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# Haldimand County

## Report PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report

For Consideration by Council on January 21, 2026

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### Objective:

To consider rezoning the subject lands from 'Agriculture "(A)" Zone to 'Hamlet Residential "(RH)" Zone, subject to special provisions, to facilitate approval of a future residential Draft Plan of Subdivision application on the subject lands.

### Recommendations:

1. THAT Report PDD-05-2026 Nelles Estates Zoning By-law Amendment Recommendation Report be received;
2. AND THAT application PLZ-HA-2025-062 to amend the Haldimand County Zoning By-law HC 1-2020 by rezoning the subject lands from 'Agriculture "(A)" Zone to 'Open Space "(OS)" Zone (Part 1); 'Hamlet Residential "(RH-H)" Zone, subject to Special Provision RH.8 with a Holding (H) provision (Part 2) and 'Hamlet Residential "(RH)" Zone, subject to Special Provision RH.8 (Part 3), be approved for reasons outlined in the Report PDD-05-2026;
3. AND THAT the proposal is deemed to be consistent with the Provincial Planning Statement, 2024, conforms with the Haldimand County Official Plan and has sufficient regard for matters of Provincial interest under the Planning Act, R.S.O. 1990, c. P.13;
4. AND THAT the General Manager of Development Services be authorized to remove the Holding (H) provision on the subject lands when the conditions have been satisfied;
5. AND THAT the by-law attached to Report PDD-05-2026 be approved at the January 21, 2026 Council meeting.

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

**Approved:** Michael Di Lullo, MPA, CMM III, Chief Administrative Officer

### Executive Summary:

Haldimand County received a Zoning By-law Amendment (PLZ-HA-2025-062) and Subdivision application (PL28T-2025-051) for lands located between Nelles Street East and Gowland Road, north of John Street, in the Hamlet of York. This report is to consider the Zoning By-law Amendment Application to facilitate the review of the submitted Draft Plan of Subdivision. The submitted subdivision application intends to create thirty (30) residential building lots, a 1.7-hectare (4.24 acre) open space block, a 0.15-hectare (0.37 acre) stormwater management block and two new streets that would be conveyed to the municipality. The details related to detailed design of the subdivision will be reviewed and finalized through subdivision process.

The subject lands are currently designated “Hamlet” in the Haldimand County Official Plan with areas identified as “Riverine Hazard Lands” and containing “Significant Natural Environmental Area Features”. The lands are currently zoned ‘Agriculture “(A)”’ zone, in the Haldimand County Zoning Bylaw HC 1-2020, and the Zoning By-law Amendment is to change the zoning to ‘Hamlet Residential “(RH)”’ zone, subject to special provisions to facilitate the subdivision.

Staff review of the concurrent Subdivision application is ongoing with external agencies.

## **Background:**

### **Description of Subject Lands**

The subject lands are currently vacant and located within the Hamlet of York, between Nelles Street East and Gowland Road, north of John Street. The lands have an irregular shape, with an approximate area of 8.67 hectares (21.43 acres). The frontage along the south side Nelles Street East is 235.57 metres (773 feet), while the frontage along the north side Gowland Road is 162.80 metres (534 feet). It is noted that Gowland Road is not a constructed and opened road along the frontage.

Surrounding land uses include existing low-density residential uses to the west and south (within the hamlet boundary), and agricultural uses on the surrounding lands to the north and east, which lay beyond the Hamlet Boundary. The lands are approximately 450 metres (1475 feet) east of the Grand River.

### **Current Land Use Permissions**

The subject lands are designated ‘Hamlet’ in the Haldimand County Official Plan, with areas identified as ‘Riverine Hazard Lands’ and containing ‘Significant Natural Environmental Area Features’. The Official Plan permits and recognizes that the primary development form within the ‘Hamlet’ designation is low-density residential development that is appropriate on private sewage and water services.

The lands are currently zoned “Agriculture (A)” zone, in the Haldimand County Zoning By-law HC 1-2020. An amendment to the zoning by-law is required to facilitate the development as proposed and to bring the lands into conformity with the Official Plan.

### **Subject Application/Development Proposal**

To facilitate the development as proposed, a subdivision application and Zoning By-law Amendment have been submitted. The Zoning By-law Amendment is seeking to rezone the lands from ‘Agriculture “(A)”’ zone to ‘Hamlet Residential “(RH)”’ zone with site-specific special exceptions to alter the Minimum Lot Area, Minimum Lot Frontage, Minimum Front Yard, Minimum Exterior Side Yard and Minimum Rear Yard provisions of the “Hamlet Residential “(RH)”’ zone. The amendment is also proposing a Maximum Gross Floor Area provision of 600 square metres (6,458.3 square feet).

The submitted subdivision application is seeking to create thirty (30) residential building lots, a 1.7-hectare (4.24 acre) open space block, a 0.15 hectare (0.37 acre) stormwater management block and two new streets that would be conveyed to the municipality. The details of the subdivision are not directly being considered as part of the subject report and related by-law. While the zoning by-law is intended to enable the subdivision, review of the detailed design of the subdivision and related studies is ongoing.

In support of the applications, the proponent has submitted a number of technical studies and materials including:

1. Archaeology Report;
2. Environmental Impact Study and addendum;
3. Planning Justification Report;
4. Public Consultation Strategy;
5. Draft Plan of Subdivision;
6. Urban Design Brief;
7. Transportation Operation Study;
8. Hydrogeological Investigation;
9. D-5-4 Hydrogeological Assessment;
10. Topographic Survey;
11. Environmental Site Assessment;
12. Floodplain Analysis Report; and
13. Geotechnical Investigation.

Both applications, and supporting materials, have been circulated to relevant internal Haldimand County departments for comments as well as external agencies. Received comments to date have been shared with the applicants. Revisions have been made to the proposed by-law amendment in light of comments received. The proposed amendment presented through this report differs from the info report as a result of updated comments and ongoing discussions with Haldimand County staff.

## **Previous Report**

An information report ([PDD-33-2025](#)) was presented in a Public Meeting at the October 28, 2025 Council-In-Committee meeting, wherein the principles of the proposal were identified and input was received from members of the public. From the feedback, and based on subsequent discussions with the proponent, the zoning amendment was revised and is now being put forward as a recommendation report. The concerns raised included:

- Density and lot size;
- Combination of relief requested is not minor;
- Grading and drainage; and
- Traffic and access.

The matters noted – including responses thereto – will be explored through the Analysis Section of this report and in the Planning Comments.

Between the previous report (PDD-33-2025) and the subject report PDD-05-2026, staff worked collaboratively with the proponent to address concerns raised by members of the public, Council, and commenting departments and agencies in order to achieve an appropriate and acceptable development plan. Revisions have been made to clarify and refine the minimum lot area, minimum lot frontage, yard setbacks, stormwater management design, road configuration, and environmental buffers. As revised, the proposed development is supportable from a land use and policy perspective.

While additional technical evaluations and approvals will be required and finalized through the Plan of Subdivision process, the proposed Zoning By-law Amendment is considered feasible and represents an appropriate use of lands designated for residential development.

## Process

The purpose of this report is to consider the submitted Zoning By-law Amendment application. Should the proposed amendment be approved, this would enable the subsequent review of the detailed design of the Draft Plan of Subdivision. The approval of the Draft Plan of Subdivision is a staff delegated process. Provided the final design of the subdivision conforms to the provisions of the Official Plan and the Zoning By-law, as amended, the subject development will not return to Council for further consideration.

### January 13<sup>th</sup>, 2026 Public Meeting

The subject report PDD-05-2026 was presented at the January 13<sup>th</sup> Council-in-Committee meeting. At that meeting, two (2) members of the public spoke and raised concerns regarding the proposed zoning application, including the submission of a two (2) page petition document with twenty-three (23) signatures from eighteen (18) residential addresses in opposition to the proposed development. At that time, one of the delegates stated that a separate petition was presented at the October 29<sup>th</sup>, 2025 Council-in-Committee meeting when an information report on the same subject proposal took place. That petition did not appear to be entered into the public record and thus staff did not have a copy. Based on this, Council decided to defer its decision on the subject application to allow for this additional public input to be received. Subsequent to the January 13<sup>th</sup> meeting, staff received an emailed copy of the previous petition which is now part of that public record. The additional petition contains fifty-six (56) names from forty-three (43) residential dwellings, raising the following concerns:

1. Loss of Small Hamlet Character.
2. Environmental Impact.
3. Increased Traffic and Safety Concerns.
4. Strain on Infrastructure and Public Services.
5. Potential Rise in Crime and Loss of Community Cohesion.
6. Lack of Community Consultation.

To address the matters raised, Planning Staff offer the following comments.

#### 1. Loss of Small Hamlet Character

In a review of the lot sizes and property fabric within York, there is a range in terms of the composition from 800 square metres (0.2 acres) to 6,300 square metres (1.57 acres).

The lot sizes within the proposed plan of subdivision range from 1,236 square metres (0.3 acres) to 3,481 hectares (0.86 acres). Within this range, there are 9 lots measuring over 2,000 square metres (0.5 acres+), 8 lots between 1,600 square metres and 1,750 square metres (0.4 to 0.43 acres), and the remaining 13 ranging from 1,236 square metres to 1,550 square metres (0.3 to 0.38 acres). This lot composition provides a range of sizes that are in keeping with the York hamlet. Additionally, the subject lands are generally removed from being immediately adjacent to existing residential uses by the presence of the existing creek topography and associated open space and buffer area and the layout of the proposed subdivision. It is also noted that of the 30 lots proposed twenty-two of the parcels would have a frontage of 29 – 30 metres (95 – 98 feet), 2 lots having a frontage of 24.5 metres (80 feet), with the remaining six (6) pie shaped lots along the crescent and cul-de-sac of 20 – 21 metres (66 – 68 feet), which are still considered sufficient to accommodate residential development and in keeping with area character.

While the proposed zoning amendment is proposing a minimum lot area of 1,100 square metres (0.27 acres), the smallest lot currently proposed as part of the plan of subdivision is 1,236 square metres (0.3 acres).

## **2. Environmental Impact**

The environmental concerns raised primarily relate to stormwater management and the potential use of existing wetlands as stormwater features. The proposed subdivision includes a dedicated stormwater management block, identified as Block 31 on Attachment 2, which is physically separate from the wetland areas into which it will ultimately outlet. The stormwater management facility is intended to provide both quality and quantity control to ensure that post-development stormwater discharge does not exceed pre-development conditions.

The design of the stormwater management facility will be subject to review and approval by both the Grand River Conservation Authority and Haldimand County staff to ensure that there are no negative impacts on the adjacent wetland or the broader wetland system. Further, no portion of private property (i.e. lands of adjacent residential homeowners) would or can be altered or used as part of the proposed development without consent of those owners.

## **3. Increased Traffic and Safety**

The design and construction of the internal roads within the proposed development will be reviewed, approved, and constructed in accordance with Haldimand County Design Standards. The proposal includes a widened road section along Street A (between Lots 1, 2, and 25) incorporating a centre median. This feature is intended to enhance roadway safety and provide additional functionality for emergency vehicle access to the future residential lots. This design feature – also referred to a divided carriageway – is an approach used in the County and other municipalities for single access subdivisions such as the subject proposal.

The subdivision will connect to Haldimand Road 9 / Nelles Street, a former Regional Road designated as a Truck Route with an average daily traffic volume of approximately 1,649 vehicles. The addition of 30 residential lots is not anticipated to result in a significant impact on daily traffic volumes or overall roadway operations.

It is noted that the subdivision does not have any direct connections to the existing local residential roads in York and is not anticipated to impact the function of that system. More specifically, it is anticipated that residents of the new subdivision would travel west on Nelles Street to Highway 54 for any trips to the north, south or west of York. Similarly, residents would use Nelles to travel east from the hamlet.

## **4. Strain on Infrastructure and Public Services**

The addition of 30 lots within an identified settlement area on private services will not have a significant impact of the function and provision of services. The development is generally considered minor and will likely see gradual construction of the lots over time as the intention of the developer is to sell the parcels to local builders for custom home construction.

## **5. Rise in Crime and Loss of Community Cohesion**

Similar to the concerns raised regarding potential impacts on infrastructure and public services, the development of 30 estate-type residential lots does not represent a significant level of growth and is not anticipated to result in notable safety concerns. The proposed development represents a logical expansion of the existing community and is expected to contribute positively to overall community growth by providing additional residential opportunities and housing choices. Further, additional 'eyes' on the community through the addition of more residents could assist in a deterrence of illegal activities.

## **6. Lack of Community Consultation**

Under the Planning Act, it is required that Notice of Complete application be issued when a development application is received and deemed complete; to satisfy this requirement Notice was circulated on May 2, 2025. A Notice of Complete Application is a summary provided to neighbouring landowners regarding the details of the application submitted. It includes a summary of what is being proposed, mapping of the subject lands, and staff contact information. Subsequently, Notice of Public Meeting is also required. Notice was provided on October 8, 2025 in advance of the Information Report presented to Council-in-Committee at the October 29, 2025 meeting to initially introduce the matter before Council and seek preliminary feedback. Of particular note, the public meeting held as part of the October 29<sup>th</sup> information report is not required under the Planning Act and serves as a 'made-in-Haldimand' enhancement to the public consultation process. It affords early feedback in the review process and the opportunity for public input to be heard and addressed as appropriate before a final proposal is settled on and presented to Council for a decision. Lastly, Notice was issued on December 5, 2025 for the January 13<sup>th</sup>, 2026 Public Meeting which is the single public meeting that is prescribed under the Planning Act. Public Notice Signs were also posted on the property.

Notwithstanding the additional petition, the concerns and comments received remain the same as those received early and throughout the review process, and do not alter the land use analysis or staff recommendations.

## **Analysis:**

### **Provincial Policy**

#### **Planning Act, R.S.O. 1990, Chapter P.13**

The Planning Act (Act) is provincial legislation that establishes the framework for land use planning in Ontario. Section 18 of the Planning Act sets out the applicable regulations for municipal official plans. Section 34 of the Planning Act sets out the applicable regulations for municipal zoning by-laws. All land use decisions must also have sufficient regard for the matters of provincial interest outlined in Section 2 of the Planning Act including, but not limited to:

- The orderly development of safe and healthy communities;
- The adequate provision of a full range of housing, including affordable housing;
- The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- The appropriate location of growth and development; and,
- The promotion of built form that;
  - i. Is well-designed,
  - ii. Encourages a sense of place, and,
  - iii. Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Staff are satisfied that the Zoning By-law Amendment application has sufficient regard for Section 2 of the Planning Act.

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

The Provincial Planning Statement, 2024 (PPS) contains policies that encourage and focus growth and development within existing settlement areas, including rural settlement areas, such as York. Notably, the policies of Section 2.5 speak to development in Rural Areas of Municipalities, including Rural Settlement Areas. The intent is to ensure efficient and effective use of rural infrastructure and services, have consideration for land use compatibility and provide for wise land use and resource management. However, it is noted that 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 and subdivision will facilitate the creation and development of rural residential lots in the Hamlet of York.

**Planning Comment:** The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. A key planning matter that will be evaluated is the consistency of the proposal with the Provincial Policy Statement.

Several items of consideration were highlighted in the previous Information Report (PDD-33-2025) to ensure conformity with the goals of the PPS. Those items are listed below:

1. The proposal’s impact on housing affordability and the range and mix of housing types;  
**Planning Comment:** It is anticipated that the majority of residential units brought to market through this project will be premium rural residential units. While these units would not be classified as affordable, they do increase the overall supply of housing within Haldimand County which has a positive impact on affordability of housing in general. Further, the proposed amendments to the zoning by-law allow for variation among lot sizes and frontage within the development creating variability within the development and within the current landscape of hamlet residential uses within Haldimand County.
2. The proposal’s ability to be adequately serviced by safe and appropriate on-site private services (i.e., well and septic system);  
**Planning Comment:** The applicant provided Haldimand County with a D-5-4 Hydrogeological Assessment as part of a complete application. The assessment concluded that the lands could adequately support the proposed number of onsite private water and sanitary systems, subject to conditions and detailed design considerations that will be reviewed and required through the Draft Plan of Subdivision process.
3. The proposal’s ability to use rural infrastructure and public service facilities efficiently;  
**Planning Comment:** The proposed development is anticipated to be serviced by a single storm water management facility, in keeping with standard practice for other rural subdivisions. Further,

it is important to be mindful that the subject lands are located within the settlement boundary, and were planned to accommodate residential uses. The proposed site specific amendments allow for a modest increase to the total number of units on these lands. The increase in units as a result of this development are not anticipated to negatively impact the provision of public service facilities.

4. The proposal's impact on surrounding transportation infrastructure;

**Planning Comment:** The proposed development will connect to Nelles Street East and no traffic will be directed to Gowland Road or nearby John Street under the current configuration. As noted above, the lands have already been included in the settlement area boundary and were anticipated for residential development. The subject Zoning By-law Amendment will result in a minor increase in traffic volume relative to a development that was not seeking any amendments to the 'Hamlet Residential "(RH)"' zone. The proposed development is not anticipated to unduly impact the surrounding transportation infrastructure.

5. The proposal's impact on cultural heritage and archaeological resources; and,

**Planning Comment:** The lands have been evaluated by a qualified archaeologist. A small area remains where further investigation and eventual reporting is required. This area has been denoted by an 'H' holding provision on the attached by-law to ensure development does not occur prior to the necessary assessments and registration of reports. Further the recommendations of the assessments will be included, as necessary, in conditions to a future subdivision agreement. The proposed development is not anticipated to negatively impact cultural heritage or archaeological resources on the lands.

6. The proposal's impact on municipal intensification and density targets.

**Planning Comment:** The subject lands have existed within York boundary for many years and are anticipated to assist in the growth projections and housing accommodations as set out within the municipal policy framework.

The subject Zoning By-law Amendment Application conforms to the intent of the PPS. The submitted technical studies will continue to inform the review of the detailed design of the development through the Draft Plan of Subdivision application.

It is the opinion of Planning staff that the subject application is consistent with the PPS.

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

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

The subject lands are designated 'Hamlet' in the Haldimand County Official Plan with areas identified as 'Riverine Hazard Lands' and containing 'Significant Natural Environment Area Features'. The proposed development does not require any amendments to the Official Plan, and it is expected that the proposed subdivision and proposed amendments to the Zoning By-law will conform to the policies of the Official Plan.

Section 2 of the Haldimand County Official Plan contains policies and direction related to the environment. Notably, section 2.A.1) speaks to Significant Natural Environment Areas and 2.C.2) speaks to Riverine Hazard Lands.

**Planning Comment:** As part of a complete application an Environmental Impact Study (EIS) was submitted. The EIS recommended a 15 metre (49.2 feet) buffer from the watercourse and wetlands found onsite. This buffer and the existing floodplain on the lands have been

incorporated within the Open Space zone proposed by this application. The current draft plan shows area of road within the buffer. This encroachment was considered through an addendum to the original EIS. The addendum requires additional review by Haldimand County staff. If it is deemed appropriate and supported by technical studies, encroachment into this buffer may be permitted subject to conditions and compliance with the zoning by-law through the subdivision process.

Section 4 of the Official Plan contains policies relate to Growth Management. Section 4.D provides direction for the development of Haldimand County's Hamlets, including York. These policies require consideration for:

a) The traditional form of servicing in the Hamlet areas has been individual water services and onsite sanitary sewage systems designed and installed as per the Ontario Building Code, and where serviced by an individual water supply and an on-site sanitary sewage system, such systems shall be designed and installed as per the Ontario Building Code;

**Planning Comment:** As part of the application submission, Geotechnical and Hydrogeological evaluations and studies were provided which demonstrate that the proposed subdivision and individual lots can be serviced by private septic systems without negative impact to the subject or surrounding lands.

b) The availability and provision of adequate stormwater management facilities and legal and adequate drainage outlets;

**Planning Comment:** A stormwater management pond is included within the draft plan of subdivision concept which is being reviewed through the technical supporting documents to ensure that the size and function is designed appropriately to accommodate the development. The facility will be captured through the Plan of Subdivision application process and conditions of draft plan approval. The pond would legally outlet to the adjacent watercourse.

c) New development should be a logical extension of the existing built-up area;

**Planning Comment:** The proposed development is utilizing existing vacant lands within the hamlet boundary, which is intended for residential purposes. Additionally, the subdivision would have connection to a municipal arterial road and will maintain a similar built form to the existing residential dwellings within York.

d) In-depth development rather than linear development along roads is the preferred form of development in Hamlets;

**Planning Comment:** Access is being obtained from Nelles Street/Haldimand Road 9, which is considered an arterial road, and the development will be serviced with a new internal local road network. The draft subdivision configuration utilizes a large parcel in an efficient and effective manner.

e) Provision shall be made at appropriate locations to permit access from main roads to second or third tiers of lots behind existing development;

**Planning Comment:** As noted in the previous bullet point, the impact to the existing secondary roads within the hamlet will be minimal as the primary access is from a main arterial road and the new lots will be serviced by a new internal road.

f) Proximity to, and the potential impact on Natural Environment Areas, Hazard Lands and cultural heritage resources should be addressed; and

**Planning Comment:** The impact of the Natural Environment Area and Hazard Lands is being managed through the zoning amendment and placing the areas of significance under an Open Space (OS) zone that restricts specific forms of development.

g) The standards for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation formulae.

**Planning Comment:** There are no livestock operations in the area and the proposed development will not have a negative impact on any existing operations or from a Minimum Distance Separation (MDS) perspective.

Staff continue to work with partner agencies to review all of the submitted materials as they relate to detailed design of the subdivision. The subject application seeks to amend the zoning by-law to enable the detailed design and review of the subdivision application. Based on the review of submitted material Planning staff are confident that an appropriate and functional subdivision design exists for the subject lands inclusive of the proposed zoning amendments.

It should be noted that the subject application to amend the Zoning By-law will align the permitted uses for the lands across the Official Plan and Zoning By-law. Many of the items above relate more directly to the review of detailed design through the Draft Plan of Subdivision. It is Planning staff’s opinion that the submitted Zoning By-law Amendment application 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 Haldimand County by stating exactly how land may be used, where buildings and other structures can be located, the types of buildings that are permitted and how they can be used, permitted lot sizes and dimensions, parking space requirements, building heights, and setbacks from the street. The Zoning By-law implements the Official Plan and is legally enforceable.

The subject lands are currently zoned “Agriculture (A)” zone. The submitted Zoning By-law Amendment application is proposing to re-zone the lands to the “Hamlet Residential (RH)” Zone, with special exceptions to the main zone provisions. The RH zone would align with the current Official Plan designation on the lands and promote development in keeping with the surrounding area and other hamlets in Haldimand County. The proposed amendments to the RH zone provisions will represent deviations from the standard development provisions. The proposed amendments are summarised in the table below. Of note, a column has been included which demonstrates what was initially proposed as part of the staff information report PDD-33-2025.

<b>Provision</b>	<b>RH Zone Provision (with no municipal sanitary services)</b>	<b>Proposed RH Provision for Nelles Estates</b>	<b>Initial Proposal</b>
<b>Minimum Lot Area (Interior Lot)</b>	1,855 sq. meters (19,913.2 sq. feet)	1,100 sq. meters (11,840.3 sq. feet)	1,000 sq. metres (10,764 sq. Ft)
<b>Minimum Lot Area (Corner Lot)</b>	1,855 sq. m (19,913.2 square feet))	1,100 sq. m (11,840.3 square feet)	1,000 sq. metres (10,764 sq. Ft)
<b>Minimum Lot Frontage (Interior Standard Lot)</b>	30 m (98.4 ft)	24 m (78.7 ft)	20 m (65.6 ft)

<b>Minimum Lot Frontage (Interior Pie Shaped Lot)</b>	30 m (98.4 ft)	20 m (65.5 ft)	20 m (65.6 ft)
<b>Minimum Lot Frontage (Corner Lot)</b>	30 m (98.4 ft)	25 m (82 ft)	20 m (65.6 ft)
<b>Minimum Front Yard</b>	9 m (29.5 ft)	7 m (23 ft)	6 m (19.7 ft)
<b>Minimum Exterior Side Yard</b>	9 m	4.5 m (14.7 ft)	1.2 m (3.9 ft)
<b>Minimum Rear Yard</b>	9 m	7 m (23 ft)	7 m (22.9 ft)
<b>Maximum Gross Floor Area</b>	N/A	N/A	600 m <sup>2</sup> (6,458 sq. ft)

Table 1 RH (Hamlet Residential) Zoning Provisions

Any requirements of the RH zone not listed above, including the maximum height and interior side yard setback are intended to maintain the standard set in the Zoning By-law. It should be noted that some of the deviations from the zone standard presented the related Information Report (PDD-33-2025) have been eliminated, and those that remain have stayed the same or are requesting less relief.

The subject application is seeking to reduce the minimum lot size from 1,855 sq. m (19,967 sq. Ft) to 1,100 sq. m (0.27 acres) for both interior and corner lots. The minimum lot size provision is intended to ensure that lots have sufficient space to accommodate a dwelling, typical accessory buildings and on site sanitary and water services. The proposed development will have a range of lot sizes, with 1,100 sq. m (0.27 acres) representing the smallest. While this is smaller than the zone standard there are several existing functional lots within Haldimand County and York that are smaller than the proposed 1,100 sq. m (0.27 acres), Staff are confident that the proposed minimum lot size is suitable to accommodate a dwelling, typical accessory structures and on-site servicing. This has been demonstrated through the various technical studies submitted which have been overviewed previously in this report.

As noted in the table above, the application is seeking to reduce the minimum lot frontage for interior and corner lots. The application is seeking a minimum lot frontage of 25 metres (82 feet) for corner lots, 24 metres (78.7 feet) for standard interior lots and 20 metres (66 feet) for interior pie shaped lots. The current minimum required lot frontage for all lots in the RH zone is 30 metres (98 feet). The minimum lot frontage seeks to ensure lots have adequate width to accommodate development in addition to maintaining an appropriate distance from driveways. The applicant has demonstrated the lots are able to accommodate a variety of dwelling styles, without reduced interior side yards at the proposed frontage. Further the standard minimum frontage provision in the RH zone is a conservative approach recognizing that some hamlet lots front onto major roads within Haldimand County accommodating through traffic, that may be travelling above the posted speed limit. The proposed configuration of the development would result in no through traffic, and only local traffic using proposed streets 'A' and 'B'. As such Planning staff are satisfied that the proposed reductions to lot frontage are safe and appropriate.

The subject Zoning By-law Amendment is also seeking a reduction of the minimum required front yard from 9 metres (29.5 feet) to 7 metres (22.9 feet). The required front yard ensures that vehicles can be parked in front of a dwelling and that any structures do not impede sight lines for motorists. This is a balancing act as there is substantial research to show that reduced front yards has positive impacts on

urban design, community feel and can even act as a traffic calming measure. The proposed reduction allows for vehicles to be parked in front of the dwelling, being 1.2 metres (3.9 feet) longer than a standard parking space in Haldimand County. Further, as noted above all of the proposed dwellings within the development will front onto low traffic, low speed interior streets. The reduced front yard requirements are not anticipated to lead to any traffic safety concerns, and may even aid in ensuring motorists obey the posted speed limit.

The comments above related to reduced setbacks to street lines being appropriate on the interior streets of the proposed subdivision, and their contribution to overall traffic calming, also hold true for reduced exterior side yards. Further, it is not typical to park a vehicle lengthwise in a side yard. Therefore Planning Staff also support the proposed exterior side yard reduction from 9 metres (29.5 feet) to 4.5 metres (14.9 feet).

The final requested reduction is to permit a minimum rear yard of 7 metres (22.9 feet) where 9 metres (29.5 feet) is required. A minimum rear yard requirement, particularly in a rural subdivision is to ensure there is enough space on a lot for an onsite sanitary system (septic), and to ensure there is sufficient outdoor amenity area. Through submitted material the applicant has demonstrated that lots with a reduced rear yard are still a sufficient size to accommodate appropriate on site servicing. Further, the proposed minimum rear yard would align with the 'Urban Residential Type 1-C "(R1-C)"' zone, which is also intended to accommodate single detached dwellings and sufficient rear yard amenity space. It is the opinion of Planning staff that the proposed reduction to the rear yard is appropriate and maintains the intent of the provisions. It is noted that the lots backing onto the existing residential dwellings along John Street will have additional separation and spacing given the presence of the Open Space Zone that will provide buffer space between the new and existing homes.

The applicant is seeking to include a maximum gross floor area (GFA) provision limiting the size of a dwelling to 600 sq. m (6,458 sq. ft). There is currently no maximum GFA in any residential zone. This provision corresponds with requirements related to fire fighting in rural subdivisions, and ensures that no dwelling exceeds the maximum area. This maximum area is not intended to be the target or anticipated floor area for dwellings within the development.

In addition to the proposed special provisions above, the zoning by-law amendment will also delineate an Open Space Zone on the property. The proposed open space zone will accommodate the watercourse and wetlands along the western edge of the property and a 15 metre (49.2 feet) buffer, as recommended by the submitted EIS. This zone will also accommodate the entirety of the modelled floodplain impacting the subject lands. The EIS and a flood modelling have been reviewed by Haldimand County Staff as well as the Grand River Conservation Authority (GRCA). The Open Space zone is intended to denote the limits of development on the site. Encroachments into this zone may be permitted in accordance with the provisions of the Zoning By-law, subject to updated studies, reviews and conditions through the detailed design and subdivision process.

A Holding 'H' provision is also proposed to be affixed to a portion of the lands. This provision recognizes that ongoing Archaeological Assessments on the lands have recommended further investigations in this area. This work is currently being carried out, and the assessments will be reviewed and registered with the Province prior to the holding provision being lifted. The holding provision will ensure that areas of archaeological potential are not disturbed prior to the necessary steps being taken. A complete review of all archaeological assessments and their recommendations will be conducted through the subdivision process and any necessary conditions will be included.

Based on the analysis above, it is the opinion of Planning staff that the proposed amendments to the Haldimand County Zoning By-law HC 1-2020 are appropriate and represent good planning.

## **Financial/Legal Implications:**

Not applicable.

## **Stakeholder Impacts:**

### **Public Input**

Public comments were previously received and presented to Council with the related information report PDD-33-2025. At the time of writing this report no new comments have been received.

### **Development Engineering – Development Technologist**

Development Engineering has completed a thorough review of the submission for Zoning Amendment PLZ-HA-2025-062, as amended.

Our review considered the proposed land use and zoning changes in relation to rural subdivision standards, including municipal stormwater servicing requirements and road design implications. Based on this assessment, there are no outstanding concerns at this stage.

Development Engineering looks forward to working closely with the developer's team as the project progresses toward draft plan approval.

### **Building and Municipal Enforcement Services**

Each property to be serviced by appropriate private on-site water and wastewater systems (cistern/well and septic) in accordance in the Ontario Building Code.

### **Mississaugas of the Credit First Nation**

Comment carried forward from the Information Report (PDD-33-2025).

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Between the Lakes Treaty No. 3, of 1792. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has reviewed the project-related correspondence identified above, in addition to any associated documentation. The following DOCA Units have completed a review and their questions and comments have been included below.

#### **Archaeology Unit**

For this assessment MCFN-DOCA would recommend three additional sites for Stage 3.

Scatter 4 - AgGx-1126

Scatter 5 - AgGx-1124

Scatter 8 -AgGx-1123

These sites did not meet MCM Standards for CHVI but the Nation retains an interest in these sites and would like to see them recommended for Stage 3 work under the basis of Section 2.2 Guideline 1 of the 2011 Standards and Guidelines for Consultant Archaeologists: "The consultant archaeologist may engage with relevant Aboriginal communities to determine their interest(general or site-specific) in the Aboriginal archaeological resources found during Stage

2 and to ensure there are no unaddressed Aboriginal archaeological interests connected with the land surveyed or sites identified."

### **Environment Unit**

Will cumulative effects be assessed when the detailed studies are complete? I'm concerned about the encroachment on properties 21 and 22, and although it's noted that this is only 2.56 hectares, that area is a fair proportion of the natural heritage system that is being retained. I'd like to see the full buffer without any encroachment and with exclusionary fencing to keep people away from the area. I understand that this is still preliminary and that more refinement will be done, and will look forward to seeing the full buffer in place.

Until the questions, concerns, and/or interests identified in this letter have been satisfactorily addressed, the project must not receive approval or proceed with any ground-altering activities. We request a response to our feedback within two to three weeks' time.

DOCA expects to be notified of any and all future project updates and/or changes.

**Planning Comment:** A holding provision has been recommended to be applied to a portion of the lands to ensure the necessary Archaeological work is completed in keeping with the above comment. The proponent continues to work to fulfill obligations related to archaeology on the site.

The entirety of the proposed 15 m buffer around the watercourse and wetlands on the subject lands have been included in the proposed Open Space zone. As noted in the report, there may be future encroachment into these areas. Any encroachment will require updates to the submitted reports through the detailed design stage.

As the proposed development continues to work through the detailed design stages, MCFN will continue to be circulated on received materials.

### **Six Nations of the Grand River**

No comments received at this time. Six Nations of the Grand River will continue to be circulated all updated and forthcoming materials as received.

### **Report Impacts:**

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

### **References:**

1. [Planning Act \(1990\)](#)
2. [Provincial Planning Statement \(2024\)](#)
3. [Haldimand County Official Plan](#)
4. [Haldimand County Zoning By-law HC 1-2020](#)
5. [PDD-33-2025 Information Report for Nelles Estates Subdivision and Zoning By-law Amendment, York](#)

**Attachments:**

1. Location Map
2. Owner's Sketch 1
3. Owner's Sketch 2
4. Draft Zoning By-law