



April 26, 2023

Sent Via Email

Rick Jablonski
MIDTOWN Technical Services

From: Township of Essa Planning Department
Subject: Zoning By-law Amendment (Z5-23) 6 Sandy Lane, Angus
Owner Luke Lynn, Multicultural Community Living Services
Agent Rick Jablonski, MIDTOWN Technical Services

Dear Rick Jablonski,

The Township Planning Staff has completed the first circulation of the subject file to the following Township Department and external agencies:

1. Township of Essa Chief Administrative Officer
2. Township of Essa Manager of Public Works
3. Township of Essa Chief Building Official
4. Township of Essa Manager of Parks and Recreation
5. Township of Essa Manager of Finance
6. Township of Essa Deputy Chief Fire Officer
7. Township of Essa Manager of Planning
8. County of Simcoe, Planning Department
9. Simcoe County District School Board, Planning Department
10. Simcoe Muskoka Catholic District School Board, Planning Department
11. Nottawasaga Valley Conservation Authority, Planning Department

The comments the Township is in receipt of are provided below. These comments are preliminary and may be updated as new information becomes available.

The Township of Essa has recently completed its Infrastructure Master Plan and service capacity and allocation has resulted in an ongoing discussion with prospective land developers. Your proposal may potentially be delayed and costly due to capacity issues in the Township. Specific details will follow as the project progresses.

1. Chief Administrative Officer/Council Comments

- No concerns other than to consider parking and storm drainage.

2. Public Works Department

It should be noted that Council has adopted the 2022 Engineering Design standards and Engineering submission for new development as of June 29, 2022, therefore all submissions shall be in compliance with all studies specified in the new Engineering Design Standards.



The new standards are available on the Township website
(<https://www.essatownship.on.ca/media/oo2pzaeh/essa-design-standards-manual-final-june-2022.pdf>).

Capacity allocations for water and sewer are currently limited subject to expansion, therefore no commitment can be granted at this time for municipal water and sewer.

Once the submission with respect to the Township Engineering Standards has been received, Public Works will be happy to review the application.

3. **Chief Building Official**

- Comments Pending. Please contact the Building Department directly at pgraner@essatownship.on.ca for additional feedback.

4. **Chief Fire Officer**

- “Depending on the level of capability of the occupants this may become a B occupancy and a possible vulnerable occupancy which may require additional considerations outlined herein:
 - They may require a fire alarm system;
 - They may require a sprinkler system;
 - They may require exiting lighting and emergency lighting;
 - They will require smoke alarms;
 - They will require CO alarms;
 - They will require fire extinguishers;
 - They may require a fire safety plan;
 - Pending the operation, supervisory staff training will be required;
 - There may be some licensing requirements to operate from other agencies;
 - They will have to ensure proper access to the structure is maintained for Fire.
- Please contact the Fire Department directly at dburgin@essatownship.on.ca for additional feedback.

5. **Planning Department**

A Concept Site Plan, survey, arial photos, Planning Justification Letter, and a Draft By-law have been provided by the applicant for the proposal. Additional site-specific policies may develop through the process. The proposed Zone exceptions may change throughout the review process.

General Submission Comments:

A Pre-Consultation application was previously submitted to the Township and deemed complete on January 31, 2023.



The proposed development would affect those lands legally described as Plan M332 Lot 116, Township of Essa, County of Simcoe, in accordance with a proposal put forward by MIDTOWN Technical Services on behalf of Multicultural Community Living Services. The application seeks to rezone the property entirely from the existing Residential (R1) Zone to a Residential, Medium Density, Group Homes (R4) Zone to permit the use of the existing home and property as a Group Home.

The total area of the subject lands is 0.067 hectares or 670m², with a total frontage of approximately 18 metres. The subject land is designated as “Residential” in the Township of Essa’s Official Plan, 2001, and is zoned “Residential, Low Density, Detached (R1) Zone” in the Township Zoning by-law.

A Pre-Consultation for the related proposal was undertaken and the following list of submission materials was developed. Where materials were received, comments addressing the submission’s specific components are provided in the table below.

List of Applications, Reports, and/or Plans	Comments
Formal Site Plan	Addressed in Zoning Comment Matrix.
Landscape Plan	Not submitted.
Elevation Drawings	Not submitted. Will be reviewed at building permit stage.
Planning Justification Report	A Planning Justification Letter was submitted in place of a report. It adequately outlines the purpose of the application.
Site Plan Design Brief	Not submitted.
Land Use Compatibility/Impact Study	Not submitted. Concerns over traffic impact are somewhat addressed in the Planning Justification Letter.
Draft Zoning By-law Amendment and Schedule	Draft By-law adequately addresses the nature of the Zoning By-law Amendment.
Active Transportation Plan	Not submitted.
Residential Impact Chapter	Not submitted.
Affordable Housing Chapter	Not submitted.
Reference Engineering Design Manual and Specifications	Not submitted.

Zoning Comments Matrix:



Residential, Low Density, Single-Detached	Required (R4)	Proposed (R4)	Comments
Min. Lot Area	1,000m ²	670m ²	A minimum lot area exception is proposed in the Draft Zoning By-law.
Min. Lot Frontage	25m	18m	A minimum lot frontage exception is proposed in the Draft Zoning By-law.
Front Yard Setback	7.5m	9m	
Int. Side Yard Setback	1.5m	1.85m	
Rear Yard Setback	10.5m	11.5m	
Min. G.F.A.	200.0 m ² /unit	242.76m ²	
Max. Height	10.5m	6.02m	
Max. Lot Coverage	35%	23.17%	
Required Parking	2 spaces/unit	Based on the Concept Plan submitted, the driveways seem to be approximately 5.32 metres in width and 9.06 metres in length, which, according to the Township Zoning By-law, can accommodate two vehicles.	The driveway meets the residential minimum parking requirement of 2 external spaces per unit, however, at least one additional external parking space is recommended to be created to support additional vehicles which may come from residents, staff, or visitors. Additionally, it should be noted that potential future ARUs will require 1 parking space each.

6. County of Simcoe

- Comments Pending. Please contact the County of Simcoe directly at planning.notices@simcoe.ca for additional feedback.

7. Simcoe County District School Board



- Comments Pending. Please contact the SCDSB directly at kbondarchuk@scdsb.on.ca for additional feedback.

8. **Simcoe Muskoka Catholic District School Board**

- Comments Pending. Please contact the SMCDSB directly at planningdept@smcdsb.on.ca for additional feedback.

9. **Nottawasaga Valley Conservation Authority**

- The NVCA does not support the application as presented. Please review the attached comments for the full review by the NVCA.
- Please contact the NVCA directly at planning@nvca.on.ca for additional feedback.

Oliver Ward
Policy Planner
Township of Essa

From: Colleen Healey
Sent: March 27, 2023 10:43 AM
To: Oliver Ward
Subject: RE: Memo - 6 Sandy Lane

No concerns from my office other than to consider parking and storm drainage.

Thanks,

Colleen Healey-Dowdall

Chief Administrative Officer

Township of Essa

chealey@essatownship.on.ca

705-424-9917 x109

Website: www.essatownship.on.ca



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From: Oliver Ward <oward@essatownship.on.ca>
Sent: Friday, March 24, 2023 2:48 PM
To: Colleen Healey <chealey@essatownship.on.ca>; Michael Mikael <mmikael@essatownship.on.ca>; Pedro Granes <pgranes@essatownship.on.ca>; Jason Coleman <jcoleman@essatownship.on.ca>; Debbie Dollmaier <ddollmaier@essatownship.on.ca>; Doug Burgin <dburgin@essatownship.on.ca>; Samuel Haniff <shaniff@essatownship.on.ca>
Subject: Memo - 6 Sandy Lane

Good afternoon,

Please find attached a letter of Memorandum and Digital Documents (also accessible here) for a Zoning By-law Amendment application submission related to 6 Sandy Lane.

This application is to allow for a group home use in an existing dwelling, which requires a Zoning By-law Amendment.

Please review the attached/hyperlinked materials, as necessary. Note that standard Department comments have been applied so only respond (please do not use "reply all") if specific comments are required.

Where relevant, please provide comment by April 21, 2023.

Best,

Oliver Ward

Junior Planner

Township of Essa

oward@essatownship.on.ca

705-424-9917 x126

Website: www.essatownship.on.ca



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From: Doug Burgin
Sent: April 19, 2023 7:44 AM
To: Oliver Ward; Pedro Granes
Cc: Samuel Haniff; Gary McNamara; George Jackson
Subject: RE: 6 Sandy Lane (Group Home) ZBA Comments

Good morning Oliver

Here are some comments from Fire regarding the proposed usage for 6 Sandy Lane:

- Depending on the level of capability of the occupants this may become a B occupancy and a possible vulnerable occupancy which may require additional considerations outlined herein:
- They may require a fire alarm system.
- They may require a sprinkler system.
- They may require exiting lighting and emergency lighting.
- They will require smoke alarms.
- They will require CO alarms.
- They will require fire extinguishers.
- They may require a fire safety plan.
- Pending the operation, supervisory staff training will be required.
- There may be some licensing requirements to operate from other agencies.
- They will have to ensure proper access to the structure is maintained for Fire.

Hope this helps for now.

Thanks

Doug

From: Oliver Ward <oward@essatownship.on.ca>
Sent: Tuesday, April 18, 2023 1:15 PM
To: Michael Mikael <mmikael@essatownship.on.ca>; Pedro Granes <pgranes@essatownship.on.ca>; Jason Coleman <jcoleman@essatownship.on.ca>; Debbie Dollmaier <ddollmaier@essatownship.on.ca>; Doug Burgin <dburgin@essatownship.on.ca>; planning.notices@simcoe.ca; Bondarchuk, Kandas <kbondarchuk@scdsb.on.ca>; planningdept@smcdsb.on.ca; Planning Dept <planning@nvca.on.ca>
Cc: Samuel Haniff <shaniff@essatownship.on.ca>
Subject: 6 Sandy Lane (Group Home) ZBA Comments

Good afternoon,

This email is a reminder for comments related to the above application. Please submit any comments by no later than April 21th. The Township Planning Department would like to request some notice if comments will be delayed beyond this date.

Thank you,

Oliver Ward

Junior Planner
Township of Essa
oward@essatownship.on.ca
705-424-9917 x126
Website: www.essatownship.on.ca



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Nottawasaga Valley
Conservation Authority

April 19, 2023

SENT BY EMAIL

Township of Essa
5786 Simcoe County Road 21
Utopia, ON
L0M1T0

Attn: Oliver Ward
Junior Planner
oward@essatownship.on.ca

Dear Mr. Ward,

**RE: Proposed Zoning By-law Amendment
Town File No. Z5-23
6 Sandy Lane, Angus
NVCA ID #56013**

Nottawasaga Valley Conservation Authority [NVCA] staff is in receipt of an application to rezone the subject lands to permit a group home within the existing dwelling.

Staff have reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 172/06. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, NVCA has provided comments as per our Municipal Partnership and Service Agreement with the Township of Essa.

Ontario Regulation 172/06

1. The property falls entirely within an area affected by Ontario Regulation 172/06 (the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) where a permit is required from the NVCA under the Conservation Authorities Act prior to development. The area is affected by the regulation due to the Mad River floodplain.

Based upon a review of the proposed site plan provided with the application NVCA staff offer the following regulatory comments:

Natural Hazard - Regulatory Comments

2. Policies contained within the PPS restrict development to areas outside of hazardous lands adjacent to shorelines and large inland lakes as well as river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

3. NVCA's technical staff have confirmed that the subject property is located in the Regional Storm Floodplain and offer the following comments:
 - 3.1 The subject lands appear to be outside of the two-zone floodplain study area (Greenland 2005), therefore the applicant must undertake a site-specific study to delineate the flood fringe in which development can be considered.
 - 3.2 In the attempt to "adjust" the estimated Regulatory flood elevation (without completing a flood study), NVCA has completed (in-house) a comparison in topographic data sets (surveyed data versus NVCA's 2012 DEM). An adjustment factor of 0.78 m increase was applied to the estimated Regional flood elevation to account for differences in mapping sources. Applying the median adjustment factor resulted in a Regional elevation of 189.37m. Based on the Regional Elevation **flood depths are estimated as high as 1.03m within the subject site.**
 - 3.3 The subject site does not appear to have safe access for vehicles as the flood depths on Sandy Lane appear to be greater than 0.3 m. NVCA policies require safe access for vehicles and people during a flood event to be demonstrated. NVCA applies a maximum depth of flooding of 0.3m for vehicular access to determine safe access/egress, as per Section 5.1 of The Natural Hazards Technical Guide, Nottawasaga Valley Conservation Authority, December 2013.
4. Section 3.1.1 of the PPS prohibits development and site alteration within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. In the absence of a natural hazard study, NVCA staff are unable to comment on consistency with this section of the PPS.
5. Section 3.1.5 of the PPS prohibits development in hazardous lands and hazardous sites where an institutional use is proposed. The PPS defines an institutional use as land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion. It appears that the proposed use is not consistent with Section 3.1.5 of the PPS.

Conclusion

In light of the above noted policies, the NVCA does not support the application as presented.

In order for NVCA staff to consider supporting the proposed it is recommended that a flood study be done to delineate and identify any site-specific concerns. It should be noted however that the completion of a flood hazard study will assist with determining potential development envelopes for the site, but will not address the matter of the institutional use being prohibited within hazardous lands.

Please feel free to contact the undersigned at extension 278 or dmetheral@nvca.on.ca should you require any further information or clarification on any matters contained herein.

Sincerely,

A handwritten signature in black ink, appearing to read "Davin Metheral". The signature is written in a cursive style with a large initial "D" and "M".

Davin Metheral
Planner I

From: Davin Metheral <dmetheral@nvca.on.ca>
Sent: April 20, 2023 10:43 AM
To: Oliver Ward
Cc: Samuel Haniff; Planning Dept
Subject: RE: Memo - 6 Sandy Lane

Good morning Oliver,

Yes, staff recognize that no new structure is being proposed.

Policies within the PPS define development as a change in land use, therefore staff review accordingly. Furthermore, the PPS defines land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons and/or persons with disabilities as *institutional*. As noted within the comments Section 3.1.5 a) states that development shall not be permitted to locate in hazardous lands and hazardous sites where the use is *institutional*. Therefore, even if the applicant is able to demonstrate that they are within the flood fringe, we would not be able to support the application.

As per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) NVCA staff cannot support the application.

It should be noted that the NVCA supports the conversion and construction of homes which support vulnerable populations; however as per section 3.1.5 of the PPS we cannot support these uses when they are within hazard lands.

If you have any additional question feel free to let me know or give me a call.

Regards,

Davin Metheral (he/him/his)
Planner I

Nottawasaga Valley Conservation Authority
8195 8th Line, Utopia, ON L0M 1T0
T 705-424-1479
dmetheral@nvca.on.ca | nvca.on.ca

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From: Oliver Ward <oward@essatownship.on.ca>
Sent: Thursday, April 20, 2023 8:56 AM
To: Davin Metheral <dmetheral@nvca.on.ca>
Cc: Samuel Haniff <shaniff@essatownship.on.ca>
Subject: RE: Memo - 6 Sandy Lane

Good morning Davin,

Thank you for forwarding this comment. After reviewing it, I would like to confirm your understanding that this is not an application to construct any new buildings or structures, but only to change the use of the existing residential single-detached dwelling.

Best,

Oliver Ward

Junior Planner

Township of Essa

oward@essatownship.on.ca

705-424-9917 x126

Website: www.essatownship.on.ca



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From: Davin Metheral <dmetheral@nvca.on.ca>

Sent: Wednesday, April 19, 2023 3:44 PM

To: Oliver Ward <oward@essatownship.on.ca>

Cc: Samuel Haniff <shaniff@essatownship.on.ca>

Subject: RE: Memo - 6 Sandy Lane

Good afternoon Oliver,

I have attached the comments for the above noted ZBA. As mentioned in the letter NVCA staff are not supportive of the application.

If you have any questions or concerns please let me know.

Regards,

Davin Metheral (he/him/his)

Planner I

Nottawasaga Valley Conservation Authority

8195 8th Line, Utopia, ON L0M 1T0

T 705-424-1479

dmetheral@nvca.on.ca | nvca.on.ca

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From: Oliver Ward <oward@essatownship.on.ca>
Sent: Friday, March 24, 2023 3:29 PM
To: planning.notices@simcoe.ca; Bondarchuk, Kandas <kbondarchuk@scdsb.on.ca>;
planningdept@smcde.on.ca; Planning Dept <Planning@nvca.on.ca>
Cc: Samuel Haniff <shaniff@essatownship.on.ca>
Subject: Memo - 6 Sandy Lane

Good afternoon,

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Please review the attached/hyperlinked materials, as necessary. Note that standard Department comments have been applied so only respond (please do not use "reply all") if specific comments are required.

Where relevant, please provide comment by April 21, 2023.

Best,

Oliver Ward

Junior Planner
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[EXTERNAL]

[EXTERNAL]