



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: Ruth Conard, Planner – Development Review

DATE: October 12, 2021

REPORT NO.: PD-2021-0061

SUBJECT: Public Meeting for Draft Plan of Subdivision and Zoning By-law Amendment applications proposing 28 single-detached lots on an extension of Bishop Court (Glen Williams)

RECOMMENDATION:

THAT Report No. PD-2021-0061, dated October 12, 2021, regarding “Public Meeting for Draft Plan of Subdivision and Zoning By-law Amendment applications proposing 28 single-detached lots on an extension of Bishop Court (Glen Williams)”, be received;

AND FURTHER THAT all agency and public comments be referred to staff for a further report regarding the disposition of this matter.

KEY POINTS:

The following are key points for consideration with respect to this report:

- Wellings Planning Consultants Inc. (the Applicant) has provided a resubmission for the Draft Plan of Subdivision and Zoning By-law Amendment applications referred to as Phase 2 of Bishop Court in Glen Williams.
- The applications have been revised to now seek approval for 28 single detached lots. When initially submitted in 2005 the proposal was for 31 lots.
- Town and external agency staff have provided comments regarding the hamlet buffer, needed revisions to the submitted Environmental Impact Report and Urban Design Guidelines and the requirement for additional trail connections.
- Six (6) public inquiries have been received to date.
- The purpose of the Public Meeting is to obtain comments and feedback from the community. Any comments received will be thoroughly reviewed, evaluated, and included in the Final Recommendation Report to Council at a later date.

BACKGROUND AND DISCUSSION:

The Town has received a revised submission for the Draft Plan of Subdivision and Zoning By-law Amendment applications seeking to obtain the necessary approvals to permit the development of Phase 2 of the Bishop Court subdivision (28 lots for single detached dwellings on an extension of Bishop Court) in Glen Williams.

1.0 Location & Site Characteristics

The subject lands are located on the east side of Ninth Line (Confederation Street), north of Bishop Court in the Hamlet of Glen Williams; see **SCHEDULE 1 – LOCATION MAP**. The lands have an approximate area of 19.5 ha (48.2 ac) and are generally divided by two existing watercourses. The lands consist of primarily agricultural lands, abandoned gravel extraction areas, valley lands and a conifer plantation.

Surrounding land uses to the subject lands include:

To the North:	Agricultural/rural lands outside of the boundaries of the Hamlet
To the East:	Valley and natural lands and agricultural/rural lands further East
To the South:	Hamlet estate residential uses fronting onto both sides of Bishop Court (known as Phase 1)
To the West:	Ninth Line (Confederation Street) and agricultural/rural lands outside of the boundaries of the Hamlet further West

2.0 Application History

The subject Draft Plan of Subdivision and Zoning By-law Amendment applications represent Phase 2 of the Bishop Court subdivision in Glen Williams. A history of the applications is provided below:

- In 1983 the landowners submitted Draft Plan of Subdivision and Zoning By-law Amendment applications for a large residential subdivision along a horseshoe shaped public road off Ninth Line (Confederation Street). That proposal was subsequently split into two phases for consideration.
- Phase 1 represents the existing Bishop Court, which contains 30 single detached residential lots on the current cul-de-sac court. Phase 1 was Draft Approved by the Ontario Municipal Board (OMB) in April 1999 and construction was subsequently completed in the early 2000's.
- In 2005, the Applicant submitted revised Draft Plan of Subdivision and Zoning By-law Amendment applications for the Phase 2 lands. At that time the proposal was for 31 single detached lots on an extension of Bishop Court.
- A Public Meeting for the 2005 submission was held on April 7, 2008.
- The Town received a resubmission for the Phase 2 subdivision in April 2021; this represents the fourth submission for Phase 2 since 2005.
- The current resubmission now contemplates 28 single detached residential lots on an extension to Bishop Court. This Public Meeting is being held to present the revised proposal to Council and the public given the amount of time that has passed since the previous 2008 Public Meeting was held.

3.0 Development Proposal

On April 19, 2021, Wellings Planning Consultants Inc. (the Applicant) provided a resubmission for the Bishop Court Phase 2 Draft Plan of Subdivision and Zoning By-law Amendment applications on behalf of 1404649 Ontario Limited ("Charleston") proposing 28 residential lots on an extension of the Bishop Court public road. The Phase 2 lots are intended to be serviced by municipal water and private, individual septic systems. Blocks encompassing the two on-site watercourses and a future stormwater management facility are intended to be conveyed to the Town; see **SCHEDULE 2 – PROPOSED DRAFT PLAN OF SUBDIVISION**.

The 28 single-detached lots are similar in size and configuration to those in Phase 1 and range from approximately 0.4 hectares (1.0 ac) to 0.9 hectares (2.2 ac). The lot frontages also vary and range between 12.2 metres (40.0 ft.) to 79.5 metres (261.0 ft.). Access to the subdivision is proposed through an extension of Bishop Court that will provide a new street connection to Ninth Line (Confederation Street). The extension of Bishop Court is intended to traverse the two on-site watercourses and extend through the conifer plantation.

The Applicant is also currently proposing a 20.0 metre Hamlet Buffer to be provided along the rear of each of the lots that abut the Glen Williams Hamlet boundary.

In order to implement the proposed Draft Plan of Subdivision, a Zoning By-law Amendment is required as the majority of the lands are zoned Development (D), which only permits existing uses. The Applicant proposes to rezone the lands intended for residential development (D and EP2 zones) to the Hamlet Residential Two (HR2) zone with special exceptions. The intent of the special exceptions is to capture site specific provisions that would allow for lots and dwellings that are consistent with the design objectives the Applicant envisions for the subdivision, which include:

- Minimum lot frontage of 10.5 m for two lots and 16.0 m for three other lots whereas 30.0 m is required;
- Maximum height of 2 storeys or 11.0 m whereas 9.0 m is permitted;
- Site specific provisions addressing the setback for decks from the rear property line or an EP2 zone;
- Site specific provisions addressing the projection of decks and balconies; and
- Site specific provisions addressing garage setbacks and widths.

The Applicant is proposing that the watercourses remain zoned Environmental Protection One (EP1), the stormwater management facility be zoned Open Space 3 (OS3) and the intended hamlet buffer be zoned Environmental Protection 2 (EP2); see **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**.

A list of drawings and reports submitted in support of the application is attached as **SCHEDULE 4 – SUBMISSION MATERIALS** to this report.

4.0 Planning Context

In Ontario, when reviewing applications looking to amend Zoning By-laws and seeking draft plan approval for a subdivision, development proposals are expected to conform with and meet the intent of all applicable Provincial, Regional and Municipal policy documents. This section discusses the relevant policy framework that applies to the subject site and proposal.

In addition, Section 51(24) of the Planning Act contains a range of criteria that the municipality must have regard for in considering a draft plan of subdivision including the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. Other criteria relate to matters of provincial and public interest; the suitability of the land for the subdivision; adequacy of roads, shape and size of lots; restrictions to be imposed on the lots and buildings; natural heritage; adequacy of municipal services, adequacy of school sites; energy conservation; and lands to be dedicated to the municipality.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range of housing types that makes efficient use of infrastructure and public services facilities, thus supporting the development of healthy communities. The PPS identifies Settlement Areas as the focus of growth and development and states that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities.

The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan policies indicate that the vast majority of growth will be directed to settlement areas that have a delineated built boundary, existing or planned municipal water and wastewater servicing and can support the achievement of complete communities. The Growth Plan considers existing hamlets that are long established as identified in Official Plans, such as Glen Williams, to be a rural settlement area. The Growth Plan directs new multiple lot developments to settlement areas within the rural area. However, while growth is to occur in rural settlements, it is to be limited.

As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

Region of Halton Official Plan

The Region of Halton Official Plan (ROP) identifies Glen Williams as a Hamlet. Under the Regional Plan, Hamlets are considered compact rural communities designated to accommodate future residential growth in the rural area. Sections 102 to 107 of the ROP provide policy direction for Hamlets. The lands in proximity of the tributary of the Credit River are designated as Regional Natural Heritage System in the ROP. The goal of the Regional Natural Heritage System is to increase the certainty that the biological diversity and ecological function within Halton will be preserved and enhanced for future generations.

Town of Halton Hills Official Plan

Under the Town's Official Plan, the subject lands are identified as falling within the boundaries of the Glen Williams Secondary Plan. Under the Secondary Plan, the lands are designated:

- Hamlet Estate Residential Area – applies to the portion of the lands proposed for the majority of the residential development;
- Core Greenlands – applies to the on-site portions of the two watercourses that form the Credit River Tributary; and,
- Supportive Greenlands – applies to the portion of the lands occupied by the identified conifer plantation.

Areas designated Hamlet Residential Area consist of larger estate lots that provide a transition between the rural area and the core of the Hamlet. Uses are limited to single detached residential uses, home occupations and accessory units. Section H4.6.3 of the Official Plan states that development within the Hamlet Estate Residential Area designation shall be consistent with the following land use policies:

- a) Lot creation shall occur by way of plan of subdivision for any development proposal if over 4 lots, including the retained lands;
- b) Prior to draft plan approval, plans of subdivision must be supported by the following studies:
 - i. A Transportation Study that addresses potential impacts on the existing road network, site access, street signage, street and intersection lighting and pedestrian movement.
 - ii. A study that examines land use compatibility with the sand and gravel aggregate resource on the adjacent property and provides recommendations regarding subdivision design to address issues of public health, public safety and environmental impacts;
 - iii. A Design Study that illustrates how the development will achieve a format that is consistent with the Hamlet Design and Heritage Protection Guidelines contained in Appendix X6 of the Official Plan and will preserve or enhance the cultural and natural character of the community. The Design Study should address the following matters:
 - i) Lot design, including conceptual building placements, typical streetscape, open spaces and roads;
 - ii) Pedestrian and cycling connections to the Hamlet core and open space areas, roads, walkways, trails or other pathways, including implementation of potential trails;
 - iii) The sensitive use of topography and vegetation and the extent of new landscaping;
 - iv) Location of public amenities, such as parkettes, terraces and postal kiosks; and,
 - v) Typical housing types illustrating architectural style, setbacks and heights.

- iv. A Functional Servicing Plan that will address the approach to supplying water and sanitary services to the proposed development; and,
 - v. An Environmental Implementation Report that implements the Glen Williams Scoped Subwatershed Plan at the tributary level for the subject property.
- c) Lot sizes for residential development on Regional water and private septic services are subject to suitability of the soil conditions in the development area and Regional criteria for septic systems but under no circumstances shall the minimum lot area be less than 0.4 hectares (1.0 acre); and,
 - d) Council will only adopt Zoning By-laws that implement a plan of subdivision where the plan can be shown to be consistent with the Hamlet Design and Heritage Protection Guidelines.

As per the Plan, the Hamlet Estate Residential Area will not be provided with piped Regional wastewater services and no allocation of wastewater servicing capacity has been reserved or will be required as part of an approval by Council of a development application in this designation. Development in these limited areas will therefore proceed on the basis of private wastewater system and piped water supply subject to the applicable policies of the Glen Williams Secondary Plan.

As mentioned above the two watercourse that form the Credit River Tributary are designated as Core Greenlands. No new development shall be permitted within the Core Greenlands designation in order to protect the important natural features and areas.

The conifer plantation adjacent to Ninth Line (Confederation Street) is designated Supportive Greenlands; this designation contains functions and linkages that support the ecological function of the features in the Core Greenlands designation. However, development may be permitted in the Supportive Greenlands areas where an Environmental Implementation Report (EIR) is completed that illustrates how the environmental function of the area is protected and improved through specific actions, to the satisfaction of the Town and Credit Valley Conservation. Development permitted in Supportive Greenlands areas through the approval of an EIR is to be consistent with the policies of the adjacent land use designation. The Applicant has submitted an EIR as they are currently proposing to locate five residential lots within the conifer plantation.

The Glen Williams Secondary Plan also identifies an area of potentially higher groundwater recharge on the subject lands. The Glen Williams Scoped Subwatershed Plan requires that the EIR also determine how the development proposal will maintain groundwater quantity and quality.

The Phase 2 subdivision is also subject to the Hamlet Buffer policies under the Glen Williams Secondary Plan, which directs that a general lot line setback of 20.0 metres from the hamlet boundary be provided as a buffer. Lands within this setback will be allowed to regenerate as private natural areas or be used for public park purposes such as trail systems. The Applicant is currently proposing to provide a 20.0 metre buffer setback that is intended to remain in private ownership and consist of up to 10.0 metres of planting.

It should be noted that Town Council adopted an updated Glen Williams Secondary Plan on October 4, 2021, which has been forwarded to the Region of Halton for approval. The update to the Secondary Plan includes changes to the policy framework that apply to the subject lands, including:

- A maximum density of 2.5 dwelling units per net hectare shall apply to the Hamlet Estate Residential Area designation;
- The Hamlet Buffer policies have been updated to identify a general lot line setback of 5.0 to 10.0 metres to the Hamlet boundary. Public ownership of the Hamlet Boundary buffer area shall be required;
- Additional policies for New Planned Areas have been included to help provide guidance in the review of development proposals; and,
- the Supportive Greenlands designation is now referred to as Natural Heritage System Supportive Area. The on-site conifer plantation is also now identified as a Special Study Area. Notwithstanding the changes to the designation names, the policy framework for these lands remains generally the same.

Despite the recent update to the Secondary Plan, the subject Draft Plan of Subdivision and Zoning By-law Amendment applications will continue to be reviewed against the policy framework of the previous version of the Plan given that the applications were submitted well in advance of commencement of the review of the Secondary Plan. However, changes to the policy framework resulting from the update may be considered as part of the ongoing review of the applications, subject to determining the appropriate weight to apply to the same.

Town of Halton Hills Zoning By-law

The majority of the subject lands are zoned Development (D) which only permits uses that existed on the effective date of the By-law (i.e. 2010). The remainder of the lands are zoned Environmental Protection One (EP1), which includes the two watercourses that merge to make up the Credit River Tributary, and Environmental Protection Two (EP2), which includes the conifer plantation.

In order to permit the 28 lots for single detached dwellings, the Applicant is proposing to rezone the portion of lands zoned Development (D) and Environmental Protection Two (EP2) to a site-specific Hamlet Residential Two (HR2) zone. The two watercourses will continue to be zoned Environmental Protection 1 (EP1) while the proposed stormwater management facility is intended to be zoned Open Space 3 (OS3). The Applicant is proposing the hamlet boundary be zoned Environmental Protection 2 (EP2).

5.0 Department and Agency Circulation Comments

The Draft Plan of Subdivision and Zoning By-law Amendment applications were circulated to Town department and external agencies for review. As of the date of this report, not all comments have been received yet. However, the below section outlines some of the relevant comments received by staff so far.

Recreation & Parks

Further discussion regarding the proposed 20.0 metre buffer is needed as the Town requires the buffer to be held in public ownership to properly maintain its purpose and objective.

Revisions to the submitted Environmental Impact Report (EIR) and Urban Design Guidelines are also required to address trail design and how it meets the Active Transportation Plan. The trail network should be illustrated to include additional trail connections through the proposed buffer/open space areas and also incorporate public realm elements such as small gathering areas within the stormwater management block. The Active Transportation Plan also illustrates a trail traversing the Hamlet Buffer.

6.0 Public Comments

In response to the April 2021 submission Planning staff have received six (6) email inquiries to date, each regarding the timelines associated with the proposed development.

The purpose of the Public Meeting is to obtain additional comments and feedback from the community. Any further comments received from the public will be reviewed, addressed, and included in the final Recommendation Report.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

September 30, 2021	Notice of Public Meeting published in the Independent & Free Press
October 1, 2021	Public Meeting notice mailed out to residents who requested notification and all properties assessed within 120 m of the subject property
October 21, 2021	Courtesy notice of Public Meeting published in the Independent & Free Press

INTERNAL CONSULTATION:

Planning staff have consulted with the appropriate Town departments and external agencies, including the Region of Halton and Credit Valley Conservation (CVC) Authority in the review of these applications and preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning and Development

Chris Mills, Acting Chief Administrative Officer