
HALDIMAND COUNTY

Report PDD-16-2024 Zoning By-law Amendment Application to Rezone the Subject Lands to Permit a Four-Storey Apartment Building, Caledonia

For Consideration by Council in Committee on September 17, 2024



OBJECTIVE:

To consider rezoning 80 Caithness Street West and 51 Shetland Street, Caledonia (the subject lands) to permit the future development of a four-storey apartment building containing twenty-four (24) dwelling units.

RECOMMENDATIONS:

1. THAT Report PDD-16-2024 Zoning By-law Amendment Application to Rezone the Subject Lands to Permit a Four-Storey Apartment Building, Caledonia be received;
2. AND THAT application PLZ-HA-2024-069 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning 80 Caithness Street West and 51 Shetland Street from 'Urban Residential Type 2 "(R2)" Zone to 'Urban Residential Type 5–Holding "(R5-H)" Zone with site-specific provisions be approved for reasons outlined in Report PDD-16-2024;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020;
4. AND THAT the General Manager of Community & Development Services be authorized to remove the Holding (H) provision on all lands when all conditions have been satisfied;
5. AND THAT the by-law attached to Report PDD-16-2024 be approved at a future Council meeting.

Prepared by: Mark Andrews, MCIP, RPP, Senior Planner

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

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

Approved: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

A Zoning By-law Amendment application has been received to consider the proposed development of a four-storey residential apartment building on the subject lands. The proposed development would yield a total residential unit count of twenty-four (24) dwelling units with forty-three (43) surface parking spaces and six (6) bicycle parking spaces. The subject lands are approximately 0.35 hectares (0.9 acres) in size within the built-up urban boundary of Caledonia. The proposal meets the objectives of appropriately located and scaled infill, while all related technical matters (e.g. stormwater management, grading and drainage, etc.) will be addressed through a required future site plan application process.

Planning staff are of the opinion that this proposal has regard for matters of provincial interest under the *Planning Act*, is consistent with the Provincial Policy Statement, 2020 (PPS), conforms to A Place

to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, conforms to Haldimand County's Official Plan and maintains the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

Planning staff recommend approval of the proposed Zoning By-law Amendment for reasons outlined in this report. The proponent posted the public notice signs on the subject lands and confirmation was received that it was posted in accordance with *Planning Act* requirements.

BACKGROUND:

Description of Subject Lands

The subject lands are comprised of two parcels; one fronting Caithness Street West (municipally known as 80 Caithness Street West), and the other fronting Shetland Street (municipally known as 51 Shetland Street). The lands are located along the southeast corner of Caithness Street West and Shetland Street and adjacent to the Grand River (Attachment 1). Accordingly, a portion of the subject lands fronting Caithness Street West are within the Grand River Conservation Authority (GRCA) Regulated Area, and a permit from the GRCA will be required for the proposed development activity within GRCA's Regulated Area. The subject lands previously contained a single detached dwelling, which has since been demolished and are currently vacant.

The subject lands are located in an established and stable residential neighbourhood of Caledonia, located adjacent to the Grand River. Accordingly, surrounding land uses are primarily lower density single detached residential dwellings; Kinsmen Park and the Grand River are located to the south. There is an existing four-storey apartment building (Grandview Terrace) located to the east of Shetland Street and Caledonia Centennial Public School north of the subject lands on the southwest corner of Shetland Street and Sutherland Street West.

Current Land Use Permissions

The subject lands shown in Attachment 1 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 urban area.

The subject lands are presently zoned 'Urban Residential Type 2 "(R2)"' which primarily permits low-density residential land uses in the form of single detached dwelling, semi-detached dwelling, duplex dwelling and accessory uses thereto. The "(R2)" 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.

Subject Application/Development Proposal

The proposed development consists of a four-storey apartment building containing a total of twenty-four (24) residential dwelling units, with a height of 15.6 metres (51.2 feet) and forty-three (43) surface parking spaces, including two (2) accessible parking spaces, three (3) visitor parking spaces and six (6) bicycle parking stalls (please refer to Attachment 2 and Attachment 3). The proposed apartment building will have two primary resident entrances; the main being accessed from Caithness Street West (front side) and the rear entrance accessed directly from the parking area. Vehicular access to the parking area will be provided directly from Shetland Street. It is noted that no relief from parking provisions is being requested as part of the proposed development.

Landscaping is proposed in required yards and parking islands within the rear parking lot. A total of 646 square metres (6,953.5 square feet) of landscaped area is proposed, comprising approximately 18.4% of the total lot area.

Supporting Materials

The following materials were submitted in support of the subject application:

- Planning Justification Report (prepared by GSP Group Inc., dated March 2024)
- Functional Servicing Report (prepared by Fred Jewett, P.Eng)
- Stormwater Management Report (prepared by MC Engineering)
- Geotechnical Investigation (prepared by Chung & Vander Doelen, dated March 13, 2024)
- Stage 1 & 2 Archaeological Assessment (prepared by Archaeological Consultants Canada, dated November 29, 2023)
- Urban Design Brief (prepared by GSP Group Inc., dated April 2024)
- Site Plan and Elevations (prepared by the Ventin Group Ltd.)
- Grading and Servicing Plan (prepared by MC Engineering)
- Traffic Impact Brief (prepared by Paradigm Transportation Solutions, September 2024)

ANALYSIS:

The planning considerations discussed below apply to this proposal. A Zoning By-law Amendment application has been submitted to establish the land use in principle. Should this application be approved, a Site Plan application will be required to address all of the technical matters required to facilitate the development proposal.

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS), 2020 provides overall policy direction on matters of provincial interest related to land use planning and development in Ontario. The PPS sets the policy foundation for regulating the development and use of land and is intended to support growth and enhance the quality of life, while protecting valuable resources, health and safety and the natural environment. The PPS is intended to focus growth and development within urban and rural settlement areas in a sustainable manner. Caledonia is considered an urban settlement area, and is the largest settlement area in Haldimand County. Accordingly, Caledonia is expected to see a range of residential growth and commercial and institutional development opportunities.

The PPS seeks the establishment of “healthy, liveable, and safe communities” through Section 1.1.1:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

Planning Comment: The proposed development will utilize a large parcel within a built-up, stable residential neighbourhood of Caledonia. It will provide for a range of additional dwelling units and provide for valuable infill development. The use of the existing land within town reduces the need for future urban expansions and provides for intensification in a manner that will efficiently use municipal services, providing for a sustainable form of intensification.

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

Planning Comment: The proposed multi-unit (apartment) building will contain an assortment of units, including one-bedroom, one-bedroom plus den and two-bedroom plus den which will provide additional residential forms and dwelling types and contribute to the overall housing stock needed in Caledonia. In addition, the proposed apartment is within walking distance to

services and public facilities such as parks and open space, schools and commercial uses to meet the long-term needs of residents.

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Planning Comment: The development proposal represents a residential infill development on an underutilized parcel of land that is already designated for residential use and does not contain any significant natural heritage features or hazards. Further, the proposal will mitigate any safety concerns by creating natural surveillance (eyes on park, street, parking lot); designing the placement of physical features, activities and people in such a way as to maximize visibility of the space and its users, fostering positive social interaction among legitimate users of private and public space. The details of the development will be reviewed through the Site Plan process and ensure that the development is designed in an appropriate manner.

- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;

Planning Comment: The subject lands are within a settlement area, specifically, the urban boundary of Caledonia and with full municipal services with no requirement to expand the limits of the urban boundary. Accordingly, it will provide for a logical and appropriate infilling and use of existing and available lands for development.

- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

Planning Comment: The development provides for a significant infill opportunity and housing form within a stable, residential neighbourhood of Caledonia. The location will utilize an underdeveloped piece of land, while effectively using infrastructure and connections to services and business in the area. Full municipal services are available at the road frontage to allow for ease of connections, which eliminates the need for costly and complicated extensions and road closures.

- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

Planning Comment: The proposed development is located in close proximity to Argyle Street North and Caithness Street West, a signalized intersection which contains a number of community services and amenities, including grocery, pharmacies, personal services and food establishments.

Section 1.1.3 describes policies for Settlement Areas and how the vitality and regeneration of these areas are critical to the long-term economic prosperity of the community. Sections 1.1.3.1 and 1.1.3.2 states that settlement areas shall be the focus of growth and development and further, land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;

Planning Comment: The proposed development will provide a mix of additional residential dwelling units in a settlement area that will utilize existing municipal services and efficiently redevelop an underutilized parcel of land that can accommodate a higher density of residential intensification.

b) prepare for the *impacts of a changing climate*;

Planning Comment: The proposed development utilizes existing services, promoting urban intensification rather than an urban sprawl development typology. Urban intensification more efficiently utilizes electrical, gas, stormwater, water and sewage services provided whereas greenfield developments necessitate the extension and expansion of municipal services and utilities, as well as the conversion of agricultural land. The proposed development minimizes the impact residential intensification contributes to climate change.

c) Support active transportation;

Planning Comment: The proposed development is located in close proximity to a wide variety of commercial and retail stores, public parks and trails, and other amenities within a 15-minute walking distance of the Subject Property. The proposed development supports active transportation.

Planning staff are of the opinion that the development proposal is consistent with relevant and applicable policies of the Provincial Policy Statement.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 ('Growth Plan'), similar to the Provincial Policy Statement, creates a policy framework for the Province's plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Growth Plan looks to create complete communities, prioritize infilling and intensification, support a range of housing types and forms, integrated infrastructure and the protection of the environment, natural heritage and agricultural land resources.

In particular, the below matters will be evaluated against the applicable Growth Plan policies 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; and
- the proposal's impact on cultural heritage and archaeological resources.

Planning Comment: As discussed in the aforementioned section and in further detail below, the proposed development will encourage safety through the design by creating natural surveillance to maximize visibility of space and its users; is located in close proximity and within walking distance of community services and amenities, including shopping, personal services and food establishments; provides for a range and mix of housing in the built-up area as a higher density, residential intensification project that aligns with forecasted expectations in Haldimand County, specifically the Caledonia Urban Area; is on full municipal services and will not require any new extensions; and, a Stage 1 and 2 archaeological assessment was completed for the subject lands which did not result in the documentation of any archaeological resources.

Accordingly, Planning staff are of the opinion that the development proposal is consistent with and conforms to the intent and purposes of the policies contained in the Growth Plan.

Haldimand County Official Plan

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

Designation

The subject lands are within the Urban Area of Caledonia and are within the built-up area.

The subject property is designated as “Residential” on Schedule B.1 (Caledonia Urban Area Land Use Plan) of the HCOP. Pursuant to Section 4.B.2)2., the residential designation permits all forms of residential development in accordance with the policies of the HCOP.

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.

Infilling and Intensification

Section 5.I.1. states that the County will support measures to provide residential intensification such as infilling and redevelopment in areas designated for residential use by adhering to the intensification strategy set out in Section 4.B.7.

The following intensification strategies apply to this proposal:

- a) Encourage and facilitate intensification throughout the built-up area of the Urban Areas;
- b) Plan for and encourage a range and mix of housing in the built-up areas with higher density housing and employment directed to the intensification areas and corridors.

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.

Residential Densities

Policy 4.B.2) 5. Identifies the target residential densities ranked from low density (i.e. single detached and semi-detached dwellings) and generally not exceeding 20 units per gross residential hectare to high density (i.e. apartment buildings) and generally not exceeding 75 units per gross residential hectare. While the HCOP generally permits all forms of residential development, the maximum density permitted through redevelopment, infilling or intensifications would be limited to 75 units per gross residential hectare without requiring an Official Plan Amendment.

Planning Comment: The proponent has submitted a Zoning By-law Amendment application to establish the principal land use of a high-density residential zone that permits apartment buildings (i.e. R5 Zone). With twenty-four (24) proposed dwelling units on a 0.35 hectare (0.9 acres) parcel yields an approximate density of 68.6 units per gross residential hectare. Accordingly, the proposal is within the parameters of the high-density residential category and would not require an amendment to the HCOP.

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 within the urban design guidelines for residential developments.

The development proposal is assessed on the aforementioned criteria in detail below:

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

Planning Comment: The proposed development provides additional dwelling units in higher density setting (i.e. apartment building), which has been identified as a type of housing from that is needed through the County's Housing Master Plan completed as part of the Phase 2 update to the Haldimand County Official Plan. Based on regional demographic trends and identified local housing market potential, Caledonia and Hagersville are anticipated to accommodate the bulk of the medium and high-density housing, with approximately 62% of growth share allocated to Caledonia (Watson & Associates – Population, Household and Employment Forecast Update). The subject application will aid in the overall provision of housing and population growth for the community and also provide dwelling forms that are currently undersupplied.

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

Planning Comment: The development proposal in its current form consists of a four-storey (15.5 metre/50.85 feet), twenty-four (24) unit apartment building. Strategically positioned on the edge of an established neighbourhood and near the street frontage, the proposed development form benefits by being built into the hill and responds to the existing grades, which slope downward towards the Grand River, presenting as a four-storey structure when viewed from Caithness Street West and as three storeys from the rear which abuts the existing dwellings. As such, from within the neighbourhood, the building will appear as 3 storeys in height which is in keeping with the maximum height permissions in the surrounding area zoning. The proposed building is to be located closer to the intersection and include setbacks, walkways and terraced landscaped areas that will provide for separation to the abutting residential properties and allow for balanced development to the street (refer to Attachment 5). The architectural design proposes an attractive building design, with no blank facades, balconies and varied articulation, a mix of materials and complimentary colours to the neighbourhood. While the immediate surrounding land uses primarily consist of lower density residential and as further illustrated in Attachment 5, there are mid-rise apartments buildings within close proximity of the subject property and this infill development will create a transition within the built-up area. Although taller than existing buildings, the proposed scale of the development is considered appropriate as the setbacks and landscaping will assist to provide transition and buffering to the existing residential dwellings. In addition, parking and site functions (including loading and garbage collection) are situated within the subject property and screened from public view. The specific building location, design and landscaping will be reviewed through the Site Plan application stage. In addition, through this process, screening and buffering through fencing and landscaping will be taken into consideration to mitigate lights from the subject property and potential privacy impacts for neighbouring properties.

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

Planning Comment: The development proposal includes forty-three (43) surface parking spaces, which exceeds the required parking provisions of Haldimand County Zoning By-law HC 1-2020, and includes accessible/barrier-free parking spaces and six (6) bicycle spaces. The parking area is sited interior to the Subject Property and respects the streetscape with landscaped strips that will include trees along the property interface and plantings. Pedestrian walkways are proposed to provide direct access from the Caithness Street sidewalk to the principal main building entrance and a pedestrian walkway is proposed from Shetland Street site access to the rear side of the building connecting the secondary building entrance. Tree plantings and landscaped areas will be proposed along Shetland Street frontage and along the periphery of the Subject Property and reinforce the pedestrian walkways. Vehicles will enter the Site from a single driveway access from Shetland Street to allow for increased landscaping rather than multiple driveways and to minimize curb cuts. All functional areas (garbage, loading, mechanical, electrical) are contained on the rear side of the building not visible from the streets. Drop-off area will be surfaced appropriately to facilitate barrier free access to the building from the sidewalk and parking area.

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

Planning Comment: The subject property is a corner lot, located on the southeast corner of Caithness Street West and Shetland Street and within a built-up, stable residential area. Caithness Street West is classified as an arterial road, which is recognized as the principal traffic thoroughfare. Pursuant to Section 5.A.1) 5. Of the HCOP, direct access to arterial roads should be limited and means of alternative access should be investigated for all new development or redevelopment adjacent to an arterial road. Shetland Street on the other hand, is classified as a local road which are intended to distribute traffic from collector roads to individual properties. One point of access to the site is proposed directly from Shetland Street. A Traffic Impact brief was completed in support of the application and concluded that sight distances from the proposed access are suitable, total peak trip generation will be minimal (10 to 12 trips in AM and PM peak) and the existing road network can accommodate the development without need for any physical improvements.

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

Planning Comment: The subject property is centrally located in Caledonia, on the north side of the Grand River and to the east of Argyle Street North. The site is in close proximity to a number of public amenities including Caledonia Kinsmen Park which is located to the immediate south. Caledonia Kinsmen Park contains sports facilities (i.e. tennis courts and baseball diamonds), walking trails and a public swimming pool. The site has direct connections to sidewalks on the north side of Caithness Street West and to the main signalized intersection of Argyle and Caithness Streets which is main downtown shopping/service area.

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

Planning Comment: The proposed development is within walking distance a number of community service facilities that are able to accommodate the needs of the residents of the proposed development. These community service facilities are located along Caithness Street West and East, as well as Argyle Street North. Among these services include numerous retail stores, a large grocery store further north on Argyle Street North, and medical clinics, pharmacies and specialty clinics including massage therapy and osteopathic offices. In addition, Service Ontario is located on Caithness Street East immediately east of Argyle Street North.

Planning staff are confident that the location of the proposed development can provide additional benefits to both future residents of the proposed development and the community at large.

Servicing

Policy 5.B.1)1. 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.

The subject application is proposed on full municipal water and wastewater services, and a Functional Servicing and Stormwater Management Report was submitted by the proponent that recommends that:

- Sanitary servicing will be provided via a connection to the 200 mm diameter sanitary sewer system along Caithness Street West. Flows will be conveyed east along Caithness Street West.
- Water will be provided via a connection to the 150 mm diameter watermain along Shetland Street.
- Stormwater will be conveyed to the existing municipal system via connection to the existing catch basin at the northeast corner of Caithness Street West and Shetland Street. Flows will be conveyed south across Caithness Street West where they travel east along Caithness Street West.

The proposed development has also been reviewed in conjunction with the Caledonia Master Servicing Plan, and is considered acceptable and in accordance with the criteria and standards for the community. While there is sufficient capacity within all infrastructure systems to service the proposed development, it is noted that some upgrades are planned to the Caledonia system to accommodate additional future growth and the water conveyance structure. Therefore, service interruptions are expected should the development proceed ahead of those planned upgrades.

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 road 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.

A Traffic Impact brief was completed in support of the application and concluded that sight distances from the proposed access are suitable, total peak trip generation will be minimal (10 to 12 trips in AM and PM peak) and the existing road network can accommodate the development without need for any physical improvements. Based on review by Engineering Services, the conclusions of the brief are supported and the project is not anticipated to negatively impact the intersection or road network in this area.

Archaeological Reviews

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. Stage 1 and 2 archaeological assessments were completed for the site by the consultant, Archaeological Consultants Canada.

The works were completed in accordance with the Ministry of Citizenship and Multiculturalism (MCM) Standards and Guidelines, and through Stage 2 did not result in the documentation of any archaeological resources. The study was registered with the Province and the site is cleared for development from an archaeological perspective.

Based on the aforementioned policies, Planning staff are of the opinion that the development proposal satisfies applicable HCOP criteria for medium and high-density development and conforms to the Haldimand County Official Plan.

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.

The Zoning By-Law Amendment application is seeking to amend the land use permissions for the subject lands to facilitate a four-storey apartment building by rezoning the subject lands from 'Urban Residential Type 2 "(R2)"' to 'Urban Residential Type 5 "(R5.3)"' with site-specific provisions and a Holding (H) Provision.

The site-specific provisions will address the following requested relief:

Section	Provision	Relief Requested	Planning Comment
4.20 – Exemptions from Yard Provisions	e) balconies may project into any required rear yard, front yard, interior side yard or exterior side yard area a distance of not more than 1.5 metres provided they are no closer than 3.0 metres from a front yard lot line, exterior lot line or interior lot line and 6.0 metres from a rear lot line.	To permit a 1 metre (3 feet) minimum exterior side yard setback and a 2.27 metre (7.4 feet) minimum interior side yard setback for projecting balconies.	The proposed balcony projections apply only to the exterior side yard along Shetland Street and interior side yard abutting the property to the west (91 Shetland Street). The proposed balcony projection will have little to no impact to the public realm along Shetland Street and with their continuous glass railings and the building meeting all setbacks, will have little to no impacts on the adjacent residential dwelling to the west. Planning staff are of the opinion that the proposed projections of the balconies are minor in scale given the massing of the building meeting all other setbacks.
5.2.12 – Location of Parking on a Lot	c) iii) for apartment dwellings, no parking lot shall be located within 3.0 metres of	- 0 metres are proposed in one small portion to provide access to an existing	The 0-metre setback proposed is contained within a small portion of the rear yard to provide

	any dwelling on the lot or of any interior lot line abutting another residential zone.	accessory structure on the adjacent property for which there is an existing easement registered for continued access.	access to an existing garage that straddles the property line. Save and except for that small portion, the remainder of the rear parking lot will provide a continuous, landscaped buffer and board-on-board privacy fence to ensure privacy and adequately screen the parking lot from the adjacent residents. Planning staff are of the opinion that the 0 metre setback is minor and contained to only the area of the existing garage to provide access and will not have any negative impacts as the parking lot is adequately screened through landscaping and fencing.
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A Holding (H) Provision is also being proposed for the subject lands, which will ensure that the following items are addressed:

- Development Agreement and Site Plan approval.

Accordingly, Planning staff are supportive of the proposed Zoning By-law Amendment application and are of the opinion that the development proposal is generally consistent with the intent and purposes of the Haldimand County Zoning By-law HC 1-2020.

A copy of the proposed draft Zoning by-law is attached as Attachment 4 to this report.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Public Comments: No comments from the public, including area residents were received at the time this report was written.

Bell Canada: No comments received.

Canada Post: Please be advised that this development will require a mail panel to be installed by the developer/owner for mail delivery. Please provide unit #'s and when construction has started.

Water & Wastewater Engineering: No comments received.

Transportation Engineering Technologist: No comments received.

Mississaugas of the Credit First Nation: No comments received.

Six Nations of the Grand River: Six Nations 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 has 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 requests that any trees that get removed be replaced at a 10:1 ratio, with site appropriate native species. It is preferred that mature trees do not get cut down if preventable. After driving by the site, it seems the trees have all been cut down which is very disappointing. We would like to see an enhanced landscape plan, Kayanase (<https://www.kayanase.ca/>) our on reserve green house, can help with plantings for the landscape plan. A roof top garden might even be a good idea to help keep pollinators and birds that are displaced from this project.

Six Nations would also like to see one unit dedicated for native housing, due to the housing crisis we are currently faced with as well as proximity to Six Nations. Also, the use of permeable pavers can help with runoff from entering the Grand River.

Economic Development & Tourism: No comments on this application.

Finance: No comments received.

Haldimand-Norfolk Health Unit: Health and Social Services (H&SS) has a vested interest in new developments in Haldimand/Norfolk County from a number of perspectives that can impact the health of the community. Our comments for this proposal are as follows:

Built Environment, Active Transportation, and Access to Healthy Food:

H&SS encourages developments that make it easier for people to choose active forms of transportation (walking, cycling, wheeling) for short trips and access to food ideally within 1km.

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

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

Specific to this development:

- This development adds residential density to the area - a key feature of a walkable community.
- This development would contribute to the creation of a complete neighbourhood due to its convenient location.

- The development is within 1km of two elementary schools, public services, restaurants, employment opportunities, farmers market, and leisure opportunities (i.e. Kinsmen Park and walking trail).
- Bike racks are noted in the application and encouraged. Here is a link to the essentials of bike parking: [EssentialsofBikeParking_FINA.pdf](#) (apbp.org).
- The health unit encourages multi-unit dwellings which are 100% smoke-free. A no-smoking policy in the declaration prior to selling or renting any units is the simplest way forward. HNHU is able to support the applicant if interested. Learn more at Home - Smoke Free Housing Ontario.

Housing:

There is an acute need for affordable rental housing and affordable homeownership in Haldimand County.

Provided the proposed development meets the intent and purpose of applicable policy, by-laws, codes and servicing capacity, Housing Services is supportive of the establishment of new affordable rental and homeownership opportunities in the community.

Environmental Health:

No comments at this time.

Building & Municipal Enforcement Services: Property currently zoned R2 with proposed change to R5.

- Site plan control will apply.
- Detached garage on neighbouring property encroaching over west property line.
- GRCA approval will be required.
- Maintenance agreement required for mutual driveway per ZBL 5.2.5.
- No on-site snow storage designated.
- No parking lot shall be located within 3.0 metres of any dwelling on the lot or of any interior lot line abutting another residential zone (2 m proposed) per ZBL 5.2.12 c) iii).
- Balconies may project into any required interior side yard or exterior side yard area a distance of not more than 1.5 m provided they are no closer than 3 m from an exterior lot line or interior lot line per ZBL 4.20 e).
 - +/-2 m proposed projection to exterior lot line (3 m proposed to building face, with 3 m min. ext. side yard setback).
 - +/-2 m proposed projection to interior lot line (4.27 m proposed to building face, with 4 m min. int. side yard setback).

Garbage and recycling containers:

- To comply with Part XIX (Rubbish and Debris) of Property Standards By-law 730/06.
- Not to affect the visibility of entering/exiting the driveway.

Ministry of Transportation of Ontario (MTO): The proposed work at 80 Caithness St. W and 51 Shetland St, Caledonia is not located adjacent to a provincial highway or within MTO's Permit Control Area, and as such, does not require MTO review, approval or permits.

Grand River Conservation Authority (GRCA): GRCA staff has reviewed the above-noted application rezone the subject property from Urban Residential Type 2 (R2) to Urban Residential Type 5 (R5) to permit the development of a four (4) storey apartment building.

Recommendation

The GRCA has no objection to the proposed zoning by-law amendment.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 41/24 and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at our office indicates that the subject lands contain the regulated allowance to river valley slopes associated with the Grand River. As a result, a portion of the property is regulated by GRCA under Ontario Regulation 41/24. Refer to the attached resource mapping for more information.

We understand that the applicant is looking to develop the site with a four-storey multi-unit residential building (16 units) and associated upland parking. We also understand that stormwater management (SWM) and site servicing are proposed via connections to existing municipal infrastructure, and therefore GRCA defers the review of SWM and servicing considerations to Haldimand County.

Based on our review of the submitted materials, the GRCA has no objection to the proposed zoning-by-law amendment.

A permit from the GRCA will be required for the proposed development activity within GRCA's regulated area. GRCA's valley slope and regulation limit should be added to all plans to be submitted with the permit application. The digital layers are available on our website: <https://data.grandriver.ca/downloads-geospatial.html>

Consistent with GRCA's 2024 approved fee schedule, this application is considered a minor zoning bylaw amendment and the applicant will be invoiced in the amount of \$465 for the GRCA's review of this application.

Planning & Development – Development Technologist: Development Engineering has the following comments:

1. Development Engineering has reviewed the application for PLZ-HA-2024-069 and have no objections to the rezoning based on the information submitted by the Applicant.
2. A Traffic Impact Study or Brief will be required at the time of Site Plan Application.
3. Water and Sanitary Modelling will be required at the time of Site Plan Application.
4. A full review of the Civil Engineering Plans and all associated documents and reports will be reviewed at the time of Site Plan Application.

Facilities, Parks, Cemeteries and Forestry Operations: No comments received. The applicant did not provide a tree protection plan or landscape plan depicting if there are any County owned trees within or adjacent to the subject property.

Planning Comment: The applicant will be required to provide a detailed landscape plan at the detailed-design (Site Plan) stage. Further, it will be confirmed at the Site Plan stage if a tree protection plan will be required and if any County owned trees will be impacted as a result of the proposed development and if any compensation will be required.

Water & Wastewater Engineering: No comments received.

Hydro One: No comments received.

Enbridge Gas Distribution: Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

None.

ATTACHMENTS:

1. Location Map.
2. Concept Plan Owner's Sketch.
3. Concept Elevations Owner's Sketch.
4. Draft Zoning By-law.
5. Contextual Overlay.