

Analysis of Submitted Materials

As part of the Official Plan and Zoning By-law amendment applications, the applicant and his agents have provided a number of additional materials for review, including: a topographic survey, preliminary site plan, planning justification report (IBI Group), scoped environmental impact statement (Colville Consulting), Agricultural Impact Assessment (Colville Consulting), Archaeological Assessment (AMICK Consultants), Geotechnical Investigation (Landtek Limited), Slope Assessment (Landtek Limited), Functional Servicing and Stormwater Management Report (IBI Group) and a Transportation Brief (IBI Group). These materials were reviewed and considered as parts of a complete application to Haldimand County. The sum of these documents is intended to provide support for the proposed development, primarily by asserting that the subject lands are not significant agricultural lands and by opining that a significant expansion to the County's resort residential node is permitted and compatible in this location; these suppositions are significant to the proposal because agricultural policies and settlement area expansion policies represent the largest conformity challenges to the application. This attachment further seeks to codify the many suppositions of the planning justification report and address the most crucial statements. Some of these statements may fall into more than one identified category below, but have been placed in a single location to avoid unnecessary duplication.

Agriculture

Most significantly, the following statements have been made in the submitted materials with regard to agricultural uses on the subject lands. The agricultural statements can generally be broken down into four categories:

1. The subject lands are not a viable stand-alone agricultural parcel.
2. The subject lands are low-priority agricultural lands (and offer greater benefits being developed as proposed).
3. The proposed use is supported by or compatible with agricultural policies.
4. The subject lands are not prime agricultural lands, but are 'Rural Lands'.

1. The Subject Lands are Not a Viable Stand-alone Agricultural Parcel

The most significant statements within this category include:

- a) The subject lands are not a viable stand-alone agricultural parcel and have greater benefit being developed for the tourism sector (IBI, PJR, p.1, 24, 28, etc.)
- b) The subject lands are an underutilized agricultural property (IBI, PJR, p.86).
- c) 17 hectares [42 acres] of the subject lands are currently cultivated, which is a minor amount of land that could otherwise be dedicated to producing economic benefits for the tourism economy (IBI, PJR, p. 58).

Planning Comment:

Haldimand County and the Province have developed policies which are intended to protect all agricultural parcels, and which express as a priority farm consolidation over conversion to non-agricultural uses. Neither Haldimand County nor the Province describe what size of agricultural parcel nor what area of farmed land represents a viable stand-

alone farm; instead, both Haldimand County and the Province make clear statements within their respective policy documents that prime agricultural lands are to be protected for the long-term for agricultural uses. Neither the Province nor Haldimand County have policies that support conversion of prime agricultural lands to other uses, but do allow non-agricultural / non-residential uses that are limited in area for actively farmed properties. Both Haldimand County and the Province have made policies to allow for dwellings made surplus through farm consolidations to be severed from the farmlands, subject to a number of criteria – these policies are intended to remove undesirable residential uses from farm holdings when a farmer or farm corporation purchase new farm parcels within the County. As farmers consolidate farming operations by purchasing additional agricultural parcels, surplus farm dwelling severances are common at Haldimand County. This is the extent of policy support for residential land use creation in prime agricultural areas at both the Provincial and local level.

For some agricultural uses a 27.4 hectares (67.7 acres) farm may not be viable as a stand-alone farm; however, it is the most commonly sized farm parcel in Haldimand County (Attachment 3 – Haldimand County Farm Sizes). The subject lands are 27.4 hectares (67.7 acres), and Haldimand County's average farm parcel is 29.45 hectares (72.77 acres) and Haldimand County's median parcel is 23.95 hectares (59.18 acres): Declaring this parcel of land non-viable (and therefore worth converting to other uses) means that more than half of Haldimand County's agricultural parcels fall within this category and sets a dangerous precedent for conversion of Haldimand County's agricultural lands when assessed in this context.

2. The Subject Lands are Low-Priority Agricultural Lands

The most significant statements within this category include:

- a) The subject lands are relatively low-priority agricultural lands, as they are not specialty crop lands, there is no farm infrastructure and there is a significant amount of non-farm land uses adjacent and in close proximity (IBI, PJR, p.18).

Planning Comment:

Haldimand County does not identify any specialty crop areas within its boundaries, and little to no farm infrastructure is generally associated with many cash crop (soy beans, corn) farm parcels. Most of the subject lands are comprised of Class 2-3 Soils, which are considered prime agricultural lands, and in Haldimand County Class 1-3 Soils predominate. There are RV Parks located immediately to the west of the subject lands; however, these uses do not effect the priority or use of the lands for cropping.

- b) In comparison to the rest of the surrounding area, the subject lands have a low agricultural priority based on soil capability alone (IBI, PJR, p.24).

Planning Comment:

Colville Consulting does not make this comparative analysis in their agricultural impact statement. In review of the Province's CLI mapping, the subject lands generally have a higher soil class rating than the surrounding lands (Attachment 4 – CIL Soils Mapping). The surrounding lands have not been exposed to a refined CLI rating via an agricultural impact study (as the subject lands have), so it is not appropriate to

compare these investigated soils (Colville) to surrounding soils that have not received the same level of analysis.

- c) A quarter of the soil composition of the subject lands was classified as Class 4, 5 and 7 soils, which are a lower priority as per the definition above and in section 6 of the PPS (IBI, PJR, p.37)

Planning Comment:

The subject lands are not low priority based on soil composition. The majority of the subject lands are Class 2 and 3 Soils (CLI), and Class 1 to 3 soils are generally highly-productive soils, characteristic of prime agricultural lands. Section 6 of the PPS defines prime agricultural lands as “specialty crop areas and/or CLI Class 1, 2 and 3 lands”, and prime agricultural areas as “areas where the prime agricultural lands and associated CLI Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit ongoing agriculture”: these definitions well-define the subject lands.

- d) Soil composition as per the refined CLI Capability Ratings from the Agricultural Impact Assessment (Colville Consulting): Class 2 soils 61.6%; Class 3 soils 13.99%, Class 4 soils 9.18%, Class 5 soils 3.51%, Class 7 soils 11.72%.

Planning Comment:

The numbers provided by Colville Consulting through refined study of the subject lands describe the subject lands as being 75.6% CLI Class 1 to 3 soils, which are generally considered prime agricultural soils with the best capacity for agricultural production. The refined percentages also include 11.7% Class 7 soils, having low capacity for agricultural production. All of the Class 7 soils described by Colville Consulting are located within the exposed high bluff that is directly adjacent to, and impacted by, Lake Erie. This bluff is one of the most erosive areas within Haldimand County (Baird, 2020), and has an average annual recession rate of 0.51 metres (1.67 feet) per year. Although the highly erosive bluff is part of the subject lands, it is not farmable or suitable for resort residential uses and is a significant hazard on the subject lands; therefore, the soils directly associated with the exposed high bluff should not functionally be included in the farmable lands. When the exposed bluff is removed from soils calculation from the subject lands, the prime agricultural soils move from 75.6% of the subject lands to 85.6% of the subject lands. As concluded by Colville’s agricultural impact assessment, the subject lands are situated in a prime agricultural area. With the exception of the location of the existing house, all of the prime agricultural lands (Class 1-3 soils) are being farmed, and all of the non-prime agricultural soils are not being farmed (exposed bluff and naturalized areas): in total, approximately, 84% (23 hectares/56.9 acres) of the subject lands are actively farmed.

- e) The proposal protects agricultural resources by directing the proposed seasonal recreational resort to the subject lands (IBI, PJR, p.32).
- f) Though the proposed development will necessarily remove an agricultural use from production, it will protect and promote higher priority agricultural lands in the surrounding area (IBI, PJR, pp.32, 50).

Planning Comment:

These two statements appear to arise from the previous claim that the subject lands are less agriculturally capable soils than the surrounding agricultural lands, and adds to that claim by asserting that locating the proposal here prevents the conversion of other agricultural lands. Not only is the assertion that the subject lands are not as agriculturally capable as the surrounding lands inaccurate without further study (described above), these further claims create a false dichotomy that suggests the proposal must be located on these lands or adjacent lands. Haldimand County's Official Plan categorizes the County's land use needs as forecasted over a 25 year planning horizon (Watson, 2019). Haldimand County's 'Resort Residential Nodes' were created to recognize existing seasonal residential areas, are not intended to grow, surplus vacant lands exist within existing nodes, and expansions need to be considered as part of a municipal comprehensive review (not on a case-by-case basis). Haldimand County is not limited to considering this proposal as proposed compared to as proposed on adjacent lands. Agricultural resources are not protected by removing this 27.4 hectares (67.7 acres) of agricultural land over an adjacent 27.4 hectares (67.7 acres) of agricultural land; equal amounts of land within existing lands designated as 'Resort Residential Node' currently exist.

- g) It is noted that all sectors of the economy are equal, therefore neither one will hold more importance than the other. 17 hectares of the subject lands are currently cultivated, which is a minor amount of land that could be otherwise dedicated to producing economic benefits for the tourism economy, especially in an ideal location close to the lakefront. (IBI, PJR, p.58)

Planning Comment:

As described above, 17 hectares of land is approximately the size of the average farm parcel (Attachment 3 – Haldimand County Farm Sizes) in Haldimand County; this assertion implies that most of the farms within Haldimand County are of minor value and should be considered for conversion. There are significant 'Resort Residential Node' designated lands in close proximity to Lake Erie to satisfy the County's needs for such land uses (Watson, 2019).

Haldimand County and the Province generally recognize the Canada Land Inventory (CLI) classification to identify the Soil Capability for Agriculture within agricultural lands. Haldimand County's Official Plan recognizes that Haldimand County consists primarily of Class 1 to 3 soils, which are considered to be prime agricultural lands. The County's Agricultural designation is comprised of areas where Class 1 to 3 soils predominate; however, class 4 to 7 soils may also be integral to the agricultural land. Haldimand County's prime agricultural lands are not only of significant interest to Haldimand County, but are significant to the province of Ontario as a whole; although prime agricultural soils predominate in Haldimand County, much of Ontario is not capable of the same valuable agricultural production as Haldimand County.

3. The Proposed Use is Supported By or Compatible With Agricultural Policies

The most significant statements within this category include:

- a) The proposed development is compatible with the surrounding land uses and does not set a precedent by introducing a new use to the area (IBI, PJR, p. 18).

Planning Comment:

For reasons described above, the proposal does set a potential precedent for conversion of Haldimand County's prime agricultural lands. The proposal also introduces sensitive residential uses which will limit the ability of surrounding agricultural uses to raise livestock or cannabis (due to required setbacks from residential uses), which are permitted and supported agricultural uses in Haldimand County. Additionally, from time to time, there are conflicts and complaints that arise from permitted and regular agricultural uses that nearby residents experience as undesirable (e.g. manure spreading, field plowing, etc.).

- b) The proposed development will not result in a significant increase to the fragmentation of agricultural lands or long-term negative effects on the surrounding agricultural area (IBI, PJR, p. 18).

Planning Comment:

Removing a typical sized farm from Haldimand County's prime agricultural lands will have a permanent effect on these lands. As described above, there are specific impacts to future livestock and cannabis operations, as well as potential impacts should future residents find typical farm activities undesirable.

- c) The proposed development protects higher priority agricultural resources by developing lower capable agricultural lands and will not result in any negative impacts on surrounding agricultural resources and farm operations (IBI, PJR, p.24).

Planning Comment:

This statement is reviewed both in this section and in the 'Low Priority Agricultural Lands' portion of this report. There is no evidence that the development will protect higher priority agricultural lands. This project represents a loss of agricultural lands – there is no replenish, exchange or rehabilitation that would off-set this loss and as such, this statement is no supportive.

- d) The proposal promotes diversification of the agricultural economic base by providing a tourist resort opportunity

Planning Comment:

There is no evidence that the proposal will diversify the agricultural economic base; a tourist resort is not an agricultural use and does not contribute to the agricultural system of Haldimand County.

- e) The proposal provides for economic activities in prime agricultural areas, in accordance with PPS policy 2.3

Planning Comment:

The Provincial Policy Statement, 2020 (PPS) does allow for some limited non-agricultural uses subject to a number of criteria; however, because the applicant does not intend to farm the parcel, it is not eligible for on-farm-diversified uses, and is significantly larger in scale than is supported by the PPS. Further, PPS is very clear that the limited non-agricultural uses cannot include residential such as that proposed in this application. The Ministry of Municipal Affairs and Housing, which has reviewed and commented on this application, further rejects the applicant's claim by stating that these policies do not support the creation of new residential uses in prime agricultural areas (Attachment 5 – MMAH Comments). Planning staff concur with these conclusions.

- f) The subject lands will not be located within an identified settlement area, nor will it have to be considered during a MCR process according to the County Official Plan. Therefore, the proposed development does not constitute a strict removal of land from the Prime Agricultural designation... As the adjacent trailer park uses are also not within the resort residential boundary, it is recommended that the County of Haldimand expand the node to include the subject land and these additional lands. (IBI, PJR, p.38)

Planning Comment:

Haldimand County's 'Resort Residential Node' designation in its Official Plan is a designation that has been created to recognize existing 'clusters' of seasonal residential uses within the County; these typically seasonal settlement areas are not intended to be expanded outside of a municipal comprehensive review, if at all. Haldimand County's Official Plan further states that development shall be directed to urban areas and that limited development (minor infilling) within the existing Resort Residential Nodes will continue to be permitted in accordance with the policies relevant to those areas within the official plan- this further shows that development of Haldimand County's 'Resort Residential Nodes' is meant to be limited to lands within the existing designation, and those designations are intended to be limited to "existing nodes". Haldimand County does require the expansion of any 'Resort Residential Node' to occur through the MCR process, and both Haldimand County staff and MMAH consider the proposal to be a removal of prime agricultural lands. Similar to 'Resort Residential Nodes', Haldimand County's trailer parks have been zoned to recognize existing trailer parks, and there is no support to include these as new settlement areas; further, no request has been made by the adjacent trailer park owners to have them included in the 'Resort Residential Node'.

- g) The Agricultural Impact Assessment] states that the closest farm is located approximately 560 m west of the subject lands, and Colville Consulting has determined that it is highly unlikely that the proposed development will significantly add to any negative impacts experienced by the operation (IBI, PJR, p.39).

Planning Comment:

Immediately, to the west of the subject lands is an existing trailer park, to the south of the subject lands is Lake Erie, in all other directions is actively used agricultural lands (farms) (Attachment 1 – Location Map). As previously discussed, there is always the possibility that the addition of new sensitive residential uses will experience typical

farming activities as undesirable; the proposal will also impact required Minimum Distance Separations for any proposed livestock facilities (a permitted and supported agricultural use).

- h) Haldimand County's Official Plan permits resource oriented land uses, therefore the proposed development is a permitted use as it utilizes the Lakeshore resource to promote tourism in the form of a resort. To explicitly permit the proposed development, an amendment to the County Official Plan will be required on a site specific policy area basis.(IBI, PJR, p.60)

Planning Comment:

The Lakeshore policies of Haldimand County's Official Plan encourage private entrepreneurs to "develop resource oriented recreational facilities of a high quality in areas suitable for outdoor recreation along the Lake Erie shoreline. Attention will be given to compatibility of development with the cultural, geological and physical aspects of the Lakeshore and the appropriateness of the particular recreational facilities proposed." Haldimand County's official plan encourages resource oriented recreational facilities; 173 condominium cottages are not considered recreational facilities that are suitable for outdoor recreation along the shoreline. Access to Lake Erie, which is the resource that recreational facilities should be oriented to, cannot safely be provided on the subject lands due to the highly erosive nature of the exposed bluff in this area.

- i) The proposed use will be compatible with surrounding agricultural uses, resulting in no adverse impacts to agricultural operation in the area (IBI, PJR, p. 60)

Planning Comment:

For reasons described above, the proposal may not be compatible with surrounding agricultural areas, and would significantly complicate new livestock operations from being established in the vicinity.

4. The Subject Lands are Not Prime Agricultural Lands, but are 'Rural Lands'

The most significant statement within this category is:

- a) The proposal is permitted under section 1.1.5 of the PPS for land uses on Rural Lands in Municipalities (IBI, PJR, p.31)

Planning Comment:

The Ministry of Municipal Affairs and Housing (MMAH) has responded directly to this statement in their comments, and Haldimand County planning staff agrees with their response. MMAH has identified that:

"Rural areas and rural lands are specifically defined terms in the PPS. As the subject parcel is not rural land, PPS policy 1.1.5 is not applicable. In addition, A Place to Grow policy 2.2.9.3 applies exclusively to rural lands and is also not applicable to prime agricultural areas."

Resort Residential Node and Housing

Following an agricultural analysis, the most significant claims in the submitted materials relate to the proposal as a 'Resort Residential Node' and as a potential housing option for the County. These claims have been broken down into categories described as 'Node Expansion', 'Orderly Development' and 'Housing Expansion'.

Node Expansion

- a) Haldimand's lakeshore policies support the proposed recreational resort development (IBI, PJR, pp. 27, 32, 38).

Planning Comment:

For reasons described above, Haldimand County's lakeshore policies do not support the proposed recreational resort development. Haldimand County's lakeshore policies support resort oriented recreational facilities, not condominium communities. Further, Haldimand County's agricultural policies do not support the proposal.

- b) There are no policies within the OP that explicitly identify that Resort Residential Nodes are considered settlement areas (IBI, PJR, p.42)

Planning Comment:

Haldimand County's Official Plan (OP) does not explicitly identify any "settlement areas" – no section of the County's 'Growth Management' section of the OP begins by explicitly identifying a settlement area as a settlement area; instead it contains 5 headings which identify the types of settlement/serviced areas, including: 'Urban Areas', 'Industrial/Urban Business Parks', 'Industrial Influence Area', 'Hamlets' and 'Lakeshore'. The Resort Residential Node designation is clearly meant to identify existing seasonal residential clusters and is defined in the OP as "areas with concentrated existing developments which are predominantly recreational residences, and may include related commercial, institutional and recreational facilities serving the area".

- c) IBI's Planning Justification Report (PJR), partially completes an analysis of Section 2.2.8 of the Province's Growth Plan (IBI, PJR.pp.43,44). This portion of the Province's Growth Plan establishes how settlement areas may expand.

Planning Comment:

In previous sections of the applicant's PJR, the applicants argue that Haldimand County's Resort Residential Nodes are not settlement areas, and therefore do not need to move through the settlement area process. In this portion of the PJR, they again state that the proposed development does not result in a settlement area expansion, but provide a detailed analysis of this section. Requesting the expansion of the Resort Residential Node through this proposal is requesting a settlement area boundary expansion, which is required to be completed as part of a municipal comprehensive review (and not as a stand alone OPA/ZBA).

- d) “It is recommended throughout this report, that the County undertake an exercise of expanding the adjacent node to include the trailer park and proposed development” (p.46).

Planning Comment:

The adjacent trailer parks have not requested to be included in the Resort Residential Node designation. Haldimand County does not generally seek to include trailer parks in their settlement areas. The County would likely come across a large number of technical issues associated with bringing most trailer parks to a standard that would meet the provisions of the Resort Residential Node and Seasonal Residential standards.

- e) “Due to the size of the proposed development, it cannot be located within existing residential nodes” (IBI, PJR, p.67).

Planning Comment:

The applicant’s PJR describes the subject lands as 27.5 hectares (67.7 acres), including a significant portion of undevelopable bluff. A large single block of vacant lands within the Resort Residential Node of Lighthouse and Johnson Road is larger than 25.5 hectares (63 acres) and could accommodate a development of the same scale; this area of the County is also not prone to the same erosion hazards as 63 Pyle Road. Notably, adjacent to Lake Erie, within existing settlement boundaries, as vacant blocks of land, the following areas are generally undeveloped: Peacock Point 17 hectares (42 acres); Hoover Point 66 hectares (163 acres); Lowbanks 10 hectares (25 acres); and Port Maitland 9 hectares (22 acres).

Orderly Development

- a) The proposal represents orderly development of safe and healthy communities – orderly development of the Lake Erie shoreline – appropriate transition between trailer park and resort residential node (IBI, PJR, p.26)

Planning Comment:

Generally, the Province and Haldimand County direct development to serviced settlement areas. ‘Hamlet’ and ‘Resort Residential Node’ designations are intended to recognize existing and historic settlement areas, allowing general infill development without promoting expansion. While the trailer park, which is not considered a settlement area, is the full depth of the concession between Lake Erie and North Shore Drive (like the proposed condo development), the existing node to the east is limited to a small stretch of ribbon development along the lake’s bluff (Attachment 1 - Location Map). A number of the cottages within the existing Resort Residential Node to the east have recently been condemned due to the erosion hazard of Lake Erie.

- b) “The surrounding landscape around the subject lands consist of residential uses to the east, and recreational trailer park to the west. As such, the proposed development will be compatible with the character of the surrounding area, by providing a transition between the two uses” (IBI, PJR, p.45).

Planning Comment:

The proposal is located immediately east of an existing trailer park; however, the described residential uses to the east of the proposal are limited to a single road with cottages fronting on to it adjacent to Lake Erie. The described transition would be significantly larger than the Resort Residential Node itself.

Housing Solution

- a) Seasonal cottages will provide an affordable option for much less than the cost of a traditional freehold home (IBI, PJR, pp.26, 28, 33).

Planning Comment:

These claims are responding largely to housing goals expressed in Ontario's Provincial Policy Statement, 2020 (PPS). Assigning seasonal dwellings value as a housing option, may not be an appropriate interpretation; because seasonal dwellings are expected not to be the owner's primary dwelling, the proposal will not alleviate any housing shortages or provide a viable year-round housing option.

- b) "A major weakness identified within the Strategic Plan is the substantial absence of roofed over accommodation options. Therefore, there is an increased need to provide a significant number of accommodations to build out the tourism potential of the County. The proposed development accommodates that need, through developing a seasonal resort, which includes approximately 173 residential cottages." (IBI, PJR, p.83)

Planning Comment:

Haldimand County's Tourism and Economic Development staff, who developed this strategic plan, have provided a direct response to this claim (Attachment 6 – EDT Comments). The Plans which this claim could relate to may come from the 'Rural Business Tourism and Community Improvement Plan (RBTCIP)' or the 'Tourism Strategic Action Plan'; in both cases, needs for roofed accommodations relate to overnight stays. The RCTCIP includes a definition of the types of accommodations to be included in this need, including: hotels, motels and bed and breakfasts – this definition specifically excludes: cottage rentals, camp grounds and trailer parks. This definition is intended to promote commercial enterprise that supports tourism and agricultural diversification. Further all Residential Housing/Residential housing projects (i.e. dwellings exclusively for owner-occupied or tenant residential use) are excluded from support under the CIP program except for mixed-use buildings in the Hamlets. The objective of the Tourism Strategic Action Plan is to build the business case to attract one or more commercial accommodation investors/providers – a four-season commercial accommodation asset (i.e. hotel and/or motel with 100+rooms).

Natural Hazards

Grand River Conservation Authority

The proposal recognizes the hazards associated with Lake Erie and establishes a setback for development of 55 metres (180.5 feet) from the top of the bank of the exposed bluff. Both Grand River Conservation Authority (GRCA) and Niagara Peninsula Conservation Authority (NPCA) have jurisdiction on these lands. Although the GRCA finds that the proposed setbacks are likely adequate, the methodology used to arrive at

this setback is not consistent with a recent shoreline study completed of Haldimand County by Baird Engineering.

Niagara Peninsula Conservation Authority

Niagara Peninsula Conservation Authority (NPCA) also finds that the methodology used leading to the proposed setback does not utilize the appropriate scientific methodologies. NPCA has asked for clarity on a number of issues (Attachment 7 – NPCA Comments) including: revisions to use appropriate methodology from a qualified coastal engineer, additional details regarding private water and sanitary services, additional stormwater and grading information, ecological information for shoreline works, etc.

If this proposal is considered for approval by Council, a Holding provision will be requested to address Conservation Authority Concerns, possible road upgrade requirements, stormwater/municipal drain issues and archaeological concerns.

Servicing

The proposed development has requested to establish a private water and sanitary system, using Shelter Cove (in Haldimand County) as the example. Shelter Cove is a similar development that has been intensified from a historically zoned trailer park and is located near the mouth of Sandusk Creek. Shelter Cove's private water and sanitary system was approved by in principle by the Region of Haldimand-Norfolk, and the agreement for the communal system was formally approved by Haldimand County in 2003

- a) Shelter Cove's communal water and sewage system has been in operation since 2010; therefore it is safe to assume that a communal servicing strategy is safe and appropriate (IBI, PJR, pp. 46, 69)

Planning Comment:

Shelter Cove's private water and sanitary system is still not in operation; to date, the development is still trucking water in and wastewater out - in 2013 MOECC approved 3 temporary holding tanks for these purposes. The development has not reached a point that supports the operation of the treatment facilities. Given this, there is no real evidence in place of the suitability of communal systems within the County.

- b) By limiting the communal servicing to one community it places a monopoly over the servicing strategy in the general Official Plan and policies (IBI, PJR, p. 82).

Planning Comment:

Shelter Cove's private services were approved in the County as a trial for similar future proposals. Haldimand County Planning and Engineering staff have since found this type of private servicing to be undesirable. This type of private servicing requires the County to hold the equivalent quantity of servicing capacity available in case the private services become inoperable, removing that capacity from other potential developments within existing settlement areas. This type of servicing would also require a Municipal Responsibility Agreement whereby the County must hold securities to replace the private systems should they fail; Haldimand County staff also find this requirement undesirable as it represents significant risk and possible expense

and staff time should the proposed system need to be replaced by the County at a later date.

c) Stormwater Management

The proposal contains two stormwater management ponds with one outlet to the lake.

Planning Comment:

The stormwater management concepts are generally acceptable to Haldimand County, provided they are also supported by GRCA and NPCA. The subject lands also contain four municipal drains (Lindsay, Broad, Furry and Boulton) – these drains must be appropriately dealt with as part of the stormwater management plans.

d) Transportation Brief

The applicants have proposed traffic-calming measures like reduced speed limits, flashing lights and emergency accesses.

Planning Comment:

Haldimand County traffic staff do not find that the proposed traffic-calming measures are required or desired. Road upgrades are likely to be required on North Shore Drive and Pyle Road. An updated road/entrance layout was provided to County staff in mid-July; however, technical staff have requested to work these details out during the site plan stage, if the proposal is approved.

If this proposal is approved, a Holding provision will be requested to address Conservation Authority Concerns, possible road upgrade requirements, stormwater/municipal drain issues and archeological concerns.

Archeological and Indigenous Interests

Haldimand County are not archeological or indigenous experts. As part of the review process, this proposal, including the provided archeological assessment by AMICK Consulting, was circulated to both Six Nations of the Grand River and Mississaugas of the Credit First Nations. At the time that this report was prepared, neither First Nation had provided comments to Haldimand County. The applicant's have requested that a Holding provision be placed on the subject lands until archeological clearance has been provided.

If this proposal is approved, a Holding provision will be requested to address Conservation Authority Concerns, possible road upgrade requirements, stormwater/municipal drain issues and archeological concerns.

Job Creation

The proposal will generate employment by hiring people to maintain common features (IBI, PJR, pp. 35, 43).

Planning Comment:

This is an accurate statement, as with all condominium developments that contain common elements, there would be job creation in the form of maintenance and operations.