

Planning Justification Report

7253 Rainham Road Dunnville, Ontario

September 2020

Prepared For:

Riverside Walk Inc. 426 Highway #8 Stoney Creek, Ontario L8G 1G2

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Appendix A - Proposed Draft Plan of Subdivision **Appendix B** - Draft By-law



1.0 Introduction

T. Johns Consulting Group Ltd. ("T. Johns") has been retained by the landowners of 7253 Rainham Road, to provide a Planning Justification Report in support of the Zoning By-law Amendment application and a Draft Plan of Subdivision application to create a public right-of-way and fourteen (14) single detached lots, comprised of thirteen (13) lots for new construction and one (1) lot containing the retained existing dwelling. This report provides an overview of the subject lands in context with surrounding land uses, a detailed description of the development proposal, and a detailed review of the pertinent planning framework in support of the proposed amendments.

1.1 Property Description

7253 Rainham Road ("subject lands") is located in the Hamlet of Byng, with the Grand River to the north and Byng Island Conservation Area to the north and to the east. The subject lands are legally described as Registered Plan 14472, Part of Lot 29 (See Figure 1 - Location Map).

The subject lands are roughly rectangular in shape with an approximate total lot area of 3.82 hectares (9.4 acres), with 144.50 metres of frontage along Rainham Road and a depth of 244.34 metres. The subject lands are currently agricultural lands used for crop production with an existing barn and single detached dwelling located on the southern portion of the lands. The subject lands are generally flat with one (1) existing retention pond on the south westerly portion of the lands. The pond is buffered by mature vegetation.

1.2 Surrounding Land Uses

The subject lands are within the Hamlet of Byng, a settlement area in Dunnville, in Haldimand County. The hamlet is made up of clustered and strip residential development. There is a public school approximately 700 metres southeast of the subject lands. Supporting uses such as local commercial and institutional lands are located north of the Grand River, approximately a 5 minute drive. The rural settlement area is surrounded by conservation and agricultural lands to the east, south and west and the Grand River followed by dense residential and commercial uses to the north (See Figure 2 - Aerial Context Map).

The subject lands are immediately surrounded by residential, open space and conservation land, including the following:

North: Byng Island Conservation Area (Hazard Land Zone), and open space (Open Space Zone);

East: Single detached residential dwellings (Hamlet Residential Zone); South: Single detached residential dwellings (Hamlet Residential Zone);

West: Byng Island Conservation Area (Open Space Zone).



Figure 1 Location Map

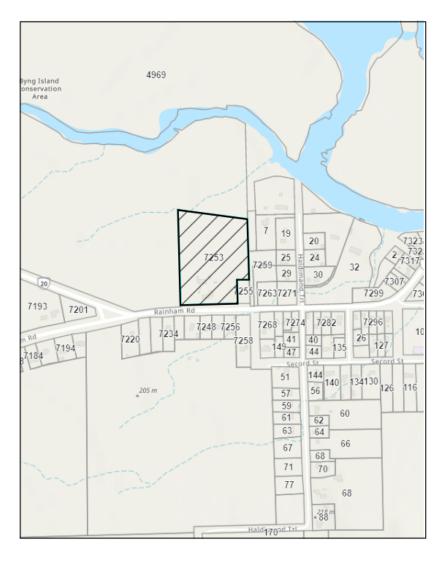
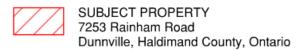






Figure 2 **Aerial Context Map**







2.0 Proposed Development

The following section will provide a detailed description of the proposed residential development and the required planning approvals.

The proposed Draft Plan of Subdivision is for the creation of a public right-of-way, thirteen (13) new lots, and to retain the existing lot and dwelling, for a total of fourteen (14) lots. Each lot is proposed to have an approximate area ranging from 0.18 hectares to 0.29 hectares, which allows for sufficient space to construct a single detached dwelling with complying setbacks with private servicing. Lot 12 is proposed to retain the existing barn structure which is intended to be used as an accessory structure to the future single detached dwelling. All lots, save and except Lot 13, are to have legal frontage and access from the proposed Street 'A'. Lot 13 is proposed to have access from Rainham Road. Street 'A' has a width of 20.0 metres and ends in a cul-de-sac, preventing access to Haldimand Trail (Refer to Appendix A - Proposed Draft Plan of Subdivision).

2.1 Planning Applications

A Pre-Consultation meeting was held on November 7, 2018 and was attended by the landowners, County Staff and the consultant team to discuss the proposed development of 7253 Rainham Road. It was determined that the proposed development is appropriate for the subject lands and a Draft Plan of Subdivision and a Zoning By-law Amendment are required to facilitate the proposal.

A Zoning By-law Amendment ("ZBA") is required to amend Zoning By-law 1-DU 80 to rezone the subject lands from Agricultural Zone (A) to Hamlet Residential (RH). A subsequent Draft Plan of Subdivision is required to approve future lot creation.

A Draft Plan of Subdivision is required to establish the following:

Block X: Street 'A'

Lots 1-13: Single Detached Lots 1-13

Additional details regarding the proposed amendments can be found in Section 4.6 of this report.

The Pre-Consultation meeting identified a number of studies and plans to be completed and submitted in support of the applications. A copy of each of the following has been included within the submission package:

- Planning Report
- Draft Plan of Subdivision;
- Scoped Environmental Impact Study
- Archaeological Assessment
- Functional Servicing and Stormwater Management Report
- Elevation Plans/Lot Layouts (preliminary only)



- Geotechnical/Hydrogeological Report
- Street Lighting Plan (to be condition of draft plan approval)

3.0 Supporting Studies

3.1 Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates Limited, dated July 2020, provides a detailed overview of the proposed servicing scheme of the subject lands. Drainage from the property is split - Catchment C101 consists of 3.23 ha which is conveyed north to a regulated watercourse which consists of a 675mm diameter CMP culvert and an open channel, while Catchment 102 consists of 0.59 ha of agricultural land which is conveyed east (C102). All drainage from the site is eventually routed into the Grand River. The existing residential unit is serviced by septic system and there are no municipal sanitary network adjacent to the subject site. The existing residential unit is serviced by private wells or cisterns and there is no existing municipal watermain network adjacent to the subject site along Rainham Road. Rainham Road is a two-lane rural road adjacent to the subject lands that is owned and operated by Haldimand County. There is no street lighting or existing sidewalks along Rainham Road.

The existing drainage pattern will be maintained with the exception of the site's eastern limit that drains eastward. Storm drainage will be directed to the swale within GRCA-regulated area. Drainage within the lots will be split to the front and rear of each lot. There is no municipal watermain that can be accessed by the site, as such water supply is proposed by on-site cisterns or private wells. There is no municipal sanitary sewer that can be accessed by the site, as such sanitary service will be provided by on-site septic systems.

Refer to the Functional Servicing and Stormwater Management Report for more details.

3.2 Stage 1-2 and Stage 3 Archaeological Assessment

A Stage 1-2 Archaeological Assessment was prepared by Detritus Consulting Limited, dated December 2, 2019, in support of the application. The Stage 1 background research indicated that portions of the Study Area exhibited moderate to high potential for the identification and recovery of archaeological resources. The Stage 2 assessment was conducted and resulted in the identification and documentation of a single Euro-Canadian site, registered as H1 (AfGv-174). Based on the findings, H1 (AfGv-174) was interpreted as a medium size, middle to late 19th century domestic scatter. H1 (AfGv-174) was also found to meet the criteria for a Stage 3 Site Specific Assessment. The Stage 1-2 Archaeological Assessment has been registered with the Ministry of Heritage, Sport, Tourism, Culture Industries.



The Stage 3 Archaeological Assessment was conducted by Detritus Consulting Limited, dated December 6, 2019. The Stage 3 resulted in the recovery of 5,338 primarily Euro-Canadian artifacts from the hand excavation of 51 Stage 3 test units; ten pre-contact Aboriginal were also represented in the artifact assemblage, including eight pieces of chipping detritus, one biface, and one perform. No Aboriginal pottery or fire cracked rock were observed. Based on the results of the Stage 3 assessment, the site has been interpreted as a middle to late 19th to early 20th century homestead with two areas associated with the tenure of W.J. Aikens. This occupation range does not trigger a mitigation of development impacts. A Stage 4 archaeological mitigation of impacts to the site was recommended and is summarized below.

See the Stage 1-2 Archaeological Assessment and the Stage 3 Archaeological Assessment for more details.

3.3 Stage 4 Mitigation of Impacts

A Stage 4 Mitigation of Impacts H1(AfGv-174) was prepared by Detritus Consulting Limited, dated January 8, 2020. Following the Stage 1-2 Archaeological Assessment and the Stage 3 Archaeological Assessment, a Stage 4 archaeological mitigation by excavation was recommended. Given an absence of black, fatty soil on site as well as a dearth of faunal remains, personal artifacts, or artifacts related to food production within the artifact assemblage, no midden areas were identified. It was recommended that the Stage 4 mitigation at H1 (AfGv-174) comprise mechanical topsoil removal ('MTR') only across the site limits. The MTR resulted in the documentation of a nearly complete coursed rubble stone foundation wall and the vicinity of the wall fragment observed during the Stage 3 assessment. The artifact assemblage from the house confirmed that the building was occupied from the middle of the 19th century at the earliest until the early 20th century. The building was demolished later in the 20th century sometime after 1934, This occupation range corresponds with that of John Aitkens and Willian John Aitkens who occupied the site until 1886 when the property was released back to the Crown.

With the completion of the Stage 4 mitigation of H1 (AfGv-174) the site has no further CHVI. See the Stage 4 Mitigation of Impacts Report for more details.

3.4 Scoped Environmental Impact Study

A Scoped Environmental Impact Study was prepared by Myler Ecological Consulting, dated September 2020. The proposed development will avoid and manage the on-site floodplain natural hazard and will not impact off-site natural heritage features. The following mitigation measures are recommended to maintain compliance with applicable policies and legislation. It is recommended to install erosion and sedimentation controls around the GRCA-regulated drainage swale prior to site preparation. When pumping out the artificial dugout pond, it is recommended to use a screened pump inlet to prevent entrainment/impingement of aquatic life and for the salvage of any incidentally occurring Common Snapping Turtle or Midland Painted Turtle. It is recommended that the removal of amenity trees and shrubs occur between September and



March, outside of bird nesting season and that the removal of amenity trees do not occur during the mid-May to mid-August roost season of Bats.

Refer to the Scoped Environmental Impact Study for more details.

3.5 Hydrogeological Study and Geotechnical Investigation

A Hydrogeological Study and Geotechnical Investigation was prepared by Soil-Mat Engineers & Consultants Limited, dated July 15, 2020. The hydrogeological study was conducted using: published geological and hydrogeological information: field data collected from borehole testing, laboratory soil grain-size analyses and laboratory groundwater chemical analyses. The investigation revealed that the predominant soil type on-site was Brown silty clay with clay contents in excess of 60%. The basic system specifications for the proposed development is 1,600 litres per day for a three bedroom dwelling. Low potential risk to impact the groundwater quality affecting potable water supply aquifer was found. As such the proposed 13 residential lots are considered feasible for the site. Septic system design and installation must be performed by a licensed designer/installer.

Refer to the Hydrogeological Study and Geotechnical Investigation.

4.0 Planning Framework

This section reviews the planning documents applicable to the subject property, which includes the Planning Act, Provincial Policy Statement, the Haldimand County Official Plan, and the Town of Dunnville Zoning By-law 1-DU 80.

4.1 Planning Act, R.S.O. 1990, c.P.13

Section 51 (24) of the Planning Act provides specific criteria for the approval of a Draft Plan of Subdivision. The following chart provides a summary of the requirements under Section 51(24) are met and analyses the proposed Draft Plan against the requirements.

Criteria		Planning Comment
a)	the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The Draft Plan has accounted for the natural areas, features and functions surrounding the subject lands by proposing deeper lots on the west side of the property to allow for larger rear yards from the property boundary to the dwelling wall. Although the subject lands are currently used for agricultural uses, the subject lands are within the hamlet boundary and have been envisioned by the County to have a more urban function. The subject lands do not



		have significant natural or mineral resources to be protected. A Stage 1-2 and Stage 3 Archaeological Assessment has been completed for the subject lands. With the completion of the Stage 4 mitigation of HI (AfGv-147), the site was found to have no further cultural heritage value or interest. The Archaeological reports have been registered with the Ministry of Heritage, Sport, Tourism, Culture Industries.
		The lots are proposed to be privately serviced but will be supported by an extension of the hydro and communication networks, with an extension of HydroOne an Bell lines. The proposed subdivision is eligible for municipal waste services and the road has been designed to safely accommodate emergency and service vehicles. The proposed lot pattern is logical and orderly being perpendicular to the proposed road and controlling most of the individual lot access to the interior of the road, instead of access from Rainham Road. The future property owners of the proposed lots will be supported by existing and planning community services and facilities. The proposed dwellings will contribute to the market availability of single detached dwellings within Dunnville's Settlement Area. The proposed development requires a number of studies, including archaeological and engineering reports, to ensure the public interest is protected. Public health and safety will be maintained by permitting access to the lots away from Rainham Road, save and except one (1) lot and appropriate buffers from the surrounding natural heritage features.
b)	whether the proposed subdivision is premature or in the public interest;	The Draft Plan is not premature as it is one of the last large parcels of lands within the hamlet to be developed for a residential subdivision. The lands are independent of other developments. The public interest in protected as the proposed draft plan has been designed to mitigate impacts to the conservation lands to the west and north and the uses will be supported by private services, therefore will not affect other uses.
c)	whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The Haldimand County Official Plan designates the subject lands "Hamlet" which permits residential development established through a Plan of Subdivision. There are no adjacent subdivisions that will be impacted by the proposed development.



d) the suitability of the land the purposes for which it i be subdivided;	
d.1) if any affordable hous units are being proposed, suitability of the proposed units affordable housing;	the
e) the number, width, local and proposed grades elevations of highways, the adequacy of them, and highways linking the proposed subdivision with the established highwaystem in the vicinity and adequacy of them;	with and match the grade of Rainham Road. Rainham Road has capacity to accommodate the anticipated increase of traffic as a result of the subdivision.
f) the dimensions and shape the proposed lots;	The proposed residential lots are consistently dimensioned and shaped, with a consistent lot width of approximately ±30.48 metres and a lot area of approximately 0.18 hectares to 0.29 hectares. The larger, deeper lots are adjacent to the conservation lands and are intended to provide larger buffers between development and the open space.
g) the restrictions or proporestrictions, if any, on the I proposed to be subdivided the buildings and structure proposed to be erected and the restrictions, if any adjoining land;	west which do not permit alteration or development. The draft pan has been designed with lots that have a minimum depth of 60.96 metres of to prevent any negative impacts. The existing ponds on the subject lands were engineered
h) conservation of nat resources and flood control	Compliance with GRCA policy for the regulated floodplain and watercourse will be achieved through avoidance of development within the regulated area.
i) the adequacy of utilities municipal services;	There are currently utilities for one (1) dwelling on the subject lands. The existing dwelling is serviced by private services, independent of municipal infrastructure. The



		proposed subdivision will require extending utilities to the individual lots. The water and sanitary services will be provided with private services, through wells and septic systems. Stormwater management will be addressed on site at a controlled rate.
j)	the adequacy of school sites;	School aged residents will have access to schools.
k)	the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	The landowner will provide cash-in-lieu of parkland.
I)	the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	The plan has been designed to accommodate residential development in a logical pattern that will support the efficient installation of energy infrastructure.
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.	The proposed development is not subject to Site Plan Control.

Overall, the proposed Plan of Subdivision to establish thirteen (13) new residential lots, retain one (1) lot that will maintain the existing dwelling to be incorporated into the subdivision design and a public right-of-way protects Provincial Interests as it is not premature, does not impact archaeological or natural heritage features and contributes to Dunnville's residential growth. As such, the proposal is consistent with the *Planning Act, R.S.O., 1990, c.P.13*.

4.2 Provincial Policy Statement, 2020

The Provincial Policy Statement ("PPS") came into effect on May 1, 2020 as a policy-led regulating document that provides direction on provincial interest related to managing land use planning and development. The subject lands are located within an existing "Settlement Area" known as the Town of Dunnville.

The applicable policies have been noted and reviewed below to provide justification of the proposed Draft Plan of Subdivision and Zoning By-law Amendment.



- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial wellbeing of the Province and municipalities over the long term;
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet longterm needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
 - e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification and infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
 - g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
 - h) promoting development and land use patterns that conserve biodiversity; and
 - i) preparing for the regional and local impacts of a changing climate.

Planning Comment:

The development represents an efficient use of lands within an established community. The proposed Draft Plan of Subdivision and Zoning By-law Amendment will allow for future residential development. The future dwellings will be serviced by private infrastructure. The lots will be accessed by the proposed public right-of-way that will intersect with Rainham Road.

1.1.3 Settlement Areas

- 1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities an a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion:
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;



- d) prepare for the *impacts of a changing climate*;
- e) support active transportation,
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

Intensification and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:
 - a. that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b. the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.



Planning Comment

The subject lands are located within a settlement area known as the Town of Dunnville, specifically the Hamlet of Byng. The subject lands are located within a hamlet that is intended to accommodate the limited growth anticipated for the area. The proposed subdivision design establishes a logical and efficient lotting pattern. Dwellings will be serviced with privately services. The proposal promotes gentle intensification with a low density, low profile built form and lotting pattern that is consistent with the rural residential community. The proposed lots will be accessed from an interior public right-of-way to mitigate traffic impacts onto Rainham Road, to maintain the health and safety of the public.

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.4 Housing

- 1.4.1 To provide for an appropriate range and mix of *housing types* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
 - a. maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
 - b. 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.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:



- a. the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b. the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market* area by:
 - a. establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
 - b. permitting and facilitating:
 - all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
 - directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
 - d. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
 - e. requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f. establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Planning Comment:

The subject lands are a flat, underutilized parcel that are located within an established settlement area and therefore represents an appropriate location for growth and development.



The subject lands are adjacent to open space and residential uses, and as such, the proposal for residential development is a compatible use. The proposal will promote an efficient use of lands that will gently increase density while maintaining compatibility with the surrounding rural residential context. The proposed residential development can be supported by private infrastructure and meets the intent of the residential zoning that is proposed with an appropriately sized lot to meet the intent of the "RH" Zone. Public health and safety will not be negatively impacted in result of the proposed development as appropriate buffers and a sufficient road pattern is proposed.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

- 1.5.1 Healthy, active communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
 - b) planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Planning Comment:

The proposed lots will front onto a public street that is designed to County engineering standards to maintain a safe multi-modal environment. The proposed right-of-way will provide access to Rainham Road, the main road that connects Byng into the commercial center of Dunnville. The rural residential environment does not promote a walkable environment, as typically found in an urban area, as the roads are not built with sidewalks. However, the width of the road allows for vehicles to share the road with pedestrians and cyclists, with best safety practices being followed.

1.6.6 Sewage, Water and Stormwater

- 1.6.6.1 Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - 1. municipal sewage services and municipal water services, and
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
 - b) ensure that these systems are provided in a manner that:



- 1. can be sustained by the water resources upon which such services rely;
- 2. prepares for the *impacts of a changing climate*,
- 3. is feasible and financially viable over their lifecycle; and
- 4. protects human health and safety, and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process; and
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services and municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.
- 1.6.6.7 Planning for stormwater management shall:
 - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
 - b) minimize, or, where possible, prevent increases in contaminant loads;
 - minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including
 the use of *green infrastructure*;
 - d) mitigate risks to human health, safety, property and the environment;
 - e) maximize the extent and function of vegetative and pervious surfaces; and
 - f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

Planning Comment:

The proposed change in use from Agricultural to low density residential is appropriate as the subject lands are within an established rural settlement area and each lot will be accommodated with private water and sanitary services. The proposed system design is functional and will perform to engineering standards. The proposed stormwater management strategy will protect the natural heritage area. Through discussions with the GRCA it was



determined that no quantity controls will be required for the site. Stormwater runoff from the proposed condition site will meet 'Enhanced' stormwater quality control.

2.1 Natural Heritage

- 2.1.1 Natural features and areas shall be protected for the long term.
- 2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.
- 2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Planning Comment:

The subject lands are currently used for agricultural purposes and covered in crop land with one residential dwelling on site and three (3) accessory buildings. There are no natural heritage features identified on the subject lands however, there are conservation lands abutting the subject lands to the west. The development of the subject lands will not have an adverse impact on the conservation lands as the proposed design mitigates impacts with appropriate setbacks and stormwater management strategy.

The proposal is **consistent** with the Provincial Policy Statement.

4.3 Growth Plan for Greater Golden Horseshoe, 2019

The Places to Grow - Growth Plan for the Greater Horseshoe ("Growth Plan") is a comprehensive strategy that works with municipal plans to manage growth patterns, maximize land use, and manage quality of life. The site is located within the "Built-Up Area" of the Growth Plan.

The relevant policies of the Growth Plan have been reviewed below.

2.2 Policies for Where and How to Grow

2.2.1 Managing Growth

- 2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a. the vast majority of growth will be directed to *settlement areas* that:
 - have a delineated built boundary,



- ii. have existing or planned municipal water and wastewater systems; and
- iii. can support the achievement of complete communities;
- c. within settlement areas, growth will be focused in:
 - i. delineated built-up areas,
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;
- 4. Applying the policies of this Plan will support the achievement of *complete* communities that:
 - a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c. provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture:
 - e. ensure the development of high quality *compact built form*, an attractive and vibrant *public realm*, including public open spaces, through site design and urban design standards:
 - f. mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
 - g. integrate *green infrastructure* and *low impact development*.

Planning Comment:

The subject lands are within the settlement area known as the Town of Dunnville. The development will provide intensification through the inclusion of low density residential built form which will utilize existing vacant lands. The subject lands are within a low-density, stable neighbourhood context and the proposed lots will front onto a new public road, limiting the visual impact from Rainham Road. The infill residential development will contribute towards achieving a complete community by efficiently using lands for compatible residential development to support other surrounding uses including commercial uses. The subject lands are appropriately designated for residential development in the Official Plan.

2.2.2 Delineated Built-up Areas

- 4. All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:
 - a. encourage intensification generally to achieve the desired urban structure;



- b. identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c. identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- d. ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- e. prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f. be implemented through official plan policies and designations, updated zoning and other supporting documents.

Planning Comment:

The proposed amendment will contribute towards achieving the Town's growth targets within the delineated built-up area by adding thirteen (13) new residential units to Dunnville's housing market. The Zoning By-law Amendment application will facilitate appropriate residential intensification within an existing agricultural area that is serviced by private services.

2.2.6 Housing

- 1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:
 - a. supports the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - identifying a diverse range and mix of housing options and densities, including second units and *affordable* housing to meet projected needs of current and future residents; and
 - ii. establishing targets for affordable ownership housing and rental housing;
 - b. identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);
 - c. aligns with applicable housing and homelessness plans required under the Housing Services Act, 2011; and
 - d. will be implemented through official plan policies and designations and zoning bylaws.
- 2. Notwithstanding policy 1.4.1 of the PPS, 2014, in preparing a housing strategy in accordance with policy 2.2.6.1, municipalities will support the achievement of *complete communities* by:
 - a. planning to accommodate forecasted growth to the horizon of this Plan;
 - b. planning to achieve the minimum intensification and density targets in this Plan;
 - c. considering the range and mix of housing options and densities of the existing housing stock; and
 - d. planning to diversify their overall housing stock across the municipality.
- 3. To support the achievement of *complete communities*, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.



4. Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for *intensification* and *redevelopment*.

Planning Comment:

The proposal will add thirteen (13) additional dwelling units within the existing built-up area. The residential infill development will contribute to supplying single detached dwellings in a stable neighbourhood with a compatible built form and will contribute to the County's intensification targets. As the subject lands are within a stable neighbourhood and not in proximity to a planned major transit station, they are not viewed as being vital to achieving a significant density. Servicing capacity is available for the subject lands.

3.2.6 Water and Wastewater Systems

- 1. Municipalities should generate sufficient revenue to recover the full cost of providing and maintaining *municipal water and wastewater systems*.
- Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:
 - a. opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management;
 - b. the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;

3.2.7 Stormwater Management

- 1. Municipalities will develop *stormwater master plans* or equivalent for serviced *settlement areas* that:
 - a. are informed by *watershed planning* or equivalent;
 - b. protect the *quality and quantity of water* by assessing existing stormwater facilities and systems;
 - c. characterize existing environmental conditions;
 - d. examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
 - e. incorporate appropriate low impact development and green infrastructure;
 - f. identify the need for stormwater retrofits, where appropriate:
 - g. identify the full life cycle costs of the stormwater *infrastructure*, including maintenance costs, and develop options to pay for these costs over the long-term; and
 - h. include an implementation and maintenance plan.
- 2. Proposals for large-scale *development* proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a *stormwater management plan* or equivalent, that:



- a. is informed by a *subwatershed plan* or equivalent;
- b. incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;
- establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and
- d. aligns with the *stormwater master plan* or equivalent for the *settlement area*, where applicable.

Planning Comment:

The proposed lots will be serviced by private services as stated in the Functional Servicing Report and Stormwater Management Report and as such will not put additional strain on the capacity of the Town. The proposed lots are large enough that they can accommodate on-site cisterns or private wells and on-site septic systems. The existing drainage pattern will be maintained with the exceptions of the site's eastern limit that drains eastward. Storm drainage will be directed to the swale within GRCA-regulated area. Drainage within the lots will be split to the front and rear of each lot.

The proposal is also in keeping with Section 3 and Section 4 as it introduces growth and additional residential intensification to an existing neighbourhood. The proposed development contributes to a complete community within the delineated built-up area of a municipality that is compatible with adjacent lands uses to meet intensification targets for urban growth.

The proposal **conforms** to the Growth Plan.

4.4 Haldimand County Official Plan

The Haldimand County Official Plan came into force and effect in June 2009 with the general purpose of providing objectives and policies to represent the overall public interest for Caledonia, Cayuga, Hagersville, and Dunnville. The Official Plan outlines land use goals, objectives and policies that the County has determined are in the best interest of the long-term growth of the area.

Schedule C.3 designates the area as a "Hamlet' (Refer to Figure 3 - Haldimand County Official Plan Map). The Hamlet designation permits residential uses including single and semi-detached dwellings and apartments associated with commercial uses. The designated Hamlet which includes the subject lands is the Hamlet of Byng.

The relevant policies have been reviewed below:



E. Hamlets

1. There are 25 designated hamlets within Haldimand County. Traditionally, these hamlets have developed as residential, social and commercial centres serving the surrounding agricultural community. While this traditional role will continue to be encouraged, it is also recognized that changes and improvements to transportation facilities over time have lessened the emphasis on hamlets as agricultural service centres and increased their role as residential settlements. As a number of hamlets are located on designated arterial roads, some hamlets may also experience pressure to have property developed for commercial uses that can take advantage of access and/or visibility onto arterial roads.

It is the intent of the County to provide a hamlet environment conducive to rural residential living while permitting appropriately scaled and located commercial, industrial and institutional development in a manner that will minimize land use conflicts.

Planning Comment

The proposal is appropriately scaled to the subject lands for residential use. The development is designed in a manner that will minimize land use conflicts by conforming to the surrounding built environment which consists of residential dwellings.

3. The predominant land use within the Hamlet designation shall be low density residential housing, including single and semi-detached dwellings and apartments associated with commercial uses. Limited, appropriately scaled commercial, industrial and institutional and agriculturally related uses are also permitted.

Planning Comment

The development proposes the creation of thirteen (13) single detached dwellings which conform with the predominant land use within the Hamlet designation.

- 4. The Hamlet designation does not necessarily imply that all development proposed will be acceptable and that all sites within the designation are suitable for development. The following general criteria shall be considered when reviewing applications for development within designated hamlets:
 - a. the traditional form of servicing in the Hamlet areas has been 51 individual water services and on-site sanitary sewage systems designed and installed as per the Ontario Building Code;
 - b. the availability and provision of adequate stormwater management facilities and legal and adequate drainage outlets;
 - c. new development should be a logical extension of the existing built-up area;
 - d. in-depth development rather than linear development along roads is the preferred form of development in hamlets;
 - e. provision shall be made at appropriate locations to permit access from main roads to second or third tiers of lots behind existing development;
 - f. proximity to, and the potential impact on Natural Environment Areas, Hazard Lands and cultural heritage resources should be addressed; and
 - g. the standards for separating residential uses from existing, new or expanding livestock facilities shall be the Minimum Distance Separation formulae.



Planning Comment

Private water and sanitary services are proposed for the development. The development is within the built-up area and consists of the creation of a new street which extends from the existing Rainham Road. An Environmental Impact Study was conducted and the findings are submitted in support of the application. Mitigation measures have been recommended through the EIS to maintain compliance with applicable policies and the proposed development will avoid and manage the on-site floodplain and will not impact off-site natural heritage features.

6. Development of six (6) or more units in an area without full municipal services requires the preparation of a servicing feasibility report to the satisfaction of the County for examining servicing arrangements. Rural and hamlet development of fewer than six units must be on lots which are of suitable size for an individual sewage disposal system and potable water supply. With the exception of possibly servicing hamlets with known environmental problems, development on communal sanitary servicing will not be permitted.

Planning Comment

The development contains more than six (6) units and a servicing plan is provided for the County showing all servicing arrangements.

C. Hazard Land Polices

 Haldimand County is committed to the protection of life and property by respecting natural and man-made hazards. As such, development shall generally be directed away from hazard lands. However it is recognized that there are certain areas of the County where extensive development has taken place within Hazard Lands.

Planning Comment

Development on the North-West end of the property will be limited to area outside the Grand River Conservation Areas Floodplain and will consider all one-zone concepts of this policy section. However, no development will take place within the one-zone regulated areas.

3. In a one-zone concept, new development or site alteration in the defined flood plain will be prohibited or restricted. Where a one-zone concept is applied, the entire flood plain defines the floodway.

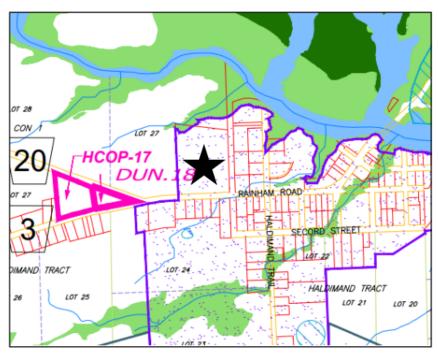
Planning Comment

No development will be directly within the floodplain. Flood control will be mitigated by directing overland stormwater flows through open channels running along the right-of-way and directed to an outlet at a controlled rate to the Grand River.

In conclusion, the development conforms to the Haldimand County Official Plan.



Figure 3
Haldimand County Official Plan Map



Haldimand County Official Plan Excerpt from Schedule "C.3" Hamlet of Byng





4.5 Grand River Conservation Authority - Ontario Regulation 150/06

The Grand River Conservation Authority Policies for the Administration of the Development Interference with Wetlands and Alterations to Shoreline and Watercourse Regulations came into effect October 2015. While development does not take place directly within the Riverine Flooding Hazard Area's, a portion of the subject lands on the North-East corner do fall under Grand River Conservation Authority's Floodplain and Regulated Watercourse. Policies of this document have been taken into consideration as a part of this application. In support of these policies and protection of the Grand River, a Stormwater Management Report has been submitted.

4.6 Town of Dunnville Zoning By-law No. 1-DU 80

The Town of Dunnville Zoning By-law No. 1-DU 80 ("ZBL") is currently in force and effect, most recently consolidated in June 2019. The subject lands are currently zoned Agricultural "A" Zone in the Dunnville By-law 1-DU 80 (Refer to Figure 4 - Existing Zoning Map). The "A" Zone limits development to a single-family dwelling on large residential lots typically found outside of the urban limits of the Town. The existing "A" zoning is not aligned with the Official Plan policies and a Zoning By-law Amendment ("ZBA") is required to permit the infill single detached dwelling.

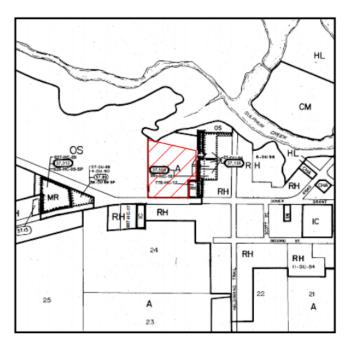
The intent of the ZBA is to rezone the subject lands from Agricultural "A" Zone, to Hamlet Residential "RH" Zone. The purpose of this ZBA is to allow future a Draft Plan of Subdivision and the development of thirteen (13) single detached residential dwellings. The future Draft Plan will be comprised of Part of Lot 29 Plan 14472 Haldimand County, to create thirteen (13) additional lots that conform to the "RH" Zone provisions. (Refer to Appendix B - Draft By-law).

Hamlet Residential 'RH' Zone (Section 14 of the Zoning By-law)			
Provision	Required	Proposed	Conformity
Permitted Use	One family dwelling house	One family dwelling house	Yes
Max. Building Height	11.0 m	11.0 m	Yes
Min. Front Yard Setback	9.0 m	9.0 m	Yes
Min. Rear Yard	9.0 m	9.0 m	Yes
Min. Side Yard	9.0 m	9.0 m	Yes
Min. Lot Frontage	30.0 m	30.48 m	Yes
Min. Lot Area	1,855.0 m ²	1,856.06 m ²	Yes



Parking	2 spaces per dwelling = 2	2 spaces	Yes
Parking Dimensions	3.0 m width	3.0 m width	Yes
	6.0 m length	6.0 m length	

Figure 4
Existing Zoning Map



Zoning By-Law No. 1-DU 80 For the Town of Dunnville Excerpt from Schedule "A5"

Legend	
A Agricultural Zone	SUBJECT PROPERTY 7253 Rainham Road
RH Hamlet Residential Zone	Dunnville, Haldimand County, Ontario
HL Hazard Land Zone	
CM Marine Commercial Zone	
OS Open Space Zone	
IC Community Institutional Zone	
MR Rural Industrial Zone	



5.0 Planning Analysis

The proposal is consistent and conforms to the goals of the Provincial Policy Statement and Growth Plan policies, respectively, as it provides for thirteen (13) additional units in an existing settlement area. The residential units on the subject lands can be accommodated within the Town's existing infrastructure capacities and will be serviced with private services without their unjustified expansion.

The proposal conforms to the Haldimand County Official Plan as it maintains the goals of the Hamlet designation by providing thirteen (13) additional residential unit while preserving the established cultural landscape in proximity to a major transit corridor at an appropriate low-density.

The existing zoning (Agricultural "A" Zone), limits the development potential of the subject lands. The Zoning By-law Amendment is proposed to rezone the lands to the Hamlet Residential "RH" Zone with the intent of a future Draft Plan of Subdivision, allowing buildable lots for singe detached residential dwellings. The proposal is in conformity with the provisions of the "RH" Zone and would have a built-form and setbacks that are aligned with the surrounding neighbourhood. The Zoning By-law Amendment is appropriate for the lands as the proposed single-family dwelling use is compatible with the surrounding densities, urban form and function.

In conclusion, the Zoning By-law Amendment, is consistent with the Provincial Policy Statement, conforms to the Growth Plan and the Haldimand County Official Plan while maintaining the intent of the Town of Dunnville Zoning By-law No. 1-DU 80 as the built form of the subject lands will maintain the form and function of the surrounding neighbourhood.

6.0 Implementation

This proposed development is to be implemented through the Zoning By-law Amendment ("ZBA") and Draft Plan of Subdivision processes. A ZBA will allow for the proposed residential form to be permitted, the Draft Plan of Subdivision will then establish the lots for units and will also address the specific grading, stormwater, servicing and landscaping details.

A draft amending by-law has been prepared and can be found as Appendix B to this Report.



7.0 Conclusions

A Zoning By-law Amendment is required to rezone the subject lands from Agricultural "A" Zone to the Residential Hamlet "RH" Zone.

The proposed changes to the Town of Dunnville Zoning By-law No. 1-DU 80 are consistent with and conform to the applicable planning policy framework as follows:

- They are consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, in that growth is directed to Settlement Areas adjacent to existing development;
- The proposal is aligned with the intent of the Haldimand County Official Plan Hamlet designation in that the proposal maintains the existing neighbourhood character with an appropriate low-density built form;
- Will not require any capacity increase or expansion of the existing municipal services and infrastructure; and
- Represents good planning, providing an appropriate residential use that does not over intensify the subject lands and represents good land use planning.

In summary, the proposed development and associated amendment to the Town of Dunnville Zoning By-law No. 1-DU 80 is appropriate, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,

Maria

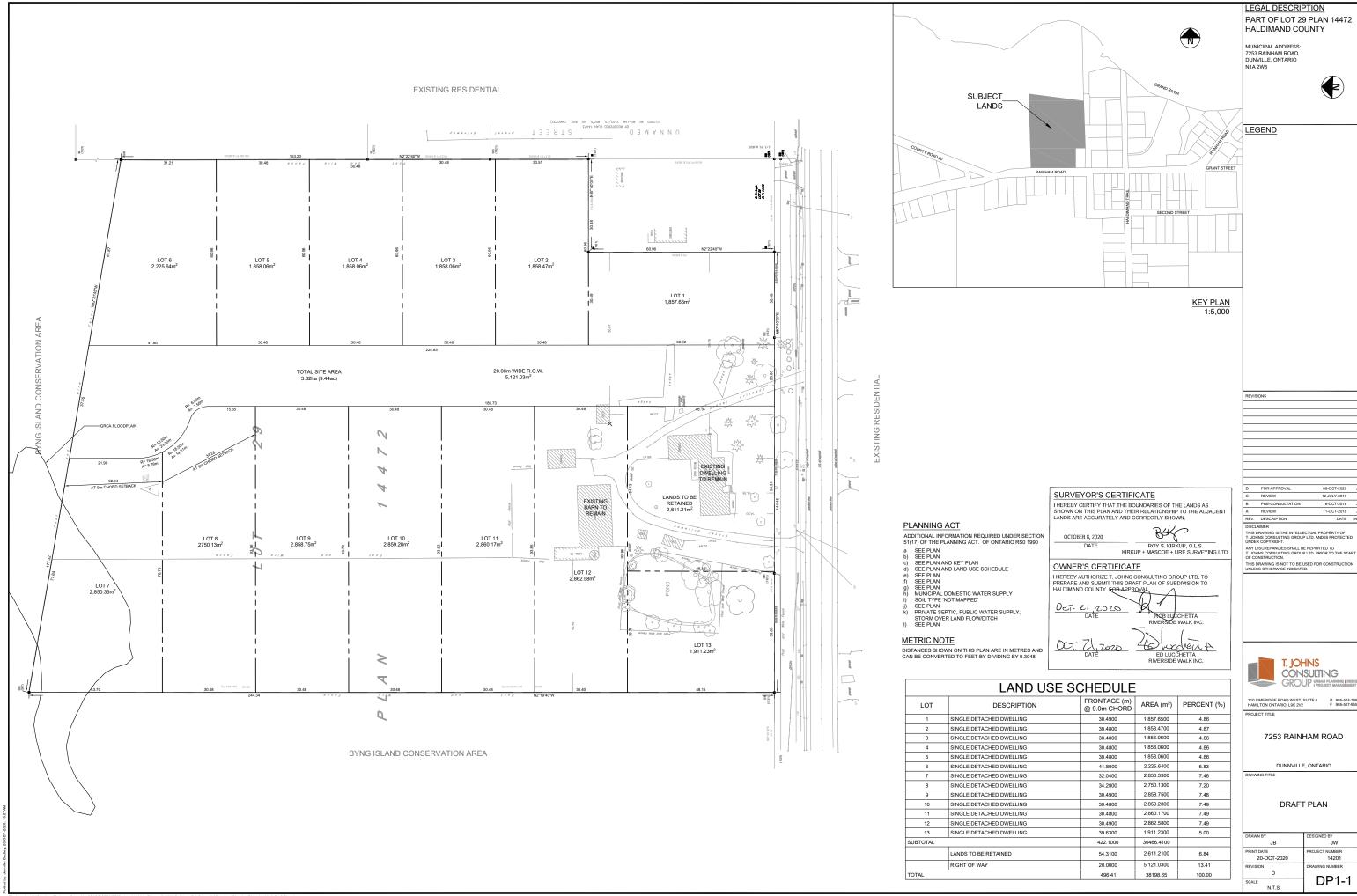
T. JOHNS CONSULTING GROUP

Diana Morris, BA, MCIP, RPP

Senior Planner



Appendix A: Proposed Draft Plan of Subdivision



PART OF LOT 29 PLAN 14472,

12-JULY-2019 11-OCT-2018

DP1-1



Appendix B: Draft By-law

Zoning By-law Amendment Application 7253 Rainham Road, Dunnville

THE CORPORATION OF THE TOWN OF GRIMSBY DRAFT BY-LAW NO. __-__

A BY-LAW TO AMEND BY-LAW NO. 1-DU 80, AS AMENDED

(7253 Rainham Road, Dunnville)

WHEREAS the Council of The Corporation of Haldimand County deems it expedient to amend By-law No. 1-DU 80, as amended.

THEREFORE, THE COUNCIL OF THE CORPORATION OF HALDIMAND COUNTY ENACTS AS FOLLOWS:

AS	FOLLOWS:
1.	Schedule A5 is hereby amended by changing the zoning of the lands identified on Schedule A to this by-law from an 'A' to a 'RH' Zone.
Re	ad a first time this day of, 20
Re	ad a second and third time and finally passed this day of, 20
	Mayo

Clerk

Zoning By-law Amendment Application 7253 Rainham Road, Dunnville

