



Powell Planning & Associates

Evolution through planning & development

# PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN AMENDMENT,  
ZONING BY-LAW AMENDMENT, &  
PLAN OF SUBDIVISION



**45 CINDY LANE**

ADJALA-TOSORONTIO, ONTARIO

OCTOBER 2024

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## 1. INTRODUCTION

Powell Planning & Associates (PPA) has been retained by the landowner (2834556 Ontario Inc.), municipally known as 45 Cindy Lane (the subject lands) and legally described as Part of Lots 19 & 20, Concession 3 in the Township of Adjala-Tosorontio, in Simcoe County, to evaluate the planning merits of the proposed residential development requiring an Official Plan Amendment, a Zoning By-law Amendment, and a Plan of Subdivision. Refer to **Figure 1: Context Map**.

The subject site is designated as 'Rural Residential (Special Exception 4.5.5.1)' on Schedule A-6 of the Township of Adjala-Tosorontio Official Plan (2000) and zoned as 'Open Space Recreation Exception 2 (OSR-2)', with an NVCA Fill Area overlay on Schedule A-6 of the Township of Adjala-Tosorontio Zoning By-law No. 03-57 (2003).

This report presents the land use rationale supporting the desired Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision. It conducts a thorough planning analysis encompassing provincial and municipal policies in relation to the subject lands, concluding that the proposed development is contextually appropriate, achieves policy alignment, and represents good planning.

## 2. SITE DESCRIPTION & SURROUNDING LAND USE

The subject lands, lie east of Concession 3 on the north side of Cindy Lane. The subject lands are irregular in shape, with a total area of approximately 25.5 hectares (63.2 ac) with a frontage of approximately 80 metres along Concession Road 3 and 474 metres along Cindy Lane. The predominance of subject lands are currently used as a golf course (Silver Brooke Golf Club), however the lands that are subject to the proposed subdivision are currently undeveloped and vacant with vegetation cover. For an aerial view of the site, please refer to **Figure 2: Ariel Photo** for site-specific context.

The site is immediately surrounded by the following land uses:

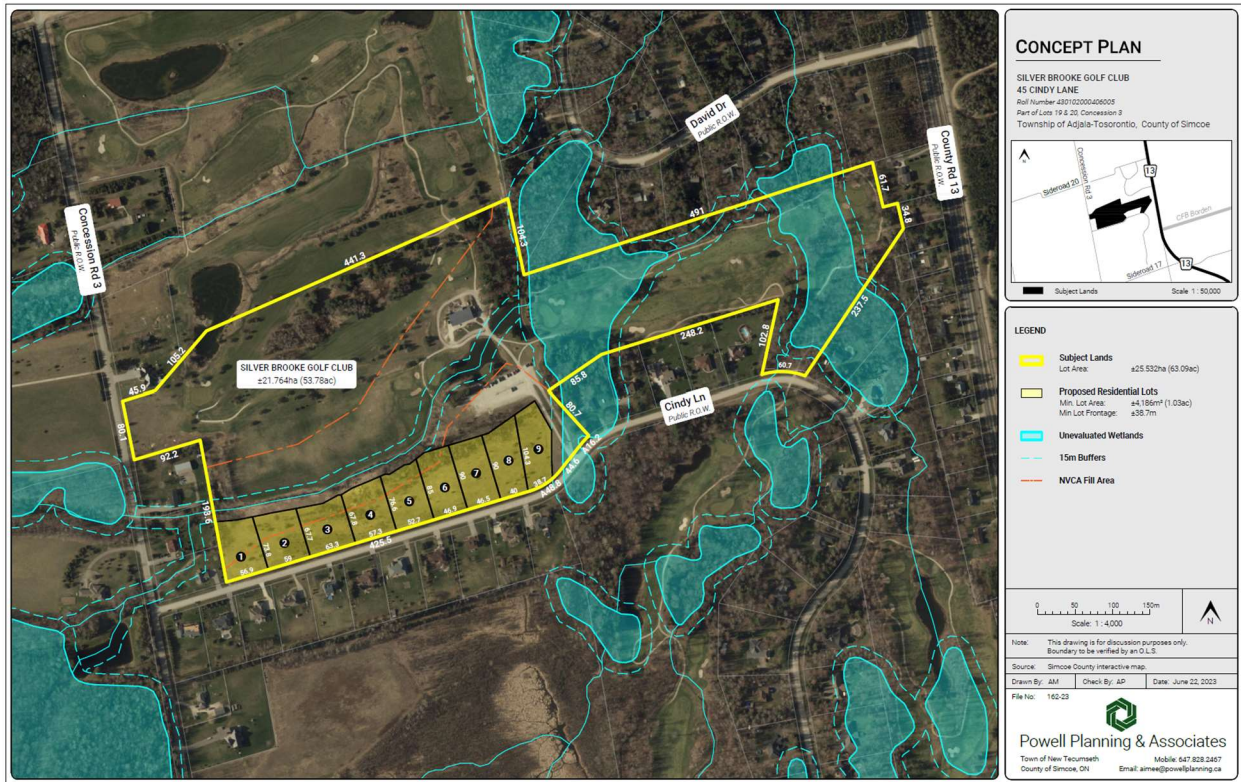
- **North:** Agricultural and Residential Uses
- **South:** Residential and Rural Uses
- **East:** Residential and Rural Uses

- **West:** Residential and Rural Uses

The residential neighbourhood that surrounds the subject lands are comprised of Estate Residential land uses. The subject development has undertaken careful consideration in its design proposal whereas lots are being proposed to mirror the frontages and dwelling types of those that exist today. See **Figure 3: Proposed Dwelling Renderings** for the proposed dwelling renderings that were shared with the neighbouring residents at the July 2024 privately initiated Open House that will be further described in Section 7 of this Report.

### 3. PRE-CONSULTATION

In July, 2023, a Pre-Consultation application was submitted proposing a nine-lot residential subdivision on the subject lands in accordance with the Plan below.



Through discussions with Township staff, it was determined that the following Studies would be required to inform the merits of the subject application:

- A Planning Justification Report to address applications for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision;
- A Hydrogeological Impact Study;
- A Stormwater Management Study;
- An Archaeological Site Assessment;
- A Traffic Study; and
- An Environmental Impact Study (Natural Heritage Evaluation)

It was subsequently determined that the 2001 Ministry Letter of Approval would satisfy the Township concerning the request for an Archaeological Study. Studies demonstrate that the subject site was more feasible to accommodate eight lots, versus the originally presented nine residential lots. Therefore, the ask of these applications, and all of the supporting studies recommend and reflect the desired development of eight residential lots.

#### 4. PROPOSAL

The proposal seeks to develop the southern portion of 45 Cindy Lane with eight new residential lots with a minimum frontage of 32.5 metres, a minimum lot area of 0.36 ha (0.91 ac) and a pedestrian trail bordering the lot limit of the proposed lots. Refer to **Figure 4: Concept Plan** for further depiction of the proposal. The proposed developable area for each of the lots have been refined to minimize any adverse impacts to the subject lands due to the presence of natural features including a wetland and water course adjacent to the subject property. The irregular lot shapes are a result of the technically informed and necessary constraint mapping. The proposed design is successful and demonstrating good planning as it encompasses the necessary constraints, while maintain the general character and lot fabric of the surrounding area from the streetscape. Through the design process, larger lots were proposed with building envelopes that respected the constraint mapping, however through the environmental and engineering work that was undertaken, it was determined that no development is to occur outside of the identified lot limits herein. The following table summarizes the site statistics for each proposed lot:

**Table 1: Proposed Development Site Statistics**

<b>Proposed Lots</b>	<b>Lot Area</b>	<b>Proposed Frontage (m)</b>
1	±0.37 ha (.91 ac)	±63.8 m
2	±0.37 ha (0.91 ac)	±55 m
3	±0.37 ha (0.92 ac)	±75.5 m
4	±0.37 ha (0.91 ac)	±76.9 m
5	±0.37 ha (0.91 ac)	±49.2 m
6	±0.37 ha (0.91 ac)	±53.4 m
7	±0.37 ha (0.91 ac)	±45.0 m
8	±0.37 ha (0.92 ac)	±32.5 m

To facilitate the proposed development, the following planning applications are required:

1. Official Plan Amendment – A site specific Official Plan Amendment is required to redesignate the lands from ‘Rural Residential (Special Exception 4.5.5.1)’ to ‘Rural Residential (Special Exception XX)’ to facilitate the creation of eight proposed residential lots by way of Subdivision pursuant to Section 51 of the *Planning Act*; and
2. Zoning By-law Amendment – A site specific Zoning By-law Amendment is required to rezone the lands from ‘Open Space Recreation Exception 2 (OSR-2)’ to ‘Estate Residential Exception XX (ER-XX)’ with site specific exceptions to address the minimum lot size requirements; and
3. Plan of Subdivision – the Plan of Subdivision to sever the subject lands is required to create eight new residential lots. The Plan of Subdivision consists of 8 lots only, no other Blocks are being proposed. See Appendix C.

## 5. PLANNING POLICY

### 5.1 THE *PLANNING ACT*, R.S.O, 1990

The *Planning Act*, R.S.O, 1990 (the “*Planning Act*”), as amended, is the legislative document that governs land use planning and development approvals in the Province of Ontario. This application well respects matters of Provincial Interest, as identified in Section 2 of the *Planning Act*. Specifically, the following matters are regarded for in the subject proposal:

- (a) the protection of ecological systems, including natural areas, features, and functions;*
- (h) the orderly development of safe and healthy communities;*
- (j) the adequate provision of a full range of housing;*
- (p) the appropriate location of growth and development;*
- (r) the promotion of built form that,*
  - i) is well designed,*
  - ii) encourages a sense of place, and*
  - iii) provides attractive, functional public spaces...*

In accordance with Section 2 of the *Planning Act*, the proposed development protects and enhances the natural environment while introducing infill housing that is highly compatible with the existing housing stock in an order manner, on underutilized lands. The proposal aims to contribute to the diverse housing needs and inventory in the Township by fostering additional supply, in a contextually sympathetic manner. The existing neighbourhood is predominantly comprised of estate residential lots which is the basis of design for the proposed lots. Therefore, the subject applications merely aim to expand the existing housing type in a location that supports the proposed growth and development. The proposal provides adequate amenity area for each lot and has been designed to encourage a sense of place while promoting a safe and accessible

pedestrian realm through the introduction of a pedestrian path at the neighbourhood's request, resulting out of the July 9, 2024 Open House.

The proposed development aligns with Section 51 of the *Planning Act*, which governs the subdivision of land to ensure the orderly development of communities. The Plan of Subdivision is required to facilitate the proposed development in a manner that is consistent with provincial and local planning policies. It provides for adequate access, services, and utilities, while ensuring compatibility with the surrounding land uses and maintaining the rural character of the area. The development also addresses matters of public interest, such as environmental protection, infrastructure provision, and housing supply, contributing to the broader planning goals for the municipality.

The proposal is supported by the aforementioned technical studies and offers a logical expansion to the existing housing stock where more than four new lots are being created, therefore subdivision is required. The lands are suitable for the proposed development, is compatible with adjacent development and the existing surrounding residential land uses. No negative impacts are expected on the lands within the immediate or broader neighbourhood context. Moreover, the development contributes positively to the Township's housing inventory while ensuring compatibility with surrounding land uses. In my professional planning opinion, the applications submitted for the subject lands meets the requirements of the *Planning Act* and represent good planning.

## **5.2 THE PROVINCIAL POLICY STATEMENT 2020 & 2024**

The 2020 Provincial Policy Statement (PPS) is a comprehensive document that guides land use planning and development across Ontario to promote efficient and sustainable land use patterns. It provides direction on provincial interests in land use planning, forming a core part of Ontario's policy-driven planning framework. The PPS focuses on creating healthy, livable, and safe communities by promoting balanced land uses, supporting diverse development needs, and encouraging cost-effective, sustainable growth strategies.

The following policies in the PPS are relevant to the proposal:



Policy 1.1.1 emphasizes that healthy, livable, and safe communities are maintained by:

- a) *encouraging efficient land use and development patterns that support the long-term financial stability of the Province and municipalities;*
- b) *preventing development patterns that could pose environmental or public health and safety risks;*

The proposed development aligns with the policies of the PPS by promoting a more efficient use of land through increasing residential units that are compatible to those that exist today and make better use of underutilized lands. The applications demonstrate compatibility by considering the local context of the existing built form while ensuring a natural integration to the surrounding residential lots. The proposal has been scaled back from its original request of nine residential lots to better protect the site's existing natural features and functions, demonstrating a development pattern that respects the environment, avoiding public health and safety risks.

Policy 1.4.3 directs planning authorities to ensure a suitable range and mix of housing options and densities to meet the market-based and affordable housing needs of current and future residents. This is achieved by:

- *allowing and supporting all housing options necessary to meet the social, health, and economic needs of residents, including special needs and changes related to demographics and employment opportunities, and by facilitating residential intensification and redevelopment.*
- *Focusing new housing in areas with adequate infrastructure and public services to support current and future demands.*
- *Encouraging housing densities that make efficient use of land, resources, and services, while promoting active transportation and transit in appropriate areas.*

The proposed development introduces residential intensification through the creation of eight new residential lots, ensuring efficient use of land, and optimizing site-specific and contextually appropriate water and wastewater infrastructure. The lot configurations are designed to integrate with the surrounding area, ensuring that development occurs in a location with appropriate infrastructure and private services to support current and

future needs. This approach promotes sustainable growth, optimizes land use, and supports the broader objective of accommodating market-based housing options in a locally appropriate manner. Although the subject application seeks approval at a timeframe in which the new 2024 PPS is meant to be in effect, it was important to establish that the proposal respected the 2020 PPS which was in effect throughout the design, evaluation and justification of the proposal.

The proposal aligns with policies set out in the new 2024 PPS, which takes effect on October 20, 2024. Specifically, Policy 2.1.6. supports the expansion of housing choices while ensuring that residential growth is directed to lands appropriately designated with adequate servicing capacity, aligning with the long-term planning objectives of the PPS. Additionally, the proposal reflects Policy 2.2.6 by contributing to a diverse range of housing options that meet the projected needs of current and future residents in the regional market area. The proposal offers residential intensification providing housing options while enhancing the quality of life for all residents.

The submitted applications for the subject lands conform to the existing 2020 and 2024 PPS. In my professional planning opinion the proposal, represents good planning.

### **5.3 SIMCOE COUNTY OFFICIAL PLAN, (2023)**

The policies and accompanying schedules in the Simcoe County Official Plan direct the type and location of land uses within the County up to the year 2031. These policies are tailored to the County's land use characteristics, serving as enhancements to the policies outlined in the PPS and Growth Plan. The County's Official Plan designates the subject lands as 'Rural.' See **Figure 5: County of Simcoe Official Plan Land Use Designation Map.**

Several policies in the County's Official Plan are relevant to this proposal, particularly those governing rural development. The proposal aligns with the criteria specified in the County Official Plan for 'Rural' development, including policy 3.7.1, which aims to recognize, preserve, and safeguard the rural character of the area. This proposal not only respects, but significantly contributes to, the long-term diversity and vitality of rural economic activities, fostering a sustainable and thriving community.

The following policies are being respected through the proposed development:

**Policy 3.2.5:** *“This Plan recognizes that certain types of development will occur outside of settlement areas.”*

The subject lands are in the ‘Rural’ designation and outside of a settlement area, however offer appropriately scaled infill development. The proposed development is appropriate for the location as it aligns with the surrounding land uses and can be privately serviced, despite being located outside of a settlement area.

**Policy 3.3.2:** *“Subdivision of land by plan of subdivision or consent, or plans of condominium, are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan’s objectives and policies.”*

The proposal is intended to proceed by Plan of Subdivision, which is permitted in areas that are designated as ‘Rural’. The development as proposed aligns with the objectives for the subject land’s designation, offering a permitted use and ensures compatibility with the intended use and policies for the area.

**Policy 3.3.4:** *“Lots may be created only where they have access to and frontage on a public highway and where an access permit to that highway can be obtained in accordance with the policies of this Plan and the County of Simcoe, the Province of Ontario, or local municipalities.”*

Providing safe and designated driveway access to a public street supports the orderly development of land. Each of the proposed lots will have frontage on a publicly maintained road, and entrance permits for all lots will be secured from the Township to support the proposed development.

**Policy 3.3.9:** *“A local municipality shall require that applicants for subdivision by plan enter into appropriate agreements which shall be registered against the title of the subject lands including but not limited to such matters as financial requirements, local and County Roads, provision of services, drainage, grading, landscaping, sidewalks, and dedication of land or cash in lieu for public recreation purposes where appropriate.”*

The proposed development of eight residential lots through Plan of Subdivision will not require the provision of new or extended municipal roads. However, a pedestrian trail is proposed for the subject lands to better facilitate active transportation in the community, while respecting the natural features and functions of the subject lands. The proposal aims to ensure that the development proceeds in a manner that meets both municipal and provincial technical standards, supporting efficient and responsible growth.

**Polic 3.7.2:** *“To encourage maintenance, protection, and restoration of significant natural heritage features and functions and to conserve the built heritage resources and cultural heritage landscapes associated with rural and agricultural areas.”*

This policy underscores the importance of ensuring that the development plan incorporates measures to protect and preserve natural heritage features and cultural resources on and near the site. The development has been designed to respect and conserve the site’s natural features and functions, maintaining the integrity of the rural and agricultural landscape while accommodating new residential growth.

**Policy 3.7.10:** *“Development in rural areas should wherever possible be designed and sited on a property so as to minimize adverse impacts on agriculture and to minimize any negative impact on significant natural heritage features and areas and cultural features.”*

The development is planned to avoid any negative effects on any significant natural heritage features present on or near the subject lands. This ensures that natural features and functions are preserved, which aligns the proposal with the policy’s objectives of balancing rural development with the protection of agricultural resources and the environment. The proposal promotes responsible land use while minimizing adverse effects on the surrounding rural landscape.

**Policy 3.7.11:** *“New multiple lots and units for residential development will be directed to settlement areas, and may be allowed in rural areas in site-specific locations with approved zoning or designation that permits this type of development in local municipal official plans, as of June 16, 2006. Local municipal official plans may continue to*

*recognize this type of development permitted under this policy and provide appropriate policies for development.”*

The policy is relevant to the proposed development of eight new residential lots as it dictates that residential developments, especially those involving multiple lots, should be primarily directed to settlement areas. However, if such development occurs in rural areas, it must be in accordance with site-specific zoning or designations outlined in local municipal official plans. A site-specific Official Plan Amendment along with a Zoning By-law Amendment is required for the proposed development, thus aligning with the policy's requirements and ensuring that the development adheres to the established framework for residential growth. The Official Plan allows for the subject use, and this application aims to align the zoning to meet the permitted and established land use in the neighbourhood.

The proposed development well aligns with the policies of the County's Official Plan and therefore in my professional planning opinion represents good planning.

#### **5.4 TOWNSHIP OF ADJALA-TOSORONTIO OFFICIAL PLAN, (2000)**

The subject lands are designated 'Rural Residential (Special Exception 4.5.5.1)' on Schedule A-6 of the Township's Official Plan. See **Figure 5: Township of Adjala-Tosorontio Land Use Designation**. An Official Plan Amendment application proposes to redesignate the subject lands to 'Rural Residential (Special Exception XX)' to support the creation of eight new residential lots by Plan of Subdivision, pursuant to Section 51 of the *Planning Act*. A copy of the draft Official Plan Amendment is attached as Appendix A. Special Exception 4.5.5.1 took effect as the result of an Ontario Municipal Board (OMB) Decision from May 2000. This Decision allowed for a total of 46 residential lots to be permitted on the lands subject to that Decision, which include the lands subject to this proposal, which seeks for the addition of eight residential lots. Below is an analysis of the policies from the Township's Official Plan that align with the proposed development.

**Policy 4.5.2.3:** *“The dominant consideration in addressing development proposals within the RURAL RESIDENTIAL designation will be the maintenance of the rural*

*character already established. New development will generally be restricted to infill situations where the impact on adjacent properties is consistent with the present situation.”*

The adjacent properties to the subject lands are residential lots, which align with the rural residential character described in Policy 4.5.2.3. The proposed development is consistent with the established character of the area and respects the intent of maintaining the rural character through infill development. Since the development occurs within an existing residential area, it presents minimal impact on neighboring properties, ensuring that the surrounding environment remains consistent with the current land use. The proposal supports the policy’s focus on maintaining rural character while accommodating appropriate growth and gentle intensification.

**Policy 4.5.4.1:** *“Lot creation in the RURAL RESIDENTIAL designation will generally be restricted to single residential dwelling lots that meet the infill lot criteria.”*

The proposal is successful at offering single residential dwelling lots in the rural residential designation that are considered to be infill as lot frontages largely align with those in the neighbourhood and on the same side of the road as the proposal. It is important to note that appropriate growth is being proposed through the proposal that respects the site’s environmental features while allowing for necessary additional housing supply.

**Policy 4.5.4.2:** *“Where a larger vacant area has been included in the RURAL RESIDENTIAL designation, development by plan of subdivision may be considered in accordance with the policies of Section 6.”*

The proposal will proceed by Plan of Subdivision, aligning with Policy 4.5.4.2, which permits such development in larger vacant areas within the Rural Residential designation. It adheres to the policy’s provisions for subdivision development, ensuring that the design meets the necessary criteria outlined in Section 6 which addresses the conservation of hazard and natural heritage. Furthermore, the development is designed for single residential dwelling lots, contributing to the orderly growth of the rural residential area while maintaining consistency with the surrounding neighbourhood.

**Policy 4.5.4.3:** *“Development that will extend the municipal road system will be discouraged. However, subdivision development with an internal road may be considered where the topography, vegetation, soil type, drainage characteristics and property shape are such that a subdivision would be more in keeping with the rural development principles of this Plan than would linear development along the existing road network. In such cases, lot sizes would be determined in accordance with Section 6.”*

The proposed development is located on the southern portion of the property, fronting onto Cindy Lane, a municipal road. As Policy 4.5.4.3 discourages development that extends the municipal road system, the proposal is successful at respecting this direction; no additional roads are required to facilitate the proposal. There is an existing local road that services the subject site that aligns with the rural development principles outlined in the Plan. This approach ensures that the development respects the area's topography, vegetation, and drainage characteristics, as supported by the completed Natural Hazard Assessment on the subject lands.

**Policy 4.5.4.4:** *“Agreements contemplated by Section 51(26) of the Planning Act. RSO 1990, may be used in the case of either subdivision or severance applications to ensure compliance with conditions of approval.”*

It is anticipated that a Plan of Subdivision Agreement or Development Agreement will apply to the subject lands to ensure that the development of the lands is orderly, efficient and sympathetic to the surrounding land uses.

**Policy 4.5.5.1:** *“This plan permits a residential/golf course development on the described lands, provided that the design of the development is consistent with the objectives of Council with respect to the approval of the residential component of the development being contingent on the approval of the golf course and that the design of the development integrate the lotting within the fabric of the golf course fairways, giving the development a unique character consistent with the cluster/recreational developments. The total number of residential lots permitted on the lands described herein is not to exceed 46.”*

The Official Plan Amendment application seeks to permit the creation of eight new residential lots on the subject lands, where the current policy permits a total of 46 residential lots. The proposed development is designed to integrate seamlessly with the surrounding environment, which encourages a unique character through the clustering of residential lots within the golf course community layout. The proposal ensures that the lotting is thoughtfully positioned appropriately, adhering to Council's objectives of combining recreational and residential uses to create a cohesive and distinctive development. The addition of eight residential lots is a seamless way to integrate desired housing without changing the character of the area, better fulfilling the province's objective of providing more housing, under the current housing crisis.

**Policy 6.2.1:** *“Development and site alteration should be directed away from hazardous lands and sites and significant natural heritage features. Such lands, due to their environmental constraints to development and significance to the ecosystem, should be conserved...”*

The proposed development carefully directs construction and site alteration away from hazardous lands and significant natural heritage features. The environmental constraints of the subject lands, including any areas with sensitive ecosystems and potential hazards, have been thoroughly assessed by the Natural Hazard Assessment and will be conserved to ensure that development does not negatively impact the subject lands. The proposal prioritizes the preservation of the natural environment while allowing for responsible development that respects the ecological significance of the area as demonstrated through the accompanying Natural Hazard Assessment and Natural Heritage Evaluation/Environmental Impact Study.

In my professional planning opinion, the applications submitted for the subject lands conforms to the Township of Adjala-Tosorontio's Official Plan and represent good planning.

## **5.5 TOWNSHIP OF ADJALA-TOSORONTIO ZONING BY-LAW 03-57 (2003)**

The subject lands are zoned 'Open Space Recreation Exception 2 (OSR-2)' with 'NVCA Fill Area' on Schedule A-6 in the Township Zoning By-law No. 03-57 (2003). **See Figure**



**6: Township of Adjala-Tosorontio Zoning Map.** The application for a site-specific Zoning By-law Amendment proposes to rezone a portion of the subject lands from ‘Open Space Recreation Exception 2 (OSR-2)’ to ‘Estate Residential Exception XX (ER-XX)’ with a site specific exception to the minimum lot size requirements for the eight proposed lots. The following table identifies the zone standards that are pertinent to the proposal. All other zone provisions will be met, except for the lot area, due to the presence of the natural features.

<b>By-law 03-57 Section 17.1</b>			
<b>ER Zone Provisions for Estate Residential</b>			
<b>Standards</b>	<b>Required</b>	<b>17.4.1</b>	<b>Proposed (Lot 1 – Lot 8)</b>
<b>Minimum Frontage (metres)</b>	30.0 m	45.7 m	32.5 m
<b>Minimum Lot Area (hectares)</b>	0.8 ha	0.43 ha	0.36 ha

The reduction in the minimum lot size requirement from 0.8 hectares to 0.36 hectares for the proposed lots is contextually appropriate and minor in nature, as it aligns with the character of the surrounding area and most importantly allows for residential lot creation that avoids the natural features, functions and hazards adjacent to the surrounding lands. Adjacent residential lots have a minimum lot area of 0.43 hectares, consistent with policy 17.4.1, ensuring that the proposed lot sizes integrate harmoniously with the existing development pattern. This required reduction maintains compatibility with neighboring properties and upholds the overall intent of the zoning provisions, respects the natural features and functions of the land while allowing for efficient land use and orderly development within the community.

A draft zoning by-law amendment has been prepared to rezone the lands to ‘Estate Residential Exception XX (ER-XX)’ and reduce the minimum lot size for the proposed lots as attached in Appendix B. Based on the dimensions of the proposed lots and the required lot setbacks illustrated in the Concept Plan, future dwellings on the proposed lots have a generous building envelope to meet all other provisions in the Estate

Residential zone according to the Township's Zoning By-law. The proposal not hinder the subject land use or those surrounding it, offers compatible uses, respects all other zoning standards, and does not require any other additional relief to facilitate the subject development. In my professional planning opinion, the proposal complies with the Zoning By-law and represents good planning.

## **6. TECHNICAL REPORTS**

### **6.1 Hydrogeological Assessment**

Tatham Engineering was retained to complete a Hydrogeological Assessment for the subject lands located at 45 Cindy Lane. The assessment includes a nitrate impact evaluation, which confirms that the development of eight residential lots is feasible on the subject lands. It also outlines necessary next steps for the proposed development, stating that individual septic systems must be installed above the annual high groundwater table, which is expected to be as shallow as 0.2 meters below ground surface (bgs) or 229.4 meters above sea level (asl). If the required minimum separation distance of 0.9 meters (as per the Ontario Building Code, 1997) between the annual high groundwater table and the bottom of the septic system cannot be maintained, the septic systems will need to be elevated.

Additionally, the septic systems must be designed by a licensed engineer or septic system designer. Furthermore, to minimize phosphorus loadings, the report recommends incorporating a conventional clean sand filter bed into the proposed septic systems to achieve a 15-35% reduction in phosphorus. Therefore, the Hydrogeological Assessment supports the proposed development and provides clear guidelines for the effective management of groundwater and septic system design.

### **6.2 Natural Hazard Assessment**

Tatham Engineering was retained to complete a Natural Hazard Assessment (NHA) for the subject lands located at 45 Cindy Lane. The assessment outlines that a tributary of the Pine River is located within the subject lands to the north, the entrance to Silver Brooke Golf Club to the east, Cindy Lane to the south, and residential lands to the west.

The findings in the NHA conclude that the flood hazard limit has been established for the Regulatory storm through the development of a HEC-RAS model using the detailed topographic data available. It was also determined there is no evidence of active erosion or meandering on the subject lands. As a result, the NHA establishes the flood and erosion hazard limits associated with the tributary in support of the proposed development on the subject lands. This is also a significant contributor to the irregular lot fabric being proposed to facilitate the subject development.

### **6.3 Preliminary Stormwater Management Report**

Tatham Engineering was retained to complete a Preliminary Stormwater Management Report for the subject lands located at 45 Cindy Lane. The report outlines how the proposed development achieves the relevant Stormwater Management (SWM) design Criteria, as well as ensure the property is developed to avoid adversely impacting surface water, groundwater, and downstream drainage systems, and where necessary, provide solutions to mitigate any adverse impacts. The preliminary SWM plan provides a best effort approach to mitigate negative impacts with respect to SWM objectives and guidelines for the approving agencies. The report outlines that Low Impact Development (LID) practices, such as enhanced swales and rain gardens will be used, as it will control peak water flow and manage the water quality from the development. Therefore, the proposed development is supported by the Preliminary Stormwater Management Report.

### **6.4 Transportation Impact Brief**

Tatham Engineering was retained to complete a Transportation Impact Brief for the subject lands located at 45 Cindy Lane. The brief evaluated the current road conditions and analyzed the transportation impacts resulting from the proposed development. A study area traffic operations analysis was conducted for the intersection of Concession Road 3 and Cindy Lane, to analyze the existing (2024) and future (2029) horizon period. It was determined that the area road system can accommodate the proposed development without any improvements required. Sight lines along Cindy Lane were reviewed according to the Transportation Association of Canada (TAC) guidelines for minimum stopping sight distances. It was determined that sight lines to the east are

partially limited at Lots 7 and 8 due to the horizontal curvature on Cindy Lane. It is recommended that the driveway to Lot 7 be located at the west limit of the lot and the driveway to Lot 8 be located to the east limit of the lot, for the purpose of maximizing sight lines and adhered to the TAC guidelines for minimum stopping distance. Turn lane requirements were also assessed for the study area. Due to the low traffic volume on the road network, it was determined that exclusive turn lanes at the intersection of Concession Road 3 and Cindy Lane are neither required nor recommended based on the projected traffic levels. Therefore, the Transportation Impact Brief is in support of the proposed development, on 45 Cindy Lane as the potential volume of traffic generated by the proposed development will not be significant or negatively impact the road network.

## **6.5 Natural Heritage Evaluation**

Krystawyn Consulting was retained to conduct a Natural Heritage Evaluation (NHE) for the subject lands at 45 Cindy Lane. The report notes that the subject lands have undergone significant clearing in the past. The proposed development will be located outside the floodplain and riparian areas, with recommended buffers from the NHE ensuring adequate separation from the unevaluated wetland and significant wildlife habitat. Although no major tree removal is planned, any necessary removal shall be done carefully to avoid disturbing nesting birds. Mitigation measures, including the installation of silt fencing during construction and the development of a pedestrian trail within the recommended buffer, are designed to prevent negative impacts on the wetlands. The NHE supports the proposed development and confirms its alignment with the Provincial Policy Statement and the Official Plans of Simcoe County and the Township of Adjala-Tosorontio regarding natural heritage protection.

In conclusion, the Hydrogeological Assessment, Natural Hazard Assessment, Preliminary Stormwater Management Report, Transportation Impact Brief, and Natural Heritage Evaluation all support the proposed development of eight residential lots on the subject lands. Each assessment thoroughly addresses key factors, including groundwater management, flood and erosion risks, stormwater control, traffic impacts,

and natural features. Collectively, these technical assessments confirm the proposal's feasibility and ensure that no negative impacts are anticipated.

## 7. OPEN HOUSE

A privately initiated Open House was held in July 2024 to introduce the subject proposal to neighbouring residents in the Cindy Land neighbourhood. There were upwards of 25 neighbouring residents, the landowner and representatives from Powell Planning & Associates, Taham Engineering and Krystawyn Consulting in attendance. The session included an introduction of the neighbourhood's historical approvals, site-specific characteristics, required technical studies, process mapping for approval, with positive interaction of those in attendance and open question and answer dialogue between the residents, landowner and consulting team. Some questions that were discussed are presented below:

- How does the grading affect our existing water supply?
- Is there an intention to build basements?
- What is the depth of the new wells being built and what is the water draw capacity of new homes?
- Can we see the report from the Geotechnical Study?
- Are these going to be affordable homes for young people?
- What is the set back from road of new homes.
- What is the environmental impact with new homes/ loss of green space?
- Does this construction impact our home value?
- Would there be damage from heavy machinery?
- We request pre-inspection of homes as a condition to development.
- Is there one contractor for the entire project?
- What is the dept of new wells drilled?
- There should be a commitment of a maximum of the 8 proposed lots by Council.
- The land is used as a dog walking area so is there anyway it can accommodate dog walking on-going?
- We want a pathway towards the rear of the lots so we can still utilize the natural area.

Those in attendance were informed that the applications would be advancing to Council in the months to come upon the conclusion of the Technical Studies. All Technical Studies have been completed as of October 2024, therefore the applications are meant

to advance to the statutory Public Meeting before Council, Staff and the community at large, within the months to follow.

## 8. CONCLUSION

Applications for an Official Plan Amendment, a Zoning By-law Amendment, and a Plan of Subdivision are proposed on the subject site located at 45 Cindy Lane, to facilitate the development of eight new residential lots. The proposal is supported by a thorough analysis of planning legislation, provincial and municipal policies as well as the accompanying technical studies.

Therefore, it is my professional planning opinion that the proposed applications for an Official Plan Amendment, a Zoning By-law Amendment along with a Plan of Subdivision:

- i. have regard to matters of provincial interest as detailed in the *Planning Act*, R.S.O., 1990, as amended;
- ii. are consistent with the Provincial Policy Statement 2020 & 2024;
- iii. conform to the County of Simcoe Official Plan (2023, Office Consolidation);
- iv. conform to the Official Plan of the Township of Adjala-Tosorontio (2000);
- v. conform to the Township of Adjala-Tosorontio Zoning By-law 03-57 (2003); and
- vi. represent good planning in accordance with the best interest of the public.

Respectfully submitted,

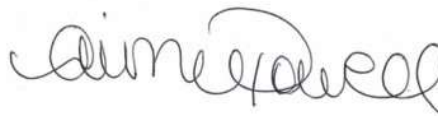
### Powell Planning & Associates

Prepared By:



**Bilan Mohamud, B.URPI**  
Planner

Reviewed By:



**Aimee Powell, B.URPI, MPA, MCIP, RPP**  
Chief Planning Officer




# FIGURES

FIGURE 1: CONTEXT PHOTO

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 Subject Lands

**FIGURE 2: AERIAL MAP**

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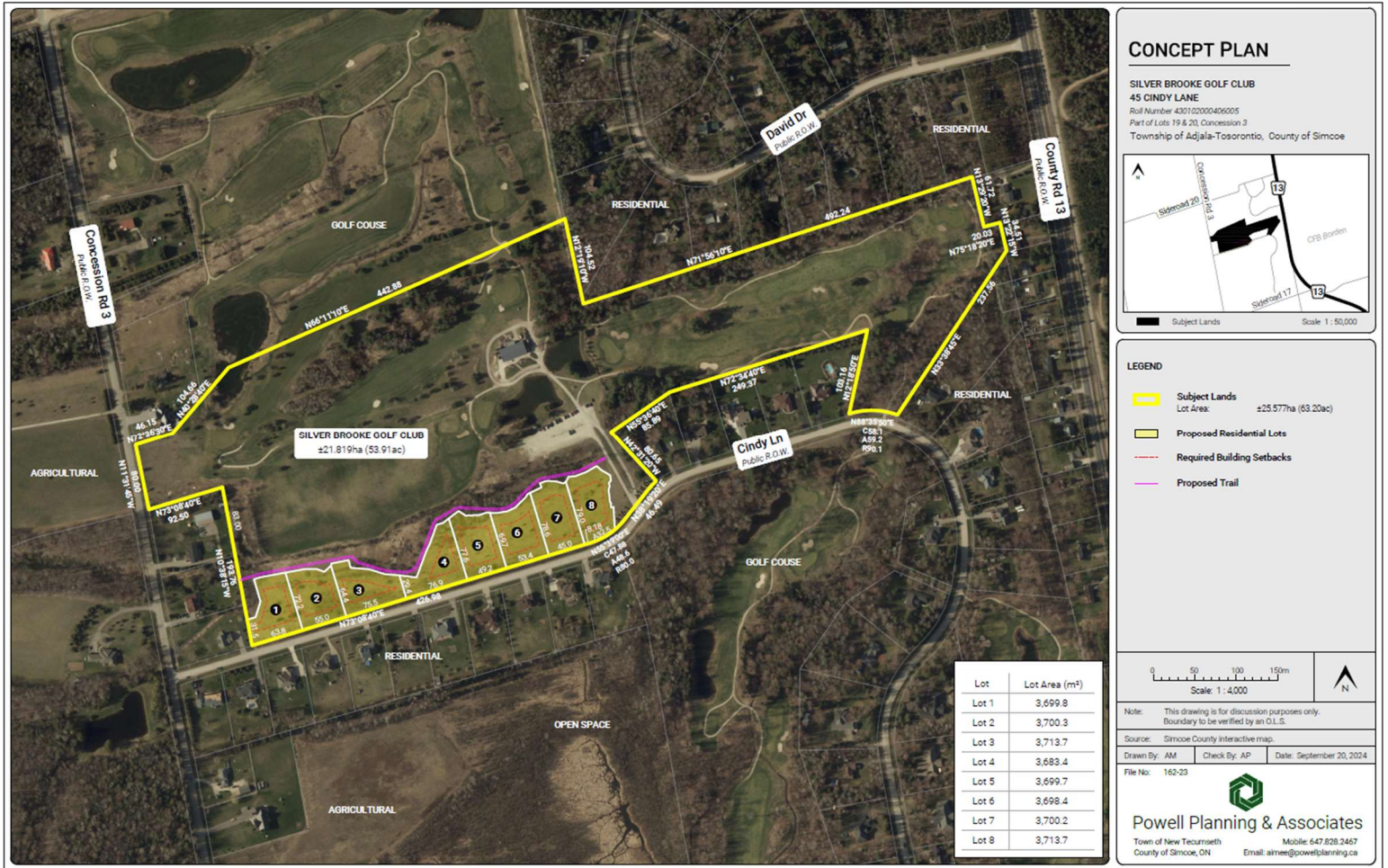
 Subject Lands



**FIGURE 3: PROPOSED DWELLING RENDERINGS**

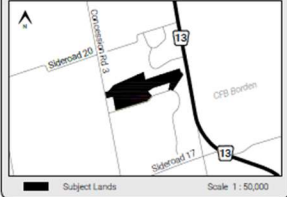


**FIGURE 4: CONCEPT PLAN**



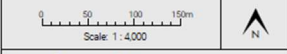
**CONCEPT PLAN**

**SILVER BROOKE GOLF CLUB**  
**45 CINDY LANE**  
 Roll Number 430102000406005  
 Part of Lots 19 & 20, Concession 3  
 Township of Adjala-Tosorontio, County of Simcoe



**LEGEND**

- Subject Lands  
Lot Area: ±25,577ha (63,20ac)
- ▭ Proposed Residential Lots
- - - Required Building Setbacks
- Proposed Trail

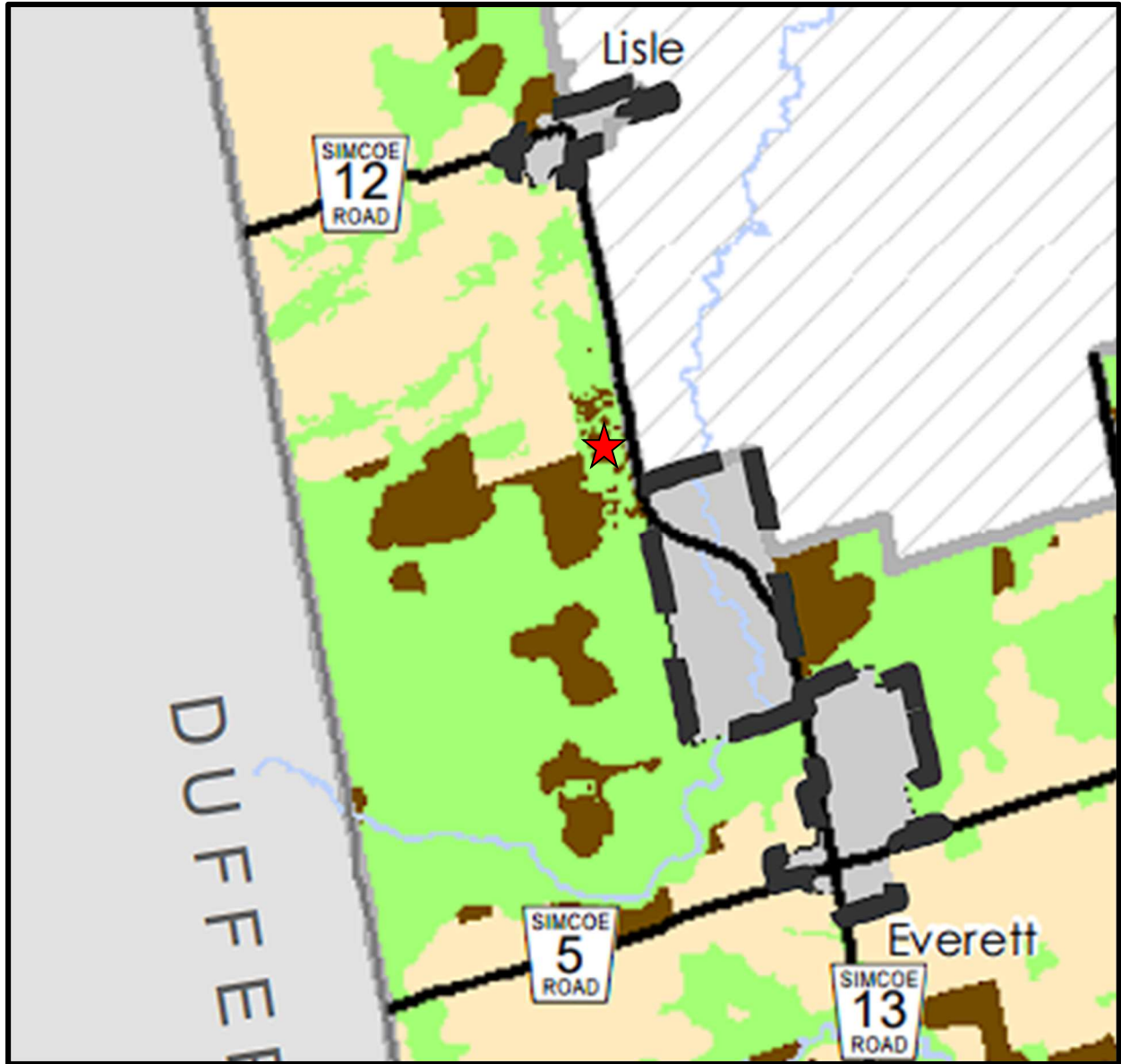


Note: This drawing is for discussion purposes only. Boundary to be verified by an O.L.S.

Source: Simcoe County interactive map.  
 Drawn By: AM Check By: AP Date: September 20, 2024

File No: 162-23  
  
**Powell Planning & Associates**  
 Town of New Tecumseth County of Simcoe, ON Mobile: 647.828.2467 Email: simcoe@powellplanning.ca

FIGURE 5: COUNTY OF SIMCOE OFFICIAL PLAN LAND USE DESIGNATION MAP



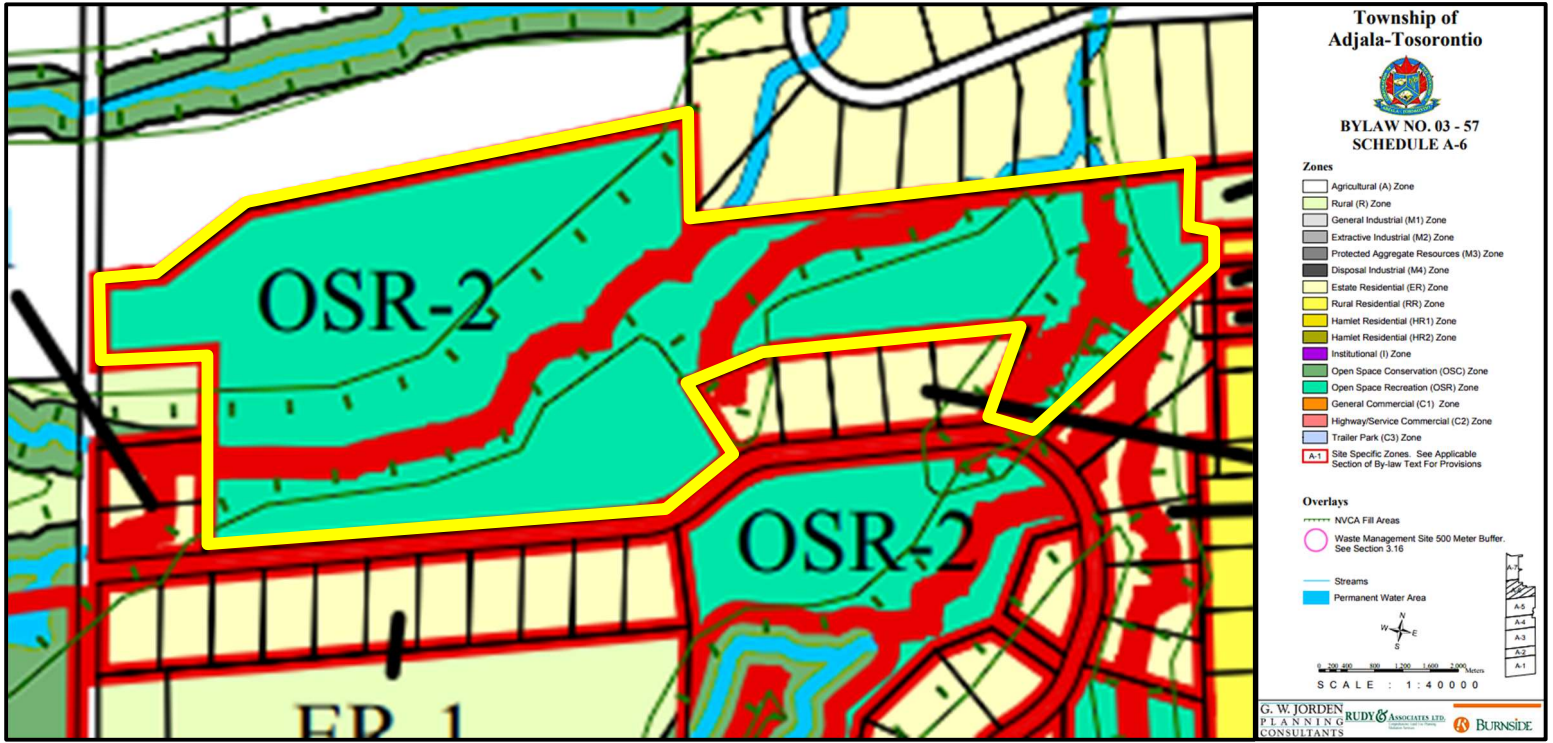
★ Subject Site


**FIGURE 6: TOWNSHIP OF ADJALA-TOSORONTIO OFFICIAL PLAN LAND USE DESIGNATION MAP**



★ Subject Lands

**FIGURE 7: TOWNSHIP OF ADJALA-TOSORONTIO ZONING MAP**



 Subject Lands

# APPENDIX A

## The Corporation of The Township of Adjala-Tosorontio

### By-law No. 25- XX

#### A By-law to adopt Amendment No. \_\_\_\_\_ to the Official Plan of the Township of Adjala-Tosorontio

---

Pursuant to Section 17 of the Planning Act, R.S.O. 1990, as amended, the Council of the Corporation of the Township of Adjala-Tosorontio enacts as follows:

**THAT** Amendment No. \_\_\_\_\_ to the Official Plan of the Township of Adjala-Tosorontio, consisting of the attached Schedules "A" and "B" is hereby adopted.

**THAT** the Planner is hereby authorized and directed to make application to the County of Simcoe for approval of Amendment No. \_\_\_\_\_ to the Official Plan of the Township of Adjala-Tosorontio.

**THAT** This By-law shall come into force and effect as of the date of the final passing thereof.

THAT Schedules "A" and "B" are hereby declared to form part of this By-law.

**THAT** this By-law shall come into force on the date of passage and take effect the day after the last date for filing a notice of appeal, where no notice of appeal is received, or, where a notice of appeal is received, upon the approval of the Ontario Land Tribunal, and in either case, in accordance with the provisions of the Planning Act, R.S.O. 1990, Ch. P. 13, as amended.

**THAT** notwithstanding anything contrary to the rules of procedure, this By-law having been introduced and read a first and second time and be considered read a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

---

Scott Anderson, Mayor

---

Robin Reid, Clerk

**Schedule "A"**

**To**

**By-law 24-XX**

**AMENDMENT No. \_\_\_\_\_**

**TO THE TOWNSHIP OF ADJALA-TOSORONTIO OFFICIAL PLAN**

**SCHEDULE 'A-6' - LAND USE**



LANDS TO BE REDESIGNATED FROM 'RURAL RESIDENTIAL (SPECIAL EXCEPTION 4.5.5.1)' TO 'RURAL RESIDENTIAL (SPECIAL EXCEPTION XX)'.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
MAYOR

## Schedule "B"

### OFFICIAL PLAN AMEDNMENT NO. \_\_\_\_\_

### To the Official Plan for the Township of Adjala-Tosorontio

#### **2834556 Ontario Inc**

The following Amendment to the Official Plan for the Township of Adjala-Tosorontio consists of the following:

- A. **Preamble:** consists of an introduction to the Amendment but does not constitute part of the actual Amendment
  
- B. **Amendment No. \_\_\_\_\_:** includes the text and Schedule 1 attached hereto, which are the operative part of Official Plan Amendment No. \_\_\_\_\_.



## **OFFICIAL PLAN AMENDMENT # XX**

### **2834556 Ontario Inc – CHANGE OF LAND USE DESIGNATION**

#### **A. Preamble**

##### **a. Purpose**

The purpose of this amendment is to

1. amend Schedule A-6 – Land Use of the Township of Adjala Official Plan by redesignating the subject lands from ‘Rural Residential (Special Exception 4.5.5.1)’ to ‘Rural Residential (Special Exception XX)’
2. amend the policy on the subject lands to permit the development of eight new residential lots by Plan of Subdivision pursuant to Section 51 of the *Planning Act*, R.S.O., 1990, as amended.

##### **b. Location**

This amendment affects the lands legally described as Part of Lots 19 & 20, Concession 3, Geographic Township of Adjala, Township of Adjala-Tosorontio, as identified on Schedule 1 to this amendment.

The subject lands are located at 45 Cindy Lane, east of Concession Road 3, north of Cindy Lane.

The subject lands measure approximately 21.82 ha (53.9 ac) and a frontage of approximately 80 meters along Concession Road 3 and 427 metres along Cindy Lane. The subject lands are currently vacant and form part of lands currently used as a golf course and features, an existing structure on the golf course lands.

##### **c. Basis**

Applications for an Official Plan Amendment, a Zoning By-law Amendment, and a Plan of Subdivision have been made to facilitate the creation of eight new estate residential lots to support the development of single detached dwellings. The proposed lots align with the surrounding land uses and are anticipated to be created by a Plan of Subdivision and to be serviced by private wells and septic systems.

The Amendment proposes to redesignate the lands from ‘Rural Residential (Special Exception 4.5.5.1)’ to ‘Rural Residential (Special Exception XX)’ to permit the creation of eight proposed lots by Plan of Subdivision pursuant to Section 51 of the *Planning Act*, R.S.O., 1990, as amended.

The applicant has provided a Planning Justification Report in support of the proposed amendments, which includes a discussion of the Provincial planning policies, the County of Simcoe and Township of Adjala-Tosorontio Official Plans. Other supporting materials include a Hydrogeological, a Natural Hazard Assessment, a Preliminary Stormwater Management Report, a Transportation Impact Brief and a Natural Heritage Evaluation.

The proposed Amendment and development will positively enhance the character of the area by providing a seamless transition in density to adjacent lots while retaining the existing land uses. The development will also strengthen the sense of place and support the creation of a safe and accessible pedestrian-friendly streetscape along Cindy Lane. In addition, it aligns with the Official Plan's intensification goals by offering a scale and density that is contextually appropriate, contributing to the development of a complete community with diverse housing options that meet the needs of current and future residents.

The proposed development is designed to be compatible with the neighboring single detached residential properties and will not negatively impact the area's ecological integrity. The site can also be appropriately serviced by private drilled wells and septic systems.

Residential lot creation by way of Subdivision, is appropriate for the proposed development to ensure the required infrastructure (sidewalks/trail) is incorporated.

The proposed residential lots demonstrate the efficient use and management of land and resources, has regard to matters of provincial interest as detailed in the Planning Act, R.S.O., 1990, as amended; is consistent with the Provincial Policy Statement, and conforms to the Official Plans of the County of Simcoe and the Township of Adjala-Tosorontio.

## **B. Amendment No.**

### **a. Introduction**

The purpose of this amendment is to redesignate the lands to 'Rural Residential (Special Exception XX)' to facilitate the creation of eight residential lots by Plan of Subdivision application pursuant to Section 51 of the Planning Act, R.S.O., 1990, as amended.

### **b. Details of the Amendment**

1. Schedule A-6 – Land Use of the Township of Adjala-Tosorontio Official Plan is amended by redesignating the subject lands from ‘Rural Residential (Special Exception 4.5.5.1)’ to ‘Rural Residential (Special Exception XX)’, as shown on Schedule 1, attached; and
2. Section 4.5.5.1 is amended by adding a site-specific policy to the Official Plan of the Township of Adjala-Tosorontio for the Subject Lands shown in Schedule 1, which states: “Notwithstanding Section 4.5.5.1, The total number of residential lots permitted on the lands described herein is not to exceed 54.”

DRAFT

# Schedule 1

To Official Plan Amendment # \_\_\_\_\_

## AMENDMENT No. \_\_\_\_\_

TO THE TOWNSHIP OF ADJALA-TOSORONTIO OFFICIAL PLAN

SCHEDULE 'A-6' - LAND USE



LANDS TO BE REDESIGNATED FROM 'RURAL RESIDENTIAL (SPECIAL EXCEPTION 4.5.5.1)' TO 'RURAL RESIDENTIAL (SPECIAL EXCEPTION XX)'.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
MAYOR

## APPENDIX B

### The Corporation of The Township of Adjala-Tosorontio

#### By-law No. 24- XX

A By-law to amend Zoning By-law 03-57 of the Township of Adjala-Tosorontio, as amended

---

Part of Lots 19 & 20, Concession 3, Geographic Township of Adjala, Township of Adjala-Tosorontio, 45 Cindy Lane (430102000406005).

**WHEREAS** Zoning By-law No. 03-57, as amended, constitutes the comprehensive Zoning By-law for the Township of Adjala-Tosorontio save and except those lands within the Oak Ridges Moraine Area;

**AND WHEREAS** it is deemed necessary and desirable to further amend By-law No. 03-57, as amended;

**AND WHEREAS** this amendment will conform to the Official Plan of the Township of Adjala-Tosorontio, as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO ENACTS AS FOLLOWS:**

1. **THAT** Schedule "A-6" of By-law No. 03-57, as amended, is hereby further amended by changing the zoning on Part of Lots 19 & 20, Concession 3, Geographic Township of Adjala, Township of Adjala-Tosorontio, from 'Open Space Recreation Exception 2 (OSR-2) Zone' to 'Estate Residential Exception XX (ER-XX) Zone', as shown on Schedule "A", attached hereto.
2. **THAT** Section 17.4 Zone Exceptions as amended, is hereby further amended by adding exception 17.4. \_\_\_ ER-XX Zone, as shown on Schedule "A", attached hereto.

Schedule A-6, Part of Lots 19 & 20, Concession 3, Geographic Township of Adjala, Township of Adjala-Tosorontio.

Notwithstanding the provisions of section 17 of this By-law, the following shall apply to the lands zoned ER-XX:

The minimum lot area shall be 0.36 hectares

All other provisions of the Estate Residential (ER) Zone shall apply.

2. **THAT** Schedule "A" is hereby declared to form part of the By-law;

3. **THAT** this By-law shall come into force on the date of passage and take effect the day after the last date for filing a notice of appeal, where no notice of appeal is received, or, where a notice of appeal is received, upon the approval of the Ontario Land Tribunal, and in either case, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, Ch. P. 13, as amended.
4. **THAT** notwithstanding anything contrary to the rules of procedure, this By-law having been introduced and read a first and second time and be considered read a third time and finally passed this \_\_\_\_ day \_\_\_\_\_ of 2025.

\_\_\_\_\_  
**Scott Anderson, Mayor**

\_\_\_\_\_  
**Robin Reid, Clerk**

**Schedule "A"**

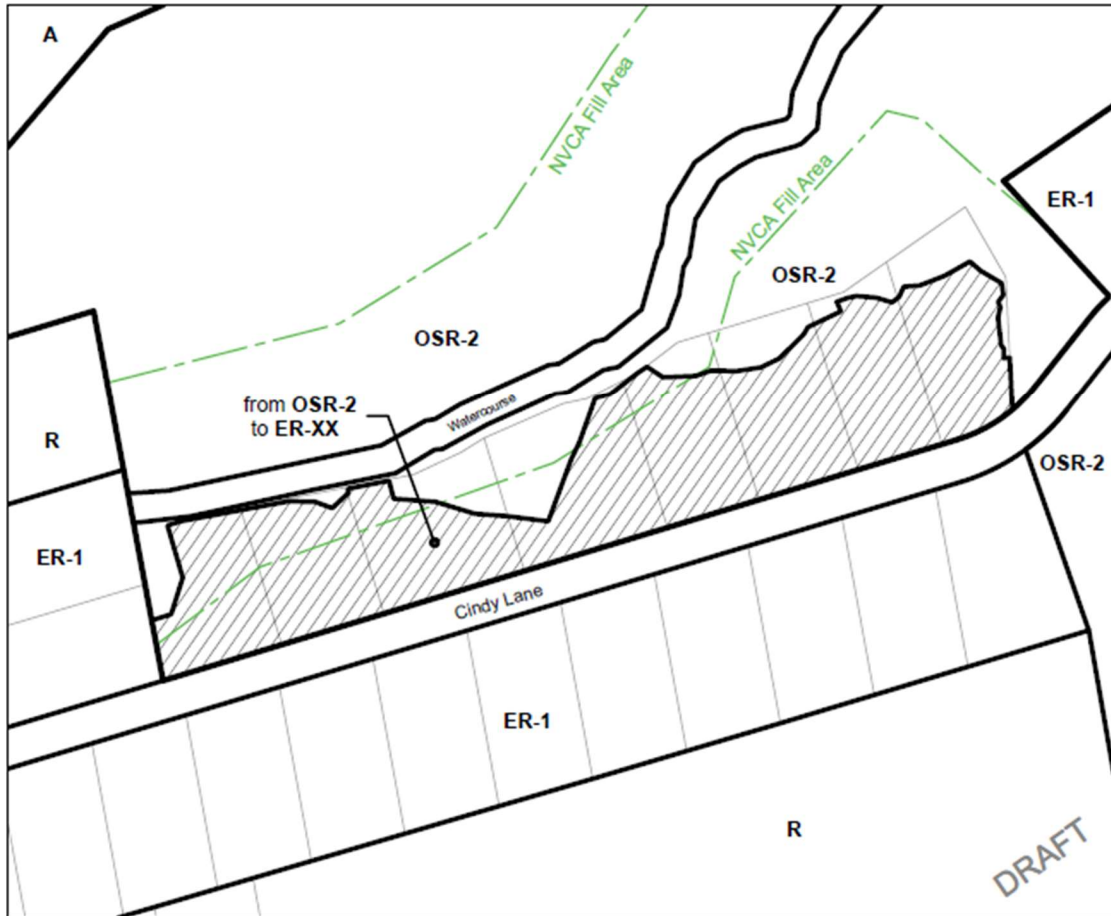
To

**By-law 24-XX**

**SCHEDULE 'A' TO Z.B.A. NO. \_\_\_\_\_**

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

BY-LAW NO. 03-57 - SCHEDULE A-6



LANDS TO BE REZONED FROM THE OPEN SPACE RECREATION EXCEPTION 2 (OSR-2) ZONE TO AN ESTATE RESIDENTIAL EXCEPTION XX (ER-XX) ZONE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
MAYOR







# **Powell Planning & Associates**

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