

#### CORPORATION OF THE CITY OF CLARENCE-ROCKLAND PLANNING COMMITTEE

August 2, 2017, 7:00 pm Council Chambers 415 rue Lemay Street, Clarence Creek, Ont.

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- 8. Other Items
- 9. Adjournment



#### CORPORATION DE LA CITÉ DE **CLARENCE-ROCKLAND**

#### COMITÉ DE L'AMÉNAGEMENT

le 2 août 2017, 19 h 00 Salle du Conseil 415 rue Lemay Street, Clarence Creek, Ont.

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- 7.4 Collecteur est-ouest Village Morris Étape 5
  - a. Présentation
  - b. Commentaires du Comité / Public
  - c. Recommandation
- 8. Autres items
- 9. Ajournement

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# CORPORATION OF THE CITY OF CLARENCE-ROCKLAND PLANNING COMMITTEE MEETING MINUTES

June 7, 2017 Council Chambers 415 rue Lemay Street, Clarence Creek, Ont.

PRESENT: Mario Zanth, Chairperson

Carl Grimard, Councillor Ward 3 Michel Levert, Councillor Ward 7 Isabelle Robillard, Member Monique Ouellet, Clerk

Helen Collier, Chief Administrative Officer

ABSENT: Guy Desjardins, Mayor

Elaine Simard, Member

1. Opening of the meeting

The Chair opens the meeting at 7:01 p.m.

2. Adoption of the agenda

RESOLUTION AME2017-12 Moved by Isabelle Robillard Seconded By Carl Grimard

THAT the agenda be adopted as presented.

**CARRIED** 

3. Declaration of pecuniary interests

None

- 4. Adoption of the minutes
  - 4.1 Planning Committee meeting minutes of May 3, 2017

**RESOLUTION AME2017-13** 

Moved by Carl Grimard

Seconded By Isabelle Robillard

**BE IT RESOLVED THAT** the minutes of the Planning Committee meeting of May 3, 2017, be adopted.

**CARRIED** 

#### 5. Planner's Statement

The planner's statement is presented.

#### 6. Deferred Items

None

#### 7. Presentations / Reports

#### 7.1 Zoning By-law Amendment for 1795 Du Lac Road

#### a. Presentation

Mrs. Marie-Ève Bélanger presents the zoning by-law amendment application submitted by Mr. Christopher Kiff. She explains that the purpose of the application is to change the zoning category for the property at 1795 Du Lac Road in Saint-Pascal-Baylon from "General Agriculture (AG) Zone" to "General Agriculture — Temporary 1 (AG-t1) Zone" in order to allow a garden suite for a period of twenty (20) years.

#### b. Committee / Public Comments

None

#### c. Recommendation

RESOLUTION AME2017-14

Moved by Carl Grimard

Seconded By Isabelle Robillard

**THAT** the Planning Committee recommends to Council to amend Zoning By-Law 2016-10, in order to change the zoning category of the property, from "General Agriculture (AG) Zone" to "General Agriculture – Temporary 1 (AG-t1)" as recommended by the Infrastructure and Planning Department.

**CARRIED** 

## 7.2 Official Plan and Zoning By-law Amendment – Block 56 of Plan 50M-323

#### a. Presentation

Mrs. Marie-Ève Bélanger presents that application submitted by Novatech Engineering for Riverlands of Rockland Inc. She explains that the goal is to build single detached dwellings instead of townhouse dwellings.

#### b. Committee / Public Comments

Other than a discussion in regards to the lengthy process, no comments were made.

#### c. Recommendation

RESOLUTION AME2017-15

Moved by Michel Levert

Seconded By Isabelle Robillard

THAT the Planning Committee recommends to Council to amend the Official Plan of the Urban Area of the City of Clarence-Rockland, in order to change the land use designation of the property known as Block 56 of plan 50M-323, from "Medium Density Residential" to "Low Density Residential", and to support the application to amend Zoning By-Law No. 2016-10, in order to change the zoning category of the property, from "Urban Residential Third Density – Exception 58 (R3-58) Zone" to "Urban Residential Second Density – Exception 27 (R2-27) Zone", and from "Urban Residential Third Density – Exception 58 (R3-58) Zone" to "Parks and Open Space (OS)", as recommended by the Infrastructure and Planning Department.

CARRIED

#### 7.3 Zoning by-law Amendment - 247 to 307 de l'Étang Street

#### a. Presentation

Mrs. Marie-Ève Bélanger presents the application submitted by Novatech for Riverlands of Rockland Inc. She explains that the proposed amendment would allow the construction of townhouse dwellings with a minimum lot frontage of 6 metres instead of 7 metres.

#### b. Committee / Public Comments

None

#### c. Recommendation

RESOLUTION AME2017-16 Moved by Isabelle Robillard Seconded By Michel Levert

**THAT** the Planning Committee recommends to Council the application to amend Zoning By-Law No. 2016-10, in order to change the zoning category of the properties known as 247-307 de

l'Étang Street, from "*Urban Residential Third Density – Exception* 58 (R3-58) Zone" **to** "*Urban Residential Third Density – Exception* 62 (R3-62) Zone", as recommended by the Infrastructure and Planning Department.

**CARRIED** 

8.	Other Items	
	None	
9.	Adjournment	
	The meeting is adjourned at 7:44 p.m.	
	. 7 4 D .: 1	
Ma	ario Zanth, President	Monique Ouellet, Clerk



## CORPORATION DE LA CITÉ DE CLARENCE-ROCKLAND PROCÈS-VERBAL DU COMITÉ D'AMÉNAGEMENT

le 7 juin 2017 Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

PRÉSENT: Mario Zanth, Président

Carl Grimard, Conseiller quartier 3
Michel Levert, Conseiller quartier 7

Isabelle Robillard, Membre Monique Ouellet, Greffière

Helen Collier, Directrice générale

ABSENT: Guy Desjardins, Maire

Elaine Simard, Membre

1. Ouverture de la réunion

Le président ouvre la réunion à 19h01.

2. Adoption de l'ordre du jour

RÉSOLUTION AME2017-12

Proposée par Isabelle Robillard

Appuyée par Carl Grimard

QUE l'ordre du jour soit adopté tel que présenté.

**ADOPTÉE** 

3. Déclaration d'intérêts pécuniaires

Aucune

- 4. Adoption des procès-verbaux
  - 4.1 Planning Committee meeting minutes of May 3, 2017

**RÉSOLUTION** AME2017-13 **Proposée par** Carl Grimard **Appuyée par** Isabelle Robillard

**QU'IL SOIT RÉSOLU QUE** le procès-verbal de la réunion du Comité d'aménagement du 3 mai, 2017, soit adopté.

**ADOPTÉE** 

#### 5. Énoncé de l'urbaniste

L'énoncé de l'urbaniste est présenté.

#### 6. Items différés

Aucune

#### 7. Présentations / Rapports

#### 7.1 Modification au Règlement de zonage - 1795 Du Lac Road

#### a. Présentation

Mme Marie-Ève Bélanger présente la demande de modification au Règlement de zonage soumise par M. Christopher Kiff. Elle explique que le but de la demande est de changer le zonage de la propriété de « Zone Agricole (AG) » à « Zone Agricole – Temporaire 1 (AG-t1)» afin de permettre un pavillon jardin pour une période de vingt (20) ans.

#### b. Commentaires du Comité / Public

Aucun

#### c. Recommandation

**RÉSOLUTION** AME2017-14 **Proposée par** Carl Grimard **Appuyée par** Isabelle Robillard

**QUE** le Comité d'aménagement recommande au Conseil Municipal d'approuver le règlement modifiant le Règlement de zonage 2016-10 afin de changer le zonage de la propriété de « Zone Agricole (AG) » à « Zone Agricole – Temporaire 1 (AG-t1) » tel que recommandé par le Département d'infrastructure et aménagement du territoire.

**ADOPTÉE** 

## 7.2 Modification au Plan officiel et au Règlement de zonage – Bloc 56 du plan 50M-323

#### a. Présentation

Mme Marie-Ève Bélanger présente la demande soumise par Novatech Engineering pour Riverlands de Rockland Inc. Elle explique que le but de la demande est de permettre la construction d'unité unifamilial au lieu d'unités en rangés.

#### b. Commentaires du Comité / Public

Autre qu'une discussion au niveau du processus d'approbation ardu, aucun commentaire n'a été fait.

#### c. Recommandation

**RÉSOLUTION** AME2017-15 **Proposée par** Michel Levert **Appuyée par** Isabelle Robillard

QUE le comité d'aménagement recommande au conseil de supporter l'amendement au Plan Officiel de l'aire urbaine de la Cité de Clarence-Rockland, dans le but de modifier la désignation du bloc 56 du plan 50M-323, de « Résidentielle à moyenne densité » à « Résidentielle à faible densité », ainsi que de supporter la demande d'amendement au Règlement de zonage 2016-10, dans le but de modifier la catégorie de zonage de la propriété, de « Zone résidentielle urbaine de troisième densité – exception 58 (R3-58) » à « Zone résidentielle urbaine de deuxième densité – Exception 27 (R2-27) », et de « Zone résidentielle urbaine de troisième densité – exception 58 (R3-58) » à « Zone de parcs et d'espaces verts (OS) » tel que recommandé par le Département d'infrastructure et aménagement du territoire.

**ADOPTÉE** 

#### 7.3 Modification au règlement de zonage - 247 à 307 de l'Étang Street

#### a. Présentation

Mme Marie-Ève Bélanger présente la demande soumise par Novatech pour Riverlands Rockland Inc. Elle explique que le but de la modification proposée est de réduire le minimum de la façade des lots à 6 mètres au lieu de 7 mètres.

#### b. Commentaires du Comité / Public

Aucun

#### c. Recommandation

RÉSOLUTION AME2017-16 Proposée par Isabelle Robillard Appuyée par Michel Levert

**QUE** le comité d'aménagement recommande au conseil de supporter l'amendement au Règlement de zonage 2016-10, dans le but de modifier la catégorie de zonage des propriétés situées au 247-307 rue de l'Étang, de « Zone résidentielle urbaine de troisième densité – exception 58 (R3-58) » à « Zone résidentielle urbaine de troisième densité - Exception 62 (R3-62) », tel que recommandé par le Département d'infrastructure et aménagement du territoire.

ADOPTÉE

8.	Autres items	
	Aucun	
9.	Ajournement	
	La réunion est ajournée à 19h44.	
Ma	ario Zanth. Président	Monique Quellet Greffière







- Toute personne présente peut soumettre ses observations et ses commentaires sur les présentes propositions d'ébauche de plan de lotissement ou de la modification au plan officiel ou de la modification au règlement de zonage.
- renseignements sur la ou les présentes demandes en s'adressant au Service de l'aménagement du territoire de la Cité de Clarence-Rockland, au 1560 rue Laurier à Rockland (édifice de l'Hôtel de ville) aux heures habituelles de bureau, soit de 8h30 à 16h30 du lundi au vendredi;

- Anyone present at the meeting may submit their concerns or comments in respect to the proposed draft plan of subdivision or to the Official Plan amendment or to the Zoning By-Law amendment.
- Anyone may obtain additional information relating to the present requests by contacting the Planning Department at the City Hall, located at 1560 Laurier Street in Rockland, between 8:30 A.M. and 4:30 P.M., from Monday to Friday.

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Si une personne ou un organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland à l'égard du plan de lotissement proposé avant que l'autorité approbatrice n'approuve ou ne refuse d'approuver l'ébauche du plan de lotissement ou avant l'adoption des règlements municipaux, la personne ou l'organisme public n'a pas le droit d'interjeter appel de la décision du Conseil devant la Commission des affaires municipales de l'Ontario.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Clarence-Rockland in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision or before the by-laws are passed, the person or public body is not entitled to appeal the decision of the Council to the Ontario Municipal Board.



Si une personne ou un organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland à l'égard du plan de lotissement proposé avant que l'autorité approbatrice n'approuve ou ne refuse d'approuver l'ébauche du plan de lotissement ou avant l'adoption des règlements municipaux, la personne ou l'organisme public ne peut pas être joint en tant que partie à l'audition d'un appel dont est saisie la Commission des affaires municipales de l'Ontario à moins qu'il n'existe, de l'avis de cette dernière, des motifs raisonnables de le faire.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Clarence-Rockland in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision or before the by-laws are passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.



- SI VOUS DÉSIREZ être avisé(e) de la décision de la Corporation de la Cité de Clarence-Rockland relativement au présent plan de lotissement proposé ou de la décision relativement à l'amendement au plan officiel ou au règlement de zonage proposé, vous devez présenter une demande écrite à la: Greffière, Cité de Clarence-Rockland, 1560 rue Laurier, Rockland (Ontario) K4K 1P7.
- IF YOU WISH to be notified of the decision of the Corporation of the City of Clarence-Rockland in respect of the proposed plan of subdivision or of the decision in respect of the proposed Official Plan or Zoning Amendment, you must make a written request addressed to the Clerk, City of Clarence-Rockland, 1560 Laurier Street, Rockland, Ontario K4K 1P7.



- Une personne ou un organisme public dispose d'un délai de 20 jours pour interjeter appel devant la Commission des affaires municipales de l'Ontario (CAMO) suite à l'envoie de l'avis d'adoption. Pour ce faire, la personne ou l'organisme public doit déposer à la Cité un avis d'appel qui explique son opposition au règlement municipal, les motifs à l'appui de son appel, en plus de payer les droits prescrits au terme de la Loi sur la Commission des affaires municipales de l'Ontario.
- A person or public body may submit an appeal within 20 days of the receipt of the notice of adoption before the Ontario Municipal Board (OMB). However, the person or public body has to file an appeal with the City explaining the reasons supporting the objection to the bylaw in addition to paying the required fees set out by the Ontario Municipal Board Act.



#### REPORT Nº AMÉ-17-66-R

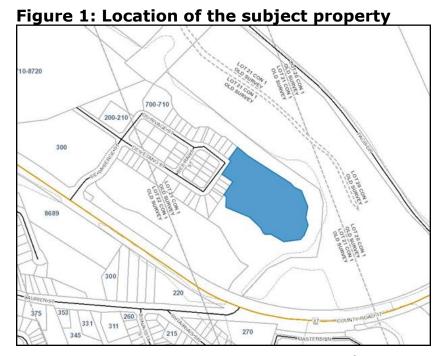
Date	02/08/2017
Submitted by	Marie-Eve Bélanger
Subject	Draft Plan of Subdivision – Block 56
File N°	D-12-120

#### 1) NATURE/GOAL:

Mr. Steve Pentz (Novatech Engineering Consultants Ltd.), agent for Riverlands of Rockland Inc. (c/o The Regional Group), has submitted an application for the approval of a Draft Plan of Subdivision in order to create 31 lots intended for single detached dwellings, one block for environmental protection, one block for a park or open space and 1 new public road.

The Block was initially approved for 56 townhouse units. An Official Plan Amendment and Zoning By-law Amendment were recently approved to permit development of single detached dwellings. The lots will be municipally serviced and will have frontage on rue du Rivage Street which will be extended to accommodate this subdivision.

The property is legally described as Block 56, Registered Plan 50M-323, City of Clarence-Rockland. The property is located within the area known as "Clarence Crossing - Phase 1C" and is located east of rue du Rivage Street and west of Clarence Creek (wetlands) as shown on Figure 1. A notice of acknowledgement of a complete application and a notice of a public meeting was sent to the different agencies as well as to the nearby properties, within a 120 metres radius, on June 2<sup>nd</sup>, 2017. A notice was also posted on the property on June 7<sup>th</sup>, 2017.



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The total area of the said property is approximately 2.8 hectares. The plan of subdivision proposes to extend rue du Rivage Street. Phases 1A and 1B of "Clarence Crossing" are under construction. The subject property (1C) is currently undeveloped.

The Draft Plan of Subdivision can be found on Schedule A.

#### 2) **DIRECTIVE/PREVIOUS POLICY:**

An Official Plan and Zoning By-law Amendment were filed concurrently with this application to change the designation from Medium Density Residential to Low Density Residential and change the zoning from "Urban Residential Third Density – Exception 58 (R3-58) Zone" to "Urban Residential Second Density – Exception 27 (R2-27) Zone" and "Parks and Open Space Zone". The application was approved by both the City and the County.

#### 3) **DEPARTMENT'S RECOMMENDATION:**

THAT the Planning Committee recommends to the municipal Council the approval of the Draft Plan of Subdivision submitted by Mr. Steve Pentz (Novatech Engineering Consultants Ltd.), for Riverlands of Rockland Inc. (file number D-12-120), with the conditions of approval listed under Section 7 of report No. AMÉ-17-66-R.

QUE le comité d'aménagement recommande au conseil municipal l'approbation de l'ébauche de plan de lotissement soumise par M. Steve Pentz (Novatech Engineering Consultants Ltd.) pour Riverlands of Rockland Inc. (filière n°. D-12-120), avec les conditions d'approbation listées à la Section 7 du rapport n°. AMÉ17-66-R.

#### 4) **BACKGROUND**:

The Clarence Crossing subdivision (Plan 50M-323) was registered in 2015 with 2 phases consisting of 37 single detached lots and 34 street townhomes. A number of blocks were also created on the plan to accommodate the subdivision's sanitary servicing and stormwater management requirements, a future commercial/business park, open space lands and blocks for future apartment development. In addition, Block 54 (700-710 Rue du Rivage Street) has received Site Plan Approval for two 3½ story apartment buildings to accommodate a total of 24 condominium apartment units (12 units in each building). A similar number of apartment units would be constructed on the remaining apartment block (Block 52).

#### 5) **DISCUSSION:**

#### **Provincial Policy Statement**

The sections of the Provincial Policy Statement (PPS) that applies to this application are the following:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The vision for Ontario's land use planning system as mentioned in Part IV of the PPS indicates that the wise management of development may involve directing, promoting or sustaining growth, and as such, <u>long-term</u> gains should take precedence over short-term gains.

Firstly, Section 1.1.1 entitled *Managing and directing land use to achieve efficient development and land use patterns* provides a framework to sustain "Healthy, liveable and safe communities ... by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e) promoting cost-effective development standards to minimize land consumption and servicing costs;

...

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs."

Section 2.0 of the PPS indicates that development and site alteration shall not be permitted within fish habitat and wetlands and if development is proposed on lands adjacent to a fish habitat and a wetland, it must be identified that 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."

The proposed Subdivision is within the Urban Policy Area of Rockland, which is considered a settlement area as per the PPS. The goal of this policy, to focus the growth in a settlement area, is therefore respected. The Subdivision will have access to the municipal water and sanitary system, thus maximizing the use of the City's systems. An Environmental Impact Assessment was completed in regards to the wetland and fish habitat and was reviewed by South Nation Conservation. Consequently, the proposed

application respects the policies of the PPS.

#### **United Counties of Prescott and Russell's Official Plan**

The property is identified under the *Urban Policy Area* designation on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. This designation supports diversified mixed communities offering a range of housing types.

#### **Urban Area of the City of Clarence-Rockland's Official Plan**

The concerned property is located within the "Low Density Residential" designation on Schedule "A" of the Official Plan of the Urban Area of the City of Clarence-Rockland.

Section 4.13.2 speaks to the effect of *Habitat of Endangered and Threatened Species*. The study completed by Muncaster Environmental Planning concluded that no endangered species were found on the subject property.

Section 4.13.4 (Woodlands) indicates that Council needs to identify significant woodlands and incorporate them into policies. On the subject property, no know significant woodland is found. However, trees are found on the property along the Clarence Creek. The Environmental Impact Study stipulated that tree retention is maximized along the Creek since a buffer of 14 metres from the top of slope will be kept natural. On the southeast corner of the corner, a section is treed and is included under the commercial designation. At the Site Plan development stage, consideration will be given to retaining a selection of mature trees.

Section 4.13.5 speaks to the effect of *Fish Habitat*. The Clarence Creek is considered to be a fish habitat. No fish habitat was found on the subject property. A setback of 30 metres must be respected from the top of slope and must remain a no-touch zone.

Section 5.6.1, Residential, stipulates that we shall encourage mixed development. The proposed Subdivision will add single detached dwellings to the housing mix found in this subdivision.

Section 5.7 regulates the wetland designation. The Rockland Marsh is located in the Clarence Creek adjacent to the subject property. The Muncaster report indicates that a setback of 30 metres will be respected from the wetland. SNC has agreed to this setback.

Section 6.4 talks about the unstable slopes. An unstable slope is located all around the bank of the Creek. A study was completed and it was established that a buffer of 14 metres would be needed from the top of slope.

The proposed development respects the policies of the Official Plan in regards to the natural environment and to noise and odour policies.

#### Zoning by-law No. 2016-10

The property is located within the "Urban Residential Second Density – Exception 27 (R2-27) Zone" and "Parks and Open Space Zone". Single detached dwellings are permitted in this zone.

#### **Planning Analysis**

According to the *Planning Act*, Section 51, paragraph 24 stipulates that "in considering a Draft Plan of Subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality." Also, it shall have regards to the following 12 criterias:

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

The subject site is not in a prime agricultural area, as it is included under the Urban Area of the City. It is not located within a mineral resource area. The property is subject to different natural heritage features such as a wetland, an unstable slope and a fish habitat. It has no known cultural heritage and archaeological resources. A study was submitted with the application, in regards to the slope stability, the species at risk, the fish habitat and the wetland.

## b) whether the proposed subdivision is premature or in the public interest.

The proposed development is not premature as the City has seen population growth/change of 5.7% during the period 2011-2016. Also, the proposed project is within a settlement area where it is appropriate development. The municipal services will be available in this Subdivision.

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

The current OP designation (Low Density Residential) allows for residential uses such as single detached dwellings and semi-detached dwellings.

The proposed Plan of Subdivision is located between the Clarence Creek and the Clarence-Rockland Arena. One entrance was approved onto County Road 17 and another entrance onto the City property (Arena).

## d) the suitability of the land for the purposes for which it is to be subdivided.

The land is suitable for the purposes for which it is to be subdivided. The land is relatively flat and it was zoned to accommodate this type of development.

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

The proposed Plan of Subdivision proposes 1 new street having one access onto County Road 17.

The majority of the subject land is flat and the proposed road will be of the appropriate width of 18 metres.

#### f) the dimensions and shapes of the proposed lots.

The dimensions and shapes of the proposed lots meets the provisions of the "Urban Residential Second Density – Exception 27 (R2-27) Zone".

g) the restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected and the restrictions, if any, on adjoining land.

The property is located along the Clarence Creek, which is a fish habitat. The Creek is under the wetland designation (Rockland Marsh Wetland) and its bank is unstable. A study was completed and different setbacks will need to be respected form those natural features.

#### h) conservation of natural resources and flood control.

The property has no flood hazard, as per the Official Plan of the United Counties of Prescott and Russell. The site is partly surrounded by a fish habitat. The water banks are forested and will be protected. A minimum setback of 14 metres from the top of slope will be respected.

#### i) the adequacy of utilities and municipal services.

The subject development will be serviced by the municipal water and sanitary system. A stormwater management pond will be constructed on the property.

#### j) the adequacy of school sites.

The proposed subdivision is in proximity to schools in Rockland. Buses will be required. A future school site is included within the Clarence Crossing subdivision.

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

A proposed park will be transferred to the municipality as well as environmental protection lands.

#### the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

The proposed Plan of Subdivision takes advantage of existing infrastructure, such as the watermain and the sanitary systems. Also, the fact that trees will be retained on the bank of the Creek is beneficial to the development.

#### Open Space / Park

A small open space / park is proposed on the property. This open space / park has an area of 1,833.2 square meters.

A pathway connection is being requested as part of the conditions of approval.

#### 6) **CONSULTATION:**

A public meeting is scheduled for August 2<sup>nd</sup>, 2017 at which time comments from the public will be obtained.

## 7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS:

#### **COMMENTS FROM AGENCIES AND INTERNAL DEPARTMENTS:**

The Fire Department indicated that "No Parking" signs would be required along both sides of the road around the SE corner to ensure easy access for emergency vehicles.

Community Services has requested 5% for parkland however this has already been obtained as part of the initial subdivision approval.

The Construction, Finance and Tax Department have no objections.

The comments from the United Counties of Prescott and Russell are included under Schedule B.

The comments from the South Nation Conservation are included under Schedule C.

Hydro One Networks Inc. and Enbridge Gas Distribution do not object to the proposed application.

#### **CONDITIONS OF APPROVAL**

#### General

- 1. This approval applies to the Draft Plan submitted by Mr. Steve Pentz (Novatech Engineering Consultants Ltd.), agent for Riverlands of Rockland Inc., on May 2<sup>nd</sup>, 2017, illustrating 31 lots intended for single detached dwellings, 1 open space block, 1 environmental protection block, and 1 new street. The Owner agrees to the implementation of conditions contained in the current Subdivision Agreement dated July 2015 signed by Riverlands of Rockland Inc.
- 2. Prior to commencing construction, the Owner shall enter into a subdivision agreement with the City. The subdivision agreement shall, among other matters, require that the Owner post securities in a format approved by the City, in an amount of 100% of the estimated cost of the works. The aforementioned security for site works shall be for works on both private and public property and shall include, but not be limited to, lot grading and drainage, landscaping and driveways, roads and road works, road and stormwater management works. The amount secured by the City shall be determined by the Director of Infrastructure and Planning. Engineering and review fees will be collected in accordance with the City's Fees By-law, as amended.
- 3. That the Subdivision Agreement between the Owner and the City of Clarence-Rockland be registered against the land to which it applies once the Plan of Subdivision is registered.
- 4. Prior to any further division of Lots or Blocks, the City of Clarence-Rockland may require an additional agreement to address any new or amended conditions.
- 5. The Owner agrees to convey, at no cost to the City of Clarence-Rockland, all easements and reserves that are required at the discretion and to the satisfaction of the City of Clarence-Rockland.

- 6. Prior to commencing construction, the Owner shall obtain such permits as may be required from Municipal or Provincial authorities and shall file copies thereof with the Director of Infrastructure and Planning.
- 7. The Owner shall employ Professional Engineers to the satisfaction of the City, to design and supervise the construction of the Subdivision Works in accordance with the City's specifications. No deviation from the City's specifications is permitted without the written consent of the City. « As Built » drawings of the development Works shall be provided to the City's satisfaction.
- 8. The Owner agrees to promptly notify the City Clerk in writing should any of the Works required by the Subdivision Agreement be assigned to other parties. Such notification shall not release the Owner of his obligation to construct such Works.
- 9. The Owner agrees that its obligation to construct or install the Works, as required by the Subdivision Agreement, shall not be assigned to any party who purchases land on which a residence has been constructed.
- 10. The Owner agrees to coordinate the staging of the Subdivision to the satisfaction of the City in consideration of the construction of the Works with the development of other lands in the area, or provision of underground services within the Subdivision.
- 11. The Owner agrees to implement the recommendations of all applicable reports. The Owner acknowledges and agrees that all reports and/or studies required as a result of the approval of the Plan of Subdivision shall be implemented to the satisfaction of the City at the sole expense of the Owner. Further, that the City may require certification by the Owner's professional consultants that the works have been designed and constructed in accordance with the approved reports, studies, standards' specifications and plans to the satisfaction of the City.

#### **Zoning**

- 12. The Owner acknowledges and agrees that, prior to registration of the Plan of Subdivision, the City of Clarence-Rockland shall be satisfied that the proposed Plan of Subdivision conforms with a zoning by-law approved under the requirements of the *Planning Act*, with all possibility of appeal to the Ontario Municipal Board being exhausted.
- 13. The Owner acknowledges and agrees that, prior to registration of the Plan of Subdivision, the Owner shall provide a surveyor's certificate from an Ontario Land Surveyor indicating the frontage and area of all

lots/blocks within the Subdivision are in accordance with the applicable Zoning By-law.

#### Highways/Roads/Walkway

- 14. The Owner shall provide for temporary turn-arounds for all streets terminating at the edge of any phase of development, prior to registration of the Plan, to the satisfaction of the Director of Infrastructure and Planning. The Owner agrees that it will convey to the City at no cost any temporary easements that may be required in order to establish the temporary turn-arounds. Turning circle(s) may include a 0.3 metre reserve along the perimeter of any temporary turning circle(s), to the satisfaction of the Director of Infrastructure and Planning. For any portion of the temporary turn-around easements that do not form part of the permanent road allowance, the easements shall be released at the expense of the Owner when the easements are no longer required by the City.
- 15. The Owner acknowledges and agrees that any dead ends and/or open spaces of future road allowances created by this Plan of Subdivision shall be terminated in 0.3 metre reserves. This shall include a 0.3 metre reserve along any temporary turning circle(s).
- 16. The Owner shall provide site triangles on the final Plan to the satisfaction of the Director Infrastructure and Planning.
- 17. The Owner acknowledges and agrees that the design of all roads and intersections, shall be to the satisfaction of the Director of Infrastructure and Planning.
- 18. The Owner acknowledges that the construction of buildings may be restricted on certain lots and/or blocks until such time as road connections are made in order that snowplow turning and garbage collection can be implemented to the satisfaction of the Director of Infrastructure and Planning.

#### Landscaping/Streetscaping

- 19. The Owner acknowledges and agrees that for all single detached lots, a minimum of 1 tree per interior lot and 2 trees per exterior side yard lots shall be provided on the Landscape Plan to the satisfaction of the Director of Infrastructure and Planning.
- 20. The Owner acknowledges and agrees that if it can be demonstrated that one existing tree per lot abutting the front lot line and/or exterior side yard can be preserved, that this will be the preferred method to providing the required tree(s).

- 21. The Owner agrees to have a Landscape Plan for the Draft Plan of Subdivision prepared by a Landscape Architect, which shall incorporate the recommendations contained in the approved Natural Heritage The Landscape plan shall include detailed planting Assessment. locations and species lists, pathway widths and materials, access points, tree retention areas, fencing requirements and fencing materials and shall take advantage of opportunities to enhance existing vegetation on the site to compensate for the removal of vegetation from the development envelope, in support of a 30% forest cover target. The said Landscape plan shall be prepared to the satisfaction of the Director of Infrastructure and Planning, shall be consistent with the lot layout plan, and the Owner shall bear all costs and responsibility for the preparation and implementation of the plan. The timing of the implementation of the landscape plan shall be at the discretion of the Director Infrastructure and Planning.
- 22. The Owner agrees that the approved Landscape Plan shall be provided to the prospective purchaser of each lot, as part of the Purchase and Sale Agreement, and shall be included as a schedule in the Subdivision Agreement.
- 23. Following registration of the Plan, the Owner agrees to provide the Director of Infrastructure and Planning, certification from a qualified professional that the recommendations contained within the approved Natural Heritage Assessment report and Pathway Alignment Addendum Assessment have been fully implemented.
- 24. The Owner acknowledges and agrees that no clearing of vegetation shall occur between April 15 and August 15, unless a qualified biologist has determined that no bird nesting is occurring within 5 days prior to clearing. A pre-clearing survey for active stick nests and cavity nests shall also be conducted between April 1 and April 15, in order to identify and protect early nesting owls and raptors.

## Stormwater Management Plan, Sediment and Erosion Control Plan

25. The Owner agrees to prepare and submit a Storm Water Management Plan and describe how it is to be implemented in accordance with current Stormwater Management Best Practices to the satisfaction of the City of Clarence-Rockland and South Nation Conservation. The plan should address both water quality and quantity concerns and any impact to the receiving watercourse. The plan should consider proposed on-lot controls to reduce the rate of runoff and minimize contaminant transportation. Models, assumptions

and calculations of pre and post development runoff are to be included with this submission.

26. The Owner agrees to prepare a Sediment and Erosion Control Plan appropriate to site conditions prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and indicate how it is to be implemented during all the phases of the site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control to the satisfaction of the City of Clarence-Rockland and South Nation Conservation.

#### <u>Grading</u>

27. The Owner agrees to prepare and submit a Lot Grading and Drainage Plan and indicate how it is to be implemented to the satisfaction of the City of Clarence-Rockland and South Nation Conservation.

#### **Construction**

- 28. The Owner shall grade, landscape and install erosion control measures on any portion of the proposed lots or adjacent lands in the possession of the Owner which have been filled or where the natural vegetation has been disturbed which, in the opinion of the Director of Infrastructure and Planning, is creating a nuisance, hazard and/or eyesore.
- 29. The Owner agrees to restore existing adjacent streets and other services which may be disturbed by the development of the plan.

#### **Utilities**

- 30. Such easements and maintenance agreements which may be required for electrical, gas, water, telephone and cablevision facilities, shall be provided and agreed to by the Owner, to the satisfaction of the appropriate authority, and that the Owner shall ensure that these easement documents are registered on title immediately following registration of the final plan and the affected agencies are duly notified.
- 31. Where the relocation or removal of any existing on-site/adjacent utility facility, including water, electrical, gas, telephone and cablevision, is required as a direct result of the development, the Owner shall pay the actual cost associated therewith to the satisfaction of the appropriate utility authority.

- 32. The Owner shall coordinate the preparation of an overall "utility distribution plan" showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on grade, below grade or above grade), including on site drainage facilities and streetscaping. Such location plan shall be to the satisfaction of all affected authorities and shall consider their respective standards and specification manuals, where applicable.
- 33. All the public utilities (including electricity, cable, water, gas and phone) shall be underground.

#### **Canada Post**

- 34. The Owner covenants and agrees to provide the City with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved [engineering design drawings/Draft Plan], at the time of sidewalk and/or curb installation. The Owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the Owner has paid for the activation and equipment installation of the CMBs.
- 35. The Developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- 36. The Developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- 37. The Developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- 38. The Developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.

- 39. The Developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - i. Any required walkway across the boulevard, per municipal standards
  - ii. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
- 40. The Owner shall meet any other requirements of Canada Post Corporation for postal delivery facilities, to the satisfaction of the City of Clarence-Rockland.

#### **Enbridge Gas Distribution Inc.**

- 41. The Developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
- 42. Streets are to be constructed in accordance with the composite utility plans previously submitted and approved by all utilities.
- 43. The Developer shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
- 44. The Developer shall provide the City's approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 metre from the street line.

#### **Streets and Street lights**

- 45. The street lights fixtures, poles and luminaires (LED) shall meet the standards of the City of Clarence-Rockland.
- 46. The Owner agrees to prepare a "Street Light Plan" for all the Subdivision to the satisfaction of the City of Clarence-Rockland.
- 47. The Owner agrees to prepare a "Sign Plan" in order to indicate the location of each street sign (stop signs, street names), including "no parking" signs, as per City of Clarence-Rockland's standards. "No parking" signs shall be included along both sides of the road adjacent the SE corner of the Open Space block to the satisfaction of the Director of Infrastructure and Planning.

#### Purchase and Sale's Agreements and Covenants on Title

48. Any person who, prior to draft approval, entered into a Purchase and Sale's Agreement with respect to lots or blocks created by this Subdivision, shall be permitted to withdraw from such agreement without penalty and with full refund of any deposit paid, up until the acknowledgement noted below. The Owner shall provide the City of Clarence-Rockland an acknowledgement from those purchasers who signed before the plan was draft approved, that the plan had not received draft approval by the City of Clarence-Rockland. The Owner agrees that the Purchase and Sale's Agreements signed prior to draft approval shall be amended to contain a clause to notify purchasers of this fact.

#### **Financial Requirements**

- 49. City Services and infrastructures within the Plan of Subdivision can be installed provided financial security, insurance and a registered Subdivision Agreement to the satisfaction of the City of Clarence-Rockland.
- 50. Prior to registration of the Plan of Subdivision, the City of Clarence-Rockland shall be satisfied that the processing fee, if any required, has been paid in full.

#### **Survey Requirements and GIS**

- 51. That the street names and civic address numbering be submitted for review and approval to the United Counties of Prescott and Russell to ensure compliance with the 911 database system.
- 52. The Owner/Developer shall provide a copy in PDF format of the final plan intended for registration.
- 53. The Owner/Developer shall provide, to the satisfaction of the United Counties of Prescott and Russell, a georeferenced dwg file showing only the new and existing parcel limits together with the related lots and blocks numbers from the final plan intended for registration. The file projection must be in UTM NAD 83 Zone 18N.
- 54. The Owner shall provide the preliminary infrastructure plans and final infrastructure plans on disc in a digital format that is compatible with the City of Clarence-Rockland computerized system.

#### Park and Open Space

- 55. A landscape plan shall be prepared for the Park / Open Space block which should consist of low-maintenance landscape features.
- 56. A pathway connection is required to connect rue du Rivage Street with the future pathway block (in the vicinity of Lot 17).
- 57. That a 1.5 metre high black commercial chain-link fence be installed along the pathway block listed above. The fence must be installed inside the property line of lots.

#### **Other Conditions**

- 58. That the Owner agrees to establish a 30 metre setback from the top of bank of Clarence Creek and the section of tributaries contained within the forested area for the purpose of improving water quality and protecting fish habitat. This setback shall be considered "no touch", whereby no development or site alterations will be permitted without consent from South Nation Conservation and the City of Clarence-Rockland.
- 59. That the Owner agrees to establish a minimum 30 metre "no touch" setback from the MNRF established boundary of the Rockland Marsh as per the submitted Natural Heritage Assessment prepared by Muncaster Environmental Planning Inc., dated April 5, 2013.
- 60. That the Owner submit a Landscape Plan to the satisfaction of the City of Clarence-Rockland and South Nation Conservation showing how the setback area will be regraded and re-vegetated.
- 61. That the Owner agrees to establish a 14 metre "no development" setback from the top of the existing slope as per the submitted Preliminary Geotechnical Investigation and Slope Stability Assessment, and Report Addendum prepared by Houle Chevrier Engineering Ltd., dated March 14, 2013.
- 62. That the recreational pathway be constructed as per the submitted Pathway Alignment Addendum Assessment prepared by Muncaster Environmental Planning Inc., dated July 28, 2014.

#### **Closing Conditions**

63. The Owner shall inform the purchaser after registration of each lot or block of the development charges that have been paid or which are still applicable to the lot or block. The applicable development charges shall be as stated as of the time of the conveyance of the relevant lot or block and the statement shall be provided at the time of

the conveyance. The statement of the Owner of the applicable development charges shall also contain the statement that the development charges are subject to changes in accordance with the Development Charges Act, 1997 and the Education Development Charges Act.

- 64. At any time prior to final approval of this plan for registration, the City of Clarence-Rockland may, in accordance with Section 51 (44) of the *Planning Act*, R.S.O. 1990, amend, delete or add conditions and this may include the need for amended or new studies.
- 65. The Subdivision Agreement between the City of Clarence-Rockland and the Owner shall state that the conditions run with the land and are binding on the Owner's heirs, successors and assigns.
- 66. Prior to registration of the Plan of Subdivision, the City of Clarence-Rockland is to be satisfied that Conditions 1 to 65 have been fulfilled.
- 67. If the Plan of Subdivision has not been registered by August 21nd, 2020, the draft approval shall lapse pursuant to Section 51 (32) of the *Planning Act*, 1990. Extensions may only be granted under the provisions of Section 51 (33) of the said *Planning Act* prior to the lapsing date.

#### **Inhibiting Order**

- 68. The Owner shall convey, at its cost, all required easements. The Owner further acknowledges and agrees that the City's Inhibiting Order will not be lifted until such time as the required transfer of easements have occurred.
- 8) FINANCIAL IMPACT (expenses/material/etc.): n/a
- 9) **LEGAL IMPLICATIONS :** n/a
- 10) RISK MANAGEMENT : n/a
- 11) **STRATEGIC IMPLICATIONS:** n/a
- 12) **SUPPORTING DOCUMENTS:**

Draft Plan of Subdivision

Comments from the United Counties of Prescott and Russell Comments from the South Nation Conservation



#### Email Transmission (mbelanger@clarence-rockland.com)







The City of Clarence Rockland 1560 rue Laurier St. Rockland ON K4K 1P7



Attn : Marie-Eve Bélanger



Re: **Draft Plan of Subdivision Proposal Review** 



Riverlands of Rockland Inc Part Lots 21, Concession 1 (O.S.)

The City of Clarence Rockland



File # D-12-120



Dear Ms. Bélanger,



South Nation Conservation (SNC) has received and reviewed the <u>Draft Plan of</u> Subdivision, prepared by Annis, O'Sullivan, Vollebeek Ltd, dated March 18, 2017, for the above mentioned location. The Draft Plan of Subdivision indicates that it is a proposed thirty-one (31) lots intended for single detached dwellings, one block for parks or open spaces and one (1) block for environmental protection. Further, the site will be serviced by municipal water and sanitary sewer.



In the review, SNC considered the environmental impacts of the proposed development on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the *Provincial Policy Statement* (March 1, 2005) issued under Section 3 of the *Planning Act*, along with the Urban Area of Clarence-Rockland Official Plan.



Following a site visit by SNC staff on July 3, 2013 and a preliminary desktop review, SNC has the following comments:



#### Natural Heritage Features



Provincially Significant Wetland



The property in question falls within and 120 metres adjacent of the Rockland Marsh, identified by the Ministry of Natural Resources as a Provincially Significant Wetland. Official Plan Policies of Section 5.5.1 require an Environmental Impact Assessment for any development or site alteration within 120 metres of a designated wetland.



As part of phase 1 of this subdivision, a Natural Heritage Assessment was prepared by Muncaster Environmental Planning Inc, dated April 5, 2013, to review the natural heritage features near the above project and assess the impacts of the proposed development on



these features. The report included the area which forms part of this application. After review, SNC accepted the recommendations and conclusion mentioned in the report on July 25, 2013.

#### Fish habitat

The property in question borders Clarence Creek and contains a tributary of Clarence Creek, all identified in Schedule A of the Official Plan as fish habitat. OP policies of Section 4.13.5 require a minimum 30 metre setback from all watercourses identified as fish habitat.

As part of phase 1 of this subdivision, a Natural Heritage Assessment was prepared by Muncaster Environmental Planning Inc, dated April 5, 2013, to review the natural heritage features in the vicinity of the above project and assess the impacts of the proposed development on these features. The report included the area which forms part of this application. After review, SNC accepted the recommendations and conclusion mentioned in the report on July 25, 2013.

A Pathway Alignment – Addendum Assessment was also prepared by Muncaster Environmental Planning Inc (July 28, 2014) as part of phase 1 of the subdivision. The report assessed the proposed stonedust pathway alignment adjacent to the provincially significant Rockland Marsh Wetland, including Clarence Creek and the associated aquatic habitat. After review, SNC accepted the recommendations and conclusions mentioned in the report.

#### Natural Hazards

#### Unstable Slopes

The property in question borders Clarence Creek. This section of watercourse has been identified in Schedule A of the Official Plan as having unstable slopes and in the *Slope Stability Study of the South Nation River and Portions of the Ottawa River (1983)* by Poschmann, Klassen, Klugman and Gooding as having unstable slopes with a safety factor of 1.5-2.0.

As part of phase 1 of this subdivision, a Preliminary Geotechnical Investigation and Slope Stability Assessment, and Report Addendum, were prepared by Houle Chevrier Engineering Ltd, dated March 14, 2013, to identify the general subsurface conditions and to assess possible constraints to development. The reports included the area which forms part of this application. After review, SNC accepted the recommendations and conclusion mentioned in the reports on July 25, 2013.

#### **Draft Plan of Subdivision**

The preliminary review performed by SNC indicates that the proposed development can



proceed toward draft approval. SNC kindly requests that the following statements be included as conditions of subdivision draft plan approval:

#### Storm Water Management

- 1. The Owner agrees to prepare and submit a Storm Water Management Plan and describe how it is to be implemented in accordance with the current Stormwater Management Best Management Practices to the satisfaction of The City of Clarence Rockland and South Nation Conservation. The plan should address both water quality and quantity concerns and any impact to the receiving watercourse. The plan should consider proposed on-lot controls to reduce the rate of runoff and minimize contaminant transportation. Models, assumptions and calculations of pre and post development runoff are to be included with this submission.
- 2. The Owner agrees to prepare and submit a Sediment and Erosion Control Plan, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and indicate how it is to be implemented during all the phases of the site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control to the satisfaction of The City of Clarence Rockland and South Nation Conservation.
- 3. The Owner agrees to prepare and submit a Lot Grading and Drainage Plan and indicate how it is to be implemented to the satisfaction of The City of Clarence Rockland and South Nation Conservation.

#### **Environmental Constraint**

- 4. That the Owner agrees to establish a 30 metre setback from the top of bank of Clarence Creek and the section of tributaries contained within the forested area for the purpose of improving water quality and protecting fish habitat. This setback shall be considered 'no touch', whereby no development or site alterations will be permitted without consent from South Nation Conservation and the City of Clarence-Rockland.
- 5. That the Owner agrees to establish a minimum 30 metre "no touch" setback from the MNR established boundary of the Rockland Marsh as per the submitted Natural Heritage Assessment prepared by Muncaster Environmental Planning Inc, dated April 5, 2013.
- 6. That the Owner submit a Landscape Plan to the satisfaction of the City of Clarence Rockland and South Nation Conservation showing how the setback area will be regraded and re-vegetated.



- 7. That the Owner agrees to establish a 14 metre "no development" setback from the top of the existing slope as per the submitted Preliminary Geotechnical Investigation and Slope Stability Assessment, and Report Addendum prepared by Houle Chevrier Engineering Ltd, dated March 14, 2013.
- 8. That the recreational pathway be constructed as per the submitted Pathway Alignment Addendum Assessment prepared by Muncaster Environmental Planning Inc, dated July 28, 2014.

#### **Subdivision Agreement**

9. The subdivision agreement shall contain wording acceptable to South Nation Conservation that the above noted conditions (1-8) will be implemented.

I trust the above is to your satisfaction. Should you have any questions or require any additional information, please feel free to contact me.

Sincerely,

Mathieu Leblanc Team Lead, Approvals



Urbanisme et Foresterie · Travaux publics Planning and Forestry · Public Works



July 10, 2017

City of Clarence-Rockland Marie-Eve Bélanger Planning Department 1560, Laurier Street Rockland, ON, K4K 1P7

Subject:

**Proposed Plan of Subdivision** 

Bloc 56, Plan 50M-323, Part of Lot 21, Concession 1 (O.S.)

Clarence Crossing, du Rivage Street

Your File No.: D-12-120

#### Mrs Bélanger:

The Planning and Forestry Department, the Emergency Services Department and Public Works Department of the United Counties of Prescott and Russell (UCPR) have completed reviewing the proposed Plan of Subdivision and offer the following comments and conditions:

- That the Owner shall agree in the Subdivision Agreement to the implementation of conditions contained in the current Subdivision Agreement dated July 2015 signed by Riverlands of Rockland under Section 4. "Special Conditions" of Schedule D at item ix which conditions shall be part of this new subdivision agreement.
- That the owner shall provide, to the satisfaction of the United Counties of Prescott and Russell, a georeferenced dwg file showing only the new and existing parcel limits together with the related lots and blocks numbers from the final plan intended for registration. The file projection must be in UTM NAD 83 Zone 18N.

File No.: D-12-120

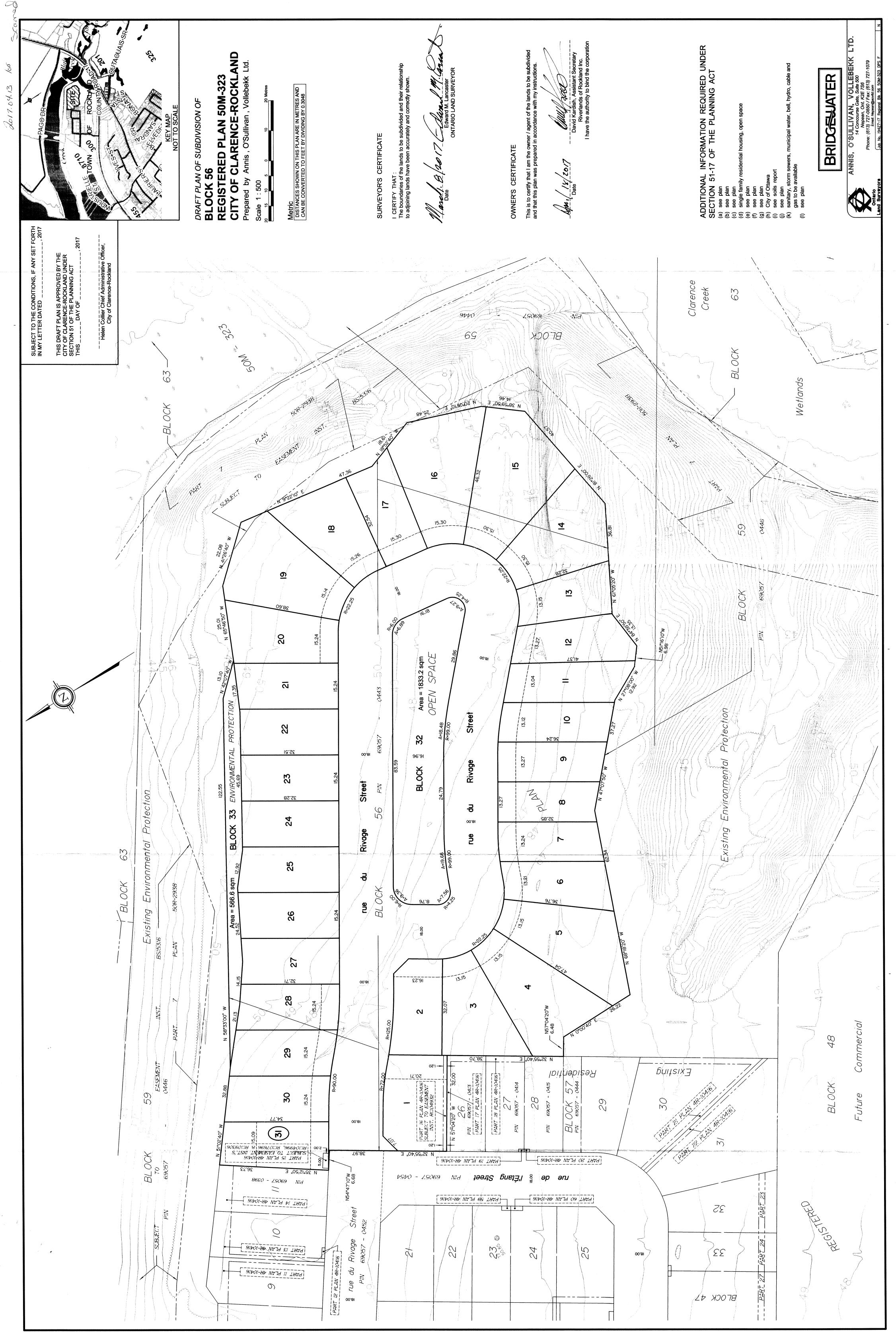
- 3. That the civic address numbering be submitted for review and approval to the United Counties of Prescott and Russell to ensure compliance with the 911 database system.
- 4. That the Owner acknowledges that the Subdivision Agreement shall contain wording acceptable to the United Counties of Prescott and Russell in order to implement the above noted conditions.
- 5. That prior to the signing of the final plan, the United Counties of Prescott and Russell are to be satisfied that all conditions stated above (1 to 4) have been fulfilled and shall confirm same in writing to the Approval Authority.

I trust this information is to your satisfaction. Should you require further explanation please contact the undersigned.

Sincerely,

Dominique Lefebvre, MCIP, RPP

Senior Planner



MA 82:09:11 CIDS/ED/80 gwb.10 N 24Q ESE-MP 82 MB IsnolgaR SI-SSAPI/2gm/ws/Q/SI-SSAPI/4UOM2 JANOI23S/



# REPORT Nº AMÉ-17-63-R

Date	18/07/2017						
Submitted by	Malcolm Duncan						
Subject	Zoning by-law Amendment – 1277						
_	Pilon Road						
File N°	D-14-489						

#### 1) NATURE/GOAL:

The goal of this report is to present a request to modify the zoning bylaw 2016-10, in order to complete a condition of the severance (No.B-CR-004-2017). The amendment would prohibit residential uses and permit agricultural uses on a lot having a minimum lot area inferior to 20 ha on the above mentioned property.

# 2) **DIRECTIVE/PREVIOUS POLICY:**

N/A

#### 3) **DEPARTMENT'S RECOMMENDATION:**

**THAT** the Planning Committee recommends to Council to amend Zoning By-law No. 2016 in order to change the zoning category of the property at 1277 Pilon Road, from "General Agriculture (AG) Zone" to "General Agriculture – Exception 15 (AG-15) Zone", as recommended by the Infrastructure and Planning Department

**QUE** le comité d'aménagement recommande au conseil de supporter l'amendement au Règlement de Zonage 2016-10, dans le but de modifier la catégorie de zonage de la propriété au 1277 chemin Pilon, de « Zone Agricole (AG) » à « Zone Agricole – Exception 15 (AG-15) » tel que recommandé par le Département d'infrastructure et aménagement de territoire.

#### 4) **BACKGROUND**:

An application for severance (B-CR-004-2017) was brought to the committee of adjustment in April in order to sever a residential property from an agricultural property. There is a detached dwelling and a number of accessory buildings on the severed parcel, and the retained parcel is used for agricultural purposes. One of the conditions of the severance file is that the zoning category for the retained parcel be changed to prohibit residential uses and permit agricultural uses on a lot having a minimum lot area inferior to 20ha, to ensure that no new lots are created on the agricultural property.

#### 5) **DISCUSSION:**

Provincial Policy Statement (PPS):

Section 2.3.4.1 of the Provincial Policy Statement states that : Page 41 of 77

"Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- a) Agricultural use, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- c) A residence surplus to a farming operation as a result of farm consolidation, provided that:
  - 1. The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
  - 2. The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way"

The request respects the PPS as the proposed zoning by-law amendment will ensure that no new residential dwellings are permitted on the remnant agricultural parcel.

#### Official Plan of the United Counties of Prescott and Russell:

The subject property is situated in the "Agricultural Resource Policy Area" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell.

#### Section 7.4.2.3.2 states that:

"Surplus residential consents may be considered for a dwelling made surplus to a farming operation as a result of farm consolidation. Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation. Final approval of a consent shall require that the new residential dwelling are prohibited on any vacant remnant parcel of farmland created by the severance. The Consent Approval Authority shall impose a condition on the severance of the surplus farm dwelling which shall require a Zoning By-law amendment prohibiting the construction of a new residential dwelling on the farmland parcel rendered vacant as a result of the severance. Local municipalities may request a condition on the Consent Approval Authority decision to sever to require registration of a covenant on the title of the property stating that the lot is adjacent to an agricultural area and may, therefore be subjected to noise, dust odours and other

nuisances associated with agricultural activities."

The request respects the Official Plan as the Zoning By-law Amendment will prohibit residential uses on the vacant agricultural property following the severance.

#### Zoning By-law 2016-10:

The property is located in the General Agriculture (AG) Zone in the City of Clarence-Rockland's Zoning By-law 2016-10. This zoning category permits agricultural uses and a detached dwelling if it existed on the day in which the by-law came into effect or on a lot which existed on the day the by-law came into effect.

Section 12.1.3.o, exception 15 in the General Agricultural zone (AG-15) states that:

"Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-15, prohibit residential uses and permit agricultural uses on a lot having a minimum lot area inferior to 20 hectares"

#### 6) **CONSULTATION:**

The Planning Committee will hold a public meeting on August 2nd, 2017, at which time comments from the public will be received.

# 7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS:

Finance: No objections

Community Services: No comments

Construction: No comments Infrastructure: No comments

# 8) FINANCIAL IMPACT (expenses/material/etc.):

N/A

#### 9) **LEGAL IMPLICATIONS:**

N/A

#### 10) RISK MANAGEMENT:

N/A

#### 11) STRATEGIC IMPLICATIONS:

N/A

#### 12) **SUPPORTING DOCUMENTS:**

N/A



# REPORT Nº AMÉ-17-65-R

Date	02/08/2017						
Submitted by	Marie-Eve Bélanger						
Subject	Zoning by-law Amendment – Trillium						
	Subdivision						
File N°	D-14-490						

#### 1) NATURE/GOAL:

The purpose of this report is to consider a request to zoning modification for the subject subdivision and reduce the Minimum Distance Separation (MDS 1) requirements for 18 proposed lots.

# 2) **DIRECTIVE/PREVIOUS POLICY:**

n/a

#### 3) **DEPARTMENT'S RECOMMENDATION:**

**THAT** the applicant wishes to amend the Zoning by-law for the whole subdivision, in order to change the zone from "Rural" to "Rural Residential" and "Parks and Open Space". They also wish to amend the zoning for 18 of the proposed lots to authorize relief from the Minimum Distance Separation (MDS 1) from a barn and manure storage to those lots.

**THAT** following a review of the MDS Guidelines, the department does not recommend that MDS 1 be reduced, however recommends that the zoning be changed from "Rural" to "Rural Residential" and "Park and Open Space".

**AND THAT** the Planning Committee recommends to Council to amend the *Zoning By-law 2016-10* in order to change the zoning of the property known Part of Lot 21, Concession 2 (O.S.), from "*Rural (RU) Zone"* **to** "*Rural Residential (RR) Zone"* and "*Parks and Open Space (OS)"*, as recommended by the Infrastructure and Planning Department.

**QUE** le requérant souhaite amendé le règlement de zonage pour la propriété en entier de zone « rurale » à une zone « rurale résidentielle » et « parcs et espaces verts ». Il souhaite également amendé le zonage pour 18 terrains proposés afin d'autoriser une réduction des Distances Minimales de Séparation (DMS 1) d'une grange et entrepôt de fumier pour ses lots.

**QUE** suite à une révision des lignes directrices de DMS, le service ne recommande pas que les DMS 1 soient réduite mais recommande la modification de la zone de « rurale » à « rurale résidentielle » et « parcs et espaces verts ».

**ET QUE** le comité d'aménagement recommande au conseil de supporter la demande d'amendement au Règlement de zonage 2016-10, dans le but de modifier la catégorie de zonage de la propriété, de « Zone rurale (RU) à « Zone résidentielle rurale (RR) » et « Zone de parcs et d'espaces verts (OS) » tel que recommandé par le Département d'infrastructure et aménagement du territoire.

#### 4) **BACKGROUND**:

On December 22nd, 2016, a Draft plan application was submitted by Spacebuilders for this property. The draft approval was issued on April  $3^{rd}$ , 2017 along with a list of conditions. One of the conditions was to deal with the MDS issue.

On June 2<sup>nd</sup>, 2017, an application was submitted by Holzman Consultants Inc. to amend the Zoning By-law No. 2016-10.

The property is described Part of Lot 21, Concession 2 (O.S.).

The subject properties are part of the Trillium Subdivision. The developer wishes to develop single family dwellings and to reduce the MDS 1 setback from an adjacent barn and manure facility for 18 proposed lots.

The application was deemed complete on June 2nd, 2017. On June 29<sup>th</sup>, 2017, a notice of a public meeting was sent to different agencies and to the adjacent property owners within 120 metres of the subject property. A sign was posted on the property.



#### 5) **DISCUSSION**:

The proposed Zoning By-law amendment would change the zoning Page 46 of 77

category of the subject parcel from "Rural (RU) Zone" **to** "Rural Residential – Exception x (RR-x)" and "Parks and Open Space (OS)".

#### PROVINCIAL POLICY STATEMENT (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The vision for Ontario's land use planning system as mentioned in Part IV of the PPS indicates that the wise management of development may involve directing, promoting or sustaining development, and as such, long-term gains should take precedence over short-term gains.

Firstly, Section 1.1.1 entitled *Managing and directing land use to achieve efficient and resilient development and land use patterns* provides a framework to sustain "Healthy, liveable and safe communities ... by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential, (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional, recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; Secondly, Section 1.1.4 entitled Rural areas in municipalities stipulates that "Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural area, natural heritage features and areas, and other resource areas.
- 1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5...

Furthermore, Section 1.1.5 Rural Lands in Municipalities states as follows:

- 1.1.5.1 ... a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.
- 1.1.5.2 On rural lands located in municipalities, permitted uses are...
  - c) limited residential development

1.1.5.9 New land uses, including the creation of lots... shall comply with the minimum distance separation formulae.

# OFFICAL PLAN OF THE UNITED COUNTIES OF PRESCOTT AND RUSSELL

The property is identified under the "Rural Policy Area" of the Official Plan of the United Counties of Prescott and Russell. A site-specific policy was added to the Official Plan which reads:

"On lands located in Lot C, concession 6 in the City of Clarence-Rockland, further identified as parcel number (031601602305250) in the land assessment roll, there is no restriction for the creation of lots by way of a plan of subdivision."

The following sections apply:

#### "2.5.2 Rural Policy Area Boundaries

- 2.5.2.1 The Rural Policy Area is composed of lands which are located outside of the primary development and agricultural resource areas... Rural development shall be 'limited' in scale with the majority of growth directed to settlement areas.
- 2.5.2.3 ...intent... to provide a framework for appropriate country lot development which will support the objective of preserving the identity and character of the rural and urban areas.
- 2.5.2.6 Residential development in the Rural Policy Area shall generally proceed on the basis of private water and waste water systems.

#### 7.4.25 Minimum Distance Separation Formula

New land uses shall comply with the Minimum Distance Separation (MDS) Formula.

#### ZONING BY-LAW NO. 2016-10

The current zoning is "Rural (RU) Zone" however the proposed zoning amendment would change the zone to "Rural Residential – Exception x (RR-x) Zone", and "Parks and Open Space (OS) Zone".

Section 4.26 titled *Minimum Distance Separation* stipulates that:

a) Notwithstanding any other provisions contained in this By-law to the contrary, new land uses, including the creation of new lots and new or expanding livestock facilities, shall comply with the Minimum Distance Separation (MDS) formula.

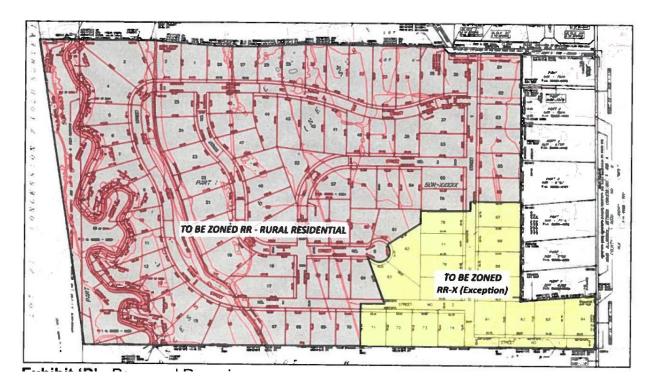
#### **COMMENTS**

The Zoning Amendment from a "Rural Zone" to a "Rural Residential Zone" is appropriate for this property as the types of uses permitted are more adequate. The rural zone permits agricultural uses, kennel, etc. that is not appropriate for a rural subdivision. The zone rural residential will limit the use to a single detached dwelling along with accessory residential uses.

The Owner has requested a reduction of the MDS setback for 19 proposed lots in the draft plan of Subdivision of Trillium Development. The property is within a Type B land use as indicated under the MDS (Minimum Distance Separation) Implementation Guidelines, produced by the Ministry of Agriculture, Food and Rural Affairs. A Type B land use is referred to as the creation of one or more lots for development on land outside a settlement area that results in four or more lots for development, which are in immediate proximity to one another. As such, guideline #6 under that same document indicates that MDS calculations should be completed if there are any livestock facilities within 1500 metres from the proposed subdivision. There is a livestock facility located approximately 250 metres from the proposed development.

Any new development (lot creation, subdivision, new house) is required to respect MDS 1. MDS 1 is a calculation that demonstrates the minimum distance separation from a new development to an existing livestock facility and from an existing manure facility. The objective of MDS is to prevent land use conflicts and minimize nuisance complaints related to odors. It is also used to ensure that any livestock facility could enlarge in the future.

As per the developer's consultant, the minimum distance separation is 659 metres from the barn and 727 metres from the manure storage to the proposed residential area. The setback extends over approximately 19 lots within the project. The consultant has also completed a MDS II calculation to determine if a potential expansion of the barn would be affected. They added a total of 150 cows for calculation purposes. The setbacks are now 474 metres from a Type B (residential subdivision) land use to a barn and 779 metres from a Type B land use to the manure storage. This expansion would impact on over 22 lots in the subdivision. This is only a hypothetical example.



Guideline #12 of the Implementation Guideline book states that "MDS I setback is required for proposed development or dwellings. However, a reduced MDS I setback may be permitted provided there are four, or more, non-agricultural uses, residential uses and/or dwellings closer to the subject livestock facility than the proposed development or dwellings and those four or more non-agricultural uses, residential uses and/or dwellings are:

- Located within the intervening area (120° field of view)
- Located on a separate lot
- Of the same or greater sensitivity (i.e. Type A or Type B in accordance with Implementation Guidelines #33 and #34) as the proposed development or dwelling

If <u>ALL</u> of the above conditions are met, the MDS I setback for the proposed development or dwelling may be reduced such that it is located no closer to the livestock facility than the furthest of the four non-agricultural uses, residential uses and/or dwellings as shown in Figure 4."

In this case, Guideline #12 could potentially reduce the required MDS I setback required to the barn if more than four Type B uses are located within the intervening area. It is not the case.

Under the MDS Guideline #43, it is stipulated that: "MDS I setbacks should not be reduced except in limited site specific circumstances that meet the intent of this MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards. If deemed appropriate by a municipality, the processes by which a reduction to

MDS I may be considered could include a minor variance to the local zoning by-law provisions, a site specific zoning by-law amendment or an official plan amendment introducing a site specific policy area."

MDS setbacks are used to reduce odour conflicts by separating incompatible uses. Under Section 8.2 Reducing MDS Setbacks of the MDS Guideline book, it indicates that: "generally OMAFRA does not support or encourage reductions to MDS setbacks. Allowing for reductions to MDS setbacks can increase the potential for land use conflicts and undermine the intent of this MDS Document." The Guideline book advises that reducing MDS setbacks should be approached with caution.

The guideline states that consideration of several specific aspects should be considered before reducing MDS setback, such as:

- "Is the MDS setback reduction really necessary or should another suitable alternative location (relocating the proposed lot/designation/building) be considered?
- Is the reduced setback going to impact the type, size or intensity of agricultural uses in the surrounding area?
- Is the reduced setback going to impact flexibility for existing or future agricultural operations, including their ability to expand if desired? If this reduced setback is allowed, will it set precedent for others in the local community?"

Applications to reduce MDS setbacks for new development or dwellings may lead to applications to reduce MDS setbacks for surrounding livestock facilities if they look to expand in the future. It is important to look on the impact over the long term.

As stated under Guideline #43, the City should only consider a reduction in limited site specific circumstances such as to mitigate environmental or public health and safety impacts, or avoid human-made hazards. It states that OMAFRA does not generally support or encourage the reductions to MDS I distances, especially for new development. The intent of the MDS is to minimize nuisance complaints due to odours and thus reduce land conflicts.

The consultant has listed the following reasons in support of the application:

- Adjacent, active residential dwellings currently exists within the same MDS setback. Residential development has been approved within this setback for abutting properties; creating a local precedent.
- It remains possible to register a warning about this factor on the title of ownership for each of the proposed lots. This ensures that prospective are fully aware of the context

- surrounding the lot they purchase. It also can be designed to avoid any potential concerns with liability.
- The prevailing winds blow in the direction opposite from the subdivision. This factor is not considered explicitly within the Zoning By-law but is worthy of acknowledgment. At the present distance, and given that the farming operation is east of the subdivision, the wind will act to blow any potential unpleasant odours eastward without ever crossing the subject property.

The guideline provides a list of questions a municipality may ask when considering a reduction. Out of 12 questions, only 2 can be answered positively.

As such, the department does not support the application to reduce the setback from the barn to a new lot from 659 metres to 250 metres and from the manure storage from 727 metres to 250 metres. The guideline clearly indicates that for new development, a reduction should not be issued except for specific circumstances. The proposed lots do not need to be located closer to the livestock because of site specific circumstances, like a fish habitat or a wetland that would make it impossible to build in a certain area. While we understand that 2 houses are already built to the south the barn, the guidelines does not allow for those units to count towards the reduction as they are not within the 120° intervening area and is not considered a Type B land use. Also, the barn is located under a prime agricultural area and the PPS and the County OP aim to protect those areas.

#### 6) **CONSULTATION:**

The Planning Committee will hold a public meeting on August 2<sup>nd</sup>, 2017, at which time comments from the public will be received.

# 7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS:

The United Counties of Prescott and Russell does not recommend the reduction of the MDS 1 setback based on the fact the prime agricultural areas should be protected for the long term and allowing a subdivision close to the barn does not aim to protect the agricultural operation.

The Ministry of Municipal Affairs and Housing confirmed that they will not provide any comments.

The Ministry of Agriculture, Food and Rural Affairs has submitted their comments in attachment.

# 8) FINANCIAL IMPACT (expenses/material/etc.): n/a

# 9) **LEGAL IMPLICATIONS:**

n/a

## 10) **RISK MANAGEMENT:**

n/a

## 11) STRATEGIC IMPLICATIONS:

n/a

## 12) **SUPPORTING DOCUMENTS:**

Comments from the United Counties of Prescott and Russell Comments from the Ministry of Agriculture, Food and Rural Affairs

#### Marie-Eve Belanger

From:

O'Neill, John (OMAFRA) < John.O'Neill@ontario.ca>

Sent:

Tuesday, July 11, 2017 1:42 PM

To:

Marie-Eve Belanger; Dominique Tremblay (dominiquetremblay@Russell.ca)

Cc:

Ethier, Dan (MMA/MHO)

**Subject:** 

MDS assistance

#### Hello Marie-Eve and Dominique

In response to your questions related to the application of the Minimum Distance Separation (MDS) Formula I would like to provide the following.

It is understood that a zoning amendment is being pursued to permit the development of a new residential subdivision in the municipality of Clarence Rockland within the United Counties of Prescott Russell. Based on the information available, the subject lands are located in a Rural Area and therefore as part of the application review, the Minimum Distance Separation (MDS) Formula is being applied.

It is understood that there are some questions related to the implementation of the MDS Formula and the associated implementation guidelines (Publication 853). While the Province is not the approval authority for the subject application, OMAFRA can provide the following technical comments.

As per PPS policy 1.1.5.9, development such as the creation of new lots shall comply with the MDS formula.

1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

One question relates to the application of MDS Guideline #12. Guideline #12 offers flexibility to potentially reduce an MDS setback (not exempt) provided all of the criteria found in the guideline as found below are satisfied.

## #12. Existing Uses that Do Not Conform to MDS

An MDS I setback is required for proposed development or dwellings, even though there may be existing or approved development or dwellings nearby that do not conform to MDS I requirements.

However, a reduced MDS I setback may be permitted provided there are four, or more, non-agricultural uses, residential uses and/or dwellings closer to the subject livestock facility than the proposed development or dwellings and those four or more non-agricultural uses, residential uses and/or dwellings are:

- located within the intervening area (120° field of view shown in Figure 4 in Section 7 of this MDS Document) between the closest part of the proposed *development* or *dwelling* and the nearest *livestock facility* or *anaerobic digester*;
- · located on separate lots; and
- of the same or greater sensitivity (i.e., Type A or Type B in accordance with Implementation Guidelines #33 and #34) as the proposed *development* or *dwelling*.

If ALL of the above conditions are met, the MDS I setback for the proposed development or dwelling may be reduced such that it is located no closer to the livestock facility or anaerobic digester than the furthest of the four non-agricultural uses, residential uses and/or dwellings as shown in Figure 4.

Implementation of this guideline involves an understanding of other parts of the MDS document such as descriptions for Type A and Type B land uses. Guidelines #33 and #34 offer useful information about how to assess various uses for MDS purposes. Although a proposal may be subject to the application of MDS I, information found under MDS II columns may be useful in determining how to apply certain MDS elements relevant to implementation of a guideline(s). For example the MDS I portion of guidelines #33,#34 are used in determining what type of application (Type A vs. Type B) a proposed development should be considered, however a broader read of the guidelines to include the MDS II information may also be important. When making a determination as to what land use type existing development should be considered (Type A vs. Type B) the information found in the MDS II column can be utilized to assist with such a determination as these portions speak to how 'existing' as opposed to 'proposed' uses should be treated. For further details about how existing Type A and B uses are intended to be treated, please see Guidelines #33 and #34.

If the location of a proposed development does not comply with MDS, whether it be a calculated setback or a reduced setback location based on an MDS guideline(s), the MDS guidelines (Guideline #43) indicate that approval authorities may consider permitting a reduction. As found in MDS Guideline #43, if an approval authority deems it appropriate, they may consider permitting the development within a MDS setback. Guideline #43 offers recommendations of possible tools to indicate/control when a reduction has been granted. OMAFRA recommends that MDS setbacks be respected however issues identified in Guideline #43 and #42 may be used to justify a reduction and can be considered. Further information about things to consider when determining if a reduction is appropriate can be found in Section 8.2 (Reducing MDS Setbacks) of the MDS Implementation Guidelines. I believe you have copies of the guidelines. If not, let me know and we can work to get you a copy.

Hopefully this helps

If you have questions feel free to contact me

#### Thanks

John O'Neill
Rural Planner
Ontario Ministry of Agriculture and Food Ontario Ministry of Rural Affairs Box 2004
59 Ministry Road
Kemptville, Ontario
KOG 1J0
Telephone - 613-258-8341 Fax - 613-258-8392 Email - john.o'neill@ontario.ca

#### Marie-Eve Belanger

From:

Lefebvre, Dominique <DLefebvre@prescott-russell.on.ca>

Sent:

Monday, July 24, 2017 3:57 PM

To:

Marie-Eve Belanger

Cc:

Prévost, Louis

Subject:

RE: D-14-490 - Landry Road Pt. lot 21, Conc. 2 (O.S.)

Attachments:

Item 05a - Avis public Zonage bilingual.pdf

Importance:

High

Bonjour Marie-Eve,

Voici nos commentaires en ce qui concerne la demande citée en rubrique:

We understand that the City received a zoning amendment application to relief of MDS 1 setback 18 of the proposed 94 new residential lots in the Trillium Development from a nearby barn located on Landry Road.

Sections 1.1.5.9 and 2.3.3.3 contained in the 2014 PPS state that the creation of lots shall comply with the Minimum Distance Separation Formulae. Further section 7.4.25 of the Official Plan of the United Counties of Prescott and Russell also states that the creation of new lots shall comply with the Minimum Distance Separation Formulae.

We reviewed the report presented by Holzman Consultants Inc. regarding the Minimum Distance Separation Calculations for the Trillium Development. The report indicates that Guideline #12 is applicable since there are 4 or more single family dwellings located within the affected area identified on Figure 2 and 3 of the report. However, Guideline #12 specifies that MDS 1 setback can be reduced provided that four or more dwellings are located closer than the proposed development. We are of the opinion it is not the actual situation. The existing dwellings units are located further than the proposed new ones. Figure 4 of the MDS Guidelines explicitly demonstrates that the existing dwellings have to be located closer than the proposed lots.

The PPS, the UCPR OP and the MDS Guidelines aim to protect the prime agricultural areas. The ability to expand the farm operation as desired could be limited because of the existence of the new residential development. Eliminating the requirement for MDS I could create a precedent in the City for future projects which would hinder the intent of the MDS Guidelines Document. There is no guarantee that the farm operation will not expand in the future. The existing farm is located within the prime agricultural areas which shall be protected for long-term use for agriculture. Reducing the setback creates barriers and extra costs to the farm operation for any future expansion.

Moreover, Section 8.2 of the 2017 MDS Guidelines Document indicates how Guideline #43 which provide specific directions on reducing the required MDS 1 setbacks should be implemented. We are of the opinion that the report fails to justify the MDS 1 setback reduction. The potential for land use conflict is significantly increased as the proposed residential development is quite more compact than the existing surrounding residential lots.

Sincèrement,

#### Dominique Lefebvre, MCIP, RPP

Urbaniste senior / Senior Planner
Urbanisme et Foresterie - Planning and Forestry
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# REPORT Nº AMÉ-17-64-R

Date	02/08/2017							
Submitted by	Marie-Eve Bélanger							
Subject	East-west collector - Morris Village							
	Stage 5							
File N°	Click here to enter text.							

#### 1) NATURE/GOAL:

The nature of this report is to approve the location of the east-west collector, the cross-section of the collector and the amount of entrances and driveways along the collector in the Morris Village Stage 5 project.

#### 2) **DIRECTIVE/PREVIOUS POLICY:**

Official Plan of the Urban Area of the City of Clarence-Rockland 2014 (OP 2014)

Under Section 7.2 Arterial Road of the 2014 OP, the East-West Bypass is listed as a proposed Arterial Road with a 30 metre right-of-way. Section 7.2.1 states that: "Arterial roads are intended to carry high volumes of traffic at relatively high speeds and to connect major traffic generators".

Section 7.3.2 Major Collector Roads of the 2014 OP stipulates that: "Junctions of local streets with Major Collectors should be adequately spaced and, wherever possible, in the form of a four-way intersection." Also it is indicated that sidewalks need to be on both sides and a bicycle path on one side. Section 7.3.2.3 states that: "Whenever possible, new residential lots should not front onto a Major Collector."

Schedule B of this OP illustrates the proposed alignment of the east-west collector, being at the southern boundary of the urban area of Rockland (See Schedule A).

Official Plan of the Urban Area of the City of Clarence-Rockland 2004, Consolidated 2007

Schedule A, under the previous Official Plan showed a major collector following the south boundary of Rockland. (See Schedule B)

Stategic Transportation Plan- June 2005 (STP)

A STP was undertaken in 2005 by McCormick Rankin to identify a long-range transportation network concept for Rockland. One of the objectives of the study was to develop an overall street network

concept to accommodate the needs of the community in concert with planned growth for a 20 year timeframe.

An Overall Concept Plan was designed by the consultant to accommodate the projected traffic flows associated with continued residential growth with the urban boundaries. Schedule C illustrates the Concept Plan. The overall street hierarchy concept has been defined to establish a regular grid of principal streets, collector streets and local streets.

It was determined by the consultant that the network has three (3) main east-west principal streets, being:

- County Road 17
- Laurier Street, and
- new east-west collector.

While the role and function of each of these east-west facilities differ, they are each supported by north-south principal streets including:

- Caron Street
- St-Jean Street/Edwards Street
- Laporte Street

A detailed background and recommendation section are found in the STP. To summarize, it is indicated that the study concurs with the 1990 Transportation Plan that there is a need to develop a new eastwest corridor to the south of the existing urban development. The 2005 study recommends a modified alignment from the 1990 transportation plan and a western connection to County Road 17. Urban growth pressures to the south of Rockland support the need for a new east-west collector to serve the new residential development and to provide an alternative route to the current and emerging travel demands placed on Laurier Street and County Road 17. It will also distribute existing and projected cross-town traffic. The new east-west collector, with its new westerly access point to County Road 17 will be responsible for diverting existing and future commuter related traffic away from Laporte and Edwards. It will ensure that Laporte and Edwards can continue to function at an adequate level of service. The study also stipulates that: "It is also recommended that access along the new east-west connector be adequately protected to ensure it can serve its role as a strong east-west link, from County Road 17 to east of Caron with north-south streets connecting to it."

This study proposes the alignment to follow the existing Poupart Side Road with an adjusted descent of the hill on St-Jean Street. It is recommended that the road be protected for a four lanes, bike lanes, and sidewalks on both sides for a total of 30 metres.

It was determined in the 2005 study that the east-west connector Page 60 of 77 between St-Jean and Caron should be developed over the mid-term planning period, being 5 to 10 years, which meant between 2010-2015. The construction of this section is now overdue.

The consultant recommended that the four lanes be protected by controlling the accesses. As envisioned, the east-west connector includes five (5) main intersections. They are considered under Schedule C as being Poupart Side Road, St-Jean Road (on top of the hill and below the hill), Sterling Avenue and Caron Street. They are fairly evenly spaced and should provide good access to the east-west connector. The study recommends: "that efforts be placed on organizing all access points associated with development parcels to focus on north-south connecting links and not directly onto the east west route. Where this is not possible, access should be limited and combined where possible to minimize the number of access points on the east-west connector to ensure it can continue to serve the needs of the urban area beyond the planning period."

#### 3) **DEPARTMENT'S RECOMMENDATION:**

THAT the Planning Committee recommends that Council approves the location of the proposed east-west collector as per AECOM's plans; and

THAT it be further recommended that Council requests that Spacebuilders and Brigil prepare a Transportation Study to determine the proper width and design of the collector; and

THAT it be finally recommended that Sterling Avenue continues south of the collector.

QUE le comité d'aménagement recommande au conseil d'approuver la localisation du collecteur est-ouest, tel que démontré dans les plan de AECOM; et

QU'IL soit aussi recommandé que le Conseil demande que Spacebuilders et Brigil entreprennent une étude de trafic afin de déterminer la largeur adéquate du collecteur ainsi que son design; et

QU'IL soit finalement recommandé que le chemin Sterling continue vers le sud du collecteur.

#### 4) **BACKGROUND**:

Following a meeting with Sancore Developments Inc., the City believed that it was prudent to schedule a meeting to discuss the proper alignment of the East-west collector, as different documents showed different alignments. Prior to starting the Secondary plan process for the expansion lands, in which Sancore is one of the owners, the

alignment needed to be determined. It was not known if the east-west collector would continue onto Sancore's property all the way to Landry or end at Caron.

#### 5) **DISCUSSION:**

As indicated under Schedule A (Urban Area OP), the proposed alignment runs close to the south boundary line of Rockland. However, through discussions with the County, they advised us that a plan of a proposed east-west collector alignment was completed by AECOM in 2013. AECOM was responsible to complete the EA for the 174/17 roadway. It is assumed that the previous Planning Director asked AECOM through this EA process to complete a plan of the best location for the east-west collector with the grading involved. This plan can be seen on Schedule D.

A meeting was organized on November 30<sup>th</sup>, 2016, with Spacebuilders, Sancore and Brigil, with their Engineers, to discuss and confirm a proper alignment that would benefit everyone. At the meeting, it was indicated that the east-west alignment of AECOM was the best option for everyone. However, the alignment of the east-west went all the way to Landry Street through the Trillium Development. No draft plan application had been received at that time. Following a few meetings with Spacebuilders, it was agreed that the east-west collector would stop at Caron Street and not continue through their Trillium project.

Atrel Engineering (retained by Spacebuilders and Brigil) indicated that the previous Director requested that he obtain a copy of their Stage 5 development and that it was agreed that the alignment would be the one from AECOM. The Stage 5 design (Schedule E), which shows a proposed east-west collector, at the preferred location, has multiples local roads connecting to it and over 76 lots fronting onto the collector.

The Infrastructure and Planning staff has met Spacebuilders a few times to address the situation of the collector road and the number of accesses and proposed lots fronting onto the collector. It was indicated that the policies of the OP are not being respected. Spacebuilders advised that the design was already completed and changing the design at this time to include less lot fronting onto the collector or less accesses was not an option. It is important to comment that there has been no pre-consultation meeting held between the current staff and Spacebuilders in order to comment on the Stage 5 design. Also, suggestions were made to Spacebuilders to try to reduce the number of lots onto the collector but none were taken.

As per the Official Plan, it stipulates that: "Wherever possible, new residential lots should not front onto a Major Collector." It also states

that: "Junctions of local streets with Major Collectors should be adequately spaced and, wherever possible, in the form of a four-way intersection. The design of a major collector, as per the OP should have sidewalks on either side and a bike path on one side." The Official Plan and the Strategic Transportation Plan also recommends that the East-west be of a 30 metre width. Spacebuilders is proposing a collector of 26 metres wide with one sidewalk and 2 bike lanes, which does not conform to the policies of the Official Plan.

It is important to note that Brigil is proposing 1,100 units. Stage 5 will have 655 units and Sancore will have over 600 units. With an average of 2 cars per unit, this equals over 4,500 additional cars. As indicated by the 2005 Strategic Transportation Plan, the urban growth pressures to the south supports the need for a new east-west collector which will serve to better distribute existing and projected cross-town traffic. The east-west collector is required and is considered a "need" versus a "want". As indicated above, Spacebuilders have showed a 26 metre collector through their Stage 5 that could become the east-west collector. The most significant staff issue is the number of lots and accesses.

In order to advance the development of Phase 5, Council needs to endorse an alignment of the future collector and identify how many lots and accesses they are willing to accept on this major collector. The Department is recommending that a minimum amount of local roads and lots front onto this collector.

In comparison, Docteur Corbeil is about 1.4 km long, has 43 lots fronting on it, four (4) four-way intersections and one (1) three way intersection. It also has a 26 metre right-of-way with bike lanes and a sidewalk on both sides. The proposed collector on Spacebuilders property is approximately 1.07 km with 76 lots, two (2) four-way intersections and four (4) three-way intersection. It is proposed to be 26 metres wide and one sidewalk and bike lanes. The proposed collector would have 76 lots fronting onto it.

The design of the collector should be uniform for the whole stretch of the road, being from the east end at County Road 17 to Caron Street. In the Strategic Transportation Plan, it was recommended that a 30 metre right-of-way be reserved to eventually have enough space to build a four lane all the way through. If Council accepts the proposition of Spacebuilders, the design of the collector will not conform to the policies of the Official Plan and to the Transportation study that was completed by Transportation Engineers.

While we do not want another Docteur Corbeil situation with the residents complaining about speed on the road, it would be prudent to restrict them, as recommended by the OP and studies. As indicated

above, staff estimates that around 4,500 additional cars will be included around the collector. As such, the collector will need to be built like a major collector, being to direct cars to higher traffic rated roads, like County Road 17. Having accesses and lots fronting onto the collector will affect the quality of life of those future residents. Staff is of the opinion that the City will see an increase in traffic speed complaints. The goal of a collector is to move cars efficiently. The proposed road will not achieve this. As seen on Docteur Corbeil, the City had to paint lines to reduce traffic speeds. As well, the City has installed approximately 5 speed pedestals. If there were no houses on Docteur-Corbeil, that would not have been an issue.

Through discussions with Spacebuilders, it was recommended that some corner lots be redesigned to front onto the adjacent roads. This could reduce the number of lots fronting the collector by 14 units. It was also recommended that one of the proposed local street south of the collector be transformed into a cul-de-sac, which would reduce the access by one. It was indicated by Spacebuilders that the 76 lots that would front onto the new collector would have 12 metre wide lots. Perhaps if the lots were bigger, being 15 metre, it would reduce the number of lots to 60 instead of 76. In addition to the 14 units that would front other streets, the number of units could now become 46 units. It would still be higher than Docteur Corbeil but would be an improvement. The Department recommends that more work should be completed by the developer to further decrease the number of units. The Department would also like to comment that Sterling Avenue should continue past the collector to the south and should not end at the collector.

To conclude, the Department deems that the proposed alignment of the collector as per AECOM's plan is the recommended version. It is also important to restrict the number of accesses along the future collector as well as the number of units. The design of the collector should be looked at by a Transportation Engineer. As such, we will request that Spacebuilders and Brigil complete a Transportation Study that will determine the proper width and design of the collector. The OP suggests that a Major Collector should have 2 sidewalks and one bike lane. Staff recommends that the cross-section show two sidewalks. With the number of accesses, it would be safer for all the residents to have a sidewalk in front of their houses instead of walking on the side of the road or cross the road mid-intersection to reach a sidewalk. Safety should be a priority. It is also important to note that no Transportation Studies were submitted as part of the Morris Village Stage 1, Stage 2, Stage 3 and Stage 4 projects. As such, such a study is now warranted to deal with the entire traffic pattern.

#### **Development Charge Study 2015**

In the Development Charge Study of 2015 (DC), the East/West Collector is included in the capital program for roads, sanitary sewers and water project. Under the DC study, the East—west collector is divided into 5 sections listed as No. 3 to No. 7 (Figure 1 and 4). It is estimated that the total cost of the collector is 16 million.

Figure 1

			Estimated Project Costs							
NO.	Infrastructure Requirement	Timing	Gross Cost	Benefit to Existing Share		Other Contributions	Post Period Allocation <sup>1</sup>	Net Growth- Related		
City-Wic	City-Wide Roads Projects									
1	Intersection Restructuration/Redevelopment (All Study) - See Map	2014	\$115,000	20%	\$23,000	\$0	\$0	\$92,000		
2	St-Jean (Patricia - Dr. Corbeil) - See Map	2016	\$2,000,000	20%	\$400,000	\$0	\$849,989	\$750,011		
3	St-Jean (Dr. Corbeil - Mtée Poupart) - See Map	2017	\$5,200,000	20%	\$1,040,000	\$0	\$2,209,971	\$1,950,029		
4	Mtee Poupart (St. Jean-End, Asphalt Wal-Mart) - See Map	2017	\$4,800,000	20%	\$960,000	\$0	\$2,039,974	\$1,800,026		
5	Est-Ouest/East-West Corridor (St-Jean - Caron) - See Map	2020	\$360,000	20%	\$72,000	\$0	\$152,998	\$135,002		
6	Est-Ouest/East-West Corridor (Caron - 400m East) - See Map	2022	\$240,000	20%	\$48,000	\$0	\$101,999	\$90,001		
7	Est-Ouest Corridor East-West (Mtée Poupart - 17) - See Map	2023	\$5,600,000	20%	\$1,120,000	\$0	\$4,480,000	\$0		

An amount of \$360,000.00 was included for 2020 for the section of St-Jean Street (below the hill) to Caron Street, being the portion of the Stage 5 development. There is also an amount of \$490,000.00 for the intersection redevelopment of St-Jean Street, below the hill, with the new collector. The idea was to include a round-about in that area. The work for this section was estimated to be completed in 2016 as per the DC by-law.

Under the DC study for water projects, an amount of \$150,000.00 is estimated from the east-west collector (Caron to St-Jean), being within the Stage 5 (Figure 2)

Figure 2

			Estimated Project Costs						
NO.	Infrastructure Requirement	Timing	Gross Cost	Benefit to	Existing Share	Direct Developer Contribution	Post Period Allocation	Net Growth- Related	
City-wid	City-wide Water Projects								
1	Mtée Poupart (St-Jean - End) Asphalt Wal-Mart	2017	\$120,000	0%	\$0	\$0	\$0	\$120,000	
2	St-Jean (Patricia-Jérome Corbeil loop)	2016	\$40,000	0%	\$0	\$0	\$0	\$40,000	
3	Est-Ouest/East-West Corridor (Caron - St-Jean)	2020	\$150,000	0%	\$0	\$0	\$0	\$150,000	
4	Est-Ouest/East-West Corridor (Caron - 400m East)	2022	\$30,000	0%	\$0	\$0	\$0	\$30,000	
5	Rockland East (Laurier - County Road 17)	2019	\$35,000	0%	\$0	\$0	\$0	\$35,000	
Subtota	ll City-wide Water Projects		\$375,000		\$0	\$0	\$0	\$375,000	

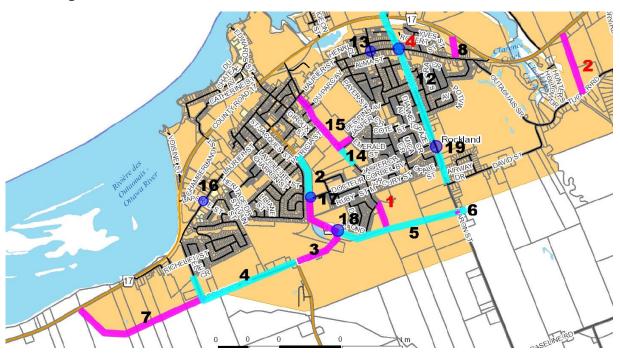
Also, an amount of \$400,000.00 (Figure 3) is under the DC study for sanitary sewer works within that Caron-St-Jean corridor. In total, the

east-west collector in Stage 5 is estimated at \$910,000 with the water, sanitary sewer and roads.

Figure 3

		Estimated Project Costs					
Infrastructure Requirement	Timing	Gross Cost	Benefit to	Existing Share	Direct Developer Contribution	Post Period Allocation	Net Growth- Related
ide Sanitary Sewer Projects							
Mtée Poupart (St-Jean - End Asphalt W-Mart)	2017	\$220,000	0%	\$0	\$0	\$0	\$220,000
St-Jean (Dr. Corbeil-Mtée Poupart)	2017	\$200,000	0%	\$0	\$0	\$0	\$200,000
Est-Ouest Corridor East-West (Caron - St-Jean)	2020	\$400,000	0%	\$0	\$0	\$0	\$400,000
Nord-sud/North South Collector (+-Sterling to East -West Collector)	2017	\$100,000	0%	\$0	\$0	\$0	\$100,000
Est-Ouest Corridor EastWest (Caron - 400m East)	2022	\$80,000	0%	\$0	\$0	\$0	\$80,000

Figure 4



## 6) **CONSULTATION:**

A public meeting is scheduled for August 2<sup>nd</sup>, 2017.

# 7) RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS:

n/a

# 8) FINANCIAL IMPACT (expenses/material/etc.):

There are no direct financial implications for the City in approving this report. As mentioned previously, the 2015 Development charges study

included an estimate of \$16 million for this collector road. The City will put in the 2018 budget a study to update the costs of the collector and include them in the capital budget.

#### 9) **LEGAL IMPLICATIONS:**

Click here to enter text.

#### 10) RISK MANAGEMENT:

Click here to enter text.

#### 11) STRATEGIC IMPLICATIONS:

The east-west collector will be important for Rockland as it will create a new gateway to the south. A market analysis will be completed as part of the Expansion Lands Secondary Plan and some commercial land will be reserved. Perhaps a gas station would be useful on the collector to better serve the south portion of Rockland, as well as other local commercial uses.

#### 12) **SUPPORTING DOCUMENTS:**

Schedule A - OP Schedule - 2014

Schedule B - OP Schedule - 2007

Schedule C – Strategic Transportation Plan

Schedule D – AECOM east-west collector plan

Schedule E – Stage 5 preliminary design

