
HALDIMAND COUNTY

Report PDD-08-2025 Zoning By-law Amendment Application to Rezone the Subject Lands to Permit a 15-Unit Apartment Dwelling (Former Hagersville Community Centre), 62-66 Main Street South, Hagersville



For Consideration by Council in Committee on April 8, 2025

Objective:

To consider rezoning the subject lands (i.e., 62-66 Main Street South, Hagersville) to permit the development of a fifteen (15) unit apartment building in the former Hagersville Community Centre.

Recommendations:

1. THAT Report PDD-08-2025 Zoning By-law Amendment Application to Rezone the Subject Lands to Permit a 15-Unit Apartment Dwelling (Former Hagersville Community Centre), 62-66 Main Street South, Hagersville be received;
2. AND THAT application PLZ-HA-2024-278 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning 62-66 Main Street South from 'Community Institutional "(IC)" Zone to "Urban Residential Type 5-Holding "(R5-H)" Zone with site-specific provisions be approved for reasons outlined in Report PDD-08-2025;
3. AND THAT the application is deemed to be consistent with the Provincial Planning Statement, 2024, conforms to the Haldimand County Official Plan and has sufficient regard to matters of Provincial interest under the Planning Act;
4. AND THAT the General Manager of Community & Development Services be authorized to remove the Holding (H) provision on the subject lands when all conditions have been satisfied;
5. AND THAT the by-law attached to Report PDD-08-2025 be approved at a future Council meeting.

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

Approved: Cathy Case, Chief Administrative Officer

Executive Summary:

A Zoning By-law Amendment application has been received to consider the proposed development of a two-storey, fifteen (15) unit residential apartment building consisting of five (5) bachelor units, eight (8) 1-bedroom units and two (2) 2-bedroom units on the subject lands. Also included are twenty-four (24) surface parking spaces, along with four (4) outdoor bicycle spaces and four (4) interior bicycle spaces (Attachment 2). While not required, a loading area/space has also been provided to assist prospective tenants with moving in and out of the building. The proposed development would utilize and retrofit the former Hagersville Community Centre as an adaptive reuse project that would provide additional residential units in a historic structure that would remain permanent in the Hagersville

community. The proposal compliments the character of the historic building and will not result in the loss of the existing character of the building. The reuse of the building ensures that long-standing ‘fit’ (visually and functionally) will remain once the new use is established.

Planning staff are of the opinion that this proposal has regard for matters of Provincial interest under the *Planning Act*, is consistent with the Provincial Planning Statement, 2024 (PPS), conforms to the Haldimand County Official Plan and maintains the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

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

Background:

Description of Subject Lands

The subject lands are located in the Urban Area of Hagersville, to the immediate south of the Hagersville downtown core.

The subject lands are a large, rectangular-shaped lot, located on the southwest corner of Main Street South and Walpole Street (Attachment 1). The Southern Ontario Railway, which is owned and managed by Canadian National (CN) Rail, is located approximately 175 metres (574 feet) to the west of the subject lands.

The subject lands currently contain an existing two-storey structure; the former Hagersville Community Centre which was utilized as an adaptive reuse of the former armoury building and a gravel parking lot to the on the south side of the building. The lot is currently serviced by full municipal services (i.e., water and sanitary sewers), with road access to Main Street South.

Neighbourhood Context

Hagersville is expected to be the second-fastest growing urban community, behind only Caledonia, with opportunities for residential, commercial and industrial development ((Section 4.B.1) 4. of the Haldimand County Official Plan). In addition, Hagersville serves as a service centre for the rural area in addition to being the location of the West Haldimand General Hospital, which provides health care services to the western half of the County. This area contains a wide variety of residential, commercial, including offices and institutional uses within the immediate vicinity of the subject lands.

A large number of buildings along Main Street South (Highway 6) were residential uses that have been repurposed into commercial and office space.

There are some medium density residential uses in the form of apartment buildings that are already existing in the vicinity of the subject lands.

A summary of the surrounding land uses is described as follows:

- North: To the north of the subject lands is the Hyde and Mott Funeral Home with additional residential and commercial uses further north.
- South: To the south of the subject lands are low-density residential uses in the form of single detached dwellings.
- East: To the east of the subject lands is Main Street North (Highway 6), which contains a mix of low-density residential in the form of single detached dwellings, some of which contains offices and small businesses.

West: To the west of the subject lands are medium and higher density residential uses, in the form of two (2) apartment buildings, specifically, the Old High Apartments and further west of those is the Southern Ontario Railway (owned and managed by CN Rail) line.

Subject Application/Development Proposal

The proposed development is to retrofit the existing building (former Hagersville Community Centre) into a two-storey apartment building containing a total of fifteen (15) residential dwelling units consisting of five (5) bachelor units, eight (8) 1-bedroom units and two (2) 2-bedroom units. Juliette balconies are proposed to be attached to eleven (11) of the dwelling units which will provide private amenity space for the future residents (refer to Attachments 4 and 5 for proposed exterior elevations).

A total of 652 square metres (2,139 square feet) of landscaped open space, which includes shared common amenity space will be available for use by the future residents. It is to be noted that there are no requirements for minimum amenity space or landscaped space in the proposed zone.

Additionally, a total of twenty-four (24) outdoor surface parking spaces will be provided in a designated asphalt parking lot, along with four (4) outdoor bicycle parking spaces and four (4) indoor bicycle spaces. While not a requirement, a designated loading zone/space has also been provided to assist tenants with moving in and out of the building so as to not obstruct the flow of vehicles in the parking lot.

Supporting Materials

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

- Planning Justification Report (prepared by Arcadis Professional Services Canada Inc., dated December 6, 2024).
- Functional Servicing Report (prepared by LandSmith Engineering & Consulting Ltd., dated November 22, 2024).
- Site Plan and Elevations (prepared by Patrick David Trotter Architect, dated November 22, 2024).
- Servicing Plan (prepared by LandSmith Engineering & Consulting Ltd., dated November 22, 2024).
- Phase 1 Environmental Site Assessment (prepared by A & A Environmental Consultants inc., dated July 17, 2024).
- Tree Protection Plan and Landscape Plan (prepared by Adesso Design Inc., dated November 22, 2024).

Analysis:

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

Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement, 2024 (PPS), came into effect on October 20, 2024 and combined the previous Provincial Policy Statement, 2020 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. However, there is increased emphasis on housing policies which is set out in the Vision of the PPS 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.”

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. The proposed zoning by-law amendment for the subject lands has been proposed to support infill residential development within a designated settlement area.

The subject lands are designated “Community Commercial” and the Hagersville Urban Area is considered a settlement area in the context of the PPS.

Section 2.1.4 of the PPS states that to provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and,
- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in a draft approved or registered plan.

Planning Comment: The proposed development provides additional dwelling units in a higher density setting (i.e., apartment building) as an infill development project, which has been identified as a type of housing from that is needed through the County’s Housing Master Plan completed as part of the Phase 2 update to the Haldimand County Official Plan. Based on regional demographic trends and identified local housing market potential, Caledonia and Hagersville are anticipated to accommodate the bulk of the medium and high-density housing, with approximately 15% of growth share allocated to Hagersville for households (Watson & Associates – Population, Household and Employment Forecast Update). The subject application will aid in the overall provision of housing and population growth for the community and also provide dwelling forms that are currently undersupplied.

Further, Section 2.1.6 of the PPS affirms that planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and,

- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Planning Comment: The proposed redevelopment provides for a mix of residential land use types within the neighbourhood by adding 15 apartment units to the Hagersville community. The proposed redevelopment will comply with the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA) to promote accessibility for persons with disabilities and older persons. The property location near the core of Hagersville provides a greater level of accessibility through access to sidewalks to a number of services and amenities, such as pharmacies, grocery and retail stores, and provincial service offices. As such, the proposed redevelopment will improve social equity and overall quality of life of people of all ages as it contributes to housing diversity within a built-up area.

In addition, the PPS, specifically Section 2.2.1b), 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:

- b) permitting and facilitating:

1. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3.

Planning Comment: The subject proposal contemplates retrofitting an existing building that was previously used as the Hagersville Community centre, an institutional use. The building remained vacant and the site was underutilized and listed for sale. The proposal will result in a net increase of fifteen (15) additional dwelling units in the existing footprint, which eliminates the need to acquire additional land to construct new homes and structures and provides additional housing options in the form of purpose-built rental units, to meet the needs of current and future residents within the County's market area.

- 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 Zoning By-law Amendment application to establish the principle land use of a high-density residential zone that permits apartment buildings (i.e., R5 Zone). With fifteen (15) proposed dwelling units on a 0.18 hectares (0.45 acres) parcel, it yields an approximate density of 82 units per gross residential hectare which meets and exceeds the minimum density target of 40 units per gross residential hectare in the Official Plan, which will be discussed in more detail below. 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 in the Hagersville core and bicycle parking and storage is provided on site, encouraging residents to utilize this form of active transportation.

Finally, with regards to settlement areas, Section 2.3.1.1 stipulates that settlement areas shall be the focus of growth and development and furthermore, through Section 2.3.1.3, 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 and prioritizing planning and investment in necessary infrastructure and public service facilities in settlement areas. Through Section

2.3.1.4, planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

Planning Comment: The subject lands are within a settlement area, specifically, the Urban Area of Hagersville. Furthermore, the subject lands are within an identified Intensification Area/Corridor, which have specific policies that promote and encourage higher densities through redevelopment, including the expansion or conversion of existing buildings. The County's policies pertaining to Intensification Areas will be discussed further in this report. The development provides for a significant infill opportunity and housing form and will utilize an underdeveloped piece of land, while effectively using infrastructure and connections to services and businesses in the areas with no requirements to expand the limits of the urban boundary. Further, it will provide for a logical and appropriate infilling and use of existing and available lands for development. Full municipal services are available at the road frontage to allow for ease of connections, which eliminates the need for costly and complicated extensions and road closures.

Based on the foregoing, Planning staff are of the opinion that the development proposal is consistent with and conforms to the relevant and applicable policies of the Provincial Planning Statement, 2024.

Haldimand County Official Plan

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

Designation

The subject lands are within the Urban Area of Hagersville and are within the built-up area, and designated "Community Commercial" on Schedule "B.4" (Hagersville Urban Area Land Use Plan) and within an identified Intensification Area/Corridor in the Haldimand County Official Plan.

Residential Uses in the Community Commercial Designation

In accordance with the policies of Section 4.B.4)4. (Community Commercial) of the Official Plan, residential uses, primarily in the form of apartments, shall be permitted in the Community Commercial designation. Residential uses generally will not be permitted in the street level storefront portion of a commercial building. The minimum density for residential and mixed-use buildings shall be 40 units per gross residential hectare.

Planning Comment: Planning staff are of the opinion that an Official Plan Amendment (OPA) is not required, due to the use of the word "generally" in relation to street level storefront presence. Given that the proposal is retrofitting an existing building that has been repurposed over the years from an armoury to the former community centre, the structure did not contain a storefront portion nor was it previously or currently used for retail purposes. Further, the intent of the storefront requirement is more aptly applied in the context of the downtown core, where the main cluster of businesses exists, and consumer activity (including foot traffic) is prevalent. The subject lands are not part of that downtown core and thus the import of this aspect of policy is muted. In addition, the overall density of the proposed apartment building, consisting of fifteen (15) dwelling units would yield approximately 82 units per gross residential hectare, which meets and exceeds the minimum requirements advised in Section 4.B.4)4 of the Official Plan.

Additional Community Commercial Lands

Section 4.B.4)9 of the Official Plan, as it pertains to development and redevelopment within the "Community Commercial" designation, states that:

9. Any new development or redevelopment proposal within an established commercial area shall be considered in accordance with the relevant policies of this Plan. In addition, the following matters shall be addressed:

- a) The maintenance of the established building line and character with the existing street façade, where appropriate;

Planning Comment: The subject application proposes to maintain the existing building line, with only minor changes to the exterior characteristics of the building to accommodate the retrofitting of the former community centre to a residential apartment building. Overall, the building's character will be preserved. In addition, should the subject application be approved, a future Site Plan Control application will be required which will address all of the technical matters and detailed-design aspects required to facilitate the development proposal.

- b) The provision of benches, planters and other street furniture, where appropriate; and,

Planning Comment: A concept Landscape Plan has been submitted to ensure adequate planting and restoration of the subject property occurs, specifically along the street lines and within the amenity space and open space. The specific details of the landscape Plan will be reviewed through the future Site Plan Control stage, which will also require landscape costs to be collected and held by the County as a condition of Site Plan approval to ensure that the restoration is completed in accordance with the approved Landscape Plan. It is staff's opinion that the increased greenspace on the site, including purposeful landscape design, will result in a net improvement that satisfies the intent of this policy.

- c) Provision of safe and convenient pedestrian access that avoid areas of vehicular movement, where feasible.

Planning Comment: Internal walkways will be provided to ensure safe pedestrian movements across the subject lands post development, with connections to the existing sidewalk along both frontages (i.e., Main Street South and Walpole Street). As noted above, these details will be addressed further through the Site Plan Control application.

10. Adequate off-street parking shall generally be provided for all new development within the Community Commercial designation. However, the County recognizes that it may not always be possible to provide adequate off-street parking for a particular use on a specific site, particularly within those commercial areas that are largely developed. Therefore, the County may consider alternative parking requirements, such as locating required parking on a nearby site, shared parking arrangements or accepting cash-in-lieu of parking.

Planning Comment: As described earlier in this report, the subject application proposes a total of twenty-four (24) off-street, surface parking spaces in an asphalt parking lot, which meets and exceeds the minimum number of parking spaces required, thus permitting the efficient off-street movement of resident vehicles. In addition, a loading space/area has also been provided to ensure residents have a safe place to load and unload during moves and/or deliveries, which will limit any potential traffic disruptions on the surrounding road network. Planning staff are satisfied that the twenty-four (24) parking spaces are sufficient from a regulatory and functional perspective.

12. Where feasible, the County will encourage the integration of individual parking facilities to restrict turning movements onto adjacent streets and provide for the efficient off-street

movement of vehicles. The location of off-street parking will generally be encouraged to locate at the rear of new and/or existing development within established commercial areas.

Planning Comment: Due to the location of the existing building, the existing location of the parking will be maintained and improved on the south side of the proposed apartment building. As discussed earlier, the proposal meets the minimum parking requirements prescribed in Section 5 of the Zoning By-law.

13. Prior to permitting intensification and/or new commercial developments, Council shall conserve and consider the integration of built heritage resources as per Section 6.F of this Plan.

Planning Comment: The proposed development provides for a significant infill opportunity on an underdeveloped parcel of land. The existing building, which was historically the Hagersville Armoury building (and repurposed into the community centre), is not designated as culturally significant under Part V and IV on the *Ontario Heritage Act*. However, given its locally historic significance in the Hagersville community, the majority of the existing character of the building will be maintained with only minor modification to the exterior to facilitate the residential use, such as balconies, dormers and upgraded windows.

Intensification Areas/Corridors

Section 4.B.3)4 of the Official Plan contains specific policies pertaining to residential intensification in the downtown areas and their peripheries and accordingly, permits and encourages residential uses, generally in the form of apartments. Apartment uses in the Intensification Areas/Corridors are subject to the following provisions:

- a) in a building of commercial character, residential uses shall only be permitted above the ground floor and on the ground floor in the rear of the building, provided that the street frontage is maintained for commercial uses; and,
- b) in an existing building of residential character, residential uses (either a single detached dwelling or multiple residential dwellings), and/or commercial uses shall be permitted, provided the residential character of the building is maintained;
 - i) New low density housing forms, such as single detached and semi- detached dwellings will be discouraged in the Downtown designation;
 - ii) Affordable rental and ownership forms of housing will be encouraged;
 - iii) New buildings of residential character may be permitted in the periphery of downtown areas; and,
 - iv) The minimum density for new residential and mixed-use buildings shall be 40 units per gross residential hectare.

Planning Comment: The proposal contemplates the adaptive reuse of a former building that has already been subject to changes of use over time; from its original use as the armoury building and most recently, the former Hagersville Community Centre. Accordingly, the building was never used for, nor contained any commercial or retail space. However, it will be retrofitted to operate as a residential building, which will include exterior modifications to reflect its residential character, including windows and balconies. In addition, the proposed apartment building, as noted above, will yield a density of approximately 82 units per gross residential hectare, which exceeds the minimum requirements of 40 units per gross residential hectare. The proposed apartment building will utilize existing infrastructure where possible, thereby ensuring the orderly residential growth within the Urban Area without the need for unnecessary urban boundary expansions.

Servicing

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

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

- Sanitary servicing will be provided via a connection to the 600mm diameter concrete sanitary sewer system along Walpole Street. The existing sanitary service lateral connects to the building from this sewer pipe at the northeast corner of the building, to the west of the existing water service. The size of this service lateral will have to be verified in the field; however, it is assumed to be 125mm diameter.
- Water service is available adjacent to the site through an existing 150mm diameter ductile iron watermain along Walpole Street which connects with the 200mm diameter PVC watermain along Main Street South at the intersection. The existing water service enters the building at the northeast corner and connects to the 150mm diameter watermain along Walpole Street. The size of the existing water service is to be confirmed through field verification. If this service connection is determined to be adequately sized for the proposed 15 residential units, it can remain and be re-used. If it is not sufficient, the water service will have to be removed and replaced with an upsized service lateral.
- Stormwater will be conveyed through an existing 675mm diameter storm sewer on Main Street South. To the north of the site along Walpole Street there are catch basins along the southern curb of the street which collect and convey street runoff east through storm sewers into the Main Street South 675mm diameter storm sewer. There is also an existing catch basin on the east side of the gravel parking which connects to the Main Street storm sewer through a 5.6m long storm lateral. The existing catch basin within the parking lot is to be removed and its lateral is to be capped and abandoned. It is proposed to connect to the municipal 675mm diameter Main Street sewer with a 250mm diameter storm service lateral. The proposed storm service lateral will connect to a proposed manhole within the proposed asphalt parking lot which has a control orifice in order to limit discharge to the predevelopment levels.

Planning Comment: The proposed development has also been reviewed in conjunction with the Hagersville Master Servicing Plan, and is considered acceptable and in accordance with the criteria and standards for the community. However, further water and sanitary modelling will be required to confirm if the proposed development can be supported by the existing municipal infrastructure or if upgrades to the existing laterals as indicated above will be required in order to support the development. The cost of the modelling is borne by the applicant. Further, a Holding (H) provision has also been recommended to be placed on the Zoning to ensure that the proposed development can be accommodated by the existing municipal infrastructure.

Traffic

The subject lands are located with direct access to Main Street South, which is classified as an arterial road that also forms part of the Highway 6 connecting link, with secondary proximity to Walpole Street West. A Traffic Study was not provided as part of the land use application; however, a high-level assessment was undertaken as part of the Master Servicing Plan with respect to any potential impact. It was noted that based on the number of units, there is no anticipated impact on the existing road network. The number of vehicle movements/trip generation is considered minor and well within the functional and operational parameters of Main Street and adjacent intersections. Based on the foregoing, the proposed development is considered appropriate and serviceable from a transportation perspective.

Development in Proximity to Rail Corridors

Section 5.F.4)1. of the Official Plan discourages the introduction of sensitive land uses (i.e., residential uses) adjacent to active railway corridors as they may present environmental hazards including excessive noise and vibration safety concerns. Accordingly, this section of the Official Plan requires the proponent of any development to undertake the following to the satisfaction of the County:

- a) For a proposed residential or other noise sensitive development within 300 metres (984 feet) of a railway right-of-way, a noise impact study shall be prepared in consultation with the appropriate railway operator, with appropriate measures identified to mitigate adverse effects; and,
- b) For development within 75 metres (246 feet) of a railway right-of-way, a vibration impact study shall be prepared to the satisfaction of the County in consultation with the railway operator with appropriate measures identified to mitigate any adverse effects.

Planning Comment: During the circulation of the Zoning By-law Amendment application, CN Rail has advised that the subject lands are within their 300 metre (984 feet) right-of-way, but more than 75 metres (246 feet), and accordingly, certain conditions must be fulfilled to the satisfaction of CN Rail, including to undertake an analysis of noise (i.e., Noise Study). The subject lands are located approximately 180 metres (591 feet) from the rear of the existing building to the rail corridor, with a number of existing sensitive residential uses intervening the subject lands and the rail way. The existing residential uses include 2 multi-residential apartment buildings (one 2-storey building; and one 1-1.5 -storey building) and 4 single detached dwellings along Walpole Street West. The residential buildings and structures, as well as the additional residential neighbourhood adjacent to the subject lands, provides additional buffering for the proposed development. While a Noise Study was not submitted with the subject application, Planning staff is recommending an additional condition be including with the Holding (H) Provision to satisfy any and all applicable CN Rail requirements and defer this to the Site Plan Control stage. Further, should the Noise Study recommend any mitigation measures, the Site Plan Control application can address these details (if applicable) through the building design and upgrades as necessary.

Archaeological Resources

Policy 6.G.3 of the Official Plan states that “until such time as an archaeological management plan has been completed, the County will apply the criteria established by the Province to determine if an area is of archaeological potential. Development and site alteration will be permitted in areas of archaeological potential or on lands containing archaeological resources where the archaeological resources have been assessed, documented, and conserved. The County will require the preparation of an archaeological assessment to be carried out by an archaeologist licensed under the Natural Environment Areas – Haldimand who shall engage with the County, Six Nations of the Grand River and Mississaugas of the Credit First Nations”.

Planning Comment: An archaeological assessment was not triggered by the Provincial criteria regarding archaeological potential as the development proposal is utilizing the existing building, which will be retrofitted (i.e., interior alterations) to facilitate its conversion into a residential apartment building. In addition, the existing parking lot to the south of the existing structure will be utilized, with improvements such as asphalt paving and landscaping is to be completed around the parking areas within the outdoor amenity areas. Accordingly, there will not be any significant site alterations that would trigger the need of an archaeological assessment. Further, the Mississaugas of the Credit First Nation (MCFN) advised in a letter dated June 17, 2024, through the pre-consultation process, that an archaeological assessment was not required as the existing building was being utilized for an apartment building. However, should the scope of

the project change, the MCFN wish to be notified. At this point, the scope of the project remains unchanged. Six Nations did not provide any similar comments but has no objections to the project.

Based on the analysis of the aforementioned policies, Planning staff are of the opinion that the development proposal satisfies applicable criteria in the relevant Official Plan policies and conforms to the intent and purpose of the Haldimand County Official Plan.

Haldimand County Zoning By-law HC 1-2020

The purpose of the Haldimand County Zoning By-law HC 1-2020 is to regulate 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 Bylaw implements the Official Plan policies and is legally enforceable.

The subject lands are currently zoned 'Community Institutional "(IC)" Zone, in accordance with Haldimand County Zoning By-law HC 1-2020, which primarily permits institutional uses including, but not limited to community centres, schools, hospitals, place of worship, long term care home and business offices.

The Zoning By-Law Amendment application is seeking to amend the land use permissions for the subject lands to facilitate the adaptive reuse of the existing Hagersville Community Centre into a fifteen (15) unit apartment building by rezoning the subject lands from 'Community Institutional "(IC)" Zone to 'Urban Residential Type 5 "(R5.4)" with site-specific provisions and a Holding (H) Provision.

A Minor Variance application (PLA-2015-143) was previously approved by the Committee of Adjustment, which sought relief from certain provisions within the Town of Haldimand Zoning By-law 1-H 86, including permitting a 0 metre interior and exterior side yard setback. As noted in the chart below, relief of 0 metre is being sought through the site-specific Zoning By-law Amendment for a 0 metre exterior side yard for projection for the stairs in the northeast corner of the building. In addition, the loading, space, while not required through the Zoning, is also located in that 0 m setback which was previously approved. The proposed Zoning will include these items to provide consistency and transparency for these provisions and bridge the Minor Variance with the proposed "(R5.4)" Zone.

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

Section	Provision	Relief Requested	Planning Comment
4.20 – Exemptions from yard Provisions	h) steps including landings, above or below grade entrances and staircases may project into any required rear yard, front yard, interior side yard or exterior side yard area a distance of not more than 1.5 metres (4.9 feet); and into the front yard not more than 2.0 metres (6.6 feet).	To permit a 3.2 metre (10.5 feet) projection of the stairs into the required rear yard and a 0 m exterior side yard (northeast corner of the building) for projection of stairs.	The existing structure currently contains exterior stairs, which are considered legal, non-conforming in terms of their projections into the required yards. A new staircase is proposed to access the lower level. Given that it will be screened and located below grade (except for the landing), Planning staff are of the opinion that the projections are

Section	Provision	Relief Requested	Planning Comment
			minor in scale given the massing of the building meeting all other zoning provisions.
4.31 – Landscaped Strip	<p>In all Commercial and Mixed Use, Industrial and Institutional Zones, and Residential Zones where an apartment dwelling is permitted, a landscaped strip shall be provided and maintained in accordance with the following minimum requirements:</p> <p>b) the landscaped strip shall have a minimum width of 2.0 metres (6.6 feet) and consist of solid, unpierced landscaping or fencing sufficient to screen such area;</p>	0 metres is proposed in one section of the rear where the garbage and recycling bins are to be located.	The 0 metre landscape strip applies only to the area where the garbage and recycling storage containers are located. While a small portion is the landscape strip is also reduced, the remainder of the rear yard, the interior side yard and significant amenity space on the subject lands will be landscaped and contain sodded areas and tree plantings. Further, the garbage and recycling storage containers will be screened from the adjacent residential lands with a 1.8 metre (6 feet) wood privacy fence. Planning staff are of the opinion that the reduced landscape strip is minor and will not have any negative impacts to both the subject lands and abutting residential lands.

A Holding (H) Provision is also being proposed for the subject lands, which will ensure that the following items are addressed:

- Development Agreement and Site Plan approval;
- Satisfying any and all applicable Canadian National (CN) Rail requirements; and,
- Receipt of water and sanitary modelling confirming there is sufficient capacity for the proposal (which may or may not require potential upgrades to infrastructure, at the applicant/owner's expense).

The Holding (H) Provision will only be removed when all of the above-noted conditions have been completed to the satisfaction of Haldimand County.

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

A copy of the proposed draft Zoning by-law is attached as Attachment 5 to this report.

Financial/Legal Implications:

Not applicable.

Stakeholder Impacts:

Public Comments

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

Development & Design Technologist

Water and Sanitary Modelling will be required to confirm if the proposed development can be supported by the existing municipal infrastructure or if upgrades will be required in order to support the development. The cost of the modelling is to be borne by the applicant.

Planning Comment: Confirmation that the modelling has been completed and has satisfactorily demonstrated that there is existing servicing capacity to facilitate the proposal has been included as one of the conditions of the Holding (H) provision on the Zoning and will only be removed once all requirements have been completed to the satisfaction of Haldimand County.

Building and Municipal Enforcement Services

Assuming zoning changes to R5 to allow apartments and water and sewer capacities are approved project seems to be working. Deficiencies will need to be addressed with ZDF. Setbacks for stairs and loading area. Loading Zone shall not be in a required setback or within 3 metres (9.8 feet) of an Interior Lot Line. Garbage Units to be Fenced In. Landscaping Strip as per By-law 4.31, 2.0 m. Fire Hydrant location will be required on Site Plan within 90 metres (295 feet).

Planning Comment: Items requiring relief, specifically, 4.20 h) (Exemptions from Yard Provisions) and 4.31 (Landscaped Strip) to address the projection of the stairs into the required yards and the reduction in the minimum landscaped strip, respectfully, have been included in the draft by-law (Attachment 5).

Water & Wastewater Engineering

No comments received.

Mississaugas of the Credit First Nation (MCFN)

Mississaugas of the Credit First Nation (MCFN) advised in a letter dated June 17, 2024, through the pre-consultation process, that an archaeological assessment was not required as the existing building was being utilized for an apartment building. However, should the scope of the project change, the MCFN wish to be notified.

Six Nations of the Grand River

No comments received.

Forestry

Forestry is satisfied with the tree inventory and protection plan submitted for this application. There will be no impacts on County-owned trees.

The applicant should be made aware that Black Ash is listed as an Endangered Species at Risk in Ontario and they will require approvals from the Ministry to remove them.

Several boundary (shared) trees between the subject site and the owners of 68 Main Street South and 11 Walpole Street West are identified for removal. The applicant will require consent from the adjacent property owners before these trees can be removed.

Planning Comment: This will be addressed as a special condition as part of the Site Plan approval and agreement process.

Ministry of Transportation (MTO)

MTO has reviewed the ZBA in accordance with the *Public Transportation and Highway Improvement Act* and MTO's Highway Access Management Manual (HAMM). The following outlines our comments.

MTO does not have any comments or concerns with the ZBA, the subject property is located outside of MTO Permit Control Area (PCA) as such no MTO permits will be required for this site.

Canadian National (CN) Rail

It is noted that the subject site is within 300 meters of CN's Main Line. CN has concerns of developing/densifying residential uses in proximity to railway operations. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. The [Guidelines for New Development in Proximity to Railway Operations](#) reinforce the safety and well-being of any existing and future occupants of the area. Please refer to these guidelines for the development of sensitive uses in proximity to railway operations. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities. CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

- The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

- The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the noise and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
- The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a detailed site plan and a noise study taking into consideration the [Guidelines for New Development in Proximity to Railway Operations](#) developed by the Federation of Canadians Municipalities and the Railway Association of Canada.

We request that CN rail and the proximity@cn.ca email be circulated on any and all public notices and notice of decisions with respect to this and future land use planning applications with respect to the subject site.

Planning Comment: As noted above in the analysis section pertaining to development in proximity to rail corridors, Planning staff is recommending an additional condition be including with the Holding (H) Provision to satisfy any and all applicable CN Rail requirements and defer this to the Site Plan Control Stage. Further, should the Noise Study recommend any mitigation measures, the Site Plan Control application can address these details (if applicable) through the building design and upgrades as necessary.

Canada Post

Canada Post does not have any comments on this application to convert the existing Community center into an Apartment complex. The developer will need to install a mail panel in the lobby for mail delivery and contact the Hagersville Post office or myself when everything is ready so that Canada Post can install a master lock into the mail panel mechanism.

Planning Comment: To be addressed through the Site Plan Control process.

Bell Canada

No comments received.

Hydro One

No comments received.

Report Impacts:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

References:

None.

Attachments:

1. Location Map.
2. Proposed Site Plan.
3. Exterior Elevations.
4. Exterior Elevations and Existing Conditions.
5. Draft Zoning By-law.