



# Town of Erin

## Corporate Report

**Department:** Community Services

**Business Unit:** Planning

**Presented/**

**Prepared By:** Angela Sciberras, Planning Consultant

**Report Number:**  
PD2021-04

**Meeting Date:**  
2/16/2021

### Subject

**Zoning By-law Amendment Application Z19-04 and Draft Plan of Subdivision Application 23T-19901, Part of Lot 13, Concession 2, Hamlet of Ospringle, Town of Erin, municipally known as 5414 Second Line (*Spirit of Pentecost*), Statutory Public Meeting.**

### Recommendation

**Be it resolved that** Council hereby receive report number PD2021-04 “*Zoning By-law Amendment Application (Z19-04) and Draft Plan of Subdivision Application (23T-19901), 5414 Second Line (Spirit of Pentecost), Public Meeting*” for information.

### Highlights

This report provides preliminary information regarding applications for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by IBI Group, on behalf of Terrell Spirit of Pentecost, to facilitate a 13-lot residential development on private services and a stormwater management facility.

### Background

In response to the Notice of Public Meeting for these proposed rezoning and draft plan of subdivision applications, we provide Council with the following comments.

The Town of Erin is in receipt of an application for Zoning By-law Amendment and Draft Plan of Subdivision (through Wellington County) from IBI Group on behalf of Mr. Terrell Spirit of Pentecost (Owner) for lands municipally known as 5414 Second Line, Ospringle.

A Notice of Complete Application was issued on November 8, 2019, and the applications were circulated for technical review and comment. A Notice of Application for a Plan of Subdivision was circulated on April 7, 2020 by the County of Wellington.

### LOCATION

The subject property is located on the north side of Wellington County Road 124 \*WCR 124), west of Second Line within the Ospringle Settlement Area, of the Town of Erin. The site is legally described as Pt Lt 13, Con 2, Erin, AS in MS126136 (Fourthly) Except Pt 1, 61R6497, Ospringle Settlement Area, County of Wellington; and, is municipally described as 5414 Second Line.

The subject property has an area of approximately 3.62 hectares (8.9 acres) with a fragmented frontage along WCR 124 totaling approximately 170 metres and approximately 37 metres frontage on Second Line. **(Appendix A – Location Map)**

The property is currently occupied by what appear to be an abandoned dwelling and a detached garage structure.

Surrounding land uses include:

North: primarily low density/estate residential, agricultural uses

South: low density residential, agricultural (lands have been approved for a 60-lot residential subdivision – Thomasfield Homes 23T-16002/Z16-06)

East: gas station, convenience commercial uses, commercial and agricultural uses

West: agricultural, residential and institutional (Knox Presbyterian Community Church), uses

## PROPOSAL

The applicant is proposing a residential subdivision development consisting of thirteen (13) single detached lots, a stormwater management facility and an 18.0 m municipal road in the form of a cul-de-sac. **(Appendix B – Draft Plan of Subdivision)**

The draft plan illustrates 13 single detached lots with frontages varying from approximately 21.0 metres to 39.0 metres and with lot areas ranging in size from 2,027 m<sup>2</sup> to 2,678.83 m<sup>2</sup> and comprise 2.788 ha of the total site area.

Vehicular access to the subdivision will be provided through a full-move municipal road (Street “A”) from Second Line, just north of the driveway access to the gas station on the east side of Second Line. No access is proposed to WCR 124.

A stormwater management facility is proposed at the south east corner of the development and is comprised of approximately 0.260 ha in area. It abuts the rear yards of 3 existing residential lots fronting onto WCR 124.

A 2.4 m landscape buffer is located on the north side of Street “A” at the entrance and runs along the length of the side yard for the abutting property to the north.

The Zoning By-law Amendment is intended to rezone the lands to an appropriate residential zone category and establish appropriate development standards.

The applicant has submitted an application for Draft Plan of Subdivision. The draft plan creates 13 lots for residential use, a block for the stormwater management facility, a block for the landscape buffer; and, Street “A” which will be conveyed to the Town.

## SUPPORTING REPORTS AND DRAWINGS

The applicant has submitted the following documents in support of the applications:

- Draft Plan of Subdivision, IBI Group, revised to June 27, 2019
- Grading Plan, IBI Group, October 4, 2019
- Plan and Profile, IBI Group, October 4, 2019

- Planning Justification Report, IBI Group, September 9, 2019
- Geotechnical Investigation, Chung & Vander Doelen, November 16, 2018
- Hydrogeological Investigation, Chung & Vander, Doelen, February 27, 2019
- Heritage Impact Assessment, Scarlett Janusas Archaeology Inc., November 6, 2017
- Stage 1-2 Archaeological Assessment, Archaeological Assessments Ltd., November 15, 2017
- Transportation Impact Study, IBI Group, October 19, 2017
- Functional Servicing Report, IBI Group, November 8, 2018
- Stormwater Management Report, IBI Group, November 9, 2018
- Wastewater Servicing Assessment, FlowSpec Engineering, September 5, 2019

## POLICY CONTEXT

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

All Planning decisions are required to be consistent with the applicable policies of the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development.

The PPS focuses on building strong communities, protecting the natural environment, resources and public health and safety, and supporting a strong economy. It provides a planning framework for municipal land use decision making as it relates to managing and directing land use to achieve efficient development and land use patterns that focus growth and development within Settlement Areas.

Policy 1.1.3 provides direction for development to be located within settlement areas, specifically, policy 1.1.3.1 states that “*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*”

“Settlement Areas” are defined in the PPS as:

*“...urban areas and rural settlement areas within municipalities (such as towns, villages and hamlets) that are:*

- a) built up areas where development is concentrated and which have a mix of land uses; and,*
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2...”*

The subject property is located within a Hamlet (Ospringle) as identified in the Town of Erin and County of Wellington Official Plans.

### *Growth Plan for the Greater Golden Horseshoe: A Place to Grow, 2020*

All planning decisions must conform to the Growth Plan; and, it should be read in tandem with the PPS. In the event of a conflict between the Growth Plan and the PPS, the Growth Plan prevails.

The Growth Plan directs growth to settlement areas, focusing on built-up areas and promotes transit-supportive densities and a healthy mix of residential and employment

land uses. The intent is to build compact and complete communities while optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

The subject property, as previously stated, is located within a settlement area, and is within an approved development area (Ospringe Hamlet).

It is located outside of the Natural Heritage System.

#### *Greenbelt Plan*

The subject property is located outside of the Greenbelt Plan.

#### *Wellington County Official Plan*

The subject property is identified as being the Urban System and is designated as “Hamlet” (Ospringe) on Schedule A2 of the County’s Official Plan.

The County’s OP policies direct the majority of growth to urban centres and hamlets.

Section 7.4 provides policies on development within the Hamlet designation which allows for relatively small-scale development, including permitted uses, servicing, land use compatibility and impact assessment. Hamlets are expected to accommodate low density development on individual on-site services. (**Appendix C – County Official Plan**)

#### *Town of Erin Official Plan*

The subject property is designated “Hamlet Area” on Schedule B-6 Ospringe, of the Town’s Official Plan.

Consistent with the County OP, the Erin OP directs the majority of growth to its urban centres, with growth to a lesser extent in the hamlet areas. Development within hamlets is to be small scale in keeping with the rural character. Residential development will be low density. (**Appendix D – Town Official Plan**)

#### *Applicable and Proposed Zoning*

The subject property is zoned “Agricultural (A)” and “Rural Residential Three (R3)”, as shown on Schedule D1 of the Town’s Zoning By-law (**Appendix E – Zoning Map**).

The “A” zone permits a range of uses including agricultural uses, a single detached dwelling, accessory dwelling unit, home industry/occupation, a commercial nursery, portable asphalt plant, wayside pit or quarry; and, related accessory uses.

The “R3” zone permits a detached dwelling, accessory dwelling unit, home occupation, bed and breakfast, existing institutional uses and related accessory uses.

The Applicant is requesting a zoning amendment from “A” and “R3” to a site specific R3 zone and Open Space Recreation (OS1) zone, to permit 13 single detached dwellings and, a stormwater management facility. The following site specific performance standard is requested to facilitate the proposed development:

- *Minimum Lot Frontage* of 21.0 m whereas the R3 zone requires 30.0 m

The Applicant has submitted a draft zoning by-law for review which is attached as **Appendix F** to this report.

## CIRCULATION COMMENTS

To date comments have been received from the following:

### GRCA

- Property is not regulated by the GRCA; no comments

### UGDSB

- The Planning Department does not object to the proposed zoning application, but reserve the right to provide comments on the draft plan of subdivision from the County of Wellington.

### INFRASTRUCTURE SERVICES

- No comments at this time

### AINLEY GROUP (PEER REVIEWER)

- Comments from the Town's Peer Reviewer were received on February 2, 2021, generally pertaining to wastewater servicing, stormwater management, grading, geotechnical investigation, traffic, and overall technical site plan matters.
- Additional information has been requested which can be addressed through the Applicant's next submission.
- No significant concerns were identified.

### HERITAGE COMMITTEE

- The Toll Road structure does not have any redeemable heritage attributes in the state it is in; concur with its removal for the proposed development.
- The Archaeological Report indicates no further examination is required for the balance of the subject lands.

No additional comments have been received from the County or Town Staff to date.

## PUBLIC CONSULTATION AND COMMENTS

As prescribed by regulation under the *Planning Act*, a notice of the Public Meeting was mailed to all property owners assessed within 120 metres of the subject property and a Notice was placed in the January 21, 2021 edition of the Erin Advocate; and, on the Town's website.

- Correspondence received from Datta Yoga Centre of Canada (5422 Second Line) and 9522077 Canada Inc. (owner of 5418 Second Line); requesting notification of public meetings and any decisions.

No additional comments have been received from the public to date.

## **NEXT STEPS**

The public meeting for this application is scheduled for February 16, 2021, in order to present the proposal to the community and obtain public input.

All comments received will be noted and used as input to a Planning Report prepared by the Town Planning Division for a subsequent meeting of Council or a Committee of Council.

The applicant will be required to address and respond to comments received.

We will be in attendance at the public meeting to hear the applicant's presentation and any public comments.

## **Strategic Pillar**

Growth Management

## **Financial Impact**

There is no financial impact associated with the proposed recommendation.

## **Conclusion**

That this Public Meeting Report regarding proposed Zoning Amendment (Z19-04) and Draft Plan of Subdivision (23T-19901) be received for information.

## **Attachments**

Appendix A: Location Map

Appendix B: Draft Plan of Subdivision

Appendix C: County Official Plan Schedule

Appendix D: Town Official Plan Schedule

Appendix E: Town Zoning By-law Schedule

Appendix F: Draft Zoning By-law

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Chief Administrative Officer