



Town of Erin

# Corporate Report

<b>Department:</b> Planning & Development	<b>Report Number:</b> PD2024-18
<b>Business Unit:</b> Planning & Development	<b>Meeting Date:</b> 12/12/2024
<b>Presented/ Prepared By:</b> Jessica Peake, Senior Planner	

## Subject

Zoning By-law Amendment Z21-09, Hillsburgh Heights Inc., 5916 Trafalgar Road

## Recommendation

That report number PD2024-18 “Zoning By-law Amendment Z21-09, Hillsburgh Heights Inc., 5916 Trafalgar Road” be received for information;

And that Council approves the Zoning By-law Amendment Application by Hillsburgh Heights Inc., 5916 Trafalgar Road, and adopts By-law 24-54, to amend Zoning By-law 07-67, as listed on the December 12, 2024, agenda.

## Highlights

The purpose of the proposed Zoning By-law Amendment (Z21-09) is to rezone the property to permit the development of a plan of subdivision consisting of 195 single detached dwellings, 174 townhouse dwellings, an existing heritage dwelling, school block, park block and two stormwater management blocks. Future development lands have been zoned for single detached dwellings, townhouse dwellings and a commercial block. The exception zones establish site specific zoning provisions related, but not limited to, permitted uses, lot area, lot lines, setbacks, height, coverage and daylight triangles. Holding (H) provisions have also been proposed that will prohibit development until such time that adequate water and wastewater service is available, servicing allocation has been granted, appropriate zoning is in place and a Subdivision Agreement and / or Site Plan Agreement has been registered on title.

The proposed Zoning By-law Amendment is consistent with the new Provincial Planning Statement (2024), which is a streamlined land use planning policy framework that replaced both the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019). The proposed development is also consistent with the Greenbelt Plan (2017) and is in keeping with the intent of the County of Wellington and Town of Erin Official Plans. Additionally, the proposal adheres to the principles set out in the Town’s Urban Design Guidelines.

The applicant has worked with Town Staff to make appropriate revisions to the application, satisfying public and agency comments and concerns. The proposal represents appropriate greenfield development and will contribute to the mix of uses, provides an additional form of housing and affordability to the Town’s current housing

stock, and presents a built form that is compatible with the surrounding neighbourhood context.

Conditions of Draft Plan Approval related to the Draft Plan of Subdivision Application 23T-21002, will be presented to Council at a later date. This report reviews and recommends approval of the proposed Zoning By-law Amendment (Z21-09).

## **Background**

The applicant, Hillsburgh Heights Inc., has submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to permit a development consisting of 195 detached dwellings, 174 townhouse dwellings, an existing heritage dwelling, school block, park block and two stormwater management blocks. Future development lands have also been zoned for single detached dwellings, townhouse dwellings and a commercial block.

A Notice of Complete Application was issued by the Town of Erin for the Official Plan Amendment and Zoning By-law Amendment on November 30, 2021, and the applications were circulated December 1, 2021. A Notice of Complete Application for the Draft Plan of Subdivision was issued by the County on February 9, 2022, and was circulated on February 11, 2022.

A Community Information Meeting was held on December 20, 2021 to introduce the proposed development to area residents. A Statutory Public Meeting was held April 14, 2022 to formally present the planning applications to Council and the general public, and receive initial input.

Since the Community Information Meeting and the Public Meeting, the applicant has made several revisions to the proposal to address comments received by Council, Town staff, commenting agencies, and members of the public. The revisions made to the proposal to address comments received include the following:

- Increasing the diversity of unit types and sizes and placing a portion of the lands within future development blocks with a holding provision, in order to comply with the County's Official Plan policies for affordable housing and bring the development closer to the minimum density target for Greenfield development;
- Adding fencing between this development and adjacent residential properties;
- Increasing the width of walkways and vista points;
- Reducing the length of townhouse blocks;
- Increasing the size of the park block;
- Refinement of the internal road network;
- Inclusion of a future commercial block;
- Inclusion of future residential development blocks; and
- Aligning the proposed development standards with the Urban Residential Zone Standards (UR1 and UR2) of the Town's Zoning By-law, as amended.

The public submissions and responses to those comments have been included in Appendix C to this report.

Official Plan Amendment (OPA 15) to redesignate certain areas of the subject property from 'Future Development' to 'Residential' was adopted by the Town of Erin on June 27, 2024, and approved by the County on October 2, 2024. OPA 15 was prepared in accordance with the County of Wellington's Official Plan Amendment (OPA 120) and Town of Erin's Official Plan Amendment (OPA 13), which were introduced to address the County-wide and municipal growth management requirements directed by the Province.

A detailed Zoning By-law Amendment, which is the subject of this report, has been prepared to ensure the ultimate built form is consistent with the plan of subdivision. Holding (H) provisions have also been proposed that will prohibit development until such time that adequate water and wastewater service is available, servicing allocation has been granted, appropriate zoning is in place and subdivision agreements and / or site plan agreement are registered on title.

The proposed Draft Plan of Subdivision to facilitate the proposed development will be brought forward to Council with Erin Conditions of Draft Approval at a later date which will address all technical and design requirements including, but not limited to, final built form, road network, servicing, stormwater management, and any other relevant matters, as deemed appropriate. Following Council approval of the Erin Draft Plan Conditions, they will be forwarded to the County who is the approval authority for plans of subdivision.

## **Discussion**

The lands subject of the proposed Zoning By-law Amendment are located at 5916 Trafalgar Road, legally described as Part of Lot 26, Concession 7, Erin, as in RO760763; Erin subject to easement in favour of The Corporation of the Town of Erin over Part 1, 61R8627 as in LT66248. The lands are located on the west side of Trafalgar Road, north of Upper Canada Drive, within the Hillsburgh Urban Area. The lands have a total area of approximately 40 hectares (99.8 acres) and a lot frontage of approximately 449.84 metres (1,475.85 feet) along Trafalgar Road. The lands are presently occupied by an existing heritage dwelling which has been retained.

Surrounding land uses include:

North: Agricultural land

West: Lands owned by the applicant, outside of the Urban Area

East: Trafalgar Road North, low density residential dwellings

South: Low density residential dwellings and Hillsburgh Village

An aerial photo identifying the subject site is included with this report as **Appendix A**.

## **Proposal**

The applicant has submitted applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to facilitate a residential development within the Urban Area of Hillsburgh.

The Draft Plan of Subdivision consists of 195 detached dwellings, 174 townhouse dwellings, an existing heritage dwelling, school block, park block and two stormwater management blocks. In addition, the draft plan contains future development lands which are reserved for single detached dwellings, townhouse dwellings and a commercial block.

The table below provides a breakdown of the various blocks / lots to be created through the Draft Plan of Subdivision and their proposed uses. The Draft Plan of Subdivision as revised has been included in **Appendix B** to this report.

<b>Blocks / Lots</b>	<b>Land Area</b>	<b>Proposed Use</b>
Lots 1 - 195	11.63 hectares	195 Single Detached Dwellings
Block 1	2.14 hectares	Park
Block 2	2.27 hectares	School
Block 3 and 4	4.09 hectares	Stormwater Management Facilities
Block 6	0.04 hectares	Walkway
Block 7	0.29 hectares	Heritage Dwelling
Streets A - L	8.75 hectares	Municipal Roads
Blocks 8 - 13A	5.13 hectares	174 Townhouse Dwellings
Block 14 - 14E	0.01 hectares	Reserves
Block 15	0.16 hectares	Diversion Ditch
Block 17	3.10 hectares	Future Single Detached Dwellings
Block 18	1.10 hectares	Future Townhouse Dwellings
Block 19	1.60 hectares	Future Commercial
<b>Total</b>	<b>Approx. 40 hectares</b>	

## **Planning Analysis**

### Provincial Planning Statement, (2024)

The new Provincial Planning Statement (2024) is a streamlined land use planning policy framework that replaced both the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019). All planning decisions are required to be consistent with the applicable policies of the new Provincial Planning Statement (PPS).

The new PPS directs growth and development to be located within settlement areas which include urban areas and rural settlement areas. The new PPS speaks to general intensification and redevelopment which supports the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing and transportation options, employment, public service facilities, institutional uses, recreation, parks and open space, and other uses to meet long-term needs of the community. The new PPS also promotes the implementation of phasing plans and policies to ensure that development within designated growth areas is orderly and aligns with the timely provision of infrastructure.

The proposed residential development provides for a complete community by incorporating a range of housing types, locating a public park within walking distance to the proposed dwelling units, a block reserved for an elementary school, lands for a commercial block, and establishing a well-designed active transportation network throughout the site, which connects to the existing community to the south. The proposed development will also be serviced by both municipal water and wastewater infrastructure. Staff are satisfied that the proposed development is consistent with the new PPS and represents good planning.

### Greenbelt Plan (2017)

The subject property is located within a Settlement area identified as Towns/Villages in the Greenbelt Plan. The Plan directs development to these built-up Settlement areas, which are designed to include a balanced mix of housing, employment opportunities, and access to infrastructure and services. This approach supports the creation of complete communities and Staff are satisfied that the proposal is consistent with the policies of the Greenbelt Plan.

### County of Wellington Official Plan (Office Consolidation July 2024)

In the County of Wellington Official Plan, the subject property is designated Greenfield Area, in an Urban Centre. The majority of growth will be directed to greenfield areas which incorporate increased densities and a broader mix of housing, as well as commercial and institutional uses, and parks and open space that are compatible with adjacent uses and where appropriate infrastructure is provided.

The County Official Plan also strives to attain a density target of 16 units per gross hectare and recognizes lower densities may be considered where there is a need for transition from adjacent land uses. The original development proposal provided for a density of 8.7 units per hectare. Based on County and Town Planning comments the proposal was revised to bring the density closer to the minimum density target of 16 units per hectare.

The applicant placed a portion of the lands within future development blocks with a holding provision, in order to meet minimum density requirements, increased the number of townhouse dwellings, created a variety of lot sizes for single detached dwellings, while maintaining an appropriate transition between the existing homes along Upper Canada Drive and the increased density internal to the site. The revised density of 11.64 units per hectare meets the intent of the County's density requirement for development within designated greenfield areas.

In addition to density requirements, the County's Official Plan speaks to affordable housing and the bulk of affordable housing opportunities to be provided within urban areas. The revised proposal increased the number of townhouse dwellings and reduced the lot sizes of the single detached dwelling lots. Furthermore, Additional Residential Dwelling Units are permitted as of right per the Planning Act for singles detached, semi-detached and townhouse dwellings, which will provide more housing options within the

proposed development. Staff are supportive of the revisions made to the proposal and are of the opinion that the intent of the County's Official Plan policies have been met.

#### Town of Erin Official Plan (Office Consolidation January 2023)

An Official Plan Amendment was submitted by the applicant to redesignate certain portions of the lands which were designated "Future Development" to "Residential" in order to facilitate the proposed development which is to be connected to municipal servicing, and consisting of single detached dwellings, townhouse dwellings, an existing heritage dwelling, school block, commercial block, park block and two stormwater management blocks.

As stated previously, Official Plan Amendment (OPA 15) to redesignate certain areas of the subject property from 'Future Development' to 'Residential' was adopted by the Town of Erin on June 27, 2024, and approved by the County on October 2, 2024. OPA 15 was prepared in accordance with the County of Wellington's Official Plan Amendment (OPA 120) and Town of Erin's Official Plan Amendment (OPA 13), which were introduced to address the County-wide and municipal growth management requirements directed by the Province. Staff are of the opinion that the intent of the Town's Official Plan policies have been met.

#### Town's Urban Design Guidelines (2021)

The applicant has provided an Urban Design Brief to demonstrate how the proposed development conforms to the Town's Council approved Community and Architectural Design Guidelines 'Urban Design Guidelines' for the Villages of Erin and Hillsburgh. The applicant is proposing to develop a new community that is compatible with the existing character of the Village of Hillsburgh, while providing new housing stock to the Town of Erin.

Section 5.0 'New Neighbourhoods' outlines the guidelines regarding neighbourhood structure, public realm and built form that new residential developments are to follow in order to enhance the character of the community. The Urban Design Brief speaks to how the development will achieve this vision by the following:

- Including two stormwater management ponds that provide open space blocks that are visible and accessible from the adjacent street;
- Creating a connected streetscape for pedestrians to access nearby amenities such as the school and park, safely;
- Locating higher density blocks in prominent locations near the park and school;
- Planning for the neighbourhood park to be walkable within a 400m radius (5 minutes) of most residents in the subdivision;
- Creating priority lotting within areas that have a higher degree of public visibility, such as gateway lots, corner lots, and view terminus and elbow lots;
- Using materials and architectural details that complement the character of the Village of Hillsburgh, such as the use of brick with wood clapboard and board-and-batten as accent material;

- Enhancing the road network with collector and local roads that create an interconnected street system supported by active transportation; and
- Incorporating traffic calming measures to reduce the speeds of vehicles including a roundabout and shorter block lengths.

Based on the peer review of the Urban Design Brief by the authors of the Town's Guidelines, The Planning Partnership, the proposal is consistent with the Town's Guidelines. To ensure these principles are effectively implemented, prior to issuance of a building permit, each dwelling will be subject to architectural control as a condition of draft plan approval.

### Town's Green Development Standards

The applicant is required to provide Green Development Initiatives to demonstrate how the proposed development encourages sustainable community design by creating environmentally conscious, energy-efficient homes using sustainable building practices and materials.

The Town of Erin is in the process of developing its own Green Development Standards, which will be incorporated into all planning approvals for new developments. At the same time, the Tri-County Green Development Standards project is underway, which is a collaborative initiative between Grey, Dufferin, and Wellington Counties. To avoid duplicating efforts, once the Tri-County Green Standards are finalized, the Town of Erin will consider these standards, adapting them as needed to create a Green Development Standards document specifically for the Town. To ensure that these green principles are properly implemented, prior to issuance of a building permit, each dwelling will be subject to architectural control as a condition of draft plan approval.

The proposed Zoning By-law Amendment does not regulate the implementation of Green Development Standards. However, a draft plan condition will be introduced that requires the applicant to implement a number of Green Development Initiatives in new builds.

### Zoning By-law No. 07-67, as amended

The subject property is zoned Future Development 'FD' and Future Development Exception Zone 102 'FD-102' in the Town's Comprehensive Zoning By-law, Schedule "C" (Hillsburgh Zoning Map). The proposed Zoning By-law Amendment will rezone the lands to Urban Residential Two Exception Zone 'UR2-101', Urban Residential One Exception Zone 'UR1-101', Urban Residential One Exception Zone 'UR1-102', Institutional Exception Zone 'I-104(H1)', Open Space Recreation Exception Zone 'OS1-111', Open Space Recreation Exception Zone 'OS1-112', Open Space Recreation Exception Zone 'OS1-113', Highway Commercial Exception Zone 'C2-110(H2)' Future Development Exception Zone 103 'FD-103(H3) and Future Development Exception Zone 104 'FD-104(H3). The proposed Zoning By-law Amendment can be found under By-laws in the Council Agenda.

The site-specific zoning provisions proposed are discussed below.

## **Single Detached Dwellings**

The proposal includes 195 single detached dwellings on lots with minimum frontages ranging from 13.7 metres to 21.3 metres with site specific zoning provisions related to exterior side yards and height to facilitate development. The proposal also includes a future development block to permit a number of single detached dwellings which will include a holding provision until such time as water and wastewater service is available, servicing allocation is granted (as these lands have not been assigned Single Detached Equivalents (SDEs)), appropriate zoning is in place and a subdivision agreement is registered on title.

The Zoning By-law Amendment proposes a minimum exterior side yard of 3.0 metres and maximum height of 13.0 metres, whereas the Town's Zoning By-law requires a minimum exterior side yard of 4.0 metres and maximum height of 11.0 metres. The intent of the height restriction is to ensure appropriate massing and shadow casting. The intent of a minimum side yard requirement is to establish an appropriate setback along the streetscape, and to ensure sufficient room for landscaping, grading and drainage.

The requested provisions are, in part, to accommodate the grade variance for certain lots that are planned as walkouts or back to front sloping dwellings, and to facilitate housing product that is on the market today. The general trend in urban form is more compact with increased ceiling heights and reduced side yards which are common methods to maximize the development potential of a property. Staff do not have any concerns with the site-specific provisions proposed.

## **Urban Residential - Existing Heritage Dwelling**

The existing heritage dwelling on the subject property is listed within Erin's Heritage Registry with heritage attributes. As condition of draft approval, the applicant will be required to designate the dwelling under Part IV of the Ontario Heritage Act.

The applicant is proposing to preserve the existing dwelling with site specific provisions proposed which deem the internal public road as the front lot line and Trafalgar Road as the rear lot line. Access will only be permitted from the internal public road, with no access from Trafalgar Road. In addition, accessory structures are only permitted to be constructed to the rear of the front façade of the main dwelling.

The Zoning By-law Amendment proposes:

- Minimum lot area of 2,900 metres squared;
- Minimum lot frontage of 35.0 metres;
- Minimum rear yard of 45.0 metres;
- Minimum front yard of 6.0 metres (to garage) and 7.0 metres (to dwelling);
- Minimum interior side yard of 4.0 metres (north), 16.0 metres (south) and 11.0 metres (west);
- Maximum building height of 13.0 metres; and



- Maximum lot coverage 20%

The existing heritage dwelling is being retained and reconstructed to ensure integration within the new development. Staff do not have any concerns with the site-specific provisions of the proposal for the existing heritage dwelling.

### **Townhouse Dwellings**

The proposal includes a total of 6 townhouse blocks containing 174 units with site specific provisions for the frontage of a unit on an end or corner lot and height to facilitate development. The proposal also includes a future development block to accommodate a number of townhouse dwellings which will include a holding provision until such time as water and wastewater service is available, servicing allocation is granted (as these lands have not been assigned Single Detached Equivalents (SDEs)), appropriate zoning is in place and a subdivision agreement is registered on title.

The Zoning By-law Amendment proposes a minimum frontage of a unit on an end or corner lot of 6.0 metres and maximum height of 13.0 metres, whereas the Town's Zoning By-law requires a minimum frontage of a unit on an end or corner lot of 7.0 metres and maximum height of 11.0 metres. The intent of a minimum frontage of a unit on an end or corner lot is to establish a consistent streetscape, and to ensure sufficient room for driveways, landscaping, and in some cases the corner lot may incorporate a wrap-around porch that extending along the exterior side yard. The intent of the height restriction is to ensure appropriate massing and shadow casting. The requested provisions are required to accommodate 3-storey townhouse dwellings which are a current housing product on the market today.

The general trend in urban form is more compact with an increase in the number of storeys within a dwelling and reduced side yards which are common methods to maximize the development potential of a property and offer affordable housing opportunities. Staff do not have any concerns with the site-specific provisions proposed.

### **Institutional Use**

An elementary school block has been reserved in the proposed development which includes site specific provisions to facilitate development. It is noted that a number of permitted uses in the institutional zone would not be suitable adjacent to residential uses therefore, the institutional block includes site specific provisions which limit the permitted uses to the following:

- Parks;
- Schools;
- Day Nursery in accordance with subsection 4.7;
- Single Detached Dwellings in accordance with the UR2-101 Zone; and
- Uses accessory to the foregoing permitted uses.

Should the School Board(s) determine that a school block is not required, the block may

be used for residential purposes in accordance with the Town's Zoning By-law provisions for the UR2-101 zone. Any deviation from the Town's provisions will require a new zoning by-law amendment or minor variance. Furthermore, the residential use will be subject to a holding provision until such time as water and wastewater service is available, servicing allocation is granted and a subdivision agreement is registered on title. Staff do not have any concerns with the site-specific uses proposed.

### **Open Space Recreation**

The Zoning By-law Amendment proposes various open space blocks including a 6.0 metre wide public walkway, park block, two stormwater management facility blocks and a block reserved for a 9.5 metre diversion ditch. Staff do not have any concerns with the site-specific provisions proposed.

### **Commercial Block**

The proposal includes a future commercial block which will include a holding provision until such time as water and wastewater service is available, servicing allocation is granted and a site plan agreement is registered on title. Site specific uses have been determined, as it is noted that a number of permitted uses in the Highway Commercial (C2) zone would not be suitable adjacent to residential uses therefore, the future commercial block includes site specific provisions which limit the permitted uses to the following:

- Bank or financial Institution;
- Business or Professional Office;
- Convenience Store;
- Medical Clinic;
- Personal Service Shop;
- Restaurant or Tavern;
- Retail or Grocery Store; and
- Specialty Food Store.

Staff do not have any concerns with the site-specific uses proposed.

### **Daylight Triangles**

The applicant is proposing modifications to the daylight triangle provision at certain intersections within the development. The applicant is proposing a reduction from the required 9.0 m to 6.0 metres for local to local streets, and local to collector streets, and an increase from the required 9.0 metres to 15.25 metres for local or collector to arterial streets.

In the review of the Town's Engineering Design Standards and current subdivision developments in the Town, the reduction of daylight triangles for local to local streets and local to collector streets to 6.0 metres has been supported. The daylight triangles for local or collector to arterial streets should be increased to 15.25 metres, as this is consistent

with County requirements. Staff do not have any concerns with the site-specific provisions proposed for daylight triangles.

### **Holding (H) Provisions**

As certain lands within the development are dependent on the availability of municipal services, Holding (H) provisions will be applied. Holding provisions are to be lifted once it is determined that adequate water and wastewater service is available, servicing allocation has been granted, appropriate zoning is in place and a subdivision agreement and / or site plan agreement are registered on title. Staff do not have any concerns with the site-specific Holding (H) provisions proposed.

In summary, Provincial, County and Municipal policies aim to achieve more compact urban form in newer developments, and as such staff do not have any concerns with the site-specific provisions discussed herein.

### **Strategic Pillar**

Growth Management

Healthy Lifestyle & Vibrant Community

### **Financial Impact**

There are no adverse financial impacts on the Town as a result of the adoption of the proposed Zoning By-law Amendment.

Through Conditions of Draft Plan Approval, the Town shall impose a condition that requires the applicant to pay applicable development charges (less development charge credits to be provided as per the front ending agreement between the Town and the developer). These development charges shall be calculated and collected at the building permit stage. In addition, the Town shall also impose a condition that requires the applicant to satisfy the Town in regard to parkland dedication in accordance with the Town's Parkland Dedication By-law.

### **Conclusion**

The proposed Zoning By-law Amendment (Z21-09) is consistent with the new Provincial Planning Statement (2024) and the Greenbelt Plan (2017). The proposed development is in keeping with the intent of the County of Wellington and Town of Erin Official Plans and adheres to the principles set out in the Town's Urban Design Guidelines.

Planning staff gave consideration to Town staff, agency and public comments. It is the opinion of staff that the proposed subdivision within the boundaries of the Hillsburgh Settlement Area provides for appropriate development on lands slated for intensification through the Town's Growth Management Strategy.

The proposal represents appropriate greenfield development and will contribute to the mix of uses, provide an additional form of housing and affordability to the Town's current housing stock, presents a built form that is compatible with the surrounding

neighbourhood to the south, and works toward the creation of a complete community. The proposed Zoning By-law Amendment represents good planning.

Staff recommend that Council adopt the site-specific Zoning By-law Amendment (Z21-09) found under By-laws in the Council Agenda.

### **Attachments**

Appendix A – Location Map

Appendix B – Submitted Draft Plan of Subdivision

Appendix C – Response to Public Comments

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