
HALDIMAND COUNTY

Report PDD-38-2022 Information Report Zoning By-law Amendment and Draft Plan of Subdivision for Sandusk Residential Community



For Consideration by Council in Committee on September 20, 2022

OBJECTIVE:

To provide an Information Report to brief Council and the general public on an application received for a Plan of Subdivision and for amendment of Zoning By-law HC 1-2020 to permit a variety of residential land uses, including single detached dwellings, townhouses, back to back townhouses and stacked townhouses, and to establish appropriate open space, hazard and future development zones, and to create the appropriate street network with blocks for residential use, walkways, a park, open space, stormwater management facilities, and future development. The applications would facilitate a maximum of 1,548 dwelling units, however the anticipated build out is approximately 1,150 dwellings.

RECOMMENDATIONS:

1. THAT Report PDD-38-2022 Information Report Zoning By-law Amendment and Draft Plan of Subdivision for Sandusk Residential Community be received.

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

EXECUTIVE SUMMARY:

Armstrong Planning, on behalf of EC (SANDUSK) GP INC. (owner), has submitted Zoning By-law Amendment and Draft Plan of Subdivision applications to rezone the subject lands to establish the proposed residential land use and development pattern. The subject lands form part of the urban settlement of Hagersville designated as part of the recently approved Official Plan update in 2021. The purpose of the Zoning By-law Amendment application is to implement this designation to permit a variety of residential land uses, including single detached dwellings, townhouses, back to back townhouses and stacked townhouses, and to establish appropriate open space, hazard and future development zones. The purpose of the Draft Plan of Subdivision Application is to create the appropriate street network with blocks for residential use, walkways, a public park, open space, stormwater management facilities, a medium density residential block and future development. The subdivision process ensures that there is proper functionality and that the new development would be of a high quality design. A maximum of 1,548 dwelling units are being proposed, along with a future public park and lands for utility and open space uses, however the anticipated build out is approximately 1,150 dwellings.

The subject report is intended to advise Council of the details relating to the subject applications and to assist Council in understanding the potential impacts of the proposal, along with identifying potential

matters that need to be addressed prior to staff bringing forward a recommendation on the subject planning applications. This report will also provide an opportunity for early public involvement and engagement in the planning process, by allowing members of the public to provide comment directly to Council on the submitted applications. This will provide staff with the opportunity to address any public comments and concerns, prior to preparing a recommendation report. Once all public comments have been addressed and staff have reviewed and are satisfied with the technical materials submitted, a subsequent recommendation report will be brought forward for Council's consideration.

BACKGROUND:

Location and Description

The subject lands are located in the southwest quadrant of the Hagersville Urban Area (Attachment 1) and are approximately ± 77.6 -hectare (± 192 acres) in size. The lands are municipally known as 2290 Sandusk Road and 59 King Street West, Hagersville and legally described as Part of Lots 13, 14 and 15, Concession 13, Geographic Township of Walpole. The majority of the lands are bounded by the CN Rail corridor to the east, Concession 12 Walpole (also known as Parkview Road) to the south, Sandusk Road to the west, and a former rail corridor/right-of-way to the north.

The western portion of the subject lands were previously used as an aggregate operation and contains a former quarry that has been filled with water (quarry pond). The western portion of the lands were also previously used as an asphalt plant with railway spurs formerly present on the lands. The eastern portion of the lands were also partially used for an aggregate operation with the balance of the lands being used for agricultural purposes. The lands are currently predominantly vacant and cleared, with several small pockets of vegetation and trees located on the eastern portion of the lands. None of the treed areas on the lands have been identified as being significant woodlands. The western portion of the lands to be developed were recently brought into the Hagersville Urban Area through Provincial approval of Phase 1 of the County's Municipal Comprehensive Review (MCR) project.

The lands are surrounded by the following land uses:

North: The lands directly adjacent to the north were previously used as a rail line by the Michigan Central Railway, these lands are currently mostly vacant, with a portion being used as a solar farm. Further north there is another former quarry operation that is now a quarry pond. To the northeast of the subject lands there are existing residential uses fronting onto Porter Avenue and Jane Street. Lands directly adjacent to the northeast of the subject lands are intended to also be developed by another proponent. This adjacent development will also partially provide access from King Street West to the proposed subdivision. There is also an existing livestock operation located to the northwest of the subject lands, outside of the urban area.

East: Directly adjacent to the east is an active rail line operated by Canadian National Railway. The subject lands also surrounds an existing single detached dwelling to the east municipally known as 34 John Street. Beyond the CN rail line to the east, there are a variety of land uses that front onto John Street and Main Street South, including residential, commercial and industrial uses. The Hagersville Sewage Treatment Plant is also located ± 80 m to the southeast of the subject lands.

South: To the south of the lands there is an existing single detached dwelling surround by the subject lands, which fronts onto Concession 12 Walpole (2968 Concession 12 Walpole). Directly adjacent to the south of the lands is Concession 12 Walpole Road (Parkview Road). Opposite Concession 12 Walpole there are a number of residential and industrial uses, including a solar farm and another former aggregate operation (quarry pond). To the southeast of the lands is

another solar farm, which formerly was part of the subject lands and was recently severed. Further to the south east there is an active aggregate operation (Nichols Gravel Limited).

West: To the west of the lands is Sandusk Road. Opposite Sandusk Road is another former aggregate operation (quarry pond). Further west is primarily used for agricultural purposes.

Municipal Comprehensive Review Project

On January 14, 2020, the County officially initiated its Municipal Comprehensive Review (MCR) of the Haldimand County Official Plan (HCOP) via report PDD-01-2020 Haldimand County Official Plan Update Work Program which was identified to be addressed in two phases. Phase 1 of the MCR – a 30 year growth strategy - sought to plan for forecasted growth for the County to 2051 in conformity with Provincial policies via urban boundary expansions and contractions to “right size” the six (6) urban areas in the County. Following public consultation and adoption by Haldimand Council in accordance with the *Planning Act*, on November 26, 2021, the Ministry of Municipal Affairs and Housing (MMAH) approved Phase 1 (the County’s Growth Strategy) of the County’s MCR project. Through this approval the eastern portion of the lands (2290 Sandusk Road) were brought into the Hagersville Urban Area and designated as ‘Residential’.

Current Land Use Permissions

The subject lands are designated ‘Residential’ in the Haldimand County Official Plan (HCOP). The ‘Residential’ designation permits all forms of residential development. A portion of the subject lands are also identified as having an Identified Trail Location on Schedule B.4 ‘Hagersville Urban Area Land Use Plan’ of the HCOP.

The subject lands currently contain multiple legacy zones relating to past uses including the “General Industrial (MG)” zone, the “Development (D)” zone and the “Extractive Industrial (MX)” zone. These zones primarily recognize the former quarry operation on the lands, and a comprehensive rezoning is required to redevelop the lands in accordance with the “Residential” Official Plan designation. There is also a “Holding (H) Provision” on a portion of the subject lands.

Pre-Consultation Meeting and Application Submission

In July of 2021, Armstrong Planning, on behalf of EC (SANDUSK) GP INC. (owner), submitted for a pre-consultation meeting with the County. This is a required process for complex applications and is intended to ensure a ‘complete submission’ is prepared so that proper evaluations can occur. A pre-consultation meeting was held on August 18th, 2021 in order to discuss the proposal and required *Planning Act* applications and supporting technical materials.

The agent submitted the Zoning By-law Amendment and Draft Plan of Subdivision applications on May 19th, 2022 through the County’s online portal (CityView) and they were formally deemed complete under the *Planning Act* on June 24th, 2022. In accordance with legislative requirements, surrounding property owners were notified that a complete application had been received. The applications were circulated for comment by the various County departments and external agencies, with a commenting deadline of August 5th, 2022. Please refer to the stakeholder impact section of this report for a summary of the internal County staff, external agency, and public comments received to date. Please note that as of the time of drafting of this report, the review is ongoing from Haldimand County Transportation Engineering and comments will be received following completion of the review. We are also awaiting CN Rail’s review of the submitted Compatibility and Mitigation Study. Comments from the Ministry of Transportation and Long Point Region Conservation Authority are also outstanding.

In support of the application, the proponent’s consulting team submitted a number of reports to justify the proposed development and technical studies and plans to demonstrate the suitability of the proposed subdivision. These are listing in the following report section.

Subject Application/Development Proposal

The Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted to rezone the subject lands to establish the proposed residential land use and development pattern. The proposed development consists of a variety of residential land uses, including single and semi-detached dwellings, street townhouses, back-to-back townhouses, and stacked townhouses. This diversity of housing is intended to provide a variety of types to meet varied needs and affordability ranges. The proposed development also includes a public park, stormwater management facilities, open space blocks, areas for future development and a proposed walkway and road network.

The proposed development is broken into two primary development areas:

1. a “freehold” area to the east of the lands that is accessed by a proposed municipal road network; and,
2. a medium density block to the west of the lands that surrounds the quarry pond and is anticipated to be incorporated as a condominium and accessed via a condominium road.

Based on the proposed zoning standards, a maximum of approximately 1,548 units could be developed on the subject lands across both the “freehold” subdivision and the proposed medium density block in a “maximum yield” scenario. However, the applicant has advised and the County’s experience with other development is that based on the proposed lotting pattern and development configuration, a total of ±1,134 units is anticipated to be constructed at full build-out in an “anticipated yield” scenario. Full build-out is anticipated to take approximately 10 years. The unit type breakdown is as follows:

Table 1: Unit Breakdown for ‘Anticipated Yield’ Scenario

Dwelling Type	# of Units	±Residents (person per unit based on 2019 development charges background study)
Single Detached	484	1,405
Street Townhouse	144	386
Back-to-back Townhouse	210	563
Medium Density Block (various types of townhouses)	296	793
Total	1,134	3,147

In the “freehold” portion of the proposed development along the eastern portion of the lands will contain single detached dwellings, street townhouse dwellings, and back to back dwellings. Typical lot frontages for the single detached dwellings proposed will be between 8.2 metre (27 feet) to 11.0 metre (36 feet). The street townhouse dwellings and back-to-back townhouse dwellings will have a minimum frontage of 5.5 metres (18 feet) per unit and 6.0 metres (20 feet) per unit, respectively. The intent is that each phase of development will incorporate a variety of dwelling types to satisfy market demand and contribute to the range and mix of housing types available.

A 2.64 hectare (±6.5 acre) park block is also proposed and is located centrally to the proposed development to enhance the ease of access for future residents. The park would be classified as either a ‘Neighbourhood Park’ or a ‘Community Park’ based on the criteria for the County’s Parkland classification. This would allow for flexible programming to be accommodated on the park block, which will be determined in coordination with the proponent through the subdivision approval process. A stormwater management block is also proposed, which will provide some additional opportunities for passive recreation. The proposed subdivision also includes several open space blocks. These blocks primarily serve to provide the appropriate buffer between the proposed residential uses and active CN rail line to the east of the lands. They also serve to provide a buffer between the proposed residential uses to the north of the site and the existing quarry pond adjacent to the north of the lands. The open

space block adjacent to the CN rail line is also proposed to accommodate the required 2.5 metres high safety berm and any noise mitigation measures required to appropriately address noise concerns.

A proposed public road network will provide access to the “freehold” units. “Street A” serves as the primary collector, which provides access to the lands from Concession 12 Walpole and King Street West. A conveyance from the landowner to the north is required in order to connect “Street A” to King Street West. The proponent has advised that they have coordinated with the landowner to the north, who will be submitting *Planning Act* applications that include the implementation of the proposed access onto King Street West. A series of local streets provide access to the individual units in a modified grid pattern. Proposed right-of-way widths for a local street is 18 metres, which has been used elsewhere in the County (Caledonia, Hagersville). On-site parking requirements will need to be met per the zoning requirements, and sufficient on-street parking will need to be accommodated. A Parking Plan will be reviewed as part of the approval process to assess driveway locations and on-street parking considerations. A series of 6.0 metre wide walkways have also been provided that transect certain development blocks to enhance neighbourhood walkability and connectivity.

The proposed development also contains a large medium density block along the western portion of the lands, which contains the entirety of the existing quarry pond. The medium density block would be incorporated as a condominium corporation that would own the quarry pond. The quarry pond would then be used as a private amenity area as a common element of the proposed condominium. There would be no public access to the quarry pond provided through the proposed application. The proposed zoning on the medium density block would permit a variety of townhouse uses including street townhouses, group townhouses, stacked townhouses, and back-to-back townhouses. Minimum lot widths proposed for these townhouses would range from 5.5 metres to 8 metres.

Please refer to the Concept Plans attached as Attachment 2 and the Draft Plan of Subdivision attached as Attachment 3 for more information on the proposed development.

The subject lands are proposed to be rezoned to a site-specific “Urban Residential Type 1-B (R1-B.X) – Exception Zone”, which permits single-detached and semi-detached dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Site Specific Zone”, which permits street townhouses dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Site Specific Zone”, which permits back-to-back townhouse dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Site Specific Zone”, which permits various forms of townhouses, as well as single and semi-detached dwellings with modified performance standards; an “Open Space (OS) Zone” for the proposed park, SWM pond, and other open space blocks; and, a “Development (D)” zone for lands identified for future development. The Site Specific numbers will be assigned in the future when the draft by-law is prepared. The requested site-specific zoning standards are similar to those approved elsewhere in the County for greenfield development and are being evaluated to ensure they are appropriate.

In support of the submitted Zoning By-law Amendment and Draft Plan of Subdivision Applications, the proponent submitted the following supporting materials:

1. Public Consultation Strategy
2. Draft Plan of Subdivision
3. Draft Zoning By-Law Amendment
4. Pre-Consultation Meeting Notes
5. Planning Justification Report (Armstrong Planning and Project Management)
6. Functional Servicing Report (WSP)
7. Stormwater Management Report (WSP)
8. Stage 1-2 Archaeological Assessment (ARA)
9. Traffic Impact Study (WSP)
10. Compatibility and Mitigation Study (SLR)

11. General Vegetation Inventory (WSP)
12. Phase 1 and 2 Environmental Site Assessment (WSP)
13. Sun Shadow Study (R. Bouwmeester & Associates)
14. Preliminary Slope Stability Assessment (WSP)
15. Preliminary Geotechnical Investigation (WSP) (subsequently submitted)

County staff and agencies are completing their review of the submitted materials and will be providing the applicant some questions/comments for their consideration and action. A subsequent resubmission will be required to address staff and external agency comments. Each of the submitted technical materials are discussed in more detail in the analysis section of this report.

Process

The purpose of this report is as follows:

1. To advise Council of the details relating to the subject applications (as described above);
2. To provide a summary of key planning and development issues; and
3. To hold the statutory public meeting to provide an opportunity for the public to identify issues and to provide comments relative to the subject applications prior to Planning staff making a recommendation and prior to Council making a decision.

This is a standard approach implemented by the County for applications that are identified as complex and/or those that would have a significant public interest component (such as Official Plan and Zoning By-law Amendment applications). This approach allows for the formal public meeting to be held and public input to be received and considered in advance of Planning staff making a recommendation and Council making a decision. It also works as an opportunity for the identification of any issues early on in the process, which is invaluable as it allows for early public engagement in the planning process.

ANALYSIS:

The planning considerations identified below apply to this proposal. Planning staff summarize the relevant policies that must be addressed without providing opinion or recommendation and summarize the studies provided with the applications below.

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 relates to the actual layout, servicing, and land division matters.

Planning Act

The *Planning Act* (Act) is provincial legislation that establishes the framework for land use planning in Ontario. Section 51 (24) of the *Planning Act* sets out a list of criteria that an approval authority must have regard for when assessing the merits of a Plan of Subdivision application.

All land use decisions must also have sufficient regard for the matters of provincial interest outlined in Section 2 of the *Planning Act*.

The proposed development and submitted technical materials are being evaluated to determine if there has been sufficient regard given to the criteria of Section 51 (24) and matters of provincial interest in Section 2 of the *Planning Act*.

Provincial Policy

Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS), 2020 provides overall direction on matters of provincial interest related to land use planning and development in Ontario. The PPS sets the policy foundations for regulating the development and use of land. The *Planning Act* requires all decisions affecting planning matters to be consistent with the PPS policies. The policies of the PPS “provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment”. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

Section 1.1 of the PPS deals with directing land use to achieve efficient and resilient development and land use patterns. Section 1.1.1 contains policy guidance on creating healthy, livable and safe communities. Policies within this section seek to promote efficient development and land use patterns that support the financial well-being of the Province and municipalities over the long-term, while also providing an appropriate affordable and market-based range and mix of housing types. This section also contains policies that promote the avoidance of development and land use patterns which may cause environmental and public health and safety concerns, and ensure that necessary infrastructure and public service facilities are or will be available to meet current and project needs.

The proposed development is located within a settlement area, as defined by the PPS, which shall be the focus of growth. Development within settlement areas shall efficiently use land and resources, and be appropriate for, and efficiently use, infrastructure and public service facilities. Development within settlement areas is also directed to minimize the impacts to air quality and climate change, promote energy efficiency, and support active transportation. Policy 1.1.3.6 also states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of lands, infrastructure, and public service facilities.

The proposed development is located adjacent to an active CN rail line, in proximity to several industrial facilities and the Hagersville Wastewater Treatment Plant; and is located on former industrial lands. Section 1.2.6 of the PPS deals with land use compatibility. Policies in this section primarily seek to ensure land use compatibility between major facilities and sensitive uses. If avoidance is not possible, the PPS directs to minimize and mitigate any potential adverse effects, limit the risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines. County staff along with CN Rail are reviewing the Land Use Compatibility Study (noise, vibration, odour dust) that was submitted to ensure the proposed residential uses can be compatibly incorporated. County staff will also ensure that all recommended mitigation measures are included within the approved design and as conditions of Draft Plan approval.

Section 1.4 of the PPS contain policies related to housing. Policies in this section support the provision of an appropriate range and mix of housing options and densities required to meet the requirements of current and future residents. Policies within this section also support the establishment of housing that is affordable, in particular to low and moderate income households. The proposal does include a range and mix of housing options at various densities.

Section 1.5 of the PPS deals with public space, recreation, parks, trails, and open space. The policies within this section generally seek to ensure that the full range of public spaces are provided and designed in an equitable manner to satisfy the recreational needs of the public. The proposal does include a ±2.64 hectare (6.5 acre) park block, which equates to approximately ±5% of the Gross Land Area of the proposed development, when hazard lands and rail line buffers are excluded. The proposal also includes a north/south trail link along the central collector road.

Section 1.6 of the PPS deals infrastructure and public service facilities. The policies of this section direct that infrastructure and public service facilities are coordinated and integrated with the planning process to ensure that they are financially viable, and available to meet current and projected needs. As noted in the Stakeholder Impacts section below, the Grand Erie District School Board (GEDSB) is requesting a block of land be conveyed for a future school. This will be further discussed with the applicant and the GEDSB prior to a recommendation report coming forward and inclusion of a block would result in need for redesign and further reduction in the total unit yield.

Section 1.6.6 contains the policies related to sewage, water, and stormwater servicing. This section contains a servicing hierarchy, where municipal water and wastewater are the preferred form of servicing in settlement areas. The development is proposed on full municipal services; however, there is currently insufficient water treatment, storage and fire flow capacity, as well as wastewater treatment capacity to accommodate the proposed development at full build-out. Significant external upgrades are required to the County's infrastructure to accommodate the maximum potential build-out of the proposed development (1,500 units+) when combined with development potential of all other vacant urban development lands. The County is currently reviewing the submitted technical materials to identify the upgrades required to service the proposed development and the feasibility of completing same. This will occur in conjunction with the update to the County's Hagersville Master Servicing Plan, which is slated to begin later this year (2022) and be completed by the end of 2023. All external upgrades will need to be identified and it will need to be demonstrated that the proposal can be appropriately accommodated on municipal services prior to Draft Plan approval.

Section 1.6.7 contains policies related to transportation systems, and that they should be provided in a safe and energy efficient manner that facilitates the movement of people and goods that addresses projected needs. The applicant has submitted a Transpiration Impact Study (TIS) that concludes that no external upgrades to the County's transportation network are required to accommodate the proposed development. County staff are reviewing the submitted TIS to confirm the report's findings. The MTO has also been circulated and we are awaiting comment.

Section 2 of the PPS deals with the wise use and management of resources. This section serves to protect natural heritage features and areas for the long term and promotes the conservation of significant archaeological resources and areas. A Stage 1 and 2 archaeological assessment was submitted for review. This assessment recommends further archaeological work to preserve identified archaeological resources. The proponent will be required to demonstrate that archaeological resources have been appropriately documented, removed and/or preserved on-site and receive the appropriate approval/registration from the Ministry of Heritage, Sport, Tourism and Culture Industries.

The subject lands contain a former quarry, which has been identified as a steep slope hazard by the Long Point Region Conservation Authority. Section 3.0 deals with the protection of public health and safety. Policies in this section serve to protect public health and safety from natural and human-made hazards by ensuring that development is not located in hazardous lands or on hazardous or contaminated sites. This includes lands that were previously used for mineral aggregate operations, unless they have been appropriately mitigated to address known or suspected hazards. Staff are working with the proponent and the Long Point Region Conservation Authority to ensure that hazards associated with the existing quarry pond can be appropriately mitigated. The proponent submitted a Preliminary Stable Top of Slope Study to establish a development setback from the edge of the quarry.

The proposed development and submitted technical materials are being evaluated based on consistency with the above policy sections, among others, to ensure consistency with the PPS.

A Place to Grow: Growth Plan for Greater Golden Horseshoe, 2020

A Place to Grow establishes a unique land use planning framework for the Greater Golden Horseshoe (GGH) to 2051 that supports the achievement of complete communities, a thriving economy, a clean

and healthy environment, and social equity in the face of the magnitude and pace of forecasted growth and changes expected in the GGH area. A Place to Grow speaks to issues relating to economic prosperity, which include transportation, infrastructure planning, land use planning, urban form, housing, natural heritage and resource protection. The *Place to Grow Act* requires all planning decisions to conform with A Place to Grow.

Section 2.2 of the A Place to Grow contains policies for managing growth. Policy 2.2.1.2 a) states that the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have municipal water and wastewater systems and can support the achievement of complete communities. Policy 2.2.1.2 e) states that development will be generally directed away from hazardous lands. Policy 2.2.1.4 supports the achievement of complete communities that features a diverse mix of land uses, improve social equity and overall quality of life, provide a diverse range and mix of housing options, expand convenient access to infrastructure, public service facilities and amenities, provide a more compact built form and vibrant public realm, mitigate the impact of a changing climate and reduce greenhouse gas emissions, and integrate green infrastructure. The development is proposed on full municipal services, although there is currently insufficient capacity to accommodate the proposal at maximum build-out when combined with the development potential of all other vacant urban lands. Significant external upgrades to the County's infrastructure would be required if maximum build out were to be proposed. Development approvals will continue to only be granted when servicing capacity is available to service the proposed development. Any potential upgrades required to the municipal water and wastewater infrastructure to accommodate the proposed development would be assessed and completed in accordance with the County's Development Charges By-law (By-law # 2042/19).

The proposal also incorporates a number of dwelling types that will contribute to the range and mix of housing options in the area, and help support the achievement of complete communities.

Section 2.2.6 of the A Place to Grow contains the policies related to housing. Policy 2.2.6.1 a) states that municipalities will support housing choice through the achievement of the minimum intensification and density targets of the Plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Section 2.2.7 contains the policies for designated greenfield areas, which the subject lands are considered. Policy 2.2.7.1 states that new development taking place in designated greenfield area will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation, and encourages the integration and sustained viability of transit services.

Policy 2.2.7.2 b) establishes the minimum greenfield density target for Haldimand County and states that the County shall have a minimum density target that is not less than 40 residents and jobs combined per hectare. The proposed development has a maximum proposed density of ± 77.52 persons and jobs per hectare, which exceeds the minimum greenfield density target established by Policy 2.2.7.2 b).

The proposed development and submitted technical materials are being evaluated based on conformity with the above policy sections, among others, to ensure conformity with A Place to Grow.

County Policy

Haldimand County Official Plan

The Haldimand County Official Plan (HCOP) creates the framework for guiding land use changes in the County over the long-term. The HCOP 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.

i. Natural Environment

Section 2.A. of the HCOP includes policies related to natural heritage features throughout the County. The policies within this section seek to preserve significant Natural Environment Areas to sustain essential ecological functions and protect natural biological diversity. Although there are no significant natural heritage features identified on the subject lands, the proponent has agreed to submit a scoped environmental impact study to identify and evaluate the potential impacts of proposed development and site alteration on any existing natural features, including wildlife.

Staff will review the submitted scoped environmental impact assessment following its submission and prior to making a recommendation.

ii. Hazard Lands

The existing quarry pond located on the lands is considered a human-made hazard and is regulated by the Long Point Region Conservation Authority. Section 2.C. of the HCOP includes the policies related to hazard lands. These policies generally direct development away from hazard lands, and ensure that existing physical hazards are safely addressed through development.

The proponent has submitted a Preliminary Slope Stability Study that establishes a development setback from the top of the quarry. Conditions in the Draft Plan approval will seek to ensure that the report recommendations are carried forward into the detailed design of the subdivision. The proponent has also subsequently submitted a Preliminary Geotechnical investigation that evaluates the proposal from a geotechnical perspective, which includes implications related to bedrock and groundwater. Staff are currently reviewing the submitted materials. The proponent has designed the subdivision to minimize the need to excavate into the bedrock for both structural foundations and servicing. During construction, where breaking of rock is required, it may occur using tools other than blasting. Should it be determined that blasting is required, pre-construction surveys and ongoing monitoring is required to ensure there is no impact on adjacent structures, including nearby water wells and gas wells.

The Long Point Region Conservation Authority has also been circulated for comment as it relates to regulated and hazard lands.

iii. Designation

The subject lands are within the Urban Area of Hagersville and are identified as greenfield (unbuilt) area. The subject lands are designated as 'Residential' on Schedule B.4 of the Haldimand County Official Plan.

iv. Residential Designation

The HCOP states that the lands designated "Residential" 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 policies of the HCOP. Development shall proceed in an orderly, phased manner contiguous to existing development and take into consideration the availability of services.

Policy 4.B.6 of the HCOP establishes the overall density target for designated greenfield areas across the County's 6 urban areas. This policy establishes a target for an minimum density of 40 persons and jobs per hectare within the designated greenfield areas of the six urban areas; there is no maximum density target. At a maximum of ± 77.52 persons and jobs per hectare, the proposal exceeds this average density.

Further to the overall greenfield density target, Policy 4.B.2) 5. Identifies the target residential densities by building type. Single and semi-detached dwellings are not generally to exceed 20 units per gross

residential hectare; whereas townhouses are not generally to exceed 40 units per gross residential hectare. Policy 4.B.2) 10. further states that within the designated greenfield areas, the minimum density for low density housing shall be 15 units per gross residential hectare (upgh) and the minimum density for medium density housing shall be 35 units per gross residential hectare. More information on the proposed residential densities has been requested from the applicant that excludes the proposed open space blocks and lands for future development.

As the proposed development includes townhouses (medium density development) Policy 4.B.2) 6. establishes matters to be addressed when considering medium and/or high density residential development. These matters included establishing a housing need, relationship to adjacent residential development, parking, traffic, the provision of public parks and amenities, and the adequacy of community public service facilities. Technical materials were submitted to satisfy these criteria. Staff are currently reviewing the proposed development from a traffic and parking perspective to ensure it is appropriate. Staff are also seeking to ensure that the proposed development is compatible with existing residential development, in particular the existing single detached dwellings to the east and south that the development surrounds. Furthermore, staff are in discussions with the proponent and the GEDSB to ensure that appropriate land is provided for educational purposes.

v. Servicing

Policy 5.B.1) 1. of the HCOP states that new development and redevelopment in the Urban Areas shall generally proceed where the development is fully serviced by municipal water, sanitary sewers, and adequate drainage and stormwater management facilities.

The development is proposed on full municipal services; however, there is currently insufficient water and wastewater servicing capability to accommodate the proposed development at full build-out when combined with other development potential on vacant urban lands within the designated urban area. Significant external upgrades are required to the County's infrastructure to accommodate the full build-out of the proposed development. The County is currently reviewing the submitted technical materials to identify the upgrades required to service the proposed development and the feasibility of completing same. This will occur in conjunction with the update to the County's Hagersville Master Servicing Plan, which is slated to begin later this year (2022) and be completed by the end of 2023. All external upgrades will need to be identified, technically evaluated and costed and it will need to be demonstrated that the proposal can be appropriately accommodated on municipal services prior to Draft Plan approval. Any upgrades to the municipal infrastructure will be reviewed and assessed as per the County's Development Charges By-law. Part of the solution may be reducing the overall unit yield, which is expected in any event, given changes that will need to be made to the plan as a result of County and external agency feedback and the fact that maximum build out will not be achieved given not all lots will be constructed with the smallest area/lot frontage. Staff will continue to only recommend approval of development that can be accommodated by municipal infrastructure, while also not constraining other developable lands within Hagersville.

The proponent has also submitted a functional stormwater management design for the proposed development, which includes a central stormwater pond adjacent to the quarry pond. The proposed pond will also provide quality treatment of stormwater flows prior to discharging to the outlet. Staff are currently reviewing the submitted stormwater design.

vi. Traffic/Transportation

Policy 5 A.1) 14. states that Traffic studies may be required as part of any proposal for development where it is determined that the development may have an impact on the road network. Only those development proposals that can reasonably be accommodated within the existing roads system will be permitted. Where improvements to the road network are necessary to accommodate development, the County will require that developers improve the system at their own expense or make financial

contributions to the improvements. As previously mentioned herein, the proponent submitted a Transportation Impact Study, which is currently under review by County Staff and the Ministry of Transportation. Any upgrades identified through the review of the report will be captured as conditions of Draft Approval. The Development Technologist's review identified the requirement for wider access widths onto King Street West and Parkview Road, and road widenings off of the respective streets to facilitate the proposed development. The proponents are required to demonstrate that adequate parking is available and the proposed street layout is functional from a street parking, snow clearing, traffic flow, emergency access, and pedestrian circulation perspective.

vii. Land Use Compatibility

Section 5.F.1) of the HCOP contain the policies related to land use compatibility. This section outlines mitigation measures that may be required in order to ensure adverse impacts are appropriately mitigated when a new sensitive use is proposed adjacent to existing uses that may impose adverse impacts. Policy sections 5.F. 2) and 3) state that the County may require noise, vibration, and air quality studies in order to determine compatibility between existing uses and proposed sensitive land uses. Section 5.F.4) outlines the policies related to sensitive use development adjacent to rail corridors. This policy section states that all proposed development adjacent to railway corridors shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the County in consultation with the appropriate railway operator, who is CN Rail in this instance. As previously mentioned herein, the proponent submitted a Land Use Compatibility Study which studied the proposed development from a noise, vibration, odour and air quality perspective. The proposal recommended a series of noise mitigation measures for the residential dwellings that back onto the CN rail corridor. This includes a 2.0m high berm and some construction standard upgrades to those dwellings. Staff and CN are currently reviewing the submitted compatibility study for appropriateness and will ensure all mitigation measures are implemented.

The Hagersville Wastewater Treatment Plan is also in close proximity to the subject lands (± 80 metres). The applicant has submitted a Land Use Compatibility Study that evaluates potential odour impacts associated with the treatment plant. Staff are currently reviewing the submitted Compatibility Study, in particular with reference to the Ministry's D-series Guidelines and required separation distances.

viii. Lot Creation

Policy 5.H.1. of the HCOP states that Council will only approve Plans of Subdivision or Condominium which conform the *Planning Act* and the following criteria:

- a) The Plan of Subdivision or Condominium conforms with the policies of this Plan;
- b) Adequate servicing such as water supply, sewage disposal facilities, storm water 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 increases in taxation on all residents, and;
- d) The Plan of Subdivision or Condominium is not deemed to be premature, and is considered necessary in the public interest.

The proposal is being evaluated against these criteria by staff. In terms of criteria b) above, the County is currently reviewing the submitted functional servicing design and identifying what external water/wastewater infrastructure upgrades may be required and the feasibility of completing those upgrades.

ix. Parkland, Trails and Open Space

Policy 6.A.7. states that the County may provide neighbourhood and community parks and recreational facilities with new developments, where applicable. The parks and recreational facilities shall be of

appropriate size, shape and quantity and located where there is good pedestrian, cycle and in the case of community parks, vehicular access and adequate parking to enable the recreational use. Policy 6.B.1.a) states that the County may require the dedication of land for park or other recreational purposes, including trail development, as a condition of approval of a plan of subdivision, plan of condominium, consent, residential, commercial or industrial development or redevelopment in accordance with the *Planning Act* at a rate of 5 percent for residential purposes and 2 percent for all other purposes. The proposed development includes a 2.64 hectare park block to be conveyed to the County, which is approximately $\pm 5\%$ of subdivision land area.

Policy 6.E.3 states that. Trail development shall be established in accordance with the Haldimand County Trails Master Plan, and trails and cycle corridor depiction on Official Plan schedules and be designed to accommodate a range of users, abilities and needs. A trail connection is shown on the subject lands in the HCOP. The proponent has advised that they will incorporate the proposed trail connection into the design of the subdivision, which will run north/south along the central collector road identified as “Street A”.

iv. Cultural Heritage

Policy 6.G.2. of the HCOP states that areas of potential archaeological significance shall be identified prior to new development, or site alteration. Where these areas exist, they shall be studied and significant archaeological resources preserved or removed, prior to development, or site alteration. The County will require the preparation of an archaeological assessment by an archaeologist licensed under the *Ontario Heritage Act* and mitigation of impacts when development or site alteration adversely affects an archaeological resource. As previously discussed herein, further archaeological work needs to be completed on the subject lands, per the submitted archaeological assessment. All archaeological resources will need to be adequately preserved and Ministry clearances obtained prior to development.

The proposed development and submitted technical materials are being evaluated based on conformity with the above policy sections, among others, to ensure conformity with the HCOP.

The applications, supporting reports and studies have been provided to Six Nations Council of the Grand River and Mississaugas of the Credit First Nation for review and comment. Please see the comment summary below for more details; however, it is noted that dialogues are on-going.

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 can be used, permitted lot sizes and dimensions, parking space requirements, building heights, and setbacks from the street. The Zoning By-law implements the Official Plan and is legally enforceable. A Site Plan application cannot be approved nor can a building permit be issued if the correct zoning is not in effect or the development does not conform to all zoning provisions.

The subject lands currently contain multiple zones including the “General Industrial (MG)” zone, the “Development (D)” zone and the “Extractive Industrial (MX)” zone. These zones primarily recognize the former quarry operation on the lands, and a comprehensive rezoning is required to redevelop the lands in accordance with the “Residential” Official Plan designation. There is also a “Holding (H) Provision” on a portion of the subject lands.

The subject lands are proposed to be rezoned to a site-specific “Urban Residential Type 1-B (R1-B.X) – Exception Zone”, which permits single-detached and semi-detached dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Exception Zone”, which permits street townhouses dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Exception Zone”, which permits back-to-back townhouse dwellings with modified performance standards; a site-specific “Urban Residential Type 4 (R4.X) – Exception Zone”,

which permits various forms of townhouses, as well as single and semi-detached dwellings with modified performance standards; an “Open Space (OS) Zone” for the proposed park, SWM pond, and other open space blocks; and, a “Development (D)” zone for lands identified for future development.

In addition to establishing the proposed land use, the proponent has requested relief from various performance standards to implement the proposed lot standards. Please refer to the Zoning Comparison Table submitted by the proponent in Attachment 4 for details of the relief sought. The Draft Zoning By-law submitted by the proponent is attached as Attachment 5.

Submitted Supporting Materials

Public Consultation Strategy

The applicant submitted a completed Complex Public Consultation Form in accordance with County policy. Through this form, the applicant has committed to hosting a proponent-led public open house (virtual) with surrounding neighbours. The proponent will be required to provide the County with the feedback received at the open house. This open house would be in addition to the two public meetings held in Council chambers (Information Report Meeting/Statutory Public Meeting). The proponent is anticipating holding the open house in the fall/winter of 2022.

Following the October open house, the proponent and County staff can determine if additional public consultation is appropriate.

Planning Justification Report (Armstrong Planning and Project Management)

The Planning Justification Report, prepared by Armstrong Planning and Project Management, provides a recommendation in support of the proposed development. The proposed development and submitted technical materials are analyzed against the various Provincial and County level land use planning documents including the *Planning Act*, the Provincial Policy Statement, A Place to Grow: The Growth Plan for the Greater Golden Horseshoes, the Haldimand County Official Plan and Zoning By-law H 1-2020. The report concludes that the proposed development is consistent with, and conforms to the relevant land use planning documents and that the proposal represents good planning and should be approved. Staff will evaluate the report and conduct its own evaluation of the proposal relative to conformity with Provincial and County policy frameworks.

Functional Servicing Report (WSP)

A Functional Servicing Report, prepared by WSP, was submitted in support of the proposed development. The report is currently being evaluated to ensure capacity is available in municipal services to accommodate the proposed development.

Following an initial review of the submitted Functional Servicing Report, County staff have confirmed that there is currently insufficient capacity to accommodate the proposed development at maximum full build-out when combined with other development potential on vacant lands within the urban area. External upgrades are required to the County’s infrastructure to accommodate the full build-out of the proposed development. The County is currently reviewing the submitted technical materials to identify the upgrades required to service the proposed development and the feasibility of completing same. This will occur in conjunction with the update to the County’s Hagersville Master Servicing Plan, which is slated to begin later this year (2022) and be completed by the end of 2023. All external upgrades will need to be identified and it will need to be demonstrated that the proposal can be appropriately accommodated on municipal services prior to Draft Plan approval. The costs of all upgrades to municipal services resulting from the proposed development will be reviewed and applied as per the County’s Development Charges By-law. Approval of the proposed development will only be recommended once the proposal can be adequately serviced.

The proposal and servicing design will also be further evaluated to determine if blasting is required. During construction, where breaking of rock is required, it may occur using tools other than blasting. If

blasting is required, pre-construction surveys and ongoing monitoring is required to ensure there is no impact on adjacent structures, including nearby water wells and gas wells.

Stormwater Management Report (WSP)

A Stormwater Management Report, prepared by WSP, was submitted in support of the proposed development. A SWM wet pond is proposed for the subject development to provide quality and erosion control. The key components of the SWM plan are summarized below:

1. Water Balance - A detailed water balance study was not identified as part of the pre-consultation requirements for the subject site.
2. Water Quality - The SWM wet pond is intended to provide Enhance Level of Protection for a total drainage area of 38.34 ha with a lumped imperviousness of 55.9%, including future residential development blocs (2.44 ha) north side of the property. Water quality treatment design criteria is achieved through provision of adequate permanent pool volume and extended detention volume for the 25 mm rainfall event.
3. Erosion Control - Erosion control storage volumes are incorporated in the SWM wet pond, and an orifice plate is proposed to control the release rate from a 25 mm rainfall event to achieve a 46.2 hour extended detention time.
4. Water Quantity - Quantity control is not required for the catchment areas draining into the Quarry Pond via the SWM Pond outlet. The post-development flow rates from the uncontrolled area towards the roadside ditch shall be less than the pre-development peak flow rates due to the decrease of the drainage area.

Staff are still in the process of conducting a detailed review of the submitted functional stormwater management design and determining its adequacy. This will need to be established prior to approval of the proposed Zoning By-law Amendment and Draft Plan of Subdivision. The Long Point Region Conservation Authority has also been circulated as it relates to the proposed stormwater management design and sedimentation and erosion control measures. County staff will ensure that all of the LPRCA's comments are addressed prior to approval.

Stage 1-2 Archaeological Assessment (ARA)

A Stage 1 and partial stage 2 Archeological Assessment was prepared by Archeological Research Associates Ltd. Due to wet site conditions in 2021, portions of the property still require Stage 2 assessment. The proponent has advised that the Stage 2 is currently being completed. Within the portions of the lands where the Stage 2 was completed, the report concluded that 10 sites are recommended to proceed directly to Stage 3. Accordingly, more archaeological work is required in order to accurately document/preserve the archaeological resources on the site.

The proponent will be required to demonstrate that archaeological resources have been appropriately documented/preserved on-site and receive the appropriate approval/register from the Ministry of Heritage, Sport, Tourism and Culture Industries. Six Nations Council of the Grand River and the Mississaugas of the Credit First Nation were also provided copies of the submitted archaeological assessments.

Traffic Impact Study (WSP)

A Traffic Impact Study (TIS) was completed by WSP, which analysed projected traffic patterns with an assumption that the plan be realized at the maximum potential density and unit count of 1,548 residential units. WSP projections also incorporated other development projects in proximity to the site. The report concluded that traffic generated by the Sandusk Community can be accommodated by the existing road network; no improvements are required. The TIS also examined projected traffic patterns

within the site, and found the internal road network would be adequate. The access points provided on the site were also found to be appropriate.

Staff are still in the process of conducting a detailed review of the submitted Transportation Impact Study. Staff will need to be satisfied with the Study's findings that no external upgrades are required prior to the approval of the proposed Zoning By-law Amendment and Draft Plan of Subdivision. The MTO has also been circulated and will provide comment on how the proposed development may or may not impact Provincial transportation infrastructure in the area. Any potential upgrades/mitigation measures to the external transportation infrastructure will be required to be implemented through the Draft Plan approval. The Development Technologist has identified a requirement to widen the access points to the proposed subdivision and for a road widening off of Parkview Road and King Street West. These will need to be addressed in a future Draft Plan submission.

Compatibility and Mitigation Study (SLR)

A Land Use Compatibility Study was completed by SLR Consulting (Canada) Ltd. to consider the potential impacts of industrial air quality, odour, and dust emissions, industrial noise and vibration, and transportation-related air pollution to the proposed sensitive land uses on the site. Existing land uses in proximity to the site were reviewed, including general industrial uses (Class I and II) which include the Hagersville Wastewater Treatment Plant, and the CN Rail corridor along the eastern boundary of the site.

Findings in the Land Use Compatibility Study concluded that the proposed sensitive land uses on the site are compatible with existing uses in proximity to the site as there is sufficient separation. The impacts of the adjacent CN rail corridor can be mitigated by constructing a 2.0 metre berm adjacent to the rail corridor. Minor glazing upgrades and window rating criteria will be required on the facades of buildings in proximity to the surrounding roadways and the CN Rail Corridor. Warning clauses are also recommended. The report concludes that these measures sufficiently mitigate noise.

The report indicated there were no concerns with respect to vibration, odour or air quality.

Staff are reviewing the Compatibility and Mitigation Study to determine the adequacy of the proposed mitigation measures with respect to the adjacent rail line and industrial uses. CN has provided preliminary comments related to the proposed safety/noise mitigation berm. The proponent has proposed a 2m berm, when CN requires a 2.5m berm adjacent to all sensitive land uses. CN is reviewing the submitted Compatibility Study and will provide further comment.

General Vegetation Inventory (WSP)

A General Vegetation Inventory was completed by a Certified Arborist at WSP, in accordance with the County's Terms of Reference. The report inventoried and assessed the existing vegetation on the property, and recommended measures for protection and/or removal based on the Draft Plan of Subdivision.

Staff have reviewed the submitted General Vegetation and Inventory Plan and have no concerns with the proposed plan. None of the treed areas on site are considered significant woodlands under the County's Tree Removal By-law. The proponent will be required to provide trees in the proposed public street and on private lots in accordance with County requirements.

Phase 1 and 2 Environmental Site Assessment (WSP)

Given the previous aggregate extraction, asphalt manufacturing plant, and other associated industrial uses on the property, a Phase 2 assessment was carried out. Exceedances of soil quality (beyond the application MECP table standard) were found generally in the north and north-west portions of the site, where a previous asphalt industrial plant was located. Also, exceedances were found in the north, north-east portion of the site, associated with the former rail spurs. The delineation of the impacts

identified, along with a risk assessment or remediation program is required in order to obtain a Record of Site Condition.

Staff are reviewing the submitted Phase 1 and Phase 2 ESA. Staff will require that all areas on the lands with contamination levels that exceed Ministry standards receive a Record of Site Condition from the Ministry of the Environment Conservation and Parks prior to development.

Sun Shadow Study (R. Bouwmeester & Associates)

A Sun Shadow Study was completed by R. Bouwmeester & Associates to measure any impacts to the solar farms abutting to the north and south-west, respectively. The two solar farms abut the medium density block. As the medium density block will be subject to future site plan approval to determine the final design, layout and dwelling types, the ultimate buildout is not currently known. In an effort to capture the “worst-case scenario”, the study was completed assuming the tallest dwellings, being 3-storey stacked townhouses, located at the minimum setback to the solar farms. It also considered the impact of the single detached dwellings in the freehold area, immediately east of the north solar farm.

The study measured impacts on November 21st and January 21st between 9am and 3pm. These are the times where 85% of solar radiation is received during the winter months (when shadows are the longest). The study demonstrated that assuming the “worst-case scenario”, shadows are generally off the north solar farm by 11am and the south solar farm by 10am.

Staff have reviewed the Sun/Shadow Study and suggest that the proponent review the Study with the owner of those lands. Staff are reviewing potential mitigation measures, such as an increase in building setbacks, or a reduction in building height, to improve the solar access of the solar farms on those properties. This could be controlled for or implemented within the implementing Zoning By-law.

A Preliminary Slope Stability Assessment (WSP)

A preliminary slope stability assessment was prepared by WSP and submitted in support of the proposed development. This report established a “stable top of slope” limit surrounding the existing quarry pond on the western portion of the lands, and the existing quarry pond on the adjacent lands to the north. The report provides guidance in terms of setbacks for roads and structures from the “stable top of slope”, and on any future construction that occurs on the lands as it relates to the stable top of slope.

Staff will be recommending that, as a condition of Draft Plan Approval, the proponent’s geotechnical engineer will be required to review the detailed engineering design submission and provide a letter confirming that the Preliminary Slope Stability Assessment’s recommendations have been properly interpreted and implemented. The applicant will be required to undertake any additional work to satisfy the requirements of the report.

Preliminary Geotechnical Investigation (WSP)

A preliminary geotechnical investigation was also submitted to support to proposed functional servicing design. The report provides guidance on geotechnical considerations when completing the proposed functional servicing design, detailed engineering design and during construction. The report provides detailed data on the approximate elevation of bedrock and groundwater conditions on-site. Staff are currently reviewing the submitted preliminary geotechnical investigation, in particular as it relates to how the site will be serviced and how potential impacts to groundwater can be appropriately mitigated. The proposal and servicing design will also be further evaluated to determine if blasting is required. During construction, where breaking of rock is required, it may occur using tools other than blasting. If blasting is required, pre-construction surveys and ongoing monitoring is required to ensure there is no impact on adjacent structures, including nearby water wells and gas wells.

Conclusions and Next Steps

The subject report is intended to assist Council in understanding the potential impacts of the proposal and to provide an opportunity for public involvement and engagement in the planning process before Planning staff makes a recommendation and Council makes a decision on the subject applications. A second submission is required to address County staff and agency comments provided through review of the first submission, and to provide any additional materials requested.

Following this report and meeting, Planning staff expect the applicant to hold a privately-led neighbourhood meeting and then provide a second submission. Following County staff and agency review of the subsequent submissions, Planning staff will bring a recommendation report forward at a future Council in Committee meeting for Council's consideration. Public input will also be invited and considered at the future public meeting.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

A summary of the comments received to date on the proposal is included below. Please note that the review is ongoing and comments have not yet been received from Haldimand County Transportation Engineering, The Ministry of Transportation, and the Long Point Region Conservation Authority. Any comments received from these departments/agencies will need to be addressed prior to a recommendation report being brought to Council.

Haldimand County Water and Wastewater Engineering – Haldimand County Water and Wastewater Engineering have reviewed the submitted Functional Servicing Report (FSR) and note that there is currently insufficient water treatment, storage and fire flow capacity, as well as wastewater treatment capacity to accommodate the proposed development at full build-out. Significant external upgrades are required to the County's infrastructure to accommodate the maximum potential build-out of the proposed development (1,500 units+) when combined with development potential of all other vacant urban development lands. The County is currently reviewing the submitted technical materials to identify the upgrades required to service the proposed development and the feasibility and costing associated with completing same. This will occur in conjunction with the update to the County's Hagersville Master Servicing Plan, which is slated to begin later this year (2022) and be completed by the end of 2023. All external upgrades will need to be identified and it will need to be demonstrated that the proposal can be appropriately accommodated on municipal services prior to Draft Plan approval.

It is also noted that placing services in rock trenches should be avoided, as indicated in the submitted FSR.

Planning Comment: The servicing requirements for the proposed development will need to be addressed prior to approval. Staff will only provide a recommendation on the proposed development once the servicing issues have been resolved.

Haldimand County Development Technologist – County staff are still in the process of completing a detailed review of the submitted functional engineering design. A preliminary review identified that:

1. Street Q should be considered as a collector between Street A and Street B and should be of an appropriate right-of-way width.

2. The entrance off of Concession 12 Walpole (Parkview Road) should be widened to accommodate a central median in the access. A road widening off of Parkview Road will also be required along the frontage of the lands. The proponent may also be required to provide external upgrades to connect the proposed sidewalk network to the existing sidewalk on Parkview Road.
3. The entrance off of King Street West should be widened to accommodate a central median in the access. A road widening off of King Street will also be required along the frontage of the lands. The proponent may also be required to provide external upgrades to connect the proposed sidewalk network to the existing sidewalk on King Street West.
4. The proponent will be required to identify the proposed phasing of the development.

More technical comments will be provided following a detailed review of the functional engineering design.

Planning Comment: Staff will work with the proponent to incorporate the above recommendations into a revised Draft Plan in a subsequent submission.

Haldimand County Building and Municipal Enforcement Services – Building and Municipal Enforcement Services staff provided a number of detailed comments related to the proposed zoning for the subject lands, along with comments related to the proposed external upgrades to Hagersville’s water infrastructure for water supply/flows to service the proposed development.

Planning Comment: Staff will be seeking a response to the comments provided by Building and Municipal Enforcement Services prior to the approval of the Draft Plan of Subdivision and Zoning By-law Amendments.

Haldimand County Emergency Services – Drawings show one cul-de-sac. Please follow Haldimand County Design Criteria G 3.04 for cul-de-sac requirements during build out. Emergency Services has no further comments at this time.

Planning Comment: No Comment.

Haldimand County Forestry Operations – Forestry Operations is satisfied that the General Vegetation Inventory meets our General Vegetation Inventory and Tree Protection Plan requirements as outlined in the pre-consultation comments. All Tree Protection Plan recommendations are to be implemented prior to any site alteration or grading and that the plan is included in all future drawing sets. The Street Tree Planting plan is completed as a condition of the plan of subdivision once the lot and road configurations have been confirmed.

Planning Comment: No Comment.

Bell Canada – The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

Planning Comment: Staff will ensure that the above paragraphs are included as a condition of Draft Plan approval.

Canada Post – Please be advised that this development will be serviced by Community mailboxes (CMB) for any residential dwellings. If there are any buildings that have 3 or more units with a common entry point then a mail panel will need to be installed by the developer/owner for mail delivery. CMB locations should be shown on all servicing plans and circulated to Canada Post.

Planning Comment: Staff will ensure that appropriate locations are identified for community mailboxes at the detailed design stage as a condition of Draft Plan approval. CMB locations will be circulated to Canada Post.

Hydro One – We have reviewed the documents concerning the noted plan and have no comments or concerns at this time.

Planning Comment: No Comment.

Enbridge – It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Planning Comment: Staff will ensure that appropriate condition is included as a condition of Draft Plan Approval.

CN Rail – CN received the applicants Compatibility and Mitigation Study and Stormwater Management Report and is currently reviewing and will provide further comments. CN also requires a detail of the proposed noise attenuation berm and fencing. The applicant will be required to submit a detail of the proposed berm and fencing on a subsequent submission for CN's review. CN also provided their general requirements for development of sensitive lands uses adjacent to their rail lines that the proponent will be required to abide by.

CN has provided the following comments on the submitted Stormwater Management Report:

- No surface water drainage is directed eastwards towards the CN right of way and therefore, will not have adverse effects. As such CN has no further comments on drainage.
- CN anticipates the opportunity to review a site plan outlining the following:
 - A safety berm adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1; A cross-section of the berm configuration must be submitted for CN review;
 - A 1.83 metre height chain link fence along the mutual property line.

We are still awaiting comments on the submitted Compatibility and Mitigation Study.

Planning Comment: Staff will review the resubmitted plans to ensure the above design criteria and requirements are captured and that the appropriate conditions/clauses are inserted as conditions of Draft Plan Approval. CN is currently undertaking a review of the Compatibility and Mitigation Study and will be providing further comments.

Grand Erie District School Board – The current proposal anticipates a maximum of 1,548 residential units within the subject development. Given the dwelling types, an elementary school yield of 386 pupils is anticipated. Given the development being undertaken in Hagersville, the size of the Sandusk Subdivision and the current utilization at Hagersville Elementary School, GEDSB requested a parcel be identified in this development for a potential future elementary school site. GEDSB states that it may be helpful for the developer to identify a school site location and also a potential development overlay for the lands, should it be determined by the GEDSB that the site is not required for future student accommodation.

GEDSB also provided a detailed list of school site selection criteria that should be used to identify an appropriate location for the proposed school block. Components related to vehicular and active transportation infrastructure for the proposed development were also outlined to promote safe travel to and from a future school.

Planning Comment: Staff will work with GEDSB and the proponent to address the requirement for a school block and identify an appropriate location in accordance with the above criteria.

Ministry of Environment Conservation and Parks – The Ministry of Environment Conservation and Parks (MOECP) provided a number of comments related to their requirements for Records of Site Condition, water and wastewater servicing, stormwater management design, species at risk and materials management during construction.

MOECP also provided the following comments on the submitted Compatibility and Mitigation Study:

From our preliminary review of the documentation provided, it appears that this proposal is not meeting the recommended separation distances from MECP D-series guidelines. It is recommended that the County conduct a closer/peer review of the Compatibility & Mitigation Study Air Quality, Dust, Odour, and Noise & Vibration Study to evaluate the potential land use compatibility issues and determine appropriate separation distances. The Municipality does has the discretion to take a more precautionary approach to address incompatible land use. For more information regarding the D-series guidelines, please visit [Environmental land use planning guides | ontario.ca](https://www.ontario.ca/environmental-land-use-planning-guides).

Planning Comment: Staff are currently reviewing the Compatibility and Mitigation Study submitted to confirm the report's findings and ensure all proposed mitigation measures are implemented. Staff will also ensure that the appropriate RSC is obtained from the MOECP related to soil contamination prior to development. Staff will also take into consideration all other matters identified by the MOECP as it relates to water and wastewater servicing, stormwater management, water taking during construction, materials management, and species at risk.

Ministry of Tourism, Culture and Sport – MTCS acknowledged that a Stage 1 and 2 archaeological assessment (under Project Information Form number P490-0009-2021) for the Nasser Lands had been completed. However, their records show that the licensed archaeologist has yet to submit the report for MTCS review.

MTCS stated that archaeological concerns have not been addressed until reports have been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that:

1. the archaeological assessment of the project area is complete; and
2. all archaeological sites identified by the assessment are either of no further cultural heritage value or interest (as per Section 48(3) of the *Ontario Heritage Act*) or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.

Planning Comment: Staff will require that all archaeological concerns are addressed prior to any site development.

Six Nations Council – Six Nations of the Grand River Territory is concerned about any development relating to air, land, water and resources which occur throughout their treaty territory and any archeological issues associated with such developments. Six Nations expressed concerns related to the proponent's plans for the property and the limited information received to date. Six Nations also had concerns related to the lack of study on local wildlife on the lands, the removal of a cultural thicket, and the removal of trees on the lands. Lastly, Six Nations had concerns related to the development of the quarry pond on the subject lands and would like more information on how the quarry pond is to be developed.

Planning Comment: In response to the above comments, the proponent has agreed to submit a Scoped Environmental Impact Study to address the above concerns related to wildlife. Staff will also be seeking more information as it relates to the removal of the cultural thicket on the property. Staff will also request that the applicant provide Six Nations Council with clarification related to the number of trees being removed and replaced on the lands. Lastly, staff will also clarify that the quarry pond itself is not slated to be developed, just the lands adjacent along the periphery. Ongoing discussions between staff, the proponent and Six Nations will be held to resolve any concerns.

Trans-Northern Pipeline (TNPI) – We can confirm that TNPI has no infrastructure in the mentioned area.

Planning Comment: No Comment.

Public Input: Staff have receive two separate phone call inquiries requesting more information on the project. No public comments on the project have been received to date.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Concept Plans.
3. Draft Plan of Subdivision.
4. Zoning Comparison Table.
5. Draft Zoning By-law.