

Attachment A - Report CD 23-008
Development Application Overview

20 Hawtrey Road, Delhi

Application File Numbers: 28TPL2022341 & ZNPL2022342

Applicant: Big Creek Estates Inc.

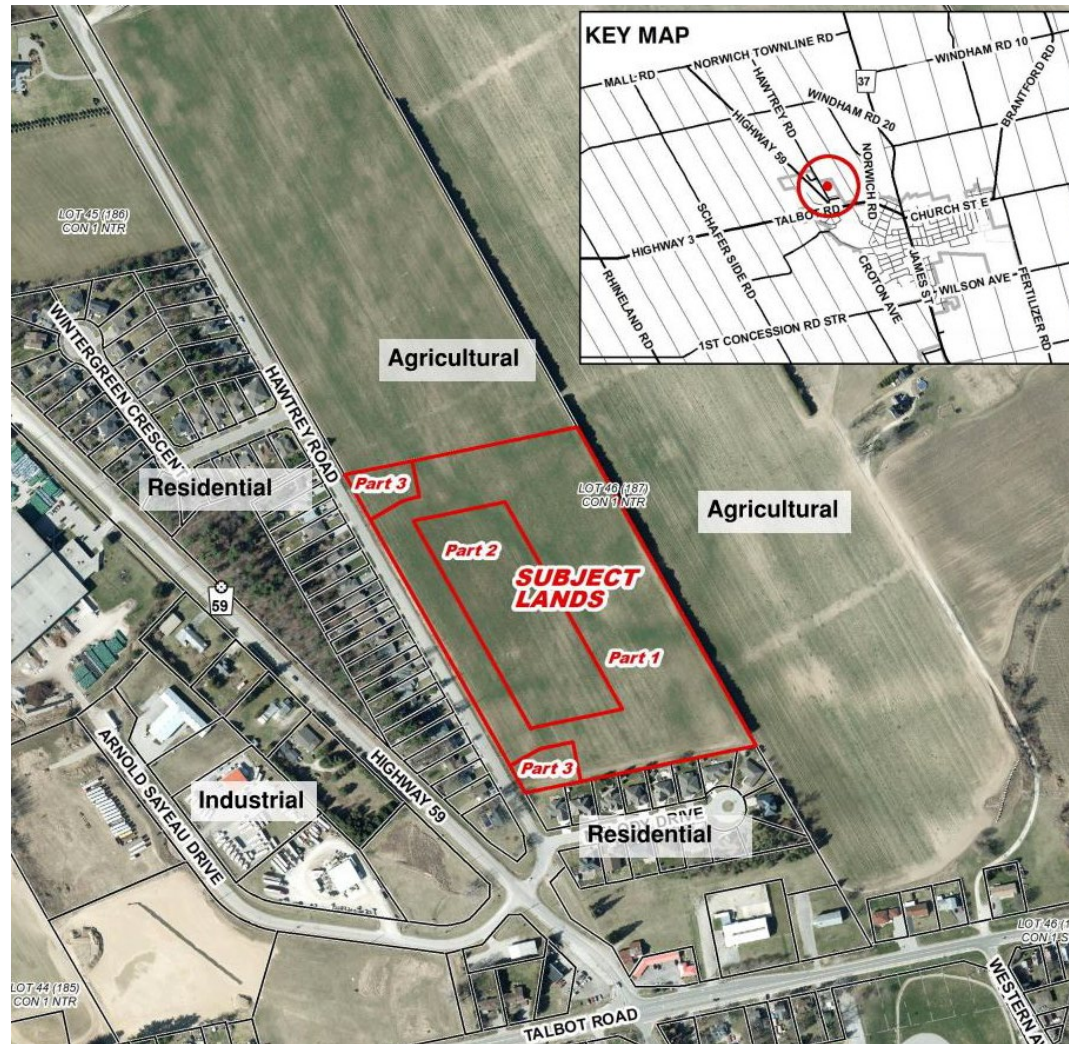
Agent: MHBC Planning

Statutory Public Hearing

Date: February 7th, 2022

1

Site Context



Characteristics:

- Area: 6.6 Hectares
- Frontage: 329 m
- Historical Use: Farmland
- Topography: Relatively Flat
- Vegetation: none

Surrounding Land:

- North: Agricultural
- East: Agricultural
- South: Residential and Commercial
- West: Residential and Industrial

Site Context

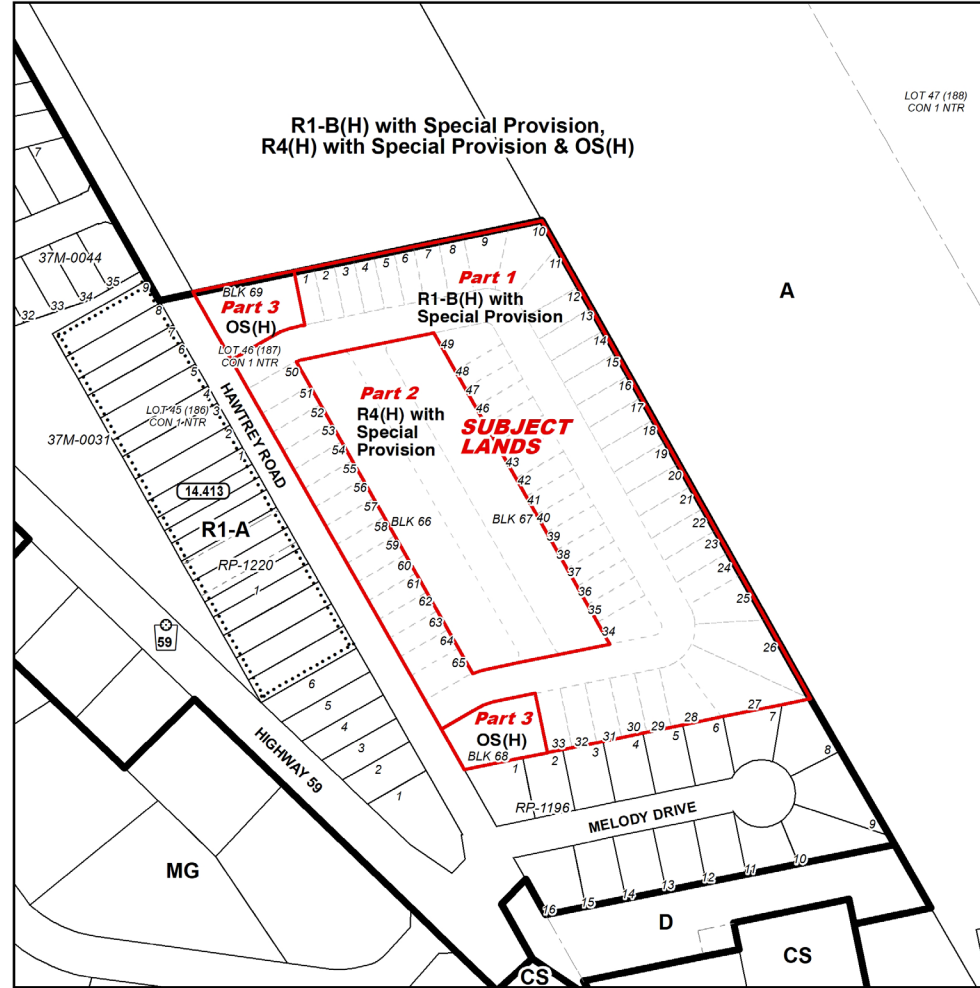
MAP B
 OFFICIAL PLAN MAP
 Geographic Township of MIDDLETON

28TPL2022341
 ZNPL2022342



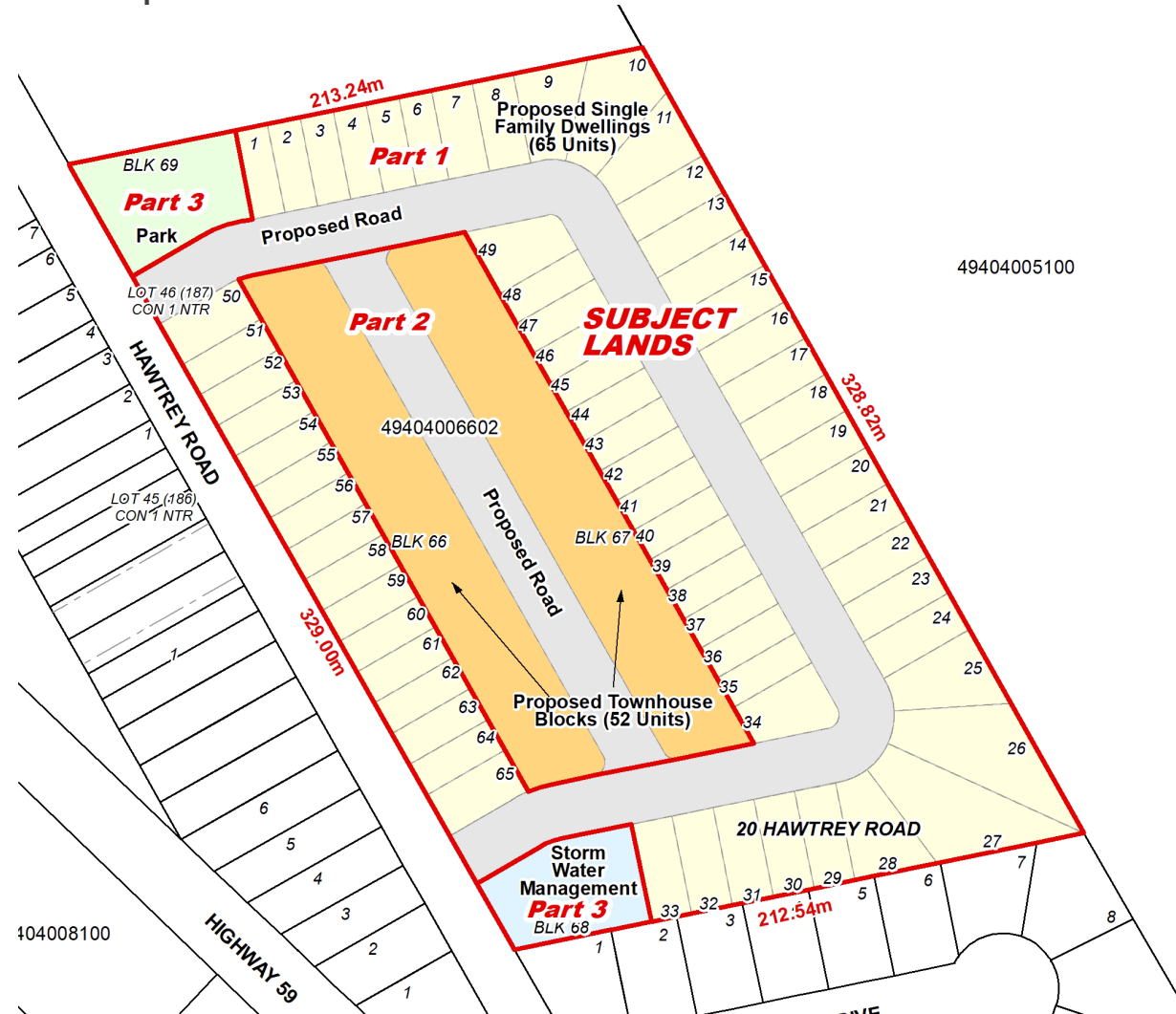
MAP C
 PROPOSED ZONING BY-LAW AMENDMENT MAP
 Geographic Township of MIDDLETON

28TPL2022341
 ZNPL2022342



Development Proposal

Concept Plan



Proposed Subdivision:

- 65 Single-detached Lots
- 2 Blocks of 52 townhouse units
- 0.189 Hectare Stormwater Management Block
- 0.208 Hectare Parkland
- Two point of Access on Hawtreys Rd

Proposed Zoning Amendment:

From: R1-A

To: R1-B and R4 with Special Provision

Special Provision:

- Building Height: 12.5 (11 m required)
- Corner Lot Area: 230 sq.m. (264 sq.m. for R4 zone)
- Corner Lot Frontage: 7.5 m (11 m required for R4 zone)

Preliminary Review

Technical Reports

1. **Planning Justification Report** by MHBC
Planning dated Oct 2022
2. **Traffic Impact Study** by Paradigm dated July 2022
3. **Preliminary Servicing and Stormwater Management Report** by Development Engineering Ltd. dated October 2022
4. **Archaeological Report, Stage 1 & 2** by Lincoln Environmental Consulting dated Oct 2022
5. **Geotechnical Report** by LDS dated Nov 2021

Technical Comments

- MTO permit will be a condition of the approval;
- The subject lands are outside of the area subject to natural hazards;
- Enhanced treatment of Stormwater flow will be required;
- Consolidation of parkland and stormwater management pond would be preferred.

Public Input

- Building height
- Density
- Stormwater run-off

Preliminary Considerations



Park/Trails: 5% parkland dedication or Cash-in-Lieu of parkland dedication or a combination of these two would be required.



Parking: Generally, Two (2) residential parking spaces for each dwelling unit and enough provision for on-street parking would be required.



Transportation: No physical improvements are recommended on Hawtrey Road by the traffic report for the proposed development;



Housing: A total of 172 lots with mix of unit types will contribute to Norfolk County intensification policy for local housing needs;



Building Height: Proposed 12.5 metres building height for singles and towns will further reviewed for compatibility and justification;



Servicing: Allocation of water and sanitary services will not be confirmed or committed until a development agreement is processed and executed.

Next Steps & Recommendation

- Consideration of Public Hearing Input
- Review of all Technical Comments
- Recommendation Report

Public Hearing Committee Report Recommendation:

THAT staff Report CD 23-008 for development application 28TPL2022341 & ZNPL2022342 be received for information;

AND FURTHER THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

Planning Considerations and Applicable Policies

Planning Act

Section 2 of the Planning Act outlines those land use matters that are of provincial interest and for which all county planning decisions shall have regard. The provincial interests that apply to development on this site are:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development and

Section 3 of the Planning Act requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the Planning Act permits amendments to the zoning by-law by Councils of local municipalities.

Consistency with the Provincial Policy Statement – 2020

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, which is intended to be complemented by local policies addressing local interests. The PPS promotes healthy, livable and safe communities through the efficient use of land throughout the Province of Ontario.

The PPS 2020 promotes strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 1.1.3.1 related to Settlement Areas states that Settlement areas shall be the focus of growth and development. It further states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.4.3, related to Housing policies, states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating:

- all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities;

- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Conformity with the Official Plan

The proposed development is within the designated area of 'Urban Residential' in Norfolk County Official Plan. The "Urban Residential" designation is meant to encompass neighborhoods in the County's urban area capable of providing a variety of residential forms that serve a diverse population.

Section 5.3 related to Housing states that The County shall ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged. The County shall target that 15 percent of all new housing built in Norfolk County be multi-residential dwellings and 15 percent be semi-detached and townhouse dwellings.

Planning Comments: *The proposed 2 blocks of 52 towns will contribute to the County's both 15% target for townhouse dwellings.*

Section 5.3.1 related to residential intensification states that urban residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of the County's housing needs. Residential intensification policies include:

- infill development and residential development of vacant land or underutilized land in existing neighbourhoods will be encouraged;
- redevelopment shall include the replacement of existing residential uses with compatible new residential developments at a high density;
- the County shall target that a minimum 25 percent of its annual residential growth be accommodated through infill, intensification and redevelopment within the existing built-up areas in the Urban Areas with full municipal services;
- on lands designated Urban Residential and located outside of the Built-Up areas of Simcoe, Port Dover, Delhi, Waterford and Port Rowan, the minimum overall

density of residential development shall be 15 units per hectare of developable land area;

- developable land shall not include Hazard Lands, Provincially Significant Wetlands and Significant Natural Areas;
- the existing water and sanitary sewer services can accommodate the additional development;
- the road network can accommodate the traffic generated;
- the proposed development shall be compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
- the proposed development shall be consistent with the policies of the appropriate Land Use Designation associated with the land.

Planning Comments: The proposed development will be tested with the above noted evaluation criteria.

Section 7.7.1 indicates that the predominant use of the land shall be a variety of urban dwelling types, including single-detached, semi-detached and townhouse dwellings. Further, section 7.7.2 indicated that single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare. Triplex, fourplex, townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 uph. New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:

- the density, height and character of the development shall have regard to adjacent uses;
- the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer;
- the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
- the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County, save and except for in the Courtland Urban Area, where private septic systems shall be permitted;
- the development is adequately serviced by parks and school facilities;
- the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized; except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required from the proponent and approved by the County; and

Planning Comments: The proposed development will be tested with the above noted evaluation criteria.

Section 9.6.4 related to subdivision approval identifies the following policies to be applied for the proposed development:

- a) The provisions of the Planning Act relating to subdivision control, including subdivision agreements, shall be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
- b) Prior to approval of an application for plan of subdivision or plan of condominium, the County shall confirm the availability of adequate servicing infrastructure and allocation in accordance with Section 8.9.3 (Servicing Allocation and Phasing), waste collection and disposal services, and roads.
- c) Applications for plan of subdivision or plan of condominium approval shall be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
- d) The review of plans of subdivision or plan of condominium shall be based in part on the consideration of the community design policies included in Section 5.4 (Community Design) and Section 11.8 (Community Design Strategy) of the Lakeshore Special Policy Area Secondary Plan of this Plan.
- e) All lots within a plan of subdivision shall have frontage on a public road maintained on a year-round basis, constructed to an acceptable County standard. Plans of condominium shall have access to a public road maintained on a year-round basis, however, it is recognized that development within the condominium plan may occur on private roads.
- f) Provincially Significant Features and Natural Heritage Features shall be protected and preserved in the design of any plan of subdivision or condominium.
- g) Plans of subdivision or condominium shall be appropriately phased to ensure orderly and staged development.
- h) All plans of subdivision shall be subject to a subdivision agreement between the County and the development proponent.
- i) All plans of condominium shall be subject to a development agreement between the County and the development proponent.
- j) Parkland dedication shall be provided pursuant to Section 9.10.5 (Parkland Dedication) of this Plan. Land to be dedicated for park purposes must be acceptable to the County. Under no circumstances shall the County be obligated to accept parkland being offered in a proposed plan of subdivision.

- k) The County shall consult with the appropriate Conservation Authority and the Province, as well as other relevant agencies, in considering an application for approval of a plan of subdivision or condominium.

Planning Comments: The proposal will be further reviewed through the lens of the above-mentioned policies.

Zoning By-law 1-Z-2014 and the Proposed Amendments

The subject lands are currently zoned as “Urban Residential Type 1 - A”.

Permitted Uses in R1-A zone:

- a) dwelling, single detached
- b) bed & breakfast, subject to Subsection 3.4
- c) home occupation
- d) accessory residential dwelling unit, subject to Subsection 3.2.3.

The proposed zoning changes are as follows:

Proposed Zoning	Number of Units
Urban Residential Type 1 (R1-B)	65 single-detached units
Urban Residential Type 4 (R4)	Two Blocks - 52 standard towns
Open Space Zone (OS)	0.208 Ha Parkette & 0.189 Ha SWM Pond

Permitted Uses in R1-B zone:

- a) dwelling, single detached
- b) bed & breakfast, subject to Subsection 3.4
- c) home occupation
- d) accessory residential dwelling unit, subject to Subsection 3.2.3.

Permitted Uses in R4 zone:

- a) group townhouse
- b) stacked townhouse
- c) street townhouse
- d) semi-detached, duplex, tri-plex and four-plex dwellings provided they are located on the same lot with, and in accordance with the Zone provisions of, group townhouse
- e) home occupation.

Permitted Uses in OS zone:

- a) campground
- b) dwelling, single detached

- c) dwelling unit in any permitted non-residential building – maximum one (1)
- d) fairground
- e) golf course
- f) golf driving range
- g) home occupation
- h) park
- i) place of recreation ancillary to a golf course but excluding an arena
- j) place of sports and recreation.

To facilitate the development proposal, the following special provisions will be required:

Urban Residential Type 1 (R1-B) for 65 single-detached units

Section	Special Provision	Required	Proposed
5.1.2 g)	Maximum Building Height	11 m	12.5 m

Urban Residential Type 4 (R4) for 52 Street townhouse units

Section	Special Provision	Required	Proposed
5.4.2 a)	Minimum <i>Lot Area</i> <i>Corner Lot</i>	264 sq.m.	230 sq.m.
5.4.2 b)	Minimum <i>Lot</i> <i>Frontage</i> <i>Corner Lot</i>	11 m	7.5 m
5.1.2 g)	Maximum Building Height	11 m	12.5 m

A draft of the Zoning By-Law amendment is included as Attachment D. The proposed zoning changes will be further reviewed against the intent and objective of the relevant official Plan policies and Zoning By-law 1-Z-2014 during the recommendation report.

Attachment C

Technical Comments

Accessibility and Special Projects – Reviewed

No comments or concerns.

Building – Reviewed

The building department has reviewed the proposal and has No conditions but does have the following comments:

Comments:

1. Footings in areas of high water table will need to comply with OBC Article 9.4.4.3. High Water Table and 9.15.3.4. Basic Footing Widths and Areas.
2. Engineered fill will require the footings to be designed in conformance with OBC Section 4.2.

Zoning – Reviewed

Refer to R1-B zone, R4 zone for provisions for SFD, and townhouse units. Zoning tables will need to be provided on the site plan for each zone showing required vs. proposed for each PART 1, PART 2. The corner lots have different zoning provisions.

Paramedic – Reviewed

No comments or concerns.

Social Services and Housing – Reviewed

No comments or concerns.

Canada Post – Reviewed

Service type and location

1. Canada Post will provide mail delivery service to this development through centralized Community Mail Boxes (CMBs) unless;
2. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance of 3 or more units, the developer must supply, install and

maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this development application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale/rent, to display a map on the wall of the sales office in a place readily accessible to potential owners/renters that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase/rental a statement which advises the purchaser/renter that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected owners/renters of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents/tenants as soon as the homes/businesses are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two to three metres (consult Canada Post for detailed specifications)
 - A Community Mailbox concrete base pad per Canada Post specifications.

Ministry of Transportation – Reviewed

Ministry of Transportation (MTO) has completed a cursory review of the Zoning By-Law Amendment and Draft Plan of Subdivision application to re-zone the lands from Urban Residential Type 1-A to Urban Residential Type 1-B prepared for Big Creek Estates Inc located at 20 Hawtrey Rd., Delhi. A full review and acceptance of this application cannot be completed at this time as indicated below.

Highway 3 along the subject property is a Class 2B - Provincial Arterial with a posted speed of 80 km/hr, and is designated as a Controlled Access Highway (CAH). As such, all requirements, guidelines, and best practices in accordance with this classification and designation shall apply.

The owner should be aware that the property falls within MTO's Permit Control Area (PCA), and as such, MTO Permits are required before any demolition, grading, construction or alteration to the site commences. In accordance with the Ontario Building Code, municipal permits may not be issued until such time as all other applicable requirements (i.e.: MTO permits/approvals) are satisfied. As a condition of MTO permit(s) MTO will require the following for review approval:

Site access & Traffic Impact Review

Previous MTO comments (attached) related to the subject site identified the Traffic Impact Study (TIS) must be completed before we can complete a full review. Given the scope of develop on the subject lands, a full TIS will be required. MTO will require the owner to submit a TIS to MTO for review and acceptance, indicating the anticipated volumes of traffic and its impact upon:

- Intersection of Highway 3 and County Road 59 intersection;
- Intersection of County Road 59 and Hawtrey Road/Arnold Sayea Drive;
- The TIS will also review the impact on the existing access and intersections, and how the above noted closely spaced intersections will perform (ie. weaving, storage lane lengths, etc.).

The TIS shall be prepared by a Registry, Appraisal and Qualification System (RAQS) qualified transportation consultant in accordance with MTO traffic guidelines:

- <http://www.mto.gov.on.ca/english/highway-bridges/highway-corridor-management/#HCMresources>. The list of prequalified ESPs is publicly available on MTO Technical Publications website, under Qualifications;
- MTO will be available to review the TIS scope of work once prepared, to ensure MTO concerns are addressed.
- Should Highway improvements be identified as warranted and as a condition of MTO permits, the improvements will be designed and constructed to the standards and approval of MTO at the cost of the developer.

Storm Water Management

While not directly abutting MTO's highway limit, it is anticipated that post-development flows will be directed toward the Highway 3 and the intersection of Highway 3 and County Road 59. To ensure that stormwater runoff from this property does not adversely affect our highway drainage system or highway corridor, MTO requires the

owner to submit a Storm Water Management Report (SWMR) along with grading/drainage plans for the proposed site for our review and acceptance.

Signs

Any/all signage visible from Highway 3, including temporary development signs, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit before installation.

Encroachments

Any encroachments and proposed work within the Highway 3 property limits are subject to MTO conditions, approval and permits, prior to construction. All provincial highway property encroachments are strictly regulated and must meet all conditions set out by MTO.

Conditions of Draft Plan Approval

It is anticipated that the conditions previously identified in May 20, 2021 need to be satisfied prior to MTO issuing approval for this draft plan. The conditions are as follows:

- That prior to final approval, the Owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Stormwater Management Report indicating the intended treatment of the calculated stormwater runoff.

- That prior to final approval, the Owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study indicating the anticipated traffic volumes and their impact upon the intersection of Highway 3 and County Road 59 intersection and the intersection of County Road 59 and Hawtrey Road/Arnold Sayea Drive.

- That prior to final approval, the Owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the design and construction of all highway improvements identified in the Ministry of Transportation approved Traffic Impact Study.

- That prior to final approval, the Owner Grading Plan, Drainage Plan and Site Servicing Plan for MTO review and approval.

- That prior to final approval, the Owner shall submit to the Ministry of Transportation for review and approval, a draft copy of the M-Plan for the subdivision.

MTO has recently launched a MTO Highway Corridor Management System (HCMS) web-portal, with “View MTO Control Areas”, “Request a Pre-Consultation”, “General Inquiry” and “Apply for MTO Permit” functions (<https://www.hcms.mto.gov.on.ca>). This platform has been developed to better serve the general public and development sectors to track the status of a submission. Once submitted the file will be assigned to the appropriate MTO staff to facilitate.

Long point Region Conservation Authority (LPRCA) – Reviewed

Long Point Region Conservation Authority (LPRCA) staff have had an opportunity to review the application 28TPL2022341, ZNPL2022342 and can provide the following comments based on LPRCA’s various plan review responsibilities for Norfolk County’s consideration.

It is staff’s understanding that the submitted application will facilitate the rezoning of the property to facilitate a subdivision.

Section 3.1 of the Provincial Policy Statement, 2020

The subject property is outside of the area subject to natural hazards. Staff can advise that the proposed application is consistent with section 3.1 of the Provincial Policy Statement, 2020.

Ontario Regulation 178/06

For the applicant’s information, the subject property is not regulated under Ontario Regulation 178/06.

LPRCA and Norfolk County’s Memorandum of Understanding for Plan Review Services

Based on LPRCA and Norfolk County’s Memorandum of Understanding for Plan Review Services, LPRCA staff can provide the following comments with regard to Stormwater Management:

Stormwater Management

LPRCA will review the final stormwater management design using the 2003 MECP Stormwater Management Planning and Design Manual, MTO Drainage Manual, LID Stormwater Management Manual, the sustainable technologies STEP website <https://sustainabletechnologies.ca/>, and the Municipal SWM guidelines.

The stormwater facility is proposed for phase 3. If the pond is proposed to be built after phase 1 and 2 development, a contingency plan must be provided for how to accommodate post-development flows from pre-development. This plan should consist

of erosion control, drainage plans and the plan to reduce flows to predevelopment levels.

Based on the site and receiving watercourse, an enhanced level of treatment as per the 2003 MECP Stormwater Management Planning and Design Manual is required for the proposed development.

LPRCA requires the following be included and addressed in the design of stormwater management:

- Minimize, or, where possible, prevent increases in contaminant loads.
- Minimize, erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure.
- Mitigate risks to human health, safety, property and the environment.
- Maximize the extent and function of vegetative and pervious surfaces.
- Implement stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development, for end of pipe facilities 24-48hr drawdown times to be targeted in all case.
- Provide adequate and legal outlet for major, minor, and all flow conditions from the site be provided.

In addition to the above requirements, the following must be clearly shown on the submitted design drawings:

- Major flow systems are delineated on the drawing. Overland flow paths and depths from surcharged storm sewer systems and the stormwater treatment facility during a 100-year storm must not increase the flood risk to life, property and the environment
- Minor overland flow systems and paths are to be delineated and shown on the drawings.
- Erosion and sedimentation control during construction.
- Adequate erosion control on inlets and outlets.

Bell Canada – Reviewed

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

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

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

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

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

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

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

We note that WSP operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.



The Corporation of Norfolk County

By-Law __-Z-2022

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as MID Concession 1 NTR Part Lot 187, Registered Plan 37R11496 Part 1, Delhi, Norfolk County.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) (Holding) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

AND WHEREAS this By-La conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 1, Part 2, and Part 3 on Map A (attached to and forming part of this By-Law) from Urban Residential Type 1 Zone (R1-A) to Urban Residential Type 1 Zone (R1-B), Urban Residential Type 4 zone (R4), and Open Space zone (OS) with a Holding (H) and a Special Provision 14.XXXX.
2. That Subsection 14 Special Provisions is hereby further amended by adding 14.XXX with the following provisions:

Part 1:

In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) maximum *building height* – 6 metres;

Part 2:

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) minimum *lot Area*:
 - i. *corner lot* – 230 square metres;
- b) minimum *lot frontage*:
 - ii. *corner lot* – 7.5 metres;

- b) maximum *building height* – 6 metres;

Part 3:

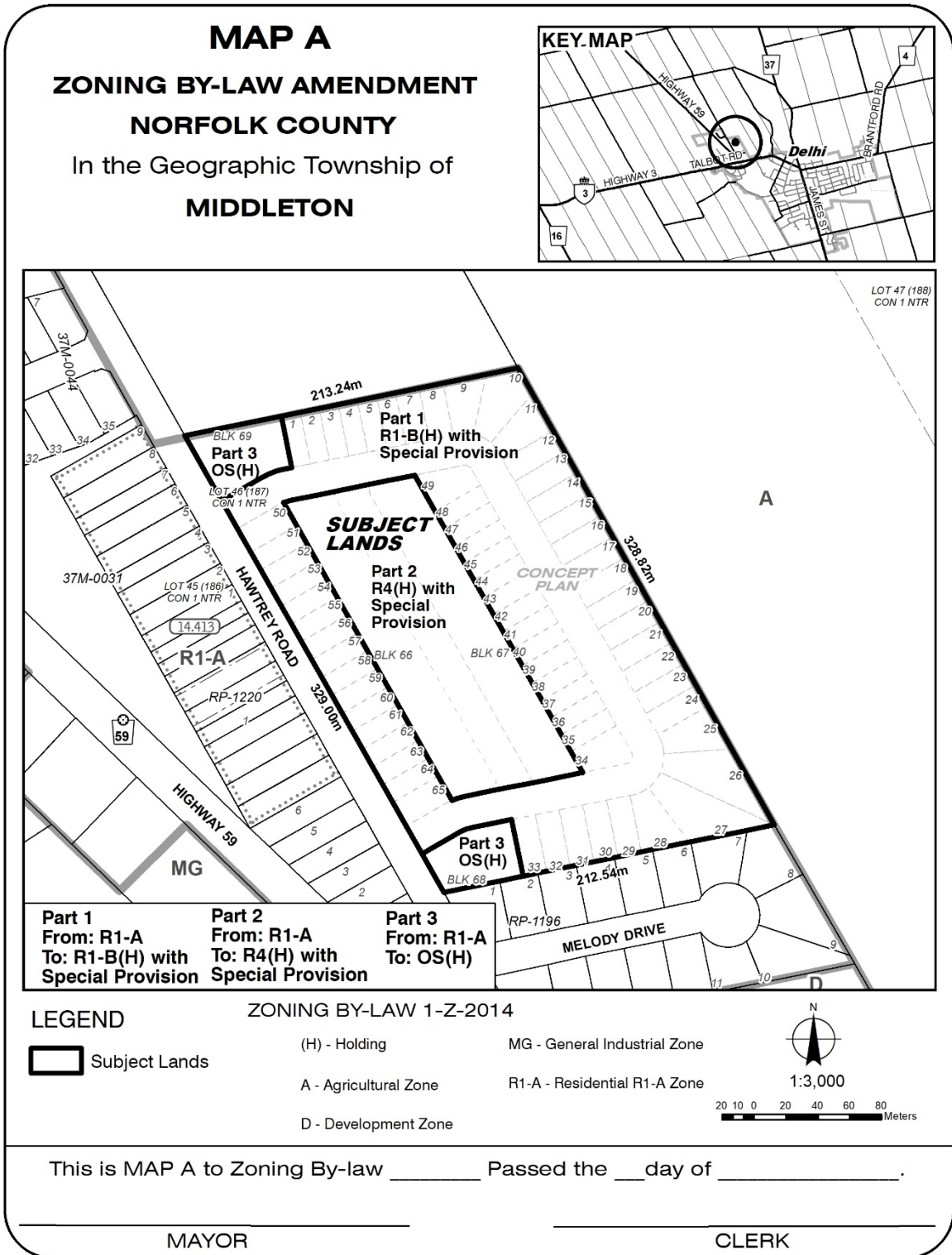
In additional to the permitted use in OS zone the following use is permitted:

- a) stormwater management pond
3. That the holding (H) provision of this By-Law shall be removed upon the execution of a draft plan of subdivision agreement and only when the water and sewer capacity is confirmed and allocated to the satisfaction of Norfolk County.
 4. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this **date** day of **month**, 2022.

Mayor

County Clerk



**Explanation of the Purpose and Effect of
By-Law __-Z-2022**

This By-Law affects a parcel of land described as MID Concession 1 NTR Part Lot 187, Registered Plan 37R11496 Part 1, Delhi, municipally known as 20 Hawtrey Road.

The purpose of this By-Law is to change the *zoning* on the subject lands from Urban Residential Type 1 Zone (R1-A) to:

Part 1: Urban Residential Type 1 *Zone* (R1-B)

Part 2: Urban Residential Type 4 *Zone* (R4)

Part 3: Open Space *Zone* (OS)

Part 1, Part 2 and Part 3 on Map A (attached to and forming part of this By-Law) shall also have a Special Provision 14.XXX with a new Holding.

The revised Holding “(H)” provision is being placed on the zoning on the subject lands to ensure the appropriate development agreement is executed and registered on title. As well the holding will remain until the servicing capacities are confirmed and allocated by the General Manager of Environment and Infrastructure Services or anyone designated by Norfolk County.

Applicant «Applicant»

File Number «File_Number»341

Report Number CD 23-008

Assessment Roll Number 3310494040066020000

Attachment E

Public Comments

From: Robert Mociak
To: Mohammad Alam
Subject: 28TPL2022341 / ZNPL2022342

I am a resident of Hawtrey road and I am unhappy with the idea of development in front of our property but as we all know in the end, citizens' concerns have very little impact when it comes to the county making millions off of new potential property taxes but I digress.

I was given a development plan in the mail with a map highlighting Part 1, part 2 and part 3. It is very unclear what is going to be built in each part. I am curious to know where these proposed townhomes are to be built and if these townhomes will be 1,2 or 3 storey?

I see the builder has applied for an Urban Residential Type 4 permit which allows for 3 storey townhomes. It was a blow to find out that moving from the busy streets of Hamilton to find a calmer and relaxed life in Delhi is about to be torn away from us with a potential addition of 114 residences off of our street capable of accommodating at least 400+ people. It's bad enough to think that our views will turn from rolling farmland to single dwellings but now we come to find out that there is a potential that we will be left in the shadows of towering walls of townhomes!

Can you please provide clarification of the map that was sent to us.

Regards,

Disappointed Resident

From: Jay w
To: Mohammad Alam
Subject: Hawtrey road development

We live on Hawtrey road. We are also against the development of that many stacked unit homes in this area.

There are better ways to help the residents of Delhi

Then to have homes cramped into a small area.

Please help the residents of Hawtrey Rd be heard

Thanks in advance for any help you can provide

Jason