



Working together with our community

## Public Hearings Committee – December 05, 2023

Subject: Development Applications 28TPL2017317 and ZNPL2017318 – 597 Highway 6, Port Dover

Report Number: CD 23-067  
Division: Community Development  
Department: Planning  
Ward: Ward 6  
Purpose: For Public Meeting

### Recommendation(s):

That staff Report CD 22-067 for development application(s) 28TPL2017317 and ZNPL2017318 be received for information; and

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

### Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on November 9<sup>th</sup>, 2023.

### Discussion:

The applicant is proposing a Draft Plan of Subdivision and a Zoning By-law amendment to facilitate the development of 56 semi-detached dwelling lots and 393 single detached dwelling lots, for a total of 449 residential lots in the Urban Area of Port Dover. The Draft Plan will contain two pedestrian connections to the Lynn Valley Trail, 3 future development blocks (2 block of which are proposed to be mixed use development blocks), 1 park block, 1 stormwater management block, 1 hazard land block, 1 buffer block (6m) and will be served by 9 new local roads and extensions of Willowdale Crescent and Cardinal Lane. The zoning by-law amendment has been resubmitted to

implement the proposed Draft Plan of Subdivision to rezone portions of the subject lands to Urban Residential Type 1 Zone (R1-B) with a Special Provision, Urban Residential Type 2 Zone (R2) with a Special Provision, Neighbourhood Commercial (CN) Zone with a Special Provision, and an Open Space (OP) Zone with the Holding (H) provision to be removed from the subject lands.

An overview summary of the development application(s) that have been submitted for the subject property at 597 Highway 6 is contained within Attachment A. This includes an outline of the site context, the applications and technical reports, any technical or public feedback to date and overview of development considerations. The submitted or draft by-law amendments is included as Attachment B.

### **Strategic Plan Linkage:**

This report aligns with the 2022-2026 Council Strategic Priority Building Norfolk to ensure a complete community.

Explanation: The proposed development will provide additional housing supply within the urban area of Port Dover with an opportunity for mixed use development along Highway 6.

### **Conclusion:**

A recommendation report will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, “complete” development applications.

### **Attachments:**

Attachment A Development Application Overview  
Attachment B Draft Zonig By-Law  
Attachment C Proposed Draft Plan of Subdivision  
Attachment D Technical Comments  
Attachment E Public Comments  
Attachment F Existing Policy and Zoning Considerations

### **Approval:**

Approved By:  
Brandon Sloan, BES, MCIP, RPP  
General Manager  
Community Development Division

Reviewed By:  
Tricia Givens, M.Sc.(PL), MCIP, RPP  
Director of Planning  
Community Development Division

Planning Department

Prepared By:

Mohammad Ariful Alam, MPL, MUD, MCIP, RPP

Supervisor – Development Planning

Community Development Division

Planning Department

Attachment A - Report CD 23-067  
**Development Application Overview**

# **Lynn River Heights (Phase II) Subdivision**

Application File Numbers: 28TPL2017317 & ZNPL2017318

Applicant: Democrat Port Dover Limited

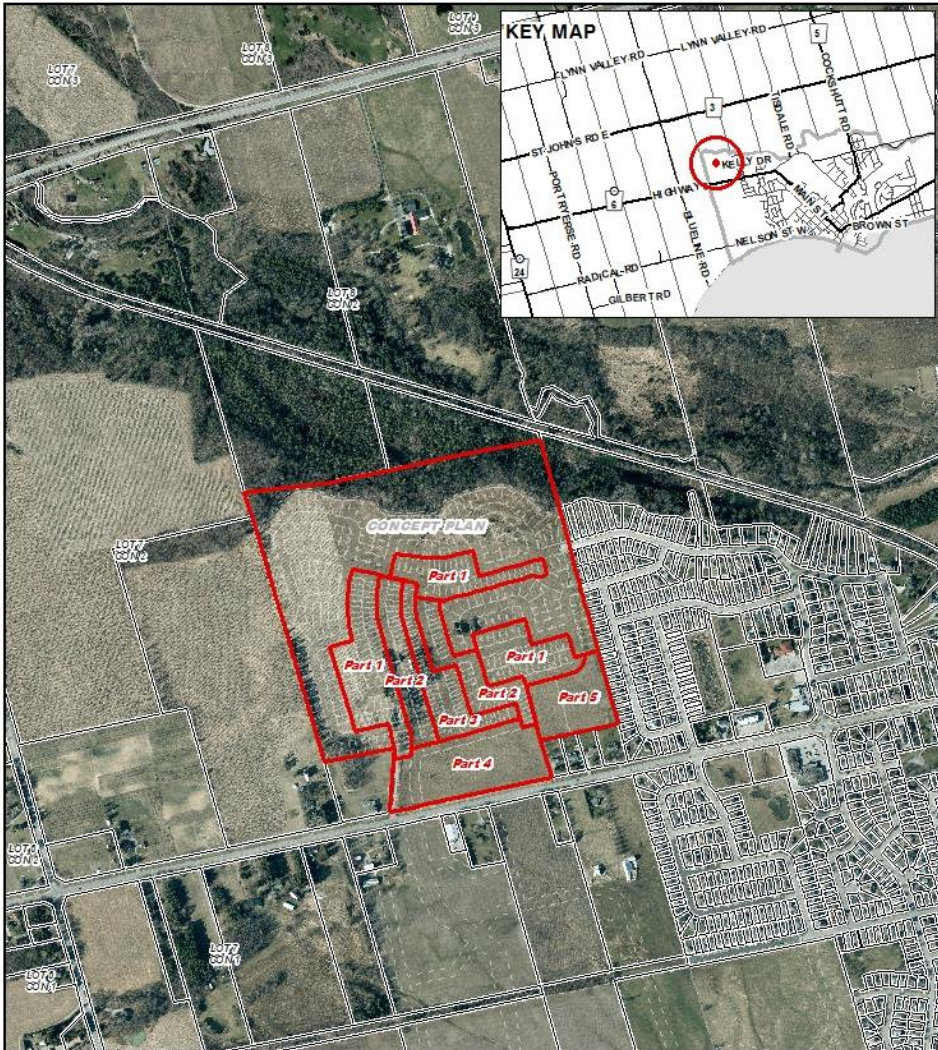
Agent: MHBC Planning &

MITCHINSON Planning & Development Consultants Inc.

**Statutory Public Hearing**

Date: December 5<sup>th</sup>, 2023

# Site Context



## Site Characteristics:

- 39.80 ha (98.3454 Acres)
- Located at the north of Highway 6
- Located at the north-west edge of Port Dover Urban Boundary
- The subject lands are currently vacant.

## Surrounding Land:

**North:** Natural Heritage Features including Hazard Lands and PSW

**East:** Residential, known as Lynn River Heights Phase I

**West:** Agricultural, outside of urban boundary

**South:** Highway 6 and future residential area

# Application History

**2006** - Lynn River Heights Phase-II Zoning By-law Amendments Approved for 484 single detached lots

**2006** – Lynn River Heights Phase-II Draft Plan of Subdivision approved but lapsed

**2009** - Lynn River Heights Draft Plan of Subdivision is redlined with some changes of phasing

**2017** – A revised Lynn River Heights Phase-II Zoning By-law Amendment was Submitted for 500 units

**2017** - A revised Lynn River Heights Phase-II Draft Plan of Subdivision was Submitted for 500 units

**2019** - The Applications were halted due to the Interim Control By-Law restricting development for lack of water capacity in Port Dover

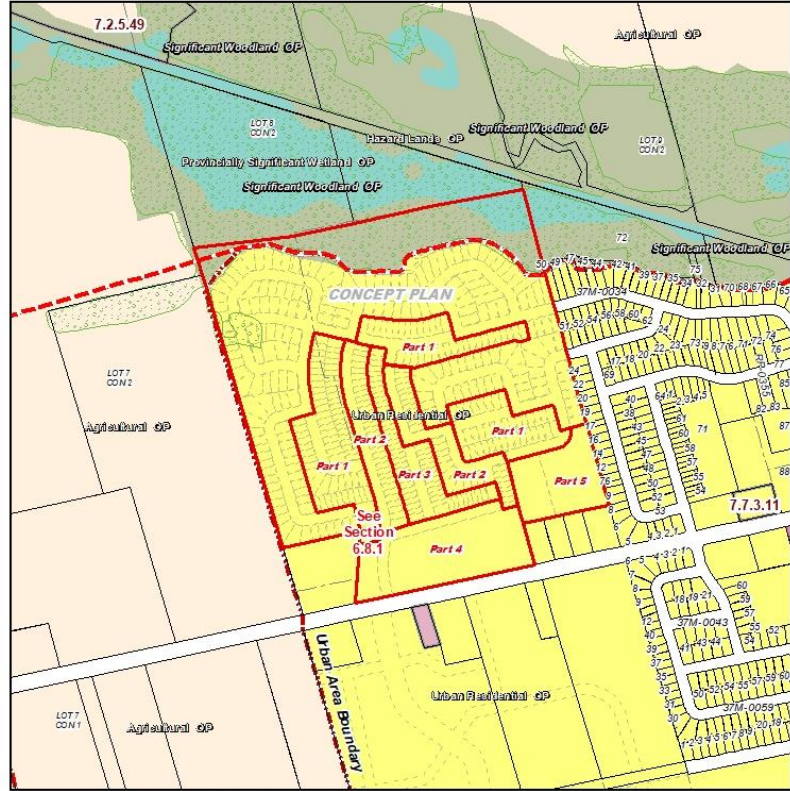
**2021** - The Interim Control By-law was expired

**2023** - An updated Lynn River Heights Phase-II Zoning By-law Amendment was Submitted for 449 units

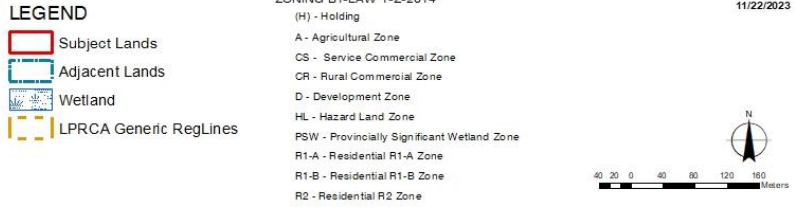
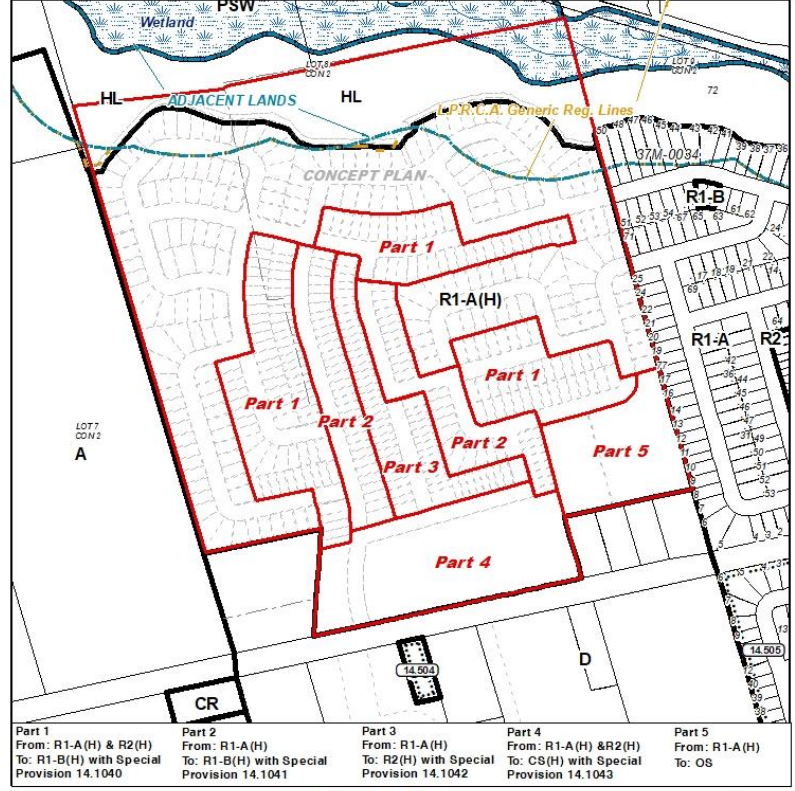
**2023** - A revised Lynn River Heights Phase-II Draft Plan of Subdivision was Submitted for 449 units

# Site Context

## Official Plan Map



## Proposed Zoning By-law Amendment Map



# Development Proposal

# Draft Plan of Subdivision



### Housing Mix:

- |                 |           |
|-----------------|-----------|
| 1. 15 m Singles | 190 Units |
| 2. 12 m Singles | 139 Units |
| 3. 10 m Singles | 64 Units  |
| 4. 9.0 m Semis  | 56 Units  |

Total Units: 449 Units

### Other Amenities

- |                        |         |
|------------------------|---------|
| 5. Parks & Open Space: | 0.73 Ha |
| 6. Walkway:            | 0.04 Ha |
| 7. SWMP:               | 1.36 Ha |
| 8. 6m Buffer:          | 0.44 Ha |
| 9. Hazard Lands:       | 4.35 Ha |

### Future Development

- |                             |         |
|-----------------------------|---------|
| 10. Future Mixed Use Block: | 3.27 Ha |
|-----------------------------|---------|

### Connectivity:

- Extension of Willowdale Cres.
- Extension of Cardinal Lane
- Possible future connect to south of Highway 6





# Proposed Zoning Amendment



Part 1: From R1-A (H) and R2 (H) to R1-B(H)

Part 2: From R1-A (H) and R2 (H) to R1-B(H)

Part 3: From R1-A (H) to R2 (H)

Part 4: From R1-A (H) and R2 (H) to CN(H)

Part 5: From R1-A (H) and R2 (H) to OS

Special Provision (14.1040 -14.1043)

- Relief of minimum lot areas, minimum lot frontages, various setbacks
- Maximum driveway widths and minimum landscape widths
- Future Block: Apartment use in CN zone; relief of setbacks, building height and maximum lot coverage.

6

# Preliminary Review

## Technical Reports:

- Planning Justification Report (Girard Engineering) 2017
- Stormwater Management Report (Girard Engineering) 2017
- Traffic Impact Study (F.R. Berry & Associates) 2006
- Functional Servicing Report, (Girard Engineering) 2017
- Environmental Inventory Assessment (Thompson Environmental) 2017
- Environmental Site Assessment, Phase 1 (Chung & Vander Doelen Eng. Ltd.) 2017
- Geotechnical Investigation Report (Chung & Vander Doelen Engineering Ltd.) 2006
- Water Modeling Report by RVA – May 2018
- Archaeological Assessment Stage 4 (AMICK Consultants Ltd.) 2006






## Technical Comments:

1. An updated Functional Servicing Report with new hydraulic modeling & any potential servicing upgrades
2. An updated Traffic Impact Study/Brief with any potential external upgrades
3. An updated Stormwater Management Plan (Phase 1)

## Public Input:

- Retaining wall of Lynn River Heights Phase-I caused water inundation in neighboring property to the west.
- The proposed stormwater pond of phase-II would further worsen the current situation
- A solution such as a catch basin can be installed to divert the water into the storm sewer system
- This is a decade old problem that needs to be addressed.

# Preliminary Considerations

Key Items		Preliminary Review
Housing		The subject lands are currently vacant. The applicant is proposing to construct an 449 residential lot subdivision consisting of single detached and semi-detached dwellings with a future mixed use block.
Parks & Trails		The proposed development incorporates a 1.36 Ha storm water management pond and 0.73 Ha park space for future local residents. Two pedestrian connections are proposed to the Natural Heritage Features to the north.
Parking		No parking relief is required. A streetscape design is provided to show on-street parking plan in front of smaller units.
Transportation (TIS)		The TIS prepared in 2006 needs to be updated. The intersection of Highway 6 with the only entrance to the proposed development will require further review with any potential external upgrades.
Servicing		An updated hydraulic study and FSR are requested to review the projected need of water and sanitary demands and any potential upgrades for this development.

# Next Steps & Recommendation

- Consideration of Public Hearing Input
- Review of all Technical Comments and any updated reports
- Recommendation Report

## Public Hearing Committee Report Recommendation:

*THAT staff Report CD 23-067 for development applications 28TPL2017317 and ZNPL2017318 be received for information;*

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



## The Corporation of Norfolk County

### By-Law ##-Z-2023

**Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part of Lot 8, Concession 2, Geographic Township of Woodhouse, County of Norfolk, municipally addressed as 597 Highway 6, Port Dover.**

**WHEREAS** Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 36(1) (Holding) of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

**AND WHEREAS** this By-Law conforms to the Norfolk County Official Plan.

**NOW THEREFORE** the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of a portion of the subject lands described as Part 0, Part 1, Part 2, Part 3 and Part 4, identified on Map A (attached to and forming part of this By-Law) as follows:

**Part 1:** From Urban Residential Type 1 Zone (R1-A) and Urban Residential Type 2 Zone (R2) with a Holding (H) Provision to Urban Residential Type 1 Zone (R1-B) with Holding (H) and a Special Provision **14.1040**;

**Part 2:** From Urban Residential Type 1 Zone (R1-A) with a Holding (H) Provision and Urban Residential Type 2 Zone (R2) with a Holding (H) Provision to Urban Residential Type 1 Zone (R1-B) with Holding (H) and a Special Provision **14.1041**;

**Part 3:** From Urban Residential Type 1 Zone (R1-A) with a Holding (H) Provision to Urban Residential Type 2 Zone (R2) with a Holding (H) and a Special Provision **14.1042**;

**Part 4:** From Urban Residential Type 1 Zone (R1-A) with a Holding (H) Provision and Urban Residential Type 2 Zone (R2) with a Holding (H) Provision to Neighbourhood Commercial (CN) Zone with a Holding (H) and a Special Provision **14.1043**;

**Part 5:** From Urban Residential Type 1 Zone (R1-A) with a Holding (H) Provision and Urban Residential Type 2 Zone (R2) with a Holding (H) Provision

to Open Space Zone (OS).

2. That Subsection 14 Special Provisions is hereby further amended by adding a new subsection **14.1040** as follows:

**Part 1**, identified on Map A (attached to and forming part of this By-Law)

- i) In lieu of the corresponding provisions in the Urban Residential Type 1 Zone (R1-B), the following provisions shall apply:

- |   |                   |
|---|-------------------|
| a) Minimum <i>lot area</i> :                                      |                   |
| i) <i>Interior lot</i>  | 360 square metres |
| ii) <i>Corner lot</i>   | 450 square metres |
| b) Minimum <i>lot frontage</i> :                                  |                   |
| i) <i>Interior lot</i>  | 12 metres         |
| ii) <i>Corner lot</i>   | 15 metres         |
| c) Minimum <i>front yard</i> :                                    |                   |
| i) To residential dwelling unit                                   | 3 metres          |
| ii) To attached garage  | 6 metres          |
| d) Minimum <i>exterior side yard</i> :                            | 3 metres          |
| e) Minimum <i>interior side yard</i> :                            | 1.2 metres        |
| f) Minimum <i>rear yard</i> :                                     | 6.5 metres        |
| g) Maximum <i>driveway width</i><br>along <i>street line</i> :    | 3 metres          |
| h) Minimum length of landscape area<br>along <i>street line</i> : | 7 metres          |
- ii) Notwithstanding Section 3.20.1, where in any Zone a 0.30 metre reserve separates a side yard from a street, the exterior side yard requirement and the minimum lot area requirement shall be provided and measured as though the reserve is non-existent.

3. That Subsection 14 Special Provisions is hereby further amended by adding a new subsection **14.1041** as follows:

**Part 2**, identified on Map A (attached to and forming part of this By-Law)

- iii) In lieu of the corresponding provisions in the Urban Residential Type 1 Zone (R1-B), the following provisions shall apply:

- |                                  |                   |
|----------------------------------|-------------------|
| a) Minimum <i>lot area</i> :     |                   |
| i) <i>Interior lot</i>           | 272 square metres |
| ii) <i>Corner lot</i>            | 360 square metres |
| b) Minimum <i>lot frontage</i> : |                   |

i) <i>Interior lot</i>	10 metres
ii) <i>Corner lot</i>	13 metres
c) Minimum <i>front yard</i> :	
i) To residential dwelling unit	3 metres
ii) To attached garage	6 metres
d) Minimum <i>exterior side yard</i> :	3 metres
e) Minimum <i>interior side yard</i> :	1.2 metres
f) Minimum <i>rear yard</i> :	6.5 metres
g) Maximum <i>driveway</i> width along <i>street line</i> :	3 metres
h) Minimum length of landscape area along <i>street line</i> :	6 metres

iv) Notwithstanding Section 3.20.1, where in any Zone a 0.30 metre reserve separates a side yard from a street, the exterior side yard requirement and the minimum lot area requirement shall be provided and measured as though the reserve is non-existent.

4. That Subsection 14 Special Provisions is hereby further amended by adding a new Subsection **14.1042** as follows:

**Part 3**, identified on Map A (attached to and forming part of this By-Law)

i) In lieu of the provisions in the corresponding Urban Residential Type 2 Zone (R2), the following provisions shall apply:

Provision	<i>Semi-detached</i> (per unit)
a) Minimum <i>lot area</i> :	
i) <i>Interior lot</i>	255 square metres
ii) <i>Corner lot</i>	345 square metres
b) Minimum <i>front yard</i> :	
iii) To residential dwelling unit	3 metres
iv) To attached garage	6 metres
c) Minimum <i>exterior side yard</i> :	3 metres
d) Minimum <i>rear yard</i> :	6.5 metres

ii) Notwithstanding Section 3.20.1, where in any Zone a 0.30 metre

*reserve* separates a *side yard* from a *street*, the *exterior side yard* requirement and the minimum lot area requirement shall be provided and measured as though the reserve is non-existent.

5. That Subsection 14 Special Provisions is hereby further amended by adding a new subsection **14.1043** as follows:

**Part 3**, identified on Map A (attached to and forming part of this By-Law)

- i) In addition to the “Permitted Uses” provisions in the CN Zone, the following provision shall apply to lands zoned Neighbourhood Commercial (CN) Zone:
- a) A dwelling apartment use shall also be a permitted use.
- ii) In lieu of the corresponding “Zone Provisions for any Sole Residential Use” in the CN Zone, the following provisions shall apply to lands zoned Neighbourhood Commercial (CN) Zone:
- a) Notwithstanding the provisions in Subsection 6.5.3, any sole residential use and *home occupations* shall conform to the provisions in the Urban Residential Type 4 Zone (R4) and the Urban Residential Type 6 Zone (R6) as the respective provisions apply to the type of sole residential use.
- iii) In lieu of or in addition to the corresponding “Zone Provisions for Non-Residential Uses or Non-Residential Uses in Combination with Residential Uses” in the Neighbourhood Commercial (CN) Zone, the following provisions shall apply:
- |   |   |
|---|---|
| a) Minimum <i>front yard, exterior side yard, interior side yard</i> and <i>rear yard</i> Requirements shall not apply. |   |
| b) Minimum setback from a <i>street line</i>  | 3 metres  |
| c) Minimum setback from an adjoining Residential Zone   | 7.5 metres  |
| d) Minimum <i>building height</i>   | 3 storeys   |
| e) Maximum <i>building height</i>   | 6 storeys   |
| f) Maximum <i>lot coverage</i>  | 50 percent  |
| g) <i>Outdoor storage</i> :   | prohibited in a yard adjoining a residential Zone |
- iv) Notwithstanding Section 3.20.1, where in any Zone a 0.30 metre reserve separates a side yard from a street, the exterior side yard requirement and the minimum lot area requirement shall be provided and measured



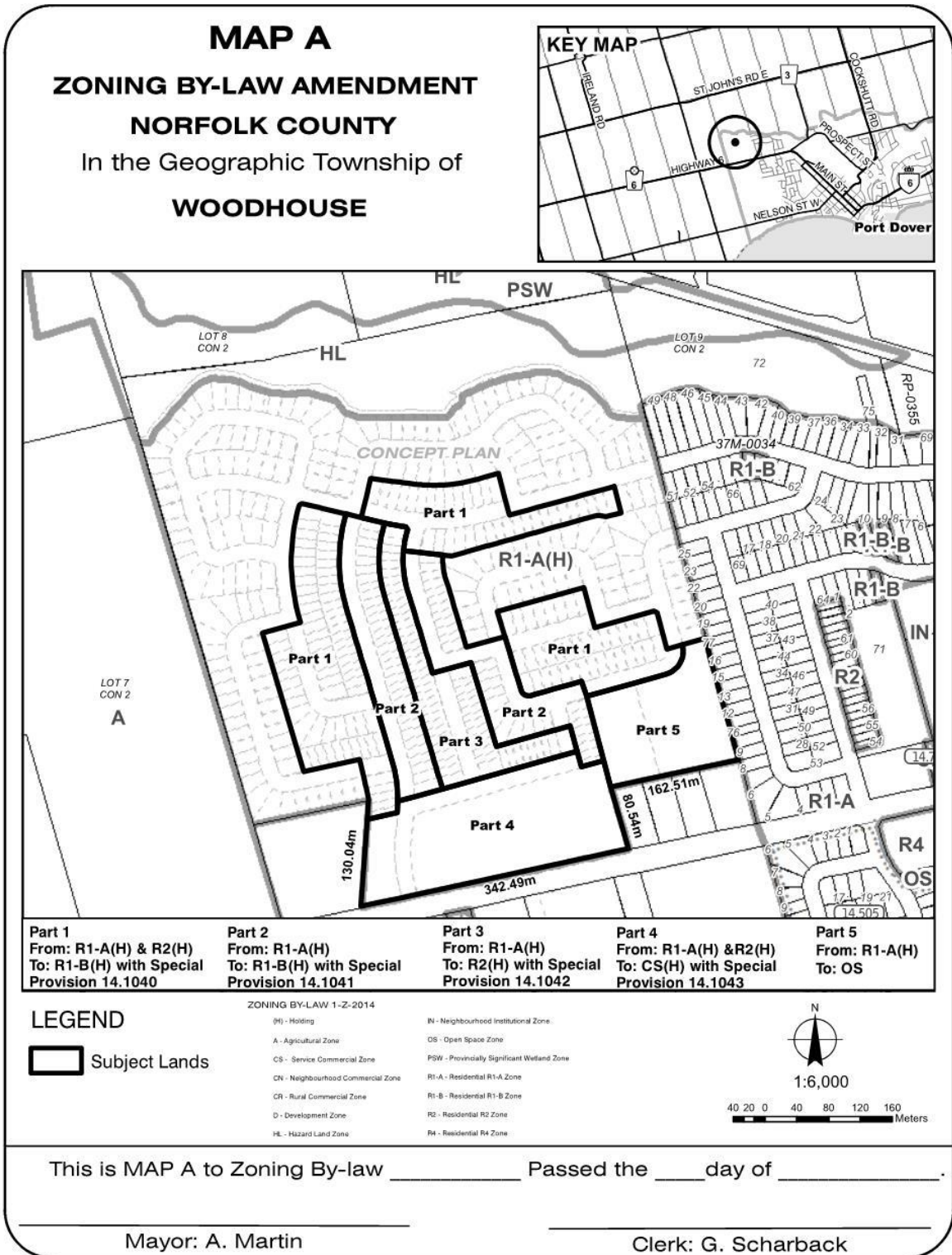
as though the reserve is non-existent.

6. That the holding (H) provision of this By-Law identified on Part 1, Part 2, Part 3, and Part 4 on Map A (attached to and forming part of this By-Law) be removed upon a successful development agreement to the satisfaction of the General Manager of the Community Development Division.
7. That the effective date of this By-Law shall be the date of passage thereof.

**ENACTED AND PASSED** this date day \_ of month \_, 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
County Clerk



## **Explanation of the Purpose and Effect of By-Law ##-Z-2023**

This By-Law affects a parcel of land described as Part of Lot 8, Concession 2, Geographic Township of Woodhouse, Norfolk County, municipally addressed as 597 Highway 6, Port Dover.

The subject lands were originally zoned in 2006 for residential uses in accordance with the Lynn River Heights Phase 2 Plan of Subdivision. However, the original Draft Plan of Subdivision Approval lapsed in 2015 and a revised June 2023 Draft Plan of Subdivision has now been approved with this Zoning By-law Amendment.

The purpose of this By-Law is to:

- to change the zoning of lands shown as Part 1 from R1-A with a Holding (H) and R2 with a Holding (H) to R1-B with a Holding (H) and a special provision 14.1040;
- to change the zoning of lands shown as Part 2 from R1-A with a Holding (H) and R2 with a Holding (H) to R1-B with a Holding (H) and a special provision 14.1041,
- to change the zoning of lands shown as Part 3 from R1-A with a Holding (H) to R2 with a Holding (H) and a special provision 14.1042,
- to change the zoning of lands shown as Part 4 from R1-A with a Holding (H) and R2 with a Holding (H) to CN with a Holding (H) and a special provision 14.1043;
- to change the zoning of lands shown as Part 5 from R1-A with a Holding (H) to OS.

The changes to the zoning as set out in this By-law will implement a proposed draft plan of subdivision that includes a total of 449 single detached and semi-detached units, a future mixed use block, a stormwater management facility and a public park use. The special provisions to the Residential Zones will allow relief of minimum lot areas, minimum lot frontages, various setbacks, will add maximum driveway widths and minimum landscape widths along the street line to promote on-street parking, and will clarify setbacks relative to 0.3 m reserves. The special provisions to the Neighbourhood Commercial zone will allow a dwelling apartment use, reduce setbacks except when adjacent to a Residential Zone, prohibit outdoor storage adjacent to a Residential Zone, set out minimum and maximum building heights, and maximum lot coverage on the subject lands.

The existing Holding (H) provision is updated to ensure a development agreement is executed on Part 1, Part 2, Part 3, and Part 4 of Map A to the satisfaction of the General Manager of the Community Development Division.

ENVIRONMENTAL HAZARD

AGRICULTURAL

ENVIRONMENTAL HAZARD

RESIDENTIAL

AGRICULTURAL

CARDINAL LANE

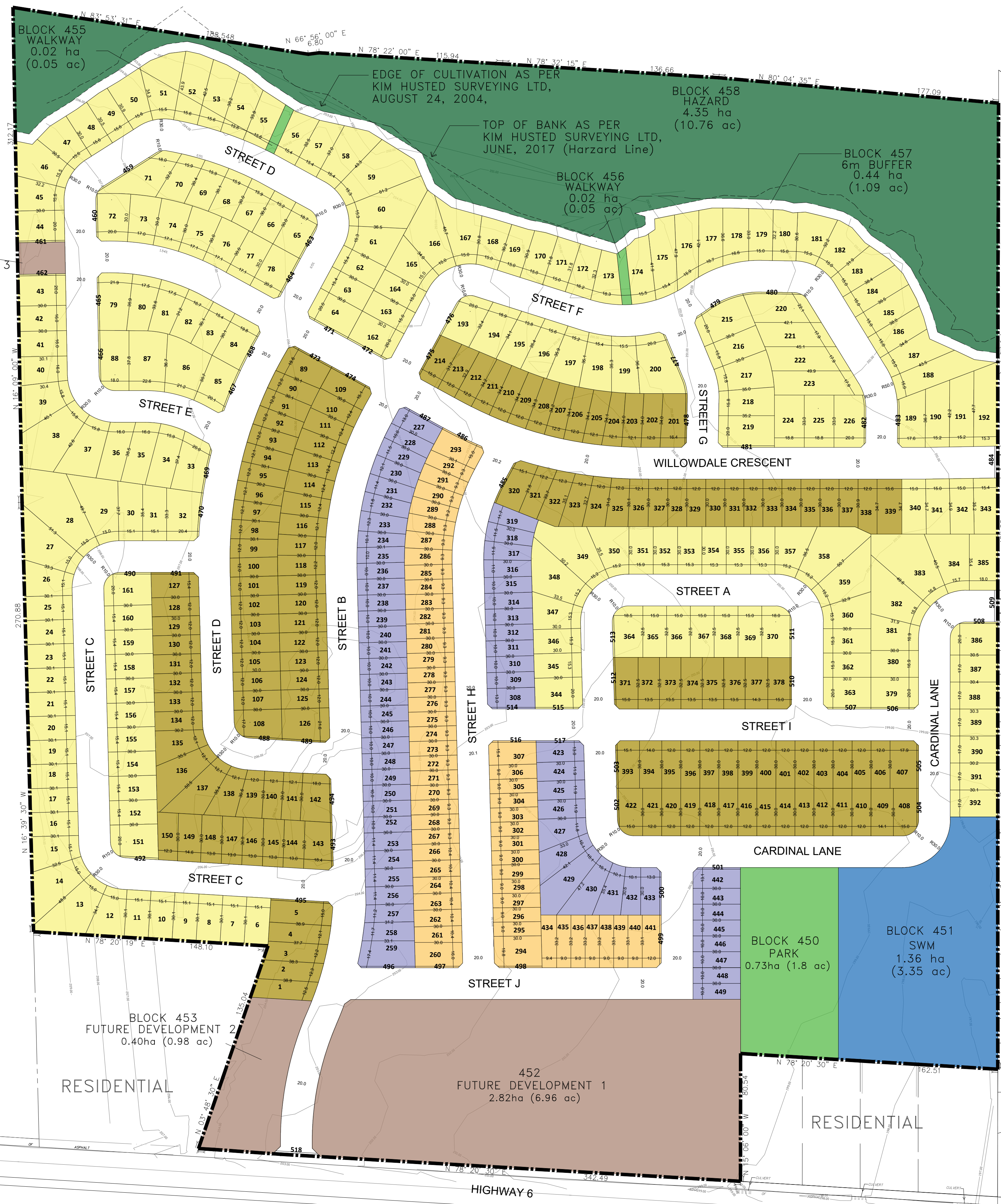
KELLY DRIVE

RESIDENTIAL

STREET J

RESIDENTIAL

HIGHWAY 6



BLOCK 455  
WALKWAY  
0.02 ha  
(0.05 ac)

EDGE OF CULTIVATION AS PER  
KIM HUSTED SURVEYING LTD,  
AUGUST 24, 2004,

BLOCK 458  
HAZARD  
4.35 ha  
(10.76 ac)

TOP OF BANK AS PER  
KIM HUSTED SURVEYING LTD,  
JUNE, 2017 (Harzard Line)

BLOCK 457  
6m BUFFER  
0.44 ha  
(1.09 ac)

BLOCK 456  
WALKWAY  
0.02 ha  
(0.05 ac)

BLOCK 454  
FUTURE  
DEVELOPMENT 3  
0.06 ha  
(0.15 ac)

BLOCK 453  
FUTURE DEVELOPMENT 2  
0.40ha (0.98 ac)

452  
FUTURE DEVELOPMENT 1  
2.82ha (6.96 ac)

BLOCK 450  
PARK  
0.73ha (1.8 ac)

BLOCK 451  
SWM  
1.36 ha  
(3.35 ac)

- 9m Semis
- 10m Singles
- 12m Singles
- 15m Singles
- Future Development
- Parks and Open Space
- Storm Water Management
- Environmental Protection

**Legal Description**  
LYNN RIVER HEIGHTS PHASE 2  
PART OF LOT 8, CONCESSION 2, GEOGRAPHIC  
TOWNSHIP OF WOODHOUSE  
NOW IN NORFOLK COUNTY

**Owner's Certificate**  
I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED  
TO SUBMIT THIS PLAN FOR APPROVAL.  
DATE: JUNE 2023 DEMOCRAT PORT DOVER LIMITED.

**Surveyor's Certificate**  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN  
AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY  
SHOWN.  
DATE: JUNE 2017 KIM S. HUSTED, - O.L.S.

**Key Plan**

Revision No.	Date	Issued / Revision	By
A. As Shown		B. As Shown	C. As Shown
D. Residential, Employment, Commercial, Park, Stormwater Management, Open Space		F. As Shown	H. Municipal Water Supply
E. As Shown		G. As Shown	I. Loan
G. As Shown		J. As Shown	K. All Services As Required
J. As Shown			L. As Shown

Description	Lots/Blocks	Units	Area
9.0m Semi Detached	260-307, 434-441	56	1.69ha/4.18ac
10m Single Detached	227-259, 308-319, 423-433, 442-449	64	2.17ha/5.38ac
12m Single Detached	1-5, 89-150, 201-214, 320-339, 371-378, 393-422	139	5.59ha/13.81ac
15m Single Detached	6-88, 151-200, 215-226, 340-370, 379-392	190	11.38ha/28.12ac
<b>Total Residential</b>	1-449	449	<b>20.83ha/51.45ac</b>
20m ROW	Street A-J, Cardinal Lane, Willowdale Crescent	N/A	8.78ha/21.69ac
<b>Total Roadways</b>			<b>8.77ha/21.69ac</b>
Walkway	455, 456	N/A	0.04ha/0.10ac
Parks & Open Space	450	N/A	0.73ha/1.8ac
SWM	451	N/A	1.36ha/3.35ac
6m Buffer	457	N/A	0.44ha/1.09ac
Hazard	458	N/A	4.35ha/10.76ac
Future Development	452, 453, 454	N/A	3.27ha/8.09ac
0.3 Reserves* (already included in lot area calculations)	459-518	N/A	0.05ha/0.12ac
<b>Total Other</b>	69 (Blocks 450 - 518)		<b>10.24ha/25.30ac</b>

**Total Draft Plan of Subdivision: 39.8ha/98.2ac**

**MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE**  
230-7030 WESTON ROAD WOODBRIDGE, ON, L4L 8G7 | P: 905.761.5588 F: 905.761.5359 | WWW.MHBCPLAN.COM

**Stamp**  
Date: November 02, 2023  
File No.: 08103-B  
Plan Scale: 1:1500 (Arch D)  
Drawn By: P.B.  
Checked By: D.W.  
Other:

**Project**  
**LYNN RIVER HEIGHTS PHASE 2**

**File Name**  
DRAFT PLAN OF SUBDIVISION

**Dwg No.**  
1 of 1

**Scale Bar**  
0 2 4 Meters

N:08103B - Lynn River Heights Phase II, Port Dover#6 - Tech Production-Final FiguresDPOSIAC

## **ATTACHMENT D**

### Technical Comments

#### **Planning – Reviewed**

##### Zoning

Staff have concerns about the proposed reduction of the required 9m sight triangle. Please provide greater justification to support the reduced sight triangle requirements.

##### Subdivision Design Comments:

Thank you for the submission of the streetscape design drawing. Please be advised that in accordance with Section 8,2, subsection (d), of Parking bylaw 2011-189 (on-street parking), 'No person shall park a vehicle less than 1.2 meters of a driveway, measured from the curb cut, or where there is no curb cut from the intersection of the prolonged edge of the travelled portion of the driveway and the edge of the roadway'. As a result of this requirement, on-street parking may not be able to be accommodated with the proposed 10 m frontages for the single-detached dwellings.

#### **Agreements Coordinator – Reviewed**

Draft plan of subdivision conditions will be included as part of the planning report. One of these conditions will be the requirement to enter into a subdivision agreement, and any subsequent amending or supplementary agreements thereto, and that the agreements shall be registered on title to the subject lands, all at the Owner's expense. Your conditions of draft approval will need to be fulfilled or satisfied prior to registration of your subdivision agreement. In order to streamline the agreement process and reduce review times, please provide a complete submission package along with any fees required when you are ready to start.

#### **Development Engineering – Reviewed**

Revised Draft Plan of Subdivision (DPOS) and Zoning By-law Amendment (ZBA) for Norfolk County Application File: 28TPPL2017317 28TPL2017317 and ZNPL2017318 for the Lynn River Heights Phase 2 Residential Development in Port Dover is not recommended for Engineering Approval, based on the following:

1. An updated Functional Servicing Report is required to address recent water and sanitary upgrades in Port Dover, as well as incorporate updated hydraulic model analysis (to be completed by R. V. Anderson Associates Limited) as well as any potential for servicing upgrades external to the development; and,

2. An updated Traffic Impact Study is required to address works completed and confirm updated area conditions (the submitted Traffic Impact Study is dated December 2006).

At minimum, design briefs stamped by a qualified professional Engineer referencing the previous completed servicing and traffic studies are required. The design briefs are to include description of how the previous technical studies apply to the current 2023 Development Application with reference to current and planned conditions within the area of the proposed development, including updated water and wastewater system analysis modelling completed by the County's consultant.

It is important that updated engineering studies are completed to current County standards and requirements and updated studies / design briefs are required to confirm that no additional external water and wastewater servicing and transportation works are required to support this development. Reference to previous approval of submitted reports by Development Engineering is not sufficient as significant work has been completed by the County since the previous submission to understand the water and wastewater system within Port Dover. TIS are to always reference current conditions and proposed road layouts and traffic controls.

#### DOCUMENTS RECEIVED AND REVIEWED

##### July 23, 2023 Submission

1. Cover Letter, July 13, 2023 by MHBC
  2. Draft Engineering Conditions of Draft Plan Approval, June 27, 2023  
Update to the County's April 25, 2019 Recommended Engineering Conditions of DPA
  3. Zoning By-law Amendment Norfolk County – Map A (Black and White), June 26, 2023
  4. Zoning By-law Amendment Norfolk County – Map A (Colour), June 26, 2023
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1. Comments & Response Matrix, Comments Received from County Planning April 14, 2023, MHBC Response – June 23, 2023
  2. Conceptual Streetscape Plan (10m lots on Street B & C within Lynn River Heights Phase 2)
  3. Draft Plan Lot Areas and Frontages, June 23, 2023
  4. Draft Plan of Subdivision (Black and White), File No. 08103-B, June 23, 2023
  5. Draft Plan of Subdivision (Colour), File No. 08103-B, June 23, 2023

## August 2023 Submission

1. Cover Letter, July 13, 2023 by MHBC
2. Geotech Test Pit Location Plan and Sections, File No. 05-11-K11, April 2006 by Chung & Vander Doelen Engineering Ltd.
3. Traffic Impact Study, December 2006 by F.R. Berry & Associates
4. Lynn River Heights Residential Subdivision, Phase 2, Port Dover Traffic Impact Assessment, by F.R. Berry & Associates, December 2016
5. Environmental Inventory and Assessment, February 2007 by Thompson Environmental
6. Archaeological Assessment, July 13, 2016 by AMICK Consultants Limited
7. Geotechnical Investigation Report, April 24, 2006 by Chung & Vander Doelen Engineering Ltd.
8. Phase I Environmental Site Assessment, May 12, 2006 by Chung & Vander Doelen Engineering Ltd.
9. Major Storm Plan, Project No. 16-067, Drawing No. 200, November 21, 2017 by Girard Engineering
10. Sanitary Sewer Design Calculations, November 2017 by Girard Engineering
11. Storm Sewer Design Calculations, November 2017 by Girard Engineering
12. Storm Water Management Pond Plan, Project No. 16-067, Drawing No. 400, March 2019 by Girard Engineering
13. Contour Plan, Project No. 16-067, Drawing No. 301, December 5, 2017 by Girard Engineering
14. Pre-Development Plan, Project No. 16-067, Drawing No. 300, December 5, 2017 by Girard Engineering
15. Sanitary Sewer Drainage Plan, Project No. 16-067, Drawing No. 302, December 5, 2017 by Girard Engineering
16. Storm Sewer Drainage Plan, Project No. 16-067, Drawing No. 303, December 5, 2017 by Girard Engineering
17. Storm Water Management Pond Plan, Project No. 16-067, Drawing No. 400, March 2019 by Girard Engineering
18. Water Distribution Plan, Project No. 16-067, Drawing No. 304A, December 5, 2017 by Girard Engineering
19. Functional Servicing Report, December 14, 2017 by Girard Engineering

20. LRH, December 14, 2017 by Girard Engineering
21. Planning Impact Analysis/Justification Report, December 14, 2017 by Girard Engineering
22. Water Design Figures, December 14, 2017 by Girard Engineering
23. Water Modeling Calculations, December 14, 2017 by Girard Engineering
24. Water Modelling Report, May 22, 2018 by R.V. Anderson Associates Limited
25. Traffic Impact Study Appendices ABC, March 18, 2019 by F.R. Berry & Associates
26. Traffic Impact Study Appendix D, March 18, 2019 by F.R. Berry & Associates
27. Responses to Review Comments 06/18/2018 + Storm Water Management Report and Traffic Impact Analysis, March 18, 2019 by Girard Engineering
28. Draft Plan Lot Areas and Frontages, June 23, 2023
29. Draft Plan of Subdivision (Black and White), File No. 08103-B, June 23, 2023
30. Draft Plan of Subdivision (Colour), File No. 08103-B, June 23, 2023
31. Comments & Response Matrix, Comments Received from County Planning April 14, 2023, MHBC Response – June 23, 2023
32. Draft Engineering Conditions of Draft Plan Approval, June 27, 2023 Update to the County's April 25, 2019 Recommended Engineering Conditions of DPA
33. Zoning By-law Amendment Norfolk County – Map A (Black and White), June 26, 2023
34. Zoning By-law Amendment Norfolk County – Map A (Colour), June 26, 2023

## GMBP ENGINEERING REVIEW COMMENTS

### **1. Lynn River Heights, Port Dover, Traffic Impact Study by F.R. Berry & Associates, December 2006 / Lynn River Heights Residential Subdivision, Phase 2, Port Dover Traffic Impact Assessment, by F.R. Berry & Associates, December 2016**

- a. The submitted Traffic Impact Studies (TIS) are from December 2006 and December 2016. An updated TIS is required, or at minimum a brief stamped by a qualified professional Engineer, identifying how the previously completed TIS remains consistent under current conditions – including reference to studies, plans and works



undertaken since completion of the previously completed TIS as well as review of the original traffic count data and modelling.

b. The July 13, 2023 Cover Letter Re: Lynn River Heights Phase 2, Port Dover, Revised Draft Plan of Subdivision..." notes that "the proposed round-about entrance at Highway 6 and Street B has been replaced with a traditional intersection (including 5 m x 5 m daylight triangles) due to jurisdictional issues (MTO ownership of Highway 6) and design/construction/land ownership/cost share challenges associated with the round-about." The updated TIS is to include detail on the rationale for traffic control at Highway 6 and Street B.

c. The July 13, 2023 Cover Letter Re: Lynn River Heights Phase 2, Port Dover, Revised Draft Plan of Subdivision..." notes that "There has been a slight adjustment to Streets H and J due to the park relocation and to provide a more direct internal access to the future development blocks. Street J, as proposed, will help minimize any potential traffic conflicts between residential uses within the subdivision and the future mixed-use development." The updated TIS is to address any changes and impacts of changes to the proposed road layout.

d. The July 13, 2023 Cover Letter Re: Lynn River Heights Phase 2, Port Dover, Revised Draft Plan of Subdivision..." notes that "The Highway 6 / Street B intersection is consistent with the findings of the Traffic Impact Study." This is to be confirmed by a qualified professional Engineer as part of the application.

## **2. Lynn River Heights Subdivision Phase 2 Port Dover Democrat Port Dover Limited Functional Servicing Report, by Girard Engineering Ltd.**

- a. An updated Functional Servicing Report (FSR) is required to address recent water and sanitary upgrades completed within Port Dover (including work completed after 2019), as well as updated hydraulic analysis of the proposed development on the Port Dover water and wastewater systems to be completed by the County's consultant (R. V. Anderson Associates Limited). A design brief stamped by a qualified Professional Engineer, identifying how the previously completed FSR remains consistent under current conditions (with reference to updated hydraulic analysis work to be completed by the County's Consultant) is also acceptable; but, as the submitted FSR is very brief (1 page), it is anticipated that a fully updated FSR will be required to fully address the proposed servicing under current conditions.

## **3. Lynn River Heights Subdivision (Port Dover, ON) Preliminary Stormwater Management Report, by Girard Engineering Ltd., November 2017, Updated March 2019**

- a. The report has been updated to address comments prepared by Ainley & Associates Limited (April 12, 2018) relating to Draft Plan of Subdivision (DPOS). The Phase 1 Development Stormwater Management Report is to be provided to

confirm that the preliminary stormwater management report is sufficient for DPOS Approval.

- b. For the Detailed Engineering Submission, all April 12, 2018 comments prepared by Ainley are to be addressed. Upon receiving the updated SWM Report in support of the Detailed Engineering submission, there may be additional new comments based on review of the more detailed submission.

### **Long Point Region Conservation Authority – Reviewed**

Long Point Region Conservation Authority (LPRCA) staff have had an opportunity to review the application 28TPL2017317, ZNPL2017318 and can provide the following comments based on LPRCA's various plan review responsibilities.

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. As such, "development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards."

The application is subject to the following subsections of section 3.1 of the Provincial Policy Statement:

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

As the proposed lots are setback a minimum of 6m from the top of bank, the proposed application is consistent with section 3.1 of the Provincial Policy Statement, 2020. LPRCA has no objection to the concept of this application at this time.

### Ontario Regulation 178/06

For the applicant's information, a portion of the subject property is regulated under Ontario Regulation 178/06. A permit is required for any development within the regulation limit.

Development includes:

- the construction, reconstruction, erection or placing of a building or structure of any kind,

- any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- site grading, or
- the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere (Conservation Authorities Act, R.S.O. 1990, c. 27, s. 28 (25)).

LPRCA has reviewed stormwater management design using the 2003 MECP Stormwater Management Planning and Design Manual, MTO Drainage Manual, LID Stormwater Management Manual, the sustainable technologies STEP website <https://sustainabletechnologies.ca/>, and the Municipal SWM guidelines. Staff have the following comments with regards to stormwater management (SWM):

1. The SWM report states “Infiltration measures shall be distributed around the site rather than at a single ‘end of pipe’ location. Please provide a concept with proposed locations for infiltration. Staff recommend the utilization of a treatment train to capture the first flush of rainfall (1in);
2. Please provide justification on why ‘Partly Asphalt’ is set at C = 0.8 and not a minimum 0.9;
3. A pre and post development drainage area illustration is requested and should include the designated area associated along with the impervious percentage or run off coefficient,
4. The emergency overflow easements should be on private property;
5. Erosion and Sediment Control plan needs to be provided;
6. All setbacks should be clearly labeled on the engineered drawings. The 6m setback should be applied along the top of the slope on the north end and all lots should remain 6m back from the top of slope. A scale bar should be provided on all drawings;
7. Please provide details about the major overland flow route within the report at the detailed design stage.

### **Building Department – Reviewed**

The building department has reviewed the proposal and has NO comments or conditions.

No Ontario Building Code review has been completed at this time and will be done at permit application stage.

Please reach out to the building department as you get closer to having the planning and applicable approvals in place and staff will be happy to assist you with information on preparing for the building and septic permit stage of the project.

All general permitting inquires: by email: [permits@norfolkcounty.ca](mailto:permits@norfolkcounty.ca) or by phone: 226-NORFOLK (226-667-3655) Ext 6016

**Zoning** – A Zoning table should be on draft plan of subdivision for each phase stating the zone and the zone provisions. There are zoning comments on the conceptual streetscape plan, but it doesn't state if it's R1 or R2, and this is not put in a zoning table format.

This is a large document to decipher, it would be good if a site plan sketch for each phase can be sent separately for zoning to review with zoning tables.

Additionally, the submitted conceptual plan contains no decks, decks pose many issues in the future if a basic concept deck is not on the site plan sketch.

**Canada Post** – Please be advised that Canada Post does not have any further comments on this application. This development will be serviced by Community mailboxes and Canada Post will work with the developer on site locations and requirements for concrete pads.

### **Haldimand Norfolk Social Services and Housing – Reviewed**

Social Services and Housing is supportive of additional housing options for members of our community, particularly more affordable options.

### **Fire – Reviewed**

Norfolk Fire has the following comments for this proposal:

- Ensure there is adequate access for fire department apparatus through the site and that road widths take into consideration street parking.
  - Particular attention should be paid to curves/corners and parking proximity to these areas- please keep the turn radius in mind.
- Ensure there is an adequate number of hydrants spaced appropriately.

### **Paramedic Services – Reviewed**

No comments from Paramedic Services.

## **Bell Canada – Reviewed**

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

### **Condition(s) of Approval**

1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

## **Grand Erie District School Board – Reviewed**

Thank you for the opportunity to provide comments for the Draft Plan of Subdivision 28TPL2017317 Lynn River Heights Phase 2.

Please find below comments from the Grand Erie District School Board (GEDSB).

- The proposed development is located within the attendance boundary for Lakewood Elementary School (JK-8) and Simcoe Composite School (9-12).
- Lakewood Elementary is currently at 88% utilization and Simcoe Composite is at 68% utilization. With the proposed plan to develop 455 residential lots, enrolment projections suggest the utilizations could increase to 112% and 72%, respectively. Lakewood Elementary may not have the space to accommodate all the students generated from this development.

We request that the following be included in the conditions of draft approval;

1. That the Owner/Developer must agree in the Subdivision Agreement and/or Site Plan Agreement to notify all purchasers of

residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

*“Despite the best efforts of the Grand Erie District School Board (GEDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school.”*

## ATTACHMENT E – PUBLIC COMMENTS

**From:** Raymond Wilkinson

**Sent:** November 14, 2023 3:59 PM

**Subject:** 659 Highway 6, Port Dover, Ontario. N0A1N2, Phase 2 of Lynn River Heights Subdivision.  
Backyard Flooding

My name is Raymond Wilkinson, and I have lived in Port Dover all my life. I am contacting you concerning Phase 2 of the Lynn River Heights subdivision. In phase 1 of the Lynn River Heights subdivision, a 6-foot wall was built down the east side of our property. This created a dam, stopping the natural drainage of the property. Now every time it rains, or spring thaw, a pond is formed along the east side of the property. The water stays for long periods of time, weeks, months, and even when the water is gone, the water table is still very high. This makes it impossible to cut the grass, or even walk on, for fear of getting stuck in the mire. On heavy rain days the water extends across the full yard of 165 feet. My sump pump runs constantly. Before the subdivision, I did not have this problem. Now with phase 2 of the Lynn River Heights subdivision, there is a proposed storm management pond at the rear or north end of my property. Another wall, more water, with no place to drain does not sound like a good solution that is coming. I am sending this email, in light of the new subdivision being planned behind my house. I would like to know what is going to be done to help fix a decade old problem that has been plaguing my property since phase 1 of the first subdivision. This problem has persisted since Boban Development sold the project to Democrat Port Dover LTD. which included a new planning agent and engineer (MHBC Planning). With a rescheduled meeting for December 5th, 2023, I would like to pursue an effective solution concerning flooding on my property, that was promised since the development of the Lynn River Heights subdivision. Could drainage tubing of about 6" width be laid along the east side of my property to drain to the storm drain that has been built there? Could a catch basin be installed to divert the water into the storm sewer system? I am deeply worried that with these new proposals that nothing will get done, and the problem will get worse. This letter is being submitted to bring light to a problem that needs addressing on December 5th, 2023. I look forward to speaking with you, and bringing light to this old problem.

Thank you,

Raymond & Theresa Wilkinson