

**PLANNING JUSTIFICATION REPORT
2506339 Ontario Inc. and Richard Schickedanz
Proposed Residential Subdivision by FarSight Homes
5426, 5452 and 5548 Lakeshore Road
Ballantrae**

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TECHNICAL SUPPORT STUDIES/PLANS

Draft Plan of Subdivision, Alcorn & Associates Limited
Draft Plan of Condominium, JD Barnes Surveying
Master Community Plan, Schollen & Company Inc
Natural Heritage System Plan, Alcorn & Associates Limited.
Functional Servicing and Stormwater Management Report, Sabourin Kimble & Associates Ltd.
Planning Justification Report, Alcorn & Associates Limited
Traffic Impact/Entrance Study, BA Consulting Group Ltd.
Preliminary Environmental Noise Study, Jade Acoustics Inc.
Hydrogeological and Water Balance Assessment, WSP Canada
Geotechnical Investigation Report, WSP Canada
Phase One Environmental Site Assessment, WSP Canada
Phase Two Environmental Site Assessment, WSP Canada
Archaeology Stages 1, 2 and 3 Reports, The Archaeologist Inc.
Natural Heritage Evaluation/Environmental Impact Statement, Ages Consulting Limited
Arborist Report, Schollen & Company Inc.

EXECUTIVE SUMMARY

FarSight Homes is proposing a high quality residential subdivision of 141 homes on the north side of Lakeshore Road east of Highway 48 in the community of Ballantrae. The development is to consist of urban sized lots, with condominium freehold ownership, with connection to the existing sewage treatment plant on the Ballantrae Golf and Country Club, consistent with Provincial and Regional policy for intensification and servicing. This proposed development is consistent with the Town Council recent subdivision approval of the Ballymore subdivision, on the east side of Highway 48 north of Aurora Road, respecting lot sizes, private servicing, private streets, condominium freehold ownership and connection to the existing BGCC sewage plant.

The FarSight applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision approval and Request for Exemption from a common elements Draft Plan of Condominium application, to be connected to the existing BGCC sewage plant, are fundamentally the same as the Ballymore applications approved by the Town.

The FarSight development provides for completion of the community development in this southeastern quadrant of the Ballantrae community. A significant portion of the FarSight development is planned for a central Open Space/Conservation area representing 36% of the site area. This results in 116% increase to the Natural Heritage System area of the Ballantrae Secondary Plan. This conservation area consists of existing woodlands for protection, the drainage wetland system and extensive new plantings of trees, shrubs and free-to-growth grasslands.

The proposed overall residential density of the proposed development is 8.7 units per hectare being of lesser density than the recent Council approved Ballymore development.

A north/south linear walkway is proposed through the central conservation area of development from Lakeshore Road to the Aurora Road providing pedestrian linkage with the new sidewalk, community center, tennis facility and public school.

The proposed amendment to Official Plan 90, in effect, is to provide a servicing policy for connection to the BGCC sewage treatment plant, and provision for development by a condominium plan. No land use change or other amendment to the Official Plan is required, as was the case of the Ballymore development. The proposed FarSight development is in conformity with the Town Official Plan/Secondary Plan adopted by Council, the Region Official Plan, the Provincial Oak Ridges Moraine Conservation Plan and the Growth Plan, and is consistent with the Provincial Policy Statement. In conclusion the proposed development and applications represents good planning consistent with Town objectives for the community of Ballantrae-Musselman Lake.

1.0 **Proposal**

FarSight Homes, a GTA community home builder, is proposing construction of a low density residential subdivision of 141 single detached dwellings within a private gated community on Lakeshore Road in Ballantrae in the Town of Whitchurch-Stouffville. The project is to consist of urban sized residential lots on private (non-municipal) streets and essential services, with common element open space areas, under free-hold condominium ownership.

A complete planning applications submission for the project has been submitted to the Town requesting:

- i.) amendment to the Town Official Plan to add a special provision respecting sanitary sewer connection to the existing Ballantrae Golf and Country Club sewage treatment system, and to permit a condominium plan,
- ii.) subdivision plan approval, and,
- iii.) zoning by-law approval

Figure 1 and **Figure 2** shows the subject lands within the community of Ballantrae. **Figure 3** shows a Community Master Plan of the project containing a 6.39 ha open space conservation area, representing a third of the 16.29ha site area.

The proposed development is to consist of high quality residential detached dwellings on lots of 15 metres in width by 36 metres in depth. Dwellings are to be a minimum 360m²/3900 square feet, two stories and with double car garages.

The development is to be serviced on sanitary sewers connected to the existing sewage treatment plant within the Ballantrae Golf and Country Club to the north. Connection is proposed to the municipal water main service situated on Lakeshore Road, a two lane asphalt surfaced local street.

The private condominium streets will have a right-of-way width of 11.0 metres throughout the subdivision to service the single-detached lots. The gated entrance boulevard Street 'C' will have a right-of-way width of 13.0 to 21.0 metres. Entry gates, gatehouse, mailbox and planting areas are to be provided at the Street 'A' intersection on the north side of Lakeshore Road. A decorative fence and planting buffer (Blocks 147, 148, 149) are proposed along the frontage of Lakeshore Road, together with a separate 5.0 metre road widening (Block 153) to be dedicated to the Town. Refer to **Figure 4**.

An emergency hard surfaced access way (Block 150) is proposed at Street 'C' and Lakeshore road for alternative fire truck access. Street 'A', between Lakeshore

Road and the proposed mini-roundabout, is to be a divided street consisting of two asphalt lanes each of 3.0 metres in width separated by a 3 metre mountable curbed planting boulevard. Street 'A' widens to a two-lane entryway of 9.0 metre width and a 4.0 metre exit lane at Lakeshore Road, with corresponding community gates and landscape elements.

Three private, non-municipal, stormwater management facilities (Blocks 142, 143, 144) are proposed, with two facilities situated in the southeast corner to the north and south of the proposed improved naturalized watercourse. The third stormwater facility is situated fronting Street 'D' adjacent to the Open Space/Conservation Area. All stormwater facilities are to contain subsurface storage and infiltration systems without typical surface ponds. The surface area of each storm block facility is to be a naturalized vegetative state with strategic trees, shrubs and grass plantings, consistent with proposed plantings and vegetative elements on the adjoining Open Space/Conservation lands (Blocks 145 and 146).

The northeast area is to be serviced by a looped street system (Streets 'A', 'D', 'E') connected to the central mini-roundabout by a divided boulevard Street 'A' of two lanes of 3.0 metres each and 3.0 metre wide mountable curbed and planted central boulevard. The mini-roundabout is to be a decorative planted element.

2.0 Location

The subject lands are municipally addressed as 5426, 5452 and 5548 Lakeshore Road. This land assembly of three properties represents an expanded comprehensive approach to development as required by the Town to complete the planned development of this community area. The lands are 450m east of Highway 48 being adjacent to the Somer Rumm Court residential subdivision, all being in the southeast quadrant of the Community of Ballantrae. The subject lands are legally described as being in Lots 19 and 20, Concession 8 in the Town of Whitchurch-Stouffville, in the Region of York.

The subject lands are generally square in shape having an area of 16.23ha, with a frontage on Lakeshore Road of 467 m. The easterly boundary of the proposed subdivision forms the eastern limit of the "settlement area" designation of the Provincial Oak Ridges Moraine Conservation Plan and the designated urban boundary in the Town Official Plan/Secondary Plan. Other lands owned by the Applicant lie outside the settlement area to the east and are proposed to remain in agricultural use. The subject lands are vacant of buildings except for an occupied single family dwelling at 5426 Lakeshore Road in the southwest corner.

An Aerial Plan on **Figure 5** identifies the proposed subdivision limits and open space conservation area and area indicating present woodland features on the property which are proposed to be significantly enlarged to be part of the open space conservation block extending from Lakeshore Road in the south to the north

limit of the subject lands. This open space links to a wooded municipal drainage block extending northerly to the Aurora Road and open space conservation lands south of Lakeshore Road. This proposed open space conservation area contains a shallow floodplain area regulated by the Lake Simcoe Region Conservation Authority, being subject of a balance cut and fill application to LSRCA to redefinition of the floodplain.

3.0 Surrounding Land Uses

To the east are cultivated crop lands, containing a single family dwelling and out-buildings. To the north are vacant lands to Aurora Road being cropped. To the northwest are existing residences fronting on Aurora Road. To the west is the Somer Rumm Court residential subdivision approved in 2013. To the south of Lakeshore Road is an open field with four scattered residential properties to the east and west.

4.0 Development Applications

2506339 Ontario Inc. and Richard Schickedanz are the registered owners and applicant of the lands subject of the revised planning applications OPA 14.002, ZBA 14.014 and SUB 14.003 previously submitted to the Town for a smaller site of 2.07 ha, and now expanded to 16.29 ha at the request of the Town.

As well, a request has been made to the Town for exemption from a common elements Draft Plan of Condominium application.

A site meeting in March 2017 with Town and LSRCA staff determined the appropriateness of the proposed expanded development, proposed floodplain cut and fill works and staking/surveying of the natural heritage (woodlands) and hydrological (wetland) features. The surveyed dripline of the existing significant woodland feature for preservation and protection is shown on the draft plan of subdivision (**Figure 4**) as Blocks 144 and 145.

A response matrix to each of the Town and agency comments of the Town's PAC meeting letter of September 2, 2016 is provided in Appendix 3.

Pursuant to the Town's Environmental Study, by Natural Resources Solution Inc., dated March 2013, in support of OPA 136, 10m vegetative protection zones/buffers are recommended along the limits of the natural woodland and wetland features of the subject property. These buffers are shown as Blocks on the draft plan of subdivision. No buffer is recommended by the Town Environmental Study adjacent to a municipal street, and as such no buffer is proposed adjacent to proposed Street 'C'. It has been determined by an Arborist Report, by Schollen &

Company Inc., that four mature Trembling Aspen (*Populus tremuloides*) along this woodland edge are endangered due to potential of blowdown and are recommended for removal. The remaining edge is considered of good quality for preservation.

The Town Official Plan indicates the subject land are within the Ballantrae-Musselman Lake and Environs Secondary Plan. This Secondary Plan was adopted in 1994 as OPA 90. Under OPA 90, which is still in effect, the subject lands are designated Ballantrae Future Residential Area II. The subject application for Official Plan Amendment is not for a re-designation, but rather site-specific amendment is being requested for a “special provision” policy to permit plan of subdivision and plan of condominium development and servicing by connection to the existing private sewage treatment plant on the Ballantrae Golf and Country Club.

The Functional Servicing Report identifies that there is sufficient capacity in the sewage treatment plant for the proposed development.

The application for Zoning By-law Amendment is to rezone the lands from the “Development Reserve” zone to a “Residential Village” zone.

5.0 Planning Policy

5.1 Provincial Policy Statement (2014)

The Provincial Policy Statement 2014 (PPS) **Section 1.1.3.1** states that:

“settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted”, and

Section 1.1.3.2a) states that:

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

1. Efficiently use land and resources;
2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for the unjustified and/or uneconomical expansion;
3. Minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. Support active transportation;

5. Are transit supportive, where transit is planned, exists or may be developed; and,
6. Are freight supportive.”

Response:

My opinion is that the proposed development is consistent with above-referenced Sections 1.1.3.1 and 1.1.3.2 of the PPS for the following reasons:

- the development is within the designated *settlement area* of the Town of Whitchurch-Stouffville, Ballantrae and Musselman Lake Secondary Plan (Official Plan) where growth is to be focused and promoted pursuant to the Provincial Growth Plan for the Greater Golden Horseshoe and as designated by the Oak Ridges Moraine Conservation Plan
- The development is within the *Towns and Villages* designation of the Region Plan
- the proposed subdivision has been *efficiently* designed with residential lots, streets, stormwater infrastructure and open space/conservation lands to provide a mix of land uses in keeping with the community land use pattern of the area
- the proposed single detached residential subdivision at an 8.7 units/ha density of development is consistent with 18 units/ha permitted by Council adopted OPA 136, the Council approved Ballymore development with 10.9 units/ha, the *efficient use* of developable land, use of existing public road *infrastructure* and water supply system and Lakeshore Road watermain, without the need for *unjustified expansion* of municipal services
- the development is proposed to connect to, and utilize *available treatment capacity* within the existing (private) sewage treatment plant *infrastructure* of the nearby Ballantrae Golf Club residential community at no expense to the Town or Region
- the proposed development is within a planned settlement area where efficiency and conservation of energy resources are optimized and negative impacts of air quality and climate change are reduceable by construction of energy efficient homes, utilization of *green infrastructures* components, including protection and expansion of natural heritage features and open space systems, provision of parkettes, and walking trails, stormwater management systems, planting of street trees, drainage flow channel restoration and naturalizing plantings, woodland expansion and other ecological benefits.
- utilization and support of nearby GO bus/train transportation services in Stouffville and Aurora Road/404 is possible

Section 1.6.6.1a) of the PPS states that:

“Planning for sewage and water services shall:

- a) direct and accommodate expected growth on development in a manner that promotes the efficient use and optimization of existing

Response:

The subject development conforms with the Section 1.6.6.1a) sewage and water servicing policy by the proposed connection to the existing *municipal water service*, and to the existing *private communal sewage service* on the Ballantrae Golf and Country Club which is not owned by a municipality. *Municipal sewage services* are not available in Ballantrae.

Section 2.1.1 of the PPS states that:

“Natural features and areas shall be protected for the long term.”

Response:

An Environmental Impact Statement/Natural Heritage Evaluation has been prepared which delineates the accurate limits for the natural heritage features (woodlands) and hydrological features (drainage swale, wetlands) for protection. These features and areas, and protective buffers, are defined on the draft plan of subdivision (Figure 4) and in the draft zoning by-law amendment (in Appendices) in a “Flood Hazard (FH)” zone for protection.

In my opinion, the subject development applications are consistent with the policies of the Provincial Policy Statement.

5.2 Growth Plan for the Greater Golden Horseshoe (2017)

The subject development lands are within a designated *Settlement Area* of the Provincial Oak Ridges Moraine Conservation Plan and the Town and Region Official Plans.

The Growth Plan for the Greater Golden Horseshoe (GGH) in effect as of July 1, 2017, establishes policies to promote growth.

Section 2.2.1.2b), Policies for Where and How to Grow, of the GGH states:

“*growth will be limited in settlement areas that:*

- i.) *are undelineated built up area;*
- ii.) *are not serviced by existing or planned municipal water and wastewater systems; or,*
- iii.) *are in the Greenbelt Area.”*

Response:

The subject development conforms with the Section 2.2.1.2b) policies in the following way:

- a) the proposed 141 unit residential in-fill development is located in a *Settlement Area*, of the ORMCP and the Town and Region Official Plans. This *Settlement Area* is considered by the Province to be an *undelineated built-up area* where growth will be limited due to the lack of an existing planned municipal wastewater system. There is an existing municipal water system
- b) the proposed development is to be serviced with the *existing municipal water* and (private) *existing wastewater system* having available capacity. More specifically, the Region/Town municipal water supply system and watermain fronts the subject development lands on Lakeshore Road. The development is to connect to the *existing wastewater system* of the Ballantrae Golf & Country Club under a revised responsibility agreement with the Region of York. A recent Town approved 86 Lot residential subdivision currently under construction (Ballymore) is being serviced with the same *existing municipal water system* and the same private wastewater system approved by the MOEEC
- c) the *Settlement Area* is within the Oak Ridges Moraine Conservation Plan, and is not within the Greenbelt Plan. The ORMCP policies promote growth and development of the subject lands which are designated residential in the Ballantrae-Musselman Lake and Environs Secondary Plan approved by the Province/Region post-ORMCP

Section 2.2.1.2 of the GGH states:

- “a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;
 - ii. have existing or planned municipal water and wastewater systems; and
 - iii. can support the achievement of complete communities;
- b) growth will be limited in settlement areas that:
 - i. are undelineated built-up areas;
 - ii. however is not serviced by existing or planned municipal water and wastewater systems; or
 - iii. are in the Greenbelt Area;
- c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - iv. areas with existing or planned public service facilities;”

Response:

Ballantrae has been identified by the Province as an *undelineated built-up area*. However, it has long been identified as a settlement area where growth is permitted by approved Official Plans of the Region and Town to be serviced on the existing Regional water supply system and private individual septic sewage beds, or on private communal sewage systems or with possible connection to the existing Ballantrae Golf and Country Club (BGCC) wastewater plant facility.

The planned population of the Ballantrae-Musselmans Lake community is approximately 7500 persons.

As an *undelineated built-up area*, Ballantrae growth will be limited to the servicing capacity of the existing Regional municipal water system and suitability for private communal sewage services or individual on-site sewage services, as no municipal sewage services are planned.

The proposed FarSight development is to connect to the existing *private communal sewage services* of the BGCC, and is to use the available Regional *municipal water services* pursuant to the servicing policies of PPS, Region Plan and Town Official Plan. The utilization of these existing sewage services allows efficient use of land to optimize residential density pursuant to policy 1.1.3.2.a) of the Provincial Policy Statement.

Section 3.2.6.2 of the GGH states:

“Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:

- a) opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management;”

Response:

The development proposes to utilize the existing municipal water system and the private wastewater system of the BGCC that does not require expansion and for which there is available capacity. This approach to utilization of available water and sewage services provides the opportunity for optimization and efficiency of use of lands for the increased density/lot yield for the development.

Section 3.2.7.1 of the GGH states:

Municipalities will develop stormwater master plans or equivalent for serviced settlement areas that:

- a) are informed by watershed planning;
- b) protect the quality and quantity of water by assessing existing stormwater facilities and systems;
- c) characterize existing environmental conditions;

- d) examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
- e) incorporate appropriate low impact development and green infrastructure;
- f) identify the need for stormwater retrofits, where appropriate;
- g) identify the full life cycle costs of the stormwater infrastructure, including maintenance costs, and develop options to pay for these costs over the long-term; and
- h) include an implementation and maintenance plan.”

Response:

The development proposes the provision of stormwater management in accordance with the Section 3.2.7.1 design consideration policies as set out in the Functional Servicing and Stormwater Management Report.

Section 4.2.2.3a) of the GGH states:

“3. Within the Natural Heritage System:

- a) new development or site alteration will demonstrate that:
 - i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;
 - ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;

Response:

The Natural Heritage System for the development lands has been identified by the Environmental Impact Statement/Natural Heritage Evaluation for protection and provision of linkages. The features and protection buffers for this Natural Heritage System are identified on the draft plan of subdivision, zoning by-law amendment map and the Community Master Plan (**Figure 3**) for protection.

In my opinion, the proposed development and applications conform with the above-referenced applicable policies of the GGH.

5.3 Oak Ridges Moraine Conservation Plan (2017)

The subject lands are within a *Settlement Area* land use designation of the ORMCP. The ORMCP states that:

“Settlement Areas reflect a range of existing communities planned by municipalities to reflect community needs and values. Urban uses and development as set out in municipal official plans are allowed.”

Section 18.(1) of the ORMCP states:

“the purpose of Settlement Areas is to focus and contain urban growth by,

- (0.a) encouraging the development of communities that provide their residents with convenient access to an appropriate mix of employment, transportation options and local services and a full range of housing and public service facilities;
- a. minimizing the encroachment and impact of development on the ecological functions and hydrological features of the Plan Area;
- b. promoting the efficient use of land and transit-supportive densities, through intensification and redevelopment within existing urban areas; and
- c. providing for the continuation and development of urban land uses consistent with the growth management strategies identified in the applicable official plans.”

Response:

The subject lands are designated Residential in the community of Ballantrae as provided for in the Town Official Plan. The community is designated “Town and Villages” in the Region Plan where urban uses and development is permitted and promoted.

The subject development applications propose urban sized single-detached lots similar to the recent Town approved Ballymore subdivision development in Ballantrae. The subject property is in close proximity to commercial and institutional land uses and transportation system.

The development proposes efficient use and densities for the developable land consistent with the Town and Region Official Plans.

The development of the property does provide for an increase in the density on the subject property from the pre-existing community density, however, is less density than in recent Town approved subdivision development.

Section 22 and **23** of the ORMCP identify key natural heritage features and hydrologically sensitive features within which development is prohibited and

requires the preparation of a Natural Heritage Evaluation to demonstrate feature boundaries and protection measures.

Response:

Proposed development and stormwater facilities are proposed outside the woodlands and wetland environmental features to minimize impact on ecological and hydrological functions and to provide long term features protection. The ORMCP downstream wetland is to be buffered and protected within the proposed natural heritage system with a 30m protected buffer. The drainage course is to be zoned FH-Flood Hazard in the Town Zoning By-law for long term protection.

Significant environmental woodland and wetland features identified on the subject property by the Environmental Impact Statement/Natural Heritage Evaluation are to be protected in Open Space/Conservation blocks, with buffers of an average 10m width which are consistent with the recommended buffers of the Town's March 2013 environmental study prepared as the basis for the Ballantrae Secondary Plan/OPA 136 adopted by Council in 2014.

As recommended by the EIS/NHE, the plan of subdivision (**Figure 4**) proposes protection buffers of an average, or to exceed, 10m in width adjacent to/between the woodland and residential lots. The woodland is a *key natural heritage feature* (KNHF). Within this woodland is a swamp which is both a *hydrologically sensitive feature* (HSF) and a KNHF. The proposed 10m buffers are consistent with the recommended 10 m buffers of the Town's environmental study (2013). The Town environmental study does not recommend buffers adjacent to a proposed street, as is the case for Street 'C' abutting the woodland edge. The proposed relocated drainage swale (ephemeral watercourse) and existing pond are proposed within large open space conservation blocks for protection. Refer to the Community Master Plan (**Figure 3**) for existing and proposed vegetative elements.

Section 5.0 of the EIS/NHE reviews the applicable sections of the ORMCP (2017) respecting:

- Section 20, Supporting Connectivity
- Section 22, Key Natural Heritage Features
- Section 23, Natural Heritage Evaluation
- Subsection 26, Hydrologically Sensitive Features
- Subsection 30, Landform Conservation Areas
- Subsection 43(1)(b), Sewage and Water Services
- Subsection 45(7) and (8), Stormwater Management
- Subsection 47, Rapid Filtration Basin

The EIS/NHE concludes that the proposed development conforms to the ORMCP policies and the Town Official Plan and Secondary Plan policies.

Section 42 of the ORMCP establishes policies for protection of wellheads and areas of high aquifer vulnerability.

Response:

The Hydrogeological and Water Balance Assessment, by WSP Canada, confirms that the subject development “does not lie within the delineated Wellhead Protection Areas for wells in Aurora or Ballantrae” and that the proposed development “Site is not within a mapped Significant Groundwater Recharge Area”, and that “*The proposed development design provides for a very minor increase in net off-site run-off and enhancement of on-site recharge. This is not protected by the SGPA policy*” and that “*The proposed land use as residential is expected to have minimal potential to affect underlying groundwater resources.*” in areas of High Aquifer Vulnerability.

Section 44(1) of the ORMCP states that:

“The construction or expansion of *partial services* is prohibited.

Response:

The proposed development proposes to connect to the existing BGCC communal sewage system and the existing municipal water system which is not prohibited, as evidenced by recent Town approval of the Ballymore subdivision.

In my opinion, the subject development applications conform with the above referenced policies of the ORMCP.

5.4 Lake Simcoe Protection Plan

The Functional Servicing Report, engineering design and phosphorus mitigation techniques conforms to the policies of the LSPP, in my opinion.

5.5 Ontario Planning Act

In considering a draft plan of subdivision, regard shall be had to criteria of *Section 51 (24) (a) to (m)* and *Section 2 (a) to (s)* of the Ontario Planning Act respecting matters of provincial interest. In the preparation of the plan of subdivision for the subject property regard has been made to each of the criteria as set out below:

Section 51(24)(a) states:

“the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2”. Refer to Section 2 analysis on Page 18.

Section 51(24)(b) - “Whether the proposed subdivision is premature or in the public interest.”

Response: The proposed development is within a settlement area being the second largest community in the Town of Whitchurch-Stouffville.

Section 51(24)(c) - “Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any.

Response: “The application conforms to the Official Plan in-effect and Council adopted new Secondary Plan, subject to the approval of the proposed site specific Official Plan Amendment, and is compatible with the existing adjacent plans of subdivision to the north and west.

Section 51(24)(d) - “The suitability of the land for the purposes of which it is to be subdivided.”

Response: The suitability of the proposed residential development is supported by the technical studies submitted with the Applications.

Section 51(24)(e) - “The number, width, location and proposed grades and elevations of highways and the adequacy of them, and the highways linking to highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.”

Response: The location and adequacy of all public roads and private roads have been confirmed by the subdivision plan and Transportation Impact Study.

Section 51(24)(f) - “The dimensions and shapes of the proposed lots.”

Response: The proposed dimensions and shape of lots are appropriate. Lot frontages and areas will conform to the Town’s Zoning By-law upon amendment approval.

Section 51(24)(g) - “The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.”

Response: The Town Zoning By-law will restrict the setbacks and location of proposed buildings and structures on the subject lands and in the context of adjoining lands.

Section 51(24)(h) - “Conservation of natural resources and flood control.”

Response: Open Space/Conservation lands are to be protected and owned by the private condominium corporation with restrictions registered on title. Areas of flooding control are proposed within the Open Space/Conservation blocks.

Section 51(24)(j) - “Adequacy of utilities and municipal services.”

Response: Adequacy of utilities, water and sanitary sewage services are to be confirmed through satisfying the Conditions of subdivision approval.

Section 51(24)(j) - “Adequacy of school sites.”

Response: The school boards will indicate the adequacy of school sites in this settlement area.

Section 51(24)(k) - “The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.”

Response: A road widening on the north side of Lakeshore Road is to be conveyed to the Town. Cash-in-lieu of required parkland is to be provided to the Town.

Section 51(24)(l) - “The extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy.”

Response: The proposed development is within a settlement area where efficiency and conservation of energy resources is optimized.

Section 51(24)(m) - “The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the lands, if the land is also located within a site plan control area designated under the subsection 114(2) of this Act.”

Response: The Town Conditions of subdivision approval will establish requirements to be completed to the satisfaction of the Town prior to the execution of a Subdivision Agreement.

Section 2 states:

‘the Minister, the Council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as the following, with relevant subsections responses’.

- a) The protection of ecological systems, including natural areas, features and functions.

Response: There are woodland and wetland ecological features on the subject property that are addressed for protection by the Natural Heritage Evaluation in support of the proposed development.

- b) The protection of the agricultural resources of the Province.

Response: The lands are within the settlement area. There are no MDS - separation distance issues with area agricultural operations. The area is not agricultural area in the Region Plan.

- c) The conservation and management of natural resources and the mineral resource base.

Response: This does not apply as the lands are within the settlement area. There are no mineral resources in the broad community area and natural feature resources are protected under specific policy conformity requirements which are addressed

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

Response: An archeological Phase 1, 2, 3 and 4 study has confirmed the site is clear of these considerations. The Provincial clearance is forth coming.

- e) The supply, efficient use and conservation of energy and water.

Response: The subject property will be connected to the municipal water service and the existing private sanitary services of the WPCP on the Ballantrae Golf and Country Club property. Capacity for the proposed 141

units is to be confirmed by a Condition of draft plan of subdivision approval, to the satisfaction of the Town, Region, and MOECC if required.

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management system.

Response: The subject development is to connect to the municipal water service, existing private WPCP sanitary services, power grid, communication and waste collection providers.

- g) The minimization of waste.

Response: Homeowners are required to sort waste appropriately as required by Town Conditions of draft plan of subdivision approval.

- h) The orderly development of safe and healthy communities.

Response: The subject property is within a settlement area, which is where growth is to be directed pursuant to Provincial, Region and Town official plan policies.

- h.1) The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies.

Response: Proposed walkway areas within the proposed private condominium are to be designated to be accessible.

- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities.

Response: A private open space area and a public walkway is planned in the subdivision. Municipal community park, recreation and school facilities are situated nearby.

- j) The adequate provision of a full range of housing, including affordable housing.

Response: The proposed housing type will meet a particular need in the market place consistent with housing type demand in the community.

- k) The adequate provision of employment opportunities.

Response: A residential subdivision is proposed without commercial areas.

- l) The protection of the financial and economic well-being of the Province and its municipalities.

Response: This is implemented through the placement of growth in settlement areas.

- m) The co-ordination of planning activities of public bodies.

Response: Agencies and departments will participate in the Applications review process.

- n) The resolution of planning conflicts involving public and private interests.
Response: These interests are to be addressed through the Applications review process and implementation of related Conditions of subdivision approval.
- o) The protection of public health and safety:
Response: The development is to be reviewed by all Town departments and agencies.
- p) The appropriate location of growth and development.
Response: The proposed development is within the settlement area, where growth is to be directed.
- q) The promotion of development is designed to be sustainable, to support public transit and to be oriented to pedestrian.
Response: Public transit is not available in the Ballantrae settlement area. The subdivision design incorporates a pedestrian walkway extending from Lakeshore Road to Aurora Road consistent with OPA 136.
- r) The promotion of built form that,
 - i.) is well-designed
 - ii.) encourages a sense of place, and
 - iii.) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.**Response:** This is to be addressed through the Town's architectural/urban design requirements as a Condition of subdivision approval during the detailed design stage.
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.
Response: This is to be implemented through recycling of household garbage, and provision of 40% of the site area for naturalized open space conservation, including existing new plantings.

5.6 Region of York Official Plan

The subject development applications are within the *Towns and Villages* land use designation of the York Plan where new development is to be subject to a comprehensive municipal secondary plan, prepared by the lower-tier municipality.

Section 5.6.22 of York Region Official Plan states that new development areas within Towns and Villages (inclusive of Ballantrae), be subject to comprehensive secondary plans based on the following:

- a) Water and wastewater services are available;
- b) The plan considers the entire Town or Village and integrates the development into the existing community;
- c) Best efforts to achieve a minimum density requirement of 50 residents and jobs combined per hectare in the developable area;
- d) Best efforts are made to incorporate policies 5.6.4 through 5.6.16 of this Plan; and,
- e) Best efforts to encourage development within the built-up area of the Towns and Villages that is consistent with the appropriate policies in Section 5.3 of this Plan.

Town Secondary Plan OPA 90, in effect, was approved by the Region in 1997 and updated in 2007 (OPA 112) to implement the ORMCP conformity exercise. Secondary Plan OPA 136 was adopted by Town Council in 2014 and is not approved.

The proposed development is to be on an existing municipal water supply, servicing the Ballantrae-Musselman's Lake community, and existing (private) communal wastewater treatment system of the BGCC pursuant to **Section 7.3.11**. The proposed subdivision is to complete the development pattern in the southeast quadrant of the Ballantrae community and is compatible with area residential uses. The proposed housing types are to satisfy market demand. The proposed density and lot sizes are consistent with the intensification objectives of **Section 5.3** of the Region Plan, 18 u/ha densities permitted by OPA 136 and 10.9 u/ha subdivision density recently approved by Town Council.

The proposed development does not fall within Regional Wellhead Protection Areas, Intake Protection Zones or Significant Groundwater Recharge Areas. The hydrological study completed by WSP Canada confirms that the proposed residential land use is expected to have minimal potential to affect underlying groundwater resources.

In my opinion, the proposed development conforms to the applicable policies of Region Plan.

5.7 Town of Whitchurch-Stouffville Official Plan

a. OPA 90 Secondary Plan

The subject application for amendment to the Town Official Plan is to request that a site-specific policy be added to Section 11.4.8.4.2 of OPA 90 (the Secondary Plan),

in effect, as a Special Provision respecting “permitted uses” and “land use policies”. The purpose of the amendment is to permit the proposed development of 141 residential single detached dwellings by plan of subdivision and plan of condominium, to be connected to the existing wastewater system at the Ballantrae Golf and Country Club.

The subject lands are designated “Ballantrae Future Residential Area II” by the approved Secondary Plan (OPA 90), in effect, shown on the Land Use Plan (**Figure 2**). Appendix ‘A’ of the Secondary Plan delineates a Natural Feature Enhancement Area on the subject lands (**Figure 6**).

OPA 90 was approved by the Region in 1997 as the Ballantrae-Musselman Lake and Environs Secondary Plan. OPA 112 amended OPA 90 to implement the ORMCP conformity exercise, and was approved by the Region in 2007. OPA 90 permits residential subdivision development by new private communal sewage treatment systems or individual septic systems (Section 11.6.3). The proposed development is to be serviced on the *existing* private sewage treatment plant of the Ballantrae Golf and Country Club and is permitted under the (Section 11.6.3iii) servicing policies. This servicing approach is in conformity with Provincial Plans and Region policy to utilize existing servicing infrastructures.

A review of the applicable policies sections of OPA 90 are included below:

Section 11.5.4, Natural Feature Enhancement Area of OPA 90

The Natural Feature Enhancement Area policies requires or states:

- a) identification of natural features such as “forest areas”, “intermittent streams and swales ... which may include features that should be considered for protection and enhancement” or “where the creation of linkages ... may be appropriate.”
- b) a natural heritage management study “to confirm environmental value and the exact boundaries of the NFEA involving development applications for official plan amendment, zoning by-law amendment and plan of subdivision [and condominium].”
- c) the study is to be “used by the Town as a basis for assessing the need to protect and enhance the natural feature area or the creation of linkages.”
- d) the actual natural feature/linkage area determined for protection maybe modified, or relocated, including relocation of a drainage swale, without amendment to the Official Plan.
- e) should Town acquisition not be feasible, then the NFEA, where development is prohibited, can be used for calculating permitted density, coverage and open space and, the NFEA lands be places in privately owned common open

space areas, pursuant to controls through agreement with the Town and landowner.

Response

The NFEA on Appendix 'A' measures approximately 3.00 hectares in area. The area of the NFEA for protection and enhancement determined by the Environmental Impact Statement/Natural Heritage Evaluation by Derek J. Coleman, PhD. R.P.P., Ages Consultants Limited, dated December 2018 results in a feature protection and enhancement area of approximately 6.50 ha, being a 116% increase.

The NFEA areas are placed within Blocks on the Draft Plan of Subdivision (**Figure 4**) for open space conservations for protection. The woodland and wetland protection areas and buffers are to be zoned "FH-Flood Hazard" and are to be placed in private condominium ownership. Stormwater management Blocks are a permitted use in that Residential Village (RV) zone.

Section 11.4.8iii)a) in OPA 90 section states:

"Residential development, other than a single detached dwelling on a lot of record, shall be permitted only by plan of subdivision or a maximum of three lots by consent, in accordance with the permitted uses of Section 11.4.8 ii) and the development review policies of Section 11.8 of the Secondary Plan".

Response:

A "plan of condominium" is proposed to be permitted by the draft Amendment Official Plan in addition to a plan of subdivision for the development.

Section 11.4.8iii)a) also states:

"In addition, such development shall only be permitted, subject to the servicing policies of Section 11.6, where it can be serviced in a manner approved by the Town, the Region of York, the Region of York's Medical Officer of Health, the Ministry of Environment and Energy and the Ministry of Natural Resources with:

- a communal water and sewer system; or,
- a communal water system and individual private sewage treatment facilities.

Further, development on a communal water system and individual private sewage treatment facilities shall have a minimum lot size of 0.5 hectares, while development on a communal water and sewer system may have a minimum lot size of 0.2 hectares."

Response:

The draft Amendment to the Official Plan is to add a Special Provisions Section 11.4.8.4 to permit a plan of condominium, plan of subdivision, a maximum of 141 single detached dwellings and lots, of a minimum 370m², with maximum dwelling heights of 11m, stormwater, erosion control facilities, public and private utilities,

including roads, designed in a way that minimizes negative impacts on the natural systems and to permit the development to be serviced by the BCGG private sewage treatment plan to a maximum of 141 residential units.

Section 11.6.3iii) states:

“Any development by plan of subdivision in the areas designated "Ballantrae Community Area", "Ballantrae Future Residential Area II", "Mixed Use Area", and "Institutional Area" shall be served by:

- a) a municipal communal water and sewer system; or,
- b) a municipal communal water system and individual private sewage treatment facilities.

A municipal communal water and/or sewer system is a system for which the Region of York or the Town is responsible either through:

- a) assumption of ownership; or,
- b) via an agreement whereby the Region or Town agrees to assume the system in the event of default by the owner.

The water system used for such developments may be the proposed Ballantrae-Musselman Lake Water Works project, a modification of that project or individual communal systems developed for one or more subdivisions. Where individual systems are developed they shall be constructed so that they may be connected to the Ballantrae/Musselman Lake Water Works project, or a modification of that project, if it is built.”

Response:

The proposed development is to be serviced by the *municipal communal water system* that presently exists with watermain service to the subject lands. The development is to be connected to the *communal sewer system*, being the BGCC sewage treatment plant. By definition the communal sewer system is a system for which the Region of York is responsible via a responsibility agreement between the Region and the BGCC owner, as presently exists.

Section 11.8.2ii) identifies all the required studies and information required by the Town to be submitted with the planning applications.

Response:

The pre-application consultation (PAC) process with the Town was completed in 2016, and a PAC letter from the Town identified all specific studies and information to be submitted, which includes the Section 11.8.2ii) required studies and information.

Section 11.8.2iii) states that development proposals shall generally conform with the following criteria:

“a) Storm Water Management

Storm water from the proposed development shall be treated and retained on site or within a specific area approved by the Town.

Water quality criteria shall be to the satisfaction of the Town, the Ministry of Natural Resources, the Lake Simcoe Region Conservation Authority and the Ministry of Environment and Energy.

b) Ground Water Resources

Each development shall be at least theoretically self-sustaining with respect to ground water protection.

c) Sewer and Water Services

Development shall be serviced in accordance with the policies of Section 11.6 of this Secondary Plan.

b) Significant Natural Areas

No development of lands in the Natural Feature Conservation Area designation shall be permitted, with the exception of those uses specifically outlined in Section 11.4.2. Development of lands immediately abutting or adjacent to lands in the Natural Feature Conservation Area designation shall be permitted only if it can be demonstrated that such development will not adversely affect the special environmental requirements of such lands. Further, in evaluating any development proposal in or adjacent to a wetland area, the Town shall have regard for the Provincial Wetlands Policy Statement.

e) Other Natural Areas

Development of other natural areas, particularly lands shown as Natural Feature Enhancement Areas in Appendix A, shall be permitted only in accordance with the provisions of Section 11.5.4 of this Secondary Plan. All proposals shall incorporate a strategy for maximizing the protection of any wooded areas, significant hedgerows or individual trees identified in the tree analysis.”

Response:

- a. Storm Water Management - The Functional Servicing and Stormwater Management Report of Sabourin Kimble & Associates Ltd. for the development addresses the quality and quantity requirements of the Town, MNR, LSRCA, Region and MOEEC based on current design criteria.
- b. Ground Water Resources - The Hydrogeological and Water Balance Assessment of WSP Canada Inc. addresses groundwater, wellhead, and aquifer vulnerability protection.
- c. Sewer and Water Services - The development is to be serviced in accordance with the policies of Section 11.6 as addressed in the Section 11.6.3iii) discussion above.

- d. Significant Natural Areas - No part of the subject lands are within the Natural Feature Conservation Area land use designation of the OPA 90 Land Use Plan (**Figure 2**).
- e. Other Natural Areas - The Environmental Impact Statement/Natural Heritage Evaluation identifies approximately 40% of the development site is to consist of open space conservation lands for environmental feature protection, including buffers, and dry stormwater management blocks to be planted and naturalized.
- f. Landform Considerations - The planning, design and construction of the development shall protect the proposed 6.56ha of existing natural features and proposed new open space/conservation lands currently used for corn and soybean cropping. The resultant feature area for protection of open space/conservation land represents a 116% increase to that generally identified by Appendix 'A' to OPA 90 (**Figure 6**). There will be changes to the topographic character of the site that result in ecological improvement and diversity as demonstrated by the Community Master Plan (**Figure 3**). Proposed drainage considerations are addressed in the Functional Servicing and Stormwater Report to satisfy the Town and LSRCA.
- g. Watercourse and Lakes - There is no flowing watercourse on-site. There is an ephemeral watercourse that is plowed and cropped. Also, there is an existing pond that is to be retained and enhanced. There are no lakes on the site.
- h. General - The proposed development can implement the applicable recommendations of the required background studies which generally conform to the Town Official Plan.

A copy of the proposed draft Official Plan Amendment is attached as an Appendix.

In my opinion, the proposed Official Plan amendment application conforms with the policies of OPA 90 Secondary Plan, in effect.

b. OPA 136 Secondary Plan, 2014

Official Plan Amendment 136, the Ballantrae-Musselman's Lake Secondary Plan, was adopted by the Town of Whitchurch-Stouffville Council in January 2014.

The OPA 136 Land Use Plan -Schedule "E" is shown on **Figure 2A** and Natural Heritage Systems Area plan -Appendix "A" is shown on **Figure 6A**.

OPA 136 has been before the Region of York for approval, and now has been appealed to the Local Planning Appeal Tribunal by property owners.

OPA 136 amends OPA 90, the Ballantrae-Musselman's Lake Secondary Plan approved in 1997 by the Region of York.

It is noted through comparison of the applicable policies of OPA 136 with the OPA 90 Secondary Plan documents, for purposes of the FarSight Homes proposed development, the differences relate to the following:

- the subject FarSight lands are designated “Ballantrae Residential Area” and “Natural Heritage Systems Area” on Schedule E, the Land Use Plan
- Section 11.4.2 identifies a new Natural Heritage System Area land use designation, permitted uses, land use policies and boundaries determination
- Section 11.4.3 identifies a new Ballantrae Residential Area land use designation, permitted uses, land use policies
- Section 11.6iii) servicing policies of OPA 90 has been modified
- Section 11.8.2 studies, information and development evaluation criteria requirements have been modified
- A new Appendix “B” Trails System plan has been added
- A new Schedule “E-I” Well Protection Areas plan has been added

The applicable policies of OPA 136 are reviewed as follows with reference to the OPA 90 policies reviewed on Page 21.

Section 11.4.2 replaces the Section 11.5.4 policies of OPA 90. A new Natural Heritage System Area land use designation applies as delineated on Schedule “E”, the Land Use Plan (**Figure 2A**). The permitted uses include detached dwellings and lots by plan of subdivision, private utilities, including roads that are designed and sited to minimize negative impacts on the natural systems.

Response:

Proposed Street ‘A’ crosses the Natural Heritage System Area containing the *ephemeral watercourse*, requiring a box culvert structure as described in the Functional Servicing and Stormwater Management Report to minimizing impact through accepted design, erosion control and protective measures satisfactory to the Town and Conservation Authority, and any other agencies.

Section 11.4.2 also states that the land designated Natural Heritage System Area “shall be subject to the policies of Section 3.2.9 of the Official Plan” being the Town parent Official Plan. Section 3.2.9, entitled Development Review, incorporates the applicable provisions of the ORMCP relating to:

- i. Table 3.1
- ii. Section 20, Connectivity

- iii. Section 22, Key Natural Features
- iv. Section 26, Hydrological Sensitive Features
- v. Section 42, Areas of High Aquifer Vulnerability
- vi. Section 30, Landform Conservation Areas
- vii. Section 45, stormwater management
- viii. Section 43, sewage and water services
- ix. Section 46, Watershed Plan completion

Response:

Table 3.1 of the ORMCP establishes requirement for minimum 30m vegetative protection buffers adjacent to a woodland (KNHF) and a swamp (KNHF/HSF).

The EIS/NHE has determined and surveyed the precise limits of the Natural Heritage System Area features, resulting in a proposed enlarged area of open space conservation lands, than designated by the Secondary Plan, providing ecological benefit.

The Town's environmental study (2013), prepared as the basis for the OPA 136 Secondary Plan, recommends 10m protective buffers adjacent to the KNHF and HSF areas, pursuant to Section 21(3) and (4) of the ORMCP. The EIS/NHE prepared recommends buffers that average, or exceed, 10m in width. Refer to the Community Master Plan (**Figure 3**) and the Subdivision Plan (**Figure 4**).

The above-referenced Sections 20, 22, 26, 30, 42, 45, 43 and 46 of the Official Plan and ORMCP have been addressed in the EIS/NHE and/or Section 5.3 of this Planning Justification Report.

Section 11.4.3iii) permits a residential plan of subdivision. The Official Plan Amendment application and draft OPA requests the addition of a "plan of condominium" as a permitted use.

Section 11.4.3iii), the Land Use Policies, states:

- "a) All development shall conform with the development review policies of Section 11.8, and the servicing policies of Section 11.6. In addition, development shall be subject to the site plan control provisions of Section 11.8.5 of this Secondary Plan where deemed appropriate by the Town.
- b) Single detached dwellings as part of a plan of subdivision or on a lot created by consent shall only be permitted, subject to the servicing policies of Section 11.6, where it can be serviced in a manner approved by the Town, the Region of York, the Region of York's Medical Officer of Health, the Ministry of Environment and Energy and the Ministry of Natural Resources with:

- communal water and sewer system; or,
 - a communal water system and individual private sewage treatment facilities.
- c) Further, development on a communal water system and individual private sewage treatment facilities shall have a minimum lot size of 0.5 hectares, but subject may be permitted to have a minimum lot size of 0.2 hectares subject to the submission of any studies or information required by the Town, the Region of York or other agencies. Development on a communal water and sewer system may have a minimum lot size of 0.2 hectares.”

Response:

These land use policies are effectively the same as the Ballantrae Future Residential Area II policies of OPA 90, as addressed in Section 5.7 of this Planning Justification Report.

Section 5.5.5, Trail System, is a new policy section to providing of a walkway system in the community. **Figure 10** shows Appendix ‘A’ to OPA 136 which proposes a trail through the subject development lands extending from Lakeshore Road to Aurora Road. The proposed Community Master Plan (**Figure 3**) shows the walkway/trail through the proposed open space conservation lands, with opportunity for extension through Town land to the north to Aurora Road.

Section 11.6.3iii policy on sewer and water servicing in OPA 136 states:

“Plans of Subdivision outside the Highway 48 Corridor – Ballantrae and Musselman’s Lake Settlement Areas

Any development by plan of subdivision in the areas designated, “Ballantrae Residential Area” and “Institutional Area” shall be served by the Ballantrae/Musselman’s Lake Water Works project and:

- a) individual private sewage treatment facilities; or,
- b) a municipal communal sewer system.

A municipal communal water and/or sewer system is a system for which the Region of York is responsible either through:

- a) assumption of ownership; or,
- b) via an agreement whereby the Region agrees to assume the system in the event of default by the owner.

In all these designations, such development shall only be permitted provided it is demonstrated through appropriate studies to the satisfaction of the Town that the land can be adequately services using such systems using the highest available evaluation standard.”

Section 11.8.2iii, Development Evaluation Criteria, requirements under OPA 136 are effectively the same as the criteria reviewed in the Section 5.7a OPA 90 Secondary Plan analysis of conformity above, and the same response applies.

In my opinion,

- i. The proposed development applications conform to the policies of the OPA 136 Ballantrae-Musselmans Lake Secondary Plan adopted by Town Council in 2014 but not approved by the Region.
- ii. Provincial Policy Statement 2014 (“PPS”), the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) require that planning authorities “accommodate”, “plan for”, “provide for”, “facilitate”, “promote” and “support” use of efficient land and development patterns and increased densities. The use of land and infrastructure is to be “optimized”. These are active terms requiring intentionality and concrete measures to achieve “compact” settlement areas.
- iii. The existing municipal Official Plan restriction on smaller lot areas, prohibition of a plan of condominium and policies to connect to private existing wastewater treatment system for the subject site does not facilitate these objectives and is therefore inconsistent with the PPS and fails to conform with/conflicts with the Growth Plan and Region Plan. In broad terms, the existing Official Plan fails to accommodate, plan for, provide for, facilitate, promote and support the planned efficient use of land and development patterns, and increased densities on the subject site, while addressing other relevant provincial policies. As such, site-specific Official Plan amendments have been requested.
- iv. The proposed Official Plan Amendment would be consistent with the PPS and would conform with and not conflict with the Growth Plan and Region Plan by accommodating, planning for, providing for, facilitating, promoting and supporting the inclusion of the housing type and urban form, while still meeting the other policy objectives of the PPS, Growth Plan and Region Plan.

5.8 Town of Whitchurch-Stouffville Zoning By-law

The subject Zoning By-law Amendment application, subdivision plan and condominium plan are consistent with the zoning standards for a ‘Residential Village’ zone and are in accordance with the Town Official Plan policies and intent.

The proposed zoning change is from “D”-Development Reserve and “FH”-Flood Hazard to “RV”-Residential Village as shown on **Figure 9**.

A copy of the proposed draft Zoning By-law Amendment is attached as an Appendix.

A copy of the proposed draft Zoning By-law Amendment is attached as an Appendix.

In my opinion,

- i. The proposed Zoning By-law amendment application conforms to the policies of the OPA 90, in effect, and the OPA136 Ballantrae-Musselman's Lake Secondary Plan adopted by Town Council in 2014.
- ii. The Provincial Policy Statement 2014 ("PPS"), the Growth Plan for the Greater Golden Horseshoe ("Growth Plan") and the Region Plan require that planning authorities "accommodate", "plan for", "provide for", "facilitate", "promote" and "support" efficient use of land and development patterns and increased densities. The use of land and infrastructure is to be "optimized". These are active terms requiring intentionality and concrete measures to achieve "compact" settlement areas.
- iii. The existing municipal Zoning By-law restriction on smaller lot areas and related regulations for the subject site does not facilitate these objectives and is therefore inconsistent with the PPS and fails to conform with/conflicts with the Growth Plan and Region Plan. In broad terms, the existing Zoning By-law fails to accommodate, plan for, provide for, facilitate, promote and support the planned efficient use of land and development patterns, and increased densities on the subject site, while addressing other relevant provincial policies. As such, the site-specific Zoning By-law amendment has been requested.
- iv. The proposed Zoning By-law amendment would be consistent with the PPS and would conform with and not conflict with the Growth Plan and Region Plan by accommodating, planning for, providing for, facilitating, promoting and supporting the inclusion of the proposed housing type and urban form, while still meeting the other policy objectives of the PPS, Growth Plan and Region Plan.

6.0 Site Servicing

1. The Functional Servicing and Stormwater Management Report for the proposed FarSight Homes subdivision, by Sabourin Kimble & Associates Ltd. in support of the Draft Plan of Subdivision for the development lands identifies how servicing and stormwater management will be provided and fit into the overall development framework. The proposed development is predicated on the provision of a revision to the Regional Storm floodplain area. It is proposed to remove an existing trapezoidal man-made channel and associated

agricultural floodplain and replace it with a naturalized channel and associated natural heritage features forming the centerpiece of this development. The revised channel and floodplain area is designed based on a cut and fill approach resulting in a net gain in natural habitat and floodplain storage. The report provides a complete evaluation of the existing and proposed floodplain hydraulics plus a detailed assessment of the cut and fill works, and pre and post floodplain storage.

The FSR investigation include an examination of site grading, water supply and storm and sanitary drainage including preliminary designs for each service internal to the site. A complete stormwater management analysis has been carried out including the identification of site constraints and criteria, plus preliminary designs for the overall stormwater management concept.

2. Under agreement with the owner of the Water Pollution Control Plant (WPCP), FarSight is to connect the proposed 141 residential units to the WPCP for sewage treatment for which there is available capacity identified by the Functional Servicing Report. The WPCP is situated north of the Town park and elementary public school on Aurora Road. The WPCP is situated about equal distance from the proposed subject FarSight lands as is the Ballymore residential development of 94 units fronting Highway 48, recently approved by Town Council.
3. A Town Condition of draft plan of subdivision approval will “require prior to final plan approval, submission of a Capacity Evaluation of the Ballantrae Golf & Country Club Wastewater Treatment Plan by a third-party Consultant (registered professional engineer) demonstrating, to the satisfaction of the Region, that the Plant can service the additional 141 residential units proposed in the subject development and complies with the applicable environmental approvals”, which is similar to the Condition of the Ballymore Developments (Ballantrae) Corp. subdivision (C.13.15, March 6, 2018).
4. The Region has identified 300 persons of water supply availability in the Ballantrae-Musselman Lake water supply system under the existing water taking permit. With an increase in water supply currently proposed by the Region Class EA for the municipal water system to 6230 persons, the water supply availability is 630 persons. Town Council has approved a Ballymore water supply allocation of 300 persons. This leaves 330 persons/104 units of water supply allocation for the Town to assign to the FarSight development. This leaves a 115 persons/36 units short of available water supply to the FarSight development. FarSight has made representations to the Region Class EA process, requesting additional water supply be provided to the Ballantrae community to allow the FarSight development and Town Council redevelopment objectives of OPA 136 within the Highway 48 corridor. It is understood that the Town is to consider this additional water supply increase so as to make a supplementary request to the Region.

7.0 Environmental Considerations

1. The Environmental Impact Statement/Natural Heritage Evaluation (EIS/NHE) by Ages Consulting Limited identifies the limits of natural (woodlands) on the site which are to be protected within open space/conservation areas and with 10m buffers.

The EIS/NHE identifies the proposed substantial replanting and enhancements of the central NHS area through the property, and that the proposed development meets the natural heritage requirements of the ORMCP and PPS, and the Town secondary plan and Official Plan, and the LSRCA/Conservation Authority considerations.

The EIS/NHE advises that site permits are required from the LSRCA and Town to provide erosion and sedimentation control prior to construction, and post-construction monitoring is to occur.

2. The proposed development site consists of a 16.29 hectares with 7.22 hectares (44%) for the proposed residential lots. The central Open Space/Conservation area of existing woodlands and new vegetative areas consist of 5.88 hectares (36%) of the site. Additional proposed vegetative areas (stormwater facilities, roadside plantings/buffers, mini-roundabouts, boulevards, temporary road widening block) contribute approximately 1.0 hectare (5%) of green open space.
3. The proposed Natural Heritage System Plan shown on **Figure 7** proposes a 3.50 hectare increase of Natural Heritage System (open space/conservation area), being a 116% increase over the existing 3.00 hectare Natural Heritage System designation of OPA 136.

8.0 Planning Considerations

1. The proposed residential subdivision of single detached dwellings conforms with the policies of the Town Official Plan and is permitted within the “Ballantrae Future Residential Area II” land use designation for the lands. There is not a need to change the land use designation of the lands. The proposed enlargement of “Natural Heritage Systems Area” does not require an Amendment in accordance with the flexibility provisions of the Interpretation section of the Official Plan.

The proposed site-specific Official Plan Amendment to OPA 136, in effect, (**Appendix 1**) is to add a “Special Provision” policy to permit i) connection to the WPCP sewage treatment system, ii) permit a “plan of condominium” and iii) allow minimum 370m² lot areas.

2. The applicant has requested exemption from a Draft Plan of Common Elements Condominium application. The internal streets and landscaped boulevard treatments, stormwater facilities, emergency access block, sewage pump system, lakeshore Road landscape blocks, central open space and woodland conservation areas, parkettes, pathway system and internal services (i.e. watermain, sewers, hydro, cables, garbage collection, snow plowing, long and short term maintenance, etc.) are all to be included in the common elements condominium that is to be ultimately constructed and maintained by a condominium corporation. Accordingly, the proposed development does not create any long-term obligation, responsibility or costs to the Town.
3. Following Town review of the applications, while applying Provincial, Regional and Town land development policies, and confirmation of conformity, and Town Council is requested to give approval of the following:
 - i. draft plan of subdivision approval,
 - ii. adoption of a proposed site-specific Official Plan Amendment,
 - iii. enactment of the implementing Zoning By-law Amendment, and
 - iv. approval to exempt the applicant from an application for Draft Plan of Common Elements Condominium
4. The request for Exemption from the Draft Plan of Common Elements Condominium, pursuant to Section 9 of the *Condominium Act, 1998*, is to exempt the subject lands from the formal Plan of Condominium process at this time. Upon Town Council approval of the request, the land owner would be allowed to continue plan of subdivision approval to Final Approval and Registration of the M-Plan. The Draft Plan of Common Elements Condominium would be registered after clearance of subdivision Conditions, Subdivision Agreement execution between the Town and landowner and registration of the M-Plan.
5. The Natural Heritage Evaluation, by Ages Consulting Limited, submitted with the applications has confirmed that the woodland features and hydrological swamp feature is to be placed within the significant open space/conservation blocks and are to be protected by buffers averaging, or exceeding, 10m in width.
6. The proposed Zoning By-law Amendment (**Appendix 2**) zones the streets, residential area, stormwater management facilities, landscape strips and pumping station as Residential Village (RV), with prescribed exceptions. This zone has regulations that typically apply with proposed development form that is on a municipal water services and (private) sanitary sewage services system.

The 5.88ha open space/conservation Blocks are to remain zoned as FH-Flood Hazard.

7. The Ballantrae-Musselman's Lake Secondary Plan OPA 90 was approved by the Region in 1997, with the ORMCP conformity exercise OPA 112 approved by the Region in 2007. The Secondary Plan presently in-effect designates the subject lands as "Ballantrae Future Residential Area II" which permits the proposed development by plan of subdivision. The proposed Amendment to the Official Plan is to *optimize* and permit more *efficient* use of land, urban sized lots, connection to the WPCP existing sewage treatment plant for appropriate development in this settlement area as promoted by the PPS, Growth Plan and Region Plan.
8. The proposed residential density of the 16.29 hectare development site is 8.7 units per hectare. Over one-third of the residential units will back onto or face the open space and woodland conservation areas, representing a location and marketing attribute.
9. The net residential density of the proposed 7.22 hectare residential area containing the 141 lots, proposes 19.5 units per hectare. At 3.16 persons per residential unit, a population of approximately 445 persons is expected.
10. The proposed lots of approximately 15m frontage and depth of 32m, with a lot area of 480m², with some lots a minimum of 370m², are generally larger than 12m lot frontages in an area subdivision recently approved by Town Council, also to be serviced into the existing WPCP on the Ballantrae Golf and Country Club. Residential densities of 18 u/ha are permitted in this Ballantrae community consistent with Provincial intensification objectives.
11. The new Secondary Plan (OPA 136) adopted by Town Council in 2014, designates the subject lands "Ballantrae Residential Area" which, as well, permits the proposed single detached dwellings by plan of subdivision.

The proposed development conforms to the purpose, permitted uses, land use policies, water and sewer servicing strategy, and the Natural Heritage System purpose, permitted uses and land use policies of the Town's Secondary Plan OPA 90 and OPA 136, subject to the requested site-specific Amendment.

OPA 136 was adopted in January 2014 by Town Council and represents the current vision for the Ballantrae community build-out, which the proposed development implements.

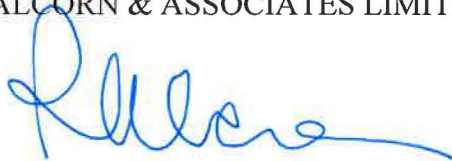
9.0 Conclusions

- 9.1 The proposed subdivision plan is consistent with the Provincial Policy Statement, and conforms to the Provincial Plans, the Region Plan and Town Secondary Plans, with exception of the requested policy amendments, and proposes to utilize existing

wastewater treatment infrastructure and municipal water supply system for 141 residential units, or 445 persons.

- 9.2 The proposed development meets the standards and criteria of the recent Ballymore development applications approved by Town Council, which provides an intensification approach for new development consistent with Provincial and Region servicing policy.
- 9.3 The proposed development is to be serviced by private streets, private internal sanitary sewers, storm sewers, watermains, garbage pick-up and snow removal, private open space/parkette lands, private sanitary forcemain/pumphouse and by a wastewater treatment plant, MOECC approved and regulated under an existing responsibility agreement.
- 9.4 The proposed development will require allocation of 141 units, or 445 persons, of available water supply, requiring the Town Council to request that the Region provide additional water supply over the 6230 persons.
- 9.5 Proposed site servicing for the development conforms to Sections 11.4.8iii)a) and 11.6.3iii) policies of the Secondary Plan.
- 9.6 The proposed development is by draft plan of subdivision approval as permitted by Section 11.4.8ii). The application for Official Plan Amendment also requests the development be permitted by “plan of condominium” which is appropriate and is in accordance with the intent of the Town Official Plan.
- 9.7 The approval of the applications for the proposed development is appropriate and represents good planning.

Respectfully submitted
ALCORN & ASSOCIATES LIMITED



Randy Alcorn
President

FIGURES

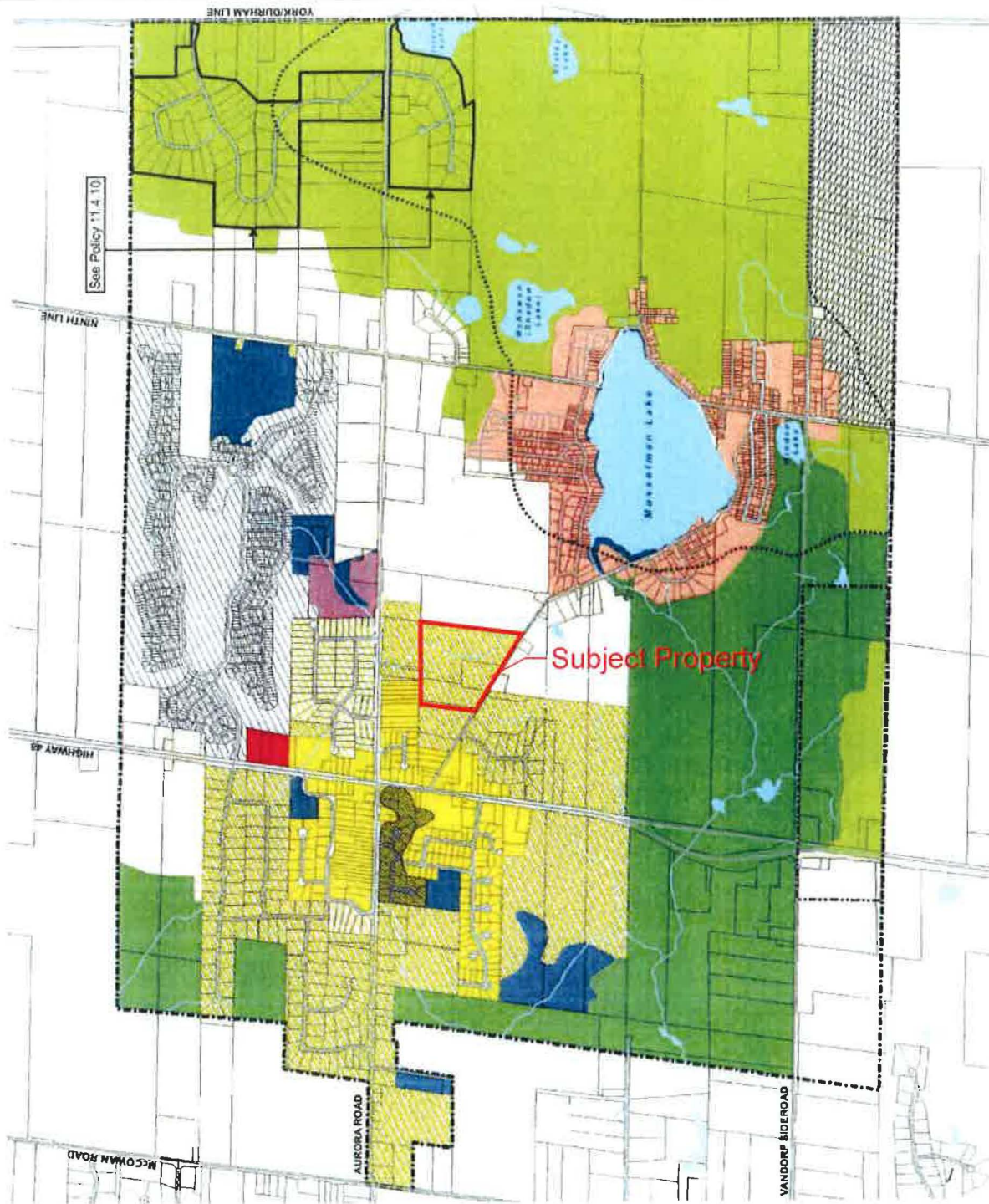


FIGURE 1
LOCATION PLAN

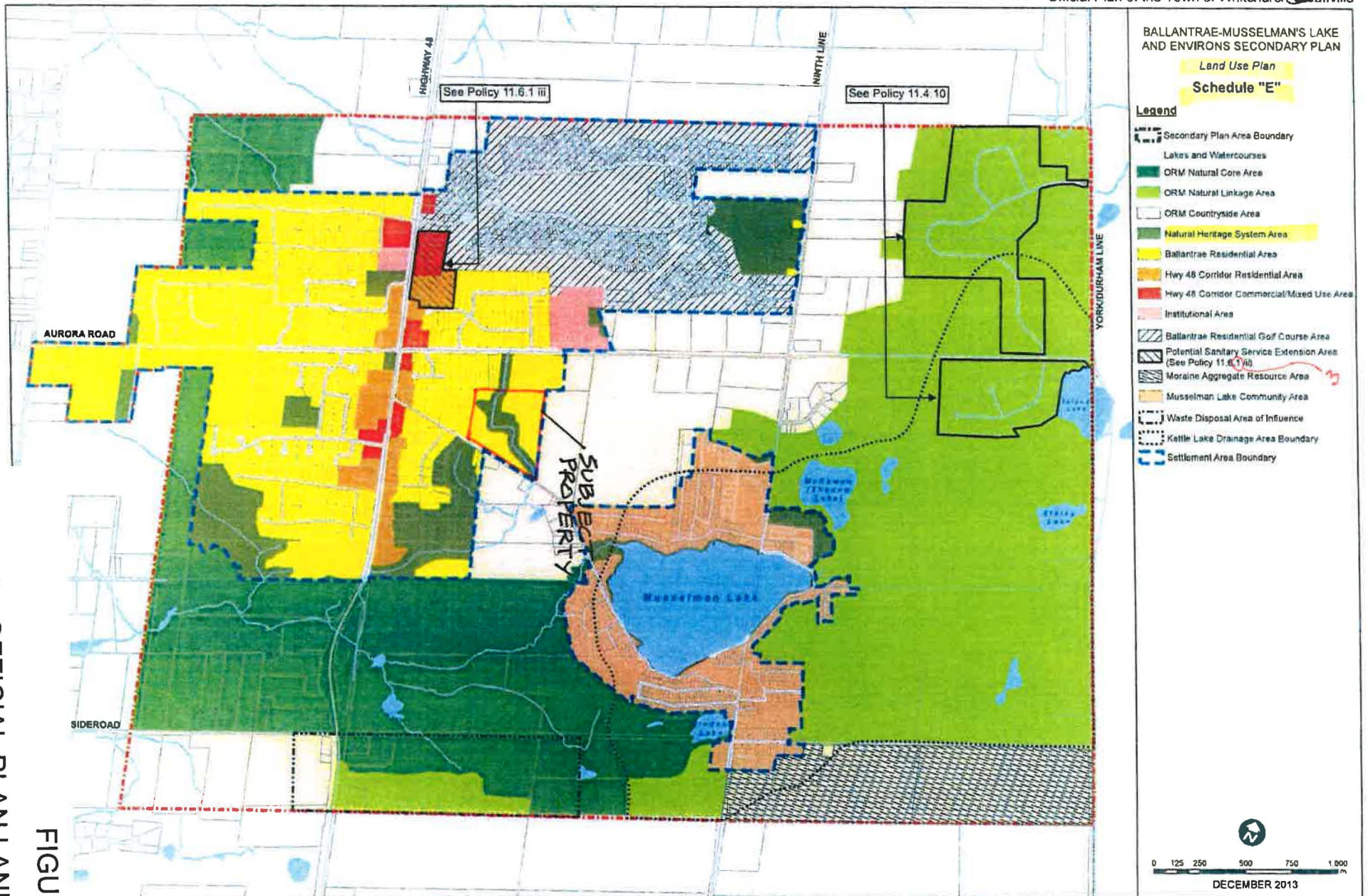
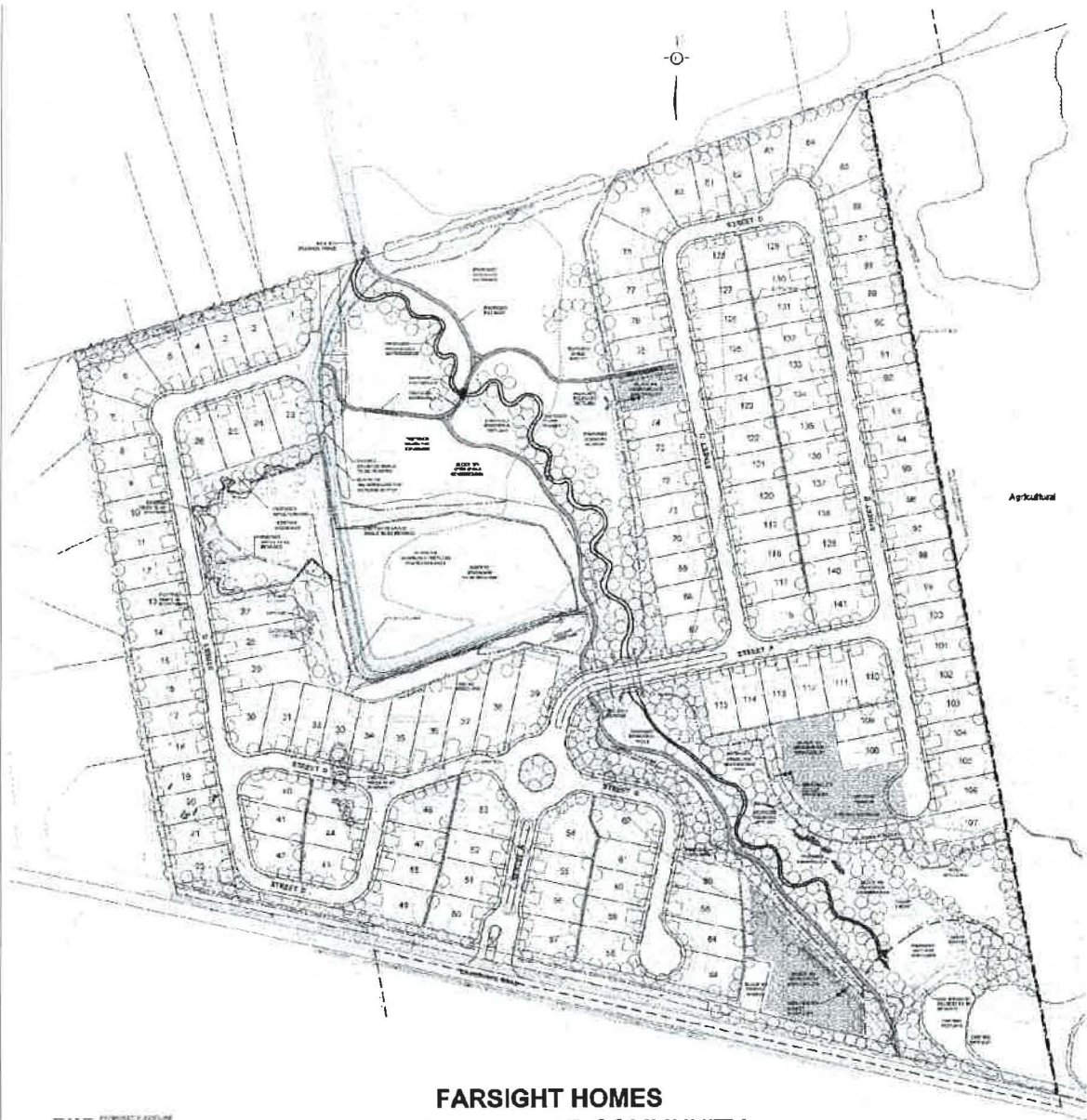




FIGURE 3
COMMUNITY MASTER PLAN



PROPERTY LINE
EXISTING FLOODLINE
EXISTING TREES TO BE REMOVED

FARSIGHT
HOMES

FARSIGHT HOMES
LAKESHORE ROAD COMMUNITY
BALLANTRAE
TOWN OF WHITCHURCH-STOUFFVILLE
MASTER PLAN



SCHOLLEN & Company Inc.
21 HARTWELL COURT, UNIT 10
FARMERSVILLE, OHIO 43024
614-444-7777
1-800-444-7777

FARSIGHT
HOMES

FIGURE 3
COMMUNITY MASTER PLAN



SCHEDULE OF LAND USE

Lots 1-141 - Condominium Single Detached Residential	7.27 ha	44 %
Blocks 142-144 - Storm Water Management (SWM)	0.53 ha	3 %
Block 145-146 - Open Space Conservation	4.04 ha	25 %
Block 147-149 - Open Space	0.09 ha	1 %
Block 150 - Emergency Access	0.01 ha	-
Block 151 - Pumping Station	0.03 ha	1 %
Block 152 - Private Roads (11.0m)	2.30 ha	14 %
Block 153 - Road Widening	0.23 ha	1 %
Block 154 - Woodland & Wetland Protection Area	1.13 ha	7 %
Block 155 - Woodland & Wetland 10m Buffer	0.28 ha	1 %
Block 156-158 - Woodland Buffer	0.38 ha	3 %
TOTAL	16.29 ha	100.0%



FIGURE 4

DRAFT PLAN OF SUBDIVISION

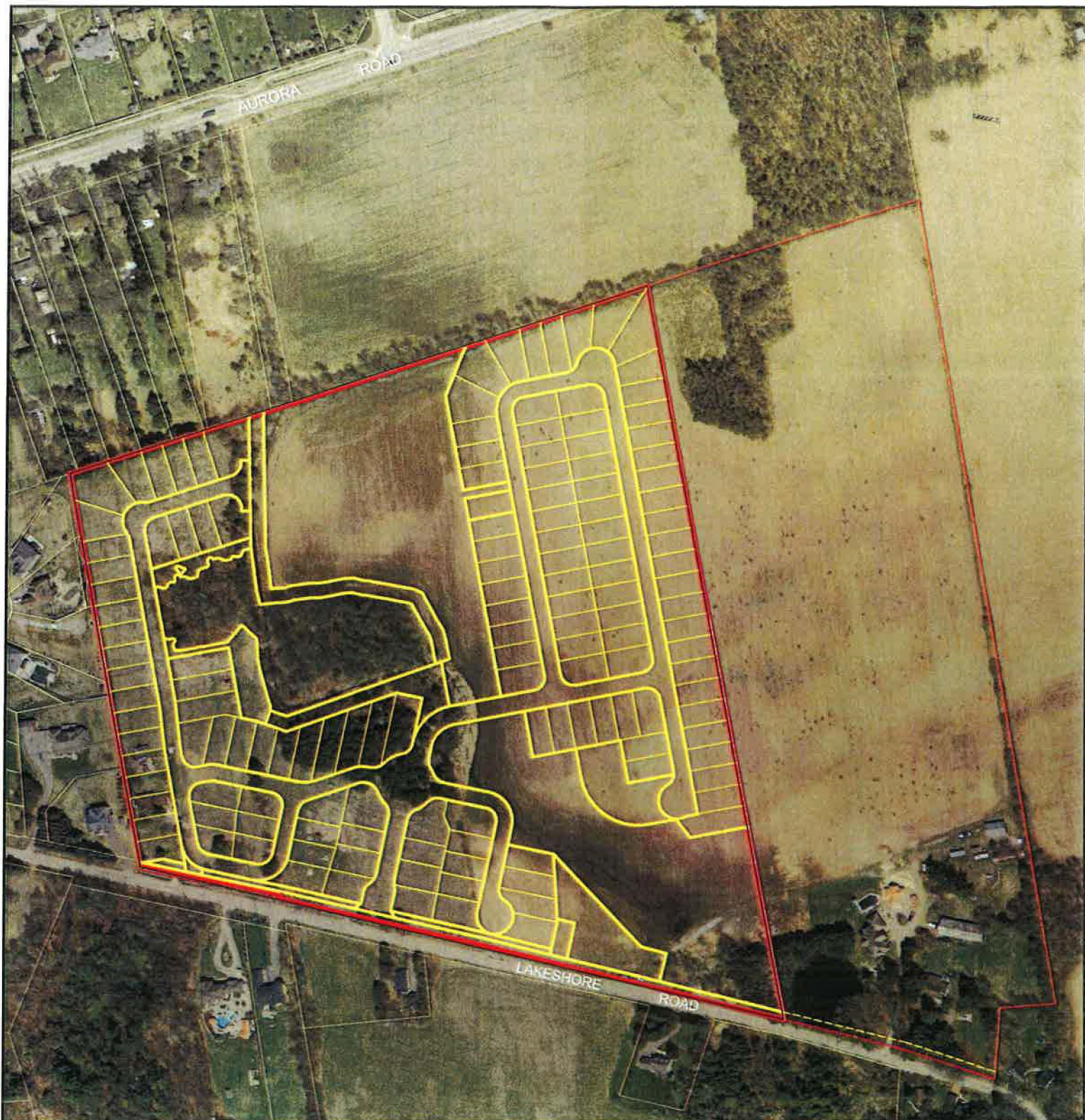
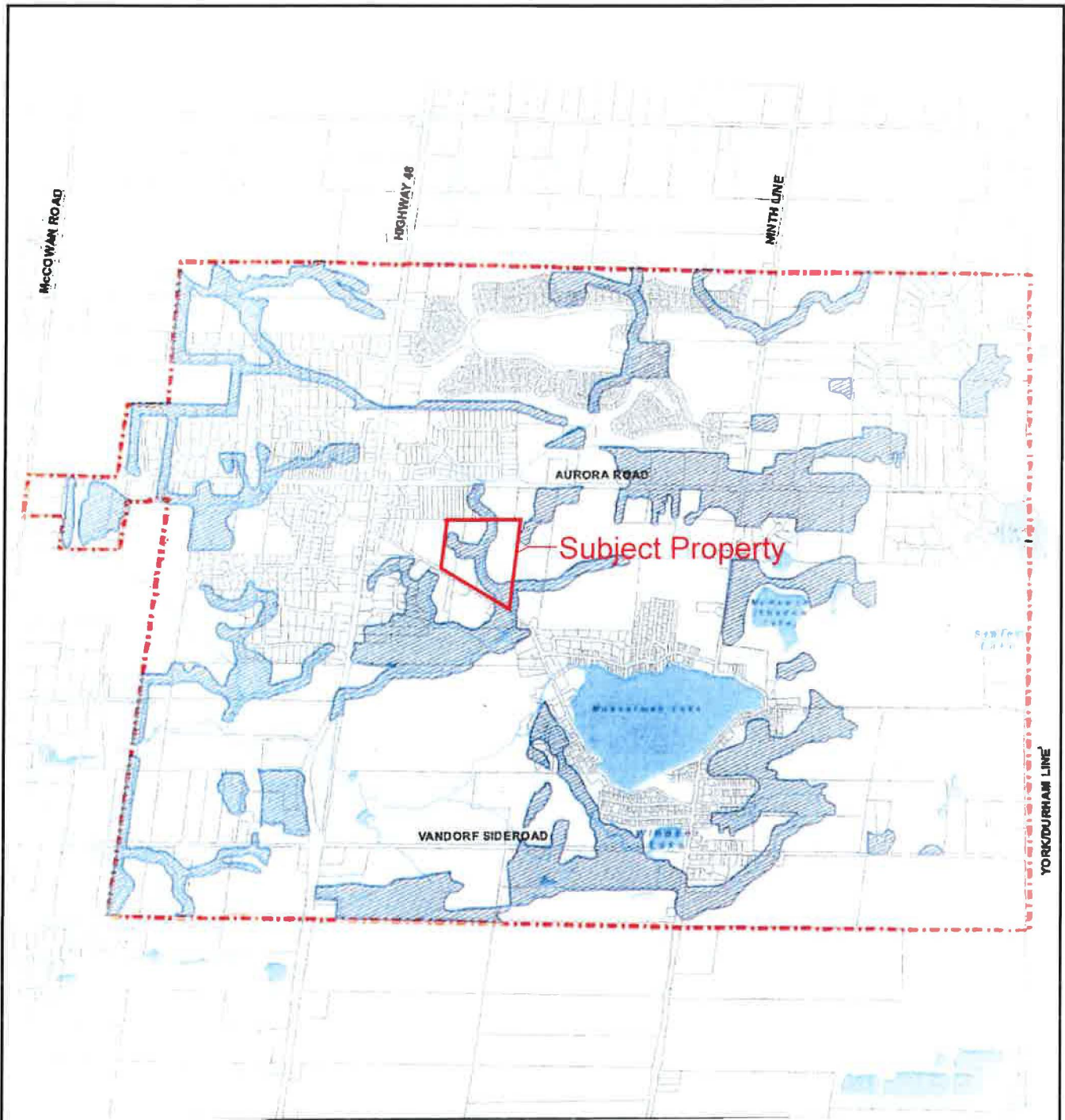


FIGURE 5
AERIAL PLAN



BALLANTRAE-MUSKELMAN LAKE
AND ENVIRONS SECONDARY PLAN

NATURAL FEATURE
ENHANCEMENT AREAS

Appendix 'A'

 Secondary Plan Area Boundary
 Natural Feature Enhancement Area



FIGURE 6

OPA 90 - APPENDIX 'A'

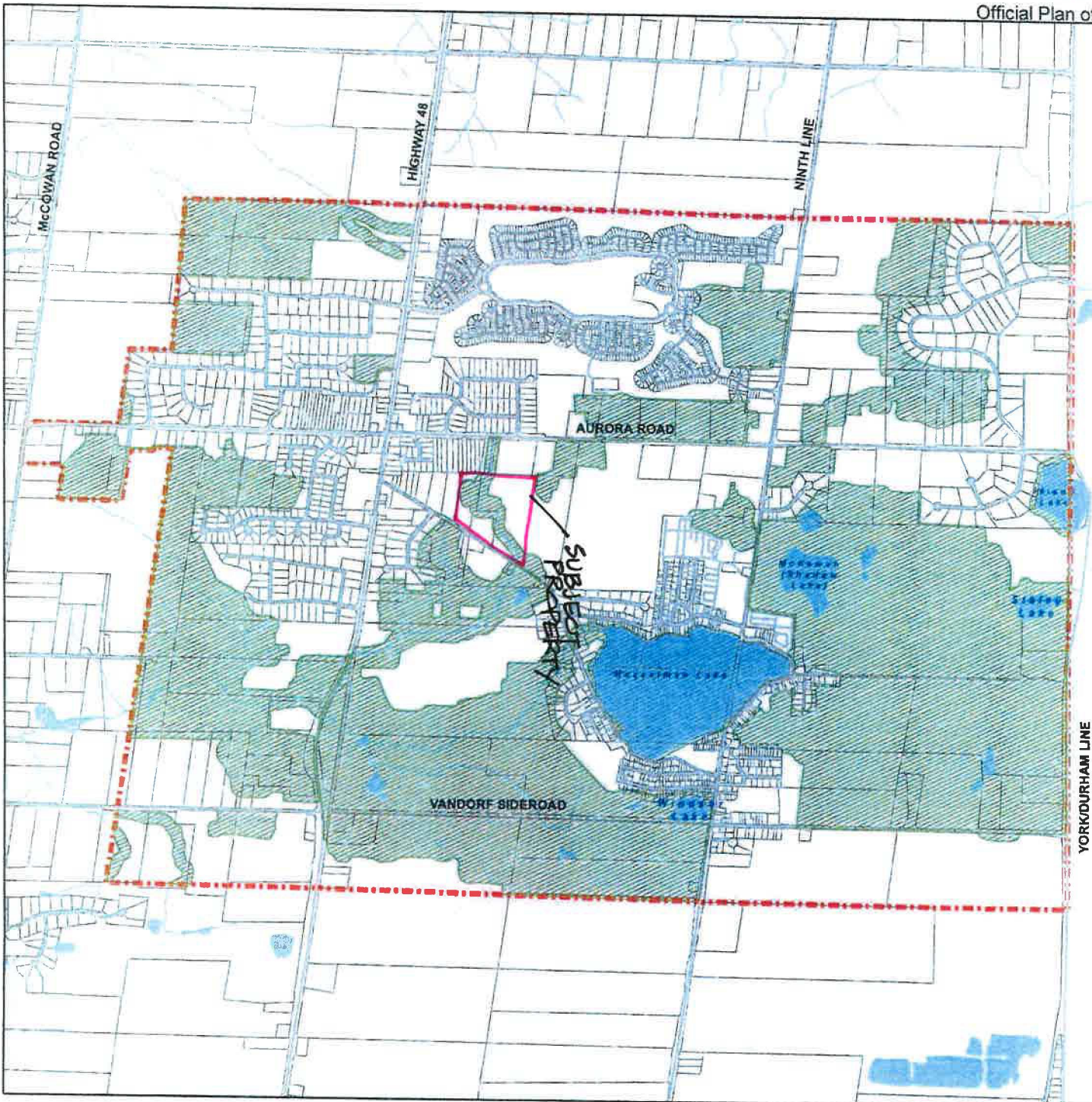


BALLANTRAE-MUSSELMAN'S LAKE
AND ENVIRONS SECONDARY PLAN

NATURAL HERITAGE
SYSTEM AREAS

Appendix 'A'

-  Secondary Plan Area Boundary
-  Natural Heritage System Area



DECEMBER 2013

FIGURE 6A

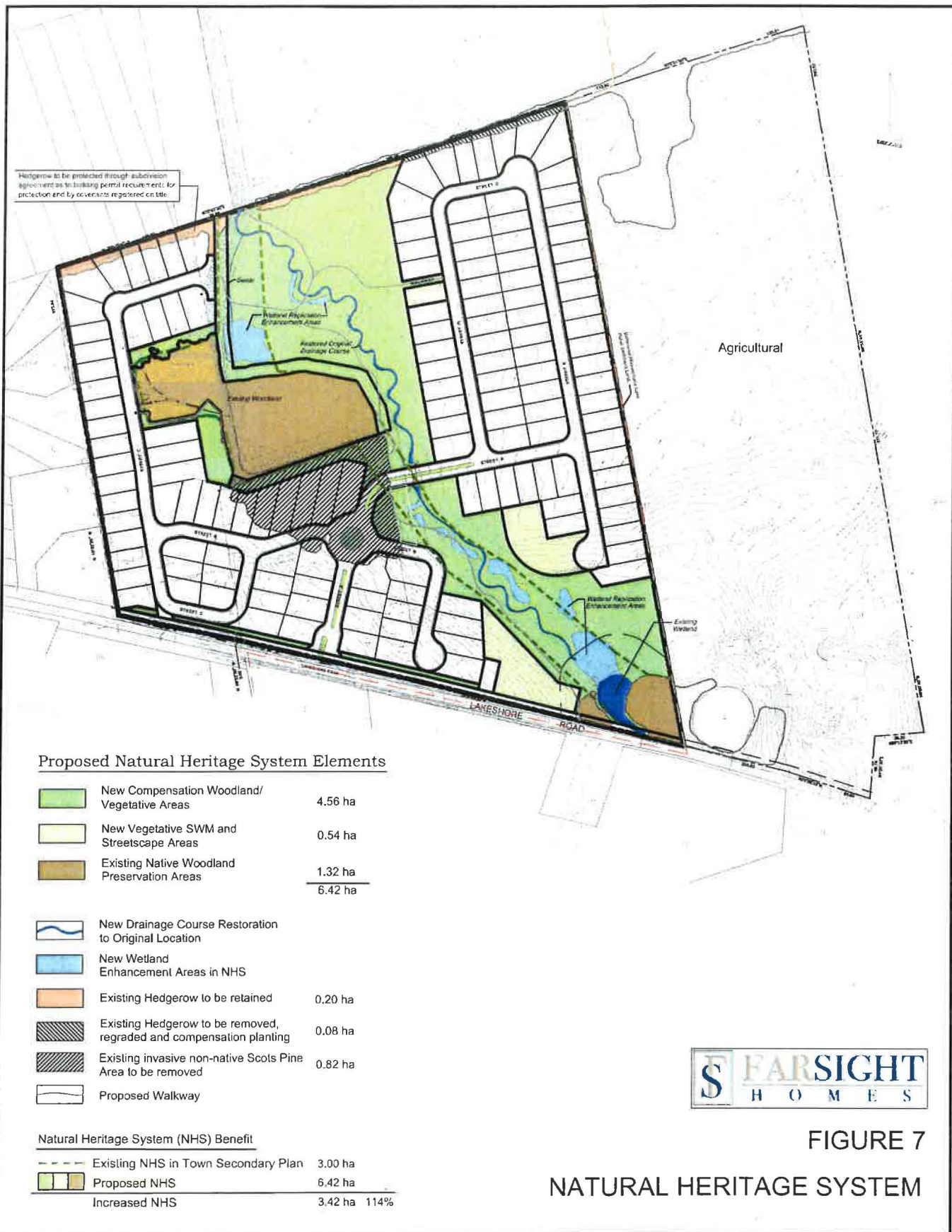


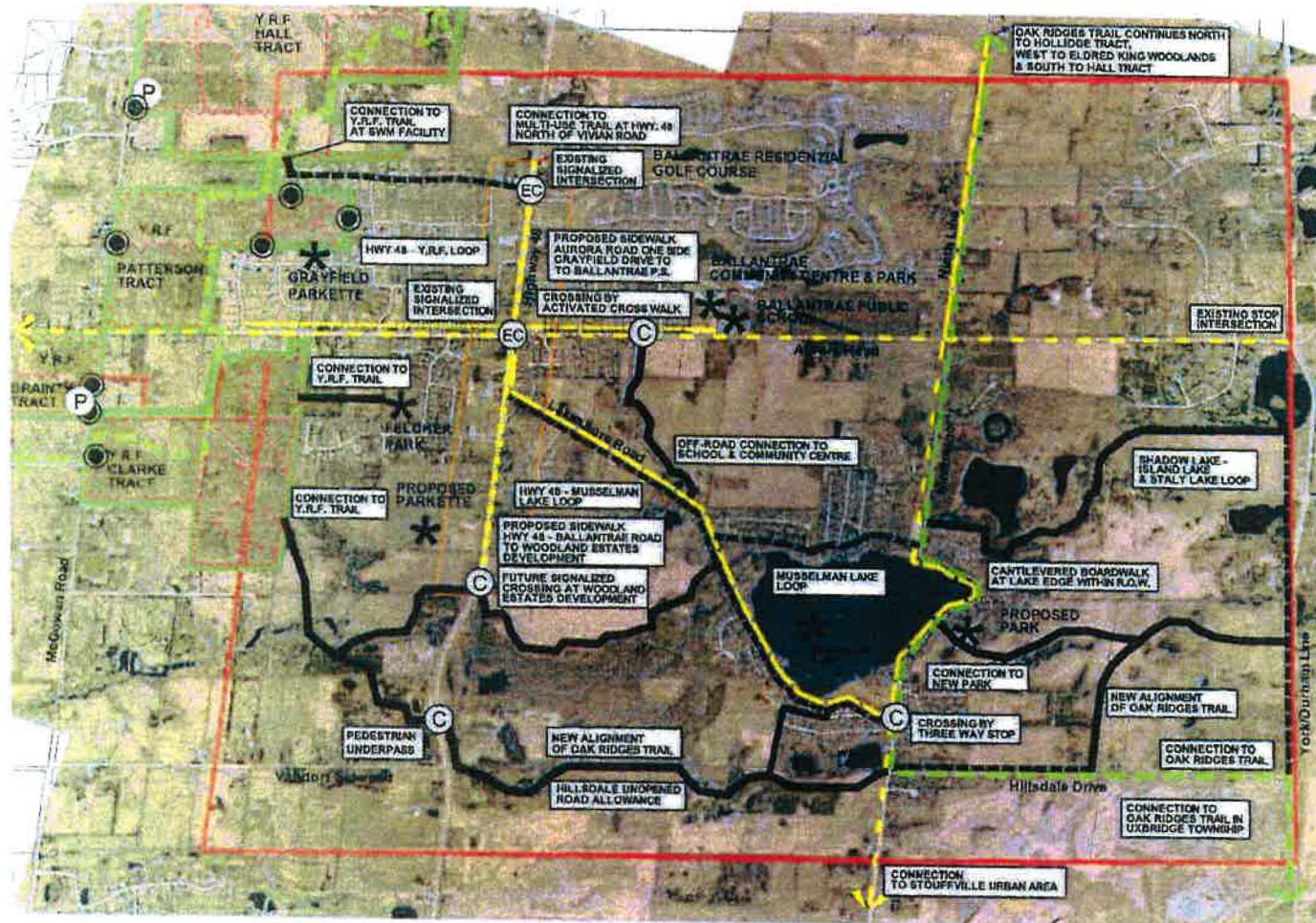


FIGURE 8
DRAFT PLAN OF CONDOMINIUM

BALLANTRAE-MUSSELMAN'S LAKE
AND ENVIRONS SECONDARY PLAN

TRAILS SYSTEM

Appendix 'B'



- Secondary Plan Boundary
- Hwy 48 Corridor Boundary
- LSRC Watercourse

TRAILS LEGEND

- EXISTING OAK RIDGES TRAIL
- EXISTING YORK REGION FOREST & OAK RIDGES SIDE TRAIL
- EXISTING YORK REGION FOREST TRAIL
- EXISTING YORK REGION FOREST TRACT BOUNDARY
- * PUBLIC DESTINATION
- P EXISTING YORK REGION FOREST TRAIL PARKING
- EXISTING YORK REGION FOREST PEDESTRIAN ACCESS
- PROPOSED CYCLING ROUTE PAVED SHOULDER (PER PROPOSED LONG TERM CYCLING NETWORK Y.R. APRIL 2009)
- PROPOSED CYCLING ROUTE SIGNED ROUTE (PER PROPOSED LONG TERM CYCLING NETWORK Y.R. APRIL 2006)
- PROPOSED HWY 48 MULTI PURPOSE TRAIL IN R.O.W. BOTH SIDES (PER SECONDARY PLAN REVIEW OCTOBER 2011)
- PROPOSED SIDEWALK ONE SIDE
- OFF-ROAD TRAIL OPPORTUNITY
- R.O.W. TRAIL OPPORTUNITY
- EC EXISTING SIGNALIZED INTERSECTION
- C POTENTIAL ROAD CROSSING IMPROVEMENTS



0 0.25 0.5 1km

AUGUST 2013

© 2011 The Town of Whitchurch-Stouffville
© 2011 The Regional Municipality of York
Produced using information provided in accordance with the
Lake Simcoe Region Conservation Authority, 2011

FIGURE 10

APPENDICES

AMENDMENT NO. ____
TO THE
OFFICIAL PLAN
OF THE
THE TOWN OF WHITCHURCH-STOUFFVILLE
PLANNING AREA

STATEMENT OF COMPONENTS

PART I - THE PREAMBLE does not constitute part of this Amendment.

PART II - THE AMENDMENT, consisting of the attached text and schedules constitutes Amendment No. ____ to the Official Plan for the Town of Whitchurch-Stouffville Planning Area.

AMENDMENT NO. ____
TO THE OFFICIAL PLAN OF THE WHITCHURCH-STOUFFVILLE
(BALLANTRAE-MUSSELMAN LAKE AND ENVIRONS SECONDARY PLAN)

INDEX

PART I - THE PREAMBLE

1. Purpose
2. Location
3. Basis

PART II- THE AMENDMENT

PART I - THE PREAMBLE

1. PURPOSE

The purpose of this Amendment to the Ballantrae-Musselman Lake & Environs Secondary Plan (OPA 90) is to revise Schedule “E” - Land Use Plan, in support of the FarSight Homes for a Plan of Subdivision and a Plan of Common Elements Condominium consisting of low density residential dwelling uses.

The Ballantrae-Musselman Lake & Environs (OPA 90) presently designates the subject lands ‘Ballantrae Future Residential Area II.’ The ‘Ballantrae Future Residential Area II’ designation permits low density residential development through a ‘plan of subdivision’ subject to development policies.

This Amendment proposes for the subject lands designated ‘Ballantrae Future Residential Area II’, site-specific Special Provisions to permit a residential development by Plan of Common Elements Condominium consisting of 141 low density residential single detached lots, of a minimum area of 370m², and the addition of a servicing policy.

2. LOCATION

This Amendment applies to those lands described as Part of Lots 19 & 20, Concession 8 in the Town of Whitchurch-Stouffville (formerly Township of Whitchurch), within draft approved plan of subdivision 19T(W)-14.003 (Revised). The subject lands are municipally known as 5426, 5452 and 5584 Lakeshore Road, located to the east of Highway No. 48 between Lakeshore Road and Aurora Road within the settlement area of Ballantrae. The subject lands have an area of 16.29 hectares (40.25 acres). Schedule “A” shows the location of the lands subject to this Amendment

3. BASIS

The Town OPA 90 Secondary Plan was approved by the Region in 1997 and was amended by Town OPA 112 (ORMCP conformity exercise) approved in 2007 and is in effect.

The Town of Whitchurch-Stouffville Council adopted OPA 136 in January 2014 as an update to the Ballantrae-Musselman Lake & Environs Secondary Plan. OPA 136 designates the subject lands as ‘Ballantrae Residential Area’ permitting low density residential single detached lots by plan of subdivision.

OPA 136 is awaiting approval by the Region of York. OPA 136 is subject of appeal to the Ontario Municipal Board and it is unclear when OPA 136 will be in effect. The applicant has applied to amend the current Ballantrae-Musselman Lake & Environs Secondary Plan (OPA 90), in effect, to amend the servicing policies for the subject lands to be consistent with the goals and objectives of OPA 136, in order to permit the proposed residential condominium/subdivision to proceed.

OPA 136 contemplated that the FarSight lands could be developed on the basis of a private communal on-site sewage treatment. However, the FarSight lands are proposed to be developed on the basis of the extension of sanitary services from the private wastewater treatment plant located on the Ballantrae Golf and Country Club residential community to the north of Aurora Road lying east of the Highway 48 corridor.

York Region has confirmed that there is currently water supply capacity for 5,900 persons in the Ballantrae-Musselmans Lake municipal water supply system. The Region has assigned 5,600 persons to this Town water system. The Region Class EA for increased water supply has identified 6230 persons requested by the Town. The Region is prepared to assign the remaining available water supply to the Town, provided there is complementary existing municipal/communal wastewater treatment capacity in place. The connection of the proposed development to the Ballantrae Golf and Country Club wastewater treatment plant will fulfill this obligation for water supply.

This proposed Official Plan Amendment:

- Is consistent with the policies of the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Oak Ridges Moraine Conservation Plan, the Region of York Official Plan and the Lake Simcoe Protection Plan;
- Complies with and furthers the strategic goals and objectives of the Town of Whitchurch-Stouffville, as demonstrated with the adoption of OPA 136 by Council;
- Utilizes available capacity in an existing communal sewage treatment facility;
- Applies to lands suitable for the proposed low density residential use;
- Will facilitate the development of permanent year-round residential housing; and,
- Constitutes good planning.

The Amendment is privately initiated by the Owner and is intended to facilitate the development of the land for residential purposes. The Council of the Town of Whitchurch-Stouffville is satisfied that Amendment No. ____ to the Town of Whitchurch-Stouffville Official Plan is appropriate.

PART II - THE AMENDMENT

1. Introduction

All of this part of the document entitled Part II: The Amendment, consisting of the following text, and Schedule "A" constitutes Amendment No. __ to the Official Plan of the Town of Whitchurch-Stouffville Planning Area (Ballantrae-Musselman Lake & Environs Secondary Plan).

2. Details of the Amendment

The Official Plan for the Town of Whitchurch-Stouffville is hereby amended as follows:

- 2.1 That Section 11.4.8.4 - Special Provisions is hereby amended by the addition of a new subsection as follows:

"11.4.8.4.2, Special Provision 2 - 5426, 5452 and 5584 Lakeshore Road (19T(W)-14.003):

i. Permitted Uses:

- a) single detached dwellings on up to a maximum of 141 lots, of a minimum lot area of 370m² with maximum heights of 11 m, as part of a plan of subdivision and plan of condominium;
- b) stormwater and erosion control facilities sited, designed and constructed on-site in a way that minimizes negative impacts on natural systems; and,
- c) public and private utilities, including roads, sited, designed and constructed in a way that minimizes negative impacts on natural systems.

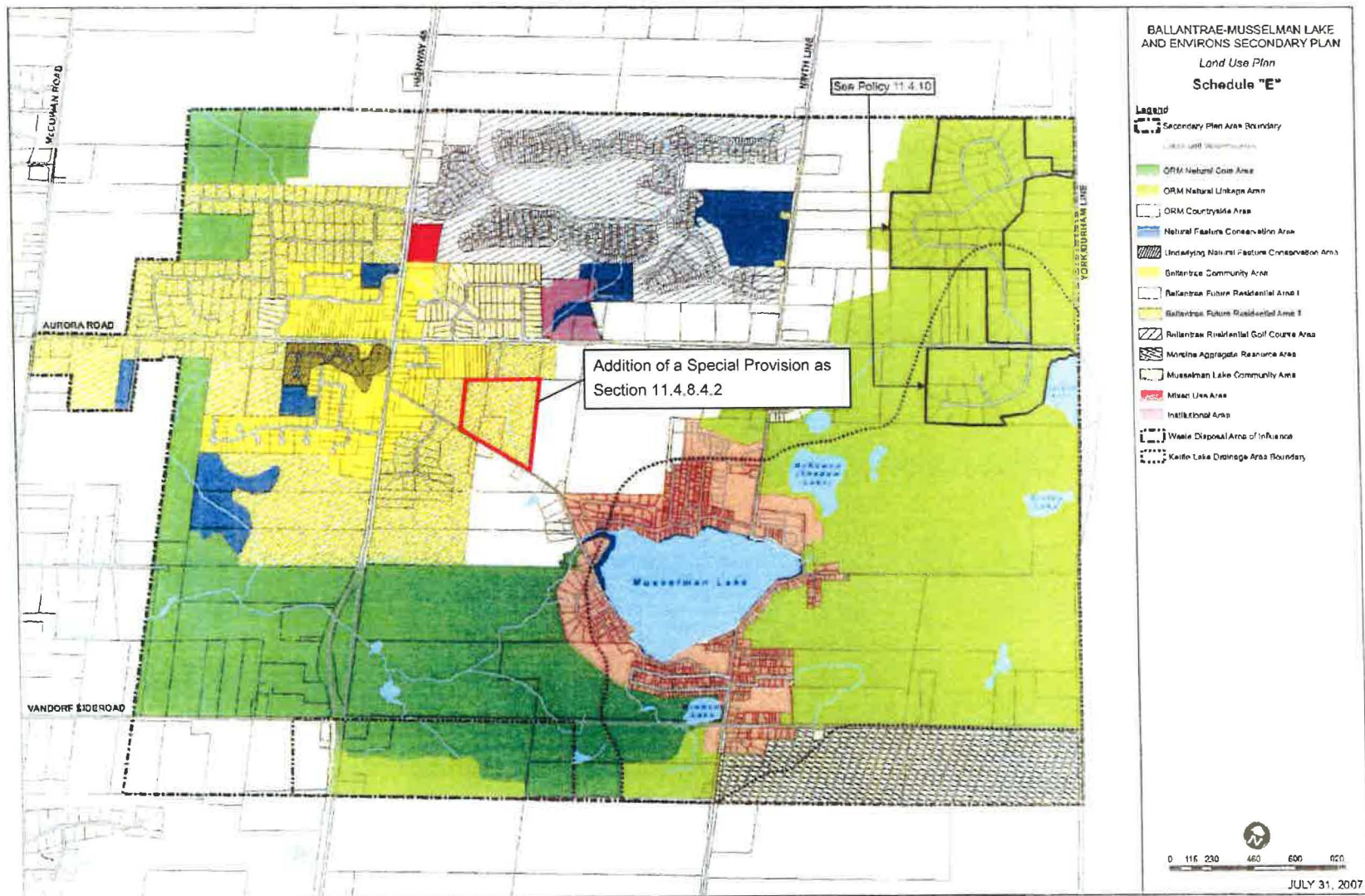
ii. Land Use Policies:

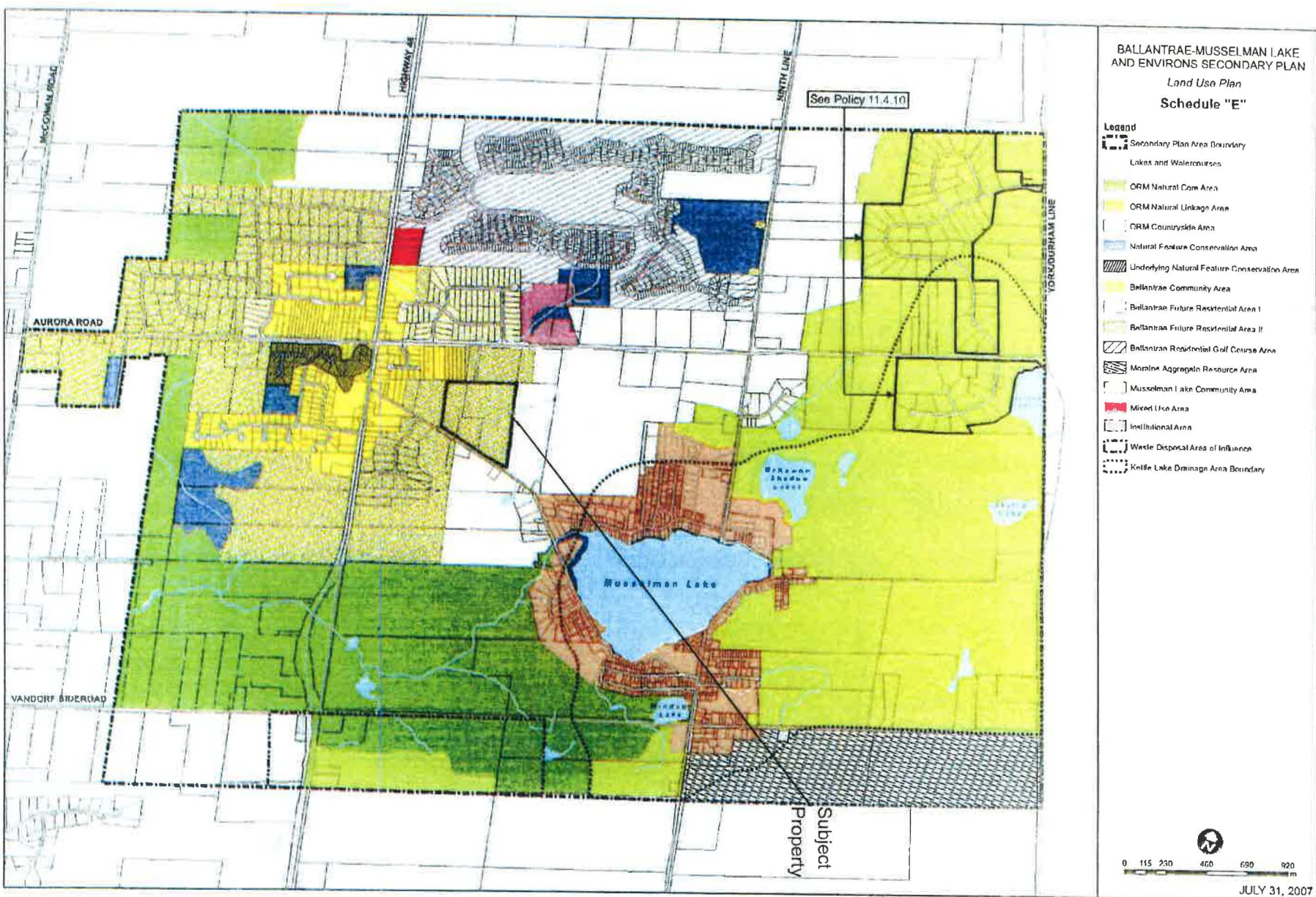
- a) Development will be serviced by the Ballantrae-Musselman Lake Water Works system and the private Water Pollution Control Plant (WPCP) located on the Ballantrae Golf and Country Club. The WPCP will service up to 141 residential units on the Amendment lands."

3. Interpretation

The provisions set forth in the Town of Whitchurch-Stouffville Official Plan, as amended from time to time regarding the interpretation of that Plan, shall apply in regard to this Amendment and as may more specifically be set out or implied within the policies contained therein. Unless precluded, altered or exempted by any policies contained herein, all of the relevant policies of the Whitchurch-Stouffville Official Plan shall apply to this Amendment.

SCHEDULE A





Location Plan
FIGURE 1

THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE

BY-LAW NUMBER 2019-__-ZO

A By-law to amend By-law No. 2010-001-ZO of the Town of Whitchurch-Stouffville
(Comprehensive Zoning By-law)

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN
OF WHITCHURCH-STOUFFVILLE ENACTS AS FOLLOWS:**

1. That Comprehensive Zoning By-law No. 2010-001-ZO is hereby amended as follows:
 - a. By amending Schedule 28 to rezone the lands from Development Reserve [D] zone to Residential Village (RV) zone subject to Exception RV (), as shown on Schedule 1 to this By-law.
 - b. By amending Schedule 28 to modify the Flood Hazard (FH) zone boundaries as shown on Schedule 1 to this By-law.
 - c. By amending Section 5A.3.1 "Exceptions to the RV Zone" to add a new Section 5A.3.1. __ as set out in Schedule 2 to this By-law.
2. AND THAT this By-law shall come into force upon final approval of Amendment No. __ to the Town of Whitchurch-Stouffville Official Plan and in accordance with Section 34 of the Planning Act.

READ a first and second time this __ day of _____ 20__

READ a third time and passed the __ day of _____ 20__

, Mayor

Gillian Angus-Traill, Town Clerk

SCHEDULE 2 TO BY-LAW 20__ - __-ZO
Exception RV ()

Section 5A.3.1 RV (), 5426, 5452 & 5584 Lakeshore Road, Schedule 28

1. a. Permitted Uses

The only uses permitted in the Residential Village (RV) zone on the subject lands shall be Single Detached Dwellings, and private condominium water, sewage, stormwater and related community infrastructure.

b. Regulations

- | | |
|---|---|
| i. Minimum Lot Area | 370 square metres |
| ii. Minimum Lot Frontage | 12 metres |
| iii. Minimum Front Yard Setback | 4 metres to dwelling
6 metres to garage door
1.5 metres to unenclosed porch |
| iv. Minimum Exterior Side Yard Setback | 3 metres |
| v. Minimum Interior Side Yard | 1.2 metres and 0.6 metres on other side |
| vi. Minimum Rear Yard Setback | 6 metres |
| vii. Maximum Building Height (principle building) | 11 metres |
2. For the purposes of this zone category, a lot shall be deemed to mean the whole of one lot on a registered plan of subdivision fronting on a private right-of-way as shown on a registered plan of condominium pursuant to the Condominium Act 1998.
3. In addition, for the purposes of this zone category, a public street or road shall also include a private street or road, land and /or right-of-way or block intended to be used as a private street or road, land and/or right-of-way as shown and/or designated on a registered plan of subdivision registered pursuant to Section 51 of the Planning Act and/or plan of condominium registered pursuant to the Condominium Act, 1998.

From D - Development Reserve and
FH - Flood Hazard
To
RV - Residential Village



Section 8
 13 - Age-related
 15 - Environmental
 16 - Physical Injury
 19 - Social History
 20 - Social History
 21 - Social History
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SCHEDULE 28