



Planning Advisory Committee Report

To: To the Chair and Members of the Planning Advisory Committee
From: Marcus Davidson, Senior Planner
Date: July 10, 2019
Report: PA-18-38a
Subject: Draft Plan of Subdivision File PS3/16/MD and Zoning Amendment File ZBA 35/16/MD (Green Farm Subdivision)
Purpose: **Recommendation Report** on a request for a residential plan of subdivision with 24 single detached dwellings and a storm water management block, and a request to amend the zoning to allow for the residential uses.

Recommendation

That Application PS3/16/MD from Development Engineering (London) Limited, agent for 2500113 Ontario Inc., applicant of Concession 4, Part of Lots 18 and 19, geographic Former Township of Brantford, County of Brant, located at 299 and 301 Oakhill Drive, to allow for a residential plan of subdivision 24 single detached dwellings, and a stormwater management block **BE APPROVED**, subject to the attached Conditions of Draft Plan Approval.

And,

That Application ZBA35/16/MD from Development Engineering (London) Limited, agent for 2500113 Ontario Inc., applicant of Concession 4, Part of Lots 18 and 19, geographic Former Township of Brantford, County of Brant, located at 299 and 301 Oakhill Drive, to amend the Zoning By-Law 61-16 on the subject lands from Agricultural (A) and Natural Heritage (NH) to Suburban Residential (SR) and Open Space (OS2), **BE APPROVED**.

Key Strategic Priority

Undertaking actions that elevate customer service to those we serve.

Financial Considerations

Any financial obligations related to these applications will be borne by the Applicants.

Executive Summary

The purpose of the report is to provide the Committee with information and recommendation from staff on the details of the applications 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 24 single detached dwellings, and a stormwater management block. The applicants are also proposing to amend the zoning on the lands from Agricultural (A) and Natural Heritage (NH) to Suburban Residential (SR) and an Open Space (OS2) Zones.

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.

Proposal and Background

The Applicant is seeking approval for the Draft Plan of Subdivision consisting of 24 single detached dwellings, and a stormwater management block. The applicants are also proposing to amend the zoning on the lands from Agricultural (A) and Natural Heritage to Suburban Residential and an Open Space (OS2) Zones.

These applications were placed on hold pending the completion of municipal infrastructure, specifically, the Airport Water Supply and Elevated Water Storage Tank. As the municipal infrastructure is scheduled to be completed late summer/early fall 2020, the recommendation is to place the subject lands into a holding (h) provision, until this municipal project is commissioned and municipal water is available.

Location

The subject property is 73.6 hectares (182 acres) in size, and is located on the east side of Greens Road, north of Oakhill Drive in the Settlement Boundary of Airport/Oakhill. The lands situated within the actual Settlement Area are approximately 5.35 hectares (13.2 acres) in size and are presently serviced with municipal water. The lands are currently vacant and are in agricultural production.

The lands are abutted by Ellington Place, which was the Oakhill school site, as an original plan of subdivision to the south of the site in 2009. Agricultural uses are located to the north and east of the subject lands.

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 2016 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 partially serviced by municipal services (municipal water and septic systems).

The applications are consistent with the provisions of the Planning Act.

Provincial Policy Statement

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 Urban Settlement Boundary of Oakhill/Airport, which in accordance with Section 1.1.3 of PPS shall be the focus of growth and development. The lands are located within the regulation limit of Grand River Conservation Authority and no concerns have been raised by the Authority with regard to this development.

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.

After reviewing the Growth Plan in its entirety, the proposals conform to the policies of the Growth Plan.

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

Official Plan

The lands are situated within the Secondary Urban Settlement Boundary of Oakhill/Airport and are designated in part as Suburban Residential in the Official Plan.

In accordance with the policies of the Official Plan, the proposed development provides for single detached dwellings, and a stormwater management (open space block) encouraging complete, healthy and safe communities.

The plan will be serviced by partial municipal services (municipal water and septic systems).

The draft plan conditions include a provision that will require the Developer to pay 5% in lieu of Parkland in accordance with the Official Plan.

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 fencing, urban design, noise mitigation measures, etc. and appropriate road widening and reserves have been taken to address the 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 lands are serviced by partial municipal services (municipal water and septic systems).

Source Protection Plan

The subject lands are located outside the Source Protection Plan.

Zoning By-Law 61-16

The subject lands are currently zoned Agricultural (A) and Natural Heritage (NH) in the zoning by-law. The applicant is proposing to amend the zoning on the subject lands to allow for residential uses.

After reviewing the proposed zoning by-law by the applicants, a holding provision is proposed on the entirety of the development in order to address the outstanding servicing issues in the Airport area. These clauses have been included in the conditions of approval.

Interdepartmental Considerations

Union Gas: They request that as a condition of final approval that the owner/developer 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: That a condition of final approval be added that the Developer must 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.

MPAC: No objections.

GRCA: No objections.

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.

Zoning Administrator: No objections.

Legal Division: No objections.

Civic addressing: No objections.

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

Water Division: Conditions of final approval included.

Risk Management Official: No objections

Circulation Considerations

Terry Kirby, 53 Kirby Crescent: suggesting modification to the proposed plan to protect the creek that is downstream of the proposed development to minimize siltation, contamination with construction debris and to maintain the integrity of the valley slopes.

Studies Submitted

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

1. Planning Justification Report
2. Draft Plan
3. Functional Servicing and Stormwater Management Report
4. Environmental Impact Study
5. Nitrate Assessment Report

Conclusion and Recommendation

The proposal is to seek approval for a draft plan of subdivision consisting of with 24 single detached dwellings with a stormwater block. The applicant is also proposing to amend the zoning on the lands from Agricultural (A) to Suburban Residential (SR) and Open Space (OS2).

A holding provision is proposed on the development, until the Airport Water Supply and Elevated Water Storage Tank is closer to completion. These clauses have been included in the conditions of approval.

With regard to comments received with this application, Staff notes that a number of meetings have taken place with the Developer, neighbours and external agencies. Most recently Municipal Staff, and the GRCA met with the developer to discuss concerns raised by the adjacent neighbour with regard to impacts on the cold water creek. Specifically, the agricultural use had established a new irrigation pond. The conclusion was that works were likely done out of the appropriate season, which led to runoff downstream of the agricultural use. However, the GRCA was very positive that planting of wetland species along the banks of the creek would help to alleviate concerns raised. The Owner will work with the GRCA in this regard. It was noted, that the proposed development would not impact on the stream, as there is approximately 400-500 metres of valley lands between the proposal and the existing creek.

Staff has 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 it is 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,

A handwritten signature in black ink, appearing to read 'MD', followed by a long horizontal flourish.

Marcus Davidson, Senior Planner

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/Director of Planning
3. Jennifer Mayhew, Planning Administrative Assistant
4. Applicant/Agent

File # PS3/16/MD and ZBA35/16/MD

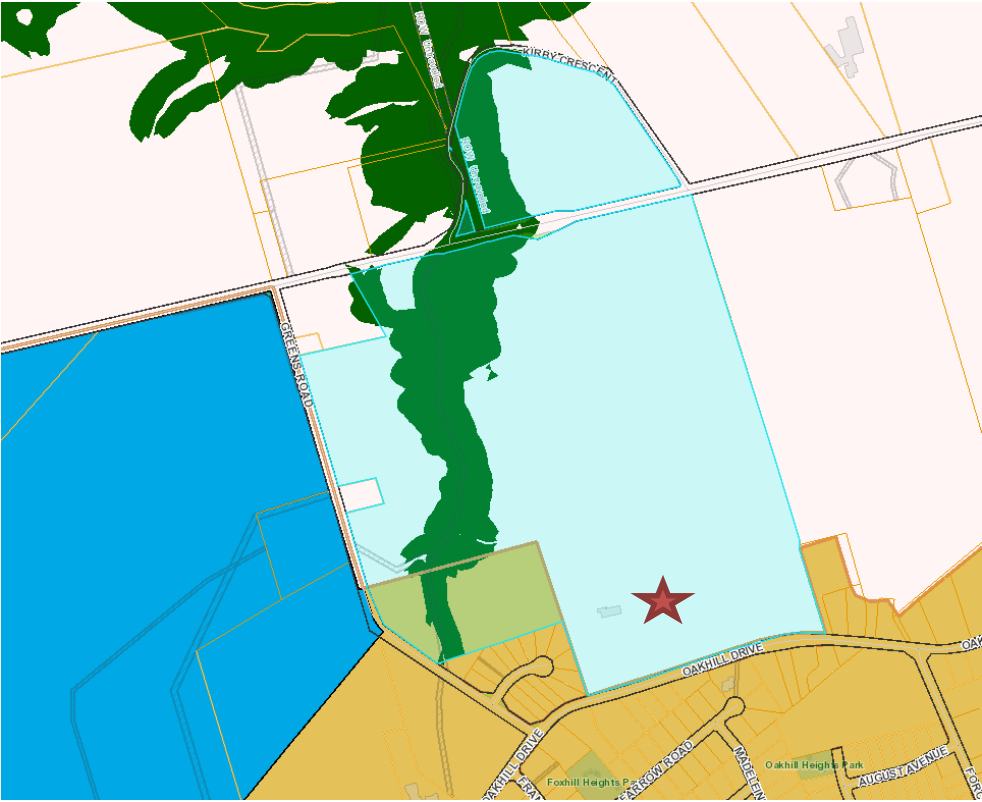
In adopting this report, is a bylaw or agreement required?

By-law required (Yes)

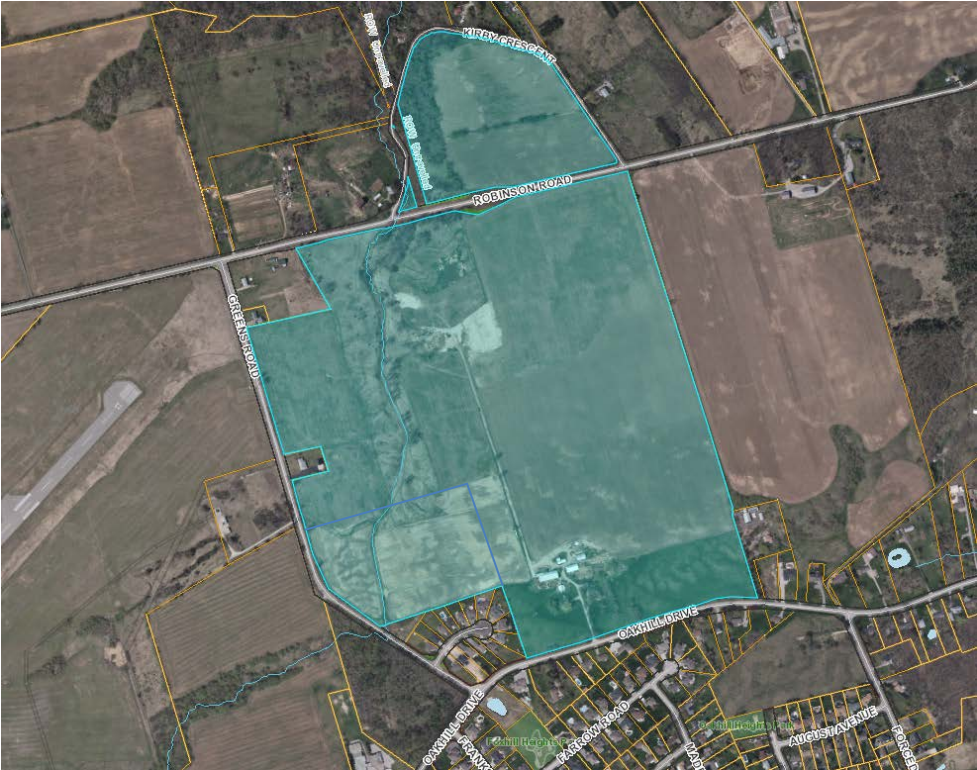
Agreement(s) or other documents to be signed by Mayor and /or Clerk (Yes-at later date)

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

Excerpt from Official Plan:



Aerial Photograph:



Draft Plan:

