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Planning Justification and Urban Design Report Draft Plan of Subdivision

Plan of Subdivision
Newtonville Estates
Part Lot 7, Concession 1, Newtonville
Clarington, Region of Durham

CCS Project No. 4397
Date: March 2022

Prepared for: Frank Veltri, Veltri Group
Prepared by: Clark Consulting Services (CCS)

<i>Region of Durham Official Plan:</i>	<i>Major Open Space Areas</i>
<i>Municipality of Clarington Official Plan:</i>	<i>Hamlet Areas</i>
<i>Municipality of Clarington Zoning By-law:</i>	<i>EP-7</i>
<i>Oak Ridges Moraine:</i>	<i>No</i>
<i>Greenbelt Plan:</i>	<i>Protected Countryside</i>
<i>Roll No.:</i>	<i>1817 030 010 090 16000</i>

1. INTRODUCTION

Clark Consulting Services (CCS) was retained by Veltri Group to prepare a Planning Justification and the necessary applications for the approval of Phase 3 of a residential subdivision on property in the Settlement Area of Newtonville adjacent to the previous two phases of the Veltri Subdivision. A site visit was conducted in May 2020 to review the property and neighbouring land. A Pre-Consultation Meeting was held on September 3, 2020, and a record of that meeting was circulated on September 25, 2020. The sketch below shows the Phase 3 lands located between Charles Tilley, Jones, and George Burley.



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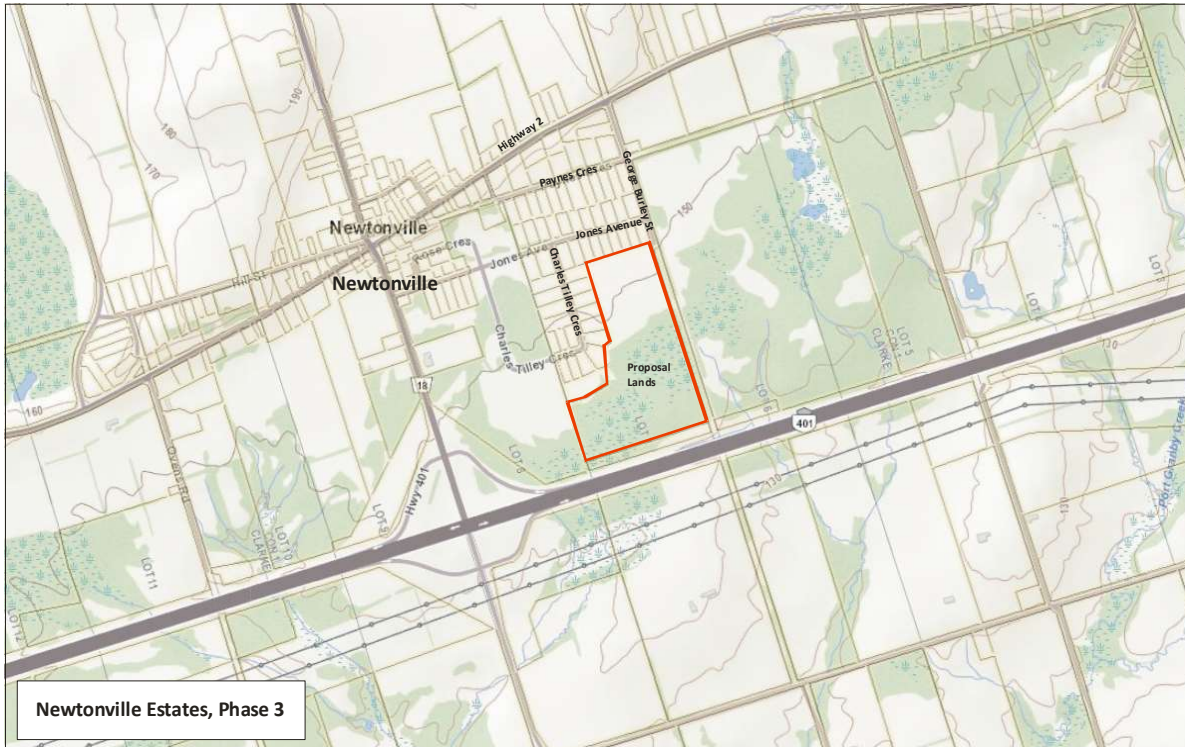


Figure 1 – Location

2. BACKGROUND

The lands subject to the applications are located east of Charles Tilley Crescent, south of Jones Avenue and west of George Burley Street. The lands are approximately 16.7 ha with approximately 4.2 ha intended to be developed as part of the Newtonville Subdivision, being Phase 3 of that development. The subject lands are zoned “EP-7” and it is within the limits of this land that the owner is proposing 12 residential lots and a cul-de-sac access road as an extension of George Burley Street.

Previously, these lands were reserved for nitrate dilution serving the septic systems of Phases 1 and 2. Golder Associates Ltd., completed a review and a subsequent report entitled “*Supplemental Hydrogeological Investigation*”, May 6, 2019, which examined the impact on groundwater of the existing 39 residential lots and the impact of an additional 12 residential lots within the subject lands. The report concluded that the nitrate concentration at the boundary of the developed lands would be acceptable. The location of the subject lands is shown on *Figure 1–Location*.

3. DEVELOPMENT PROPOSAL

The proposal is to subdivide the northern portion of the subject lands into 12 residential lots within a Plan of Subdivision (*Figure 2-Concept Plan*). This would increase the subdivision from 39 lots to 51



lots. A new cul-de-sac road will connect the 12 lots to George Burley Street as an extension of George Burley Street.

The southern portion will remain in a natural state.



Figure 2 – General Concept

4. REVIEW OF PLANNING DOCUMENTS

4.1. Provincial Policy Statement

The Provincial Policy Statement (PPS), 2020, was approved and came into effect May 1, 2020. It replaces the Provincial Policy Statement, 2014. It was issued under Section 3 of the *Planning Act* to provide policy direction on matters of provincial interest. Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the *Planning Act*. The following provides a review of this proposal in light of the relevant policy statements.

The policy for development in Settlement Areas is outlined in Section 1.1.3. Settlement Areas are



Urban Areas and Rural Settlement Areas, and include cities, towns, villages, and hamlets. Newtonville is considered a hamlet. Settlement Areas are to be the focus of growth and development. Appropriate development standards are to be promoted. New development is to take place adjacent to existing built up areas and at densities that allow for the efficient use of land, infrastructure, and public service facilities.

These lands are identified in the Region of Durham Official Plan, Schedule 'A', Map 'A5' Regional Structure, as a Rural Settlement 'Hamlet', and in the Municipality of Clarington Official Plan, Map A1 Land Use East Clarington Rural Area as a 'Hamlet'.

Section 1.1.4.2 says that in Rural Areas, Rural Settlement Areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Section 1.1.4.3 goes on to say that when directing development in Rural Settlement Areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels. Section 1.1.3 provides policy for development in Settlement Areas and says they shall be the focus of growth and development. The proposal represents ordered development, as a third phase in an existing residential development, and is within an area that is appropriately serviced.

In my opinion, the proposal conforms with policy direction provided within the Provincial Policy Statement, 2020.

4.2. Greenbelt Plan

The Greenbelt Plan is a cornerstone of the Greater Golden Horseshoe Growth Plan. The Greenbelt Plan 2017 was approved by the Provincial Government and came into effect July 1, 2017. This document has been reviewed with regard to the proposal of a residential subdivision within an approved Rural Settlement Area.

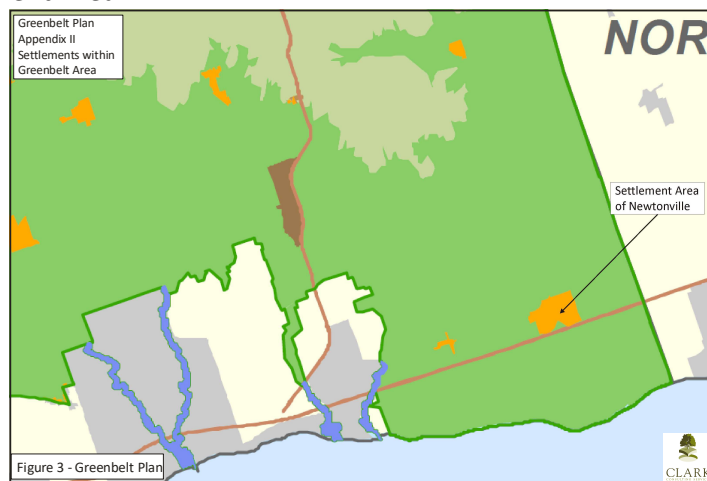


Figure 3 – Greenbelt Plan Excerpt



Schedule 1 shows the subject lands within the Greenbelt Area and Appendix 2 shows the Hamlet of Newtonville as a 'Settlement Area'. The document introduction says that Settlement Areas, identified as Towns/Villages and Hamlets, vary in size, diversity, and intensity of uses and are found throughout the Protected Countryside.

Section 1.2.2.4 says:

- a) *"Support for a strong rural economy by allowing for the social, economic and service functions through the residential, institutional and commercial/industrial uses needed by the current and future population within the Greenbelt, particularly within Settlement Areas;*
- b) *Sustaining the character of the countryside and rural communities;*
- c) *Support for the achievement of complete communities that promote and enhance human health and social well-being, are economically and environmentally sustainable, moving towards low-carbon communities, with the long-term goal of net-zero communities; and*
- d) *Serving as centres for the development of community hubs where compatible services are co-located to address local needs in convenient locations that are accessible by active transportation and, where available, transit."*

Section 3.4 discusses policies for Settlement Areas. The description at 3.4.1 describes Hamlets as substantially smaller than Towns/Villages and playing a significantly lesser role in accommodating concentrations of residential, commercial, industrial, and institutional development. Further, they are typically serviced with individual on-site sewage and water services and thus are not locations to which growth should be directed. In this case, the Hamlet of Newtonville is non-typical, as it is serviced by municipal water. Section 3.4.4.1 goes on to say that Hamlets are subject to the policies of the Growth Plan and continue to be governed by Official Plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of Sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2. Limited growth is permitted through infill and intensification of Hamlets, subject to appropriate water and sewage services. These sections provide policy on the Agri-Food Network, Water Resource System, Natural Heritage, Parkland Open Space and Trails, and General Settlement Area Policies.

The proposal is for Phase 3 of an existing residential subdivision within the existing boundaries of the Hamlet of Newtonville and at a total of 12 residential lots, represents limited development through the infill of lands between existing residential use and the boundaries of the Hamlet. The process and this justification show how the proposal meets the general policies for development, by meeting the requirements of Regional and local policy documents.

Based on this review, the proposal conforms to the policies of the Greenbelt Plan.



4.3. Growth Plan for the Greater Golden Horseshoe

The current Growth Plan came into effect in May 2019. One of the Guiding Principles is to provide for different approaches to manage growth that recognize the diversity of communities in the GGH. Growth is to be allocated to fully serviced areas, however, limited growth is permitted in Settlement Areas on lands such as the subject lands that are not serviced by existing or planned municipal wastewater systems. Municipalities are directed to establish a hierarchy of Settlement Areas. The Plan supports the achievement of complete communities which will provide access to services, provide a range of housing, and have convenient access to transportation.

Section 2.2.9 provides policy for Rural Areas and specifically permits that new multiple lots or units will be directed to Settlement Areas.

Section 3.2 provides policies for infrastructure to support growth. The residential subdivision is an extension of the adjacent residential area. The public infrastructure to support the development, namely water supply and road access has been determined to be adequate to support the proposed development. The stormwater system has been designed to avoid adding additional drainage and the site has been reviewed to ensure that the sites are adequate to support the private septic systems.

Based on this review and the supporting documentation, the proposal is consistent with the policies and intent of the Growth Plan.

4.4. The Oak Ridges Moraine Conservation Plan (ORMCP)

The subject property is not within the ORMCP area.

4.5. Region of Durham Official Plan (ROP)

The Durham Region Official Plan designates the subject lands as ‘*Major Open Space Areas*’ as shown on Schedule ‘A’, Map ‘A5’ Regional Structure, an excerpt of which is shown as *Figure 4 – Regional OP*. The subject lands are within a Rural Hamlet Settlement Area.

Section 9B.1.3 states: “*Hamlets shall be the predominant location for residential and social, commercial and employment development serving the needs of the surrounding area.*” Section 9B.2.5 directs area municipalities to “*ensure that hamlets are developed in contiguous phases, in-depth rather than strips, utilize a grid system of local roads and make every effort to preserve their historic characteristics by requiring new development to complement existing building types.*”

Section 9B.2.6 outlines the servicing requirements and requires that servicing capacity be confirmed both for extension of municipal services such as water and for private servicing such as individual septic systems.





Figure 4 – Region of Durham Official Plan Excerpt, Schedule 'A', Map, 'A5'

Section 9B.2.11 requires that a plan of subdivision be accompanied by the following:

- A report to assess the potential impact of proposed private sewage disposal systems on the groundwater.
- A lot servicing plan, indicating the proposed location of all structures and subsurface disposal system envelopes including a 100% replacement area for each in ground conventional Class 4 sewage disposal system.
- A report demonstrating to the satisfaction of the Region, that development on partial municipal services is feasible and sustainable.
- A report of the results of a soil sampling program that adequately represents the geology of the subdivision.
- An existing and final grading plan, indicating elevations and lot drainage patterns.

The supporting documentation including the Supplemental Hydrogeological Investigation prepared by Golder Associates provides a detailed evaluation of private servicing. The conclusions of this report are reviewed in Section 6 of this report.

Section 9B.2.12 identifies a series of considerations for the expansion of municipal services in a Hamlet. Of importance to the proposal, is the need to enter into an agreement for the extension of the necessary servicing requirements. Of importance to the design is the extension of the municipal water supply which has been determined to be adequate for the additional 12 residential lots.

Section 14.3.3 directs area municipalities to prepare Official Plans that give priority to hamlets.



It is my opinion, that as the proposed development is located in the Hamlet of Newtonville, as defined by the Municipal Official Plan and the Regional Official Plan, and will be subject to the subdivision criteria as outlined in Section 14.7.2.

4.6. Municipality of Clarington Official Plan

The Municipality of Clarington Official Plan, Amendment 107, was approved on June 19, 2017, by the Commissioner of Planning and Economic Development for the Regional Municipality of Durham. The Official Plan provides guidance to land use within the Municipality including the subject lands within the rural hamlet of Newtonville. *Figure 5* shows the subject lands within the Hamlet Area. Section 12 provides specific polices for Rural Settlement Areas which directs that development should be consistent with the principle of sustainable development. 12.2.3 directs that hamlets should be the predominant and preferred location for rural growth and 12.2.3 also directs that development is to be adequately serviced and does not impact soil, water and other natural resources. Based on the Golder Hydrogeological Report, the development can proceed as an adequately serviced development and not negatively impact soils and water.

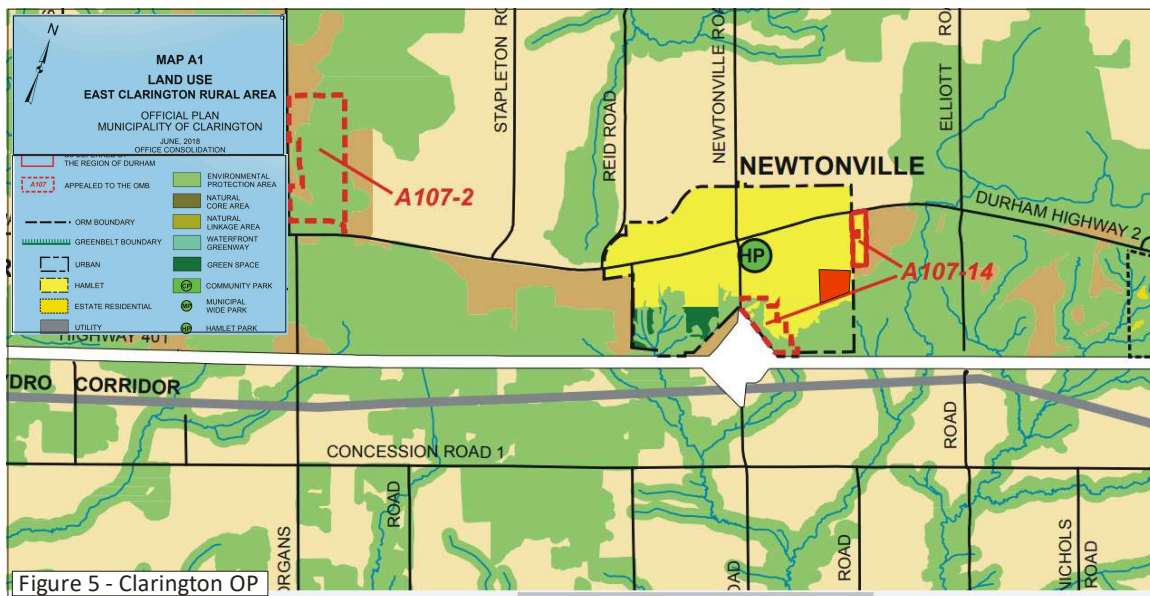


Figure 5 – Municipality of Clarington Official Plan Excerpt, Map A1

Section 12.3.3 says “Where a municipal or communal system exists, new development shall be required to connect to these systems subject to such matters as capacity, feasibility, the sequential extension of services, and financing.” The development will connect to the existing water system in Newtonville.

Based on the above, the proposed development complies with the requirements of the Clarington Official Plan.



4.7. Municipality of Clarington Zoning By-law

Land use in the Hamlet of Newtonville is governed by Zoning By-law 84-63. *Figure 6* is an excerpt from the Schedule 16 of the Zoning By-law 84-63. The By-law outlines the provisions for land use within the various zone categories. The subject lands are shown on Schedule “16” to the By-law as “EP-7”.

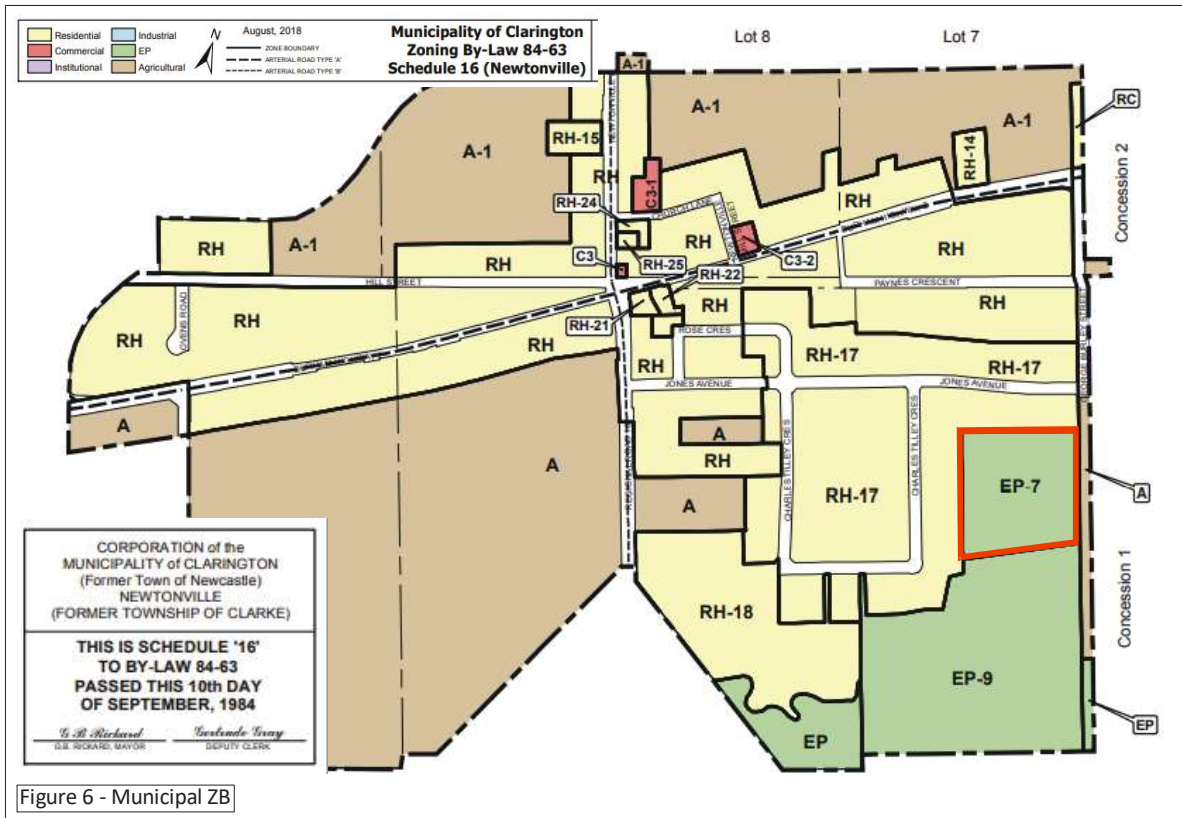


Figure 6 – Municipality of Clarington Zoning By-law 84-63 Excerpt, Schedule ‘16’

The provisions for EP-7 are found in Section 5.2.7:

Notwithstanding Section 5.1, the lands zoned EP-7 on the Schedules to this By-law shall be subject to the following regulations:

- a. Residential Uses
 - i) Prohibited.

A Zoning By-law Amendment will be required to permit development on these lands.

The proposed zoning regulations of the Residential Hamlet zone as modified by RH-17, is proposed to be the zoning for the development. The proposed zone regulations are:



- Lot area (minimum) 2,000 sq.m.
- Lot Frontage (minimum) 27 m.

With the completion of a Zoning By-law Amendment for the subject lands, the requirements of Zoning By-law 84-63 can be met.

5. FUNCTIONAL SERVICING AND STORMWATER MANAGEMENT REPORT – D.G. BIDDLE & ASSOCIATES, JULY 2021

This Report has been completed by D.G. Biddle & Associates dated July 2021. It is submitted in support of the proposed residential subdivision. The report describes the infrastructure required to fully service the proposed development, as well as the stormwater drainage objectives and impact on the receiving watercourses.

The sanitary sewer system will be provided by individual septic systems. Each system will be sized to meet the needs of the proposed dwelling.

The water distribution system will be provided by an existing watermain located at the intersection of Jones Avenue and George Burley Street. Each lot will be connected to the distribution system.

The stormwater drainage system for the lots and roadway will be intercepted by the roadside ditch and conveyed to an outfall channel. The proposed roadside ditches will be equipped with bio-retention cells to offset the increase in stormwater runoff through infiltration. The residential lots will have a rain garden in the front yard to provide stormwater quality treatment for the impervious driveway.

The lot grading plan has been prepared to direct the drainage to the stormwater system. Temporary sediment controls will be implemented during the construction.

The details of this servicing plan are outlined in the Functional Servicing and Stormwater Management Report and illustrated on the Conceptual General Servicing Plan and the Preliminary Lot Grading Plan.

6. SUPPLEMENTARY HYDROGEOLOGICAL INVESTIGATION – GOLDER AND ASSOCIATES, MAY 6, 2019

The purpose of this investigation was to review the nitrate loading of soils within the Veltri Subdivision and determine if nitrate loading would meet Provincial guidelines both pre- and post-development of Phase 3. The report concludes that as the development is supplied by a municipal water system the Provincial requirement for groundwater nitrate loading level is of no more than 10 mg/L. The result of the investigation is that the nitrate level will be an estimated 9.8 mg/L and thus the proposed development will not exceed the nitrate loading. The report supports the proposal for the development of the 12 lots on the subject lands.

The proposed development will utilize Class 4 septic systems for the handling of wastewater from each residence. The Class 4 systems are currently used for the existing residences in the earlier phases of the subdivision. The Golder Report has made the calculations based upon Class 4 systems.



The water budget assessment included the inclusion of LID measures to enhance the infiltration such as downspout disconnection, bio-retention cells in the roadside ditches and private septic systems, as well as the conversion of the existing stormwater management pond from a wet pond to an infiltration facility. The groundwater recharge and baseflow contributions to local streams will be maintained or increase on an average annual basis, as a result of the proposed 12-lot development.

Based on a nitrate loading assessment the use of conventional Class 4 sewage systems would result in an estimated nitrate concentration of 9.8 mg/L. On this basis, the proposed development is not anticipated to have an unacceptable impact on groundwater quality.

7. TRAFFIC BRIEF

A Traffic Brief has been prepared by Asurza Engineers. The Brief reviewed the existing road system which will provide access to the development, prepares an estimate of trip generation and distribution, and concludes that the limited scale of development will not impose an impact on the streets which provide access to the development.

The road design has also been reviewed to include the potential for on-street parking as illustrated on the Parking Plan.

8. ENVIRONMENTAL SUSTAINABILITY PLAN – D.G. BIDDLE & ASSOCIATES, SEPTEMBER 2021

D.G. Biddle & Associates Limited prepared an Environmental Sustainability Plan, which reviewed provisions for:

- Improved Air Quality
- Energy Efficiency and Greenhouse Gas Emissions
- Improved Water Quality and Water Efficiency
- Homes
- Reduce Solid Waste
- Protect Natural Environment
- Education.

The changes that have been made over the past several years, have resulted in increasingly healthy homes. Together, with the environmental features outlined above in the servicing the development, will ensure the protection, conservation and enhancement of the local environment.

9. ENVIRONMENTAL IMPACT STUDY – GHD, NOVEMBER 2021

GHD Limited prepared an Environmental Impact Study. The significant Natural Heritage Features included significant woodlands and wetlands. Buffer areas are recommended for the wetland and the significant woodlands. Part of the woodland community is proposed to be removed and a woodland area planted to compensate for this removal.



No negative impacts are identified due to the construction in the proposed development envelope provided the recommendations for the buffer, compensation and construction are implemented. The detailed recommendations are outlined in Sections 5 and 7 of the report.

10. URBAN DESIGN REVIEW

The purpose of an Urban Design Report is to evaluate the proposed development to ensure that the development blends with the neighbourhood or advances the emerging character of a new redeveloping neighbourhood.

The proposed development is the third phase of a residential development. This development is a single-family residential development based on consistent RH-17 zoning standards, which are proposed to be extended to this phase of the project. The building massing and the relation of the buildings to the street will be consistent with the neighbouring residential development.

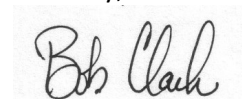
The supporting documentation review earlier in this report, illustrates the design of the servicing and access and evaluates the limited impact of the proposed development. In order to accommodate the proposed drainage system and the provision of infiltration facilities, the road will be constructed to a rural standard with roadside ditches and shoulders which will allow pedestrian and bicycle use. Similar to the neighbouring development, this proposal will border a natural area. This will continue the character of the adjacent residential area. Limited street lighting is proposed to retain the rural character of the area and avoid lighting impacts on adjacent residential lots.

11. CONCLUSIONS AND OPINION

As outlined above, the proposed development is an extension of the adjacent residential form of development and the impact of the development will have limited impact based on the proposed design and implementation recommendations. The application process will provide a further review of the proposed design and the recommended construction and compensation activities.

It is CCS' opinion, that the proposed development is consistent with Provincial, Regional and Municipal policy, will be implemented with limited impact on Natural Heritage Features and will extend the established character of the neighbourhood, while providing additional housing in a designated urban area.

Sincerely,



Bob Clark, *P.Eng., P.Ag., MCIP, RPP, OLE*
Principal Planner



FIGURES (ILLUSTRATED WITHIN THE REPORT)

Figure 1 – Location

Figure 2 – General Concept

Figure 3 – Greenbelt Plan Excerpt

Figure 4 – Region of Durham Official Plan Excerpt, Schedule 'A', Map 'A5'

Figure 5 – Municipality of Clarington Official Plan Excerpt, Map A1

Figure 6 – Municipality of Clarington Zoning By-law 84-63 Excerpt, Schedule '16'

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