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# HALDIMAND COUNTY

## Report PDD-08-2024 Zoning By-law Amendment to Facilitate a Draft Plan of Subdivision, Hagersville



For Consideration by Council in Committee on October 29, 2024

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### OBJECTIVE:

To consider a Zoning Amendment application for the subject lands, known municipally as 59 King Street West and 2290 Sandusk Road in Hagersville, to amend the current “Extractive Industrial (MX)”, “Development (D)”, and “General Industrial (MG)” zones to “Urban Type Residential 4 (R4)” zone with special exceptions and Holding (H) provisions, and “Open Space (OS) Zone”, to facilitate future residential draft Plan of Subdivision and Condominium on the subject lands.

### RECOMMENDATIONS:

1. THAT PDD-08-2024 Zoning By-law Amendment to Facilitate a Draft Plan of Subdivision, Hagersville, be received;
2. AND THAT application PLZ-HA-2022-081 to amend the Haldimand County Zoning By-law HC 1-2020, to rezone the subject lands from “Extractive Industrial (MX)”, “General Industrial – Holding/Development (MG-H, D)”, and “General Industrial (MG)” zones to “Urban Type Residential 4 (R4.7)” with special exceptions and Holding (H) provisions, and “Open Space (OS.7)” with special exceptions, be approved for the reasons outlined in Report PDD-08-2024;
3. AND THAT the application is considered to be consistent with the Provincial Planning Statement 2024, conforms to the Haldimand County Official Plan, and has sufficient regard for matters of provincial interest under the *Planning Act*, 1990;
4. AND THAT each of the Holding “H” provisions shall be removed, by the General Manager of Community & Development Services once the County is satisfied that the proponent has met the conditions for the removal of each Holding provision;
5. AND THAT the by-law attached to Report PDD-08-2024 be approved at a future Council meeting.

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

**Approved:** Cathy Case, Chief Administrative Officer

### EXECUTIVE SUMMARY:

The County has received an application for a Zoning By-law Amendment to rezone the subject lands to permit development of a residential plan of subdivision and plan of condominium having a maximum of 1,227 lots.

The subject lands are located within the Hagersville Urban Area, and designated “Residential” as set out in Schedule B.4 to the Haldimand County Official Plan as amended. The proposed residential use is permitted under existing policies and an Official Plan Amendment is not required.

The subject lands are currently zoned “General Industrial Zone (MG)”, “Development Zone (D)”, and “Extractive Industrial Zone (MX)” in the Haldimand County Zoning By-law HC 1-2020. The existing zoning construct is a remnant from former extractive operations at the site. The subject application to amend the Zoning By-law is intended to replace the existing zoning with “Urban Residential Type 4 (R4.7)” with special exceptions, together with Holding (H) provisions, and “Open Space (OS.7) Zone” with special exceptions, is required to permit a Plan of Subdivision and Condominium for the subject lands, having a maximum of 1,227 lots, which is proposed to include a range of residential uses from single detached dwellings to townhouse dwellings. The proposed Zoning By-law Amendment includes provisions for innovative units/lots not previously seen in Haldimand County. In particular, there are two new unit types which are referred to as “Cottage Lots” (see Attachment 3) and “Wide-Shallow Lots” (see Attachment 4). These units represent smaller lot and building footprints than traditional single detached dwellings and represent an effort to create more housing options and increased affordability as it relates to home ownership. These typologies will be addressed in greater detail later in the report. The subdivision would be developed in multiple phases over many years.

The proposed “Urban Residential Type 4 (R4)” zone will apply to the entirety of the developable lands of the subdivision, however, Holding (H) Provisions are proposed on four (4) areas of the development (Parts 3-6). The holding provisions are being applied to address technical matters such as lotting concepts, parking plans, and setback/reserves. Application of the holding provisions is to ensure technical matters are addressed. Additional detail on the holding provisions can be found in the section on Zoning found later in this report. An application for draft Plan of Subdivision has also been submitted to the County (PL28T2022082). The Plan of Subdivision will include a park block and a school block. Details of the proposal, such as roads networks, water and sanitary sewer servicing, stormwater management, lotting and location of blocks for public park and school will be addressed through the review of the Plan of Subdivision.

Planning Staff are of the opinion that the subject application is consistent with the Provincial Planning Statement 2024, conforms to the Haldimand County Official Plan, as amended, maintains the general intent and purpose of Zoning By-law HC 1-2020, and has sufficient regard for matters of Provincial Interest. Public notice signs were posted at the site in accordance with the *Planning Act*.

## **BACKGROUND:**

The subject lands are legally described as Plan 905 Blocks 11 and 44, Lot 2 Part Lot 1, Part Lot 13 and Part Lot 14, Concession 13 Registered Plan 18R8007 Part 1, Registered Plan 18R7851 Parts 1 to 6, municipally known as 59 King St. W. & 2290 Sandusk Road, Hagersville (see Attachment 1 – Location Map). The subject lands, approximately 77.6 hectares (192 acres) in area, make up an irregularly shaped parcel of land.

The subject lands are currently vacant and cleared with some small pockets of vegetation. In the past most of the subject lands had been used for agricultural purposes, although a large portion of the western half of the subject lands were previously used as a quarry. The quarry is filled as a large man-made quarry pond and is intended to be integrated as a feature of the subdivision. The pond will be a common element as part of future plan of condominium.

The proposal has been revised since the original submission. The initial application for the Zoning By-law Amendment and draft Plan of Subdivision proposed up to a maximum of 1,500 dwelling units. As a result of comments raised through the circulation of the application as well as the findings of the ongoing archaeological assessment, the area of land available for development and the maximum

number of units have been reduced. Under the revised submission, the proposed development would provide up to a maximum of 1,227 residential lots, with a range of residential units including, detached dwellings, townhouses and back-to-back townhouses. The Plan of Subdivision will also include a block for a public park, as well as a block for a new school (Attachment 7 – preliminary Draft Plan and Attachment 8 – preliminary Coloured Lotting Plan).

It is worth noting that the lands to the north, west and south of the subject lands have at some point been home to some former aggregate extraction operations. At present surrounding land uses include:

- To the north, some existing residential uses, and the Crystal Lake subdivision, an existing solar farm directly adjacent to the north lot line of the subject lands, as well as open space and a quarry pond.
- To the east is an active CN Rail line, which flanks the property, and further east are a number of residential and light industrial uses along John Street, and the Hagersville commercial downtown along Main Street.
- To the south are a number of light industrial uses, including the Hagersville Wastewater Treatment Plant.
- And to the west is another solar farm, with primarily agricultural lands further to the west into the rural area.

To support the subject application and address comments raised by the County, external agencies and the public, the proponent has submitted a number of studies/reports, including:

- Archaeological Report
- Functional Servicing Plan
- Stormwater Management Report
- Compatibility Study
- Environmental Site Assessment – Air Quality, Dust, Odour, Noise and Vibration
- Environmental Site Assessment – Geology, Hydrogeology, Soils, Groundwater
- Environmental Site Assessment – Historical Natural Gas Well Assessment
- Planning Justification Report
- Shadow Study
- Tree Preservation Study
- Lot Grading Plan
- Geotechnical Report
- Natural Heritage – Existing Conditions Report
- Slope Stability Report
- Transportation Impact Study
- Urban Design Report

The submitted studies have been reviewed and utilized in the evaluation of the zoning amendment application. Key study findings are detailed in the Analysis section below. The studies will be instrumental in developing final designs and conditions of draft plan approval which will inform the phasing and timing of future construction.

## **ANALYSIS:**

### **Provincial Planning Statement, 2024 (PPS 2024)**

The Provincial Planning Statement, 2024 (PPS 2024), came into effect on October 24, 2024 and combined the previous Provincial Policy Statement and Provincial Growth Plan. The policies contained within the new PPS 2024 are similar to the previous provincial documents with respect to encouraging

and focusing growth and development within existing settlement areas. However, there is increased emphasis on housing provision which is set out in the Vision of the PPS 2024 which prioritizes the provision of more residential dwellings:

“Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.”

This emphasis on housing provision has been demonstrated in the housing targets assigned by the Province to 50 Ontario municipalities (including Haldimand), as well as its work in developing and working towards implementation of key recommendations from the Housing Affordability Task Force. PPS 2024 directs that Planning authorities are to continue providing an appropriate range and mix of housing options and densities to meet projected needs of current and future residents. The proposed zoning amendment for the subject lands has been designed with flexibility to allow a range of housing types including, single detached dwellings, semi-detached dwellings, and several forms of townhouse dwellings. Staff are of the opinion that the mix of housing forms provided for in the proposed zoning will provide opportunity for an appropriate range and mix of housing options and densities to meet current and future residential needs.

Regarding Land Use Compatibility, Planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures. In particular, the subdivision will have to take into account potential setback or on-title notices relating to an existing farm (livestock) operation adjacent to the west of the development, and the existing municipal treatment facility south-east of the subject lands. While the components are key to note, they do not specifically limit or cause concern for the development to proceed in relation to the subject zoning amendment. The function of the land use is considered appropriate and any separation or accommodation can be addressed through the subdivision design and layout.

The PPS 2024 protects sites of cultural heritage and archaeological interest and states that “Planning authorities shall not permit development and site alteration on land containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.” The PPS 2024 also requires Planning authorities to engage early with Indigenous communities and ensure their interests are considered.

The development has undertaken extensive and ongoing archaeological assessment and field works for the subject lands. Both Mississaugas of the Credit First Nation and Six Nations of the Grand River communities have been engaged from the commencement of field works and continue to be involved in the archaeological assessments.

Staff are satisfied that the archaeological potential on the subject lands is being appropriately addressed and that the subject application is consistent with the Cultural Heritage and Archaeology policies in the PPS 2024. The final results of the archaeological assessment will be best addressed through the detailed review of the Plan of Subdivision and final design will be informed by recommendations and any required mitigation measures.

The PPS 2024 has policies addressing Natural and Human-made Hazards. Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and hazardous sites. The applicant has completed a preliminary stable slope analysis around the quarry pond. Development limits will adhere to the stable top of slope around the quarry pond.

The subject lands also include human-made hazards, having been previously used for mineral extraction. The quarry was allowed to fill with water and became the onsite quarry pond. The former quarry operation included industrial buildings, the foundations of which remain at the north-west side of the property. Former railway spurs are also located on the east portion of the site. The PPS 2024 states that “development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated.” The proponent has conducted an environmental site assessment of the subject lands. Future remediation and/or risk assessment is anticipated in order to file a Record of Site Condition with the Ministry of Environment, Conservation and Parks (MECP). Due to environmental site conditions an area at the north west corner of the subject property will not be developed for residential uses. The final design of the subdivision will be informed by recommendations and any required mitigation measures of these analyses.

The PPS 2024 includes policies regarding stormwater management, sewage and water services. Staff are generally satisfied that the proposed development can be serviced through municipal water and sewer, and the subject Zoning By-law Amendment can be supported. As part of the application submission and technical review of the proposed development a number of studies and reports were provided with the submission including a Functional Servicing Report; Traffic Impact Study; Compatibility Study; Stormwater Management and Planning Justification Report. The preliminary studies and reports indicate the subdivision is functional and can be developed given the availability of municipal services, connection to existing road networks and the location within an existing settlement area. The studies provide support for the establishment of the land use through the subject zoning amendment. However, it is noted that through the plan of subdivision and conditions of approval, a number of technical requirements will be addressed including any required infrastructure upgrades (road, water and sanitary services), conservation authority clearance, archaeological approvals and any related setbacks. The details will be addressed through the review of the Plan of Subdivision.

Staff are of the opinion that the subject application is consistent with the policies of the PPS 2024.

### **Haldimand County Official Plan**

The Haldimand County Official Plan (OP), as amended creates the framework for guiding land use changes in the County over the long-term. The OP provides the avenue through which Provincial Policy is implemented into the local context, protects and manages the natural environment, directs and influences growth patterns, and facilitates the vision of the County as expressed through its residents. A Zoning By-law Amendment and Site Plan application cannot be approved and building permits issued if the required designation is not in effect or the development does not conform to all of the Official Plan policies.

The subject lands are located within the urban boundary of Hagersville and designated ‘Residential’. As detailed below, the subject applications conform to the policy framework that is in place which lends support to both the zoning amendment and plan of subdivision proposals.

The OP sets out that the Residential Designation is expected to develop as attractive and functional neighbourhoods that provide a variety of housing forms and community facilities in support of a residential environment. All forms of residential development shall be permitted in accordance with the policies of the OP including community, institutional and neighbourhood commercial uses.

The proposal is intended to consist of a mix of residential housing forms and densities including, single detached dwellings, semi-detached dwellings and townhouses, and also includes blocks for a public park and potential future school opportunities.

For residential applications, the Official Plan sets out an average density target of 40 persons and jobs per hectare in designated greenfield areas. Using an average of 2.6 persons per unit (which is from the recently approved update of the County's Population Forecasts completed by Watson), the revised subdivision design of 1,227 units would result in a population density of 41 persons per hectare, which is in-line with the Official Plan policies.

The Official Plan includes policies for Trails and Open Space Development, through which the County places an emphasis on development of an integrated network of trails and open spaces, encouraging active transportation and a healthy lifestyle. The OP policy is supported by the County's Trails Master Plan and Partnership Framework Study (2009) which provides guidance on design and implementation of a comprehensive multi-use trail system. The proposed Zoning By-law does not conflict with these policies. The concept plan does propose trails, located on the Open Space Block that runs along the CN rail line, and trails around the Quarry Pond. The details of the trail system and open space for the proposed subdivision will be addressed through the review of application for the Plan of Subdivision.

The OP also speaks to Parkland Dedication. The provision requires the dedication of land for a park in accordance with the *Planning Act* at a rate of 5 percent for residential purposes. Details regarding a Block for park purposes will be addressed through the review of the Plan of Subdivision and has been accounted for as part of the zoning amendment. In the most revised subdivision layout, approximately 5.5 hectares (13.6 acres) of park and open space have been identified, which accounts for approximately 7 percent of the land area for parkland dedication. The specific details and function of the park and open space will be fully evaluated through the detail subdivision review.

The OP sets out policies for Hazard Lands. Although not designated as such in the OP, the quarry pond and abutting slope are considered hazard lands and is regulated by the Long Point Region Conservation Authority (LPRCA). The OP restricts uses on hazard lands. It does permit uses such as outdoor recreation not requiring buildings or structures. The proponent has indicated their intention that the quarry pond be appropriated developed to be enjoyed by nearby residents. The pond will be created as a common element in future plan of condominium. The LPRCA staff have reviewed the final slope stability study and found the analysis report to be satisfactory. There are no concerns or comments in regards to the report.

Details regarding buildings and uses on or near hazard lands will be addressed through the Plan of Subdivision including, all development must be set back to the greater of:

- a) the 100-year flood line, or
- b) 15 metres from the pond (top of bank), or
- c) 6 metres from the top of stable slope.

Staff are satisfied that the OP policies regarding Hazard Lands, with respect to the subject Zoning By-law Amendment application have been addressed. Further details will be addressed through the Plan of Subdivision.

Land use compatibility with existing uses is also addressed through the OP. Sensitive uses such as residential uses are to be appropriately sited with respect to incompatible uses. Where a new sensitive use is proposed adjacent to existing potentially non-compatible uses, a land use compatibility study will be required outlining mitigation measures. The applicant has submitted a Land Use Compatibility Study to analyze land use compatibility in accordance with D-Series Guidelines. The report considered nearby industrial uses, specifically the active CN rail line and the adjacent County wastewater treatment plant. Given some comments received from agencies (in particular CN) and a neighbouring farm, additional study on land use compatibility will likely be required for the review of the Plan of Subdivision. These

operations may create the requirement for additional setback or other mitigation (i.e., berm/screen, notice registered on title), however, any setbacks or physical mitigation would not encroach significantly into the subdivision or create larger undevelopable areas. This is the most suitable approach to addressing these existing operations and protecting them for the long term (i.e., ensuring they can still operate unimpeded).

The Official Plan also includes policies with respect to servicing. These policies are intended to ensure sufficient infrastructure is provided to service all new developments. The proposed residential subdivision would be serviced by municipal water and sanitary sewer. Generally, County staff are satisfied, given the reports and studies submitted by the proponent, that there is sufficient information available to support the subject Zoning By-law Amendment Application.

With respect to water and wastewater services a Master Servicing Plan (MSP) was recently completed for Hagersville. The proposed development was included within the recently completed MSP and the development is considered feasible. However, it is noted that upgrades to systems will be required and triggered through the subdivision process and future phasing.

With respect to potential traffic impacts from the proposed subdivision, the proponent submitted a Traffic Impact Study (TIS). A peer review of the Traffic Impact Study was completed. The peer reviewer concluded “It is our opinion that the subject “Transportation Impact Study – Sandusk Subdivision, Haldimand County was overall in compliance with the MTO’s TIS Guidelines. However, some additional information, clarification and corrections are recommended.” The proponent will provide an updated TIS for the review of the Plan of Subdivision to address recommendations and requirements set out in the Peer Review, as well as any requirements of the Ministry of Transportation (MTO).

Details regarding servicing will be addressed during the review of the Plan of Subdivision.

An application for draft Plan of Subdivision has also been submitted to the County. However, the draft plan has been revised as a result of ongoing studies, particularly the archaeological assessment which has progressed to a Stage 3 and Stage 4 assessment for some areas of the subject lands. The review of the draft Plan of Subdivision will assess the technical components of the proposal and ensure that proper access, site drainage, screening and compatibility occur.

Table 1: Subdivision Criteria

CRITERIA	COMMENTS
a) the effect of development of the proposed Subdivision on matters of provincial interest as referred to in section 2	The proposed Subdivision conforms to Provincial interests. Fulsome analysis is provided in the Provincial Planning Statement section above.
b) whether the proposed Subdivision is premature or in the public interest	The proposed Subdivision would complete the planned development in this portion of the urban boundary of Hagersville, satisfies density target requirements, and is considered feasible from a servicing perspective. Public interest includes providing housing in a timely manner and protecting future residents, the natural environment, respecting cultural heritage and providing community amenities, which will be accomplished through the technical studies and functional design of the subdivision. The proposed Subdivision conforms to these criteria as it is providing park and open space, a school block, accommodating natural features and

CRITERIA	COMMENTS
	archaeological features in the design and includes a wide range and variety of housing forms and styles.
c) whether the plan conforms to the official plan and adjacent plans of Subdivision, if any	The subject lands are located within the urban boundary of Hagersville, are designated 'Residential', The proposed Subdivision will integrate into the community and will have future connections to both Concession 12 Road and King Street West, and will round out the developable lands within the urban boundary. The proposed Subdivision conforms to the official plan and adjacent plan of Subdivision.
d) the suitability of the land for the purposes for which it is to be subdivided	The subject lands are designated and planned for residential development.
d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	While the subdivision does not have any direct affordable housing units included at this time, the availability of the range of housing types including semi-detached, townhouses and the introduction of the new Cottage Units and Wide-Shallow units will provide opportunities for housing attainability.
e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed Subdivision with the established highway system in the vicinity and the adequacy of them	The proposed Subdivision will include an extension of connections from King Street East and Concession 12, which are open and maintained municipal roads that provide direct connection to the community and beyond. A number of new local streets will provide access/egress to the proposed residential blocks. The proposed number, width, and location of the streets are acceptable. The grades and elevations will be determined during the detailed design stage.
f) the dimensions and shapes of the proposed lots	The dimensions and shapes of the lots are acceptable. Generally, they are the same as other recently approved greenfield subdivisions in the County, including the Gateway Subdivision in Caledonia and the Smith Farms and Livingston Subdivisions in Hagersville. There will be some limited new typologies—Cottage and Wide-Shallow lots—which will introduce a new, more affordable residential ownership opportunity in the County.
g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land	The proposed zoning provides adequate regulations and setback provisions. The Holding (H) Provisions provide an additional level of review and clearance relating to specific archaeological or environmental considerations.

CRITERIA	COMMENTS
h) conservation of natural resources	The protection of natural resources has been evaluated as part of the development and appropriate setbacks and mitigation measures have and will be taken into consideration for the design and ultimate approval.
i) the adequacy of utilities and municipal services	The proposed internal road allowances would be conveyed to the County. The provision of utilities and installation of infrastructure would be approved as a condition of draft plan approval and included within the Subdivision agreement. The phasing plan and conditions of draft plan approval will also address municipal capacities and ensure that there is no undue strain on the system.
j) the adequacy of school sites	All school boards operating in the County were circulated to review the proposal in connection with school capacities. No objections were received concerning the adequacy of school sites. It is noted that a block has been identified for inclusion within the plan to account for a potential future school.
k) the area of land, if any, within the proposed Subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	Parcels and Blocks to be conveyed to the municipality would include park and open space blocks and stormwater management facilities. Staff have no concerns with the transfer of lands for public purposes.
l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	The proposed Subdivision satisfies the greenfield density targets and provides opportunities for active transportation.
m) the interrelationship between the design of the proposed plan of Subdivision and site plan control matters relating to any development on the land, if the land is also within a site plan control area designated under subsection 41(2) of this Act	Site Plan Control would apply to any proposed blocks for condominium development or the school blocks. A full review/assessment would be completed as part of the individual application submissions.

The proposed Draft Plan of Subdivision is planned to be developed by the proponent in several phases, with Phase 1 proposed to be located to the south of the quarry lake as a Medium Density Residential Block, which will be further reviewed through a Site Plan Control application and Plan of Condominium. A preliminary Phasing Plan has been submitted by the applicant (see Attachment 8 – preliminary Phasing Plan). A development phase to the north of the quarry lake is proposed to be constructed in a similar manner in the future. Additionally, the phasing of the freehold portion of the Draft Plan of Subdivision, excluding both Phase 1 and the northern portion of the Medium Density Residential Block, are currently under review and will be determined through the completion of various technical studies to ensure the orderly development of the site is undertaken. As part of the Draft Plan process, Draft Plan conditions specific to these Phases will be set by the County and must be completed by the proponent in order to allow registration of the applicable Phases. The County will only draft approve

phases to move forward where capacity exists or there is a solution to address the limitations happening/planned.

As noted above, the OP sets out that the Residential Designation is expected to develop as attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. Consistent with the OP policies, the proposed Plan of Subdivision is intended to include a mix of housing types as described elsewhere in this report. The proposed Zoning By-law (see Attachment 5) provides for the development of single detached dwellings, semi-detached dwellings and various forms of townhouse dwellings (including stacked townhouses and back-to-back townhouses). Given that the cost of land is a key driver in high housing costs, in addition to traditional single-detached dwellings, that proponent is proposing two housing typologies with smaller lots which they refer to as Cottage Units (see Attachment 3) and Wide-Shallow Units (see Attachment 4).

The proposed Cottage Unit lots will be narrower than other lots and are proposed not to include a garage. Instead, the Cottage Units would have a (parking pad for one car on the lot). These lots would be located in sections of the proposed Subdivision Plan being developed as common amenity condominiums. Additional parking for the cottage typology units would be provided in a common amenity parking area for the condominium and would be structured to ensure that one (1) additional space is provided for each unit. That would bring the provision of parking to the standard of two (2) spaces per detached dwelling units.

A new form of lot configuration proposed also includes wide-shallow typology unit lots (see Attachment 4), and as the name suggests, would be lots of standard width but shallower depth with a rear yard of 2.5 metres (8.2 feet). This allows a small amenity space in the rear yard but reduces the overall lot area. Wide-Shallow typology lots are planned to only back onto lots with standard rear yard setbacks or onto open space/park blocks, to ensure adequate separation where they back onto other houses.

Both the cottage and wide-shallow typology represent efforts to create more housing options and increased affordability as it relates to home ownership. A housing option of smaller lot and unit sizes serves as the basis for that objective and given the approaches proposed, (i.e., Cottage in condominium blocks with additional parking provided and Wide-Shallow backing onto larger setback lots/open space) staff are of the opinion that these development options would be functional, address key technical matters and achieve compatibility.

### **Servicing and Technical Details**

A Master Servicing Plan (MSP) was recently updated for Hagersville which evaluated the infrastructure and capacities of the systems for water, wastewater, stormwater management and traffic. The proposed subdivision was included within the evaluation and ultimate build out of the proposal incorporated, together with other known developments and potentially developable lands, to fully review what opportunities currently exist for growth and what future upgrades would be required. Currently, there is 807 cubic metres of capacity available in the Hagersville Wastewater Treatment facility, which is equivalent to approximately 934 dwelling units. Phase 1 of the Sandusk Subdivision anticipates 190 units, which can be accommodated within the existing treatment facility and also provide capacities for other proposed developments within Hagersville, including additional Sandusk phases. It is acknowledged that future upgrades to the existing treatment facility are required to accommodate full growth within the community under future build-out conditions, however, through the MSP, wastewater treatment can be appropriately managed and planned for through servicing alternatives and upgrades. Servicing allocation and the treatment facility operations are managed and reviewed by staff to ensure that the systems have availability to accommodate the growth, and allocation is granted to developments through an annual review. Any required upgrades that are triggered by a development is funded by the development. Water conveyance for the subdivision has also been reviewed, through a Functional Servicing Report provided by the proponent and assessment through the MSP. Hagersville

is serviced by water from Nanticoke and includes an In-Line Booster Pump Station (BPS) and a standpipe. The Hagersville BPS has sufficient capacity to supply both existing and future conditions, however, there is a noted deficiency in storage (standpipe) under future growth. One of the key supports for the proposed subdivision is a new watermain along Highway 6, which is presently under design review. The new watermain is planned to be 450 mm in diameter and approximately 6.1 km in length, and will service growth, reduce head loss in the water system to fill the standpipe in the north part of Hagersville and maintain reasonable pressures throughout the system. Phase 1 of the subject lands is required to extend a looped water main to service the development, and additional upgrades are required to service future growth and increase system capacity.

Stormwater Management is generally assessed at the detailed design stage and incorporates the proposed lotting pattern, road network, and overall grading and drainage for the site. However, through the initial evaluation and functional assessment, stormwater can be appropriately managed on-site through stormwater management infrastructure and facilities, (i.e., sewers and ponds) and is considered feasible. It is also noted that the existing quarry lake on the subject lands functions as a legal outlet for stormwater once quality has been appropriately addressed.

The last key component from a servicing perspective is traffic control and management. A Traffic Impact Study (TIS) was provided by the proponent, and also reviewed as part of the MSP. Based on existing conditions for Hagersville in relation to the subject development (under full build out), there are limited sight lines while turning from John/Tuscarora Streets onto King Street. In the TIS, as well as the MSP, the intersections of Highway 6/Parkview Road; Highway 6/King Street; and King/John-Tuscarora streets were assessed. The study intersections were shown to be currently operating within acceptable parameters during weekday peak hours (morning and afternoon) and there is sufficient existing storage capacity for queuing. With the proposed Sandusk subdivision and its related growth, the Highway 6/Parkview intersection is projected to remain at acceptable operating levels with no changes to the existing road geometry or traffic control. However, the Main/King Street Intersection will require modifications to accommodate future growth within the community during peak hours, including dedicated turning lanes with queuing space. It is noted that the function and potential upgrades to the Main/King intersection is impacted by multiple developments, not just specifically the subject development. Similar to the wastewater treatment facility, Phase 1 of the subject development is not forecasted to negatively impact the existing transportation network, and would be able to proceed without any system upgrades. Any subsequent phases would be evaluated at the time they come forward, to assess for impact on the roads and traffic system. Any required upgrades that would be triggered by the development of those future phases, would be required to be implemented as part of future approvals and constructed/in place prior to occupancy of new dwellings. Additionally, depending on timing of other developments within Hagersville, some of the identified improvements may have to be completed as part of their approvals.

Based on the studies and reports provided with the application, including assessment as part of the recent Hagersville Master Servicing Plan, staff and supporting consultants on the MSP have determined that water and wastewater servicing, traffic and stormwater management for the development is considered feasible, both in the current state (i.e., for at least Phase 1 – 190 units, to proceed) and in the future state, subject to required upgrades being implemented. The proposed zoning amendment also includes “Holding (H)” provisions for future phases, which cannot be removed until all conditions have been satisfied and the subdivision has received approvals – this includes any potential upgrades of infrastructure works as required. Additional work will be completed through the Plan of Subdivision stage, and staff note that Phases of the subdivision will only proceed once requirements of the County and other agencies are met. It is in the opinion of Planning staff that the proposed zoning amendment and accompanying plan of subdivision conforms with the 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, and the lot sizes and dimensions, parking space requirements, building heights, and setback from the street. The Zoning By-law implements the Official Plan and is legally enforceable.

The subject lands are currently zoned “General Industrial Zone (MG)”, “Development Zone (D)”, and “Extractive Industrial Zone (MX)” in the Haldimand County Zoning By-law HC 1-2020. The subject application to amend the Zoning By-law is intended to replace the existing zoning with “Urban Residential Type 4 (R4)” with special exceptions (R4.7), and Holding (H) provisions noted for different Parts. Additionally, there are lands to be zoned “Open Space (OS)” Zone, with special exceptions listed under (OS.7). The Zoning By-law Amendment is required to permit a Plan of Subdivision and Condominium for the subject lands, having a maximum of 1,227 lots, which is proposed to include a range of residential uses from single detached dwellings to townhouse dwellings.

A draft by-law has been prepared and is included as Attachment 5 for consideration, with an overall Zone Provisions Chart included.

The amendment can be summarized as follows:

All of the subject lands would be rezoned to the site-specific “Urban Residential Type 4 (R4.7) zone, however, the development would include a mix of single-detached; semi-detached; townhouse dwellings, including street, group, stacked and back-to-back units. The provisions are similar to other newly constructed subdivisions in Hagersville and Caledonia and include recognitions as follows:

1. Front yard setbacks of 4.5 metres to the dwelling and 6 metres to garage;
2. Rear yard setback of 7 metres;
3. Side yard setbacks with 1.2 metres on one side and 0.6 metres on the other;
4. Porch encroachment provisions – 2.0 metres for Front Yard and 2.5 metres for Rear Yard.

As noted, these provisions are consistent with existing developments and Planning does not have any concern with the applications or inclusion for the proposed development.

In terms of new provisions that are proposed as part of the development, the following provides a summary:

Single-detached Wide-Shallow:

- Lot area 140 square metres (1,506 square feet).
- Lot frontage 10 metres (32 feet) for interior lot and 14.7 (48.2 feet) metres for a corner lot.
- Front yard setback 3.0 metres (9.8 feet) to the dwelling and 6 metres (19.6 feet) to the garage.
- Rear yard setback will be 2.5 metres (8.2 feet) from rear of dwelling to rear property line.

Single detached Cottage Lots (no garages):

- Lot area 140 square metres (1,506 square feet).
- Lot frontage 7 metres (23 feet), interior lot, and 10 metres (32 feet) for corner lots.
- Front yard setback 3.0 metres (9.8 feet) to the dwelling.
- Only 1 parking space required.

The Wide-Shallow and Cottage housing forms introduce new unit and lot styles within Haldimand County; however, Staff have had numerous discussions with the proponent relating to the units and application of the dwelling locations. The Cottage lots are proposed within condominium developments where additional parking spaces are provided in alternative common locations and also where on-street parking is available. It is also noted that while only 1 space is noted as being required on the site of the unit, the lots typically have the opportunity to provide 2 spaces per lot based on the presence of the

road allowance and boulevards and the common parking area. This housing style will also only be located on the side of streets where sidewalks do not exist.

The Wide-Shallow lots are providing the opportunity for single detached dwelling ownership in the freehold portion of the subdivision. These lots, which may be corner and interior lots, would offer less worry about property maintenance and lower ownership costs. The units would offer a significantly reduced on site amenity area. Wide-Shallow lots would not back onto another Wide-Shallow lot, so reduced rear yards would not abut each other. Further, Wide-Shallow lots will be located adjacent to open space and park blocks for ease of access to the green space. The amount of amenity area proposed would be sufficient to accommodate all necessary grading and drainage systems and address stormwater management.

The proposed zoning amendments and reductions have been reviewed and fully evaluated and are considered appropriate in terms of the subject development. Specific details and location will be addressed through the conditions of draft plan approval. However, it is noted that the proposed units and housing mix will provide additional, and much needed, housing diversification within the municipality and at varying price points for attainability.

As noted earlier, there are a series of Holding (H) provisions proposed for various areas of the subdivision. A brief description relating to the application for the parts subject to a Holding (H) provision is summarized as follows:

Part 3 - R4.7 – The Holding provision proposed for Part 3 is intended to ensure that future phases of the freehold portion of the site will be developed in accordance with the zoning provisions proposed in the Zoning By-law (see Attachment 5), as well as provide clarity on the precise locations of each new housing type proposed, based on updated plans. This is intended to provide assurance that any detailed plans prepared on a phase-by-phase basis as the build-out of the community progresses, will adhere to the zoning provisions proposed in the amending Zoning By-law. Accordingly, three separate provisions are required to be cleared by the proponent to County staff's satisfaction in order for the Holding to be lifted. These provisions are as follows:

- a) receiving a detailed Lotting Concept Plan prepared in accordance with the provisions of the R4.7 Zone submitted and approved by the General Manager of Community & Development Services, or their designate;
- b) receiving a list confirming the use, per Column 1 of Schedule "A" of this By-law, proposed for each block in the applicable portion of the lands subject to the Holding removal submitted and approved by the General Manager of Community & Development Services, or their designate; and,
- c) receiving a parking plan, identifying all applicable visitor parking/on-street parking for the applicable portion of the lands subject to the Holding removal submitted and approved by the General Manager of Community & Development Services, or their designate.

Part 4 - R4.7(H) – the applicant is interested in acquiring the property adjacent to Part 4. Acquiring this parcel would have an effect on subdivision design in this area. The holding provision will be in place until the draft plan of subdivision can be updated to address the acquisition or lack of acquisition of this parcel.

Part 5 - R4.(H) – these lands are affected by the proximity of the municipal waster water treatment plant. The holding provision will be in place until a compatibility study has been completed or the plant is decommissioned.

Part 6 - R4.7(H) – there is a 30 metre (98 feet) reserve located along a part of the north east lot line of the subject property. This hold will be in place until the future of the 30 metre reserve is addressed. One option is the acquisition of the 30 metre (98 feet) reserve by the owner of the lands to the north.

As noted previously in this report, an application for a Draft Plan of Subdivision has also been submitted and is under review. The draft Plan of Subdivision will assess the technical components of the development including lotting, subdivision access, internal subdivision road networks, parking, location of public Park block, location of school block, storm water management, functional servicing, grading and stormwater management, lighting, landscaping and buffering. The application is under review, however at this stage no significant issues have been identified.

Staff are of the opinion that the subject application and Zoning By-law Amendment (see Attachment 5) are consistent with the PPS (2024), conforms to the policies of the Haldimand County Official Plan, and has sufficient regard for matters of Provincial Interest.

## **FINANCIAL/LEGAL IMPLICATIONS:**

Not applicable.

## **STAKEHOLDER IMPACTS:**

The application for the subject Zoning By-law Amendment (PLZ-HA-2022-081), as well as the application for the Plan of Subdivision were circulated to County departments and external agencies for review and comment. Public notice was given and signs posted. A large number of comments have been received through the circulation process. To date no direct objections to the propose Zoning By-law Amendment have been received. The majority of comments received relate to the Plan of Subdivision and the intended layout, environmental concerns and infrastructure limitations. These components will be addressed through the ongoing approval process for the Plan of Subdivision and technical conditions of draft plan approval.

To support the subject application and address comments raised by the County, external agencies and the public, the proponent has submitted a number of studies/reports, including:

- Archaeological Report
- Functional Servicing Plan
- Stormwater Management Report
- Compatibility Study
- Environmental Site Assessment – Air Quality, Dust, Odour, Noise and Vibration
- Environmental Site Assessment – Geology, Hydrogeology, Soils, Groundwater
- Environmental Site Assessment – Historical Natural Gas Well Assessment
- Planning Justification Report
- Shadow Study
- Tree Preservation Study
- Lot Grading Plan
- Geotechnical Report
- Natural Heritage – Existing Conditions Report
- Slope Stability Report
- Transportation Impact Study
- Urban Design Report

Staff are satisfied that comments received regarding the subject Zoning By-law Amendment have been addressed satisfactorily by the applicant. Comments received are outlined in the following:

## Building and Municipal Enforcement Services

The following comments were provided by Building and Municipal Enforcement Services:

- Ensure that for any use permitted in the Residential Zones a 30m setback is maintained from a main rail line and 15 metres from all other rail lines (ZBL 4.52).

**Planning Comment:** The strip of land along the CN line which is proposed to be zoned Open Space zone, is 30 metres wide, and will maintain a 30m setback from the main rail line. Staff note that additional review regarding the width of the buffer may be requested by MECP and/or CN. The buffer will be further addressed through the review of the Plan of Subdivision.

- Water supply/flows - Require confirmation of improvements to Hagersville's infrastructure (i.e., standpipe, BPS, watermains).

**Planning Comment:** Confirmation of improvements to Hagersville's infrastructure will be addressed through the review of the Plan of Subdivision.

- Ensure that the minimum sight (or daylight) triangle requirements are being met with the proposed reduced minimum setbacks (ZBL 4.56).

**Planning Comment:** Road networks, including sight (or daylight) triangles will be addressed through the review of the Plan of Subdivision.

- Singles & Semis (R1B.AAA) - With a proposed interior side yard of 0.6m, how will provision 4.20 b) be complied with? (ZBL 4.20 (b) eaves or gutters for other than an accessory building may project into any required yard or setback area a distance of not more than 0.65 metres.)

**Planning Comment:** The same standards are in place for the Avalon subdivision. The 0.6m setback applies to one exterior side yard. Encroachment of eaves into a side-yard setback of 0.6m for eaves is proposed to be 0.46m. An interior side yard setback for one unit will not abut a 0.6 metre setback for an adjacent building. Back-to-Back Townhouses (R4.CCC) - Specify max. building height, not 3 storeys alone.

**Planning Comment:** Building Department was concerned that heights were initially identified in the proposed Zoning By-law in terms of number of storeys only. The proponent has included maximum height in metres as well as storeys.

- Back-to-Back Townhouses (R4.CCC7) - Where will AC units be placed in these situations, as there would no rear yard, no side yard in many cases, and they are not permitted in front yards (ZBL 4.20 (g))?

**Planning Comment:** The proponent advises that AC units will be accommodated on second floor balconies. No specific relief has been included as part of the zone provisions for ground mounted units; should those be proposed, the air conditioner units will have to comply with the setback provisions or seek further relief.

- Back-to-Back Townhouses (R4.7) - Most of the proposed reduced setbacks would not meet a 3.5m setback, how will ZBL 4.20 h) be complied with?

**Planning Comment:** Front yard setback to the building is proposed to be 4.0 metres and setback to the garage 6.0m. Interior side-yard setback for Back-to-Back townhouses is proposed to be 2.6 metres. ZBL 4.30 h) addresses encroachment of stairs into the setback. Stairs are not proposed in the side yard for Back-to-Back townhouses.

- Singles & Semis (R4.7) - Specify max. building height, not 3 storeys alone.

**Planning Comment:** Building Department was concerned that heights were initially identified in the proposed Zoning By-law in terms of number of storeys only. The proponent has included maximum height in metres as well as storeys.

- Street & Group Townhouses (R4.7) - Specify max. building height, not 3 storeys alone.

**Planning Comment:** Building Department was concerned that heights were initially identified in the proposed Zoning By-law in terms of number of storeys only. The proponent has included maximum height in metres as well as storeys.

- Stacked Townhouses (R4.7) - With a reduced min. front yard of 4.5m, how will this affect the required parking spaces?

- **Planning Comment:** The proponent confirmed that the min. front yard setback of 4.5m applies to the front of the house. The minimum setback to the garage will be 6m. This would allow 1 parking space in the garage and one in the driveway. This will also be addressed through the review of the Plan of Subdivision.

- Stacked Townhouses (R4.7) - Specify max. building height, not 3 storeys alone.

**Planning Comment:** Building Department was concerned that heights were initially identified in the proposed Zoning By-law in terms of number of storeys only. The proponent has included maximum height in metres as well as storeys.

- R4.7 - Where will AC units be placed in these situations, as there may not be a rear or side yard in some cases, and they are not permitted in front yards (ZBL 4.20 g))?

**Planning Comment:** The proponent advises that AC units will be accommodated on second floor balconies.

- R4.7 - The proposed min. exterior side yard setback would not meet a 3.5m setback, how will ZBL 4.20 h) be complied with?

**Planning Comments:** The reduced minimum exterior side yard setback is also accompanied by a reduced encroachment for eavestroughs. The Zoning By-law Amendment adequately addresses the section 4.20 of the Zoning By-law and still provides distance separation between dwellings and access to rear yards.

- Secondary suites are gaining popularity, so it might be a good idea to review 4.55 of the Zoning By-law and incorporate some of those provisions into the layout of the subdivision and individual lots.

**Planning Comment:** Not all proposed units (such as the Cottage Units which are proposed to have only one on-site parking spot, will be able to accommodate a secondary suite, unless adequate parking satisfactory to the County can be provided.

- the minimum number of required parking spaces for the identified residential uses are 2 spaces per dwelling unit, and some of the townhouse types also require visitor parking per 5.1.1. of the ZBL. By reducing the garage parking space dimensions, many vehicles would not fit or be extremely difficult to access/exit (which may result in building occupants using the roadways for parking which impedes traffic, waste collection, snow removal, etc.). It might be a good idea to realistically review average vehicle sizing and incorporate some of those provisions into the layout of the lots and the design of the dwelling units.

The applicant's agent has worked with staff to address the comments or to provide clarification as required.

## Planning & Development – Development Technologist

No concerns or objections to the zoning amendment. Detailed comments will be provided through the site plan review.

## Economic Development and Tourism

No comments or concerns at this time.

## Emergency Services

Drawings show one cul-de-sac. Please follow Haldimand County Design Criteria G 3.04 for cul-de-sac requirements during build out.

Emergency Services has no further comments at this time.

**Planning Comment:** Road systems, including any roads that end in a cul-de-sac will be addressed through the Plan of Subdivision.

## Facilities, Parks, Cemeteries & Forestry Operations

<b>HALDIMAND COUNTY FACILITIES, PARKS, CEMETERIES AND FORESTRY REQUIREMENTS TO PROCEED</b>	<b>May be Required</b>	<b>Required</b>
The below requirements are to be submitted as part of the Planning Application.		
General Vegetation Inventory		Completed
Tree Protection Plan		Completed
Street Tree Planting Plan		Yes

### General Comments:

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

### 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.

The developer shall be responsible for providing a street tree planting plan.

- a. For public roads the County has instituted a cash-in-lieu process where the County will implement street tree planting.
- b. For private roads the developer shall be responsible for street tree planting.

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.

**Planning Comment:** Details regarding landscaping, vegetation, street tree plantings, etc. will be addressed through review of the Plan of Subdivision and any requirements will be incorporated as conditions of draft plan approval.

## **Water and Wastewater Engineering**

Early comments from Water and Wastewater on their review of the Functional Servicing Report (FSR) for the proposed Sandusk Property Residential Development, were provided prior to completion of the Master Servicing Plan for Hagersville. Many of these comments have been addressed through the MSP. Early comments included the following.

### Water Supply:

- Calculated max day demand – 4,041 m<sup>3</sup>/d.
- Available water capacity to allocate – 2,997 m<sup>3</sup>/d.
- As part of the updated Hagersville Master Servicing Plan, a new 450mm watermain through Sandusk development has been identified as being required. This loop will provide connectivity from Highway 6 to the existing standpipe and provide the additional capacities and infrastructure ultimately required for the ultimate build out of the development.
- Capacities and allocation are monitored and assessed by Water & Wastewater Engineering and Planning and Development staff to ensure that developments can proceed and that water is available to service all developments including the Sandusk Subdivisions. It is noted that any costs required for upgrades and improvements are borne by the developments.
- Phasing of the subdivision will ensure that the water capacities are available for the community and for any proposed development.

### Water Transmission/Distribution:

- Existing water transmission/distribution system will at a minimum require upgrades as noted within the FSR in the following order of priority:
  - Upsizing of existing 200mm water main to 300mm along Concession 12 from MH97 to MH76.
  - Upsizing of existing 150mm water main to 300mm along Tuscarora St. from MH107 to MH44.
  - Upsizing of existing 200mm water main to 300mm along King St. West from MH44 to development boundary.
  - Upsizing or twinning of existing 300mm transmission main from Hagersville Booster Station to MH96 at Parkview Road.
- Existing Hagersville standpipe to be reviewed for system storage and pressure needs (including fire flow) through Hagersville MSP update and modelling:
  - Hagersville MSP update study activities anticipated to be initiated in November 2022. Study to be completed by the end of 2023.

## Wastewater Treatment:

- Calculated average day production – 1,596 m<sup>3</sup>/d.
- Available wastewater treatment capacity to allocate – 807 m<sup>3</sup>/d.
  - As noted above under the Official Plan Section of this report, Phase 1 includes approximately 190 units, which is equivalent to 164 m<sup>3</sup>/d and is feasible in terms of the current capacities available at the treatment facility. For the full and ultimate build out of the subdivision at maximum lotting potential, the entire development would require 1.058 m<sup>3</sup>/d wastewater capacity.
- Existing total equivalent units = 3,164; total equivalent population = 8,225 persons.
- While it is acknowledged that with the current plant operation, there is not sufficient capacity to service the entire build out of the Sandusk Subdivision and the other planned developments, the infrastructure and plant upgrades required to facilitate all growth within Hagersville have been evaluated as part of the Hagersville Master Servicing Plan and will be considered as part of the Development Charges Update and municipal Capital Budget forecasts. Any specific upgrades required as part of the Sandusk Subdivision would be funded by the development.

## Wastewater Collection:

- As noted in FSR, efforts to avoid placing pipe in rock trenches is to be avoided.

**Planning Comments:** Water and Wastewater have provided no objections to the subject Zoning By-law Amendment.

A Master Servicing Plan (MSP) was recently completed for Hagersville. The proposed development was included within the recently completed MSP and the development is considered feasible. However, it is noted that upgrades to systems will be required and triggered through the subdivision process and future phasing.

Details with respect to Water and Wastewater comments regarding Water Supply, Water Transmission/Distribution, Water Treatment and Wastewater Treatment will be addressed through the review of the Plan of Subdivision. No ground works can be completed until the County is satisfied that these issues have been appropriately addressed.

## Grand Erie District School Board (GEDSB)

*The proposed development is located within the attendance boundary for the following schools:*

### Hagersville Elementary School JK – 8

- Not eligible for transportation; and,
- Utilization 82%, no portables.

### Caledonia Centennial Public School (JK – 3) and River Heights School (4 to 8) for Elementary French Immersion

- Eligible for transportation;
- Utilization 122%, eight portables presently on site – Caledonia Centennial; and,
- Utilization 90%, one portable presently on site – River Heights.

### Hagersville Secondary School

- Not eligible for transportation; and,
- Utilization 42%, no portables presently on site.

### Simcoe Composite School for French Immersion High School

- Eligible for transportation; and,
- Utilization 54%, no portables presently on site.

### *Additional Elementary School Site within Proposed Development:*

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

### *School Site Selection Criteria:*

- Site size a minimum 5 acres for a school with approximately 500 pupil places;
- Site rectangular in shape;
- Maximize the walk-in catchment area (ex. centralized school site location);
- Be no closer than 152 metres (500 ft) from a water body (ponds, swim facilities, watercourses);
- Exclude archaeologically significant lands;
- Exclude lands restricted by the presence of threatened or endangered species;
- Be graded with a maximum cross fall of 2% across 90% of the site;
- Not located on a dead-end street, have frontage on a higher order collector road with secondary local road access;
- Sufficient road frontage for bus pickup and drop off;
- Prefer location adjacent to an active municipal park;
- Site should be easily drained – soil conditions and topography suitable for building;
- Site should be available in Phase 1 or 2 of the development and not independently staged (i.e., should form part of a larger phase for registration with abutting streets and associated services).

### *Vehicular Transportation:*

Student Transportation Services Brant Haldimand Norfolk does not generally traverse roads that are not municipally maintained (i.e., condo roads, such as those proposed to be constructed on Block 61). As such, the municipality and developer may wish to determine a common pickup/drop off location on a municipally maintained road near the proposed development.

### *Active Transportation:*

We request the developer provide active transportation routes throughout the proposed development. Trails, paths, walkways, bike paths, etc. would be helpful in ensuring safe access for students to the nearby elementary and secondary school locations.

### *Additional Information Requested:*

- How many bedrooms in the units?
- What is the tenure of the units (rental, condo, freehold)?
- Anticipated occupancy date?
- Is there a Phasing Plan for proposed development?
- We request the developer provide a digital file of the subdivision plan in either ArcGIS Shapefile, ArcGIS File Geodatabase, or DWG format, containing parcel fabric and street network.

### *Draft Plan Conditions:*

GEDSB requests an opportunity to review and provide comments on a proposed elementary school site location in advance of providing draft plan conditions (DPCs) for the subject development.

GEDSB staff is available to speak with the developer and agents regarding the request and requirements for a school site within the subject development.

**Planning Comments:** Grand Erie District School Board (GEDSB) has not objected to the proposed Zoning By-law Amendment. Grand Erie District School Board (GEDSB) has provided a number of comments on the proposed subdivision. It should be noted that GEDSB comments were based on an earlier version of the draft Plan of Subdivision which proposed 1,548 units. The proposal has decreased to a maximum of 1,227 lots. GEDSB comments will be addressed through the review of the Draft Plan of Subdivision.

### **Long Point Region Conservation Authority (LPRCA)**

Long Point Region Conservation Authority (LPRCA) staff have had an opportunity to review the application PL28T-2022-082 & PLZ-HA-2022-081 and can provide the following comments based on LPRCA's various plan review responsibilities for Haldimand County's consideration.

It is staff's understanding that the submitted application is for a draft plan of subdivision and subsequent rezoning.

*Delegated Responsibility from the Ministry of Natural Resources and Forestry, Section 3.1 of the Provincial Policy Statement, 2020*

Conservation Authorities have been delegated responsibilities from the Minister of Natural Resources and Forestry to represent the provincial interests regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2020 (PPS). The overall intent of *Section 3.0 - Protecting Public Health and Safety* of the PPS is to reduce the potential public cost or risk to Ontario's residents from natural or human-made hazards.

The application is subject to the following subsections of section **3.1** of the Provincial Policy Statement:

**3.1.1** Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

LPRCA has no objection to the concept of this application. Staff can advise that the proposed application as submitted may not be consistent with section 3.1 of the Provincial Policy Statement, 2020. Without labeled setbacks, staff cannot determine if the site layout is consistent with section 3.1 of the Provincial Policy Statement.

*Ontario Regulation 178/06*

For the applicant's information, a portion of the subject property is regulated under Ontario Regulation 178/06. Within the regulated area, a permit is required prior to development.

Development is defined as:

- the construction, reconstruction, erection or placing of a building or structure of any kind,
- any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- site grading, or
- the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere (*Conservation Authorities Act*, R.S.O. 1990, c. 27, s. 28 (25)).

LPRCA staff have reviewed the submitted Functional Servicing Report (WSP), Stormwater Management Report (WSP), Preliminary Slope Stability Assessment (WSP), Phase 1 and 2

Environmental Site Assessment (WSP) and the site plan. Based on the submitted applications, staff can provide the following comments:

1. Major flows cannot exceed 1 foot on roadway. The storm water report states that 0.65 meters is road capacity of design and sewers can be modified to accommodate this change. Low Impact Development can also help attenuate this flow.
2. There are concerns about draining over the roadside into the quarry lake during major flow event. Erosion control measures need to be implemented to prevent erosion impacts and a slope stability analysis is required that accounts for the drainage over the slope.
3. Flows north of the development can be redirected as long as the redirection does not increase the flows. If redirected, these flows should not be accounted for in pre- and post-development analysis.
4. The preliminary slope stability assessment has not determined the top of stable slope or shown it on any drawings. We assume that the top of stable slope will be included with the next stage of the slope stability assessment.
5. Along the quarry lake edge, the development, roads or units, is too close to the lake. All development must be set back to the greater of:
  - a. the 100-year flood line, or
  - b. 15 metres from the pond (top of bank), or
  - c. 6 metres from the top of stable slope.
6. Although the water pond is designed for enhanced treatment, a focus on a treatment train design through implementation of LIDs is recommended where plausible by the LPRCA to reduce the occurrence of algae blooms in the Quarry Lake.
7. The preliminary slope stability assessment left out many steep slopes in the analysis, the LPRCA assumes these questionable areas will be included in the final slope stability analysis.

In an email dated July 11, 2024 LPRCA advised that:

LPRCA staff have reviewed the final slope stability study and can advise of the following comments.

Staff have found the slope stability analysis report to be satisfactory. There are no concerns or comments in regards to the report.

LPRCA's comments from August 31, 2022 are still relevant: All development must be set back to the greater of:

- a. the 100-year flood line, or
- b. 15 metres from the pond (top of bank), or
- c. 6 metres from the top of stable slope.

**Planning Comments:** LPRCA comments indicate they have “no objection to the concept of this application.” The purpose of the subject application to bring the zoning for the subject lands into conformity with the “Residential” designation in the Official Plan, and to establish required permissions for residential land use. The rezoning is required to make the proposed residential concept possible.

LPRCA comments above are focused on details related to and will be addressed through the review of the Plan of Subdivision. No ground works can be completed until appropriate clearances have been received.

### **Ministry of Environment, Conservation and Parks (MECP)**

MECP did a preliminary review of the above noted Zoning By-law Amendment and Draft Plan of Subdivision applications for Sandusk Property Residential Development. The MECP understands that

these applications are to rezone the subject lands to establish the proposed residential land use and development pattern. The purpose of the Zoning By-law Amendment application is to permit a variety of residential land uses, including single detached dwellings, townhouses, back-to-back townhouses and stacked townhouses, and to establish appropriate open space, hazard and future development zones. The purpose of the Draft Plan of Subdivision Application is to create the appropriate street network with blocks for residential use, walkways, a park, open space, stormwater management facilities, and future development. A maximum of 1,548 (*current maximum as per the ZBA is 1,227 lots*) dwelling units are being proposed, along with a future public park and lands for utility and open space uses.

In response to the Request for Comments, the MECP offers the following comments:

*Phase 1 & 2:*

The Ministry agrees with statements in the Phase 2 report that indicate as a result of the information collected in the Phase 1 and Phase 2 Environmental Site Assessments (ESA) that there is additional effort that needs to be undertaken as per O. Reg 153/04 to support the filing of a Record of Site condition (RSC). Filing an RSC is required because the proposed redevelopment will be a more sensitive land use and in addition based on the outcome of the phase 2 ESA it could not be filled based on current information as a number of sample results in the Phase 2 report are over the MECP's generic site conditions standards. Phase ESAs will be review through the MECP's RSC process.

*Water & Sewer Servicing:*

The requirements when connecting a new watermain to an existing drinking water system as per Haldimand County's Drinking Water Works permits, is the requirement to follow [Ontario's Watermain Disinfection Procedure](#).

*Stormwater:*

The detailed stormwater design and servicing report will form part of the Environmental Compliance Approval (ECA) application for stormwater works submitted to our Environmental Approval Permission Branch for review and approval of the proposed wet pond. MECCP approval must be issued prior to construction, understanding the 12 month service standard for complete applications to be issued.

*Land Use Compatibility:*

From our preliminary review of the documentation provided, it appears that this proposal is not meeting the recommended separation distances from MECP [D-series guidelines](#). It is recommended that the County conduct a closer/peer review of the Compatibility & Mitigation Study Air Quality, Dust, Odour, Noise & Vibration Study to evaluate the potential land use compatibility issues and determine appropriate separation distances. The Municipality does have the discretion to take a more precautionary approach to address incompatible land use.

*Water taking during Construction:*

If the proposed construction involves water taking activities, the applicant would be required to obtain MECP approvals such as Environmental Activity and Sector Registry (EASR) or [Permit to Take Water \(PTTW\)](#).

*Materials Management:*

All waste generated during construction must be disposed of in accordance with ministry requirements. In December 2019, the ministry released a new regulation under the *Environmental Protection Act*, titled "[On-Site and Excess Soil Management](#)" (O. Reg. 406/19) to support improved management of excess construction soil.

The regulation is being phased in over time, with the first phase in effect on January 1, 2021.

The Report should reference that activities involving the management of excess soil should be completed in accordance with O. Reg. 406/19 and the ministry's current guidance document titled "[Management of Excess Soil – A Guide for Best Management Practices](#)" (2014).

#### *Species at Risk:*

Please note, it is the responsibility of the proponent(s) of proposed future development to ensure that Species at Risk are not killed, harmed, or harassed, and that their habitat is not damaged or destroyed through the proposed activities to be carried out on the site. If the proposed activities can not avoid impacting protected species and their habitats, then the proponent(s) will need to apply authorization under the *Endangered Species Act* (ESA). The ministry recommends that the proponent(s) be provided with the "*Species at Risk Proponents Guide to Preliminary Screening*" and be asked to complete a Preliminary Screening. If the proponent(s) believe that their proposed activities are going to have an impact or are uncertain about the impacts, they should submit their Preliminary Screening results to "SAROntario" to undergo a formal review under the ESA, and the link can be found under the References section below.

**Planning Comments:** Clarification: MECP noted that a "maximum of 1,548 dwelling units are being proposed, along with a future public park and lands for utility and open space uses. As a result of comments and the ongoing archaeological assessment, the maximum number of units has been reduced from the maximum 1,548 units initially proposed. A maximum of 1,227 residential lots is proposed in the subject Zoning By-law Amendment.

MECP commented on the Phase 1 and Phase 2 Environmental Site Assessments (ESAs), Water and Sewer servicing, Storm Water Management, Land Use Compatibility, Water Taking and Materials Management. These MECP comments will be addressed through the review of the Plan of Subdivision. No ground works can be completed until appropriate clearances have been received.

#### **Ministry of Transportation**

The Ministry of Transportation (MTO) has completed its review of the above-noted applications in accordance with the requirements of MTO's Access Management Guidelines, and the *Public Transportation and Highway Improvement Act*. The following outlines our comments, requirements, and conditions of approval.

##### *PLZ-HA2022081 – Zoning By-law Amendment*

MTO have no objection to the proposed zoning by-law amendment which facilitate the development of a subdivision consisting of approximately 1,130 residential units (Planning staff note: the MTO unit yield is less than the maximum potential yield of 1,227 as proposed in the applications).

##### *PL28T2022082 Draft Plan of Subdivision*

The proposed draft plan includes access via King St. and Concession 12 Walpole. The access location onto Concession 12 Walpole is not acceptable to the MTO. MTO guidelines require a public road access to be located 400m from the end of the intersection radius. As such, the location of access onto street 'A' is required to be revised.

The Owner should be made aware that MTO Building and Land Use Permits will not be made available until all Conditions of Draft Plan of Subdivision have been cleared. It is our understanding that the Owner may wish to expedite permits on the development blocks in advance. MTO review, approval and permits will be required through a separate land-use planning application.

### *Conditions of Draft Plan Approval*

As conditions of draft plan approval and prior to final approval, MTO require the following to apply:

1. That prior to final approval, a MTO reviewed and approved Traffic Impact Study indicating the anticipated traffic volumes and their impact upon the intersection of Highway 6 and Concession 12 Walpole, and Highway 6 and King St. shall be submitted to MTO.
2. That prior to final approval, a MTO reviewed and approved Final Stormwater Management Report/Plan indicating the intended treatment of the calculated stormwater runoff shall be submitted.
3. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval Final Grading Plans and Final Servicing Plans.
4. That prior to final approval, the Owner shall submit to the Ministry of Transportation for review and approval, a draft copy of the M-Plan for the subdivision.
5. If required by MTO, prior to final approval, the owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the design and construction of the new street entrance(s) and all necessary associated highway improvements.

### *Notes to Draft Plan Approval:*

The owner should be made aware that under the *Public Transportation and Highway Improvement Act*, Ministry of Transportation permits are required for all new developments located within 45m of the Highway 6 property limits and within 195m radius of the centreline intersection of Highway 6 and Concession 12 Walpole. MTO Building and Land Use permits are required for construction on Blocks 62, and 63.

An executed copy of the Subdivision Agreement and registered M-Plan shall also be provided to MTO.

We would appreciate receiving a copy of the Conditions of Draft Plan Approval for our records.

**Planning Comments:** MTO has commented they have no objection to the proposed Zoning By-law Amendment.

MTO also provided comments on the Plan of Subdivision which can be addressed through the review of that document. No ground works can be completed until the appropriate clearances have been received.

### **Bell Canada**

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

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

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

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network

infrastructure exists, in accordance with the *Bell Canada Act*, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or re-circulations.

**Planning Comments:** Bell comments will be addressed through the review of the Plan of Subdivision.

## **Canada Post**

Thank you for contacting Canada Post regarding plans for a new development in Hagersville. Please see Canada Post's feedback regarding the proposal, below.

Service type and location – Canada Post will provide mail delivery service to this development through centralized Community Mail.

Boxes (CMBs) unless – If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications; and, if there are over 100 units, a mail room will be required.

Municipal requirements – Please update our office if the project description changes so that we may determine the impact (if any; and, should this development application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation – Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin so that we can plan for equipment. Finally, please provide the expected installation date(s) for the CMB(s).

**Planning Comments:** Canada Post's comments can be addressed as part of the review of the Plan of Subdivision.

## **CN Rail**

Please be advised that CN has completed the storm water management review for the subject site and has following comments:

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

CN is currently undertaking a review of the noise report and will be providing further comments.

**Planning Comments:** CN comments will be addressed through the review of the Plan of Subdivision. No ground works can be completed until the appropriate clearances have been received.

## **Trans-Northern Pipelines**

Thank you for contacting Trans-Northern Pipelines Inc. (TNPI). We can confirm that TNPI has NO infrastructure in the mentioned area.

## Public

As noted previously, public notice was given and signs posted on the subject property in accordance with the *Planning Act*.

The County has received no objections to the proposed amendment to the Zoning By-law. Between the provision of public notice and the time that this report was written, the County had received comments from two members of the public:

- 1) Planning has been contacted by Paul Snyder, a farmer located at 2378 Sandusk Road, who plans to expand an existing livestock operation. He retained a qualified professional to prepare an MDS report on his behalf. The preliminary Coloured Lotting Plan (see Attachment 7 to this report) shows an outdoor amenity space in the north west corner of the subject lands. This amenity space is intended to ensure that sensitive residential uses are not located in close proximity to the farm at 2378 Sandusk Road and therefore, will address the MDS requirements and not impede expansion of the livestock farm. Staff is of the opinion that this does not affect the Zoning By-law Amendment, but will be considered during the review of the application for the Plan of Subdivision.
- 2) Planning has been contacted by a resident who lives on the south side of Concession 12. She is not opposed to development but is concerned about the additional traffic from the proposed subdivision on local roads.

Traffic issues will be addressed in detail through the review of the Plan of Subdivision.

## REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

## REFERENCES:

1. [2020 Watermain Disinfection Procedure | Ontario.ca](#)
2. [Environmental land use planning guides | Ontario.ca](#)
3. [Water taking and transfer user guide | Ontario.ca](#)
4. [O.Reg. 406/19 On-Site and Excess Soil Management](#)
5. [Management of Excess Soil - A Guide for Best Management Practices](#)

## ATTACHMENTS:

1. Location Map of the Subject Lands.
2. Map B – Proposed Zoning.
3. Cottage Units Lots.
4. Wide-Shallow Unit lots.
5. Draft Zoning By-law.
6. Preliminary Draft Plan.
7. Preliminary Coloured Lotting Plan.
8. Preliminary Phasing Plan.