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# Haldimand County Committee of Adjustment



## Consent

**File Numbers:** PLB-2025-011 and PLB-2025-012

**Property Roll Number:** 2810-156-001-16300-0000

**Applicant:** 1000379882 Ontario LTD

**Agent:** Lesley Hutton-Rhora

**Property Location:** Lot 6 N/S Princess Street, Village of Cayuga, East of Grand River; Lot 7 N/S Princess Street, Village of Cayuga, East of Grand River; Part Lot 8 N/S Princess Street, Village of Cayuga, East of Grand River; Part Lot 9 N/S Princess Street, Village of Cayuga, East of Grand River, Part 1, 18R5797 Except Part 1 18R6142; Haldimand County (No Municipal Address)

**For consideration on: March 25, 2025**

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## Summary

The purpose of Consent applications PLB-2025-011 and PLB-2025-012 is to facilitate the creation of two (2) new lots and the retention of one (1) lot for future residential use. The retained lot, Part 1, will contain an area of 0.08 hectares (0.20 acres) with a lot frontage of approximately 15.50 metres (50.9 feet). The severed lots, Part 2 and Part 3, will contain areas of 0.05 hectares (0.12 acres) and 0.46 hectares (1.14 acres), respectfully, with lot frontages of 10 metres (32.8 feet) and 90.79 metres (297.9 feet), respectfully. A concurrent Zoning By-law Amendment application (PLZ-HA-2025-010) is currently being reviewed under separate cover. This will facilitate the necessary zoning to permit single detached dwellings on Part 1 and Part 2, and street townhouse dwellings on Part 3, which is not within the scope of this application.

## Recommendation

THAT applications PLB-2025-011 and PLB-2025-012 be APPROVED, subject to the attached conditions. The application is consistent with the Provincial Planning Statement, 2024 and conforms to the intent and purpose of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

**Prepared by: Mark Andrews, M.A., MCIP, RPP, Senior Planner**

**Reviewed by: Krystina Wheatley, Acting Supervisor, Planning and Development**

## Details of the Submission:

### Proposal:

Consent applications PLB-2025-011 and PLB-2025-012 contemplate the creation of two (2) new parcels and the retention of one (1) lot for future residential development. The application proposes to create three (3) parcels of land as two lots and one block, with the intention of future residential development in the form of street townhouse dwellings on Ottawa Street, and two (2) single detached dwellings fronting onto Munsee Street South. This particular application pertains to the severance of "Part 2" (severed lands) and "Part 1" (retained lands) on the mapping provided, to allow the development of two (2) single detached dwellings. The proposed severed and retained lands are

currently designated Residential, and zoned Urban Residential (R1-A) within the Haldimand County Zoning By-Law HC 1-2020, and will go through a zoning amendment to change the zoning of the proposed severed lands from “Residential” to “R1-C with special provisions” (Part 2), and the retained lands to change the zoning from “Residential” to “R1-A with special provisions” (Part 1). The proposed severed lands will have a frontage of 10 meters (32.8 feet) on Munsee Street South, and an area of 0.05 hectares (0.12 acres), the retained lands will have a frontage on Munsee Street South of 15.5 meters (50.9 feet), and an area of 0.08 hectares (0.20 acres).

As will be discussed throughout this report, a concurrent Zoning By-law application is currently under review to establish the future land uses for the subject lands. It should be noted that should that application not be approved, a future Planning application will be required to address the frontage requirements on a publicly improved street, pursuant to the Zoning By-law. A condition has been included on the attached condition sheet to this effect.

### **Site Features and Land Use:**

The subject lands are a flag shaped lot on the west side of Munsee Street South between Chippewa Street West and the unopened road allowance of Princess Street West in the Cayuga Urban Area. The subject lands have approximately 25.5 metres (83.7 feet) of frontage on Munsee Street South, 90.79 metres (297.9 feet) of frontage on the unopened Ottawa Street South road allowance and are 0.55 hectares (1.36 acres) in size. The subject lands are currently vacant, save and except for a thicket of trees.

Surrounding land uses consist primarily of low-density residential in the form of single detached dwellings, JL Mitchener Public School to the southeast and Cayuga Memorial Arena and the Haldimand County Administration Building further to the east of the subject lands.

The subject lands are designated "Residential" on Schedule "B.2" (Cayuga Urban Area Land Use Plan) in the Haldimand County Official Plan and zoned "Urban Residential Type 1-A "(R1-A)" Zone in accordance with Haldimand County Zoning By-law HC 1-2020.

### **Existing Intensive Livestock Operations:**

Not applicable.

## **Agency & Public Comments**

### **Haldimand County Building & Municipal Enforcement Services:**

Zoning to be changed as per application proposes, new roads to be satisfactory to roads department, and fire hydrant location to be shown on Site Plan, and must be approved by Emergency Service department. Development charges will apply to all units.

### **Haldimand County Planning & Development Services – Development Technologist:**

Full lot grading plans will be required for “Part 2” (severed lands) and “Part 1” (retained lands). These are to be included as conditions.

Development agreements will be required for “Part 2” (severed lands) and “Part 1” (retained lands). These are to be included as conditions.

Entrance permits will be required for “Part 2” (severed lands) and “Part 1” (retained lands). These are to be included as conditions.

Potential future development of 'Part 3' may require further planning approvals. As part of the review process, a comprehensive engineering assessment will be conducted.

**Haldimand County Emergency Services:**

No comments received.

**Hydro One:**

No concerns with application.

**Municipal Property Assessment Corporation:**

No comments received.

**Mississaugas of the Credit:**

No comments received.

**Six Nations:**

No comments received.

**Public:**

The following concerns have been raised by members of the public regarding this application:

**Traffic Impact** – With the school nearby, there are concerns about increased traffic congestion, particularly during pick-up and drop-off times. The existing streets are already busy, and additional development may increase these issues.

**Lack of Sidewalks** – The area surrounding "Part 3" currently does not have sidewalks, raising safety concerns for pedestrians. Increased traffic from the proposed development may further heighten risks for residents walking in the neighborhood.

**Traffic-Calming Measures** – Residents request that the developer put in speed bumps along Ottawa Street South, to address existing speeding issues and accommodate the anticipated increase in traffic.

**Compatibility with the Neighborhood** – Residents feel that the proposed zoning is not in keeping with the existing character of the neighborhood. While they are not opposed to development on the subject lands, they believe the current proposal is not suitable. Specific concerns include the height of the proposed townhouses being taller than the surrounding homes, leading to shadowing and visual impact on existing properties.

**Preservation of Mature Trees** – Concerns have been raised regarding the potential removal of mature trees on the subject lands.

**Parking Availability** – Given the narrow design of the proposed townhouses and the total of 14 units, residents are concerned that insufficient on-site parking may lead to an increase in street parking, creating congestion and potential safety hazards.

**Planning Comment:** Planning staff acknowledge the feedback received and the concerns raised by neighbouring residents. The concerns have been noted and a fulsome analysis of the concerns raised will be taken into account and analyzed further through the Zoning By-law Amendment application (PLZ-HA-2025-010), which is currently being reviewed by staff. At this

time, the purpose of this application it to facilitate the creation of the two (2) lots, and the retention of one (1) lot. No development is being contemplated through this application. The land use and detailed-design of the site will be addressed through future Planning applications. Neighbouring residents will be advised of the date of the statutory public meeting for the Zoning By-law Amendment application. All comments and feedback received will be included, addressed and appended to the staff report. Haldimand County Council will make a final decision on the application, taking into account staff's recommendation, applicable policies and feedback received from area residents.

## Planning Analysis

### Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement, 2024 (PPS), came into effect on October 20, 2024 and combined the previous Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The policies contained within the new PPS are similar to the previous provincial documents with respect to encouraging and focusing growth and development within existing settlement areas.

The PPS 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. Specifically Section 2.2.1c), states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

**Planning Comment:** The proponent has submitted a concurrent Zoning By-law Amendment application (PLZ-HA-2025-010), which is currently under review to establish the principle land use of a residential zone that permits street townhouse dwellings (i.e., R4 Zone). With fourteen (14) proposed dwelling units on a 0.46 hectares (1.14 acres) parcel yields an approximate density of 30.4 units per gross residential hectare which, in terms of residential density targets, is on the low end of the medium density scale. The proposed redevelopment will use existing municipal infrastructure and services without the need for major upgrades or extensions of services. Furthermore, the proposed development will be supportive of active transportation as the subject lands are within walking and cycling distance to various commercial, institutional, office, park and open spaces and schools in Cayuga.

Specifically, as it pertains to housing, Section 2.2.1 of the PPS permits and promotes all types of residential intensification, redevelopment and new compatible housing options which result in a net increase in residential units. Further, with regards to intensification in settlement areas, Section 2.3.1.3 of the PPS states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options.

**Planning Comment:** The PPS encourages residential development and permits lot creation within existing settlement area boundaries, where other policies of the PPS can be upheld. The subject application supports lot creation within the Urban Area of Cayuga, a designated settlement area. While the retained and severed lands along Munsee Street South are generally similar in size and scale the surrounding properties the proposed parcel on the unopened portion

of Ottawa Street South does represent moderate intensification and will provide for a range and mix of housing options, increases net residential units and will have access to full municipal services.

Further and a more comprehensive analysis of all applicable PPS policies will be completed through the future Planning applications, however, for the purpose of this application, Planning staff are of the opinion that the proposal is consistent with and conforms to the policies of the PPS.

### **Haldimand County Official Plan (OP)**

The subject lands are designated "Residential" on Schedule "B.2" (Cayuga Urban Area Land Use Plan) in the Haldimand County Official Plan. 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 OP.

The OP encourages, supports and permits infill development within stable residential neighbourhoods, which refer to the residentially designated portions of the built-up area, but excluding intensification areas and corridors. Section 4.B.1) 6.b), new lot creation within stable residential neighbourhoods shall also provide a consistent relationship with existing adjacent housing stock. As such, applications for consents and plans of subdivision shall:

- i. On smaller infill properties, provide minimum lot frontage and lot sizes that are in character with adjacent housing lots;
- ii. On larger infill properties, incorporate a transition area on larger sites so that lots of similar size and character are located adjacent to existing lots; and
- iii. Create a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network.

**Planning Comment:** The two (2) parcels being severed and retained along Munsee Street South are proposed to contain a single detached dwelling, which is in keeping with the character of the surrounding stable residential neighbourhood. The proposed parcel on the unopened Ottawa Street South road allowance represents a larger infill property that while deviates from the character of the surrounding neighbourhood, introduced a new form of housing which, is encouraged and supported through the current Provincial legislation, and meets County policies in terms of permitting all forms of residential uses, densities and types of housing within residentially designated areas of the built-up areas of the Urban Areas.

Further, Sections 4.B.1) 6. c) and d) state that site-specific zoning provisions may be required for new dwellings to ensure that the criteria set out in this section has been met and further, on larger infill lots, where new streets and blocks are created, greater variation from the existing conditions may be considered, provided a transition is created between adjacent housing and the new dwellings.

**Planning Comment:** As previously noted, a concurrent Zoning By-law Amendment application has been submitted and is currently under review for the subject lands. This will establish the appropriate land use for the new parcels to ensure compliance with the provisions of the applicable zone (to be discussed below). Further, it is anticipated that a future Draft Plan of Subdivision application will be submitted once the land use has been established to create the lots and blocks for the townhouses, open the road allowance and to address all of the technical matters to facilitate the proposal, including appropriate transitions and compatibility issues.

As noted in the PPS analysis above, a more comprehensive analysis of all applicable Official Plan policies will be completed through the future Planning applications, however, for the purpose of this application, Planning staff are of the opinion that the proposal is generally consistent with the intent and purpose of the Haldimand County Official Plan.

### **Haldimand County Zoning By-law HC 1-2020**

The subject lands are zoned 'Urban Residential Type 1-A "(R1-A)" Zone in accordance with Zoning By-law HC 1-2020.

The "(R1-A)" Zone permits single detached dwellings, related accessory uses and structures, home-based businesses and accessory dwelling units (ADUs).

**Planning Comment:** A concurrent Zoning By-law Amendment application has been received and currently under review to rezone the subject lands from the 'Urban Residential Type 1-A "(R1-A)" Zone to the 'Urban Residential Type 1-B "(R1-B)" Zone (**Part 1**), the 'Urban Residential Type 1-C "(R1-C)" Zone (**Part 2**) to facilitate two residential lots for future single detached dwellings and the 'Urban Residential Type 4 "(R4)" (**Part 3**) with site-specific provisions to facilitate 14 street townhouse dwellings.

The Zoning By-law also requires frontage on a publicly improved street. This will be addressed through future Planning applications.

A fulsome zoning analysis will be completed through the Zoning By-law Amendment application, which is being reviewed separately. As such, for the purposes of this application to facilitate the creation of two (2) lots and the retention of one (1) lot for future residential development, staff are of the opinion that this application is generally consistent with the intent and purpose of the Haldimand County Zoning By-law HC 1-2020 and is anticipated to be fully compliant should the future Planning applications be approved.

### **Notice Sign and Applicant Discussion**

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on March 6, 2025.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

A copy of the staff report has been provided to the applicant.

### **Attachments:**

1. Condition Sheet
2. Location Map
3. Owners Sketch