
HALDIMAND COUNTY

Report PDD-09-2023 Information Report for an Apartment Building at 40
Cayuga Street, Caledonia



For Consideration by Council in Committee on March 21, 2023

OBJECTIVE:

To provide an information report on a combined Official Plan and Zoning By-law amendment application to facilitate a 9 storey apartment building with 134 apartment dwelling units and 182 parking spaces.

RECOMMENDATIONS:

1. THAT Report PDD-09-2023 Information Report for an Apartment Building at 40 Cayuga Street, Caledonia be received.

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

EXECUTIVE SUMMARY:

MHBC Planning, on behalf of DICO Developments Inc. (owner), has submitted Official Plan and Zoning By-law Amendment application to permit a 9 storey apartment building with 134 apartment dwelling units and 182 parking spaces. The subject lands are within the urban settlement area of Caledonia, are designated as “Residential” in the County’s Official Plan, and are predominately within the identified “Built Boundary” of Caledonia. The purpose of the proposed Official Plan Amendment is to approximately double the maximum density per gross residential hectare for apartment buildings; while the proposed Zoning By-law Amendment is to rezone the lands from the existing “R1-A” Zone, which primarily permits single detached dwellings, to the “R6”, which permits apartment buildings up to a maximum of 8 storeys. The proponent has also requested a site-specific zoning amendment to permit additional building height up to a maximum of 9 storeys.

The proposed development concept incorporates a portion of King William Street, which has been included for conceptual purposes only. The subject application for Official Plan and Zoning By-law Amendments are not being considered for County owned lands at this time. The applicant is required to purchase the lands from the County, in accordance with County policy, as approved by Council. *Planning Act* applications for the County owned lands would only be accepted and reviewed when/if Council declares the lands surplus and a transfer to the proponent has occurred. Staff are recommending that a Recommendation Report for the subject *Planning Act* Applications be considered in connection with any decision regarding the sale of the County-owned lands, as the viability of the current proposal is contingent in the incorporation of the King William Street right-of-way.

The subject report is intended to advise Council of the details relating to the subject application 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 application. 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:

The subject lands are located in the eastern portion of the Caledonia Urban Area (Attachment 1) and are approximately 0.81 hectares (2 acres) in size. The lands are municipally known as 40 Cayuga Street and are legally described as Caledonia Plan 51, Lots 80 to 89, geographic township of Seneca, Haldimand County. The lands consist of the block bound by King William Street to the south, Cayuga Street to the west, Park Street to the north, and McClung Road to the east.

The subject lands were originally subdivided in the 1970s as part of Caledonia Plan 51, into 8 – 1/5 acre parcels of land. The lands have remained vacant and currently contain a woodlot, which has been identified in the County's updated Official Plan (through the Municipal Comprehensive Review (MCR) Phase 2 process) as a Supporting Natural Environment Area. Phase 2 of the County's MCR is currently under review by the Province. The lands do not currently appear to have an identified entrance, but are surrounded on four (4) sides by municipally owned streets. With the exception of McClung Road, the surrounding streets are substandard, remain a rural cross section, and are yet to be urbanized.

The lands are surrounded by the following land uses:

North: To the north of the subject lands is Park Street, and further north is a vacant parcel. These vacant lands have been draft approved for a Plan of Subdivision ("McClung South") PL28T-2018-074 consisting of approximately 163 townhouse and single detached dwellings, which is currently in the process of clearing conditions of Draft Approval and working towards registration. Further to the north is the Empire "Avalon" development, which has registered 8 Phases, and includes residential, commercial and institutional uses. Park Street, which abuts the lands to the north is set to be upgraded through the "McClung South" subdivision construction process to an urban cross section and will provide vehicular access to McClung Road from the proposed subdivision to the north. As part of this approval process, both Cayuga Street and Seneca Street are proposed to be dead-ended as the Park Street right-of-way and will not have direct vehicular access to the subdivision to the north. Only emergency access will be permitted from Cayuga Street and Seneca Street to the subdivision to the north.

East: Directly adjacent to the east is McClung Road, which is currently undergoing upgrades to add streetlight signalization at the intersection of McClung Road and Caithness Street East, both of which are identified as arterial roads in the County's Official Plan. Further to the east are existing single detached dwellings as well as the Empire Avalon Phase 3b, which has occupancy, and to the northeast is Empire Avalon Phase 8, which is currently under construction. To the northeast of the subject lands is the Caledonia Soccer Complex, which hosts a number of recreational sport fields.

South: Directly to the south of the subject lands is King William Street, which the proponent has applied to purchase in order to incorporate as part of the proposed development. Details on how the proponent plans to incorporate the right-of-way into the proposed development has been demonstrated on the subject materials for conceptual purposes only. The subject application is only being considered on the lands currently owned by the proponent. Further south is a parcel containing a single detached residential parcel. Beyond that is Caithness Street East and the

parking area/trailhead for the Rotary Riverside Trail and Seneca Park. The Grand River lies approximately 120 metres south of the subject lands.

West: To the west of the subject lands are a number of large residential lots containing single detached dwellings, which are on private services. Municipal water and wastewater servicing has not been extended to this area. Further to the east are hazard/conservation lands associated with the Black Creek. The subject lands are approximately 2 kilometres from Caledonia's downtown core.

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. The majority of the subject lands are identified as being within the built-boundary of the subject lands, with a small portion to the north of the lands being outside of the built-boundary, and therefore being considered "greenfield" lands. A small southeastern tip of the subject lands is also within the 'Floodway' area; accordingly, GRCA has been circulated and did provide comment, which is discussed later herein. It is also noted that east of the subject lands, there is an identified Trail Location.

The subject lands are currently zoned as "R1-A", which primarily permits low density residential land uses in the form of single detached dwellings. The "R1-A" Zone reflects the current development condition in the surrounding area, which is primarily low-density residential development. A Zoning By-law Amendment application has been submitted in order to rezone the lands to facilitate the proposed development.

Pre-Consultation Meeting and Application Submission

On November 18th 2020, DICO Development Inc. (owner), attended a pre-consultation meeting with the County in order to discuss the proposal, required *Planning Act* applications and supporting technical materials.

In September of 2022 MHBC Planning, on behalf of DICO Developments Inc. (owner), submitted a combined Official Plan and Zoning By-law Amendment application. This application was initially deemed incomplete as a number of the materials required and supporting documents for submission as identified in the pre-consultation notes, were not included with the initial submission. Since the pre-consultation, Haldimand County Council adopted the Official Plan Update, which triggered additional submission requirements. On December 1, 2022 the applicant resubmitted the subject Official Plan and Zoning By-law Amendment application through the County's online portal (CityView) and they were formally deemed complete under the *Planning Act* on December 21, 2022. In accordance with legislative requirements, surrounding property owners were notified that a complete application had been received. The application was circulated for comment by the various County departments and external agencies in January of 2023, with a commenting deadline of mid-February. 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 by Haldimand County Transportation Engineering is ongoing, and comments will be received following completion of the review.

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 development. These are listed in the following report section.

Subject Application/Development Proposal

The combined Official Plan and Zoning By-law Amendment application was submitted to facilitate the development of the lands for a 9 storey apartment building with 134 apartment dwelling units and 182 parking spaces. The building is being sited to front onto McClung Road, with the majority of the

proposed parking spaces (146) being provided in the form of surface parking and 36 parking spaces being provided at-grade on the first storey of the building. The proposed development also includes 34 outdoor bicycle parking spaces, and areas for garbage and recycling collection. The proponent has not indicated on their plans the location of any of the required amenity area under the County's Zoning By-law (20 square metres per unit). Refuse storage areas and resident loading areas are included to the south of the proposed building. The proposal also includes 3 metre (9.8 feet) wide landscaping strips adjacent to all streets.

The proponent has included the proposed road widening into the development design, required to facilitate the upgrades at McClung Road. The primary pedestrian and vehicular access are proposed off of Park Street, which is anticipated to be upgraded to the appropriate municipal standard as part of the ongoing McClung South subdivision to the north.

Table 1: Unit Breakdown for Proposed Development

Dwelling Type	# Of Units	±Residents (person per unit based on 2019 development charges background study)
Apartment	134	239*
Total	134	239*

* Unit type breakdown not provided, PPU assumes 50% of units are bachelor and 1 bedroom (1.394 ppu) and 50% are 2 bedroom + (2.166 ppu)

It is also worth noting that a significant portion of the proposed parking spaces (21 spaces), associated maneuvering spaces, required private civil engineering infrastructure, loading area and landscaped open space are included on County-owned lands (King William Street). While the proponent has submitted an application to purchase these lands, it is still on-going and under review. Without the transfer of said lands the proponent is required to revise the proposed development concept to only include lands owned by the applicant. This will impact the density levels currently identified in the OPA/ZBA application.

Please refer to the Conceptual Site Plan (Attachment 2), the Building Elevations (Attachment 3), and the Landscape Concept (Attachment 4) for more information on the proposed development.

The Official Plan Amendment Application is proposed to increase the general permitted residential density for high density land uses on the subject lands from 75 units per hectare to a maximum of 165 units per hectare.

The lands are proposed to be rezoned to a site-specific "Urban Residential Type 6 (R6.X) – Exception Zone", which permits high density apartment dwellings with site-specific zone standards to permit an additional building height of 9 storeys (±29 metres/95 feet). The Site-Specific number will be assigned in the future when the specific zoning provisions are clarified and the draft by-law is prepared for Council's consideration.

In support of the submitted Official Plan Amendment and Zoning By-law Amendment application, the proponent submitted the following supporting materials:

1. Public Consultation Strategy.
2. Pre-Consultation Meeting Notes.
3. Conceptual Site Plan (MHBC Planning).
4. Building Elevations (The Ventin Group Ltd.).
5. Planning Justification Report (MHBC Planning).
6. Urban Design Brief (MHBC Planning).
7. Conceptual Landscape Plan (MHBC Planning).
8. Functional Servicing Report (Fred Jewett P. Eng.).
9. Stormwater Management Report (MC Engineering).
10. Stage 1-2 Archaeological Assessments (ARA).
11. Traffic Impact Study (Paradigm).

12. Geotechnical Investigation (Englobe).
13. Sun Shadow Study (The Ventin Group Ltd.).
14. Functional Engineering Design Plans (MC Engineering).

As required through the County's newly adopted Official Plan and recent updates to internal County policy, the proponent has also agreed to submit the following materials in a subsequent submission:

1. An Environmental Impact Statement and Tree Management Plan.
2. A Functional Noise Report.
3. Modelling of the impact on the County's sanitary and water distribution and treatment systems.

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. An Official Plan Amendment application proposed to permit increased residential density on the lands; and
2. A Zoning By-law Amendment application intended to establish the land use and key performance standards.

Planning Act

The *Planning Act* (Act) is provincial legislation that establishes the framework for land use planning in Ontario. Section 18 of the *Planning Act* sets out the applicable regulations for municipal official plans. Section 34 of the *Planning Act* sets out the applicable regulations for municipal zoning by-laws.

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 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. A key planning matter that will be evaluated is the consistency of the proposal with the Provincial Policy Statement. In particular, the below matters will be evaluated against the applicable PPS policy to determine consistency, among others:

- the proposal’s impact on public health and safety;
- the proposal’s impact on housing affordability and the range and mix of housing types;
- the proposal’s ability to be adequately serviced by public water and wastewater servicing infrastructure;
- the proposal’s impact on surrounding transportation infrastructure;
- the proposal’s ability to mitigate impacts related to noise;
- the proposal’s impact on significant natural heritage features;
- the proposal’s impact on cultural heritage and archaeological resources; and
- the proposal’s impact on municipal intensification and density targets.

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. Similar to the PPS, a key planning matter that will be evaluated is conformity of the proposal with A Place to Grow. In particular, the below matters will be evaluated against the applicable Place to Grow policy to determine conformity, among others:

- the proposal’s impact on public health and safety;
- the proposal’s impact on the achievement of complete communities;
- the proposal’s contribution towards the achievement of the minimum required intensification target;
- the proposal’s impact on housing affordability and the range and mix of housing types;
- the proposal’s ability to be adequately serviced by public water and wastewater servicing infrastructure;
- the proposal’s impact on surrounding transportation infrastructure;
- the proposal’s ability to mitigate impacts related to noise;
- the proposal’s impact on significant natural heritage features; and
- the proposal’s impact on cultural heritage and archaeological resources.

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.

The below analysis contains policy direction from the County's current in-force Official Plan, as well as relevant policy from the County's Council approved Official Plan, as revised through Phase 2 of the County's MCR, that is currently under review by the Ministry of Municipal Affairs and Housing (MMAH).

i. Designation

The subject lands are within the Urban Area of Caledonia and are identified as both greenfield (unbuilt) area and partially within the built-up area. The subject lands are designated as 'Residential' on Schedule B.1 of the Haldimand County Official Plan.

ii. 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.

Staff are evaluating as to whether the proposed use is appropriate for this location and whether the density, size and scale aligns with the intent of the 'Residential' designation policies and adjacent neighbourhood.

iii. 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. The subject lands are identified as a Supporting Natural Environment Area as part of the County's Natural Heritage System. It is the overall intent that these features be retained, but flexibility for development may be contemplated based on the findings of an Environmental Impact Study (EIS). Where development and site alteration are seen to be unavoidable, the County, in consultation with the conservation authority, may consider adequate compensation through naturalization, restoration and/or enhancement for the loss or impact to the Supporting NEA features taking into consideration good ecological offsetting practices and the goal of no net loss of Supporting NEAs.

There is an existing woodlot on the subject lands and staff will review the submitted EIS and Tree Protection Plan following their submission and prior to making a recommendation to ensure the County's policies related to natural heritage have been satisfied.

iv. Infilling and Intensification

Section 4) B.7. states that the County will support measures to provide residential intensification such as infilling. Section 4) B.8. contains the County's intensification strategy. This strategy seeks to encourage intensification throughout the built-up area and directs mixed-use intensification to the

designated downtown of the County's 6 urban areas. The County's higher density residential development is also directed to the intensification corridors along Argyle Street in Caledonia and Main Street in Dunnville, which are identified as appropriate locations for higher density residential uses.

Intensification is also permitted in stable residential neighbourhoods through the County's intensification strategy; however, such intensification must respect and reinforce the stability of the residential neighbourhood, not be out of keeping with the physical character of the neighbourhood, and be of a scale and built form that reflect the surrounding neighbourhood.

Staff are reviewing the proposal against the County's intensification strategy, in particular as it relates to stable neighbourhoods, in order to determine whether it complies with the above policies. In particular Staff will be evaluating whether this is an appropriate location for the proposed land use, at this density and scale.

v. Greenfield Policies

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 a 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 ± 295 persons and jobs per hectare, the proposal exceeds this minimum density requirement. The key planning issue is whether this exceedance is appropriate or not in terms of land use compatibility, neighbourhood context and character and functionality.

vi. Residential Densities

Further to the overall greenfield density target, Policy 4.B.2) 5. identifies the target residential densities by building type. The policy provides a general maximum density of 75 units per gross residential hectare for high density (apartment building) uses. The proposed development is approximately 165 units per gross residential hectare. The proponent has submitted an Official Plan Amendment to permit this additional density, as the submitted development at 165 units per gross residential hectare does not conform to this maximum general density. Staff are evaluating whether such an increase in density is appropriate, given the context and character of the neighbourhood.

vii. Development Criteria for Medium and High Density Development

Policy 4.B.2) 6. establishes matters to be addressed when considering medium and/or high density residential development, including apartment dwellings. These matters include establishing a housing need, relationship to adjacent residential development, parking, traffic, the provision of public parks and amenities, the adequacy of community public service facilities; and, the compatibility of the proposed development with the urban design guidelines for residential developments. Technical materials were submitted to address these criteria.

Staff are currently reviewing the proposed development from a traffic and parking perspective. Staff are also assessing the compatibility of proposal in the context of with existing residential development, in particular the existing low density residential development to the south and west, and the approved low density development to the north. Subsequent Staff analysis through a separate report will carefully and comprehensively evaluate whether the proposal can satisfy the development criteria for medium and high density development.

viii. Stable Residential Neighbourhoods

The proposed development is also located within the built-up area, but outside of an intensification area, as defined by the HCOP. Accordingly, a portion of the subject lands is considered to be within a stable residential neighbourhood. New dwellings within stable residential neighbourhoods shall provide a consistent relationship with existing adjacent housing forms. Policy 4.B.2) 11. establishes criteria for development in stable residential neighbourhood.

New dwellings on lots within stable residential neighbourhoods shall:

- limit building heights to reflect the heights of adjacent housing;
- provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;
- maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;
- provide for similar side yard setbacks to preserve the spaciousness on the street;
- provide a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details;
- include provisions for landscaping and screening if required;
- provide a limitation on the width of a garage so that the dwelling reflects the façade character of adjacent housing;
- provide for a consistent arrangement of parking in terms of amount, size and location of parking areas; and
- ensure that any increased traffic movements and activity are appropriate for the area.

Staff are in the process of reviewing the proposal against the development criteria in stable residential neighbourhoods to determine conformity. The Official Plan encourages the use of site-specific zoning standards to ensure the above development criteria for stable residential neighbourhoods are met. Staff have significant concern with the development's ability to satisfy the stable residential neighbourhood policies. In particular, staff have concern as to whether the proposed building height has been limited to reflect that of adjacent housing, and whether the massing and volume of the proposal reflects the scale and appearance of adjacent housing. This will require careful consideration as staff and the proponent move through the detailed analysis of the application.

ix. 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, the proponent has not yet completed the necessary modelling to ensure the existing conveyance infrastructure and treatment capacity exists to accommodate the proposed development. 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 approval of the subject applications.

The proponent has also submitted a functional stormwater management design for the proposed development, which includes a proposed on-site conveyance system and outlet. Staff are currently reviewing the submitted stormwater design.

The proponent has also included a substantial retaining wall, which is ± 4 metres (13 feet) in height in some areas, adjacent to the King William Street right-of-way. The proponent is encouraged to redesign their grading in order to reduce the height and length of the proposed retaining wall.

x. 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. Any upgrades identified through the review of the report will be captured in the proposed design and secured through the Site Plan process. The proponents are required to demonstrate that adequate parking is available and the proposed vehicular and pedestrian access arrangement is functional from a traffic flow, snow clearing, emergency access, and pedestrian circulation perspective. It is important to note that some of the required parking spaces are currently shown on County owned lands (King William Street), which is not appropriate.

xi. Development Adjacent to Arterial Roads and Collector Roads

Section 4.B.2) 13. of the HCOP contain the policies related to development adjacent to arterial roads. 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 arterial roads. Where new residential uses abut arterial roads or collector roads, the design of the street and lot pattern shall allow, where feasible, for vegetative screening or other site design features such as limited access so as to minimize the effects of traffic noise and ensure the function of the arterial road or collector is not unduly compromised. A noise evaluation study for the siting of residential development adjacent to arterial roads or collector roads may also be required. Staff have requested a Functional Noise Study.

xii. 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 zoned “Residential Type 1 – A (R1-A)”, which primarily permits residential uses in the form single detached dwellings along with certain residential and commercial accessory uses. This zoning largely reflects the existing built condition of the area.

The subject lands are proposed to be rezoned “Urban Residential Type 6 (R6.X) – Exception Zone”, which permits high density apartment dwellings with modified performance standards to permit an additional building height of 9 storeys (±29 metres); whereas only 8 storeys are permitted in the R6 Zone. Staff were also unable to confirm whether the proponent is providing the minimum required amenity area of 20 square metres per unit based on the submitted Conceptual Site Plan.

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 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 – the subject report and Statutory Public Meeting – future meeting with staff recommendation report which is yet to be scheduled). The proponent is anticipating holding the open house in early 2023.

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

Planning Justification Report (MHBC Planning)

The Planning Justification Report, prepared by MHBC Planning, 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 consistency and conformity with Provincial and County policy frameworks. After a preliminary review of the submitted report, the policies related to infill development in the County's stable residential neighbourhoods have not been addressed. The report also does not sufficiently address the Official Plan's development criteria for medium and high density residential development, specifically as it relates to the effect of the proposal on neighbouring residential development with respect to density, form, height, arrangement and transition of buildings and structures. The County's Official Plan also requires that proposed infill intensification in stable residential neighbourhoods be undertaken in a manner that is in character with existing development. The proponent will be required to provide further justification on how these policy objectives are being met, among others.

Urban Design Brief (MHBC Planning)

The submitted Urban Design Brief describes the locational context of the proposed development and highlights several design considerations. The report provides further design rationale and supports the proposed development from an urban design perspective. Staff are still reviewing the submitted Urban Design brief in order to ensure it satisfies the County's policy framework.

Functional Servicing Report (Fred Jewett P. Eng.)

A Functional Servicing Report, prepared by Fred Jewett P. Eng., was submitted in support of the proposed development. The report provides recommendations as it relates to the water and wastewater servicing design of the proposed development. The report is currently being evaluated to ensure capacity is available in municipal infrastructure services to accommodate the proposed development. Water and wastewater modelling will also be required in order to ensure the proposed development can be accommodated on full municipal servicing.

Stormwater Management Report (MC Engineering)

A Stormwater Management Report, prepared by MC Engineering, was submitted in support of the proposed development. The report provides several recommendations related to the proposed stormwater management design for the proposal. Staff are still reviewing the submitted stormwater management report. It is worth noting that significant private stormwater management infrastructure is

being proposed within the County owned land proposed to be purchased. This will need to be revised to locate all necessary private infrastructure on lands owned by the proponent.

Stage 1-2 Archaeological Assessments (ARA)

A Stage 1 and Stage 2 Archaeological Assessment have been prepared by ARA in support of the proposed development. The Stage 2 assessment determined that further assessment is warranted and a Stage 3 assessment is to be completed.

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 (Paradigm)

A Transportation Impact Study (TIS) has been prepared by Paradigm in support of the proposed development. The report provides the following key conclusions:

- The study area intersections are forecast to operate at acceptable levels of service with no critical movements during the weekday AM and PM peak hours.
- The residential development is forecast to generate approximately 47 and 53 trips during the AM and PM peak hours upon full build-out.
- The study area intersections are forecast to continue to operate at acceptable levels of service with no critical movements during the weekday AM and PM peak hours.
- The addition of the site generated traffic volumes increases the approach delays at the study area intersections by one second or less during the AM and PM peak hours.
- A 15-metre northbound left-turn lane is warranted under background conditions at the intersection of McClung Road and Park Street.
- Based on the findings of this study, it is recommended that the development be considered for approval with no conditions related to off-site transportation improvements.

Staff are currently reviewing the submitted TIS. It is worth noting that the proposed TIS did not include the new light signalization at Caithness Street East and McClung Road. This will need to be addressed.

Geotechnical Investigation (Englobe)

A Preliminary Geotechnical Investigation was prepared by Englobe in support of the proposed development. The report provides an overview of the subsurface conditions, along with geotechnical design recommendations and construction recommendations.

Sun Shadow Study (The Ventin Group Ltd.)

A Sun Shadow Study was prepared by The Ventin Group Ltd. in support of the proposed development. The Study only provides a series of visuals and does not provide a written analysis of shadow impacts on adjacent land uses. Staff are still reviewing the submitted Shadow Study, however additional details are likely required in order to ensure it satisfies the County's policy framework.

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. 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

Site servicing needs are subject to available capacity and will be determined based on remaining allocation for the water and wastewater systems.

All submissions related to servicing needs must adhere to Haldimand County's Design Criteria (DC), Specifically Sections J – Water Distribution System and K – Wastewater Collection System.

Water Services

With respect to the revised drawings submitted, specifically: Site Servicing Plan - SP2 rev. no. 3, dated Feb 2022.

- Direct service connections are not permitted from watermains greater than 450mm diameter or from transmission mains.
- The proposed three water connections from the transmission main along McClung will not be permitted.
- A secondary watermain must be installed a minimum of 100m or the frontage of the parcel at question, whichever is greater, therefore, a minimum of a 150mm diameter secondary watermain must be installed along McClung Road and extend the entire frontage of the parcel.
- As per County water use by-law, only one municipal water connection is permitted per premise from the secondary watermain. The one municipal water connection can be split one meter before the property boundary for a domestic line and a fire suppression line. The domestic service must be metered. The fire suppression line can service proposed private hydrants and/or building sprinkler system.

Sanitary Services

Existing County Wastewater collection system infrastructure is located within the McClung Road right of way and may be available to allow a single sanitary sewer connection, pending design flow calculations and discharge volumes, to be calculated and provided by the proponent.

- Only one (1) sanitary sewer connection per property shall be permitted, unless authorized by Haldimand County General Manager of Public Works.

Please note that the applicant will be required to pay for the County's consultant to complete water and wastewater modelling in order to ensure the proposed development can be accommodated in the existing external conveyance infrastructure and to identify any external upgrades that may be required.

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. Water Modelling will be required for this application. Based on the proposed water demands outlined in the Functional Servicing Report the County's Consultant will model the additional flows to our existing municipal system to ensure there is adequate capacity for both domestic and fire flows. The County requires 80 l/s at the nearest two fire hydrants to provide adequate fire protection to the site. The cost of the modelling is to be borne by the Developer. A quote will be provided for review and approval by a separate email.
2. Sanitary Modelling will be required for this application. Based on the proposed flows outlined in the Functional Servicing Report the County's Consultant will model the additional flows to our existing municipal system to ensure there is adequate capacity. The cost of the modelling is to be borne by the Developer. A quote will be provided for review and approval by a separate email.
3. King William Street is an open road allowance owned by Haldimand County. The application is to be updated showing only development on the subject property and not within County owned property in case the applicant does not purchase the neighbouring County lands. The Functional Servicing Report, Stormwater Management Report and Engineering Plans are all to be updated to reflect the proposed development located solely on the subject lands.
4. Once the Applicant has updated all of the plans and reports based on the removal of King William Street and has included the upgrades for McClung Street and the proposed layout of the McClung South Development, a subsequent review will be required to review the revised Concept Plan, Engineering Plans and all Supporting Reports and documentation.
5. The applicant is proposing to purchase County owned land including a portion of existing right-of-way for King William Street. If approval is received from the County and the land is purchased by the Applicant a Removals/Decommissioning Plan is to be provided for King William Street. The plans shall also consider the following:
 - a. The existing driveway which utilizes King William Street as a second access to their property. Will this driveway access be removed or altered at all? Permission must be obtained from the homeowner and Haldimand County before any proposed changes are implemented.
 - b. All contaminated materials from King William Street are to be removed and disposed of at an approved facility. All costs are to be borne by the Developer. Remove and dispose excess fill from trench spoils, etc. off site to contractors approved site, including all requirements as per the excess soil regulation (406/19). The Contractor must submit written authorization from the reuse site(s).
6. The Engineering Plans and Concept Plan are to show the proposed upgrades to McClung Road in order to confirm the proposed site layout can be successfully implemented into the road widening design. The applicant can contact the Engineering Services Department directly to obtain a copy of the approved McClung Road Upgrade Engineering Plans for reference.

7. It is highly recommended not to install the proposed retaining walls directly adjacent to the property line in case the applicant needs to access the retaining walls in the future for any maintenance purposes. Retaining walls are not to be installed with the County's ROW and must be installed on private property.
8. The proposed grading on site should be reviewed to determine if the height of the proposed retaining walls can be reduced while still maintaining positive drainage on site.
9. The Stormwater Management Report does not provide any specific information on the proposed Oil and Grit Separator System for Stormwater Quality Control. This information is to be provided to ensure an Enhanced Protection Level is being achieved before the Stormwater from the proposed site is discharged into a municipal ditch. The proposed site is in very close proximity to the Grand River.
10. The proposed water servicing for the site needs to be revised. Direct connections to Transmission Lines are not permitted. A secondary watermain is to be installed on McClung Road along the entire frontage of the property.
11. Service locations cannot be within the road widening – the water valves will need to be relocated to the new property line and not located within the daylight triangle.
12. The Functional Servicing Report is to be updated to Haldimand County Design Criteria standards. There is reference to Norfolk County standards and a few of the values are inconsistent with Haldimand County's Design Criteria. This report is to be updated as it will be used for the Water and Sanitary Modelling for the proposed development as per comments #1 and #2 above.
13. Detailed Engineering Review of the submitted documents will be completed when the County has received a Site Plan Application for the proposed development.
14. The Traffic Impact Study is to be updated to include the McClung Road Upgrades including the installation of the intersection at McClung Road and Caithness Street East. The report shall also include the McClung South development which is proposed on the north side of Park Street.
15. The McClung South development is proposing to dead-end Cayuga Street so access to Cayuga Street will not be available from Park Street. The proposed termination is to be shown on the Engineering and Concept Plans. The Traffic Impact Study may also need to be revised to accommodate the road closure.
16. The proposed daylight triangle at the Corner of McClung South and Park Street is too small. As per Haldimand County Design Criteria Section G 2.0 Residential Streets, a 12m x 12m daylight triangle is required for all arterial roads.

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

Planning Comment: Staff will work with the proponent to incorporate the above recommendations into a revised engineering design upon resubmission.

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 building from an Ontario Building Code perspective.

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

Haldimand County Emergency Services

Emergency Services has no further comments at this time.

Planning Comment: No Comment.

Haldimand County Forestry Operations

General Comments

The treed area of the property meets the definitions of Woodlands and is regulated under Haldimand County's Forest Conservation By-law 2204/20. An EIS is required to support the removal of the woodland.

The existing Woodland is an unmanaged plantation, 1.02 hectares in size with some trees located on the County owned rights-of-way of Park Street, Cayuga Street, King William Street and McClung Road. The Woodlands is comprised of Black Walnut (70%), Hawthorn (9%), and Manitoba Maple (6%) with the remaining component comprised of Shagbark Hickory, Norway Maple, White Ash, and White Elm. The Woodlands has low levels of species diversity, no connectivity to adjacent Woodlands and provide limited habitat opportunities.

Forestry is supportive of the official plan and zoning by-law amendments that would require the clear cutting all of the trees on this site and the County-owned right-of-way provided that:

1. The applicant replants trees as per the Afforestation Rates in the County's Minor Exception Guidelines for the clear-cutting of Mid-aged Woodlands.
 - a. The applicant afforests (7.2) hectares on another property that they own in Haldimand County to the satisfaction of the County. The County will require security in the amount of \$33,984.00 (2022 rate), or
 - b. The applicant makes a Cash-in-lieu payment to the County in the amount of \$50,976.00 (2022 rate) for the County to afforest (10.8) hectares of other lands in Haldimand County.
2. The contractor removing the trees on the County owned right-of-way provide be an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Person Class or equivalent and obtain insurance to the satisfaction of the County.

The applicant should consider selling the timber from harvesting the existing Black Walnut trees to support the cost of afforestation.

General Vegetation Inventory

The General Vegetation Inventory ensures that the existing natural features on the site are considered and evaluated so that they can be incorporated into the final design. The General Vegetation Inventory must identify to following features:

- a. Woodlands are regulated under the Forest Conservation By-law.
- b. Significant Woodlands as identified in the Haldimand County Official Plan.
- c. County-owned trees located in adjacent road allowances or properties.
- d. Single trees located on private property that are good candidates for preservation.

Haldimand County recognizes that not all trees can and should be preserved. Structurally unstable trees, trees in poor health or an invasive species, may be candidates for removal.

The General Vegetation Inventory shall be prepared by an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Person Class, Landscape Architect or Registered Professional Forester and shall be submitted with the planning application for review by staff.

Please contact the Haldimand County Project Manager, Forestry for the terms of reference for the General Vegetation Inventory. The requirements of the General Vegetation Inventory can be included within an Environmental Impact Study (EIS) if an EIS is also required.

Tree Protection Plan

For our community to continue to receive the benefits of Woodlands and trees these features need to be properly protected during the development and construction of a site.

If a General Vegetation Inventory or Haldimand County has identified trees or Woodlands that will be retained, a detailed Tree Protection Plan shall be submitted for review by Haldimand County in conjunction with stormwater management, grading and servicing plans as a condition of plan approval.

The Tree Protection Plan shall be prepared by an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Person Class, Landscape Architect or Registered Professional Forester and shall be submitted with the planning application for review by staff.

Please contact the Haldimand County Project Manager, Forestry for the terms of reference for the Tree Protection Plan.

Street Tree Planting Plan

Street trees provide many community benefits such as sequestering carbon, reducing stormwater runoff, shade, filtering air pollution, wildlife habitat and contributing to beautiful communities. Each development must make a positive contribution to the urban environment to help sustain and enhance the quality of our urban forest. Street trees shall be planted at the following densities:

- a. Minimum (1) tree per residential dwelling planted within the right-of-way:
 - Minimum (2) trees shall be planted for residential dwellings on corner lots.
- b. Minimum (1) tree per 10 lineal meters of right-of-way frontage for lot-less, multi-residential, commercial and institution lots planted within the right-of-way.

Haldimand County recognizes the difficulties in coordinating tree planting within the development process and has instituted a cash-in-lieu process whereby the developer will participate in providing a street tree planting plan during the planning stage of the development and Haldimand County will implement the tree planting along the County-owned right-of-way's. The developer shall be responsible for planting trees along private roads.

The Street Tree Planting Plan shall be prepared by an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Person Class, Landscape Architect or Registered Professional Forester and shall be submitted with the planning application for review by staff.

Please contact the Haldimand County, Project Manager, Forestry for the terms of reference for the Street Tree Planting Plan.

Single Tree Replacement Rates

County-owned street trees are approved for removal as part of this application and must be replaced at a rate of one (1) new 50mm wire basket tree for every 20cm in diameter, measured at the breast height of the trees removed.

For example, five (5) new trees will have to be planted to replace one (1) 100cm diameter tree. If all of the replacement trees cannot be accommodated on the site the remaining tree quantiles will be accepted as a cash-in-lieu payment to the County.

This replacement tree planting is in addition to any other tree planting requirements for this application.

The cost to plant one (1) new, 50mm W.B. tree is \$596.41. (2023 rate, subject to annual increase).

Planning Comment: The requirements of County Forestry Staff will need to be met prior to approvals and incorporated into the design where possible.

Haldimand County Solid Waste

The proponent will need to design per the County's Solid Waste Guidelines Collection Guidelines for Private Property. The Guidelines were forwarded to the applicant.

Planning Comment: Staff will ensure the guidelines are implemented at the Site Plan stage.

Canada Post

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

Planning Comment: Staff will ensure this is incorporated into the design of the proposed development.

Enbridge Gas Inc.

Enbridge Gas Inc., operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuilds or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Planning Comment: Staff will ensure that the appropriate measures are dealt with through the Site Plan process.

Grand River Conservation Authority

The GRCA has no objection to the approval of this OPA and ZBA application.

GRCA has reviewed this application as per our Provincial delegated responsibility to review natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a public body under the *Planning Act*, and in accordance with Ontario Regulation 150/06, GRCA's Board-approved policies, and our MOU with Haldimand County. Information currently available at our office indicates that a portion of the subject lands (to be acquired from Haldimand County) contain a small portion of the Grand River's floodplain and its regulatory allowance. The property is therefore regulated by GRCA under Ontario Regulation 150/06.

It is our understanding that the applicant is proposing to construct a 9-storey residential apartment building and 134 dwelling units, with parking provided at-grade and on the first floor of the development. Relief is being sought from density and height restrictions on the property. Stormwater runoff is proposed to be collected, quality-controlled with an oil-grit separator, and directed to McClung Road via a headwall and outlet on the southeast corner of the property. GRCA therefore defers stormwater management comments to the County.

The majority of proposed development envelope is located outside GRCA's regulated area, although the landscaping and grading plans indicate that planting and minor grading are proposed within a portion of the regulated allowance on the southern portion of the parcel to be acquired. While it is not clear why this connection to Caithness Street East is required to facilitate the development, a GRCA permit would not be required for the work currently proposed. If additional development in the regulated area is proposed at the site plan stage, GRCA will review and determine if a permit is required.

Based on the foregoing, GRCA would not object to the approval of this application.

Please circulate GRCA on forthcoming *Planning Act* applications so we may determine our interest in this project should details change. As per GRCA's 2023 plan review fee schedule, this application qualifies as a minor OPA/ZBA application, and the applicant will be invoiced \$465 for GRCA's review. A separate fee would be required for a GRCA permit should more significant development be proposed within the regulated area.

Planning Comment: The County shall ensure the GRCA is circulated on subsequent submissions, in particular if the proposal includes development within the GRCA's Regulated Area.

Six Nations Council – Six Nations Council of the Grand River Territory is within the most highly urbanized land in Canada. Development has occurred on Six Nations' traditional territory without consultation or consent of our Nation. The cumulative effects of this intense development have contributed to significant environmental degradation and, as a result, Six Nations has experienced severe impacts on our ability to exercise our Aboriginal and Treaty Rights that are not only set out in the treaties themselves, but are also recognized and affirmed in Section 35 of the *Constitution Act*, 1982. These treaty lands are subject to unresolved litigation and any infringement upon our treaty rights must be fully mitigated by the proponent.

Six Nations has a number of concerns from an environmental and social perspective. Six Nations also has concerns with the lack of submitted materials, such as a Planning Justification Report and an Environmental Impact Study. Six Nations is concerned with the tree removal proposed on the lands and their potential as a habitat for various species. Six Nations also has significant concerns as it relates to ensuring there is sufficient infrastructure in place to support the rapid growth of this portion of Caledonia, this includes infrastructure to deal with congestion and other unintended impacts. The proposal is also in close proximity to the Grand River, and there is the potential for a number of impacts on the Grand River, which is already overburdened with development and can't handle much more.

Planning Comment: Staff have sent along the prepared Planning Justification Report for review by Six Nations. Six Nations will also receive a copy of the Environmental Impact Study that will deal with environmental concerns, such as the woodland's significance as a wildlife habitat. Lastly, staff can provide a copy of the Stormwater Management Report and design for review that will outline how quality of stormwater discharge into the grand river watershed will be dealt with. Staff will continue to provide all of the relevant materials to Six Nations to address their comments and concerns. Staff will continue to work with Six Nations through the review process.

Mississaugas of the Credit First Nation

We are the Mississaugas of the Credit First Nation (MCFN), descendants of the Mississaugas of the River Credit. This project is being proposed for development on the treaty lands of the MCFN, more precisely, the Between the Lakes Treaty No. 3 of 1792. In light of this, the MCFN Department of Consultation and Accommodation must be in receipt of all Environmental Assessment reports and must be engaged for all Archaeological Assessments. This engagement includes in-field participation by having MCFN community members present when any archaeological assessments are being

conducted and a review of all reports prior to submission to the ministry for clearance. This engagement is at cost of the proponent.

Planning Comment: County Staff have requested that the MCFN be involved in all archaeological works on the subject lands and that all archaeological reports will be made available to the MCFN. Staff will also forward a copy of the Environmental Impact Study for review once it is complete. Staff will continue to work with Mississaugas of the Credit First Nation through the review process.

Trans-Northern Pipeline (TNPI)

We can confirm that TNPI has no infrastructure in the mentioned area.

Planning Comment: No Comment.

Public Input: A Notice of Complete application was circulated on December 21, 2022 to properties within 120 metres (400 feet) of the subject lands. Staff have received two separate phone call inquiries requesting more information on the project and stating preliminary objections to the proposal; however, no submissions have been received. Additionally, a Notice of Public Meeting for this meeting was provided to the same circulated area.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Conceptual Site Plan.
3. Building Elevations.
4. Landscape Concept.