
HALDIMAND COUNTY

Report PDD-15-2019 Zoning Amendment for Residential Development - 1098814 Ontario Inc.



For Consideration by Council in Committee on May 7, 2019

OBJECTIVE:

To obtain approval from Council for a Zoning By-law amendment to facilitate the development of a three (3) storey, eighteen (18) unit residential apartment building and also make minor adjustments to the current site specific amendment to allow more retail usable floor area within the existing, mixed use building on the subject lands.

RECOMMENDATIONS:

1. THAT Report PDD-15-2019 Zoning Amendment for Residential Development - 1098814 Ontario Inc. be received;
2. AND THAT application PLZ-HA-2018-179 to amend Zoning By-law 1-H 86, the site specific zone provision 36.430 and the 'Neighbourhood Commercial (CN) Zone' be approved for the reasons outlined in Report PDD-15-2019;
3. AND THAT the Zoning By-law amendment attached to Report PDD-15-2019 to amend the Town of Haldimand Zoning By-law 1-H 86 be presented for enactment;
4. AND THAT the Holding (H) Provision Removal By-law attached to Report PDD-15-2019 be presented for enactment, and the General Manager of Community and Development Services be granted authority to remove the holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT the proposal is considered consistent with the Provincial Policy Statement 2014, Provincial Growth Plan 2017 be received.

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Reviewed by: Mike Evers, BES, MCIP, RPP Director of Planning and Development

Respectfully submitted: Craig Manley, MCIP, RPP, General Manager of Community and Development Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

The intent of the subject Zoning By-law amendment application is to facilitate the development of a three (3) storey, eighteen (18) unit residential apartment building as a second phase of development on the former Slack Plaza property. This amendment also seeks to make minor adjustments to the existing site specific zoning on site to allow more ground floor area to be used for retail space and larger retail units. Planning staff have reviewed this proposal in relation to the Provincial Policy Statement (2014) and the Provincial Growth Plan and are satisfied that the subject proposal is in conformity with and consistent with Provincial policy as the subject development represents an opportunity to redevelop

an underutilized piece of serviced, urban land; will efficiently use existing infrastructure and services; will help the County meet obligatory intensification targets; and introduce a use that is more appropriate in this location than the existing and historical use (storage). The subject amendment is further considered to be appropriate as the existing land use designation supports all forms of residential uses; the proposal represents an opportunity to introduce a different type of housing opportunity to the community (i.e. apartments and condominium tenure); the development is generally considered to be functional from a technical perspective with multiple (technical) studies to support the subject development; and overall considered to be compatible with and appropriate for this area. Planning staff is recommending approval of the subject application for the reasons detailed above.

BACKGROUND:

At the February 28th, 2017 Council in Committee meeting, a combined Official Plan and Zoning By-law amendment report (PED-PD-06-2017) was received and approved by Council for the subject lands. This original proposal sought approvals to facilitate the redevelopment of the former Slack Plaza as the original structure was destroyed in a fire. This first phase of development resulted in approvals and construction of a three (3) storey, mixed use building containing fifty-two (52) residential units in the 2nd and 3rd storey, and commercial and office rental space on the ground floor.

The main intent of the subject Zoning By-law amendment seeks to complete the overall redevelopment of the subject lands by obtaining approvals for the second phase of development for the site. The second phase proposal consists of a residential apartment building proposed to be three (3) storeys in height and contain eighteen (18) units. It is understood by staff that the developer intends to gear this development, if approved, to seniors and the tenure type is intended to be a condominium. In addition to facilitating the second phase of development of the lands, the subject amendment also seeks to make some minor adjustments to the existing site specific provisions (36.430) in place (via 2017 approvals) to allow more flexibility for commercial, leasable space on the ground floor of the building now constructed. As such, the intent of the Zoning By-law is as follows:

- i) Amend the existing permissions to permit a second building on the site which would be a residential apartment building which will contain a maximum of eighteen (18) units; and
- ii) Make amendments to the existing permissions as they relate to the Phase 1 (mixed use) building for:
 - An increase to the maximum usable floor area per retail unit (i.e. from 250 square metres (2,690.9 square feet) to 400 square metres (4,305.5 square feet);
 - An increase to the maximum, total usable floor area for retail (i.e. from 80% to 90% to allow an increase to the total usable ground floor area;
 - A decrease to the maximum, total usable floor area for offices (i.e. from 20% to 10%) to allow for a decrease to the total usable ground floor area; and
 - An increase to the total number of dwelling units to allow for the second phase of development.

Location and Site Description:

The subject lands are located on the east side of Argyle Street North within the Urban Area of Caledonia. The site is known municipally as 172 Argyle Street North, Caledonia and legally described as Caledonia Range 1 East of Plank Road Part Lot 11 Seneca Part Lots 1 to 4 18R3127 PARTS 2 and 3 18R4657. A location map can be seen in Attachment 1. The subject lands is a corner lot with frontage on both Argyle Street North and Orkney Street East and is approximately 1.3 hectares (3.30 acres) in size. Surrounding land uses consists of a CN Rail spur line and commercial/industrial uses to the north,

residential to the immediate east, south and west, with some institutional uses to the south. The site currently contains a Tim Hortons and a mixed use (commercial and residential building) in the process of construction. The lands proposed to be constructed are vacant of any permanent structures and has been used for storage purposes (i.e. school buses, sea cans).

ANALYSIS:

Planning staff has identified the following key planning issues that have arisen through the review of this proposal. The key planning issues are as follows:

1. Provincial Policy:

Provincial Policy Statement, 2014 (PPS)

Within the Province of Ontario, the Provincial Policy Statement, 2014 (PPS) sets out a high level policy framework that provides direction on matters of provincial interest, in relation to land use planning, and development. A key principle, and matter of provincial interest, of this framework is the building of strong, healthy communities through the appropriate management and direction of land use to achieve efficient and resilient development and land use patterns. This also includes, amongst other items, accommodating an appropriate range and mix of residential uses (including secondary units, affordable housing, and housing for older persons), employment, institutional and recreational uses and spaces. The PPS further identifies that settlement areas, such as the urban area of Caledonia, shall be the focus of growth and development, and their vitality and regeneration shall be promoted. This is achieved in part through land use patterns that have a mix of densities and land uses which efficiently use land and resources; are appropriate for and efficiently use available or planned infrastructure and public service facilities; and shall further be based on a range of uses and opportunities for intensification and redevelopment. This includes taking into account existing building stock or areas, including brownfield sites and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate project needs.

The PPS also speaks to municipalities establishing and implementing density targets for intensification and redevelopment within the built-up areas. In the context of Haldimand County, the Official Plan incorporates an intensification strategy that sets specific targets and also supports infilling, intensification and redevelopment of commercial, industrial and institutional uses to encourage an appropriate range of and mix of employment opportunities. The PPS further directs municipalities to plan and provide for an appropriate range and mixture of housing unit types and densities to meet current and future residents of the regional market area. The intent of this application is to establish a residential apartment building on-site that is proposed to be a condominium type ownership that includes eighteen (18) dwelling units. It is further understood that this apartment building will be geared towards seniors. In this regard, the development will provide a housing type that aligns with an emerging need in the community. The subject application seeks to further redevelop and intensify the subject lands by utilizing existing infrastructure, road accesses and community facilities in the area.

The subject amendment also seeks to make some adjustments to the previously approved zone provisions to allow for more retail commercial units (and ultimately a reduction of office units) that will align with the demands being observed by the developer. This portion of the amendment, in staff's opinion, is still consistent with the PPS as a range and choice of suitable units for commercial and ancillary uses will still be available and the change in percentage of office vs. retail is being requested based on the types of uses interested in locating within this property. The changes to increase the size of retail units and to ultimately allow more of the ground floor to be dedicated to retail instead of office space has been supported by a Market Justification Study prepared by Altus Groups.

Overall, Planning staff are of the opinion that this proposal will provide an opportunity to provide additional, alternative housing opportunities (i.e. condominium) for seniors, will assist in meeting intensification targets, is located on a portion of land that is serviced (thus utilizing existing infrastructure), is within an area with existing community services, while also still maintaining employment opportunities and flexibility within the urban area of Caledonia. The subject proposal is in Planning staff's opinion consistent with the Provincial Policy Statement (2014).

Growth Plan for the Greater Golden Horseshoe, 2017

The Growth Plan for the Greater Golden Horseshoe is a policy framework, in addition to the PPS, for implementing the Province's vision for Ontario in regards to building strong, compact, prosperous and complete communities by controlling and directing growth until 2041. This includes providing access to mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. The Growth Plan's guiding principles focus on building compact, vibrant and complete communities; planning and managing growth to support a strong and competitive economy; providing intensification requirements for both built-up and greenfield areas; and optimizing the use of existing and new infrastructure to support compact growth and efficient form, among other policy directives.

More specifically, the Growth Plan sets out that municipalities shall promote residential intensification by directing growth to the built-up areas of settlement areas (i.e. Caledonia), and economic development and competitiveness by providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long term needs; and, providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. The Growth Plan's emphasis is in part on intensification and optimization of the existing land supply. The Growth Plan policies direct municipalities to establish 'built boundaries' for settlement areas where a minimum percentage of new residential development is to occur through intensification. The percentage target for Haldimand County was set through the Housing and Places to Grow Implementation Study (in 2010), and requires that a minimum of thirty-two (32) per cent of all new dwelling units be provided through intensification. The subject proposal represents intensification within the built boundary and would support the targets and objectives of the Growth Plan. It is Planning staff's opinion that the subject proposal is consistent with the guiding principles and intent of the Growth Plan, as the proposal is to establish permissions for a residential building, geared towards seniors, and the proposal will make some slight adjustments to the permissions of office space vs. retail space that that will continue to permit a mixture of uses (i.e. commercial, office and dwelling units) within one structure. This proposal, if approved, will allow for the continued redevelopment and intensification of existing site and meets provincial direction. Based on the foregoing, Planning staff are of the opinion that this proposal is in conformity with the intent of the Growth Plan.

2. Local Policy:

Haldimand County Official Plan

The subject lands currently have a dual designated—'Urban Business Park' on the Tim Hortons portion of the site and 'Residential' with a site specific policy (HCOP-41) on the balance of the lands. The site specific policy was put in place via a combined Official Plan and Zoning By-law amendment application previously approved by Council in 2017. The Tim Hortons portion of this site is not a part of the subject Zoning By-law amendment.

The 'Residential' designation permits all forms of residential development and neighbourhood scale commercial uses. The previously approved site specific policy further built upon the land use designation permissions by also allowing the following uses: one (1) restaurant; a takeout restaurant; dry cleaning and distribution station; laundromat; day nursery; art gallery; merchandise service shop;

craft and souvenir shop; florists shop; retail and professional offices. The subject amendment does not necessitate the need for further policy amendments as the proposal is for the introduction of second, residential (only) apartment building on-site that is intended to contain eighteen (18) condominium units intended for seniors. All forms of residential uses are permitted within the existing land use designation.

The subject lands are located within the 'built up' area of Caledonia; therefore, is subject to infilling/intensification targets. With regards to infilling and intensification, a minimum of thirty-two (32) percent of all new dwellings are to be provided through intensification within built-up areas within settlement areas across the County. The addition of eighteen (18) apartment units into the housing stock represents an opportunity to assist the County in meeting this overall target. It should be noted that, in regards to the density targets set out within the County's Official Plan (for units per gross residential hectare), medium density development (i.e. townhouses and low-rise apartments) are generally between thirty-five (35) to forty (40) units per gross residential hectare. This density range is a guideline and takes into account other projects within the County that surpass and/or are under the aforementioned density range. More specifically, the existing and proposed projects (Phase 1 and 2) combined represent fifty-four (54) units per gross residential hectare, which is higher than the typical medium density residential development classification. However, because these density targets are generally considered to be a guideline, averaged over the entire County, and the project is considered to be functional and appropriate within the context of this site and location, staff are of the opinion that this development fits in and maintains the intent and purpose of the 'Residential' designation and the associated targets.

Medium Density Development Criteria

The County's Official Plan also establishes specific criteria when considering medium density residential development, such as the subject proposal, as there are key planning tests to be reviewed to assist in analyzing the appropriateness and compatibility of a development of this nature and density. These tests include:

- The effect of the development on the overall housing needs of the community;

Planning Comment:

The subject proposal will introduce an additional eighteen (18) residential condominium units into Caledonia, with the intent that the dwelling units will be geared towards seniors. The subject proposal will assist the County in addressing the needs of the community in terms of housing opportunities with a different tenure type.

- Effect on neighboring properties (i.e. density, form, height, and building arrangement);

Planning Comment:

The proposed building is intended to be located on the undeveloped, back portion of the subject lands (behind Tim Hortons). It is the unique, irregular shape of the lot that provides this additional developable space for the subject development. This location has historically been used for storage purposes (i.e. school buses, sea cans) and in the past a transport truck driving school. The subject application, in staff's opinion, represents a transition from a more industrial type use (i.e. storage purposes) to a more appropriate use (residential) via the subject redevelopment proposal.

Due to the lot configuration, the subject apartment building is proposed to be setback significantly from Argyle and Orkney Streets as it is set behind the Tim Hortons. The subject building will also be surrounded (on the south and east property lines) by existing residential uses that front onto Orkney Street. These specific residential lots are fairly large, deep lots for an urban area and the building will be situated adjacent to and set back from the amenity spaces/back yards of these existing dwellings, thus ensuring adequate separation from the existing dwellings themselves. The proposed location of the building can be seen in Attachment 1, with architectural elevation

renderings being visible in Attachments 2 and 3. It is evident that the architectural design of the building is intended to have similar elements of design as proposed within the first phase of development (i.e. the mixed use building under construction) with an appealing architectural design proposed to be applied and balconies.

The proposed building massing, height, and design will be similar to medium density uses in the immediate vicinity (i.e. the south) and similar to the mixed use structure on site. The second phase of development is intended to be three (3) storeys in height, which is the same height as what was permitted for the mixed use building under construction. The current zoning by-law in place allows for a three (3) storey structure, so the subject amendment does not need to re-introduce this request, as it is permitted already. Within this area there is clearly a mixture of residential uses with the abutting properties containing single and two storey dwellings. There is also existing apartment uses to the south with a similar massing and height. In staff's opinion, the introduction of a second, three (3) storey buildings is not inappropriate or incompatible with immediate surrounding uses.

Notwithstanding the above, projects with an increased density (as compared to surrounding lands) require careful consideration and planning to ensure a fit with the area. Where a residential to residential interface transitions between the existing lower density residential and a more dense residential development buffering to ensure compatibility can be achieved via setbacks, landscaping, and fencing. More specifically, the proposed building will maintain (to the nearest lot line) an interior side yard setback between 3.5 metres (11.5 feet) to 7 metres (22.9 feet) and a rear yard setback of 9 metres (29.5 feet). All of the aforementioned setbacks meet the minimum setback requirements of the 'Neighbourhood Commercial (CN)' Zone. Staff also notes that the proposed building will maintain a setback of approximately 40 metres (131.2 feet) from the nearest dwelling.

In staff's opinion, the separation of uses (i.e. from proposed to property line and proposed to existing dwellings) and existing buffering (rear yard accessory buildings, trees), combined with the site plan approval process, which will introduce privacy fencing and additional significant tree plantings, will provide effective use buffering/privacy. Also, this specific development provides greater setbacks than other similar (and newer) projects such as Harrison Flats on Haddington Street which is a similar type building and also located in a similar type area. Harrison Flats has demonstrated that an infill development of this type (i.e. three storey apartment building) can be appropriately integrated within a developed, low density neighbourhood.

These aforementioned factors—setbacks from property lines, setbacks from use to dwelling, and existing vegetation - will provide a separation from adjacent, residential uses, with additional landscaping, fencing and buffering also being utilized (and required through the site plan process) to assist in providing additional buffering of these uses and creating more privacy for the neighbouring residents.

Staff also notes that the proposed building is also intended to maintain a rear yard setback of 9 metres (29.5 feet), which further provides additional separation from another adjacent residential lot (fronting onto Orkney Street) and known municipally as 62 Orkney Street. The second phase also maintains an appropriate distance (i.e. approximately 20 metres (65.6 feet) from the industrial lands and CN Rail lands to the north (as per CN Rail requirements) and also allows for a functional parking lot to service the subject development.

- Adequate parking that does not compromise other amenities and facilities (i.e. common areas; landscape buffers; garbage storage and emergency vehicle access);

Planning Comment:

Currently, Phase 1 (i.e. the mixed use building) complies with parking requirements as assessed through the initial review and approval of this portion of development. Phase 1 also did not require any parking reductions. The introduction of Phase 2 (i.e. a three (3) storey, eighteen (18) unit

apartment building) does not compromise the parking required for Phase 1 as the second phase will have its own dedicated parking area. Phase 2 will also comply with the County's off-street parking requirements (i.e. 29 stalls).

Haldimand County reviewed and updated its off-street parking requirements in 2008. These requirements were based upon a detailed review of the parking needs for similar types of projects throughout the County as well as a review of standards for similar uses that other municipalities utilized (i.e. Brant, Norfolk, Niagara area, etc.). The parking standards applicable to the subject development (an apartment building) is 1.5 parking stalls per unit and also one (1) visitor parking stall per ten (10) units. This specific parking requirement (when compared to other areas and similar projects) has proven to be adequate to accommodate parking demands. Staff further notes that as part of the comprehensive zoning by-law project, that the standards applicable to apartment buildings (as mentioned previously) is on the high end when considering parking requirements in other communities for a similar type use.

The subject development also proposes to generally share the previously approved amenity space (from the Phase 1 development site plan review) and also incorporate greenspace around the property lines of the site that abut residential uses, culminating in a second amenity space area in the rear yard that is specific to the residents of the subject development. The building location, parking layout and amenity spaces can be seen in Attachment 4 and 5. The site is also large enough and capable of managing garbage storage with snow storage on-site and also proposed to be removed by the developer on a regular basis. The removal of snow storage on-site will be incorporated into the site plan agreement to ensure there is a legal obligation that this requirement is met and the site is appropriately maintained. Staff further notes that the site plan for this development is being reviewed concurrently with the subject Zoning By-law amendment and has been through one (1) round of review by the County and other commenting agencies. It is through this process that the parking layout, site functionality, on-site servicing, grading and drainage, landscaping, etc. will all be reviewed and approved. This approval process also ensures that there are no off-site impacts to neighbouring properties resulting from certain components of a development such as grading and drainage, light spillage, etc. Although a second submission is required, staff notes that there were generally no major objections to the development. Further, the County's Development and Design Technologist is generally satisfied that this site will function appropriately and meets the necessary aisle widths for two way traffic. The County's Building & Municipal Enforcement Services and the Emergency Services have also reviewed this development proposal (and the first round of site plan) and are also satisfied that there is safe, direct, emergency access, and access to a fire hydrant in case of an emergency.

- Proximity to arterial and collector roads; and

Planning Comment:

Argyle Street North and Orkney Street are arterial and collector roads. The accesses approved via the first phase of development will remain unchanged as the second phase does not necessitate alternative/additional access points.

- Proximity to public facilities and services, and the adequacy of community services and facilities.

Planning Comment:

The subject lands are located within the urban area of Caledonia which has many public and community facilities and services such as, the Haldimand County Community Centre (approximately 1.7 kilometres); various locally run community facilities and halls (such as the Masonic Centre across Argyle Street); the fair grounds (approximately 850 metres); institutional areas (i.e. St. Paul's Anglican Church and St. Patrick's Catholic Church along Orkney Street); Kinsmen Park, splash pad and waterfront trails (approximately 600 metres), Edinburgh Square

Heritage and Cultural Centre (approximately 700 metres), various primary and secondary schools, etc.

In Planning staff's opinion, the subject proposal and location represents a development that will round out the developable lands for this property; will introduce additional housing opportunities within Caledonia, and generally represents an appropriate and compatible development for the urban area of Caledonia. This proposal, in staff's opinion, incorporates a building and site design that maintains and enhances the general character of the area that will function appropriately. The subject location, in staff's opinion, represents an appropriate fit for a residential use that will compliment the existing uses on-site.

Compatibility with Surrounding Land Uses

Compatibility with existing, adjacent land uses is an essential component in determining the fit and appropriateness of any proposed new use in terms of built form, density, functionality and maintenance of the overall character of the area. In the context of the subject proposal, this development provides an opportunity to complete the overall redevelopment of this site with a building that will introduce additional dwelling units on-site and within the community. The historical use of the site was a lumber yard and the portion of lands proposed to be developed has generally been used for storage related to the previous, industrial use and after that use ceased, the storage of school buses, etc. The introduction of a residential building, which will have a residential architectural design and look similar to the first phase of development, will be more compatible with the adjacent residential uses than the historical (or current) uses. A proposal of this nature will also clean up this portion of the site and remove the storage use which is better situated in an industrial area. The subject building will also carry forward a similar, aesthetically pleasing look as the first phase development which is under construction. Overall, this proposal, in staff's opinion, represents a development that is compatible with the surrounding land uses. The architectural design of the building can be seen in Attachment 2 and 3.

The Haldimand County Official Plan (OP) sets out policies to be applied to assist staff in evaluating the introduction of new uses adjacent to/abutting a sensitive land use, in particular residential uses, which in this case exists to the south, east and west of the subject lands. Although the proposal seeks to introduce a residential use within a primarily residential area, it is still important to review these policies specific to land use compatibility. With regards to compatibility of adjacent sensitive land uses, the OP policy tests set out mitigation measures that may be considered when evaluating a new use within an established residential area, which are as follows:

- Separation of uses by increased setbacks;

Planning Comment:

The subject proposal represents the introduction of a residential (only) structure on a site that currently contains a commercial use (i.e. Tim Hortons) and a mixed-use building which is under construction (i.e. Phase 1, residential, commercial and office space). The subject lands are also located in an area with different types of adjacent land uses, with low density residential land uses being prominent to the immediate east and south of the subject lands. As part of staff's review of the 'Medium Density Development Criteria' section of this report (see above), buffering and privacy techniques are addressed and considered suitable for this project. Staff are of the opinion that the setbacks from the proposed building to properties lines, the proposed setback of the building from existing dwellings, coupled with the introduction of improved fencing and landscaping (via the site plan process) will assist with land use compatibility. The proposed apartment building will be setback approximately 55 metres (180.4 feet) from the closest point of the Tim Hortons on-site, approximately 45 metres (147.6 feet) from the closest point of the mixed use building, and the proposed apartment building will also maintain a 3.5 metres (11.5 feet) and 7 metres (22.9 feet) interior side yard setback, a 9 metres (29.5 feet) rear yard setback, and the closest (existing)

dwelling will be approximately 40 + metres (131.2 feet). These setbacks all surpass the existing, minimum setback requirements of the current zoning (i.e. 'Neighbourhood Commercial (CN)' Zone). Staff are of the opinion that the subject proposal will maintain appropriate setbacks and through vegetative and screening methods, the existing and proposed uses will be separated from one another.

- Screening and buffering such as landscaped strips, architectural screenings, fences or berms;

Planning Comment:

As mentioned in the above comment, the subject proposal includes on-site landscaping (from the first phase) with additional landscaping being proposed via the second phase that will further operate as a buffer of uses in addition to the aesthetic value and defined amenity space for future residents. There is also the potential for other screening methods to be utilized (i.e. such as a fence) to assist with screening and buffering uses. Landscaping, including the introduction of coniferous/evergreen tree species, such as Black Cedar trees, can also be utilized to buffer these uses as these tree species reach a maturity height of 7.6–10.6 metres (25–35 feet). These taller tree species can assist in providing an additional form of privacy/buffering from the ground level to some of the upper storey units. The developer has provided staff with a site section, which can be seen in Attachment 6, which provides a visual representation of scale (with setbacks and sightlines from the balconies) of the proposed building in relation to an existing dwelling, distance between uses, and the impacts of privacy fencing and landscaping.

Although a site plan can be seen in Attachment 4 and 5, this aspect of the development will continue to be reviewed and assessed through the site plan control review process. Although this site does (currently) incorporate a large area for parking, the second phase of development has incorporated more landscaping with this phase to assist with buffering the future development from existing residential uses. The proposed parking area has also been situated (primarily) on the north end of the site as much as possible with some parking stalls being setback at least 3 metres (9.8 feet) from the property line that abuts a residential property. Further, in staff's opinion, the subject proposal represents an improvement and more efficient use of this site as previously this portion of the site was used for storage (i.e. buses, sea cans) and will be functional and improved with an attractive building, buffering, and the addition of landscaping and greening space.

- Location of lighting so that it is deflected away or shielded from adjacent sensitive uses;

Planning Comment:

As a requirement of the site plan control review process, Planning staff requires that this proposal provide a detailed photometric plan for staff's review and approval. The proponent has submitted a photometric plan; however, to date this plan has not been approved. This plan will be designed to ensure that there is no light spillage onto adjacent private properties (i.e. 0.0 foot candle). Staff further notes that a previous photometric plan was approved by the County with the first phase of development and the second phase will represent an amendment to the previously approved plan.

- Proper location of parking, loading and unloading areas, and outside storage; and

Planning Comment:

The parking requirements for the proposed mixed use building (and Tim Hortons) is one-hundred and thirty-seven (137) parking stalls and all of the required parking stalls are to be contained entirely on-site. The parking for the first phase remains unimpacted by the second phase (and subject development). The subject development requires twenty-nine (29) parking (which includes visitor parking) all of which has been shown to be efficiently incorporated on-site. The parking for the subject development is (primarily) on the northern side of the portion of land being developed so as to separate parking from the adjacent sensitive land uses as much as possible.

There is parking that is proposed to be in proximity to the adjacent dwellings to the immediate east (along Orkney Street); however, through vegetative buffering and potentially fencing, the parking can be screened from the adjacent dwellings. Further, there is no outdoor storage proposed and the identified loading area, in staff's opinion, is appropriately located for safe, direct access to the building (i.e. for EMS vehicles, delivery trucks, etc.).

- Provision of safe, convenient pedestrian access with minimal interference from vehicular movement.

Planning Comment:

Access to the site is proposed through the sharing of the Tim Hortons accesses on Argyle Street; another proposed access on Argyle Street North (which was approved via the first phase of development) and an exit/entrance along Orkney Street. Due to the nature of the uses existing (or under construction) and proposed on-site (residential), safe access (for vehicles and pedestrians) and on-site maneuverability is an important design element for this proposal. Planning staff are satisfied that the subject development has safe, convenient access for vehicles and pedestrians as this was vetted through the first phase of development. At that time, internal sidewalks from Orkney Street entrance to the back of the property were incorporated and are continued to be included. The subject development has connected into this original proposed sidewalk connection by the previously approved amenity space and have carried it on around the proposed apartment building. There is also green space/landscaping around the entire parking lot (for the second phase) that can also provide safe, pedestrian walking space. Through the first phase, painted pavement cross walks from the first phase to the amenity space were also incorporated. The dual form of demarcation (sidewalks and pavement markings), plus landscaping will direct pedestrians through the entire site and also provide for a separation of pedestrians from vehicular traffic.

Staff is further satisfied that there is an appropriate amount of amenity space for the residents when factoring in the dual use of the first phase amenity space with the new amenity space proposed with the second phase. The overall landscaping, amenity space, and sidewalks can be seen in Attachment 4 and 5.

Within the Haldimand County Official Plan, there are also policies that speak to development in proximity to rail corridors. To ensure this proposal is appropriately factoring in the impacts of the CN Rail Spur Line, the subject proposal was circulated to CN Rail for commentary. Through this review process, no objections were received. However, CN Rail has made note that a spur line has specific requirements applicable to new development proposed to be located adjacent to it—i.e. maintaining a setback of 15 metres (49 feet) of dwellings from the spur line (which the proposal exceeds); the need for fencing of a certain height (i.e. 1.83 metres (5.9 feet)) along the mutual property boundary (which has been identified to the developer and will be addressed through the site plan process); a warning clause registered on title (which will be addressed through the site plan agreement); the need for approval to any changes to the existing drainage pattern that may affect the rail line property (to be addressed through the site plan process); and, the requirement of an environmental easement for noise to be registered on title (to be addressed through the site plan agreement). These comments have been forwarded to the proponent and the proponent is aware of these requirements. Furthermore, these requirements from CN will all be addressed through either the site plan or site plan agreement.

Site Functionality

As part of Planning staff's review for establishing permissions for development, staff assess many factors related to land use compatibility. In addition to land use compatibility, staff also assess more technical items in order to conclude whether or not a development plan will be functional from a servicing and transportation perspective. This portion of the evaluation process provides clarification to County staff as to whether the subject site can appropriately accommodate a specific proposal, and also ensures that any improvements required (i.e. to transportation or servicing infrastructure) to

support the project are identified and installed by the proponent. This analysis further ensures that the proposed site design does not compromise existing development or the proper, future development and servicing, of adjacent vacant lands. In addition to the subject Zoning By-law amendment proposal, a site plan application was also submitted and reviewed concurrently. These applications were submitted with supporting documents, including a Traffic Impact Study completed by Paradigm Transportation Solutions Limited, a Functional Servicing Report prepared by J.H. Cahoon Engineering Limited, and a Stormwater Management Brief also prepared by Cahoon. Further, as part of the site plan application submission, staff also received detailed site development plan and photometric plan all of which have been reviewed to determine the functionality and potential impacts of the subject development. Staff have included a summarization of the each study's findings below:

Traffic Impact Assessment

As part of the subject application, a Traffic Impact Study (TIS) was prepared by Paradigm Transportation Solutions Limited (dated October 2018). The subject study assessed the existing traffic conditions, the impacts of the proposed second phase of development, and also overall transportation forecast. The submitted study ultimately concluded that the subject development does not necessitate the need for upgrades to the existing road network and that the existing road network can accommodate the full development of this site. Based on this review, Paradigm has concluded that the existing traffic conditions within this area are currently operating within acceptable levels of service during peak AM and PM hours; that the traffic generated by the subject apartment building is anticipated to be six (6) new trips in the AM peak and nine (9) new trips at the PM peak and the subject development has a negligible impact on the operations of the intersections within the study area; and that in the future, it is forecasted that traffic conditions will continue to operate with acceptable levels of service during the peak AM and PM hours, however there will be some delays experienced.

Although there will be delays in the future, these delays are largely due to the first phase of development and not the subject second phase. Staff notes that a Traffic Impact Study was reviewed and accepted by the County, and ultimately deemed appropriate, at the time of the first phase. Staff further notes that Paradigm has identified that Argyle Street North and Orkney Street is forecasted to have future movement constraints in 2025 (based on the Background Forecasts), which should be monitored by the County; however, the report emphasises that the subject development does not have a specific impact on the operation of this intersection.

The TIS prepared by Paradigm has been reviewed by the County's Engineering Services (Traffic Engineering Technologist) and staff has concluded that the assumptions and methodology utilized are acceptable. Staff further agrees with the conclusions that remedial measures are not required and are satisfied that the subject development has a minimal impacts on the future traffic within the area, is appropriate and that this area will still maintain an acceptable level of service. Through discussions, staff have also acknowledged the identified, background forecast concerns and identified that there is opportunity for this to be monitored in the coming years with potential mitigation measures being an increase to the timing of the existing traffic lights, if required.

Market Justification Study

As part of the subject application, the proponent is seeking some adjustments to the previously approved by-law that would specifically impact the existing, mixed use building and how many units (and the unit sizes) are retail vs. office. From staff's perspective, these types of changes need to be assessed to ensure there are no unintended, negative impacts on Caledonia's existing, historical core. As such, in support of these changes, and specifically a request to increase the maximum retail unit size from 250 square metres (2,690.9 square feet) to 400 square metres (4,305.5 square feet), a Market Justification Study was prepared by Altus Group (dated April 23, 2019). The purpose of the study was to provide clarification as to whether or not the proposed changes could negatively impact the historical core of Caledonia. This study ultimately drew several key conclusions that, in staff's opinion, lends

support to consider the requested amendments. More specifically, the study concludes that maintaining more, smaller unit sizes for retail at the subject site (i.e. 250 square metres (2,690.9 square feet) or less) provides a greater competition to Caledonia's historical commercial core as:

- a majority of the core's commercial unit sizes (well over 80%) are 250 square metres (2,690.9 square feet) or less;
- there is a shortage of unit sizes between 250 square metres (2,690.9 square feet) to 400 square metres (4,305.5 square feet) within Caledonia and the historical commercial core; and
- allowing the requested changes this will increase the flexibility of unit sizes and will have a minimal impact and support a wider diversity and range of commercial space in the community.

Based on the information within this study, Planning staff are in support of the various changes to the retail and office space make up. Staff understands that the main driver of this request is to provide flexibility and, in part, recognizes the limited demand for smaller commercial units outside of the downtown core.

Servicing–Water and Wastewater

In terms of servicing, the subject lands (i.e. entire site) has access to both municipal water and sanitary services in the existing rights-of-way. Through the first phase of development (i.e. the mixed use development proposal), and the subsequent site plan review and approval process, staff approved the connection of the subject lands to these services. The second phase of development is proposed to be connected through infrastructure on the site, as this is one parcel of land, which then connects to existing municipal sanitary sewer system located on Orkney Street. Overall, the infrastructure system being installed (as part of Phase 1 construction) has been designed to accommodate the second phase of development, as it is appropriately sized on-site and within the County's right-of-way, and there is sufficient capacity available for both phases of development. Servicing capacity allocation has been issued with the second phase of development having water and sanitary capacity allocated until December 31, 2019.

Storm water management/Grading and Drainage

As part of the subject development, an updated stormwater management brief was prepared by J.H. Cohoon Engineering Ltd. The brief looks at pre-development conditions and post-development conditions. In order to support the second phase of the development, specific technologies will be utilized to assist in reducing the rate of runoff on the site, but will also result in some minimal, on-site ponding. The resulting ponding will not cause a significant impact to safe, vehicle movement on site. The subject study further confirms there will be no off-site impacts that would effect neighbouring lands and any impacts would be limited to minor, on-site ponding. This update was reviewed by the County's Development and Design Technologist and generally accepted.

Site Plan Control

As previously noted throughout this report, the subject lands are subject to site plan control, and through the current application process, the proponent has submitted a site plan that has been reviewed concurrently with the associated Zoning By-law amendment. A copy of the draft site plan can be seen in Attachment 4.

At the time of writing this report, the site plan for the second phase has been through one (1) round of internal and external agency review and through this review, no major objections or significant issues have been raised. With that said, a second submission site plan is required and is being prepared by the consultants for the developer. The site plan process will allow staff to review and approve the technical development details, such as grading and drainage, storm water management, and design and buffering aspects in relation to on-site landscaping, fencing, amenity space design, lighting

location, on-site connections and movement (including pedestrian access), etc. It is through this specific process that staff will ensure that appropriate mitigation measures are put in place and approved by the County to address land use compatibility, as discussed throughout several sections of this report.

Staff also notes that this process will also warrant the existing site plan agreement be amended and this will include collection of additional securities for on-site works related to the second phase of development.

Town of Haldimand Zoning By-law 1-H-86

The subject lands were partially rezoned in 2017 in order to facilitate the redevelopment of the site (i.e. first phase) with a mixed use building (commercial on the ground floor and residential in the second and third floors). As such, there is a current, dual zoning in place – ‘Service Commercial (CS)’ Zone on the Tim Hortons portion of the site and ‘Neighbourhood Commercial (CN)’ Zone with a site specific zone provision 36.430 (as established via by-law 989-HC/17) on the balance of the lands. The subject zoning by-law amendment is not intended to rezone the Tim Hortons portion of the site.

The existing ‘CN’ Zone permissions allows for a variety of uses; however, is limited to the following: one (1) restaurant; restaurant (take out); dry cleaning distribution station; laundromat; day nursery; art gallery; merchandise service shop; craft and souvenir shop; florists shop; professional offices; retail; and dwelling units within a permitted building. The by-law further adds additional site specific provisions related to allowing a food truck on-site in the front yard; establishing a maximum building height of three storeys; establishing alternative minimum usable floor areas for a maximum of six (6) dwelling units; applying a maximum usable floor area cap for retail units; limiting the number of dwelling units to fifty-two (52), etc.

The subject Zoning By-law amendment seeks to achieve two specific things—(i) establish permissions to allow the second phase of development by permitting an eighteen (18) unit apartment building; and (ii) make some adjustments to the permissions in place for the first phase of development (i.e. the mixed use building) that will allow more, overall ground floor area to be utilized towards retail (instead of office space). As such, the intent of the subject zoning by-law amendment is to:

1. Changes to current zoning to facilitate the second phase of development (i.e. Phase 2 residential apartment):

- (i) In addition to the permitted uses identified in site specific provision 36.430 A, the following use is also permitted:
 - i) apartment dwelling house

Planning Comment:

The proposed Zoning By-law amendment seeks to facilitate the development of a residential, apartment building intended to be geared towards seniors and also intended to be a condominium. The subject lands are designated as ‘Residential’ as per the Official Plan and Zoning By-law amendment in 2017. The introduction of an apartment building on the remaining, undeveloped portion of land is, in staff’s opinion, appropriate development that aligns with the existing land use designation permissions in place. Further, although the subject lands contain a mixture of residential and commercial uses and is located within an area that also contains a mixture of industrial uses to the north (i.e. a CN Rail Spur Line), the surrounding land uses (off-site) are primarily residential uses. The introduction of this use is, in staff’s opinion, is appropriate and also compatible with adjacent land uses. Compatibility is enforced largely by ensuring the proposed apartment building is generally designed in a consistent manner in relation to the mixed use building, is set back sufficiently from the CN Rail lines, is positioned in a way to ensure there is sufficient parking and access, with parking being largely directed away from abutting sensitive land uses; and utilizing things such as

landscaping and privacy fencing to provide some buffer of uses (i.e. from residents to south and east). Planning staff are of the opinion that the inclusion of this specific use within the zoning is appropriate.

- ii) Add a provision that the maximum dwelling units permitted in the apartment dwelling house shall not exceed eighteen (18) units; and

Planning Comment:

The way the current by-law is written, it only considered the first phase of development, thus necessitating the subject Zoning By-law amendment and review. As mentioned earlier in this report, the introduction of an additional use (i.e. an eighteen (18) unit apartment building) is appropriate for multiple reasons—the overarching Official Plan designation, which is ‘Residential’ and permits all forms of housing; the introduction of an apartment dwelling on this site can be appropriately accommodated (from perspective of access, on-site maneuverability, pedestrian access, parking, amenity space, etc.); there is a negligible impact of the subject development on the existing traffic situation within this area; and, the use is considered compatible with adjacent (and on-site) land uses, with mitigation measures such as landscaping, fencing and setbacks being utilized. Overall, the addition of this use is, in staff’s opinion, appropriate development for the area. Staff further notes that this phase of development will round out building opportunity at this site and bring the redevelopment project to completion.

- iii) That ground floor dwelling units are permitted within the apartment dwelling unit.

Planning Comment:

This amendment is, in staff’s opinion, a house keeping item to ensure the existing by-law does not conflict with what is being proposed and recommended for approval by staff. As mentioned above, the original by-law was only related to the mixed use building, as such a variety of provisions were utilized to ensure the building remained a mix use, and to ensure dwellings were only permitted in the second and third storey.

2. Changes to the existing zoning and applicable to the mixed use building (Phase 1):

- (i) Amend provision 36.430.B.v) to allow for an increase of the maximum usable floor area per retail unit from 250 square metres to 400 square metres;

Planning Comment:

This specific request, and the other requests below were supported by a Market Justification Study completed by Altus Group. The conclusions of this report, in the opinion of Altus Group, is that the increase will not have a major impact on the historical, commercial core and will actually assist in removing any potential (unforeseen) impacts to the core as a majority of existing units are 250 square metres (2,690.9 square feet) or less. Based on the information provided within the aforementioned study, as outlined previously in the staff report, Planning staff are in support of this retail unit size increase as it is understood that this change will not negatively impact the existing and historical commercial area within Caledonia.

- (ii) Amend provision 36.430.B.vi) to allow for a maximum usable floor area for retail to be 90% of the total ground floor usable area of the building instead of 80%; and

Planning Comment:

The request made by the applicant seeks to allow some additional flexibility to incorporate retail uses within the commercial units constructed. This is specifically necessitated, as staff understands it, due to the interest of future tenants being received by the developer. As outlined

in the section above regarding the 'Market Justification Study', Planning staff are of the opinion that this change will, in staff's opinion, not be detrimental to the historical commercial core, due to the supportive Market Justification Study. Staff is also of the opinion that these changes will not negatively impact the existing use on site, nor will be incompatible with the mixture of adjacent uses. This amendment will also still maintain some office space for rental purposes. This subject request is minor and appropriate, in staff's opinion.

- (iii) Amend provision 36.430.B.vii) to allow for a minimum of 10% of the total usable ground floor area of the building for office.

Planning Comment:

Similar to the comments above, staff do not object to the reduction in how much office space is incorporated within the mixed use building. The changes are specifically necessitated by the fact that the tenants interested in this site are tenants that are focused on retail business. This reduction is also minor and appropriate, in staff's opinion.

It is also important for staff to emphasize that this subject Zoning By-law amendment intends to amend the existing site specific zone provisions to allow for some adjustments that will impact the mixed use building and also facilitate the second phase of development. The subject Zoning By-law amendment does not repeal and replace the existing site specific zone provision, but rather adds to and amends the site specific zone provisions in place.

Planning staff have included a copy of the proposed Zoning By-law within Attachment 8 and a zoning review chart (Attachment 7). Staff would also like to note that a 'Holding (H)' removal by-law has also been drafted and is attached to this report (Attachment 9). The (H) provision is intended to capture the second phase of development which is currently vacant of any structures and to allow for the continued build out of the first phase/mixed use building. A "Holding (H)" provision is recommended as part of the by-law to address the following:

- That there is sufficient municipal servicing capacity (water and wastewater) available for development;
- A record of site condition (or equivalent) is provided to the satisfaction of Haldimand County; and
- Site plan approval is completed, including the registration of an (amended/updated) agreement on title.

Staff notes that a record of site condition (or equivalent) is required by staff as the portion of the subject lands being developed is considered to be undisturbed as there has been no known structures/development on this portion of the site and the site zoning is being changed to introduce a more sensitive land use. A record of site condition was not required for the first phase of development as the original Slack Plaza building has included residential units, thus the first phase did not represent a change to a sensitive land use.

PUBLIC ENGAGEMENT:

As required by updates to the *Planning Act* legislation, the developer is obligated to partake in additional public engagement that goes beyond the County legal requirements (i.e. notices mailed out, yellow notice sign, and public meeting) to allow opportunities for the public to be engaged earlier on in the project before a staff report is brought forward to Council in Committee. As such, the developer has confirmed that a public engagement meeting was held on Tuesday April 9th in Caledonia (at the Caledonia Lions Club) from 5:00 pm to 8:00 pm. The developers have confirmed for staff that approximately fifteen (15) people attended and that the following items/comments were provided:

Concern	Planning Comments
Parking (On-site and Off-site)	<p><i>On-site Parking:</i></p> <ul style="list-style-type: none"> • 1st Phase – all required parking is incorporated on site, no reduction was required when first phase was being reviewed, and the subject development (2nd phase) does not impact the required parking for the 1st phase. • 2nd Phase – An apartment building has a parking requirement of: 1.5 stalls per unit and one (1) visitor parking stall per ten (10) units. The total required parking is twenty-nine (29) units. The developer has shown on a 1st submission site plan that all required parking (total of 29 stalls) can be incorporated on site. <p><i>Off-street Parking:</i></p> <ul style="list-style-type: none"> • It is not anticipated that users and residents for the 1st or 2nd phase of development will commonly utilize on-street parking as all required parking is located on site. Any on-street parking issues will require By-law Enforcement.
Traffic	<ul style="list-style-type: none"> • Traffic Impact Study (TIS) provided for 1st phase application review and the subject 2nd phase applications. The TIS identifies that there will be future delays in the area resultant of various developments in the broader community; however, the 2nd phase will represent an increase of six (6) trips in the morning and nine (9) trips in the evening. Overall, the 2nd phase does not lead to specific delays nor triggers upgrade requirements. • The TIS was reviewed and accepted by the County's Engineering Services.
Lighting	<ul style="list-style-type: none"> • As part of the 1st phase, a photometric plan was reviewed and approved by the County. All photometric plans are required to demonstrate that there is no light spillage by identifying a 0.0 foot candle at property lines. As part of the 2nd phase, this photometric plan will need to be updated, reviewed and approved by the County. Any lighting issues can be effectively addressed through the (current) site plan process.

Privacy/Fencing	<ul style="list-style-type: none"> • The site plan for this phase of development has been submitted and reviewed concurrently with this Zoning By-law Amendment application. The site plan has been through the 1st round of review. It has been identified that fencing (privacy fencing) and landscaping are required to be shown on the site plan prior to final approval of the site plan. Fencing and landscaping, coupled with setbacks, will assist with concerns surrounding privacy. • The developer's agent has also noted that Black Cedar trees can be utilized and at maturity will reach heights of 7.6 – 10.6 metres (25 - 35 feet).
Noise	<ul style="list-style-type: none"> • Generally, residential to residential is not a noise concern or issue. Notwithstanding, the higher density development will require specific buffering measures (fencing, dense/large tree plantings) that will assist in mitigating any potential noise impacts.
Garbage	<ul style="list-style-type: none"> • This item of concerns seems to be related specifically to the site as it is going through the construction stages. All related building materials are to be retained on-site and effectively diverted from the site by the developer. • The 1st and 2nd phase of development both have garbage closures that are proposed on site to effectively manage residents and commercial unit garbage collection.
Property Lines	<ul style="list-style-type: none"> • Staff is uncertain what this specific issue relates to; however, all development designs are based upon current survey information completed in the field by qualified surveyors. Thus, all assessments / reviews completed by staff, and layouts of the plans, are based on accurate information.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable. Development Charges will apply at the rate in effect at the time of building permit issuance.

STAKEHOLDER IMPACTS:

Building & Municipal Enforcement Services – Parking and setbacks are met. Spatial separation is not an issue as the proposed building is intended to be sprinklered and the proposed on-site fire hydrant is well within the required distance. The fire access route is also appropriate. Within the existing site specific zone provision (36.430) provision ix, x, and xi must be amended.

Roads Operations – No comments received.

Emergency Services – the Fire Route is acceptable; the fire hydrant to building standpipe is appropriate; and a fire safety plan is required at Building Occupancy.

Planning & Development (Development and Design Technologist) – No objections.

Engineering Services (Traffic) – No objections. The development is expected to generate 6 am peak trips and 9 pm peak trips. There are no additional entrances proposed for this development. There are no road improvements that are required as a result of this development.

Environmental Operations – Water and sanitary sewer to this phase of the development is to be supplied/connected to the existing servicing to the property. The 50mm diameter domestic water line must be connected to the existing plumbing downstream of the existing water meter located within the Phase 1, constructed building in order to ensure all domestic flow to the property is captured for billing purposes. The 150mm diameter fire protection line installation must adhere to the County's water main procedures.

Canadian National Rail – No objection. CN Rail 'Spur Line' requirements to be met. These requirements speak to a setback of 15 metres (49.2 feet) from a sensitive land use to CN Rail property lines, the need for a fence, inclusion of clauses within sale and lease agreement, and requirements related to drainage.

Planning Comment:

The proposed structure will surpass the required setback, fencing and drainage will be incorporated and addressed through the site plan process, and clauses related the sale and lease agreement can be incorporated into the site plan agreement.

Hydro One (High Voltage) – No objections.

Hydro One (Local) – No objections. Service is available under Hydro One's Conditions of Service.

Union Gas – Union Gas Limited ("Union") does have service lines running within the area which may or may not be affected by the proposed Site Plan. Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner. If there is any work (i.e. underground infrastructure rebuild or grading change) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected. Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

Canada Post – The development will receive mail service through a centralized mailing facility (lock box assembly) installed by the developer/owner providing that the units are self-contained and fully functional as their own unit.

Water & Wastewater Engineering & Compliance (Waste Management) – No objections. Developer to confirm if waste management is to be serviced privately or by the County. There are specific requirements if the waste is to be collected by the County.

Health and Social Services

Health Unit – The Health Unit encourages developments that make it easier for people to choose active forms of transportation (walking, cycling, and wheeling) for short trips.

Walkability, a measure of how easy, safe, and enjoyable it is to walk in a neighbourhood, can have a large impact on walking behaviour and willingness to use walking for transport and recreation. Public health, planning, and transportation researchers have identified key factors that influence walkability and promote walking. These important factors include access to amenities and destinations, residential density, positive walking experiences, street and sidewalk connectivity, and safety. Walkable communities encourage walking by investing in appropriate and safe infrastructure, which increases comfort and convenience of a route while also reducing the risk of collisions. A walkable community offers a safe and enjoyable walking experience for citizens of all ages and abilities.

Specific to this development:

- This development would increase residential density in the area, a key factor influencing walkability
 - Consider bicycle parking facilities for residents and visitors that is visible to apartment residents.
- The proposed development is conveniently linked to well developed, safe sidewalks and street crossings on Argyle street

The health unit encourages the development of complete neighbourhoods and communities. Mixed-use land developments and complete neighbourhoods can have a great impact on health and well-being. Complete neighbourhoods are more convenient, socially engaging, and encourage regular physical activity. Most importantly, complete neighbourhoods provide easy access to the daily life necessities for people of all ages, abilities and backgrounds.

Specific to this development:

- This development would contribute to the creation of a complete neighbourhood due to its convenient location
 - The development is within 1km of schools, restaurants, grocery stores, leisure opportunities (i.e. public pool, Kinsmen Park Trail).
- Proposed shared amenity space with gazebo, play equipment and BBQ facilities offers opportunities for social engagement and interaction and leisure
 - Research indicates a strong relationship between exposure to nature and reduced levels of stress, consider adding natural elements where possible in this area.
 - Consider adding lighting to this space to decrease potential crime related activities.
- **Access to Healthy Food** – Access to healthy food benefits the health of a community. The health unit encourages residential developments with access to a grocery store or farmers market (ideally within 1km). This location is within 1km of a grocery store making healthy eating easier for residents.
- **Housing** – No comments.
- **Haldimand-Norfolk Health Unit (Environmental Health)** – The Haldimand-Norfolk Health Unit (HNHU) requests that the applicant contact the HNHU's Environmental Health Team at 519-426-

6170 ext. 3231 or 3245 prior to their design, building and operation to discuss any applicable public health requirements.

Members of the Public – Through this application process, staff have received two (2) letters of concern from neighbours within proximity of this development. These letters can be seen in Attachment 10 and 11. Based on staff's review of these letter, the concerns are:

- Traffic
- Parking
- Privacy

Planning Comment:

From the traffic perspective, a Traffic Impact Study (TIS) was prepared by Paradigm, which supported the subject development. It was concluded that there will be future service delays (2025), but also confirmed that these delays are not specifically related to the subject development and that this development will have limited impacts on the traffic in the area. The County's Engineering Services has reviewed this study and has agreed with the methodology and assumptions/conclusions made. Staff acknowledges that there are future limited anticipated delays that will need to be monitored in the future and any mitigation measures will be applied at that time, if required.

With regards to parking, the letters highlight issues with parking within this specific area (largely due to other uses off-site) and that there is a concern the subject development will add to these issues. Further, the comments also identified concerns that the site does not have enough parking (for both phases). Although staff understands that there are issues surrounding parking due to various uses within the area, when reviewing a planning application, staff can only evaluate the merits of the specific proposal and ultimately cannot obligate one developer to address a community issue that is off-site. With that said, staff can confirm that both phases of development meet all of their parking requirements (for all uses, residents, visitors) so all parking can be appropriately accommodated on site.

Finally, in relation to privacy, this is not a specific land use issue; however, land use compatibility is something that has been assessed via this report. In staff's opinion, the subject development is appropriate. This is largely due to the structure being setback substantially from property lines (3.5 meters, 7 metres, and 9 metres), that there are substantial setbacks from the proposed structure to existing dwellings along Orkney Street (i.e. closest house is 40 metres (131.2 feet) or more away, some dwellings have existing accessory structures that help buffer the (proposed) sensitive land use to (existing) sensitive land use, and through on-site landscaping and fencing). Through the planning process, setbacks and landscaping are the most common (and effective) ways to address land use compatibility.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Architectural Plan 1.
3. Architectural Plan 2.
4. Full Site Plan.
5. Partial Site Plan.
6. Site Section Plan.
7. Zoning Review Chart.
8. Draft Zoning By-law.
9. Holding (H) By-law.
10. Letter of Concern (1).
11. Letter of Concern (2).