

**CD-24-001 – 28TPL2023316 – Gardens of Delhi(formerly Ryder Subdivision),
Delhi**

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

Provincial Policy Statement, 2020

The Provincial Policy Statement is intended to be read in its entirety, and the relevant policies are to be applied in each situation. Part IV: Vision for Ontario's Land Use Planning System provides the overall context for Ontario's long-term prosperity and social well-being. It states that efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities.

The subject land is within the settlement area as defined in the Provincial Policy Statement. Section 1.1.3.1 states that Settlement areas shall be the focus of growth and development. Section 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 of the PPS states, "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."

Policy 1.4.3 of the PPS states, "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 through subsections a), b), c) d) e) and f).

The PPS defines Special needs as "any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for

persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.”

Planning Comments: *The subject lands are located within the Urban Area of Delhi. The lands were previously approved for 147 lot subdivision consisting of single detached dwellings exclusively. Due to current housing demand, the applicant has provided an updated draft plan of subdivision which looks to create a total of 368 residential lots. The plan consists of a variety of housing types, including single detached dwellings, townhouse dwellings and dual frontage townhouse dwellings.*

Section 1.6 of the PPS outlines policies surrounding Infrastructure and Public Service Facilities. Policy 1.6.1 b) states that infrastructure and public service facilities are to be integrated with land use planning and growth management while meeting current and projected needs.

Section 1.6.6 of the PPS outlines policies surrounding Sewage, Water and Stormwater.

Policy 1.6.6.1 a) outlines that planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

- 1) Municipal sewage and municipal water services; and
- 2) Private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;

Subsection d) outlines that sewage and water services shall be integrated and considered throughout all stages of the planning process.

Policy 1.6.6.2 of the PPS states, that municipal sewage and water services are the preferred form of servicing for settlement areas to minimize potential risks to human health and safety. Within settlement areas existing municipal sewage and water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of services.

Policy 1.6.6.3 of the PPS states, that where municipal sewage and water services are not available, planned or feasible, private communal sewage services and private communal *water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

Planning Comments: *The proposed residential subdivision is to be fully serviced (both water and sewage) by the municipality. Staff are of the opinion that the proposed residential subdivision and Zoning By-Law Amendment are in conformity with the Planning Act and the PPS.*

Norfolk County Official Plan

The subject lands are currently designated “Urban Residential” in the Norfolk County Official Plan.

Section 2.2.3.2 of the Official Plan outlines objectives surrounding Maintaining and Enhancing the Rural and Small Town Character, in which policy e) states that “Develop land use patterns in the Urban Areas that are compact and efficient”.

Section 2.2.4.2 outlines the objectives of maintaining a high quality of life in that the County must provide a variety of housing forms, tenures and levels of affordability through development, redevelopment, intensification and infilling projects.

Planning Comments: *The proposed development consists of a variety of single detached dwellings and townhouse dwellings. The proposal includes a park and will look to increase the housing supply within Norfolk, specifically within the Urban Area of Delhi.*

Section 5.3 b of the Norfolk County Official Plan outlines policies surrounding Housing. This section outlines that the County is to ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change, while meeting the social, health and well-being of both current and future residents, including those with special needs.

Section 5.3.1 Residential Intensification f) outlines a list of criteria in which infill development, intensification and redevelopment of sites is based on. The criteria is as follows:

- i. The development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;
- ii. The existing water and sanitary sewer services can accommodate the additional development;
- iii. The road network can accommodate the traffic generated;
- iv. The proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood;
and
- v. The proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land.

Planning Comments: *A Traffic Impact Study (TIS) has been submitted as a part of the application. Greater details within the TIS may be required during the Site Plan Stage. The proposed residential subdivision would provide a high density form of housing within the Urban area of Delhi.*

Section 6.4 b) i) of the Norfolk County Official Plan outlines that Urban areas will incorporate a full range of housing types, including affordable and special needs housing.

Section 6.5.3 outlines policies pertaining to the Urban Area of Delhi. The Official Plan outlines that the County will support and promote the continued development of Delhi as the third largest Urban Area in the County and that the County supports the development of full range of housing types in the Delhi Urban Area, including affordable and special needs housing

Section 7.7.2 of the Norfolk County Official Plan outlines the land use policies of the Urban Residential Land Use designation of the Norfolk County Official Plan. Section 7.7.2 a) states that “Single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare (uph).” Section 7.7.2 b) states that a “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;
- in developments incorporating walk-up apartments, block townhouse dwellings and medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required;
- 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;

Planning Comments: *The proposed residential development would bring a total of 368 residential lots to the Urban Area of Delhi. The 368 lots consist of 123 single detached dwellings, 184 townhouses and 61 Dual Frontage townhouses. The proposed development would increase the housing supply, as well as housing options, in Norfolk County. As outlined above, this development will help the County meet its 15% targets as outlined above.*

Section 8.9.1 outlines the policies surrounding Services in the Urban Areas of Norfolk County. Subsection c) states, all development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems.

Section 8.9.3 outlines the policies surrounding Servicing allocation and phasing. Subsection a) states, when unallocated servicing capacity does not exist for a proposed development, the County shall defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.

Planning Comments: *Staff are of the opinion that the proposed residential subdivision and Zoning By-Law Amendment are in conformity with the Norfolk County Official Plan.*

Norfolk County Zoning By-Law 1-Z-2014

The Subject lands are currently zoned Urban Residential Type 1 (R1-A) with a Holding and Urban Residential Type 2 (R2) with a Holding (H) on the property in the Norfolk County Zoning By-Law.

Section 5.1.1 of the Norfolk County Zoning By-Law 1-Z-2014 outlines the permitted uses in the R1-B Zone. They are as follows:

- 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.

Section 5.4.1 of the Norfolk County Zoning By-Law 1-Z-2014 outlines the permitted uses in the R4 Zone. They are as follows:

- 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
- f) *accessory residential dwelling unit*, subject to Subsection 3.2.3.[7-Z-2020]

Section 9.1.1 of the Norfolk County Zoning By-Law 1-Z-2014 outlines the permitted uses in the Open Space (OS) Zone. They are as follows:

- 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.

The application looks to add a storm water management pond as a permitted use within the OS zone and to include ‘Dual Frontage Townhouses’ as a permitted use within the R4 Zone. The application further seeks to apply a Special Provision Number to the subject lands to accommodate relief of lot provisions and yard provisions as follows:

Part 1

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

Zone Provisions

- a) Minimum Lot Area:
 - Interior Lot – 233m²
 - Corner Lot – 340m²
- b) Minimum Lot Frontage:
 - Interior Lot – 9.0m
 - Corner Lot – 12.0m
- c) Minimum Front Yard – 4.4m
- d) Minimum Rear Yard – 6.0m
- e) Minimum Interior Side Yard – 1.2m on one side / 0.8m on the other side
- f) Minimum Exterior Side Yard – 2.0m

Part 2

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

Zone Provisions

- a) Minimum Lot Area:
 - Corner Lot – 225m²
- b) Minimum Lot Frontage:
 - Interior Lot – 6.0m
 - Corner Lot – 8.5m
- c) Minimum Front Yard – 4.4m
- d) Minimum Rear Yard – 6.0m

- e) Minimum Exterior Side Yard – 2.0m

Part 3

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

Permitted Uses

- a) Dual Frontage Townhouses – Shall mean a townhouse dwelling which is fronting on a public street with pedestrian access only and a driveway access from the rear yard.
- b) Home Occupation
- c) Accessory Residential Dwelling Units

Zone Provisions

- a) Minimum Lot Area:
 - i. Interior Lot – 147m²
- b) Front Yard:
 - ii. Attached Garage – 2.0m
- c) Rear Yard:
 - iii. 0.0m

Part 4

In addition to the uses permitted in the OS Zone the following uses shall also be permitted:

- a) Stormwater Management Pond