
HALDIMAND COUNTY

Report PDD-05-2022 Information Report – Applications for Georgia Pacific Subdivision



For Consideration by Council in Committee on February 8, 2022

OBJECTIVE:

To consider a Zoning By-law Amendment application to amend the Haldimand County Zoning By-law HC 1-2020 and Draft Plan of Subdivision application to permit the creation of a new subdivision known as the Georgia Pacific Subdivision consisting of a maximum of 444 housing units in Caledonia.

RECOMMENDATIONS:

1. THAT Report PDD-05-2022 Information Report – Applications for Georgia Pacific Subdivision be received;
2. AND THAT in accordance with County By-law 2082/19, the General Manager, Community & Development Services advise Council when draft plan approval for the subdivision has been issued;
3. AND THAT the Draft Zoning By-law attached to Report PDD-05-2022 be presented for enactment following draft plan approval.

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

EXECUTIVE SUMMARY:

Applications for a Draft Plan of Subdivision and accompanying Zoning By-law amendments have been submitted by Empire Homes to facilitate a residential development in Caledonia. The proposed development will consist of a total maximum yield of 444 residential units, supporting amenities and infrastructure as outlined below:

- Single detached dwellings with a maximum yield of 282 units;
- Street fronting townhomes with a maximum yield of 162 units;
- A pumping station; and
- Parks, trails, open space, Storm Water Management Ponds accounting for approximately 12.54 hectares (30.9 acres) of the subject lands.

The technical studies provided with the applications demonstrate that the proposed subdivision is functional and is considered good planning, and as such, it is appropriate to give Draft Plan Approval to it.

The subject report advises Council of the details relating to the subject applications prior to draft plan approval, in accordance with delegated authority of the General Manager of Community and

Development Services. It is noted that, this is a follow-up report to the submission provided to Council-in-Committee on December 8th, 2020 that first introduced the development.

Following draft plan approval, the Zoning By-law and Authorizing By-law will be forwarded to Council for consideration and approval, as part of the Council agenda process. The proponent will then fulfill the condition of draft plan approval prior to registering and building out the subdivision.

BACKGROUND:

Location and Description

The subject lands are located on the east side of Argyle Street North, south of Haldimand County Road 66 and are described as Range 1 East of Plank Road, Lots 9 to 11, Range East of Plank Road, Part A Block, Urban Area of Caledonia, Geographic Township of Seneca, known municipally as 350 Argyle Street North (Attachment 1).

The subject lands are approximately 72.89 hectares (180 acres) in size and the western half of the lands in the former site of the Georgia Pacific Gypsum Plant, which was removed in 2018. A former CN rail corridor dissects the property, however has been purchased by Empire Homes and merged with the subject lands to function as part of the development. The remainder of the lands are vacant and have been utilized for agricultural purposes. There are some undermined areas on the subject lands resulting from the former gypsum mining (i.e. the northwest portion of the site abutting Argyle Street North), however, the intent of the proponent is to develop outside these constraints and utilize the undermined areas for open space purposes.

The lands to the north consist of the draft approved Gateway Caledonia subdivision, which is made up of future residential and commercial uses, which is currently nearing engineering approvals and pre-servicing of Phase 1. The lands to the east of the site consist of the 'Avalon' subdivision which will consist of approximately 2,718 units upon full build out and to the west is an industrial subdivision with main uses being, manufacturing, light industrial and commercial uses. The lands to the south include a mix of commercial, industrial and residential uses.

The subject lands also contain the tributaries of Seneca Creek across the eastern portion of the property. Chippewa Trail is located to the northeast of the site and the proposed development will incorporate connecting trails as part of the Trails Master Plan for Haldimand County.

Evolution of the Subject Proposal

A pre-consultation was held in September of 2019 to discuss the proposal and requirements for a complete submission. The application was submitted on September 18, 2020 and deemed complete and circulated for commenting. An information report was considered by Council in Committee on December 8, 2020.

Municipal Comprehensive Review

On January 14, 2020, the County officially initiated Phase 1 of 2 of the County's Municipal Comprehensive Review (MCR) of the Haldimand County Official Plan (OP) via report PDD-01-2020 Haldimand County Official Plan Update Work Program. Phase 1 of the MCR project sought to plan for forecasted growth for the County to 2051 in conformity with Provincial policies. The subject lands were included in the Growth Strategy Report for future residential development. On November 26, 2021, the Ministry of Municipal Affairs and Housing (MMAH) approved Phase 1 (the County's Growth Strategy) of 2 of the County's MCR project. The subject lands were re-designated from 'Urban Business Park' to 'Residential' in addition to 'Riverine Hazard Lands', 'Other Hazard Lands', and 'Floodway'. As such, the policy support for the subject proposal is now in full force and effect.

Subject Application/Development Proposal

The proposed development referred to as 'GP' proposes to facilitate residential development in Caledonia, as seen in the Draft Plan of Subdivision and Concept Plan (Attachments 2 and 3). The project consists of a maximum total yield of 444 residential units consisting of:

- Single and semi detached units with a maximum yield of 282 units;
- Street townhome units with a maximum yield of 162 units.

The maximum yield is 444 units, however the Proponent (Empire) anticipates that the actual project build out will be approximately 352 units. This estimation is based on other similar projects, including Avalon and the market evaluation. The anticipated total of 352 units is used to calculate servicing allocation for the project.

The proposed development will have access from Argyle Street North and a connection to the Gateway property to the north through Street 'A' as shown on Attachments 2 and 3. Street 'A' continues through the draft approved "Gateway" Subdivision and provides access to Argyle Street North and Haldimand Road 66. Attachments 3 and 4 illustrate the location of the subject lands relative to the approved Gateway development to the north and the Avalon development to the east. Of note are the interconnections linking all 3 of the developments (all Empire Communities projects) by way of road and/or trail infrastructure.

As show in Attachments 2, 3 and 4, there are a variety of parks and open spaces proposed as part of the application. Block 28 is a 7.24 hectare (17.9 acre) park that is proposed north west of 'Street A'. Block 29 and 33 to 39 represents 5.25 hectares (12.9 acres) of open space and hazard lands, and Blocks 40 to 43 represents 38.69 hectares (95.5 acres) of Natural Heritage lands which include woodlands and floodplains associate with Seneca Creek and tributaries.

Additionally, a 1.79 hectare (4.4 acres) Stormwater Management pond (block 31) and a sewage pumping station (Block 32) are included as part of the development.

The Process

The purpose of the subject report is as follows:

1. To serve as follow up to Report PDD-34-2020 Information Report for Georgia Pacific Subdivision and Zoning By-law Amendment considered by Council in Committee on December 8, 2020; and
2. To confirm the development is functional and complies with relevant policies.

This process will ensure that Council has full and complete information available and public comments are addressed prior to the General Manager of Community and Development Services approving the Draft Plan of Subdivision Application and the Zoning By-law being forwarded to Council for passage. If Council is satisfied with the proposed applications and no significant public feedback is received, the staff and agencies review will be completed and the applications will be finalized for approval.

Public notice of this proposal was sent via notice of complete application on October 26, 2020 and a notice of public meeting on November 23, 2020. The agent facilitated a virtual neighbourhood open house in January 2021. Details relating to the neighbourhood meeting circulation and open house are included in the Stakeholder Impacts section below.

ANALYSIS:

The proposal involves two types of planning applications:

1. A Zoning By-law amendment application intended to address key principle of use matters; and
2. A Draft Plan of Subdivision application which is more technical in nature and related to the actual layout, servicing and property division matters.

The subject proposal does not require a policy decision to be made in terms of amending the Official Plan as concerns have been addressed through Phase 1 of the MCR. Staff feel that substantive key matters relating to the type, form and density of development are aligned with approved policy frameworks, sufficient servicing is available (subject to proposed upgrades), and that key technical matters such as the overall subdivision design, access points, servicing, storm water management, environmental and archaeological impact have been addressed, and the overall concept is considered feasible subject to detailed evaluations.

Planning Act

The *Planning Act* (The Act) is provincial legislation that sets out the ground rules for land use planning in Ontario. Under Section 51 (24) of the *Planning Act*, the Act sets out a list of criteria that an approval authority must have regard to when assessing the merits of a plan of subdivision application. Planning staff have reviewed these criteria against the propose subdivision and staff's comments with respect to each item are the following:

Table 1: Subdivision Criteria

CRITERIA	COMMENTS
(a) The effect of development of the proposed subdivision on matters as referred to in section 2	The proposed subdivision upholds Provincial interests. Fulsome analysis is provided in the Provincial Policy Section below.
(b) Whether the proposed subdivision is premature or in the public interest	The proposed subdivision will complete the planned development in this area of the urban boundary of Caledonia linking on going developments, such as Avalon and Gateway, to established areas along Argyle Street and is considered feasible from a servicing perspective.
(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any	The subject lands are located within the urban boundary of Caledonia and are designated 'Residential' in addition to 'Riverine Hazard Lands', 'Other Hazard lands', and 'Floodway'. The proposed subdivision will include a variety of residential, recreational and open space uses in accordance with the Official Plan Policies. The proposed development will provide trail and road connections to adjacent subdivisions. The proposed subdivision conforms to the Official Plan and adjacent plans of subdivision.
(d) The suitability of the land for the purposes for which it is to be subdivided	The subject lands are designated and planned for the proposed uses.
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	The proposed subdivision is not planned to include affordable housing units.
(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway	Street A is proposed to connect the subdivision to Argyle Street, and to the Gateway development to the north. The proposed number, width and location of the streets are acceptable. The grades

system in the vicinity and the adequacy of them	and elevations will be determined during the detailed design stage.
(f) The dimensions and shapes of the proposed lots	The dimensions and shapes of the lots are acceptable; they are the same as other approved subdivisions within County, such as Avalon on adjacent lands.
(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land	The proposed development will protect the natural lands and hazards present on the property through appropriately locating built structures and services as well as open space. Rehabilitation of undermined areas will be completed as necessary.
(h) Conservation of natural resources	The development includes large areas of open space that accommodate natural resources and related buffers.
(i) The adequacy of utilities and municipal services	The proposed internal road allowances will be conveyed to the County. The provision of utilities and installed infrastructure will be approved as a condition of draft plan approval and included in the subdivision agreement.
(j) The adequacy of school sites	No objections were received concerning the adequacy of school sites. In November of 2021 a \$20.4 million investment was announced for the construction of a new school in the Avalon Development. This funding is recognized for a new joint elementary school between the Grand Erie School Board and the Brant-Haldimand-Norfolk Catholic District School Board. The subject development will be connected to the proposed school site via the proposed trail network.
(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	Staff have no concerns with receiving the proposed park, natural heritage and open space (Blocks 28, 29, 40-43).
(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed subdivision satisfies density targets and provides opportunities for active transportation. The development is of compact nature and adjacent to other built up areas and proposed development.
(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the lands is also within a site plan control area under section 41(2) of this Act	Site plan control will not apply to the proposed subdivision.

The proposed subdivision conforms to the *Planning Act* criteria. Further section 51(25) of the *Planning Act* sets out a list of conditions that the approval authority may impose. The proposed conditions will be discussed in the Next Steps section of the subject report.

Provincial Policy

Provincial Policy Statement (PPS), 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The Provincial Policy Statement (PPS), 2020 provides overall policy direction on matters of provincial interest related to land use planning and development in Ontario, while A Place to Grow establishes a unique land use planning framework for the Greater Golden Horseshoe to 2051.

Both legislative documents set a policy foundation for regulating development and use of land for the achievement of complete communities, a thriving economy, a clean and healthy environment, organized infrastructure and social equity in the face of the magnitude and pace of forecasted growth.

i. Subject Proposal in Relation to Building Strong Communities

Settlement areas are the focus of growth and development, promote efficient use of infrastructure and compact form, and provide high level criteria for creating healthy, liveable and safe communities. This includes avoiding development and land use patterns which may cause environmental or public health concerns. The subject lands are located within the settlement boundary of Caledonia and on lands designated for residential use, where development is planned and directed. The proposed development will satisfy the minimum greenfield density targets thereby, efficiently using existing and proposed infrastructure. The proposed development will consist of a mix of single detached dwellings (up to 282) and townhouse units (up to 162). Secondary dwelling units will be permitted in the proposed single detached dwellings provided the secondary suite zone provisions are satisfied as well as provincial building and fire codes. Planning staff encourage the proponent to plan the future lots and dwellings for the future inclusion of secondary suites to support housing choice, diversity and affordability. The proponent is proposing to construct a trail system servicing the Georgia Pacific Subdivision, as well as, providing connecting links to the Avalon and Gateway developments and to Argyle Street North (Attachment 4). The proposal includes large areas of open space to protect natural features as well as human health from concerns relating to undermining. The proposed development is consistent with these policy directions.

ii. Subject Proposal in Relation to Parkland and Trails

To support healthy, active communities, the PPS promotes planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including parklands and trails and linkages (Attachments 3 and 4). As stated above, the proposed development will include dedicated parklands and trails with linkages to existing and proposed built-up areas. The proposed development is consistent with this policy direction. Additional commentary regarding parkland and trails is included further within this report.

iii. Subject Proposal in Relation to Infrastructure

The PPS states the municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support the protection of the environment and minimize potential risks to human health and safety. Further, planning authorities may only allow lot creation (subdivision) if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal services. Discussion relating to water and wastewater will be provided in Haldimand County Official Plan section below. The submitted Functional Servicing Report estimates a water demand of 18.30 L/s (~1,581.5 m³/ day) and wastewater demand of 25.27 L/s. Staff are satisfied that the proposed infrastructure is appropriate to accommodate the estimated demand in the Functional

Servicing Report. Final allocation of servicing will be required prior to the registration and build out of the subdivision. Further, the proposed pumping station on the subject lands will facilitate additional development in the Caledonia north end including the Gateway lands.

iv. Subject Proposal in Relation to Natural Heritage

The provincial policies direct that natural features and areas to be protected for the long term. The Environmental Impact Study (EIS) submitted with the subject applications identified areas of significant woodlands and significant valley lands related to the Seneca Creek on the subject property. The significant features and related required buffers are located in areas not designated for residential development and are not proposed to be developed. The EIS sets out several recommendations to mitigate potential impacts from the proposed development. The recommendations of the EIS will be enacted through conditions of draft plan of subdivision.

v. Subject Proposal in Relation to Cultural Heritage and Archaeology

The PPS prohibits development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The agent has submitted stage 1 and 2 Archaeological Assessments for the site. Staff have received confirmation of the registration of the Archaeological Report with the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). Portions of the subject lands have been identified as requiring further investigation and will be evaluated on a case by case basis as necessary as the development proceeds. Recommendations from the assessment will be enacted through the subdivision agreement.

Overall, it is Planning staff's opinion that the proposed development is consistent with the PPS and the Growth Plan.

County Policy

Haldimand County Official Plan

The Haldimand County Official Plan (OP) creates the framework for guiding land use changes in the County over the long-term. The OP provides the avenue through which Provincial Policy is implemented into the local context, protects and manages the natural environment, directs and influences growth patterns, and facilitates the vision of the County as expressed through its residents. The *Planning Act* requires the subject applications conform to the OP policies.

The OP was approved in 2009 and on November 26, 2021, the Province approved Phase 1 of the County's Municipal Comprehensive Review (MCR) to implement the County's Growth Strategy to 2051. The approval of Phase 1 of the MCR sets the land use planning framework to permit residential development on portions of the subject lands. Phase 2 of the MCR, which seeks to update all other OP policies, is ongoing. As such, the remainder of the OP policies continue to be in effect.

i. Designation

The subject lands are located in the settlement area of Caledonia and were impacted by Phase 1 of the MCR. The subject lands are located in the greenfield (unbuilt) area of the settlement area. The subject lands are designated 'Residential', 'Floodway', 'Riverine Hazard Lands' and 'Other Hazard Lands'. Prior to the approval of Phase 1 of the MCR, the lands were predominantly designated 'Urban Business Park' and identified as an 'Employment Area' in the Official Plan. The applicants submitted an Employment and Residential Land Needs Analysis (Urban Metrics, 2019) to support the re-designation of the lands. A complete review and evaluation was conducted as part of Phase 1 of the MCR, determining re-designation was appropriate.

The proposed development has given consideration for the varied designations on the subject lands. The proposed plan of subdivision proposes residential uses within the residential designation with other

uses, including parks, trails, stormwater management ponds, a pumping station, and open space areas being found in other designations.

ii. Residential Policies

The OP states that the residentially designated areas within each of Haldimand County's urban communities are expected to accommodate attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. The predominant use of lands within the Residential designation shall be for residential purposes, including all forms of residential development in accordance with the OP. Development shall proceed in an orderly, phased manner contiguous to existing development and take into consideration the availability of services. The proposed development will locate detached dwellings and townhomes in the residentially designated area of the subject lands. In addition to the residential development, the subject lands will accommodate servicing and amenity space appropriate for the surrounding area. The proposed development is situated adjacent to the Gateway and Avalon developments and represents contiguous development connecting the developments to the mixed use area to the south. Servicing will be discussed further down in this report. It is Planning staff's opinion that the subject applications conform to these policies.

Further, the OP sets a minimum density target of 40 persons and jobs per hectare for residential applications in the designated Greenfield area. The proposed development has a calculated density of 41.8 persons and jobs per hectare. The proposed development exceeds the required minimum density set out in the OP. It should be noted that this minimum density target was previously 46 persons and jobs per hectare, however under phase one of the County's Official Plan Update (approved by the Province in November 2021) this was reduced. It should be noted that the Gateway and Avalon developments also exceed the minimum required density. The minimum required density is applied uniformly to Greenfield areas across the County and do not account for localized context. The OP does recognize that it is anticipated that Caledonia will accommodate a larger percentage of the County's growth compared to the other urban areas. Staff are satisfied the development conforms to the intent of these policies.

iii. Natural Environmental Areas

The subject lands have been identified as having a large portion designated 'Riverine Hazard Lands' which reflects the Seneca Creek and two tributaries. The natural areas associated with the Seneca Creek have been analysed through Geotechnical, Hydrogeological, Floodplain, Water Balance and Environmental Impact studies. The prepared studies have accurately delineated the boundaries of the hazard lands. These documents have been circulated to the Grand River Conservation Authority (GRCA) and First Nations Communities for review. The agent has addressed the concerns outlined by both the GRCA and Six Nations of the Grand River. Additional comments from both groups will be required prior to final approval of the Zoning By-law Amendment and Draft Plan, in particular as they relate to the future detailed design stage. In accordance with the OP policies, these areas will remain largely undeveloped with the exception of a proposed trail crossing. In addition to the trail crossing, grading is proposed along portions of the flood plain as outlined in the Floodplain Mapping Study. The study has concluded the grading will have no negative impact on existing floodplain levels.

The Environmental Impact Study (EIS) identified areas of Significant Woodland and Wetland areas on the property. Further, the study outlines mitigation measures required for the long term protection of these features including appropriate buffers. The proposed development upholds the recommendations of the EIS and diverts development and site alteration away from these sensitive features.

Through the investigations on the property habitat for species-at-risk was identified. The majority of the habitat is located outside of the development area, however habitat of Bobolink and Eastern

Meadowlark will be disturbed. The *Endangered Species Act* requires habitat creation and enhancement on the lands.

It is staff's opinion, the application is in keeping with these policies.

iv. Open Space, Park, Trails and Active Transportation

The OP states that walking and cycling are recognized as alternative modes of transportation that can play a valuable and positive role in improving mobility and the quality of life as part of a balanced transportation system. Open spaces form an integral part of a trail and active transportation network. Beyond the OP the Trails Master Plan and Partnership Framework Study, 2009 acts as a guideline document for the development of trails.

The proposed network of trails and open space in the subject proposal will link to existing and proposed trails in the Avalon subdivision and the proposed Gateway development. The trails are proposed to be built as part of an interconnected trail system built to the County's accessibility standards, as shown Attachment 4 (Trails and Linkages Plan). A Consent application (PLB-2021-098) was approved by the Committee of Adjustment in July of 2021 to sever a portion of the old rail line that bisected the subject lands. The severed lands front onto Argyle Street North and are intended to be used for future commercial development. The retained lands account for the majority of old rail line and will be used as part of the trail network for this project. As a condition of Consent, a holding provision is to be applied to the lands until such a time as the owner proposes an appropriate trail linkage through the severed lands and an easement for the trail connection has been established over the severed lands. This application will ensure a trail connection through the subject lands connecting the subject development as well as Gateway and Avalon developments. The construction of the proposed trail network will provide safe and appropriate access across the site and to neighbouring developments. The transportation network will be built to the County's accessibility standards and existing hazards will be removed and replaced with appropriate upgrades. This network will provide opportunities for active transportation. In addition to the trail network, all roads will feature sidewalks, with the collector roads feature on road bike routes, demarcated by pavement markings. In addition to the sidewalks within the development, a sidewalk along the length of the development fronting onto Argyle Street North will also be required providing additional linkages to neighbouring developments and the greater community. The proposed trail network will better integrate the existing Avalon development with rest of the community, connecting to Argyle Street North and the Gateway development through the subject development. The network will also connect the Georgia Pacific and Gateway developments to the site of a proposed school in Avalon.

As part of the developer's obligations under the *Planning Act*, a total of 4.85 hectares (12 acres) of parkland are to be dedicated to the County. The developer must transfer these lands to the County as final graded and seeded, meaning they would be in suitable condition for park development. These lands are shown as Block 28 on Attachment 2. Also shown as part of Block 28 are an additional 2.43 ha (6 acres) of land that is suitable for parkland/recreational development. The County has the option to acquire these lands subject to certain conditions. The details of that potential acquisition are included in the associated confidential memo CDS-M01-2022 which is part of the closed portion of the February 8th CIC agenda. Regardless of the final Block 28 configuration and size, the subdivision will accommodate a large park servicing the subject development as well as the Gateway development. This large park will accommodate the required parkland dedication for both the subject development and the Gateway development to the north. The final configuration and amenities of the park have not yet been completed. The development of the park will occur in consultation with County staff.

The proposed active transportation system (sidewalks and trail network) and park will address several concerns previously raised by the public, including access from this site to the downtown (via sidewalks in the development and along Argyle Street), ensuring the trails address existing hazards, integration of the Avalon development with the greater Caledonia community (through trail connections) and the

need for a large park servicing the subject development and Gateway. Concerns were also raised regarding the availability of schools for the development. The proposed trail network will connect to the school site proposed within the Avalon development. The proposed parkland will also utilize lands that have limited development capability due to undermining from the previous mining operations.

v. Functional Servicing

The OP states that new development in the Urban Area shall generally proceed where the development is fully serviced by municipal water, sanitary sewers and adequate drainage and stormwater management facilities.

Water

Water servicing is currently available via a trunk watermain on Argyle Street North. A looped network of watermain's will generally follow the road network connecting through the subject development and connect with the Gateway development. Confirmation of adequate capacity for the residential uses, including fire flow/fire pressure is required prior to obtaining approval and any improvements required will be addressed as part of detailed design.

Sanitary Sewers

Sanitary service is not currently available for the subject lands. A new pumping station, Gateway Sewage Pumping Station (SPS), is proposed for the subject lands with a gravity main aligning with collector road Street A. The Gateway SPS is anticipated to be completed in May of this year. The new gravity main will connect the Gateway lands, through the subject lands to the Gateway SPS. A new forcemain along Argyle Street is proposed to connect to the Nairn SPS, where flows are subsequently pumped to the existing Caledonia Wastewater Treatment Plant. These works are required to facilitate the development of the subject lands and the Gateway development. The Gateway SPS would also allow for future development north of Haldimand Road 66, including the employment lands and future development lands (residential/commercial) that were added to the urban boundary through the OP Update - Phase 1 process.

Additional off site upgrades will be required to accommodate the full build out of the subject development, Gateway and Avalon. The proponents are committed to working with County staff, coordinating construction of infrastructure as the Caledonia Master Servicing Plan is completed.

Stormwater

The development is proposing to include two Storm Water Management (SWM) Ponds (Blocks 30 and 31). A full SWM Report has been submitted and reviewed by staff. Staff have concluded the proposed SWM plan satisfies the intent of the Haldimand County Design Criteria.

Transportation

In addition to the active transportation network, described above, upgrades to the road network are also required to accommodate the subject development. The subject development in conjunction with the adjacent Gateway and Avalon developments will necessitate upgrades to the existing road network. The applicants have submitted a Traffic Impact Study describing the current conditions and recommending upgrades in a phased manner. Of particular note for the subject application, is in the installation of traffic lights where Street A intersects with Argyle Street and Haldimand Road 66, as shown on the attached Concept Plan (Attachment 3). Additionally, the intersections of Haldimand Road 66 and McClung Road and McClung Road and Caithness Street will be signalized. In conjunction with the addition of signals, additional turn lanes will be installed where Haldimand Road 66 intersects McClung Road and Highway 6. The improvements to the road network will occur in a phased manner and will be included as conditions of the subdivision agreement.

vi. Land Use Compatibility

The OP includes policies to ensure new sensitive land uses, including residences, are located with consideration to potential incompatible land uses. An Environmental Air Quality Assessment and Environmental Noise Study were prepared and submitted as part of the application in response to the existing industrial operations along Argyle Street North and Gypsum Avenue.

The Environmental Noise Study concluded that the provision of central air conditioning and warning clauses on certain lots will adequately mitigate the impacts. A future acoustical report will be required to confirm these conclusions. These requirements will be addressed as part of the draft plan conditions.

The Environmental Air Quality Assessment analyzed the impact from nearby industrial and commercial facilities. Two were identified to be in the area of influence per the Ministry of Environment, Conservation and Parks (MOECP) D-6 Guidelines. Both facilities maintain the required air quality at their property lines. The layout of the subject development further provides natural buffers between the residential use and nearby industrial uses. Staff are satisfied that issues relating to Land Use Compatibility can be adequately addressed.

vii. Mining – Gypsum

The north-west corner of the subject lands is designated 'Other Hazard Lands'. Further portions of the site have been identified as 'Gypsum Deposits' and 'Abandoned Mines'. These features are a result of the past use on the property and mining activities in the area. The applicant has submitted an Investigation Summary and Rehabilitation Plan prepared by Golder and Associates, which has also been submitted to the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF). Comments provided by the MNDMNRF indicate that they will deal directly with the applicant to review the technical documents related to the former mine. In large part the areas impacted by previous mining activities are to remain undeveloped as open space. Of notable exception is a portion of the western SWM pond which will coincide with the location of a mine site. No other infrastructure or development is proposed to occur in the hazard areas associated with the mines. Staff will ensure that any setbacks, conditions or warnings required by MNDMNRF, or as a result of the Geotechnical Study and Mine Rehabilitation Plan are incorporated as conditions of the subdivision.

viii. Design Principles/ Urban Design Guidelines

An Urban Design Brief prepared by WSP was submitted as part of the application. The brief outlines the vision and guidelines for the subject proposal, similar to that of the Avalon development. The focus of the development is on the access to commercial uses and services as well recreation opportunities and open space/parks. The development will contain no reverse frontages facilitating a strong community and 'eyes on the street' as a measure for community safety. Further, the dwellings are pushed close to the street improving the community feel and improved pedestrian experiences. Design details including street trees, community entrances and street lighting will be required through conditions.

ix. Lot Creation

The OP states that the Subdivision approval process and accompanying agreements pursuant to the *Planning Act*, will be used by Council to ensure that the policies and land uses of the Official Plan and applicable Secondary Plans are complied with and that a high standard of design is maintained in new development areas. Council will only approve Plans of Subdivision which conform to the *Planning Act* and the following criteria:

- a) The Plan of Subdivision conforms with the policies of the OP;
- b) Adequate servicing such as water supply, sewage disposal facilities, stormwater drainage, solid waste collection and disposal, roads, and emergency services can be provided;

- c) The County is able to provide necessary services without imposing undue tax increases in taxation on all residents; and
- d) The Plan of Subdivision is not deemed premature, and is considered necessary in the public interest.

It is Planning staff's opinion that the subject applications conform to these policies as well as the overall intent of the OP. Registration of the subdivision will be conditional upon satisfying a list of conditions and entering into a subdivision agreement with the County.

Overall, it is Planning staff's opinion the subject applications conform to the OP.

Haldimand County Zoning By-law HC 1-2020

The purpose of the Haldimand County Zoning By-law HC 1-2020 is to control the use of land within the County by stating exactly how land may be used, where buildings and other structures can be located, the types of buildings that are permitted and how they may be used, and the lot sizes and dimensions, parking requirements, building heights and setbacks from the streets. The Zoning By-law implements the Official Plan and is legally enforceable.

The lands are currently zoned "General Industrial (MG)", "Future Development (D)" and subject to the hazard lands overlay. The development of the property will require a site specific Zoning By-law Amendment, which will be forwarded to Council for passage following draft approval of the subdivision application. The proposed amendment to the Zoning By-law will allow the lands to be developed to the same standard as the Avalon subdivision. The agent is requesting to rezone the subject lands to permit the subdivision as follows:

- Part 1 is proposed to be rezoned to 'Urban Residential Type 1-B (R1-B)' with a special provision as outlined below in Table 2: Zone Provision for Urban Residential Type 1-B (R1-B) Zone.
- Part 2 is to be rezoned to 'Urban Residential Type 4 (R4)' with a special provision for the same items as above. Part 2 will accommodate the townhouses.
- Part 3 is to be zoned 'Open Space (OS)' and will accommodate parks, open space, SWM ponds and proposed pumping station.
- Part 4 is to be rezoned 'Open Space (OS)' subject to a special provision limiting the uses to trails and passive use parks and represents the areas that are non-developable.

Zoning for Single and Semi-Detached Dwellings

The proposed relief from the provisions of the R1-B zone will allow for a development pattern matching that of the Avalon development. The relief will permit varied housing forms at an increased density in keeping with similar developments in the area. A complete analysis of the requested relief is included in the following table. Attachment 5 includes a complete zoning comparison chart including provisions where no relief is required, submitted by the agent.

Table 2: Zone Provisions for Urban Residential Type 1-B (R1-B) Zone

Current By-law Requirement:	Proposed Revision	Staff Comment
Permitted Uses: Single detached dwelling	Permitted Uses: Single detached dwelling and semi detached dwelling	Allowing semi-detached dwellings provides flexibility in unit design and the opportunity for increased density.
Minimum Lot Area: Interior Lot: 360 square metres Corner Lot: 412 square metres	Minimum Lot Area: Interior Lot: 220 square metres Corner Lot: 265 square metres	The reduced lot area will allow for more efficient use of land and compact urban development.

Current By-law Requirement:	Proposed Revision	Staff Comment
Minimum Lot Frontage: Interior: 12 metres Corner: 15 metres	Minimum Lot Frontage: Interior: 8 metres Corner: 10 metres	Reduced frontage will allow more efficient use of land and compact urban development.
Minimum Front Yard Setback: 6 metres	Minimum Front Yard Setback: 4.5 metres to dwelling; 6 metres to garage	This will allow for more compact development and give the dwelling prominence, reducing the impact of garages on the streetscape. The setback will still allow for ample off street parking in front of the dwelling and/or garage.
Minimum Exterior Side Yard: 4 metres	Minimum Exterior Side Yard: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street	This will also more compact development and also gives the dwelling more prominence along the street.
Minimum Interior Side Yard: 3 metres on one side and 1 metres on the other, except where private garage attached, in which case 1 metre on each side.	Minimum Interior Side Yard: Singles: 1.2 metres on one side and 0.6 metres on the other side Semis: 1.2 metres, except no interior side yard is required along common lot line.	Allows more compact development and efficient use of land. No impacts on surrounding or traditional location of the development.
Minimum Rear Yard Setback: 7.5 metres	Minimum Rear Yard Setback: 7 metres	Allows more compact development and opportunity to increase density.
Minimum Parking Space Dimension (in garage): 5.8 metres x 3 metres with no encroachment	Minimum Parking Space Dimension (in garage): 6 metres x 3 metres with encroachment of 3 stair risers (approximately 0.61 metres)	The reduction of the garage width is minor and is conducive to the standard designs of the developer. It has been demonstrated that the garage parking space will remain functional at the proposed size.
Maximum Porch Encroachment: 1.5 metres into front, rear and exterior side yards	Maximum Porch Encroachment: 2 metres into front yard; 1.8 metres into exterior side yard; 2.5 metres into rear yard with restriction on deck size of 3.1 metres x 2.5 metres	This will all more compact development and opportunity to increase density. Facilitates interaction of residents as porch areas are closer to the street. Restricting rear deck size ensures a suitable amount of open space is preserved on each lot.

Current By-law Requirement:	Proposed Revision	Staff Comment
Maximum Stairs Encroachment: 1.5 metres into front, rear and exterior side yards	Maximum Stairs Encroachment: 3.5 metres into front, rear and exterior yards	This will allow for more compact development and opportunity to increase density.
Maximum Soffit/Cornice/Eaves Encroachment: 0.65 metres in any yard	Maximum Soffit/Cornice/Eaves Encroachment: 0.4 metres into any yard	This will allow for more compact development while maintaining sufficient separation for maintenance within lot boundaries.
Maximum Accessory Building Size: Maximum 10% lot area, to a maximum of 55 square metres	Maximum Accessory Building Size: Maximum 10% lot area, to a maximum of 10 square metres	Restricting the size in the rear yard ensures suitable open space is preserved on the lot.
Maximum Hardscaping in Front Yard: Not applicable	Maximum Hardscaping in Front Yard: 70% of front yard can be hardscaped/ hard surface	Restricting hardscape ensure portion of the front yard is reserved for landscaping to allow for an attractive streetscape and aid in drainage and stormwater management.
Maximum Distance in which a garage can extend in front of a ground floor porch: Not applicable	Maximum Distance in which a garage can extend in front of a ground floor porch: 1.0 metre	Ensures garage does not dominate the streetscape.

Zoning for Townhouses

In general, the provisions for the townhouse dwellings are similar in their intents as those for the singles and semis. The townhouse dwellings are proposed to have a site specific Urban Residential Type 4 (R4) Zone. A list of the requested relief and staff comments can be found below in the following table. Attachment 5 includes a complete zoning comparison chart, including provisions where no relief is required.

Table 3: Zone Provisions for Urban Residential Type 4 (R4) Zone

Current By-law Requirement	Proposed Provision	Staff Comments
Permitted Uses (R4): Street/group townhouses, apartment dwelling	Permitted Uses (R4): Street/group Townhouses and R1-B exceptions (Table above)	Allows for flexibility in unit design and housing variety.
Minimum Lot Area: Interior Lot: 156 metres Corner Lot: 215 metres	Minimum Lot Area: Interior Lot: 150 square metres Corner Lot: 210 square metres	Allows for more efficient use of land, compact urban form and increased density.
Minimum Front Yard Setback: 6 metres	Minimum Front Yard Setback: 4.5 metres to dwelling 6.0 metres to garage	This will allow for more compact development and give the dwelling prominence, reducing the impact of garages on the streetscape. The setback will

Current By-law Requirement	Proposed Provision	Staff Comments
		still allow for ample off street parking in front of the dwelling and/or garage.
Minimum Exterior Side yard Setback: 3 metres	Minimum Exterior Side Yard: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street	This will also more compact development and also gives the dwelling more prominence along the street.
Minimum Rear Yard Setback: 7.5 metres	Minimum Rear Yard Setback: 6.0 metres	Allows for more efficient use of land, compact design and increased density.
Minimum Parking Space Dimension (in garage): 5.8 metres x 3 metres with no encroachment	Minimum Parking Space Dimension (in garage): 6 metres x 3 metres with encroachment of 3 stair risers (approximately 0.61 metres)	The reduction of the garage width is minor and is conducive to the standard designs of the developer. It has been demonstrated that the garage parking space will remain functional at the proposed size.
Maximum Porch Encroachment: 1.5 metres into front, rear and exterior side yards	Maximum Porch Encroachment: 2 metres into front yard; 1.8 metres into exterior side yard; 2.5 metres into rear yard with restriction on deck size of 3.1 metres x 2.5 metres	This will all more compact development and opportunity to increase density. Facilitates interaction of residents as porch areas are closer to the street. Restricting rear deck size ensures a suitable amount of open space is preserved on each lot.
Maximum Stairs Encroachment: 1.5 metres into front, rear and exterior side yards	Maximum Stairs Encroachment: 3.5 metres into front, rear and exterior yards	This will allow for more compact development and opportunity to increase density.
Maximum Soffit/Cornice/Eaves Encroachment: 0.65 metres in any yard	Maximum Soffit/Cornice/Eaves Encroachment: 0.4 metres into any yard	This will allow for more compact development while maintaining sufficient separation for maintenance within lot boundaries.
Maximum Accessory Building Size: Maximum 10% lot area, to a maximum of 55 square metres	Maximum Accessory Building Size: Maximum 10% lot area, to a maximum of 10 square metres	Restricting the size in the rear yard ensures suitable open space is preserved on the lot.
Maximum Hardscaping in Front Yard:	Maximum Hardscaping in Front Yard:	Restricting hardscape ensure portion of the front yard is

Current By-law Requirement	Proposed Provision	Staff Comments
Not applicable	70% of front yard can be hardscaped/hard surface	reserved for landscaping to allow for an attractive streetscape and aid in drainage and stormwater management.
Maximum Distance in which a garage can extend in front of a ground floor porch: Not applicable	Maximum Distance in which a garage can extend in front of a ground floor porch: 1.0 metre	Ensures garage does not dominate the streetscape.
Driveway location: Nor applicable	Driveway Location: For end unit townhouses on a collector street, the garage and driveway shall be constructed on the local road flanking the yard.	Ensures the corner lot has positive design features of dual frontage and reduces the number of direct accesses to the collect street, improving traffic safety.

The subject applications were originally proposed prior to the adoption of the County's current Zoning By-law. As such, some requested relief is no longer required as it is permitted as of right. In other cases the amount of relief required has decreased.

It is Planning staff's opinion that the proposed zoning is consistent with and conforms to Provincial and County Policy Frameworks. A draft Zoning By-law has been included as Attachment 6. The draft Zoning By-law will be finalized after the General Manager of Community and Development Services approves the draft Plan of Subdivision. Following, the Zoning By-law will be forwarded to Council for consideration and approval as part of the Council agenda process. This is intended, and an implementation step based upon the complete policy analysis and preliminary technical review being completed in previous stages and the required public meeting having been held previously.

Next Steps

Staff and external agencies have completed a detailed review of the proposed subdivision and zoning by-law amendments. Based on the presented information, the development generally complies from a policy and functional perspective. Based on comments and requirements of various departments and agencies, draft plan conditions will be produced and provided to the General Manager of Community and Development Services for approval. Draft Plan conditions will include, but will not limited to the following:

- Approval of the detailed engineering, utility, trail and landscaping plans;
- Execution of the Subdivision Agreement, which includes submission of securities for infrastructure to be assumed by the County, trail construction, and warning clauses;
- Passage of the required Zoning By-law;
- Implementation of the Phase 1 and 2 Archaeological Assessments, Environmental Impact Study (EIS), Hydrogeological Investigation, Floodplain Mapping Study, Geotechnical Investigation, Transportation Impact Study, Environmental Noise Study and Environmental Air Quality Assessment recommendations;
- Confirmation of servicing capacity and allocation; and
- Final approval requirements from external agencies (Hydro One, GRCA, etc.).

If approved, notice of approval will be provided to Council (including outlining how any public comments were addressed), all the required parties under the *Planning Act* and those requesting a copy of the notice through the public meeting process. Pursuant to the delegated by-law, if the proponents object

to a proposed condition or the General Manager of Community and Development Services does not approve the subdivision, the matter would be referred to Council for a decision.

With regards to zoning approval, the draft by-law will be brought to Council for approval following the General Manager of Community and Development Services approving the draft plan of subdivision.

FINANCIAL/LEGAL IMPLICATIONS:

All financial requirements related to the proposed plan of subdivision will be addressed through the required subdivision agreement. Additionally, development charges will be required at the time of building permit application.

STAKEHOLDER IMPACTS:

Neighbourhood Open House:

The agent hosted a virtual neighbourhood open house (open house) through their website starting on December 10, 2020 requesting feedback be received by January 22, 2021. Invitations for public consultation were sent to 120 individuals. The proponent and Planning staff did not receive any comments as a result of the virtual open house.

Public Notice:

A notice of complete application was circulated to property owners within 120 metres (400 feet) of the subject lands on October 26, 2020. A notice of public meeting was circulated on or prior to January 25, 2022. Yellow development signs were posted on the subject lands in advance of this meeting. At the time of writing this report, Planning staff have received no questions or concerns from area residents.

Staff/Agency Comments:

Development and Design Technologist: Following review of the second submission of the Draft Plan it is the Technologist's opinion that a second opinion be obtained regarding the proposed dimensions of sight triangles within the development. All other previous concerns have been adequately addressed satisfactorily in accordance with the Haldimand County Design Criteria.

Grand River Conservation Authority (GRCA):

Further review is required by the GRCA as the detailed design is finalized.

Geotechnical

The GRCA has recommended an updated Geotechnical/Slope Assessment information to adequately review the slope features along Seneca Creek as some of the blocks (1, 2, 6, 28, 31, 37 and 38) are located within areas as "Steep Slope".

Floodplain

GRCA is satisfied with the information provided.

Storm water Management and Functional Servicing

Additional comments would be provided upon confirmation of the slope information.

Environmental Impact Study

The EIS and associated reports are well done and adequately characterize the natural heritage features and constraints. The mitigation measures should be fully implemented and the proposed works outlined in Section 7.3 of the EIS should be provided as part of the detailed design.

Natural Heritage Detailed Design/Environmental Implementation Report

The proposed removal of a portion of Wetland 1 and the removal of Wetland 2 are supported under GRCA Policies Section 8.4.4. Details on the proposed transplant plan of the Purple-veined Willowherb from Wetland 1 will need to be provided. The transplant plan should include monitoring to ensure the successful establishment of a new population.

The water balance is supported from a natural heritage perspective.

Recommended buffers and setbacks from the wetlands and watercourses are supported based on the proposed buffer enhancements and mitigation measures. Details of the proposed restoration and enhancement should be provided in the detailed design.

The proposed trail is conceptually supportable. Please provide further details on the proposed watercourse crossing structure and location of any proposed encroachment into buffers, setback and natural heritage features.

Filling in of the small drainage features will require mitigation measures to be in place to ensure no impacts on the downstream sections, which are still identified as regulated watercourse features.

Canada Post:

The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.

The developer agrees, prior to offering any units for sale/rent, to display a map on the wall of the sales office in a place readily accessible to potential owners/renters that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.

The developer agrees to include in all offers of purchase/rental a statement which advises the purchaser/renter that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected owners/renters of any established easements granted to Canada Post to permit access to the Community Mail Box.

The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents/tenants as soon as the homes/businesses are occupied. We require a minimum of 60 days notice to build and install the equipment.

The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:

- Any required walkway across the boulevard, per municipal standards
- Any required curb depressions for wheelchair access, with an opening of at least two to three metres (consult Canada Post for detailed specifications)
- A Community Mailbox concrete base pad per Canada Post specifications.

Manager of Economic Development and Tourism: No comment.

Ministry of Energy, Northern Development and Mines (ENDM):

Mine sites and hazards are identified as being present on the property and ongoing discussions and review are still occurring. With mine sites and hazards in mind, ENDM recommends:

1. The extent of mining hazards in the proposed development area are confirmed on site and not only delineated by historic mine plans.

2. A Geotechnical study should be completed to determine the long term suitability of mine workings and the setback distance required if a failure were to occur. At a minimum, the report must meet Part 3 of Sch.1 of O.Reg.240/00.
3. If development is proposed to occur over a hazard (including within its failure setback distance) a rehabilitation plan must include detailed geotechnical investigation, and a rehabilitation plan that certifies the long term stability of the proposed are for the land use being proposed.

Transportation Engineering Technologist: No comment.

Public Works (Water and Wastewater): The land that is subject to this application is currently being studied from a servicing perspective as part of the Caledonia Urban Boundary Expansion Servicing Review. Once complete findings/comments on water, wastewater, storm and transportation servicing can be provided.

Six Nations of the Grand River: Complete comments are included as Attachment 7. A response matrix was compiled by Armstrong Planning and sent to the Six Nations of the Grand River Elected Council Consultation Point Person addressing each of the issues raised. At the time of writing this report no response to the matrix has been received by Planning staff, however many of the items would be addressed through the draft plan conditions and technical components of the subdivision approval. Further consultation on these matters will take place with Six Nations staff.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Draft Plan.
3. Concept Plan.
4. Trails and Linkages Plan.
5. Zoning Comparison Table.
6. Draft Zoning By-law.
7. Six Nations of the Grand River Comments.