)

The Provincial Policy Statement was recently updated and took effect on May 1, 2020. The subject land is identified as being within a Settlement Area according to the Provincial Policy Statement, 2020 (PPS).

The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment and will facilitate economic growth.

Rural lands and natural heritage features are generally protected and allow for various types of development to occur that do not have a negative impact. The PPS encourages new forms of housing, agriculturally related, and on-farm diversified uses while ensuring public health and safety.

The proposed amendment to the zoning by-law to permit an accessory dwelling unit in a location greater than 30 metres from the main dwelling does not offend the policies of the PPS.

A decision by Council to approve the Zoning By-law amendment will be consistent with PPS, 2020. Details describing the applicable Provincial policies and how the application is consistent with the PPS are included in Appendix C.

Norfolk County Official Plan

The lands are primarily designated Agricultural in accordance with the Official Plan. There is a forest and a creek that exist on the lands which are designated Significant Woodlands and Hazard Lands. The proposed amendment to increase the maximum separation distance between the main dwelling and the proposed Accessory Dwelling Unit is in compliance with the Official Plan policies and is necessary to locate the ARDU away from environmentally sensitive areas. The details of compliance with the Official Plan are demonstrated in Appendix D.

Several sections of the Official Plan apply when considering zoning by-law amendments and are discussed in detail under Appendix D. On a high level, details of the Official Plan policies are captured by the overarching Goals and Objectives. Section 2.2 of the Official Plan set out six "Goals and Objectives" to which the following four apply to the proposed development:

- Protecting and Enhancing the Natural Environment;
- Maintaining and Enhancing the Rural and Small-Town Character;
- Maintaining a High Quality of Life; and
- A Well Governed, Well Planned and Sustainable County.

The proposed zoning by-law amendment achieves the 'Goals and Objectives' of the Official Plan. The proposed location of the accessory dwelling unit protects the natural environment by ensuring suitable separation distance from the Significant Woodlands and avoids Hazard lands. The new accessory dwelling unit will add to the rural character of the area.

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The amendment will facilitate a building that adds to the variety of housing forms, will be designed in a manner that is safe, aesthetically appropriate, and caters to the ageing and people with disabilities.

The application is subject to a public process to ensure transparency and provide an opportunity for the public to provide comments.

The proposed application to increase the maximum separation distance between the main dwelling and the Accessory Dwelling unit from 30 metres to 160 metres is in keeping with the general purpose and intent of the Official Plan.

A decision by Council to approve the Zoning By-law amendment will be consistent with County Official Plan. Details describing the applicable Provincial policies and how the application is consistent with the Official Plan are included in Appendix D.

Norfolk County Comprehensive Zoning By-law 1-Z-2018

The lands are currently zoned Agricultural Zone (A). Accessory residential dwelling units are permitted subject to Sections 12.1, 3.2.1, and 3.2.3 of the zoning by-law.

The proposed development will comply with the Section 12.1.1 of the Agricultural Zone provisions. Amendments to Section 3.2.3 b) ii. and 3.2.3 h) are requested. Compliance with these provisions is detailed in the charts below, including those provisions that require an amendment.

Zoning Table for Section 12.1	Agricultural Zone (A)	Notes:
12.1.1 PERMITTED USES		
	e) Dwelling, single-detached; r) accessory residential dwelling unit, subject to Subsection 3.2.3;	Complies
12.1.2 ZONE PROVISIONS AGRICULTURAL USES		
a) Minimum Lot Area i) lot	40 hectares	Existing
b) Minimum Lot Frontage i) Interior ii) Corner	30m 30m	Complies
c) Front Yard Setback	13m	Complies
d) Exterior Side Setback	13m	Complies
a) Interior Side Yard Setback	3m	Complies
b) Rear Yard Setback	9m	Complies
c) Min separation between a farm processing facility	30m	N/A – no processing facilities nearby

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and a dwelling on an adjacent lot		
h) Maximum Building Height	11m	Complies

3.2 Accessory Uses to Residential Uses

3.2.1 Accessory residential dwelling unit shall be permitted in single detached, semi-detached, street townhouses, and accessory buildings or structure and located on the same lot as the primary dwelling, subject to the following provisions:

a) not exceed a building height of 8 metres in the Agricultural Zone (A);	Complies
b) occupy any part of a front yard, except: i. an accessory building or structure in an Agricultural Zone (A) which shall occupy no part of a required front yard;	Complies
c) occupy any part of a required exterior side yard;	Complies
d) be nearer than 1.2 metres of a lot line within an interior side yard or 1.2 metres of an interior lot line within a front yard;	Complies
e) be nearer than 1.2 metres of an interior lot line within a rear yard except: i. in the case of a mutual private garage in the rear yard on a common interior side lot line, no separation distance is required;	Complies
ii. in the case of a rear lot line adjoining a private or public lane, no setback is required;	N/A
f) in the case of a through lot, be nearer than 6 metres from any street line or the average setback of the nearest structures whichever is less;	N/A
g) occupy more than 10 percent of the lot area, ... excluding Agricultural Zone (A) where a maximum size of 200 square metres of usable floor area is permitted to a maximum of 10 percent of the lot area. Swimming pools shall not constitute a structure for the purposes of this provision;	Lot Area: $67,300\text{m}^2 \times 10\% = 6,370\text{m}^2$ All accessory dwellings to not exceed 200m^2 of usable floor area. An attached garage is not included in the usable floor area calculation. Complies
h) be established on any lot until or unless the main building or use to which it is accessory is established.	No change

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3.2.3 Accessory Residential Dwelling Units	
Accessory residential dwelling unit shall be permitted in single detached, semidetached, and street townhouses and located on the same lot as the primary dwelling, subject to the following provisions:	
a) accessory residential dwelling units shall be regulated by the applicable provisions pertaining to the primary use for each lot and by the provisions of Subsection 3.2 Accessory Uses to Residential Uses of this By-Law as applicable;	Complies
b) Notwithstanding Subsection 3.2.3 a), and in lieu of the applicable provisions of Subsection 3.2, where an accessory residential dwelling unit is located in an accessory building or structure, the following shall apply:	
i. be nearer than 3.3 metres of a lot line within an interior side yard or rear yard except:	Complies
a. in the case of a mutual private garage in the rear yard on a common interior side lot line, no separation distance is required;	N/A
b. in the case of a rear lot line adjoining a private or public lane, no setback is required	N/A
ii. be located a maximum of 30 metres from the primary dwelling;	Proposed maximum 160m
c) the accessory residential dwelling unit shall have its own exterior entrance separate from the exterior entrance to the primary dwelling unit, but shall not be permitted on an elevation, or facade of the building that faces a public street or private road; and shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule entry is permitted;	N/A
d) one (1) off-street parking space shall be provided for the accessory residential dwelling unit in addition to the minimum required parking spaces for the primary dwelling, and in accordance with provisions in the Off-Street Parking Section of this By-Law;	Complies

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e) the maximum number of residential dwelling units permitted per lot shall be two (2), including the accessory residential dwelling unit;	Complies
f) only one (1) accessory residential dwelling unit is permitted on a lot occupied by a primary dwelling unit. Where an accessory residential dwelling unit is located on a lot, none of a garden suite, a boarding or lodging house, or rooming house are permitted on that lot. If a garden suite a boarding or lodging house, or rooming house already exists on a lot, an accessory residential dwelling unit is not permitted;	Complies
g) an accessory residential dwelling unit shall not be permitted in a vacation home or any other dwelling intended for vacations, recreation, seasonal or short-term accommodation purposes;	Complies
h) all accessory residential dwelling units shall be required to meet all legislation, regulation and By-Law standards and requirements and all appropriate permits must be issued prior to the establishment of the accessory residential dwelling unit;	The proposed change is to allow a 2nd driveway access to the property considering the Entrance By-law provisions. See justification.
i) the accessory residential dwelling unit shall not be larger than 45 percent of the total gross floor area of the primary dwelling unit excluding any deck or unenclosed porch;	Complies
j) accessory residential dwelling units are only permitted in dwelling units connected to municipal or private water services and sanitary sewer system or private septic systems;	Complies
k) accessory residential dwelling units are not permitted in buildings or structures with a legal non-conforming use unless relief from the Zoning By-Law has been approved through a Zoning By-Law Amendment or Minor Variance in order to establish such accessory residential dwelling unit;	Complies
l) a minimum of 50 percent of the front yard shall be maintained as landscaped open space.	Complies

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[Summary of Zoning By-law review](#)

Concerns were raised during pre-consultation regarding the proposed ARDU as follows:

- The size of the proposed ARDU
- The location of the ARDU in relation to the entrance
- The removal of any farmable land from production

As such the following is provided as justification to address these 3 concerns:

Size of ARDU

The proposed ARDU originally included the attached garage in the useable floor area. This has since been removed from the calculation as the definition for usable floor area under Section 2.170 excludes a garage attached to a building. As such the dwelling will not exceed 130m² of usable floor area. All accessory buildings and structures on the property will not exceed 200m² of usable floor area.

The Location of the ARDU with the Entrance

It has been identified that a driveway access permit was issued to permit the construction of a new access to the primary residence of the owners. This has been constructed with visual improvements through a mix of deciduous and coniferous trees that line the driveway. The permit for the existing dwelling driveway access required the decommissioning of the original driveway access as the by-law only permits 1 entrance per property for a residence.

Since the original driveway was not decommissioned, it remains in place, and therefore today the site has two (2) driveway accesses.

In addition to amending Section 3.2.3 h), it is requested to site specifically permit an exemption of the Entrance By-law to permit 2 entrances or to recognize the existing access as a farm entrance as permitted by the By-law. By-law 2016-32 is the By-law to Regulate Entrances onto Municipal Roads and Highway.

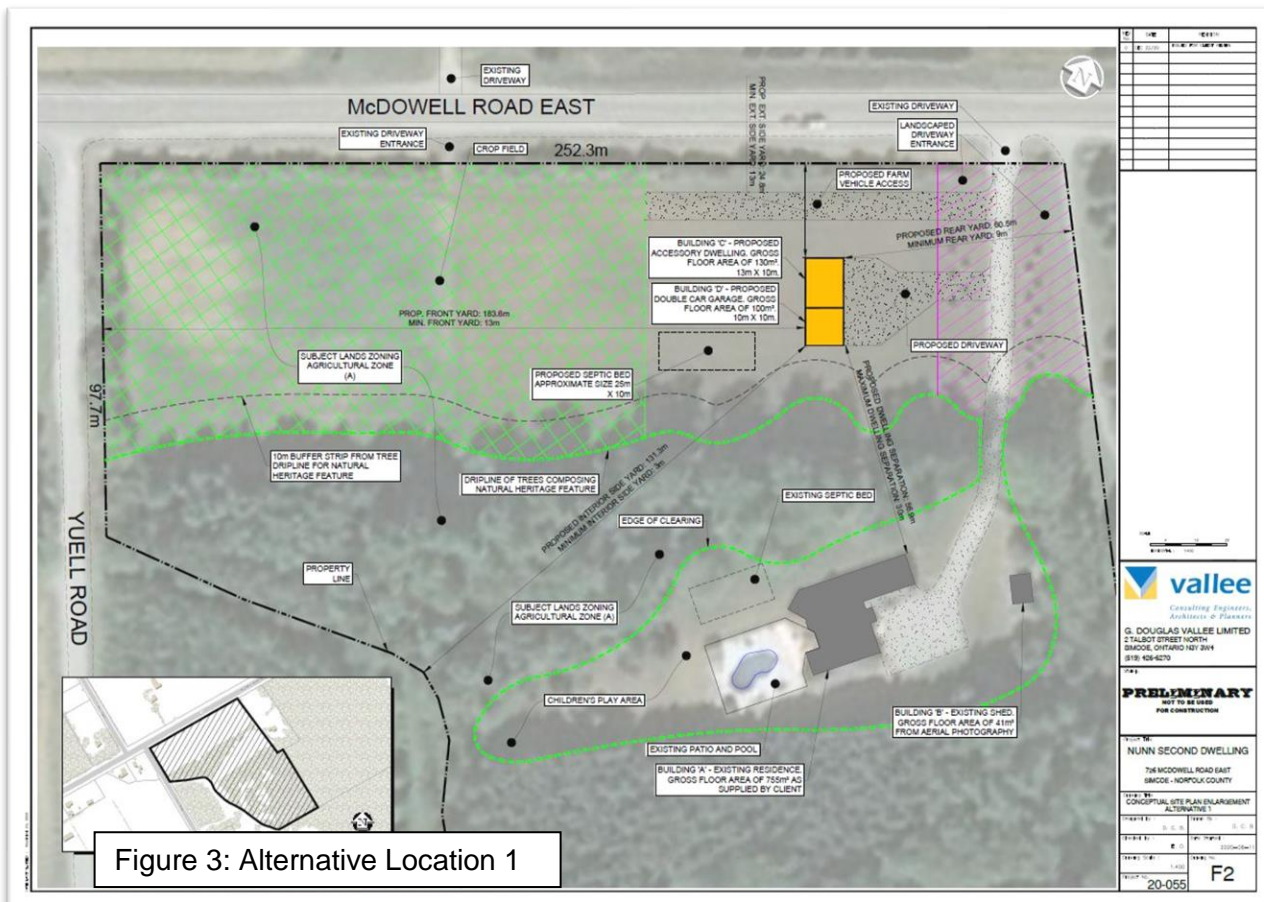
Schedule 'B' to By-law 2016-32 represents the 'Norfolk County Property Entrance Guidelines' which achieve a number of public and County interests including the protection of the public through the orderly control of traffic movements onto and from municipal roads. The 'location of entrances section' of the guidelines discusses the reasons and criteria for locating **new** entrances. More specifically the guidelines discuss that new entrances will not be permitted in various locations considering the proximity to bridges and intersections subject to speed limit criteria. It is noted that the original entrance site lines remain open. Any growth of vegetation that creates sightline issues will be addressed as necessary.

On an 80km/hr road, the guidelines require a distance of 180 metres from a driveway to an intersection, whereas the existing original access is approximately 100 metres away from the existing intersection of Yuell Rd and McDowell Rd East. There is another existing driveway directly across the street from this access and the same proximity to the intersection, both of which have existed for 60 years or longer. It is noted that the guidelines also include provisions to ensure an entrance is not located within 30 metres of a bridge or structure including residential, farm or field entrances.

The section controlling the number of entrances indicates that it is the County's policy to limit the number of entrances to a property to the number required for the safe and reasonable access to the road, with acknowledgment of any applicable zoning by-law, and in general conformity with subsections including:

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- d) Prevailing winds are typically from the southwest which has the potential to carry greater amounts of dust towards the ARDU in this location.
- e) The ARDU is primarily for the owner's son who desires, in the longer term, a form of independence from his parents, yet remain on the same property.



There seems to be only two benefits to locating the ARDU near the primary entrance as follows:

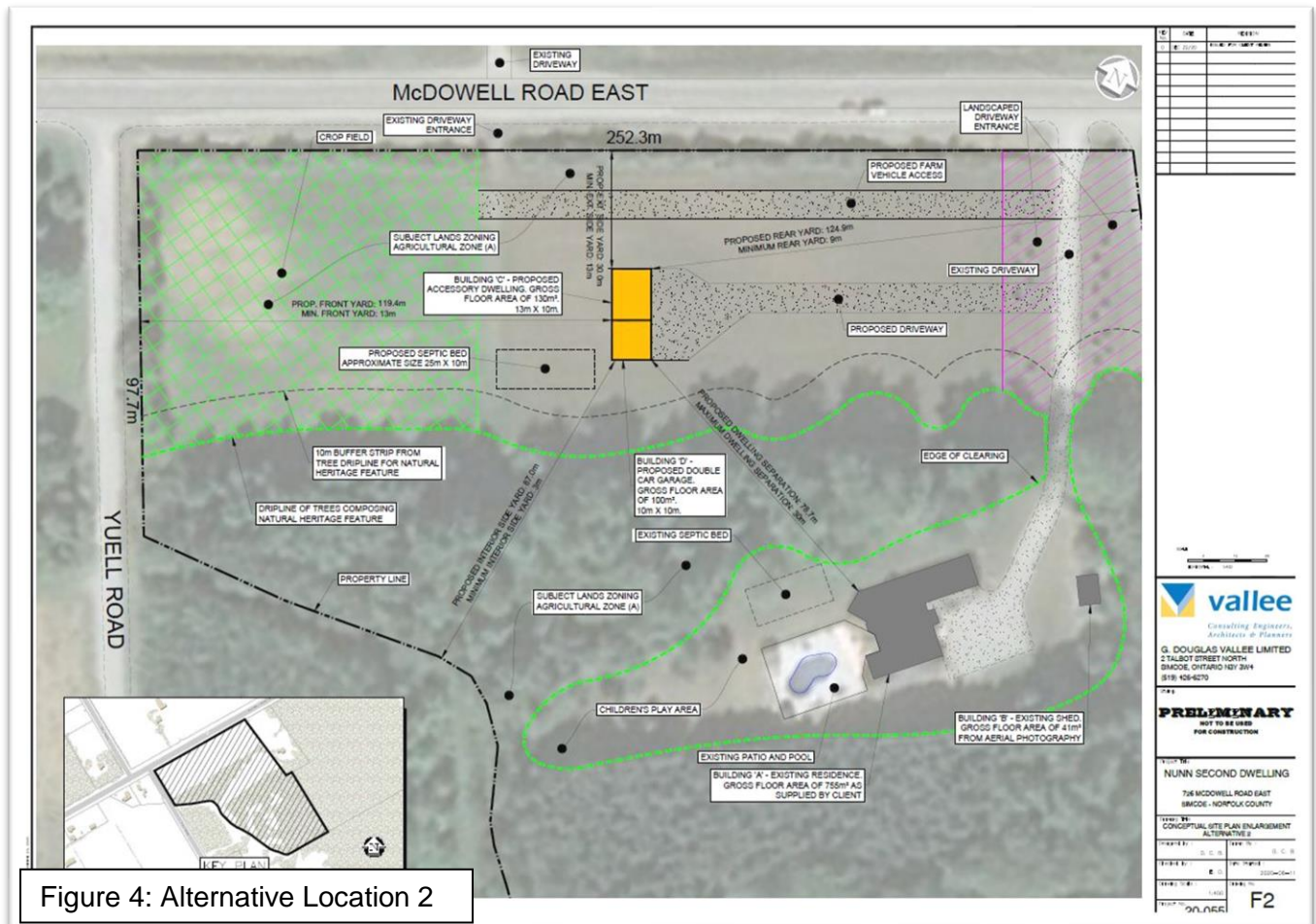
- a) Only one entrance would be used for all farm vehicles, wheelchair bus transportation, and access to the primary dwelling.
- b) The entrance is located approximately 260 metres away from the intersection of Yuell Rd and McDowell Rd East.

It is our opinion that locating the ARDU near the primary entrance creates more negative impacts than benefits, and does not facilitate the desired independence of the owner's disabled son.

Alternative Location 2:

The proposed ARDU, driveway, and septic tile bed could be located in the middle of the field along McDowell Rd East. This location is not recommended as the lands for field crops will be split into two smaller areas and will not be easily or efficiently accessed. An extended driveway would also be required which is not practical.

It is our opinion that Alternative 2 as shown in Figure 4 (Appendix B) is not reasonable and should be avoided.



Alternative Location 3 (preferred location):

Figure 5 and Appendix B, identify the proposed preferred location of the ARDU, entrance, and septic tile bed. This location achieves the following:

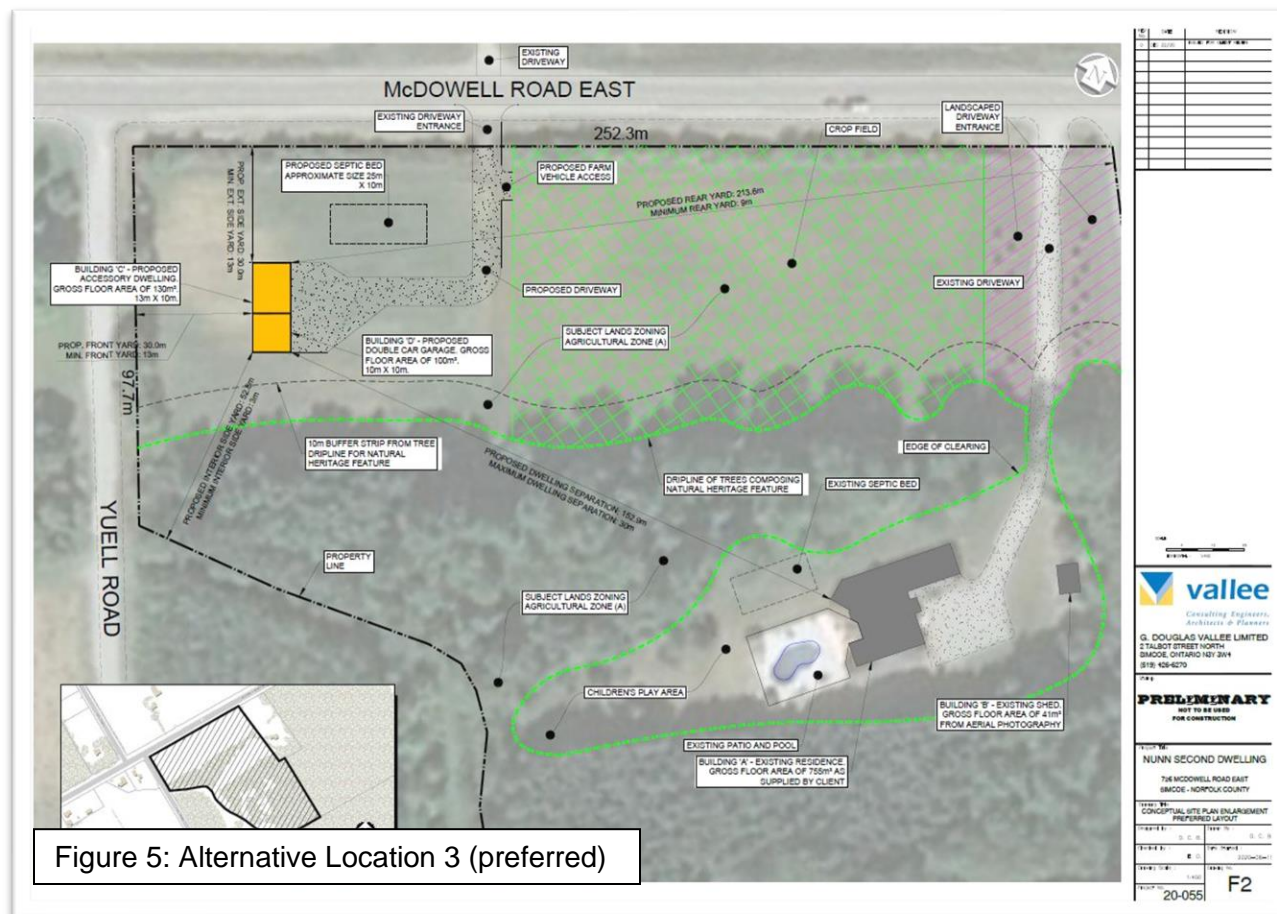


Figure 5: Alternative Location 3 (preferred)

- Complies with zoning setbacks and all other provisions of the zoning by-law with exception to the maximum separation distance and provisions for compliance with other by-laws (By-law 2016-32 being a By-law to Regulate Entrances onto Municipal Roads and Highway);
- Provides appropriate access to the proposed ARDU for wheelchair bus transportation services.
- Provides appropriate access for farm vehicle assess to the portion of production lands for growing crops and avoids impacts on the ARDU including dust and insecticide sprays being carried from prevailing winds from the southwest;
- Prevents the removal of the landscaped portion of the existing main driveway to the primary residence.
- Does not impact on any adjacent property;
- Is surrounded by vegetation along both Yuell Rd and McDowell Rd East to provide a semi-private buffer from both roads;
- Allows for flexibility for wheelchair bus transportation and its ability to maneuver a 3 point turn.
- Provides independence to the owner's son.
- Provides accommodation for the owner's aging parents.

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The removal of farmable land from production

There is an existing driveway entrance directly across the street from the 'existing original' entrance serving a dwelling located at 727 McDowell Rd East. The lands in the area are agricultural. Farm vehicles travel these roads to access various parcels of production lands. Even though this original driveway entrance was to be removed as a condition of issuance of the new entrance permit, this original entrance is more practical for farm vehicles, it preserves the greatest amount of agricultural lands, and it avoids the negative impacts generated from farming as demonstrated in Alternative 1 and 2 described above.

Although limited in area, the lands have been farmed periodically and are considered production lands. The owner may desire to permit the rental of the available lands for crop production. Accordingly, the owner wishes to preserve as much of the field production lands as possible. Both the Provincial Policy Statement and County Official Plan encourage the protection of agricultural lands. Therefore, it is our opinion that Alternative 3 (preferred location) achieves preserving the greatest amount of production lands as possible while reducing impacts on the ARDU from farming activities, and is more desirable than limiting the property to a single entrance.

Existing Original Access is Not New

Although the existing original access is considered not to be legal as a result of the issuance of the entrance permit, physically the entrance is **not new**. The By-law discusses the location of **new** entrances. In this instance, it is requested that in light of the justification for the proposed location of the ARDU through the analysis of the 3 alternative locations, it is requested that consideration be given to grant permission for the 2nd entrance as a farm access and driveway for the ARDU or simply as a 2nd entrance.

Future Severances Avoided

It is recognized that there is a concern with the location of the proposed ARDU from a future severance perspective. The further away from the main dwelling an ARDU is constructed, the greater the pressure is to consider a severance. The owners have no intention of severing the lands as the proposed ARDU is intended to serve as their disabled son's residence. To maintain the intent of the policy and be in keeping with good planning principles, it is recommended that a site-specific provision be included in the implementing zoning by-law to prohibit future severances.

Additional Information for Consideration

In respect to safety related to the request to permit two entrances, the owners note that there has not been a safety issue since they moved into their home in 2018, and they are not aware of a safety issue or concern spanning the last 60 years related to the 'existing original' access.

Regarding alternative locations for the ARDU, the owners prefer option 3 to locate dwelling to the northwesterly area of the property. Alternative locations 1 and 2 are not desired by the owners or their son, they create unnecessary challenges for providing farm vehicle access, and use more lands than necessary for the construction of a driveway addition to facilitate 3 point turns for wheelchair bus transportation. Greater impacts would be created if the ARDU is not located in alternative location 3 and are not desirable.

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Conclusion:

The proposed site specific zoning amendment to permit the ARDU to be constructed 160 m away from the existing single family dwelling is appropriate considering the following:

- 1) The ARDU is required to support the applicant's special needs 19 year old son, who desires independence, but requires family support and monitoring.
- 2) The ARDU is required to support the applicants parents in their senior years.
- 3) The proposed location does not impact farming activities.
- 4) The proposed location utilizes the existing original property driveway.
- 5) The proposed location preserves the greatest amount of agricultural production lands.
- 6) A special provision is proposed to prevent a future severance.
- 7) The original driveway location does not appear to have created any traffic or safety issues.

It is our opinion that the proposed amendment is appropriate and that either the existing original entrance be recognized as a farm entrance, or that an exemption be provided to allow the existing entrance to remain. The owners will make application for a new entrance permit to allow both entrances.

Accordingly, it is requested that Council support the proposed zoning by-law amendment and the request for a 2nd entrance to the property.

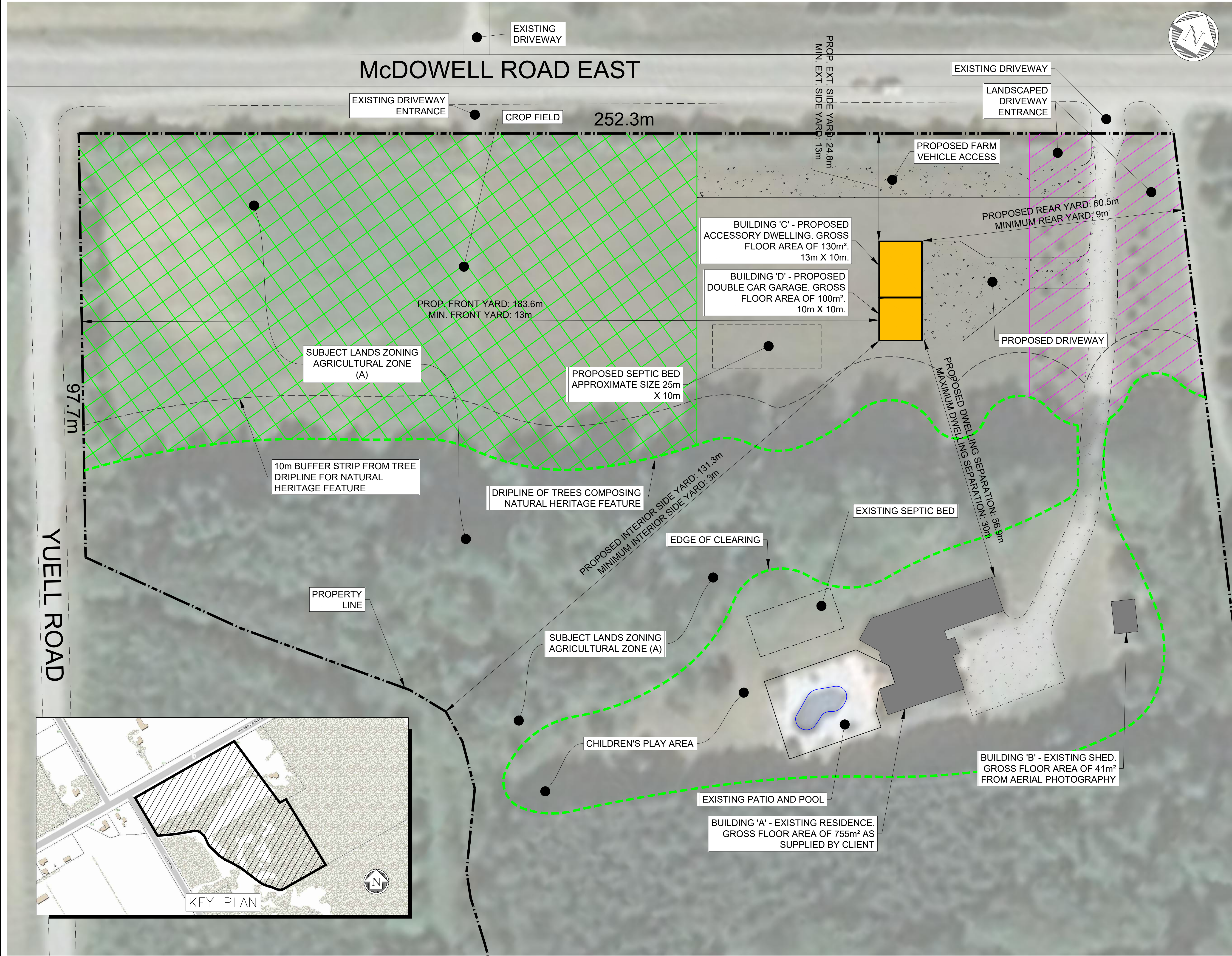
Yours truly,



Eldon Darbyson, BES, MCIP, RPP
Director of Planning
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REV. No.	DATE	REVISION
0	DEC 22/20	ISSUED FOR CLIENT REVIEW

SCALE: HORIZONTAL : 1:400


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2 TALBOT STREET NORTH
SIMCOE, ONTARIO N3Y 3W4
(519) 426-6270

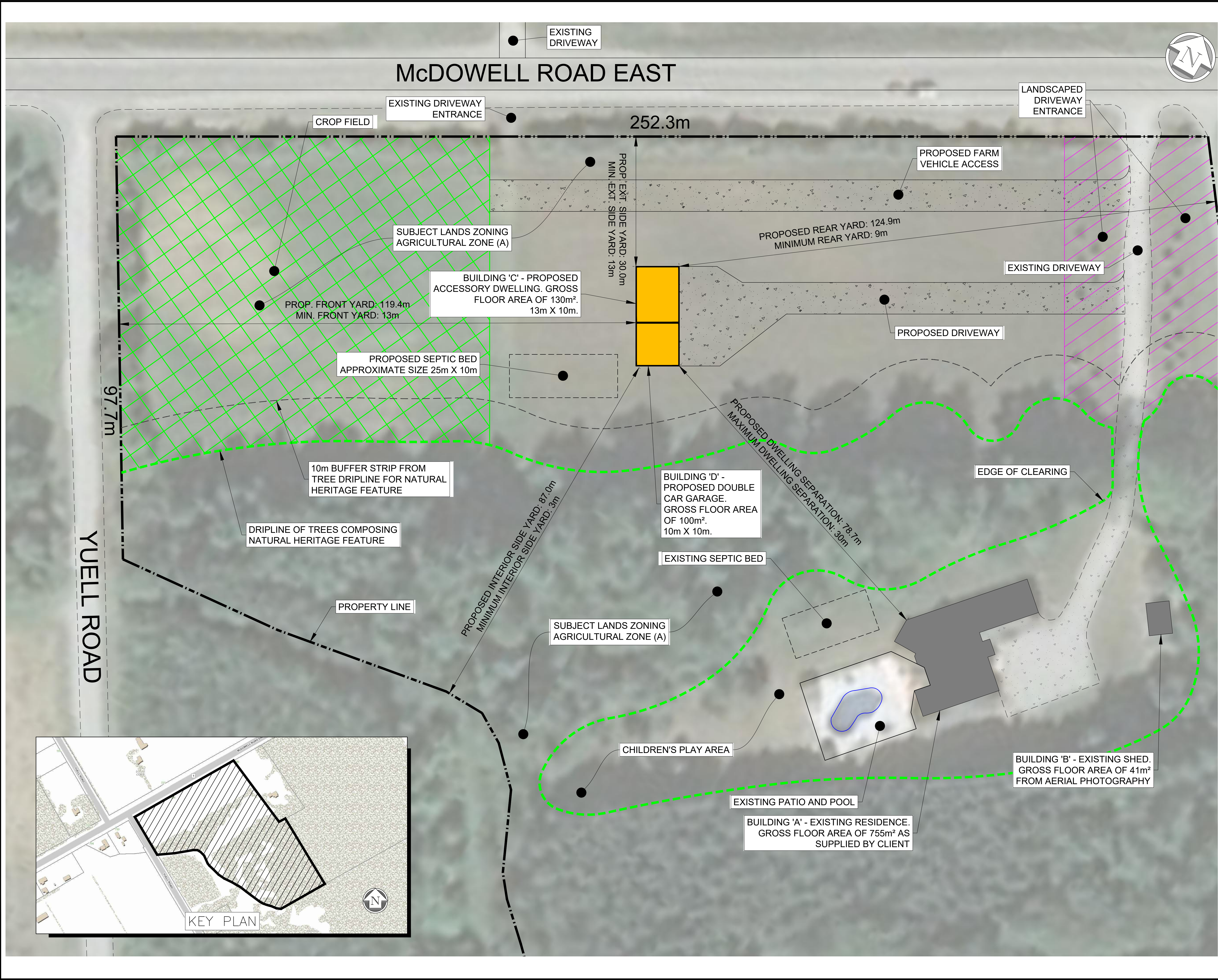
Stamp
PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION

Project Title
NUNN SECOND DWELLING

726 MCDOWELL ROAD EAST
SIMCOE - NORFOLK COUNTY

Drawing Title
**CONCEPTUAL SITE PLAN ENLARGEMENT
ALTERNATIVE 1**

Designed by : D. C. B.	Drawn By : D. C. B.
Checked by : E. D.	Date Started : 2020-08-11
Drawing Scale : 1:400	Drawing No. F2
Project No. 20-055	



REV. No.	DATE	REVISION
0	DEC 22/20	ISSUED FOR CLIENT REVIEW

SCALE: HORIZONTAL : 1:400

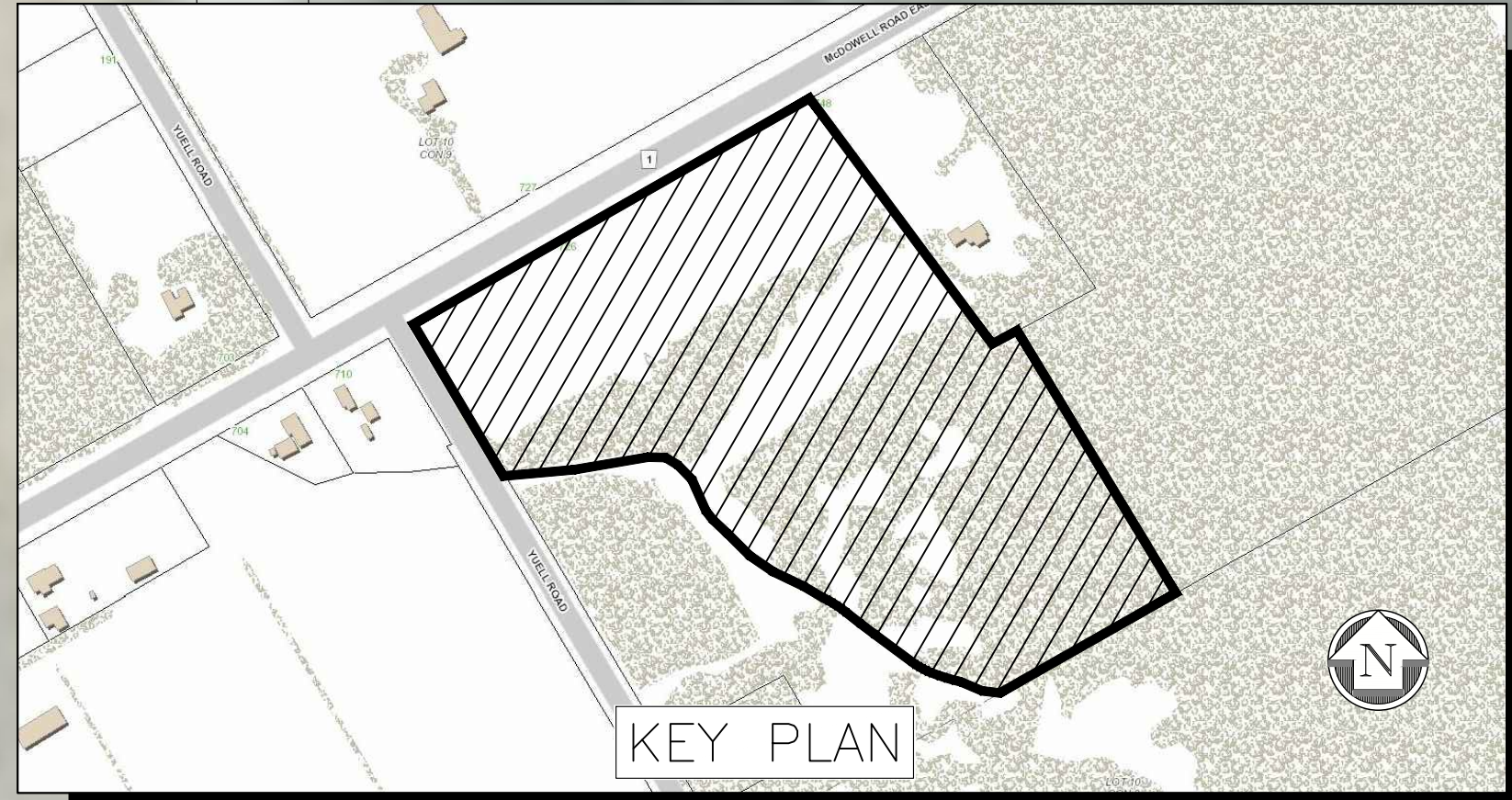
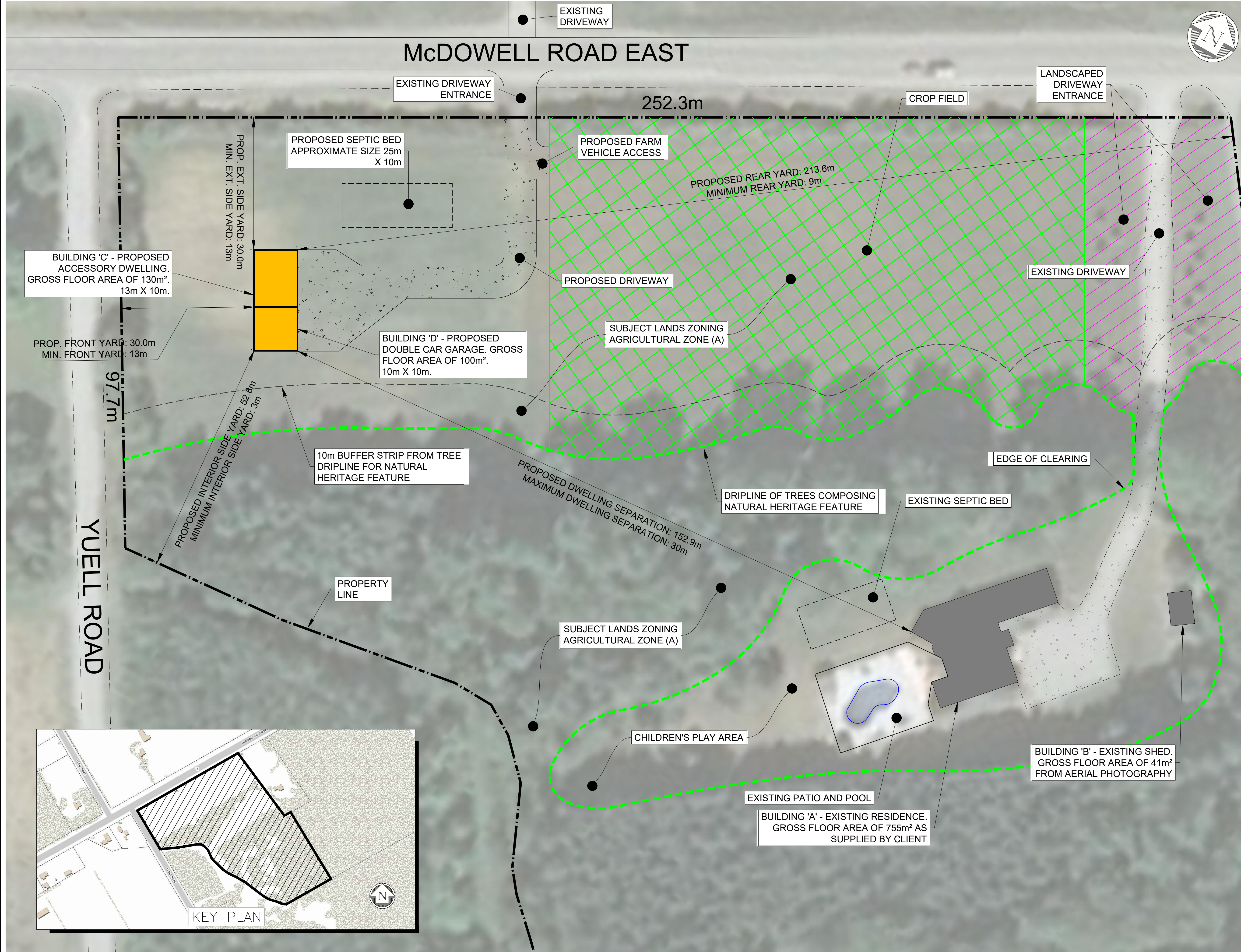
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Project Title	
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726 MCDOWELL ROAD EAST SIMCOE - NORFOLK COUNTY	
Drawing Title	
CONCEPTUAL SITE PLAN ENLARGEMENT ALTERNATIVE 2	
Designed by :	Drawn By :
D. C. B.	D. C. B.
Checked by :	Date Started :
E. D.	2020-08-11
Drawing Scale :	Drawing No.
1:400	F2
Project No.	20-055



REV. No.	DATE	REVISION
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SCALE: 1:400

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Project Title NUNN SECOND DWELLING	
726 MCDOWELL ROAD EAST SIMCOE - NORFOLK COUNTY	
Drawing Title CONCEPTUAL SITE PLAN ENLARGEMENT PREFERRED LAYOUT	
Designed by : D. C. B.	Drawn By : D. C. B.
Checked by : E. D.	Date Started : 2020-08-11
Drawing Scale : 1:400	Drawing No. F2
Project No. 20-055	

Appendix C - Provincial Policy Statement 2020 – Policy Compliance

This appendix demonstrates how the proposed application is consistent with those applicable policies of the Provincial Policy Statement.

Policy	Comment
<p>1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p> <p>Policy 1.1.1 outlines that healthy, liveable, and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society; 	<p>Yes. The accessory dwelling unit (ARDU) is located in an area to preserve the agricultural potential of the property.</p> <p>Yes. Adds another form of housing to Norfolk County.</p> <p>Yes. Lands not within flood plain.</p> <p>N/A</p> <p>N/A</p> <p>Yes. The dwelling is being designed for accessibility considering the applicant's aging</p>

<p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity; and;</p> <p>i) preparing for the regional and local impacts of a changing climate.</p>	<p>parents and their son's special needs. This dwelling will be bungalow style.</p> <p>Yes. Private services are proposed and the lands are in close proximity to Simcoe service facilities.</p> <p>Yes. The ARDU will be located to preserve the mature forest.</p> <p>Yes. The lands will be graded to ensure water runs away from the ARDU and allows for permeation into the soil.</p>
<p>Policy 1.1.4.1 outlines that healthy, integrated and viable rural areas should be supported by:</p> <p>a) building upon rural character, and leveraging rural amenities and assets;</p> <p>b) promoting regeneration, including the redevelopment of brownfield sites;</p> <p>c) accommodating an appropriate range and mix of housing in rural settlement areas;</p> <p>d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;</p> <p>e) using rural infrastructure and public service facilities efficiently;</p> <p>f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;</p> <p>g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;</p> <p>h) conserving biodiversity and considering the ecological benefits provided by nature; and</p> <p>i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.</p>	<p>N/A</p> <p>N/A</p> <p>Yes. Adds to the mix of housing.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Yes. Avoiding natural heritage features.</p> <p>N/A</p>

Policy 1.1.4.2 requires rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.	N/A - Not in a rural settlement area.
<p>1.1.5 Rural Lands in Municipalities</p> <p>Policy 1.1.5.1 states when directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.</p> <p>Policy 1.1.5.2 On rural lands located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses. 	<p>Yes. The ARDU is permitted by the PPS and does not affect the proposed amendment. A special provision is proposed to ensure future requests for severances are precluded.</p>
Policy 1.1.5.3 indicates that recreational, tourism and other economic opportunities should be promoted.	N/A
Policy 1.1.5.4 states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	Yes. An ARDU is a permitted use and is compatible with the rural landscape.
Policy 1.1.5.5 states that development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.	Yes. No expansion of municipal infrastructure is required.
Policy 1.1.5.6 indicates that opportunities should be retained to locate new or expanding land uses that require separation from other uses.	Yes. The proposed location of the ARDU does not impact nearby land uses.
Policy 1.1.5.7 indicates that opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing	Yes. The proposed location of the ARDU is situated to maintain the maximum farming

non-related development to areas where it will minimize constraints on these uses.	potential of the lands and protect the natural growth forest.
Policy 1.1.5.8 requires that new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	This does not apply; however, there are no known livestock facilities in the area.
1.2.6 Land Use Compatibility Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	There are no major facilities in the area that would affect sensitive land uses.
1.4 Housing Policy 1.4 directs planning authorities to provide for an appropriate range and mix of housing types and densities.	Yes. This adds to the range and mix of housing types in the area.
Policy 1.4.3 requires planning authorities to 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: <ul style="list-style-type: none"> b) permitting and facilitating: <ul style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3; c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; 	This section applies to the approval authority. Yes. The development adds to the range of housing options that caters to the well-being requirements of current and future residents. Yes. The development is to facilitate an ARDU. N/A – Private servicing is required.

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;	N/A
e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and	N/A
f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.	Yes. The development intensifies the residential land base in a compact form, located outside of a flood plain and natural forest area.

Summary:

The proposed development will facilitate the construction of an accessory residential dwelling unit in a Rural Area, improves the mix of housing available, caters to the well-being of the dwellings future inhabitants and ensures natural areas are avoided and agricultural loss of lands is minimized.

Policy	Comment
2.1 Natural Heritage Policy 2.1.1 states that natural features and areas shall be protected for the long term. Policy 2.1.2 states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.	Yes. The proposed location of the ARDU does not impact the natural growth forest. Yes. The proposed location of the ARDU avoids changing the ecological function of the lands and maintains appropriate separation from surface water features. Water runoff is intended to permeate into the ground.

<p>Policy 2.1.5 states that development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.</p> <p>Policy 2.1.8 states that development and site alteration shall not be permitted on <i>adjacent lands</i> to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.</p>	<p>Yes. The proposed location of the ARDU avoids the natural growth forest and surface water.</p> <p>Yes. The proposed ARDU will maintain at least a 10 metre buffer from the dripline of the edge of the forested area. Further study is not required.</p>
<p>2.3 Agriculture</p> <p>Policy 2.3.1 states that prime agricultural areas shall be protected for long-term use for agriculture.</p> <p>Policy 2.3.3 states that in prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</p> <p>Policy 2.3.3.3 states that new land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.</p>	<p>Yes. The lands will remain agricultural. The proposed location of the ARDU ensures the majority of the farm field can continue to be farmed.</p> <p>Yes. The proposed ARDU is a permitted use.</p> <p>Yes. There are no livestock facilities in the general vicinity of the proposed ARDU.</p>
<p>3.0 Protecting Public Health and Safety</p> <p>Policy 3.1 Natural Hazards directs development to occur in areas outside of hazardous lands.</p>	<p>Yes. There are no hazardous lands that will impact the location of the ARDU.</p>

Summary:

The proposed development protects natural features, minimizes loss of agricultural lands and does not create a public health or safety risk.

Appendix D - Norfolk County Official Plan – Policy Compliance

Section	Policy	Comments
2	2.2 Goals and Objectives	4 of 6 are applicable – Rationale provided in report - Supportive
3	Natural Heritage: It is the policy of this Plan to conserve Natural Heritage Features and functions and protect such features and areas from incompatible development, wherever possible.	Schedule C identifies the subject property to contain a Significant Woodland. The proposed application to increase the separation distance between the main dwelling and the accessory dwelling unit (ARDU) ensures the protection of the Significant Woodlands. The lands fall within the Highly Vulnerable Aquifer (HVA). The provision of private services must address County requirements. Accordingly, the HVA will be protected.
3.5 3.5.2	Natural Heritage Systems a) Natural Heritage Features identified on Schedule “C” and/or Table 2 to this Plan shall be subject to the policies of the underlying land use designation, as shown on Schedule “B”, and the policies of this Section of the Plan. b) Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), whether illustrated on Schedule “C” or only described in Table 2, shall be subject to the completion of an Environmental Impact Study, in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan. Development or site alteration in, or adjacent to, such features shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features	The accessory dwelling unit is permitted by the Agricultural designation of the Official Plan. Table 2 requires an EIS if the development is within the natural heritage feature or within the required 10 metre buffer. The proposed amendment to increase the separation distance from the main dwelling prevents any encroachment into a natural heritage feature. Accordingly, an EIS is not required as there are no negative impacts generated.
5.3	Housing: The County shall ensure that a full range of housing types are provided to meet the anticipated demand	The policies of the Official Plan support the proposed zoning by-law by encouraging

	<p>and demographic change, including accessible housing forms to facilitate aging in place and for persons with disabilities. 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.</p>	<p>the establishment of the ARDU which is appropriate to provide a form of housing for aging parents and the owners son who has special.</p>
<p>5.3.3 5.3.3.1</p>	<p>Special Housing Forms Accessory Residential Dwellings The development of an accessory residential dwelling unit must comply with the following policies:</p> <ul style="list-style-type: none"> a) An accessory residential dwelling unit may only be permitted within a single detached residential dwelling, a semi-detached residential dwelling, or street townhouse residential dwelling unit that is located within designated Urban Areas of Norfolk County, specifically in parts of Simcoe, Port Dover, Waterford, Delhi, Port Rowan, or Courtland, as designated by the applicable zoning by-law. b) A maximum of one accessory residential dwelling unit shall be permitted per lot. Where another special housing form exists, including without limitation, a garden suite or mobile home exists on the lot, as determined by Norfolk County, an accessory residential dwelling unit shall not be permitted. c) Where an accessory residential dwelling unit is located on a lot, a boarding or lodging house; rooming house; or a bed and breakfast is not permitted. And alternatively, where a boarding or lodging house; rooming house; or a bed and breakfast already exist on the lot, an accessory residential dwelling unit shall not be permitted on that lot. d) Existing adequate municipal services (sewer and water) shall be available to 	<p>N/A – The lands are not in an Urban Area.</p> <p>Yes. Only 1 ARDU is proposed. A garden suite and mobile home are not located on this lot.</p> <p>Yes. A boarding or lodging house, rooming house or bed and breakfast are not located on this lot.</p>

<p>service the accessory residential dwelling unit, to the satisfaction of Norfolk County. Norfolk County shall not be under any obligation to install such services as part of any specific application to establish an accessory residential dwelling unit.</p> <p>e) An accessory residential dwelling unit shall not be permitted on lands designated for seasonal or resort residential uses, and are specifically not permitted in seasonal dwellings, vacations dwellings, and dwellings intended for short-term accommodation purposes.</p> <p>f) An accessory residential dwelling unit shall only be created and used in accordance with the applicable zoning provisions as set out in the implementing Zoning By-Law. These provisions include, but are not necessarily limited to, the location of the accessory residential dwelling unit; the minimum number of parking spaces required for the accessory residential dwelling unit and the location thereof; restricting alterations that may change the physical appearance of the primary residential dwelling; and prohibit the creation of an accessory residential dwelling unit within a building used for seasonal, vacation or short term accommodation purposes.</p> <p>g) Development of an accessory residential dwelling unit shall be subject to the following criteria:</p> <ul style="list-style-type: none"> i) The structural stability of the building is adequate to accommodate the alterations necessary for an additional dwelling; ii) Exterior changes to the structure shall be minimal; iii) Compliance with provisions of the Ontario Building Code, and all other relevant municipal and Provincial standards, including the Zoning By-Law; 	<p>N/A – Private services are required to service the ARDU. Municipal services are not available.</p> <p>N/A – The lands are designated agricultural.</p> <p>With the exception of the proposed zoning by-law amendment addressing the increase in separation distance from the main dwelling, the proposed dwelling unit complies with the provisions of the zoning by-law.</p> <p>N/A – ARDU is separate from the existing dwelling.</p> <p>N/A – ARDU is separate from the existing dwelling. A building permit is required for the ARDU and must comply with relevant codes and standards.</p>
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	<p>iv) The unit is incidental to the primary permitted residential use, is located within the existing primary residential building, and does not exceed in area the lesser of (1) 45% of the total gross floor area of the existing main residential building, and (2) 75 square metres;</p> <p>v) An accessory residential dwelling unit shall comply with Ontario Regulation 179/06 under the Conservation Authority Act as they relate to development within lands affected by flooding, erosion or located within hazardous lands.</p> <p>h) Accessory residential dwelling units shall be registered with the designated office for Norfolk County pursuant to such documentation as Norfolk County may require for this purpose."</p>	<p>N/A – ARDU is separate from the existing dwelling.</p> <p>Permits from the Conservation Authority will be applied for, if required.</p> <p>The owner will register the ARDU, if required.</p>
5.7.4	Archaeological Resources	The County has not identified this property as having probability for archaeological resources. The lands have been disturbed through years of agricultural activities.
6.7	Rural Area	The proposed application does not contravene any policies of this section.
7.2	Agricultural Designation	The ARDU is a permitted use in the Agricultural Designation.
7.3.2	Hazard Lands	The proposed location of the ARDU is positioned well outside the Hazard Lands designation. An amendment to the maximum separation distance between the main dwelling and the proposed

		ARDU ensures the Hazard Lands are avoided.
9.6.2	Zoning By-law Amendments	The complete application submission addresses all requirements of this section which are summarized in the County pre-consultation comments.
9.6.5	Site Plan Control	A site plan application for the development of the ARDU is not required.
9.7.1	Environmental Impact Study	Not required as location of ARDU meets buffer requirement identified in Table 2 of Official Plan.

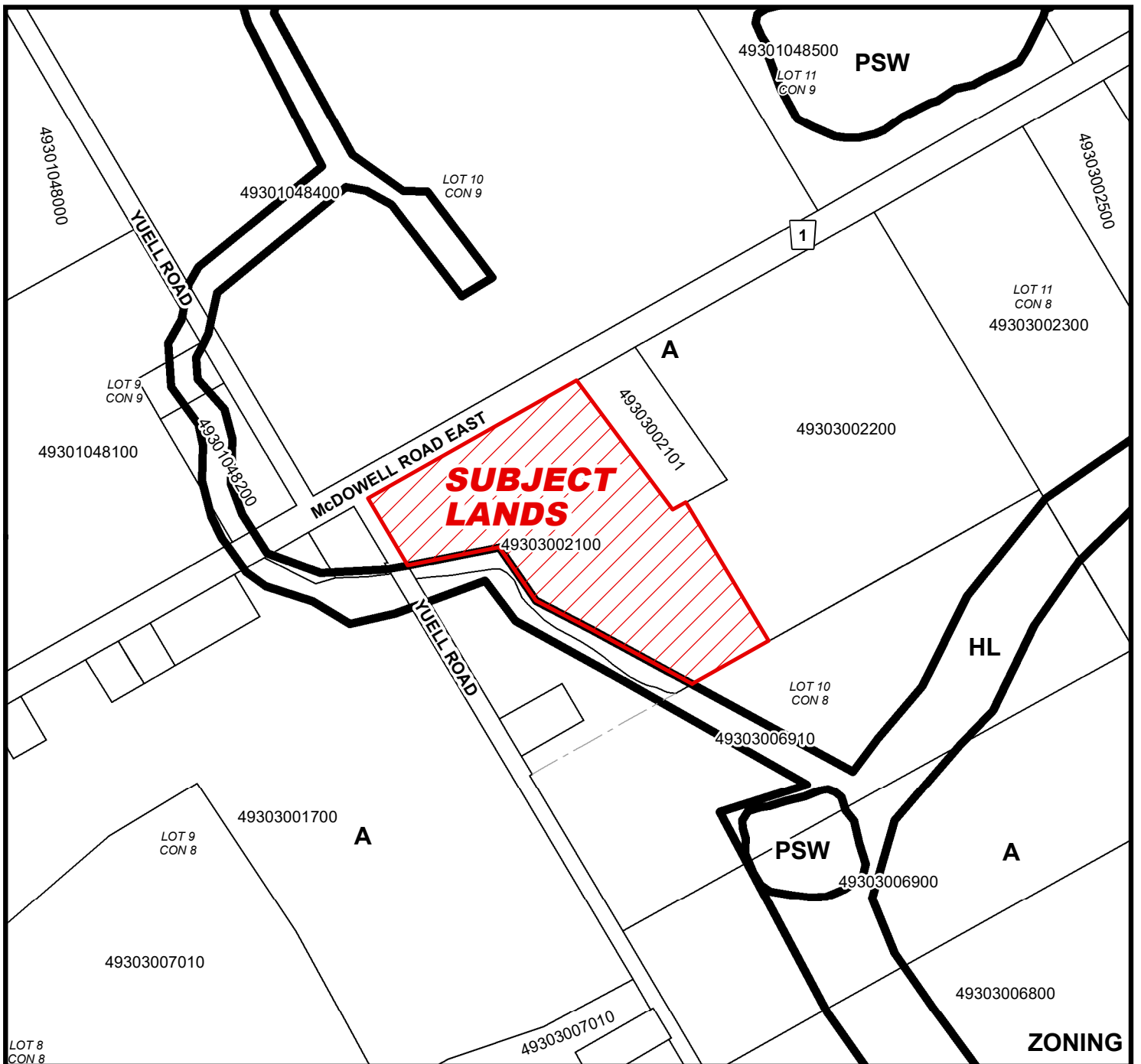
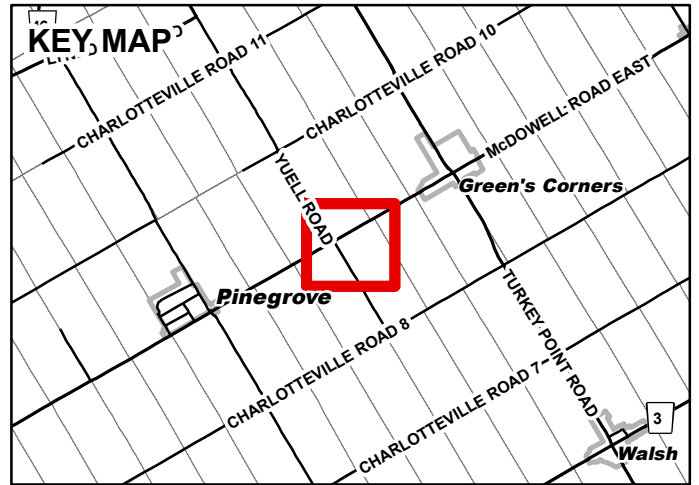
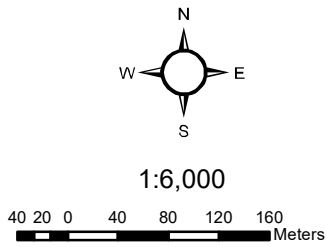
Summary:

The proposed application to increase the maximum separation distance between the main dwelling and the Accessory Dwelling unit from 30 metres to 160 metres is in keeping with the general purpose and intent of the Official Plan.

MAP 1

File Number: ZNPL2021042

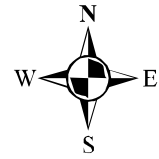
Geographic Township of
CHARLOTTEVILLE



MAP 2

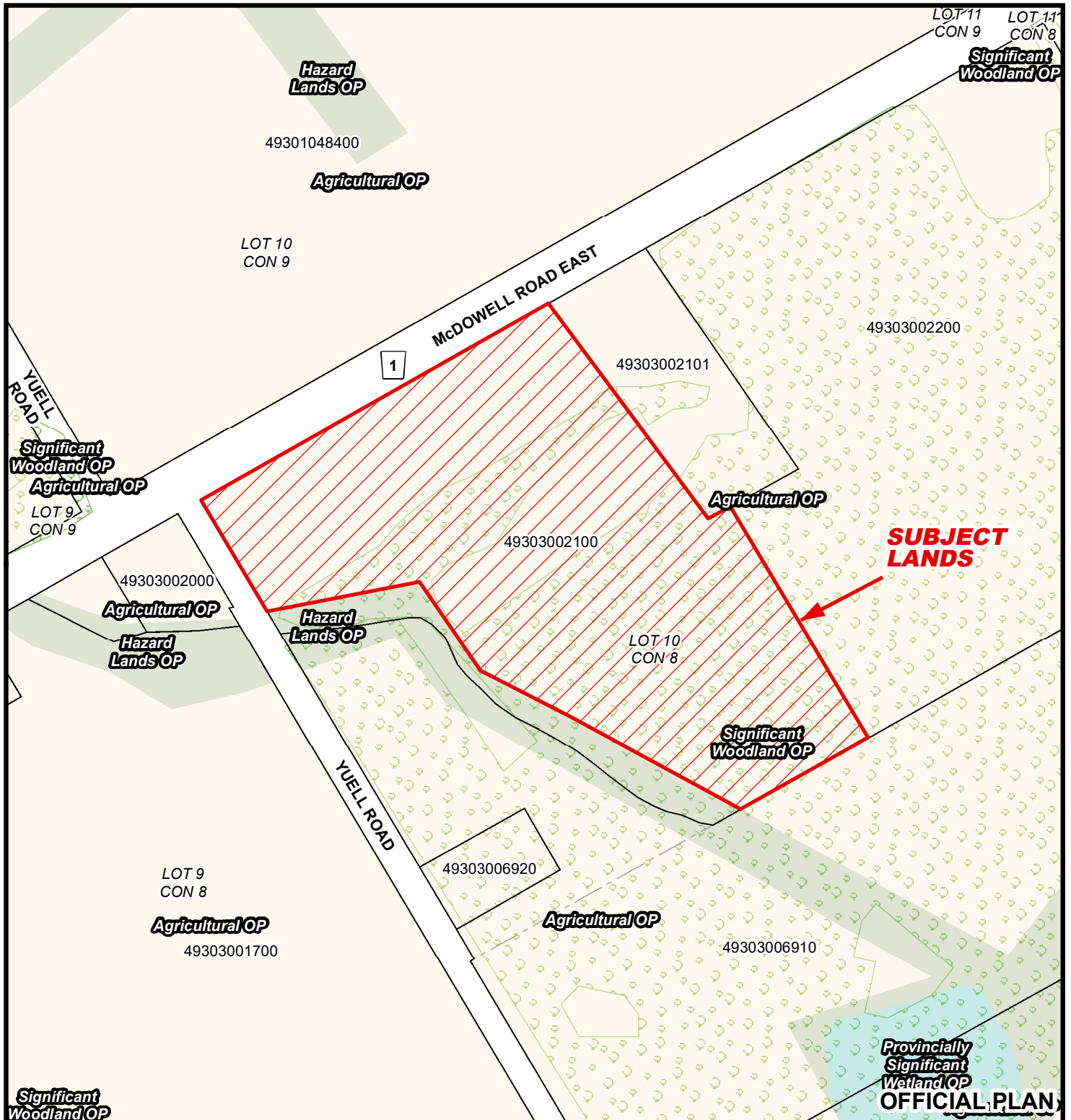
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Geographic Township of CHARLOTTEVILLE



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MAP 3

File Number: ZNPL2021042

Geographic Township of CHARLOTTEVILLE



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Meters

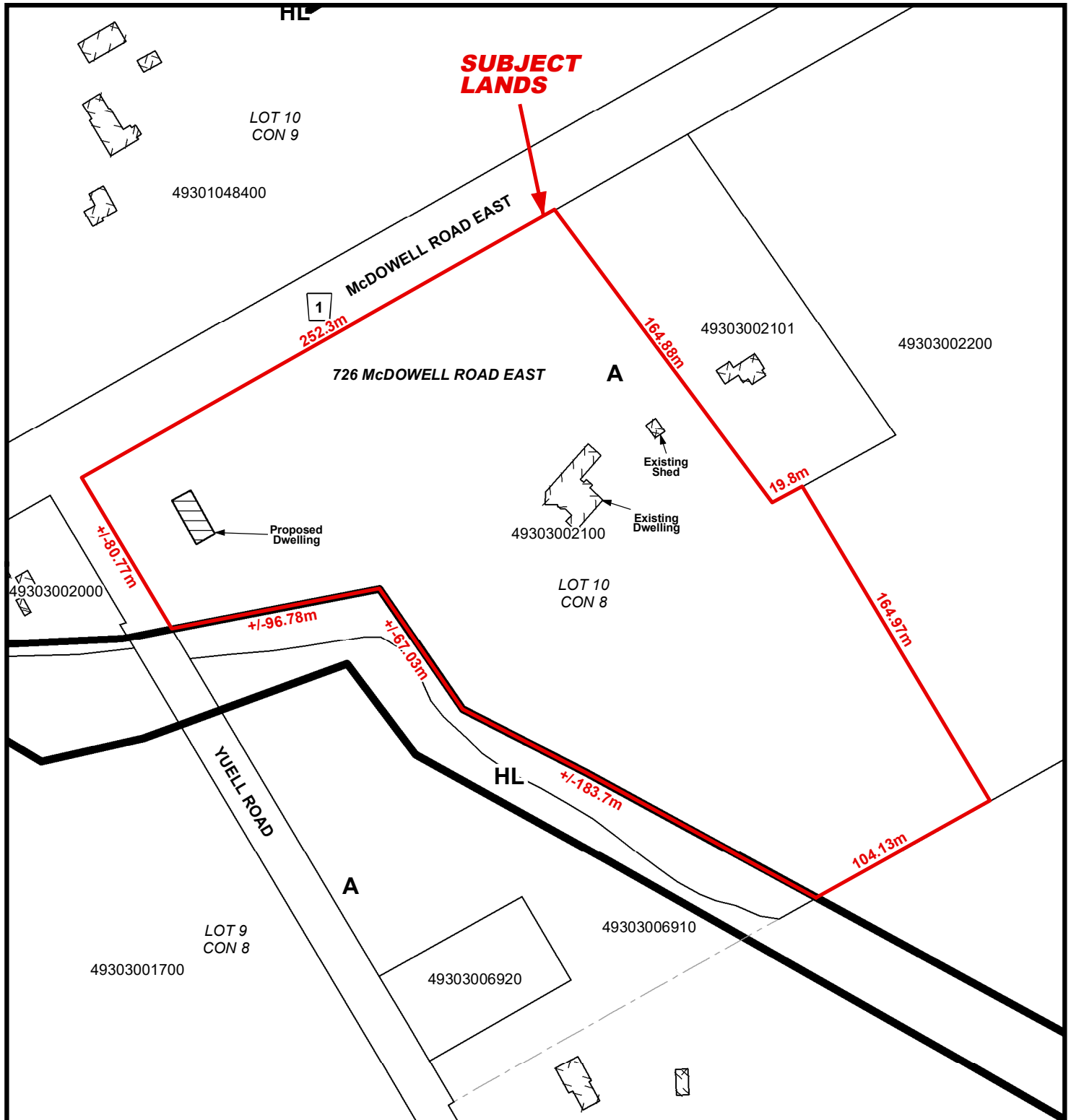
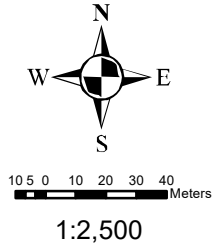
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MAP 4

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