

PLANNING JUSTIFICATION REPORT

**In Support of a
Zoning By-law Amendment Application
and
a Draft Plan of Subdivision Application**

for

**PROPOSED PLAN OF SUBDIVISION
101 Main Street East,
Markdale, Ontario**

Prepared for

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c/o

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Market Research • Land Use Planning • Real Estate Strategies

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1.0 INTRODUCTION

Agora Research Group Inc. (“Agora”) was retained by Delbrook Triumphant Builders Inc. on behalf of Nivas Development Ltd. to act as Land Use Planners and Development Consultants for the property municipally described as 101 Main Street East in Markdale, Ontario, hereinafter referred to as the “Site”. Specifically, Agora was requested to provide the necessary planning justification to support the development of a subdivision on the eastern fringe of Markdale which will feature block townhouse units and semi-detached dwellings along with future development lands.

The purpose of the Zoning By-law Amendment Application and Draft Plan of Subdivision is to permit a low and medium density residential mixed use development on the eastern fringe of Markdale, Ontario. The proposal will provide the market with a range of residential dwellings while protecting environmentally sensitive lands.

The proposed uses require a Zoning By-law Amendment as part of the planning approval process. In support of the Zoning By-law Amendment, Agora was retained to prepare an overall Planning Justification Report that addresses the policies of Grey County and the Municipality of Grey Highlands including matters of Provincial interest. The Planning Justification Report refers to meetings with the Municipality of Grey Highlands Staff and is designed to provide a complete review and justification of the application to address any impacts related to the proposed uses and to satisfy the Municipality’s planning related concerns regarding the application.

The subject lands are designated as “Neighbourhood Areas” with the Settlement Area along with a small portion of land on the northeast corner of the site designated as “Hazard Lands” in the Municipality of Grey Highlands Official Plan. The Municipality of Grey Highlands Comprehensive Zoning By-law No. 2004-50 split zones the Site as “RM” (Residential Multiple Zone), “H” (Hazard Zone), and “OS” (Open Space Zone).

According to the applicant’s Pre-Consultation meeting with the Municipality of Grey Highlands, an amendment to the Zoning By-law will be required to “address net lot density”.

This Planning Justification Report describes the proposed uses within the subdivision plan along with the current and future planning policies and provides an analysis of the Site in the context of the policy framework. Summaries of associated technical studies where required are also contained within this report.

The development proposal includes a mix of low and medium density residential uses including semi-detached dwellings and townhouse dwellings. An open space block located on the northeast corner of the Site related to environmentally sensitive lands will remain as is. A stormwater retention pond facility is proposed to service the subdivision and will be located adjacent and to the west of the sensitive lands. In addition, several blocks are identified as “future development” and are also shown on the plan of subdivision. The development proposal will include a total of 154 residential units consisting of 24 semi-detached dwellings and 130 street townhouse units. The overall net density of the residential uses will be 40.6 units per net hectare (154 units / 3.79 hectares).

The proposed subdivision will be supported by a network of public streets which will have direct access to Grey County Road 12 (Main Street East - the main east/west arterial in Markdale) with a further connection to the existing adjacent subdivision to the west via Bradley Street. The main north south arterial in the development (Street C) will be directly aligned with Lawler Drive which is located directly across from Grey County Road 12 (Main Street East) and services an existing neighbourhood.

In terms of land use planning, the proposal which is located within the Markdale Settlement Area supports several Official Plan policy objectives and promotes new development with a wide range of housing choices.

The built form of the development ensures that the development compliments the adjacent residential uses and provides an appropriate and well-integrated arterial road connections to adjacent residential lands uses.

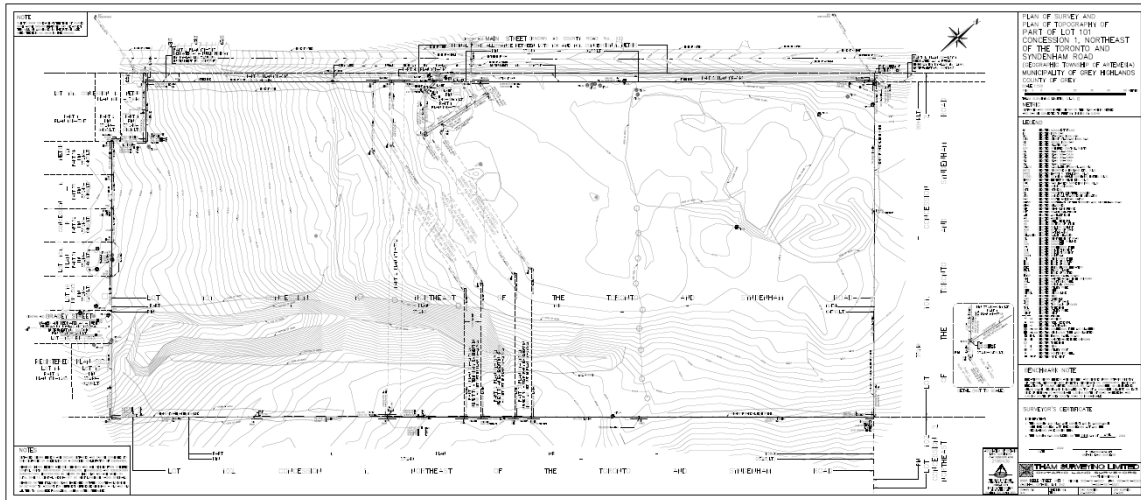
Having considered the merits of this application and how it conforms to the policy framework applicable to the Site, it is our professional opinion that the proposed Zoning By-law Amendment is justified, represent the logical residential infilling on the eastern fringe of Markdale, will not detract from the neighbourhood function and represent good land use planning.

2.0 SITE DESCRIPTION

Legal Description

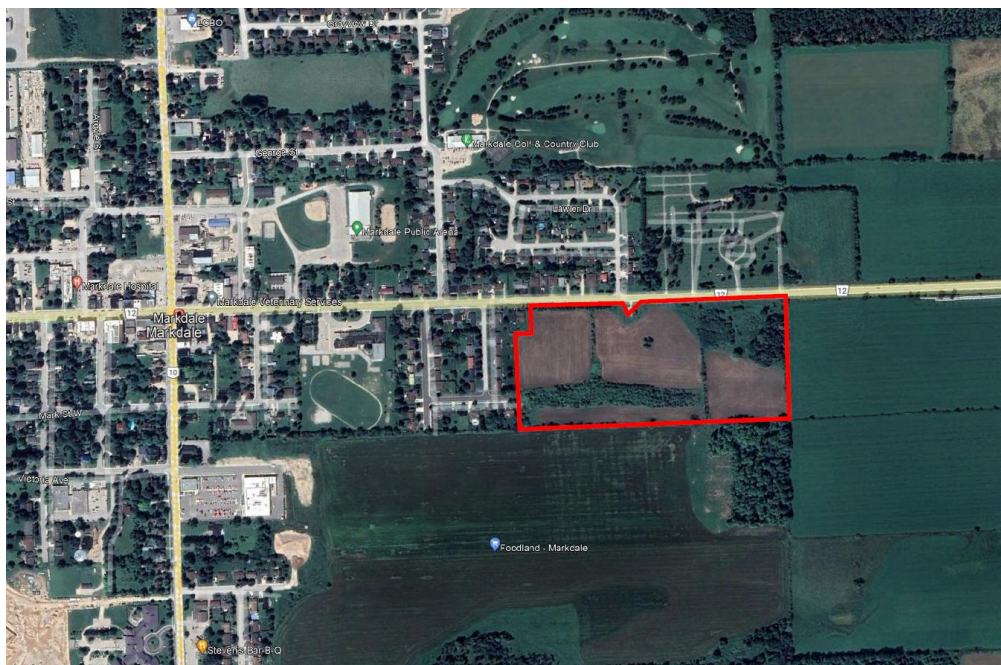
The Site is legally known as Part of Lot 101, Concession 1, Northeast of the Toronto and Sydenham Road in the Geographic Township of Artemesia, Municipality of Grey Highlands Grey County.

The survey below was completed by Tham Surveying Limited on April 22, 2022.



Site Characteristics

The Site is comprised of a vacant irregular rectangular parcel primarily occupied by agricultural uses and is bounded by Grey County Road 12 (Main Street East) to the north, Markdale Town limit line to the east, an established residential neighbourhood to the west and agricultural uses to the south. The Site is shown contextually on the following Figure below.



Total land area of the Site is 84,819m² (approximately 8.4819 hectares or 20.96 acres), and has a frontage of approximately 372m along Midland Avenue and a depth of approximately 122m.

The Site is primarily flat with no discernable features except for the following:

- Although not part of the Site, there is an existing sewage pumping station and generator site operated by the Municipality of Grey Highlands at the southeast corner of Main Street East and the proposed subdivision arterial road Street C.
- The northeast corner of the Site is designated as “Hazard Lands” in the Official Plan and will not be developed or altered.
- There is a cluster of existing trees located on the Site approximately 150 metres into the property that runs parallel to Grey County Road 12 (Main Street East)
- Balance of Site is grass covered.





Photo of Site looking southeast from Grey County Road 12 (Main Street East) and Lawler Drive.



Photo of Site looking south from Grey County Road 12 (Main Street East) and Lawler Drive.



Photo of Site looking southwest from Grey County Road 12 (Main Street East) and Lawler Drive.

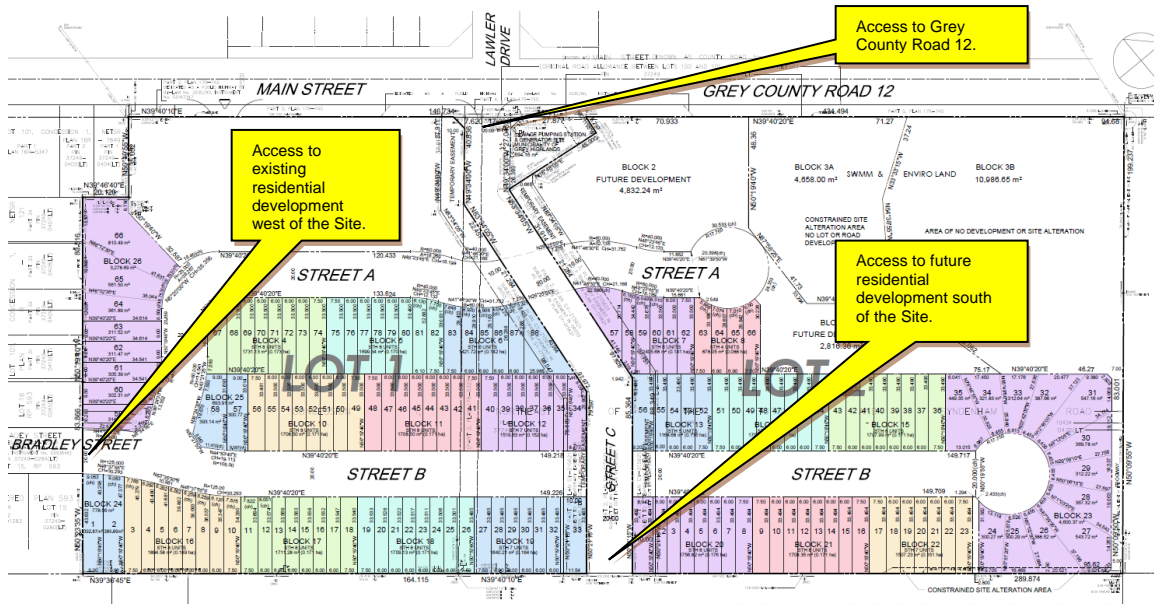
Access

The main access point to the subdivision will be provided by Street C which has direct access to Grey County Road 12 (Main Street East). This access point will be a full turn unsignalized intersection which will also connect to Lawler Drive (the main connector road) north of Grey County Road 12. The secondary access point will be provided by Bradley Street which will connect to the existing and adjacent residential subdivision to the west.

Also, a block of land will be provided to the municipality for future road access (via Street C) to abutting lands to the south. The abutting lands to the south of the Site will contain a future residential subdivision.

There will be no road connection to lands east of the Site as the lands are outside of the “Settlement Area” and the type of use is not yet known. Also, the Natural Heritage and Environmental Impact Study indicated that a strip of land along the Site’s eastern boundary was required to accommodate wildlife passage from and to the sensitive lands located on the northeast section of the Site.

The following plan identifies the vehicular access points to the proposed subdivision.



Road Widening

The owner will deed the required road widening width to the municipality. The municipality has requested the standard 17 feet or 5.18m strip of land along the entire frontage of the Site which is shown on the Plan of Subdivision. The strip of land would permit future expansions of underground utilities and road work should it be needed or necessary in the future.

One Foot Reserve

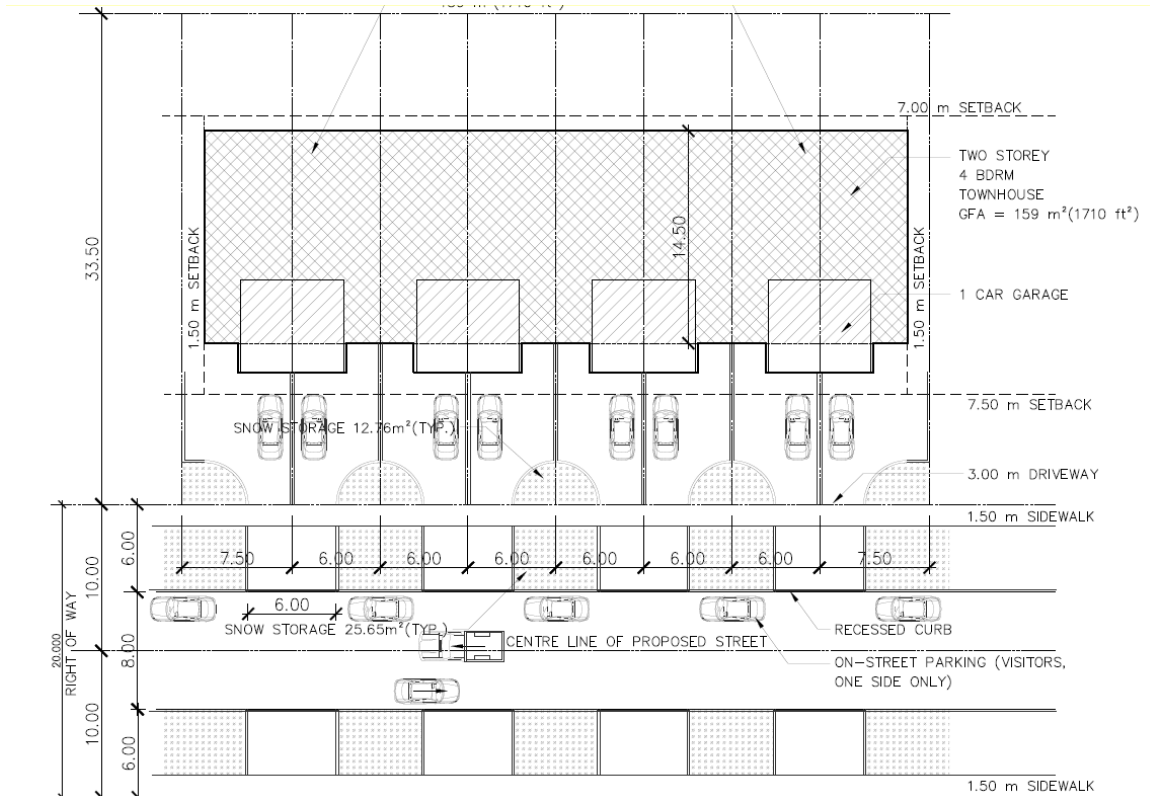
A one foot reserve is requested by the municipality along Grey County Road 12 (Main Street East) in all locations other than where a proposed laneway/road will be situated. This reserve will be transferred to the County and serves to limit any future encroachments or access points from the County Road to the Site. This requirement is also reflected on the Plan of Subdivision.

Daylight Triangle

A daylight triangle will be required at the intersection of Street C and Grey County Road 12 (Main Street East) and is shown on the Plan of Subdivision.

On-Street Parking

The following street parking detail shows how on-street parking will be achieved. Note that only one side of a typical street will be used for parking.



Infrastructure

Municipal services originating along Grey County Road 12 (Main Street East) will be connected to the proposed subdivision. A Functional Servicing Report provided by Soscia Engineering Inc. has been submitted to the Municipality given that the sewage pumps in the existing station will need to be upgraded. Furthermore, no water or sanitary sewer lines exist east of Lawler Drive.

Also, a detailed stormwater management report was also prepared by Soscia Engineering Inc. and includes details of the stormwater retention pond which will be constructed to support the proposed subdivision. The findings of the reports will be further detailed in the Technical Reports section of this report.

A Natural Heritage and Environmental Impact Study has been prepared by AWS Environmental Consulting Inc. and will be further discussed in the Technical Reports section of this report.

3.0 SITE AND NEIGHBOURHOOD CONTEXT

[illegible]

Adjacent and to the northeast section of the Site is a cemetery and to the northwest section of the Site is an established residential neighbourhood

consisting of single detached dwellings. The cemetery and the residential uses are generally separated by Lawler Drive (an arterial collector road). Lawler Drive will connect the existing neighbourhood north of Grey County Road 12 (Main Street East) to the proposed subdivision by a full turn unsignalized intersection.

The area south of the Site consists of agricultural lands.

Adjacent and to the west of the Site is a low rise residential neighbourhood comprised of single detached dwellings.

East of the Site is established agricultural land uses.

Transportation Context

The Village of Markdale is located at the crossroads of two major traffic corridors in the Region. Regional Highway #10 runs north-south and Grey County Road 12 which runs east-west.

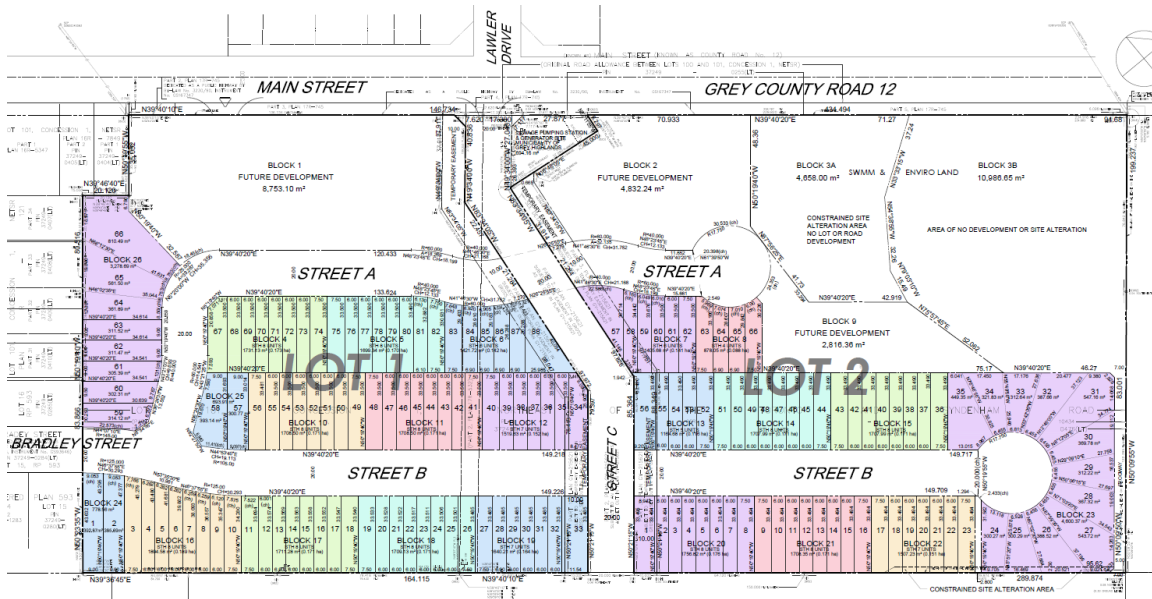
There are no existing municipal transit services in the town of Markdale.

4.0 PROPOSAL DESCRIPTION

Land Use and Type of Units

As noted herein, the proposal consists of 154 residential units including semi-detached and block townhouse units which will be part of a Plan of Subdivision and accessed directly from Grey County Road 12 (Main Street East) on the eastern fringe of Markdale. There are also several Blocks within the Plan of Subdivision which are slated for future development. The stormwater management retention pond will also be located within the Plan of Subdivision along with a block of Hazard Lands which will not be altered and remain in their current state.

A Plan of Subdivision showing the layout and configuration of the proposed development is shown below.



The proposed subdivision plan features a mix of residential uses and is comprised of 24 semi-detached dwelling units and 130 townhouse units for a total of 154 residential units.

The number and type of units is summarized in the table below.

| Dwelling Type | Total |
|-----------------|-------|
| Total Dwellings | 154 |
| Semi-Detached | 24 |
| Townhouses | 130 |

The proposed plan of subdivision is comprised of 26 Blocks in addition to right-of-way lands.

The proposed plan of subdivision is comprised of 18 townhouse blocks, 4 semi-detached dwelling blocks, 3 future development blocks, 1 block dedicated to a stormwater retention pond and 1 block consisting of hazard lands. The number of units and size of each block are shown in the table below.

| Block Name | Units | Hectares |
|------------------------------|-------|----------|
| Block 1 (Future Development) | 0 | 0.875 |
| Block 2 (Future Development) | 0 | 0.483 |
| Block 3A (SWM Pond Lands) | 0 | 0.467 |

| | | |
|------------------------------|----|--------------|
| Block 3B (Enviro Lands) | 0 | 1.099 |
| Block 4 (Street townhouses) | 8 | 0.173 |
| Block 5 (Street townhouses) | 8 | 0.170 |
| Block 6 (Street townhouses) | 6 | 0.142 |
| Block 7 (Street townhouses) | 6 | 0.141 |
| Block 8 (Street townhouses) | 4 | 0.088 |
| Block 9 (Future Development) | 0 | 0.282 |
| Block 10 (Street townhouses) | 8 | 0.171 |
| Block 11 (Street townhouses) | 8 | 0.171 |
| Block 12 (Street townhouses) | 7 | 0.152 |
| Block 13 (Street townhouses) | 5 | 0.116 |
| Block 14 (Street townhouses) | 8 | 0.171 |
| Block 15 (Street townhouses) | 8 | 0.171 |
| Block 16 (Street townhouses) | 8 | 0.189 |
| Block 17 (Street townhouses) | 8 | 0.171 |
| Block 18 (Street townhouses) | 8 | 0.171 |
| Block 19 (Street townhouses) | 7 | 0.164 |
| Block 20 (Street townhouses) | 8 | 0.176 |
| Block 21 (Street townhouses) | 8 | 0.171 |
| Block 22 (Street townhouses) | 7 | 0.151 |
| Block 23 (Semi-detached) | 12 | 0.460 |
| Block 24 (Semi-detached) | 2 | 0.078 |
| Block 25 (Semi-detached) | 2 | 0.069 |
| Block 26 (Semi-detached) | 8 | 0.328 |
| Total Hectares | | 7.000 |

| | | |
|-------------------|------------|--------------|
| Street Townhouses | 130 | 2.859 |
| Semi-detached | 24 | 0.935 |
| Total | 154 | 3.794 |

The above total block areas do not include right-of-way lands which total approximately 1.48 hectares (8.48 – 7.00 hectares).

The proposed subdivision layout is designed to appropriately integrate the new residential subdivision with the surrounding neighbourhood. The main subdivision access to Grey County Road 12 (Main Street East) will align with Lawler Drive

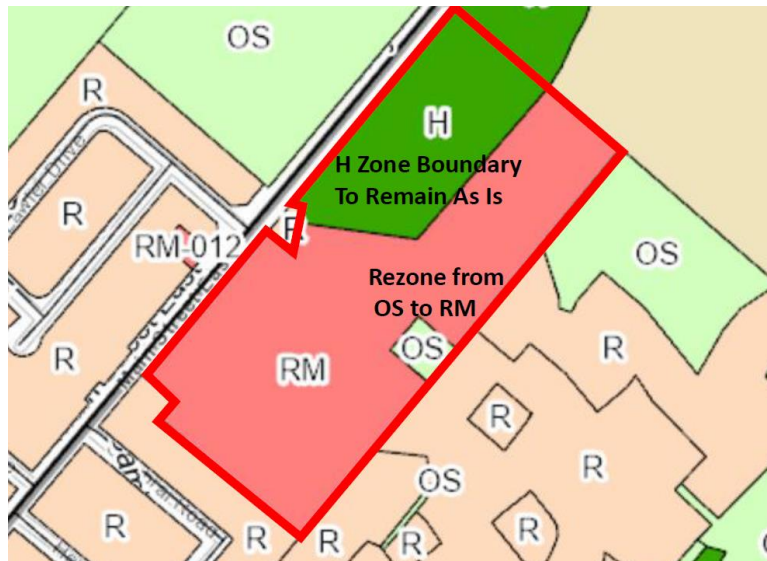
and the internal subdivision collector road (Street B) will connect to the existing adjacent subdivision collector Bradley Street.

The subdivision is designed to well integrate the different dwelling densities with adjacent neighbourhoods. Appropriate landscaping and buffering will be implemented to promote compatibility with surrounding land uses and to create an aesthetically pleasing and functional plan of subdivision. The Site is relatively flat and can easily be developed for the proposed residential uses.

5.0 REQUESTED ZONING BY-LAW AMENDMENT

The applicant is seeking a Zoning By-law Amendment to support the increased net lot density of the development in order to align the plan of subdivision with the new Grey County Official density policies along with the Grey Highlands Official Plan and the Grey Highlands Zoning By-law.

The majority of the Site is currently zoned Residential Multiple (RM). The Hazard Lands located on the northeast section of the Site will remain as it. A small portion of the site which is located along the southern border is zoned OS (Open Space). The Open Space Zone is proposed to change to RM to accommodate a road connection to a future residential subdivision adjacent and to the south of the Site. The proposed zone change is shown in the figure below.



The RM zone permits a range of multiple dwelling residential uses including apartment buildings and townhouse uses. Lower density forms of housing such as single detached and semi-detached dwellings and duplexes are also permitted in the RM Zone.

According to section 7.2 of the Municipality of Grey Highlands Comprehensive Zoning By-law 2004-50, the maximum density for townhouse units in a block formation is 40 units per net hectare. The proposed density per net hectare of townhouse units by block range from 42.25 to 47.06 which is shown in the table below broken out by plan of subdivision blocks.

| Block Name | Units | Hectares | Units /Net Hectare |
|------------------------------|-------|----------|--------------------|
| Block 1 (Future Development) | 0 | 0.875 | 0.00 |
| Block 2 (Future Development) | 0 | 0.483 | 0.00 |
| Block 3A (SWM Pond Lands) | 0 | 0.467 | 0.00 |
| Block 3B (Enviro Lands) | 0 | 1.099 | 0.00 |
| Block 4 (Street townhouses) | 8 | 0.173 | 46.24 |
| Block 5 (Street townhouses) | 8 | 0.170 | 47.06 |
| Block 6 (Street townhouses) | 6 | 0.142 | 42.25 |
| Block 7 (Street townhouses) | 6 | 0.141 | 42.55 |
| Block 8 (Street townhouses) | 4 | 0.088 | 45.45 |
| Block 9 (Future Development) | 0 | 0.282 | 0.00 |
| Block 10 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 11 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 12 (Street townhouses) | 7 | 0.152 | 46.05 |
| Block 13 (Street townhouses) | 5 | 0.116 | 43.10 |
| Block 14 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 15 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 16 (Street townhouses) | 8 | 0.189 | 42.33 |
| Block 17 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 18 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 19 (Street townhouses) | 7 | 0.164 | 42.68 |
| Block 20 (Street townhouses) | 8 | 0.176 | 45.45 |
| Block 21 (Street townhouses) | 8 | 0.171 | 46.78 |
| Block 22 (Street townhouses) | 7 | 0.151 | 46.36 |
| Block 23 (Semi-detached) | 12 | 0.460 | 26.09 |
| Block 24 (Semi-detached) | 2 | 0.078 | 25.64 |
| Block 25 (Semi-detached) | 2 | 0.069 | 28.99 |

| | | | |
|-----------------------------|-----|-------|-------|
| Block 26 (Semi-detached) | 8 | 0.328 | 24.39 |
| Total Hectares | | 7.000 | 0.00 |
| Total Net Units Per Hectare | 154 | 3.794 | 40.59 |

| | | | |
|-----------------------|-----|-------|-------|
| Street Townhouses | 130 | 2.859 | 45.47 |
| Semi-detached | 24 | 0.935 | 25.67 |
| Net Units Per Hectare | 154 | 3.794 | 40.59 |

The proposed net density per hectare of townhouse units by block range from 42.25 to 47.06. The proposed net density per hectare of semi-detached units by block range from 24.39 to 28.99.

The applicant is proposing to amend the zoning by-law to a site specific RM-XXX Zone by revising Section 7.2 as follows:

- 1) Increase the maximum units per net hectare of block townhouse units from the permitted 40 units per net hectare to 48 (rounded up from 47.06) units per net hectare and
- 2) Remove the split zoning on the site and replace with a RM-XXX site specific zoning except for the Hazard Lands.

6.0 LAND USE POLICY AND REGULATORY CONTEXT

This section of the report provides a description of the current land uses policies and regulatory context and the implications for the Site.

6.1 Provincial Policy Statement 2020

On May 1, 2020, the new PPS 2020 came into effect, replacing the 2014 PPS. Section 3 of the Planning Act requires that all decisions of Council in respect of the exercise of any authority that affects a planning matter must be consistent with the PPS 2020.

The Provincial Policy Statement 2020 ("PPS") provides policy direction on province-wide land use planning and development to promote strong communities, a strong economy and a clean and healthy environment.

It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

In particular, the following sections of the PPS are relevant to this development:

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Section 1.1.1 states that,

Healthy, liveable and safe communities are sustained 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 affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing*

for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e. promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f. improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g. ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h. promoting development and land use patterns that conserve biodiversity; and*
- i. preparing for the regional and local impacts of a changing climate.*

The proposed zoning by-law amendment is consistent with Policy 1.1.1 above as it supports the creation of healthy, livable and safe communities as it promotes efficient development patterns that minimize land consumption, through the efficient infilling of a settlement area. Furthermore, the zoning by-law amendment application supports sustainable and compact development patterns that provide a variety of housing choices.

Settlement areas shall be the focus of growth and development

1.1.3.1 Settlement areas shall be the focus of growth and development.

The Proposed Development is within the settlement boundary of the Village of Markdale and does not require an expansion to the settlement boundary.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a. efficiently use land and resources;*
- b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d. prepare for the impacts of a changing climate;*
- e. support active transportation;*
- f. are transit-supportive, where transit is planned, exists or may be developed; and*
- g. are freight-supportive*

The proposed zoning by-law amendment is consistent with Policies 1.1.3.1 and 1.1.3.2. above as it seeks to efficiently infill lands that are currently zoned for residential uses. The compact form will cater to a wide housing market by providing affordable residential units and the opportunity to age-in-place.

Although the necessary infrastructure is in place to accommodate the development, the stormwater management retention pond will be provided within the subdivision.

Section 1.6.6.2 indicates that:

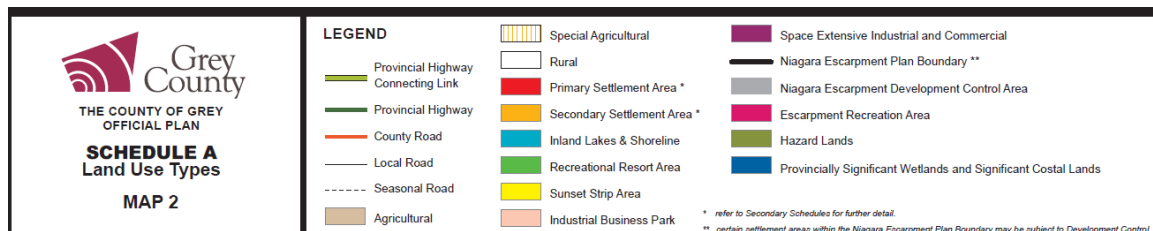
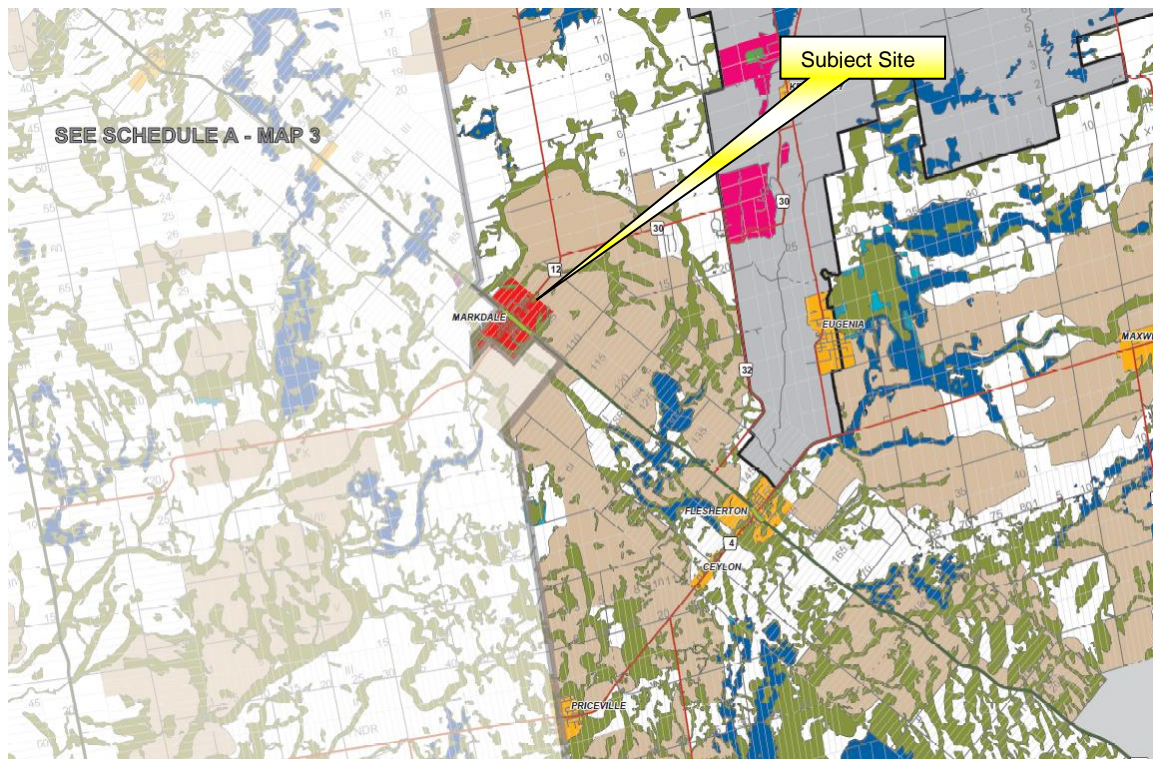
Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The proposed Zoning By-law Amendment is consistent and conforms to the PPS 2020 as the applicant is seeking to increase the density that is permitted within a Settlement Area which is already designated for residential uses and is currently serviced by existing infrastructure and municipal services.

6.2 Grey County Official Plan

The current Official Plan for Grey County was approved by the Minister of Municipal Affairs and Housing on June 6, 2019 and came into effect on June 7, 2019.

Subject lands are designated as “Primary Settlement Area” and “Hazard Lands” in the Grey County Official Plan.



Section 3.3 positions settlement areas as the focus of urban growth and encourages appropriate development in all municipalities.

Policies of this Plan will promote development forms and patterns which minimize land consumption and servicing costs. This will help ensure development is compact in form and promotes the efficient use of land and provision of water, sewer and transportation, and other services. It will be important to encourage the development of mixed use settlements and to create healthy, sustainable communities.

In terms of growth, the Official Plan states:

The majority of growth will be directed to settlement areas. Development within settlement areas will occur on full municipal services, where available. For the purposes of this Plan, the County Plan establishes five main land use types for areas of concentrated development:

- 1) **Primary Settlement Areas** – larger settlements with full municipal servicing, and a wide range of uses, services, and amenities which are intended to be the primary target for residential and non-residential growth.

The village of Markdale is located with a Primary Settlement Area as defined by the Grey County Official Plan.

Specifically, section 3.4.3 states:

*Local official plans, secondary plans, plans of subdivision and condominium plans shall ensure a proper and orderly street pattern facilitating safe motor vehicle, bicycle and pedestrian travel, efficient use of services, and **a variety of housing and development opportunities within Settlement Area land use types (emphasis added)**. Consideration should also be given to the orientation of the streets and dwelling units in order to ensure energy efficiency, convenient access to retail facilities, schools, recreational facilities, and services via motor vehicle, bicycle and pedestrian travel. Street design and layout should also promote healthy community design.*

Furthermore section 3.4.6 states:

*Development within growth areas **should occur adjacent to the existing built-up area and will have a compact form, mix of uses, and densities that allow for the efficient use of land (emphasis added)**, infrastructure, and public service facilities.*

Policy Section 3.4.(14) states:

*It is a policy of this Plan that **development of communities occur with a wide range of housing types, including detached, semi-detached, townhouse, and apartment units, be provided, along with a mix of affordable housing (emphasis added)**, including second units and special needs housing, range of alternative locations, forms and densities of housing, and price ranges to meet a variety of housing needs. Targets in relation to this objective are stated in Section 4.1 of this Plan. Local municipal official plans and zoning bylaws must facilitate the provision of a range of housing types and affordable housing.*

Policy Section 3.4.(15) further states:

***Development within the built-up areas may be of higher density to achieve the policy directives of this Plan but should be compatible with adjacent residential areas (emphasis added)**. The local municipalities may explore means to ensure compatibility through measures such as transitional densities, built form, and land uses.*

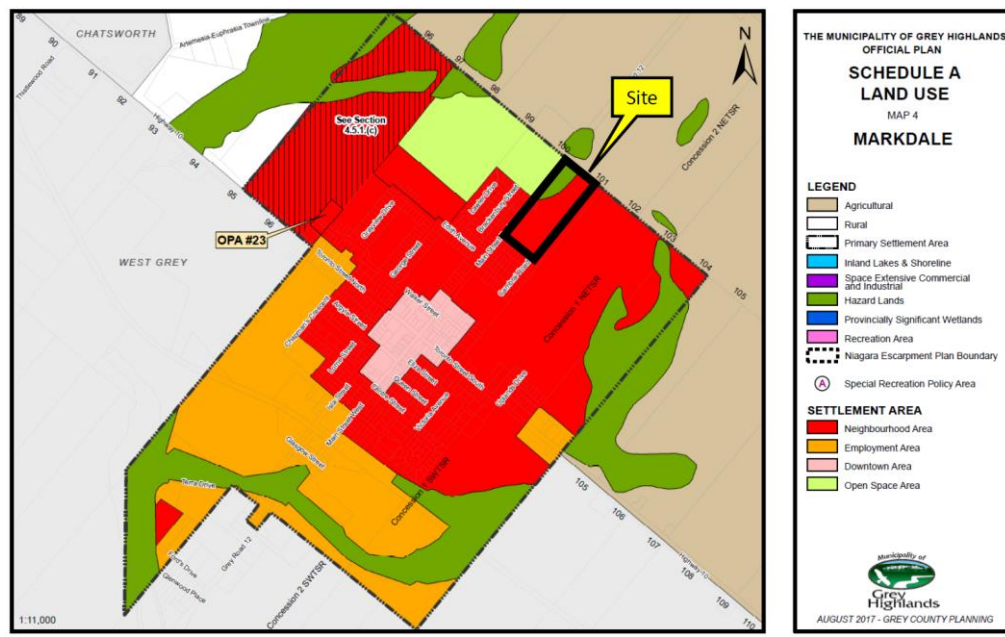
The proposed subdivision development is consistent with the objective and policies of the Grey County Official Plan as the development will be located in a Primary Settlement Area adjacent to existing development and will be serviced by municipal water and sewers. The proposal will provide a variety of housing choices which are affordable and able to provide aging in place dwelling units. In our opinion, the proposed subdivision complies with the general intent of the Grey County Official Plan.

6.3 Grey Highlands Official Plan

The current Official Plan for Grey Highlands was approved by the Municipality of Grey Highlands on December 14, 2015 and approved by Grey County on September 22, 2017.

Subject lands are designated as “Neighbourhood Area” and “Hazard Lands” in the Municipality of Grey Highlands Official Plan.

The purpose of the “Neighbourhood Area” designation is to identify lands within the Settlement Areas that are primarily residential in nature and can accommodate residential uses that include low to medium density residential dwellings including single detached, semi-detached, townhouse and duplex dwellings.



According to the Grey Highlands Official Plan, the Plan is intended to:

Function as a road map for the municipality, a tool to manage growth and protect environmental resources and a blueprint for economic development.

The Plan is a lower tier document, providing a more detailed local policy focus relative to the upper tier Grey County Official Plan and

Niagara Escarpment Plan. This Plan includes policies to help guide economic, environmental and community building decisions that affect land use.

Section 2.4 provides direction related to housing policy and encourages a wide variety of housing types and further encourages intensification strategies to ensure residential target rates are achieved within the Settlement Area.

2.4. *Housing*

It is a policy of this Plan to encourage a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the Municipality. A goal of this Plan is to maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential Intensification and redevelopment and if necessary, lands which are designated and available for residential development

Objectives:

(a) **The Municipality supports intensification and redevelopment, primarily within Settlement Areas (emphasis added)**, and within other areas where an appropriate level of physical and social services are available subject to the Servicing policies of this Plan. Further, this Plan will maintain at all times in the areas designated Primary Settlement Area by this Plan, land with servicing capability sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

(b) *The Municipality will promote the development of housing which is affordable for moderate and low-income households and will support the achievement of the 10% intensification target for Primary Settlement Areas and 5% intensification target for Secondary Settlement Areas as identified in the*

Grey County Official Plan.

(c) **The Municipality will encourage a wide variety of types and styles of housing appropriate to prevailing and anticipated demand. Housing will accommodate families, seniors, multiple and single occupants and those with special needs (emphasis added).** *Special needs groups may include, but are not limited to, persons with disabilities such as physical, sensory or mental health disabilities and older persons.*

(d) *The Municipality will support the development of accessory apartment units subject to the policies of Section 3.10.*

(e) *New residential development shall predominantly occur within an environmentally supportive context to ensure the creation of successful and well serviced neighbourhoods, where services and employment opportunities are convenient and accessible and where pedestrian and cycling opportunities are made available as further means of transportation.*

(f) *The Municipality will support the development of park model home developments, where a zoning by-law amendment would establish the appropriate standards.*

Section 3.4 provides direction related to Plans of Subdivisions and the requirements to protect sensitive land uses such Hazard Lands or wetland areas.

3.4. *Plans of Subdivision/Condominiums*

(a) *Where feasible, lot boundaries will not extend into Hazard Lands or wetland areas.*

(b) *Hazard Lands or wetland areas must be maintained as a single block for the purpose of conveyance to the Municipality and must be appropriately zoned to preclude development from occurring within the limits of the Hazard Lands.*

(c) The following information and studies may be required prior to draft approval or final approval of all plans of subdivision; geodetic mapping of the site to display topographic information using 1.0 metre contour intervals at a minimum, grading and filling plans, drainage and stormwater management plans and reports, sediment and erosion control plans, functional servicing reports, hydrogeological and well evaluation studies, environmental impact studies, environmental site assessments, traffic reports, road assessments, servicing options studies, heritage impact assessments, archaeological impact assessments, community plans, planning reports and site plans for lots abutting Hazard Lands.

(d) All subdivision/condominium proposals shall be appropriately designed to ensure the efficient deployment of services and amenities. In addition, the orientation of streets and dwelling units should ensure efficient and convenient access and walkability to retail facilities, schools, recreational facilities and services.

Section 4.5 states that the majority of growth is to be directed to the Primary Settlement Area of Markdale.

4.5. Settlement Areas (Markdale and Flesherton)

The Primary Settlement Area (Markdale) and Secondary Settlement Area (Flesherton) identified in this plan represent Settlement Areas within the Municipality where the majority of growth will be directed (emphasis added).

New development, aside from infilling actions within these communities, will occur by way of full water and sanitary treatment facilities. Expansion of these communities will require an amendment to this Plan, which demonstrates the need for the expansion, and which will also include a growth and settlement study for the entire municipality. The need for this study arises from the fact that the population and development projections identified

for the municipality suggest that there is sufficient land to accommodate future development for the extent of the planning period.

The policies of this plan identify settlement areas as the focus of growth and encourage appropriate development that does not negatively impact on natural resources and which is compatible with the surrounding land uses. This plan shall ensure a proper and orderly street pattern facilitating safe motor vehicle, bicycle and pedestrian travel, efficient use of services, and a variety of housing and development opportunities within the settlement areas (emphasis added).

Policy Section 4.5.1 encourages a wide variety of land uses and housing types to develop in the Village of Markdale. Specific policies include:

4.5.1. Markdale

- (a) This Plan encourages a wide variety of land uses and housing types to develop in Markdale.*
- (b) All new development will occur on full municipal water and sanitary treatment facilities.*
- (c) This plan encourages intensification opportunities within Markdale and supports the development of intensification strategies to ensure that residential targets are met and that a variety of housing options are available to residents.*

The policies of the Grey Highlands Official Plan related to residential development support the proposed plan of subdivision. The development is located in the section of Markdale that is designated for residential development within the Primary Settlement Area. Furthermore, the various types of residential dwelling types are supported in the Official Plans. The development will protect sensitive lands uses and will be supported by full municipal services (water and sewage) along with a stormwater retention pond located within the subdivision.

It is our opinion that the development proposal meets the intent and policies of the Grey Highlands Official Plan policies.

6.4 Grey Highlands Comprehensive Zoning By-law – 2004-50

The Municipality of Grey Highlands Comprehensive Zoning By-law 2004-50 was adopted by Council on October 24, 2005.

According to the Municipality of Grey Highlands Comprehensive Zoning By-law 2004-50, the subject lands are split zoned as shown in the zoning map below. The split zones include Residential Multiple (RM) Zone, Hazard (H) Zone and Open Space (OS) Zone.



In terms of residential zones, the Site is governed by the following provisions.

7.2 Residential Multiple (RM) Zone

7.2.1 RM - Permitted Uses

- a) *Single detached dwelling*
- b) *Semi-detached dwelling*
- c) *Duplex dwelling*
- d) *Multi-attached dwelling units*
- e) *Apartments*
- f) *Home Occupation*

g) *Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)*

7.2.2 RM – Zone Provisions for Single-Detached Dwellings

The uses and provisions of the Residential (R) Zone detailed in Section 7.1 apply to all lands zoned Residential Multiple (RM) where the development of a single-detached dwelling exists or is proposed.

7.2.3 RM – Zone Provisions for Attached Dwellings

| | Full Services Only | | | |
|---------------------------------------|--------------------|--------------------|--------------------|----------------------|
| | Semi-detached | Multiple-attached | Duplex | Apartment |
| a) Minimum Lot Frontage | 9 metres per unit | 6 metres per unit | 18 metres | 30 metres |
| b) Minimum Lot Area | 300 m ² | 200 m ² | 500 m ² | 1,200 m ² |
| c) Maximum Lot Coverage | 35 % | 35 % | 35 % | 35 % |
| d) Minimum Front Yard Setback | 7.5 metres | 7.5 metres | 7.5 metres | 9.0 metres |
| e) Minimum Interior Side Yard Setback | 1.5 metres | 1.5 metres | 3.0 metres | 4.5 metres |
| f) Minimum Exterior Side Yard Setback | 3.0 metres | 3.0 metres | 6.0 metres | 7.0 metres |
| g) Minimum Rear Yard Setback | 7.0 metres | 7.0 metres | 9.0 metres | 9.0 metres |
| h) Maximum Height | 11 metres | 11 metres | 11 metres | 15 metres |
| i) Minimum Gross Floor Area Per Unit | 75 m ² | 75 m ² | 75 m ² | 55 m ² |

7.2.4 RM - Special Provisions for Attached/Duplex/Apartment Dwellings

- The maximum number of attached townhouse units permitted in a row is eight (8)*
- The minimum number of attached townhouse units permitted in a row is three (3)*
- Notwithstanding the side yard setback requirements of Section 7.2.3, the common wall of semi-detached and multiple-attached dwellings may be centered on the mutual lot line*
- A maximum of 40 units per hectare of townhouse or apartment development is permitted (emphasis added).***
- Where development is proposed by Plan of Condominium or rental*

by Site Plan Control Approval, the following additional standards apply:

- i. A minimum outdoor amenity area of 15 square metres per unit in consolidated form is required.*
- ii. Block/cluster townhouse units require a minimum driveway length of 6 metres.*
- iii. Block/cluster townhouse units require a rear yard amenity area of 7 square metres.*

f) All Residential Multiple (RM) uses, excluding single detached dwellings and accessory buildings and structures, are subject to Site Plan Control approval.

g) New or expanded development of Residential Multiple uses that are not serviced with full municipal services (sanitary and water), requires the preparation of a Servicing Options Study which addresses the requirements of the servicing policies of the Municipality of Grey Highlands Official Plan and shall be consistent with the Provincial Policy Statement. Any zoning by-law amendments proposing to rezone lands to Residential Multiple (RM), will require the preparation of the Servicing Options Study prior to Council's consideration of the amendment.

Hazard Lands are located on the northeast section of the Site and are governed by the following zoning by-law provisions.

Section 12: Hazard and Wetland Zones

Within a Hazard (H) Zone, and Wetland (W) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

12.1 Hazard (H) Zone

12.1.1 H - Permitted Uses

- a) Forestry*
- b) Uses connected with the conservation of water, soil, wildlife*

and other natural resources.

- c) Non-intensive agriculture*
- d) Passive recreational uses*
- e) Public utilities and essential municipal services*
- f) Flood and erosion/sediment control structures*
- g) Portable or floating docks and boathouses only where the hazard area is associated with a Cold or Warm Water Lake.*
- h) Existing electric power generation facilities and accessory uses, buildings and structures*

12.2 H – Zone Provisions

- a) Buildings structures within the Hazard zone are prohibited except for flood and erosion/sedimentation control structures*
- b) New development or construction requiring access through Hazard lands may require a fill permit from the appropriate Conservation Authority*
- c) Written permission may be required from the applicable Conservation Authority pursuant to Ontario Regulation 151/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority, where such mapping exists, or otherwise generally within or near the Hazard Zones.*
- d) Prior to the placement of a portable or floating dock or boathouse, approval must be obtained from the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment Commission) and Ontario Power Generation (where the dock or boathouse is located on Ontario Power Generation lands).*
- e) The Hazard (H) Zone boundaries identified on the Schedules to this By-law are intended to generally identify areas of existing or potential natural hazards. Notwithstanding Section 4.2, the boundaries of the Hazard (H) Zone are subject to minor changes without formal amendment to this By-law or Schedules to this By-law when approved by the appropriate approval authority (i.e. Municipality, County, Conservation Authority, Niagara Escarpment*

Commission). This may occur where detailed resources mapping and/or site inspection results in a minor re- interpretation of the limits of the Hazard zone boundary.

Section 13: Open Space Zone

Within an Open Space (OS) Zone, no person shall use any land, or erect, locate or use any building or structure for or except such purposes and according to such provisions as may be set out in the following sub-sections.

13.1 OS - Permitted Uses

- a) *Public park and playground*
- b) *Institutional uses*
- c) *Passive recreational uses*
- d) *Public buildings and uses*
- e) *Forestry*
- f) *Uses, buildings and structures accessory to a permitted use (refer to Sections 3 and 5.6)*

13.2 OS – Zone Provisions

| | |
|----------------------------------------|-------------------|
| a) Minimum Lot Frontage | 20 metres |
| b) Minimum Lot Area | Nil |
| c) Maximum Lot Coverage | 5 % |
| d) Minimum Front Yard Setback | 6.0 metres |
| e) Minimum Interior Side Yard Setback | 6.0 metres |
| f) Minimum Exterior Side Yard Setback | 6.0 metres |
| g) Minimum Rear Yard Setback | 6.0 metres |
| h) Maximum Height | 11 metres |
| j) Minimum Gross Floor Area (Dwelling) | 90 m ² |

13.2 OS – Special Provisions for Institutional Uses

All Open Space (OS) uses are subject to Site Plan Control approval

and notwithstanding the setback requirements of Section 13.2, increased setbacks may be required to ensure land use capability. Examples include, but are not limited to, low density residential uses, industrial development and environmental areas.

7.0 TECHNICAL STUDIES

7.1 Functional Servicing Report

The Functional Servicing Report dated October 2022 was prepared by Soscia Engineering Inc. and concludes that the proposed subdivision can be constructed to meet the requirements of the Municipality of Grey Highlands.

The Functional Servicing Report concludes the following:

Stormwater Servicing

The internal storm sewer system will collect and convey generated runoff from subject site to a stormwater management pond. A quality treatment unit (Stormceptor unit model EF4 or approved equivalent) will be installed to yield a minimum TSS removal rate of 80% for quality control purposes.

Water Supply

To establish a loop water supply system to the development, the internal 150mm water distribution system will be connected to the existing watermains on Main Street east, and Bradley Street. The results of the flow test show that we have sufficient pressure and flow to service our proposed development

Sanitary

The subject site internal sanitary sewer will be connected to Rayville development sewer system to discharge to the Main Street Pump Station.

7.2 Traffic Impact Study

The Traffic Impact Study dated June 20, 2022 was prepared by Tatham Engineering and concluded that the proposed development is not expected to have a significant impact on the study area road network in terms of intersection operations.

7.3 Archaeological Assessment

The Stage 1-2 Archaeological Assessment dated September 8, 2022 prepared by AMICK Consultants Limited concluded the following:

“As a result of the Stage 2 Property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

No further archaeological assessment of the study area is warranted;

The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;

The proposed undertaking is clear of any archaeological concern.”

7.4 Preliminary Hydrological Assessment

The Preliminary Hydrological Assessment date March 22, 2022 was prepared by Orbit Engineering and concluded the following:

Based on the results of the subsurface investigation, hydrogeological assessment, and analysis of hydraulic conductivity testing and groundwater level monitoring data, the following summary of conclusions and recommendations is provided:

- *The soil lithology in the proposed construction area is generally composed of Topsoil, overlaying native geologic material of weathered/disturbed sand and silt, undisturbed silty sand till and, sand and gravel. The native undisturbed soil was encountered at depths of 0.9m - 2.3m below the existing ground surface to the end of boreholes.*

- *Groundwater table fluctuations within the project Site were encountered between 1.5 to 3.1m below the existing grade. The highest groundwater table observed in the site was 1.5m below ground surface. For the purpose of dewatering assessment, monitoring well BH/MW2 and BH/MW4 data was considered.*
- *it is estimated that the total dewatering rate for the whole site with 100% contingency to be approximately 163.6 m³/day. The total flow at any time will depend on the length of excavation that needs dewatering and the expected rate of progress. The highest zone of influence (Ro) was estimated to be approximately 52m. The calculated groundwater daily pumping rate for any structure in the project does not exceed the MECP threshold of 50 m³/day for EASR registration if the excavation for each structure is carried out individually or grouped in a way that dewatering quantity does not exceed threshold. However, EASR will be applicable if the excavation for the whole project will be carried out at the same time as the total dewatering quantity for the project site (163.6 m³/day) exceeds MECP threshold for EASR registration.*
- *It is recommended that the short-term dewatering system be designed and evaluated by a qualified engineer and performed by a licensed dewatering contractor. The dewatering engineer/contractor should be reminded that during the dewatering activities, care must be taken to prevent the removal of fine soil particles with the pumped water or to use proper filtration prior to discharge to the city sewer system.*
- *No surface water within the zone of influence was observed. Based on this assessment, impacts to the surface water are not anticipated.*
- *Discharge from temporary dewatering (if required) during the construction can potentially be directed into the Municipality of Grey Highlands sanitary and storm sewer system, provided that a discharge permit is obtained from the Municipality of Grey Highlands. Care should be taken to prevent the movement of*

sediment with the groundwater, a proper filtration or sediment settlement tank should be used. In addition to that, care should be taken with regards to the trichloroethylene that were found to be exceeding the City of Toronto storm sewer guidelines. The groundwater should be tested prior to discharge into the sanitary sewer for the parameters identified in the Municipality of Grey Highlands Sanitary Sewer Use By-Law.

- Orbit recommends the decommissioning of existing groundwater monitoring wells after completion of the construction of the project. In conformance with Ontario's Wells Regulation(O.Reg.903) of the Ontario Water Resources Act, the installation and eventual decommissioning of groundwater wells must be carried out by a licensed well contractor. If a well will be damaged/destroyed during the construction activities, then the well should be properly decommissioned in advance of that work.*
- Potential ground settlement/subsidence related to existing pavements, sidewalks, buildings, utilities, sewers, and other structures/infrastructure within the possible dewatering radius of influence (Ro) has not been assessed under this hydrogeological investigation. Orbit recommends that the construction contractor retain a qualified and an experienced engineer to complete this assessment based on the dewatering Ro and magnitude of drawdown required to allow for the construction of the planned project at the Site.*

7.5 Flood Hazard Assessment

The Flood Hazard Assessment dated July 19, 2022 was prepared by Greck and Associates Ltd and they have proposed the following recommendations.

Greck and Associates is confident that this memo and the analyses completed are consistent with the latest municipal and provincial standards and guidelines with respect to scientific analysis and

engineering principles. In summary:

- *A hydrology and hydraulic assessment were completed with PCSWMM using topographic survey and DTM. The Regulatory floodline associated with the wetland encroaches onto the proposed development therefore, to floodproof the proposed development, fill is proposed.*
- *To mitigate the loss of flood storage within the floodplain, a SWMF is recommended to service the development area (7.5ha) and provide quantity controls for the 2-year to 100- year, and Regional Storm events. The SWMF will have a separate outlet to the external drainage area and will not discharge towards the wetland. To convey the external drainage area (32.9ha), the existing 500mm diameter culvert that runs under Main Street East is recommended to be upsized to an 825mm diameter culvert (smooth walled) to increase outlet conveyance capacity. This will increase peak flows downstream, as such, Greck recommends that these downstream impacts be investigated during detailed design.*
- *Founded on engineering/scientific principles, in accordance with SVCA policy and ministry guidelines, Greck proposes that the 0.3m freeboard setback will provide sufficient flood protection, including safe access from Main Street East and dry floodproofing for the proposed structures.*

7.6 Natural Heritage and Environmental Impact Study

It is acknowledged that the Saugeen Valley Conservation Authority (“SVCA”) in a letter to the applicant dated January 24, 2022 provided comments related to the plan of subdivision as part of the Pre-Consultation process. The comments indicated that the submitted Plan of Subdivision was not acceptable to the SVCA at that time.

AWS Environmental Consulting Inc. conducted a Natural Heritage and Environmental Impact Study dated January 2022. The report concluded the following:

This EIS has demonstrated that with focused development, avoidance of the key wetland communities, retained vegetated buffer zones, maintained linkage corridor, constrained site alterations, constrained tree cutting timelines, remedial vegetation planting and remedial fencing the Draft Plan of Subdivision is anticipated to have no negative impacts or loss of ecological function to the Natural Heritage features assessed within the Study Land or surrounding natural environment. Further environmental review on the storm water management design may still be required to be undertaken during the detailed design phase. Therefore, with the noted mitigation measures, it has been concluded that Residential Site Development would be in compliance with the 2020 Natural Heritage policies of the Provincial Policy Statement, the 2019 Grey County Official Plan and the 2017 Municipality of Grey Highlands Official Plan.

The mitigation measures are outlined in the AWS report as follows:

The following mitigative measures should be implemented through Site Plan Control, Development Agreement and/or Development permits/approvals. These measures are recommended to maintain the ecological functioning role and natural heritage features that have been identified within the Study Lands and are in compliance with applicable Acts, Legislation, and Natural Heritage Planning Policies of the Provincial Policy Statement, County and Municipality Official Plans and environmental guidelines.

- 14.1 No Development or Site Alterations should occur within the EIS vegetation community 6 and 7 plus the associated 10m wide vegetated buffer zone, as shown on EIS Figure 10.*
- 14.2 No Lot or Road Development should occur within the remaining wetland feature lands of EIS vegetation community 5. A constrained site alteration for storm water management within this portion of the wetland feature is permissible provided the following mitigative measures are incorporated into the Site Plan design and site construction:*

- i. *No vegetation clearing or site alterations occurring April 1st to August 15th.*
- ii. *SWM construction should be focused within the dry summer and fall seasons.*
- iii. *The north, east and south perimeters of the SWM disturbed lands are to have sediment control measures installed to provincial standards prior to site alterations occurring and maintained in an operational manner until such time that the disturbed lands have stabilized and vegetation growing. Said sediment control measures must be removed at that time to permit unobstructed amphibian movement.*
- iv. *SWM design must show a pre and post surrounding landscape hydrology input 'water balance' equation to the 'wetland' feature. Design and construction aspects must demonstrate and incorporate a post- subdivision and SWM design to be within 10% (less and greater) than of the pre-subdivision hydrology input from the surrounding landscape to vegetation community 6 and 7.*
- v. *An 'Oil & Grit' separator shall be installed to provincial standards immediately up gradient to the SWM pond.*
- vi. *At a minimum the westerly and southerly sloped sides of the SWM pond shall be seeded down with native tall grasses and forbs (flowering herbaceous perennial plants and milkweed).*

14.3 *No development shall be permitted within 7m to the north property fence line as shown on EIS Figures 9 and 10. Minor site alterations within this corridor area for grading or fill placement if required is permissible but is to be stabilized and seeded down with native grasses in a timely manner.*

14.4 *No development shall be permitted within 2m to the abutting adjacent property Woodlot in the Study Land southeast corner as shown on EIS Figure 9 and 10. Minor site alterations within this corridor area for grading or fill placement if required is permissible but no below natural grade alterations and no fill placement greater than 20cm in depth within this 2m setback and any disturbed lands area to be stabilized and seeded down with native grasses in a timely manner.*

14.5 A permanent barrier fence being a minimum 1.5m in height, shall be erected along the wetland buffer zone south perimeter and corridor movement land limit, as depicted on Figure 10. For Best Management Practices, this barrier fencing could be continued along the south and west perimeter of the Storm Water Management Pond area.

14.6 Tree clearing activity shall not occur from April 1st to August 15th during the active nesting period for breeding birds, in accordance to the Federal Migratory Birds Act, without additional mitigation measures consistent with the Migratory Birds Act for nesting deterrence and monitoring by a qualified person.

8.0 PLANNING ANALYSIS AND BASIS FOR ZONING BY-LAW AMENDMENT

8.1 Zoning By-law Amendment

A Zoning By-law Amendment is required for the subject lands to permit a site specific RM-XXX zone that adequately addresses the requirements of the proposed development while implementing the policies of the Grey County Official Plan and Grey Highlands Official Plan.

The application proposes to rezone the entire Site (except for the Hazard Lands portion) from RM and OS to RM-XXX with site specific regulations.

The applicant is seeking the following amendments to the Grey Highlands Comprehensive Zoning By-law 2004-50 (Section 7.2 – RM Zone) to permit the development of a residential subdivision on the subject Site.

- 1) Increase the maximum units per net hectare of block townhouse units from the permitted 40 units per net hectare to 48 (rounded up from 47.06) units per net hectare and
- 2) Remove the split zoning on the site and replace with a RM-XXX site specific zoning except for the Hazard Lands.

In considering a Zoning By-law Amendment, Council typically evaluates the application against criteria such as:

- conformity with the official plan and compatibility with adjacent uses of land,
- suitability of the Site for the proposed purpose, including the size and shape of the lot(s) being created and
- adequacy of vehicular access, water supply, stormwater capacity and sewage disposal.

Furthermore, when council considers a zoning bylaw amendment, its decision shall be consistent with the Provincial Policy Statement 2020 (“PPS”) issued under the Planning Act. The PPS contains policy directions on matters of provincial interest related to land use planning and development.

9.0 PLANNING JUSTIFICATION AND RATIONALE / BASIS FOR A ZONING BY-LAW AMENDMENT

This section of the report provides planning rationale and justification in support of the proposed Zoning By-law Amendment. This includes a review on how the proposed Zoning By-law Amendment represents logical infilling, respects the planned function of the Grey County Official Plan and the Grey Highlands Official Plan. It further supports anticipated residential growth targets set by the higher municipalities. The section also provides a discussion on the requested zoning by-law amendment to support a site specific RM-XXX Zone and bring the development proposal into conformity with Zoning By-law 2004-50.

The purpose of the Zoning By-law Amendment Application is to permit medium density residential uses in the form of townhouse units located on the eastern fringe of Markdale, Ontario. Specifically, the applicant is requesting a Zoning By-law Amendment in order to increase the density of townhouse units per net hectare in an appropriate configuration with other uses within the plan of subdivision and surrounding area.

9.1 Zone Change from Residential Multiple (RM) Zone to Residential Multiple Site Specific Zone (RM-XXX)

The increase in the density of townhouse units per net hectare is supported by Grey County and Grey Highlands Official Plan policies along with the Ontario Provincial Policy Statement 2020.

Ontario Provincial Policy Statement 2020

The proposal is consistent with the PPS policies in that the subject Site is situated on the fringe of Markdale on lands that are designated for growth and are consistent with policies of the PPS which support a mix of land uses and promote a range of housing options and provide compact built form (Policies 1.1.3.2, 1.1.3.3 and 1.4.3.) In addition, Policy 1.1.3.6 provides for new development in designated growth areas adjacent to existing built up areas which should have compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Site is located within a Primary Settlement Area which supports new growth and is suitable for new development with municipal services. The proposal makes efficient use of the land and infrastructure while protecting sensitive land uses. The proposal also improves housing choices and will support quality life for Markdale and surrounding area residents.

Grey County and Grey Highlands Official Plans

The Grey County Official Plan designates the subject site as Primary Settlement Area with the exception of the northeast portion of the Site which is designated Hazard Lands.

The proposal implements the Grey County and Grey Highlands Primary Settlement Area designation and Settlement Area Land Use types by providing a mixed use development in compact urban form. In accordance with Policies 3.4.3, 3.4.6, 3.4(14) and 3.4(15) of the Grey County Official Plan, the proposal provides a wide range of housing types including semi-detached and townhouse units which are affordable and will allow for aging in place.

Subject lands are designated as “Neighbourhood Area” and “Hazard Lands” in the Municipality of Grey Highlands Official Plan.

Section 4.5.3.1 outlines the purpose of the Neighbourhood Area designation which indicates that Settlement Areas are primarily residential in nature while also suitable for neighbourhood commercial and open spaces.

Section 4.5.3.1.1 further identifies the type of uses permitted including the low and medium density residential dwellings including: single, semi- detached, town homes, duplex, converted, and other multiple unit dwellings.

It is our opinion that the proposed Zoning By-law Amendment and Plan of Subdivision applications are appropriate and in conformity with the Grey County and Grey Highlands Official Plans.

Density

The Grey County Official Plan Policy 3.5 (5) specifies that in Primary Settlement Areas, the minimum density of 20 units per net hectare will be achieved for new developments. The Draft Plan of Subdivision complies with this policy as the proposed overall density is calculated at 40.59 units per hectare.

The units per hectare of townhouse blocks 4 to 8 and blocks 10 to 22 in the proposed plan of subdivision is planned at between 42.25 and 47.06. The net density per hectare is slightly above the maximum density of 40 units per hectare outlined in the Grey Highlands Zoning By-law 2004-50 and the difference is considered minor in nature. Furthermore, the PPS promotes efficient development patterns that minimizes land consumption, through the efficient infilling of a settlement area.

In our opinion, the slight increase over the maximum allowable density is consistent with good land use planning as it does not impact the planned neighbourhood function. Moreover, the proposal is consistent with the PPS 2020 as it promotes development within growth areas adjacent to existing built up areas with a compact form, mix of uses and densities. The proposed draft plan of subdivision supports the minimum density standard by providing low and medium density residential uses

All other residential uses in the plan of subdivision comply with the densities in the Official Plan and Zoning By-law.

9.2 Hazard Lands – To Remain As Is

In terms of the Hazard Lands, Policy 7.2 (11), the precise delineation of the Hazard Lands is intended to be shown in the local zoning by-laws. According to the technical reports, an amendment to the Grey County Official Plan will not be required to redefine the Hazard Lands boundary.

If changes to the delineation of the Hazard Lands are required, the delineation can be completed through a zoning by-law amendment after consultation with the Saugeen Valley Conservation Authority (SVCA). The Natural Heritage and Environmental Impact Study and the Hydrology Investigation along with the Flood Hazard Assessment have been completed and were provided to the Municipality

of Grey Highlands and the SVCA. It should be noted that the owner has not received comments from SVCA on the aforementioned reports.

9.3 Zone Change from Open Space (OS) Zone to Residential Multiple Site Specific (RM-XXX) Zone

A very small portion of the Site is proposed to change zone from Open Space (OS) to Residential Multiple (RM-XXX) to accommodate a road connection to the future planned residential subdivision located adjacent and to the south of the Site. The removal of the small portion of Open Space zone will not impact the planned function of the neighbourhood plan.

9.4 Draft Plan of Subdivision

The proposed Subdivision Plan is a mixed use residential development that conforms to the policy directions in the PPS, the Grey County Official Plan and the Grey Highlands Official Plan. Both Official Plans encourage compact built form in areas for new development as well as efficient use of land and resources including municipal infrastructure along with the protection of sensitive land uses. Although the Grey County and Grey Highlands Official Plans are not in full conformity with the PPS 2020, both Official Plans encourage new development in compact form along with mixed uses and higher densities within residential areas.

The proposed draft plan of subdivision also meets applicable criteria outlined in Section 51(24) of the Planning Act. The relevant criteria include:

- the application is consistent and in conformity with provincial policies (PPS),
- the proposed subdivision is not premature and is in the public interest,
- the subdivision will be serviced by municipal water and sewers along with a stormwater management retention pond on Site,
- the application is consistent and in conformity with the Grey County Official Plan and the Grey Highlands Official Plan,
- the Site is suitable for the purposes for which it is to be subdivided,
- the dimensions and shapes of the proposed lots are appropriated for the housing mix planned,
- care has been taken to protect the hazard lands and provide adequate flood control measures and
- adequate utilities and municipal services will be provided.

It is our opinion that the Zoning By-law Amendment does not change the planned function of the Site and allows for infilling and the efficient use of land. Furthermore, the Plan of Subdivision is consistent with the Planning Act Section 51(24) and makes provisions to protect the Hazard Lands.

10.0 CONCLUSIONS AND PLANNING OPINION

The applicant is requesting a zoning by-law amendment to Zoning By-law 2004-50 to better align with the Ontario PPS (2020), Grey County Official Plan and the Grey Highlands Official Plan. As the residential market has been impacted by emerging trends such as the demand for more affordable housing along with aging in place units, it is imperative that municipalities make more efficient use of infill opportunities on existing designated and zoned residential lands.

The Planning Justification Report provides a thorough description of the proposed subdivision development as well as provides a Planning rationale as a basis for the zoning by-law amendment application. A detailed overview of the Ontario PPS (2020), Grey County Official Plan along with the Grey Highlands Official Plan policies and Zoning By-law provisions applicable to the Site were also completed.

It is our opinion that the proposed development will support the efficient build out of a residential zoned Site. The owner is proposing to increase the density of the Site to accommodate a medium density development which will have a unit per net hectare density of 42.25 to 47.06 which is slightly above the required 40 units per hectare density in the RM Zone.

The Site is an appropriate location for the increased density as supported by the detailed analysis herein and is generally flat, does not contain any significant natural features except for the Hazard Lands that will remain as is. Subject Site will be connected to municipal services and is of the appropriate size to accommodate the additional residential units through intensification. The findings of the technical reports support the Proposed Development and specifically support the requested Zoning By-law Amendment.

The Proposed Development does not require an amendment to the Grey County Official Plan or the Grey Highlands Official Plan.

In conclusion, it is our professional opinion that the requested zoning by-law amendment is representative of good land use planning, is consistent and in conformity with the Ontario PPS (2020), Grey County Official Plan and the Grey Highlands Official Plan.

Respectfully submitted,



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APPENDIX I

PLAN OF SUBDIVISION

