



Planning Advisory Committee Report

To: To the Chair and Members of the Planning Advisory Committee
From: Dan Namisniak - Planner, Site Plan Coordinator
Date: July 10, 2019
Report: PA-19-14a
Subject: Draft Plan of Subdivision File PS1/19/DN
& Zoning By-Law Amendment File ZBA5/19/DN (Arthur / Oakland Subdivision)
Purpose: **Recommendation Report** on a request for a residential plan of subdivision with 22 single detached dwellings, and a request to amend the zoning to allow for the residential uses.

Recommendation

THAT Application **PS1/19/DN** from GSP Group Inc., agent on behalf of Stonehenge Acres Ltd. And 959261 Ontario Inc., applicant/owner of CON 1 PT LOT 6 PT LOT 5 REG, County of Brant, in the Former Geographic Township of Oakland, located at intersection of Oakland Road and Bannister Street proposing a residential plan of subdivision consisting of 22 single detached dwellings on private services, **BE APPROVED**, subject to the attached Conditions of Draft Plan Approval.

AND

THAT Application **ZBA5/19/DN** from GSP Group Inc., agent on behalf of Stonehenge Acres Ltd. And 959261 Ontario Inc., applicant/owner of CON 1 PT LOT 6 PT LOT 5 REG, County of Brant, in the Former Geographic Township of Oakland, located at intersection of Oakland Road and Bannister Street proposing to amend the Zoning By-Law 61-16 on the subject lands from Agricultural (A) to Suburban Residential (SR) & Suburban Residential - Special Exemption (SR-xx) to permit a minimum frontage of 22.5 metres on lots 8, 9, 18 & 19, where a minimum frontage of 30 metres is required, **BE APPROVED**.

Key Strategic Priority

Undertaking actions that elevate customer service to those we serve.

Financial Considerations

Not applicable.

Executive Summary

The purpose of this report is to provide the Committee and Public with information from the Applicants and Staff regarding the details of an application for Draft Plan of Subdivision and Zoning By-law Amendment.

The Applicant is proposing a residential Plan of Subdivision that consists of a total of 22 single detached dwelling units. The applicant is also proposing to amend the Zoning By-Law 61-16 on the subject lands from Agricultural (A) to Suburban Residential (SR) & Suburban Residential - Special Exemption (SR-xx) to permit a minimum frontage of 22.5 metres on lots 8, 9, 18 & 19, where a minimum frontage of 30 metres is required.

Included within this report is a copy of the Draft Conditions of Plan of Subdivision to facilitate the proposed development which have been reviewed and accepted by Staff and the Applicants.

The proposal is consistent with the policies of the Provincial Policy Statement (2014) and conforms to both the Growth Plan for Greater Golden Horseshoe and the County of Brant Official Plan. This report recommends that the applications be approved, subject to the draft conditions attached.

Background

A pre-consultation for the proposed development was held in May 2017. Initial review of the proposal identified a number of considerations, plans, studies and reports required as part of a complete submission. A complete submission was received in December 2018.

The application for Draft Plan Approval and Zoning By-law Amendment was first presented to the Planning Advisory Committee and interested members of the Public for information purposes on April 2, 2019.

The first submission proposed a new single road connection from/ onto Oakland Rd through to Malcom St consisting of 22 lots.

Comments and Concerns raised as part of the initial information meeting included: water quality/ quantity, added traffic and speed along Oakland Road, pedestrian connections/ safety, environmental consideration in and around Mackenzie Creek, storm water management & preservation of agricultural land / future development.

The information from the April public meeting was incorporated into the ongoing review and further consultation with the Applicants/ Agent, various departments and local Ward 5 Councilor J. Gatward.

Further discussions led to a plan revision, supported by Staff to address the general comments from the first circulation.

An advanced notice of the July Planning Advisory Committee Meeting, containing the revised plan was circulated to all properties within 125m of the subject lands on May 30, 2019.

Details about the plan revision are included in the 'Conclusion and Recommendation' section of this report.

Location / Site Description

The Landholding is approximately 41.7 ha (100 acres) and is bordered by Oakland Road to the north, McKenzie Creek / Vivians Pond to the south, existing low density residential dwellings to the east, and agricultural lands to the west. The southern portion of the landholding consists of Natural Heritage Area that falls within the Regulation Limits of the Grand River Conservation Authority (GRCA).

The Site is proposed to be subdivided from the landholding to facilitate the Proposed Development and is 8.6 hectares (21.3 acres) in size with 141.2 metres of frontage on Oakland Road and 20 metres of frontage on Bannister Street. A portion of the Site was

previously used for aggregate extraction purposes but has since been used for agricultural purposes, which continues to the present day. The portion of the Site proposed for development is outside of the Provincially Significant Wetland and recommended protective buffers.

Report

(a) Consistency and/or conformity with Provincial policies/plans

Planning Act

Section 51(24) (see attached) of the Planning Act provides policy direction to be considered when reviewing applications for division of land.

Section 34(1) of the Planning Act establishes that Zoning By-laws may be passed by Councils of local municipalities.

- *The lands are designated Suburban Residential in the County of Brant Official Plan.*
- *A Complete Application Submission was made in December 2018 and has been reviewed by various County departments and agencies.*
- *Conditions of approval have been included with the report. The proposals conform to the policies of the Official Plan.*
- *The proposal is within an area that is designated for residential, is suitable use of the land, meets the general requirements of the zoning by-law and is serviced by municipal services (water and sanitary systems).*
- *The applications are consistent with the provisions of the Planning Act.*

Provincial Policy Statement – 2014 (PPS)

Section 1 of PPS 2014 provides policy framework for effective and efficient land use planning systems.

Section 1.1.1 of PPS focusses on sustaining healthy, liveable and safe communities. It provides policy direction for planning authorities to consider matters relating to land use planning and development. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. It supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. In accordance with PPS, land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

- *The proposal provides for residential land uses. The lands are located within the Secondary Settlement Boundary of Oakland, which in accordance with Section 1.1.3 of PPS shall be the focus of growth and development. Existing uses are serviced by private services. The proposed road network utilizes an existing unconstructed roadway to connect to the existing subdivision to the east and abuts arterial and collector roads. The proposed development will utilize the existing pedestrian infrastructure that is currently in place.*
- *After reviewing the PPS in its entirety, the proposals are consistent with the policies of the PPS.*

Growth Plan for Greater Golden Horseshoe - 2017

The Growth Plan establishes land use planning framework that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social

equity. The Growth Plan emphasizes “complete communities” and effective use of infrastructure. Section 2 of the Growth Plan for Greater Golden Horseshoe (2017) provides policy direction for planning and managing growth in the settlement areas.

- The lands are located in a designated Greenfield area within the Secondary Settlement Boundary of Oakland.

After reviewing the Growth Plan in its entirety, the proposals conform to the policies of the Growth Plan as it represents a minor rounding out of the existing Oakland community.

(b) Consistency and/or conformity with Municipal policies/plans

Official Plan - 2012

Official Plan, ‘Schedule A’ Mapping identifies that the portion of the subject lands to be developed are situated within the Secondary Settlement Boundary of Oakland and are designated in part as Suburban Residential and Natural Heritage in the Official Plan. The portion of the subject lands located outside of the Settlement Boundary are designated Agricultural and Natural Heritage.

Section 2.3.3.1.3 provide guidelines for new development on private services within a Secondary Settlement Area.

Section 3.5.1 outlines the intent of Suburban Residential designated areas as a recognition of existing clusters which will function as low density residential areas.

- *In accordance with the policies of the Official Plan, the proposed development is considered a rounding out of development providing for single detached dwellings and is designed to be incorporated within the existing subdivision.*
- *Various technical studies have been submitted in support of the development and have been reviewed by various departments and agencies.*
- *A number of conditions have been imposed to address matters such as environmental buffering, fencing, urban design, noise mitigation measures, drainage, etc. and appropriate road widening and reserves have been taken to address safe sightlines and future transportation needs.*

In reviewing the Official Plan in its entirety, the proposal for a draft plan of subdivision and the Zoning by-law amendment conforms to the policies of the Official Plan.

Infrastructure/Servicing

The plan will be serviced by private water, sanitary and storm infrastructure.

Source Protection Plan

The subject lands are located outside the Source Protection Plan.

Zoning By-Law 61-16 - 2016

The subject lands are currently zoned Agricultural (A) in the Zoning by-law.

Application ZBA5-19-DN proposing to amend the Zoning on the subject lands to allow for additional residential uses.

- *New lot creation on private services within the Suburban Residential (SR) zone requires a minimum frontage of 30 metres and a minimum area of 3000 square metres (0.30 ha).*
- *The application proposes to provide lots 8, 9, 18 & 19 with a minimum frontage of 22.5 metres with areas that exceed the minimum 0.30ha requirements.*
- *The development is required to meet all other requirements of the Zoning By-law.*

Interdepartmental Considerations

Zoning Administrator: The development is required to meet all other requirements of the Zoning By-law.

Development Engineering Department: Conditions of final approval included to satisfy Development Engineering requirements.

Building Division: Conditions of final approval included to satisfy Building Division requirements.

Fire Department: Conditions of final approval included to satisfy Building Division requirements.

Grand River Conservation Authority (GRCA): Based on the documents provided and proposed works the GRCA has no objections to the proposed Zoning Bylaw amendment, nor would our office have any objections to the proposed Draft Plan of Subdivision receiving draft plan approval.

Union Gas: If services are required in the area, a condition of final approval will require the owner/developer to provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

Bell Canada: If services are required in the area, a condition of final approval will require the owner/developer to confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

Canada Post: Conditions of final approval included to satisfy Canada Post requirements.

Energy Plus: Conditions of final approval included to satisfy Energy Plus requirements.

Community Services: Conditions of final approval included to satisfy Community Services requirements.

MPAC: No objections.

Water Division: No objections.

Legal Division: No objections.

Civic addressing: No objections.

Source Water Protection (Risk Management Official): No objections

The following departments/agencies did not provide any comments with regard to this application:

- Brant Heritage Committee
- Forest Officer
- Six Nations of the Grand
- Mississaugas of New Credit
- Economic Development and Tourism
- Brant Haldimand Norfolk District School Board
- Grand Erie District School Board

Studies Submitted

In support of the application, the applicant has submitted the following information:

1. Planning Justification Report
2. Draft Plan of Subdivision
3. Conceptual Stormwater Management Report
4. Functional Servicing Design Report
5. Geotechnical Investigation
6. Hydrogeological Assessment
7. Transportation Impact Study
8. Archaeological Assessment
9. Noise Feasibility Study

Public Considerations

The first submission was circulated to all properties within 125 metres on March 15, 2019 for the April 2, 2019 Planning Advisory Meeting:

The following public comments were received as part of the April 2019 hearing circulation:

- 181 & 183 Oakland Rd. – C. Reansbury
- 14 Bannister St. - D. Surmatchewski
- 172, 173, 177 & 179 Oakland Rd – Marinuk Farms Ltd.
- 173 Oakland Rd - L. Marinuk
- 174 Oakland Rd – N. Gatward
- 176 Oakland Road - Zuidervliet

An advanced notice of the July 10th Planning Advisory Committee Meeting, containing the revised plan was circulated to all properties within 125m of the subject lands on May 31, 2019.

The following public comments were received as part of the July 2019 hearing circulation:

- 4 Bannister St. – K. McClelland

If any additional comments are received after the generation of this report, they will be attached to the addendum for the Committee's consideration.

Conclusion and Recommendation

The proposal requests approval of a residential Plan of Subdivision that consists of a total of 22 single detached dwelling units. In order to facilitate the development, the applicant is also proposing to amend the Zoning By-Law 61-16 on the subject lands from Agricultural (A) to Suburban Residential (SR) & Suburban Residential - Special Exemption (SR-xx) to permit a minimum frontage of 22.5 metres on lots 8, 9, 18 & 19, where a minimum frontage of 30 metres is required.

The reduced frontage of 22.5 metres requested on lots 8, 9, 18 & 19, is considered to be minor and appropriate in order to facilitate the development of four (4) pie-shaped lots.

Development of the portion of the subject lands that falls inside of the Oakland Settlement Boundary is considered a minor 'rounding out' of development.

Comments and Concerns raised as part of the initial information meeting included: water quality/ quantity, added traffic and speed along Oakland Road, pedestrian connections/ safety, environmental consideration in and around Mackenzie Creek, storm water management & preservation of agricultural land / future development. The information from

the April public meeting was incorporated into the ongoing review and further consultation with the Applicants/ Agent, various departments and local Ward 5 Councilor J. Gatward.

The revisions are based on the technical comments received as part of the County of Brant departmental review and those comments received during the initial April 2019 public consultation.


Concern(s) Identified	Proposed Revision(s) to Subdivision Design
Vehicle Traffic (Oakland Rd)	<ul style="list-style-type: none">· Access along the Rural Arterial Road (Oakland Rd) has been limited to use of the existing intersection at Bannister St.· The revised plan proposes to connect the proposed development to Bannister St. by utilizing the existing County owned, unconstructed roadway known as 'Yarek St.'
Pedestrian Safety	<ul style="list-style-type: none">· The revised layout will allow for the extension of the internal street network to maintain a local traffic flow and promote safe pedestrian patterns to and from amenities within the core area of Oakland.
Stormwater Management	<ul style="list-style-type: none">· The proposed development will provide stormwater management that exceeds the municipal requirements through utilization of Low Impact Development (LID) infiltration techniques.
Water Quantity / Quality	<ul style="list-style-type: none">· A standard condition of Draft Plan approval requires the developer to confirm that an adequate water supply for each lot can be obtained with no negative impact to surrounding wells.
Future Development	<ul style="list-style-type: none">· The revised layout is designed to be incorporated into the established subdivision by efficiently utilizing existing infrastructure.· The revised design better reflects the use of an existing street stub and a 'rounding out' of development as the proposal abuts the limits of the Oakland Settlement Boundary.

An advanced notice of the July Planning Advisory Committee Meeting, containing the revised plan and the revision details above, was circulated to all properties within 125m of the subject lands on May 30, 2019. 1 letter was received as part of the advance notice circulation from #4 Bannister St. A copy of this letter is attached to this report.

Based on the above analysis, Staff have determined that the proposed land uses are being directed to an appropriate area and will not adversely impact any existing or future land uses in the area. Furthermore, the comments received from Departments and Agencies through circulation of this application have been incorporated in the conditions of approval.

It is the opinion of staff that these planning applications have merit as they are consistent with the Provincial Policy Statement and conforms to the general intent of the Official Plan. This report recommends that the draft plan approval be granted, subject to the attached conditions and the zoning by-law amendment request be approved.

Respectfully Submitted,



Planner / Secretary-Treasurer, Committee of Adjustment

Attachments:

1. Official Plan Map
2. Aerial Photo
3. Proposed Draft Plan of Subdivision
4. Draft conditions of approval
5. Draft By-Law and schedule

Copy to:

1. Heather Boyd, Clerk Council Committee Services
2. Rob Trotter, Acting General Manager of Development Services
3. Jennifer Mayhew, Planning Administrative Assistant
4. Applicant/Agent

File # PS1/19/DN and ZBA5/19/DN

In adopting this report, is a bylaw or agreement required?

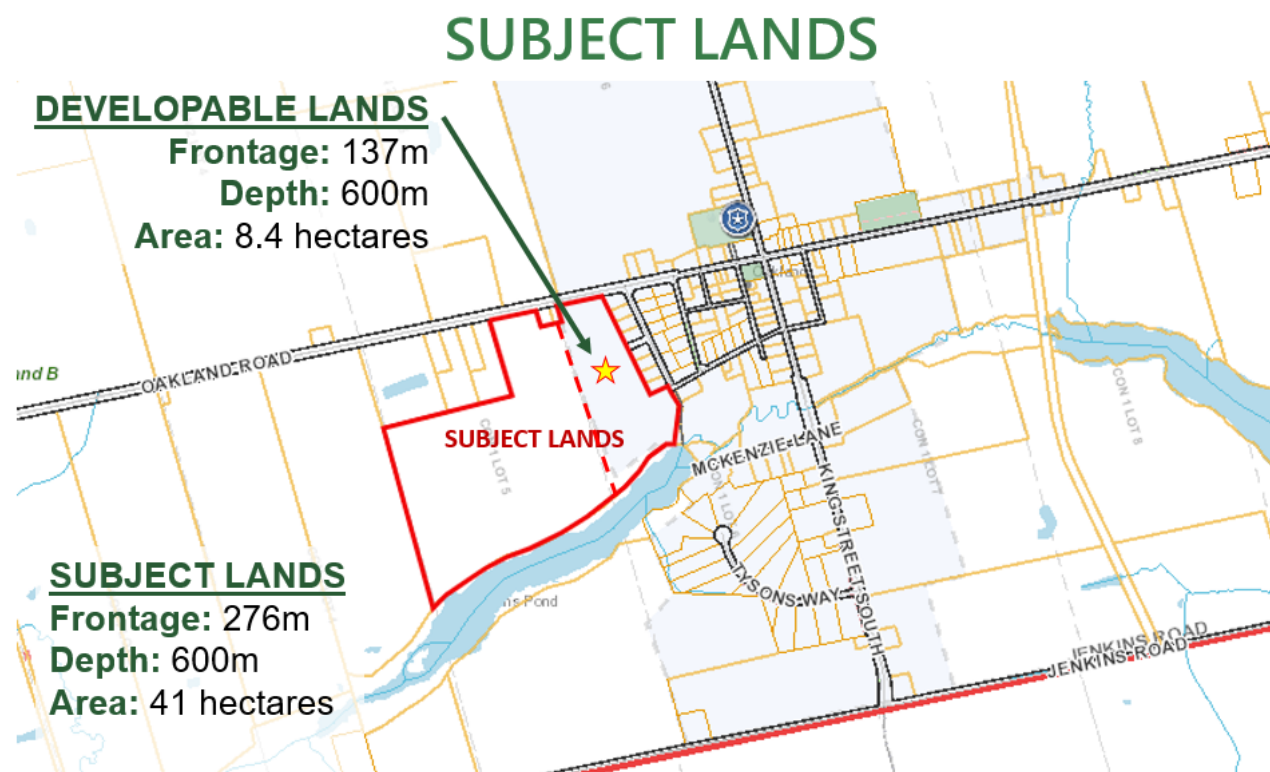
By-law required

(Yes)

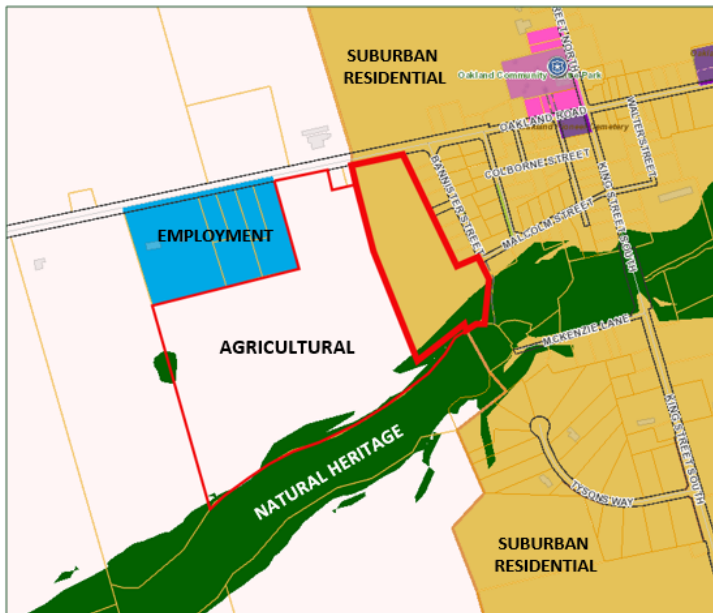
Agreement(s) or other documents to be signed by Mayor and /or Clerk

(Yes-at later date)

Is the necessary by-law or agreement being sent concurrently to Council? (Yes)



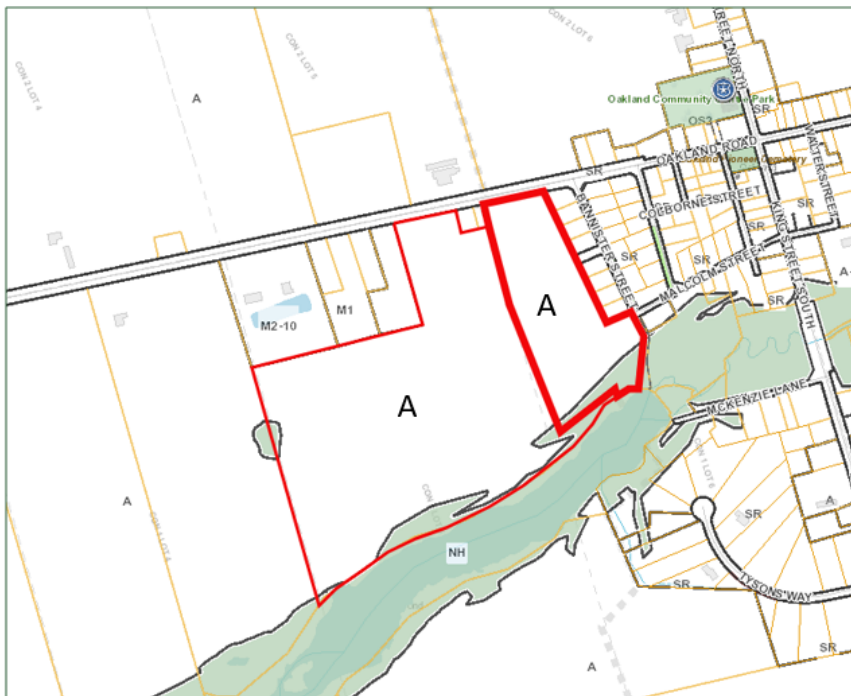
OFFICIAL PLAN (2012)



Current Land use Designation:

Suburban Residential
Agricultural
Natural Heritage

ZONING BY-LAW 61-16



Current Zoning:

A Agricultural
NH Natural Heritage