



Working together with our community

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Public Hearings Committee – June 01, 2021

Subject: 28TPL2020142/ZNPL2020144 – An application has been for a Draft Plan of Subdivision and Zoning By-Law Amendment to establish a 101 units plan of subdivision. It is proposed to rezone the subject lands from Development (D) Zone to Urban Residential Type 2 (R2) Zone and Urban Residential Type 4 (R4) Zone with a special provision to reduce the exterior side yard setback for corner lots from 6 metres to 3 metres.” AD THOMPSON ROAD INC. on behalf of ROBERT AND THOMAS AND SCOTT THOMPSON and agent G. DOUGLAS VALLEE LTD. has put forth the application affecting the lands described as 220 Thompson Road West, Waterford.

Report Number: CD 21-37
Division: Community Development
Department: Planning
Purpose: For Information

Executive Summary:

An application has been received for a Draft Plan of Subdivision comprising a mix of housing types, including 51 single-detached, 40 semi-detached, and 10 townhouse dwelling units, for a total of 101 residential dwelling units.

A zoning application has also been submitted to change the current 'Development' zone to 'Residential Type 2 (R2)' zone and 'Residential Type 4 (R4)' zone with a site-specific provision.

This report is presented as part of the statutory public meeting required by the Planning Act. Following further review and any recommended revisions, a subsequent report will be brought forward containing a recommendation for Council's consideration.

Site Features and Land Use:

The subject lands are within the Waterford urban boundary and located to the west of Blue Line Road and south of Thompson Road West, in the southwest area of Waterford. The total area of the subject land is 7.85 hectares, with a gradual slope of approximately 2 meters from the highest elevations from the northerly and southerly property lines towards the center of the property. The lands abutting to the east are comprised of various industrial uses including Norfolk Disposal Services Limited, Lafarge Concrete, Car Wash and Pet Grooming business. The lands to the north, across Thompson Road West, is a second location for Norfolk Disposal Services Limited. Active cash crop farming is located to the west and south.



Figure 1: The subject site at the right side opposite to Lafarge Concrete Industry along Blueline Road.



Figure 2: The subject site at the right side opposite to Norfolk Disposal's bin and truck storage property along Thompson Road West.

Development Proposal: The proposal is for a draft plan of subdivision containing approximately 101 residential dwelling units with a stormwater management pond, and a small park area. The proposal includes 51 single detached dwelling units, 40 semi-detached dwelling units, and 10 street townhouse dwelling units.

It is proposed to rezone the subject lands from Development Zone (D) to Urban Residential Type 2 Zone (R2) and Urban Residential Type 4 Zone (R4) with a special provision of reduced exterior side yard to implement the draft plan of subdivision.



Figure 3: The proposed subdivision

Discussion: As shown in Figure-3, the proposed subdivision comprises 51 single detached dwelling units, 40 semi-detached dwelling units, and 10 street townhouse dwelling units with a density of 12.86 units per hectare. This is close to the minimum requirement of 15 UPH for single detached residential developments indicated in the Official Plan policies. The proposed development will be connected to municipal water and sewer services through public roads.

MOE-D Series Guidelines Analysis: The Land Use Compatibility Assessment, dated October 28, 2019, prepared by Rubidium Environmental, identifies the adjacent Norfolk Disposal sites as waste management facilities, not as waste facilities. The Easterly Norfolk Disposal facility has Environmental Compliance Approval for air and noise and

is identified as a waste disposal site for processing, storage, and transfer of solid industrial, commercial and residential waste. The report did not include D4 guidelines and corresponding D1 requirements. The report includes a D6 guidelines analysis but did not provide mitigation measures. The Agent has been asked to review the following issues and revise the MOE-D6 Guidelines analysis:

1. D6 Guidelines for Industrial Class II require a 70 m buffer, lot to lot, between industrial and any sensitive uses. The proposal did not include sufficient analysis of mitigation measures for reduced buffer to avoid any existing air and noise pollution.
2. Solid fencing is proposed along Thompson Road West and Blueline road with back-lotting as the only measures to avoid the noise issue. Back-lotting may not be desirable alternative and does not reflect the intent of the Official Policy, section 5.4 (m) regarding Crime Prevention Through Environmental Design (CPTED).

Stormwater Management: The application package includes a Functional Servicing Report (FSR), prepared by Vallee Consulting dated May 12, 2020. The FSR indicates the stormwater will be discharged to a designed wet pond facility with an outlet through the existing Waterford South Municipal Drain (WSMD) along Thompson Road. The FSR concludes that there will be no change of performance of the WSMD when comparing the pre-development and post-development flow. Development Engineering confirmed that the Waterford South Municipal Drain report (John Vallee, P.Eng., 1996) specifically notes the design excluded this area and it is not to be connected. If the development is granted to an outlet to the WSMD, an engineer must be hired to complete a re-evaluation of the original drain system/report as per Section 76 of the Drainage Act. A detailed analysis of the proposed emergency overflow path will also be required.

Circulation Comments:

The planning staff has received circulation comments (Appendix A), including Development Engineering and LPRCA. Key issues addressed in the Technical comments include:

1. A Holding (H) Provision should be added to the lands and remain in place until either the pre-servicing agreement or the subdivision agreement has been executed and registered on title.
2. Proper mitigation measures are requested for further review to address the land-use conflict between the adjacent industrial activates and the subject site.
3. The functional service report must comment on the ability of the wet pond to provide sufficient water quantity and water quality control. The Property is within the municipal drainage area of the "Waterford South" Municipal Drain (WSMD) but has not been assessed or included within the current report or system. If the development is granted to outlet to the WSMD, an engineer must be hired to complete a re-evaluation of the original drain system/report as per Section 76 of the Drainage Act

Regard For Public Input:

Planning Staff received comments from the members of the community including adjacent industrial properties - Norfolk Disposal and Lafarge Canada Inc. Key issues and concerns identified in the submitted comments include:

1. According to PPS, 2020 and Norfolk County Official Plan, the applicant must ensure land-use compatibility of the proposed new sensitive use with the existing and established industrial, waste management, and commercial uses in the immediate vicinity. The Planning Justification Report (G. Douglas Vallee Ltd, June 2020) submitted with the Applications, did not include a detailed policy analysis of the PPS Section 1.2.6.1 and a.2.6.2, and Norfolk County Official Plan policies section 7.12.2 e) and 7.12.2 f).
2. The D6 Guideline generally recommends a minimum separation distance of 70m from the property lines of sensitive uses, such as a residence, to a Class II industrial use. In the case of the proposed residential development, the separation distance is only about 20m from the property line of the Lafarge Ready-Mix plant to the property line of the proposed residential.
3. The D4 Guidelines should be included in the MOE D-series analysis for adjacent waste disposal activities.
4. Noise Study should be updated with current traffic data
5. No mitigation measures are provided with the proposal. Re-designing the Draft Plan of Subdivision with mitigation measures such as open-space and stormwater management facilities as additional setbacks distance and buffers from the adjacent industrial uses to the proposed residential uses should be considered.

Planning Considerations:

It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Provincial Policy Statement, 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It promotes efficient development and land use patterns and encourages growth and development within existing settlement areas. The subject land is within the 'settlement area' as defined in the Provincial Policy Statement.

Section 1.1.3 states that settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. This section also mentioned that land-use patterns within settlement areas (including urban areas) shall be based on densities and a mix of land uses with certain characteristics, including efficient land use, infrastructure and service facilities. Section 1.1.3.4 related to settlement areas, states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.2.6.1 related to Land Use Compatibility states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 1.2.6.2 states that Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- there is an identified need for the proposed use;
- alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- adverse effects to the proposed sensitive land use are minimized and mitigated; and
- potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

Section 1.6.6.2 related to Sewage, Water and Stormwater states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

Planning Comments: Planning Staff will perform a conformity check based on the above-mentioned policies of PPS, 2020 within the recommendation report.

Norfolk County Official Plan

The subject land is designated as ‘Urban Residential’ in the Official Plan. Section 6.4 related to urban areas states that the County shall ensure through its planning activities that each Urban Area develops with efficient land use patterns that minimize the extension of municipal services and infrastructure.

Section 7.7 related to ‘Urban Residential’ designation states that for low profile residential development such as Single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare (UPH). Townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 UPH.

Section 9.6.4 related to ‘Draft Plan of Subdivision’ approval states that applications for approval of a draft plan of subdivision shall be considered on the basis of conforming to certain criteria, including the application of community design policies, engineering

standards, Parkland dedication, approval of the appropriate Conservation Authority, province and other relevant agencies, and a subdivision agreement.

Section 5.4, related to 'Community Design' policies, provide direction to the physical design of the communities for development proposals, such as plans of subdivision.

The adjacent properties at the north and east side of the subject land are designated as 'Protected Industrial' in the Official Plan. Section 7.12 related to protected industrial land use policy states that in locating any sensitive land use in the vicinity of any established or approved industrial use, the County shall establish appropriate separation distances in consultation with the Ministry of the Environment and Climate Change and the relevant guideline related to land use compatibility. Deviation from the established separation distances shall require detailed supporting studies of the potential impacts on the sensitive land use by the Industrial use, and vice-versa, and any recommended mitigation measures.

Planning comments: The proposed development will be further reviewed based on the above-mentioned policies. A conformity check of the Official Plan policies will be provided within the recommendation report.

Norfolk County Zoning By-Law 1-Z-2014

The subject land is zoned as 'Development (D)' in the Zoning By-Law Z-1-2014. Permitted use in 'Development (D)' zone includes single detached dwelling.

The Urban Residential Type 2 Zone (R2) is proposed for single and semi-detached dwellings. The Urban Residential Type 4 Zone (R4) is proposed for street townhouses.

The proposed zoning changes include:

1. From 'Development (D)' zone to 'Residential Type 2 (R2)' zone to permit 51 single detached and 40 semi-detached residential dwelling units. Permitted uses in R2 zone are:
 - a) dwelling, single detached
 - b) dwelling, semi-detached
 - c) dwelling, duplex
 - d) bed & breakfast, subject to Subsection 3.4
 - e) day care nursery
 - f) home occupation
 - g) accessory residential dwelling unit, subject to Subsection 3.2.3.

Other provisions for semi-detached units include:

a) minimum lot area:

- | | |
|-----------------|-----------|
| i) interior lot | 255 sq.m. |
| ii) corner lot | 345 sq.m. |

b) minimum Lot Frontage:	
i) interior lot	8.5 m
ii) corner lot	11.5 m
c) minimum front yard:	6 m
i) attached garage with rear lane	3 m
d) minimum exterior side yard:	6 m
e) minimum interior side yard:	
i) detached garage	3 m
ii) detached garage with a rear lane; attached garage	1.2 m
f) minimum rear yard:	7.5 m
g) maximum building height:	11 m

The provisions in the R1-B Zone shall apply to single detached units.

2. From 'Development (D)' zone to 'Residential Type 4 (R4)' zone to permit 10 block townhouse units. Permitted uses in R4 zone are:
 - a) group townhouse
 - b) stacked townhouse
 - c) street townhouse
 - d) semi-detached, duplex, tri-plex and four-plex dwellings provided they are located on the same lot with, and in accordance with the Zone provisions of, group townhouse
 - e) home occupation.
 - g) *accessory residential dwelling unit*, subject to Subsection 3.2.3.

Other provisions for 'Residential Type 4 (R4)' include:

a) minimum lot area:	
i) interior lot	156 sq.m.
ii) corner lot	264 sq.m.
b) minimum Lot Frontage:	
i) interior lot	6.5 m
ii) corner lot	11 m
iii) corner lot accessed by a rear lane	6.5 m
c) minimum front yard:	6 m
i) except in case of a detached private garage or parking space accessed via rear lane	3 m
d) minimum exterior side yard:	
i) with a 6 metre front yard	6 m
ii) with a 1.5 metre front yard	1.5 m
e) minimum interior side yard:	1.5 m
f) minimum rear yard:	
i) attached garage	7.5 m
ii) detached garage(accessed by rear lane)	13 m

g) minimum separation:	2 m
h) maximum building height:	11 m

Special Provision for R2 and R4 zone: One special provision is requested to reduce the exterior side yard from 6 meters to 3 meters.

The Storm Water and Park space are to be zoned as 'Open Space (OS)'.

Planning Comments: The proposed zoning change will result in an increased density of sensitive land use adjacent to the active protected industrial area. The zoning changes will be further reviewed with all applicable provincial and municipal land-use policies for compatibility assessment.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation: The proposed subdivision should facilitate and promote appropriate growth and density within the neighbourhood.

Conclusion: The purpose of this report is to summarize the planning application proposal, provide the comments received from applicable departments and agencies, summarize comments received from member of the public, and to provide general information in relation to the overall application. A staff report with related recommendations will be submitted to Council for consideration at a later date.

Recommendation(s):

THAT Report CD 21-37, Public Hearing report for 28TPL2020142 and ZNPL2020144 be received for information;

THAT any outstanding technical comments and requirements necessary prior to bringing forward a recommendation report be addressed;

AND THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

Attachment(s):

- Maps 1 to 2
- Appendix A Circulation Comments
- Appendix B Public Input
- Appendix C Proposed Draft Plan of Subdivision
- Appendix D Planning Justification Report

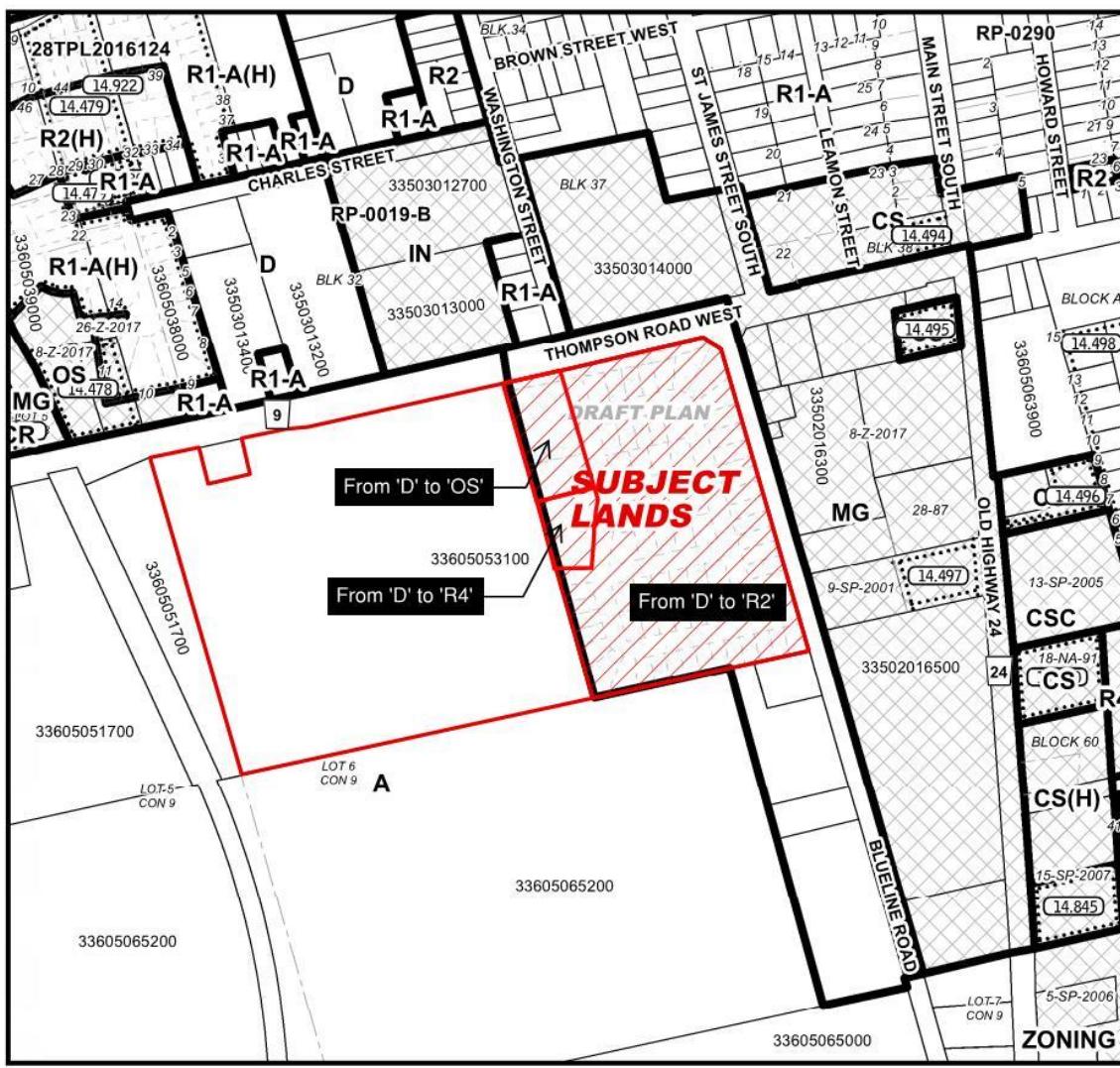
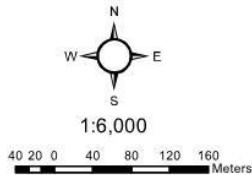
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MAP 1
File Number: 28TPL2020142 &
ZNPL2020144

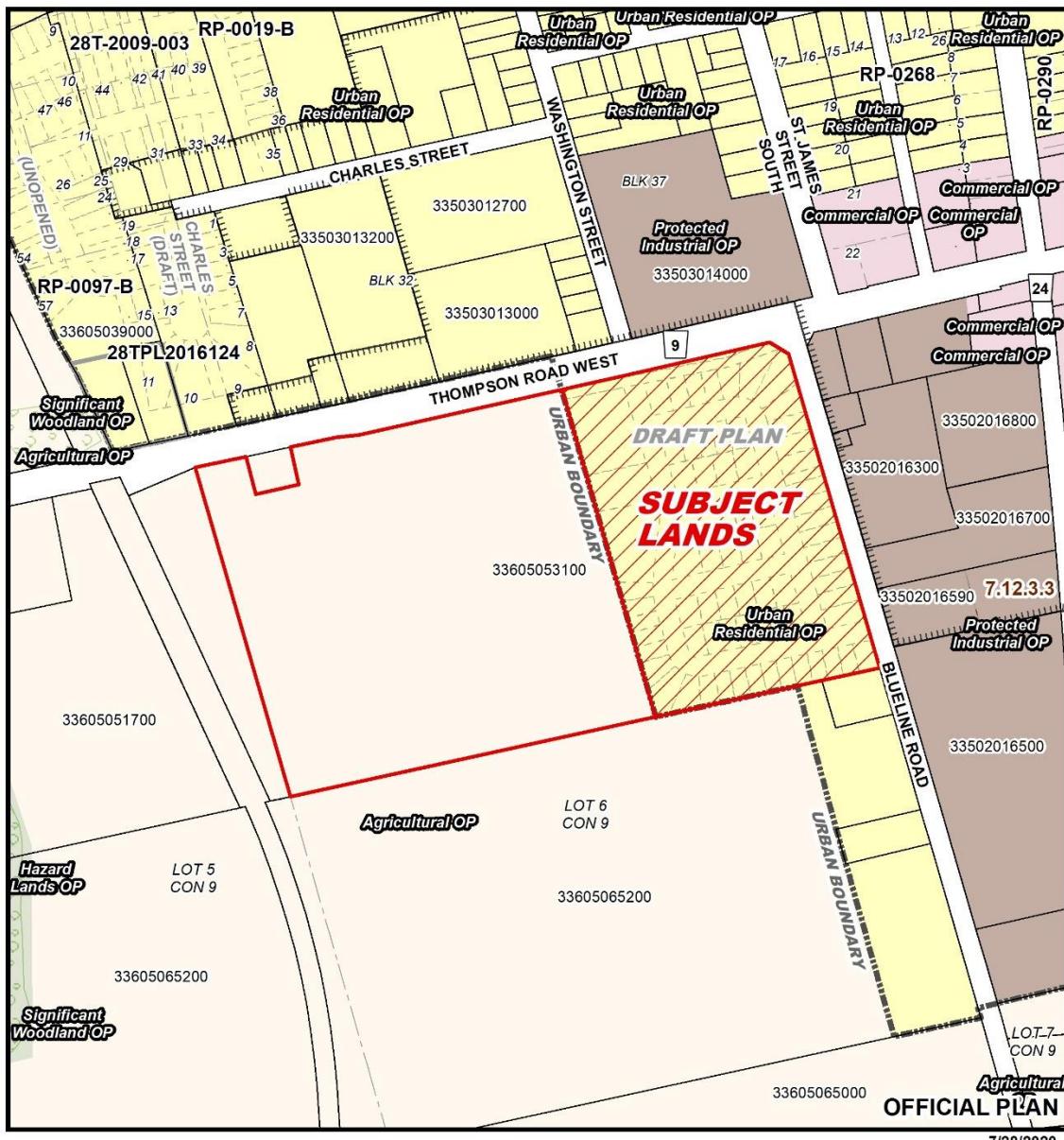
Urban Area of
WATERFORD



MAP 2**File Number: 28TPL2020142 & ZNPL2020144****Urban Area of WATERFORD**

30 15 0 30 60 90 120 Meters

1:5,500



APPENDIX A

Circulation Comments:

Financial Services

Reviewed – This application would have a positive impact on assessment growth and tax revenues. The amount of growth is dependent on the assessment of the properties by the Municipal Property Assessment Corporation (MPAC). Norfolk County would also receive Development Charges as per the most recent Development Charges By-law. This would be offset by increased costs as a result of Norfolk County assuming the subdivision infrastructure, amenities and operating costs. Accounting Services will work with Planning staff to administer the required security deposits of the potential development.

Planning

Reviewed - Provide a colour coded map indicating the different types of zoning classifications that are being applied for. In addition please provide a zoning table to clearly indicate the zone and lot provisions.

The Storm Water and Park space is to be zoned Open Space (OS). This must be reflected in the application.

Sight Triangles are provided within the draft plan of subdivision. Please provide sight triangles at the entrances into the subdivision off of Thompson Road West and Blue Line Road.

Provide turning radius lines at every turning location with dimensions.

For Cash in Lieu of parkland, it is listed at 3%. How is the remaining 2% going to be provided?

Is phasing being proposed and if so can you indicated this on the draft plan of subdivision? In addition a landscape drawing is to be submitted.

At the service easement, is it possible to provide a 3 metre wide concrete connection onto Blue Line Road?

Building

Reviewed – No comments.

GIS

Reviewed - Please contact Norfolk GIS for new civic addresses and street names when building.

Agreement Coordinator

Reviewed – Comments are as follows:

ZNPL2020144

Recommend that a Holding (H) Provision be added to the lands and remain in place until either the pre-servicing agreement or the subdivision agreement has been executed and registered on title.

28TPL2020142

I am excited to be working with you during the agreement stage of your subdivision until the final release of your performance securities. To expedite the process please contact me so I can provide you with a checklist for further information and user fees in order to start your subdivision agreement.

The Owner will be required, at its expense, to obtain and keep in force, insurance coverage until the securities have been released at the completion of your project. Your surveyor, engineer and architect will also be required to provide insurance for professional liability.

Recommended conditions will be prepared as part of the planning report. If it is determined appropriate, a condition of the development of land, will be the requirement for a cash-in-lieu parkland payment. This payment is determined from a land appraisal (preconstruction) prepared for the Owner at its expense.

If there are any charges or mortgage holders on your property they will be required to postpone their interest on the property to the County's development agreement.

Zoning Administrator

Reviewed – Comments are as follows:

- 1) Provide zoning table on site plan to ensure zoning is met for each zone, and any deficiencies are noted.
- 2) Ensure parking bylaw is met for parking lot areas, visitor parking, and parking spaces inside the dwelling units. Refer to section 4.0 of the Norfolk county zoning bylaw.

Fire

Reviewed – No comments.

Parks and Recreation

Reviewed – 5% for parkland dedication is required, as stated in the pre-con meeting

Development Engineering

Reviewed: Comments are as follows:

ZNPL2020144:

Development Engineering has reviewed ZNPL2020144 and have no comments.

28TPL2020142:

I. General Comments:

- 1) Full Development Engineering comments will be provided after draft plan approval.
- 2) The LPRCA must be consulted regarding the proposed development. Provide confirmation from the LPRCA that the proposed outlet meets their requirements.
- 3) Private utilities should be circulated on the proposed development plans prior to draft plan approval. Please provide letters of understanding from private utility companies including Hydro One regarding the existing hydro easement.
- 4) As per Norfolk County Design Criteria, as-constructed / record drawings guidelines are to be adhered to. This has been attached for your reference. Securities will be required for as-constructed / record drawings. Information only.
- 5) The area of this development is not assessed in the Waterford South Municipal Drain. There is no current storm water outlet that is sufficient for this development. The Waterford South Municipal Drain report (John Vallee, P.Eng., 1996) specifically notes the design excluded this area and it is not to be connected. See excerpt from the report below. This subdivision cannot use this drain and pond as an outlet.

It should be noted that the agricultural lands south of Regional Road No. 9 (Thompson Road) and west of the Blue Line Road have been deleted from the drainage area. **Stormwater runoff from these agricultural lands will not be accepted into the drainage works.** Runoff from these agricultural lands will continue to flow northerly to the existing culvert on the Thompson Farm, and under Regional Road No. 9 (Thompson Road) across the St. Bernard's Church property and then westerly through several backyards with ultimate discharge to the Waterford Ponds. This outlet will remain in its current status. These lands will continue without a legal stormwater outlet.

- 6) The Property is within the municipal drainage area of the "Waterford South" Municipal Drain but has not been assessed or included within the current report or system. If the development is granted to outlet to the WSMD, an engineer must be hired to complete a re-evaluation of the original drain system/report as per Section 76 of the Drainage Act.
- 7) The applicant covenants and agrees to pay all costs related to the Corporation of Norfolk County hiring an engineer on behalf of the applicant as per Section 4 (1) of the Drainage Act for the purpose of assessing capacities of piping for the existing municipal drain or to construct an entirely new municipal drainage system to service the property.
- 8) The West ½ of Blueline Road and South ½ of Thompson Road to be built to Urban Standards, which includes curb, gutter and Sidewalks to south property line and the west property line respectively from the intersection of Blueline Road & Thompson Road.

II. Draft Plan of Subdivision Drawing (17-089-DP) G.Douglas Vallee:

- 1) Provide the existing road allowance width on Thompson Road West.
- 2) Visibility triangles must be shown at the intersection of Blueline Road and Street 'A' and Thompson Road West and Street 'A'. The dimensions of the triangle must be determined by a Professional Engineer with reference to Transportation Association of Canada standards and specifications
- 3) Will the proposed service easement be registered as a separate block or easement? Please clarify.
- 4) Show the full extent of the existing sanitary main on Blueline Road. See drawing N-65.

III. Geotechnical Report:

1. Pavement structure are to match what is recommended within the Geotechnical Report.
2. All discussions and recommendations of the Geotechnical Report PML Ref: 17HF038 dated January 2018 must be adhered.
3. In the Geotechnical report there is identification of a sample having an elevated reading of "Chromium VI". Is any mitigation required for the elevated sample of Chromium VI?

IV. Functional Servicing Report (F.S.R.):

- 1) Any recommendations from the Sanitary / Water modelling reports will be included as a draft plan condition.
- 2) Has there been any discussion / design for the extension of the proposed gravity sanitary main from Prop. SANMH 5 and tying into the existing sanitary main on Blueline Road? This option would eliminate the service easement.
- 3) The Norfolk County design Criteria Section 10.3.0 Watermains, states:

All watermains shall be looped. New subdivisions shall be designed in such a manner that there are two separate watermain feed lines into the subdivision, and shall be interconnected to existing watermains adjacent to the site in order to promote overall water quality within the water distribution system.

Watermain is to be looped as per Norfolk County Criteria.

- 4) Is there any emergency overflow paths being proposed for the storm water management facility? Please provide a brief detailed analysis of the proposed emergency overflow path.
- 5) Provide a detailed analysis of the outlet storm sewer capacity.
- 6) Are there any existing external flows on the site that will need to be accommodated? Is there Legal outlet for these flows?

Long Point Region Conservation Authority

Reviewed – Long Point Region Conservation Authority staff have reviewed the above-noted application as part of the Draft Plan of Subdivision affecting the Thompson Road Subdivision.

Delegated Responsibility from the Ministry of Natural Resources and Forestry, Section 3.1 of the Provincial Policy Statement, 2020

Conservation Authorities have been delegated responsibilities from the Minister of Natural Resources and Forestry to represent the provincial interests regarding natural

hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2020 (PPS). The overall intent of Section 3.0 - Protecting Public Health and Safety of the PPS is to reduce the potential public cost or risk to Ontario's residents from natural or human-made hazards.

The proposed development is located outside any area that is subject to natural hazards as defined in the PPS. It is LPRCA staff's opinion that the proposed development is consistent with section 3.1 of the Provincial Policy Statement, 2020.

Stormwater Management

LPRCA technical staff have reviewed the technical information provided and have provided the following comments.

1. The functional service report must comment on the ability of the wet pond to provide sufficient water quantity and water quality control.
2. Sizing information for the minor flow system routes must be provided.
3. An erosion and sediment control plan must be provided.

Ontario Regulation 178/06

No portion of the subject lands is regulated under Ontario Regulation 178/06.

Amtelecom Communications

Reviewed – No Comments.

Hydro One

Reviewed – No Comments.

East Link

Reviewed – No Comments.

APPENDIX B



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

February 8th, 2021

Dixon Homes Inc.
C/O G. Douglas Vallee Ltd.
2 Talbot Street North
Simcoe, Ontario
N3Y 3W4

ATTN: Eldon Darbyson MCIP, RPP
Director of Planning
eldondarbyson@gdvallee.ca

**RE: Comments on the Application for Draft Plan of Subdivision/Zoning By-Law
"Thompson Subdivision", Waterford, Norfolk County
OUR FILE 9526'IA'**

On behalf of our client, Lafarge Canada Inc., we have reviewed the reports and drawings submitted with the Zoning By-Law Amendment and Draft Plan of Subdivision applications for the "Thompson Subdivision", and provide the following comments detailed in this letter.

We understand that the submitted draft Plan of Subdivision and Zoning By-Law Amendment would facilitate the development of an approximately 101 unit residential subdivision. The proposed residential development would include a mix of single-detached houses, semi-detached, townhouse, storm water management facilities as well as open space.

The proposed residential development is located within the urban boundary of Waterford and abuts existing commercial and industrial land uses to the north and northwest. Lafarge Canada Inc. owns and operates the existing ready-mix concrete plant located directly west of the proposed residential development at 2266 Blueline Road (see attached Figure). In addition to the Lafarge Ready-Mix Plant, a waste-management facility is also located in close proximity to the proposed residential development to the north.

We recognize that the property proposed for development is located within the urban boundary of Waterford and is currently zoned *Development Zone* and Designated *Urban Residential* in the Norfolk County Official Plan. However, this does not preclude the applicant from ensuring land-use compatibility of the proposed new sensitive use with the existing and established industrial, waste management and commercial uses in the immediate vicinity.

In November 2018, Lafarge provided comments on the severance and minor variance applications which preceded the development applications. In that submission to the County, Lafarge requested that any future Draft Plan of Subdivision application ensure consistency and conformity with the following Provincial and local land use compatibility policies:

- **Section 1.2.6.1 of the PPS** – “*Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*”
- **Section 1.2.6.2 of the PPS** - “*Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*

 - a) *there is an identified need for the proposed use;*
 - b) *alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
 - c) *adverse effects to the proposed sensitive land use are minimized and mitigated; and*
 - d) *potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

- **Norfolk County Official Plan Section 7.12.2 e)** – “*In locating any sensitive land use in the vicinity of any established or approved industrial use, the County shall establish appropriate separation distances in consultation with the Ministry of the Environment and Climate Change and the relevant guideline related to land use compatibility.*”
- **Norfolk County Official Plan Section 7.12.2 f)** - “*Deviation from the established separation distances shall require detailed supporting studies of the potential impacts on the sensitive land use by the Industrial use, and vice-versa, and any recommended mitigation measures.*”

The PPS policies and Norfolk County policies are clear in their intent to protect existing industrial uses from new incompatible uses and requires new sensitive uses to ensure that they have identified sufficient and appropriate mitigation. The Planning Justification Report (G. Douglas Vallee Ltd, June 2020) submitted with the Applications, did not include a detailed policy analysis of the above PPS and Norfolk County Official Plan policies.

In the Land Use Compatibility Assessment submitted with the applications, the Lafarge Ready-Mix Plant is identified as a Class II industrial use under the D6 Guidelines. The waste-management facility should be assessed under the Province's D4 Guidelines to determine compatibility with new sensitive land uses. Both D6 and D4 guidelines recommend buffering techniques. The D6 Guideline generally recommends a minimum separation distance of 70m from the property lines of a sensitive uses, such as a residence, to a Class II industrial use. Section 4.4.2 of the D6 Guideline recommends that separation distance measurement should normally occur from the lot line of the industrial land use to the lot line of the proposed sensitive land use.

In the case of the proposed residential development, the separation distance is only about 20m from the property line of the Lafarge Ready-Mix plant to the property line of the proposed residential development.

A Land Use Compatibility Assessment and Noise Report were completed for the proposed residential development, but no technical assessment of potential impacts associated with the Lafarge Ready-Mix Plant were done. Instead, the Land Use Compatibility Assessment relies solely on the existing Lafarge Environmental Compliance Approval (ECA) to demonstrate compatibility. This is not sufficient and we do not agree that enough technical evidence has been provided to justify the decreased recommended separation distance and lack of site-specific mitigation measures.

It is important to note that the onus for demonstrating land use compatibility rests with the applicant of a new sensitive land use encroaching within close proximity to an existing industrial use, not vice versa. Based on our review of the submitted application and supporting reports, additional noise modelling to confirm that there will be no adverse impacts from the adjacent waste-management facility and Lafarge Ready-Mix Plant should be completed. In addition, re-designing the Draft Plan of Subdivision to utilize "intervening uses" such as open-space and storm water management facilities as additional setbacks distance and buffers from the adjacent industrial uses to the proposed residential uses should be considered by the applicant.

Due to a lack of buffering and inadequate technical investigation, we conclude that the Zoning By-Law Amendment and Draft Plan of Subdivision, as presently proposed, do not demonstrate consistency with the PPS or conformity with the policies of the Norfolk County Official Plan related to land use compatibility.

From our correspondence with County staff, we understand that the Public Meeting has not been scheduled and the Draft Plan and re-zoning applications are being circulated for agency comments.

Please contact us should you wish to discuss our comments further.

Yours truly,
MHBC

Caitlin Port, MES, MCIP, RPP

cc. *Luke McLeod, Lafarge*
 Mohammad Alam, Norfolk County
 Fabian Serra, Norfolk County

Attach Location of Lafarge Ready Mix Plant



Location of Lafarge Waterford Ready-Mix Plant

Waterford,
Norfolk County

Legend

- Proposed Thompson Farm Subdivision
- Lafarge Ready-Mix Concrete Plant

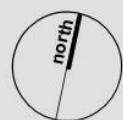
Date: December, 2020

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IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
ibigroup.com

January 15, 2021

Mr. Fabian Serra
Planner - Development and Cultural Services
Norfolk County
185 Robinson Street
Simcoe, ON N3Y 5L6

Dear Mr. Serra:

**DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT
28T PL 2020 142 AND ZN PL 2020 144**

Thank you for sending the various background and supporting technical studies that were submitted with the above applications. I reached out in October, 2020 to the agent but have yet to receive a reply.

Our Client is Norfolk Disposal, who own two parcels of land that will be adversely affected by the residential development proposed in the above applications. We previously appeared before the Committee of Adjustment in the fall 2018 to raise these concerns when the development land was severed from the remaining farm and were told at that time that our concerns would be addressed through the draft plan process; however, sadly they do not appear to have been considered, as the proposed design, land use and road pattern mirrors the previous preliminary draft plan.

Norfolk Disposal has serious concerns regarding the proximity of the new homes to their existing industrial facilities and are gravely concerned that this development will cause compatibility issues and conflict. Please see the attached drawing showing the two locations owned by Norfolk Disposal. As you are probably aware, Norfolk Disposal is the contractor retained by Norfolk County to collect all municipal curbside waste and has also been sub-contracted to transfer all of Norfolk County's waste since the closure of the local municipal landfill. Norfolk Disposal also handles/transfers the majority of all commercial and industrial waste in Norfolk County. The parcel to the north of the subject subdivision is used for offices and the parking and repair of their fleet of disposal trucks and large waste bins. The parcel to the east of the subject subdivision is used and licensed as a waste transfer station where the waste is sorted, stored, weighed and shipped.

The owner of the proposed subdivision retained Rubidium Environmental Inc. ("Rubidium") to conduct a Land Use Compatibility Assessment to "determine if noise, odour, vibration and dust emissions from surrounding sources might adversely impact sensitive land uses within the development". In our opinion the report should have been focused in the opposite direction being a determination if the proposed sensitive land uses would have an adverse impact on the ability of our Client and other industrial uses to continue operating as per current zoning and other approvals.

Table 1 in the Rubidium Report indicates surrounding land uses and to the east of the subject subdivision it lists "Commercial, Institutional and Residential". The Table is in error as it does not list Industrial. Immediately to the east is our Clients waste transfer station and the Lafarge Ready Mix Plant, which are both heavy industrial operations directly opposite this proposed subdivision.

Mr. Fabian Serra – January 15, 2021

The balance of the Rubidium Report is focused on the D6 Guidelines, which typically relates to compatibility between industrial uses and sensitive land uses such as residential. The Report notes in Section 2 that the D6 Guideline has certain classes of industry together with minimum separation distances and areas of influence. Section 3 of the report identifies existing nearby uses and their potential impacts on the proposed subdivision. They assign an industrial category class to the nearby uses and then list whether or not a conflict exists. The two Norfolk Disposals sites are included in the list and under the MECP Industrial Class and comments they are identified as falling under the D4 Guideline. The report, however, is silent on the D4 requirements nor does it address the corresponding D1 requirements, all of which deal with sensitive land uses nearby waste facilities. Norfolk Disposal sites are identified incorrectly in the Report as waste management facilities, as they are actually Waste Disposal Sites (Processing and Transfer).

Section 4.1.1 of the Report deals with the northerly Norfolk Disposal property. This facility holds Environmental Compliance Approval #A8057, which is their transportation approval. The Report downplays the activity on this site and refers to it as infrequent bin movement and truck storage. The total fleet of over 80 trucks and some of the bins and trucks are parked on site and movement and activity is significant resulting in noise, dust and vibration issues that Rubidium has not addressed. The majority of the company's staff of over 100 people report to this location five days a week to ensure curbside collection begins at 7:00am throughout Norfolk County and to service municipal transfer stations, schools, industrial, commercial and residential accounts throughout Norfolk and the surrounding areas. Reduced levels of staffing report here every Saturday and Sunday to provide service to municipal transfer stations, essential businesses and around the clock operations. This location is also home to a licensed moto vehicle inspection station and a container repair facility, where the company fleet and containers are serviced and maintained to ensure uninterrupted service.

Section 4.1.3 of the Report deals with the easterly Norfolk Disposal property. This facility holds Environmental Compliance Approval #3784-B9TSW9 for air and noise, and the Report mentions that the site also holds Environmental Compliance Approval A110105, but it fails to mention that A110105 is a 1.2 hectare Waste Disposal Site (Processing and Transfer) approved for the receipt, processing, temporary storage and transfer of non-hazardous solid industrial, commercial and residential waste. The Report again downplays the activities on this site as it fails to mention the residential curbside waste component. The Report indicates that the distance from the facility to the closest existing residential area on the East is about 20m from property line to property line, it fails to mention that the nearest residential dwelling on that property is up the road across from Tim Hortons and not at the 20m property line point as is proposed in the new subdivision. The Report also states that the main entrance to the facility and the truck weigh scale is located towards the East side of the facility, indicating that most of the truck traffic movements and activities occur away from the proposed development. This is also incorrect, as the facility is designed to have the majority of its truck traffic enter from Main Street and exit onto Blueline Road, directly across from the proposed development. There is a second weigh scale at the facility directly before exiting onto Blueline Road making the Blueline Road access equally as busy as the Main Street entrance. This site is Ministry approved to receive and transfer Monday to Friday from 6:00am to 10:00pm and Saturday, Sundays, and statutory holidays from 7:00am to 6:00pm. In addition to the truck traffic and the site being open to the public, daily operations on site include the operation of a wood grinder, waste compactor and various wheel loaders and excavators to transfer and process the different waste streams.

The remainder of section 4.1.3 of the Report also incorrectly interprets the County Zoning By-law as currently allowing "dwellings" upon the Subject Lands. The obvious inference being that since dwellings are already permitted, the nearby industries are already "hand cuffed" and adding more dwellings does not change the current situation. The Report appendix includes a copy of the

Mr. Fabian Serra – January 15, 2021

applicable Development D Zone and, while a permitted use is “a single detached dwelling”, the subject lands do not comply with the minimum lot area requirement of 10ha. In order to have a permitted use, the lot area needs to comply or to have specifically obtained a variance. The owners did secure a minor variance to recognize the reduced lot area, however, that variance listed the purpose being not to seek permission to allow a dwelling, but only to allow for the creation of the deficient lot. The future use was always identified as being a future subdivision and not the erection of one dwelling. Based on the variance, these lands were allowed to be severed but no permission was sought to build a home thereon. Accordingly, the assertion that “dwellings” are already permitted is incorrect as no zoning permission is available for even one dwelling.

Rubidium also completed a Noise Impact Assessment. They relied on five year old traffic counts, which did not include an actual breakdown as to the types of vehicles. As such, it underestimated the amount of heavy truck traffic particularly that emanating from both Norfolk Disposal properties. Within the section of this report which dealt with Environmental Noise Potential Concerns they only looked at the D6 Industrial uses from the Land Use Compatibility Study and did not address the two waste disposal sites owned by Norfolk Disposal. The Noise Report concludes that only the proposed homes along Thompson Road require warning clauses or a 2m high noise fence of a certain density and that no mitigation is required elsewhere particularly along Blueline Road. Being directly across the road from a waste disposal facility where all of the County curbside waste and the majority of all commercial and industrial waste is handled, it appears as though this significant noise source has not been addressed or even considered.

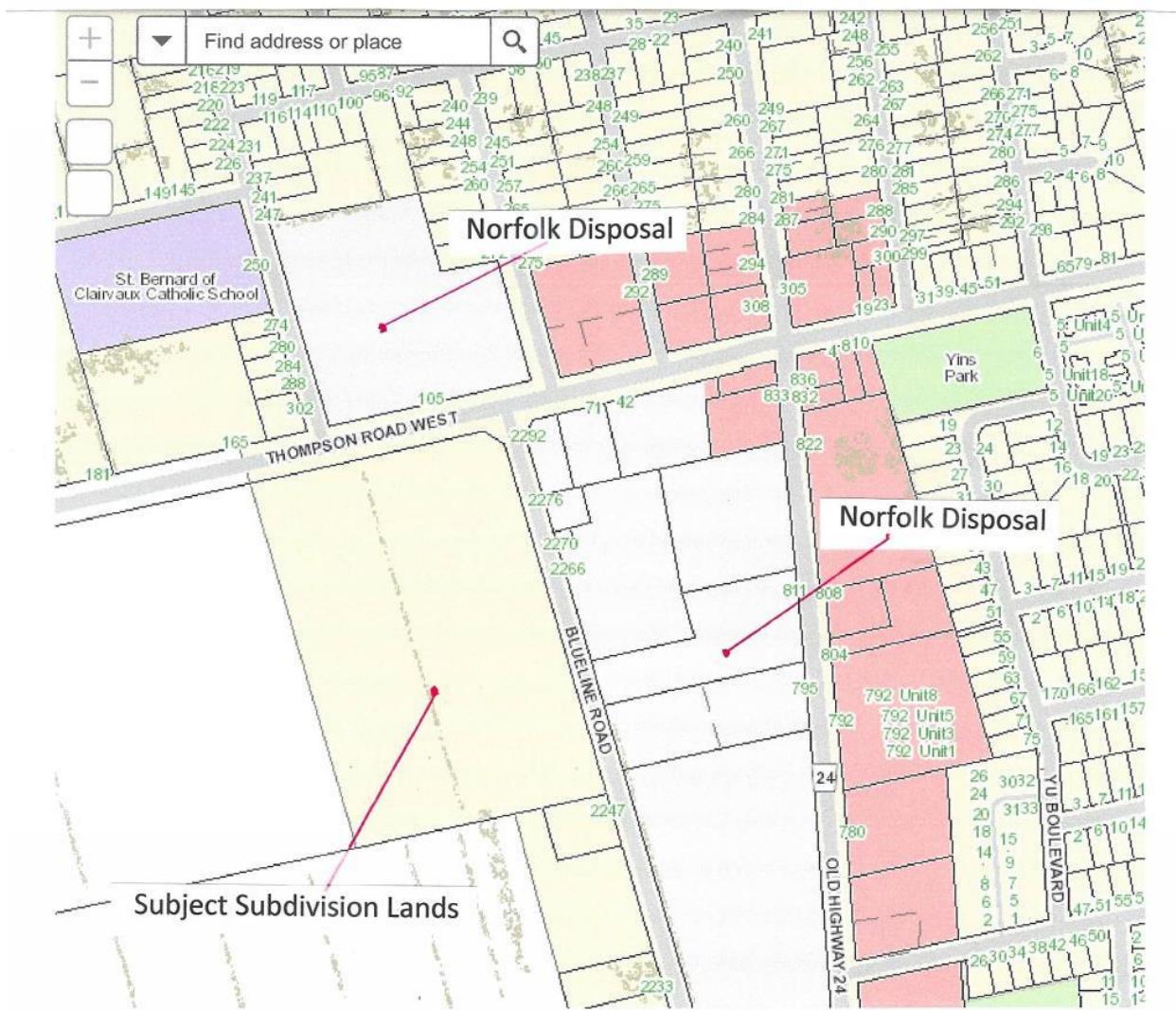
Finally, the agents submitted a Planning Justification Report (“PJR”) in support of the proposed subdivision. The PJR assumes that land use compatibility is being achieved and that this subdivision represents good design and good planning. I respectfully disagree.

The interface along Blueline Road and Thompson Road is “back lotting”, which directly exposes the rear yard amenity space to road and industrial activity noise. The PJR refers to internal road and sidewalk connections and claims that specific design elements have been designed to enhance pedestrian safety through CPTED. Back lotting against any road is clearly not in accordance to CPTED design criteria, whereas designing subdivisions to have “eyes on the street” is. At a minimum we suggest a complete redesign to incorporate either window streets, access laneways or rear loaded homes along Thompson Road and Blueline Road. This creates enhanced setbacks; establishes the dwelling as a buffer for rear yard amenity noise control purposes; places eyes on the street; enhances compatibility with the industrial uses; and creates a much more attractive street scape. We would also recommend that the Land Use Compatibility Study and the Noise Reports be updated to better address the true nature of the zoning permissions, the industrial uses in this area and with up to date traffic counts including a detailed vehicle type breakdown.

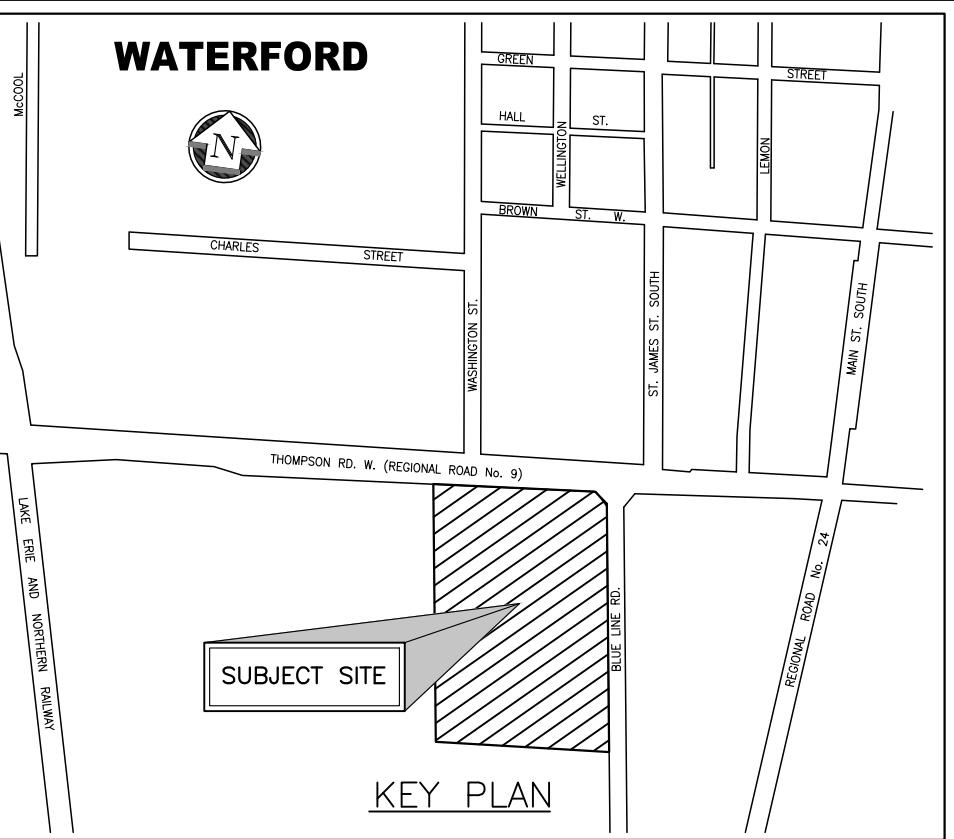
Thank you for considering our Clients concerns and we welcome your comments. Please provide Notice of any pending Public or Council meetings considering this matter.

Yours Truly,

John Ariens, MCIP, RPP
Associate Director
IBI Group



ROAD ALLOWANCE BETWEEN CONCESSIONS 8 AND 9
(COUNTY ROAD NO. 9) WASHINGTON STREET
THOMPSON ROAD WEST BY BY-LAW NO. 2005-294, INST. NO. 596331)
(WIDENED BY REGISTERED PLANS 705 & 707)



**DRAFT PLAN OF SUBDIVISION
OF PART OF
LOT 6, CONCESSION 9
TOWNSHIP OF TOWNSEND
WATERFORD
IN
NORFOLK COUNTY**

SURVEYOR'S CERTIFICATE

BY CERTIFY THAT THE LANDS TO BE SUBDIVIDED AND THEIR
OWNERSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY

TED: _____

OWNER'S CONSENT

BY CONSENT TO THE FILING OF THIS PLAN IN DRAFT FORM FOR
VAL.

ED: _____

NER: _____

NER: _____

ON 51 (17) PLANNING ACT, R.S.O. 1990

- UNDARIES OF THE LAND PROPOSED TO BE SUBDIVIDED, CERTIFIED
ONTARIO LAND SURVEYOR; SHOWN ON DRAWING

LOCATIONS, WIDTHS AND NAMES OF THE PROPOSED HIGHWAYS WITHIN
PROPOSED SUBDIVISION AND OF EXISTING HIGHWAYS ON WHICH THE
SUBDIVISION ABUTS; SHOWN ON DRAWING

SMALL KEY PLAN, ON A SCALE OF NOT LESS THAN ONE CENTIMETRE
TO METRES, ALL OF THE LAND ADJACENT TO THE PROPOSED
VISION THAT IS OWNED BY THE APPLICANT OR IN WHICH THE
ANT HAS INTEREST, EVERY SUBDIVISION ADJACENT TO THE PROPOSED
VISION AND THE RELATIONSHIP OF THE BOUNDARIES OF THE LAND TO
BDIVIDED TO THE BOUNDARIES OF THE TOWNSHIP LOT OR OTHER
AL GRANT OF WHICH THE LAND FORMS THE WHOLE OR PART; SHOWN
AWING

URPOSE FOR WHICH THE PROPOSED ARE TO BE USED; LOTS TO BE
FOR SINGLE DETACHED DWELLINGS.
'A' TO BE USED FOR TOWNHOUSES.

XISTING USES OF ALL ADJOINING LANDS; SHOWN ON DRAWING

PPROXIMATE DIMENSIONS AND LAYOUT OF THE PROPOSED LOTS;
ON DRAWING

Y AFFORDABLE HOUSING UNITS ARE BEING PROPOSED, THE
E AND DIMENSIONS OF EACH PROPOSED AFFORDABLE HOUSING
AND THE APPROXIMATE LOCATION OF EACH PROPOSED
RDABLE HOUSING UNIT IN RELATION TO OTHER PROPOSED
ENTIAL UNITS;

AL AND ARTIFICIAL FEATURES SUCH AS BUILDINGS OR OTHER
TURES OR INSTALLATIONS, RAILWAYS, HIGHWAYS, WATERCOURSES,
GE DITCHES, WETLANDS AND WOODED AREAS WITHIN OR ADJACENT
E LAND PROPOSED TO BE SUBDIVIDED; SHOWN ON DRAWING

AILABILITY AND NATURE OF DOMESTIC WATER SUPPLIES;
INCIPAL WATER SUPPLY WILL BE INSTALLED BY THE DEVELOPER
ORDANCE WITH THE REQUIREMENTS OF NORFOLK COUNTY.

TURE AND POROSITY OF THE SOIL; SOIL NATURE - SAND ; SOIL
TY - HIGH

G CONTOURS OR ELEVATIONS AS MAY BE REQUIRED TO DETERMINE
RADE OF THE HIGHWAYS AND THE DRAINAGE OF THE LAND PROPOSED
SUBDIVIDED; SHOWN ON DRAWING

UNICIPAL SERVICES AVAILABLE OR TO BE AVAILABLE TO THE LAND
SED TO BE SUBDIVIDED; MUNICIPAL SERVICES INCLUDING WATER
Y, SANITARY SEWERS, STORM SEWERS, CURB AND GUTTER, PAVED
STREET LIGHTING AND SIDEWALKS WILL BE INSTALLED BY THE
OPER IN ACCORDANCE WITH THE REQUIREMENTS OF NORFOLK
Y.

TURE AND EXTENT OF ANY RESTRICTIONS AFFECTING THE LAND
SED TO BE SUBDIVIDED, INCLUDING RESTRICTIVE COVENANTS OR
ENTS; NO RESTRICTIVE COVENANTS IN EXCESS OF THE EXISTING
C AND BUILDING BY LAWS ARE PROPOSED

REVISION

SUBDIVISION DRAFT PLAN

TOWN OF WATERFORD

BY: 3	DESIGNED BY: ED	CHECKED BY: ED	SCALE 1:750
 G. DOUGLAS VALLEE LIMITED 2 TALBOT STREET NORTH SIMCOE, ONTARIO N3Y 3W4 (519) 426-6270		DATE	NOVEMBER 2017
		DRAWING NO.	17-089-DP



June 15, 2020

County of Norfolk
Robinson Administration Building
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Attention: Tricia Givens, M.Sc.(PI), MCIP, RPP

Reference: Planning Justification Report
Application for Draft Plan of Subdivision/Zoning By-law
Amendment I-Z-2014
G. Douglas Vallee Limited on behalf of Dixon Homes Inc.
Thompson Subdivision, Waterford, Norfolk County
Our Project 17-089

Introduction:

G. Douglas Vallee Limited has been retained by Dixon Homes Inc. to make application for approval of a draft plan of subdivision and a Zoning By-law Amendment to permit approximately 101 residential dwelling units in Waterford, Norfolk County. It is proposed to rezone the subject lands from Development Zone (D) to Urban Residential Type 2 Zone (R2) and Urban Residential Type 4 Zone (R4) with special exceptions to implement the draft plan of subdivision in the form of single detached, semi-detached and street townhouse dwelling units respectively. To improve the character of the proposed subdivision, a reduction to the exterior side yard setback on corner lots from 6 metres to 3 metres is requested.

These applications:

- Comply with the Norfolk County Official Plan.
- Are consistent with the intent of the Provincial Policy Statement 2020.
- Comply with the intent of Section 51(24) of the *Planning Act*.
- Achieve compatibility with the surrounding commercial and industrial land uses as demonstrated by the Ministry D-Series Guidelines study and Land Use Compatibility study submitted in support of this development.
- Provide a mix of housing types and appeals to a variety of household income levels.
- Generate an acceptable level of traffic.
- Utilize existing infrastructure and do not create adverse affects on the County water and sanitary sewer systems.
- Represent good planning.

Purpose:

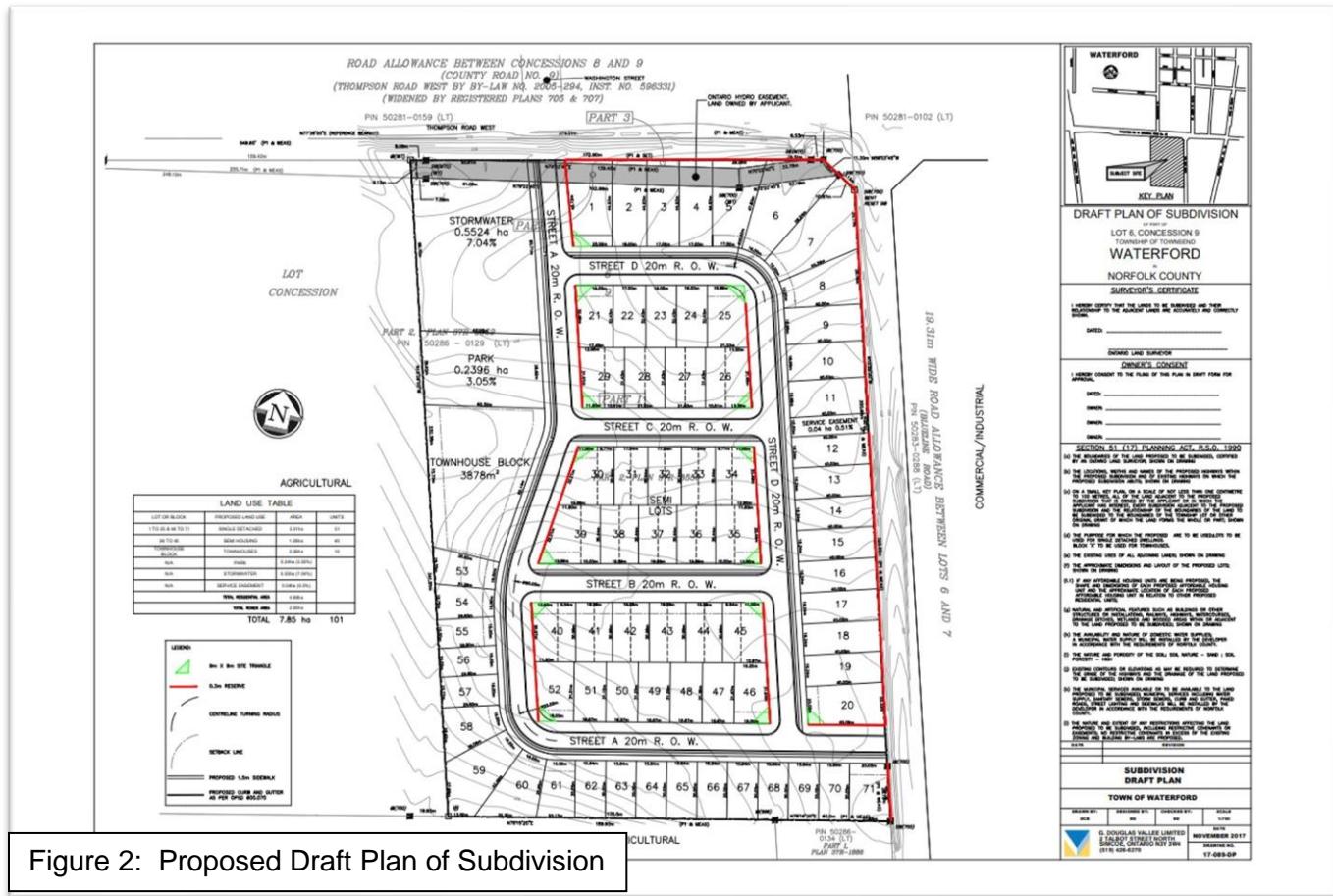
The purpose of this Planning Justification Report is to provide planning support and information to the County to consider when reviewing the proposed application for a draft plan of subdivision and zoning by-law amendment.

Site Description:

The lands are located in Waterford within the urban boundary and lie to the west of Blue Line Road and south of Thompson Road West. The topography represents a gradual slope of approximately 2 metres from the highest elevations from the northerly and southerly property lines towards the centre of the property.



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Consulting Engineers, Architects & Planners



Surrounding and Existing Land Uses

The lands abutting to the east are comprised of various uses including Norfolk Disposal Services Limited, Lafarge Concrete and a Car Wash and Pet Grooming business. The lands to the north, across Thompson Road West, is a second location for Norfolk Disposal Services Limited. Active cash crop farming is located to the west. The lands to the south are currently used as a cash crop farming operation where a portion of the lands closest to Blue Line Road are intended for residential purposes. The subject lands are currently vacant having been farmed over the years.

Background:

The proposed development lands were severed from the larger agricultural farm holding to facilitate the application for a draft plan of subdivision and zoning by-law amendment. Supporting information has been prepared and submitted with these applications including:

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- Noise Impact Assessment (prepared by Rubidium Environmental dated October 25, 2019)
- Ministry of Environment D-Series and compatibility study (prepared by Rubidium Environmental dated October 28, 2019)
- Traffic Impact Study (prepared by RC Spencer Associates Inc. dated March, 2020)
- Geotechnical Investigation and Limited Chemical Testing Program (prepared by Peto MacCallum Ltd. (PML) dated January 22, 2018)
- Functional Servicing Report (prepared by G. Douglas Vallee Limited dated May 12, 2020.)

Appendices to this report include the following:

Appendix A - Pre-consultation meeting comments

Appendix B – Draft Plan of Subdivision

Appendix C – Provincial Policy Statement 2020 Policy Compliance

Appendix D – Norfolk County Official Plan Policy Compliance

Appendix E – Section 54(24) of the Planning Act

This application was submitted to include the information and material required under Section 34 (10.1) and 51 (16) of the *Planning Act* as part of a complete application.

Proposal:

It is proposed that the draft plan of subdivision containing approximately 101 residential dwelling units, a stormwater management pond, visitor parking and an internal network of roads and sidewalks, be approved. The draft plan being considered proposes 51 single detached dwelling units, 40 semi-detached dwelling units and 10 street townhouse dwelling units.

The lands are designated as Urban Residential in the Norfolk County Official Plan. The lands are zoned Development Zone (D) in accordance with Comprehensive Zoning By-law No. I-Z-2014.

It is proposed to rezone the subject lands from Development Zone (D) to Urban Residential Type 2 Zone (R2) and Urban Residential Type 4 Zone (R4) with special exceptions to implement the draft plan of subdivision.

To improve the character of the draft plan of subdivision, the special exceptions being requested for corner lots are:

- Urban Residential Type 2 Zone (R2) - Reduction of the exterior side yard setback from 6 metres to 3 metres; and
- Urban Residential Type 4 Zone (R4) – Reduction of the exterior side yard setback from 6 metres to 3 metres.

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Planning Documents:

The proposed zoning by-law amendment was prepared in light of several planning documents including the *Planning Act*, the Provincial Policy Statement, the County Official Plan and Zoning By-law.

Planning Act

Section 2 of the *Planning Act* outlines matters of provincial interest.

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the *Planning Act* allows for the consideration of amendments to the zoning by-law.

Section 51 of the *Planning Act* outlines the requirements for considering a draft plan of subdivision.

Provincial Policy Statement (2020)

The subject land is identified as being within a Settlement Area according to the Provincial Policy Statement, 2020 (PPS).

The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment, and will facilitate economic growth.

A decision by Council to approve the Zoning By-law amendment and draft plan of subdivision will be consistent with PPS, 2020. Details describing the applicable Provincial policies and how the application is consistent with the PPS are included in Appendix C.

Norfolk County Official Plan

The lands are designated Urban Residential in accordance with the Official Plan. The proposal to develop approximately 101 residential dwelling units meets the criteria of the Official Plan as demonstrated in Appendix D.

Several sections of the Official Plan apply when considering draft plan of subdivisions and zoning by-law amendments and are discussed in detail under Appendix D. On a high level, details of the Official Plan policies are captured by the overarching Goals and Objectives. Section 2.2 of

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the Official Plan set out six “Goals and Objectives” to which the following four are applicable to the proposed residential development:

- Maintaining and Enhancing the Rural and Small-Town Character;
- Maintaining a High Quality of Life;
- Upgrading and Expanding Infrastructure; and
- A Well Governed, Well Planned and Sustainable County.

The proposed draft plan of subdivision and zoning by-law amendment achieve the ‘Goals and Objectives’ of the Official Plan. The plan of subdivision is designed with massing, provision of housing choices and character at the forefront, ensuring a compact form, contributing to an appropriate mix of land uses and densities in the neighbourhood. This will result in an efficient use of land of high quality providing a variety of housing forms and a level of affordability.

The draft plan of subdivision achieves a desirable road pattern, provides parkland, facilitates a walkable neighbourhood, incorporates design elements for pedestrian safety (Crime Prevention Through Environmental Design - CPTED) by ensuring public spaces are visible and well lit. An internal network of sidewalks will be provided throughout the neighbourhood to facilitate a safe and aesthetically appropriate development. The stormwater management pond is located adjacent to the parkland to create a large open space effect. Public transit is within a five (5) minute walk from the nearest street access and within ten (10) minutes of the furthest dwelling in the subdivision.

Norfolk County’s existing infrastructure (road, sewers, watermains, treatment plants etc.) are capable of supporting this development. The development makes good and efficient use of this existing infrastructure. The proposed infrastructure will be designed and constructed in accordance with Norfolk County’s requirements, and will be subject to Norfolk County’s approval.

The lands are near existing residential, commercial and institutional uses including the Saint Bernard Claurveux Catholic School, the Waterford District Highschool and the Waterford Public School. The Rubidum Environmental report demonstrates compatibility between existing and proposed industrial uses in the area by providing either warning clauses or the construction of a barrier fence.

Summary of Official Plan review

The proposed draft plan of subdivision and zoning by-law amendment meets the policies of the Official Plan. County comments related to back-lotting, berming, landscaping and connecting roads have been addressed. The development concept represents the most appropriate design considering County comments, and the results of supporting studies (i.e. Rubidium – Noise Impact Assessment). Accordingly, the proposed applications meet the intent and purpose of the Official Plan and represent good planning.

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Norfolk County Comprehensive Zoning By-law 1-Z-2018

The lands are currently zoned Development D Zone. The Urban Residential Type 2 Zone (R2) is proposed for single and semi-detached dwellings. The Urban Residential Type 4 Zone (R4) is proposed for street townhouses.

Accessory residential dwelling units are permitted with single and semi-detached dwellings and with street townhouses subject to section 3.2.3 of the zoning by-law.

The proposed lots/blocks comply with the R2 and R4 Zone provisions with minor requests for modifications as follows:

Zoning Table for Section 5.2	Urban Residential Type 2 Zone (R2)	Notes:
5.2.1 PERMITTED USES		
	a) Single-detached dwelling (subject to the R1-B Zone) b) Semi-detached dwelling.	Other uses are permitted in R2 Zone, but only Single's and Semi's are proposed.
5.2.2 ZONE PROVISIONS FOR SINGLE AND SEMI-DETACHED DWELLINGS		
Minimum Lot Area i) Interior ii) Corner	Single(R1B) 360m ² 450m ²	Semi (Per Unit) 255m ² 345m ²
Minimum Lot Frontage i) Interior ii) Corner	Single(R1B) 12m 15m	Semi (Per Unit) 8.5m 11.5m
c) Front Yard Setback	6m	Complies
d) Exterior Side Setback	6m	Proposed reduction to 3.0m
e) Interior Side Yard Setback	1.2m for attached garage	Complies
f) Rear Yard Setback	7.5m	Complies
g) Maximum Building Height	11m	Complies
4.9 Parking Space Requirements for Residential Uses		
Single and Semi-Detached Dwelling	2 spaces per unit	Complies

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Zoning Table for Section 5.4	Urban Residential Type 4 Zone (R4)	Notes:
5.4.2 PERMITTED USES		
	Street Townhouse	Other uses are permitted in R4 Zone, but only Street Townhouses are proposed
5.4.2 ZONE PROVISIONS FOR STREET TOWNHOUSE DWELLINGS		
Minimum Lot Area		
i) Interior	156m ²	Complies
ii) Corner	264m ²	
Minimum Lot Frontage		
i) Interior	6.5m	Complies
ii) Corner	11m	
c) Front Yard Setback	6m	Complies
d) Exterior Side Setback	6m	Proposed reduction to 3.0m
e) Interior Side Yard Setback	1.2m	Complies
f) Rear Yard Setback	7.5m	Complies
g) Min separation between townhouse dwellings	2m	Complies
h) Maximum Building Height	11m	Complies
4.9 Parking Space Requirements for Residential Uses		
Street Townhouse Dwelling	2 spaces per unit	Complies
Noise Barrier Fence	Proposed to be approximately 2 metres in height.	Required from Rubidium report.

Summary of Zoning By-law review

The proposed reduction to the exterior side yards encourages dwellings to be located closer to the street, is a good urban design feature and increases the efficient use of lands. This same special exemption has been routinely and successfully applied to other subdivisions in Norfolk County. It is suggested that the County give strong consideration to amending the parent zoning by-law so that this exemption is incorporated into the standard provisions for residential zones within Norfolk County. The development will meet all other zone provisions of the County's Zoning By-law.

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The proposal to develop a mix of approximately 101 single, semi-detached and street townhouse units with the above noted site specific provisions to the R2, (R1-B through R2 Zone) and R4 Zone categories contribute to a well-planned and designed plan of subdivision and represent an efficient use of lands that caters to various housing and social needs.

Design:

The design of the proposed subdivision is suitable for the location having street frontage on Blue Line Road and Thompson Road West. The following represent a number of design considerations by both the applicant's design team and County staff.

1. The location of the park and stormwater management facility are appropriate as they are highly visible with extended frontage on roadways. Cash-in-lieu of parkland is proposed for the 1.95% deficiency in parkland area. This cash payment will be based on an appraisal of the lands where the equivalent value of 1.95% of the value of the subject lands (prior to approvals) is paid to the County. It is suggested that this cash payment be used to equip the proposed parkland area to serve the future needs of the community.
2. The internal design of the road network is appropriate with two connections to existing streets and no dead-ends or cul-de-sacs.
3. Back-lotting of lots along Blue Line Road and Thompson Road are necessary to avoid the installation of many driveways along these busier roads. This will improve the safety of those future owners entering and exiting their driveways as well as avoiding traffic travelling at higher speeds along these roads. In consideration of this design, additional landscape treatments are proposed along the roadways to improve visual characteristics along each road.
4. A future road connection to the west of the subject property is not proposed as the adjacent lands are outside of the urban area. If the lands to the west are ever included in the urban area, they are large enough to provide multiple accesses onto Thompson Road West.
5. There is an appropriate mix of dwelling types in the form of single detached, semi-detached and street townhouse dwellings.
6. The existing zoning by-law includes provisions for accessory residential dwelling units. Zoning By-law provisions must be met during house design in order to permit accessory residential dwelling units.
7. The proposed setbacks are consistent with the existing provisions of the zoning by-law with the exception of the exterior side yards which are proposed to be reduced from 6 metres to 3 metres.
8. A cedar (or pressure treated) noise barrier fence is to be provided along the rear property line of all lots backing onto Thompson Road West. The fence will be 2 metres high consisting of closed board construction in accordance with the Rubidium report. The provision of a berm/cedar tree planting strip was explored in replace of a noise barrier fence. The density of the cedar tree strip would not be sufficient to mitigate noise impacts generated from Thompson Road West.

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Professional Engineers
Ontario

Authorized by the Association of Professional Engineers of Ontario
to offer professional engineering services.



Ontario Association of Architects

9. The proposed park is less than a 5-minute walk from every lot within the draft plan of subdivision.
10. Sidewalks are proposed on one side of all internal roadways.

Section 51(24) of the *Planning Act*:

There are several criteria under the *Planning Act* that must be considered when designing and reviewing a draft plan of subdivision. The detailed list of criteria can be found in Appendix E of this report. It is our opinion that the proposed plan of subdivision has successfully considered the criteria of Section 51(24) of the *Planning Act*.

Conclusion:

The proposed Zoning By-law Amendment and Draft Plan of Subdivision implement the policies of the PPS, the Norfolk County Official Plan and Section 51(24) of the *Planning Act*. Accordingly, it is our opinion that the applications model good planning and implement an aesthetically pleasing design that ensures efficiency and compatibility with the surrounding land uses.

Yours truly,

Eldon Darbyson

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