



PLANNING REPORT for the TOWNSHIP OF PUSLINCH

Prepared by the County of Wellington Planning and Development Department

MEETING DATE: May 25th, 2022
TO: Glenn Schwendinger, CAO
Township of Puslinch
FROM: Meagan Ferris, Manager of Planning and Environment
County of Wellington
SUBJECT: **PUBLIC MEETING – Audrey Meadows Ltd.**
County Official Plan Amendment File #OP-2021-02 and
Township Zoning By-law Amendment File #D14/AUD
Parts of Lots 17, 18 & 19, Concession 8, Township of Puslinch
ATTACHMENTS: 1 – Subject Lands (Aerial Map)
2 – Conceptual Plan (December, 2021)
3 – Public Comment Letters

SUMMARY

A County Official Plan amendment and a Township Zoning By-law amendment has been received which seeks to amend the County Official Plan local policies for Puslinch and amend Zoning By-law #023/18 to establish site specific zoning provisions to facilitate residential development on individual, private services.

The statutory public meeting is scheduled for May 25th, 2022. This report provides a preliminary overview of the proposal; highlights some key planning policies to be considered; summarizes the comments received to date and identifies the next steps in the planning review process.

It is recommended that this Public Meeting report regarding the proposed County Official Plan amendment OP-2021-02 and Township Zoning By-law Amendment D14/AUD be received for information.

INTRODUCTION

The lands subject to the proposed amendments do not have a municipal address, but are described as Part of Lots 17, 18 & 19, within the Township of Puslinch. The subject lands are approximately 49.86 ha in area, with the proposed development being located immediately north of an existing rural subdivision (Audrey Meadows). The subject lands have direct frontage off of Victoria Road South. The lands subject to the proposed applications can be seen in **Attachment 1**.

Surrounding land uses consists primarily of existing rural residential use, a rural subdivision, and agricultural uses. The subject lands are located within 1km of the urban boundary for the City of Guelph.

DEVELOPMENT PROPOSAL

The development proposal seeks to facilitate residential development on the subject lands. Development is proposed on a portion of the lands and equates to an area of about 12.7 ha, while the balance of the lands is not proposed to be developed. The applicant originally sought to develop an area of 14.5 ha with a total of 29 lots; however, a revised conceptual plan and amending zoning by-law was later provided to address comments received. The revised concept plan proposes approximately 12.7 ha of land for development with a total of 22 lots.

The future dwellings are proposed to be developed on individual, private wells and septic, with a new access onto Victoria Road South and connection into the abutting, existing rural subdivision (Audrey Meadows). The conceptual plan also includes a storm water management block and open space block. A copy of the revised concept plan can be seen in **Attachment 2**.

It is understood that the applicant is of the opinion that the existing Audrey Meadows subdivision is considered a rural settlement area in Provincial and County policy and that this proposal will allow a minor adjustment and rounding out of a settlement area. The abutting rural subdivision (Audrey Meadows) contains 49 lots. It is noted that the existing Audrey Meadows development went through a County Official Plan Amendment and Draft Plan of Subdivision approval which were submitted in 2004. The Official Plan Amendment (OPA#51) was adopted in November, 2006 and placed the existing development into the 'Country Residential Area' designation. Draft plan of subdivision approval was obtained in 2007 and a site specific zoning by-law amendment followed and was approved in 2008.

PROPOSED AMENDMENTS

In order to facilitate this development proposal an amendment to the County Official Plan and Township Zoning By-law is required. The amendments proposed are summarized as follows:

- Amend the Puslinch local policies in the County Official Plan under Section 9.8.5 *Policy Areas* by adding a new policy (PA7-9 Audrey Meadows Limited) and amend Schedule A-7 (Puslinch) of the Official Plan;
- Amend the Township Zoning By-law by introducing a new zone category – Rural Settlement Residential (RSR) described as follows “Provides for and regulates the rounding out and minor infilling of an existing rural settlement with low density single detached units”; and
- Rezone the subject lands from 'Agriculture (A)' Zone to the new zone category with customized zoning provisions, subject to a holding provision.

REPORTS AND STUDIES SUBMITTED

In support of the subject applications, the following studies were submitted:

- Planning Justification Report prepared by Stovel and Associates Inc. (dated April 16, 2021 and June 2021) with draft Official Plan and Zoning By-law amendment by-laws
- Hydrogeological Assessment prepared by Golder Associates Ltd. (dated April, 2020)
- Environmental Impact Study prepared by Rob Stovel and Associates Inc. (not dated)
- Functional Servicing and Stormwater Management Report prepared by Triton Engineering Services Limited (dated June 2021) and addendum letter dated August 16th, 2021
- Letter regarding Section 4.9.7 Paris and Galt Moraine Policy Area prepared by Groundwater Science Corp. (dated June 20, 2021)
- Traffic Impact Brief prepared by Triton Engineering Services Limited (dated June, 2021)
- Groundwater and Surface Water Monitoring Program Report prepared by Hydrogeology Consulting Services (not dated)

PROVINCIAL POLICY - PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (2020) provides policy direction for all development within the Province of Ontario in part by building strong and healthy communities and managing and directing land uses and land uses patterns.

The PPS directs growth to settlement areas and that land use patterns within settlement areas are based

on a mix of uses and densities that efficiently use land, are appropriate, minimizing impact etc. The PPS recognizes the importance of the Rural Area and the need to support the health, integration and viability of rural areas. In addition, the PSS establishes a servicing hierarchy and seeks to manage and protect resources such as natural heritage, agricultural, water. The various policies of the PPS will need to be considered; however, it is noted that the Growth Plan provides more specific policy regarding growth management.

PROVINCIAL POLICY - PROVINCIAL GROWTH PLAN (2019)

The Growth Plan provides a policy framework that builds onto the Provincial Policy Statement (2020). The vision and policies of this Plan are based on guiding principles and these principles seek to, amongst other things, support complete communities, manage growth, support range and housing mix options, protecting natural heritage and agricultural etc. Included below is a summary of some key policy considerations.

The Plan directs that the vast majority of growth will be directed to settlements areas that have a delineated built boundary; have existing or planned municipal services; and can support the achievement of complete communities. The Plan further directs that growth will be limited in settlement areas that are: rural settlements; are not serviced by existing or planned municipal services; or are in the Greenbelt Area. The Plan further identifies that the establishment of new settlement areas is prohibited.

It is our understanding that the applicant considers this proposal to represent a minor adjustment to a rural settlement area boundary and that the Section 2.2.9.7 would be applicable. The Growth Plan defines “settlement areas” and “rural settlements” as follows (below) and requires these areas to be designated/identified in an Official Plan.

- Settlement Areas – “Urban areas and *rural settlements* within municipalities (such as cities, towns, villages and hamlets) that are:
 - a) built up areas where development is concentrated and which have a mix of land uses; and
 - b) lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the *settlement area* may be no larger than the area where development is concentrated.”
- Rural Settlements - “Existing hamlets or similar existing small settlement areas that are long-established and identified in official plans. These communities are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth...”.

With respects to the natural features on-site, it is noted that Section 4.2.4 *Lands Adjacent to Key Hydrological Features and Key Natural Heritage Features* are applicable. Where development is within 120 m of a key hydrologic feature (i.e. wetlands) a vegetation protection zone that is no less than 30 metres is required.

GREENBELT PLAN

The subject lands are not located within the Greenbelt Plan.

COUNTY OFFICIAL PLAN

Within the County Official Plan the subject lands are designated as ‘Secondary Agricultural Area’, ‘Core Greendlands’ and ‘Greenlands’. The site is also located within the Paris Galt Moraine Policy Area. The

Greenlands System identifies that the following is applicable to the subject lands: provincially significant wetlands, wetlands, significant ecological area, floodplain, significant woodlands, and environmentally sensitive area.

The amendment to the Official Plan is described in the 'Proposed Amendments' section. The policy proposed to be introduced (PA7-9) is identified below:

"This policy area applies to the lands legally described as Part of Lots 17, 18, and 19, Concession 8, Township of Puslinch. Notwithstanding any provisions in this Plan to the contrary, these lands may be developed for residential dwellings. The dwellings shall be serviced by individual private water and wastewater services. Pursuant to Policy 6.4.7, this development is deemed to be residential infilling of an existing rural settlement. This development contributes to fulfillment of the local municipality growth strategy. This development shall be implemented through a rezoning and plan of subdivision or plan of condominium".

Urban System

The County Official Plan identifies the urban system to include urban places that are expected to accommodate the majority of growth. This System includes hamlets and urban centres. Within Puslinch, this currently includes Aberfoyle, Morriston, and Arkell. Consideration will need to be given to these policies and the Wellington Growth Strategy in Part 3.

Rural System

The Secondary Agricultural Area forms part of the County's Rural System. This System is primarily natural resource land and some other uses typically found in non-urban area. Permitted uses and activities, as set out in Section 6.5.3, includes: all uses allowed in the Prime Agricultural Area; small-scale commercial, industrial and institutional uses; and public service facilities. All types, sizes and intensities of agricultural uses and farm practices shall be promoted and protected.

The Rural System also include lands identified as Country Residential Areas, as set out in Section 6.9, which recognizes low density rural subdivisions on individual services. It is noted that the existing, abutting residential development (Audrey Meadows) is identified on Schedule A7 of the County Official Plan as Country Residential Area. It is the intent of the County Official Plan that the Country Residential Area are not allowed to be expanded nor are new locations to be identified.

It is noted that the County Official Plan includes a policy – Section 6.4.7 *Rural Settlements* – which are identified as existing small communities that are "primarily small clusters of housing with occasional commercial, industrial or institutional uses". These areas are *not* designated on Schedule A of the Official Plan and these areas are permitted limited infill.

It is further noted that the applicant has indicated there are no active livestock operations barns within the immediate area.

Greenland System

The Official Plan recognizes that the features and areas identified in the Plan function as a System and that this System will be protected, maintained and enhanced. Section 5.4 provides policies for the Core Greenlands which is specific to all wetlands, habitation of endangered or threatened species or fish habitat and hazardous areas. Section 5.5 provides policies specific to Greenlands, which includes significant woodlands.

Development impacts will need to be assessed and demonstrate that there are no negative impacts on the features or their function. As the subject proposed is adjacent to these features, the applicant has submitted an Environmental Impact Study that has been reviewed by the Township's environmental consultant (Natural Resource Solutions Inc.) and the Grand River Conservation Authority. The development of the subject lands seeks to be located outside of these features and establish setback buffers.

Water Resources, Paris and Galt Moraine Policy Area, & Watershed Plans

The County Official Plan includes a series of policies that seek to protect and where possible enhance water resources. Policies that will need to be considered include Section 4.9 *Water Resources*, including the detailed policy direction in Section 4.9.4; Section 4.9.7 *Paris and Galt Moraine Policy Area*, including protecting the moraine processes and features; and Section 4.10.1 *Mill Creek Watershed*.

Urban Area Protection

The subject lands are located less than 1 km from the urban boundary of the City of Guelph. As such, consideration will need to be given to Section 4.7 *Urban Area Protection* of the Official Plan. The applicant has indicated that development is more than 600 m away and the retention of natural features on-site will provide substantial buffering.

TOWNSHIP ZONING BY-LAW #023/18

The subject lands are currently zoned as Agriculture (A) Zone; Natural Environment (NE) Zone; and subject to the Environmental Protection Overlay. The intent of the proposed Zoning By-law amendment is described in the 'Proposed Amendments' section.

Planning staff have included below a summary of the proposed provisions for the new, Rural Settlement Residential (RSR) Zone being proposed, and the additional requests as outlined in the applicants revised, amending by-law:

Minimum Zone Standards

- Minimum lot size: 0.3 ha
- Minimum lot frontage: 20 m
- Minimum front yard setback: 6 m
- Minimum interior side yard setback: 2 m
- Minimum exterior side yard setback: 6 m
- Minimum rear yard setback: 6 m
- Maximum permit lot coverage: 40%
- Maximum building height: 11 m
- Minimum required landscaped open space: 30%

Reduced Lot Sizes

- Including a provision to allow the minimum lot area to be reduced if supported by site-specific hydrogeological studies.

Proposed Permitted Uses

- Accessory apartment; bed and breakfast; boarding/lodging/rooming house; community garden; dwelling-duplex; dwelling-single detached; group home; home business; private home day care; public park and public school.

Natural Environment (NE) Zone Setbacks

- Reduce from 30 m to 15 m from a wetlands and 0 m from a woodland/forest

Holding Provision

- Proposed on the subject lands until such time that a subdivision agreement (or condominium agreement) is entered into between the Township and the owner.

AGENCY, CONSULTANT AND PUBLIC COMMENTS

A review of the proposed Official Plan amendment and Zoning By-law amendment, including the previously mentioned supporting studies, was conducted by applicable public agencies and the Township's consultants. Staff have prepared a summary of the most recent comments:

- **Fire Department:** No concerns raised. Supplied the Fire Department's water supply connection requirements for water storage tanks and dry hydrants.
- **Township Hydrogeologist (Harden Environmental Services Inc.):** Preliminary comments related to: the need for a nitrate impact analysis; confirmation of adequate water supply (quantity and quality); water balance and water quality of infiltrated water; and impacts to Mill Creek.
 - **Planning Comment:** the applicant has submitted a nitrate impact analysis and water supply assessment letter. Additional comments from the Township Hydrogeologist are anticipated.
- **Township Ecologist Natural Resource Solutions Inc.:** The addendum to the submitted Environmental Impact Study has addressed numerous comments and recommendations. Additional comments noted, including lots 9-16 are proposed to include portions of the woodland edge; however, a 10 m setback from the dripline has been proposed; a detailed tree management plan will be required as part of future development applications. Recommendations that are to be addressed in addition to the recommendations of the Environmental Impact Study – a detailed tree inventory of all trees and a tree management plan, including additional investigation of potential bat cavities; and that water balance analysis is required including update amphibian surveys for adjacent wetlands.
- **Township Engineer (GM BluePlan):** GM BluePlan issued revised comments that include engineering comments related to: (i) water servicing including additional information required regarding adequate water supply; (ii) wastewater servicing including additional analysis regarding nitrate impacts and that evaluation of wells between the site and Mill Creek; (iii) acknowledgement that fire water was not discussed in the Functional Servicing Report, but can be reviewed at a later stage; (iv) generally no major concerns with storm water management approach; (v) roads and traffic – the Traffic Impact Study does not incorporate forecasting of future volumes on Victoria Road and the impacts of proposed developments (including the Clair-Maltby Secondary Plan Area) should be considered and sightline requirements are greater than required; and (vi) additional ground and surface water data from 2021 should be provided for review.
- **Source Water Protection:** The subject lands are located in a Significant Groundwater Recharge Area (SGRA) and a draft Wellhead Protection Area Q (WHPA-Q) with a significant risk level; however, the subject lands are not located within a Wellhead Protection Area for quality, an Issue Contributing Area (ICA) or a Highly Vulnerable Aquifer (HVA). A Section 59 Notice under the Clean

Water Act is not required and transportation pathways have not been identified. Additional comments include – the need for a hydrogeological impact assessment and the incorporation of design measured to ensure recharge of the aquifer is maintained and is contamination free.

- **Grand River Conservation Authority (GRCA):** No objections to amendment applications. Majority of comments provided (dated February 24, 2022) are to be addressed as part of a future development application (i.e. draft plan of subdivision); the EIS addendum does not consider the most recent groundwater assessment and it is expected that additional stormwater management and water balance details will be provided to demonstrate no adverse hydrological impacts within the wetlands or watercourses. Advisory comment – a minimum 30 m setback from all wetlands is supported and it is advised the lot lines be further adjusted to ensure lot lines are 30 m from the wetlands.
- **Canada Post:** It has been determined that the above noted development will require centralized mail delivery through a community mailbox. Conditions regarding the location of a community mailbox has been provided.
- **Upper Grand District School Board:** No objections. Education Development Charges are to be collected prior to the issuance of a building permit; submission of a digital file with the future parcel fabric and street network; and the inclusion of an advisory clause on all offers of purchase and sale/lease agreements.

Any additional comments received during and after the public meeting will be included as part of a future planning report.

ADDITIONAL COMMENTS

In addition to the comments above, the following comments have also been received:

- **Public Comments** – Formal written comments have been provided regarding this application from (i) Audrey Meadows Community Group dated September 21, 2021 and (ii) Michael & Cynthia Sindell received April 11th, 2022. These comments have been attached to this report.
- **Planning Development Advisory Committee (PDAC)**– The Committee met on May 10th, 2021 and the comments represented an approval in principle, subject to the following: 1. Hydrogeological Study; 2. Traffic Study; 3. Consideration for rear lot buffering from adjacent development; and 4. Conformance with provincial legislation.

ADDITIONAL PLANNING COMMENTS

It is important to note that the lands subject to the application and the abutting lands form part of the Rural System; the subject lands and abutting rural subdivision are specifically designated in Schedule A7; the Official Plan focuses growth to identified urban centres and hamlet which excludes the subject lands; the Official Plan does not permit the expansion or creation of new 'Country Residential Areas'; and the proposed development includes 12.7 ha of additional land and within 1 km of the City of Guelph.

The zone standards proposed appear to be a mixture of the Hamlet Residential (HR) and Rural Residential (RUR) zone standards. It is noted that the abutting development is zoned as a site specific Rural Residential (RR) Zone and the specific provisions establish minimum yard requirements and maximum lot coverage.

The uses proposed are not all permitted in the Agriculture (A) Zone and the listed permitted uses generally

align with uses permitted in the Rural Residential (RUR) Zone, except for boarding/lodging/rooming housing; dwelling-duplex; and public school. The latter uses are currently permitted within the Urban Residential (UR) and Hamlet Residential (HR) Zones (i.e. Aberfoyle, Morriston, and the Hamlet of Arkell).

When considering the proposed amending by-law, consideration should be given to items such as: the minimum lot standards proposed including the provision to allow reduced lot sizes and in relation to the existing, abutting development; the uses proposed to be permitted; and the appropriateness of reduced setbacks from features including wetlands as identified in the draft amending by-law.

NEXT STEPS

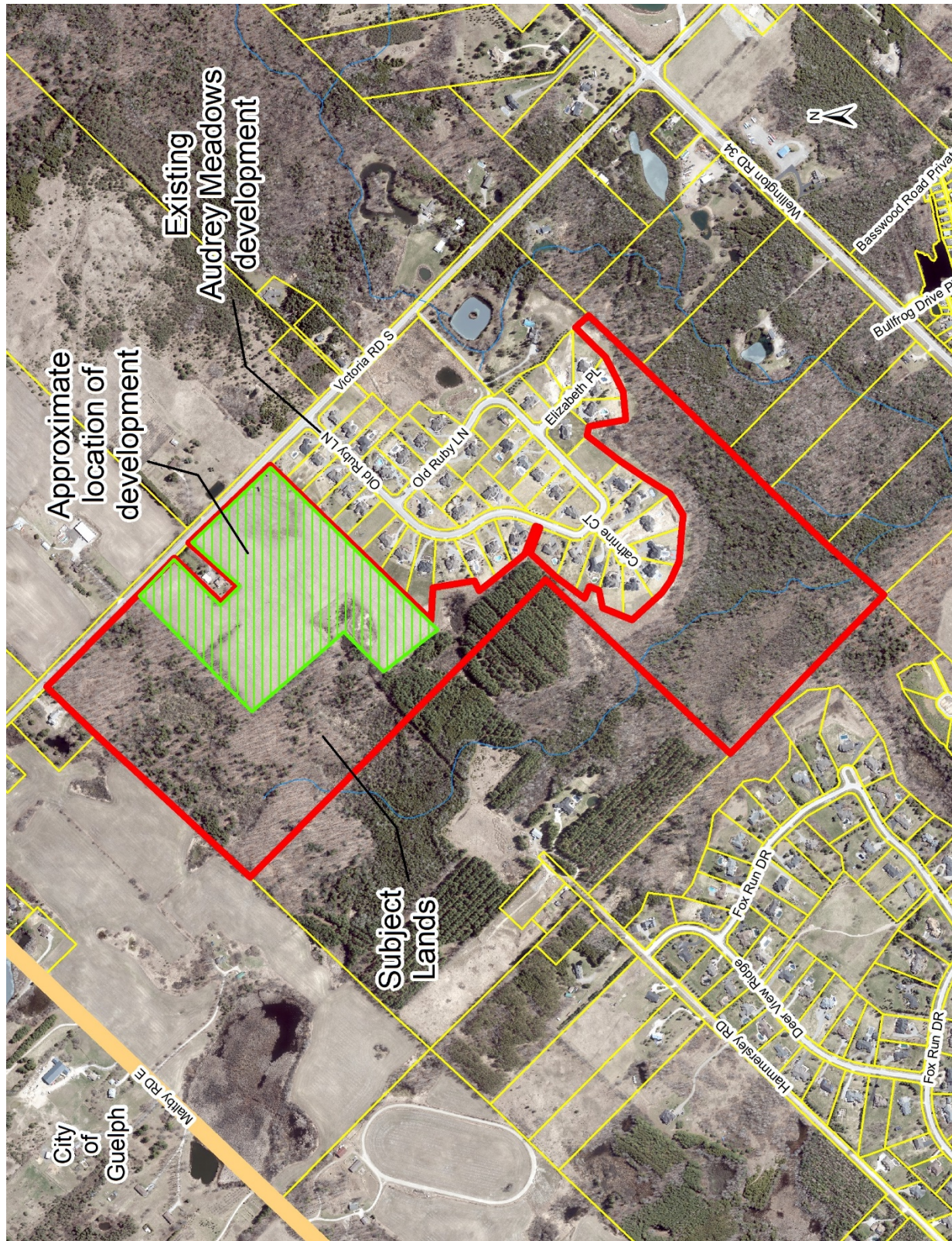
The public meeting for these applications is scheduled for May 25th, 2022. Planning staff will be in attendance at the public meeting to hear the applicant's presentation, input from the public, and Council comments. We trust that these initial comments are of assistance to the Township.

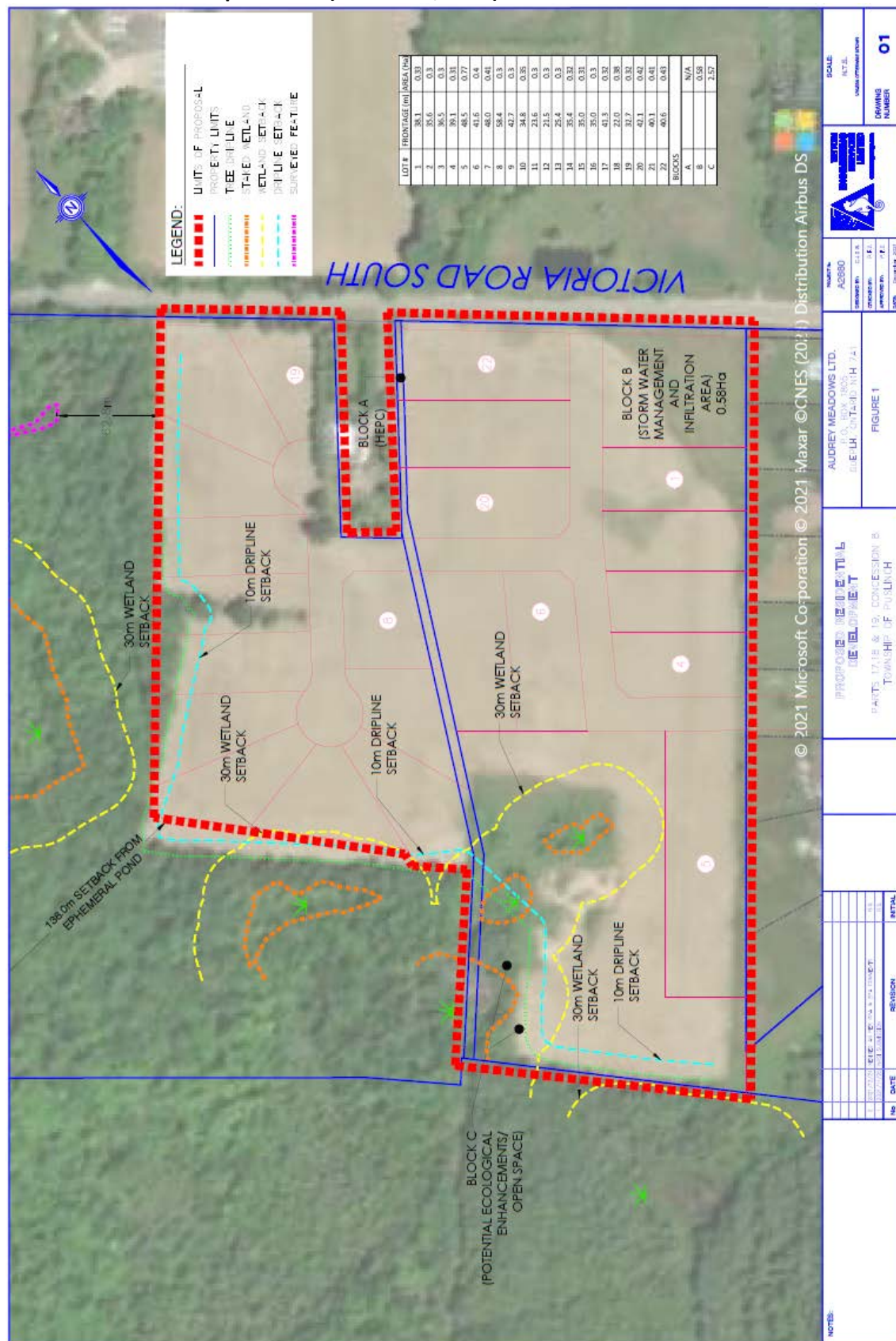
Respectfully submitted,
County of Wellington Planning and Development Department



Meagan Ferris, RPP MCIP
Manager of Planning and Environment

ATTACHMENT 1: Subject lands (Aerial Map)





ATTACHMENT 3: Public Comment Letters