



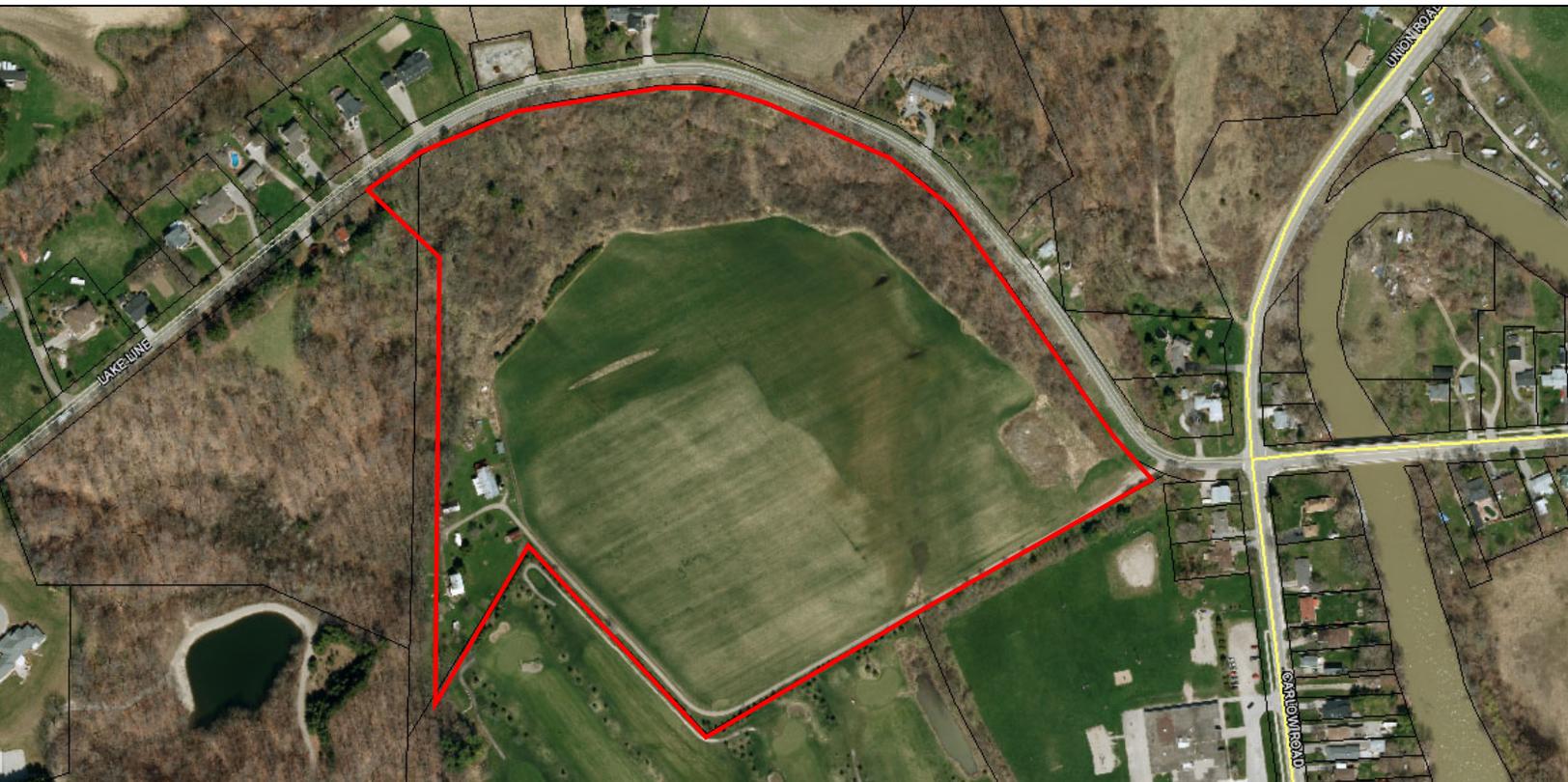
## PLANNING JUSTIFICATION REPORT (Revised)

37719 LAKE LINE, PORT STANLEY  
MUNICIPALITY OF CENTRAL ELGIN

### PROPOSED ZONING BYLAW AMENDMENT and DRAFT PLAN OF SUBDIVISION

Prepared by:  
**Strik, Baldinelli, Moniz Ltd.**  
301, 1599 Adelaide Street North  
London, ON  
SBM-18-0530

Prepared for:  
**Strathroy Turf Farms**  
6297 Olde Drive  
Appin, ON  
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## 1 INTRODUCTION

This report presents a land use planning analysis and rationale to support the application for a Zoning By-law Amendment and Draft Plan of Subdivision for the lands at 37719 Lake Line, Port Stanley, Ontario (the “Subject Lands”), as illustrated in Figure 1. The purpose of the Draft Plan of Subdivision and Zoning By-Law Amendment is to permit the development of the Subject Lands for low-density residential uses, new public roads, new walkways, servicing infrastructure, and protection of natural heritage features.

This report demonstrates that the proposed development is in keeping with Provincial, County and Municipal land use planning policies, are suitable for the Subject Lands, and would be compatible with neighbouring land uses.

This report has been prepared as part of a “complete” application and is reflective of discussions with County and Municipal staff over several years.

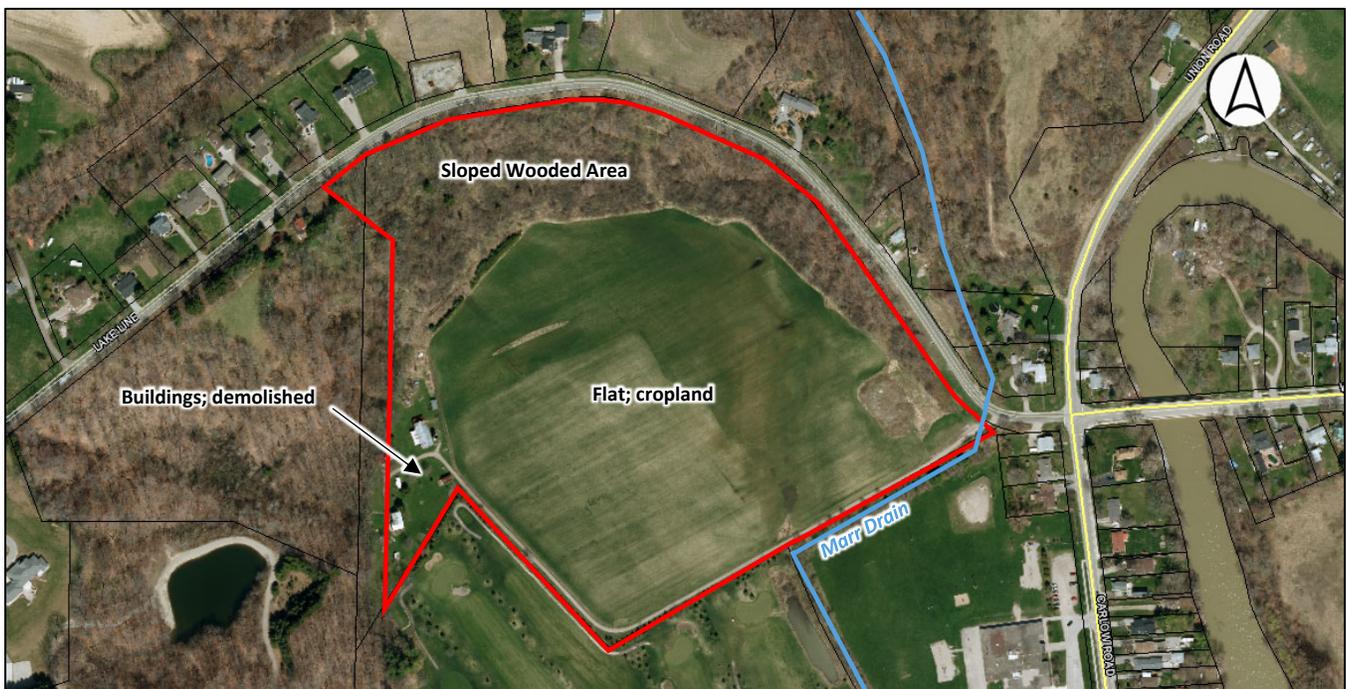


Figure 1. Aerial view of Subject Lands at 37719 Lake Line.

## 2 SITE DESCRIPTION

The proposed Subject Lands are municipally addressed as 37719 Lake Line and generally located in the northwest quadrant of the Port Stanley settlement area. The parcel is 12.83 ha in area and comprised of agricultural land and sloped vegetated area along the peripheral north and west property limits (Figure 2). The Subject Lands previously had a residence, agricultural buildings, and silo located near the west boundary limit of the property, all of which have since been removed.



Figure 2. Surrounding Area Context

### **3 SURROUNDING LAND USES**

The Subject Lands are surrounded by a mix of uses including single detached residential, agricultural, opens space and recreational, and institutional land uses (Figure 2). Surrounding land uses are illustrated in Figure 1 and Figure 2.

To the north, Lake Line Road is adjacent to the north and east property limits with single detached dwellings on large lots across the road. Kettle Creek Golf and Country Club and a Public elementary school are located to the south. A portion of Marr Drain is located adjacent to the southeast boundary limits. Adjacent to the west property limit are wooded areas and closed portions of River Road R.O.W.

Approximately 50 metre east of the site is Carlow/Union Road, which is a 2-lane north-south road with a sidewalk on one side. The Kettle Creek (elementary) Public School, Port Stanley Arena and Community Centre are a short walking distance south of the Subject Lands.

### **4 DEVELOPMENT PROPOSAL**

#### **4.1 PROPOSED DRAFT PLAN OF SUBDIVISION**

The Subject Lands are proposed to be developed for low-rise residential uses, parkland (open space), and associated infrastructure uses including stormwater management, roads, and sidewalks. This development proposes 70 single-detached residential lots, 9 semi-detached lots (18 dwellings), two (2) multi-unit (townhouse) lots, several blocks for open space/utilities, and two (2) new public roads – Street ‘A’ and Street ‘B’ (Figure 3). The development is accessed via Street ‘A’ that intersects with Lake Line, approximately 50 metre west of County Road 20 (Carlow Road).

Generally, the proposed lot frontages of the proposed development reflect contemporary building envelopes for both single and semi-detached and townhouse lots, allowing for various building frontages. Lot depths vary in length, generally between 38 and 40 metres, with exceptional lots that are both longer and shorter due to road configuration and open space boundary limits. Overall, a variety of lot areas and configurations provide for multiple housing types and size.

The proposed subdivision provides a new public road connection to Lake Line (Street ‘A’), approximately 50 metre west of Carlow Road. Street ‘B’ intersects with Street ‘A’ in the southwest portion of the plan, creating a crescent. All streets are proposed to be a standard 20 metre right-of-way (ROW) cross-section, per municipal standards.

Blocks 84-86 transect the site from north to south, are 5 metres in width, and allow utilities to adequately service the proposed development. Block 95 to the south provides a stormwater management facility that would connect with the existing branches of the Marr Drain.

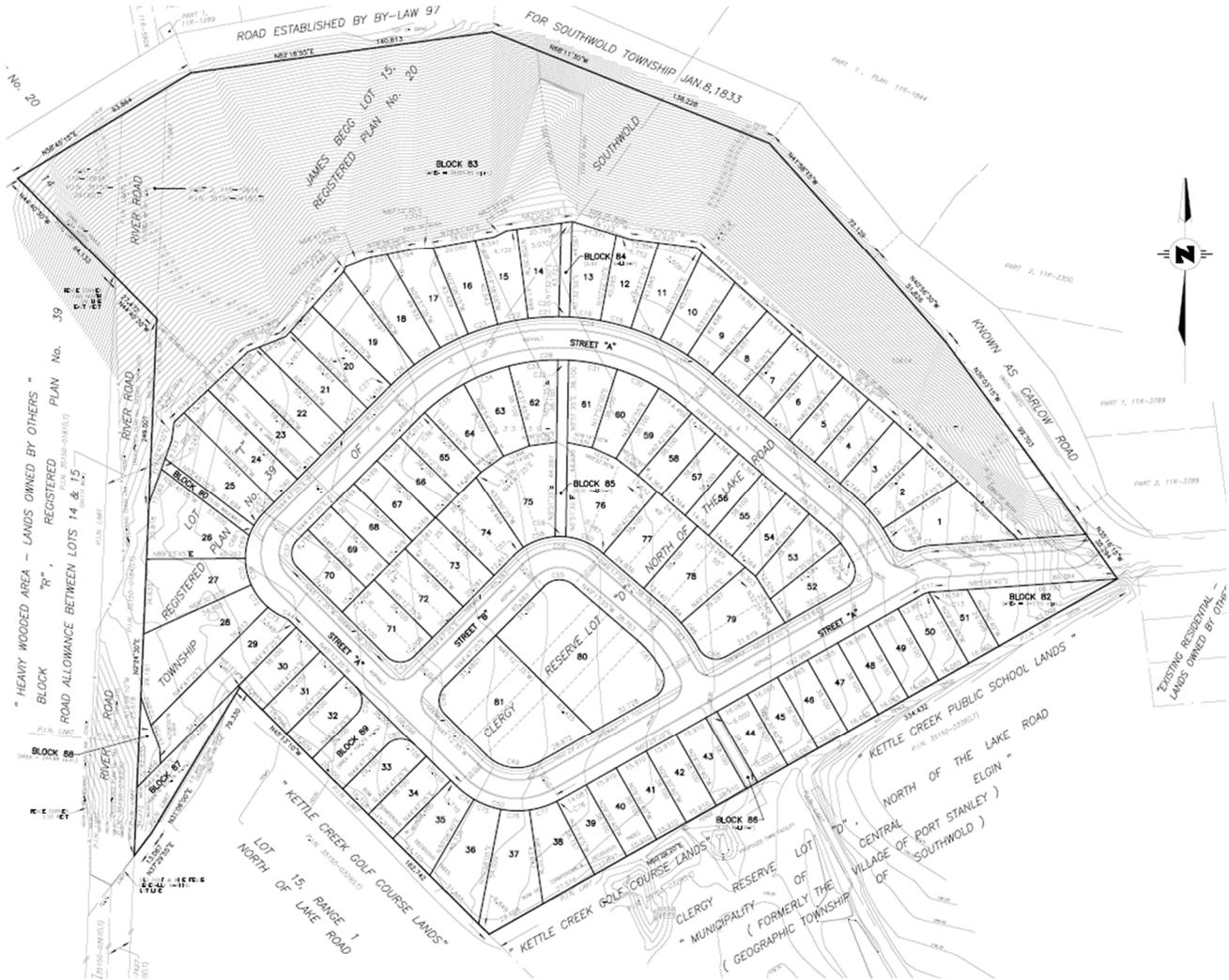


Figure 3. Proposed Draft Plan of Subdivision

Table 1. Land Use Schedule

| Lot/Block               | Land Use                    | Area (ha)    |
|-------------------------|-----------------------------|--------------|
| Lots 1-70               | Single Detached Residential | 4.44         |
| Lots 71-79              | Semi-detached Residential   | 1.42         |
| Lots 80 & 81            | Townhouses                  | 0.53         |
| Blocks 82, 83, 87 & 88  | Open Space / Remnant        | 4.14         |
| Blocks 84, 85, 86, & 90 | Utilities / Walkways        | 0.12         |
| Block 89                | Future Road Connection      | 0.08         |
| Public Road ROW         | Streets "A" and "B"         | 2.03         |
| <b>Total</b>            |                             | <b>12.83</b> |

### 4.2 PROPOSED ZONING BY-LAW AMENDMENT (ZBA)

The wooded slope area to the north is presently zoned OS2-30 and the only permitted uses are for conservation purposes and drainage control – no change is proposed for this area. The remainder of the Subject lands, north of the Kettle Creek Golf Course, are zoned OS2-29, which permits campground uses.

To permit the proposed residential Draft Plan of Subdivision, an amendment to the Zoning By-Law is required. It is proposed that portion of the Subject Lands be rezoned from OS2-29 to Residential (R1) Zone and Residential (R1-\*\*) Zone with Special Provisions, as illustrated in Figure 4.



Figure 4. Proposed Zoning Bylaw Amendment

### 4.3 PROPOSED ZONING BYLAW AMENDMENT APPLICATION:

The specific zoning amendment is as follows:

- From “Open Space Zone 2 (OS2-29) Zone” to “Residential (R1) Zone 1”
- From “Open Space Zone 2 (OS2-29) Zone” to “Residential (R1-\*\*) Zone 1 with Site Specific Provisions”

The proposed zone change would permit low density single detached, semi-detached and townhouse residential uses on the developable portions of the Subject Lands. The limit of the proposed R1 Zone and R1-\*\* Zone are to coincide with the lot/block limits set out in the Draft Plan of Subdivision (Figure 4).

### 4.4 DRAFT SITE SPECIFIC PROVISIONS FOR RESIDENTIAL (R1-\*\*) ZONE 1:

1. Defined Area: R1-\*\*, as shown on Zoning Map
2. Additional Permitted Uses:
  - 2.1. Townhouse dwelling
  - 2.2. Accessory buildings and structures.
3. Dwelling Units per Building (max.): 5
4. Front Yard (min.): 7 metres
5. Side Yard (min.): 1.8 metres
6. Lot Coverage (max.): 40%
7. Frontage (min.): 30 metres
8. Exceptions: The provisions of subsections 9.2.1.1(b), 9.2.1.2, 9.2.1.4, 9.2.1.6(a), 9.2.1.7.1(b), and 9.2.1.7.2 shall not apply to the area defined in subsection.

## **5 PLANNING POLICY FRAMEWORK AND ANALYSIS**

The proposal is subject to the Elgin County Official Plan, the Central Elgin Official Plan and Zoning By-law, as well as the Provincial Policy Statement (PPS) which provides direction to all municipalities for land use planning in Ontario. Relevant policies from these documents that create the planning policy and implementation framework to evaluate the proposal are provided below.

### **5.1 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”* to ensure efficient, cost-efficient development and the protection of resources. The proposed development is consistent with the PPS and more specifically supports the following applicable policies:

- The proposed subdivision would create a new community with appropriate residential lot sizes that are located within the settlement boundary and efficiently use land / resources and avoid the need for their unjustified and/or uneconomical expansion (Sections 1.1.1.a, 1.1.3.1, and 1.1.3.2a).
- The proposed subdivision would create single and semi-detached dwellings that are appropriate for the Port Stanley market and the characteristics of the Subject Lands, with consideration to location, character, available infrastructure, and surrounding amenities (Sections 1.1.3.6 and 1.4.3.c);
- The proposed subdivision would create two new public streets with sidewalks, connected by mid-block walkways that serve to provide convenience and promote walkability (Policy 1.5.1.a-b).
- Development of the Subject Lands would facilitate the efficient extension of municipal infrastructure and services to support protection of the property and minimize potential risks to health and safety (Policies 1.6.1 and 1.6.4).
- The development considers the sloped lands to the north, providing adequate setbacks to ensure a stable slope, enables access, and reduces potential impacts to the existing habitat (Section 1.5.1.c-d)
- The use of municipal infrastructure and services (sewage, water, and stormwater) are being optimized through the appropriate extensions of public rights-of-way (Section and 1.6.6.1-2 and 1.6.6.7)

Based on the above, it is in the opinion of the writer that the proposed development is consistent with the policies of the 2020 Provincial Policy Statement.

### **5.2 COUNTY OF ELGIN OFFICIAL PLAN**

The County of Elgin is the upper-tier level of government for the Municipality of Central Elgin. The County Official Plan (OP) has three primary land use designations: Agricultural Areas, Settlement Areas (Tier 1-

3), and Wetlands. The hamlet of Port Stanley is designated as a Tier 1 Settlement Area – the vision for this area is identified in the Goals section, as noted below:

### **A3 Goals**

*2. To direct most forms of development to urban areas where full services are available and to support the efficient use of land and infrastructure to meet the needs of present and future residents and businesses.*

*3. To protect and enhance the character of existing settlement areas, and to maintain them as diverse, livable, safe, thriving and attractive communities.*

*5. To ensure that an adequate supply of land and housing choices are available for present and future residents.*

**RESPONSE: The proposed residential development is located within the Port Stanley settlement area, can offer municipal services in a logical and cost-effective manner, would contribute to the housing supply, and therefore contribute to achieving the abovementioned goals.**

#### **C.1.1.1. Residential Areas**

*It is the objective of this Plan to:*

- a) maintain and enhance the character and identity of existing residential areas;*
- b) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing;*
- c) promote the efficient use of existing and planned infrastructure by supporting opportunities for various forms of residential intensification, where appropriate;*
- d) encourage increases in density in new development areas to maximize the use of infrastructure and minimize the amount of land required for new development;*
- e) ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small-scale commercial uses and recreational open space areas;*
- f) require a high standard of urban design for development and redevelopment; and,*
- g) encourage local municipalities to establish comprehensive design guidelines and policies to foster the establishment of communities that are safe, functional and attractive*

**RESPONSE:** The proposed residential development would contribute to the above objectives by:

- reflecting the scale, density and character of existing residential areas and is therefore compatible with the surrounding land uses;
- offering single and semi-detached housing types and increasing the housing supply, aiding to meet market demand over the long-term planning horizon;
- providing an efficient use of land and infrastructure by extending municipal infrastructure to round-out the community within the settlement area boundary;
- providing a residential density that is consistent with the surrounding communities and compatible with and contributes to the sense of community;
- offering new housing that is located near existing community facilities, schools, and recreational open space areas that improves the public investment and viability of these community facilities; and
- being designed using best practices and contemporary standards for new residential development to ensure safe and sustainable development.

#### **C.1.3.1 Housing Policies – Goals**

*It is the goal of this Plan to meet the County's current and future housing needs by:*

*a) monitoring and ensuring that there is a 20 year supply of land for residential development with sufficient water and wastewater capacity;*

*b) ensuring the provision of an appropriate range of housing types and densities to meet the needs of current and future residents;*

**RESPONSE:** The proposed residential development would contribute to the above goals by contributing to fulfilling the 20 year supply of housing for growth in Port Stanley and providing the appropriate range of housing types for the Port Stanley market and available/planned amenities and services.

#### **E1.2.3.5 Subdivision Development Policies**

*Prior to the consideration of an application for Plan of Subdivision, County Council shall be satisfied that:*

- a) the approval of the development is not premature and is in the public interest;*
- b) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities;*
- c) the density of the development is appropriate for the area;*
- d) the application, if approved, conforms to this Plan and the lower-tier Official Plan;*
- e) the subdivision, when developed, will be appropriately integrated with other development in the area; and,*
- f) the proposal has regard to Section 51 (24) of the Planning Act, as amended.*

**RESPONSE:** In my opinion, this subdivision application warrants consideration and approval because the proposed subdivision is:

- **located within the settlement area and designated Residential in the local Official Plan;**
- **provides additional residential lands for housing;**
- **offers appropriate single and semi-detached housing types that are compatible with the area;**
- **capable of being serviced in an efficient manner; and**
- **is in the public interest and is not premature.**

### **F3 Local Official Plans**

*.... Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan. In addition, it is not the intention of this Plan to prevent the development of areas designated for non-agricultural development in local Official Plans, as of the date of passing of this Plan.*

**RESPONSE:** The last sentence supports the local municipality to consider detailed development on the designated Residential lands and independently plan for lands that are not prime agricultural lands.

In the opinion of the writer, the proposed residential development would conform to the County of Elgin Official Plan.

### 5.3 CENTRAL ELGIN OFFICIAL PLAN

The Central Elgin Official Plan (OP) identifies the Subject Lands as being located within the Port Stanley Urban Settlement Area per Schedule “1” – Land Use Structure and primarily designated “Residential” with the northern periphery coinciding with the sloped wooded area as “Natural Heritage” and “Natural Hazard”, per Schedule “G” – Land Use (Figure 5).

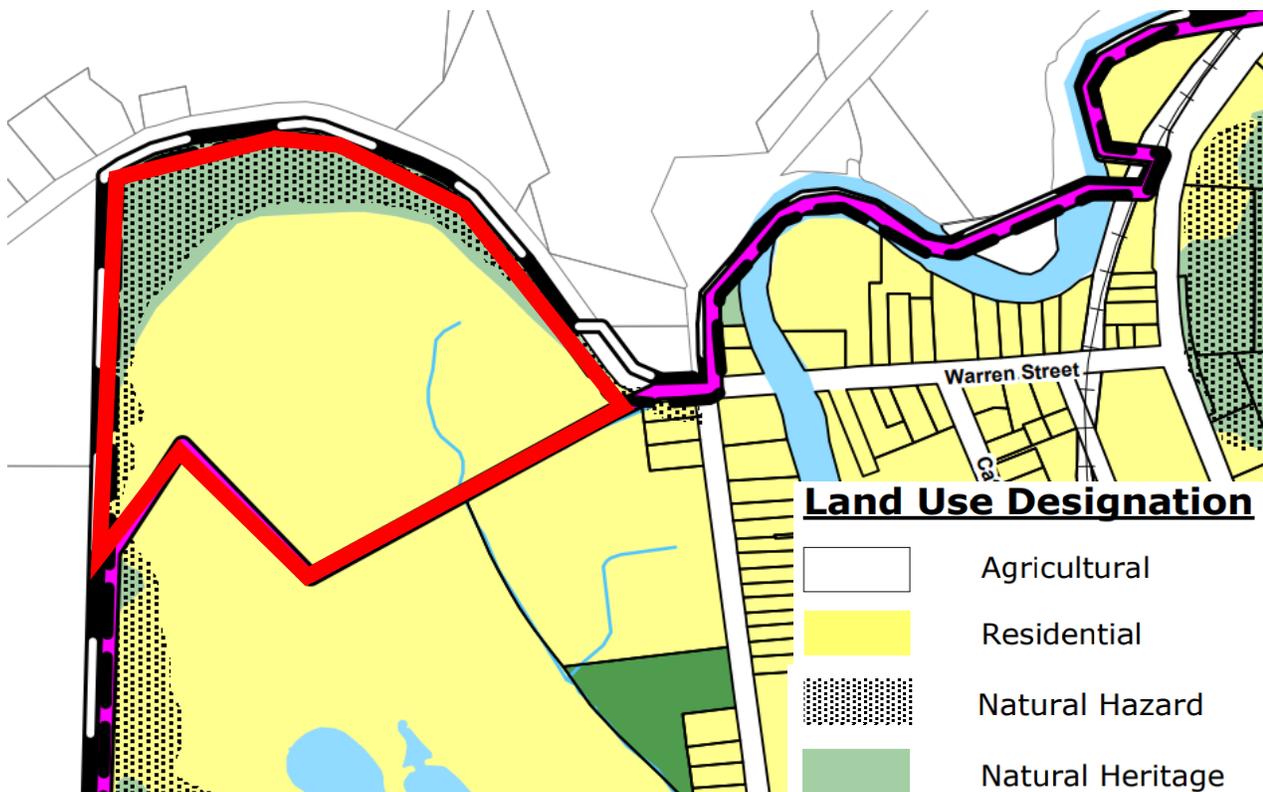


Figure 5. Central Elgin Official Plan – Schedule “G” – Land Use Plan

Section 2.1.1.1 of the Plan states that Settlement Areas will be the focus of urban growth in Central Elgin, which is consistent with the intent of this proposed subdivision development. The proposed development conforms with the Central Elgin Official Plan and is supported by the following applicable policies:

#### 2.3.1. Housing Policies

*a) Central Elgin shall maintain at all times the ability to accommodate residential growth for a minimum ten years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.*

*b) Central Elgin shall maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units*

*available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

**RESPONSE:** The Subject Lands are located within the settlement area boundary and adjacent to the built up area of Port Stanley, which is a logical extension of municipal services contributing to the supply and availability of residential lands and growth.

#### **2.8.1.1.1 Full Municipal Services**

*a) All development in the Urban Settlement Areas shall be fully serviced by municipal piped water supply and sewage disposal systems.*

*c) In Urban Settlement Areas, priority will be given to the orderly development of land which is presently serviced with municipal piped water and sewage disposal systems, or those areas that can most easily be serviced at a minimal expense*

**RESPONSE:** A Functional Servicing Study has been completed for the proposed development to ensure the extension of water and wastewater services can be provided to each of the proposed residential lots.

#### **2.8.4.1 Stormwater Management**

*a) It is the preference of Central Elgin that all stormwater related to new developments will be managed by regional facilities, where feasible. No new development will have a negative impact on the drainage characteristics of adjacent lands. Specific Stormwater Management Policies are contained in Subsection 3.3.2.*

**RESPONSE:** Stormwater is proposed to be controlled using a stormwater management facility in the south of the Subject Lands, which has been designed according to the recommendations of the Functional Servicing Study.

#### **3.1.1 Natural Heritage**

*a) Permitted uses within the Natural Heritage designation include passive open space, walking/biking trails, forest and resource management uses, conservation uses, erosion and flood control, low-intensity public and private recreation uses, existing agricultural uses, necessary public utilities and services, and accessory buildings and structures thereto.*

*c) Central Elgin encourages the preservation, restoration and enhancement of the natural heritage system through public and private initiatives including ecological gifts; planting and naturalization of municipally owned and private lands; terrestrial and aquatic habitat restorations; and the establishment of linkages between features.*

### 3.2.1 Natural Hazards

*c) Within the Natural Hazard designation no buildings, structures or additions thereto shall be permitted, with the exception of buildings or structures required for flood control, erosion control or other conservation purposes, without the approval of the Municipality and the conservation authority having jurisdiction in the area.*

*d) Where development and/or site alteration is proposed on lands adjacent to the Natural Hazard designation, the site specific limits of the natural hazard(s) shall be determined through relevant studies prepared by a qualified professional with recognized expertise in the appropriate principles using accepted methodologies to the satisfaction of the Municipality and the conservation authority having jurisdiction in the area. Those limits shall be interpreted as the correct limits of the Natural Hazard designation and such interpretation shall not require amendment to this Plan.*

*f) Measures taken to address natural hazard conditions within a Natural Heritage designation shall be subject to the Natural Heritage policies as set out in Subsection 3.1 to this Plan. In this regard, the Municipality shall be satisfied that the proposed measures will have no negative impact on the identified features or their ecological functions.*

### 3.2.2 Erosion Hazards Limit

*b) Where new development and/or site alteration is proposed within 30 metres of a Natural Hazard designation shown on the land use schedules:*

*1. The proponent shall complete a geotechnical analysis to determine the Erosion Hazard Limit. The analysis is to be prepared by a qualified professional having recognized expertise in the appropriate principles using accepted methodologies and approved by the Municipality and the Conservation Authority.*

**RESPONSE:** The north periphery of the Subject Lands are comprised of a sloped wooded area, designated as both a Natural Heritage feature and Natural Hazard, per Schedule “G” of the Official Plan. Environmental Impact and Slope Stability Studies have been completed for the proponent and submitted under separate cover. The proposed subdivision of lands would protect the existing natural heritage feature (Block 90) and allow for adequate building setbacks to protect existing habitat as well as private property.

### 4.2.1 Residential Designation

*a) Where land is designated Residential on the Land Use Schedules to this Plan, a range of residential dwelling types and densities shall be permitted, including single detached, semi-detached, duplex dwellings, triplex dwellings, townhouse dwellings and apartment*

*dwellings. Conversion of existing dwellings to increase the number of dwelling units is also permitted.*

#### **4.2.2 Density**

*a) Within the Urban Settlement Areas where full municipal services are provided, a full range of low to high density residential uses shall be permitted in the Residential designation.*

*b) The following residential density classifications shall apply:*

*1. Low density: includes single detached dwellings, semi-detached dwellings, an accessory apartment in a single detached or semi-detached dwelling, duplex dwellings, triplex dwellings and converted single detached dwellings up to a maximum density of 22 units per net hectare (9 units per net acre).*

**RESPONSE: The existing “Residential” designation on the Subject Lands permits a range of dwelling types and densities including single-detached and semi-detached residential dwellings. Ancillary uses such as open space and walkways are also permitted.**

**The “Residential” designation permits Low Density Residential (LDR), which is defined as including single detached, semi-detached, duplex, and triplex dwellings up to a maximum of 22 units per hectare.**

**The proposed subdivision would create lots capable of accommodating 97 residential dwellings ( lots 1 through 81), representing combined area of 6.39 hectares, and a net residential density of approximately 15 units per hectare.**

**Although, townhouses are not specifically listed within the above policies, this built form would be comparable to the form and density as semi-detached or triplex dwellings and would be consistent with the general intent of the Low Density Residential designation.**

#### **5.3.8.1 Plans of Subdivision and Condominium**

*b) Only those plans of subdivision or condominium will be approved which:*

- 1. Conform with the policies and designations of this Plan;*
- 2. Can be provided with adequate services and facilities as set out in this Plan; and*
- 3. Are not premature in nature.*

*c) In evaluating applications for a plan of subdivision or condominium, Central Elgin will consider all matters contained in Section 51 of the Planning Act and additional information specified in this Plan in totality to determine the information required by an applicant to form a complete application for approval of a plan of subdivision or condominium:*

*e) Natural Heritage Features and functions will be protected and preserved in the design of any plan of subdivision or condominium.*

*g) All plans of subdivision will be subject to a subdivision agreement between Central Elgin and the development proponent.*

*i) Parkland dedication will be provided pursuant to Subsection 2.4.3 of this Plan.*

*j) Central Elgin may request that approval lapses at the expiration of a specified time period, being not less than 3 years. The approval authority, in consultation with Central Elgin may extend the approval time period, prior to its expiration.*

**RESPONSE: The proposed Draft Plan of Subdivision would conform to the County of Elgin Official Plan and Municipality of Central Elgin Official Plan; would be capable of efficiently extending the necessary municipal services and facilities as detailed in the Functional Servicing Report; and is appropriately designated and located for residential growth. The proposed development will not negatively impact the Natural Heritage features on the subject/surrounding lands, as reviewed through the Environmental Impact Study. Parkland dedication would be provided per the Subdivision Agreement and anticipated to be executed within the specified time period.**

In the opinion of the writer, the proposed residential development would conform with the general intent and purpose of the Municipality of Central Elgin Official Plan.

## **6 SUPPORTING DOCUMENTS**

The following list of supporting reports, assessments, plans and materials have been prepared in support of the proposed planning applications, have been submitted under separate cover, and summarized in the following sections.

- Issues Scoping Report (Biologic, Jan. 2015)
- Environmental Impact Study (MTE, 2021)
- Geotechnical Investigation (Trow Associates Inc., Oct. 2007)
- Slope Assessment (EXP, May 2017)
- Transportation Impact Study (SBM, July 2021)
- Functional Servicing Report (SBM, Feb. 2021)

## 6.1 ISSUES SCOPING REPORT

As is required under the Elgin County and Municipality of Central Elgin Official Plans, an Issues Scoping Report (ISR) was completed by BioLogic in Jan. 2015 to assess the Subject Lands and additional lands to the south, 24 hectares in total, to identify significance of natural heritage features within the Subject Lands and their functions.

The ISR identified the Subject Lands as predominantly agricultural field with the sloped woodlands along the west and north edges of the property and anthropogenic disturbed areas associated with the agricultural buildings and residence along the west property limit. The woodlands to the north consist of *“a mid-age FOD5-2 Dry-Fresh Sugar Maple-Beech deciduous Forest and SWT2 Mineral Thicket Swamp located at the tow of the sloped area. The wetland boundary was determined using the Ontario Wetland Evaluation System (OWES) 50/50 rule regarding wetland and upland plants, however an OWES scoring evaluation was not conducted. Within the deciduous woodland is a CUT1 Cultural Thicket inclusion (1a) near the existing driveway entrance for the north property with a man-made spoil pile below the toe of the wooded slope, and a CUW1 Cultural Woodland inclusion (1b) along the west property boundary.”*

There are no watercourses or suitable aquatic habitat for fish or mussel species of interest within the Subject Lands. Based on the identified vegetation communities, candidate wildlife habitat may be present for several species and habitat for Endangered or Threatened floral species, such as Butternut trees, and an Environmental Impact Site is recommended.

## 6.2 SCOPED ENVIRONMENTAL IMPACT STUDY

A Scoped Environmental Impact Study (EIS) has been completed by MTE (October 2021). The EIS reviewed the Subject Lands in its entirety, as well as 120 metres around the Subject Lands for the purpose of evaluating contiguous or nearby natural features. MTE completed several field investigations between May and October of 2021 to confirm/update the findings of the ISR (BioLogic, 2015) encompassing the vegetation community classification, plant species inventory, bird species breeding areas, potential habitat identification for Species at Risk, and to record observations of wildlife on the Subject Lands.

### Vegetation Communities

The Subject Lands are comprised of *“two primary natural vegetation communities with cultural inclusions, as well as an Agricultural and an Anthropogenic Disturbed Area (former farmstead)”* (Figure 6):

- **Community 1:** is comprised of Dry-Fresh Sugar Maple-Beech Deciduous Forest (FOD5-2). Sugar Maple is the dominant canopy species in this forest, along with Beech. The understorey consists of Dogwood, Sumac and Multiflora Rose. The ground layer consists of species such as Horsetail, Garlic Mustard and Skunk Cabbage. There are also two inclusions associated with Community 1. Inclusion 1a is a Mineral Cultural Thicket Ecosite (CUT1) which has a dominant canopy species consisting of Ash and Black Walnut and a sub-canopy consisting of Buckthorn, Hawthorn, Sumac and Dogwood. The understorey consists of Buckthorn, Hawthorn, Multiflora Rose and Honeysuckle. The ground layer consists of Horsetail, Goldenrod, Garlic Mustard and Mayapple. Inclusion 1b is also a Mineral Cultural Thicket Ecosite (CUT1).
- **Community 2** is classified as an Organic Thicket Swamp (SWT3). White Ash and White Willow are the dominant canopy species in this seepage-fed thicket swamp. The understorey consists of Common Buckthorn, Dotted Hawthorn, Multiflora Rose and Common Elderberry. The ground layer consists of Skunk Cabbage, Spotted Joe-pye-weed and Common Boneset.

### Flora Inventory

A total of 121 plant species were recorded on the Subject Lands. Figure 6 illustrates the approximate locations of Butternut trees that were located on the upper portion of the wooded slope area. Swamp Agrimony and Purple Joe Pye Weed were also observed within the wooded slope area. No other rare or at-risk plants species were observed during site investigations.

### Breeding Bird Surveys

A total of 15 bird species were observed within the boundaries of the Subject Lands during breeding bird surveys. No Protected Species were detected during the 2021 breeding bird surveys; however, field investigations in 2015 identified active Barn Swallow nests within the former farm buildings, located on the westerly portion of the Subject Lands. Compensation for the removal of a portion of the original Barn Swallow habitat will be implemented in accordance with Ontario Regulation 242.08 Section 23.5 of the ESA.

### Mammal Habitat

The Subject Lands contain a mature deciduous woodland which is assumed to provide suitable habitat for bats or other mammals. Targeted surveys were not undertaken as the Draft Plan has been designed to avoid the woodland.

The EIS, which has been submitted under separate cover, provides a full range of recommended mitigation and compensation measures for consideration.

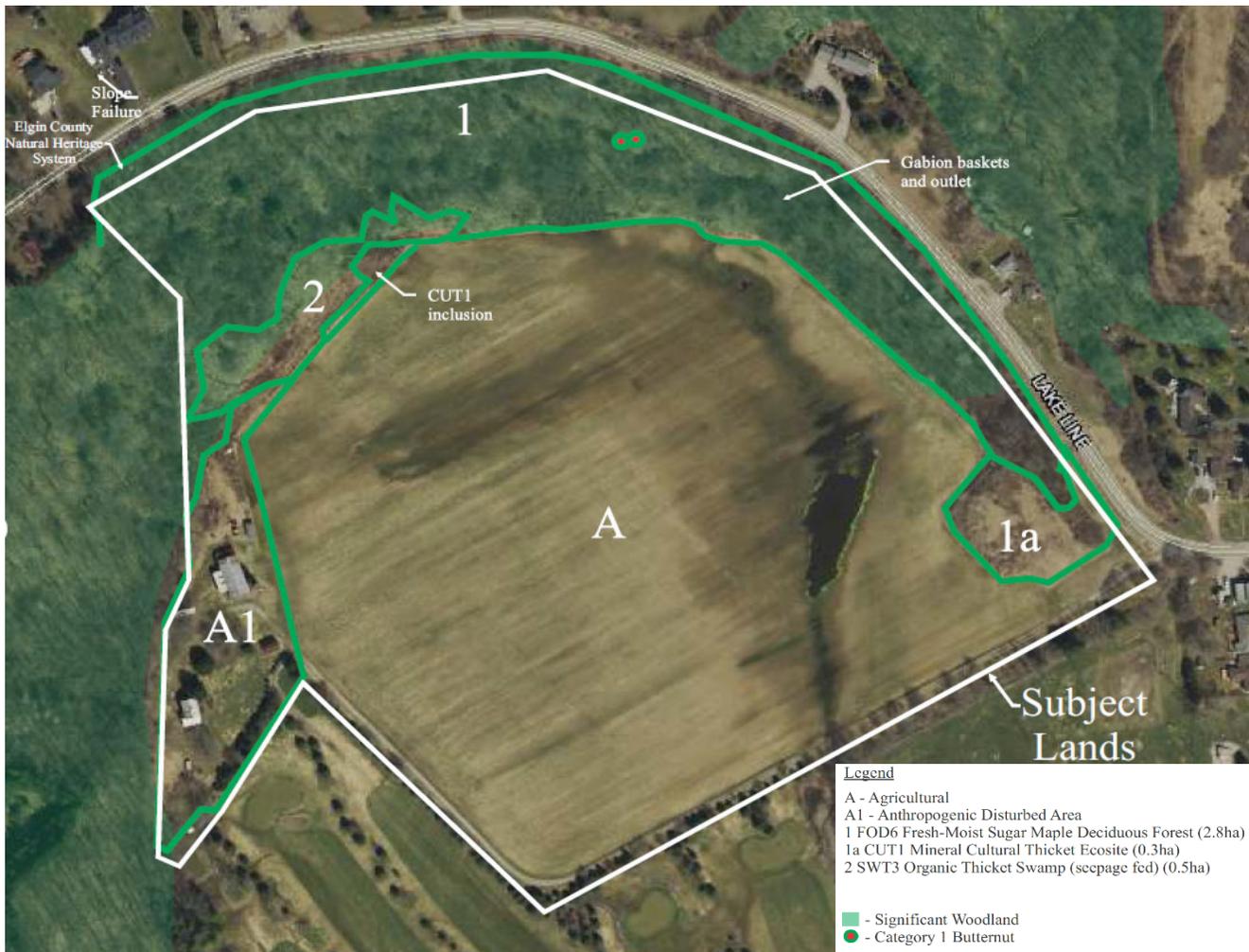


Figure 6. Vegetation Communities - EIS (MTE, 2021)

### 6.3 GEOTECHNICAL REPORT

Trow Associates Inc. was retained in 2007 to complete a geotechnical assessment to examine the soil and groundwater conditions of the Subject Lands. The Subject Lands generally slopes from north to south, with a significant slope along the north property limit and below the top of the slope, a more gradual relief of approximately 5m to the southerly property limit. During two site visits, five test pits and 12 boreholes were investigated.

#### Soil Conditions

Based on the observations and samples, the following soil description was provided. The initial topsoil layer extended to depths between 0.3 metres and 1.5 metres. BH11 found a 2.5-metre-thick deposit of peat below topsoil. The predominant native soils encountered beneath the topsoil layer is mainly alluvial sand and silt. In addition, lacustrine deposits of clayey silt were identified. Underlying the alluvial silt and

sand layer, sand with gravel was generally encountered followed by glacial till stratum at depths between 3.4m and 8.5m.

### **Groundwater Conditions**

During the site investigation, free groundwater egress was generally encountered within test holes (TP2-TP5) between depths of 1.4 and 2.7 metres and measured within open boreholes at depths between 0.6 metres and 3.7 metres. Trow has advised that groundwater table will vary in response to climatic or seasonal conditions and capillary rise effects should also be anticipated within the fine-grained soil deposits.

Refer to the (draft) Preliminary Geotechnical Investigation report, submitted under separate cover, for recommendations pertaining to construction of roads/services, building foundations and general construction/excavation comments.

## **6.4 SLOPE STABILITY REPORT**

A slope review survey was carried out by EXP on April 6, 2017 and documented in the draft Slope Assessment (May 2017). The slope varies in height from 16 metres (Cross Section C-C') to a maximum height of approximately 30 metres (Cross-Section A-A') and has a slope face that is well vegetated with thick shrubs and trees (refer to Figure 7).

There were no points of drainage over the slope identified except few seepage zones at the lower (east) portion of the slope. Bare or exposed areas were not observed to indicate areas of slumping or slippage in the face of the slope. Further, there was no evidence of landslide or erosion activities observed.

### **Erosion Access Allowance / Erosion Hazard Limit**

When buildings are planned to be constructed at the toe of slope, Erosion Access Allowance (EAA) is required to provide access for repairs to the slope from the top of the slope. The computer modelling identified an Erosion Hazard Limit of less than 5 metres from the tow of the slope; therefore, it is recommended that a 5.0 metre EAA would be provided at the toe of the slope and would establish the Development Limit. No permanent structures are proposed to be constructed within the EAA.

### **Building Setback**

EXP also recommends that the building setback for the proposed residential units should be located at a setback distance not less than the height of the nearest tree line covering the slope face. In

combination with the Erosion Access Allowance (5 metres) and the required Rear Yard Setback set out in the R1 Zone of Zoning Bylaw, no additional building setbacks are recommended.

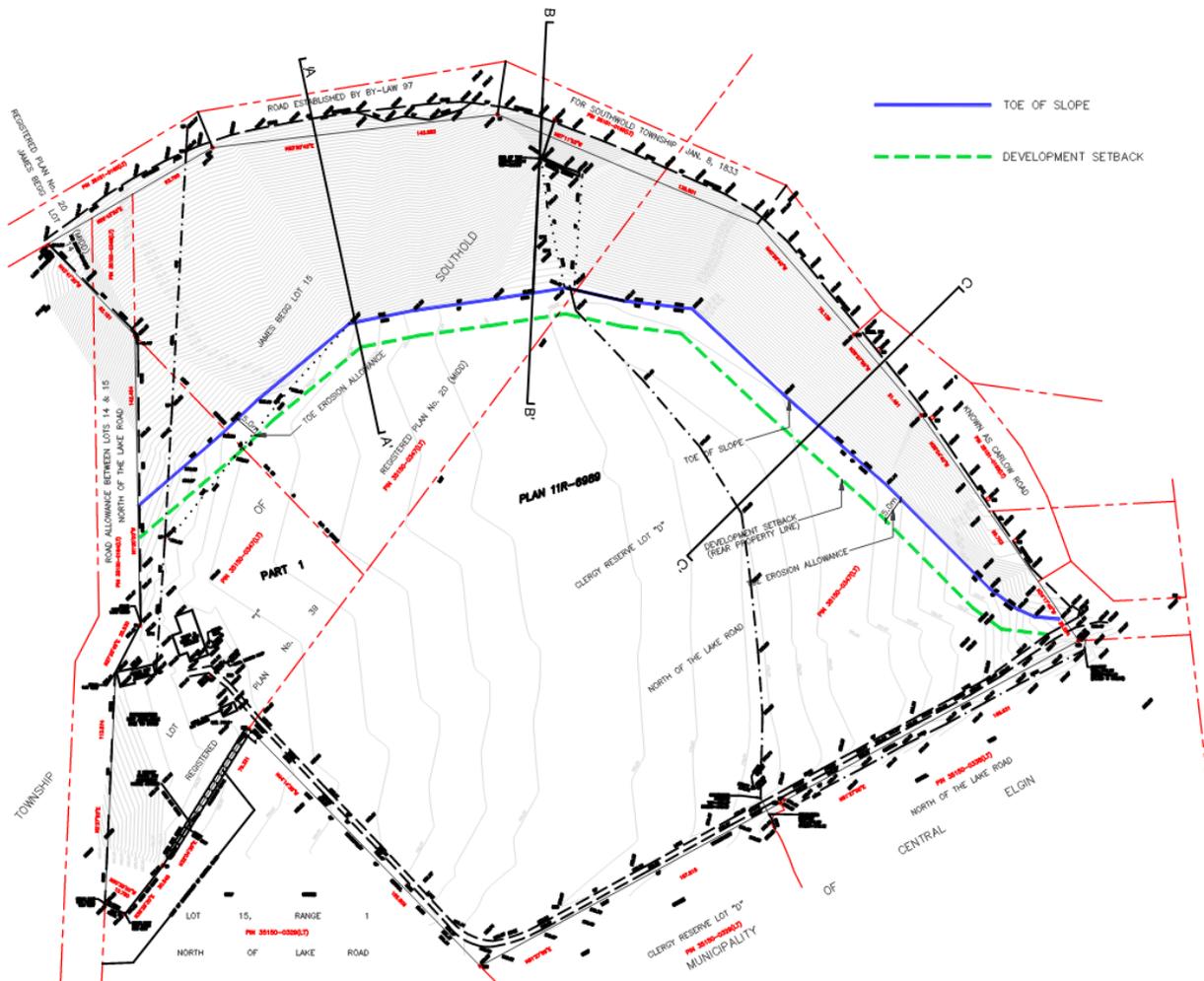


Figure 7. Slope Assessment and Development Setback

## 6.5 FUNCTIONAL SERVICING REPORT

A Functional Servicing Report (FSR) was prepared by SBM (Feb. 2021) to assess the Subject Lands for the proposed subdivision. The report addresses the requirements for watermain servicing, sanitary sewers, and stormwater servicing and management. The FSR provides the following conclusions:

- Water servicing will be provided to the Subject Lands from an existing watermain in the Lake Line Road right-of-way;
- New fire hydrants will be required to provide adequate fire protection;
- Sanitary services will be provided from an improved sewer located in the Carlow Road right-of-way, extending southeast through the Kettle Creek Golf and Country Club and community arena lands.

- A new storm sewer system would be installed to collect and convey minor runoff from the Subject Lands to a proposed stormwater management (SWM) dry pond located south of the Subject Lands.
- The major flows from the Subject Lands and external lands would be safely conveyed by site grading to the overland flow routes and discharged to the proposed SWM dry pond.
- The proposed SWM dry pond will discharge flows to the downstream open channel portion of the Marr Drain.
- Stormwater management facilities and oil grit separator would provide quality control.

## 6.6 TRANSPORTATION IMPACT STUDY (TIS)

SBM prepared a Transportation Impact Study (July 2021) in support of the proposed development applications. The TIS forecasted traffic volumes for 2028 and 2040 horizon years and assessed traffic operations within the vicinity of the Subject Lands for existing, future background and future total traffic conditions. Based on the investigations carried out, the TIS concludes the following:

- The study included background traffic growth anticipated in other surrounding developments generating 1272 additional trips during the AM peak hours and 1933 trips during the PM peak hours.
- The proposed development is forecasted to generate approximately 70 new trips during the AM peak hour and 97 new trips during the PM peak hours, respectively. Trips during the holiday peak hours were also analysed.
- The intersections in the vicinity of the Subject Lands (i.e., Carlow Road / Warren Street and Colborne Street /Warren Street intersections) are currently operating within acceptable levels of service and with no critical movements during the AM and PM peak hours.
- These intersections were temporarily signalized during the preparation of this study to accommodate the detour route for the King George VI Lift Bridge Rehabilitation Project. Thus, the intersections were analysed under both signalized and unsignalized control. Both intersections would operate well under signalized and unsignalized traffic conditions; however, would have a longer delay with signals than without since the current traffic volumes are low.
- Permanent traffic signals are not warranted under existing traffic conditions or future traffic scenarios considered in the study.
- The proposed Lake Line and Street 'A' intersection will operate well beyond the horizon period. Sightlines at the intersection location are sufficient for safe operation and the anticipated traffic volumes do not warrant the installation of any auxiliary lanes.

Overall, the forecasted site traffic is not expected to create new operational problems on the surrounding road network and no road improvements are specifically required to accommodate the proposed development.

## 7 **CLOSING**

Based on a review of the relevant policies and regulatory framework for the Subject Lands, the proposed Zoning Bylaw Amendment and Draft Plan of Subdivision is justified for the following reasons:

- The proposal is consistent with the policies of the Provincial Policy Statement, 2020, which promotes healthy, liveable, and safe communities by accommodating residential growth within an established settlement area and recognizes the need for municipalities to accommodate growth in a cost-effective manner and encourage a range of housing types and densities.
- The proposal conforms with the County of Elgin Official Plan and Municipality of Central Elgin Official Plan that recognize the need for residential housing, protection of Natural Heritage features, as well as the suitability of extending full municipal services in a logical manner;
- The proposed Zoning By-Law Amendment would appropriately permit single and semi-detached dwellings that will result in a use and built form that is appropriate and will have no adverse impact on surrounding land uses;
- The proposed development is of a height, scale, and intensity that is compatible with the character of the surrounding community;
- The addition of 97 dwelling units would contribute to the economic support and viability of the surrounding recreational, commercial, and institutional uses; and
- The proposed applications allow for residential development that use existing municipal infrastructure and services, is designated for residential development, and represents an efficient use of land, infrastructure, and resources.

For the reasons noted above and throughout this report, the proposed Zoning By-Law Amendment and Draft Plan of Subdivision represent sound land use planning practice.

### **Strik, Baldinelli, Moniz Ltd.**

Planning • Civil • Structural • Mechanical • Electrical



Nick Dyjach, BA, CPT  
Planning Division Manager

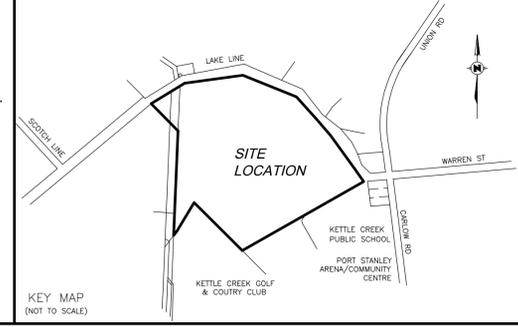
## List of Appendices

Appendix A Proposed Subdivision Plan

## APPENDIX A

### Proposed Draft Plan of Subdivision

SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.



DRAFT PLAN OF SUBDIVISION  
OF PART OF  
**CLERGY RESERVE LOT "D"**  
NORTH OF THE LAKE ROAD  
AND PART OF  
**JAMES BEGG LOTS 14 & 15**  
REGISTERED PLAN No. 20 (MIDD)  
AND PART OF  
**ROAD ALLOWANCE BETWEEN LOTS 14 & 15**  
NORTH OF THE LAKE ROAD  
AND ALL OF  
**LOT "T", REGISTERED PLAN No. 39**  
IN THE  
**TOWNSHIP OF SOUTHWOLD**  
(GEOGRAPHIC TOWNSHIP OF SOUTHWOLD)  
**COUNTY OF ELGIN**  
SCALE 1:1000 (Metric)  
TERRY P. DIETZ  
ONTARIO LAND SURVEYOR

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT:

- |             |  |
|-------------|--|
| a) AS SHOWN | g) AS SHOWN                            |
| b) AS SHOWN | h) MUNICIPAL WATER AVAILABLE           |
| c) AS SHOWN | i) SILTY CLAY LOAM                     |
| d) AS SHOWN | j) AS SHOWN                            |
| e) AS SHOWN | k) STORM & SANITARY SEWERS, HYDRO, GAS |
| f) AS SHOWN | l) AS SHOWN                            |

**LAND USE SCHEDULE**

|  |                             |
|--|-----------------------------|
| LOTS 1 TO 70 - SINGLE FAMILY RESIDENTIAL | 4.44 ha. (44,430.393 sq.m.) |
| LOTS 71 TO 79 SEMI DETACHED DWELLINGS    | 1.42 ha. (14,151.880 sq.m.) |
| LOTS 80 & 81 TOWNHOUSE DWELLINGS         | 0.53 ha. (5,334.195 sq.m.)  |
| BLOCKS 82, 83, 87 & 88 - OPEN SPACE      | 4.14 ha. (41,369.687 sq.m.) |
| BLOCKS 84, 85, 86 & 90 - WALKWAYS        | 0.12 ha. (1,116.641 sq.m.)  |
| BLOCK 89 - FUTURE ROAD                   | 0.08 ha. (796.728 sq.m.)    |
| ROADS                                    | 2.11 ha. (21,068.42 sq.m.)  |

TOTAL SITE AREA: 12.83 ha. (128,267.944 sq.m.)

**OWNER'S CERTIFICATE**  
I HEREBY AUTHORIZE CALLOW DIETZ INC. TO SUBMIT THIS PLAN OF PROPOSED SUBDIVISION TO THE CORPORATION OF THE COUNTY OF ELGIN FOR APPROVAL.

LONDON, ONTARIO

JAMES GLOVER  
I HAVE THE AUTHORITY TO BIND THE CORPORATION

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

LONDON, ONTARIO

TERRY P. DIETZ  
ONTARIO LAND SURVEYOR

**METRIC** DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**Callon Dietz** INCORPORATED  
ONTARIO LAND SURVEYORS  
CARLETON PLACE LONDON NORTH BAY  
info@callondietz.com callondietz.com

SURVEY BY: DRAWN BY: H.D., FILE No: 19-22517B PLAN No: X-2801

**CURVE TABLE**

| CURVE | RADIUS  | ARC     | CHORD   | BEARING     |
|-------|---------|---------|---------|-------------|
| C1    | 23.750  | 8.025   | 7.987   | N76°15'49"E |
| C2    | 9.000   | 13.180  | 12.033  | N71°27'52"W |
| C3    | 70.000  | 24.174  | 24.054  | N39°24'19"W |
| C4    | 70.000  | 3.963   | 3.963   | N31°08'01"W |
| C5    | 70.000  | 14.050  | 14.026  | N38°30'20"W |
| C6    | 70.000  | 6.161   | 6.159   | N46°46'38"W |
| C7    | 9.000   | 14.137  | 12.728  | N15°29'18"E |
| C8    | 50.000  | 17.268  | 17.182  | N39°24'19"W |
| C9    | 50.000  | 7.773   | 7.765   | N33°57'54"W |
| C10   | 50.000  | 9.495   | 9.481   | N43°51'31"W |
| C11   | 10.000  | 4.442   | 4.406   | N73°12'58"E |
| C12   | 10.000  | 3.271   | 3.257   | N69°51'37"E |
| C13   | 10.000  | 1.171   | 1.171   | N82°35'18"E |
| C14   | 110.000 | 164.937 | 149.915 | N87°44'45"E |
| C15   | 110.000 | 14.558  | 14.548  | N53°05'25"W |
| C16   | 110.000 | 14.558  | 14.548  | N60°40'23"W |
| C17   | 110.000 | 14.558  | 14.548  | N68°15'22"W |
| C18   | 110.000 | 14.558  | 14.548  | N75°50'21"W |
| C19   | 110.000 | 14.428  | 14.418  | N83°23'18"W |
| C20   | 110.000 | 5.000   | 5.000   | N88°26'54"W |
| C21   | 110.000 | 14.217  | 14.207  | N86°32'49"E |
| C22   | 110.000 | 14.379  | 14.368  | N79°05'58"E |
| C23   | 110.000 | 14.379  | 14.368  | N71°36'37"E |
| C24   | 110.000 | 14.379  | 14.369  | N64°07'15"E |
| C25   | 110.000 | 14.379  | 14.369  | N56°37'52"E |
| C26   | 110.000 | 14.329  | 14.319  | N49°09'17"E |
| C27   | 110.000 | 1.215   | 1.215   | N45°06'24"E |
| C28   | 90.000  | 134.948 | 122.657 | N87°44'45"E |
| C29   | 90.000  | 14.639  | 14.623  | N53°57'31"W |
| C30   | 90.000  | 21.229  | 21.180  | N65°22'33"W |
| C31   | 90.000  | 23.005  | 22.942  | N79°27'22"W |
| C32   | 90.000  | 5.001   | 5.000   | N88°22'14"W |
| C33   | 90.000  | 23.039  | 22.976  | N82°42'15"E |
| C34   | 90.000  | 22.421  | 22.363  | N68°14'02"E |
| C35   | 90.000  | 22.423  | 22.365  | N53°57'33"E |
| C36   | 90.000  | 3.191   | 3.191   | N45°48'22"E |
| C37   | 9.000   | 14.137  | 12.728  | N0°12'35"W  |
| C38   | 30.000  | 58.201  | 49.494  | N10°47'17"W |
| C39   | 30.000  | 58.201  | 49.494  | N10°47'17"W |
| C40   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C41   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C42   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C43   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C44   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C45   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C46   | 10.000  | 3.692   | 3.672   | N55°47'17"W |
| C47   | 9.000   | 14.137  | 12.728  | N89°47'25"E |
| C48   | 9.000   | 14.137  | 12.728  | N0°12'35"W  |
| C49   | 20.000  | 25.936  | 24.157  | N82°21'39"W |
| C50   | 40.000  | 51.872  | 48.313  | N82°21'39"W |
| C51   | 10.000  | 14.994  | 13.629  | N87°44'45"E |
| C52   | 30.000  | 44.983  | 40.886  | N87°44'45"E |
| C53   | 30.000  | 5.956   | 5.946   | N50°28'40"E |
| C54   | 30.000  | 15.670  | 15.493  | N71°07'44"E |
| C55   | 30.000  | 5.006   | 5.000   | N89°07'37"W |
| C56   | 30.000  | 18.351  | 18.066  | N66°49'22"W |
| C57   | 50.000  | 18.547  | 18.441  | N38°40'18"W |
| C58   | 9.000   | 13.907  | 12.564  | N16°13'18"E |
| C59   | 70.000  | 25.104  | 24.970  | N39°01'29"W |
| C60   | 70.000  | 10.368  | 10.359  | N45°03'20"W |
| C61   | 70.000  | 14.736  | 14.709  | N34°46'53"W |
| C62   | 9.000   | 14.257  | 12.812  | N74°07'52"W |
| C63   | 30.000  | 7.819   | 7.796   | N37°19'27"E |
| C64   | 30.000  | 5.123   | 5.117   | N24°57'56"E |
| C65   | 30.000  | 10.735  | 10.678  | N9°49'17"E  |
| C66   | 30.000  | 12.595  | 12.503  | N12°27'27"W |
| C67   | 30.000  | 13.042  | 12.940  | N36°56'21"W |
| C68   | 30.000  | 8.887   | 8.854   | N57°52'48"W |
| C69   | 70.000  | 10.248  | 10.220  | N52°32'58"W |
| C70   | 40.000  | 13.364  | 13.302  | N69°27'38"W |
| C71   | 40.000  | 13.364  | 13.302  | N88°36'12"W |
| C72   | 40.000  | 13.364  | 13.302  | N72°15'13"E |
| C73   | 40.000  | 1.532   | 1.532   | N61°35'07"E |
| C74   | 9.000   | 14.137  | 12.728  | N0°12'35"W  |
| C75   | 9.000   | 14.137  | 12.728  | N89°47'25"E |

