



Staff Report PL2021-032

Title of Report: PL2021-079 - Attachment 2 - Staff Report PL2021-032-Wilder Lake Subdivision.docx

Department: Clerks

Branch: Planning Services

Council Date: April 21, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-032 for information; and

That Council direct staff to forward this report and the recommended conditions of draft approval (attachment 3) on to the County of Grey; and

That Council direct staff to prepare a Zoning By-law amendment to implement the proposed plan of subdivision at a future Council Meeting.

Property Location: 263512 Southgate Road 26



Subject Lands:

The subject lands are described as Con 21 Pt lots 2,3 and 4 RP 16R6386 Pts 1,2 & 3 in the Geographic Township of Egremont, Township of Southgate. The lands are approximately 48.96 ha (121 acres) in size. The lot has proposed accesses from Southgate Road 26. The lands are further described as 263512 Sg Road 26. The section proposed for development is approximately 21.10 hectares (52 acres±) and shown in figure one from the Cuesta Planning Report below.

The Proposal:

Twenty-nine (29) estate residential lots are proposed to be developed along both sides of the road frontage with an average lot area of .4 hectares (1 acre). A lot which includes the golf course buildings will also be created and included as part of the draft plan of subdivision. The remaining 27.86 ha will be the golf course lands and will continue to be used as a golf course. The proposed development will include three open space blocks and grassed swales for stormwater management purposes. The open space blocks 30,31,32 will contain three stormwater retention ponds, two new ponds and one existing wet pond). The swales will provide for preliminary infiltration and filtration of stormwater. It is proposed that the stormwater infrastructure be assumed by the Township over the long-term.

(Figure 1 from Cuesta Planning Report)



Each lot will be serviced individually via drilled wells and septic systems. The large lots will ensure the services can be accommodated adequately.

Development setbacks have been established in accordance with the findings of the Environmental Impact Assessment (EIA). The EIA also includes a planting plan to enhance protection of on-site natural heritage features.

The site is intended to be developed in two phases. The first phase will include the internal road from the entrance to the site, east to the lake and the portion of road parallel to the lake. The lots along this portion of frontage will be included in the first phase along with all stormwater features. Phase two will complete the looped roadway and include the remainder of the lots.

Background:

In 2018 and 2019 the applicant pre-consulted with the Township of Southgate and County of Grey regarding studies that would be required. In January of 2020 application C1-20 was received and deemed complete. Studies that accompanied the Draft Plan of Subdivision include and Archeological study stage 1 and 2, An Aggregate Potential Opinion letter, An Environmental Impact Assessment, A Stormwater Management Report, A Visual Impact Study, A Planning Justification Report A Hydrogeological Report and Servicing Study. A virtual public meeting was held on September 23, 2020. A copy of the minutes to the meeting are attached as attachment 2 to this report.

The Hydro Geological Report was also peer reviewed on behalf of the Township and County by Burnside Engineering.

Supporting documents and comments received are posted on the website and are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C1-20-H-Bye-Construction-Wilder-Lake-Subdivision>

The comments received from agencies and the public are available in the link noted above.

The issues raised are as follows:

1. The ownership of the lake should be confirmed.
2. Concerns regarding night lighting and maintaining a dark sky.
3. Concerns that a lake Carrying Capacity study has not been completed
4. Evidence of Golden Brown Algae in the Lake and making matters worse.
5. Relies on the good will of people to maintain septic systems.
6. Density of development is too high for the lake.

Financial Considerations:

The proposal will create significant growth in assessment for the Township with the creation of approximately 29 new residential lots. The increased population within the Township as a result of this subdivision will also support local business and economic growth for communities such as Varney and Holstein.

If the Township takes ownership of the three Stormwater Management blocks there would be a cost to maintain those ponds areas.

Staff Review:

Staff reviewed this application based on the Planning Act, the Provincial Policy Statement (PPS), Grey County Official Plan and Southgate Official Plan and the Township Zoning By-law.

The Provincial Policy Statement 2020 (PPS)

All planning applications are required to be evaluated against existing policy including the Provincial Policy Statements. The applicants planning consultants, Cuesta Planning Consultants Inc., have prepared a very detailed planning justification report that reviews in detail, all of the applicable land use planning policy for the proposal. The planning analysis can be found in the Planning Justification report on the Township Website at the link provided above.

Planning staff concur with the findings of the planning justification report submitted by Cuesta Planning Consultants Inc. in regard to being consistent with the PPS.

County of Grey Official Plan

The County of Grey as an approval authority for plans of subdivision in Grey County has provided regular and consistent feedback to the Township and the applicant on matters that they would like addressed in the Draft Plan of Subdivision.

The subdivision is within the "Inland Lakes and Shoreline" Settlement area designation of the County of Grey Official Plan. This designation allows for residential development adjacent to the lake provided it can meet the various development criteria.

Cuesta Planning has also reviewed the County of Grey Official Plan in detail and Township staff concur with the opinion of Cuesta Planning that the proposal is consistent with the policies of the County of Grey Official Plan.

Township Official Plan

The Township of Southgate Official Plan designates the subject lands as “Inland Lakes and shoreline” area. This designation is intended for lower density residential development surrounding a lake and it was anticipated and desired that these lands would develop with some type of residential housing.

Again, Cuesta has reviewed in detail the Township Official Plan and Township staff agree with their opinion that the proposal conforms to the Township of Southgate Official Plan.

In particular the Planning report reviews section 5.4.2 of the Township Official Plan which outlines the development criteria for proposed development around an inland lake. The Environmental Impact Assessment and the Visual Impact Study prepared by the applicant have been reviewed along with the servicing studies. All of these studies indicate that the development can be accommodated without negatively affecting the lake. The Hydrogeological work was peer reviewed by the Township to verify the findings as the report indicates that the underground water flow is from East to West away from the lake so that septic systems and runoff will be directed away from the lake and not impact the lake. This is a very important finding in that it addresses many of the concerns raised by neighbours about the health of the lake and impacts on the lake.

Zoning By-law

The implementing zoning by-law amendment for the Subdivision has designed most of the lots around the R5 zone provisions. There are three exceptions however which will require relief from the frontage provisions of the R5 zone. The Stormwater Management Blocks are proposed to be zoned as Open Space. A list of the proposed changes is provided in detail in the Cuesta Planning Justification Report.

Given the increased development on private services, it should also be considered at the time of zoning to remove the cottages and lodge from the list of permitted uses.

Discussion:

Of a general nature, the Township would prefer to see the Easement over lot 6 to be included as part of Block 30. It is more appropriate to have the easement to the dock as part of the stormwater management block then over a private residential lot. The Township would also prefer not to take on ownership and the maintenance of Block 30 (including the easement shown on the plan), Block 31 and Block 32. The ownership and maintenance of all three of these blocks should be addressed in the Subdivision Agreement.

Below are the issues identified by the public meeting agency and public comments.

The SVCA initial comments have been resolved and are satisfied with the proposal with the exception of refining some of the EP mapping. They have provided a draft plan condition which has been included in the subdivision agreement conditions.

Effect on the Lake- The Applicant has conducted an Environmental Impact Study looking at the natural heritage of the area. The Study provides some recommendations to help preserve and maintain the Natural heritage of the area. These recommendations will be included in the Subdivision Agreement.

Similarly, a Hydrogeological and servicing study was conducted indicating that the nitrate loading for the proposed development would result in Nitrate levels well below the 10mg/L threshold set by the Province. The report further indicates that the ground water flow is in a westerly direction away from the lake. As a result septic system runoff would flow away from the lake and therefore could not have an impact on the quality of the lake water. It is also noted in the report that the septic systems and wells would be setback a minimum of 30m away from the waters edge.

The above studies are, in the opinion of staff, sufficient to determine that the lake water will not be negatively impacted by the Development.

In saying that the residents appear to indicate that the lake is already experiencing some distress even prior to development. It may be prudent for the Township to consider a septic system inspection program for the existing residents of the lake to determine if their septic systems are potentially contributing to the deterioration of the lake water quality.

Ownership of the Lake- Following this issue being brought up by the developer engaged a lawyer to conduct a title search for the lake bottom and between this work and the County of Grey Solicitor, the issue has been addressed and the Lake bottom is owned by the Crown.

Golden Brown Algae in the lake. Some residents have complained about the presence of Golden Brown Algae in the lake. To address this issue, at Council's discretion, a Septic System inspection program could be set up to inspect the existing cottage septic systems surrounding the lake.

Septic systems and relying on the good will of people to maintain septic systems. The Hydro G study indicates that the ground water flow is away from the lake so that even in the event of a septic system failure the water is likely to flow away from the lake.

Night lighting and Dark Sky preservation. The Township Engineering Standards Require all installed lighting to be Dark Sky compliant. This can be further enforced as a condition within the Subdivision Agreement.

To ensure that the numerous conditions of draft approval are implemented through a Subdivision Agreement it is suggested that the subject lands be zoned with a Holding symbol. The holding symbol would be removed upon the registration of a subdivision agreement on title.

Conclusions

Based on the policy review provided by Cuesta Planning Consultants inc. and the information provided, and comments received, the proposal is consistent with the Policies of the Provincial Policy Statement, The County of Grey Official Plan and the Township of Southgate Official Plan. It is therefore recommended that the draft plan of subdivision be conditionally approved, and a zoning bylaw prepared to implement the draft plan once approved by the County of Grey.

Respectfully Submitted,

Municipal Planner: *Original Signed By*
Clinton Stredwick, BES, MCIP, RPP



CAO Approval: *Original Signed By*
Dave Milliner, CAO

Attachments:

1. Draft Plan of Subdivision
2. Minutes of the Public Meeting
3. Draft Plan Conditions