

WESTON CONSULTING

planning + urban design

Town of Grand Valley
5 Main Street N.
Grand Valley, ON
L9W 5S6

October 7, 2019
File 8947

Dear Mr. Kluge,

**RE: Application for Consent (to Sever)
20 Scott Street,
Town of Grand Valley**

Weston Consulting has been retained to provide planning assistance to Hrycyna Law Group, the authorized representative acting on behalf of Lisgar (Grand Valley) Ltd., the legally registered owners of the property municipally addressed 20 Scott Street in the Town of Grand Valley (the 'subject lands'). The purpose of the enclosed application for Consent is to obtain approval to sever the subject lands to create two (2) new residential lots. This correspondence provides a planning rationale in support of this application in accordance with Section 51(24) of the *Planning Act* and good planning principles.

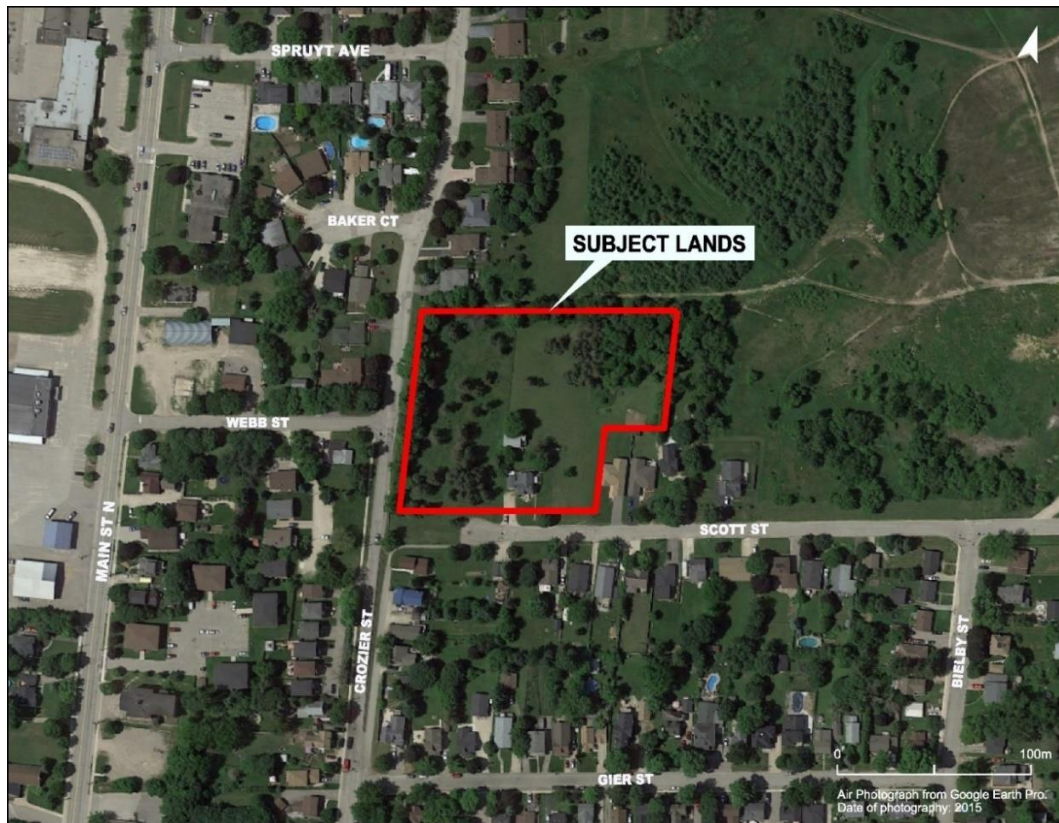


Figure 1: Air Photo – 20 Scott Street, Grand Valley

1. Application History

In February 2018, our client submitted an Application for Consent to the Town of Grand Valley Committee of Adjustment under Section 53(1) of the *Planning Act*. The planner for the Town, at the time, deferred consideration of the application pending Municipal and Agency review of other planning applications submitted for the subject lands that would facilitate the full implementation of the proposed residential subdivision development. Given that the review of those applications is now complete, at this time, we kindly request that the enclosed application for Consent be processed for consideration and approval.

2. Summary of Consent Application

The proposed severances would result in two (2) lots that would both be about 12.2 to 12.6 metres by 32.1 metres in size resulting in each lot having an area of approximately 391.62 m² to 404.46m². Our client's intention is to construct a new single detached dwelling for each of the proposed new lots. The existing dwelling would be demolished.

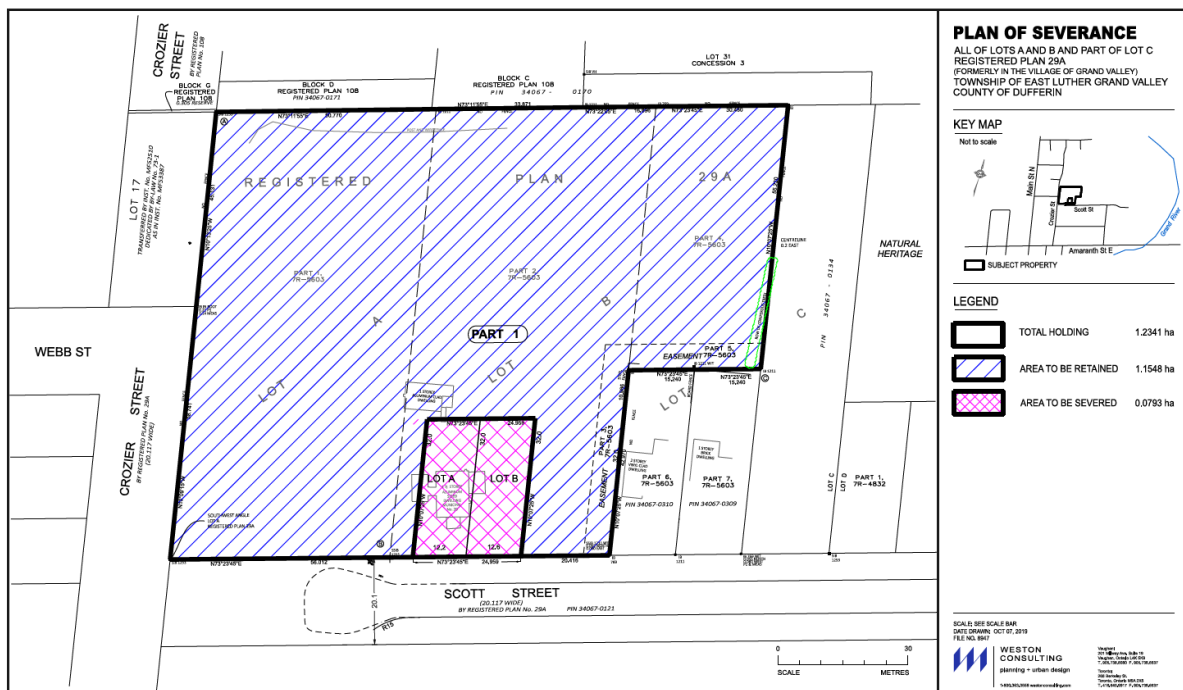


Figure 2: Proposed Severance Summary

Both proposed new lots meet the applicable Village Residential 'RV' Zone regulations and as a result, no variances are required to facilitate the severance. This is reviewed in further detail later in this letter.

3. Property Description

The subject lands are located on the north side of the western terminus of Scott Street and at the north-east corner of Scott Street and Crozier Street in the Town of Grand Valley, County of Dufferin (Figure 1). The subject lands are irregular in shape and have a total area of 1.2341 hectares (3.03 acres). It has direct access to and frontage on Scott Street (approximately 50.69 metres) and additional frontage on Crozier Street (approximately 103.84 metres). The subject lands are currently occupied by an existing two (2) storey residential dwelling with wooden deck and accessory building and structures. The remainder of the property consists of various open spaces.

4. Policy Planning Overview

4.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) sets the policy foundation for regulating land use planning for urban settlement areas (built-up areas), which are described as “*a system of lands that are comprised of urban and rural settlement areas, and include cities, towns, villages and hamlets (Section 1.1.3).*” Through the PPS, the province recognizes that there are a variety of different settlement areas across Ontario, each having varying levels of size, density, activity, land use and infrastructure availability. These settlement areas are required to be the focus of growth, which typically consists of intensification, redevelopment and growth within designated growth areas.

The PPS provides more specific direction for development in Urban Settlement Areas which includes detailing a list of permitted uses and outlining policies which ensure compatible and efficient development for the urban area. In terms of permitted uses, the PPS directs that *limited residential intensification* and *redevelopment* is permitted and encouraged. Given that the two new proposed lots are each to be developed for one single-detached dwelling, as permitted by the applicable Municipal policies, conformity is achieved with the PPS in terms of land use.

4.2 The Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides policy direction for the appropriate development of Settlement Areas. Section 2.2.1o of the Plan states that:

- 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. *are 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;*
- d. *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- e. *Development will be generally directed away from hazardous lands; and,*
- f. *The establishment of new settlement areas is prohibited.*

The objective of the above policy is to set out a strategic outline for the hierarchical organization and growth in the Province and where growth should be directed. The Growth Plan promotes redevelopment through intensification generally throughout built-up areas and specifically recognizes the need for more efficient utilization of lands, compact form and development that supports the principle of higher densities in appropriate areas where infrastructure and services exist and can be optimized.

The proposed creation of two lots for residential development conforms with the policies of the Growth Plan by directing development and intensifying residential land uses within an existing settlement and built-up area. The redevelopment proposal maintains the objectives of the Growth Plan by directing infill development to an underutilized lot within a previously developed area making use of existing and future planned municipal water, wastewater systems, and transportation and community infrastructure.

4.3 Township of Grand Valley Official Plan (2006)

The subject lands are designated *Urban Residential*, as shown on Schedule 'A2' – Urban Land Use of the Town of Grand Valley Official Plan. See Figure 3.

Land designated in the *Urban Residential* designation may be used for the following:

- a) all forms of residential development, including a range of housing sizes, types, tenures and price;
- b) assisted and special needs housing, including group homes, nursing homes and homes for the aged;
- c) home occupations;
- d) institutional uses servicing the immediate community including public schools and places of worship;
- e) trails, parks, public open space; and
- f) small-scale retail uses such as, convenience stores, service commercial and personal service uses intended to meet the day-to-day needs of residents

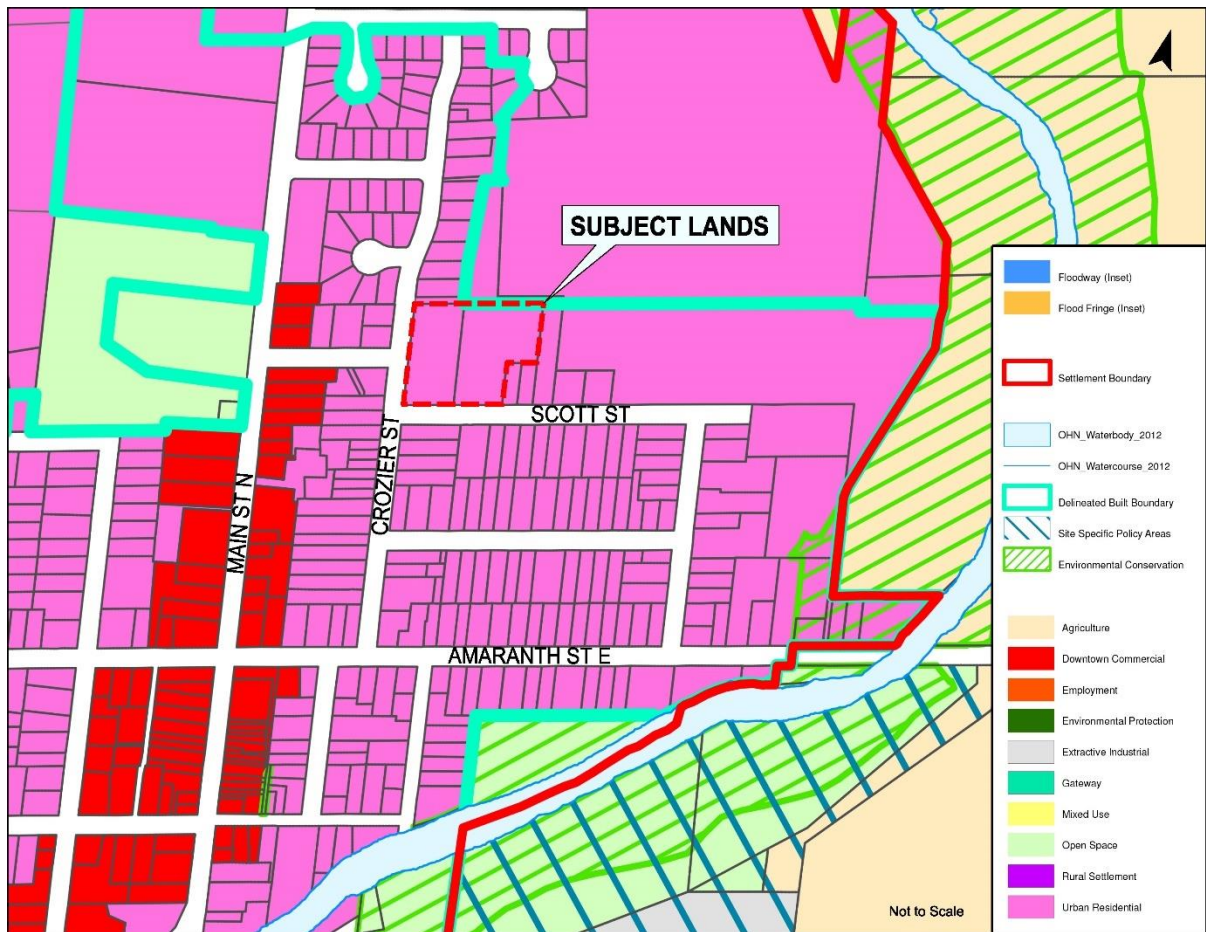


Figure 3: Schedule 21 – Urban Land Use Designations of the Town of Grand Valley Official Plan

Section 5.3.5 of the Official Plan states that, “*Infilling, intensification and redevelopment through the creation of lots by severance may be permitted. Otherwise, all new residential lots shall be created by Plan of Subdivision or Plan of Condominium*”.

Section 5.5.4 related to Severance Policies states that:

“New lots shall be of a sufficient size to accommodate appropriate servicing on-site storm water management, parking, loading, and buffering from adjacent uses. New lots should not be created without consideration for area-wide stormwater and transportation impacts of the development. The creation of new lots shall generally occur by Plan of Subdivision or Condominium. However, where there is no extension of municipal roads or other services, a Plan of Subdivision may not be necessary and the lands may be severed by consent. New lots in areas that are unserviced should be designed so that municipal water and wastewater systems and stormwater can occur in a logical and cost-effective manner.”

The proposed new lots have frontage and access onto Scott Street, a municipal public right-of way maintained year-round. The proposed development is located in an area in which municipal water

service and connection is available and an existing 200mm sanitary sewer, located on Scott Street, can adequately service the proposed new lots.

Section 6.1 of the Official Plan states that “*draft plan approval of subdivision/condominium or lot creation by consent will only be permitted within the Settlement Area if there is sufficient reserve capacity in the municipal water and wastewater systems for the proposed use. Draft Plan approval does not guarantee sewage and water allocation. Allocation will be granted by Town Council prior to final approval*”.

On October 16, 2017, our client entered into an Allocation Agreement with the Town, and other Development Parties, providing for the funding and allocation of Single Detached Equivalent (SDE) capacity for a wastewater surge tank to accelerate access and allocation capacity to future proposed residential developments. Hrycyna Law Group was allocated twelve (12) SDEs as a participating landowner and Development Party to the Agreement.

On May 1, 2018, the Allocation Agreement was further amended by the Town and the Development Parties to ‘loan’ an additional 200 Unallocated SDEs (Loaned SDEs) to the participating landowners as a result of new capacity reporting from the Town’s engineers. These Loaned SDEs are available for immediate use but are to be returned back to the reserve of unallocated SDEs at the time the surge tank is constructed. Hrycyna was allocated five (5) Loaned SDEs in accordance with the percentage contribution established under the original Agreement.

Based on the forgoing, Hrycyna Law Group has a committed allocation of twelve (12) SDEs including an allocation of five (5) Loaned SDEs. Two (2) of the Loaned SDEs will be utilized to accommodate the proposed new lots established through this consent application.

2

Section 8.8 of the Official Plan states that, “*Where three or more lots are to be created from a single parcel of land existing as of the date of adoption of this Plan, a Plan of Subdivision or Condominium shall generally be required. Exceptions to this policy may be considered in the Settlement Area where there are no residual lands resulting from the development and there is no need to extend municipal services including roads. Intensification and infilling lots will generally be considered through the Consent process*”.

The Consent Application proposes to create two (2) new infill lots from the existing subject lands that are located in Town of Grand Valley Settlement Area.

Section 8.9 of the Grand Valley Official Plan speaks to land division policies that apply to all land use designations in the Township. The following policies apply:

- a) *Ribbon or strip development shall be prevented;*
- b) *The site and configuration of the new lots shall be subject to the requirements of this plan and the implementing Zoning By-law;*

- c) *Where the proposed lot is partially located in an Open Space designation there shall be sufficient area in the least restrictive designation to accommodate the entire development;*
- d) *New building shall have safe and adequate access and shall front onto a public road that meets current standards of construction and is maintained year-round;*
- e) *New lots may include a portion of lands containing physical constraints to development such as poor drainage, flood susceptibility and steep slopes. New lots will not be permitted where the physical condition of the lands may jeopardize public health and safety and where new development may negatively impact the environments; and,*
- f) *The proposed lot complies with the Minimum Distance Separation Formulae as may be amended from time to time.*

In consideration of the land division policies outlined in Section 8.9 of the Official Plan above, it is my opinion that the proposed severance conforms to these provisions for the following reasons:

- a) The proposed severance does not create ribbon or strip development as the size and configuration of the proposed lots is generally consistent with the existing parcel fabric of the area. Additionally, the scale of the impact of the proposal does not offend the existing pattern of development and seeks to reinforce the areas low density building form.
- b) The proposed severance complies with all of the zoning provisions as set out in By-law BL 09-10 and in some instances exceeds the minimum requirements. No variances are required to facilitate the development proposal.
- c) The proposed lots are entirely located within the *Urban Residential* designation which permits all forms of residential development.
- d) The proposed lots maintain access and frontage onto Scott Street which is identified as a Primary Local Road in accordance with Schedule A-3 Transportation in the Town of Grand Valley Official Plan. The increase in traffic resulting from the proposed severance and residential development is insignificant and will not have any appreciable impacts on future traffic volumes or the road system.
- e) The proposed lots do not contain any physical constraints and can be developed with no impacts to public health, safety and the environment.
- f) The proposed lots the proposed lots comply with all MDS Guidelines applicable to lot creation. The development is located within an Urban Residential area and there are no known livestock facilities and/or operations in the immediate area that would preclude the proposed severance and development.

For the reasons stated above, it is my opinion that the proposed development meets the Policy intent of Section 8.9 of the Official Plan.

4.4 Town of Grand Valley Zoning By-law BL 09-10

The Town of Grand Valley Zoning By-law BL 09-10 zones the subject lands as Village Residential “RV” Zone. The “RV” Zone permits a single-family dwelling, accessory apartment, converted dwelling and home occupation uses. The current zoning standards and requirements are included in the Tables below.

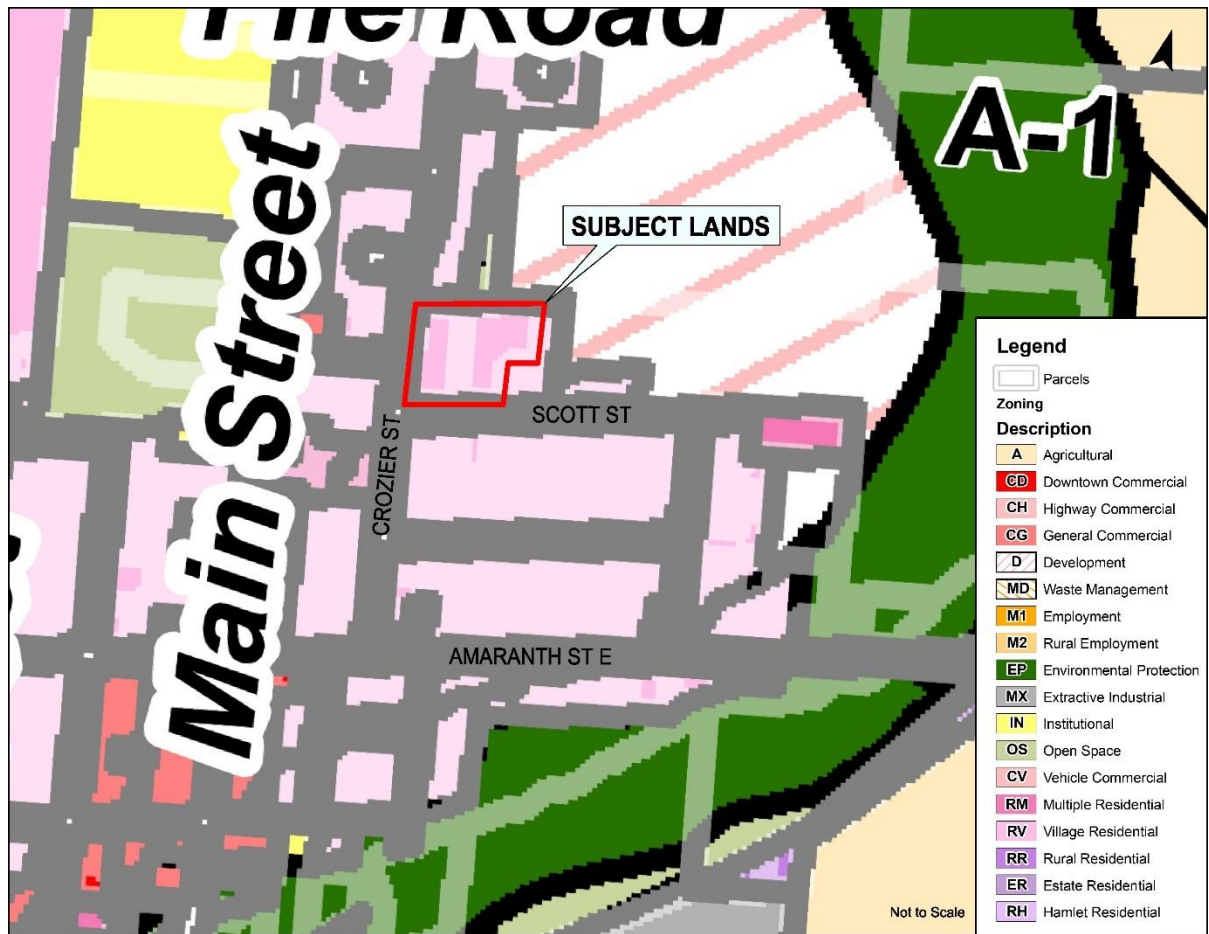


Figure 4: Zoning Map – Town of Grand Valley Zoning By-law BL 09-10

The proposed severance complies with all of the zoning provisions as set out in By-law BL 09-10 and no variances are required to facilitate the proposed new lots and buildings.

5. Section 51 of the Planning Act (Land Division)

Section 51 of the *Planning Act* authorizes the Committee of Adjustment to make decisions for of the subdivision of land. The *Planning Act* sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, in order to recommend a proposal for

approval, the application must have regard to criteria listed in subsection 51(24) of the *Planning Act*.

Table 4 provides an assessment of how the proposed application has regard for the prescribed criteria for the subdivision of land as outlined by the *Planning Act*.

Table 4: Assessment of Section 51 (24) of the *Planning Act*.

Criteria	Proposed Applications
(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposed consents have regard for matters of provincial interest as the proposal fulfils the Provincial policy direction of focusing growth and development in Urban Settlement Areas and the objective of prioritizing growth and intensification in the Towns' Built-up Area.
(b) whether the proposed subdivision is premature or in the public interest;	The proposed consent is required for the future development of the lands for residential uses, serving the public interest. There are no issues of prematurity relating to land use as the proposal recognizes that the majority of future growth within the Town will be in the form of intensification and infill redevelopment.
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed consents conform with the Town of Grand Valley Official Plan and its policies related to lot creation.
(d) the suitability of the land for the purposes for which it is to be subdivided;	The land is suitable to be provided for residential uses, conforming with the land use designations and zoning permissions which apply to the lands.
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	Not applicable.
(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	Not applicable.
(f) the dimensions and shapes of the proposed lots;	The dimension and shapes of the proposed lots are consistent with the lotting pattern and lot sizes along Scott Street and in the immediate vicinity.
(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be	Not applicable.

erected on it and the restrictions, if any, on adjoining land;	
(h) conservation of natural resources and flood control;	The subject lands are located outside of the Grand River Conservation Authority regulation area limit and floodplain boundary.
(i) the adequacy of utilities and municipal services;	The proposed development is located in an area in which appropriate infrastructure and public service utilities and connections are planned and available. The applicant was allocated 12 SDE's as well as 5 Loaned SDE's as part of a previously executed Allocation Agreement with the Town. It is anticipated that 3 of the 12 SDE's will be utilized to accommodate the proposed development.
(j) the adequacy of school sites;	The proposed new lots and residential development will not have any appreciable impacts on the capacity of school sites. The proposed development will have no measured impact on the adequacy of school sites.
(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	Not applicable.
(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	Not applicable.
(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the <i>City of Toronto Act, 2006</i> . 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).	The applicant acknowledges that the approval of the consent may be provided with the condition that before a Certificate of Consent is issued the applicant may be required to fulfill any and all requirements imposed by the approval body.

The proposed development is consistent with matters of provincial interest and the requirements of s.51(24) of the *Planning Act* as described above. In addition, the newly created lots conform to the provisions of the in-effect zoning on the subject lands. In my opinion, the proposed application for consent meets the requirements for good land use planning and should be approved.

Conclusion

It is my opinion that the proposed consent application represents good planning, meets the in-force land use planning policy regime and has regard for the relevant criteria set out in Sections 51(24) of the *Planning Act* applicable to the subdivision of land.

The proposed severance supports the development criteria for new lots as set forth in the Town of Grand Valley Official Plan and is considered appropriate development.

Should you wish to discuss this further, please contact the undersigned at ext. 236.

Yours truly,

Weston Consulting

Per:



Kevin Bechard, BES, MSc, RPP
Senior Associate

c. Lisgar (Grand Valley) Ltd.
Hrycyna Law Group