

PLANNING JUSTIFICATION REPORT

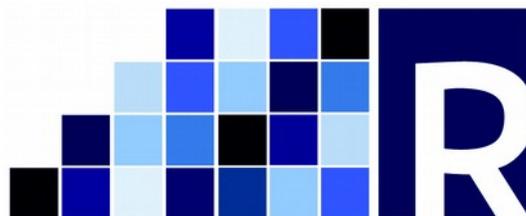
MOUNT HOPE ESTATES
PALGRAVE
15890 MOUNT HOPE ROAD

DEREK VAN STRALEN

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1.0 BACKGROUND

The subject property is in the Palgrave Estate Residential Community and is located at the south west quadrant of the intersection of Mount Hope Road and Old Church Road (Fig. 1). The property address is 15890 Mount Hope Road, and the legal description is Part of Lot 20, Concession 7, Albion.

It has an irregular shape to the lot boundary, with several parcels previously severed from the original 100 acre farm survey lot (Fig. 2). Total lot size is 24.31 hectares (60.07 acres). There is approximately 622 m total frontage on Old Church Road, interrupted in the middle by an existing residential parcel. The Mount Hope Road frontage is approximately 410 m in length.

The site is comprised of a number of steep slopes and environmental features, which will be further discussed in the Oak Ridges Moraine Conformity section.

There are existing estate residential developments immediately to the south and west, and another on the north side of Old Church Road. On the east side of Mount Hope Road is an active agricultural operation.

2.0 DEVELOPMENT CONCEPT

The proposed development consists of eleven estate residential lots. Most lots will have direct access and frontage on the existing municipal roads, however, 4 lots will be accessed from a new residential street. The lots vary in size from 0.46 ha to 1.56 ha, with 8.08 ha of total residential area. There are 3 environmental protection blocks proposed, which will preserve the various environmental features identified on site. These blocks total 15.39 ha of protected area. The proposed residential street will be relatively short as its purpose is merely to limit and consolidate the number of residential driveways entering Old Church Road in close proximity to each other. Total centreline length is 52.7 metres.

The dwellings will be serviced with municipal piped water and private individual septic tanks and tile beds for sanitary sewage.

3.0 PLANNING POLICY

3.1 Provincial Policy Statement

The Province of Ontario recently issued a new Provincial Policy Statement which came into effect April 30, 2014 and applies to all Planning Act approvals made after that date.

Policy 1.1.3.1 "Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted."

Settlement Areas are defined as areas that are already built up or are designated in Official Plans for development over the long term. The subject property is within an area designated for residential

development (see Official Plan discussion below) and as such the proposed development is in accordance with this policy.

Policy 1.1.3.6 “New development taking place in designated growth areas should occur adjacent to the existing built-up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

The proposed development is adjacent to existing development to the south and north. To the west there is existing development beyond the natural heritage features. Although the proposed development concept is for estate residential lots and cannot be considered compact, the Official Plan recognizes that this area is suitable for such development and meets a need in the GTA for large lot residential housing.

Policy 1.4.1(b) “...maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three year supply of residential units ... in draft approved and registered plans.”

Upon draft plan approval the proposed development will assist the Town of Caledon in meeting this policy.

Policy 1.6.6.5 “Partial services shall only be permitted in the following circumstances:

(b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.”

As per the Region of Peel and Town of Caledon Official Plans (discussed below) the Palgrave Estate Residential Community is to be developed on partial services.

Section 2.1 and Section 2.2 contain policies pertaining to the protection of Natural Heritage and Water resources. However, Part III of the PPS indicates that the policies of the Oak Ridges Moraine Conservation Plan and Greenbelt Plan take precedence where there is a conflict. As such, the policies in Sections 2.1 and 2.2 of the PPS has not been reviewed, and the Natural Heritage discussion is contained below in the Oak Ridges Moraine section of this document.

Policy 2.6.2 “Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

Archaeological Assessments Ltd., has prepared a Stage 1 – 3 archaeological assessment dated February 10, 2014. This report is included in the binder for reference. They have also prepared a separate Stage 4 excavation report regarding the artifacts that have been removed from the site. The Stages 1 - 3 assessment report and the Stage 4 preliminary excavation reports were submitted to the Ministry of Tourism, Culture and Sport for clearance, and March 17, 2015 the Ministry provided a clearance letter for the Stage 4 report.



Given the above examples, and a review of the remaining policies within Part V Sections 1, 2 and 3 of the PPS, we are of the opinion that the proposed development is consistent with the policies related to Building Strong Communities, Wise Use and Management of Resources and Protecting Public Health and Safety.

3.2 Greenbelt Plan

The Greenbelt Plan was released February 28, 2005 under the authority of the Greenbelt Act, 2005 and includes the entirety of the Oak Ridges Moraine Plan Area and the Niagara Escarpment Area plus additional lands.

Schedule 1: Greenbelt Plan Area designates the subject property as Oak Ridges Moraine.

Section 2.1 "The requirements of the OMRCP ... continue to apply and the Protected Countryside policies do not apply with the exception of section 3.3"

Section 3.3 of the Greenbelt Plan includes policies directed at municipalities, conservation authorities, ngo's and other interested parties to develop parkland, open space and trails to support tourism, recreation, cultural and natural heritage appreciation and environmental protection.

As such the Greenbelt Plan policies do not directly affect this Planning Act application, and are not included in this discussion.

3.3 Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine Conservation Plan was released April 22, 2002 as Ontario Regulation 140/02 under the authority of the Oak Ridges Moraine Conservation Act, 2001.

Oak Ridges Moraine Conservation Plan Land Use Designation Map (shown in detail on Map 1 – Towns of Caledon, New Tecumseth & Mono, Township of Adjala/Tosorontio) designates the subject property as Palgrave Estate Residential Community (a component of the Countryside Area).

It is difficult to determine on "Landform Conservation Areas of the Oak Ridges Moraine Map 1" if there are any Landform Conservation Areas on the subject property. This map only includes the Provincial Highway network and no municipal roads to assist in locating a particular property. As such it is difficult to be certain exactly where the subject property is located. It appears that the property is generally in an area with a mix of lands that do and do not require protection under the landform conservation policies. The lands that require protection include both Landform Conservation Area 1 and Landform Conservation Area 2. The Region of Peel Official Plan includes Landform Conservation Area mapping with additional road network information in order to accurately locate the subject property. Please see the Regional Official Plan discussion below.

Section 10(1)(3) "Countryside Areas, which are areas of rural land use such as ... residential development..."

As noted above the property is within the Countryside Area and the proposed residential development is in accordance with this section of the ORMCP.

Section 14(1) "Residential development is permitted with respect to land in the Palgrave Estate Residential Community as shown on the land use designation map referred to in section 2, subject to the Town of Caledon Official Plan, as amended from time to time, and to the following provisions of this Plan..."

The Palgrave Estate Residential Community designation is part of the Countryside Area. The subject property is within this sub-designation of the Countryside Area. As such, the provisions noted in Section 14(1) will apply.

The relevant noted provisions of the ORMCP are quoted below.

Section 20 "Every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within Natural Core Areas and Natural Linkage Areas."

Section 21(1)(a) "the minimum area of influence that relates to a key natural heritage feature of hydrologically sensitive feature described in Column 2 of the table to this Part is the area referred to in the corresponding item in Column 3 of the Table; and

(b) the minimum vegetation protection zone that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 2 of the Table is the are determined in accordance with the corresponding item in Column 4 of the Table."

The key natural heritage features and hydrological sensitive features were identified on site with the assistance of the Ministry of Natural Resources and the Toronto Region Conservation Authority. These features are illustrated on the Environmental Summary, attached to this report. The subsequent Natural Heritage Evaluation prepared by Plan B is included with this submission and confirms the necessary minimum vegetation protection zones and hydrologic protection zones.

Sections 22, 23 and 26 identify what features should be considered to be key natural heritage feature and hydrologically sensitive feature, and also indicates when a natural heritage evaluation or hydrologic evaluation is required and what the evaluation should address. For a more detailed discussion of the key natural heritage features and hydrologic features and their protection, please refer to the Natural Heritage Evaluation prepared by Plan B.

Section 41(1) "Transportation, infrastructure and utilities include,

- (a) public highways;*
- (c) gas and oil pipelines;*
- (d) sewage and water service systems and lines and stormwater management facilities;*
- (e) power transmission lines;*

(f) telecommunication lines and facilities, including broadcast towers;

Section 41(5) "Transportation, infrastructure, and utilities uses may be permitted to cross a key natural heritage feature or hydrologically sensitive feature if the applicant demonstrates that,

(a) the need for the project has been demonstrated and there is no reasonable alternative;

(b) the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum;

The proposed development includes a short new public road to access 4 of the proposed lots. All remaining lots will have frontage on an existing public right of way with access to the existing services. The proposed public road will not conflict with any identified key natural heritage feature.

However, the driveways and service connections for two of the proposed lots must cross a wetland area. However, the crossing is designed to be located in the same location as an existing crossing use to access the existing house on the property. For further discussion please refer to the Natural Heritage Evaluation prepared by Plan B.

Section 43(1) "An application for major development shall be accompanied by a sewage and water system plan that demonstrates,

(a) that the ecological integrity of the hydrological features and key natural heritage features will be maintained;

(b) that the quantity and quality of groundwater and surface water will be maintained;

(c) that stream baseflows will be maintained;

(d) that the project will comply with the applicable watershed plan and water budget and conservation plan; and

(e) that the water use projected for the development will be sustainable."

Water is provided by the Region of Peel and is sourced from 3 wells in the Palgrave area. According to the Region of Peel web-site and the Palgrave Ground Water System Project 04-1805, there is sufficient capacity in the Palgrave wells to meet projected water demand.

Section 43(2) "Water and sewer trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum."

As this development is proposed on partial services, sanitary sewer trenches are not required. Stormwater drainage will be addressed through surface drainage features and infiltration mechanisms in accordance with the ORMCP and the Functional Servicing Study prepared by Urban Watershed Group.

Section 44(1) "The construction or expansion of partial services is prohibited."

Section 44(4) "Subsection (1) does not apply to prevent the construction or expansion of partial services in the Palgrave Estate Residential Community..."

The development is within the Palgrave Residential Estate Community and as such will be constructed on partial services.

Sections 45, 46 and 47 address detailed stormwater management objectives. For this detailed discussion please refer to the Function Servicing Report by Urban Watershed Group

Given the above examples, and a review of the remaining policies within the Oak Ridges Moraine Conservation Plan, we are of the opinion that the proposed development is consistent with the policies contained within Parts II, III and IV of the Oak Ridges Moraine Conservation Plan.

3.4 Region of Peel

The Region of Peel Official Plan has been amended several times since its original approval; the October 2014 consolidation was utilized for this policy review.

Schedule A – Core Areas of the Greenlands System in Peel, shows that there are no Core Areas located on the subject property.

Schedule D – Regional Structure, designates the subject property as part of the Palgrave Estate Residential Community, which in turn is part of the Rural System.

Schedule D1 – Oak Ridges Moraine Conservation Plan Area Land Use Designations, also designates the property as Palgrave Estate Residential Community and includes the note that it is a component of the Countryside Area. It further provides instructions to refer to the Town of Caledon Official Plan.

Schedule D2 – Aquifer Vulnerability Areas in Peel for the Oak Ridges Moraine Conservation Plan Area, indicates that the property is in an area of Low Aquifer Vulnerability.

Schedule D4 – The Growth Plan Policy Areas in Peel does not designate the property as Built-up Area, neither does it designate it as Greenfield. The property is uniquely designated as Palgrave Estates Residential Community.

Schedule E – Major Road Network, no major roads are located adjacent to the subject property.

Figure 2 – Selected Areas of Provincial Interest, confirms that the subject property is within the Oak Ridges Moraine.

Figure 3 – Watershed Boundaries, indicates that the property is within the Humber River watershed.

Figure 10 – Waste Management Sites, confirms that there are no known landfill sites on the subject property.

Figure 12 – Landform Conservation Areas in Peel for the ORMCPA, identifies an area of Landform Category 1 in the north east corner of the site. There is also an area of Landform Category 2 near the south west corner of the site that may extend slightly onto the property.

Figure 14 – ORMCPA Partial Service Areas illustrates that the subject property is within an area of partial servicing.

Section 2.2.9.2.2 “To provide direction to the Town of Caledon to develop appropriate policies in its Official Plan for implementing the ORMCP.”

Section 2.2.9.3.3.2 “All applications for development or site alteration, which commenced on or after November 17, 2001, are required to conform to the ORMCP.”

In addition to the review and analysis of the relevant ORMCP policies above, the Region of Peel and Town of Caledon have both amended their Official Plans to bring them into conformity with the policies of the ORMCP. The proposed development must adhere to the policies of all three documents, consequently, through the discussion included in this report, it will be demonstrated that the proposed development is in full conformance with the ORMCP.

Section 2.2.9.3.7(c) “The Palgrave Estate Residential Community, the boundary of which is shown on Schedule D1, is an additional component of the Countryside Area and residential development is permitted, subject to the Town of Caledon Official Plan, as amended from time to time, and specified provisions of the ORMCP.”

As demonstrated through this report, the proposed development conforms to the Town of Caledon Official Plan and the specified provisions of the ORMCP.

Section 2.2.9.3.12 “...direct the Town of Caledon to require all applicants for new development or site alteration to identify potential key natural heritage features and hydrologically sensitive features and ensure that such features are appropriately evaluated and protected in accordance with any requirements of this Plan, the Town of Caledon Official Plan, and the ORMCP.”

As noted above, key natural heritage features were identified on site with the assistance of the MNR and TRCA. The subsequent mapping and evaluation is contained in the Natural Heritage Evaluation prepared by Plan B.

Section 2.2.9.3.13 “Direct the Town of Caledon to prohibit development and site alteration within a key natural heritage feature and/or a hydrologically sensitive feature and within the associated minimum vegetation protection zone, in accordance with the Table in Part III of the ORMCP...”

As evidenced on the Environmental Summary Map, there are no proposed buildings, services or grading activities within such features. With the exception of the driveways and services for two of the proposed lots. The proposed driveways and services will be placed in the same location as the existing driveway for the existing dwelling, and will be designed to minimize any additional impact to the features. For further discussion please refer to the reports by Urban Watershed Group and Plan B.

Section 2.2.9.3.18 “Direct the Town of Caledon to require development or site alteration applications in a landform conservation area (Category 1 and 2) to identify planning, design and construction

practices that will keep disturbance to landform character to a minimum, as required by Section 30 of the ORMCP.”

Landform Conservation Area 2 may not extend onto the subject property. If it does it is in an area that is already protected due to the presence of a KMHF and its MVPZ. The Landform Conservation Area 1 appears to be outside of any of the proposed structure envelopes, however, the driveway, dwelling, septic tile bed and outdoor amenity area for Lot 7 will require some grading of the landform. As per Section 11 of the Functional Servicing Report by Urban Watershed Group, the grading for this lot will conform to the Town of Caledon lot grading criteria.

Section 5.4.2.2 “Direct growth within the Rural System generally to the three Rural Service Centres and the Palgrave Estate Residential Community, as shown on Schedule D...”

The proposed development is in conformity with this policy.

Section 5.4.2.6 “Ensure development proposals within the Rural System are consistent with the objectives and policies in this plan and the applicable policies in the area municipal official plans, the Niagara Escarpment Plan, and the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the Growth Plan.”

This report will demonstrate that the subject property is in conformance with all applicable policies.

Section 5.4.2.3 “Direct the Town of Caledon to consider new estate residential development only in the Palgrave Estate Residential Community ... provided that such development:

- (a) is compatible with the rural landscape and surrounding uses;*
- (b) protects the natural environmental;*
- (c) is a logical extension of an existing estate area and servicing system;*
- (d) occurs in a phased manner; and*
- (e) has the necessary water and sewer services, taking into account consideration of financial and physical capabilities, and the suitability and availability of municipal servicing.”*

The proposed large lots are in keeping with the character of typical rural residential developments. The Natural Heritage Evaluation includes protections for the natural environment in accordance with the ORMCP, Region of Peel Official Plan and Town of Caledon Official Plan. The property is surrounded on 3 sides by existing estate lot development and municipal water is available along Mount Hope Road and Old Church Road.

Section 6.3.2.3 “Provide municipal water services to accommodate growth in the Palgrave Estate Residential Community, ... consistent with the policies of this Plan. Communal sewage disposal systems will be the preferred means of servicing multiple new lots where site conditions are suitable

over the long term. If a communal sewage disposal system is not feasible, individual on-site sewage disposal facilities may be considered, where site conditions are suitable over the long term.”

The development proposal is for large lots with frontage on existing public roads. Without an internal public or private road system a communal sewage system could not be implemented without multiple easements over private property. Additionally, due to the large lots and dispersed layout of dwellings, it would be difficult and inefficient to construct a functional sanitary sewer system.

Given the above examples, and after a review of the remaining policies within the Region of Peel Official Plan, we are of the opinion that the proposed development is consistent with the policies contained within Chapters 2, 3, 5, 6, and 7 of the Region of Peel Official Plan.

3.5 Town of Caledon Official Plan

The Town of Caledon Official Plan has been amended several times; the June 2, 2014 consolidation was utilized for this policy review.

Schedule A1 – Town Structure, designates the subject property as Oak Ridges Moraine Conservation Plan Area, with the Palgrave Estate Residential Community overlay.

Schedule G – Palgrave Estate Residential Community, designates the property as Policy Area 1.

Schedule H – Palgrave Estate Residential Community Water Service Area indicates that Regional Water Service will be provided.

Schedule I – Palgrave Estate Residential Community Environmental Zoning establishes several areas of both Environmental Zone 1 and Environmental Zone 2 on the subject property.

Schedule P – Oak Ridges Moraine Conservation Plan Land Use Designations confirms the Palgrave Estate Residential Community designation and further indicates, in the legend, that this area is “A component of the Countryside Area.”

Section 5.3.2.2 - “In order to provide for a variety of housing types and living styles ... the Palgrave Estate Residential Community has been outlined in Schedule A, Land Use Plan. Development within this Policy Area shall be in accordance with Section 7.1 and Section 7.10 of the Plan and subsections thereof.”

Section 5.3.2.3 - “Rural Estate residential plans of subdivision, other than those shown on Schedule A, Land Use Plan, Schedule F, Rural Estate Residential Areas, or in the Palgrave Estate Residential Community, will not be permitted.”

Accordingly, the proposed Rural Estate subdivision is within one of the areas designated for such forms of development.

Land designated as Oak Ridges Moraine Conservation Plan is governed by the policies of Section 7.10 of the Official Plan.

Section 7.10.8.1 "Permitted uses shall include all uses permitted in the underlying land use designation, subject to all other applicable provisions of this Plan..."

Section 7.10.8.2 "Estate Residential development is permitted with respect to land in the Palgrave Estates Residential Community ... in accordance with Section 7.1 of this Plan."

Section 7.1 is entirely comprised of the Palgrave Estate Residential Community Secondary Plan policies. If there is a conflict between the policies of Section 7.1 and the Ecosystem Planning Policies (Section 3.2) or Environmental Protection Policies (Section 5.7). The policies of Section 7.1 will prevail. However if there is a conflict between the policies of Section 7.1 and Section 7.10, the more restrictive are to be followed.

Section 7.1.3.4 - "The uses permitted on lands designated Policy Area 1 ... will be agriculture and associated residential uses, rural estate residential uses, conservation, open space ...The above noted uses shall only be permitted if they meet all applicable provisions of this Plan. Notwithstanding any other provisions of this Plan, within land designated EZ 1 on Schedule I, permitted uses shall only include those uses permitted in EPA, in accordance with Section 5.7.3.1.2"

Section 7.1.5.2 - "Policy Area 1 is the prime area for future estate residential development."

As noted above the subject property is designated as Policy Area 1 and rural estate residential uses are permitted.

Section 7.1.6.2 - "The maximum permitted density in Policy Area 1 will be 36 units per 40.5 hectares, plus any density bonuses awarded under Sections 7.1.9.12 and 7.1.11.3."

Section 7.1.7.1 - "The minimum net lot area for residential uses in Policy Area 1 will be 0.45 of a hectare."

Lots sizes range from 0.45 hectares for proposed Lot 5, up to 1.56 hectares for proposed Lot 9 and all satisfy the minimum lot size requirement. There are a total of 11 lots proposed for the subdivision, which has a total area of 24.27 hectares. The resulting density is 18.4 units per 40.5 hectares, well below the maximum permitted. However, Lots 1 and 2 contain some EZ 1 areas; please see below for net lot area calculations.

Section 7.1.7.4 - "EZ 1 and ponds may be included within a lot but no part of these features may be included in the calculation of net lot area."

With the exception of the driveway crossings for Proposed Lots 1 and 2, no lots contain lands zoned as EZ 1. The EZ 1 area in Lot 1 is 925 m² in size, resulting in a net lot area for Lot 1 of 0.95 hectares. The EZ 1 area in Lot 2 is 802 m² in size, resulting in a net lot area of Lot 2 of 0.64 hectares. Both lots meet the minimum of 0.45 hectares for net lot area.

Section 7.1.7.8 - “Subdivisions with average net lot areas substantially larger than the minimum permitted in the applicable Policy Area will be encouraged.”

The average net lot area is 0.72 hectares which is 0.27 hectares larger than the minimum.

Section 7.1.7.9 - “A variety of lot sizes in a plan of subdivision will be encouraged.”

As noted above there is a substantial range in proposed lot sizes, with the largest lot more than 3 times the size of the smallest.

Section 7.1.7.10 - “Lot areas and dimensions must reflect the topographic and environmental characteristics of the site in accordance with Section 7.1.9. Lot areas larger than the minimum applicable in a Policy Area will be required in specific instances where the topographic and environmental characteristics of the site warrant a larger area.”

Topographic and environmental features strongly influenced the design of the subdivision. Various options were considered, including smaller lots accessed by a new public road. However, to accommodate the areas with steep slopes and environmental features the proposed layout of 11 lots most of which are accessed with private driveways from existing public roads was considered to be most sympathetic to the topographic and environmental reality of the site.

Section 7.1.8.1 - “Every lot in an estate residential plan of subdivision must be serviced with a private sewage disposal system for the treatment of domestic wastes.”

Private individual septic systems are proposed and the locations of the tile beds are shown on the Site Servicing Plan – Sheet 11, prepared by Urban Watershed Group Ltd.

Section 7.1.8.3 - “An applicant for an estate residential plan of subdivision will be required to undertake any studies deemed necessary to assess the probability of contamination of wells on nearby properties by septic system leachate or other source of contamination likely to be caused by the proposed development.”

Please refer to Section 5.0 of the Hydrogeological investigation prepared by SPL and dated January 2016, which has concluded that there should be no risk of contamination based on the preliminary design of the proposed subdivision.

Section 7.1.8.4 - “Municipal water service will be provided to the Palgrave Estate Residential Community by orderly expansion of the existing Palgrave water supply system.”

As noted above, the proposed subdivision is surrounded on three sides by existing estate lot development with municipal water services. The development and servicing of this site would “round out” the currently serviced area utilizing existing servicing on Mount Hope Road and Old Church Road, and should be considered to be an orderly expansion.

Section 7.1.8.9 - "Estate residential plans of subdivision will be required to minimize the amount of stormwater draining from the site and adhere to the zero increase in stormwater run-off principal in a manner acceptable to the Town of Caledon and to the Conservation Authority."

Section 7 of the Stormwater Management Report prepared by Urban Watershed Group Ltd., dated February 2016 indicates that with the inclusion of soakaway pits on the individual lots, post-development infiltration will be greater than the existing condition. As such, there should be less stormwater draining from the site.

Section 7.1.8.10 - "Wherever possible the one hundred year design stormwater run-off will be detained and recharged to the groundwater aquifers or slowly released from the site in an environmentally acceptable manner."

The Stormwater Management Report prepared by Urban Watershed Group Ltd. Dated February 2016 proposes to capture the 25 mm storm event in the soak away pits to recharge the groundater aquifers. The 25 mm event occurs 2 to 3 times per year on average, and does not qualify as the 100 year event. However, through the use of the soak away pits, swales, and the renaturalization and/or revegetation of cultivated farm land, the post development off-site flow will match the pre-development flow. As such, during the 100 year event, the post-development site will perform exactly the same as the current site during the 100 year event.

Section 7.1.9.2 - "The specific type(s) of individual EZ 1 and EZ 2 features and refinements to their boundaries shall be determined through detailed studies..."

The limits of the EZ 1 and EZ 2 features were identified on site with the assistance of the TRCA and MNR. Please refer to the Environmental Impact Study & Management Plan prepared by Plan B dated April 2016, which provides further discussion of the natural features.

Section 7.1.9.3 - "Structure Envelopes will generally be sized in the range of 0.3 hectare to 0.5 hectares."

Structure Envelopes range in size from 0.35 ha to 0.75 ha, however, 9 of the 11 lots contain structure envelopes less than 0.5 ha. Lot 1 has a structure envelope of 0.75 ha and lot 9 has a structure envelope of 0.56 ha, which although both exceed 0.5 ha in size, when considered in context of the entire plan, the structure envelopes for the entire plan are generally sized according to Section 7.1.9.3.

Section 7.1.9.4 - "No part of a Structure Envelope will be permitted in EZ 1 or in Policy Area 4."

Except for the driveways of Lots 1 and 2, there is no portion of any lot that contains any EZ 1 area, therefore the structure envelopes are also outside of any EZ 1. Please refer to Map 9 – Draft Plan. The driveways are proposed to cross the EZ 1 area in the same location as the existing driveway to the existing residence. There will be no new disturbances to the EZ 1 features. The existing culvert is undersized, and the culvert that is proposed will be larger, thus improving existing conditions. For further discussion please refer to Section 6.0 of the Environmental Impact Study & Management Plan prepared by Plan B. The proposed property does not contain any Policy Area 4 designated land.

Section 7.1.9.5 - “No part of a Structure Envelope will be permitted in EZ 2 except for short sections of driveways which may cross short sections of EZ 2 if necessary to obtain reasonable access to a lot.”

Except for the driveways of Lots 1 and 2, there is no portion of any lot that contains EZ 2 features. As noted in the policy, short sections of driveways are permitted to cross EZ2 lands.

Section 7.1.9.6(a) - “Design of the layout of roads, lots and structural envelopes to establish large, contiguous open space blocks which provide continuous connections between EZ 1, to the greatest extent possible.”

With the exception of the previously noted driveway crossings, the two EZ 1 features in the east half of the property are connected with a wide open space block that effectively joins the features in one large contiguous block. There is also a corridor along the south property line (adjacent to the reforestation area in the subdivision to the south), that provides a connection to the EZ 1 feature on the west side.

Section 7.1.9.8 - “No Structure Envelope will be permitted within 150 meters of an existing livestock barn or yard utilized for commercial farming purposes or as defined by the Agricultural Code of Practice.”

There is an existing agricultural operation on the east side of Mount Hope Road opposite the proposed development. Based on the a digital measurement from a 2013 aerial photograph, as available online from VuMap (provided by First Base Solutions) the barns and yards are setback approximately 180 meters from the road frontage of the proposed development. Thus all structural envelopes will be at least 180 meters from these facilities.

Section 7.1.9.11 - “Structure Envelopes will generally be restricted to areas with slopes of 10 per cent or less. However, Structure Envelopes may include areas with an 11 – 15 per cent slope, and occasionally greater than a 15 per cent slope, in order to permit the advantageous siting of a house designed for steep slopes....In all cases the Structure Envelope must include a suitable well drained area with slopes of 10 per cent or less for a sewage disposal system.”

Of the eleven identified house locations, only lots 3 and 6 have footprints that are largely on slopes greater than 15%, and lot 10 has dwelling has a footprint that is partially on a slope greater than 15%. All other dwelling locations have slopes less than 15%. All septic tile beds are proposed on slopes less than 10%. Please refer to Slope Map – Sheet 3, prepared by Urban Watershed Group Ltd. It should be noted that although septic tile beds and dwelling footprints are located on acceptable slopes, most structure envelopes include slopes in the range of 15% – 25%, and a few structure envelopes contain slopes in excess of 25%. The areas with slopes greater than 25% are typically associated with grading adjacent to an existing public road, or with a driveway crossing a steep slope such as in Lot 9.

Section 7.1.9.32 - “Sewage systems will normally be located a minimum of 30 meters from any pond or stream to minimize nutrient enrichment.”

All hydrologic features have been identified by the TRCA and MNR and have been provided with a 30 meter buffer to the individual lot lines. As such, the septic systems will be greater than 30 meters from these features.

Section 7.1.9.48 - "Every application for development or site alteration shall identify planning, design and construction practices that ensures that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent lands within ORMCP Natural Core and Natural Linkage Areas."

The subject property is located in the middle of the Palgrave Estate Residential Community. The ORMCP Natural Core and Natural Linkage Areas are located beyond the boundaries of the Palgrave Estate Residential Community designation, as such there are no adjacent lands with these designations. As previously discussed, a connections are provided between the main three hydrologically sensitive features, by way of a Open Space Blocks, to allow the movement of plants and animals between these features.

Section 7.1.14.7 - "Access to individual residential lots in an estate residential development should be from internal subdivision roads."

There is a short cul-de-sac proposed off of Old Church Road to provide access to lot 8 - 11. All remaining lots will be accessed from the existing public roads; Mount Hope Road and Old Church Road. This was necessary to accommodate and protect the existing topographic and environmental features on the property. We are requesting that the Town of Caledon provide some flexibility from Official Plan policy 7.1.14.7 to allow the proposed driveways to access the existing roads.

Section 7.1.14.10 - "Estate residential developments shall generally be designed to avoid the need to structural noise attenuation measures..."

The Environmental Noise Assessment prepared by YCA Engineering Limited has concluded that no noise fences or berming will be required for the proposed subdivision.

Given the above examples, and a review of the remaining policies within the Town of Caledon Official Plan, we are of the opinion that the proposed development is consistent with the policies contained within Section 5 – Land Use Policies and Section 7.1 – Palgrave Estate Residential Community, of the Town of Caledon Official Plan.

3.6 Town of Caledon Zoning By-Law 2006-050

Map 33 of Schedule "A" to the Town of Caledon Comprehensive Zoning By-law 2006-050 zones the property for Rural – Oak Ridges Moraine (A2-ORM) and Environmental Policy Area 2 – Oak Ridges Moraine (EPA2-ORM) uses. Neither of these uses will permit residential development. As such a Zoning By-law Amendment will be required to implement the proposed Draft Plan of Subdivision.

A draft Zoning By-law Amendment has been submitted with the application package. This draft Amendment proposes to amend Map 33 of Schedule "A" to implement Estate Residential (RE) zoning upon the lands to be developed.



Table 6.2 of Zoning By-law 2006-050 indicates that the minimum Lot Frontage for the RE zone is 45 meters. Several of the proposed lots do not meet this minimum frontage. The draft Zoning By-law Amendment also includes an Exception clause to the standard RE zone to permit frontages as narrow as 7.5 meters. In addition to the Exception clause required to implement the minimum lot areas as provided by the Town of Caledon Official Plan.

The reduced frontage is warranted due to the desire to provide individual private driveways accessing the existing public roads. Those lots that are located directly adjacent to Mount Hope Road or Old Church Road have sufficient frontage as measure 18.0 meters from the front lot line, however, those lots that are located in the middle and south west areas of the property include a private driveway within a narrow section of the property extending toward the public roads. All other zoning performance standards, with the exception of minimum lot area, will be met.

Table 6.2 of the Zoning By-law indicates that the minimum lot area for the RE zone shall be 0.8 hectares, however, Policy 7.1.7.1 of the Official Plan permits a minimum lot area of 0.45 hectares. An exception to the standard RE zone will be required to implement the Official Plan policy.

4.0 SUMMARY

The proposed Plan of Subdivision and Zoning By-law Amendment for 11 rural estate lots in the Palgrave Estate Residential Community meets the policies and objectives of the Province of Ontario, Region of Peel and Town of Caledon. A Zoning By-law Amendment will be required to change the land use from agricultural to residential. The Zoning By-law Amendment will also include two site specific exceptions to fully implement the proposed lotting pattern and lot fabric.

The lot sizes and land use are similar to other developments in the area, with the exception of the new driveways accessing Mount Hope Road and Old Church Road. These driveways were necessary in order to minimize grading and protect and retain as much of the existing landform character as possible.

It is our opinion that the proposed Plan of Subdivision and Zoning By-law Amendment represent good and sound planning and are appropriate for this property.

Yours Truly,

ROBERT RUSSELL PLANNING CONSULTANTS INC.

A handwritten signature in blue ink, appearing to read 'Rob Russell', is written over a light blue background.

Rob Russell, MCIP, RPP
President



**AERIAL PHOTO OF SUBJECT PROPERTY
PART OF EAST HALF OF LOT 20, CONCESSION 7, ALBION**

APPLICANT: TIM VAN STRALEN
OWNER: DEREK VAN STRALEN



Legend

- Urban System
- Rural System
- Conceptual Urban Growth Centre
- Rural Service Centre
- Estate Residential Community
- Airport
- Urban Area outside Peel Region
- Study Area Boundary * (Refer to Policy 5.4.3.2.7 as adopted by ROPA 17))
- Area with Special Policies (Refer to Figure 2)
- Conceptual Strategic Infrastructure Study Area (Conceptual SISA under appeal and before the OMB.)
- Regional Intensification Corridor (Conceptual)
- GO Rail Line
- 2031 Regional Urban Boundary
- Ninth Line Lands **
- North West Brampton Urban Development Area

* Study Area Boundary was established by Ontario Municipal Board Decision/Order No. 07/19 on August 1, 1997.
 ** These lands are identified in the Region of Halton Official Plan as the Ninth Line Corridor Policy Area. Currently, the policies of the Region of Halton and the Town of Milton official plans apply to these lands. A future amendment will bring these lands into conformity with the Region of Peel Official Plan.

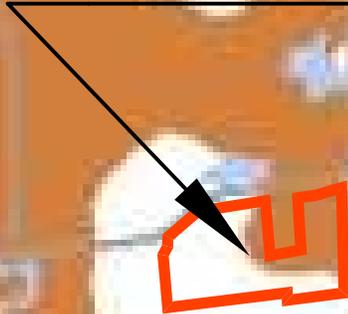
Scale:
 0 1 2 3 4 5 6 7 8 9 10 Km
 0 1 2 3 4 5 miles

**REGIONAL STRUCTURE
SCHEDULE D**

June 2012

PLEASE NOTE DRAWING IS AN EXCERPT FROM THE PEEL OFFICIAL PLAN AND THE SCALE PRESENTED IS NOT ACCURATE

SUBJECT PROPERTY



Legend

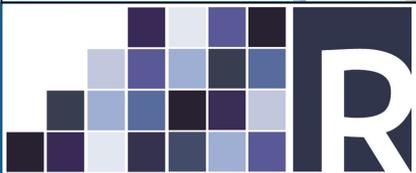
- Category 1
- Category 2
- External boundary of ORMCPA



**LANDFORM CONSERVATION
AREAS IN PEEL
FOR THE OAK RIDGES
MORaine CONSERVATION
PLAN AREA (ORMCPA)**

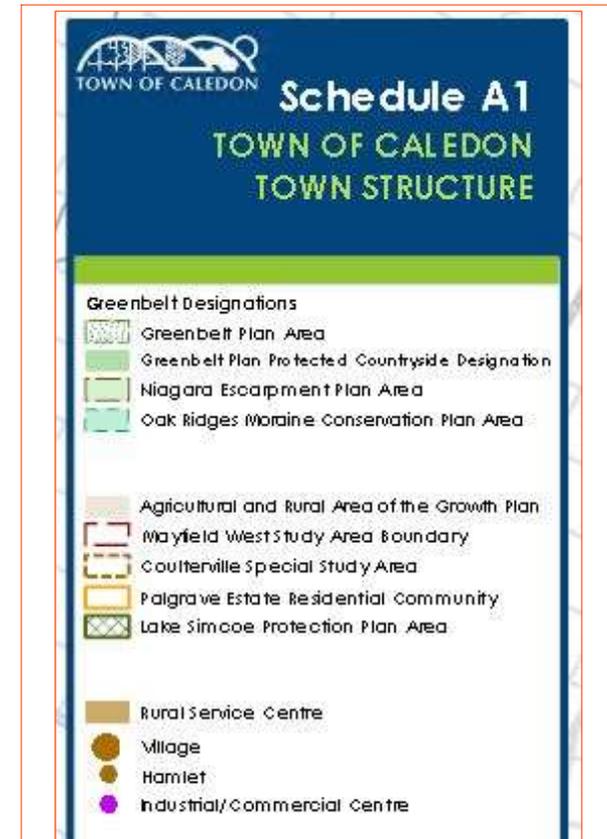
FIGURE 12
June 2012

PLEASE NOTE DRAWING IS AN EXCERPT FROM
THE PEEL OFFICIAL PLAN AND THE SCALE
PRESENTED IS NOT ACCURATE



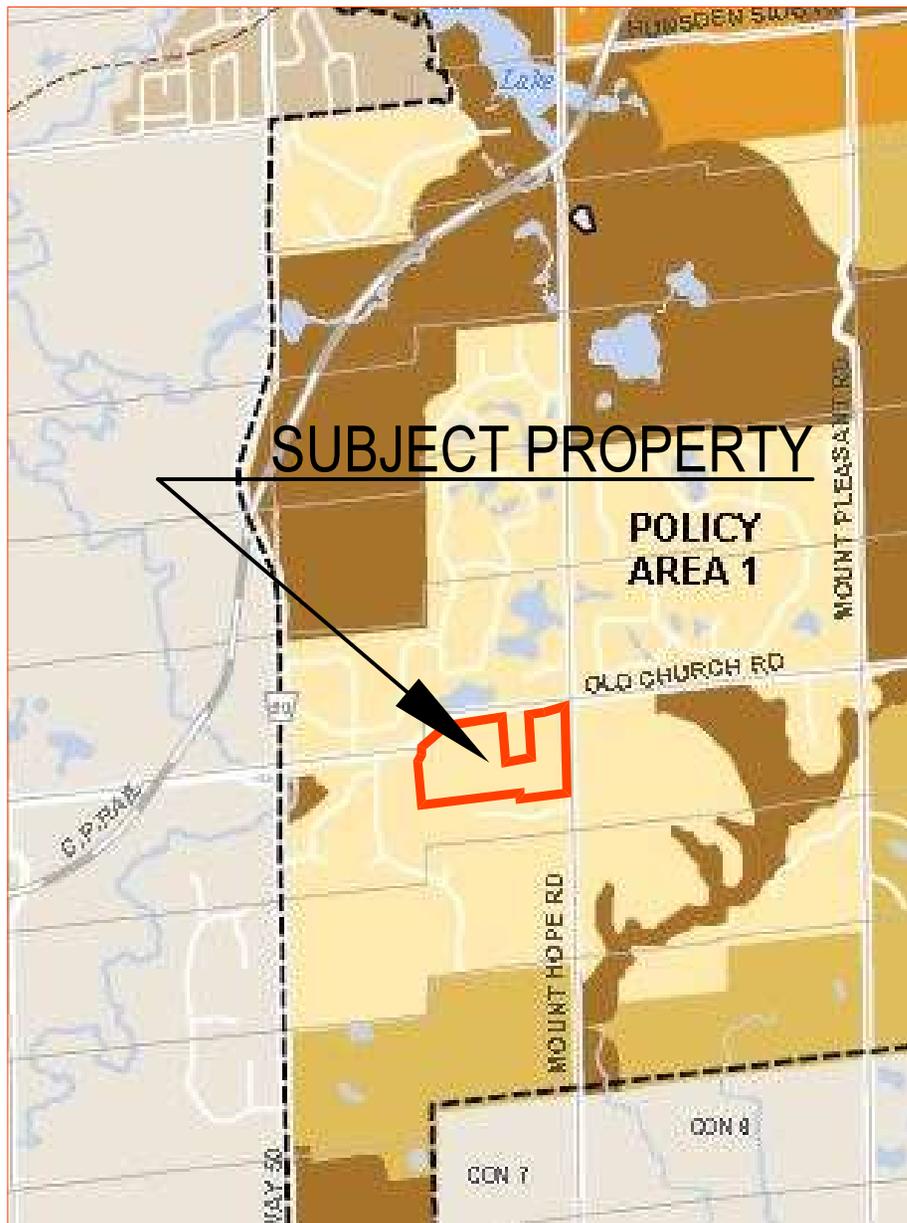
**EXCERPT FROM REGION OF PEEL OFFICIAL PLAN, FIGURE 12
PART OF EAST HALF OF LOT 20, CONCESSION 7, ALBION**

APPLICANT: TIM VAN STRALEN
OWNER: DEREK VAN STRALEN



EXCERPT FROM TOWN OF CALEDON OFFICIAL PLAN, SCHEDULE A1
PART OF EAST HALF OF LOT 20, CONCESSION 7, ALBION

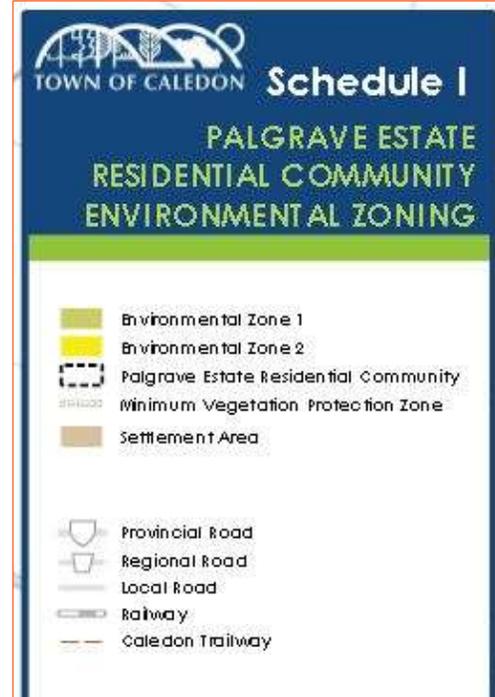
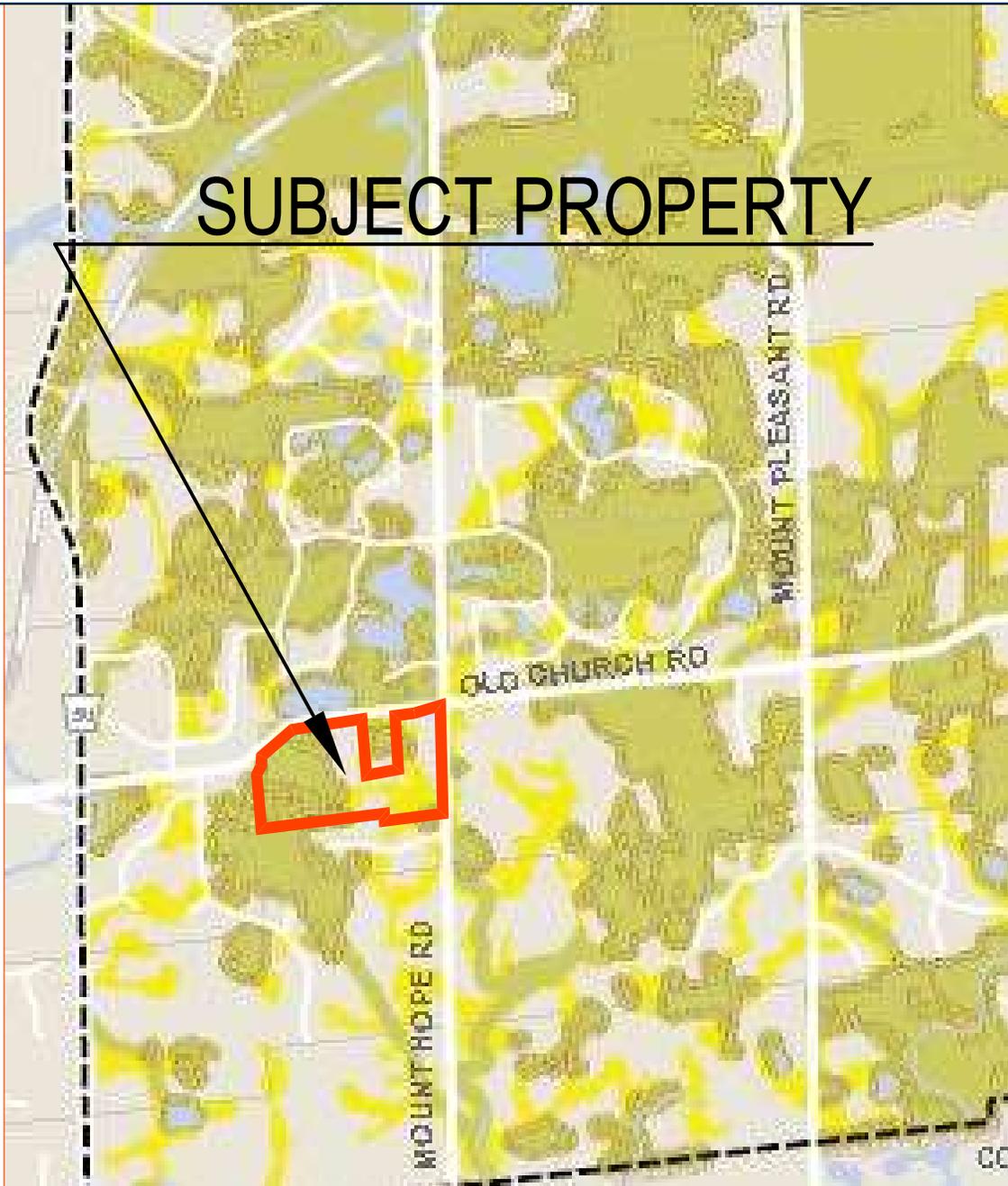
APRIL 2016



EXCERPT FROM TOWN OF CALEDON OFFICIAL PLAN, SCHEDULE G
 PART OF EAST HALF OF LOT 20, CONCESSION 7, ALBION

APRIL 2016

SUBJECT PROPERTY



EXCERPT FROM TOWN OF CALEDON OFFICIAL PLAN, SCHEDULE I
PART OF EAST HALF OF LOT 20, CONCESSION 7, ALBION

APRIL 2016