



Working together with our community

## Public Hearings Committee – February 06, 2024

Subject: Application 28TPL2023390 proposing to develop a residential subdivision for the lands on the east end of Waverly Street, Delhi.

Report Number: CD 24-008  
Division: Community Development  
Department: Planning  
Ward: Ward 3  
Purpose: For Public Meeting

### Recommendation(s):

That staff Report CD-24-008 for development application 28TPL2023390 be received for information; and

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

### Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on January 18, 2024.

### Discussion:

The 7.84 acres subject lands are located at the south-east end of Delhi Urban Area. The surrounding land uses include light industrial, low density residential and agricultural lands.

The applicant is proposing a draft plan of subdivision to facilitate a low density single-detached residential development with 45 standard sized lots. A storm water management block is proposed to the south-west corner of the subject lands and a servicing block is proposed at the mid-block of the development.

An overview summary of the development application that have been submitted for the subject property at Waverly Street is contained within Attachment A. This includes an outline of the site context, the applications and technical reports, any technical or public feedback to date and overview of development considerations. The proposed draft plan of subdivision is included as Attachment B. A Holding (H) removal request is also associated with this plan of subdivision application (not a part of this Public Hearing).

### **Strategic Plan Linkage:**

This report aligns with the 2022-2026 Council Strategic Priority Building Norfolk to ensure a complete community.

Explanation: The proposed development will provide additional housing supply within the urban area of Delhi to meet County’s intensification target while ensuring compatible land use and public safety.

### **Conclusion:**

A recommendation report will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, “complete” development applications.

### **Attachments:**

- Attachment A Development Application Overview
- Attachment B Proposed Draft Plan of Subdivision
- Attachment C Technical Comments
- Attachment D Public Comments
- Attachment E Existing Policy and Zoning Considerations

### **Approval:**

Approved By:  
Brandon Sloan, BES, MCIP, RPP  
General Manager  
Community Development Division

Reviewed By:  
Tricia Givens, M.Sc.(PL), MCIP, RPP  
Director of Planning  
Community Development Division  
Planning Department

Prepared By:  
Mohammad Ariful Alam, MPL, MUD,  
MCIP, RPP  
Supervisor – Development Planning  
Community Development Division  
Planning Department

Attachment A - Report CD 24-008  
**Development Application Overview**

## **Waverly Subdivision**

Application File Numbers: 28TPL2023390

Applicant: Dillon Consulting Limited

Agent: Chris DeClark and Peter Braun

**Statutory Public Hearing**

Date: January 6<sup>th</sup>, 2024

# Site Context



## Site Characteristics:

- 3.174 ha (7.844 Acres)
- Located at the south-east of Delhi Urban Boundary
- Located at the east of Waverly Street
- The subject lands are currently vacant and relatively flat.

## Surrounding Land:

**North:** Light Industrial Use with Protected Industrial Designation

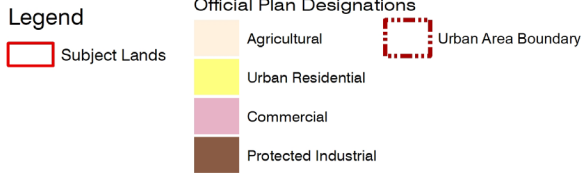
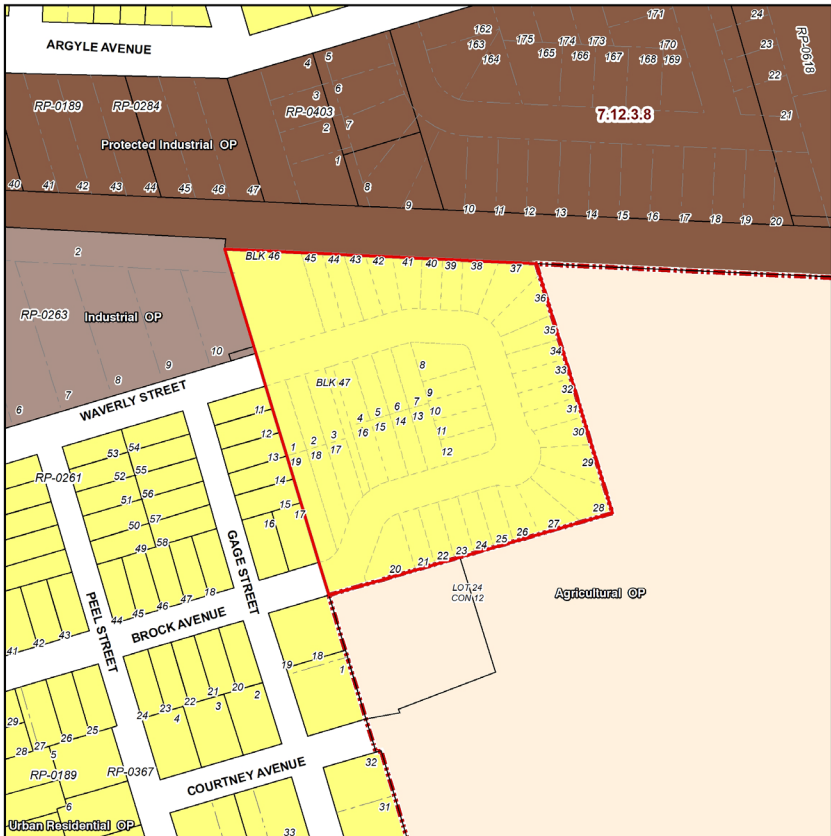
**East:** Low Density Residential Use

**West:** Agricultural Use

**South:** Agricultural Use

# Site Context

## Official Plan Map



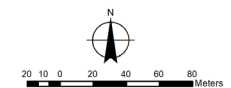
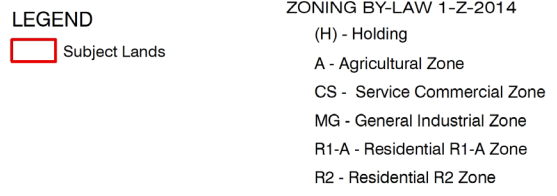
12/18/2023



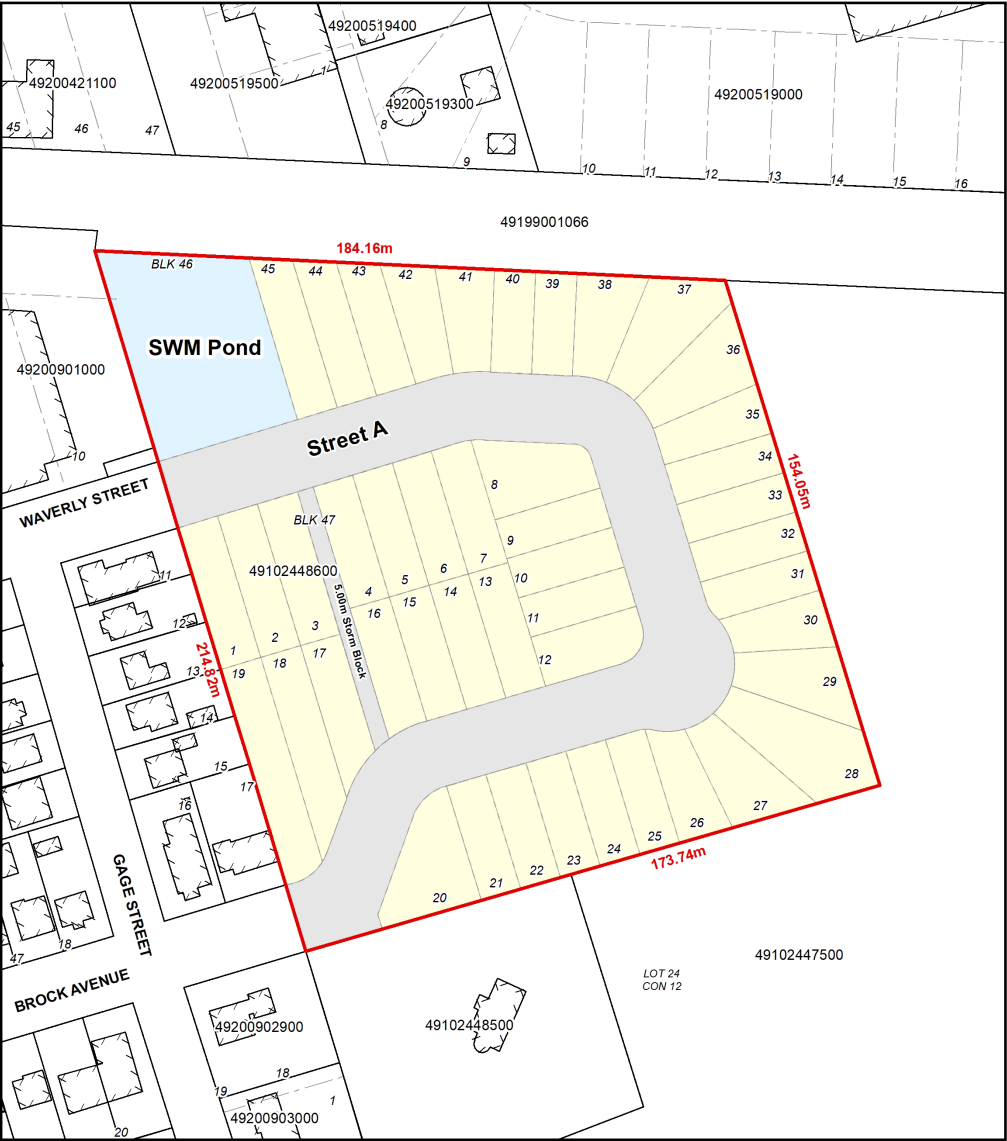
## Proposed Zoning By-law Amendment Map



ZONING BY-LAW 1-Z-2014 12/18/2023



# Development Proposal



## Draft Plan of Subdivision

### Housing Units:

- 1. 12 m Singles                      42 Units
- 2. 15 m Singles                      3 Units

-----  
 Total Units:                              45 Units

### Other Features

- 3. SWMP:                                      0.24 Ha
- 4. Storm Water Block:                      5m width

### Lot Size:

- Generally 12 m lot frontages.
- Few Lots may not meet the current Zoning By-law; Revision required.

### Connectivity:

- Internal sidewalk
- No existing pedestrian connect to James St

## Zoning By-law Amendment

A Holding (H) removal request is also associated with this Draft Plan application (not a part of this Public Hearing)

# Preliminary Review

## Technical Reports:

- Stormwater Management Report (Dillon Consulting) Nov. 2023
- MECP D-Series Land-Use Compatibility Review (Dillon Consulting) December. 2023
- Traffic Impact Study (Dillon Consulting) October. 2023
- Functional Servicing Report, (Dillon Consulting) Dec. 2023
- Geotechnical Report, (EXP) May. 2023
- Limited Phase II Environmental Site Assessment, (EXP) April, 2023






## Technical Comments:

1. Utility easements will be a conditions for various utility services;
2. A development Agreement will be a conditions of the Draft Plan approval;
3. Confirmation of Rail line abandonment will be required;
4. Adequate fire service access and hydrant will be required;
5. Centralized Community Mail Box will be required;
6. Sidewalk is recommended within the development to provide safe access for students to the nearby schools or bus stop locations.

## Public Input:

- Impact on the wildlife in this area/loss of green space
- 50+ years old sewer system
- Construction traffic
- A Court Order not to extend Brock Ave

# Preliminary Considerations

Key Items		Preliminary Review
Housing		The subject lands are currently vacant. The applicant is proposing to construct 45 residential lots subdivision consisting of two-storey single detached dwellings with a density of 14 UPH.
Parks & Trails		The proposed development incorporates a 0.24 Ha storm water management pond and a 5 m width Storm Water Block to facilitate the storm water runoff. The adjacent rail line to the north is abandoned and may provide opportunities for future connections to potential trail network in Delhi.
Land-use Compatibility		A Compatibility assessment may require an appropriate buffer and/or measures to mitigate any negative impacts on the existing and future land-use functions.
Transportation (TIS)		The TIS prepared in 2023 indicated that the intersections are expected to continue operating in the same manner through to the 2035 horizon year, and does not warrant any upgrades.
Servicing		Water and sanitary modeling have been started to review the projected need of water and sanitary demands and any potential upgrades for this development.



# Next Steps & Recommendation

- Consideration of Public Hearing Input
- Review of all Technical Comments and any updated reports
- Recommendation Report

## Public Hearing Committee Report Recommendation:

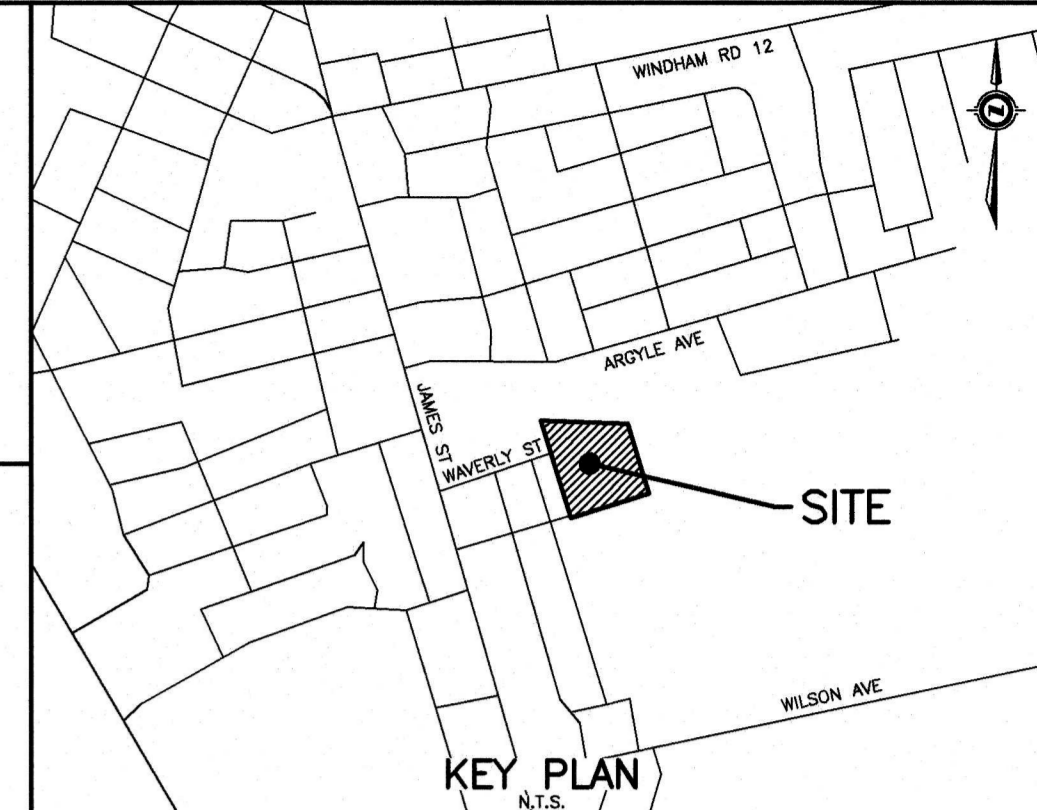
*THAT staff Report CD 24-008 for development applications 28TPL2023390 be received for information;*

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

File No.

SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.

SUBDIVISION AND SPECIAL PROJECTS APPROVAL AUTHORITY NORFOLK COUNTY



DRAFT PLAN OF SUBDIVISION

PART OF LOT 24 CONCESSION 12 GEOGRAPHIC TOWNSHIP OF WINDHAM (TOWN OF DELHI) IN NORFOLK COUNTY PARTS 1 AND 2 DEPOSITED PLAN 37R-3287

OWNER'S CERTIFICATE:

I HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION.

Declassified by: AKHTAR SYED LANDMARK HOMES INC. DATE: Dec 5, 2023

I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

JAMIE G. DOCKX ONTARIO LAND SURVEYOR DATE: DEC 5, 2023

LAND USE SCHEDULE

SINGLE FAMILY RESIDENTIAL - 45 LOTS	2.19 ha
BLOCK 46 - SWM POND	0.24 ha
BLOCK 47 - 5.0m STORM BLOCK	0.04 ha
ROADS - STREET 'A'	0.73 ha
TOTAL AREA	3.20 ha

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- (a) AS SHOWN ON PLAN
- (b) AS SHOWN ON PLAN
- (c) AS SHOWN ON KEY PLAN
- (d) SINGLE, MULTI-FAMILY RESIDENTIAL
- (e) AS SHOWN ON PLAN
- (f) AS SHOWN ON PLAN
- (g) AS SHOWN ON PLAN
- (h) MUNICIPAL WATER
- (i) SAND, GRAVEL, SANDY SILT
- (j) AS SHOWN ON PLAN
- (k) MUNICIPAL SERVICES
- (l) AS SHOWN ON PLAN

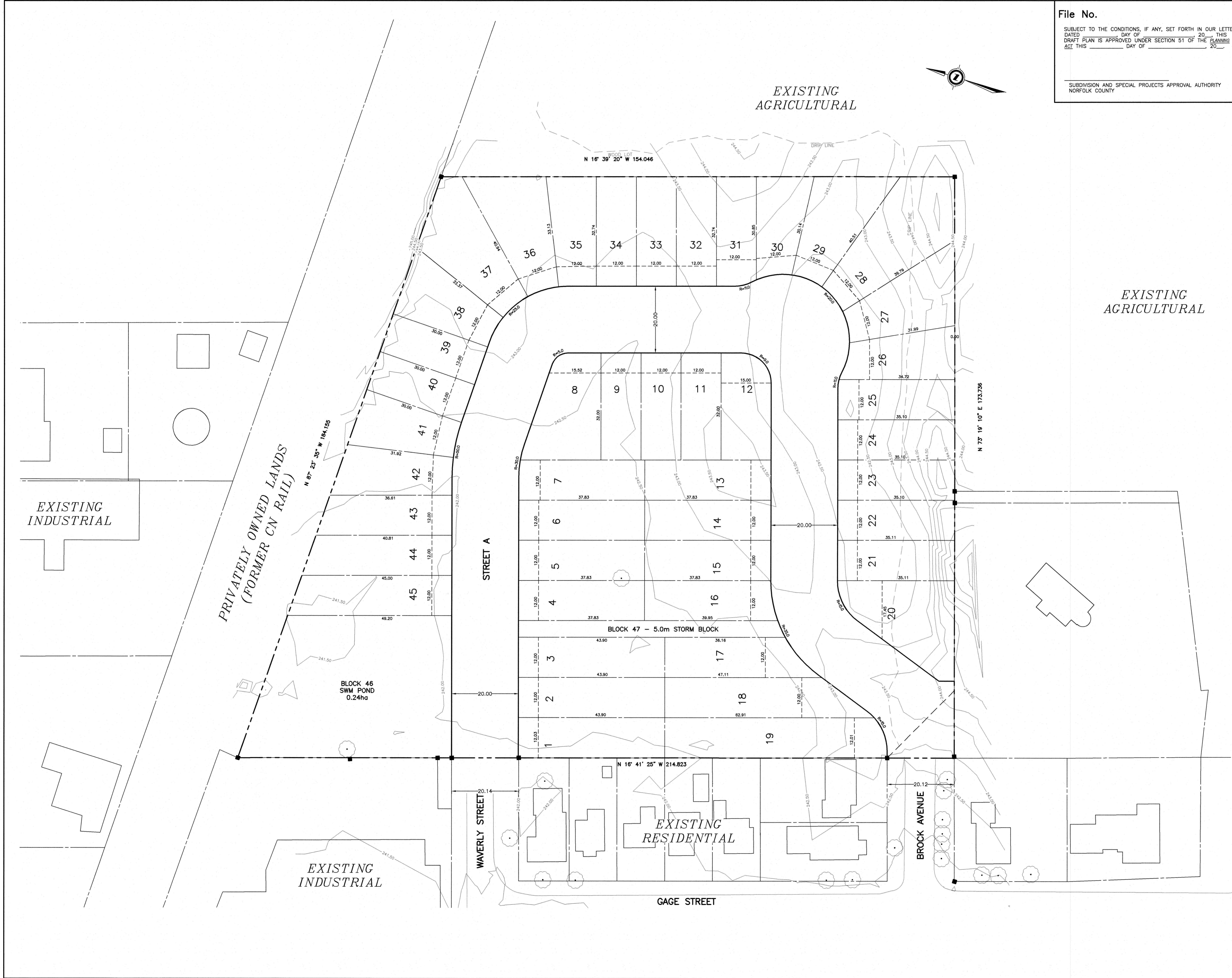
PROJECT: WAVERLY STREET, DELHI

LANDMARK HOMES INC.



No.	REVISION	DATE	BY

SCALE - 1 : 500 DATE 2023-12-08 PROJECT No. 22-5115



EXISTING AGRICULTURAL

EXISTING AGRICULTURAL

EXISTING INDUSTRIAL

EXISTING RESIDENTIAL

EXISTING INDUSTRIAL

PRIVATELY OWNED LANDS (FORMER CN RAIL)

BLOCK 46 SWM POND 0.24ha

BLOCK 47 - 5.0m STORM BLOCK

## **ATTACHMENT C**

### Technical Comments

#### **Agreements Coordinator – Reviewed**

Agreement Administrators Comments included in your planning recommendation report will be draft plan of approval conditions from County staff and external agencies for your subdivision development. One of these conditions will be the requirement of entering into a development agreement that will be registered on title at the owner's expense. Your draft plan conditions will need to be satisfied or cleared prior to the registration of your subdivision agreement and plan. Performance securities for public works infrastructure will also be collected as part of your subdivision agreement. The County will hold your performance securities to ensure that the development is completed in adherence with your approvals until after the maintenance period and assumption of the works.

The Holding (H) provision on your land zoning should remain in place until the Owner has detailed engineering plans acceptance, cleared draft plan of subdivision conditions, provided the accepted performance securities and registered the subdivision agreement on title.

#### **GIS – Reviewed**

Please contact NorfolkGIS for new civic addresses when building

#### **Development Engineering – Not Reviewed Yet**

#### **Zoning – Reviewed**

The lots are proposed to remain an R2 zone.

Lot size for SFD will use the R1-B zone provisions with requirements at a min lot frontage of 12.0m and lot area of 360 sqm. If lots will accommodate semis or duplexes, refer to the R2 zone, and lot sizes may be deficient.

If an active railway, please read below section 3.5 of zoning bylaw

#### **Building Separation from Railways**

The pertinent side yard and rear yard provisions contained herein shall not apply where an interior lot line is in common with a railway right-of-way boundary in which case the minimum separation distance between any building or structure and the railway right[1]of-way boundary shall be as follows:

- a) for any dwelling unit, institutional use, hotel, motel, motor hotel, hospital, school – 15 metres;
- b) for any industrial, commercial or agricultural building requiring direct rail loading facilities, or for any building or structure accessory to any permitted use – 0 metres;
- c) all other buildings – 6 metres.

### **Building – Reviewed**

In regards to ZNPL2023390, The building department has reviewed the proposal and has NO comments or conditions.

Building permits will be required.

No Ontario Building Code review has been completed at this time and will be done at permit application stage.

Please reach out to the building department as you get closer to having the planning and applicable approvals in place and staff will be happy to assist you with information on preparing for the building and septic permit stage of the project.

All general permitting inquires: by email: [permits@norfolkcounty.ca](mailto:permits@norfolkcounty.ca) or by phone: 226-NORFOLK (226-667-3655) Ext 6016

### **Fire – Reviewed**

Norfolk County Fire Department has the following comments on this proposal:

- Adequate access to be provided for fire department apparatus, keeping in mind required turning radius
  - Ensure roads are an adequate width for any proposed on-street parking to allow for the access
- Ensure hydrants are provided as per OBC 3.2.5.

### **Social Services and Housing – Reviewed**

Social Services and Housing supports the addition of more affordable housing options in our community.

### **Canada Post – Reviewed**

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

### **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 that are self contained and fully functional as their own unit, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications. If the development is a nursing home with just room and a common amenity area then mail delivery will be just 1 mail drop at the counter.

### **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).

**Please see Appendix A for any additional requirements for this developer should Canada Post need to install a Community Mailbox.**

### **Fire – Reviewed**

Norfolk Fire has the following comments for this proposal:

- Ensure there is adequate access for fire department apparatus through the site and that road widths take into consideration street parking.
  - Particular attention should be paid to curves/corners and parking proximity to these areas- please keep the turn radius in mind.
- Ensure there is an adequate number of hydrants spaced appropriately.

### **Realty Services – Reviewed**

The County will require a postponement of any Charge(s)/Mortgage(s) on title to the County's Site Plan/Development Agreement. We recommend that you connect with your lender(s) and/or solicitor as early in the process as possible to avoid any delays.

### **Paramedic Services – Reviewed**

No comments from Paramedic Services.

### **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:

### **Bell Canada Condition(s) of Approval**

1) 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.

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

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

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

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

### **Concluding Remarks:**

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.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

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 Bell's responses and for any of the content herein.

## **Grand Erie District School Board – Reviewed**

Thank you for the opportunity to review and provide comments regarding the above noted file.

Please find below the comments from the Grand Erie District School Board (GEDSB).

- The subject lands are within the school boundary for Delhi Public School (JK-8) and Delhi District Secondary School (9-12). Currently the schools are at 93% and 112% capacity utilization, respectively.
- With the proposed plan to develop 45 single family dwellings, the schools may not have space to accommodate all the students generated from this development.
- We request that the following be included in the conditions of draft approval;
  - That the Owner/Developer must agree in the Subdivision Agreement to notify all purchasers of residential units and/or renters of same, by inserting the following clauses in all offers of Purchase and Sale/Lease:
  - “Despite the best efforts of the Grand Erie District School Board (GEDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school.”
- Please ensure that sidewalks are included within the development to provide safe access for students to the nearby schools or bus stop locations.

## **Ministry of Transport (MTO) - Reviewed**

Thank you for providing the MTO with the opportunity to review and provide comments.

The proposed work within Norfolk County is not located adjacent to a provincial highway or within MTO’s Permit Control Area, and as such, does not require MTO review, approval or permits.

## **Enbridge – Reviewed**

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.’s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

## **ATTACHMENT D**

### Public Comments

Sent: Wednesday, January 24, 2024 10:29 AM

Subject: Proposed subdivision

Attention: Mohammad Alam

Please note this is in response to the notice received regarding the application for a subdivision and zoning bylaw, roll number 3310491024486000000.

We are concerned about the impact this subdivision will have on the wildlife in this area. Currently the wooded area is home to countless species of wildlife including foxes, raccoons, possums, black and grey squirrels, rabbits and a variety of birds. Is the wooded area being removed or incorporated into the plan? Has any consideration been given to preserve the wooded area?

Will the subdivision be tying into the existing sewer system? It is our understanding that the current sewer system is 50 plus years old. Is the county prepared to update the existing system?

The Brock Ave road is one of the worst in the county. How much worse will it be after hundreds of trucks go into the area during construction? Has Norfolk County budgeted for new roads in this area?

This parcel of land was originally zoned agricultural, then industrial, now residential. When the property was rezoned industrial, Philip Wills and Jim Hantz were granted a court order stating that a roadway would not be extended into the property by the Brock Ave access point. Has this order been rescinded? The lawyer on record was John Hanselman, who is still practicing law in Delhi.

Do we need another subdivision in Delhi to accommodate 45 houses? A large subdivision by Croton Ave and Dalton Road was just approved by council for the construction of hundreds of houses as well as the Bluegrass subdivision which is still under construction. Should we be removing one more green space just to put up 45 houses?

We hope the planning department considers the points we have brought up before approving this application. We do not feel this subdivision is in the best interest of the community.

Elizabeth Huyge

Jim Hantz/Linda Hantz



## **ATTACHMENT E**

### **Existing Policies and Zoning Considerations**

#### **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.

Land Use Compatibility: Section 1.2.6.2 identifies that development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

### **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 45-units single-detached dwellings will be further reviewed for the alignment with this housing policies.*

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 5.4 identifies policies relate to the physical design of communities, including new applications within the County for development, such as plans of subdivision, infill development proposals, and site plans. This policies will be further analyzed during the recommendation report.

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.

Protected Industrial Designation: The subject lands are located adjacent to Protected Industrial Zone. Section 7.12.1 of the official plan requires that Separation distances between sensitive land uses and Protected Industrial uses shall be required to provide a higher standard of amenity in terms landscaping building materials and outdoor storage which shall be implemented through the Zoning By-law, as a condition of draft plan approval and/or through site plan control and may include measures such as:

- i. building orientation, design and setbacks;
- ii. landscaping and screening;
- iii. access controls;
- iv. road improvements and widenings;
- v. restrictions on the range of permitted uses; and
- vi. restrictions on outside storage.

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

### **Zoning By-law 1-Z-2014 and any Proposed Amendments**

The subject lands are currently zoned as “Urban Residential Type 2 (R2)”.

Permitted Uses in R2-A zone:

- a) *dwelling, single detached*
- b) *dwelling, semi-detached*
- c) *dwelling, duplex*

- d) *bed & breakfast*, subject to Subsection 3.4
- e) *day care nursery*
- f) *home occupation*
- g) *accessory residential dwelling unit*, subject to Subsection 3.2.3.

The Zoning By-law 64-Z-2019 was approved by the Council in 2019 to change the historical zoning from General Industrial Zone (MG) with a holding (H) to Urban Residential Type 2 Zone (R2) with a holding (H). The holding (H) was imposed for a Record of Site Conditions to be completed before any development to this site.

The Draft Plan of Subdivision is associated with the holding (H) removal request. No other zoning change has been proposed to the subject lands.

***Planning Comments:*** Holding (H) removal is a delegated approval process and shall not go through a Public Hearing meeting. Staff will initiate the holding (H) removal once a record of Site Conditions is successfully completed.