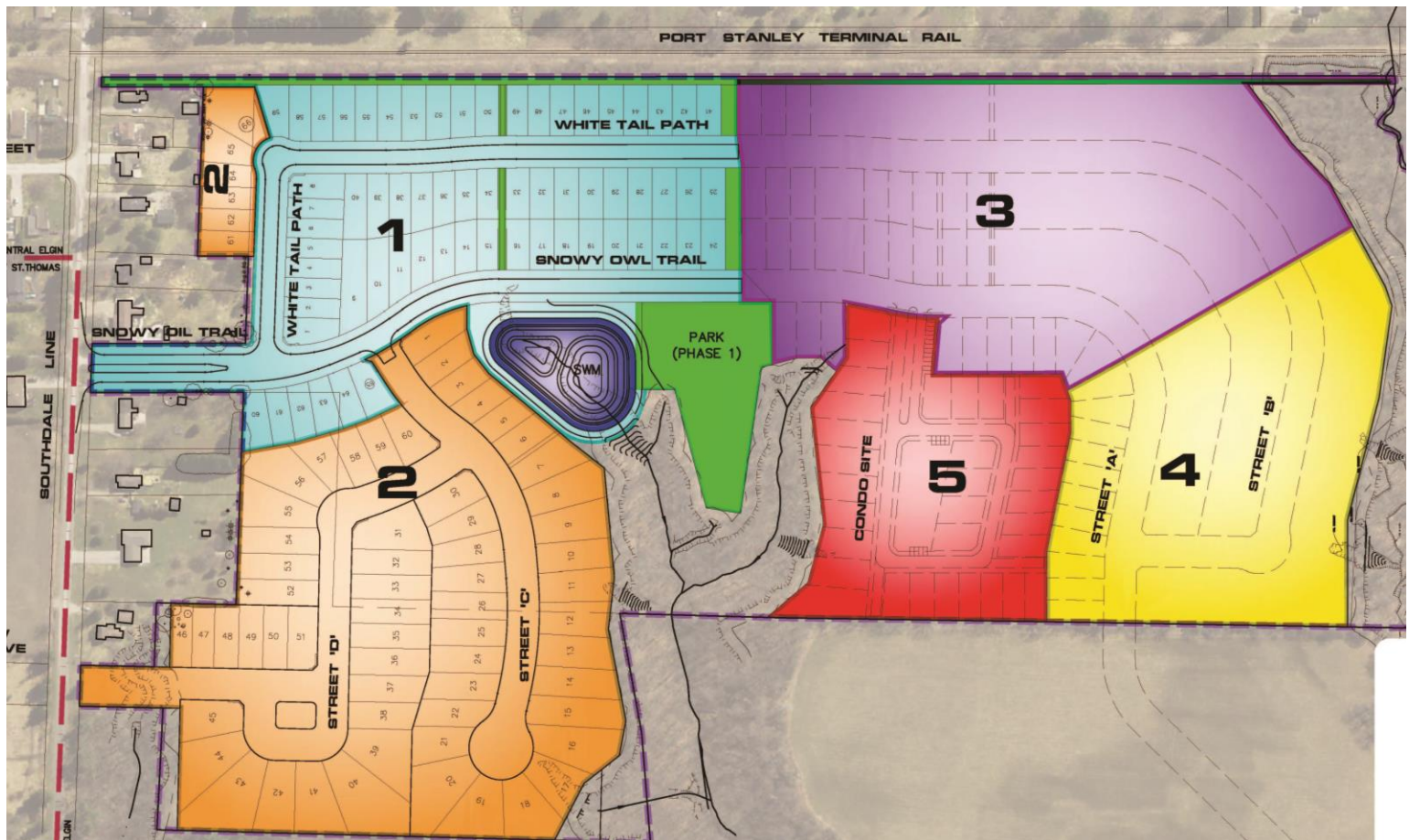


Planning Justification Report

Kemsley Farm – Eagle Ridge Phase 2

Municipality of Central Elgin

Doug Tarry Ltd.



September 20, 2021



Zelinka Priamo Ltd.
LAND USE PLANNERS

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1.0 INTRODUCTION AND SUMMARY

Doug Tarry Ltd. has made an application for an Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision for a portion of the lands known as the Eagle Ridge Subdivision (formerly referred to as Kemsley Farm). Lands subject to these applications are considered to be the second phase of the Eagle Ridge subdivision, and are herein referred to as the 'subject lands'. The purpose of the above noted applications is allow for the development of the subject lands for low-density residential uses, new public roads, new public trails/walkways, servicing infrastructure, and protection of natural heritage features. Notably, the required Official Plan Amendment is intended to recognize and permit previously applied zoning for a second road access to the subdivision, which was previously contemplated through the initial subdivision and zoning approvals for Phase 1.

The purpose of the following Planning Justification Report is to provide information and evaluation of the proposed Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision within the context of existing land use policies and regulations, including:

- The 2020 Provincial Policy Statement (PPS);
- County of Elgin Official Plan;
- Municipality of Central Elgin Official Plan; and,
- The Township of Yarmouth Zoning By-Law.

This report concludes that the above Planning Act applications and proposed development are appropriate for the subject lands for the following key reasons:

- The proposed development is generally consistent with the 2020 PPS, the County of Elgin Official Plan, and Central Elgin Official Plan;
- The proposed development is the next logical development phase of the Kemsley Farm subdivision, Phase 1 of which is currently under construction;
- The proposed Official Plan Amendment is intended to recognize and permit previously approved development and is supported by findings from a consulting biologist;
- The proposed Zoning By-Law Amendment seeks a minor amendment to provide a more practical lot pattern, and to include additional lands within the subdivision, promoting an appropriate development pattern; and,
- The proposed applications are supported by appropriate supporting studies and reports.

2.0 THE SUBJECT LANDS

The subject lands, being two portions of the lands known municipally as 42477, 42405, and 42537 Southdale Line, are located in the Norman Lyndale community in the Municipality of Central Elgin, adjacent to the southwest end of the City of St. Thomas (Figure 1). The subject lands, which consist of two individual areas separated by the initial Eagle Ridge Phase 1 lands, have a total lot area of 7.45ha, with frontage along Southdale Line of 25.6m. The subject lands are currently used for agricultural uses (cultivation), except for a small wooded area of approximately 0.5ha located in the northerly portion of the property. Three (3) ravine fingers affect the subject lands: one at Southdale Line; one in the southwest corner of the lands; and one along the southerly boundary of the lands. These features are associated with a tributary to Kettle Creek.

The municipal boundary between Central Elgin and the City of St. Thomas is located along the northerly limit of Southdale Line. As such, adjacent properties to the north are under the jurisdiction of the City of St. Thomas.

Figure 1 – Subject lands and surrounding area



Proximate land uses consist of the Eagle Ridge Phase 1 lands abutting to the east; single detached dwellings to the north; agricultural lands to the south (beyond the ravine finger); the Port Stanley Terminal Rail (PSTR) line to the east; and natural heritage and natural hazard (ravine lands) to the northwest, west, and south. Additional low-density residential uses are located further to the northeast, east, and southeast. Cultivated fields on the north side of Southdale Line are designated as residential lands in The City of St. Thomas's Official Plan and are currently planned for development as Phase 5 of the Shaw Valley residential subdivision. A future road connection from those lands to Southdale Line is planned opposite the frontage of the subject lands.

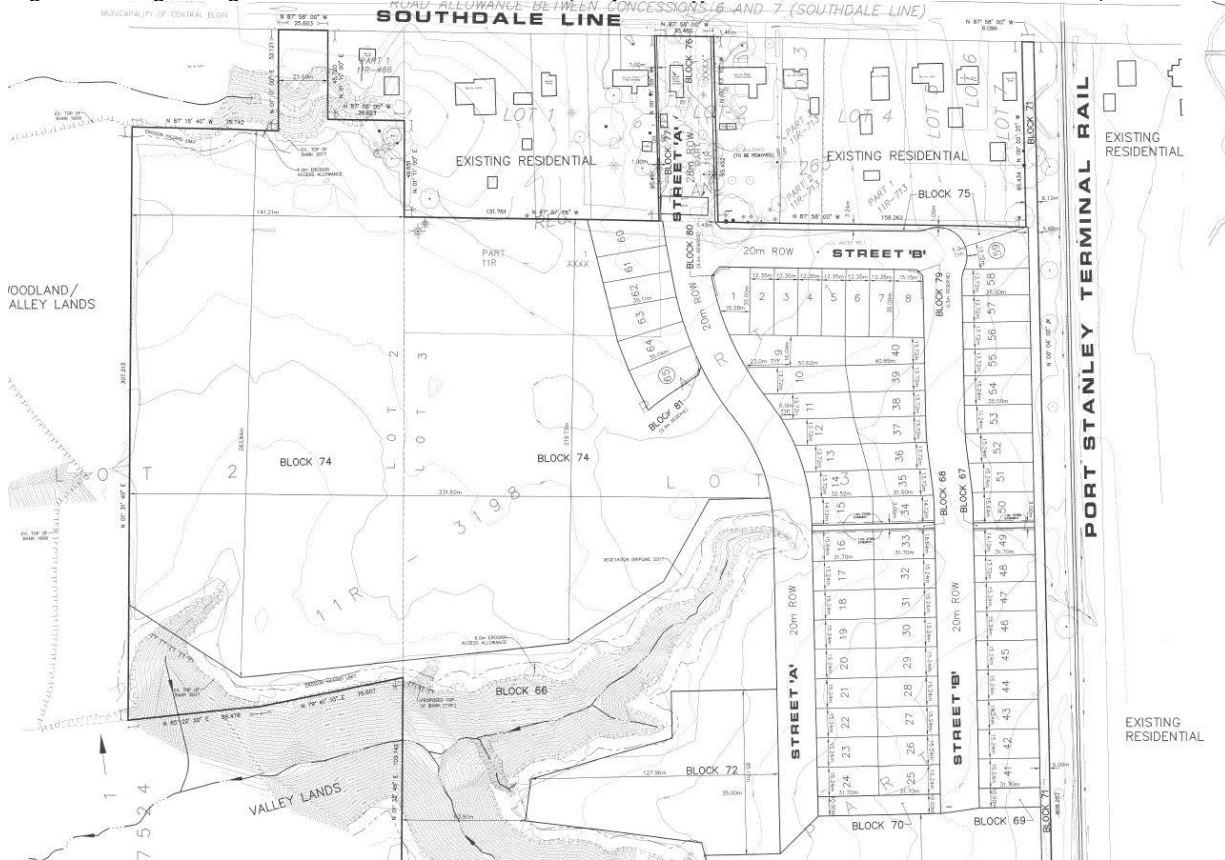
Other notable features proximate to the subject lands include Kettle Creek (west), Parkside Collegiate Institute (northeast), Canadale Nurseries (northeast), Southwest Centre for Forensic Mental Health Care (southeast), and the Elgin County Administrative Building (southeast).

Building heights proximate to the subject lands consist of primarily one- and two-storey buildings, the majority of which are single detached dwellings. Two exceptions to these heights are the Southwest Centre for Forensic Mental Health (4-storeys), and the Elgin County Administration (4-storeys).

The subject lands are accessed from Southdale Line, which has recently been reconstructed in preparation of the development of the subject lands and the Shaw Valley subdivision to the north. Sunset Drive, classified as a County Road under the jurisdiction of the County of Elgin, is a 30.48m right of way with a full urban cross section, including two paved shoulders acting as active transportation infrastructure (i.e. bicycle lanes) between St. Thomas and Port Stanley. County Roads are intended to convey large volumes of traffic at medium to high speeds.

The initial Eagle Ridge Phase 1 subdivision contains 58 single-detached residential lots fronting onto two public roads, a stormwater management facility, and a park (see Figure 2).

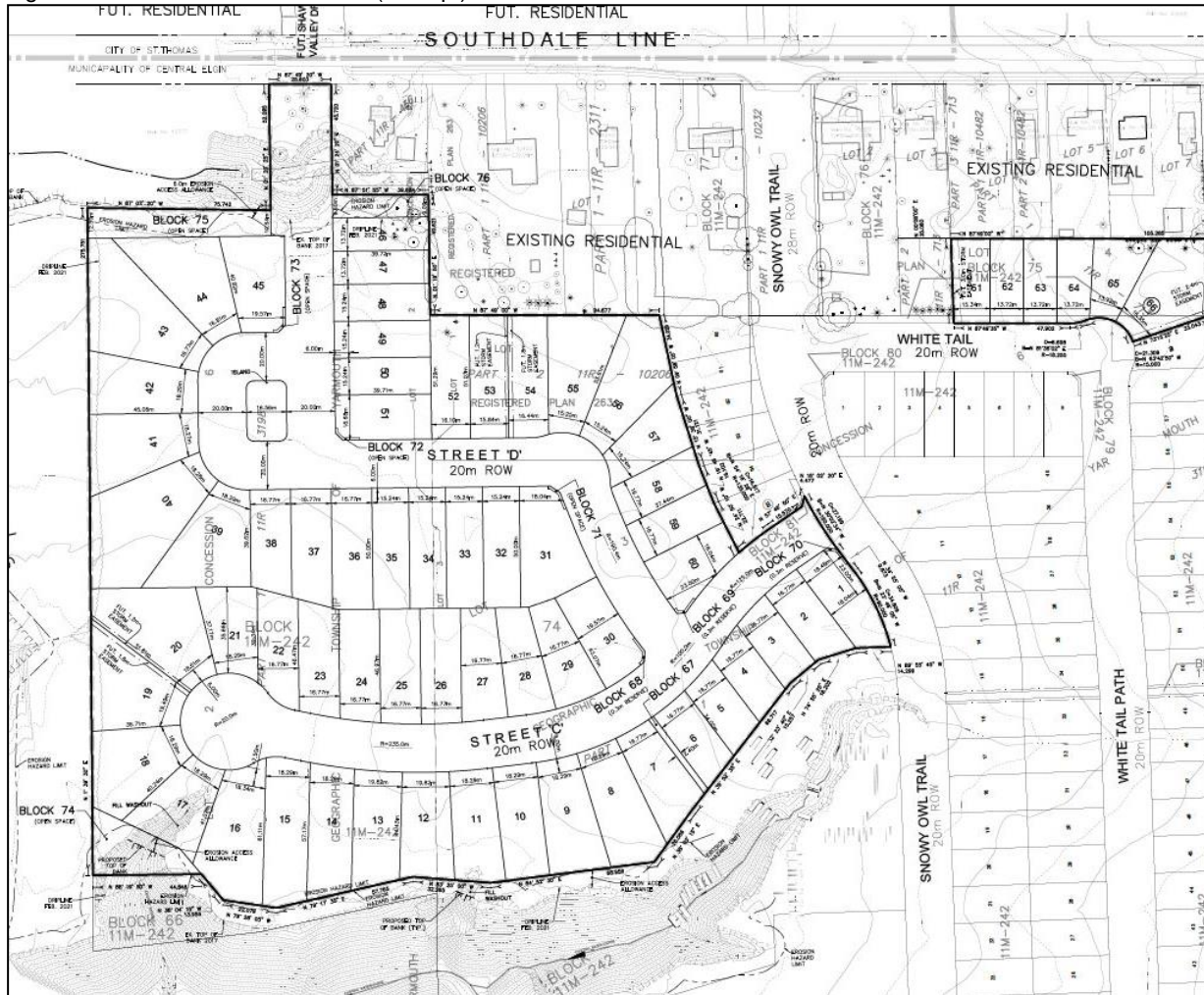
Figure 2 – Eagle Ridge Phase 1 Plan of Subdivision (subject lands at left, and north of “Street ‘B’” label)



3.0 PROPOSED DEVELOPMENT

The subject lands are proposed to be developed for 66 single detached dwelling lots, two new municipal roads, and walkways (Figure 3). Additional land is identified as open space. The larger, westerly portion of the subject lands is proposed to contain 60 single detached lots and two new roads (Street 'D' and Street 'C').

Figure 3: Draft Plan of Subdivision (excerpt)



The smaller portion of the subject lands to the east is a reconfiguration of the rear of the lots fronting onto Southdale Line, which have now been acquired by Doug Tarry Homes. These six lots front on to a previously approved Phase 1 Road (White Tail Path).

The proposed Phase 2 residential plan of subdivision provides the following land uses and areas:

- Single detached residential (Lots 1-66) – 5.63ha
- New public roads (Street 'C' and Street 'D') – 1.61ha
- Walkway (Block 67) – 0.01 ha
- 1ft reserves (Blocks 68-73) – 0.001ha
- Open Space (Blocks 74-76) – 0.2ha

Generally, the proposed lot frontages are wider, and depths are deeper, than the majority of subdivision lots in the area, with the majority of frontages over 16m, and majority of lot depths between 40m and 50m. However, it is noted that the lot frontages, depths, and areas are significantly smaller than the existing lots fronting on to Southdale Road. The existing lots were developed at a time when large, semi-rural residential lots were common and serviced by private septic systems and private individual wells. As subdivision design, market demands, and land use policies have changed over time, the existing lots on Southdale are not representative of contemporary residential development on full municipal services.

Street 'D' extends south into the subject lands from Southdale Line, passing through the aforementioned erosion finger immediately south of Southdale Line. A crescent street with a landscaped island provides access to lots on the west side of Street 'D' south of Southdale Line. Street 'D' then curves to the east, then south, to intersect with Street 'C'.

Street 'C' is cul-de-sac street with lots on both sides, intersection with Snowy Owl Trail at the east limit of the subject lands.

Infrastructure features for the Eagle Ridge subdivision, including a stormwater management facility and park were previously identified in the Phase 1 approvals. These features are located to the southeast of the subject lands.

It is anticipated that road, sidewalk, and other infrastructure will be constructed in accordance with all applicable design standards.

This phase of the subdivision is the second phase in five-phase subdivision plan (Figure 4).

Figure 4: Overall Development Concept and Phasing Plan (excerpt, north at left)



4.0 PROPOSED PLANNING ACT APPLICATIONS

4.1 OFFICIAL PLAN AMENDMENT APPLICATION

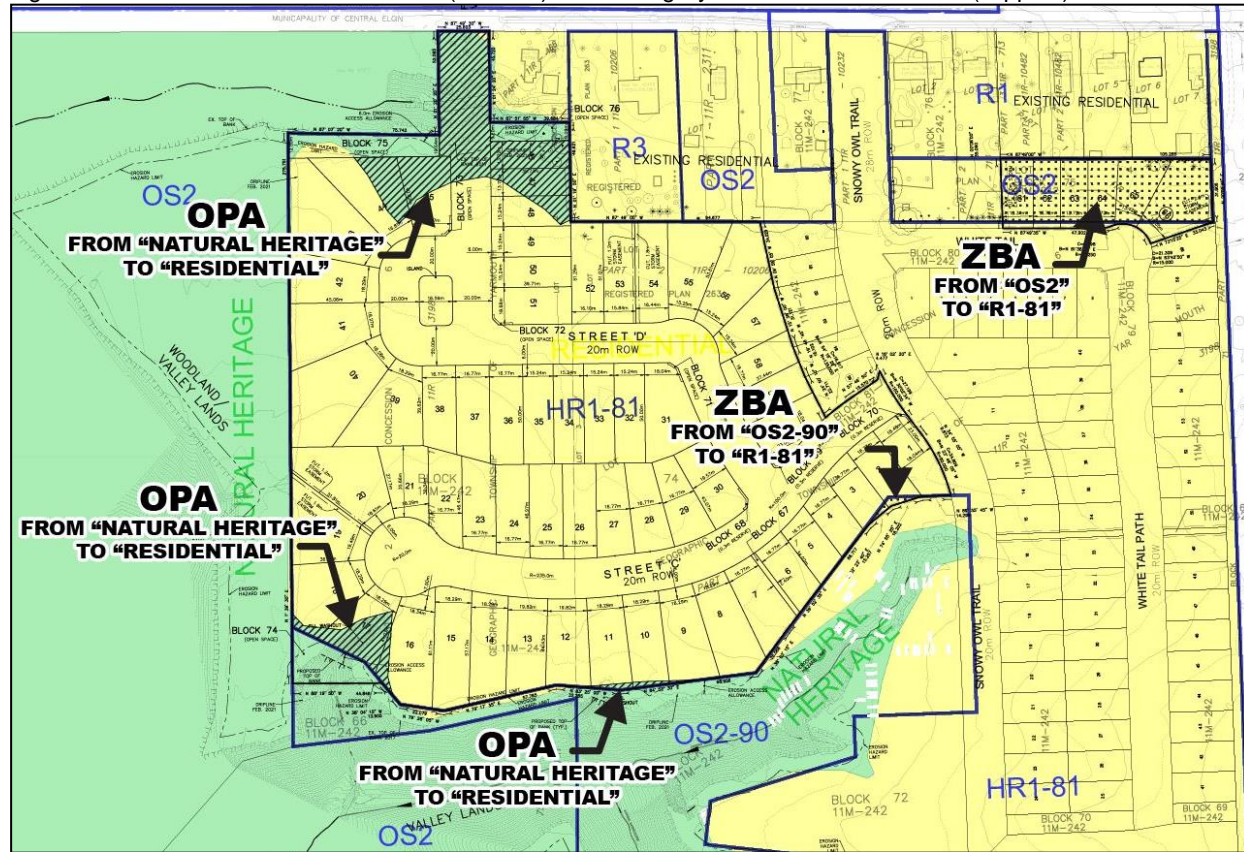
The northerly portion of Street 'D', immediately south of the proposed intersection with Southdale Line, and portions of Lots 44, 55, 47, and 48, and all of Lot 46, are located within the "*Natural Heritage*" land use designation, with a "*Natural Hazard*" overlay. These lands were included in the previous Phase 1 approvals and were zoned "*Residential Zone 1 (hR1-81)*". However, in consultation with municipal staff, it has been determined that an Official Plan Amendment is required to permit the creation of a new road in this location.

Lands that comprise Lot 17 in the southwest corner of the subject lands were previously zoned "*Residential Zone 1 (hR1-81)*" but a portion remained in the "*Natural Heritage*" land use designation due to a finger erosion feature. The limits of the area within the *R1-81* zone are proposed to be filled and used as a residential lot. However, this will require a re-designation to the "*Residential*" land use designation.

Similarly, a small portion of land at the rear of Lots 9-12 are within in the "*Natural Heritage*" land use designation, but are zoned "*Residential Zone 1 (hR1-81)*". This area is proposed to be re-designated to the "*Residential*" land use designation to reflect the zone boundary, geotechnical reports, and a more regular rear lot line for these lots.

Therefore, it is proposed that the "*Natural Heritage*" and "*Natural Hazard*" areas as denoted in Figure 5, shown in hatch marks, be redesignated to the "*Residential*" land use designation.

Figure 5: Official Plan Amendment areas (hatched) and Zoning By-Law Amendment areas (stippled)



4.2 ZONING BY-LAW AMENDMENT APPLICATION

While the majority of the subject lands are already zoned “Residential Zone 1 (R1-81)”, two areas are proposed to be re-zoned through the present Zoning By-Law Amendment application, as denoted as stippled (dots) in figure 5 above.:

Firstly, through more detailed analysis than was available in the initial Phase 1 approvals, the development limit of the subject lands has been refined to reflect accurate slope stability reports and a more regularized rear yard limit for Lots 1, 2 and 3. This small adjustment is noted on Figure 5 above. Therefore, it is proposed that this area be re-zoned from the “Open Space 2 Zone (OS2-90)” to the “Residential Zone 1 (R1-81)”.

Secondly, the easterly portion of the subject lands, which were not previously zoned as part of the Phase 1 approvals, are proposed to be re-zoned from the “Open Space 2 Zone (OS2)” to the “Residential Zone 1 (R1-81)”, consistent with the rest of the neighbourhood zoning.

4.3 DRAFT PLAN OF SUBDIVISION APPLICATION

In addition to the Zoning By-Law Amendment, a Draft Plan of Subdivision application will be submitted to the County of Elgin, as described in Section 3.0 of this report.

5.0 LAND USE POLICY AND REGULATION ANALYSIS

5.1 PLANNING ACT, RSO 1990

In considering a Draft Plan of Subdivision, the Planning Act states that regard shall be had for the items in Section 51(24). The proposed draft plan of subdivision addresses the items as follows:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

- The proposed development is consistent with the policies of the Provincial Policy Statement, as discussed in Section 5.2 of this report, and is consistent with matters of provincial interest. Support for re-designation is provided in the accompanying environmental report prepared by Vroom + Leonard.

(b) whether the proposed subdivision is premature or in the public interest;

- The southwesterly area of St. Thomas (which the subject lands abut) is experiencing residential growth and demand for low density dwelling types. The proposed development adds to the supply of single detached residential dwellings and is not considered pre-mature. The Municipality of Central Elgin intends for these lands to be developed for low density residential uses through the policies of the Central Elgin Official Plan. Given the level of development this area has experienced recently, including the nearby Shaw Valley and Miller's Pond developments, and the existing demand for this type of housing, the proposed development is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

- The proposed Draft Plan of Subdivision is consistent with the County of Elgin Official Plan, Municipality of Central Elgin Official Plan, as described later in this report. The proposed subdivision provides a contemporary lot and street layout and is consistent with modern subdivision design. No conflicts with adjacent residential uses are anticipated. The development of the subject lands was previously contemplated in the overall master concept for the broader Eagle Ridge subdivision, as was identified in the Phase 1 approvals.

(d) the suitability of the land for the purposes for which it is to be subdivided;

- In addition to flat table lands, the subject lands contain valley lands and slopes. A *Geotechnical Investigation* report (EXP Services) was previously submitted as part of the Phase 1 approvals which generally set out limits of development. These limits are not proposed to be amended in this current application. The previously submitted *Functional Servicing Report* (CJDL Engineering) sets out how the lands are to be serviced with full municipal services. An update report has also been provided. As such, the subject lands are suitable for the proposed land uses.

(e) *the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

- New public roads for this second phase of the Kemsley Farm development consist of two 20m wide roads; Street 'D' which provides access to Southdale Line; and, Street 'C', a double-loaded residential cul-de-sac street that connects to Street 'D' and terminates at Snowy Owl Trail. The portion of Street 'D' that connects with Southdale Line is wider than a typical local road at approximately 25.6m due to it being part of a former residential lot.

The previously submitted *Traffic Impact Study*, prepared by Paradigm Transportation Solutions Limited, advised that road improvements to Southdale Road would be required to facilitate the increased traffic expected from the proposed development. Those improvements have recently been implemented on Southdale Line, west of Sunset Drive.

(f) *the dimensions and shapes of the proposed lots;*

- The proposed lot layout is consistent contemporary lot shapes and layouts and is appropriate for the development of the lands.

(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;*

- Due to the proximity of the Port Stanley Terminal Railway (PSTR), a noise study prepared by HGC consulting recommends that all dwellings within 300m of the railway are to have a warning clause placed on title to warn of the presence of noise associated with the railway corridor.

(h) *conservation of natural resources and flood control;*

- Filling and removal of vegetation to facilitate at the Street 'D' road connection with Southdale Line is required. Details on justification for these removals, and associated Official Plan Amendment, are provided in Section 6.1 of this report.

Minor filling of an erosion finger on Lot 17 is proposed, within lands currently zoned R1-81.

The *Preliminary Stormwater Management Report* has been prepared for the entire subdivision which provides a stormwater management strategy designed to preserve groundwater characteristics, protect water quality, and ensure that there will not be any increase in flooding potential. The report provides that the Kemsley Farm / Eagle Ridge development will provide a two-pond stormwater system with an upper (wet) pond for water quality control and a lower (dry) pond for quantity control.

An addendum report on servicing is provided with the complete application package, providing an update to the original report.

(i) *the adequacy of utilities and municipal services;*

- It has been determined through the *Functional Servicing Report* that sufficient sanitary and water capacity exists to adequately service full build out of the Kemsley Farm / Eagle Ridge lands. See the *Functional Servicing Report* and addendum for additional details.

(j) *the adequacy of school sites;*

- It is understood that school sites are adequate in the area.

(k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

- In addition to the new public roads and reserve blocks, it is anticipated that Block 67, a walkway block, will be conveyed to the Municipality of Central Elgin.

(l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

- Energy saving construction materials will be utilized where possible in the construction process.

(m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4).*

- Single-detached dwellings are not subject to site plan control, as per the Municipality of Central Elgin Site Plan Control By-Law 32.

5.2 2020 PROVINCIAL POLICY STATEMENT (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications, including Official Plan Amendments, Zoning By-Law Amendments, and Draft Plan of Subdivision applications, are required to be consistent with these policies.

The proposed applications are consistent with the PPS for the following reasons:

- The proposed residential subdivision provides a contemporary lot layout and lot sizes that make efficient and appropriate use of the subject lands (*Sections 1.1.1.a), 1.1.1.e) 1.1.3.2.a)*);

- Although the residential uses proposed in this phase of the development are entirely single detached dwellings, the market demands of the St. Thomas area, and locational qualities of the subject lands, are such that a broader range of land uses (i.e. medium density residential, commercial, or institutional) may not be appropriate at this location. (Section 1.1.1.b) 1.4.3.b));
- The subject lands are within a settlement area; abut existing low-density residential development; and are the next logical development phase of the Eagle Ridge subdivision (Sections 1.1.3.1, 1.1.3.6);
- Public open space and recreational trails are provided in the form of a new neighbourhood park adjacent to the proposed SWM facility, and a 3.0m wide multi-use trail, which were previously identified through the Phase 1 approval (Section 1.5);
- As discussed in the accompanying ‘*Functional Servicing Report*’, ‘*Geotechnical Investigation and Slope Assessment*’, and ‘*Tree Assessment and Protection*’ reports, the proposed development is appropriate (Sections 1.1.1.g), 1.1.3.2.a.2, 2.1);
- Active transit is supported by providing pedestrian and cycling linkages, and by placing residential development proximate to a cycling transportation corridor (Sunset Drive) (Section 1.1.3.2.e); and,
- The portions of vegetated area proposed to be removed is supported by the ‘*Tree Assessment and Protection*’ report, and more specifically that “*no negative nor adverse, unalterable impacts on the natural heritage features of the subject land and its surrounding landscape will occur*” through the proposed development, adhering to the recommendations of the report (Section 2.1).

5.3 COUNTY OF ELGIN OFFICIAL PLAN

The subject lands are designated Tier 1 Settlement Area as per Schedule ‘A’ – Land Use in the County of Elgin Official Plan, which contemplates the proposed residential subdivision. **Section B2.6** provides policies regarding new development in existing settlement areas, in that new development shall be a logical extension to the existing built-up area; be compact and minimize land consumption; and, that adequate services are provided. Policies regarding settlement areas are found in **Section C.1**, which generally provides that residential areas should maximize the use of infrastructure and minimize the amount of land for new development, and ensure compatibility between land uses. The proposed development satisfies these policies by being contiguous with existing low density residential development to the north and upcoming Phase 1 lots to the east, making efficient and appropriate use of existing and new infrastructure, and providing appropriately sized contemporary residential lots.

Section D1.3 provides policies for environmentally significant lands. This section provides that, on lands within 120m of significant woodlots or valley lands, no development will be permitted unless the ecological function of the lands has been evaluated and it has been demonstrated that, through an Environmental Impact Study (EIS), that there will be no negative impact on the natural features and their ecological functions. An EIS was previously submitted and accepted for the Phase 1 approvals, which effectively set out the limits of development as identified by the limits of the existing hR1-81 zone.

Of note, the lands proposed for residential uses are outside of the “*Woodlands*” designation as per *Appendix #1 – Natural Heritage Features and Areas* in the County Official Plan, and therefore no amendment to the County Official Plan is required.

Portions of the subject lands abut natural hazard lands, and are subject to the policies of **Section D3**, which provides that development shall be directed to lands outside of the erosion hazard limit. The *Geotechnical Investigation and Slope Assessment* previously provided in Phase 1 has been accepted and identified the appropriate development limits.

As the County of Elgin is the approval authority for Draft Plan of Subdivision applications within the Municipality of Central Elgin, the Elgin County Official Plan contains policies in **Section E1.2** to be applied to new development. Subdivision review criteria include appropriate infrastructure, conformity with the County and local Official Plan, any effects on adjacent land uses including environmental features, and integration with adjacent development. Geotechnical, servicing, and traffic reports prepared as part of the Phase 1 approvals, which remain valid, address the policies of **Section E1.2**, and are elaborated further in Section 2.3 of this report. The previously submitted EIS and accompanying ‘*Tree Assessment and Protection*’ report address the policies of Section E1.2.

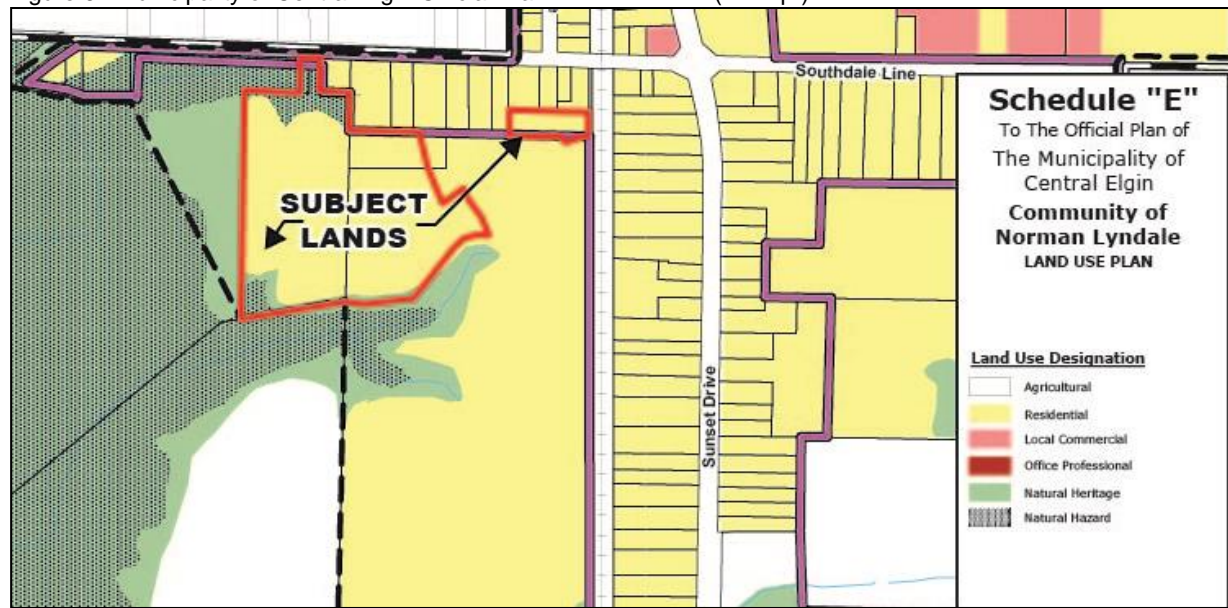
This phase of the subdivision is to be accessed via Southdale Line (which intersects with Sunset Drive, a County arterial road), and Snow Owl Trail, a local road. A Traffic Impact Study was previously prepared for the subdivision and the recommended improvements to Southdale Line have been completed, addressing **Section E5.3** of the Official Plan.

Based on the above analysis, the proposed local Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision comply with the policies of the Elgin County Official Plan.

5.4 MUNICIPALITY OF CENTRAL ELGIN OFFICIAL PLAN

The subject lands are within the Norman-Lyndale Urban Settlement Area and are designated “Residential”, “Natural Heritage”, and “Natural Hazard” on Schedule E of the Municipality of Central Elgin Official Plan (Figure 6).

Figure 6: Municipality of Central Elgin Official Plan – Schedule ‘E’ (excerpt)



According to **Section 4.2** of the Official Plan, the “Residential” land use designation permits a variety of residential land uses including single detached dwellings, duplexes, and semi-detached dwellings, as well as ancillary uses such as schools and parks. The Official Plan further defines *Low Density Residential* uses as being less than 22 units per net hectare.

The “Natural Heritage” land use designation recognizes, and is intended to protect, biological features of provincial, county, and local significance. Development is generally directed away from natural heritage areas.

The “Natural Hazard” land use designation recognizes lands that pose a hazard to development, such as steep slopes, erosion prone areas, flood-prone areas, and other natural hazards. Generally, development, except for certain types of infrastructure, is not permitted within “Natural Hazard” lands. In the case of the subject lands, the “Natural Hazard” designation recognizes slope stability issues around the subject lands related to erosion.

Along with the ‘Residential’ land use designation policies found in **Section 4.2** of the Official Plan, the proposed Zoning By-Law Amendment and Draft Plan of Subdivisions are subject to additional policies in the Official Plan.

The proposed residential development is to be serviced by full municipal services, in accordance with **Section 2.8** of the Official Plan. Approvals for Phase 1 of the subdivision set the basis for future connections on subsequent subdivision phases.

Section 3.1.2 provides that development may not be permitted within 120m of natural heritage features unless it can be demonstrated that there will be no negative impacts on the natural features and/or functions for which the area is designated. The previously submitted EIS addressed natural heritage matters for the previous approvals process in accordance with the policies of **Section 3.4**.

Section 3.2 provides policies for lands subject to natural hazards. As portions of the subject lands are designated '*Natural Hazard*', the Official Plan requires that the site-specific limits of natural hazards be determined through relevant studies. These development limits were previously identified in Phase 1, specifically in the *Geotechnical Investigation and Slope Assessment* document. Importantly, the development limit and the associated implementing zoning have already been applied to the proposed Street 'D' connection to Southdale Line; the Official Plan designation was not addressed at the time.

The proposal to amend the "*Natural Heritage*" and "*Natural Hazard*" designations applicable to the northerly portion of the subject lands is supported by the previously submitted geotechnical report, EIS, and the *Tree Assessment and Protection* prepared by Vroom + Leonard. The *Tree Assessment and Protection* report details the vegetation in the lands proposed to be re-designated, and provides that it is a botanically poor-quality area with many non-native species. The report goes on to conclude that that "*no negative nor adverse, unalterable impacts on the natural heritage features of the subject land and its surrounding landscape will occur*" through the proposed development, provided that site works adhere to the recommendations of the report.

The "*Natural Hazard*" overlay in the northerly portion of the lands relates to a washout ravine. The previously submitted geotechnical report by EXP is supportive of filling such washout areas. In this instance, a fill depth of approximately 5-6m is required for Street 'D' at Southdale Line. Such filling will provide stable slopes in the area and, importantly, facilitate a second road access to the subdivision from Southdale Line.

The "*Natural Heritage*" designation on a portion of Lots 9-12 and 16-18, is also proposed to be amended to the "*Residential*" designation. Such re-designation is supported by the aforementioned reports. Importantly, these lands were previously zoned *R1-89*, as part of the Phase 1 approvals process. Therefore, the re-designation of these lands is appropriate.

Section 2.10.3.1 provides policies to evaluate the design of development applications in Central Elgin. Generally, subdivisions will be reviewed to ensure that new development is designed to:

- Remain in keeping with the traditional character of the Settlement Areas in a manner that both preserves their traditional community image and enhances their sense of place within Central Elgin;
- Promote cost effective and efficient land use patterns;
- Promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
- Be respectful of traditional street patterns and neighbourhood structure.

The proposed Eagle Ridge Phase 2 subdivision addresses the above noted policies by being a logical extension and road pattern to Phase 1, which is itself, in essence, an extension of the Shaw Valley subdivision to the north. The existing character of Norman-Lyndale, adjacent to the subject lands to the north, east, and south, is that of large residential lots developed on private individual services with predominantly mid-century housing styles. The proposed development consists of smaller, more contemporary lot sizes with smaller yard setbacks and fully urbanized street cross-sections. This relationship of lot sizes will not have an impact on the existing character of Norman-Lyndale.

Section 2.13 provides policies for healthy communities, which were addressed as part of the Phase 1 approvals, which set out the future park, stormwater management facility, and trails in the broader subdivision.

Section 2.4.4.1 requires that an archaeological assessment be required for proposed development on lands within an area of archaeological potential. A Stage 1-2 Archaeological Assessment, prepared by Amec Foster Wheeler Environmental and Infrastructure, was provided at the Phase 1 approvals.

The easterly, separate portion of the subject lands is within 300m of the Port Stanley Terminal Railway (PSTR). The previously submitted Noise Feasibility Study (HGC Engineering) recommends that a brick exterior and that all lots within 300m of the railway have a noise warning clause registered on title.

Policies regarding Plans of Subdivision are provided in **Section 5.3.8.1**, which generally provide that proposed Plans must conform to the policies of the Official Plan and the provisions of the Planning Act; must not be premature; must be appropriately serviced; that natural heritage features will be protected; and that development agreements be entered into with the Municipality. As discussed in this report, the proposed residential subdivision conforms to the policies of both applicable Official Plans, with the Central Elgin Official Plan as proposed to be amended, and the Planning Act; is not premature; will be appropriately serviced; natural areas will be protected in accordance with the findings of the supporting reports; and appropriate

development agreements will be entered into with the Municipality of Central Elgin and the County of Elgin.

The community of Norman-Lyndale is provided specific land use policies in **Section 4.6.4.1** of the Official Plan. Subsection *d)* provides that development on the subject lands will not be permitted until full municipal services are available (including a Servicing Study, financial strategy, and potentially an Environmental Assessment); a subwatershed study has been completed (Dillon Consulting, 1993); and a Traffic Impact Study has been completed to the satisfaction of the Municipality. These items have all been satisfied by the materials submitted with this application and previously submitted through the Phase 1 approvals.

The proposed development provides for contemporary sized, freehold single detached dwelling lots within an appropriately designed street layout and infrastructure plan. The policies of the Municipality of Central Elgin Official Plan permit residential development within the '*Residential*' land use.

The proposed Official Plan Amendment to re-designate the northerly portions of the subject lands from the "*Natural Heritage*" and "*Natural Hazard*" designation to the "*Residential*" designation is appropriate given the limited area involved and the findings of the supporting documents. Importantly, the broader function of the natural heritage area proximate to the subject lands is not anticipated to be affected by the proposed development.

Given the above, the proposed applications are consistent with the purpose and intent of the Central Elgin Official Plan and are appropriate for the development of the subject lands.

5.5 TOWNSHIP OF YARMOUTH ZONING BY-LAW

The majority of the subject lands are currently zoned "*Residential 1 (R1-81) Zone*", with some portions within the "*Open Space (OS2-90) Zone*" and "*Open Space (OS2) Zone*".

As noted in Section 4.2 of this report, two areas are proposed to be re-zoned to the "*Residential 1 (R1-81) Zone*".

The development limit of the subject lands has been refined to reflect accurate slope stability reports and a more regularized rear yard limit for Lots 1, 2 and 3. Figure 7, below, provides a detail of this small zoning adjustment. Therefore, it is proposed that this area be re-zoned from the "*Open Space 2 Zone (OS2-90)*" to the "*Residential Zone 1 (R1-81)*".

Figure 7: ZBA diagram (excerpt)



The zoning amendment shown in Figure 7 is reflective of a more regular lotting pattern and is supported by EXP's geotechnical report. These lands are within the "Residential" land use designation and are appropriate to be used as a small portion of the rear yards of Lots 1, 2 and 3.

At the time of the Phase 1 approvals process, the easterly portion of the subject lands, being lands on the north side of White Tail Path, were not included in the subdivision as they comprised the rear lots of the dwellings fronting on to Southdale Road. Not all of these lands were part of Doug Tarry Limited's ownership, and therefore were not included. Since that time, these lands have been acquired and are now proposed for single detached lots, consistent with the rest of the subdivision. As these lands were not previously re-zoned, they are now proposed to be re-zoned from the "Open Space 2 Zone (OS2)" to the "Residential Zone 1 (R1-81)", consistent with the rest of the neighbourhood residential designation and zoning (Figure 8).

Figure 8: ZBA diagram (excerpt)



The two areas proposed to be re-zoned are minor changes to the overall area zoned *R1-89* in the Eagle Ridge subdivision. There are no unique, site-specific zoning regulations proposed for either area, and the proposed zones are consistent with the remainder of the neighbourhood.

Given the supporting documentation and nature of the proposed zone changes, the proposed Zoning By-Law Amendments are appropriate for the subject lands.

6.0 ADDITIONAL CONSIDERATIONS

6.1 ENVIRONMENTAL IMPACT STUDY AND ADDENDUM

An *Environmental Impact Study* was previously submitted in support of the Phase 1 approvals, which resulted in the application of the *R1-81* zone to the vast majority of the subject lands, including the proposed road access to Southdale Line. A *Tree Assessment and Protection* ("TAP") report has been prepared by Vroom + Leonard providing additional details and recommendations specific to this phase of the subdivision.

In addition to specific tree removals and protection recommendations, the TAP provides that the following in regards to the vegetation proposed to be removed to facilitate the Street 'D' connection to Southdale Line:

"The ravine is dominated by Black Walnut trees (Juglans nigra). These are regenerants from the cultural plantation to the west and north. The trees are in fair to poor health exhibiting cankers, forked canopies, signs of internal rot, and deformed crowns. Due to these conditions, there is limited marketable timber."

Again, the northern ravine is botanically poor quality. The understorey is dominated by nonnative species, and the ground layer contains a mix of native and non-native species. From the 2017 EIS life science inventories, these areas contain common species with no species at risk, nor rare species."

The report goes on to conclude that:

"no negative nor adverse, unalterable impacts on the natural heritage features of the subject land and its surrounding landscape will occur as long as the best management practices outlined in Section 4 [of the report] are implemented during the construction."

The report provides an evaluative basis for considering the re-designation of portions of the subject lands from "Natural Heritage" to "Residential". Based on the findings of the TAP, and the previously approved R1-89 zone that already applies to the lands proposed to be re-designated, the proposed Official Plan Amendment is appropriate.

6.2 FUNCTIONAL SERVICING REPORT

A *Functional Servicing Report*, prepared by CJDLC Consulting Engineers, was submitted as part of the initial Phase 1 approvals to examine the existing conditions of the site and provide a conceptual servicing solution for roads, water sanitary services, and stormwater management. Major infrastructure works, included the extension of water mains to the Phase 1 lands, were recently completed. Servicing for the subject lands will extend in from the Phase 1 lands.

An addendum letter has been submitted with this application confirming the proposed servicing solution.

6.3 NOISE

As part of the Phase 1 approvals, a *Noise Feasibility Study* was prepared by HGC Engineering to examine the potential impacts of development proximate to the PSTR corridor adjacent to the east of the subject lands. In addition to recommendations for dwellings abutting the railway corridor (which are not part of this phase of the subdivision) the report recommends that all dwellings within 300m of the railway have a warning clause placed on title to warn of the presence of noise associated with the railway corridor.

6.4 KETTLE CREEK CONSERVATION AUTHORITY GUIDELINES

Portions of the subject lands lie within the KCCA's regulated area and are subject to KCCA's land use policies and regulations. Development within KCCA's regulated lands will require approval and appropriate permits from KCCA.

7.0 CONCLUSIONS

The proposed Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision are consistent with contemporary low-density residential subdivision design, and are a planned use for the subject lands. No land use conflicts are anticipated by the proposed development. The proposed lot and road layout is compatible with existing uses, and future development of subsequent phases for low-density residential uses. A number of supporting documents have been provided for this phase, including a *Tree Assessment and Protection* report. Based on the conclusions of these reports, the proposed Official Plan Amendment and Zoning By-Law Amendment are appropriate for the development of the subject lands.

The proposed development is consistent with the policies of the Provincial Policy Statement, the County of Elgin Official Plan, and the Municipality of Central Elgin Official Plan; is appropriate and desirable for the subject lands; and represents good land use planning practice.