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1 September 2020

Planning Department,
Municipality of Middlesex Centre,
10227 Ilderton Road,
Ilderton, Ontario, N0M 2A0

Attention: Marion-Frances Cabral

**Subject: Planning Justification Addendum
Poplar Woods subdivision proposal
Part Lot 5, Concession 8, Geographic Township of Lobo
Municipality of Middlesex Centre,
Applicant: Tomar Realty Corporation
Agent: AGM**

The above-noted subdivision proposal was advanced by way of official plan and zoning by-law amendment applications and plan of subdivision application in 2017. At that time, the Owner was Poplar Woods Limited and the Agent was Carol Wiebe (MHBC Planning). Ownership and Agency has now changed as indicated above.

Correspondence from the County of Middlesex dated 25 July 2017 indicated acknowledgement and acceptance of the proposed plan of subdivision and Notice of Applications (official plan amendment, zoning by-law amendment and draft plan of subdivision (39T-MC1701)) was given on 3 August 2017 by the Municipality of Middlesex Centre. The planning applications were supported by a number of studies and reports including the Planning Justification Report June 2017 (PJR) prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC).

Since that time, new reports and information have been produced including:

- Soil Assessment, Proposed Low Impact Development (LID), EXP, March 2020
- Functional Servicing Report, AGM, 31 August 2020
- Updated Wastewater Impact Assessment for Phases II Poplar Woods Development – Using Enhanced Infiltration and Excluding Use of Level IV Pretreatment, Bos Engineering & Environmental, December 18, 2018.
- Development Assessment Report Addendum, Sage Earth Environmental, May 22, 2018
- Wastewater Impact Assessment Addendum, Bos Engineering May 14, 2018
- Hydrogeological Assessment Addendum, JFM Environmental, April 20, 2018

- Hydrogeological Assessment, JFM Environmental, January 15, 2018
- Response to Email - Review of Previous Hydrogeological Work, JFM Environmental, August 25, 2020.

The purpose of this Addendum is to supplement the PJR in light of the coming into effect of the new Provincial Policy Statement (PPS) 2020 on 1 May 2020 and the new information now available. There have been no changes in the interim period since June 2017 in the other relevant planning documents, i.e., the Middlesex County and Middlesex Centre Official Plans. Based upon the information available to me including supplementary technical information, I concur with the conclusions of the PJR as to conformity with the Middlesex County Official Plan and with the Middlesex Centre Official Plan.

The overall layout of the draft plan has remained the same (see AGM revised plan May 2020) with very marginal changes from the proposed draft plan in 2017 other than those primarily associated with metric conversion of road right-of-way widths. As in 2017, the proposed subdivision would be serviced by individual/private on-site sewage services and individual on-site water services. Municipal or private communal water and sanitary services are not available or planned within this area of Middlesex Centre and development to date has proceeded on the basis of private servicing. Two of the lots would have joint laneway access from Ilderton Road and the remainder would have laneway access from the internal street.

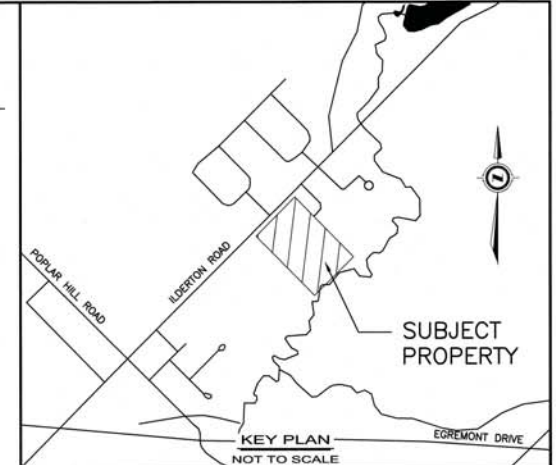
The principal dimensions of each proposed parcel as per the revised plan are as follows:

Lot #	Area (hectares)	Frontage (metres)
1	0.294	33.53.
2	0.361	64.28
3.	0.213	75.54
4	0.251	27.73
5	0.246	60.96
6	0.247	42.34
7	0.391	16
8	0.305	42.28
9	0.290	34.27
10	0.489	30.48
Block 11	3.763	

BACKGROUND

The subject property is fully within the Poplar Hill and Coldstream Hamlet Area Settlement Boundary (per Schedule A-8 of the Middlesex Centre Official Plan (OP)) and

File No. _____
 Subject to the conditions, if any, set forth in our letter dated _____
 day of _____, 202_, this draft plan is approved under
 Section 51 of the *Planning Act* this _____ day of _____, 202_.



DRAFT PLAN OF SUBDIVISION
 OF PART OF
LOT 6, CONCESSION 8
 (GEOGRAPHIC TOWNSHIP OF LOBO)
 IN THE
MUNICIPALITY OF MIDDLESEX CENTRE
COUNTY OF MIDDLESEX
 SCALE 1:750

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

August 26/2020
 DATE

Robert T. Wood
 ROBERT T. WOOD
 ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE:
 I HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION.

TOMAR REALTY CORPORATION

01 SEPT 2020
 DATE

Mark Minnie
 MARK MINNIE, PRESIDENT

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT.

(a) AS SHOWN ON PLAN	(g) AS SHOWN ON PLAN
(b) AS SHOWN ON PLAN	(h) PIPED WATER
(c) AS SHOWN ON KEY PLAN	(i) SANDY
(d) SINGLE FAMILY RESIDENTIAL	(j) AS SHOWN ON PLAN
(e) AS SHOWN ON PLAN	(k) FULL SERVICES
(f) AS SHOWN ON PLAN	(l) NONE

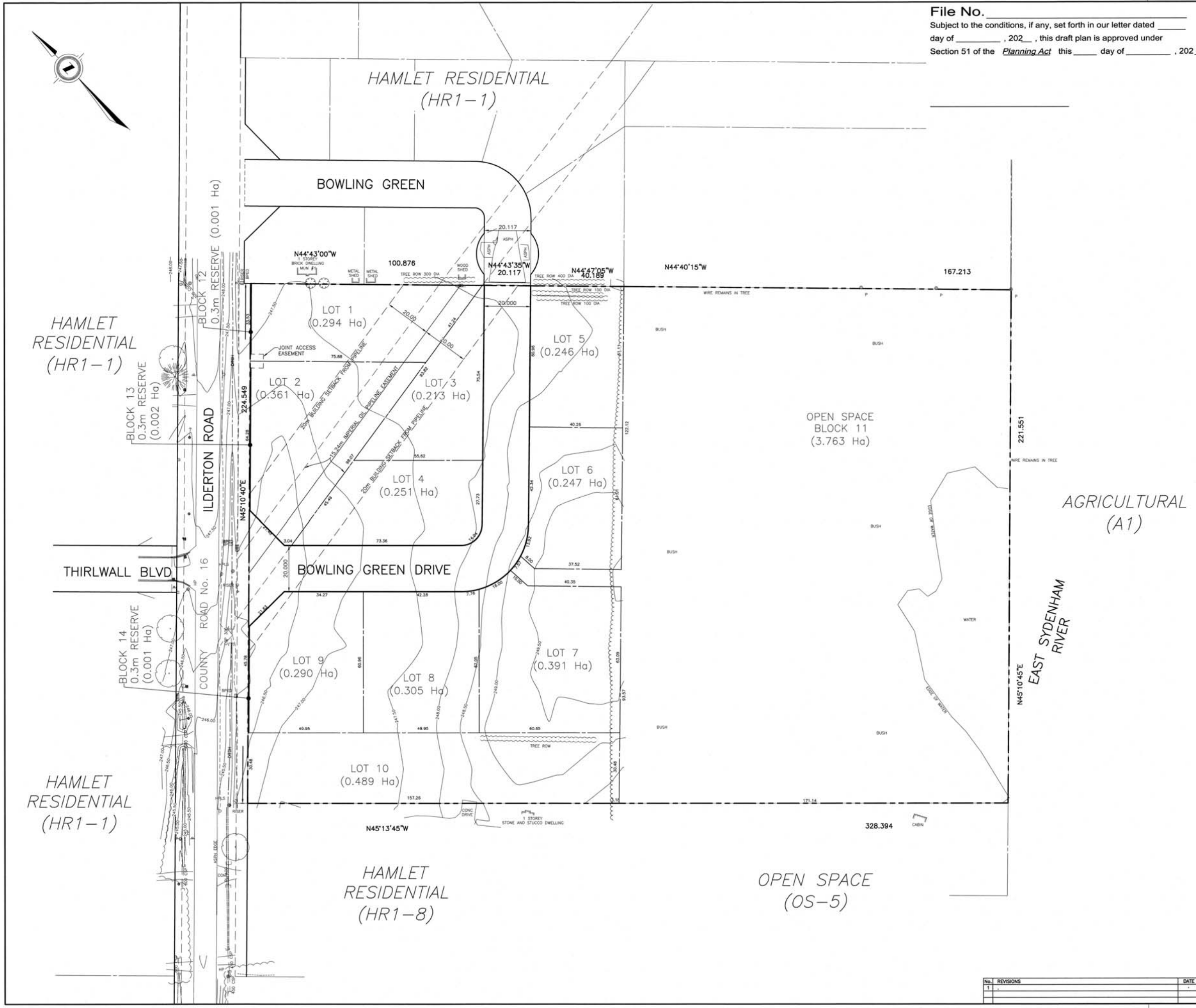
LAND USE SCHEDULE

SINGLE FAMILY RESIDENTIAL LOTS 1 TO 10	3.087 ha.
OPEN SPACE BLOCK 11	3.762 ha.
0.3m RESERVE - BLOCK 12	0.001 ha.
0.3m RESERVE - BLOCK 13	0.002 ha.
0.3m RESERVE - BLOCK 14	0.001 ha.
BOWLING GREEN DRIVE	0.473 ha.
TOTAL AREA	7.326 ha.

METRIC:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471054.

AGM ARCHIBALD, GRAY & MCKAY ENGINEERING LTD.
 3514 WHITE OAK ROAD, LONDON, ON, N6E 2Z9
 PHONE 519-685-5300 FAX 519-685-5303
 EMAIL info@agm.on.ca WEB www.agm.on.ca

PLAN No: **DP1**



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No.	REVISIONS	DATE	BY
1			

DRAWN BY: LRG, MAMG	DIGITAL FILE: 1432-1 base.dwg	PLAN No:
CHECKED BY: DTW	CSDO FILE:	DP1
DATE: AUGUST 2020	OFFICE FILE: 1432-1	

designated as Hamlet with Natural Environment at the rear of the property applicable to the existing woodlot area (Block 11). However, the official plan amendment is required because OP Section 5.1.3 Hamlet Settlement Areas contains the following policy which applies because the proposed subdivision comprises 10 lots in total plus one block:
Significant or major new development, such as the development of more than Three new lots through plan(s) of subdivision will require provision of full municipal services.

This policy was adopted in 2000 at the time of the Middlesex Centre Official Plan under the PPS 1997. At the time, lot/unit creation could be serviced where the use of communal systems was not feasible and where site conditions were suitable over the long term per Section 1.3.1.1 c) PPS 1997.

The PPS 2005 subsequently provided for individual on-site sewage services and individual on-site water services for new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provision of such services (see PPS 2005 Section 1.6.6.4).

The PPS 2005 was in effect at the time of the Middlesex Centre Official Plan five year review in 2008 (OPA 24) and comprehensive review in 2012 (OPA 28) but the policy was not updated in terms of the three lot cap. Since then, the PPS 2014 came into effect allowing for private services only for infilling and minor rounding out of existing development with no cap on the number of lots.

The new PPS 2020 has recently come into effect and Section 1.6.6.4 has been revised to provide for private servicing where municipal or private communal services are not available, planned or feasible with the continued stipulation that private services may be used for infilling and minor rounding out of existing development.

It is arguable whether 10 lots represents significant or major new development particularly given that the proposed subdivision would be a logical extension of an existing residential subdivision to the east through the proposed extension of Bowling Green Drive. To demonstrate:

- to the east are 22 lots including one vacant lot primarily developed by plan of subdivision.
- To the west are five lots including 3 vacant lots developed by land severance
- To the north are 50 lots with 3 developed by land severance.

All developed lots contain single detached residential dwellings.

Moreover, there is the matter of the Middlesex Centre Official Plan policy inconsistency with the Provincial Policy Statement which takes precedence. However, the proposal was advanced based on the requirement for an amendment to this existing policy to add a Special Policy Area to the portion of lands to be developed, i.e., Lots 1 to 10 plus streets and not applicable to Block 11.

PROVINCIAL POLICY STATEMENT 2020

Section 4.1 of the PJR analyzed the proposed plan of subdivision within the policy context of the PPS 2014 which was in effect at the time. As noted, Section 3.(5) of the Planning Act requires that all decisions affecting planning matters are to be consistent with policy statements issued under the Act that are in effect at the time of the decision.

The PJR addressed the PPS 2014 policies in a detailed way as they related to the proposed plan of subdivision. The following is an analysis of relevant provincial policies cited in the PJR which have been revised further to the PPS 2020 (changes highlighted in yellow):

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, livable and safe communities are sustained by:

- b) accommodating an appropriate **affordable and market-based** range and mix of residential **types** (including **single-detached, additional residential units, multi-unit housing**, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- *Analysis: the low density form of housing proposed by this plan of subdivision is specifically consistent with the foregoing policy which now cites single detached residential as a residential type to be accommodated within a healthy, livable and safe community. Coldstream contains services and facilities to meet long-term needs of residents including the Oxbow School, the Middlesex Centre municipal office, new fire hall and library, and the Coldstream Conservation Area. It should be noted that the school and municipal facilities all function based on private services.*

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to **25 years, informed by provincial guidelines.**

- *Analysis: This proposal will facilitate development of lands fully within the hamlet settlement area boundary and designated within a designation permissive of residential development, thereby assisting Middlesex Centre in accommodating future residential needs over the next 25 years (increased from 20 years previously).*

1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and **should** have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

- *Analysis: The proposed development would take place on lands fully within the hamlet settlement area of Poplar Hill Coldstream and adjacent to the existing built up area to the east and prior land severances to the west and in proximity to prior development to the north. It would have a form as compact as possible given the private servicing context and associated stormwater drainage requirements within the hamlet. It appears that the future extension of Bowling Green Drive was anticipated by the Municipality and the low density scale of development proposed would be compatible with existing development in Coldstream.*

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for sewage and water services shall:

- a) Accommodate **forecasted** growth in a manner that promotes the efficient use and optimization of existing:
 1. *municipal sewage services and municipal water services; and*
 2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available **or feasible**;*
- *Analysis: The development of the subject lands was anticipated by the Middlesex Centre Official Plan at its adoption in 2000 through inclusion within the Poplar Hill and Coldstream Hamlet Settlement Area and Rural designation. When comprehensive review of the Official Plan occurred in 2012 (OPA 28) as was noted in the PJR, there were a number of changes in terms of the municipality's various settlement area boundaries including extensive adjustments to the Poplar Hill and Coldstream Hamlet Settlement Area land use schedule and changes to the Section 5.1.3 policies but the subject lands remained within the hamlet area and retained the Rural designation.*

The Middlesex Centre OP policies intend that plans of subdivision are utilized for the development of vacant lands between the existing built up area and the

existing settlement area boundary. The OP anticipates development through infilling – as is proposed by this plan of subdivision proposal – which will contribute towards accommodating forecast growth in Middlesex Centre.

- 1.6.6.4 Where *municipal sewage services and municipal water services or private communal sewage services and private communal water services* are not available, planned or feasible, *individual on-site sewage services and individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services and individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services and individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services and individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

- *Analysis: The foregoing PPS policy has been specifically revised to provide for private servicing in the circumstances which exist in Poplar Hill and Coldstream. Communal servicing is not available and there has been no indication of any priority or intention on the part of Middlesex Centre to plan for communal water or sewage services nor has there been any expression of need for full services. The Basis of OPA 28 specifically indicates the assertion that land within the Municipality's Hamlet Areas (including Poplar Hill and Coldstream) is unlikely to be serviced. Without municipal support and priority to plan for full services in the area, it would not be financially feasible for the number of dwellings within the Hamlet Area. Supplementary information provided has demonstrated that no negative impacts would occur to groundwater or to the adjacent woodlot from the proposed development. Accordingly, municipal or private communal servicing is not feasible and it is warranted that individual on-site sewage services and individual on-site water services may be used in this instance.*

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;

Analysis: The residential uses in a form consistent with and as an extension of surrounding residential uses would be permitted by this policy. Middlesex Centre has ample urban residential development either existing, under development or proposed within its fully serviced settlement areas to respond to needs within those markets. However, the policy recognized the need for a range of housing options to be supplied obviously where suitable servicing can be provided. Development of the lands has been anticipated since at least 2000 and the three lot limitation per the Middlesex Centre OP policies on this parcel would result in development that would be land consumptive and inefficient use of the available land outside of the woodlot.

There were no changes to the PPS policies cited in the PJR with regard to Transportation Systems, Long Term Economic Prosperity, Natural Heritage, and Water and, together with the supplementary information provided with specific reference to the Development Assessment Report Addendum and the Functional Servicing Report, I concur with the opinions expressed with regard to PPS consistency in those areas.

Middlesex County Official Plan

I concur with the opinion expressed in Section 4.2.5 of the PJR Conclusion of the PJR with respect to the Middlesex County Official Plan as follows:

Based on an assessment of policy set out within the County of Middlesex Official Plan, it is our opinion that the proposal conforms to the overall land use policy direction set out in this Plan. In this regard, the proposal will provide for a limited scale of residential development in a designated Hamlet Area. The proposed Draft Plan will add additional residential dwelling lots in the Poplar Hill & Coldstream community in a manner that complements and is compatible with existing low- density residential developments immediately to the east and north. In addition, as demonstrated through the accompanying Development Assessment Report, the proposed development will not negatively impact the adjacent Natural Heritage features (provided that the suggested mitigation measures are implemented). Further the Servicing Brief in support of the application demonstrates that the site can be developed utilizing private water and sewage systems to a level of intensification that is commensurate with private services.

Recognizing that the opinion with regard to servicing was the subject of some ensuing discussion with the Municipality and the St Clair Region Conservation Authority, it is my view that information subsequently provided including the Functional Servicing Report, AGM May 2020, the wastewater impact assessment update by Bos Engineering May

2018, and the Review of Previous Hydrogeological Work, JFM August 25, 2020 demonstrated that the proposed lot sizes were appropriate and that private services proposed were adequate and would safely service the proposed development.

Middlesex Centre Official Plan

Similarly, I concur with the opinion expressed in Section 4.3.7 Conclusion of the PJR with respect to the Middlesex Centre Official Plan as follows:

It is our opinion that the proposal conforms to overall land use policy direction set out in the Middlesex Centre Official Plan. In this regard, the proposal would provide for limited infill development in a designated settlement area. The planned residential development is compatible with existing development in the surrounding area and will not impact upon natural features in the immediate vicinity of the subject lands.

Moreover, the information subsequently provided has demonstrated that the parcels to be created will have sufficient area to accommodate individual water supply and sewage systems. In addition, grading and stormwater management has been the subject of further investigation to demonstrate that discharge from the site can be adequately managed.

Middlesex Centre Zoning By-law

I concur that the lots within the proposed draft plan would comply with the Hamlet Residential-First Density (HR1-1) zone regulations, consistent with zoning of the existing residential lots to the east and north as well as to the west with Open Space (OS-5). Due to its proposed frontage at 16 metres, Lot 7 will require a special minimum frontage provision. The proposed Open Space zoning of the woodlot portion of the property (Block 11) is appropriate due to its natural heritage feature identification and the prior severance agreement pertaining to this land.

CONCLUSION

Based on the foregoing discussion and the supporting information submitted in particular the Functional Servicing Report, AGM, May 2020 and the Review of Previous Hydrogeological Work, JFM August 25, 2020, I concur with Section 5.0 Summary and Conclusions of the PJR. It is my supplementary opinion that the proposed plan of subdivision of the subject property would be consistent with the PPS 2020 and in conformity with the Middlesex County and the Middlesex Centre Official Plans.

Please do not hesitate to contact me if you have any questions or wish to discuss.

9

Yours truly,

A handwritten signature in blue ink, appearing to read "BRosser". The signature is written in a cursive style with a prominent initial "B" and a trailing flourish.

Barbara G. Rosser