

**Attachment B – Existing Planning Policy and Zoning Considerations**

**Planning Act**

Section 2 of the Planning Act outlines matters of provincial interest to which local boards shall have regard to, in carrying out their responsibilities that include but are not limited to:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (h) the orderly development of safe and healthy communities;*
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) 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;*

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.

**Provincial Planning Statement 2024 (PPS)**

The Provincial Planning Statement, 2024 (PPS) provides policy directions on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

Policy 2.1.6. states that *“Planning authorities should support the achievement of complete communities by:*

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

Policy 2.2.1 states that *“Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area”* by permitting and facilitating *“all types of residential intensification; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities; and requiring transit supportive development and prioritizing intensification in proximity of transit including corridors and stations. .*

Policy 2.3. outlines that Settlement areas shall be the focus of growth and development. *“Land use patterns within settlement areas should be based on densities and a mix of land uses”* that efficiently use land and resources as well as optimize existing infrastructure.

Policy 3.1.3 states that *“Infrastructure should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety”.*

Policy 3.6.2. states that *“Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety”.*

Policy 3.6.8. outlines that *“Planning for stormwater management shall :*

- b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
- c) minimize erosion and changes in water balance including through the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces;*
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale”.*

## Norfolk County Official Plan

The subject property is designated “Urban Residential” in the County’s Official Plan and located within the hamlet settlement area of Delhi.

The Official Plan policies outline the role of local government in facilitating the collaboration between all levels of government and the private sector to provide affordable housing and maintain a stable residential housing market.

Pursuant to policy 5.3. of the Official Plan defines “Affordable housing” shall mean:

*a) In the case of ownership housing, the least expensive of housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;*

*b) In the case of rental housing, the least expensive of: a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or a unit for which the rent is at or below the average market rent of a unit in the regional market area.*

Policy 5.3. .c) states that “ *The provision of housing that is affordable and accessible to low and moderate income households shall be a priority. The County shall target that 25 percent of all new housing provided throughout the County be affordable to low and moderate income households and that at least 10 percent of all new units be affordable to low income households*”.

Policy 5.3.c) states that “*The County shall encourage the provision of affordable housing through:*

- i) supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, redevelopment and residential intensification, where practical;*
- ii) the timely provision of infrastructure in the Urban Areas;*
- iii) supporting the reduction of housing costs by streamlining the development approvals process;*
- iv) negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;*
- v) considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form;*  
*and*

### **Planning comments**

Haldimand-Norfolk Housing Corporation (HNHC) is a publicly owned community housing provider. As per Council-In-Committee report HSS-24-016 - HNHU Updated Regeneration Strategy (dated April 9, 2024), Council approved the subject

development referred to as Delhi New Development project to provide sixteen (16) units of community housing, including a minimum of ten (10) rent-geared-to-income (RGI) units. Norfolk County Council agrees to provide zoning bylaw amendment, committee of adjustment and site plan fees towards the proposed affordable housing.

The proposed development consists of a 3 storeys apartment providing for (25) affordable housing units including a minimum of (10) rent-geared-to-income units on 0.24 hectares of land located at the intersection of Gibraltar Street and Ewell Street. The increased number of affordable housing units is intended to secure the zoning by-law amendment approval that allows for the maximum permissible residential density.

Upon further assessment of the project financial viability and available funding by the County's Housing and Finance services, the determination of affordable housing units will be made at the time when the project is approved by Council and/or when the project is approved for any capital funding.

Canada Mortgage and Housing Corporation (CMHC) defines affordable housing as housing for low to moderate income households that cost less than 30% of a household's income that includes all forms of tenure. As per the Ministry of Municipal Affairs and Housing (MMAH), affordable housing has provided rental units with rents maintained at or below 80% of average market rent for at least 20 years.

Any public funds through Norfolk County or Canada Mortgage and Housing Corporation (CMHC) that are provided for the proposed development are subject to a funding agreement to be registered on title specifying the requirement for the long term affordability requirement of the housing units to be maintained at least 20 years below average market rent as determined by Canada Mortgage and Housing Corporation in accordance with the resolution that was passed by Norfolk County Council.

Overall, the proposed development aligns with the affordable housing definition of the Official Plan, supports the achievement of the affordable housing targets and the reduction of housing costs by streamlining the approval process.

Policy 5.3.h) of the Official Plan states that "The County shall develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures".

Policy 5.3.1.a) states that Housing shall, in part, be provided through urban residential intensification, which may include infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density.

Policy 5.3.1. b) states that “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”.

### **Planning comments**

The subject lands are located at the intersection of Ewell Street and Gibraltar Street. A bus stop is located at the same intersection.

Surrounding land uses include predominantly medium density residential uses and institutional uses consisting of a long-term care facility and a retirement community.

The subject lands are less than 150 metres from James Street (provincial highway) that is a main mixed-use corridor in the Delhi settlement area.

Residential infill on the subject lands is considered appropriate for intensification and affordable housing supply that aligns with the County’s residential intensification targets that apply to “Housing options” and affordable housing. The proposed residential infill provides an opportunity to increase residential density within an existing neighborhood that is connected to public transportation and in proximity to public services.

Policy 5.3.1. f) states that *“The County shall consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:*

- 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**

The subject lands are within the built-up area of the settlement area of Delhi which is intended for residential intensification and the utilization of existing infrastructures.

The proposed development aligns with the Grow Norfolk intensification target of 30% in the urban areas for new residential dwelling units and the objectives of the Community Improvement Plan, more specifically encouraging the construction of a range of housing types and the construction of affordable housing, in support of the goals of the Haldimand Norfolk Housing and Homelessness Plan (2020-2030).

The Functional Servicing Report prepared by G. Douglas Vallee Limited (dated May 1, 2025) provides servicing estimates for water and sanitary flows. Water and sanitary modelling are required to provide confirmation that the proposed development can be adequately serviced which is not provided as part of the submission and will be subject to a Holding provision.

The Stormwater Management Report provided by G. Douglas Vallee Limited (dated May 1, 2025) provides that runoff from proposed development will be detained in an underground SWM chamber facility where minor and major storm events (2-year to 100-year storms) will be conveyed. Runoff released from the storage facility will be conveyed to the existing 450mm storm sewer on Gibraltar Street. The report provides additional measures for post-development peak flow and quality control for the proposed development.

The applicant provided a Traffic Impact/Parking Brief prepared by R.C. Spencer Associates Inc (dated May 2, 2025). The development will be serviced via one driveway access at Gibraltar Street.

The report provides an assessment for parking demand based on HNHC data that accurately represents the local demand for affordable units and evaluates transit and active transportation based on the metrics of affordable housing and area characteristics.

The Traffic Impact/Parking Brief concludes that *“the addition of site generated traffic will have nominal impact on Gibraltar Street. Furthermore, it is the engineers’ opinion that the proposed on-site parking supply of 28 parking spaces should adequately accommodate the peak parking demand generated by the subject affordable housing development proposal”*.

It is a policy of the Official Plan to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as neighbourhood facilities in the Urban Residential Designation.

Policy 7.7.2. b) states that *“New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:*

- i) the density, height and character of the development shall have regard to adjacent uses;*
- ii) 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;*
- iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;*

- iv) *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;*
- v) *the development is adequately serviced by parks and school facilities;*
- vi) *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;*
- vii) *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;*
- viii) *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*
- ix) *triplexes, fourplexes, freehold street townhouses or other similar small-scale developments, may be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan”.*

### **Planning comments**

The proposed development is located at the intersection of two local roads. Surrounding uses include low residential buildings consisting of 2 storey duplex dwellings, semi-detached dwellings and a future medium density development of (30) townhouses.

Southern lands include institutional uses that provide considerable setbacks from the public right-of-way and no building incumbrance at the exterior site yards.

The development is accessed from Gibraltar Street (local road) and the Traffic Impact study provide that *“the addition of site generated traffic will have nominal impact on Gibraltar Street”*.

Planning staff note that the “proponent” as referred to in policy 7.7.2. b)iv) is Haldimand-Norfolk Housing Corporation (HNHC) which represents the County. Therefore, the extension of services and water and sanitary modelling required to provide confirmation that the proposed development can be adequately serviced will be subject to a Holding (H) provision in the zoning by-law.

The development provides landscaped buffers in the required yard setbacks. Planning notes that future development is subject to a site plan control (SPC) application.

Policy 8.9.1. c) states that *“All development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems”*.

Policy 8.9.1. d) states that *“In Urban Areas, priority shall be given to the development of land that is presently serviced by watermain and sanitary sewer systems, or those areas that can most easily be serviced, at minimal expense”*.

Policy 8.9.1. e) states that *“Infilling of vacant areas within the Urban Areas which are already provided with full municipal services is encouraged, and shall be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction”*.

**Planning comments:**

Planning staff note that the development meets the intent of the services in urban areas policies of the Official Plan provided that servicing capacity and the extension of services feasibility are confirmed.

Policy 5.4. outlines that safe and attractive neighbourhoods contribute to the overall community health of the County.

Policy 5.4.a) states that *“the County shall seek to maintain and improve the physical design characteristics of the Urban Areas in the context of new and existing development and stress a generally high quality of settlement design throughout the County”*.

**Planning comments:**

The proposed development is subject to site plan control process to ensure the improvement of the physical character of the existing neighborhood, cohesive design with the existing built environment, and the implementation of technical engineering requirements.

**Zoning By-Law 1-Z-2014**

The proposed development requires a rezoning from Urban Residential Type 2 (R2) zone to Urban Residential Type 5 (R5) Zone that allows for apartment dwellings.

The following zoning by-law compliance review is provided to determine the zoning by-law deficiencies of the proposed development that are subject to the proposed special provisions in the R-5 zone.

	<b>Zoning by-law requirement</b>	<b>Proposed</b>
<b>Section 5.5. Urban Residential Type 5 Zone (R5)</b>		
<b>Section 5.5.2. Zone Provisions</b>		
minimum lot frontage	30 m	39.1 m
minimum front yard	3 m	5.8 m
minimum exterior side yard	3 m	3 m
minimum interior side yard	3 m	20 m



minimum rear yard	9 m	3 m
maximum building height	(5) storeys [6-Z-2018]	(3) storeys
<b>Section 3.31 Sight Triangle</b>		
3.31.2 A sight triangle shall be measured back from an intersection a distance of 9 metres along the street lines.	9 m setback	8.5 m setback
<b>Section 4.9. Number of parking spaces</b>		
a) apartment dwelling	1.5 parking spaces for each dwelling unit = 38 parking spaces	20 parking spaces
f) visitor parking	1 visitor space for every 3 dwelling units = 8 Parking spaces	6 parking spaces
<b>Section 4.3.3. Accessible Parking Spaces</b>		
Number of parking spaces 26-50	(1) Type A (1) Type B	(1) Type A (1) Type B
<b>Total parking spaces</b>	<b>48 parking spaces</b>	<b>28 parking spaces</b>
Section 4.2.4. b) for group townhouses and apartment dwellings, no parking lot shall be located closer than 3 metres from any dwelling on the lot or of any interior lot line abutting another residential Zone;	3 m	1.9 m

A Holding (H) provision is to be placed on the subject lands until the extension of water and sanitary services and confirmation that the proposed development can be adequately serviced.

Overall, the proposed development is consistent with the Provincial Planning Statement, conforms with the intent of the applicable Official Plan policies and complies with the zoning by-law subject to the fulfilment of the Holding provision requirements.