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# HALDIMAND COUNTY

## Report PDD-07-2021 Official Plan and Zoning By-law Amendment to Facilitate Residential Development – DICO Developments Inc.



For Consideration by Council in Committee on February 9, 2021

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### OBJECTIVE:

To consider an Official Plan and Zoning By-law amendment to facilitate the development of a five-storey, 77 unit residential building (condominium) within the urban area of Hagersville.

### RECOMMENDATIONS:

1. THAT Report PDD-07-2021 Official Plan and Zoning By-law Amendment to Facilitate Residential Development – DICO Developments Inc. be received;
2. AND THAT application PLOP-HA-2020-144 to amend the Haldimand County Official Plan designation of the subject lands from 'Community Commercial' to 'Residential' be approved for the reasons outlined in Report PDD-07-2021;
3. AND THAT the by-law attached to Report PDD-07-2021 to adopt the Official Plan Amendment to the Haldimand County Official Plan be presented for enactment;
4. AND THAT application PLZ-HA-2020-143 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning the subject lands from 'Service Commercial (CS)' to Urban Residential Type 5 – Holding (R5-H) with a special provision R5.1 and a 'Holding – H' provision, be approved for reasons outlined in Report PDD-07-2021;
5. AND THAT the Zoning By-law Amendment attached to Report PDD-07-2021 to amend the Haldimand County Zoning By-law HC 1-2020 be presented for enactment;
6. AND THAT the Holding Provision Removal By-law attached to Report PDD-07-2021 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;
7. AND THAT the application is considered to be consistent with the Provincial Policy Statement 2020, Provincial Growth Plan 2020 or other matters of provincial interest.

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**Reviewed by:** Shannon VanDalen, MCIP, RPP, CMMI, Manager of Planning & Development

**Respectfully submitted:** Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

**Approved:** Craig Manley, MCIP, RPP, Chief Administrative Officer

### EXECUTIVE SUMMARY:

DICO Developments Inc. is proposing to develop a five-storey residential building containing 77 units, including a mix of one and two bedroom units, at 64 Main Street North, Hagersville. The subject lands

are located at the northern edge of what is designated, zoned and used commercially. Due to its limited frontage compared to lot area and location, Haldimand County has received a number of preliminary inquiries and proposals for commercial/mixed use development over the last few years, but locating a new commercial use at this property has proven difficult. To facilitate purely residential uses, the proponent has submitted a combined Official Plan and Zoning By-law amendment application to permit the condominium building with specific zoning provisions to align with the proposal. A site plan application has also been made concurrently with this application. Staff have reviewed the proposal in accordance with County and Provincial policies and recommend approval.

## **BACKGROUND:**

Applications to amend the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020 have been received to facilitate the development of a five-storey, 77 unit residential building at 64 Main Street North, in Hagersville (Attachment 1). The units are proposed to be a mix of one and two bedroom condominiums with 99 parking spaces, including eight visitor parking spaces and five barrier-free parking spaces.

The subject lands front onto the south-east side of Main Street North in Hagersville and are currently vacant. The subject lands are municipally known as 64 Main Street North and are located within the urban boundary of Hagersville (Attachment 1). The subject lands are approximately 0.9 hectares (2.23 acres) in size.

The subject lands are located at the northern-extent of Hagersville's existing commercial downtown core. The subject lands are generally surrounded by residential uses to the north, including the Stone Cove Estates townhouse development immediately to the north, which includes six blocks for 46 units. Hagersville's arena and ball park (Grant Kett Memorial Park) are located immediately to the east and contribute significantly to the amenity and recreation spaces available to the proposed development. To the south and west exists Hagersville's downtown core which is comprised of commercial uses with some upper-floor residential uses. An existing church (All Saints Anglican Church) is located immediately to the south of and encroaches slightly on the subject lands.

The subject lands have a comparatively narrow frontage 43.8 m (143.7 ft) which widens behind some existing residential uses (to the north) to a maximum width of approximately 80 m (262.5 ft), with a majority of the property being located behind the existing residential uses.

The proponents are proposing to develop a five-storey, 77 unit residential building. The proponents are proposing to re-designate the subject lands from 'Community Commercial' to 'Residential' in Haldimand County's Official Plan. The 'Community Commercial' designation permits residential uses, primarily in the form of apartments, provided they are not on the street level storefront of the building. The proposal does not include a commercial portion of the proposed building and necessitates an amendment to Haldimand County's Official Plan.

The proponents are also proposing to re-zone the subject lands from 'Service Commercial' to 'Urban Residential Type 4 (R4)' with site-specific provisions to permit alternative zone provisions, including reduced parking requirements and reduced interior side-yard setback. Haldimand County staff have found that the 'Urban Residential Type 5 (R5)' is more appropriate under Haldimand County's Zoning By-law HC 1-2020. The requested Zoning By-law amendment will be discussed further in the Analysis portion of this report.

The proponents have chosen to submit these Official Plan and Zoning By-law amendments concurrently with a site plan approval application. Preliminary site plan comments suggest that the proposal is technically feasible as there are municipal water and sanitary services available, and stormwater management has been preliminary reviewed. A Traffic Impact Study is still required by the

proponent, however is not anticipated to functionally alter the use or design of the site. Through the preliminary review is it noted that there are existing 200 millimetre (mm) water and sanitary pipes within the Main Street corridor that the applicant intends to connect to; and stormwater management will be addressed through on-site storage via a stormwater management pond and some parking surface catchment. Should this application be approved, site plan approval will also be required. A reduction of fourteen (14) parking spaces has been included in the zoning amendment through this report to allow some flexibility during the site plan control process and to encourage additional streetscaping along Main Street North.

The proponents intend to operate the proposed building in condominium ownership. Given the intended tenure, the project will also need to proceed through the condominium approval process. The condominium exemption process may be available to the proponents due to the technical review received through recent *Planning Act* applications. Condominium approval will allow the residential units to be sold and held in separate ownership. The General Manager of Community and Development Services has the authority to approve exemption from draft plan of condominium applications.

## **ANALYSIS:**

The key planning issues are as follows:

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (PPS) provides direction on matters of provincial interest related to land use planning and development. The PPS speaks to directing, promoting, and sustaining development to meet the full range of current and future needs, achieving efficient development patterns, and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. The *Planning Act* requires planning decisions to be consistent with the PPS.

### **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Pattern Policies**

The PPS states that healthy, liveable and safe communities are sustained, in part, by accommodating a range of land uses such as housing, employment (including industrial and commercial), institutional, recreational, park and open space, and other uses to meet long-term needs. The proponent is requesting to remove the subject lands from the 'Community Commercial' designation and to include them within the 'Residential' designation. Removal of lands from the community commercial designation needs to be carefully evaluated to ensure the health of Hagersville's downtown is sustained. Haldimand County's Growth Strategy Report (December 2020) has concluded that Hagersville's Employment Area lands needs can be met by re-designating lands within the current urban boundary from 'Agriculture' to 'Urban Business Park'; the proposed conversion should not impact the overall commercial needs of Hagersville. Overall, it is Planning staff's opinion that it is appropriate to re-designate the subject lands for the reasons discussed in the Official Plan portion of this analysis.

### **Settlement Area Policies**

The PPS states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; and support active transportation. Land use patterns are also to be based on a range of uses and opportunities for intensification and redevelopment, taking into consideration existing or planned infrastructure, and public service facilities required to accommodate projected needs.

The subject lands have been vacant for a number of years, and are occasionally used as parking for the adjacent properties. The subject lands are located within the existing built-area of Hagersville and

is a great infill redevelopment opportunity for the community. Redevelopment and intensification also places less pressure on continuously expanding the urban boundary to accommodate growth. The proposal to redevelop the site meets the intent of the PPS, to promote intensification and redevelopment where it can be accommodated. This project will also contribute towards the County meeting its intensification targets.

### **Housing Policies**

The PPS requires planning authorities to provide an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents, in part, by: permitting all forms of housing and residential intensification; directing new housing developments towards locations with appropriate levels of infrastructure and public service facilities; promoting efficient development patterns and supporting active transportation; and establishing development standards for residential intensification, redevelopment and new residential development. The subject proposal satisfies these policy requirements as it will introduce a needed housing type into the neighbourhood; it is compatible with the surrounding area in terms of density, form, and traffic; the building can connect into existing infrastructure; and the site is functional. Residents of the proposed building can use existing public services facilities in Hagersville (hospital, library, recreational programs, fire services, etc.), including being directly adjacent to Hagersville's arena and the Grant Kett Memorial Park. It will also serve to satisfy the energy conservation, air quality and climate changes policies which speak to promoting compact form and promoting active transportation between uses (e.g. the close distance between the place of residence and downtown).

### **Public Spaces, Recreation, Parks, Trails and Open Space Policies**

The PPS identifies that healthy, active communities should be promoted, in part, by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity. The proposed development is directly adjacent to the Hagersville arena and Grant Kett Memorial Park. The proposed development will have an opportunity to directly and meaningfully connect with Hagersville's main amenity spaces and places of recreation and social interaction.

Further, the proposed site will feature outdoor (common) amenity space, which will provide some opportunities to sit and play outside, and for social interaction. Additional vegetation will also assist in satisfying the energy conservation, air quality, and climate change policies.

The subject lands are also in walking distance to Hagersville's downtown core and those associated services. The subject lands are located less than 500 m (1,600 ft) from a grocery store and pharmacies.

### **Infrastructure Policies**

Municipal water and sewage services are the preferred form of servicing for development within settlement areas. The proposed building is intended to tie into existing water and sewage infrastructure, which also satisfies the efficient use and optimization policies. At the site plan stage, the development will be further evaluated through the County's infrastructure modeling system to verify the current local collection system can accommodate the development. If any upgrades or financial contributions (to future upgrades) are required, that will be addressed as part of the site plan process. Should any upgrades be required, those will be undertaken at the time of the other related project construction. There is sufficient capacity available to service the property.

The PPS requires stormwater management to minimize, or where possible, prevent increases in contaminant loads; minimize changes in water balance and erosion; not increase risks to human health and safety and property damage; maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development. Stormwater management will be addressed more thoroughly through the site

plan approval process, however through initial review, the design is considered to be functional and addressed the objectives listed above.

The project will also utilize existing road infrastructure.

### **Significant Resources Policies**

Given the location of the subject lands, the project will not impact natural heritage, water, agriculture, and mineral aggregate resources. An archeological study has been requested by Mississaugas of the Credit First Nation and archeological clearance. The subject lands are in Hagersville's downtown core, were previously developed, and are significantly disturbed. Through the County's review process, including the Province's screening tool for evaluating archeological potential, due to the significant disturbance of the subject lands, no archaeological studies were requested. These comments will be further assessed and the Province's screening process further evaluated with Ministry staff. If any level of archaeological clearance is required, it can be addressed through the site plan approval process. Further, the site is setback more than 300 m (984 ft) of Hagersville's LaFarge quarry – this distance is further than recently permitted residential developments associated with "Gardens Communities" along King Street East and as noted previously, residential use is already allowed on the site above the first level.

Overall, it is Planning staff's opinion that the proposal is consistent with the PPS.

### **Growth Plan for the Greater Golden Horseshoe (2020)**

The Growth Plan for the Greater Golden Horseshoe (2020) seeks to address challenges related to the growth that is expected over the coming decades for the Greater Golden Horseshoe (GGH) and to ensure the protection and effective use of finite resources. The Growth Plan builds on the PPS to establish a land use planning framework for the GGH that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. It establishes the long-term framework (to 2051) for where and how the region will grow, while recognizing the realities facing our cities and smaller communities, and acknowledging what governments can and cannot influence. The *Places to Grow Act* requires planning decisions to conform to the Growth Plan.

The Growth Plan contains a number of guiding principles. Similar to the PPS and applicable to the subject proposal, the Growth Plan supports the achievement of complete communities, prioritizes intensification, and supports a range and mix of housing types.

The proposal maintains the intent of these guiding principles, as the subject lands are located at the edge of Hagersville's downtown which provides shopping, service, and recreation opportunities; the location of the subject lands will promote some active transportation; the project is a redevelopment/infill project that provides intensification; and smaller dwelling units will be added to the housing stock.

The proposal seeks to create an infill residential development on a property that has been vacant and for sale for some time. The conversion from the 'Community Commercial' to 'Residential' designation will facilitate a new vibrant development in a current gap within Hagersville's main street. The subject lands represent a location within Hagersville that transitions from commercially-dominated properties to residential properties, and is well-suited to a higher density residential use in the area.

It is important to recognize that the County does not have a significant number of large vacant or brownfield sites within the built boundaries. The County also does not experience re-development of low density residential blocks into medium and high density blocks. As such, it is important that the County encourages intensification where it can be accommodated on properties such as the subject lands. This project will contribute to the County's intensification quota, established by the Province.

The Growth Plan also contains other policies related to public spaces, infrastructure, protecting public health and safety, etc. that echo the PPS, which are not discussed but are satisfied. Overall, it is Planning staff's opinion that the proposal conforms to the Growth Plan.

## Haldimand County Official Plan

The Haldimand County Official Plan (OP) creates the framework for guiding land use changes in the County to 2026 by protecting and managing the natural environment, directing and influencing growth patterns and facilitating the vision of the County as expressed through its residents. The OP also provides the avenue through which Provincial Policy is implemented into the local context.

The key planning considerations associated with the subject proposal are:

1. The loss of 'Community Commercial' opportunities onsite and its effect on the downtown core and larger community; and
2. The introduction of residential development into the mixed use neighbourhood from a compatibility perspective.

The Community Commercial opportunities on-site have been limited by a comparative narrow frontage. For many years, the subject lands have been vacant and unable to attract commercial tenure. The subject lands are located at the northern edge of Hagersville's commercially-dominated downtown core and primarily residential uses are located to the north, east, and west of the subject lands. The recently completed Growth Strategy Report (December 2020) has concluded that Hagersville's employment Area lands needs can be met by re-designating lands within the current urban boundary from 'Agriculture' to 'Urban Business Park'. The effect on the downtown core will be beneficial by adding a desirable and vibrant use to an otherwise vacant lot in Hagersville's downtown.

To expand on item two, the principle of compatibility refers to the ability of uses to co-exist with one another without causing undue discomfort or loss of enjoyment of property. It does not mean that there should be no impacts or that adjacent uses need to be the same, but rather that any impacts are reasonable. Where issues of compatibility are dependent upon the demonstration that acceptable mitigation can be achieved through reasonable measures, the public interest requires that a complete and proper assessment of the issue and the acceptability of any such mitigation be determined before a 'principle of use' decision is made. This detailed analysis is completed through the examination of various OP sections below. However, it is noted that the proposal for five (5) storeys is considered appropriate for the subject lands as the area is comprised of a mix of residential units including existing single detached, townhouse and duplex dwellings, as well as the arena to the east. The proposed building will be set back from the road and adjacent uses to minimize the impact of height and potential shadowing on other properties.

The subject lands are currently designated 'Community Commercial' in the Haldimand County Official Plan (OP). The proponent is requesting to amend the OP to re-designate the subject lands from 'Community Commercial' to 'Residential'.

The central business district in each urban community is identified by the 'Community Commercial' designation. The central business district provides the largest and most diverse concentration of commercial functions in the County, as well as a variety of institutional, recreational, and community activities. The Community Commercial areas are also primary intensification areas and are to accommodate a mix of commercial and residential uses.

Permitted uses in the 'Community Commercial' designation include retail and service commercial facilities; business; personal and professional offices; recreation and entertainment facilities; communication and transportation services; hotels; restaurants; private clubs; government offices; community and cultural facilities; and public and private institutions. Residential uses, primarily in the form of apartments, are permitted in the 'Community Commercial' designation. However, residential uses are generally not permitted in the street level storefront portion of a building.

While residential use is generally considered compatible with commercial uses, the form in which it is proposed (i.e. stand alone residential) is outside of what the Official Plan currently considers. The policies are intentionally set up this way to maintain the commercial focus and character of the areas

that are covered by the designation. In particular, the policies of the 'Community Commercial' designation set out that residential uses are to be located outside of the ground floor/street facing portions of any buildings. This is a measure that, as noted above, aims to preserve the commercial character and activity at the street. This is of particular benefit and importance in the downtown cores. The policies are intentionally set up this way to maintain the commercial focus and character of the areas that are covered by the designation.

The subject lands are located at the edge of the Community Commercial area. The subject lands have a comparatively narrow frontage 43.8 m (143.7 ft) which widens behind some existing residential uses (to the north) to a maximum width of approximately 80 m (262.5 ft), with a majority of the property being located behind the existing residential uses. The narrow frontage with a bulk of the subject lands being located behind existing residential uses makes the property undesirable to commercial developers who require large frontages to advertise their commercial uses. The proposed residential use will not require the same type of street-front advertising as commercial uses, and the subject lands are more desirable for residential developers. It is noted also that the additional residential occupants in proximity to the existing commercial area will support the vibrancy and vitality of the core. There are a number of food and retail establishments as well as grocery stores, financial institutions, and hospital that can both benefit from and support the residential development.

Haldimand County's Official Plan describes its high density residential uses as "apartment buildings" with densities that are *generally* not to exceed 75 units per gross residential hectare (GRH). The OP clearly states that this measure is taken at the 'neighbourhood scale' which represents an area extending beyond an individual development site. This gives some level of flexibility to each development and is the driver to the word 'generally' not to exceed the stated measure. The proposed development, which envisions the construction of 77 dwelling units over 0.9 hectares (2.23 acres), represents a density of 85 units per hectare which puts this development in the high density development category. The criteria for assessing high density are criteria only, not regulation, and are to serve as a compatibility test.

The OP states that the following matters are to be addressed when considering medium and/or high density residential development:

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

**Planning Comment:** According to the Haldimand County Population, Household & Employment Forecast 2019 study completed on the County's behalf by Watson and Associates Economists Ltd., approximately 19% of housing growth in the County is projected to occur in Hagersville.

The Watson study finds that future housing growth will be dominated by low-density housing forms; however, increased market opportunities will exist for medium and high-density housing as the local and provincial population base continues to age. The proposed five-storey residential building has positive implications regarding the need for both seniors and affordable housing, and aligns with the forecasted expectations. The projections anticipate that there will be a mixture of densities to meet the needs of an aging population.

- b) The effect of the use on neighbouring residential development with respect to the density, form, height and arrangement of buildings and structure;

**Planning Comment:** Planning staff are generally satisfied that the subject development satisfies this requirement for the following reasons: The proposed building will be located as far from single-detached structures as possible (~50 m/165 ft); and the proposed building is adjacent to higher density residential uses in Hagersville (Stone Cove Estates townhomes) and significant amenity spaces (arena and Grant Kett Park). The building location and design is being reviewed as part of the Site Plan application, however, it is noted that the placement on the property is such that it maximizes separation from existing and established residential dwellings and will

minimize any shadowing effects on those properties. Additionally, through the Site Plan process screening and buffering through fencing and landscaping will be taken into consideration to mitigate vehicle lights and privacy impacts for neighbouring properties.

It is important to note also that this property is on the edge of a residential area and has a history as a commercial/non-residential use. Adjacent to the property is a large church (to the south) and a Tim Horton's restaurant to the west. These long standing uses further characterize the transitional nature of this location.

- c) The ability of the site to provide adequate parking facilities for the use in a manner that does not compromise the provision of other amenities and facilities such as outdoor common areas, landscape buffers, garbage storage enclosures and emergency vehicle access;

**Planning Comment:** The proposed development includes the provision of 91 owner parking spaces, 5 owner barrier free parking spaces, and 8 additional parking spaces reserved for visitors – for a total of 99 parking spaces. These applications (OPA/ZBA) were made under the Town of Haldimand Zoning By-law 1-H 86 which has since been replaced by Haldimand County's new consolidated Zoning By-law HC 1-2020. The former Town of Haldimand Zoning By-law required 101 spaces (creating a deficiency of 2 parking spaces); the provisions of Haldimand County's new consolidated zoning by-law requires 107 parking spaces (creating a deficiency of 8 parking spaces). The applicants have justified in their planning applications that the close proximity to commercial and recreational areas provides opportunity for reduced parking standards due to the walkability to essential services (grocery, pharmacy, financial institutions, and restaurants). Additionally, because the units are primarily meant to be one and two bedroom units, fewer parking spaces may be required compared to a development with larger units. Haldimand County staff would like to recommend, as outlined in the proposed Zoning By-law, a further reduction of parking spaces to 93 spaces to allow for a more significantly landscaped and celebrated entrance feature – these details are to be worked out during the site plan approval process and the full reduction may not be required or justifiable. This further reduction, which is minor, will provide the benefit of streetscape enhancements at the main entrance to the property which is a positive contribution to the main north – south road through Hagersville, and what serves as a bit of gateway to the downtown. The 93 parking spaces is equal to 1.21 spaces per unit where 1.25 spaces are required. The required parking can be accommodated while still providing outdoor common areas (as per the amenity space identified on the site plan in Attachment 2).

- d) The proximity of the use to arterial or collector roads in order to reduce the need to direct additional traffic to local streets within stable, low density residential areas;

**Planning Comment:** The subject lands are located on Main Street North in Hagersville, which becomes provincial Highway 6 outside of Hagersville, and is an arterial road. No additional traffic is expected for local streets with stable low density residential areas.

- e) The proximity of the use to public parks and other open space amenities and pedestrian access to these amenities; and

**Planning Comment:** The subject lands are located adjacent to one of Hagersville's largest amenity spaces: Grant Kett Memorial Park (immediately to the east). A pedestrian connection to Grant Kett Memorial Park and Hagersville's arena is expected to provide an opportunity for the residents of the proposed building.

- f) The adequacy of community services and facilities, including special needs facilities, to accommodate the needs of the residents of the use.



**Planning Comment:** Given the location of the subject lands and the compact/developed nature of the downtown core, there are adequate community services and facilities to meet the needs of the residential development all within 500 metres or less.

Overall, the proposal conforms to the OP's high density development criteria. Not only does the development make sense for the area (being on the fringe of the downtown core) and 'fits' with surrounding development, it will also provide convenient access to shopping, public open spaces, recreation facilities, personal/health services and other urban amenities.

Residential intensification is generally supported by the OP. Intensification reduces the need to expand urban boundaries and uses existing services more efficiently thereby helping to minimize the costs of providing services. The subject proposal is viewed as an ideal opportunity to provide intensification within a mixed use area provided the development is done in an appropriate manner. The OP sets out that intensification shall be permitted within stable residential neighbourhoods provided that such intensification respects and reinforces the stability of the residential neighbourhoods, is not out of keeping with the physical character of those neighbourhoods, and is of a scale and built form that reflects the surrounding neighbourhood. These policies are typically applied to properties that are within the heart of such a neighbourhood. The subject lands are located within a mixed use area (commercial/residential) at the periphery of the downtown core. However, the development also interfaces with adjacent residential development. As such, Planning staff have evaluated the subject proposal with respect to important compatibility criteria relating to intensification to provide additional assessment regarding the suitability of the subject proposal. The OP states that new dwellings on lots within stable residential neighbourhoods shall:

- i) Limit building heights to reflect the heights of adjacent housing;

**Planning Comment:** The proposed building will be five storeys in height, and will be one of the tallest buildings in Haldimand County. There is a need for this type of residential development in Haldimand County, and although five-storeys is tall for Haldimand, due to the proposed location adjacent to recreational, institutional, commercial and medium-density residential, this is a preferred location for this type of use. The 'Community Commercial' designation permits residential uses, primarily in the form of apartments, however, typically those residential uses are not permitted in the street level storefront portion of a building – thus requiring the Official Plan Amendment to permit a wholly residential building. Those buildings are recognized to a maximum height of 4 stories, and may be permitted to a maximum height of 6 storeys where considered appropriate. In this situation, the five (5) storeys is considered appropriate given the location of the property and the placement of the building on the property.

- ii) Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;

**Planning Comment:** This is a new development type for this community. In very approximate terms, although the structure will be taller, the lot coverage will be similar to Stone Cove Estates immediately to the north. The lot coverage will be comparatively higher than many of the surrounding single detached dwellings, which have been built on historically large lots.

- iii) Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;

**Planning Comment:** The subject lands are currently vacant (and have been a void in the streetscape for years). The shape of the subject lands makes it difficult to support development near the front of the subject lands. Haldimand County staff intend to require a celebrated entrance to the development to support the streetscape of Hagerville's downtown.

- iv) Provide for similar side yard setbacks to preserve the spaciousness on the street;  
**Planning Comment:** This proposal is unique due to the unusual shape of the subject lands. The subject lands have a comparatively narrow frontage and the development will be setback far from the street. The impacts of spaciousness created by similar side yard setbacks are not significant due to the large front yard setback of the structure – an anticipated significantly landscaped entrance will have a positive impact on the spacious qualities of the street.
- v) Provide a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details;  
**Planning Comment:** Elevation plans are included as Attachment 3. Hagersville does not have a cohesive architectural style; the town contains a wide variety of architectural styles from Victorian to 21<sup>st</sup> century typical small-town construction. The proposed building will include a stone and metal finishes and balconies. The proposal is reflective of what staff consider quality urban design and all faces of the building will accommodate enhanced design features. This creates an attractive building view from all directions.
- vi) Include provisions for landscaping and screening if required;  
**Planning Comment:** Landscaping and screening will be required through the site plan approval process with particular emphasis on the entrance from Main Street.
- vii) Provide a limitation on the width of a garage so that the dwelling reflects the façade character of adjacent housing;  
**Planning Comment:** There will be no garages provided with the proposed building. Instead, onsite surface parking will be provided to the west of the building. Any required buffering can be addressed through the site plan approval process.
- viii) Provide for a consistent arrangement of parking in terms of amount, size and location of parking areas; and  
**Planning Comment:** The proposed development will provide a sufficient number parking spaces (93 or more). The barrier free and visitor parking spaces will be located closest to the building to provide a convenient and accessible path of entry along the sidewalks to the entrances. The parking spaces do not interfere with common areas, garbage areas, landscape buffers, or emergency vehicle access.
- ix) Ensure that any increased traffic movements and activity are appropriate for the area.  
**Planning Comment:** Based on staff analysis completed, the traffic movements appear appropriate for the area. The traffic movements and volumes will need to be fully assessed through a formal traffic impact study which the proponent is aware of. The completion of this work, satisfactory conclusions and any potential road network impacts (including any upgrades or augmentations), will need to be completed prior to any site plan approval and removal of the holding provision that is to be applied to the zoning. Should the study identify issues that cannot be resolved, it may be necessary to adjust the total unit count to ensure that traffic impacts are suitably mitigated. As such, the proposal of developing up to 77 units will be tied to satisfactory traffic analysis.

Overall, the proposal conforms to the OP's infilling and intensification policies. It should also be noted that the County encourages the development of medium and higher density uses within and adjacent to the intensification areas of the County as these areas provide convenient access to shopping, public open space, recreation facilities, and other urban amenities. The downtown core ('Community Commercial' designation) is a planned intensification area for Hagersville. Permitting a higher density residential use across from the intensification area on a large site is considered compatible.

## Haldimand County Zoning By-law

The Official Plan and Zoning By-law amendment applications were made under the former Town of Haldimand Zoning By-law 1-H 86. During the processing of these applications, Haldimand County's new consolidated Zoning By-law HC 1-2020 has come into effect. In both cases, the subject lands remained zoned 'Service Commercial', and, although the applicants' submitted materials described the Town of Haldimand Zoning By-law, the new consolidated Zoning By-law will be amended.

The subject lands are currently zoned a site specific 'Service Commercial (CS)' Zone, which permits a range of commercial uses, but does not permit the proposed stand-alone residential uses. The proponent requested to rezone the subject lands to the 'Urban Residential Type 4 (R4)' Zone to permit the construction of the five (5) storey apartment dwelling house. The R4 Zone was the highest density zone in the Town of Haldimand Zoning By-law; however, under the new consolidated Zoning By-law, the 'Urban Residential Type 5 (R5)' Zone is better suited to the zoning by-law application. The subject zoning amendment will also legally implement the draft Official Plan amendment (Attachment 4).

If a proposal does not conform exactly to the provisions of the Zoning By-law, but follows the general intent, relief can be granted. However, the degree of deviation and appropriateness of the relief needs to be assessed. The proponent is also requesting relief from the Zoning By-law to permit customized zone provisions, as follows:

Development Standard	Required	Proposed	Deficiency
Minimum Interior Side Yard	4 m	3 m	1 m
Required Parking	107 spaces	93 spaces (proposed by County staff)	14 spaces
Minimum Gross Floor Area (for one unit)	40 m <sup>2</sup>	38.5 m <sup>2</sup>	1.5 m <sup>2</sup>

A full zoning deficiency chart is included as Attachment 7.

Planning staff considers the requested relief to be minor and appropriate. In particular, the applicants have asked for relief from the required 107 spaces. Under the Town of Haldimand Zoning By-law (which this application was made under) relief from only 2 spaces was required. Haldimand County staff are recommending relief from 14 spaces to allow some flexibility and adjustments during the site plan approval process. The requested additional parking relief is intended to help the applicants create an appropriate entrance that softens the impact of the proposed parking located between the street and the proposed structure – the entirety of the requested relief will not be used if it is not appropriate to do so. As noted earlier in this report, justification for the reduction stems from the following:

- The unit plan which consists of smaller sized 1 and 2 bedroom units, a dwelling type that typically sees demand for 1 stall;
- The existence of ample and underutilized on street and off street parking in the immediate surrounds of the subject site; and
- The close proximity of the lands to the downtown core and all the associated amenities (grocery, pharmacy, medical services, retail, banking) which reduces reliance upon vehicle ownership.

Additionally, the applicants are requesting relief of minimum gross floor area for one unit, intended to be a guest suite; in this case, the applicants are requesting only 1.5 m<sup>2</sup> of relief (40 m<sup>2</sup> required; 38.5 m<sup>2</sup> proposed).

The reduction to the Interior Side Yard Setback is for a small corner of the building in relation to the north property line. The deviation of 1 metre (3.2 feet) from 4 metres (13 feet) to 3 metres (9.8 feet), is considered minor and not to have a negative impact on the adjacent property to the north. The lands impacted by the reduction is a driveway for the townhouse development and no residential amenity space is located in proximity to the area.

A holding provision will be affixed to the amending by-law to ensure: a traffic impact study is completed and any impacts (to site layout, roadway improvements) are addressed; and, a final site plan and agreement are approved by the County.

It is Planning staff's opinion that the proposal maintains the general intent and purpose of Haldimand County's Zoning By-law HC 1-2020. A draft Zoning By-law has been included as Attachment 5, and a Holding Removal By-law has been included as Attachment 6.

## **Conclusion**

It is Planning staff's opinion that the proposal is consistent with the PPS (2020), conforms to the Growth Plan (2020), and meets the general intent and purpose of the Official Plan and Haldimand County Zoning By-law HC 1-2020.

Additional details will need to be reviewed through the site plan process, and are not able to be confirmed at this time. Through the site plan approval process, before development can proceed, Haldimand County staff will need to review and approve: servicing, stormwater management, traffic impact study, grading plans, photometrics plan, landscaping plan, the potential need for archeological study/clearance, the potential need for environmental clearance/remediation, etc. Planning staff recommend approval of these applications.

## **FINANCIAL/LEGAL IMPLICATIONS:**

The proponent will be required to provide securities to the County for 100% of the works to be completed within the County's right of way and landscaping through the site plan approval process. The securities will be refunded to the proponent once the work is completed and approved, and the warranty period has expired.

The proponent will be required to enter into a development agreement with the County as part of the site plan approval process to legally bind the proponent to certain conditions and financial obligations. An authorizing by-law will need to be passed by Council to authorize the County to enter into a development agreement with the proponent as part of the site plan approval process. When the site plan application is nearing approval, the site plan agreement will be prepared for review and signature by the proponent, Mayor, and Clerk.

The proponent will be required to pay development charges at the time of building permit application.

## **STAKEHOLDER IMPACTS:**

**Bell Canada** – No comments received.

**Canada Post Corporation** – No comments received.

**Trans-Northern Pipeline** – No comments received.

**Railway** – No comments received.

**Mississaugas of the Credit First Nation** – Archaeological study requested.

**Planning Comment:** The subject lands are in Hagersville's downtown core, were previously developed and are significantly disturbed. Through our review process, including the Province's screening tool for

evaluating archeological potential, due to the significant disturbance of the subject lands, no archeological studies were requested.

**Six Nations Council** – The proposal lies within our treaty territory and is part of ongoing litigation between Six Nations and Crown Canada and Crown Ontario. We may want to schedule a meeting to discuss.

**Planning Comment:** Haldimand County has invited Six Nations to provide further comments. Any additional comments may be addressed through the site plan approval process.

**Union Gas** – No comments received.

**Hydro One** – No comments received.

**Emergency Services** – No objections.

**Solid Waste** – No objections.

**Development and Design** – No objections to the land use.

**Forestry** – No objections.

**Treasurer/Finance** – No objections.

**Building & Municipal Enforcement Services** – No objections.

**Municipal Property Assessment Corporation (MPAC)** – No comments received.

**Haldimand-Norfolk Health Unit** – No comments received.

**Grand River Conservation Authority** – No comments received.

**Public** – A public open house was held on August 28, 2020: the applicants have reported that approximately 13 people attended the open house and were generally supportive of the proposal. No other public comments have been received by Planning staff.

## **REPORT IMPACTS:**

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. Location Map.
2. Owner's Sketch.
3. Elevations.
4. Official Plan Amendment By-law.
5. Zoning By-law Amendment.
6. Removal of Holding By-law.
7. Zoning Deficiency Chart.