



LANDPRO
PLANNING SOLUTIONS

PLANNING JUSTIFICATION REPORT

PROPOSED RESIDENTIAL CONDOMINIUM

Vacant lot, Wills Road

Hamlet of Winger, Township of Wainfleet, Niagara Region

February 2021



LandPro Planning Solutions Inc.

707 East Main Street
Welland, ON, L3B 3Y5

DISCLAIMER

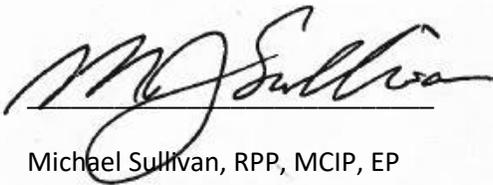
This report was prepared by the team at LandPro Planning Solutions Inc. It is based on the information provided to us by the applicant. The planning policy research and opinions are based on our own research and independent analysis of the applicable policy.

Adam Moote, MPlan Research, Reporting

Michael Sullivan, RPP Project Manager, Quality Control

This report was written by professionals and supervised by Registered Professional Planners, who are full members of the Ontario Professional Planners Institute as defined by the *Ontario Professional Planners Act*, 1994. The contents of this report represent the author's independent professional opinions and comply with the OPPI Code of Professional Practice and the opinions presented herein will be defended as required.

LandPro Planning Solutions Inc.



Michael Sullivan, RPP, MCIP, EP
President | Principal Planner



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CONTENTS

1.	Introduction	3
1.1	Purpose	3
1.2	Pre-Consultation	3
2	Site Context.....	3
2.1	Legal Description & Land Use Context.....	4
2.2	Property Dimensions & Physical Attributes.....	5
3	Proposed Re-Development.....	6
3.1	The Development Project	6
4	Policy and Planning Analysis	6
4.1	Provincial Policy Statement, 2020 (PPS)	7
	A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)	7
4.2	Niagara Peninsula Conservation Authority.....	8
4.3	Niagara Region Official (2014 Consolidated).....	8
4.4	Township of Wainfleet Official Plan (Consolidated in 2016).....	9
4.5	Township of Wainfleet Zoning By-Law 034-2014 & 581-78	9
5	Supporting Technical Studies.....	10
5.1	Hydrogeological Assessment Study	10
5.2	Functional Servicing Stormwater Management	10
5.3	Septic Evaluation Design	11
5.4	Environmental Site Assessment.....	11
6	Planning Analysis.....	11
7	Closing.....	12

1. INTRODUCTION

LandPRO Planning Solutions Inc. (LandPRO), formerly operating as Sullivan Planning Services Inc. was retained by Mr. Dan Bunz, owner of the subject property, in November 2020 to provide professional planning services in support of a proposed 6-unit residential Plan of Condominium for this property.

1.1 PURPOSE

Planning justification was requested by the Township of Wainfleet in support of this application and to demonstrate that this application represents good planning. The purpose of this report is to:

1. Provide planning justification;
2. Show the “H” hold symbol can be removed from zoning; and
3. To identify and mitigate any issues raised.

1.2 PRE-CONSULTATION

A pre-consultation meeting was held for this matter December 13, 2018, at the request of the previous property owners. Township and Regional staff attended this meeting.

The record of pre-consultation confirmed that the following approvals are required to facilitate the applicant’s development plans:

1. Zoning By-law Amendment
2. Removal of Holding Symbol
3. Plan of Condominium

This report will address the technical areas identified in the Pre-Consultation Agreement towards demonstrating that this application represents good planning.

2 SITE CONTEXT

The property is located within the Hamlet of Winger, south of Highway #3 and on the west side of Wills Road. It has no municipal address, so is referenced with Roll No. 271400000909002. See Figure 1, left.

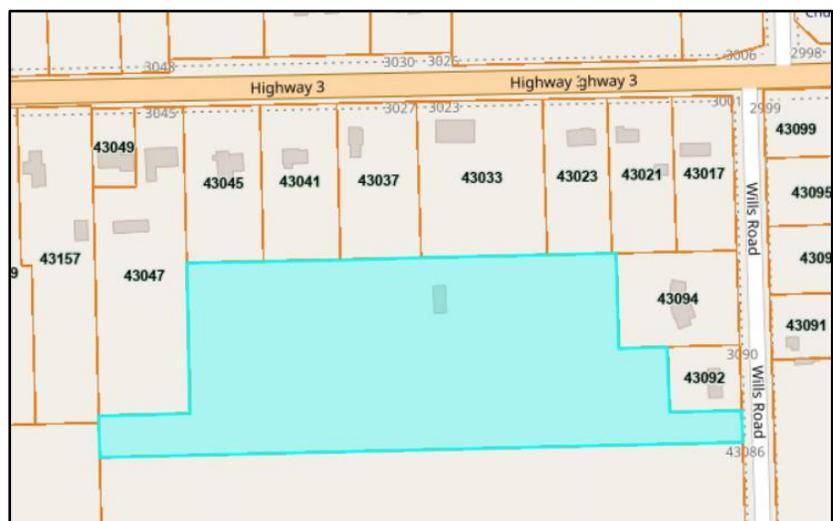


Figure 1: Location Map

2.1 LEGAL DESCRIPTION & LAND USE CONTEXT

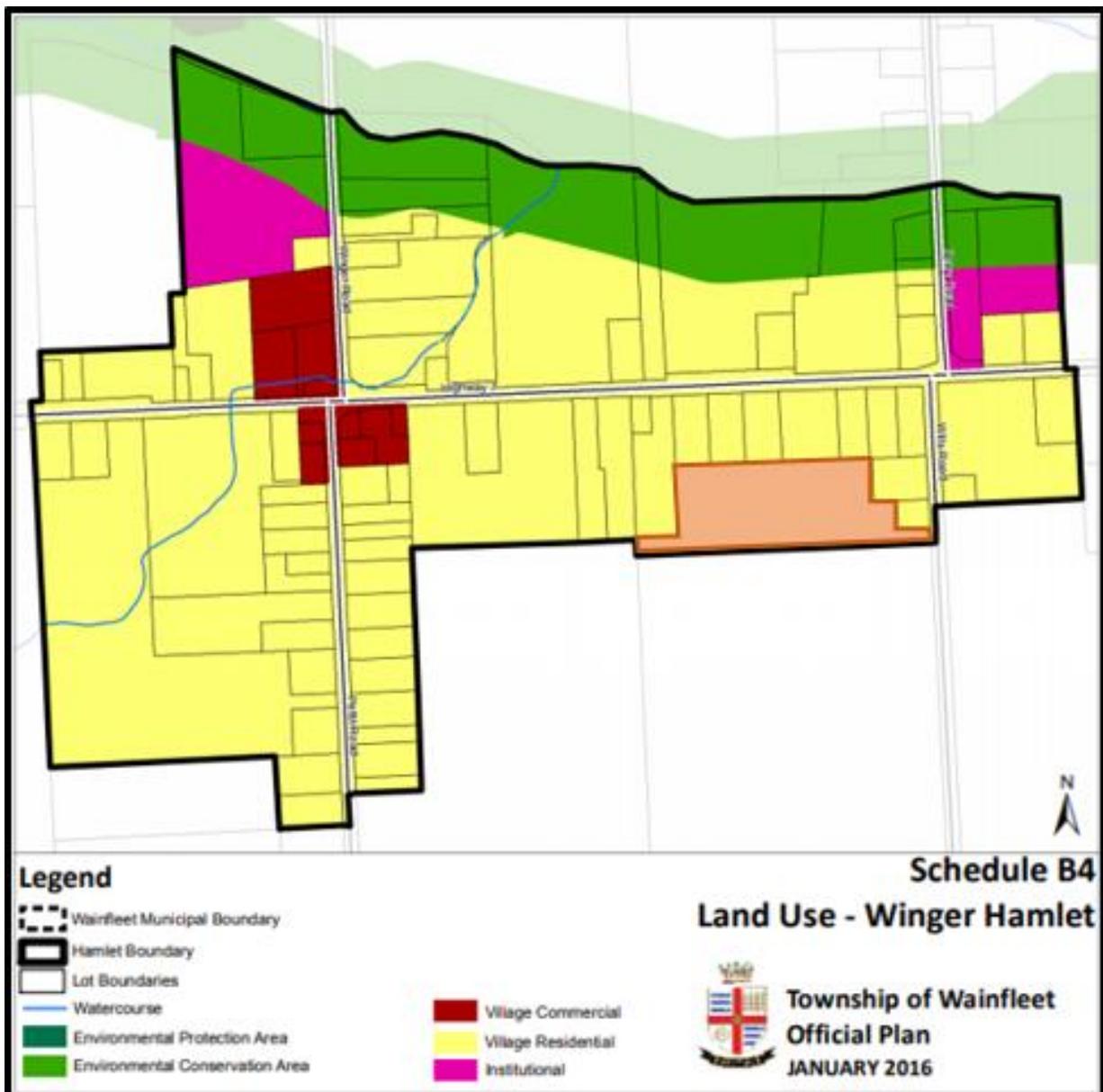
The legal description of the property is CON 4 PT LOT 30, Township of Wainfleet, Region of Niagara.

Surrounding land uses include:

- North = Residential (Hamlet)
- South = Agricultural
- East = Residential (Hamlet); Agriculture
- West = Residential (Hamlet); Agriculture

These uses are presented in below in Figure 2 (**Subject property shown in orange**).

Figure 2: Hamlet Land Uses



2.2 PROPERTY DIMENSIONS & PHYSICAL ATTRIBUTES

The lot is irregular in shape with an area of approximately 3.75 ha and approximately 20 m of frontage on the west side of Wills Road. The lot has varying depths with approximately 408 m at it's longest and 273 m at it's shortest. The parcel is generally flat with active cultivation by the southern neighbouring farmer. The subject property has the following characteristics, as provided by LandPro, dated November 17, 2020 and presented in **Table 1** with an aerial view in **Figure 3**.

Table 1 - Property Dimensions

Item	Dimension
Lot Frontage	20.12
Lot Depth	Between 272.64 m and 407.98 m
Lot Area	3.7495 ha

Figure 3: Aerial View of Lands



3 PROPOSED RE-DEVELOPMENT

3.1 THE DEVELOPMENT PROJECT

The applicant proposes a Plan of Condominium composed of 6 units.

It is proposed that the units will be accessed by a private road with one (1) access, located at the east of the land, perpendicular to Wills Rd.

As a result of the subdivision, each lot will be as is shown in **Table 2**, below:

Table 2 - Property Dimensions

LOT	AREA	FRONTAGE	DEPTH	WIDTH
1	5,622	74.2	101	43
2	4,656	46.0	101	46
3	4,659	46.0	101	46
4	4,662	46.0	101	46
5	4,459	49.9	83	46
6	6,167	59.7	95	46
TOTAL LOTS AREA	30,225			
ROAD	7,270	20	316	
TOTAL AREA	37,495			

The proposed development is in the public and provincial interest, and it is consistent with adjacent existing developments. It conforms to the Official Plan.

The land is suitable for the proposed subdivision, the number of lots and location is adequate to link the development, with Highway #3, being approximately 180 metres away.

The dimensions and shapes of the proposed lots are adequate for the development.

4 POLICY AND PLANNING ANALYSIS

In preparing this application, several policy and regulatory documents were reviewed to develop our professional opinion. They include the following:

1. The Provincial Policy Statement (2020);
2. A Place to Growth: Growth Plan for the Greater Golden Horseshoe (2019);
3. Niagara Region Official Plan (2014 Consolidated);
4. Niagara Peninsula Conservation Authority Regulation 166/06;
5. Township of Wainfleet Official Plan; and the
6. Township of Wainfleet Zoning By-law.

The proposed development was assessed against these policies and regulations. A detailed review of each policy follows.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

The PPS provides policy direction on matters of provincial interest for all land use development throughout Ontario. It provides direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The PPS is based on three overlying principles: **1) Building Strong Health Communities; 2) Wise Use and Management of Resources; and 3) Protecting Public Health and Safety.**

The subject land is located within a hamlet, a 'Settlement Area' according to the PPS. The following are key PPS policies that support this proposed development: 1.1.3.1 (Settlement Areas); 1.1.3.2 (Land use patterns); 1.1.4.2 (Rural Areas); 1.4.1 (Housing Options); and 1.4.3 (Market-based and Affordable Housing).

This application involves property in a rural settlement area, offers a design and lot size consistent with the surrounding area, a slight change in housing options (condominium ownership) which may provide purchasers with more attainable housing, depending on market conditions.

This proposed development is consistent with the PPS.

A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019 (GROWTH PLAN)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a provincial policy framework for managing growth in the Greater Golden Horseshoe, of which applies to the Niagara Region.

The Growth Plan is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life.

The subject lands are located in the Hamlet of Winger of the Township of Wainfleet, located in Niagara Region and are subject to policies and provisions of the provincial Growth Plan, including the encouragement of higher density development in existing settlement areas.

While the property is located in a settlement area, the Township has no municipal services available. Sections 2.2.1. (Managing Growth); 2.2.2 (Delineated built-up areas); and 2.26 (Housing) apply to this application.

This application represents intensification of uses within built-up areas towards the creation of complete communities. While municipal water and sewer are not available, the Growth Plan does direct growth, as proposed here, to settlement areas. The availability of servicing is secondary to the location of growth. In addition, with six (6) lots in condominium ownership, this application incrementally diversifies the range and mix of housing available locally.

This application is consistent with Growth Plan policies.

4.2 NIAGARA PENINSULA CONSERVATION AUTHORITY

The NPCA regulations do not apply to this application. This position was confirmed by the Township at Pre-Consultation.

4.3 NIAGARA REGION OFFICIAL (2014 CONSOLIDATED)

The Niagara Region Official Plan (NROP) is the guiding long-range and community planning document used to manage the physical, economic and social development of Niagara Region.

It contains the objectives and policies pertaining to the economy, natural environment, resources, infrastructure and agricultural land and managing growth. Through these policies it implements Niagara Region's vision for growth management and regulating land use, of which applies to this development.

In reviewing the NROP, the following policies apply to this application: Section 4.C (Intensification & Greenfields); 4.F (Phasing); 4.G (Sustainability); Section 4.H (Hamlets); and 8 (Infrastructure).

The Township offers primarily single detached dwellings, mostly on a freehold basis. This application proposes condominium ownership in an infill format. This incrementally increases the Township's range of housing options. Of importance is that Winger and most other hamlets in Wainfleet have limited development capacity. The subject property is one of the few available for development, particularly in Winger.

This lot displays a hold symbol, which requires submission of a Plan of Subdivision or Condominium to remove. This application includes a Plan of Condominium, which seeks to remove the hold symbol and allow this property to be developed.

This application also conforms to the policies in Chapter 8 – Infrastructure and generally with those of Chapter 11 – Housing.

A hydrogeological assessment was completed for this application (**Appendix 1**), which concluded that a minimum 1-acre lot (4048 m²) can be used in this location. As a result, 6 lots can be sustainably serviced. In addition, water supply will be via private, per unit cistern. This approach is consistent with new development elsewhere in Wainfleet.

Due to the small size of this development, fire protection will be provided by an on-site cistern, complete with dry pump hook-up. This system will be maintained by the condominium corporation and available for the sole use of emergency medical services, led by the Township of Wainfleet Fire Services.

This application conforms with the NROP.

4.4 TOWNSHIP OF WAINFLEET OFFICIAL PLAN (CONSOLIDATED IN 2016)

The Township of Wainfleet Official Plan (TWOP) is the guiding document that outlines the goals, objectives and policies of the community to manage and affect change related to the economy and natural environment of the municipality; including policies managing land use and residential development.

Key to the municipality is balancing growth while maintaining the qualities of the Township like its small village character, protection of agricultural lands, industry and lifestyle.

The TWOP works in conjunction the Plans of the Province and the Niagara Region, implementing those policies while providing greater specificity to the Wainfleet context in terms of land use designations and policies.

The subject lands fall within the Hamlet of Winger; and the Township's Official Plan (OP) designates the subject lands as "Village Residential" shown in Schedule B4 of the Township's Official Plan Land Use Map, presented **above in Figure 2**, on page 4. Generally, the OP directs population growth to both the Hamlets and throughout the Countryside.

This application is covered principally in **Section 2.4 The Hamlets**, it speaks specifically to the proposed development. The intent of the Hamlets is to provide for various types of low-density development, including housing without the provisions of municipal water and sewerage services. This proposed development will achieve all five of the objectives outlined in this section. And meets the policies set forth in this section. Including Section 2.4.1 (Hamlets shall primarily be comprised of single detached dwellings on private services) and 2.4.2 (The majority of the population growth shall be directed to the existing Hamlets).

Additionally, a 2018 pre-consultation with the Township was conducted for the subject lands and will serve as the starting point for the submission as identified in 8.7 Pre-Submission Consultation of the OP.

The proposed development can meet the requirements set forth in the Township's OP.

4.5 TOWNSHIP OF WAINFLEET ZONING BY-LAW 034-2014 & 581-78

The current zoning of the property is Development "D" Zone, found in the Zoning By-law (ZBL) 581-78 which governs Hamlets. It is understood that the Township is currently updating ZBL 034-2014 so that all of the Hamlets are governed by this legislation. But for purposes of expediency this application is to rezone the property under the existing ZBL 581-78 to a Residential zoning, likely R1.

Despite what bylaw is used, the Holding Symbol Provision would apply in either case. The intent of proposed development is for a plan of condominium, which should satisfy the requirement to lift the Holding Provision. Amending the zoning bylaw for this area to be residential will also bring the subject

land in line with the designation in the TWOP. It would meet the zoning provisions outlined below in Table 3.

Table 3 – Zoning provisions

Zone Provisions	Required	Proposed	Compliance
Minimum Lot Area	4,000 sq. m	4,048 m ²	Complies
Max Lot Coverage	7%		Complies
Minimum Lot Frontage	46 m	46m	Complies
Minimum Front Yard	15 m	15m	Complies
Minimum Side Yard	6 m	6m	Complies
Minimum Rear Yard	15 m	15m	Complies
Minimum Floor Area	90 sq. m.	100 m ²	Complies
Maximum Height	9 m	9m	Complies
Parking	1 space per dwelling	3 - 4	Complies

Based on the above analysis, this application if approved, it will comply with current Township zoning requirements.

5 SUPPORTING TECHNICAL STUDIES

Additional technical work was completed to support this application. The studies are summarized below based on their need as part of the planning approvals and attached as Appendices to this report.

5.1 HYDROGEOLOGICAL ASSESSMENT STUDY

A hydrogeological assessment study was completed by Terra-Dynamics Consulting Inc. for the subject lands and was submitted to the client on October 29, 2020. The study found that the proposed development is isolated from the underlying water supply aquifer; and there are no hydrogeological-based impediments to site development subject implementation of the recommendations found within the report. The full study can be found in **Appendix 1**.

5.2 FUNCTIONAL SERVICING | STORMWATER MANAGEMENT

A Functional Servicing & Preliminary Stormwater Management Report was completed by C.F. Crozier & Associates to support this application. The Conceptual Lot Layout prepared by Lanthier & Gilmore Surveying Ltd. dated December 7, 2020 was used to complete the engineering design works. Additionally, the scope of the report is based on the criteria outlined in the Pre-Consultation meeting minutes dated December 13, 2018.

C.F. Crozier concluded that proposed development of the subject lands can meet the servicing and stormwater management objectives of the Township subject to the recommendations outlined in the report. A full copy of the report can be found in **Appendix 2**.

5.3 SEPTIC EVALUATION | DESIGN

A septic evaluation and design was completed by Attema Consulting Services Inc.

The sewage system design flow is 3000 litres/day based on the methodology prescribed in the Ontario Building Code for a 4 bedroom - maximum 3200 ft² - 4 bathroom group (30-fixture units) residence. It is not recommended to use this sewage system design flow to estimate the cistern size requirements as the 3000-litre/day likely greatly exceeds the actual water use per day. The most common cistern sizing in Niagara Region is either a 4600-gallon or 5500-gallon cistern. (These sized cisterns are suitable for water deliveries which range from 3000-5000 gallons per delivery).

A further recommendation is that to prevent adjacent lot cistern placement interfering with front yard sewage system design and placement it is recommended that the proposed cisterns should be in the backyard and a minimum of 10 m from the property line. A cope of this report can be found in **Appendix 3**.

5.4 ENVIRONMENTAL SITE ASSESSMENT

A Phase 1 Environmental Site Assessment and Scoped Phase 2 Soil Sampling Program was completed by Terra-Dynamics Consulting Inc. for the subject lands and was submitted to the client on November 5, 2020. This study was requested by the Region of Niagara due to the historical agricultural use of the property in an effort to ensure that the soil quality meets the standards for residential use.

The study concluded that no on-site contamination was detected, and no contamination from neighbouring properties were found that could impact the subject land. Thus, no further study was recommended. This study can be found in **Appendix 4**.

6 PLANNING ANALYSIS

The subject lands are located within the Hamlet of Winger, which is recognized and designated by provincial policies like the PPS and the Growth Plan as areas that should be the focus of growth and development. Additionally, the proposed plan of condominium provides a diverse range and mix of housing options and stock, a key supporting policy of the Growth Plan.

The proposed development is also supported by the overarching Niagara Regional and Township of Wainfleet municipal planning authorities. Like the provincial policies, the municipal planning policies also direct the growth and development into settlement areas. The NROP supports hamlets as being places of: housing; supporting nearby rural and agricultural communities; and that they be permitted through a plan of subdivision (or condo).

The proposed development is supported by the Township's planning policies. The OP designates the subject lands as 'Village Residential' providing for low-density residential development. The ZBL 581-78 zones the property as 'Development', and this application requests to amend to 'Residential'. Lastly, there is a Holding Provision attached to the property that can only be lifted with a Plan of Subdivision or

Condo, which this application will fulfill. Additionally, the units will all comply with the Township's zoning requirements.

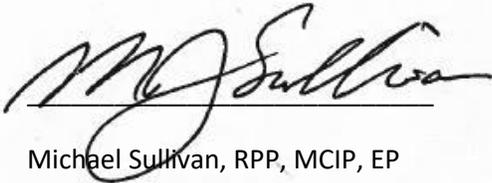
This application meets the applicable provincial and municipal planning requirements for approval.

7 CLOSING

This application is consistent with provincial policies (PPS & Growth Plan) and conforms with the Region of Niagara Official Plan. Subject to approval of a zoning by-law amendment and the Plan of Condominium it will also conform to the Township's Zoning By-law, as it will lift the Holding Provision attached to the land.

It is our opinion that this application represents good planning and should be approved.

LandPRO Planning Solutions



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President | Principal Planner



Adam Moote, MPlan
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Appendices