

## Attachment B: Technical Comments

### Zoning Review

This development is zoned R4 with special provision 14.1022

Zoning deficiencies:

- Block 1 – Rear yard setback of 4 meters (6m required), Lot frontage of 3.7m
- Block 2 – Rear yard setback of 4.24 meters (6m required)
- Block 3 – Rear yard setback of 4 meters (6m required)
- Block 4 – Rear yard setback of 4.48 meters (6m required)
- Block 5 – Rear setback of 4 meters (6m required)
- Block 6 - Rear yard setback of 11.54m (13m required)
- Block 7 – Rear yard setback of 11.54m (13m required)
- Block 8 – Rear yard setback of 12.88m (13m required)
- Block 9 – rear yard setback of 4.11 meters (6m required)
- Block 10 – rear yard setback of 4.54 meters (13m required)
- Block 11 – rear yard setback of 5.62 meters (13m required)
- Block 12 – rear yard setback of 4.39m (6m required)
- Block 13 – rear yard setback of 4.10m (13m required), Lot frontage of 5.7m (6m required)
- Block 14 – rear yard setback of 10.98m (13m required), Lot frontage of 5.6m (6m required)
- Block 15 – rear yard setback of 10.98m (13m required)

Additional Comments:

-Rear decks will most likely require additional planning application to permit them on some of the blocks with reduced rear yard setbacks

-Lot frontage is based on the numbers provided on the site plan drawing. No dimensions have been provided on the site plan to verify.

-Please refer to special provision 14.1022 and the provisions of the R4 zone. The R4 zone requires a 13 meter rear yard setback where there are no attached garages. A 6m rear yard setback is permitted for some of the blocks as per special provision 14.1022. The zoning table on the site plan is not taking this special provision into consideration and is inaccurate.

*Planning staff comment: the plan has been revised and the applicant has provided the draft zoning by-law to outline clearly what relief is requested.*

### Development Engineering

Engineering has no objection to the requested re-zoning, however concerns have been raised with respect to the loss of front yard landscaping for the accommodation of on-lot parking. Future owners may well experience challenges

with snow removal and storage and despite the suggestion to include purchaser warning clauses, operational concerns may well be raised to the County.

As part of the rezoning application – an updated Traffic Impact study was submitted that reviewed the additional traffic generation from the increased number of units (+86) along with the additional traffic from 487 Norfolk Street South (given that this location was proceeding through LPAT). The findings indicate that the intersection will continue to operate at an acceptable level of service with the additional demand placed on it. Staff is aware of some of the current challenges at the Norfolk Street South and Decou Road intersection and will be suggesting some operational/functional changes (regardless of any additional area development) as a capital undertaking within the capital forecast.

Furthermore, the storm water management design was reassessed with the additional hardscaping introduced as part of the rezoning application and no modifications to the storm water management approach are required. Water and wastewater services to the area are capable of meeting the needs of the additional dwelling units and hardscaping changes.

Engineering does recommend the addition of warning clauses on the purchase and sale agreements for these units – advising owners that snow storage on the lot may be limited and pose challenges during the winter months. Unit purchasers are encouraged to make use of Ride Norfolk to reduce their reliance on travel by auto. Unit purchasers will be advised on the local pick-up points for Ride Norfolk and of the current schedule for consideration prior to lot purchase.

Through the subdivision agreement update, staff will also add the condition to install a sidewalk/walkway along the south of Decou Road between Butternut Drive and Norfolk Street South to improve walkability within the area and to reduce the reliance on auto travel for short trips to area conveniences.

\*\* Update – since the Public Hearing meeting, Engineering staff did engage with the applicant to discuss (high level) opportunities within the plan area to create off-street visitor and/or required resident parking, in particular the area north of Block 11, wherein some space appeared available. While it would be possible to create approximately 8 off-street parking spaces in this area, the work would require a reconfiguration of the grading and drainage plan (to address drainage needs) and the construction of an extended retaining wall to address the grade differential between the development lands and the lands to the west.

Additionally – consideration needs to be given to the Operational costs and administration of managing a parking lot for the benefit of the area. Due consideration needs to be given to the matters of:

- Winter maintenance (plowing)
- Garbage control
- Lighting of the lot

- Possibly introducing a 'permit system' to control use and deter improper use

The developer has expressed a willingness to explore this opportunity further if need be, however, the County does need to consider and develop an action plan for the long-term operational issues associated with this option should it wish to pursue this further.

Engineering has also reviewed the proposed use of a 'green parking' stall within the residential lot and, if approved, would require the addition of a warning clause and conditions within the subdivision agreement to:

- Inform the purchaser of the purpose and intent of the green parking stall and
- To oblige the purchaser to maintain the green parking stall and to not pave over or otherwise harden its surface as doing so would place the lot into non-conformance with the zoning bylaw.

In reflecting back to the Zoning amendment granted in 2022, the provided traffic study and parking assessment report submitted in support of that application, indicated that the built form would provide a garage in compliment with the driveway. The Zoning Bylaw and its provisions for R4 Zoning in fact do not permit parking in the front yard unless a garage is provided with the built form. When a garage is provided, then a parking space may be permitted in the driveway leading to the garage. This provision was most likely adopted to encourage the provisions of a garage and (ideally) minimize the number of vehicles parked in the front yard of the homes.

#### Zoning By-law Provisions:

##### 4.2.3 Residential Parking Area

For Urban Residential Type 1 to 4 Zones (R1 to R4), the following shall apply:

- a) within a front yard or exterior side yard, motor vehicles shall only be parked on a driveway, in a parking space or private garage [7-Z-2018];
- b) not more than one (1) required parking space may be located within the required front yard or required exterior side yard [7-Z-2018];
- c) vehicles shall not be parked within any landscape area [7-Z-2018];

##### 4.2.4 Other Provisions

- a) For tri-plex dwellings, duplex dwellings, four-plex dwellings, **street townhouses**, stacked townhouses, and boarding or lodging houses, **required parking spaces shall be prohibited within the required front yard** or required exterior side yard; **except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space subject to the size requirements** herein;

Sketch of possible off-road parking lot:



## Building

The building department has reviewed the proposal and has NO conditions.

No Ontario Building Code review has been completed at this time and will be done at the 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

Please refer to our website for current forms, and fees.  
<https://www.norfolkcounty.ca/business/building/>

## **GIS**

Please contact NorfolkGIS for new civic addresses when building.

You can apply for a new civic address [here](#). If a green sign is required in order to issue you an address (generally anywhere outside of an urban area) you will have to call Norfolk County Customer Service after applying to make payment before the address is issued (519-426-5870 or 226-NORFOLK). If you would like to apply for a new Civic Address because you are planning to build on a vacant parcel of land, this is dealt with as part of the building permit process. The building inspector can provide you with a copy of a Civic Address Request Form or it can be downloaded [here](#). On the form there are several areas that need to be filled out with information, and a sketch showing the lot layout of the property for which the Civic Address is being requested. A sample sketch will be included with the form.

## **Agreement Administrator**

Staff suggest the Holding (H) provision remains in place on your land zoning until either the pre-servicing agreement or the subdivision agreement has been executed and registered on title.

## **Norfolk County Fire Department**

Norfolk Fire has the following comments for this revision:

- Ensure adequate access for fire apparatus is maintained
- Special consideration needs to be given for the amount of bends in the proposed roadway as this will significantly impact emergency response if there is to be on-street parking
- Notify NCFD if electric vehicle charging or battery storage (e.g. Tesla wall) infrastructure is being provided

## **Union Gas**

ZBA - Enbridge Gas does not object to the proposed application(s), however, we reserve the right to amend or remove development conditions.

Please always call before you dig, see web link for additional details:  
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

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

It is Enbridge Gas Inc.'s request that prior to registration of the plan, the Owner shall make satisfactory arrangements with Enbridge Gas Inc. (Enbridge Gas) to provide the necessary easements and/or agreements required by Enbridge Gas for the provision of local gas service for this project. Once registered, the owner shall provide these easements to Enbridge Gas at no cost, in a form agreeable and satisfactory to Enbridge Gas.

## **Bell Canada**

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 [circulations@bell.ca](mailto:circulations@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

The Owner acknowledges and agrees that it is the responsibility of the Owner to provide entrance/service duct(s) at their own cost 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 shall 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.

## **Grand Erie Public Health (GEPH)**

Grand Erie Public Health (GEPH) has a vested interest in new developments in Haldimand/Norfolk County from a number of perspectives that can impact the health of the community. Comments for this proposal are as follows:

- GEPH encourages developments that make it easier for people to choose active forms of transportation (walking, cycling, wheeling) for short trips. The development is within 1km of schools, a grocery store, and leisure opportunities (i.e. Brook Conservation Trail Access).
- GEPH supports sidewalks within the development (aligned with Norfolk County's Sidewalk Policy) to enhance walkability and pedestrian safety.

Sidewalk connections and street crossings are encouraged to facilitate safe and active routes to schools.

- The proposed density and housing options are factors of a walkable community.
- A Ride Norfolk stop is available on Butternut Drive and Decou Road, providing residents another means of transportation.
- There is an acute need for affordable housing of all kinds in Norfolk County. Provided the proposed development meets the intent and purpose of applicable policy, by-laws, codes and servicing capacity, Housing Services is supportive of the establishment of new purpose-built rental units in the community.

### **Canada Post**

Please be advised that Canada Post does not have any additional comments on this application for the additional dwelling units, however, we will have to add more site locations or put out more than 3 modules on the side yards as we are limited to only a few side yards in the lower portion of this development. For 171 lots we will require 11 modules so we may have to have 4 modules on some side yards.

Canada Post will work with the developer on the site locations and requirements for the number of modules as the development progresses.

### **Hydro One**

No comments received.

### **Paramedic Services**

No comments from Paramedic Services.