

Addendum to Report PDR-PCD-19-15

To: Members of the Planning and Community Development Committee
From: Scott Taylor, Senior Planner
Meeting Date: December 10, 2015
Subject: **Saugeen Riverside Plan of Subdivision 42T-2015-01**
Status: Recommendation adopted by Committee as presented per Resolution PCD17-16; Endorsed by County Council January 5, 2016 per Resolution CC12-16;

Recommendation(s)

WHEREAS the County has received plan of subdivision application 42T-2015-01 for lands described as Part of Lot 7, Concession 1, South of the Durham Road, geographic Township of Bentinck, Town of Hanover;

AND WHEREAS the corresponding zoning by-law amendment application has been approved by the Town of Hanover;

NOW THEREFORE BE IT RESOLVED THAT Addendum to Report PDR-PCD-19-15 be received;

AND THAT in consideration of the draft plan of subdivision and the matters to have regard for under Subsection 51(24) of the Planning Act RSO 1990 as amended, the Grey County Planning and Community Development Committee hereby approves plan of subdivision file 42T-2015-01 to create thirty-two (32) new lots, subject to the conditions set out in the Notice of Decision.

Background

The County has received a plan of subdivision application from Saugeen Riverside Developments to establish a plan of subdivision approval for 32 single detached lots, in the Town of Hanover (geographic Township of Bentinck). The subject lands would have frontage off of a new road which would connect to the 2nd Street extension in the south and 18th Avenue along the easterly boundaries.

Surrounding the subject lands are a mixture of residential, industrial, and farmed properties. One of the surrounding properties is the future school site for the Town.

See Map 1 below for an aerial view of the subject property and surrounding area.

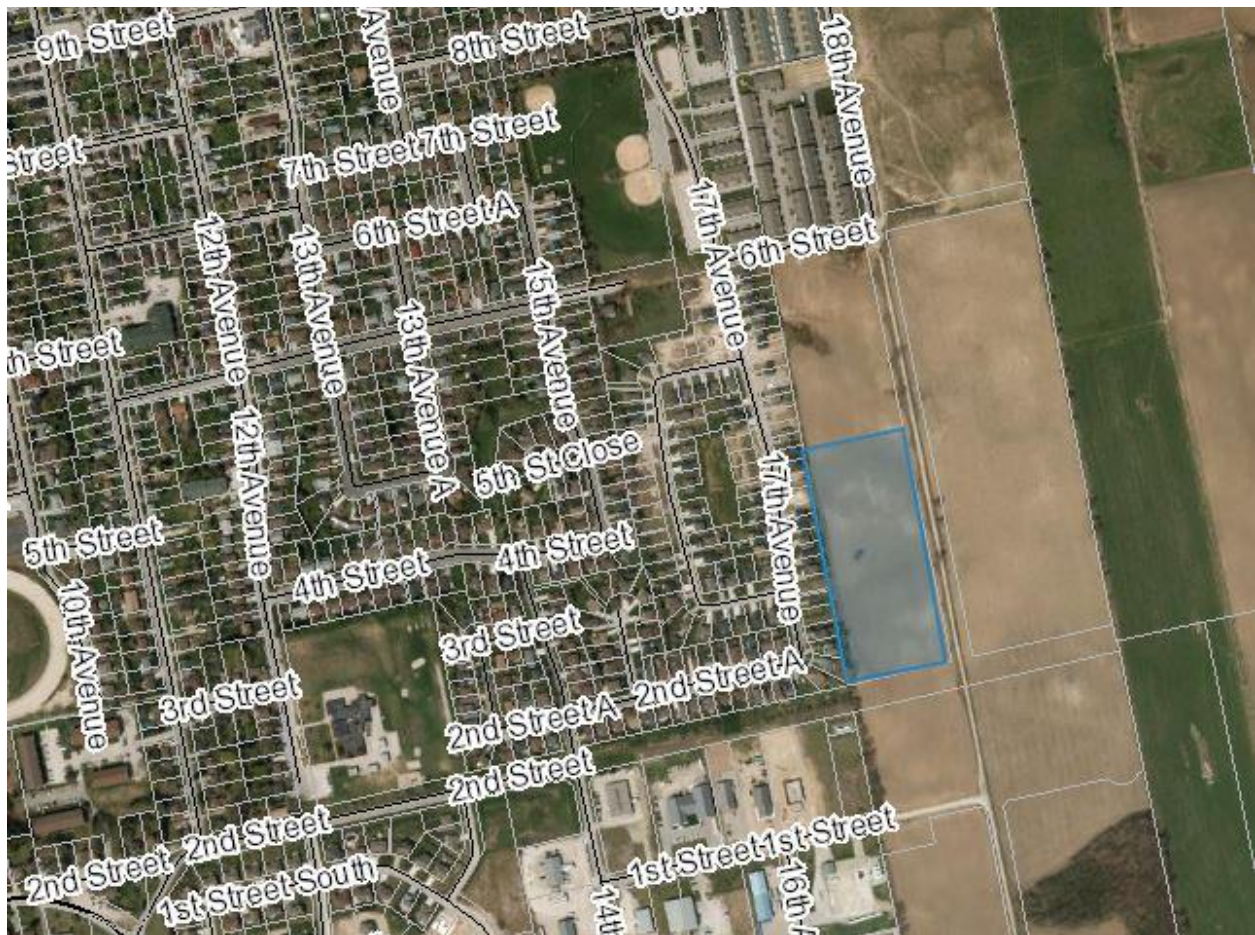
Pre-submission consultation between the proponent, the Town of Hanover, and the County identified the submission requirements for the proposed plan of subdivision, which are as follows;

1. a Planning Report,
2. a Stage 1-2 Archaeological Assessment,
3. a Functional Servicing Report,
4. a Stormwater Management Report,
5. a Geotechnical Investigation, and
6. a Draft Plan of Subdivision.

A Traffic Impact Study has not been submitted with the subject application, but the supporting reports indicate that the developer would be amenable to participating in a comprehensive traffic assessment along with neighbouring property owners.

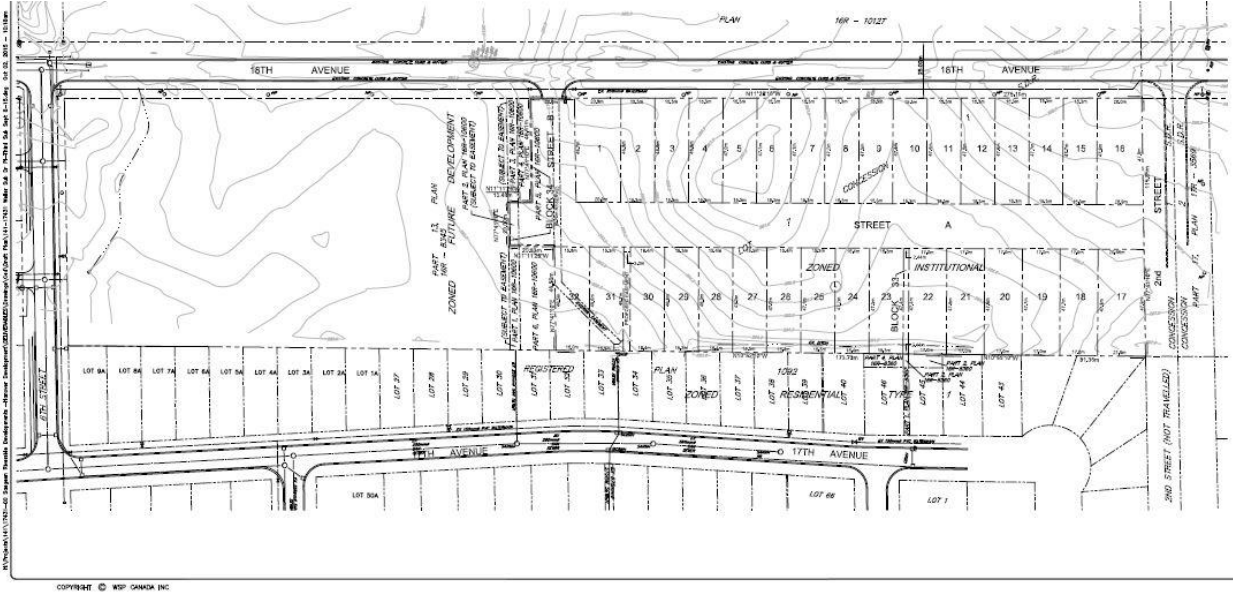
Copies of all background reports and plans can be found at the below link:

[Link to Background Materials](#)



Map 1: Saugeen Riverside Developments - Subject Lands

A public meeting for the plan of subdivision and corresponding zoning by-law amendment was held by the Town on June 22, 2015.



Map 2: Saugeen Riverside – Draft Plan of Subdivision

A zoning by-law amendment application has also been approved by the Town of Hanover.

Public and Agency Comments Received

As part of the planning application process, no comments were received by members of the public.

As part of the planning application process comments were also received by the following groups, agencies, and public bodies.

Historic Saugeen Metis (HSM)

In an email dated April 23, 2015, the HSM have noted that they do not have any objections to the proposed development.

Union Gas Limited

In an email dated June 5, 2015 Union Gas requested that as a condition of final approval Union Gas Limited would request that the owner/developer provide to Union Gas the necessary easements and/or agreements for the provision of gas services to

the development. County staff have included a recommended draft condition related to the requisite easements in this regard.

Rogers Communications

In a letter dated April 28, 2015, Rogers Communications Inc. noted that the subject lands are outside of the license area of Rogers Communications and as such they will not be providing comments on this application.

Westario Power Inc.

In an email dated April 20, 2015, Westario noted the following;

“Our [company] has a hydro line running down the west side of the 18th Ave. Road Allowance as well as a hydro line running through the 2nd St. Road Allowance. Please contact Westario Power Inc. when the road and lot design has been completed so that the company may generate electrical plans for the electrical servicing of this development. Please allow sufficient time for Westario to complete the electrical servicing design.”

Hydro One

In an email dated April 23, 2015, Hydro One noted that they do not have any concerns with the proposed development.

County of Grey Transportation Services Department

The County Transportation Services department noted that the traffic counts for Grey Road 4 and 18 Avenue in Hanover do not warrant traffic signals due to the limited number of left turns coming out of 18th Avenue.

Saugeen Valley Conservation Authority (SVCA)

SVCA has submitted a few sets of comments on this application; most recently in a letter dated September 30, 2015. SVCA have provided some recommended draft conditions and these recommendations have been incorporated into the County's recommended draft approval conditions as attached to this report.

Ministry of Natural Resources and Forestry (MNR)

In response to initial comments from the SVCA regarding potential endangered species habitat, the MNR was asked for technical comments on this application. MNR later provided a letter of sign-off on July 2, 2015.

Town of Hanover

On October 19, 2015, Town of Hanover Council supported a recommendation for a series of draft approval conditions on the plan of subdivision. These recommendations

have been incorporated into the County's recommended draft approval conditions as attached to this report.

Planning Policy Analysis

Planning decisions in Ontario must have regard for matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2014, and conform to the goals and objectives of any official plans governing the lands. In this case the County of Grey Official Plan and the Town of Hanover Official Plan are applicable to the subject lands.

The Planning Act

Section 1.1 of the *Planning Act* outlines the purposes of the Act. The purposes of the Act promote sustainable economic development in a healthy natural environment within a land use planning system, led by provincial policy and matters of provincial interest. Section 2 of the *Planning Act* outlines matters of Provincial Interest, which decision makers must be consistent with when carrying out their responsibilities under the Act. The most relevant matters of provincial interest to this application are: (a) the protection of ecological systems, including natural areas, features and functions; (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems, (h) the orderly development of safe and healthy communities, (j) the adequate provision of housing, including affordable housing, (p) the appropriate location of growth and development, and (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

- (a) There have been no identified natural heritage features on-site. Both at the pre-submission consultation stage, and at the development application review process stage, it was determined that an Environmental Impact Study (EIS) was not warranted for this development. When a potential endangered species issue was flagged by SVCA, the matter was reviewed by MNRF who provided a letter of sign-off on this issue.
- (f) The subject development will be serviced by municipal water and municipal sewer services, and it has been determined that there is sufficient reverse capacity to service this development.

The proposed road pattern of the plan of subdivision provides road connections to the south, east, and north. In addition a trail connection is being provided to the west. This road network can be considered efficient within the context of this part of the Town.

- (h) The subject development is within the 'Primary Settlement Area' designation in the County Official Plan. Within this land use designation the County Plan defers to the detailed land use policies found within the Town's Official Plan. The County Plan does however recommend an average development density of 25 units per net hectare for new development within the Town. It is worth noting however that the Town's Official Plan has not been significantly updated with respect to density since the County's Five Year Review. The Town has however adopted a new Official Plan which is nearing approval by the County.

In isolation the proposed plan of subdivision does not achieve the 25 unit per net hectare density provisions of the County's Official Plan. However, in the justification supporting the development, the applicant's planning consultant, Ron Davidson, has suggested that the existing neighbourhood includes a significant amount of townhouse-style development, which has increased the overall neighbourhood density. Further, Mr. Davidson asserts that including single-detached residences in this portion of the Town would help provide the range of housing choices desired by Provincial and County policy (i.e. by balancing out the existing townhouse development).

It is further noted that the dimensions of the subject property are such that only a single road can be 'cut-through', which has created deeper lots, than normally encountered in modern subdivisions. The depth of these lots may be desirable to many buyers, but does end up creating a lower density of overall development.

In order to compensate for this lower density design, the proponent requested that the implementing zoning by-law amendment include the permission for secondary suites in the single detached units. This request has been incorporated into the zoning amendment passed by the Town. In theory the overall density of this development could double, should each landowner decide to install a secondary suite. Although some landowners may choose to add a secondary suite; it is unlikely that the entire subdivision would develop in this fashion.

- (j) It is unlikely that any of the housing being proposed would fall within the affordable range for ownership, based on the lot sizes. It is conceivable that the proposed single detached dwellings could accommodate secondary suites or apartments which could offer affordable rental housing.
- (p) The subject lands are located in a designated settlement area and have been designated for residential growth. In very close proximity to the subject lands is a proposed school site, which would be within walking distance.

The subject lands are also in proximity to the UPI propane facility. UPI has been circulated on this application and had earlier provided comments when the subject lands were re-designated to residential (prior to the current development applications). Provincial standards with respect to safety are required to be maintained in this regard. With respect to the County's concerns on this issue the Planning Justification report has noted;

“Furthermore, with regard to the County’s concerns about the potential risks associated with the nearby propane bulk sales facility, please be advised that UPI Energy LP has prepared a “Risk and Safety Management Plan” for their Hanover facility, and such Plan identifies a “fireball” radius of 141 metres, measured from the location of the propane tanks, as illustrated on Drawing 8.3B contained within the Risk and Safety Management Plan (see Appendix B to the Planning Report). The closest portion of the subject property (i.e. southwest corner of the site) is situated approximately 252 metres from the tanks. Based on this information, it is the understanding of the developer that the location risk posed by the propane facility in relationship to the development on the subject lands is acceptable when compared to the regulations of the Technical Standards and Safety Authority. Copies of the Risk and Safety Management Plan have been filed with the Town’s Fire Chief, Chief Building Official, and the County’s Director of Planning and Development, among other offices.”

- (q) Hanover does not have any public transit. Walkways have also been included to connect the proposed development to neighbouring residential lands.

The subject plan of subdivision application, with the attached conditions of draft approval, would have regard for matters of Provincial Interest under *The Planning Act*.

Provincial Policy Statement

A key goal of the PPS is directing new growth to serviced settlement areas, and promoting the vitality of such settlement areas through re-development, infill and intensification. The subject lands have been designated for residential growth and are within a settlement area.

Section 1.6.6.1 of the PPS outlines the servicing hierarchy to be utilized in the Province of Ontario. At the top of the hierarchy are municipal water and sewer services. The proposed development will be serviced by municipal water and sewer services.

Section 2.1 of the PPS speaks to the long-term protection of significant natural heritage features. As noted above there were no such features identified on-site.

Section 2.6 of the PPS speaks to the protection of cultural and archaeological resources within the Province. A Stage 1-2 Archaeological Assessment was completed on this property, and there were no further archaeological assessments recommended for this site.

Section 3.1 of the PPS directs development away from areas of natural hazard. There have been no natural hazards identified on-site.

It can be concluded that the proposed plan of subdivision application, with the attached conditions of draft approval, is consistent with the PPS.

County of Grey Official Plan

The proposed plan of subdivision is designated as 'Primary Settlement Area' within the County Official Plan. Within the Primary Settlement Area designation the County Plan generally defers to the detailed land use policies and development standards of the Town's Official Plan.

Section 2.6.3(5) of the County Plan requires an overall average development density of 25 units per net hectare within Primary Settlement Areas such as Hanover. The Planner for the proponent has noted that the dimensions of the site, and the ability to only run a single road through the property, make it difficult to increase the density on-site. In addition, the Planner has noted that in this section of Hanover there have also been a significant number of townhouses built within the past 10 years. The current proposal is for 32 detached residential dwellings, but the implementing zoning by-law amendment also includes permission for each of the dwellings to be permitted to include a secondary suite as well.

Section 5.2 County Road policies from the Plan have been addressed through the review of the Transportation Services comments noted above.

Section 5.3 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above.

Appendices A and B to the County Plan do not map any environmental or man-made hazards on, or immediately adjacent to, the subject lands, beyond the propane facility discussed above.

Section 6.12.1 of the County Plan addresses criteria to be considered in any new plan of subdivision or condominium. Specifically section 6.12.1(a)(vi) of this section states;

"The street pattern of the proposed plan and how it fits with the surrounding neighbourhood. Plans which utilize a grid pattern or a modified grid pattern shall be considered more favourably than those with a curvy street pattern or cul-de-sacs,"

As noted above the subject lands will have a walkway connecting the residential development to the west and road connections to the north, south, and east.

Section 6.12.1(a)(xi) speaks to the provision of usable parkland and green space. The Town of Hanover has noted that they do not wish to acquire any further parkland in this location, and are instead likely recommending that the owner pay 5% cash-in-lieu of parkland.

Section 6.12.1(b)(c) and (d) of the Plan speak to the provision of a range of housing, including affordable housing, and employment opportunities. As noted above, the proposed lots will not be built at a density to provide for affordable housing ownership, however affordable rental housing may be accommodated through secondary suites. There are currently no employment lands being considered as part of this development.

Many of the remaining policies in the County Plan mimic those discussed above in the review of the *Planning Act* and the PPS. A further in-depth review of those same policies in the County Plan will not be provided below.

The proposed plan of subdivision application, with the attached conditions of draft approval, conforms to the goals and objectives of the County of Grey Official Plan.

Financial / Staffing / Legal / Information Technology

Considerations

At this point there are no financial, staffing, legal or Information Technology considerations beyond those normally encountered in processing a plan of subdivision application. The County has collected the requisite fee for the application.

Should the application be appealed to the Ontario Municipal Board (OMB) additional financial, legal, or staff resources may be required. However it should also be noted that unless the County refuses the application, the County would not by default be a party to an OMB hearing on this matter, as per the County's OMB attendance policy.

Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan requires the continued management of growth and the application of sound land use planning principles. There will be protections in place on this application, through the conditions of draft approval, which help ensure the application is aligned with the County's strategic goals.

Attachments

Notice of Decision and Draft Conditions

Respectfully submitted by,

Scott Taylor, MCIP, RPP
Senior Planner

Director Sign Off: *Randy Scherzer*

Applicant: Saugeen Riverside Developments Inc.
Municipality: Town of Hanover
Location: Part of Lot 7, Concession 1 S.D.R. (Geographic Township of Bentinck)
Date of Decision:
Last Date of Appeal:

File No.: 42T-2015-01
Date of Notice:

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision

under Subsection 51(16) of the Planning Act

Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Ontario Municipal Board must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee prescribed under the Ontario Municipal Board Act.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of applications for approval of draft plans of subdivision to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The applicant or any public body may, at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the County of Grey to the Ontario Municipal Board by filing with the Director of Planning and Development of the County, or her delegate, a Notice of Appeal.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have either,

- (1) made a written request to be notified of the decision to give or refuse to give approval of draft plan of subdivision, or
- (2) make a written request to be notified of changes to the conditions of approval of the draft plan of subdivision.

GETTING ADDITIONAL INFORMATION

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

Applicant: Saugeen Riverside Developments Inc.

File No.: 42T-2015-01

Municipality: Town of Hanover

Location: Part of Lot 7, Concession 1 S.D.R. (Geographic Township of Bentinck)

Date of Decision:

Date of Notice:

Last Date of Appeal:

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP RPP

Director of Planning & Development

Plan of Subdivision File No. 42T-2015-01 has been granted draft approval. The County’s conditions of final approval for registration of this draft plan of subdivision are as follows:

No. Conditions

1. The final plan shall conform to Draft Plan of Subdivision Drawing “Saugeen Riverside Developments Subdivision” Drawing Number 141-17431-DP1 prepared by WSP Hanover and last signed November 12, 2015. The draft plan of subdivision shall consist of thirty-two (32) residential lots, two (2) municipal roads, one (1) trail block (Block 33), and one (1) 0.3 metre reserve block (Block 34).
2. That Blocks 33 and 34 be deeded to the Town of Hanover for trail and future road access respectively.
3. That the owner convey up to 5% of the land included in the plan to the Town for park purposes. Alternatively, the Town may accept cash-in-lieu of all or a portion of the conveyance.
4. That a suitable Subdivision Agreement be entered into between the owner and the Town of Hanover. The agreement shall contain all matters set out as Conditions of Draft Approval as deemed necessary in this Decision and any other matters as deemed appropriate by the Town of Hanover. Furthermore, the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town of Hanover concerning improvements to 18th Avenue.
5. That prior to final approval by the County, that appropriate zoning is in effect for this proposed subdivision that conforms to the Town of Hanover Official Plan and that addresses, *inter alia*, the following:
 - Residential lots
 - The trail blocks
 - The stormwater management plan.
6. That all easements for drainage or utility purposes shall be dedicated to the appropriate authority.
7. That the easement on Lot 30 be deeded to the Town of Hanover for stormwater purposes.
8. That all road allowances be deeded to the Town of Hanover and named to the satisfaction of the Town of Hanover.
9. That prior to final approval, the developer prepare detailed stormwater management plan for the entire subdivision, to the satisfaction of the Town of Hanover and Saugeen Valley Conservation Authority and that this plan be incorporated in the subdivision agreement.

10. That prior to final approval, the developer prepare detailed lot grading, and sediment and erosion control plan for the entire subdivision, to the satisfaction of the Town of Hanover and Saugeen Valley Conservation Authority and that this plan be incorporated in the subdivision agreement.
11. That the subdivision agreement between the owner and the Town contain the following provisions with wording acceptable to the Saugeen Valley Conservation Authority; "The owner agrees to carry out or cause to be carried out the works recommended in the stormwater management report and lot grading plan."
12. That prior to final approval, a copy of the fully executed Subdivision Agreement between the developer and the Town shall be provided to the County of Grey.
13. That prior to final approval that the Town of Hanover is advised in writing from Westario Power that an electrical distribution system to service the lands shown on the plan is available.
14. The Owner shall obtain a letter from the Ministry of Tourism, Culture and Sport that the Archaeological Assessment has been entered in the Ontario Public Register of Archaeological Reports, which is to be shared with the Town of Hanover.
15. That the owner, submit to the County of Grey and the Town with a computer disk containing a digitised copy of the Final Plan in a format acceptable to the County of Grey and the Town of Hanover.
16. That prior to final approval being given, that the County is advised in writing by the Saugeen Valley Conservation Authority, how Conditions 9, 10 and 11 have been satisfied.
17. That prior to final approval being given, that the County is advised in writing by the Town of Hanover how Conditions 2 to 16 have been satisfied.
18. If final approval is not given to this plan within three years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution from the local municipality must be received by the County of Grey Director of Planning, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
3. Clearances are required from the following:
 - Town of Hanover, 341 10th Street, Hanover, Ontario, N4N 1P5
 - Saugeen Valley Conservation Authority, 1078 Bruce Road 12, Box 150, Formosa, Ontario, N0G 1W0
4. We suggest you make yourself aware of the following subsections of the Land Titles Act:
 - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) subsection 144(2) allows certain exceptions.The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.
5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment and Climate Change under the Ontario Water Resources Act, RSO 1990, as amended.
6. All measurements in subdivision final plans must be presented in metric units.

Applicant: Saugeen Riverside Developments Inc.

File No.: 42T-2015-01

Municipality: Town of Hanover

Location: Part of Lot 7, Concession 1 S.D.R. (Geographic Township of Bentinck)

Date of Decision:

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7. That the applicant contact Canada Post at the address below for the supply and installation of Community Mailboxes (CMB). The location of these CMB's will require the approval of the Town of Hanover.

Delivery Planning Officer, Canada Post Corporation, 955 Highbury Ave, London, Ontario, N5Y 1A3

8. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.