



Application	B70/16 – PRELIMINARY COMMENTS
Location	Part Lot 7, w/s James St., Morrison’s Svy TOWN OF MINTO
Applicant/Owner	David & Liette Will

PLANNING OPINION: This application would sever a vacant 6,889 ft² (640 m²) Residential parcel in the Urban Centre of Palmerston. A 20,539 ft² (1,908 m²) parcel would be retained with existing dwelling, garage and shed.

The existing proposal is located on a former CN railway line and is designated the Recreational in the Official Plan and Open space in the Township Zoning By-law. Because of this former use the applicant will be required to provide a record of site condition demonstrating the lands are not contaminated and also amend the Official Plan and zoning by-law to appropriate residential categories in order to facilitate this development.

We note that there may be an opportunity to move or reconfigure the severed parcel to the south which would bring majority of the lot out of the former railway corridor potentially reducing some of the required conditions. It may be in the applicant’s interest to defer the application to allow time to review some of these alternatives.

However, if the applicant prefers the current location staff would generally have no concerns with the proposed application provided the following conditions are addressed as a condition of approval:

- a) That an Official Plan Amendment for the severed parcel be approved to the satisfaction of the County of Wellington Planning Department;
- b) That the severed lands be rezoned to the appropriate residential zone category to the satisfaction of the local municipality;
- c) That the applicant provides, to the satisfaction of the local Municipality and County of Wellington, an MOEE acknowledged Record of Site Condition for the severed parcels which provides:
 - i) evidence that the site is not contaminated and no remediation is required;
 - ii) or that the required site remediation has taken place; and
- d) That safe driveway access and servicing can be provided to the site to the satisfaction of the local municipality

PLACES TO GROW: The Places to Grow policies place an emphasis on intensification and optimizing the use of existing land supplies. Under section 2.2.2.1 which deals with managing growth it states, “population and employment growth will be accommodated by focusing intensification in intensification areas”. Intensification is defined as “the development of a property, site or area at a higher density than currently exists through,.....b) the development of vacant and/or underutilized lots within previously developed areas; or c) infill development”.

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.3.1 of the PPS directs growth to settlement areas. The proposed severance is located in the Urban Centre of Palmerston.

Section 3.2.2 of the PPS states sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

WELLINGTON COUNTY OFFICIAL PLAN: The property is designated RESIDENTIAL and RECREATIONAL and is located in the Urban centre of Palmerston on Schedule A5-3 of the Official Plan. The proposed severed parcel is completely within the RECREATIONAL designation. Residential uses are not permitted within the RECREATIONAL designation and an Official Plan amendment is required to facilitate the proposed development.

Further, the proposed severance is proposed on portion of an abandoned CN Rail way line, section 4.5.2 of the Plan provides policy direction for dealing with contaminated sites, including the following:

Development will not be permitted on contaminated sites. Development may only proceed once a contaminated site is restored such that no adverse effect will result from any on-site activity associated with the proposed use. Also, the applicant is required to provide an MOEE acknowledged Record of Site Condition for the severed lands which provide evidence that the site is not contaminated and no remediation is required, or that the required site remediation has taken place.

The matters under section 10.1.3 were also considered including a) “that any new lot will be consistent with official plan policies and zoning regulations”; and i) “that lots are not created in areas which would pose a threat to public health or safety.”



Pg. 2.... B70/16

WELL HEAD PROTECTION AREA: The subject lands have been identified to be within a Wellhead Protection Area (WHPA) A and B, with a vulnerability score of 10 and 6 respectively. The severed parcel is completely within the WHPA A with a vulnerability score of 10.

LOCAL ZONING BY-LAW: The subject property is currently zoned Residential (R2) and Open Space (OS). The proposed severed parcel is completely within the OS zone and would need to be rezoned to an appropriate residential category to permit a residential dwelling.

SITE VISIT INFORMATION: The subject property has not yet been visited.

A handwritten signature in cursive script that reads "Jameson Pickard".

Jameson Pickard, Planner
September 28th, 2016