

# **Planning Justification Addendum Report**

## **Marsville South Subdivision**

Thomasfield Homes Ltd.

Township of East Garafraxa, Dufferin County

Draft Plan of Subdivision

Zoning By-law Amendment

November 2024

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Zoning By-law Amendment

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# 1. Introduction

## 1.1 Development Application Overview

GSP Group (“GSP”) has prepared this Planning Justification Addendum Report in support of applications being made by Thomasfield Homes Limited (“Thomasfield”) to facilitate the development of the property described legally as the East Half of Lot 5, Concession 13, Township of East Garafraxa, County of Dufferin (the “Subject Property”). The Subject Property (which has not been assigned a municipal address) is located within the southwest limit of the Marsville Community Settlement Areas, south of Country Road 3 and west of 13th Line (see **Figure 1**). The Subject Property is approximately 27.9 hectares (69 acres) in size.

This Planning Justification Addendum Report is being submitted in support of the resubmission of two applications under the *Planning Act*: an application for the approval of a Draft Plan of Subdivision (“DPS”) and a Zoning By-law Amendment (“ZBA”). This Addendum Report refers to these two applications collectively as the “Subject Applications”.

## 1.2 Location & Description of the Subject Property

The Subject Property is located within the southwest limit of the Marsville Settlement Area, south of Country Road 3 and west of 13th Line (see **Figure 2**). The Subject Property is currently used for agricultural production (cash crop rotation). The Subject Property generally slopes from south to north. Under existing conditions, storm drainage through the Subject Property is generally by overland sheetflow in a south to north direction and is captured by the Thunderbird and Brouwer Municipal Drains.

The development directly north of the Subject Property, referred to as the Thunderbird Subdivision, consists of single detached homes fronting onto the north side of County Road 3. Another proposed subdivision is located north of the Thunderbird subdivision which is also owned by Thomasfield Homes and is referred to as Marsville North.

A municipal road maintenance facility with frontage along 13th Line is located to the east of the Subject Property. The lands to the south and west of the Subject Property, located outside the Marsville Settlement Area, are primarily agricultural. A small woodlot and a wetland are located just south of the Subject Property, also outside the boundaries of the Marsville Settlement Area.

### 1.3 Proposed Development and Planning Opinion Summary

The proposed Draft Plan of Subdivision (see **Figure 3**) provides a total of 91 lots for single detached dwellings on 20-metre-wide rural roads (i.e. road side ditches), a Stormwater Management Pond, and Open Space that will form a public park, and land for a water infrastructure facility and a municipal supply well (the “Proposed Development”).

The lots range in size from 1,987.3 m<sup>2</sup> (0.19 acres) to 4,076m<sup>2</sup> (0.4 acre) and have frontage in the range of 23.5 metres to 51.4m. The majority of the proposed lots have a minimum lot frontage of 30 metres and an area of around 0.2 ha (0.5 ac). Two access points to the subdivision are proposed: one from County Road 3 that aligns with the Maple Street access to the Thunderbird Subdivision to the north, and one to 13th Line which is offset from the driveway belonging to the property municipally known as 191251 13<sup>th</sup> Line. The two proposed accesses allow for practical flow through the proposed subdivision. A logical street grid is provided throughout the subdivision.

The Proposed Development includes a stormwater management facility along County Road 3, also known as Orangeville Fergus Road, and a municipal park, which will be located centrally within Marsville, with frontage along both the internal Street B and along 13th Line. An area of approximately 4,200m<sup>2</sup> (0.42 ha) is provided within the park block for the provision of needed municipal water infrastructure.

The subdivision will be serviced by municipal water and private septic systems. The proposed land uses are consistent with the designation of the Subject Property as “Community Residential” and “Community Institutional” the Township’s Official Plan.

The Zoning By-law Amendment (“ZBA”) (see **Appendix “A”**) seeks to change the zoning of the Subject Property from a Rural (“RU”) Zone to a combination of Hamlet Residential Exception (“HR-\_\_\_”) Zone, Open Space (“OS”) Zone, and Environmental Protection (“EP”) Zone, with special provisions regarding minimum lot area and minimum lot frontage to accommodate the dimensions of the revised lots (see **Appendix “B”**).

The Proposed Development represents efficient land use within a designated Community Settlement Area that provides for additional housing options appropriate for the area. It has been designed to support the protection and enhancement of natural heritage features and to avoid areas that are subject to natural hazards, and is therefore consistent with the Provincial Planning Statement, 2024. The proposal represents appropriate development that will contribute to the continuing growth and evolution of East Garafraxa as a growing rural community.

## 1.4 Previous Submissions

A pre-consultation meeting was held on October 21, 2020. The requirements for a complete application were confirmed in a letter from the Township dated November 20, 2020.

A formal complete application for a Draft Plan of Subdivision and Zoning By-law Amendment was submitted May 19, 2022. A Planning Justification Report, prepared by Astrid J. Clos Planning Consultants, dated May 17, 2022, accompanied the original complete submission.

Since 2022, minor changes have been made to the Draft Plan to address comments received in relation to the proposal. The comments resulted in minor refinements to the Plan as well as revisions to the technical reports, which are discussed in Section 3 of this Planning Justification Addendum Report.

## 1.5 Current Proposal

The proposed Draft Plan of Subdivision (Figure 3) contains 91 lots for single detached dwellings (Lots 1–91), along with one, one combined Park/Water Infrastructure Block (Block 92), and two Stormwater Management blocks (Blocks 93-94). A rural road cross section is proposed for the Subdivision, with a multi-use path included on one side of the road within the right-of-way. A maintenance access path surrounds the Stormwater Management Pond. The proposed Draft Plan includes four 0.3-metre Reserve blocks (Blocks 95 and 96 abutting County Road 3 and Blocks 97 and 98 abutting 13th Line). The proposed Draft Plan of Subdivision will be serviced by municipal water and includes a new municipal supply well on Lot 16. Private septic systems are proposed for each lot.

The following revisions have been made to the Draft Plan of Subdivision that was originally submitted in May 2022:

**Road Access to County Road 3** — The previous submission located the subdivision access approximately 150m west of Grand Crescent and featured berms on both sides of the access point. The current proposal locates the access opposite Maple Street on the east side of the subdivision, which provides for a curve in the road as it enters the Subject Property. Berms are not lot shown on the sides of the access.

**Road Access to 13<sup>th</sup> Line** — The previous submission showed the access approximately 65m north of the Southeast corner of the subdivision with berms on both sides of the road. The current proposal shows the access approximately 90m north of the southeast corner of the subdivision, offsetting the location of the driveway across 13<sup>th</sup> Line. Berms are no longer proposed.

**Internal Road Network** — The previous submission included a roundabout and three internal blocks forming a grid-like road network. The current proposal does not include a



roundabout but maintains the grid-like road pattern forming three internal blocks, with additional lots around the perimeter of the Subject Property.

**Park Block** — The 2022 submission included a 1.867 ha park but did not delineate an area for new water infrastructure. The current proposal provides a 1.4 ha park with an additional 0.4 ha area for water infrastructure, both of which have frontage on Street B.

**Stormwater Management** — The Stormwater Management block has been relocated to accommodate the relocation of the site access onto County Road 3. Further review and analysis resulted in a slight reduction in its size from 2.442ha to 2.34ha.

**0.3m Reserves** — The 2022 proposal did not include 0.3m reserves. These have been added to the current proposal as four blocks, two abutting County Road 3 and two abutting 13th Line.

**Protective Buffer** — The previous proposal did not include a protective buffer around the off-site wetland feature located to the south. The current proposal includes a 15-metre buffer around the wetland that will be protected from development. This only impacts one lot within the subdivision (Lot 15)

**Lot Sizes** — Slight adjustments have been made to the size and shape of the lots as a result of the shifting of the road network, stormwater management pond, park, and water infrastructure. The lot with the shortest frontage (Lot 15) is now 23.6 m wide and the lot with the smallest area (Lot 1) measures approximately 1,980 m<sup>2</sup> (0.198 ha). Conceptual lot layouts have been prepared to ensure that a building footprint, driveway, septic bed, and amenity area can be accommodated within these lots.

**Table 1 – Land Uses in Proposed Draft Plan**

Land Use	Lot/Block	Official Plan Designation	Proposed Zoning	Units	Area [ha]
Single Detached Residential	1–91	Community Residential	Hamlet Residential Exception (HR-__)	91	19.53
Environmental Protection	Part of Lot 15	Environmental Protection	Environmental Protection (EP)	---	0.05
Park	92	Open Space	Open Space (OS)	---	1.40
Water Infrastructure	92	Open Space	Open Space (OS)	---	0.42
Stormwater Management	93–94	Open Space	Open Space (OS)	---	2.36

0.3-metre Reserves	95–98	---	---	---	---
Roads	---	---	---	---	4.23
<b>Total</b>	---	---	---	<b>91</b>	<b>27.9</b>

## 1.6 Report Contents

The primary purpose of this Planning Justification Addendum Report is to outline the changes made to the Draft Plan, to confirm whether there are any changes to the Planning Policy Framework discussed in the 2022 Planning Report, and to discuss any relevant policies that have changed since 2022. This Addendum Report also discusses the supporting materials and the findings and recommendations as they relate to the current proposal. This Planning Justification Addendum should be read in conjunction with the policy review section of the Planning Report prepared by Astrid J. Clos Planning Consultants and with the full versions of the reports summarized in Section 3 of this Addendum Report and in Section 5 of the AJC Planning Report.

Following this Introduction, the contents of this Addendum Report have been organized as follows:

- Section 2 reviews the policies and regulations that apply to the Subject Property and a detailed explanation of how the Proposed Development is consistent with the Provincial Planning Statement, 2024, the County of Dufferin’s Official Plan, the Township of East Garafraxa’s Official Plan, and the Township’s Zoning By-law.
- Section 3 summarizes the principal findings and recommendations of the other studies and reports submitted in support of the Proposed Development, as those findings and recommendations related to the revisions made to the proposed Draft Plan of Subdivision.
- Section 4 concludes this Planning Justification Addendum Report by reviewing the principal points established in support of the Proposed Development.

Figure 1 – Site Location



Site Location  
Source: Google Earth Aerial Imagery, 2021

Figure  
**1**

Figure 2 – Surrounding Land Use Context



Surrounding Land Use Context  
Source: Google Earth Aerial Imagery, 2021

Figure  
**2**

Figure 3 – Proposed Plan of Subdivision



## 2. Policy Review

### 2.1 Provincial Planning Statement (2024)

The Provincial Planning Statement (“PPS”), issued under the *Planning Act* came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land Province-wide.

#### Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

##### Housing

Section 2.2 of the PPS outlines requirements for planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) *“establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- b) *permitting and facilitating:*
  - 1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
  - 2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.”*

## **Settlement Areas**

Section 2.3 of the PPS establishes policies related to settlement areas.

Policy 2.3.1.1 states that settlement areas shall be focus of growth and development and where applicable should be focused in strategic growth areas and major transit station areas. Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) *“efficiently use land and resources;*
- b) *optimize existing and planned infrastructure and public service facilities;*
- c) *support active transportation;*
- d) *are transit-supportive, as appropriate; and*
- e) *are freight-supportive.”*

## **Rural Areas in Municipalities**

Section 2.5 of the PPS establishes policies related to rural areas.

Policy 2.5.1 states that *“Healthy, integrated and viable rural areas should be supported by:*

- a) *building upon rural character, and leveraging rural amenities and assets;*
- b) *promoting regeneration, including the redevelopment of brownfield sites;*
- c) *accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) *using rural infrastructure and public service facilities efficiently;*
- e) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- f) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- g) *conserving biodiversity and considering the ecological benefits provided by nature;*  
*and*
- h) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.”*

Policy 2.5.2 states that *“In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.”*

Policy 2.5.3 requires that *“When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.”*

### **Energy Conservation, Air Quality & Climate Change**

Section 2.9 of the PPS directs planning authorities to “plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate” (No. 2.9.1) using approaches that:

- a. support the achievement of compact, transit-supportive, and complete communities”*
- b. incorporate climate change considerations in planning and developing infrastructure, including stormwater management systems, and public service facilities*
- c. support energy conservation and efficiency; that incorporate climate change considerations” in planning and developing infrastructure, including stormwater management systems, and public service facilities and;*
- d. promote green infrastructure, low impact development, and active transportation”*

Response: The Proposed Development is within the Marsville Settlement Area. Marsville is not a strategic growth area and does not contain a major transit station area. The Proposed Development makes efficient use of the land and makes use of the existing and planned infrastructure for the Township. The multi-use path proposed within the right-of-way supports active transportation.

The Marsville Subdivision is located within a Rural Settlement Area. The Proposed Development reflects the existing built-form of the area and builds upon its rural character. The Proposed Development makes efficient use of the available municipal water infrastructure and provides private sanitary services like the surrounding residential homes.

The Proposed Development provides for new housing options within an existing Settlement Area and builds upon the rural character of Marsville in conformity with the policies in Chapter 2 of the PPS.

### **Chapter 3: Infrastructure and Facilities**

Chapter 3 of the PPS discusses policies related to infrastructure and public service facilities.



## Land Use Compatibility

Policy 3.5.1 discusses land use compatibility and requires that *“Major facilities and sensitive land uses be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odor, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.”*

Section 3.6.2, 3.6.3 and 3.6.4 outlines the hierarchy of preferred servicing options for new developments. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Where municipal sewage services and municipal water services are not available, planned, or feasible, private communal sewage services and private communal water services are the preferred form of servicing. Where municipal sewage services and municipal water services or private communal sewage and private communal water services are not available, planned or feasible, individual on-site sewage 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.

Partial services shall only be permitted in the following circumstances:

- a) *“where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development;*
- b) *within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts; or*
- c) *within rural settlement areas where new development will be serviced by individual on-site water services in combination with municipal sewage services or private communal sewage services.”*

## Sewage and Stormwater Management

Section 3.6.8 states that stormwater management shall:

- a. *“be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*
- b. *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
- c. *minimize erosion and changes in water balance including through the use of green infrastructure;*

- d. *mitigate risks to human health, safety, property and the environment;*
- e. *maximize the extent and function of vegetative and pervious surfaces;*
- f. *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
- g. *align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.”*

### **Public Spaces, Recreation, Parks, Trails and Open Space**

Section 3.9.a requires that healthy, active, and inclusive communities be promoted by:

- a) *“planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) *planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) *providing opportunities for public access to shorelines; and*
- d) *recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.”*

Response: Residential land uses are considered sensitive land use. A noise feasibility study was conducted by HGC Engineering and indicated that traffic and stationary noise can be mitigated through the implementation of the recommendations outlined in the report. This report is discussed in more detail in Section 3 of this report.

As identified in the Functional Servicing Report, prepared by GM BluePlan (GEI Consultants), dated November 2024, summarized in Section 3 of this Addendum Report, the Proposed Development can be serviced through connections to municipal water infrastructure, and will utilize private individual on-site sanitary systems. Stormwater management is also in keeping with policy section 3.6.8 and is discussed in more detail in the Function Servicing Report. The Proposed Development represents the rounding out of existing development within Marsville, and site conditions are suitable for the long-term provision of services in the proposed manner.

Publicly accessible parkland is proposed to serve the Proposed Development and larger Marsville Community. Additionally, a maintenance access pathway is proposed around the

Stormwater Management Pond that will act as an additional opportunity for public access to open space.

## **Chapter 4: Wise Use and Management of Resources**

### **Natural Heritage**

Section 4.1 of the PPS 2024 directs that natural heritage features and areas be protected for the long term (No. 4.1.1) and calls for the maintenance, restoration, or (where possible) the improvement of the diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural areas (No. 4.1.2). Development and site alteration are not permitted in significant wetlands in Ecoregions 5E, 6E and 7E (a large area that includes the County of Wellington) or in significant coastal wetlands (No. 4.1.4), and are only permitted in other significant features, such as significant woodlands and significant wildlife habitat, if it has been demonstrated that there will be no negative impacts on those features or their ecological functions (No. 4.1.5). Policies No. 4.1.6 and No. 4.1.7 prohibit development or site alteration in fish habitat or in the habitat of endangered and threatened species except in accordance with provincial and federal requirements. Furthermore, development and site alteration are only permitted on lands adjacent to significant natural features and areas if it has been demonstrated that there will be no negative impacts on the features or their ecological functions (No. 4.1.8).

### **Water**

The policies in Section 4.2 of the PPS 2024 direct planning authorities to “protect, improve or restore the quality and quantity of water” (No. 4.2.1), as measured by various indicators associated with hydrologic function (such as aquifer pressure, minimum base flow, and the presence or absence of contaminants) and direct that development and site alteration “be restricted in or near sensitive surface water features and sensitive ground water features” (No. 4.2.2). The methods for protecting, improving, and restoring the quality and quantity of water listed in Policy No. 4.2.1 include identifying water resource systems and maintaining linkages and related functions among features, planning for the efficient and sustainable use of water resources, and implementing necessary restrictions to protect all municipal drinking water supplies. Policy No. 4.2.2 further states that mitigative measures or alternative approaches to development may be required to protect, improve, or restore sensitive features and their hydrologic functions.

### **Cultural Heritage and Archaeology**

Section 4.6.2 states that *“Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.”*

Section 4.6.3 states that *“Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.”*

Response: A wetland is exists on a neighbouring property to the south of the Proposed Development. When a buffer is drawn around the wetland feature, a portion of Lot 15 is affected. Additionally, a coolwater fish habitat was identified near the Subject Property. The implementation of the mitigation measures recommended in the EIS prepared by NRSI will result in there being no significant adverse impacts on natural heritage features or their functions from the Proposed Development or natural habitat for nearby fish species. The Hydrogeological Report and EIS both discuss the existing water conditions and mitigation measures which lead to the protection of the quality and quantity of water for Marsville. No archaeological resources were found on the property.

The Subject Property is located within the settlement boundary of Marsville which is identified as a “Rural Settlement Area”. The PPS directs growth and development towards settlement areas to promote efficient development patterns that preserve significant resources such as natural heritage features, water, and archaeological resources and is thus consistent with the overall direction provided in the PPS 2024.

## **Chapter 5: Protecting Public Health and Safety**

### **Natural Hazards**

Section 5.2 of the PPS 2024 addresses natural hazards, directing development away from lands that are impacted by flooding or erosion hazards (No. 5.2.2.b) and away from sites that could be unsafe due to other naturally occurring hazards, such as unstable soils or bedrock (No. 5.2.2.c). Development is not permitted in areas that would be rendered inaccessible during emergencies due to flooding, erosion, or dynamic beach hazards (No. 5.2.3.c), and is not permitted in floodways, except in a designated “Special Policy Area” or where the development in question requires such a location (No. 5.2.3.d & No. 5.2.5).

### **Human-Made Hazards**

Policy No. 5.3.1 states that development on, abutting, or adjacent to lands that are affected by mine hazards; by oil, gas, and salt hazards; or by former resource extraction operations

is only permitted if rehabilitation or other measures to address and mitigate known or suspected hazards has been completed or is underway. Policy No. 5.3.2 requires that contaminated sites be assessed and remediated as necessary before any on-site activities associated with a proposed use may take place.

Response: The Subject Property does not contain any hazardous lands that are impacted by flooding or erosion hazards or by other naturally occurring hazards. The Subject Property is also not affected by any of the hazards identified in Policy No. 5.3.1, nor is it adjacent to any lands affected by such hazards. Previous land uses on the Subject Property have not resulted in any contamination of the site. Therefore, the Proposed Development is consistent with Section 5.2 of the PPS 2024.

## **Conclusion**

The Subject Applications are consistent with the policies of the PPS as they relate to the Subject Property and the Proposed Development. The Proposed Development will provide for the efficient development of the Subject Property, which is located within the Marsville Community Settlement Area, and represents a logical extension of existing uses with an orderly relationship to future uses to the north and east.

The Proposed Development is compatible with surrounding land uses and follows the same servicing strategy as the existing residential homes in Marsville. The proposed lots are similar in size to the existing lots in the neighbourhood to the north and east, and the proposed new streets and multi-use trail are well integrated into the existing and future surrounding network.

The Proposed Development provides for additional housing options and is consistent with the direction of the PPS which directs residential development to Settlement Area.

In our opinion, the Proposed Development of the Subject Property is consistent with the PPS 2024.

## **2.2 County of Dufferin Official Plan**

The County of Dufferin Official Plan (the “County OP”) was adopted on September 11, 2014. On May 12, 2022, Dufferin County Council approved the initiation of a phased approach to the County’s Municipal Comprehensive Review (“MCR”). The first phase of the MCR was completed through the adoption of OPA NO. 2 on April 13, 2023, which “*sets intensification targets and allocates land for residential, commercial and employment needs to the County’s lower tier municipalities in, keeping with the County’s Land Needs Assessment.*” Phase 2 of the MCR culminated in Council’s adoption of OPA No. 3 on July 13, 2023, which

*“update[s] the land use schedules of the County’s Official Plan to conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and the 2020 Provincial Policy Statement (PPS).”* Phase 3 of the MCR process, which focused on updating the County OP’s policies for *“how to manage population and employment growth while prioritizing the development of complete communities, addressing affordable housing, ensuring infrastructure is sustainable and mitigating climate change,”* was completed through the adoption of OPA No. 4 on March 14, 2024. OPA 2 and 3 have been approved by MMAH. OPA 4 is pending approval by MMAH.

### **Development in Community Settlement Areas**

Schedule B (Community Structure and Land Use) to the County OP identifies Marsville as a Community Settlement Area. According to Section 3.3.3 of the County OP, Community Settlement Areas *“may continue to experience limited growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate.”*

Policy No. 3.3.3.d states that Community Settlement Areas are to *“maintain a rural settlement character and evolve as service and residential centres for their surrounding Countryside Areas, where appropriate.”*

Response: The Proposed Development is located within the Community Settlement Area of Marsville. The Proposed Development will support an appropriate amount of growth in Marsville (which is intended to be the primary location for growth in the Township of East Garafraxa) while maintaining a rural settlement character. It will also contribute to Marsville’s role as a residential centre for the surrounding Countryside Areas.

### **Water & Sewage Services**

Policy 3.3.3.f in the County OP directs that growth in Community Settlement Areas *“will be accommodated in accordance with the servicing policies in Section 7.3.”* Those policies state that full municipal services are the preferred form of servicing *“for all urban settlement areas”* (7.3.1.a) and that, where municipal or private communal services *“are not provided, 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”* (7.3.1.c). Policy 7.3.1.d adds that the use of partial services will only be permitted where they are necessary to address failed individual on-site services in existing development or, *“within settlement areas, to allow for infilling and minor rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no negative impacts.”*

According to Policy 7.3.1.g, “Public or private investment in upgrading or expanding municipal sewage services or municipal water services should be focused within the urban settlement areas,” although this policy adds: “Circumstances may warrant infrastructure investment in community settlement areas.”

### **Stormwater Management**

Section 7.3.2 of the County OP sets out policies for stormwater management, which encourage “local municipalities in their planning for stormwater management to: (i) minimize, or, where possible, prevent increases in contaminant loads; (ii) minimize changes in water balance and erosion; (iii) not increase risks to human health and safety and property damage; (iv) maximize the extent and function of vegetative and pervious surfaces; and (v) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.” Policy 7.3.2.c states that development applications “will be required to be supported by a stormwater quality/quantity management study.”

Response: The proposed servicing method is appropriate for the Marsville Community Settlement Area and is consistent with existing services in the community. As identified in the Functional Servicing Report summarized in Section 3, the use of partial services consisting of municipal water service and individual on-site septic systems is considered the most viable and achievable servicing option for the Proposed Development.

The Hydrogeological Addendum Letter, dated November 2025 (also summarized in Section 3) concludes that “the Subject Property may reasonably host a development up to 91 lots,” with private sewage servicing for each lot to be “provided by a private/individual Class 4 on-site sewage system,” and finds that “septic-system related impacts are expected to be sufficiently attenuated on-site.”

The stormwater management approach for the Proposed Development will provide the required quality and quantity control treatment for runoff generated from the development. The stormwater management system is designed to convey and attenuate the complete range of design storm events, up to and including the 100-year design storm. Additional details can be found in the Functional Servicing Report.

### **Parks & Open Space**

Section 3.8.2 of the County OP sets out policies relating to Parks and Open Space. Specifically, Policy 3.8.2.a seeks to “promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.”

Response: The park on Block 92 of the proposed Draft Plan of Subdivision has an area of 1.82 hectares, which will contribute significantly to the amount of parkland and open space in the Community of Marsville. The development also includes 2.36 hectares of stormwater management area which will be zoned Open Space. The perimeter of the SWM block will feature a multi-use trail that connects to the Park block creating a feature out of the SWM open space.

### **Natural Heritage**

Schedule E (Natural Heritage Features) to the County OP identifies a woodland directly to the south of the Subject Property. This same area includes a wetland feature that was delineated by Natural Resource Systems Inc. (“NRSI”) as part of its scoped Environmental Impact Statement (“EIS”) in May 2021.

Section 5.3 of the County OP sets out policies regarding natural heritage features and functions, including woodlands (Section 5.3.4) and unevaluated wetlands or locally or regionally significant wetlands (Section 5.3.6). Section 5.3.4 states that development within or adjacent to a significant woodland “*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.*” Similarly, Section 5.3.6 states that development and site alteration will not be permitted adjacent to an unevaluated wetland or a locally or regionally significant wetland “*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through the preparation of an EIS.*” The requirements for EISs are set out in Section 5.3.10 of the County OP.

Response: An EIS, prepared by NRSI, has been submitted in support of the Subject Applications, and found that there are no natural features on the Subject Property itself. The conclusions and recommendations of that EIS, summarized in Section 3 of this report, will ensure that any potential direct, indirect, or induced impacts on adjacent features, arising from construction activities or from human use of the Proposed Development, will be minimized, provided that the recommended mitigation measures are implemented. In accordance with the recommendations of the EIS, the Proposed Development includes an Environmental Protection Area on a portion of Lot 15 that will serve as a protective buffer for the woodland and wetland features located south of the Subject Property.

## **2.3 Official Plan for the Township of East Garafraxa**

The Official Plan for the Township of East Garafraxa (“OPTEG”) was adopted on December 14, 2004, and was approved with modifications by the Minister of Municipal Affairs and Housing on October 26, 2005. The OPTEG was subsequently amended through OPA No. 8, adopted on December 22, 2020, and approved by the County of Dufferin on April 8, 2021.



OPA No. 8 did not change the Subject Property’s land use designations, shown on Schedule “A-1” to the OPTEG.

According to Schedule “A-1” to the OPTEG, most of the Subject Property is designated “Community Residential”, with a small portion adjacent to the Public Works Yard at the east end of the Subject Property being designated “Community Institutional” (see **Figure 4**).

### **“Community Residential” Designation**

Section 5.4.2.1 of the OPTEG states that the “Community Residential” designation permits single detached residential dwellings, home occupations, and public parks and open space. This section also establishes that “*Lot size and density in Community Residential areas shall minimize land consumption and reduce servicing costs*” and that “*lot size, density and pattern shall be supported and determined by a detailed hydrogeological study and other studies as determined and completed to the satisfaction of Council to address planning considerations such as design, servicing of the site and stormwater management.*” According to Section 5.4.2.1, “*residential development by registered plan of subdivision will be encouraged*” in the “Community Residential” designation.

Response: The land uses in the proposed Draft Plan of Subdivision are permitted in the “Community Residential” designation, as the Proposed Development consists of single detached homes that will be in keeping with the general lot size and density of the surrounding area. The proposed lot sizes will provide for each lot to accommodate a residential dwelling and the associated private septic system. The design of the Proposed Development is supported by a Hydrogeological Study and Functional Servicing Report, both prepared by GM BluePlan (GEI Consultants).

### **“Community Institutional” Designation**

The “Community Institutional” designation shown on Schedule “A-1” to the OPTEG applies to part of the Park block (Block 92) in the proposed Draft Plan of Subdivision. According to Section 5.4.2.3 of the OPTEG, land uses in the “Community Institutional” designation “*are intended to provide a focus for social activities within the Township and to serve the Community and surrounding areas.*” Permitted uses in this designation include public schools, places of worship, community halls, municipal facilities, public parking areas, medical facilities, and day-care facilities.

Section 7.16 (Parkland Development) of the OPTEG establishes that “*parkland development projects, including any accessory buildings, structures, facilities and site modifications carried out or supervised by a public agency shall be permitted in any designation in the Township of East Garafraxa, with the appropriate zoning.*”

Response: Portions of the park and the proposed water infrastructure on Block 92 will be located within the “Community Institutional” designation. As the water infrastructure is considered a municipal facility, both of these uses are permitted within this designation. The proposed ZBA will establish the appropriate Open Space (“OS”) zoning for these land uses.

### **Development Policies for “Community” Designations**

Section 5.4.5 of the OPTEG sets out policies that apply to development in the “Community” land use designations. These include a requirement that the rate of growth in the Township’s Community areas “*not exceed that provided for in Section 8,*” as well as the directive that new development “*be designed to maintain the small-town character of Marsville and Orton.*” Policy 5.4.5.d states that development standards in the two Communities will be “*in accordance with the Townships [sic] Road and Development Standards and detailed design criteria established by Council,*” while Policy 5.4.5.e states that “*Community development shall be planned to provide a continuous open space and parks system within the community.*”

The growth rates in Section 8 of the OPTEG previously appeared in Section 8.2 (Rate of Growth), which was deleted by OPA No. 8. Section 8.1 (Population and Employment Growth) of the OPTEG, as amended by OPA No. 8, contains population forecasts that project 3,150 residents in the Township in 2031 and 3,180 residents in 2036. (For comparison, Statistics Canada estimates that the Township’s population on July 1, 2023, was 2,905 people. A projected 2031 population of 3,150 people in 2031 would thus correspond to an average annual rate of approximately 1.16%, or between 34–36 new residents per year.)

Response: The Proposed Development will provide an appropriate number of dwelling units to help accommodate the population growth expected in the Township by 2031, and the proposed Draft Plan of Subdivision may be phased in a manner that maintains conformity with the intent of the OPTEG. The single detached dwelling units on large estate lots will maintain the existing small-town character of Marsville, while the proposed Park and Open Space blocks will contribute to the continuity of the open space system. The roads and other elements of development will be designed in accordance with Township standards.

### **General Development Policies**

Section 7 of OPTEG establishes further policies that apply generally to all development in the Township. The policy considerations from relevant subsections in Section 7 are summarized in **Table 2**, which also provides a brief response with respect to each item.

Overall, the Proposed Development is consistent with the policies of the OPTEG. The proposed uses are permitted in the existing land use designations that apply to the Subject Property, and the proposed dwelling units will maintain the community’s existing rural character while helping to accommodate anticipated population growth in Marsville. The mitigation measures recommended in the EIS will be implemented, meaning that no negative impacts from the Proposed Development are anticipated. Any natural hazard areas will be appropriately buffered. The Proposed Development will be provided with appropriate water services, sanitary sewage services, and stormwater management facilities.

**Table 2 – Responses to Policy Considerations in Section 7 of Township’s Official Plan**

<b>Section</b>	<b>Policy Consideration</b>	<b>Response</b>
Compatibility (7.4)	New development must be compatible with surrounding land uses, and development proposals may be required to provide an assessment of impacts on adjacent land uses.	The proposed residential development is compatible with surrounding land uses. Existing noise conditions from County Road 3, the public works yard and the future water treatment facility can be mitigated as per the Noise Feasibility Study recommendations.
Cumulative Impacts (7.5)	Development may be permitted where the long-term capacity of the site can support the use without negative environmental impacts and where the cumulative impacts of development will not have detrimental effects on the natural environment.	The mitigation measures recommended in the Environmental Impact Statement (“EIS”) will be implemented, and no negative impacts from the Proposed Development are anticipated.
Environmental Impact Assessments (7.7)	An environmental assessment is required where development is proposed within 30 metres of a wetland. Development will not be approved unless this assessment demonstrates there will be no negative impacts on natural features.	An EIS was submitted with the original applications for the Proposed Development. The EIS has concluded that no negative impacts are anticipated if the recommended mitigation measures are implemented.
Hazard Lands (7.12)	Development will not be considered within 100 metres of hazard areas unless it has been demonstrated that the development can occur without posing a threat to life, property, or the environment.	There are no hazard areas within 100 metres of the Subject Property.
Stormwater Management (7.19)	Residential plans of subdivision must be accompanied by a Stormwater Management Report, which must demonstrate that post-development run-off rates will not exceed pre-development	The Stormwater Management approach is discussed in the Functional Servicing Report and concludes that the post-development run-off rates will not

	rates for storms up to and including the 100-year event.	exceed pre-development rates for storms up to and including the 100-year event.
Water Quality (7.24)	Development must avoid changes to natural drainage, must be set back from surface water features and wetlands, and must implement sediment and erosion control measures. Proposed subdivisions must be accompanied by a Water Resource Management (“WRM”) Report.	The Functional Servicing Report, prepared by GM BluePlan (GEI) addresses drainage, sediment and erosion control, and water resource management.
Water Quantity (7.25)	Permitted uses that involve water-taking must demonstrate that the activity is an essential part of their operations and will not adversely affect the quality or quantity of water or the natural environment.	Water taking is not proposed for the Development.

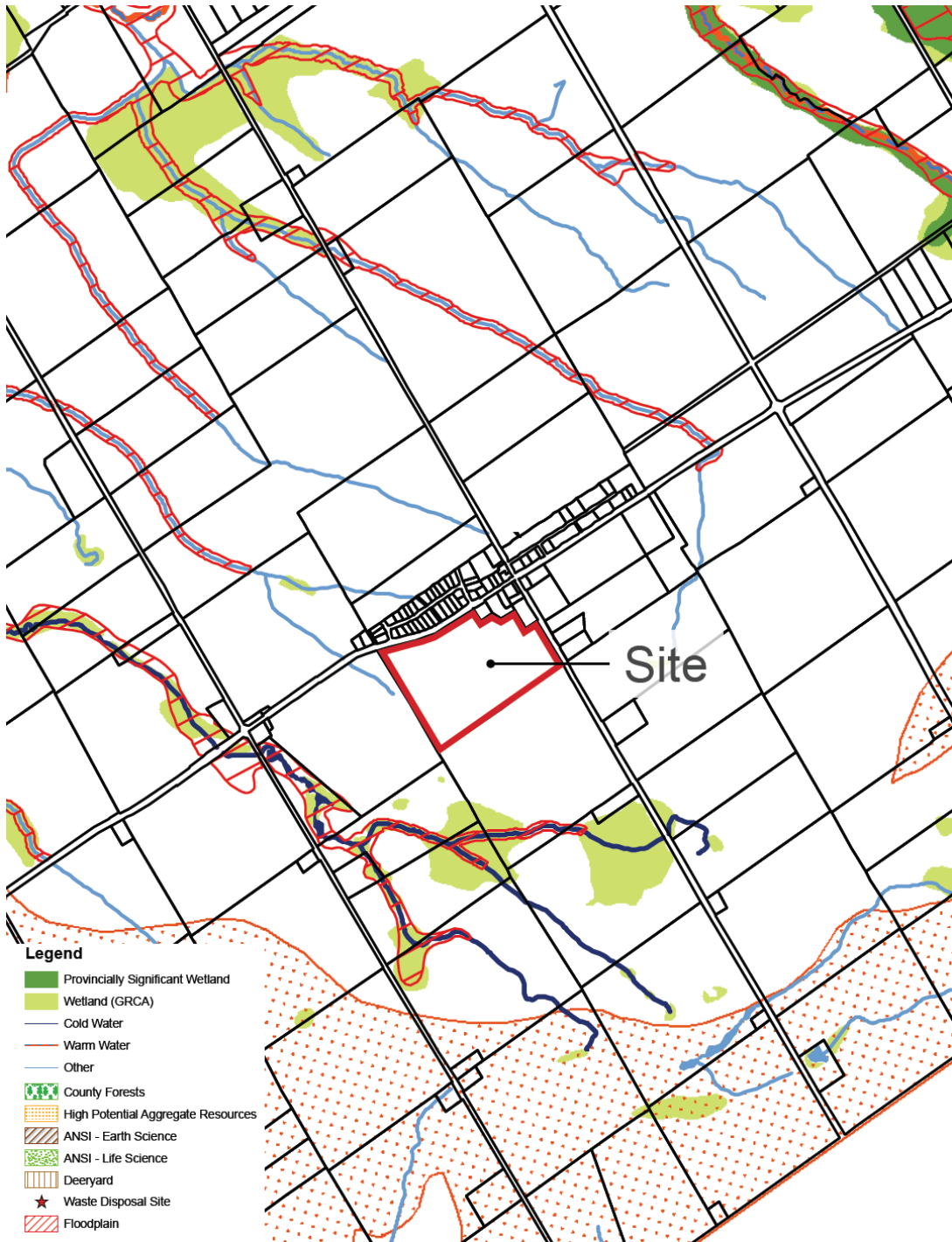
Figure 4 – Land Use Map



Land Use Map  
Source: East Garafraxa Township Official Plan Schedule A-1, 2011

Figure  
**4**

Figure 5 – Environmental Features



Natural Heritage Map

Source: Township of East Garafraxa Official Plan, Schedule B, 2011

Figure  
**5**

Figure 6 - Natural Hazards and Regulations Boundaries



Natural Hazards and Regulation Boundaries  
Source: Dufferin County Official Plan Schedule E1, 2021

Figure  
**6**

## 2.4 Township of East Garafraxa Zoning By-law 60-2004

Schedule “A-1” to the Township of East Garafraxa’s Zoning By-law (No. 60-2004, as amended) shows the Subject Property as being zoned “Rural (RU)” (see **Figure 7**). According to Section 4.2.1 of the Zoning By-law, the permitted uses in the Rural (RU) Zone are limited to an agricultural uses (and a farm produce sales outlet accessory to such a use), a bed-and-breakfast establishment, a greenhouse, a home industry or home occupation, public open space, resource management activities, a single detached dwelling, a veterinary hospital, a wayside pit or wayside quarry, a riding school or boarding stable, and a kennel (on a lot of at least 19 hectares). The regulations in Section 4.2.2 include a minimum lot area of 10.0 hectares, a minimum lot frontage of 100 metres, and a maximum lot coverage of 5%.

A Zoning By-law Amendment will be required to facilitate the Proposed Development, for the purpose of changing the zoning of the Subject Property from Rural (RU) to a combination of Hamlet Residential Exception (HR-\_\_) for the residential lots, Open Space (OS) for the Park and SWM blocks, and Environmental Protection (EP) for the wetland buffer area on Lot 15. Section 4.5.2 of the Zoning By-law sets out regulations for the Hamlet Residential (HR) Zone based on the form of servicing, either private services or municipal services: see **Table 3**. Therefore, a Hamlet Residential Exception (HR-\_\_) Zone is required to establish regulations for permitted uses on partial services (municipal water services with individual on-site septic services), as well as to establish special provisions for minimum lot area and minimum lot frontage to accommodate certain lots in the Proposed Development.

**Table 3 – Regulations in Hamlet Residential (HR) Zone**

Regulation	Private services	Municipal services
i) Minimum Lot Area	1.0 ha	0.6 ha
ii) Minimum Lot Frontage	60 m	30 m
iii) Minimum Yard Requirements		
a) Front Yard	7.5 m	7.5 m
b) Interior Side Yard	3.0 m	3.0 m
c) Exterior Side Yard	7.5 m	6.0 m
d) Rear Yard	7.5 m	6.0 m
iv) Maximum Lot Coverage	20%	20%
v) Maximum Height	10.5 m	10.5 m
vi) Minimum dwelling unit floor area	140 m <sup>2</sup>	140 m <sup>2</sup>



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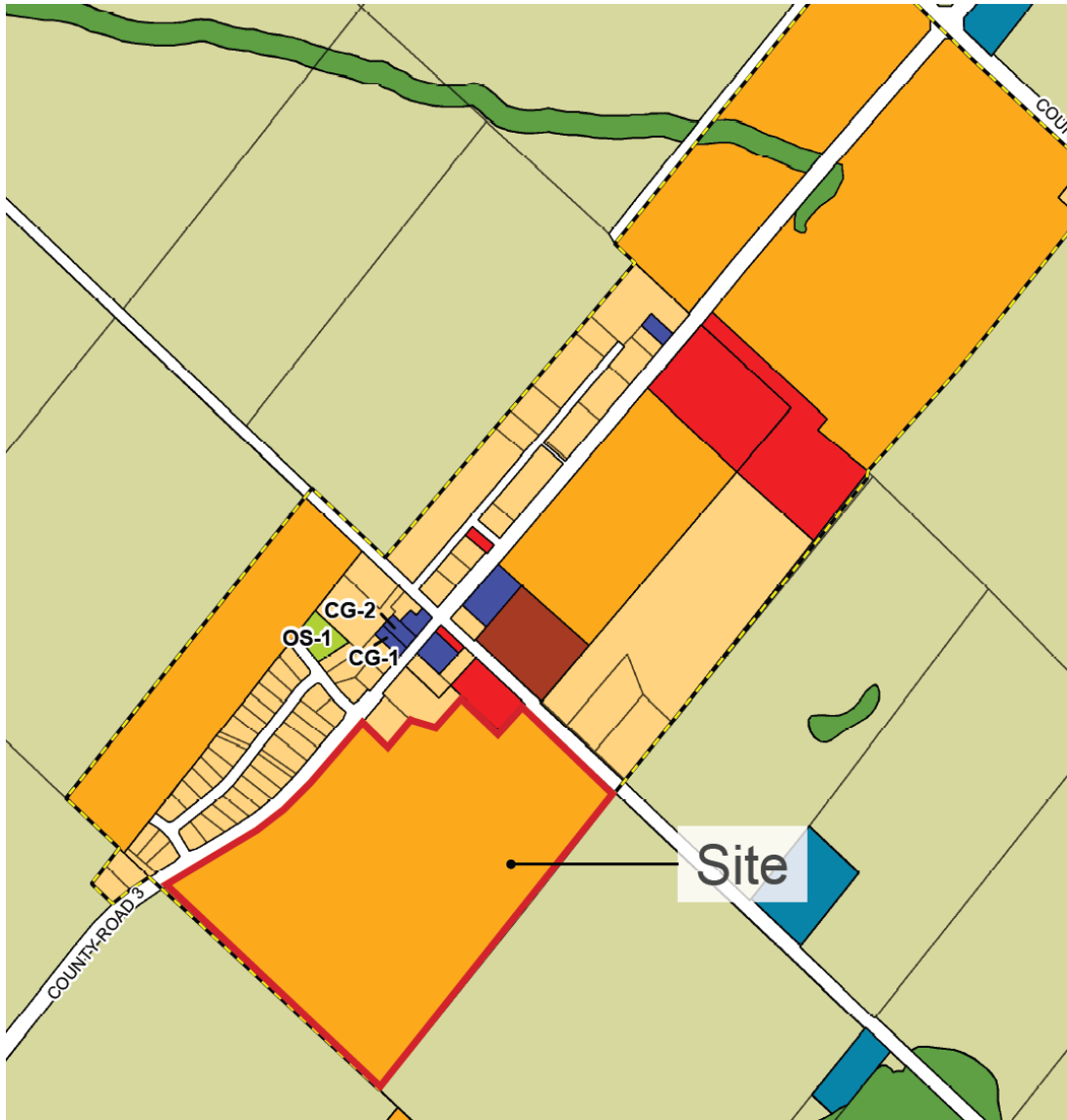
Source: Township of East Garafraxa Zoning By-law 60-2004, Section 4.5.2.

A draft version of the proposed Zoning By-law Amendment is provided in **Appendix “A”** to this Planning Justification Addendum Report, while the dimensions of the lots in the proposed Draft Plan of Subdivision are set out in **Appendix “B”**. (The lot numbering is based on that in the Draft Plan: see **Figure 3**.) Out of the 91 residential lots in the proposed subdivision, the smallest (Lot 74) has an area of 0.19 ha which forms the basis of the special zoning provisions being sought.

Section 5.77 of the Township’s Zoning By-law defines “lot frontage” as *“the continuous horizontal distance of the front lot line between the side lot lines measures [sic] at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a line that is 7.5 metres back from and parallel to a continuous straight line, joining the two points where the side lot lines intersect with the front lot line.”* The lot with the shortest frontage (Lot 15) has a frontage of 23.87 metres which provides the basis for the special zoning provision being sought.

The special provisions proposed for the Hamlet Residential Exception (HR-\_\_) Zone therefore permit a minimum area of 0.19 hectares and a minimum frontage of 23.5 metres for a lot provided with municipal water services and individual on-site septic services. The provisions also clarify that, in all other respects, the regulations in Section 4.5.2 that apply to a lot with municipal services in the Hamlet Residential (HR) Zone also apply to the lots in the Hamlet Residential Exception (HR-\_\_) Zone (as opposed to those that apply to lots with private services in the “HR” Zone).

Figure 7 - Zoning Map



Zoning Designation	
	Agricultural (A)
	Business Park (BP)
	Environmental Protection (EP)
	Estate Residential (ER)
	Extractive Industrial (MX)
	General Commercial (CG)
	Hamlet Residential (HR)
	Highway Commercial (CH)
	Industrial (M1)
	Institutional (I)
	Open Space (OS)
	Rural (RU)
	Rural Residential (RR)
	Waste Disposal (MD)



Zoning Map  
 Source: Township of East Garafraxa Zoning Map, Schedule A1, 2011

Figure  
**7**

## 3. Supporting Plans & Studies

This section of the Planning Justification Addendum Report reviews the reports and studies that have been revised based on the changes to the proposed Draft Plan of Subdivision. (Those changes are summarized in Section 1.5 above.) Other studies and reports that were submitted in support of the original applications and which have not been substantively affected by the changes to the Proposed Development are summarized in Section 5 of the 2022 Planning Report prepared by Astrid J. Clos Planning Consultants.

### 3.1 Functional Servicing Report

A revised Functional Servicing Report was prepared by GM BluePlan (GEI Consultants), dated November, 2024. It outlines the proposed site grading, site servicing, right-of-way design, stormwater management and outlet design. It also discusses a feature-based water balance analysis and erosion and sediment control. The full report should be read in support of the Proposed Development. However, the conclusions for Marsville South are as follows:

- The Marsville South Subdivision will be serviced with individual private onsite septic systems with tertiary treatment to provide sewage treatment and disposal.
- It is recommended that the Marsville South Subdivision be serviced by private on-site septic systems with tertiary treatment for the 91 lots to provide a cleaner effluent for discharge to the shallow groundwater system.
- Water supply for the Marsville North and the Marsville South Subdivision will be provided by the upgrades and expansions of the existing municipal water system, as per the Municipal Class Environmental Assessment process.
- Water services for each lot in the Marsville North and Marsville South Subdivisions, will be provided by the expansion of the existing municipal water distribution system via the extension of a 150mm diameter watermain along the subdivision roads.
- Foundation drainage within the Marsville North and Marsville South Subdivisions will be provided by a sump pumps discharging to either the storm sewer system or grade and ultimately the stormwater management facilities for conveyance to the improved Thunderbird Drainage Works.
- Quantity and quality control treatment for runoff generated from the Marsville South Subdivision has been provided by the stormwater management facility, prior to discharge to the improved Thunderbird Drainage Works.

- To provide sufficient capacity to accommodate and convey the stormwater generated from the Marsville North and Marsville South Subdivisions to the receiving outlet, a petition has been filed under the Drainage Act for improvements to the existing Thunderbird Drainage Works. The final design of the improvements will be the responsibility of the Drainage Engineer.
- The stormwater management design for the Marsville North Subdivision and Marsville South Subdivision provide a reduction of flow when comparing pre-development and post-development conditions for all key locations and storm events.
- The proposed stormwater management facility will be rough graded and used as a temporary sediment pond during the servicing and building construction.

### **3.2 Hydrogeological Study Addendum Letter**

The original Hydrogeological Study was submitted as part of the May 2022 complete formal application. At that time, only 90 lots were proposed instead of 91. Additionally, comments were received on the report on September 30, 2022. The Hydrogeological Study Addendum Letter, dated August 7, 2024, prepared by GM BluePlan (GEI Consultants) provides response to the comments received and rationale supporting the provision of 91 lots for the development.

In January 2020, JLP Services (formerly VA Wood Inc.) advanced 19 boreholes as part of the Geotechnical Investigation to support the development. For the purposes of supporting the development and approvals process, GM BluePlan (GEI) conducted continuous groundwater level monitoring at these JLP monitoring wells. Data was collected through to June 3, 2024.

From the data collected, the trend in seasonal fluctuation is similar to what was observed in prior monitoring as described in the Hydrogeological Study Report submitted in 2022. During the seasonal high periods, groundwater levels were similar or were slightly higher in the prior monitoring years (i.e 2021 and 2022).

The Hydrogeological Report submitted in 2022 employed a monitoring-based assessment in accordance within Section 5.6.1 of Procedure D-5-4 to determine the suitability of the Subject Property to be developed with 90 residential lots services by private individual sewage systems. This is discussed in detail in the 2022 report. Using a similar approach, the revised calculation found that it is considered feasible for the Subject Property to support the development on 91 residential lots. Furthermore, the lots appear to have sufficient size to accommodate the required components of the individual sewage systems.

### 3.3 Transportation Impact Study

A Transportation Impact Study, dated May 2022, prepared by Salvini Consulting, was submitted as part of the May 2022 complete formal application of the draft plan of subdivision and zoning by-law amendment. Comments were received requesting changes that impact the transportation considerations. These changes include:

- The alignment of Street A to align opposite Maple St at County Rd 3.
- Access from the subdivision is proposed to both County Road 3 and 13th Line and so the alternate access scenario has been removed.
- The revised draft plan includes 91 units.
- Updated turning movement counts were undertaken in September of 2024. The volumes are similar to, but slightly higher than the adjusted volumes in our original report. Base traffic data has been updated to reflect the new traffic count data. Background traffic has also been updated to reflect a 2034 horizon year.

Additionally, the sight line analysis has been updated by GM BluePlan (GEI). The minimum sight distance requirements are met at both proposed municipal intersections of the draft plan.

An updated Transportation Impact Study, dated October 2024 is provided as part of the resubmission package. The report conclusions and recommendations include:

- The Marsville South Site is estimated to generate 64 and 86 vehicle trips in each of the weekday morning and afternoon peak hours, respectively.
- The concept includes new public road connections to both County Road 3 and 13th Line. The proposed Street A connection has been aligned opposite Maple Street.
- Traffic cutting through the new draft plan using the new roads is not likely given that the County Road 3/ 13th Line intersection operates with good levels of service and low delays for turning traffic.
- Turn lanes from both County Road 3 and 13th Line to the new roads will not be needed or warranted.
- The County Road 3/ 13th Line intersection is currently operating at acceptable levels and is expected to continue to do so under 2034 future traffic conditions with and without the proposal. Turn lanes are not warranted or needed at the intersection under future total traffic conditions.

- The two new road intersections with County Road 3 and 13th Line are expected to operate at acceptable levels of service under future total traffic conditions in both weekday peak hours.

### **3.4 Environmental Impact Study Addendum Letter**

An Environmental Impact Study was submitted as part of the May 2022 complete submission package. Comments were received from the GRCA indicating a requirement for additional information or refinements to the proposed plans. The addendum letter, dated September 12, 2024 addressed the following subjects:

#### **Water Quantity/ Water Balance**

Further study and analysis were conducted on the water balance and runoff of the existing condition and the Proposed Development. These analyses informed the following recommendations:

- A topsoil amendment be added to the area of the proposed rear lots adjacent to the wetlands (Lots 14-17) for enhanced water retention ability.
- That the development landscape plan include 5-10 caliper-sized native, not-cultivar trees near the southern extent of Lots 15 and 16 near the wetland and woodland buffer areas.

Based on the further analysis and recommendations provided, hydrologic and hydrogeologic impacts are not expended to the wetlands.

#### **Thermal Impacts to Fish Habitat**

An unnamed watercourse exists approximately 2.8km West of the Proposed Development which supports a variety of cold and coolwater fish. Several strategies are identified to minimize potential thermal impacts to fish habitat downstream of the Subject Property. These include:

- That tree plantings be incorporated into the Stormwater Management Pond landscape design.
- That the stormwater plan includes plans to direct the stormwater subsurface.
- A proposed dedicated storm sewer branch be installed to capture, convey, and re-direct flows generated from the Proposed Development.

Given the existing conditions, distance to downstream fish habitat, and the proposed mitigation measures, thermal impacts are not expected to occur to fish habitat as a result of the Proposed Development.

### **Wetland Buffer**

No grading works are proposed to occur within the 15m buffer from the wetland on adjacent lands. The buffer width is deemed to be sufficient to protect both the form and function of the wetland. Additionally, further mitigation will be provided through a topsoil amendment for the lots backing onto the wetland buffer area and caliper-sized trees will be planted in Lots 15 and 16. Finally, the rear of the lots abutting the wetland will be permanently fenced to reduce encroachment into the feature.

### **Grading Plan & Impact Analysis**

The grading for the lots nearest to the wetland (Lots 14-16) is located towards the frontage on Street A and will not be located in close proximity to the wetland, woodlands or the respective buffers. Erosion and sediment control fencing will be located at the edge of the 15m wetland and 10m woodland buffers. The areas within the portion of these lots that are currently agricultural fields will be converted to turf grass during the construction period which is anticipated to reduce erosion and siltation into the wetland. Similarly, large caliper tree plantings will be provided at the rear of these lots to provide additional benefits such as shading, wildlife habitat, and increased absorption and transpiration of runoff, as described above.

Based on the grading and mitigation plans provided, no impacts are anticipated to the adjacent wetland as a result of the Proposed Development.

Providing the mitigation measures within this report and the previous EIS are implemented, no negative impacts are anticipated as a result of this work.

## **3.5 Noise Feasibility Study**

A Noise Feasibility Study dated August 12, 2024 was prepared by HGC Engineering to assess the traffic and stationary noise impacts on the Proposed Development. See full report for details of the report. Based on the findings of the report, recommendations are made to mitigate noise on the Proposed Development. These recommendations include:

- Forced air ventilation systems with ductwork sized for the future installation of central air conditioning by the occupant for the dwelling units flanking exposure to County Road 3.

- Warning clauses to inform future occupants of the traffic noise impacts, to address sound level excesses and to indicate the presence of the existing retail/commercial/industrial uses.
- Building construction to meet the minimum requirements of the Ontario Building Code.
- The public works facility predicted noise emissions will be within the applicable noise guideline limits of the MECP at the proposed residential development.

### **3.6 Stage 1-2 Archeological Assessment**

A Stage 1-2 Archeological Assessment was conducted and formed a part of the complete submission in May 2022. The assessment concluded that no archaeological resources were encountered. Consequently, the following recommendations were made:

- No further archaeological assessment of the study area is warranted;
- The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;
- The proposed undertaking is clear of any archaeological concern.

Comments received on the submission did not include any required revisions to this report. As such, the Report conclusions and recommendations are still relied upon for this submission.

A letter from the Ministry of Heritage, Sport, Tourism and Culture dated April 29, 2021 notes the ministry is satisfied with the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines and the report has been entered into the Ontario Public Register of Archaeological Reports.

### **3.7 Environmental Site Assessment Phase 1 and 2**

A Phase 1 and 2 Environmental Site Assessment dated February 16, 2021, prepared by GM BluePlan was submitted as part of the May 2022 complete submission. No comments were received warranting revisions to this report or its recommendations. Therefore, the recommendations in that report are still relied upon for this submission. The recommendations include:

- Phase 2 ESA is not required to support a Record of Site Condition under Ontario Regulation 153/04 (as amended).



- Due to the innocuous nature of the contaminant (i.e. salt), and the limited extent of the identified impact to be within the proposed park space, the risk to the proposed nearby residential lots is considered to be low.
- If soil from the affected area is proposed to be removed from the Subject Property(e.g. during area grading), it shall be done according to the requirements of Ontario Regulation 406/19.
- No further investigation is recommended at this time.

## 4. Conclusion

The Subject Applications submitted for an amendment to the Township of East Garafraxa's Zoning By-law and draft plan of subdivision will facilitate the development of 91 dwelling units on a parcel of approximately 27.9 hectares. Units range in size but are mostly around 2,000m<sup>2</sup> (0.4 acres) generally with a frontage of 30m. The lots are to be serviced through municipal water and private sewage systems. The requested amendment seeks to rezone the Subject Property from Rural (RU) zone to Hamlet Residential Exception (HR-\_\_\_) for the residential lots, Open Space (OS) for the Park and SWM blocks, and Environmental Protection (EP) zones respectively. The Subject Property is in an area that is expected to accommodate residential uses while maintaining the rural village feel of Marsville.

The Proposed Development represents efficient land use within a designated Community Settlement Area that provides a low-density housing development consistent with the existing community. The Proposed Development has been designed to provide for the protection and enhancement of natural heritage features and to avoid areas that are subject to natural hazards. The Proposed Development will also make use of available municipal water servicing. The development is therefore consistent with the 2024 Provincial Planning Statement. The Proposed Development conforms with the policies in the County of Dufferin Official Plan and the Township of East Garafraxa's Official Plan.

Therefore, in summary, the Proposed Development represents good planning and is appropriate for the Subject Property, for the surrounding area, and for the continuing growth of Marsville and for the Township of East Garafraxa.



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## Appendix “A” – Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 2024-\_\_\_

### BEING A BY-LAW TO AMEND ZONING BY-LAW 60-2004, AS AMENDED

**WHEREAS** the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Sections 34 and 36 of The Planning Act, 1990, as amended;

**AND WHEREAS** the owner of Part of the East Half of Lot 5, Concession 13, Township of East Garafraxa, County of Dufferin has filed an application with the Township of East Garafraxa to amend By-law Number 60-2004, as amended (Township File No.: Z\_\_-22 Thomasfield);

**AND WHEREAS** it is deemed appropriate to amend By-law 60-2004 as amended to rezone the subject lands to facilitate the Draft Plan of Subdivision (Township File No. S\_\_-22 Thomasfield);

**NOW THEREFORE** THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:

1. THAT Schedule “A-1” to By-law 60-2004, as amended, is further amended by rezoning the lands described as Part of the East Half of Lot 5, Concession 13, identified on Schedule “A-1” to this By-law, from Rural (RU) Zone to the following zones:
  - a. Hamlet Residential Exception \_\_\_ (HR-\_\_\_) Zone; Open Space (OS) Zone; and Environmental Protection (EP Zone).
2. Section 4.5.3 of Zoning By-law No. 60-2004 (Hamlet Residential Exception Zones) is hereby amendment by adding the following new sub-section:
  - a. Hamlet Residential Exception \_\_\_ (HR-\_\_\_) Zone
  - b. Notwithstanding any other provision of this by-law, to the contrary, on lands zones Hamlet Residential Exception (HR-\_\_\_), the following provisions shall apply:
    - i. Minimum Lot Area                      0.19 ha

ii. Minimum Lot Frontage            23.5m

3. Notwithstanding any other provision of this by-law, to the contrary, public uses in accordance with Section 3.18 of Zoning By-law No. 60-2004 shall be permitted in all zones under this By-law.
4. In all other respects, the provisions of this By-law shall apply.
5. This by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Chap. P.13 as amended.

BY-LAW read a FIRST, SECOND, and THIRD time and finally PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

\_\_\_\_\_

Head of Council

\_\_\_\_\_

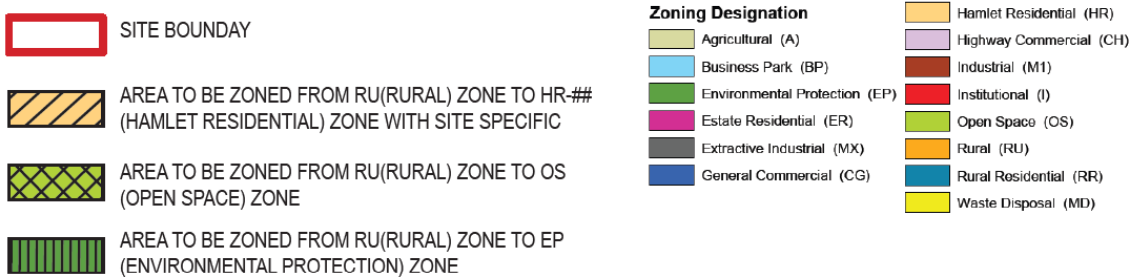
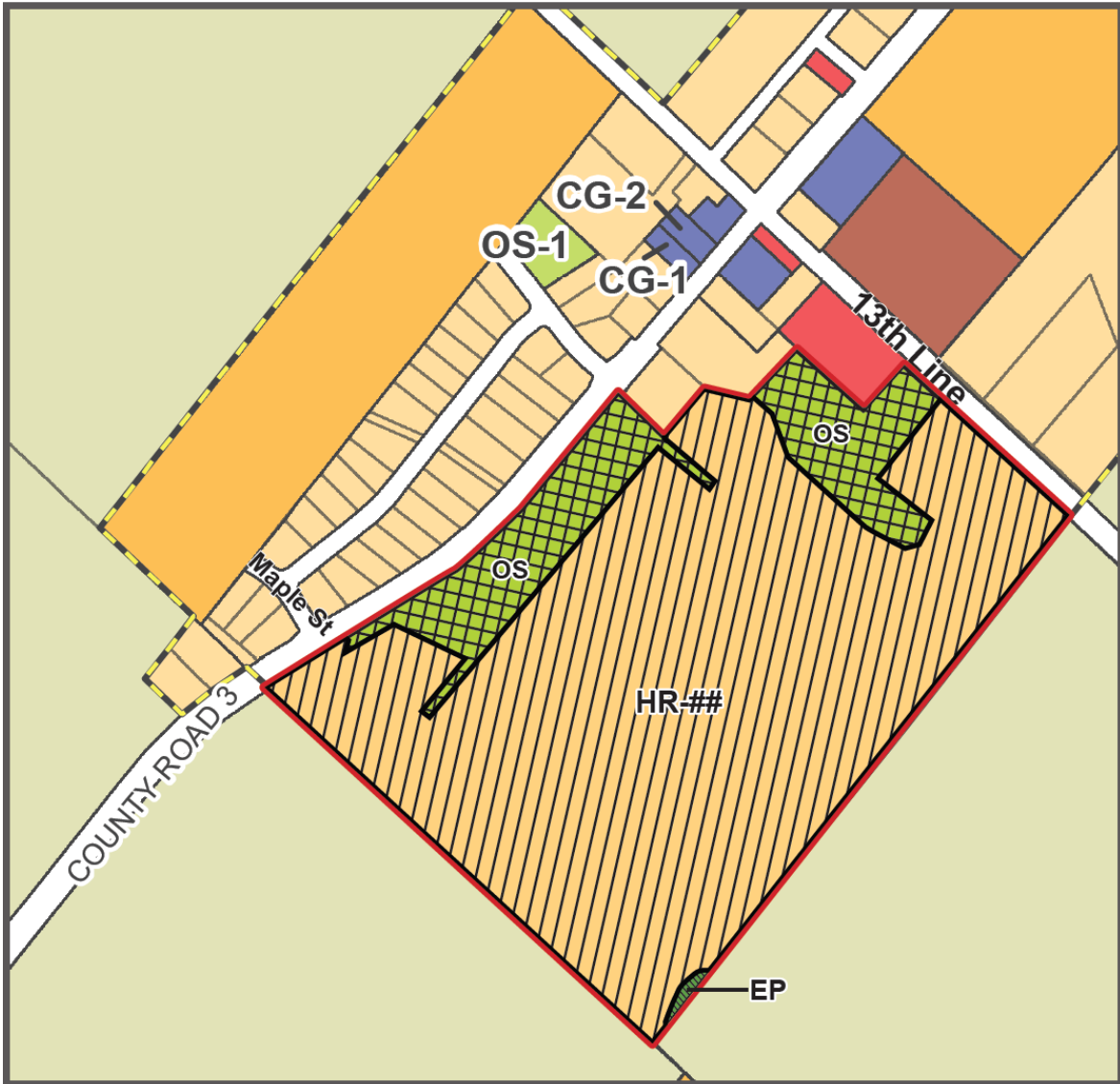
Clerk

# SCHEDULE A-1

TO BY-LAW NO. 15-2004

TOWNSHIP OF EAST GARAFRAXA

EAST PART OF LOT 5 CONCESSION 13,  
COUNTY OF DUFFERIN



## Appendix “B” – Lot Dimensions

Lot numbers refer to numbering shown on Draft Plan of Subdivision (see Figure 3 on p. **Error! Bookmark not defined.**).

Lot #	Area [m <sup>2</sup> ]	Frontage [m]	Lot #	Area [m <sup>2</sup> ]	Frontage [m]	Lot #	Area [m <sup>2</sup> ]	Frontage [m]
1	2,043.4	43.66	32	2,633.6	30.45	63	2,004.3	32.32
2	2,374.7	47.05	33	2,721.0	30.00	64	2,003.6	32.32
3	2,089.2	34.67	34	3,727.0	40.81	65	2,003.6	32.32
4	2,009.7	30.00	35	2,509.7	32.12	66	2,003.6	32.32
5	2,009.7	30.00	36	2,010.0	30.00	67	2,547.3	40.06
6	2,009.7	30.00	37	2,025.9	30.26	68	2,476.0	38.26
7	2,009.7	30.00	38	2,972.9	31.29	69	2,003.7	32.32
8	2,009.7	30.00	39	2,122.7	30.48	70	2,003.7	32.32
9	2,009.6	30.00	40	2,012.5	29.97	71	2,003.7	32.32
10	2,009.6	30.00	41	2,010.0	30.00	72	2,003.7	32.32
11	2,009.6	30.00	42	2,010.0	30.00	73	2,156.7	34.52
12	2,008.4	30.00	43	2,168.7	31.03	74	1,987.3	38.05
13	2,085.9	24.46	44	2,169.0	31.15	75	2,270.6	31.70
14	4,076.9	23.97	45	2,010.0	30.00	76	2,124.1	32.01
15	3,243.6	23.87	46	2,010.0	30.00	77	2,053.7	32.06
16	2,150.8	30.21	47	2,010.0	30.00	78	2,011.8	30.00
17	2,053.5	30.00	48	2,012.0	30.03	79	2,011.8	30.00
18	2,058.9	30.00	49	2,833.4	42.89	80	2,011.8	30.00
19	2,064.2	30.00	50	2,056.8	31.16	81	2,011.8	30.00
20	2,069.6	30.00	51	2,002.9	32.31	82	2,011.8	30.00
21	2,074.9	30.00	52	2,002.9	32.31	83	2,011.8	30.00
22	2,080.3	30.00	53	2,002.9	32.31	84	2,011.8	30.00
23	2,085.7	30.00	54	2,002.9	32.31	85	2,011.8	30.00
24	2,085.9	30.00	55	2,282.1	35.84	86	2,011.8	30.00
25	2,080.6	30.00	56	2,209.5	34.04	87	2,011.8	30.00
26	2,074.8	30.00	57	2,002.9	32.31	88	2,011.8	30.00
27	2,069.0	30.00	58	2,002.9	32.31	89	2,011.0	30.00
28	2,074.6	30.25	59	2,002.9	32.31	90	2,059.2	31.07
29	2,170.9	30.41	60	2,002.9	32.31	91	2,003.9	51.38
30	2,333.6	30.47	61	2,113.0	35.88			
31	2,493.8	30.47	62	2,083.9	31.34			

