



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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September 8, 2015

Bill White, CAO / Clerk
Town of Minto
5941 Highway 89
Harriston, Ontario N0G 1Z0

Dear Mr. White:

Re: Clark / Heinmiller – Lorne Street, Palmerston
Draft Plan of Subdivision 23T-15004

PLANNING OPINION

Please consider these comments as being preliminary. We may have further comments after the public meeting. The subject lands are designated for residential development in the Official Plan and are needed for the residential supply. There are a few minor issues relating to Lorne and Ontario Streets. The applicants' planner has done a good job in sorting out issues related to noise compatibility with industrial lands to the west and livestock buildings on the Heinmiller farm. Once the street issues, and any other issues that may emerge have been sorted out to the Town's satisfaction, I would recommend that Minto Council pass a resolution in support of the draft plan and forward this to the County.

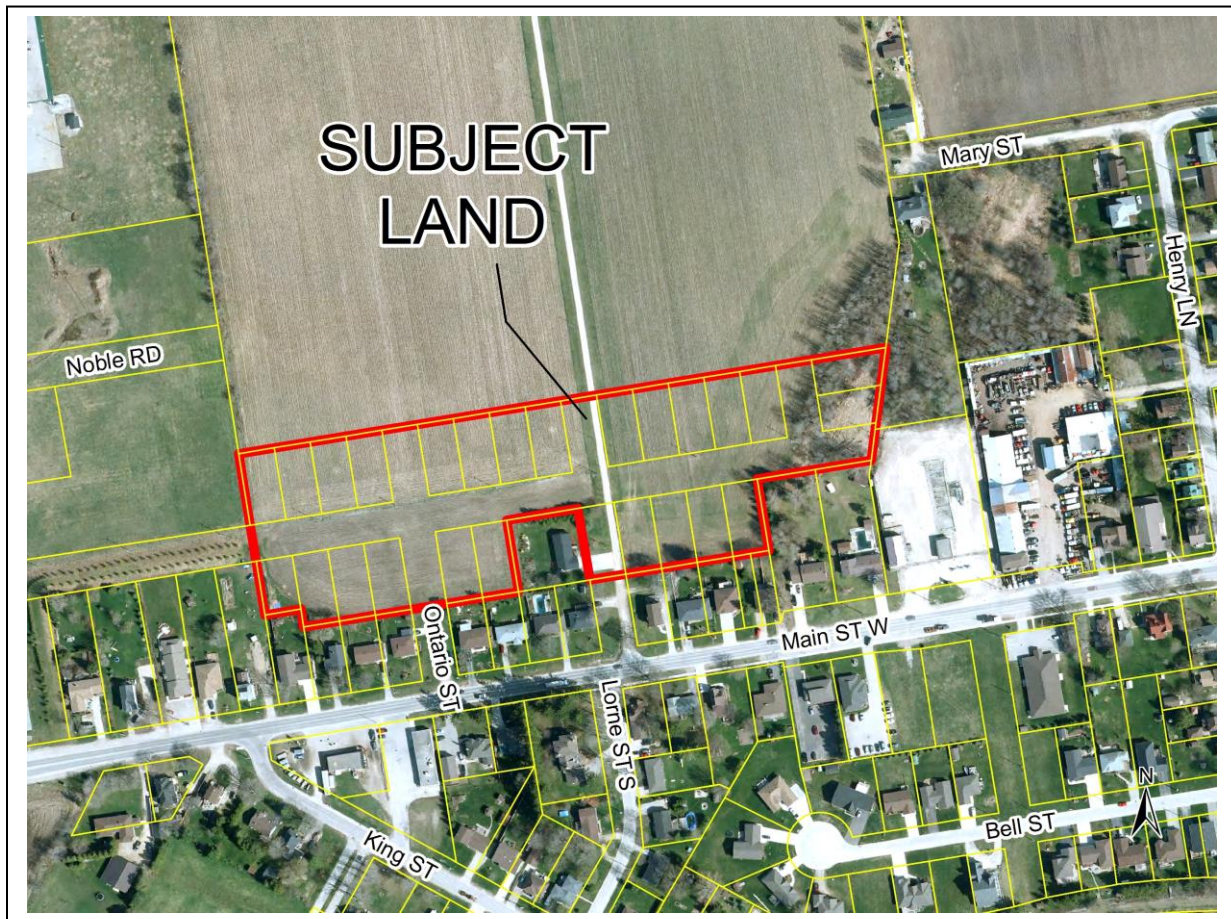
LOCATION OF THE SUBJECT LANDS

The subject land is in Part of Lot 23, Concession 1, former Town of Palmerston and is approximately 3.057 hectares (7.55 acres) in size. The area is currently farmed and behind existing dwellings fronting on Main Street. An air photo of its location is shown on the following page.

THE PURPOSE AND EFFECT OF THE APPLICATIONS

The purpose and effect of the draft plan of subdivision application is to subdivide the property into 22 single detached residential lots, 8 semi-detached dwelling units and 10 street townhouse units – for a total of 40 residential units. Access to the subdivision is to be via Lorne Street. No parkland area is proposed. A stormwater management block of 0.29 hectares is also proposed at the eastern end of the site. The subject land is designated Residential – Policy Area PA 5-9 in the Official Plan.

The purpose and effect of the zoning by-law amendment is to rezone the subject land from Agricultural (A-1) to Residential (R1), Residential (R2), Residential (R3) and Natural Environment (NE) for the storm water management area. Holding will be attached to the residential zones, as may be required, to reflect availability of municipal servicing. The retained Heinmiller farm to the north may need to be rezoned to prohibit livestock operations.



SUBDIVISION DETAILS

Land Use	Location	Lots/Blocks	Units	Area (Ha.)
Detached Dwellings	West Side	1- 22	22	1.2856
Semi-Detached Dwellings	Lower East	23	8	0.3250
Street Townhouse Dwellings	Upper East	24	10	0.3474
Stormwater Management	Far Upper East	25		0.2914
TOTAL UNITS AND AREA			40	2.2494
Roads 20.1m Lorne Street & Street "A"				0.8075

BACKGROUND

The proposal is unusual, in that the land was subdivided into lots by the original Town Plan, back in the late 1800's. In the early 2000's, a sanitary sewer was constructed under proposed Street A to service the Industrial Park to the west. This same area has been outside of the urban centre of Palmerston in the Official Plan.

Official Plan Amendment No. 76 was approved by the County in 2011 to bring the subdivision lands into the urban centre. This decision was appealed by the Province to the OMB in 2012. Minutes of Settlement were reached with the Province allowing the currently proposed subdivision lands to be redesignated to Residential Policy Area PA5-9. Consideration to include a second area, of similar size to the north, was held in abeyance by the Board.

OFFICIAL PLAN

The subject land is designated Residential Policy Area PA 5-9 in the Official Plan.

"Prior to ... subdivision ... approval, the developer shall demonstrate that the requirements of Ministry of Environment Guidelines D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, have been satisfied.

Municipal sanitary sewage capacity is not currently available to service the entire residential development as proposed. This is to be recognized through the use of "holding" in the zoning by-law and the use of phased, final consent to sever, draft plan of subdivision, or condominium approvals, based on the availability of servicing capacity."

ZONING BY-LAW

The subject land is zoned is zoned Agricultural (A-1).

AGENCY AND NEIGHBOUR COMMENTS

Town Minto	Council recommends approval with following conditions (August 14): Owner satisfy all requirements of Minto, parkland dedication or cash-in-lieu, confirm title of Ontario and Lorne Streets, Proper rezoning, Subdivision agreement, Detailed road design, management of field drainage tile.
The Public	One neighbor requested notice of decision (June 30). Otherwise, no written submissions.
Hydro One	No issues. Should get comments from local supplier. (September 1)
Maitland Valley CA	Subject lands not affected by natural hazard or natural heritage features or MVCA regulated lands. (July 31). Does not require review of stormwater management plan as no direct outlet to an open watercourse.

Wellington Source No Prohibition or Risk Management Plan required Water (June 12)

Upper Grand No Objections (June 11) subject to conditions: educational development charge, digital file provided, adequate sidewalks, lighting and snow removal, sign advising residents about schools in area.

Canada Post Mail delivery service will be to Palmerston post office (July 3).

PLANNING CONSIDERATIONS

Residential Supply

Section 3.5 of the Official Plan forecasts the need for an additional 470 households in Palmerston over the period 2006 to 2031. The County has estimated a residential supply inventory of 350 units for Palmerston. The inventory already includes 37 lots for Clark / Heinmiller. There is still an undersupply of 120 residential units for Palmerston.

Residential Density

Section 4.4.4 (b), Greenfield Housing, of the County Official Plan requires a density of 6.5 residential units per gross acre. In this proposal, 40 units are on 7.55 acres, for a density of 5.3 units per acre. We are satisfied with this density, given the history of the property and some constraints faced by the developer - the need for transition from existing single detached development, the amount of road required and noise mitigation at the west end.

Functional Servicing Report (Triton Engineering, January, 2015)

Triton has prepared a servicing report in support of the applicant, including stormwater management. The Town's consulting engineer should review the report and provide comments to the Town with respect to municipal services, roads and stormwater management. The Town's Public Works Supervisor should provide comments on available sewage and water capacities in Palmerston.

Geotechnical Report

A geotechnical report was also prepared in support of the application. The Town's Engineer should review this report.

Lorne Street – Steven Heinmiller

Steven Heinmiller [not the main applicant Barry Heinmiller] owns a property consisting of Lots 20 and 21 as shown on the draft plan. He also owns what is shown as Lorne Street, between Lots 19 and 20. Given this intervening ownership, Lorne Street cannot be extended, unless this same area is dedicated to the Town. Given, this I would suggest that the area be included within the draft plan boundary and assigned a Block Number. Steven Heinmiller has signed the draft plan, along with Barry Heinmiller and Ann Clark.

Secondary Access to Subdivision

Normally the County likes to see a second access, for emergency purposes, once a development exceeds 30 units. This application is somewhat over this at 40 proposed units. If a subsequent phase to this draft plan occurs, it would likely involve a road connection with Mary Street and possibly Nobel Road. Until then, should an emergency access be kept using Lot 4 or 5 via Ontario Street? One of the lots could be placed in “holding” until alternate secondary access can be provided in the future. I would appreciate comments from the Minto Fire Department and the Public Works Director on this issue.

Parkland Dedication – Cash In Lieu

The Planning Act provides for a parkland dedication of 5% of the development area. Since a park is not part of this development, the Town should take cash in-lieu-of.

Archeological Potential

There are no features close to the proposed draft plan to warrant an archeological assessment. However, if the Town is aware of any cultural heritage associated with the site, an assessment can be required.

Wellhead Protection

A small amount of the eastern portion of the subdivision falls within Wellhead Protection Area 3. The majority of the site is not within a Wellhead Protection Area.

Noise Attenuation

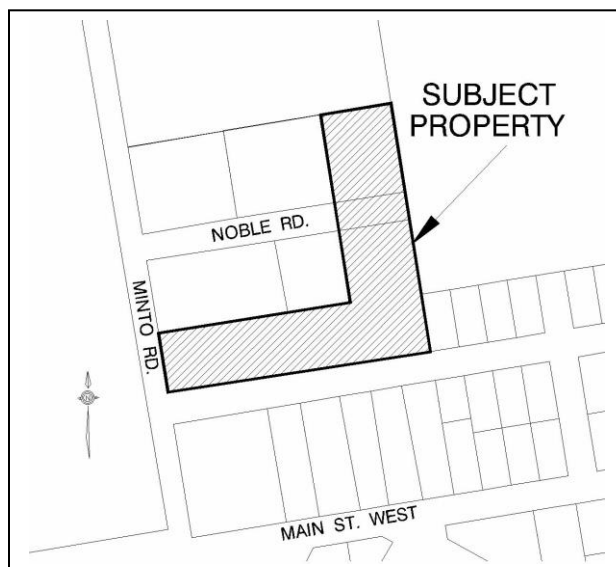
The proposed subdivision abuts the Palmerston industrial park to the west. The Ministry of the Environment’s Guideline D-6, “Compatibility Between Industrial Facilities and Sensitive Land Uses”, provides guidance on compatibility. Class 1 industries have the least potential for off-site impacts. Class 3 industries are the most intensive.

	<u>Influence Area(metres)</u>	<u>Separation Distance (metres)</u>
Class 1	70	20
Class 2	300	70
Class 3	1,000	300

The Town of Minto approved zoning amendment 2012-26 in 2012 to add a Light Industrial Zone to industrial lands abutting the subdivision. This was done in anticipation of development of the Clark / Heinmiller lands (see area zoned on next page).

In addition to this, the draft plan application is proposing a 3.0 metre high berm along the western edge of Lot 12. This will be addressed as a condition of draft plan approval.

The Cuesta Planning Report also suggests the use of “holding” in the zoning by-law, to require a scoped noise study prior to development of Lot 10. I think this makes sense.



Minimum Distance Separation

The Provincial Policy Statement and the Official Plan require that adequate separation is present between livestock operations and residential uses. In the past, there have been livestock operations on the Barry Heinmiller property to the north. The Cuesta report notes / proposes the following:

- Manure tank has been removed
- Southernmost barn to be demolished as a condition of draft plan approval
- Northernmost barn has already been converted to workshop / storage area
- Pole barn will continue to be used for storage purposes

I would recommend that the Heinmiller farm be placed in a zone which prohibits the housing of livestock. This can be done at the same time as the subdivision is placed in Residential zones.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,

Mark Van Patter, MCIP, RPP
Manager of Planning and Environment

C: Genevieve Scott (Cuesta), Applicants' Planner