

PLANNING JUSTIFICATION REPORT

Proposed Residential Subdivision Development

Waldemar (Township of Amaranth), Ontario

PREPARED FOR

Sarah Properties Ltd.

PREPARED BY



ZELINKA PRIAMO LTD

A Professional Planning Practice

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1.0 INTRODUCTION

1.1 BACKGROUND

On behalf of Sarah Properties Ltd., Zelinka Priamo Ltd. has submitted an application to the Township of Amaranth to amend the Township of Amaranth Official Plan and Zoning By-law to permit a residential subdivision located on lands known municipally as 1 Evans Avenue and 9 Mill Street, Waldemar, in the Township of Amaranth, County (“subject lands”).

The amendments to the Township of Amaranth Official Plan and Zoning By-law are proposed to facilitate the residential subdivision development.

A concurrent Plan of Subdivision Application has been submitted as well.

The purpose of the following land use assessment is to provide planning justification for the proposed residential subdivision development under a Community Residential designation within the Township Official Plan, and the Hamlet Residential (HR) Exception Zone.

1.2 DESCRIPTION OF THE SUBJECT LANDS

The subject lands comprise land holdings located in the western portion of the Community of Waldemar, northeast of the intersection of County Road 109 and the Amaranth-East Luther Townline, and south of a former railway corridor (see Figure 1). The subject lands measure approximately 35.021 ha (86.54 ac).

Sarah Properties Ltd. is the sole owner of the subject lands.

Figure 1
Aerial Photograph



Note: Location and boundary are approximate

The subject lands are vacant cleared land. These lands are generally flat and fall towards the north and south east from the west of the property.

A small seasonal watercourse passes through the central section of the subject lands and drains east into the Grand River. There are three drainage features extending east west and north south across the site and a small marsh wetland, an abandoned well and pump station at the end of James Street and scattered trees in hedgerows at located in parts of the perimeter of the property.

Figure 2

Images of Subject Lands



View looking north west to north east from centre of subject lands



View looking south east to south west from centre of subject lands



View looking south to west south from John Street (south east corner of subject lands)

Surrounding land uses include (see Figure 1):

- A mix of active agricultural uses to the west and south;
- An abandoned railway corridor to the north;
- There is an existing Acchione residential subdivision to the east between the subject lands and the Grand River along Mill Street (approximately 150 m further east), which was planned and built in the 1970s. The subdivision is characterized by one and two storey residential dwellings on lots measuring approximately 0.20 ha (0.5 acres) to 0.41 ha (1.0 acre) and are serviced by private septic systems and a communal well; and
- Further east, across the Grand River at the east end of the Waldemar Settlement Area, is the existing Centurian Homes residential subdivision. This subdivision was approved by the Township in July 2011 and comprises 73 residential lots measuring approximately 0.25 ha (0.6 acres) to 0.75 ha (1.8 acres), a stormwater management pond block and a public park. The Centurian development is

serviced by private septic systems and the existing municipal communal water system.

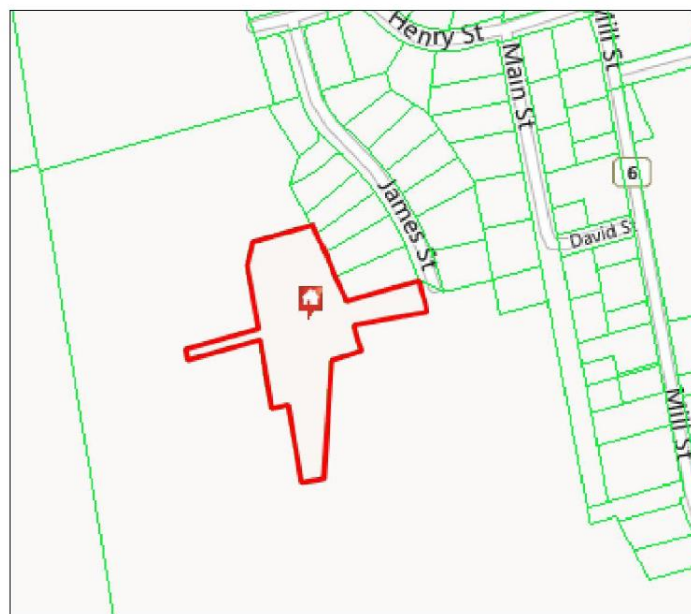
Conveyed Parcel

The subject lands include a 16,400 square metre (1.64 ha, 4.05 ac) irregularly shaped parcel of land which was conveyed to the Township in 1991 (see Figure 3).

This parcel is mostly vacant and is currently used for drainage collection and contains a disused well pump building.

This parcel was required for parkland prior to the second phase of the original residential subdivision, which comprised the subject lands and the now constructed Accchione residential subdivision to the east.

Figure 3
Conveyed Land – 19 James Street, Waldemar



Note: Location and boundary are approximate

In our submission, the conveyed parcel stands as a credit to the current owner for parkland.

The Township of Amaranth Council requested that the planned public park be relocated to a more central location. This would make the most efficient use of available land and services, and provide appropriate buffers to the existing surrounding residential lots and infrastructure,

As such, an Agreement should be entered into with the Township of Amaranth to relocate the planned public park to the more central location, as shown in the proposed Draft Plan of Subdivision (see Figure 4 below).

1.3 SITE HISTORY

In 1980, two previous draft plans of subdivision were submitted and draft approved for the northern and southern parts of the subject lands. Based on the two plans, there were 128 residential lots proposed including a road extending south from Main Street servicing lots which would back onto the rear yards of the existing houses on the west side of Mill Street. (File Refs: 22T-79097 (Aug 27, 1980) and 22T-79072 (Aug 27, 1980). These draft plans were part of the original Subdivision Plan for the existing residential subdivision to the east.

These draft approvals were extended a number of times and were assigned new file numbers (Refs: 22T-93001 and 22T-93002). In 1996, the files were formally closed by the Ministry of Municipal Affairs due to outstanding information relating to water samples, mass balance calculations, past interference problems, water supply not being provided within the requested time period.

1.4 THE PROPOSAL

Sarah Properties Ltd. is proposing the residential subdivision development comprising 334 single detached residential lots.

The proposed lots will range in size from approximately 0.056 hectares (0.14 acres) to approximately 0.16 hectares (0.38 acres), with lot frontages that range from approximately 15.0 metres (52 feet) for a small number of pie-shaped lots to 35.0 metres (115 feet), with the majority of lot frontages being 18.3 metres (60 feet)).

The proposed development also includes a centralized public park measuring approximately 0.8055 hectares, and a septic block (Block No. 282) measuring

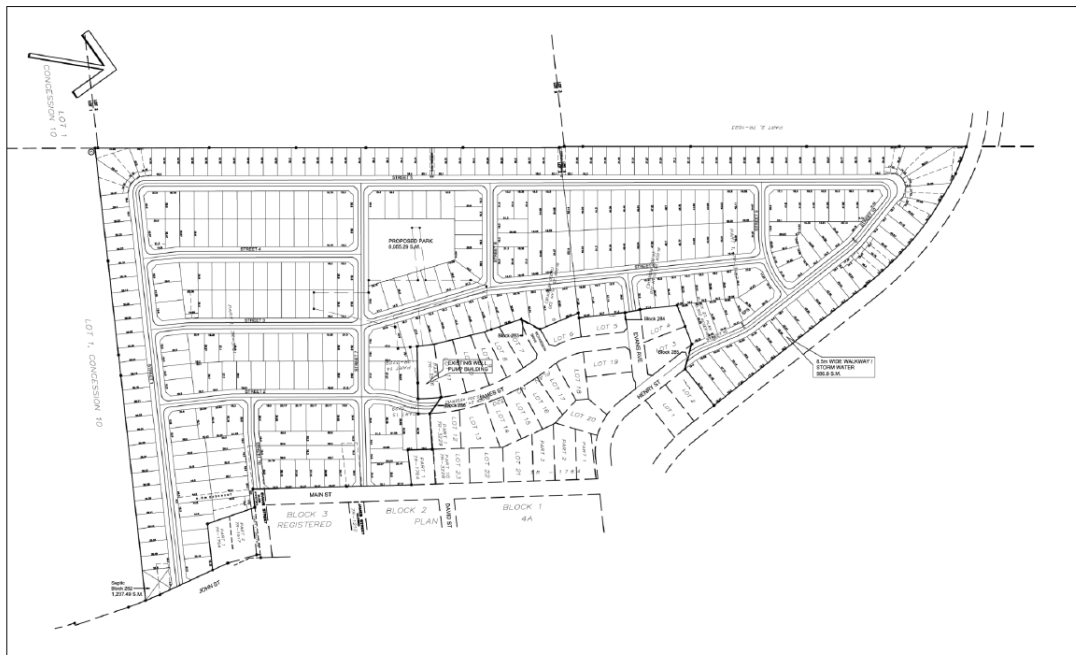
approximately 1,238 sq m in the south eastern corner of the subject property, which will house a below-grade wastewater treatment facility (see Figure 4).

A concurrent Plan of Subdivision Application has been submitted as well.

On a preliminary basis, the proposed residential subdivision development will be constructed in three (3) phases, starting in the southeast corner (i.e. proposed Street No. 1) of the subject lands.

The Plan of Subdivision is preliminary and is subject to refinement through the design and review of the development proposal. Detailed site plans will be submitted during the future site plan approval process.

Figure 4
Preliminary Plan of Subdivision



1.5 ACCESS

Access to the subdivision will be through multiple connections to existing municipal streets. The primary access will be the connection of Street 1 with John Street, while secondary connections will be through James Street, Evans Avenue, Henry Street and

Main Street. This will include the re-building of Main Street south beyond David Street to Station Street (see Figure 4).

A Traffic Impact Assessment has been prepared by HDR Inc. for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Traffic Impact Assessment is discussed under Section 4.10 and concludes that the proposed residential development is not expected to significantly impact future traffic operations in the area.

1.6 SERVICING & STORMWATER MANAGEMENT

The proposed development proposes to provide a Newterra Microclear Membrane Bioreactor (MBR) wastewater treatment system. The proposed system will collect flows from each dwelling and convey them to the below-grade bioreactor located within Block No. 282, in the south eastern corner of the subject lands.

A Membrane Bioreactor combines conventional activated sludge (CAS) treatment with a membrane liquid-solid separation process to produce water of near-potable quality. The proposed system could be operated by the municipality if desired.

The subject lands are outside of the current service district and require water flows that are beyond the capacity of the current water system. As such, the proposed development includes the expansion of the existing Waldemar municipal water system.

The Functional Servicing and Preliminary Stormwater Management Report prepared by the Crozier and Associates is discussed under Section 4.7 and concludes that the proposed development can be readily serviced and meet the objectives of the regulatory agencies.

1.7 NOISE

At this early concept stage, a Noise Study has not been prepared for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application.

However, given the lot sizes, density and pattern of the proposed development, it is not anticipated that there will be any significant adverse impact from road traffic noise, vibration and stationary sources.

As mentioned, a below-grade Membrane Bioreactor is located in the south east corner of the subject lands, adjacent to vacant land and on the opposite side of John Street from the nearest existing residential dwellings to the east.

As part of the future site plan approval process, a detailed Noise Study could be prepared to ensure that any proposed noise control measures satisfy MOE and Township noise guidelines.

2.0 PLANNING DOCUMENTS

2.1 PROVINCIAL POLICY STATEMENT

The 2014 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, “provides policy direction on matters of provincial interest related to land use planning and development” in order to ensure efficient, cost effective development and the protection of resources. The 2014 PPS became effective on April 30, 2014 and applies to planning decisions made on or after that date and replaces the Provincial Policy Statement, 2005.

“Settlement Areas” is defined as both urban and rural settlement areas, including cities, towns, villages and hamlets. The community of Waldemar, including the subject lands, is a rural settlement area.

The PPS states:

- Within settlement areas, sufficient land shall be available through intensification and redevelopment and designated growth areas (Section 1.1.2);
- The vitality of settlement areas is critical to the long-term economic prosperity of our communities (Section 1.1.3);
- Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted (Section 1.1.3.1);
- Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment (Section 1.1.3.3);
- Planning authorities shall establish and implement phasing policies to ensure that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs (Section 1.1.3.7);
- In rural areas, rural settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted (Section 1.1.4.2);

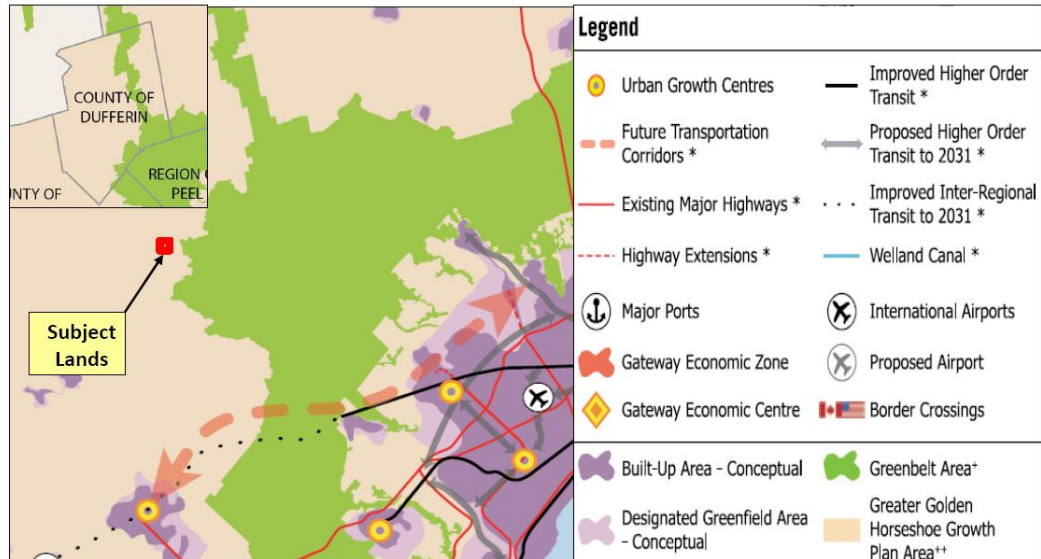
- When directing development in rural settlement areas, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels (Section 1.1.4.3);
- Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses (Section 1.1.5.7);
- New land uses, including the creation of lots shall comply with the minimum distance separation formulae (Section 1.1.5.9);
- Where municipal sewage services and municipal water services are not provided, municipalities may allow the use of private communal sewage services and private communal water services (Section 1.6.6.3);
- Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development (Section 1.6.6.4);
- Planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services (Section 1.6.6.6); and
- Natural heritage (Section 2.1), water quality and the quality of water (Section 2.2) and cultural heritage and archaeology (Section 2.6) shall be protected.

2.2 GROWTH PLAN

The 2006 Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides guidance for decisions and a growth management policy direction for the Greater Golden Horseshoe (GGH) to the year 2031.

Under the Growth Plan Land Use Concept Schedule 2 (see Figure 5), the subject lands are outside the Built-Up Area and Designated Greenfield Area.

Figure 5
Growth Plan – Schedule 2: Place to Grow Concept



Note: Location and boundary are approximate

“Settlement Areas” is defined (as in the Growth Plan) as both urban and rural settlement areas, including cities, towns, villages and hamlets. The community of Waldemar, including the subject lands, is a rural settlement area.

The Growth Plan includes policies that state the following:

- Development shall be directed to Settlement Areas (Section 2.2.2.1.i);
- Rural settlement areas are key to the vitality and economic well-being of rural communities (Section 2.2.9.1); and
- New multiple lot and units for residential development will be directed to settlement areas, and may be allowed in rural areas in site-specific locations with approved zoning or designation that permits this type of development in a municipal official plan (Section 2.2.9.3).

With respect to servicing, the construction of new or expansion of existing private communal water and wastewater systems should only be considered where the following conditions are met:

- a) Strategies for water conservation and other water demand management initiatives are being implemented in the existing service areas
- b) Plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density targets;
- c) Plans have been considered in the context of applicable inter-provincial, national, bi-national or state-provincial Great Lakes Basin Agreements.
(Section 3.2.5.4)

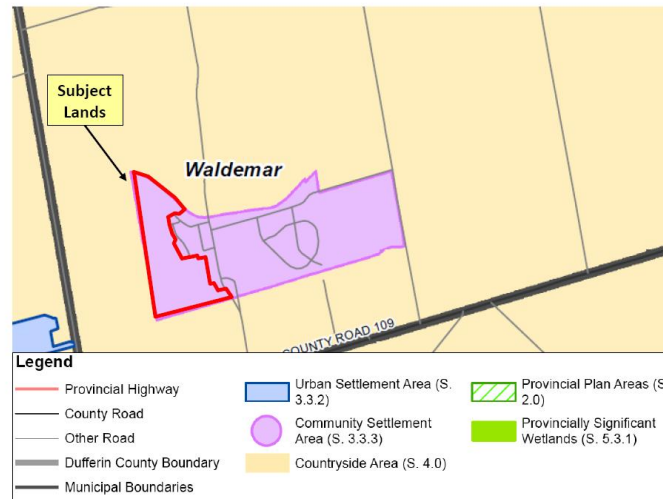
2.3 DUFFERIN COUNTY OFFICIAL PLAN

The County of Dufferin Official Plan (County OP) was adopted by the County Council on September 11th, 2014 and approved by the Ministry of Municipal Affairs and Housing on March 25, 2015, and is now in effect with the exception of Section 5.4 – Water Resources and Source Water Protection, Schedule D - Minerals Aggregate Resources Areas, and, Appendix 2 - Source Water Protection, which are under appeal.

The County OP establishes policy direction on matters of County significance such as growth management, the promotion of economic development objectives, and the natural environment and resources. Detailed land use planning are managed and administered locally through the local municipal official plans.

The Community of Waldemar, including the subject lands, are identified as “**Community Settlement Area**” by Schedule B1 – Community Structure and Land Use of the County OP (See Figure 6).

Figure 6
County of Dufferin Official Plan – Schedule B1 – Community Structure & Land Use



Note: Location and boundary are approximate

The County OP states:

- The majority of growth will be directed to the County's settlement areas to focus public and private investment in built-up areas and to preserve the agricultural area and conserve the natural heritage features and areas (Section 3.3.1);
- Settlement areas will provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Settlement areas promote the development of healthy and sustainable communities through compact urban forms, efficient use of infrastructure, and the provision of a range of land uses (Section 3.3.1);
- Community settlement areas may continue to experience limited growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited residential intensification. It is recognized that certain community settlement areas may not accommodate additional growth and development, as established in the local municipal official plans (Section 3.3.3); and
- Where municipal sewage services and municipal water services are not provided, municipalities may allow the use of private communal sewage services and private communal water services (Section 7.3.1).

2.4 TOWNSHIP OF AMARANTH OFFICIAL PLAN

The original Official Plan for the Township of Amaranth was adopted by Council on April 1, 1987. The Plan set out the various land use designations and policies to guide growth and development throughout the Township. The community of Waldemar was designated as “Hamlets” in the 1987 Official Plan.

On August 29, 1996, Official Plan Amendment No. 10 (OPA 10) was approved. OPA 10 provided a Secondary Plan with more detailed planning policies regarding development in the hamlet of Waldemar. In particular, the Secondary Plan established the defined limits of the community, including the development areas and policies for each land use category.

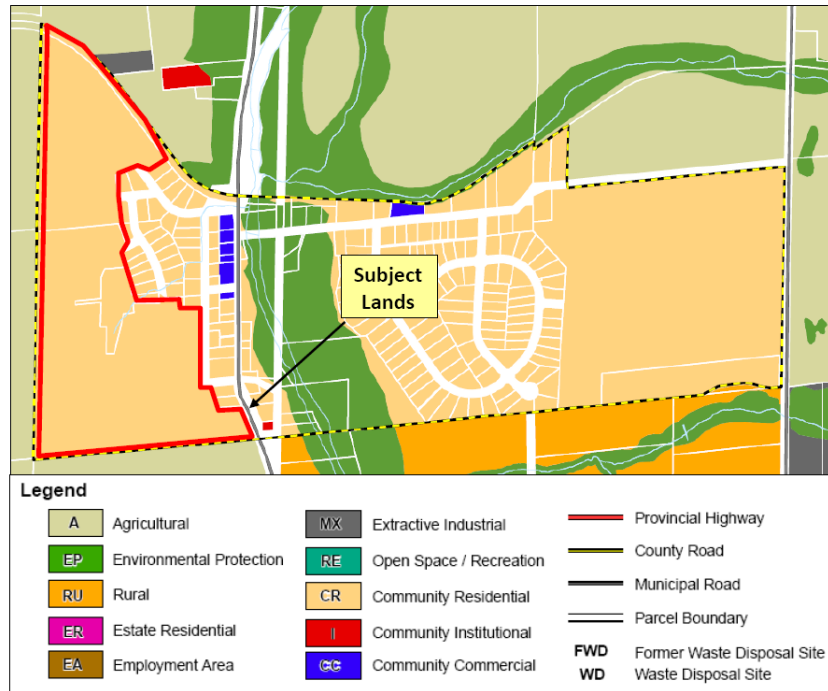
The current Official Plan (OP) was adopted by the Township in December 2004 and was approved by the Ministry of Municipal Affairs on October 26, 2005. The OP contains objectives and policies established primarily to provide guidance for the development of the municipality.

On October 20, 2010, the Township of Amaranth adopted Official Plan Amendment No. 4 (OPA4), to address conformity of its Official Plan with the Province’s Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe. On June 13, 2012, the Minister approved OPA4, with modifications. On July 9, 2012, the Township appealed a number of modifications to the Ontario Municipal Board (OMB). On October 18, 2013 the OMB settled the dispute over the modifications.

The subject lands are identified as “**Community Residential**” by Schedule A-1 – Land Use and Transportation of the OP (See Figure 7).

Figure 7

Township of Amaranth - Schedule A-1 – Land Use and Transportation



Note: Location and boundary are approximate

The OP states that development adjacent to the “Agricultural” designation (such as the subject lands) shall ensure that there are no conflicts with the agricultural uses which may result in new restrictions on the agricultural use (Section 3.1.5(a)).

Section 3.4 of the OP contains policies pertaining to existing communities within the Township, as outlined below.

Section 3.4.2 of the OP states that a Secondary Plan is required if the Waldemar municipal water system is to be expanded.

Section 3.4.3 states that the communities of Laurel and Waldemar are intended to be the focus for residential growth in the Township, subject to the following conditions:

- i) The rate of growth will be managed to minimize the impact of development on the existing residents of these communities;
- ii) Development shall be designed to reserve the scenic attributes and cultural character of the communities; and,

- iii) Developments will be planned to provide a continuous open space and parks system within the community.

Land in the Community Residential designation may be used for “single detached dwellings, home occupations and public parks” (Section 3.4.4.1).

Additional direction regarding the use of lands designated “Community Residential” includes the following:

- Lot and density shall minimize land consumption and reduce servicing costs;
- Lot size, density and pattern shall be supported and determined by a detailed hydrogeological study and other studies;
- Residential development by registered by plan of subdivision will be encouraged; and
- The final location of future parks will be determined at the subdivision stage and should be approximately 0.8 hectares in size and serve the immediate neighbourhood.

Section 3.4.5 of the OP contains Community Development Criteria, including the following policies:

- b) New development shall be designed to maintain the rural character of the Community areas. The built form and building materials should reflect this character. Greater attention will be given to streetscape and landscape elements on developments within the Community areas. Council may use Site Plan control within the Community areas to ensure that new development is compatible with the existing community;
- c) All development shall be supported by studies that address the servicing of the site, including water supply, sewage disposal and stormwater management. Facilities for stormwater management shall be required onsite in a manner that ensures that post development run-off does not increase the quantity or decrease the quality of storm water leaving the site; and
- d) Development standards in the Community designation shall include asphalt roadways, sidewalks, street lighting, curbs and gutters and boulevard landscape treatment. These facilities shall be designed to be barrier free wherever possible.

All utilities shall be underground. Council may establish detailed design criteria for use in development review.

Section 3.4.6 of the OP states that the Zoning By-law shall establish minimum lot areas based on the results of hydrogeological studies undertaken in support of development applications or Secondary Plan Studies.

New Open Space Recreation uses will require an amendment to the OP (Section 3.7.1).

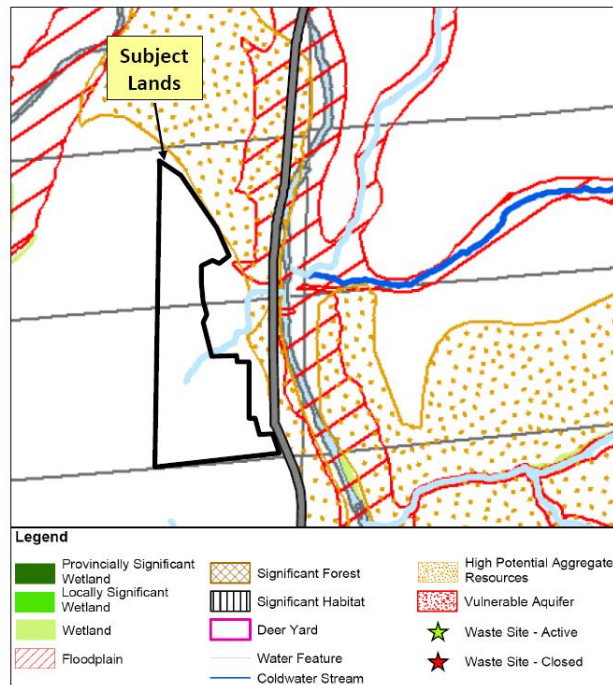
Council encourages the continued development of and improvement to the recreational facilities in the Township provided that the development is in harmony with the open landscape character and is sensitive to the natural environment (Section 3.7.4.a), and in accordance with the Growth Management Policies of the OP (Section 3.7.4.b).

The Township will not open or maintain roadways which are not constructed to municipal standards. New roads developed within plans of subdivisions will be constructed to Township standards by those developing the lands. In the Community areas new roads shall utilize curb and gutter construction with underground storm sewers (Section 3.9.1).

Section 3.9.4 states all new and reconstructed transportation and utility facilities shall be designed and located to minimize the impact on the environment and be consistent with the objectives and the land use designations in this Plan. Site and design guidelines include such matters as designing new roads in a grid pattern and ensuring there are no flood impacts.

There is a water feature located on the subject lands according to Schedule B of the OP (See Figure 8).

Figure 8
Township of Amaranth – Schedule B – Environmental Features



Note: Location and boundary are approximate

All lands within the Township are subject to the Development Criteria in Section 4.0 of the OP. Section 4.0 states that the policies deal with development in a variety of situations, and, therefore, not all of the policies apply to every development. Section 4.0 contains two subsections, Environmental Management and Growth Management, as outlined below.

Environmental Management

Section 4.1.1 of the OP outlines the Environmental Criteria, which shall apply to all development in the Township, and states that the uses permitted by the OP may only be allowed provided that:

- a) The long-term capacity of the site can support the use without a negative impact on environmental features, functions and attributes such as, water quantity and quality, natural vegetation, soil, wildlife, population, visual character and cultural heritage features;

- b) The cumulative impact of development will not have detrimental effects on the environment including air quality, water quality and quantity, vegetation, soil, wildlife, and the natural landscape;
- c) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding;
- d) Development meets applicable Federal, Provincial, County and municipal requirements including health and servicing requirements; and
- e) Development shall be consistent with the Provincial Policy Statement issued under Section 3 of the Planning Act.

Section 4.1.2 of the OP states that the preparation of a Stormwater Management Report is required prior to development.

The OP contains policies which include development criteria related to environmental features such as Steep Slope and Ravines (Section 4.1.3), Flood Plains (Section 4.1.6), Forested Areas (Sections 4.1.7 and 4.1.8), Fisheries (4.1.9) and Habitat Areas (4.1.10).

The Official Plan also contains development criteria related to the water quality of surface and ground water resources (Section 4.1.4) and water resources (Section 4.1.5).

Growth Management

The OP growth management policies state that residential growth in the Township shall occur at a rate of approximately 25 units per year (Section 4.2.1) and that 80 per cent of new growth shall be distributed between the existing settlement areas of Laurel and Waldemar (Section 4.2.2).

Section 4.2.3 of the OP relates to Lot Creation and states new lots created by consent and plans of subdivision must satisfy the following criteria:

- i) The location, design, size and density of lots shall retain the open rural landscape and protect natural features; and,
- ii) The design is in harmony with the natural heritage features, neighbouring development and the landscape.

Section 4.2.4 of the OP contains development criteria for water and sewage servicing, with Section 4.2.4 c) stating:

“Municipally operated water supplies will be maintained in accordance with Provincial standards. Any expansions or upgrading of the existing municipal water systems or any new municipal water systems shall be constructed at the cost of those who would use the system. The costs of maintaining municipal water systems shall be borne by the users of the systems.”

Section 4.2.4 d) of the OP states that an amendment to the OP is required if any proposal to develop lands utilizes communal services.

The Provincial Minimum Distance Separation Formulae (MDS) will be used in determining appropriate minimum separation distances between new development and livestock operations (Section 4.2.5).

Section 4.2.6 of the OP contains development criteria related to the protection of the Township’s heritage resources.

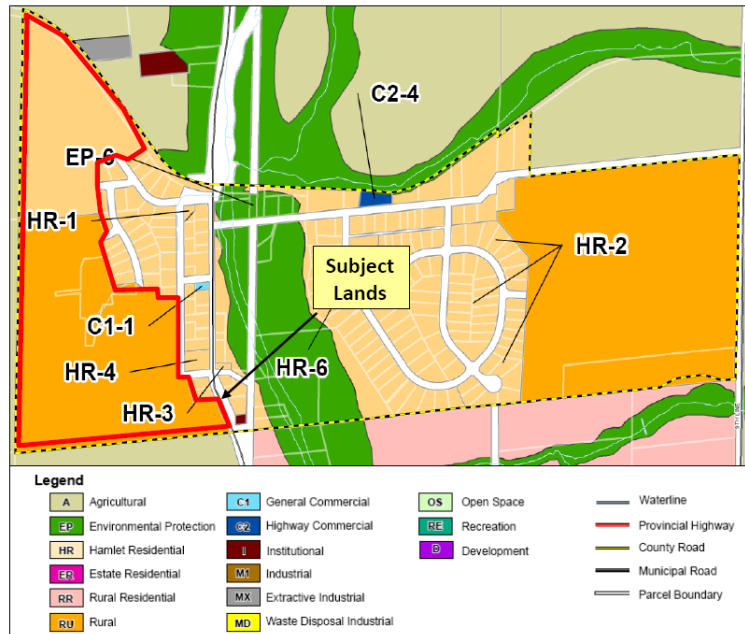
Section 4.2.8 of the OP states that all recreational activities should be designed and located so as not to conflict with surrounding land uses, as well as being compatible with the natural and cultural character of the area.

Section 4.2.9 of the OP states that new development must be compatible with surrounding land uses and shall include an assessment of the impact on the adjacent land uses including noise, odour, dust, traffic, the physical form of the development and the visual impact of the proposal.

2.5 ZONING BY-LAW NO. 2-2009 (DECEMBER 2010 CONSOLIDATION)

The Township of Amaranth Zoning By-law No. 2-2009, as amended, zones the northern portion of the subject lands Hamlet Residential (HR) and the south portion of the subject sites Rural (RU) (see Figure 9).

Figure 9
 Township of Amaranth Zoning By-law No. 2-2009 – Schedule A-1 - Waldemar



Note: Location and boundary are approximate

The Hamlet Residential (HR) Zone permits “Single Detached Dwellings.” The Rural (RU) Zone permits “Single Detached Residential Dwellings” and “Public Open Space.”

A comparison of the regulations for permitted uses for the Hamlet Residential (HR) Zone and the Rural (RU) Zone is outlined in the following table:

Regulations for Permitted Uses	Hamlet Residential (HR) Zone	Rural (RU) Zone - Residential
Minimum Lot Area	0.6 ha	0.6 ha
Minimum Lot Frontage	25 m	60 m
Minimum Front Yard	7.5 m	20 m
Minimum Interior Side Yard	3 m	6 m
Minimum Exterior Side Yard	7.5 m	20 m
Minimum Rear Yard	7.5 m	7.5 m
Maximum Lot Coverage	20%	10%
Maximum Height	10.5 m	10.5 m
Minimum Dwelling Unit Gross Floor Area	140 sq m	140 sq m

Under the Township's Zoning By-law No. 2-2009:

- Lot Area means the total horizontal area within the lot lines of the lot;
- Lot frontage means the continuous distance of the front line between the side lot lines measured at right angles. Where the front lot line is not in a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a line that is 7.5 metres back from and parallel to a continuous straight line, joining the two points where the side lot lines intersect with the front lot line;
- Yards means a space adjoining a building or structure, excavation, or the nearest open storage use located on the same lot as the building, structure, excavation or nearest open storage use and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted;
- Front Yard means a yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required, or the nearest open storage use on the lot, or the edge or rim of an excavation;
- Front Lot Line means a) where a lot abuts an improved public road the lot line abutting the road shall be deemed the front lot line b) In the case of a corner lot or through lot, the shorter lot line that abuts a road shall be deemed to be the front lot line and the longer lot line that abuts a road shall be deemed an exterior side lot line, but, c) in the case of a corner lot or through lot with two lot lines of equal length abutting roads, the lot line that abuts the wider road shall be deemed to be the front lot line, but where the roads are of equal width, the lot line which abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both roads being under the jurisdiction and of the same width, the owner of the lot may designate which road line shall be the front lot line. In the case where a lot abuts a cul-de-sac, all of the frontage on the cul-de-sac shall be deemed to be the front lot line;
- Interior Side Yard means a side yard other than an exterior side yard;
- Exterior Side Yard means a side yard immediately adjacent to an exterior lot line;
- Exterior Lot Line means the side lot line which abuts the road on a corner lot;
- Lot Coverage means the percentage of the lot area covered by buildings or structures including accessory buildings but excluding balconies, canopies, and

- other similar appurtenant structures when situated two and one half (2.5) metres above finished grade; and
- Gross Floor Area means the total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

A Zoning By-law Amendment is required for the proposed residential subdivision development to rezone the southern portion of the subject lands (including the conveyed “park” parcel) from Rural (RU) to Hamlet Residential (HR), and the entire subject lands to Hamlet Residential (HR) and Open Space (to recognize the proposed public park). In addition, the Zoning By-law Amendment seeks to permit the following site specific regulations on the subject lands:

- Minimum lot areas that are smaller than the 0.6 hectares (i.e. 0.056 hectares);
- A minimum lot frontage that is smaller than the 25 metres (i.e. 15.0 metres);
- Front, interior and exterior side yards below the minimum requirements (i.e. 6.0 metres, 1.2 metres and 4.0 metres, respectively);
- A maximum lot coverage beyond 20% (i.e. 45%); and
- A minimum dwelling unit gross floor area below 140 square metres (i.e. 110 sq. m.) permitted in the HR Zone.

2.6 GRAND RIVER CONSERVATION AUTHORITY

The subject lands are located in proximity to the Grand River and are within the Grand River Conservation Authority (GRCA) jurisdiction.

As confirmed by the Functional Servicing and Preliminary Stormwater Report prepared by the Crozier and Associates (see Section 4.7), the proposed development includes stormwater management criteria and objectives that were established by the GRCA and Township.

3.0 PROPOSED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

3.1 PROPOSED OFFICIAL PLAN AMENDMENT

An Official Plan Amendment is required for the proposed residential subdivision development on the subject lands in accordance with Section 4.2.4 d) of the Official Plan, which states that any proposal to develop lands utilizing communal services shall require an amendment to the Official Plan.

3.2 PROPOSED ZONING BY-LAW AMENDMENT

A concurrent Zoning By-law Amendment is required for the subject lands to a site specific Hamlet Residential (HR) zone that adequately addresses the requirements of the proposed development while implementing the policies of the County of Dufferin and Township of Amaranth Official Plans.

Consequently, the proposed rezoning is from Rural (RU) (southern portion of subject lands, including the conveyed “park” parcel) and rezoning the entire subject lands to HR___ and Open Space (proposed public park) with site specific regulations.

On a preliminary basis, the site specific regulations to be confirmed subject to a review of the preliminary site concept plan by City Staff and through the approvals process are as follows:

- A Minimum Lot Area of 560 square metres (0.056 hectares)
- A Minimum Lot Frontage of 15.0 metres;
- A Minimum Front Yard of 6.0 metres;
- A Minimum Interior Side Yard of 1.2 metres;
- A Minimum Exterior Side Yard of 4.0 metres;
- A Maximum Lot Coverage of 45%; and
- A Minimum Dwelling Unit Gross Floor Area of 110 square metres.

4.0 PLANNING ANALYSIS

4.1 PROVINCIAL POLICY STATEMENT

The 2014 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, “provides policy direction on matters of provincial interest related to land use planning and development” in order to ensure efficient, cost effective development and the protection of resources. The 2014 PPS became effective on April 30, 2014 and applies to planning decisions made on or after that date and replaces the Provincial Policy Statement, 2005.

The proposed development is consistent with the PPS, including as follows:

- The proposed development will promote the growth, vitality and regeneration of a settlement area (Section 1.1.3.1 and 1.1.4.3);
- The proposed development will help the Province and Township of Amaranth achieve the specified targets for intensification and redevelopment within a designated growth area (Section 1.1.3.7);
- The proposed development gives consideration to the existing rural characteristics, through its appropriate scale and the provision of appropriate service levels (Section 1.1.4.3);
- The proposed development complies with the minimum distance separation formulae, as confirmed in the submitted MDS Assessment (Section 1.1.5.9);
- The proposed development protects natural heritage (Section 2.1), water quality and the quality of water (Section 2.2) and cultural heritage and archaeology (Section 2.6).

4.2 GROWTH PLAN

The Official Plan Amendment and Zoning By-law Amendment are consistent with the Growth Plan and the goal to build compact, vibrant and complete communities under the Managing Growth policies, including:

- The proposed development, comprising new multiple residential lots, will be directed to a settlement area (Section 2.2.2 and Section 2.2.9.3);
- The proposed development will help achieve density and job targets (Section 2.2.7.2);

- The proposed development will create new housing and jobs which will help promote the vitality and economic well-being of a rural community (Section 2.2.9.1); and
- The construction of the new private communal wastewater system serving the proposed development supports the achievement of the intensification target and density targets (Section 3.2.5.4).

4.3 COUNTY OF DUFFERIN OFFICIAL PLAN

The proposed development is consistent with the policies of the County of Dufferin Official Plan as outlined in Section 2.3 as follows:

- The proposed development directs residential growth to a designated settlement area, preserves the surrounding agricultural area and conserves the area's natural heritage features (Section 3.3.1 and Section 3.3.3.); and
- The proposed development seeks to utilize a private communal sewage service, which is supported (Section 7.3.1).

4.4 TOWNSHIP OF AMARANTH OFFICIAL PLAN

The proposed development is consistent with the policies of the Township of Amaranth Official Plan as outlined in Section 2.4 as follows:

- As confirmed by the Minimum Distance Separation (MDS) Assessment, the proposed development complies with the (MDS) formulae established by the Province, and will not conflict with the adjacent agricultural uses (Section 3.1.5(a) and Section 4.2.5);
- The community of Waldemar is an identified area of focus for residential growth in the Township of Amaranth (Section 3.4.3);
- The subject lands are currently designated Community Residential under the Official Plan, which permits single detached dwellings and public parks (Section 3.4.4.1);
- The proposed residential development, which will be created by registered plan of subdivision, includes proposed lot sizes, a density and pattern and a future neighbourhood public park approximately 0.8055 hectares in size, which is

- supported by the supporting Hydrogeological and Geotechnical Study (Section 3.4.4.1);
- The proposed development comprises generous sized residential lots for single detached dwellings and includes a large central public park. As such, the resulting built form will minimize the impact on existing residents whilst enhancing the general character of the area. The proposed development will also be in harmony with the surrounding landscape and the existing neighbouring residential development, which is of a similar built form and scale (Section 3.4.3, Section 3.4.5, Section 4.2.3 and Section 4.2.9);
 - The proposed development is supported by studies that address the servicing of the site, including a Functional Servicing and Preliminary Stormwater Management Report, which concludes that the proposed development can be readily serviced and meet the objectives of the regulatory agencies (Section 3.4.5 and Section 4.1.2);
 - The proposed development will be consistent with relevant development standards in the Community designation under the Official Plan (Section 3.4.5);
 - The Township's recreational facilities will be improved by the creation of the proposed public park measuring approximately 0.8055 hectares (Section 3.7.4(a) and Section 4.2.8);
 - The new roads developed within the proposed development will be constructed to Township standards (Section 3.9.1);
 - The proposed development is supported by studies that confirm that there will not be a negative impact on the environment. The studies include a Hydrogeological Study, which concludes that the development will not cause a significant impact to local hydrogeological conditions; a Geotechnical Study, which provide geotechnical engineering recommendations for the proposed development; and a Tree Inventory, which concludes that it may be possible to protect many of trees growing along the property boundary (Section 4.1.1);
 - The cost of expanding and maintaining the existing municipal water system will be borne by the users of the system (Section 4.2.4 c));
 - Given that the proposed development includes communal services, an Official Plan Amendment Application has been submitted (Section 4.2.4 d); and
 - The results of the Stage 1, 2 and 3 Archaeological Assessments conducted on the subject lands confirm that there are no further concerns for impacts to

archaeological resources on these lands, and that no further archaeological assessment of this parcel of land is required (Section 4.2.6).

4.5 ZONING BY-LAW NO. 2-2009, AS AMENDED

The southern portion of subject lands (including the conveyed “park” parcel) will be rezoned from Rural (RU) to Hamlet Residential (HR), and the subject lands in its entirety will be zoned HR___ and Open Space (public park) with site specific regulations. The exception provisions will allow a Minimum Lot Area of 0.056 hectares, a Minimum Lot Frontage of 15.0 metres, a Minimum Front Yard of 6.0 metres, a Minimum Interior Side Yard of 1.2 metre, a Minimum Exterior Side Yard of 4.0 metres, a Maximum Lot Coverage of 45% and a Minimum Dwelling Unit Gross Floor Area of 110 square metres.

The proposed development is supported by associated technical studies.

The proposed residential subdivision development is generally consistent with what could be created as of right on the northern portion of the subject lands (i.e. under the existing Hamlet Residential (HR) Zone) and is consistent with the character of the area and the surrounding land uses, particularly the existing residential subdivision to the east.

4.6 LOCATION AND COMPATIBILITY

The proposed residential subdivision development, which is located in the western portion of the community of Waldemar, is compatible with the surrounding land uses, as follows:

- The scale and character of the proposed subdivision development comprising single residential dwelling lots on generous lots is compatible with the existing residential subdivisions to the east;
- The proposed communal waste water system will provide additional capacity for some of the existing residential dwellings in the area;
- The proposed subdivision development is compatible with the rural character of Waldemar, and the use of Minimum Distance Separation (MDS) has confirmed that the proposed development is compatible with the adjacent agricultural uses;
- Given the density, pattern and future built form of the proposed development, it is not expected that there will be any significant adverse noise impact from road

- traffic, vibration and stationary sources. During the future site plan approvals process, a detail noise study could be submitted (if needed), which could include recommended noise control measures to ensure the proposed development satisfies the MOE and Township of Amaranth noise guidelines;
- The relocated location of the planned public park from within the conveyed parcel to a more central location makes the most efficient use of available land and services, and provides appropriate buffers to the existing surrounding residential lots and infrastructure;
 - The proposed centralized public park is compatible with the existing open space network, and will provide additional recreational facilities for Waldemar;
 - The proposed subdivision development is not expected to significantly impact future traffic operations in the area as confirmed by the Traffic Impact Assessment prepared by HDR Inc. (see Section 4.10);
 - Through site planning, setbacks and landscape buffer areas, appropriate separation and mitigation will be achieved for future residents of the development, and for adjacent residents; and
 - The site plan approvals process can readily address issues such as landscaping, lighting and garbage containment.

4.7 SERVICING AND STORMWATER MANAGEMENT

A Functional Servicing and Preliminary Stormwater Management Report was prepared by Crozier and Associates for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Report concludes that the proposed development can be readily serviced and meet the objectives of the regulatory agencies.

4.8 HYDROGEOLOGICAL STUDY AND GEOTECHNICAL STUDY

A Hydrogeological Study and a Geotechnical Study were prepared by Terraprobe Inc. for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Hydrogeological Study concludes that the development will not cause a significant impact to local hydrogeological conditions. The Geotechnical Study, which assessed the geotechnical stability of the subject lands, provides geotechnical engineering recommendations for the proposed development.

4.9 FINANCIAL IMPACT ASSESSMENT

A Financial Impact Assessment was prepared by IBI Group as part of the Official Plan Amendment and Zoning By-law Amendment application, and provide conceptual costs estimates for the capital works and the operation and maintenance costs for the wastewater servicing for the proposed development.

4.10 TRAFFIC IMPACT STUDY

A Traffic Impact Study was prepared by HDR Inc. for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Traffic Impact Study concludes that the proposed subdivision development is not expected to significantly impact future traffic operations in the area.

4.11 ARCHEAOLOGICAL ASSESSMENT

A Stage 1 Archaeological Assessment was prepared by Archaeological Assessments Ltd. for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The results of the Stage 1 assessment indicate that the vast majority of the subject lands do have archaeological potential. The Stage 1 recommended that the subject property should be subjected to a Stage 2 archaeological assessment prior to soil disturbance or development activities.

A Stage 2 Assessment and a Stage 3 Assessment was conducted and confirms that there are no further concerns for impacts to archaeological resources on these lands, and that no further archaeological assessment of this parcel of land is required.

4.12 ENVIRONMENTAL ASSESSMENT

A Phase 1 Environmental Assessment was prepared by Terraprobe Inc. for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Phase 1 states that the historical land use has been interpreted to be agricultural and that a Phase 2 Environmental Assessment is recommended to confirm if there is any evidence of adverse impact related to historical agricultural activities.

It is our submission that the Geotechnical Study prepared by Terraprobe Inc. (see Section 4.8 above) adequately addresses the requirements of a Phase 2 Environmental Assessment. The Geotechnical Study included extensive field testing (i.e. bore holes and test pits) and confirms that there is no evidence of adverse impact related to historical agricultural activities on the subject lands.

4.13 MINIMUM DISTANCE SEPARATION ASSESSMENT

A Minimum Distance Separation Assessment (MDS) was prepared by Beacon Environmental for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The MDS reviewed the livestock housing facilities within 2,000 metres of the subject lands, which were deemed to be older traditional smaller scale dairy farms and horse stables. In addition to the MDS separation requirements, the MDS concludes that the proposed development is not impacted by neighbouring livestock facilities.

4.14 TREE INVENTORY AND PRESERVATION PLAN

A Tree Inventory was prepared by Beacon Environmental for the subject lands as part of the Official Plan Amendment and Zoning By-law Amendment application. The Tree Inventory and Preservation Plan characterizes the trees (standalone and groups) on and immediately adjacent to the subject lands.

The Tree Inventory concludes that it may be possible to protect many of trees growing along the property boundary, with the feasibility of retaining trees along the boundary of the site will confirmed at detailed design. All trees (13 trees and 4 tree groups) internal to the proposed development will require removal to accommodate the proposed development. An additional three (3) trees are recommended for removal because they are dead or in poor health. Trees to be retained will be protected through tree protection zones (TPZ) and sediment and erosion control (SEC) fencing.

5.0 CONCLUSIONS

Given the findings of this report, it is concluded that the proposed Official Plan Amendment and Rezoning of the subject lands to permit the proposed 334 lot residential Subdivision development under the Residential Community designation of the Official Plan and the Hamlet Residential site specific exception (HR__) zone is appropriate. It is

consistent with the Provincial Policy Statement and conforms with Growth Plan and County and Township land use planning policies, and represents good land use planning, as follows:

- The subject lands are located within a designated area which is the focus of new growth and development;
- The proposed development will create new housing and jobs which will help promote the vitality and economic well-being of a rural community;
- The design, lot sizes and lot yield of the proposed residential subdivision development is reflective of that which exists on surrounds land uses in Waldemar. As such, it will reinforce and enhance the local community character, whilst respecting its immediate context and will create a quality living environment;
- The proposed development permitted by the Official Plan designation and Zoning would have no undue adverse impacts on the surrounding land uses; and
- The subject lands are of a size and character capable of accommodating the proposed residential subdivision development, including associated roads and public park.

5.1 PROPOSED OFFICIAL PLAN AMENDMENT

- The subject lands are currently designated Community Residential, which permits single detached dwellings and public parks (see Section 4.4);
- The Official Plan Amendment is primarily of a technical nature given the existing Official Plan permissions that affect the subject lands. Single detached dwellings and public parks are permitted under the current Community Residential designation. An Official Plan Amendment is required only because the proposed development includes a communal sanitary system;
- A Functional Servicing and Preliminary Stormwater Management Report was prepared for the subject lands which concludes that the proposed development can be readily serviced and meet the objectives of the regulatory agencies; and
- A Hydrogeological Study was prepared for the subject lands and concludes that the development will not cause a significant impact to local hydrogeological conditions; and

- The proposed development is generally consistent with all relevant objectives and policies of the Township of Amaranth Official Plan.

5.2 PROPOSED ZONING BY-LAW AMENDMENT:

- The proposed Zoning By-law Amendment is generally consistent with the adopted and in-effect Township of Amaranth Official Plan;
- The proposed rezoning of the southern portion of the subject lands (including the conveyed “park” parcel) from a rural zone to a residential zone is consistent with the existing zoning permission for the northern portion of the subject lands;
- The resulting scale and character of the proposed subdivision development, comprising single dwelling lots on generous lots, is compatible with the residential character of Waldemar, including the existing residential subdivisions to the east;
- The proposed subdivision development is compatible with the rural character of Waldemar, and the use of Minimum Distance Separation (MDS) will ensure that the proposed development is compatible with the adjacent agricultural uses; and
- The proposal is in keeping with the intent of the Zoning By-Law, subject to site-specific design and performance standards.