
HALDIMAND COUNTY

Report PDD-40-2022 Information Report – Draft Plan of Subdivision and Zoning By-law Amendment Applications for Byng Subdivision

For Consideration by Council in Committee on September 20, 2022



OBJECTIVE:

To inform Council of a Draft Plan of Subdivision application for a development consisting of thirteen (13) rural residential lots on private services, a new street terminating in a cul-de-sac, a stormwater management block, and a floodplain block in the Hamlet of Byng; including a Zoning By-law Amendment application to amend the Haldimand County Zoning By-law HC 1-2020, and to hold the statutory public meeting required under the *Planning Act*.

RECOMMENDATIONS:

1. THAT Report PDD-40-2022 Information Report – Draft Plan of Subdivision and Zoning By-law Amendment Applications for Byng Subdivision be received;
2. AND THAT the applications are deemed to be consistent and conform with the *Planning Act*, Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and Haldimand County Official Plan;
3. AND THAT in accordance with By-law 2082/19, the General Manager of Community and Development Services issue draft plan approval once all conditions of By-law 2082/19 have been met, and advise Council when draft plan approval has been issued for application PL28T-2020-166;
4. AND THAT the by-law attached to Report PDD-40-2022 be presented for enactment following draft plan approval of application PL28T-2020-166.

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Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Planning staff have reviewed a Draft Plan of Subdivision application to permit the creation of a new Subdivision at 7253 Rainham Road in the Hamlet of Byng and a corresponding Zoning By-law Amendment application. The development includes thirteen (13) rural residential lots on private services together with a new street terminating in a cul-de-sac, stormwater management block, and floodplain block.

The subject report advises Council of the details relating to the subject applications. The report is intended to assist Council in understanding the potential impacts of the proposal and to provide an opportunity for public involvement and engagement in the planning process. The applications are consistent and conform to Provincial and County policy frameworks. If no significant comments are

raised at the public meeting, the Draft Plan of Subdivision will be forwarded to the General Manager of Community and Development Services for approval and the Zoning By-law to Council for passage.

BACKGROUND:

Location and Background

The subject lands are predominately located in the Hamlet of Byng and are municipally addressed as 7253 Rainham Road (Attachment 1). The subject lands have 144.45 metres (474 feet) of frontage on the north side of Rainham Road and have an area of 3.82 hectares (9.45 acres). The subject lands contain a single detached dwelling, residential accessory structures, and a number of outbuildings including a barn. A small portion of the subject lands (the northwest corner) is located outside of the Hamlet as it is associated with the floodplain of the Grand River. Surrounding land uses include Byng Island Conservation Area to the north and west, and rural residential lots to the east and south.

Subject Application/Development Proposal

A pre-consultation meeting was held on November 07, 2018 to discuss a proposed residential subdivision on the subject lands and to obtain feedback, submission requirements, fees, and the process from the County and partner agencies. Following the pre-consultation meeting, the proponent's team submitted a Draft Plan of Subdivision application and Zoning By-law Amendment application on October 26, 2020. The proponent submitted subsequent concept plans and two (2) additional formal submissions to address County staff and partner agency requirements, with the most recent submission being on June 16, 2022. This timeframe represents numerous and on-going discussions between the proponent's team, the County, and Grand River Conservation Authority (GRCA); the proponent working with County staff and the GRCA to prepare a Draft Plan that would meet the County's (engineering) Design Criteria and GRCA policies, and generally comply with the intent of the County's Zoning By-law provisions, thereby being a supportable development before being introduced to Council at a public meeting.

The original submission included a street that terminated in a cul-de-sac that was too long without a secondary emergency access as per County Design Criteria standards (i.e. exceeding 106 metres (348 feet)), and an urban stormwater management strategy (oil and grit separator and catch basins with curbs and gutters) rather than rural stormwater management strategy (ditches) and no stormwater management pond. The second (2nd) submission included an emergency access lane connecting into the long cul-de-sac road that was not preferable to County staff for maintenance reasons and the Grand River Conservation Authority (GRCA) for setback to their woodlot in the Byng Island Conservation Area.

The current Draft Plan of Subdivision application submission includes thirteen (13) rural residential lots on private services together with a new street terminating in a cul-de-sac that meets the Design Criteria (length equal to 106 metres (348 feet)), a stormwater management strategy that consists of ditches and a stormwater management pond block (requested by the GRCA), and a floodplain block (associated with the Grand River), which is a supportable development (Attachments 2 and 3). Lots 1 to 12 in Attachments 2 and 3 are proposed to contain new single detached dwellings. Preliminary elevations plans are included as Attachments 4 and 5. The retained lot in Attachments 2 and 3 is proposed to contain the existing single detached dwelling. Lot 11 is also proposed to contain an existing barn which is to be converted to a residential accessory structure. All other buildings are to be demolished as a condition of draft plan approval. The new street, stormwater management block (Block 13 in Attachments 2 and 3), and floodplain block (Block 14 in Attachments 2 and 3) will be conveyed to the County for ownership and maintenance. All of the residential lots will have frontage on a municipal street.

To facilitate the Draft Plan of Subdivision from a principle of land use perspective, the subject lands must be rezoned. The subject lands are currently zoned “Agricultural (A)” Zone, and the intent is to rezone the Subdivision lots to the “Hamlet Residential (RH)” Zone with special provisions as follows:

- to permit one (1) of the existing barns as a residential accessory building (on Lot 11 in Attachments 2 and 3);
- to address driveway widths and separation around the cul-de-sac;
- to permit reduced minimum lot frontage for lots around the cul-de-sac and a corner lot, and
- to reduce the minimum lot size of a corner lot.

The proponent’s team is also proposing the rezone the stormwater management block (Block 13 in Attachments 2 and 3) and floodplain block (Block 14) to ‘Open Space (OS)’ Zone with special provisions to exempt these blocks from all of the ‘OS’ Zone provisions (including minimum frontage and lot size). The ‘Hazard Land’ Overlay Zone would continue to apply to the floodplain block. The proposed zoning will be discussed in detailed in the Haldimand County Zoning By-law HC 1-2020 section below.

To support the subject applications, the proponent’s team submitted a number of reports to justify the development and technical studies and plans to demonstrate suitability of the Subdivision. A list of application materials is included as Attachment 6.

The Process

The purpose of the subject report is as follows:

1. Advise Council of the details relating to the subject applications (as described above);
2. Provide a summary of key planning and development issues; and
3. To hold the statutory public meeting to provide an opportunity for the public to identify issues and to provide comments relative to the subject applications prior to a decision being made.

This is a standard approach implemented by the County for all Draft Plan of Subdivision applications. This approach allows for the formal public meeting to be held and public input to be received and considered in advance of a decision being made. This process will ensure Council has full and complete information and public comments are addressed prior to a decision being made.

Public notice of this proposal was provided via a notice of complete application on November 18, 2021 (once the application was deemed complete) and a notice of public meeting on August 26, 2022. A public notice sign was posted on the frontage of the property on August 20, 2022. The agent held a virtual neighbourhood open house meeting on September 14, 2021. Details relating to the open house are included in the Stakeholders Impact Section below.

ANALYSIS:

The proposal involves two (2) types of planning applications:

1. A Draft Plan of Subdivision application which is more technical in nature and relates to the actual layout, servicing, and property division matters; and
2. A Zoning By-law Amendment application intended to address key principle of use matters.

The following planning considerations apply to this proposal:

Planning Act

The *Planning Act* (Act) is provincial legislation that sets out the ground rules for land use planning in Ontario. Under Section 51 (24) of the *Planning Act*, the Act sets out a list of criteria that an approval authority must have regard to when assessing the merits of a Draft Plan of Subdivision application. Planning staff have reviewed these criteria against the proposed Subdivision and staff’s comments with respect to each item are the following:

Table 1: Subdivision Criteria

Criteria	Comments
(a) The effect of development of the proposed Subdivision on matters of provincial interest referred to in section 2	The proposed Subdivision conforms to Provincial interests. Fulsome analysis is provided in the Provincial Policy Statement section below.
(b) Whether the Subdivision is premature or in the public interest	The subject lands abut developed, Hamlet lands (rural residences) to the east and the Hamlet boundary to the north and west. The proposed Subdivision will provide additional residential lots on an underutilized parcel of land within an existing settlement area. The proposed Subdivision conforms to this criterion.
(c) Whether the plan conforms to the official plan and adjacent plans of Subdivision, if any	The proposed Subdivision conforms to the Official Plan, with a fulsome analysis provided in the Haldimand County Official Plan section below. The proposed Subdivision is self-contained on a cul-de-sac, and appropriate for the Hamlet environment. The proposed Subdivision conforms to this criterion.
(d) The suitability of the land for the purposes for which it is to be subdivided	The subject lands are predominately designated and planned for Hamlet development, including residential lot creation. The proponent's team has demonstrated that the Subdivision layout and servicing is feasible. The proposed Subdivision conforms to this criterion.
(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	The proposed Subdivision is not planned to include affordable housing units.
(e) The number, width, location and proposed grades and elevations of highways/streets, and the adequacy of them, and the highways/streets linking the highways/streets in the proposed Subdivision with the established highway system in the vicinity and the adequacy of them	A new, public (County-owned) cul-de-sac is proposed to connect the new street into Rainham Road. Analysis relating to the use/termination of a cul-de-sac is included in the Haldimand County Official Plan section below. Thirteen (13) single detached dwellings will be accommodated on the new lots, which will have minimal impact on the new street and Rainham Road. The grades and elevations will be determined during the detailed design stage. The proposed Subdivision conforms to this criterion.
(f) The dimensions and shapes of the proposed lots	Fulsome analysis is provided in the Haldimand County Zoning By-law HC 1-2020 section below. The proposed Subdivision conforms to this criterion.

<p>(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land</p>	<p>There are no restrictions on the Subdivision lots. The proponent will convey the floodplain block (Block 14) to the County for ownership.</p>
<p>(h) Conservation of natural resources</p>	<p>Fulsome analysis pertaining to the Scoped Environmental Impact Study (EIS) is provided in the Provincial Policy Statement (PPS), 2020 section below. The proposed Subdivision conforms to this criterion.</p>
<p>(i) The adequacy of utilities and municipal services</p>	<p>The provision of telecommunication, hydro, and gas infrastructure will be required as a condition of Draft Plan Approval and included in the Subdivision agreement. The construction of the new street and stormwater management pond will also be required as a condition of Draft Plan Approval and included in the Subdivision agreement. The Subdivision will be privately serviced with individual cisterns and septic systems, which is supported by a Hydrogeological Investigation. Septic designs and evaluation will be required as a condition of Draft Plan Approval. The lot sizes and frontages are typical of the Hamlet environment, which support private servicing. The proposed Subdivision conforms to this criterion.</p>
<p>(j) The adequacy of school sites</p>	<p>The subject development is considered to add minimal students to existing schools. The applications were circulated to both school boards; no objections were received concerning the adequacy of school sites. The proposed Subdivision conforms to this criterion.</p>
<p>(k) The area of land, if any, within the proposed Subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes</p>	<p>The new street, stormwater management block, and floodplain block will be conveyed to the County. County staff are accepting of the new street and blocks. Given the size of the subject lands and scale of development, parkland dedication is not feasible. Cash-in-lieu of parkland will be required. The proposed Subdivision conforms to this criterion.</p>
<p>(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</p>	<p>The proposed Subdivision will utilize underutilized land within an existing Hamlet. The size of the lots are appropriate for the Hamlet environment and private servicing. The proposed Subdivision conforms to this criterion.</p>
<p>(m)The interrelationship between the design of the proposed plan of Subdivision and site plan control matters relating to any</p>	<p>Site Plan Control will not apply to the proposed Subdivision. The development does not include</p>

development on the land, if the land is also within a site plan control area designated under subsection 41(2) of this Act	any blocks that would trigger the need for Site Plan review.
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The proposed Subdivision conforms to the Act criteria.

Provincial Policy Statement

Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS), 2020 provides overall policy direction on matters of provincial interest related to land use planning and development in Ontario. The PPS sets the policy foundation for regulating development and use of land. The *Planning Act* requires all decisions affecting planning matters to be consistent with the PPS policies.

The following policy areas are significant to the subject applications:

- i. *Subject Proposal in Relation to Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*

The PPS requires settlement areas (including rural settlement areas such as hamlets) to be the focus of growth and development. The PPS states that healthy, integrated and viable rural areas should be supported, in part, by: building upon rural character, and leveraging rural amenities and assets; accommodating an appropriate range and mix of housing in rural settlement areas; encouraging the conservation and redevelopment of existing rural housing stock on rural lands; using rural infrastructure and public service facilities efficiently; and conserving biodiversity and considering the ecological benefits provided by nature. The PPS further states that when directing development in rural settlement areas, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

The subject lands are predominately located in the Hamlet of Byng and are predominately designated 'Hamlet' in the Haldimand County Official Plan (OP). The Hamlet settlement boundary is delineated around the north and west property lines of the subject lands. The subject lands are the last undeveloped property within the northwest quadrant of the Hamlet; Byng Island Conservation Area, which wraps around the north and west portion of the subject lands, is located outside of the Hamlet and the subject lands are contiguous with developed rural residential lots to the east and south in the Hamlet. Low density, rural residential development is expected and permitted within Hamlets.

The proposed Subdivision will be self-contained on a new street terminating in a cul-de-sac. The number of lots (13) is appropriate for the subject lands and Hamlet environment, the proposed lot frontages (17 metres (56 feet) to 40 metres (131 feet)) and lot areas (1,817.19 square metres (19,560 square feet) to 3,536.46 square metres (38,066 square feet)) are typical in the Hamlet environment, and the lots will be privately serviced by individual cisterns and septic systems. The existing dwelling on the subject lands will be maintained on the retained lot in Attachment 3 and one (1) of the existing barns will be retained on Lot 11, thereby preserving existing building stock and rural/agricultural character of the area, while adding new lots and dwellings within a delineated settlement area. The subject lands do not contain any significant, natural features and the proposed Subdivision will have no negative impacts on the significant woodlands in the Byng Island Conservation Area.

- ii. *Subject Proposal in Relation to Infrastructure*

The PPS states that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts,

which should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with Provincial standards. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development. The PPS further states that planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

To support the proposed Subdivision, the proponent submitted a Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates Limited (revised on May, 2022). The Report states that the proposed Subdivision will be serviced by individual cisterns and septic systems on each lot to provide potable water supply and sewage treatment. Details relating to the cisterns and on-site septic systems will be provided as part of the detailed engineering process following Draft Plan Approval, and will be required as a condition of draft plan approval. While these details will be addressed through the detailed engineering process, the proposed lot frontages and sizes are typical of other lots in the County's Hamlets that support private servicing. Also, the Subdivision adds minimal lots to the County's rural housing supply and any hauled water or sewage can be accommodated by the County's infrastructure.

The proponent also submitted a Hydrogeological Study and Geotechnical Investigation prepared by Soil-Mat Engineers & Consultants Ltd. (July 15, 2020) to support the proposed Subdivision. The purpose of this Investigation was to characterise the site soil and groundwater conditions and to assess the feasibility of private onsite sewage treatment for the proposed Subdivision. The Investigation did not include assessment of potential for potable water supply by private wells as the proposed development will be serviced by individual cisterns (which is typical in the County). This Investigation was required because the proposed lots are less than 1 hectare (10,000 square metres or 2.5 acres) in size, which is the minimum lot size assumed to afford sufficient attenuation of effluent (sewage) without assessment. The Investigation finds that the sewage effluent would be hydrogeologically isolated from existing or potential groundwater supply aquifers. As such the proposed thirteen (13) single family lots on individual sewage systems, designed and constructed in accordance with the applicable codes, standards, and manufacturer requirements, would be considered feasible for the subject lands, with low potential for groundwater quality impact to area water supply wells.

The PPS also provides direction on stormwater management. Stormwater quantity (storage) and quality (cleaning) controls were required by the GRCA before stormwater ultimately outlets to the Grand River. The Functional Servicing and Stormwater Management Report proposes the majority of stormwater to be directed to a new stormwater management pond in the northwest corner of the subject lands (Attachment 3) before outletting to a tributary of the Grand River. The stormwater management strategy will match pre- to post-development conditions for stormwater quantity and will store up to the 100-year storm event, in line with Provincial, County, and GRCA requirements. The stormwater management pond will also provide quality controls to clean the stormwater. The GRCA, County's Development Technologist, and Manager of Engineering Services are supportive of this stormwater management strategy.

iii. Subject Proposal in Relation to Natural Heritage

The PPS states that natural features and areas shall be protected for the long term. Development and site alteration are not permitted in significant wetlands, woodlands, fish habitat, and habitat of endangered and threatened species, or on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

To support the proposed Subdivision, the proponent submitted a Scoped Environmental Study (EIS) prepared by Myler Ecological Consulting (September, 2020). The Scoped (EIS) describes the environmental constraints of the subject lands and identifies how they were considered in preparation of the development concept to ensure compliance with applicable policies and conservation objectives. The EIS was scoped based on discussion between Myler Ecological Consultation and the GRCA to assess the potential impacts on the GRCA's regulated area and downstream fish habitat as a result of site stormwater management, significant woodlands within the Byng Island Conservation Area, and site and screening for the potential occurrence of, and impacts to, Species at Risk (SAR) and Significant Wildlife Habitat (SWH).

The EIS generally provides the following impact assessment summary:

- The proposed Subdivision does not include development within Natural Hazard or Natural Heritage features. There are no Natural Heritage features on-site.
- The sole on-site Natural Hazard (i.e. GRCA-regulated floodplain) will be contained within Block 14 to be conveyed to the County. Stormwater management will prevent flooding, erosion, and water quality impacts on the subject lands and neighbouring Byng Island Conservation Area.
- Provincially Significant Wetlands exist far from the subject lands (370 metres (1,214 feet)) in the Grand River and an unevaluated wetland is located more than 40 metres (131 feet) from the subject lands.
- Erosion and sedimentation controls during construction, and stormwater management permanently installed in the proposed Subdivision, will protect fish habitat and aquatic SAR in the tributary watercourse downstream of the subject lands.
- There will be no intrusion within the Byng Island Conservation Area's woodland west of the subject lands or hedgerow north of the subject lands. The homes will be setback from the woodland by the considerable depth of the rear yards and will be physically separated from the woodland by the existing fence, which, along with the presence of Conservation Area staff, will deter encroachment and dumping. There is sufficient internal setback of the Conservation Area's planted coniferous trees from the boundary fence that a formal woodland buffer is neither required nor recommended. External lighting on the homes will be downward facing to avoid light intrusion into the woodland.
- Residential impacts relate to wildlife (i.e. turtles, birds and bats) that may occur in association with the on-site artificial dugout pond, amenity trees and other vegetation, and outbuildings that are to be removed. Recommended avoidance and mitigation measures are provided below.

The EIS generally provides the following recommendations:

As natural hazard and natural heritage policy compliance and conservation objectives will be satisfactorily addressed, the proposed Subdivision is recommended for approval, subject to a few key recommendation mitigation measures, described below:

- Install erosion and sedimentation controls around the GRCA-regulated drainage swale prior to site preparation to mitigate water quality and sedimentation impacts to off-site fish habitat and aquatic SAR downstream of the site's swale drainage feature.
- Pump out the artificial dugout pond onsite using a screened pump inlet to prevent entrainment/impingement of aquatic wildlife and to allow for the salvage (i.e. capture and live release in appropriate nearby habitat) of any incidentally occurring Common Snapping Turtle or Midland Painted Turtle.
- Time the preparatory removal of amenity trees and shrubs and general clearing/mowing of hayfield/pasture vegetation during September – March, outside of bird nesting season to maintain *Migratory Birds Convention Act* compliance. If site clearing must occur during the April – August period, a qualified biologist should conduct a search for active nests and provide advice on avoidance of any such nests that are discovered.

- Time the preparatory removal of amenity trees and outbuildings to avoid any potential incidental occurrence of roosting Bats during the mid-May to mid-August maternal roost season. If trees and/or outbuildings must be removed during the active Bat maternal roost season, a qualified biologist should conduct an evening search for bats using an ultrasonic microphone and detector and provide advice on avoidance if bats appear to be associated with certain trees or outbuildings.

The GRCA and County (including the Project Manager of Forestry) have reviewed the EIS and have no concerns. The recommendations will be carried forward as conditions of draft plan approval and engrained in the Subdivision Agreement.

iv. Subject Proposal in Relation to Archaeology

The PPS states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The proponent has submitted Stage 1-2, 3, and 4 Archaeological Assessments prepared by Detritus Consulting Ltd. (latest dated January 8, 2020). According to the Assessments, there was a late 19th to early 20th century Euro-Canadian homestead with at least two activity areas on the subject lands. This occupation did not trigger mitigation of development impacts. The site has been fully documented and the information will be preserved for future study. The Archaeological Assessments and documentation have been completed, and the Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) has issued letters accepting the said Assessments and documentation, thereby clearing the site of archaeological potential.

v. Subject Proposal in Relation to Natural Hazards

The PPS states that development shall generally be directed to areas outside of hazardous lands adjacent to river and stream systems which are impacted by flooding hazards and/or erosion hazards. The northwest corner of the subject lands is regulated by the GRCA for floodplain. The floodplain will be retained as Block 14 (Attachments 2 and 3) and conveyed to the County for ownership and protection. The stormwater management pond as shown as Block 13 (Attachments 2 and 3), which abuts the floodplain block in Block 14, will be entirely outside of the floodplain block, thereby satisfying this policy requirement.

Overall, it is Planning staff's opinion that the subject applications are consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

A Place to Grow establishes a unique land use planning framework for the Greater Golden Horseshoe to 2051 that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity in the face of the magnitude and pace of forecasted growth and changes expected in the Region. A Place to Grow speaks to issues relating to economic prosperity, which include transportation, infrastructure planning, land use planning, urban form, housing, natural heritage, and resource protection. The *Place to Grow Act* requires all planning decisions to conform with A Place to Grow.

A Place to Grow directs the vast majority of growth to urban settlement areas but permits and directs some growth in existing rural settlement areas that are not serviced by existing or planned municipal water and wastewater systems. The subject lands are located in the existing Hamlet of Byng settlement boundary and are the last undeveloped property within the northwest quadrant of the Hamlet. The Hamlet of Byng is directly south of the Town of Dunnville, which offers public service facilities above and beyond those provided in the Hamlet of Byng. It is Planning staff's opinion that the subject applications conform with A Place to Grow.

County Policy

Haldimand County Official Plan

The Haldimand County Official Plan (OP) creates the framework for guiding land use changes in the County over the long-term. The OP provides the avenue through which Provincial Policy is implemented into the local context, protects and manages the natural environment, directs and influences growth patterns, and facilitates the vision of the County as expressed through its residents. The *Planning Act* requires the subject applications to conform to the OP policies.

The subject lands are predominately located in the Hamlet of Byng and are predominately designated 'Hamlet' in the OP. The northwest corner of the subject lands (Block 14 in Attachments 2 and 3) is located outside of the Hamlet and is designated 'Riverine Hazard Lands' as it is associated with the Grand River floodplain.

The following policy areas are significant to the subject applications:

i. Hamlet Policies

The Hamlet of Byng is one (1) of twenty-five (25) hamlets within the County. The OP states that the County's hamlets have traditionally developed as residential, social, and commercial centres serving the surrounding agricultural community. While this traditional role will continue to be encouraged, it is also recognized that changes and improvements to transportation facilities over time have lessened the emphasis on hamlets as agricultural service centres and increased their role as residential settlements. It is the intent of the County to provide a hamlet environment conducive to rural residential living while permitting appropriately scaled and located commercial, industrial, and institutional development in a manner that will minimize land use conflicts. The predominate land use within the 'Hamlet' designation shall be low density residential housing, including single and semi-detached dwellings and apartments associated with commercial uses. The following general criteria are to be considered when reviewing applications for development (including Draft Plan of Subdivision applications) within designated hamlets:

- a) the traditional form of servicing in the Hamlet areas has been individual water services and on-site sanitary sewage systems designed and installed as per the Ontario Building Code;

Planning Comment: The frontages and sizes of the proposed lots are typical of residential lots in the Hamlet, which are privately serviced. The proposed lots generally satisfy the purpose of the minimum lot frontage and lot size provisions in the Zoning By-law (which allow for private servicing), with the exception of the frontages of the pie-shaped lots fronting onto the cul-de-sac (lots 4, 5, 6, 7, 8, 9, 10) and one corner lot (lot 1) that is solely undersized due to the conveyance of the sight triangle at the intersection of Rainham Road and the new street to the County. Notwithstanding, the frontages and sizes are considered functional. A condition of draft plan approval will be required for septic evaluations for each lot prepared by a qualified professional.

- b) the availability and provision of adequate stormwater management facilities and legal and adequate drainage outlets;

Planning Comment: The stormwater management strategy, which includes a new stormwater management pond, matching of pre-to post-development conditions and storage of up to the 100-year storm event, has been accepted by the GRCA, County's Development Technologist, and Manager of Engineering Services.

- c) new development should be a logical extension of the existing built-up area;

Planning Comment: The subject lands are the last undeveloped property within the northwest quadrant of the Hamlet; the Byng Island Conservation Area, which wraps around the north and west portion of the subject lands, is located outside of the Hamlet, and provides a logical limit and boundary for the Hamlet. The subject lands are contiguous with developed rural residential lots to the east and south in the Hamlet.

- d) in-depth development rather than linear development along roads is the preferred form of development in hamlets;

Planning Comment: The majority of the proposed lots will front onto a new street terminating in a cul-de-sac. With the exception of Rainham Road, the subject lands do not abut an open public road or road allowance as they abut established rural residential lots to the east and Byng Island Conservation Area to the north and west. The subject lands are too narrow and small to accommodate a crescent road (i.e. a crescent shaped street with two entrances/exits onto Rainham Road). As such, the proposed Subdivision layout, which utilizes the whole property rather than a portion of the property with a few lots in linear form along Rainham Road, is appropriate and desirable.

- e) provision shall be made at appropriate locations to permit access from main roads to second or third tiers of lots behind existing development;

Planning Comment: The County's Development Technologist and Transportation Engineering Technologist have reviewed the proposed Subdivision, and have no concerns with road access and traffic. More specifically, the Transportation Engineering Technologist has commented that there are no concerns with the proposed number of lots (13) being accommodated into the existing road network. No Traffic Impact Study (TIS) is required.

- f) proximity to, and the potential impact on Natural Environment Areas, Hazard Lands and cultural heritage resources should be addressed; and

Planning Comment: These items have been addressed in the PPS section above.

- g) the standards for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation (MDS) formulae.

Planning Comment: MDS does not apply to lot creation within Hamlets. Notwithstanding, no livestock operations were observed within 500 metres (1,640 feet) of the subject lands.

Further, the hamlet policies state that development of six (6) or more units in an area without full municipal services requires the preparation of a servicing feasibility report to the satisfaction of the County for examining servicing arrangements. With the exception of possibly servicing hamlets with known environmental problems, development on communal sanitary will not be permitted. These items have been discussed in the PPS section above.

ii. Transportation Policies

The OP states that road construction for any new development shall be provided in accordance with the design criteria of the County or any other authority having jurisdiction. The County requires subdivision designs to allow for through streets rather than cul-de-sacs to allow for better circulation for providing emergency and municipal services and neighbourhood connectivity. Cul-de-sacs will only be considered when warranted and justified by the physical conditions of the site, including the following criteria: natural hazards, topography, and future development potential.

It is staff's opinion that the proposed cul-de-sac is appropriate. The subject lands are the last undeveloped property in the northwest quadrant of the Hamlet of Byng. The Byng Island Conservation Area wraps around the subject lands to the north and west, and provides a logical Hamlet (settlement area) boundary limit. The subject lands also abut existing rural residences to the east and Rainham Road to the south. Altogether, the subject lands are constrained by Byng Island Conservation Area, existing rural residential lots, and Rainham Road and there is no further development potential on the northwest side of the Hamlet of Byng.

Additionally, with the exception of Rainham Road, the subject lands do not abut an open public road or road allowance that the new street could connect into. The subject lands are too narrow and small to

accommodate a crescent road (i.e. a crescent shaped street with two entrances/exits onto Rainham Road) and also provide appropriate lot sizes for the Hamlet environment and private servicing. Emergency Services and the Development Technologist have reviewed the proposed road right of way and cul-de-sac bulb for functionality and conformity with the County's Design Criteria, and have no concerns.

iii. Lot Creation Policies

The OP states that the Subdivision Plan approval process and accompanying agreements pursuant to the *Planning Act*, will be used by Council to ensure that the policies and land uses of the OP and applicable Secondary Plans are complied with and that a high standard of design is maintained in new development areas. Council will only approve Plans of Subdivision which conform to the *Planning Act* and the following criteria:

- a) The Plan of Subdivision conforms with the policies of the OP;

Planning Comment: The proposal conforms.

- b) Adequate servicing such as water supply, sewage disposal facilities, stormwater drainage, solid waste collection and disposal, roads, and emergency services can be provided;

Planning Comment: The proposed Subdivision will be serviced by private, individual cistern and septic systems. The stormwater strategy is deemed to be feasible. The proposed street right-of-way (20 metres (66 feet)) and cul-de-sac bulb satisfies the OP and Design Criteria. The proposed street terminating in a cul-de-sac is adequate for the provision of waste collection, snow plowing, and emergency services vehicles. Firefighting water would be provided via County fire trucks with water tanker service, as the County has tanker shuttle certification in this area.

- c) The County is able to provide necessary services without imposing undue increases in taxation on all residents; and

Planning Comment: No objections to the proposed Subdivision and servicing strategy were raised by staff and agency reviewers, including the Manager of Engineering Services.

- d) The Plan of Subdivision is not deemed to be premature, and is considered necessary in the public interest.

Planning Comment: The subject lands are the last undeveloped property in the northwest quadrant of the Hamlet of Byng. The proposed Subdivision is not premature and is in the public interest.

iv. Parks and Open Space Policies

The OP states that Haldimand County recognizes the importance of providing a full range of parks, open space, and recreational facilities for use by residents and as a means of increasing the County's appeal as a tourist destination. The OP states that the County may utilize the measures available through the *Planning Act* to obtain additional lands for park purposes, which includes requiring dedication of land for park or other recreational purposes as a condition of approval of a Plan of Subdivision at a rate of five (5) percent (%) for residential purposes and/or accepting cash-in-lieu of parkland dedication if it is determined there are adequate parks and recreational facilities within the community. Cash-in-lieu of parkland funds will be placed in an account to purchase parkland elsewhere.

Given the size of the subject lands and the number and size of the proposed lots (in which the proposed lot size provides private amenity and recreational opportunities), it is preferable to accept cash-in-lieu of parkland dedication in accordance with the County's Parkland Dedication By-law 2349/22, as a draft plan condition and as part of the Subdivision agreement process.

The OP also echoes the PPS policies, and the subject applications conform. Overall, it is Planning staff's opinion that the subject applications conform to the OP.

Haldimand County Zoning By-law HC 1-2020

The purpose of the Haldimand County Zoning By-law HC 1-2020 is to control the use of land within the County by stating exactly how land may be used, where buildings and other structures can be located, the types of buildings that are permitted and how they may be used, and the lot sizes and dimensions, parking requirements, building heights and setback from the street. The Zoning By-law implements the OP and is legally enforceable.

The subject lands are currently zoned "Agricultural (A)" Zone. The proponent's team is proposing to rezone the Subdivision lots to the "Hamlet Residential (RH)" Zone with the following special provisions:

- to permit the existing barn on Lot 11 as a residential accessory structure before the principle dwelling is built, with allowances for the current size and height (Attachments 3 and 4);
- to amend the maximum width of driveways at the street, in the municipal right-of-way;
- to permit reduced lot frontage for Lots 1 and 4 – 10; and
- to permit reduced lot size for Lot 1.

The proponent's team is also proposing to rezone the stormwater management block (Block 13 in Attachments 2 and 3) and floodplain block (Block 14) to 'Open Space (OS)' Zone and exempt them from the 'OS' Zone provisions (including the minimum lot frontage and lot size provisions). The 'Hazard Land' Overlay Zone will continue to apply to Block 14.

A zoning comparison chart with the current zone provisions, special requests, and Planning staff comments is included as Attachment 7.

It is Planning staff's opinion that the rezoning request is appropriate as the subject lands are located in the Hamlet of Byng and are designated for hamlet residential development. It is also Planning staff's opinion that the requested zoning provisions are appropriate. The special provisions are generally a result of the existing barn which is being requested to be converted into a residential accessory structure, ensuring the driveways are appropriately separated along the cul-de-sac at the street for proper driveway planning and snow storage, frontage around the cul-de-sac (with the lots being pie-shaped), and the County requiring a sight-triangle for the corner lots. The special provisions are also a result of the use of Blocks 13 and 14 for a stormwater management pond and floodplain, and the shape and frontage of these proposed blocks (which have been deemed functional but wouldn't meet the required frontage and/or lot size provisions).

The proposed Subdivision and development will comply with all other zone provisions.

A draft Zoning By-law has been included as Attachment 9 for Council and public review. Planning staff do not recommend that Council pass the Zoning By-law at this time. If/once the Draft Plan of Subdivision application is approved, the Zoning By-law will be forwarded to Council for passage.

Conclusion and Next Steps

To support the subject applications, the proponent's team submitted a Planning Justification Report (PJR) and addendum prepared by a Registered Professional Planner (RPP). It is the RPP's opinion that the subject applications are consistent with Provincial and County policy frameworks.

Overall, it is Planning staff's opinion that the subject applications are consistent and conform with the *Planning Act*, Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and Haldimand County Official Plan.

If no further comments are raised by Council or the public, draft plan conditions will be produced and provided to the General Manager of Community and Development Services for approval. If approved, notice will be provided to Council, all required parties under the *Planning Act*, and those requesting a

copy of the notice through the public meeting process. The Zoning By-law will also be forwarded to Council for passage.

Ultimately, this process recognizes that subdivision approval is largely a technical matter and it allows the subdivision to proceed through the approvals process in a more expeditious manner, while still allowing for public input prior to decision making and further eliminating the presentation of long and detailed technical reports that address conditions of Draft Plan Approval. Registration of the Subdivision can only take place when all Draft Plan conditions are fully met.

FINANCIAL/LEGAL IMPLICATIONS:

Blocks 13 and 14 will be conveyed to the County for ownership and maintenance. All other financial requirements related to the proposed Subdivision would be addressed through the required Subdivision agreement, including cash-in-lieu of parkland dedication. Additionally, development charges would be required at the time of building permit application.

STAKEHOLDER IMPACTS:

Neighbourhood Open House:

The agent hosted a virtual neighbourhood open house on September 14, 2021, starting at 6:00 pm. The agent invited property owners via standard mail within 120 metres (400 feet) of the subject lands to attend the open house, with invitations being sent out on August 30, 2021. Twelve (12) residents from nine (9) households attended. The agent provided a summary of the development project and the completed technical studies, and held a question and answer period. The residents had a number of general questions. The most significant questions and comments were the following:

- Request that street lighting not be provided. This will be reviewed with Engineering Services through the detailed design process. It does not affect the actual property division (Subdivision) of the subject lands or rezoning.
- The dug-out pond at the northwest corner of the subject lands and the wildlife it attracts. The EIS, including the recommendations, addresses this matter.
- Stormwater management. The Functional Servicing and Stormwater Manager Report address this matter.
- The number of septic tanks. The frontage, width, and size of the proposed lots are considered appropriate for private servicing. The Hydrogeological Study supports the use of thirteen (13) individual and on-site septic systems. Further assessment (via septic evaluations) will be required as a condition of draft plan approval.
- Construction timeline and occupancy. Unknown at this time.

Staff/Agency Comments:

Six Nations Council (December 19, 2020) – The Six Nations of the Grand River is in receipt of the notice dated November 18, 2020, File No. PL28T-2020-166 and PLZ-HA-2020-167. Thank you for respecting our land rights and the legal duty to consult with our Nation. Be advised, this project notice is within our treaty land and are subject to the unresolved land rights issues of the Six Nations of the Grand River and litigations against Canada and Ontario.

The Six Nations' rights and interests in relation to these lands are defined in our Haldimand Treaty of 1784 being six miles deep from each side of the Grand River, beginning at Lake Erie and extending in the proportion of the Head of said River, which Them and Their Posterity are to enjoy forever. The terms and conditions of the Haldimand Treaty are affirmed and protected in Canada's Constitution.

The Supreme Court of Canada's key court cases Haida Nation, Taku River Tlingit First Nation, Mikisew Cree, Tsilhoqot'in and Keewatin decisions confirm the legal obligation to consult with First Nations. Six Nations Elected Council (SNEC) requires that the Crown, proponents and municipalities consult with SNEC in good faith in order to obtain its free prior and informed consent.

Six Nations is concerned about any development relating to air, land, water and resources which occur throughout their treaty territory and any archaeological issues associated with such development(s).

The Application for this project is very concerning to us given the close proximity to the Grand River and therefore the potential environmental impacts. "Given the private road is longer than 106 metres, a secondary emergency access is required as per the Haldimand County Design Criteria." We would like to know the exact location of the secondary access. Going across a public trail is not for us a feasible solution.

We are also concerned with potential disruption to all species, not only those Species at Risk. What mitigation measures are in place to protect species that may be impacted by this project? There is mention of physically removing turtles from the site and relocating them safely back to the Grand River.

As I am sure that you are aware, turtles will return year after year to the same location to lay eggs. Disruption of their habitat in this way does not guarantee the survival of the turtle(s) in question.

Planning Comment: The new street has been revised to 106 metres and a secondary emergency access is not required. The proponent's team has acknowledged the comments.

Six Nations Council (June 23, 2022) – Six Nations of the Grand River Territory is within the most highly urbanized land in Canada. Development has occurred on Six Nations' traditional territory without consultation or consent of Nation. The cumulative effects of this intense development has contributed to significant environmental degradation and, as a result, Six Nation has experienced severe impacts on our ability to exercise our Aboriginal and Treaty Rights that are not only set out in the treaties themselves, but are also recognized and affirmed in Section 35 of the *Constitution Act*, 1982. The Six Nations' rights and interests in relation to these lands are defined in our 1701 Ft. Albany/Nanfan Treaty.

We are concerned about how this proposed development at 7253 Rainham Road will impact wildlife. We previously asked the proponent: "What mitigation measures are in place to protect species that may be impacted by this project?" To which the proponent replied: "This comment has been acknowledged." We would like a detailed response to our question.

Planning Comment: The proponent provided a response letter prepared by Myler Ecological Consulting (dated July 13, 2022), which County Planning staff shared with Six Nations. No response from Six Nations was received.

The Myler Ecological Consulting letter generally states: Letters received from Six Nations express Six Nations' concern for wildlife and ask about the protective mitigation measures that are proposed for the development. The second letter specifically mentioned the recommendation in the EIS for salvage and relocation of turtles to suitable habitat within the nearby Grand River.

The EIS determined that the site's terrestrial features do not include naturally vegetated areas but are instead limited to cultural features of the hayfield/pasture and the manicured areas around the existing house, barn, and other outbuildings. Aquatic features on the site were likewise found to be lacking in natural habitat characteristics, and are limited to a drainage swale and small artificial dugout pond in the southwest corner of the site near the house and barn. Areas of natural habitat were found to occur entirely off-site, within the adjacent Conservation Area. As such, the scope of wildlife occurrence on the site is limited. Mitigation of off-site impacts will be accomplished by the physical separation, including fencing and distance, between the built elements of the subdivision and the naturally vegetated adjacent Conservation Area lands. The EIS further identified that erosion and sedimentation controls during construction and

subsequent implementation of stormwater management controls will mitigate off-site impacts to downstream fish habitat. Site specific measures recommended are included in the report, and will be carried forward as draft plan conditions. Regarding the concerns expressed about relocation of turtles that may be found in the pond, the small artificial features lacks many of the characteristics of natural turtle habitat and is not connected to nearby aquatic habitat. It will be dewatered and carefully looked at for turtles rather than assuming absence of turtles and filling it in. The best chance of survival and continued contribution to the turtle population is through release to the nearest suitable habitat (i.e. Conservation Area lands to the north, at the mouth of the tributary where it meets the Grand River side channel). Turtles respond to changes in the landscape that alter the location and availability of suitable habitats, including natural and artificial changes such as creation and decommissioning of artificial ponds. Their behaviour is not so fixed that they do not find new suitable habitats or cannot abandon areas that become unsuitable.

This letter was also shared with the Grand River Conservation Authority (GRCA). The GRCA has asked to be informed about water quality in the dugout pond and dewatering (location and timing) prior to dewatering, which has been passed onto the proponent's team.

Building & Municipal Enforcement Services – Ensure Class 4 Sewage Systems can be accommodated on all lots. Sewage system evaluation required for retained lands.

Planning Comment: Septic design and evaluation plans will be required as a condition of draft plan approval.

Development Technologist – No objections to the Draft Plan. Minor questions and items raised that have been provided to the proponent's team to address during the detailed design stage of the project.

Emergency Services/Fire Department – No objections.

Project Manager of Forestry – A General Vegetation Inventory, Tree Protection Plan, and Street Tree Planting Plan are required.

General Comments

1. The Tree Protection Plan and Street Tree Planting Plan are required prior to the development of the Draft Plan of Subdivision Conditions.
 - Need to identify the size and number of County-owned trees proposed for removal and calculate the required compensation.
 - Need to complete, review and approve Street Tree Planting Plan to calculate required street tree planting cash-in-lieu to be paid to the County.

Tree Protection Plan

For our community to continue to receive the benefits of Woodlands and trees these features need to be properly protected during the development and construction of a site.

If a General Vegetation Inventory or Haldimand County has identified trees or Woodlands that will be retained, a detailed Tree Protection Plan shall be submitted for review by Haldimand County in conjunction with stormwater management, grading and servicing plans as a condition of plan approval.

The Tree Protection Plan shall be prepared by an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Person Class, Landscape Architect or Registered Forester and shall be submitted with the planning application for review by staff.

Please contact the Haldimand County Project Manager, Forestry for the terms of reference for the Tree Protection Plan.

Street Tree Planting Plan

Street trees provide many community benefits such as sequestering carbon, reducing stormwater runoff, shade, filtering air pollution, wildlife habitat and contributing to beautiful communities. Each development must make a positive contribution to the urban environment to help sustain and enhance the quality of our urban forest. Street trees shall be planted at the following densities:

- a. Minimum (1) tree per residential dwelling planted within the right-of-way.
 - Minimum (2) trees shall be planted for residential dwellings on corner lots.
- b. Minimum (1) tree per 10 lineal meters of right-of-way frontage for lot-less, multi-residential, commercial and institutional lots planted within the right-of-way.

Haldimand County recognizes the difficulties in coordinating tree planting within the development process and has instituted a cash-in-lieu process whereby the developer will participate in providing a street tree planting plan during the planning stage of the development and Haldimand County will implement the tree planting along the County-owned right-of-way's'. The developer shall be responsible for planting trees along private roads.

The Street Tree Planting Plan shall be prepared by an International Society of Arboriculture Certified Arborist, Ontario Ministry of Training, Colleges and Universities Arborist Journey Class, Landscape Architect or Registered Professional Forester and shall be submitted with the planning application for review by staff.

Please contact the Haldimand County Project Manager, Forestry for the terms of reference for the Street Tree Planting Plan.

Single Tree Replacement Rates

County-owned street trees are approved for removal as part of this application and must be replaced at a rate of one (1) new 50mm wire basket tree for every 20cm in diameter, measured at the breast height of the trees removed. For example, five (5) new trees will have to be planted to replace one (1) 100cm diameter tree. If all of the replacement trees cannot be accommodated on the site the remaining tree quantiles will be accepted as cash-in-lieu payment to the County. The replacement tree planting is in addition to any other tree planting requirements for this application.

Cost to plant (1) new, 50mm W.B. tree is \$518.97 (2021 rate, subject to annual increase).

Transportation Engineering Technologist – The Engineering Services Division is in receipt of a proposed Draft Plan of Subdivision and a Zoning By-law Amendment. The Draft Plan shows the creation of 12 new lots and one retained lot. There are no concerns with the proposed number of units being accommodated into the existing road network. No traffic impact study will be required.

Bell Canada – We have reviewed the circulation regarding the noted application and have no objections to the application at this time. However, we hereby advise the Owner to contact Bell Canada at planninganddevelopment@bell.ca during detailed design to confirm the provisioning of communication/telecommunication infrastructure needed to service the development. We would also ask that the following paragraph be included as a condition of approval:

“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.”

It shall also 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 above noted connection, Bell Canada may decide not to provide service to this development.

Canada Post Corporation – Thank you for contacting Canada Post regarding plans for a new development in Dunnville. Please see Canada Post’s feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to this development through centralized Community Mail Boxes (CMBs).

Municipal Requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this development application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin so that we can plan for equipment. Finally, please provide the expected installation date(s) for the CMB(s).

Additional requirements for installation of the CMB have been provided.

Grand River Conservation Authority (GRCA) – Following our most recent comments dated July 20, 2022, the GRCA received additional materials relating to the noted application. We have now reviewed the new and updated documents.

The GRCA is now in a position to recommend draft plan approval of the subdivision, subject to the following condition:

1. Prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the GRCA.
 - a) A detailed stormwater management report and facility design in accordance with the 2003 Ministry of the Environment Report entitled “Stormwater Management Planning and Design Manual”.
 - b) A detailed Lot Grading, Servicing and Storm Drainage Plan.
 - c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority’s Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.
 - d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the GRCA prior to the construction of the proposed Stormwater Management outlet in the regulated area.

We trust that the municipality will ensure the Subdivider’s Agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in Condition (1.) above. Once the condition has been met, GRCA will issue a letter of clearance of the subdivision to the municipality.

Please note that comments pertaining to final Storm Water Management (SWM) facility design identified in our July 20, 2022 letter will need to be addressed in the course of the detailed design process. GRCA’s property staff may also have additional input in the clearance of these conditions as well.

GRCA Property – GRCA Property staff have also reviewed the updated materials and note that:

- The proposed emergency access along Haldimand Trail (through Byng Conservation Area) is no longer proposed;
- No SWM works, including upgrades to existing culverts, are proposed within GRCA-owned lands;
- Design considerations have been made that facilitate stormwater retention and quality control on-site; and
- Design considerations have been made to limit SWM discharge into Byng to pre-development levels.

Considering the above, GRCA Property staff acknowledge that these revisions sufficiently address Draft Plan of Subdivision comments pertaining to GRCA-owned lands. Notwithstanding the above the GRCA, as an adjacent property owner, may have additional comments on this proposal during the detailed design phase.

Hydro One (High Voltage/Corridor) – We are in receipt of the noted applications. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considered issues affecting Hydro One’s ‘High Voltage Facilities and Corridor Lands’ only. For proposals affecting ‘Low Voltage Distribution Facilities’ please consult your local area Distribution Supplier.

Hydro One (Local) – At this time Hydro One has no concern or comments with regards to the noted applications. Should this move forward, the developer will need to submit an application to Hydro One subdivision for connection of this development.

Trans-Northern Pipelines Inc. (TNPI) – Thank you for contacting TNPI. We can confirm that TNPI has NO infrastructure in the mentioned area.

Enbridge Gas – Thank you for your correspondence with regards to draft plan approval for the above noted project. It is Enbridge Gas Inc.’s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

No comments were received from the Mississaugas of the Credit First Nation, CP Railway, CN Railway, Finance Division, Municipal Property Assessment Corporation (MPAC), or the Haldimand-Norfolk Health Unit.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Draft Plan.
3. Concept Plan.
4. Preliminary Elevation 1.
5. Preliminary Elevation 2.

6. Application Materials.
7. Zoning Comparison Chart.
8. Draft Zoning By-law.