

NOTICE

Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on October 17, 2023.

PRESENTATIONS

Jessica Rahim, Senior Planner, County of Wellington, Township of Wellington North

- Planning Report dated October 31, 2023

Planning Opinion

The purpose of this zoning amendment is to rezone the subject lands from Future Development (FD), and Industrial Site Specific (M1-2) to Residential Site Specific (R1C-xx and R3-xx), and Industrial Site Specific (M1-xx), to facilitate a residential land lease community with 51 single detached dwellings, 12 townhouse units, and accessory uses including outdoor recreational vehicle storage, community gardens, recreation uses, greenhouses, solar panels and a stormwater management pond.

The purpose of this report is to provide the Township with an overview of the proposed zone amendment application and facilitate the public meeting. Further, this statutory public meeting will provide the opportunity for the community and area residents to ask questions and seek more information from the applicant. It will also provide an opportunity for the applicant to address any concerns that may be raised through the notification process.

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final report and By-law for Councils consideration.

INTRODUCTION

The property subject to the proposed amendment is described as All of Lots A, 9-11 on Judge Macdonald's Svy, All of Lots 22-33, Lots 35-55, Lots 71-81, and Lots 85-109 on Chadwick and Andersons Svy, Part of Lots 19, 21, 34, 69, 70 and 84 on Chadwick and Anderson Svy, Part of Lot 1, Concession 2 (West Luther), with a civic address of 210 Gordon Street, Arthur. The subject property is approximately 9.18 ha (22.68 ac) in size.

PROPOSAL

The purpose and effect of the proposed Zoning By-law amendment is to rezone the subject lands to facilitate a residential land lease community with 51 single detached dwellings, 12 townhouse units, and accessory uses including outdoor recreational vehicle storage, community gardens, recreation uses, greenhouses, solar panels and a stormwater management pond.

SUPPORTING STUDIES

The applicant has completed the following technical reports and studies in support of the proposed applications:

- A Planning Justification Report prepared by GSP Group
- A Traffic Impact Assessment Report prepared by Paradigm Transportation Solutions Limited
- A Functional Servicing and Stormwater Management Report prepared by SBA Engineering
- A D-Series Setback Assessment prepared by SBA Engineering
- A Geotechnical Investigation prepared by CMT Engineering
- A Land Lease Community Structure Letter prepared by Cohen Highly

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within the settlement area of Arthur. Section 1.1.3.1 of the PPS states that “settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.” Settlement areas are encouraged to include a mix of densities and land uses.

A PLACE TO GROW

The Growth Plan for the Greater Golden Horseshoe, 2020, came into effect on August 28, 2020.

The Provincial Growth Plan directs the majority of growth to settlement areas as a better use of land and infrastructure while prioritizing intensification in strategic growth areas, including urban growth centres, major transit station areas, brownfield sites and greyfields. The vast majority of growth will be directed to settlement areas that have a delineated built boundary.

Section 2.2.1.4 of the Plan seeks to achieve a complete community including a diverse mix of lands uses and provide for a more compact built form and vibrant public realm.

Under section 2.2.7 of the Growth Plan, new development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated RESIDENTIAL and INDUSTRIAL in the Urban Centre of Arthur. The property is located within a greenfield area of Arthur. The proposed residential uses (sensitive land uses) will be located within the residential designation on the subject property and the proposed accessory uses will be located within the industrial designation on the subject property.

Intensification

The policies of Section 3 of the Official Plan outline the general strategies for guiding growth within the County. Section 3.3 sets out objectives for growth and encourages growth in urban areas. It further seeks to encourage more efficient use of land through increased densities in designated Greenfield areas of urban centres.

Section 3.3.1 identifies targets and states “the designated greenfield area of the County will be planned to achieve an overall minimum density of not less than 40 residents and jobs per hectare”. This application is located within a greenfield area of Mount Forest and will contribute to and support this target.

Section 4.4.3 of the Official Plan encourages intensification in urban centres and further states in subsection a) that the plan supports increased densities in newly developing greenfield areas with a broad mix of housing types.

Section 4.4 of the Plan outlines Housing policies. The main applicable policy, Section 4.4.4, deals with Greenfield Housing, and requires a gross density of at least 16 residential units per gross hectare (6.5 units per gross acre). The development as proposed has 20 units per gross hectare (8.5 units per gross acre).

Urban Centres

Section 7.5.1 of the County Official Plan provides details on land use compatibility in Urban Centres “Urban Centres are expected to provide a full range of land use opportunities. Residential uses of various types and densities, commercial, industrial,

and institutional uses as well as parks and open space uses will be permitted where compatible and where services are available.”.

Residential Designation

The policies of Section 8.3.2 of the Official Plan sets out a number of objectives for residential development including, b) “to provide a variety of dwelling types to satisfy a broad range of residential requirements, e) to ensure that an adequate level of municipal services will be available to all residential areas”, and g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighborhoods.

The policies of Section 8.3.11 of the Official Plan encourage development of “vacant or under-utilized properties for residential uses which are compatible with surrounding uses in terms of dwelling type, building form, site coverage and setbacks”.

Industrial Designation

The policies of Section 8.7.2 of the Official Plan sets out a number of objectives for industrial development including b) to provide adequate industrial lands to meet the urban centre’s long term land use requirements; d) to ensure that users of the industrial land are “clean” industries which do not have a detrimental effect on the urban centres and that any potential adverse impacts of industrial development on the natural environment and surrounding land uses are minimized; e) to encourage attractive industrial areas through appropriate design standards; f) to make more efficient use of existing industrial areas and vacant and underutilized industrial areas.

Section 8.7.3 of the Plan indicated that industrial lands may be used for a variety of uses including, but not limited to, manufacturing, processing, fabricating, assembly, warehousing and repair establishments. Public and private services and utilities, transport facilities, storage yards and a municipal sewage treatment plant may also be permitted.

WELLINGTON NORTH COMMUNITY GROWTH PLAN (WNCGP)

The Community Growth Plan was completed in February 2018 to establish a strategic vision for development. The Plan builds on and promotes a continued and strengthened community partnership, and the Township’s leadership role in engaging and working with the community, public and private partners, stakeholders and investors, to shape the future of Wellington North.

The Plan was shaped by a Steering Committee comprised of residents, stakeholders, Township Council and County Planning staff. Beyond that community workshops, focus groups and online surveys were conducted in September 2017.

Through these efforts the following relevant Growth Management Goals have been identified:

- To direct and focus development to the urban areas of Arthur and Mount Forest as the primary centres and complete communities with a mix of land uses, housing, jobs and services.
- To plan and promote orderly, compact development within the urban areas, based on phasing to align with planning for infrastructure, transportation, facilities and services.
- Intensification Goals – To encourage intensification generally to achieve the desired urban structure.

- To protect prime agricultural land and rural resources for farming and rural economic development.

Available residential lands are generally sufficient to address future needs based on the population and housing growth forecasts; however, potential additional intensification, integration of a greater housing mix on available residential lands, and the positioning of greenfield development opportunities in opportune locations would optimize the land supply towards achieving the current and future targets.

In line with provincial direction for intensification at the time, the WNCGP proposed three intensification targets. The Plan identifies a recommended intensification target of 30-40% between 2022 to 2041 within Arthur and Mount Forest.

Planning Staff note the subject lands are located within Stage 3 of the WNCGP Development Stages mapping for Arthur and will contribute to the proposed intensification targets outlined above.

WELLINGTON NORTH ZONING BY-LAW

The subject lands are zoned Future Development (FD) and Industrial Site Specific (M1-2). The site specific M1-2 zone may only be used for the Arthur sanitary sewage lagoons including associated buffer areas.

The applicant is seeking to rezone the Future Development (FD) lands to facilitate a residential land lease community. The development is proposed to include 51 single detached dwellings and 12 townhouse units. The applicant is also seeking to rezone the Site Specific Industrial (M1-2) lands to include accessory uses including outdoor recreational vehicle storage, community gardens, recreation uses, greenhouses, solar panels and a stormwater management pond associated with the land lease community.

PLANNING DISCUSSION

Land Lease Community

A Land Lease Community Structure Letter prepared by Cohen Highly dated August 18th, 2023 have been submitted in support of the application.

According to the letter “a land lease home is a permanent structure. Residents own their homes and lease the land on which the homes are situated from the landowner. As a result, land lease homes are significantly more affordable than traditional housing options. Residents also benefit from access to amenities that are managed by the developer and certain maintenance and repair responsibilities are also the responsibility of the developer.

A land lease home community home is defined in subsection 46(1) of the Planning Act, R.S.O. 1990, c. P.13, which states: “any dwelling that is a permanent structure where the owner of the dwelling leases the land used or intended for use as the site for the dwelling, but does not include a mobile home”.

Recent amendments to the exceptions to subdivision control and part-lot control under subsections 50 (3) and (5) of the Planning Act have been made in connection with land lease community homes. Land Lease communities are now exempt from subdivision and part-lot control provided they obtain site plan control approval and the lease of land is for a period of between 21 and 49 years’.

D-Series Setback Assessment

The subject property is located adjacent to the Arthur waste water treatment sewage lagoons. The Province has established guidelines for compatibility when development is proposed adjacent to sewage works, The D-2 guidelines establishes a minimum setback of 100m for sensitive uses from sewage treatment facilities. The proposed residential portion of the development is setback 100m from the lot line of the sewage lagoons property.

A D-Series Setback Assessment prepared by SBA Engineering dated September 1, 2023 has been submitted in support of the application. Relevant excerpt from the report are provided below:

“The main factor governing sewage work setbacks within the Province is odour potential. All effluent water being sent to the holding ponds first undergoes secondary treatment. The wastewater that undergoes secondary treatment which is the minimum treatment level required by the Ministry of the Environment, Conservation and Parks (MECP) for mechanical sewage treatment plants and in some applications secondary effluent can be discharged directly to the receiving body. There is also odour potential when disturbing or handling of sludge material that could accumulate along the bottom of the holding ponds. However, the 2019 MECP inspection report of the holding ponds noted that bio solids accumulation is extremely low, and it is anticipated that sludge removal will not be required in the next 15-20 years.

Noise impacts are also considered when determining setback requirement from sewage works. The holding ponds are fed from the WWTP through a series of force mains and two (2) horizontal split case pumps housed at the WWTP. To SBA’s knowledge there is no significant or permanent mechanical equipment that would create any excessive noise that would be of nuisance.

Current MECP sewage work design guidelines provide recommended setbacks between sewage works and vulnerable land uses such as residential development. Within this guideline, under Section (3.4.2), the minimum setback for WWTPs in Arthur is 100 m. Further, under Section (3.5) of this same guideline, setback requirements for sewage lagoons are to be between 100 – 400 m. However, this guideline is intended to direct setbacks for treatment lagoons which can be expected to produce significant odours. Within these guidelines there is no defined requirements for setbacks of effluent holding ponds and therefore it is of SBA’s opinion that a setback of 100 m is appropriate for this circumstance”.

Stormwater Management and Servicing Design

A Stormwater Management & Functional Servicing Report prepared by SBA dated September 2023 have been submitted in support of the application.

According to the report “the site can be serviced with an on-site stormwater management system capable of satisfying the applicable SWM criteria. The site is also serviceable for water supply and fire protection. Finally, sanitary sewage collection and disposal is possible for the site utilizing gravity sanitary sewers”.

Township Staff and the Township Engineer are reviewing the Functional Servicing Report.

Density/Development Concept

The proposed residential development is anticipated and encouraged by Provincial and County planning policy. The subject property is located outside of the built boundary of Arthur and is considered a greenfield area. Section 4.4 of the Official Plan outlines housing policies. The main applicable policy, Section 4.4.4, deals with Greenfield Housing, and requires a gross density of 16 units per gross hectare (6.5 units per gross acre). The development as proposed meets this density requirement.

Availability of Municipal Services

In terms of servicing, the proposed development is to be provided with municipal sewage and water supply services. The design of the services is subject to the review of the Township Engineer.

Council of Wellington North has approved the suspension of sewage allocation in Arthur to developments as per the Sewage Allocation Policy until further notice. Servicing will be subject to allocation from the Township and the timing of available servicing can be addressed through the rezoning application in which a holding provision could be applied until such time as the sewage treatment plant has capacity for the proposed development.

Site Plan Approval

The proposed townhouse development will be subject to Site Plan Review by the Township. Final Site design, grading, servicing, stormwater management, buffering, parking, fencing etc. matters are reviewed as part of the site plan review. A site plan application has not been filed for the development at this time.

Draft Zoning By-law

A draft zoning by-law has been prepared by the applicant's planner in support of the application. The proposed zoning for the site is attached in Appendix 1.

NEXT STEPS

Following the public meeting, Planning Staff will consider any comments that are received and will prepare a final recommendation report and a draft zoning by-law amendment for Council's consideration.

Steve Weber, President, GSP Group

- Harvest View Estates Presentation

Mr. Weber provided a review of the site context, site concept, land lease community, planning framework, and the proposed zoning

The site is located adjacent to the east side of the unopened Anderson Avenue road allowance, and to the west of the Municipal Holding Ponds on the property adjacent to the east. It is approximately 9.18 hectares in area and is currently vacant. The site is located in the northeastern portion of Arthur and has recreational uses to the west, municipal holding ponds to the east, neighbourhood to the south and walking trail and agricultural to the north.

The site concept includes a 55+ active adult land lease community; 51 single family homes, 12 townhouse units; and "agrihood" uses such as a barn for a central hub and community activity, working greenhouse, rain water harvesting for irrigation use, individual garden plots, large community garden, walking/biking trails, substantial tree

planting, solar energy for all common areas, pickleball/shuffleboard areas, and off season RV/trailer parking.

The site has been prepared as a Land Lease Community. The land stays as one property under ownership of the developer and does not require a plan of subdivision. The Planning Act provision for land lease is between 21 and 49 years. A land lease is a housing model that is gaining traction due to its unique benefits for both residents and municipalities. A land lease home is a permanent structure. Residents own their homes and lease the land on which the homes are situated from the landowner. As a result, land lease homes are significantly more affordable than traditional housing options. Residents also benefit from access to amenities that are managed by the developer and certain maintenance and repair responsibilities are also the responsibility of the developer. Examples of other land lease communities in Wellington County include: (i) Conestoga Estates (ii) Spring Valley Park (iii) Pine Meadows (iv) Howes Lane

The site is designated as both Residential and Industrial in the Official Plan. Residential uses will remain entirely on the Residential designated land. The Industrial designation is intended to prevent potentially sensitive land use immediately adjacent or close to the holding ponds, not that industrial land uses are intended to locate in this area. The 100-metre pond setback will be maintained. Agrihood uses are proposed on the Industrial designated land. No Official Plan Amendment is required. Full municipal services are available. The site is zoned Future Development (FD) and Industrial (M1-2). The application will rezone the FD land to site-specific residential zones to permit the land lease community. The application will also add site-specific uses to the M1-2 zone to permit the Agrihood uses. The R1C and R3 zones are the typical single detached and townhouse zones in Arthur. Site-specific R1C and R3 zones are required as each dwelling is not on an individual lot but are otherwise consistent with the provisions of the R1C and R3 zone. Recreation Agrihooduses are proposed in a site-specific M1 zone.

Lagoons are treated, not raw waste water. Recreational uses to the east, residential to the west. Mature adult oriented community. province has been promoting land lease. Ownership is of dwelling, lease land. Given shared services like a condominium. Reduces overall cost of home. Site plan application. Internal road way off of draper st. turn around at private road so snow removal and emergency vehicles can turn around without entering private road. No wells or septic. Central area would have a community building. Private stormwater management. Some tree planting for visual buffer to the east. Planning act recently amended for 21 to 41 years. Setback for industrial will be maintained. No OP amendments required. Fd to be changed to sp. R1c and R3

CORRESPONDENCE FOR COUNCIL'S REVIEW

Heather Imm, Senior Planner, Upper Grand District School Board

- Letter dated October 27, 2023 (No Objections)

Brad Gilbert, Wellington North Power Inc.

- Letter dated November 3, 2023 (No Objections)

REQUEST FOR NOTICE OF DECISION

The by-law will be considered at a future council meeting. Persons wishing notice of the passing of the by-law must submit a written request.

ACTING MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

Jim Coffey, Applicant, and Steve Wever, Agent were present to answer questions regarding the application.

COMMENTS/QUESTIONS FROM COUNCIL

Councillor Burke commented that she liked the idea of this development as it gets people into the market, and requested confirmation that it will be developed as one parcel and asked if that means there won't be any future requests for minor variances for this development. Mr. Wever stated would be the intent. The design for the site plan will get into the precise details but the layout of the sites and the type of homes should all work together without requiring further variances.

Councillor Renken also liked the concept and the amount of greenspace, the community garden, and the number of trees. This gives people a better opportunity to own their own home.

Councillor Hern also liked the concept.

Acting Mayor McCabe liked the concept and that it is a great option for older adults or those just getting into the housing market.

ADJOURNMENT

RESOLUTION: 010-2023

Moved: Councillor Hern

Seconded: Councillor Renken

THAT the Public Meeting of November 6, 2023 be adjourned at 4:14 p.m.

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ACTING MAYOR

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CLERK