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## Planning Justification Report

In Support of an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision

**York River Orchard Subdivision**

**Woodcox Road and Glory Road, Municipality of Hastings Highlands, County of Hastings**

Prepared for: 2744529 Ontario Inc. c/o Fraser Young

EcoVue Reference No.: 20-2032

Date: March 24, 2022

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## 1.0 BACKGROUND

This Report is being submitted in support of an application for an Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and a Plan of Subdivision (POS) for a property located at Part of Lots 7 and 8, Concession 2, geographic Township of Herschel, Municipality of Hastings Highlands, County of Hastings (**Figure 1 – Site Location**). The subject lands are 16.82 hectares (41.06 acres) with approximately 25.6 metres (84.1 feet) of frontage on Woodcox Road and approximately 209.3 hectares (686.5 feet) of frontage on Glory Road.

An amendment to the County of Hastings Official Plan and an amendment to the Municipality of Hastings Highlands Zoning By-law are required to permit the proposed plan of subdivision on the subject property. This report will provide a description of the development and examine the proposed amendments and plan of subdivision in the context of the applicable land use planning policies.

### 1.1 Description of the Proposal and Reasons for the Amendment

The applicant, 2744529 Ontario Inc., is proposing to develop a 27-lot plan of subdivision with two (2) open space blocks for community gardening initiatives and an internal road. Each lot will host a single detached dwelling. Lot sizes will range from 4,000 square metres to 8,527 square metres and contain single detached dwellings. The Concept Plan can be seen in **Figure 2 – Concept Plan**.

Access to the properties will be gained via a new municipal road off of Woodcox Road that ends in a cul-de-sac. Access to lots 13 and 14 will be provided directly via Glory Road, while access to Lot 11 will be provided via Riverside Court. Pedestrian pathways have also been included throughout the subdivision.

The proposed development will also include a common element condominium in the form of several open space blocks. The common element blocks are shown in the enclosed **Concept Plan**. Block A will provide a common access to the waterfront for landowners within the subdivision, and, along with Block B, will also provide enhanced protection of natural heritage features and their buffers.

It is the intention of the applicant to provide space for community gardening to allow a sustainable food source for residents of the subdivision. Space will be provided in Block A to accommodate the community garden.

The subject lands are designated Rural and Waterfront in the County of Hastings Official Plan and are identified in the Marginal Agriculture (MA) Zone and the Flood Plain (FL) Zone in the Hastings Highlands Zoning By-law. Although multi-lot development is permitted within the Rural and Waterfront designation, the CHOP requires a minimum lot area of at least 0.8 hectares (2 acres). In addition, lots that do not have direct water access, which are considered back lots in the CHOP, must be at least 6 hectares (15 acres). As such, an Official Plan amendment (OPA) that redesignates the lands to a site-specific designation is required in order to permit the proposed lot sizes within the plan of subdivision.

In addition, a Zoning By-law Amendment (ZBA) is required in order to rezone the site from the MA Zone to a Rural Residential (RR) Zone in order to permit the proposed lots within the plan of subdivision.

## **1.2 Existing Site Conditions**

The subject property is located between Woodcox Road and Glory Road, and fronts onto the York River, approximately 3 kilometres west of the Hamlet of Bird's Creek and 1.3 kilometres east of Redmond Bay (Baptiste Lake). The property is currently vacant and mostly covered with dense forest vegetation, with the exception of an open grassed meadow in the northeast section (within the area proposed as Block A). The property is accessed via Woodcox Road, which terminates approximately 600 metres north of the site at South Baptiste Lake Road.

The property drops in elevation from west to east, in the direction of the York River. The site includes several rock outcroppings, owing to its location on the Canadian Shield. However, there is a significant amount of sandy soil located on much of the property.

As discussed in the Environmental Impact Study, a wetland feature was identified on the property. Three other wet areas were also identified as seeps through the environmental field work. Two of them appear to be connected to the wetland features while the third does not appear to be directly related to the other wetlands.

The property is surrounded by a mixture of rural and waterfront residential properties, and rural/wilderness lands. The concentration of residential development is located mostly southeast of the property, along the shore of the York River on Glory Road and Riverside Court. There are also several residential dwellings located on Woodcox Road, east of the proposed development.





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PROJECT NO: 20-2032

DATE: DECEMBER 01 2021

HORIZ. SCALE: 1:6000

## FIGURE 1 - SITE LOCATION ECOSTRUCTURE SUBDIVISION

FRASER YOUNG

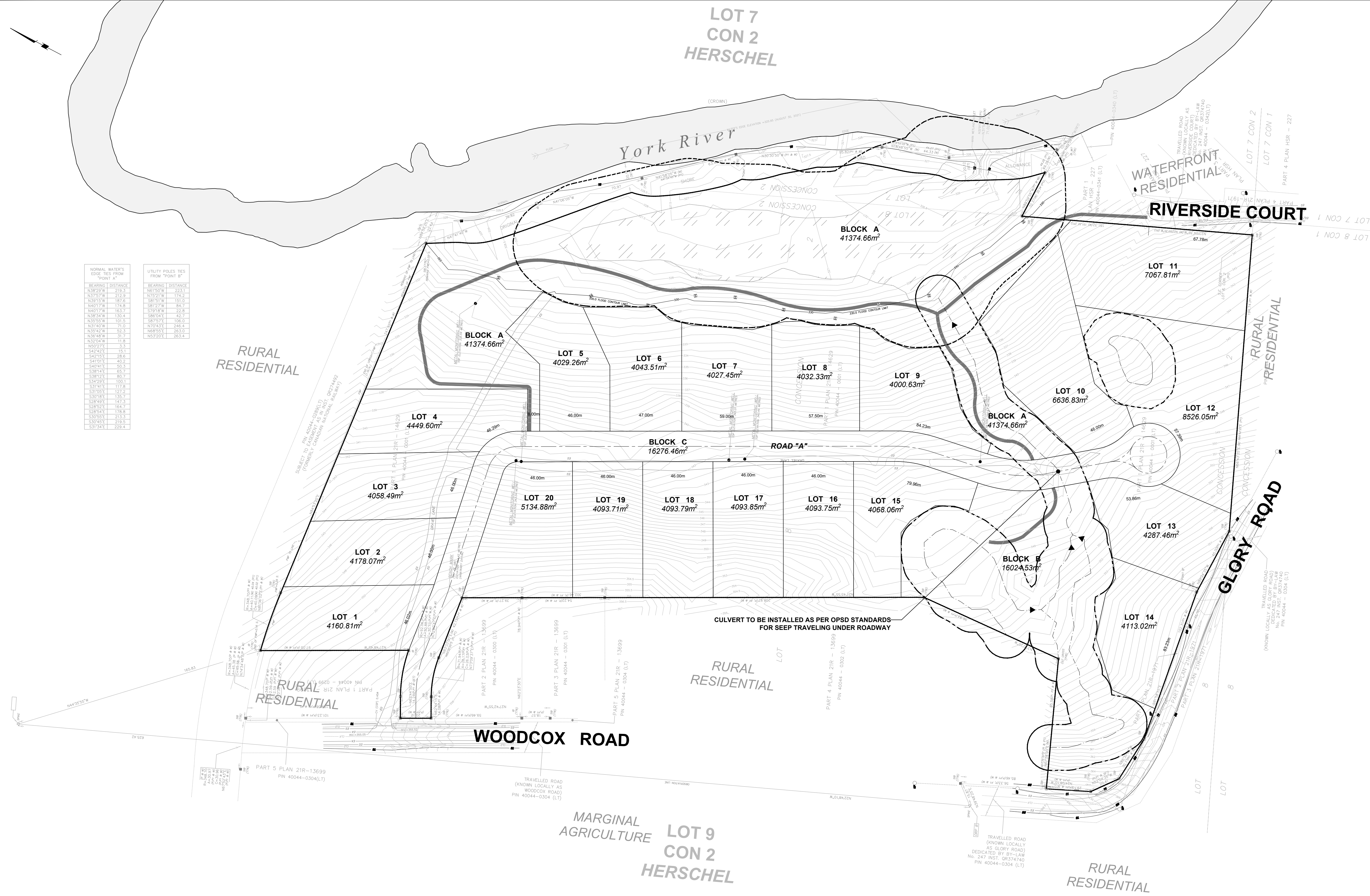
PART OF LOT 7 & LOT 8, CONCESSION 02

GEOG. TWP. OF HERSCHEL

MUNICIPALITY OF HASTINGS HIGHLANDS

COUNTY OF HASTINGS





NORMAL WATER'S EDGE TIES FROM "POINT A"		UTILITY POLES TIES FROM "POINT B"	
BEARING	DISTANCE	BEARING	DISTANCE
N36°29'W	218.5	N61°50'W	223.1
N32°29'W	232.9	N52°29'W	174.2
N32°15'W	187.6	S81°51'W	151.0
N40°17'W	174.6	S81°27'W	94.7
N42°17'W	163.7	S79°18'W	22.8
N32°54'W	135.4	S86°04'E	42.7
N32°52'W	101.9	S87°57'E	106.0
N31°40'W	71.0	N17°43'E	246.4
N25°42'W	52.3	N68°55'E	253.0
N32°48'W	31.7		
N32°59'W	11.8		
N52°27'E	3.3		
S42°42'E	15.1		
S42°15'E	28.6		
S41°05'E	40.3		
S40°41'E	50.3		
S38°43'E	60.7		
S38°21'E	80.7		
S34°29'E	100.1		
S31°41'E	117.8		
S31°05'E	127.2		
S31°08'E	130.7		
S28°49'E	147.3		
S28°32'E	164.7		
S28°24'E	178.8		
S31°51'E	213.3		
S32°45'E	233.0		
S31°34'E	225.4		

OWNER'S CERTIFICATE  
I hereby authorize EcoVue Consulting Services Inc.  
to prepare and submit this plan to the County of Hastings

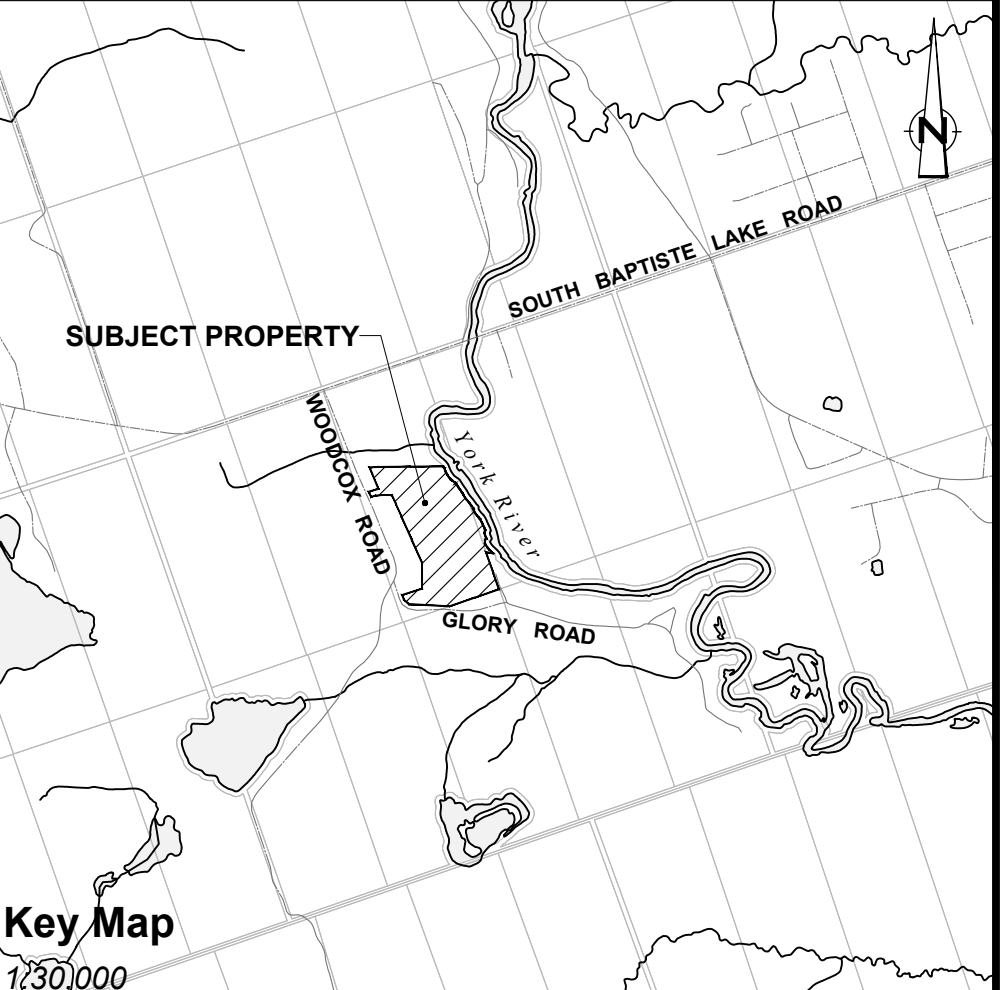
FRASER YOUNG \_\_\_\_\_ Date

SURVEYOR'S CERTIFICATE  
This Draft Plan accurately shows the boundaries of all lands  
proposed to be subdivided.  
Certified by:

Rodney Geyer \_\_\_\_\_ Date  
Ontario Land Surveyor

**DRAFT PLAN OF SUBDIVISION**  
Subject to the conditions, if any, set forth  
in our letter dated \_\_\_\_\_, 20\_\_\_\_ this draft  
plan is approved under Section 51 of the  
Planning Act.  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
\_\_\_\_\_  
Authorized Signature  
THE CORPORATION OF THE COUNTY  
OF HASTINGS

A		B	
1	DATE	REVISIONS	DESCRIPTION
2	2022-02-09		ISSUED FOR REVIEW
3	2022-03-24		MINOR REVISION
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			



**LEGEND**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- ✕ DENOTES WOOD STAKES
- ▬ DENOTES STANDARD IRON BAR
- ⊕ DENOTES SHORT STANDARD IRON BAR
- ⊖ DENOTES IRON BAR
- RP DENOTES ROCK POST
- ⊙ DENOTES 3/4" DIA. ROUND IRON BAR
- WT DENOTES WITNESS
- (854) DENOTES GREG BISHOP SURVEYING AND CONSULTING LTD.
- (934) DENOTES H.C. BISHOP O.L.S.
- (934) DENOTES BISHOP GEYER SURVEYING INC.
- (746) DENOTES M.J. McALPINE O.L.S.
- (M) DENOTES MEASURED
- (P) DENOTES PLAN 21R-13699
- (E) DENOTES PLAN 21R-14629
- EG DENOTES EDGE OF GRAVEL
- EA DENOTES EDGE OF ASPHALT
- CLR DENOTES CENTERLINE OF ROAD
- UP DENOTES UTILITY POLE
- OW DENOTES OVERHEAD WIRES
- GD DENOTES GUY WIRE
- CD DENOTES CENTERLINE OF DITCH
- TS DENOTES TOP OF SLOPE
- BS DENOTES BOTTOM OF SLOPE
- CV DENOTES CULVERT
- CSP DENOTES CORRUGATED STEEL PIPE
- PWF DENOTES POST AND WIRE FENCE
- ±30P DENOTES 0.50 METRE CONTOURS
- BP DENOTES BELL (TELECOM) PEDESTAL
- ▭ SUBJECT BOUNDARY
- W W W EXISTING WETLAND (RETRIEVED FROM CAMBIUM EIS)
- ▭ EXISTING WETLAND BUFFER, 30m (RETRIEVED FROM CAMBIUM EIS)
- ► EXISTING SEEP, W/ DIRECTION OF FLOW (RETRIEVED FROM CAMBIUM EIS)
- ▭ EXISTING SEEP BUFFER, 15m (RETRIEVED FROM CAMBIUM EIS)
- PROPOSED PEDESTRIAN TRAILS

**Submission Requirements**

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51-17 (a-I) THE PLANNING ACT

- As shown on this Draft Plan and Survey by Bishop Geyer Surveying Inc.
- As shown on this Draft Plan
- As shown on this Draft Plan
- Residential Subdivision
- As shown on this Draft Plan
- As shown on this Draft Plan
- N/A
- As shown on this Draft Plan
- Refer to report from Cambium Inc.
- Refer to report by Cambium Inc.
- As shown on this Draft Plan
- None
- As shown on this Draft Plan

Site Statistics		
BLOCK / LOT #	AREA (ha)	DESCRIPTION
LOTS 1 - 20	9.32	20 Single Detached Residential Units
BLOCK A	4.14	Open Space / Recreational Amenities
BLOCK B	1.60	Open Space / Recreational Amenities
BLOCK C	1.33 (length = 613.97m, min. CL turning radius = R20.0m)	Proposed Right-of-Way (Width = 20.0m)
Total:	16.38	

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**ECOSTRUCTURE SUBDIVISION**  
FRASER YOUNG  
PART OF LOTS 7 & 8, CONCESSION 2  
GEOG. TWP. OF HERSCHEL  
MUNICIPALITY OF HASTINGS HIGHLANDS  
COUNTY OF HASTINGS

**DRAFT PLAN OF SUBDIVISION**

**DP1**



### 1.3 Pre-Consultation with the County of Hastings

The County of Hastings hosted a virtual pre-consultation meeting in October 2020 to review and discuss the proposed development. It is our opinion that the applications reflect the discussions at the meeting in terms of the purpose and the scope of the proposed development for the subject lands.

Along with this Planning Justification Report, the following materials are being submitted to the County of Hastings in support of the planning applications:

- Site Plan (EcoVue Consulting) – Appendix A
- Hydrogeological Study (Cambium inc.) Appendix B
- Geotechnical Assessment (Cambium inc.) – Appendix C
- Environmental Impact Study (Cambium inc.) – Appendix D
- Topographic Survey (Bishop Geyer Surveying Inc.) – Appendix E

## 2.0 Planning Act

Section 51(24) of the *Planning Act, R.S.O., 1990, C. P.13*, indicates that “*in considering a draft plan of [subdivision], consideration should be had, among other matters, to the health, safety, convenience and accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality*” in which the subdivision is located. In addition to these matters, the following specific items should also be considered (excerpts Section 51(24) in *italics* (non-applicable sections have been omitted)):

- a) *The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2:*

Section 2 of the Planning Act provides a list of “*matters of provincial interest*” that an approval authority shall have regard to when carrying out responsibilities under the act. The matters are discussed in the table below:



**Table 1 - Matters of Provincial Interest**

Matters of Provincial Interest	Response
(a) the protection of ecological systems, including natural areas, features and functions;	An Environmental Impact Study (EIS) ( <b>Appendix D</b> ) has been undertaken to confirm the extent of natural features and provide adequate mitigation, if necessary. As noted in the conclusions of the EIS, the subject lands do not contain any significant wetlands or species at risk. However, the site does contain a small wetland, watercourse, potential significant wildlife habitat, and fish habitat in the adjacent York River. Therefore, the EIS recommends several mitigative measures for the development that will be implemented through appropriate zoning and conditions of draft plan approval.
(b) the protection of the agricultural resources of the Province;	There are no agricultural resources identified on the property or in the vicinity of the property.
(c) the conservation and management of natural resources and the mineral resource base;	The proposed plan of subdivision will not adversely impact any natural resources.
(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	There are no areas of significant architectural, cultural, historical, archaeological or scientific interest on the subject property, or in the vicinity of the subject property.
(e) the supply, efficient use and conservation of energy and water;	The proposed lots are intended to provide landowners with opportunities for sustainable living, including plots for growing vegetables and other crops used for food. The buildings will also be designed and constructed in an environmentally sustainable manner, allowing for rainwater collection for irrigation, and solar panels for energy use. This will contribute to the conservation of energy and water.
(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	The proposed development will be serviced with private septic and water systems. Other aspects related to communication, transportation, and waste management systems do not apply.
(g) the minimization of waste;	N/A
(h) the orderly development of safe and healthy communities;	The proposed subdivision represents orderly development within the community. The proposed development can be adequately and safely

	serviced through private servicing systems. Furthermore, the lots will be utilized in a sustainable manner that will limit the requirement for landowners to drive to local services in Bird's Creek or Bancroft.
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	N/A
(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	N/A
(j) the adequate provision of a full range of housing, including affordable housing;	The proposed development includes single detached dwellings, which will provide additional housing options within the Municipality. It is the intention of the applicant to provide modest sized housing that will maintain prices at a reasonable level of prospective buyers.
(k) the adequate provision of employment opportunities;	N/A
(l) the protection of the financial and economic well-being of the Province and its municipalities;	N/A
(m) the co-ordination of planning activities of public bodies;	N/A
(n) the resolution of planning conflicts involving public and private interests;	N/A
(o) the protection of public health and safety;	It is noted that a portion of the York River floodplain is located on the property. However, as shown on the Draft Plan ( <b>Figure 2</b> ), the proposed lots will be located outside of the floodplain.
(p) the appropriate location of growth and development;	The proposed development is in an appropriate location. The site is adjacent to the York River, which provides recreational opportunities and the subject property can accommodate the development safely and efficiently.
(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	As noted, the proposed subdivision will be developed in a sustainable manner.
(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and	The proposed subdivision layout has been configured in a manner that ensures sufficient area for servicing and growing of crops, while



(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;	maintaining consistency with the overall lot fabric of the rural residential properties in the area. The subdivision will also feature common element blocks that protect sensitive features while providing space for passive recreation.
(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.	N/A

Matters of provincial interest are also addressed in **Section 3.1** of this report, with respect to the applicable policies of the Provincial Policy Statement.

*b) Whether the proposed subdivision is premature or in the public interest:*

The proposed development is not considered to be premature as there is a demand for new housing within the North Hastings market area. The plan of subdivision will not require the unplanned or premature extension of public services and will not create land uses that are inappropriate for the subject property or the surrounding area. Matters of public planning policy are addressed further in this planning report.

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

Planning considerations relating to the County of Hastings Official Plan CHOP are outlined in **Section 3.2** of this report. As noted, an OPA is required to redesignate the lands to allow for smaller lot sizes than permitted in the CHOP. As demonstrated throughout this report, the proposed lot sizes are appropriate and can accommodate the proposed single detached dwellings without any negative impacts. The subject lands are not adjacent to any plans of subdivision.

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

This planning report and the other technical reports address a number of issues related to land use suitability. As demonstrated in the various technical reports, the subject lands are considered to be suitable for the 27-lot plan of subdivision.

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

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

- g) *The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it, and the restrictions, if any, on adjoining land;*

All dimensions, locations, and grades of the proposed lots and internal roads within plan of subdivision are shown in detail in the **Draft Plan of Subdivision (Figure 2)**.

- h) *Conservation of natural resources and flood control;*

The proposed plan of subdivision will not adversely impact any natural resources. Although the property is located partially within a floodplain, all proposed development will take place outside of the hazard area. Furthermore, provisions or measures for flood control are not applicable to this particular development.

- i) *The adequacy of utilities and municipal services;*

It is anticipated that the development will be sustained by existing municipal service levels, including municipal garbage and recycling collection. Hydro, telephone and school bus services will be available on the site.

- j) *The adequacy of school sites;*

It is anticipated that the existing school system can accommodate the children of families who purchase units in the new subdivision. Notwithstanding, the local school boards typically comment on this matter at the time of circulation of the draft plan of subdivision for agency comments.

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

There are no areas or blocks within the plan of subdivision that will be conveyed for public purposes. All open space blocks will be privately-owned through a common element condominium structure. Cash-in-lieu of parkland will be provided as a condition of draft plan approval.

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



As discussed above, the proposed lots are intended to provide landowners with opportunities for sustainable living, including plots for growing vegetables and other crops used for food. The buildings will also be designed and constructed in an environmentally sustainable manner with solar panels for energy use. This will contribute to the conservation of energy.

- m) *The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of the Act;*

The proposed development is exempt from Site Plan Control, in accordance with the Municipality of Hastings Highlands Site Plan Control By-law 16-2007.

### **3.0 Policy Considerations**

Land use policies and regulations affecting the subject lands include the 2020 Provincial Policy Statement (PPS). At the municipal level, the County of Hastings Official Plan (CHOP) and the Municipality of Hastings Highlands Zoning By-law affect the subject lands. In this section of the report, the proposed OPA and ZBA is reviewed in the context of the policies and provisions contained in these documents.

#### **3.1 Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authorities – in this case the County of Hastings – to uphold the policies of the PPS pertaining to land use planning and development. In particular, the planning authorities must ensure that their decisions are consistent with key provincial interests including policies related to settlement areas, the wise use and management of resources, and public health and safety.

##### **3.1.1 Rural Areas in Municipalities**

The subject property is not located in a settlement area and is therefore subject to Section 1.1.4 (Rural Areas in Municipalities) of the PPS. It is stated in this Section that “[r]ural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas”.

The subject property is considered to be part of the *rural lands* as identified in Section 1.1.4.4 and growth and development may be directed to these areas in accordance with Section 1.1.5 of the PPS (see below).

Section 1.1.4.1 (a) states that “[h]ealthy, integrated and viable rural areas should be supported by *“building upon rural character, and leveraging rural amenities and assets”*. The residential lots associated with the subdivision will be similar to, and consistent with the character of other limited residential development on Woodcox and Glory Roads. The proposed development will also utilize rural amenities such as additional space for growing of crops, as well as the York River. Therefore, it is our opinion that the proposed Plan of Subdivision is consistent with Section 1.1.4.1 of the PPS.

### **3.1.2 Rural Lands in Municipalities**

Section 1.1.5 of the PPS speaks to rural lands in municipalities. It is stated in Section 1.1.5.2 that the permitted uses within rural lands shall include (**bold emphasis added**):

- a) *“the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);**
- c) residential development, including lot creation, that is locally appropriate;**
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) *home occupations and home industries;*
- f) *cemeteries; and*
- g) *other rural land uses”.*

The proposed plan of subdivision is considered a resource-based recreational use, as the lots will have access to a recreational resource (York River) via a common element water access block. Furthermore, the creation of additional residential lots on the subject property considered “locally appropriate”, as discussed in the below sections of this Report related to the County of Hastings Official Plan. The proposed lots will also be of a size and character that is consistent with the surrounding rural area. Therefore, the proposed Plan of Subdivision is consistent with Section 1.1.5 of the PPS.



### **3.1.3 Sewage, Water and Stormwater Policies**

Policies relate to Sewage, Water and Stormwater are found in Section 1.6.6 of the PPS. Section 1.6.6.4 states that, where municipal servicing or communal sewage and water services are not available, private servicing is permitted provided that *“site conditions are suitable for the long-term provision of such services with no negative impacts”*.

A hydrogeological assessment has been completed by Cambium Inc. The study determined that the wells can sustain the proposed residential demand and will not have a negative impact on the quality or quantity of on-site and off-site groundwater resources. It was noted in the study that there are minor issues related to water quality. However, the groundwater can be adequately treated with water treatment systems within each dwelling. It is anticipated that requirements for water treatment will be included in future subdivision agreement.

The hydrogeological assessment also determined that the subject property is capable of accommodating septic systems for each lot.

### **3.1.4 Housing**

Section 1.4 of the PPS describes policies related to housing. According to Section 1.4.1, planning authorities (in this case, the County of Hastings) are required to *“maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification ... and, if necessary, lands which are designated and available for residential development”*. Furthermore, Section 1.4.3 states that planning authorities are required to provide an appropriate range and mix of housing types and densities by *“permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents”*. Planning authorities must also direct development of new housing to locations where there are appropriate levels of infrastructure.

The proposed development will contribute to the Municipality and County meeting the above outlined objectives required by the PPS. The plan of subdivision will include additional rural dwelling units that are intended to provide alternative, sustainable housing options for residents within Hastings Highlands.

### **3.1.5 Natural Heritage**

Section 2.1 of the PPS states that natural features and areas shall be protected for the long term, and that development and site alteration shall not be permitted within significant natural areas and significant habitat of endangered and threatened species. As noted, an Environmental Impact Study (EIS) was undertaken by Cambium Inc. in order to determine the extent of natural heritage features on the property and the mitigative measures that should be taken to avoid negative impacts to those features resulting from the proposed development.

As noted in the EIS, the subject property contains a wetland feature and three areas of seeps. As recommended in the report, a 30 metre buffer from the wetland has been identified and a 15 metre from each of the seeps have also been included to ensure no negative impact to any of the features. As such, all recommended buffers have been included on the draft plan.

In addition, potential habitat for species at risk was identified on the property. The above-noted buffers, along with on-site mitigation measures to be implemented during construction, will ensure that potential species are not impacted by the proposed development.

Therefore, the proposed development will not result in any negative impacts on natural heritage features and is consistent with Section 2.1 of the PPS.

### **3.1.6 Cultural Heritage and Archaeology**

Section 2.6.2 of the PPS states that “[d]evelopment and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved”. It was determined through pre-consultation that the site does not contain any potential for archaeological resources. As such, an Archaeological assessment was not requested to support this development. However, should anything be found on site, all work will stop and the appropriate authorities will be contacted. Therefore, the proposal is consistent with Section 2.6 of the PPS.

### **3.1.7 Natural and Human-Made Hazards**

Section 3.1 and 3.2 of the PPS address development within areas of natural and human-made hazards. As noted, the subject property contains floodplain along the shore of the York River. As discussed throughout this report, no development is proposed in the floodplain area of the property.

There is no indication that any human made hazards would exist on the site. Therefore, the proposed residential development on the subject lands is consistent with the policies in Section 3 of the PPS.

## **3.2 Municipal Planning Documents**

In addition to demonstrating consistency with provincial planning policies, the proposal must also comply with the upper and lower tier municipal planning documents. The County of Hastings Official Plan, as the primary planning document for the Municipality of Hastings Highlands, provides a guide for the general land use and development issues within the County, as well as land use planning specific to the Municipality of Hastings Highlands through detailed policies and provisions respecting local development objectives and issues.

### **3.2.1 County of Hastings Official Plan**

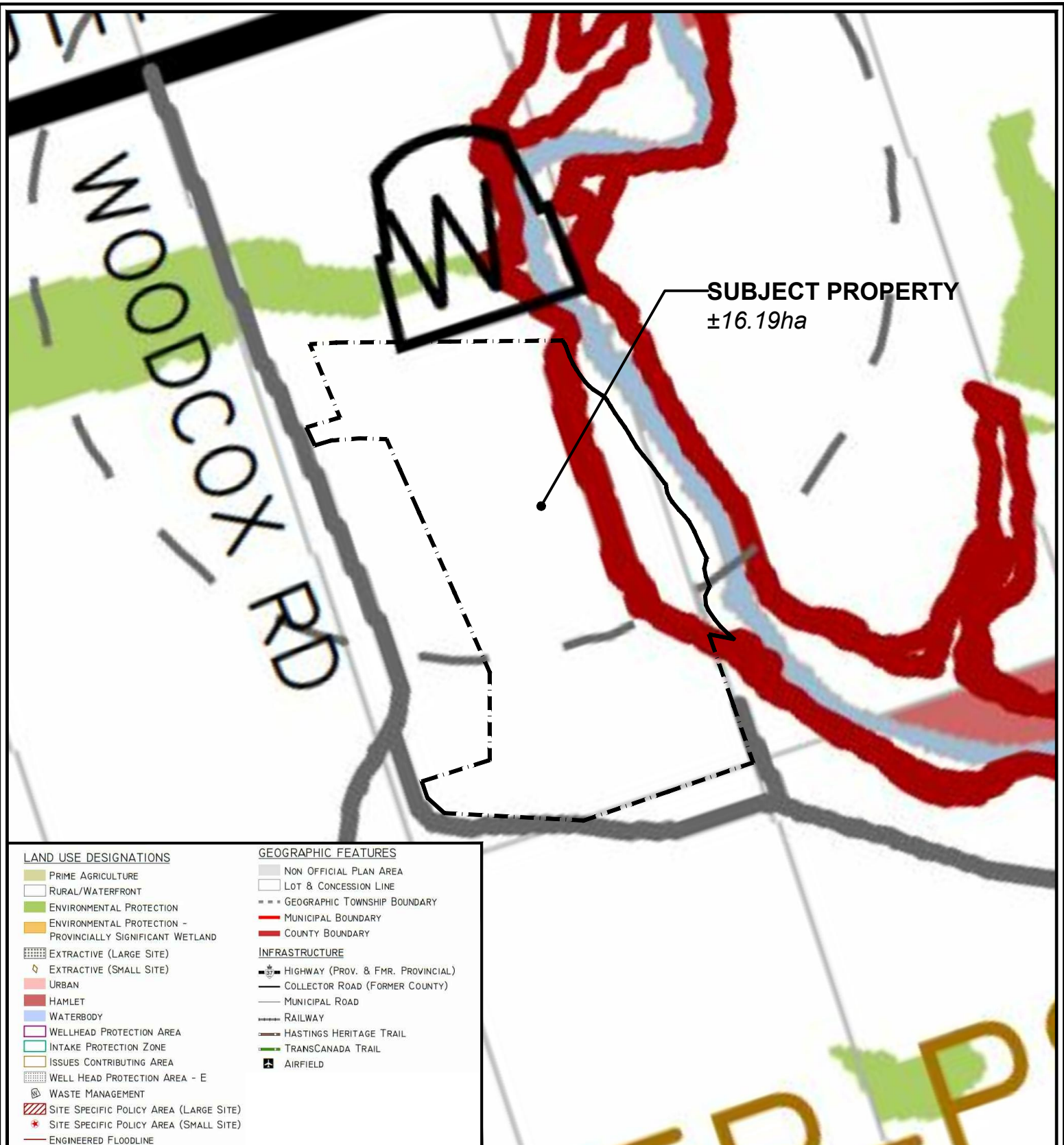
The subject property is designated Rural/Waterfront and Environmental Protection as shown on Schedule "OP-A" to the Official Plan of the County of Hastings (**Figure 3 – County of Hastings Schedule "A"**). The Rural and Waterfront policies are outlined in Section 5.4, while the Environmental Protection policies are outlined in Section 4.5 of the County of Hastings Official Plan (CHOP).

#### **3.2.1.1 RURAL AND WATERFRONT DESIGNATION**

Section 5.4.2 of the CHOP outlines permitted uses. Specifically, Section 5.4.2.1 b) states *"limited low density residential uses..."* and further *"plans of subdivisions and condominiums are permitted in the Waterfront area only."*

Section 5.4.3 of the CHOP speaks to access specifically that *"new development in the Rural and Waterfront designation, wherever possible, will have frontage on and access from a year round maintained public road..."*.





**FIGURE 3 - HASTINGS COUNTY OFFICIAL PLAN  
LAND USE DESIGNATIONS  
OP-A SCHEDULE - NORTHERN MEMBER MUNICIPALITIES  
ECOSTRUCTURE SUBDIVISION  
FRASER YOUNG  
PART OF LOT 7 & LOT 8, CONCESSION 02  
GEOG. TWP. OF HERSCHEL  
MUNICIPALITY OF HASTINGS HIGHLANDS  
COUNTY OF HASTINGS**

Servicing for the residential development will be in the form of individual private servicing, which is in keeping with Section 5.4.4.1 of the CHOP. Section 5.4.4.2 further states that *“new septic systems are encouraged to be located as far back from the shoreline as is reasonable and possible and shall be located a minimum of 30 metres (100 feet) from high water mark or in accordance with the setback requirements for water lakes if applicable.”* As demonstrated on the **Concept Plan** the lots are located outside the 30 metre setback and therefore the septic systems for those lots will be outside of the 30 metre setback.

Section 5.4.5.3 speaks to the policies specific to development in the rural and waterfront area. The applicable policies of this Section have been outlined and discussed below.

- a) *Development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics unless it can be demonstrated that there will be no negative impact on the feature or its ecological function in accordance with the policies of this Plan;*
- As discussed throughout this Report and demonstrated in the EIS, the proposed development will not have any negative impact on the natural heritage features associated with the site.
- c) *Lot lines should respect traditional features of the landscape, such as historic fencelines, treelines and topography, and generally maintain the rural character of the area;*
- The lots have been developed with consideration of the surrounding rural landscape and the topography of the land. The size and configuration of the proposed lots is consistent with similar rural residential/waterfront development within the immediate area.
- d) *Natural shorelines and vegetative buffers will be retained, maintained and/or restored;*
- The natural shoreline along the York River will be maintained as per the recommendations of the EIS. Blocks A and B, which includes the shoreline area and wetland features, will be maintained as open space/environmental protection areas where development will be prohibited.

f) *Measures such as changes to proposed lot lines and increased setbacks should be utilized to help address potential negative impacts to natural heritage features and the environment*

- As discussed throughout this report, there will be no negative impacts to the natural heritage features resulting from the proposed development. Buffers from the features and the York River will be implemented through open space blocks that will ensure sufficient development setbacks.

Section 5.4.5.8 states that *“in waterfront areas and adjacent to watercourses a natural vegetative buffer strip a minimum of 30 metres in width should be maintained wherever possible”*. As discussed, there is a wetland located on the property adjacent to the York River. A 30 metre buffer around the feature will be maintained entirely within Block A.

Due to the subject property being adjacent to the York River, Section 5.5.3.8 of the CHOP is applicable. Section 5.5.3.8 states:

*in Waterfront areas, no lots shall be approved adjacent to a narrow water body unless the water frontage is at least 100 metres in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses. A narrow water body is an area where the minimum average distances from shoreline to shoreline is 150 metres for a lake and 50 metres for a river.*

The section of the York River adjacent to the proposed plan of subdivision is considered a narrow water body in the context of the CHOP. However, no portions of the proposed residential lots will front on the York River; only the common element Block A, which will have approximately 415 metres of water frontage, will front onto the river. Therefore, it is our opinion that the proposal conforms to this policy.

### **3.2.1.2 BACK LOT RESIDENTIAL DEVELOPMENT**

As mentioned, the new proposed lots will not have direct frontage on the shoreline of the York River. As such, these lots are considered back lots, and the policies of Section 5.5.4 of the CHOP are applicable.

Section 5.5.4.2 states that *“new residential back lots will have a minimum lot area of 6 hectares (15 acres) fronting onto and gaining direct access from a year round publicly maintained road.”*

Further, Section 5.5.4.3 states that:



*Development on back lots will be set back from the public road a sufficient distance to provide a buffer which will address visual impact; 50 metres from centerline of the road is encouraged. Within the buffer area, vegetation will be substantially maintained and will not be completely removed. Where previously removed, vegetation should be restored using native species. Building elevations, orientations and views are not to be imposing on shoreline developments.*

As discussed throughout this report, the proposed lots range in size from 4,000 square metres (1 acre) to 8,570 square metres (2.1 acres). Therefore, the proposed back lots do not meet the lot size requirements outlined in the CHOP. As such, a site-specific Official Plan Amendment (OPA) is being requested to permit the reduced lot sizes within the plan of subdivision. The rationale for the OPA is as follows:

- It has been demonstrated throughout this Report that the proposed lot sizes are sufficient to accommodate a dwelling and private servicing from a technical perspective.
- The proposed layout and lot sizes are also reflective of the setback requirements of the natural heritage features present on the property.
- The increased back lot size minimum requirement in the CHOP is reflective of the need to prevent negative impacts to lakes and rivers resulting from development in depth. In this case, a common element block (Block A) is being proposed within the plan of subdivision that will provide enhanced protection of the York River from the proposed residential lots.
- The proposed plan of subdivision is consistent with the PPS, and conforms to all other policies of the CHOP, including those policies related to servicing and natural heritage.

Although there are existing residential lots between Woodcox Rd and the proposed lots, the proposed lots will meet the requirement for a 50 metre setback from the centreline of the road. The natural vegetation on the subject lands will be maintained to the greatest extent possible in order to minimize visual impacts.

### 3.2.1.3 ENVIRONMENTAL PROTECTION

As mentioned above, a portion of the property is also in the Environmental Protection designation. As such, those policies are also applicable. Section 4.5.2.1 states that use permitted in the Environmental Protection designation are limited to *“existing agricultural uses, managed forestry, conservation uses which improve the ecological functions of the natural features, wildlife management, uses of a scientific or educational nature and appropriate passive recreational uses that will not have a negative impact on the natural features.”* No development is proposed in the Environmental Protection area with the exception of the existing trails that are located in the buffer areas of the natural heritage features on the property. It has been determined that there will be no negative impacts from this passive recreational use.

### 3.2.1.4 AFFORDABLE HOUSING

Section 2.8.3 of the CHOP speaks to Affordable Housing policies. Specifically, 2.8.3.3 states that *“affordable housing in new residential construction or redevelopment projects shall be required. The proportion that is required will be determined by a site by site basis and calculated as part of the planning approval process for the County and/or the affected Member Municipality.”* Although not considered as part of this application, it is understood that the affordable housing policies can be met through the construction of accessory units on the property. As such, the applicant and EcoVue will continue to work with the County to address this policy.

### 3.2.1.5 FISH HABITAT

The Fish Habitat policies of the CHOP must also be considered due to the proximity of the York River. Section 4.2.4.3 of the CHOP states *“new development and/or site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. New development and/or site alteration shall not be permitted on adjacent lands within 120 metres of fish habitat unless it has been demonstrated in an approved Environmental Impact Study (EIS) pursuant to Part A – Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or its ecological function.”*

As discussed in the EIS, the York River and the wetland on the property support fish habitat. However, the proposed 30 metre setback and open space Block A will ensure that any potential impacts to fish habitat are mitigated.

#### 3.2.1.6 HAZARDOUS SITES

Section 4.4.3.5 *“the County’s peer review agent may be consulted to determine whether a geotechnical and/or hydrogeological assessment is required.”* A geotechnical investigation and hydrogeological assessment were completed to support the proposed development. These reports can be found in Appendix C and B respectively.

#### 3.2.1.7 FLOODING HAZARDS

It is recognized that there is a flooding hazard located on the subject due to proximity of the York River. The floodline has been delineated in the attached Topographic Survey prepared by Bishop Geyer. The draft plan has been configured so that all development will take place outside of the floodplain.

Section 4.5.3.5 e) states that *“New development and site alteration, including sewage systems, open or enclosed patios or decks attached to a main dwelling and swimming pools shall be setback a minimum of 30 metres from the high water mark, intermittent watercourse or outside the regulatory flood elevation of lakes, rivers, streams or creeks, whichever is greater.”* As discussed above, all proposed development is setback from the flood contour limit as delineated by Bishop Geyer.

#### 3.2.1.8 EXTRACTIVE

According to Schedule “C” to the CHOP, there is an sand and gravel Extractive Reserve Area identified to the east of the York River, approximately 260 metres from the subject property. According to Section 4.6.3.3 of the CHOP, lands *“300 metres from...sand and gravel resources”* are considered to be “adjacent lands”, and are therefore subject to Section 4.6.3. Therefore, the subject property is considered part of “adjacent lands” to an Extractive Reserve Area. It is stated in Section 4.6.3.4 that:

*incompatible uses on lands surrounding and within “Extractive” designations and “Extractive Reserve Areas” shall be prohibited through careful review of amendments to the Official Plan and zoning by-laws, applications for consent and plans of subdivision and other development proposals, in consultation with the MNRF, the Ministry of Northern Development and Mines, the MOECC, Member Municipalities and the County peer review agent, as may be required.*



Although the property is located within 300 metres, no development that could be considered incompatible, such as residential uses, will take place on Block A. Based on the width of Block A, the Extractive Reserve Area will, in fact, be over 310 metres from the nearest point of the proposed residential lots. As such, it is our opinion that the proposed development will not impact the potential development of the Extractive Reserve Area and conforms to the policies of Section 4.6.3.

#### 3.2.1.9 PLAN OF SUBDIVISION OR CONDOMINIUM

Section 6.2 outlines policies that are specifically applicable to plans of subdivision applications. Specific subsections that require review are noted below:

*6.2.5 The Member Municipality should obtain public road allowances in strategic locations in a plan of subdivision or condominium in order to accommodate future roads where extension of development in the area could be a possibility. The municipality may require that any dead ends, end of phases and open sides of road allowances created by a plan of subdivision to terminate in a 0.3 metre (1 foot) reserve, and be conveyed to, and held in trust by, the municipality. In plans of subdivision, the number of intersections with major roads should be minimized.*

The proposed internal subdivision road, ends in a cul-du-sac and the intersections have been minimalized. No future phases are proposed, and the cul-de-sac is anticipated to be permanent.

*6.2.10 Subdivisions and condominiums may be developed in phases so that the development proceeds in an orderly and timely fashion. The phasing of the development may be addressed through provisions in the subdivision agreement and/or through the use of a holding symbol ("H" or "h").*

Due to the relatively limited number of lots and the overall size of the development, the proposed plan of subdivision will be developed in one (1) phase.

*6.2.17 Where development is to proceed by plan of subdivision, every effort shall be made to achieve the minimum lot area and frontage requirements of the appropriate designation, if any. However, it is realized that in some instances that a subdivision design, in order to achieve the most efficient lot configuration, may not be able to*

*meet these minimum requirements. Rezoning or minor variances from these minimum requirements may be considered where they are minor and of a technical nature.*

The subject property is currently zoned in the Marginal Agricultural (MA) Zone. As such, it is proposed that the property be rezoned from the MA Zone to the Rural Residential (RR) Zone. The proposed lots meet the requirements of the RR Zone, which is discussed further below.

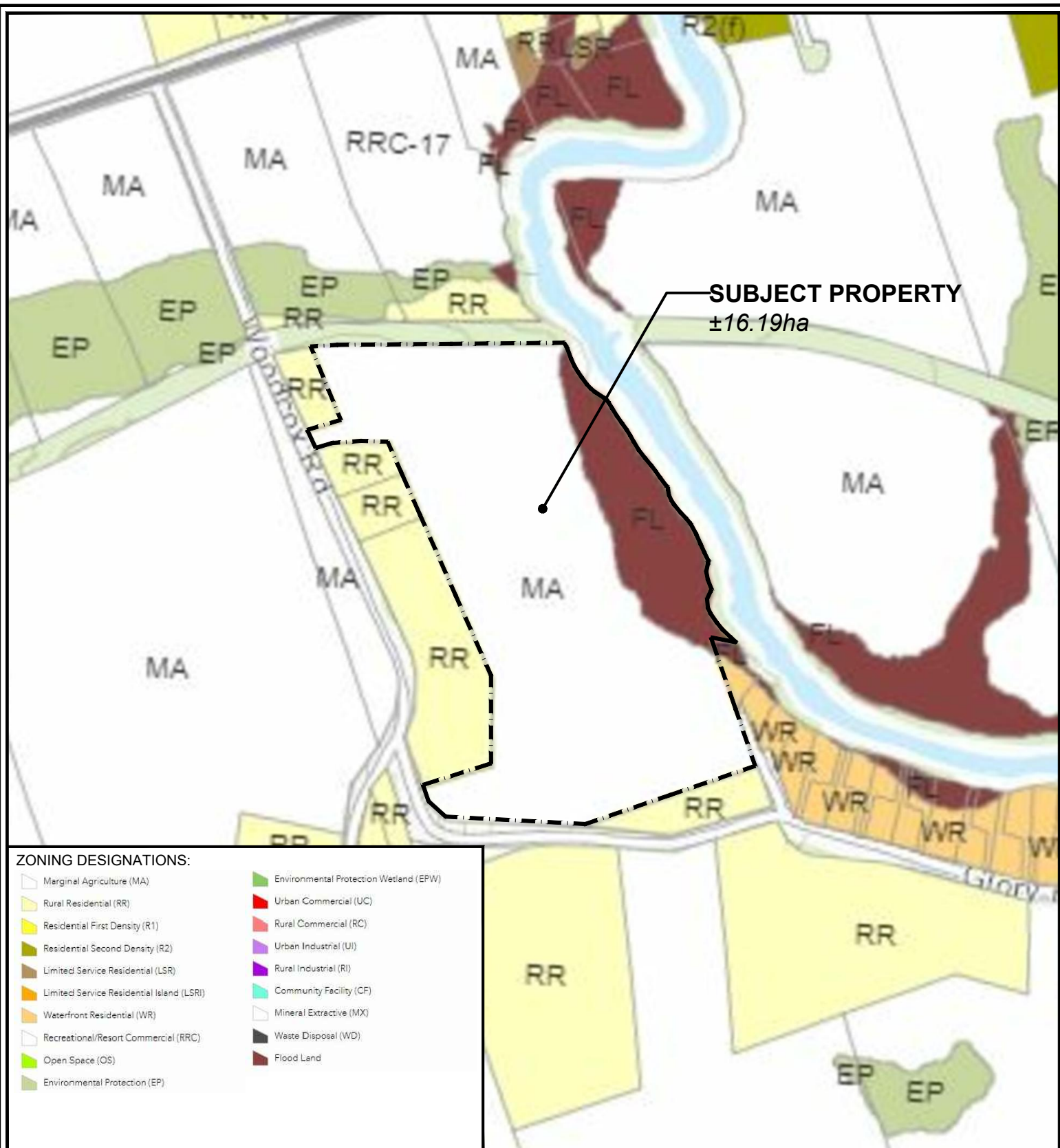
Therefore, based on the analysis provided herein, it is our opinion that the proposed OPA, ZBA and plan of subdivision conforms to the policies of the CHOP.

### **3.3 Municipality of Hastings Highlands Zoning By-law**

According to Schedule "A" to the Municipality of Hasting Highlands Zoning By-law (HHZBL), the subject property is zoned Marginal Agricultural (MA) and Flood Land (FL). Since the MA zone does not permit residential development of this scale, a Zoning By-law amendment (ZBA) is required that will rezone the subject lands from the MA Zone to the RR Zone. As such, the proposed residential development will be evaluated in the context of the Rural Residential (RR) Zone.

The ZBA will also result in modifications to the FL Zone that will more accurately reflect the floodplain on the property. In addition, the natural heritage features and associated common element blocks will be rezoned to an Open Space (OS) or Environmental Protection (EP) Zone in order to prohibit future development and ensure ongoing protection.

The table below outlines the proposed residential lots in the context of the provisions and regulations of the RR zone.



**FIGURE 4 - HASTINGS COUNTY ZONING**

**RETRIEVED FROM HASTINGS COUNTY  
MUNICIPAL ZONING INTERACTIVE MAP  
ECOSTRUCTURE SUBDIVISION**

**FRASER YOUNG**

**PART OF LOT 7 & LOT 8, CONCESSION 02**

**GEOG. TWP. OF HERSCHEL**

**MUNICIPALITY OF HASTINGS HIGHLANDS**

**COUNTY OF HASTINGS**



www.ecovueconsulting.com

PROJECT NO: 20-2032

DATE: DECEMBER 01 2021

HORIZ. SCALE: 1:6000



Regulation	RR Zone	Proposed
Lot Area (Min)	4000 sq.m	4000.63 sq.m
Lot Frontage (Min)	45.7 m	46.0 m
Front Yard (Min)	20 m	As required
Rear Yard (Min)	10 m	As required
Interior Side Yard	3 m	As required
Exterior Side Yard (Min)	20 m	As required
Gross Floor Area (Min)	74.3 sq.m	As required
Lot Coverage (max)	30%	As required
Building height (max)	11 m	As required
Parking (5.31.1 a)	2 Spaces	As required

As noted above, the proposed lot configuration will comply with the applicable lot standards of the RR Zone.

### 3.4 Summary of Policy Considerations

The proposed Zoning By-law amendment application is consistent with the provisions set out in the policy and regulations affecting the subject lands and is consistent with the Planning Act, R.S.O 1990, as amended, the Provincial Policy Statement, the County of Hastings Official Plan and Municipality of Hastings Highlands Zoning By-law.

### 4.0 Summary

This planning report describes the proposed residential development and provides an analysis of the application in the context of the 2020 Provincial Policy Statement, the County of Hastings Official Plan and Municipality of Hastings Highlands Zoning By-law.


It is the opinion of the authors that:

- The proposed increase in residential units is consistent with the applicable provisions of the 2020 Provincial Policy Statement.

- An amendment to the County of Hastings Official Plan (CHOP) is required to permit the proposed residential development. This Planning Report sets out the details of the proposed amendment and concludes that the amendment conforms to the goals and objectives of the CHOP.
- An amendment to the Municipality of Hastings Highlands Zoning By-law will be required to permit the proposed residential development. This Planning Report sets out the details of the proposed Zoning By-law amendment
- The proposed residential development represents good planning. The residential development will be consistent with the existing form of rural residential development in the immediate area and will be comprised of much-needed housing units.
- The proposed residential development is in the public interest.


Respectfully Submitted,

**ECOVUE CONSULTING SERVICES INC.**



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J. Kent Randall B.E.S. MCIP RPP  
Principal Planner



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Ashlyn Kennedy B.E.S  
Planner