



# Committee Report

To: Councillor Steve Hammell, Chair and  
Members of the Planning and Development Committee

From: Mark Paoli  
Director of Planning and Development

Date: February 17, 2022

Re: Plan of Subdivision S-2021-010 (Lindston Group Inc.)

---

## Staff Recommendation:

That Draft Plan of Subdivision S-2021-010 - Lindston Group Inc. be approved; and

That the Secretary-Treasurer of the Land Division Committee be authorized to sign the Decision Sheet.

## Summary:

The Lindston Group Inc. (c/o Keith Battler) is proposing to develop a 33-lot residential Plan of Subdivision on a 2.14-hectare parcel of land in Kincardine. A Public Meeting was held on August 9, 2021. On December 13, 2021, Kincardine Council requested that the County of Bruce Approval Authority approve the proposed Draft Plan of Subdivision in accordance with the Draft Conditions contained in the Appendix.

## Alignment with Guiding Principles:



**GOOD GROWTH**  
To put growth in the right locations with the right services



**AGRICULTURE**  
To support our key economies, including supporting a thriving agriculture community



**CONNECTING**  
To improve our ability to move people, goods, and information between communities



**HOMES**  
To increase the supply and mix of homes



**BUSINESS**  
To create opportunities for a diversity of businesses, jobs, and employers



**COMMUNITIES**  
To create wellbeing through access to healthy complete communities



**HERITAGE**  
To identify and manage our cultural heritage resources



**NATURAL LEGACY**  
To manage natural resources wisely for future generations

● Not applicable  
● Not aligned  
● Aligned  
● Strongly aligned

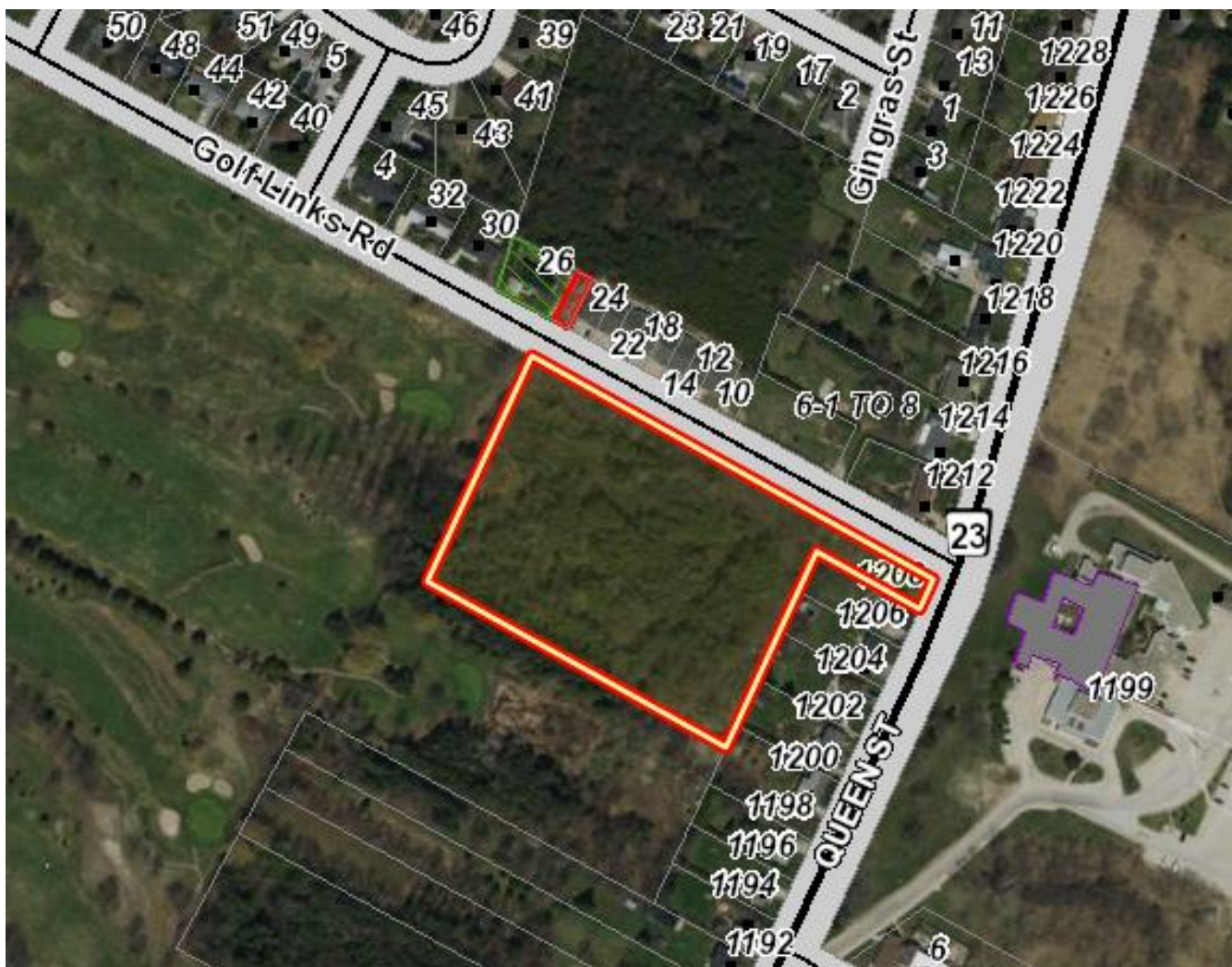
The proposed subdivision is strongly aligned with both the Good Growth and Homes Guiding Principles. The proposed subdivision is to be fully serviced by both municipal water and sewer, within Kincardine. If approved, the proposal will result in a mix of housing types, including 10 single detached dwelling, 19 townhomes and 4 semi-detached dwellings.

The proposal is aligned with the County’s Community Guiding Principles by creating a range of housing options in close proximity to community amenities, such as parks, Kincardine’s Hospital, and Downtown.

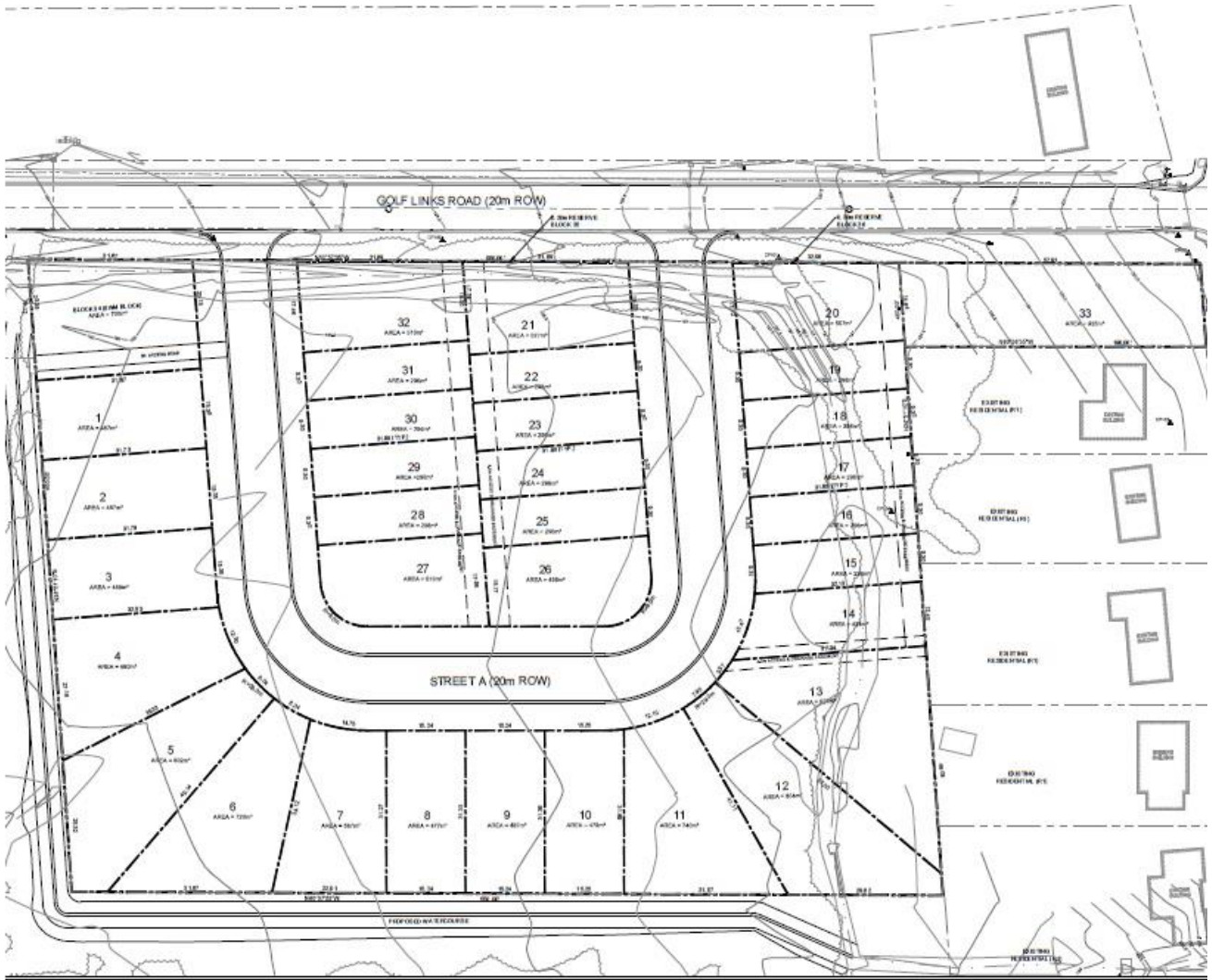
With respect to the Natural Legacy principle, noting that mitigation and remediation measures are required as conditions of draft approval to address natural heritage impacts, the proposal is aligned with the Natural Legacy Guiding Principle.

On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

### Airphoto



**DRAFT PLAN (FOR REPRESENTATION ONLY - SEE APPENDIX FOR FULL DRAFT PLAN)**



## Planning Analysis

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached) and planning policy sections.

### Application Context

The lands were part of a comprehensive planning process in 2014 which saw the residential principle of use established through an Official Plan Amendment. The lands were also rezoned to Residential Three Special Holding (R3-u-H). The special provision and holding provision relate to requirements for an Environmental Impact Study, Stormwater Management Plan and confirmation of municipal servicing to the lands. Both the Municipality and Saugeen Valley Conservation Authority (SVCA) have a role confirming these requirements have been satisfied before the holding provision can be removed.

### Efficient Use of Land and Infrastructure

The lands are designated as a Primary Urban Community in the Bruce County Official Plan and Residential in Kincardine's Official Plan. Both plans direct a majority of the Municipality's growth to be on serviced lands within Kincardine's urban boundaries. A primary objective of the Municipality's Official Plan is to ensure the wise use of land, promote efficient development patterns and minimize impacts to natural resources, including agricultural and ecologically sensitive lands. Likewise, it is important to consider the sustainability of infrastructure to minimize impacts to future generations who will have to maintain and replace what is built today.

The County Official Plan establishes a minimum density target to help facilitate the efficient use of land and infrastructure. The County Official Plan directs that subdivisions generally be developed at 15 units per gross developable hectare.

The subdivision is proposed to utilize Golf Links Road to gain access to the lands. The proposed residential units with the subdivision will be accessed by a looped road to be built to municipal standards.

Similarly, the lands will be connected to existing municipal water and sewer services through an extension of these services to the site.

### Stormwater Management and Drainage

Both the County and Kincardine Official Plans require that stormwater management strategies be provided for new subdivision developments to control flooding, ponding, erosion and sedimentation, and to provide protection of water resources and natural habitat dependent upon watercourses. The lands are currently cleared of vegetation and drainage flows from east to west towards Lake Huron.



There is an intermittent watercourse that currently traverses the property along the east property boundary then flows west along Golf Links Road to Lake Huron. Portions of the property also experience a high groundwater table, which experiences seepage and becomes the headwaters to a tributary that flows south to a second watercourse on the adjacent golf course. This watercourse is proposed to be realigned to outlet into a proposed stormwater management pond along Golf Links Road where water quality and quantity can be controlled.

The SVCA has indicated that they have no objections to the preliminary design and have requested a condition that detailed engineering drawings must be completed and approved as a condition of draft approval.



## Natural Heritage

The lands are affected by the following natural heritage features: fish habitat, and habitat of threatened and endangered species. Provincial, County and Kincardine planning policies generally do not permit development within or adjacent to these features unless it has been demonstrated that the proposed development will not result in negative impacts to the feature or its ecological function.

Public comments received for this proposal have raised concerns regarding impacts to natural heritage features, particularly the clearing of the trees that occurred on the lands earlier in 2021.

An Environmental Impact Study (EIS) was undertaken in 2018 when the lands were forested. The EIS concluded that the woodland feature met the criteria to be considered significant. The EIS also recommended measures to mitigate negative impacts to the natural heritage features affecting the lands. The SVCA reviewed the EIS in 2018 as part of a previous consent application on the lands. At the time, the SVCA concluded the study to be acceptable provided certain mitigation measures related to fish habitat, species at risk and hydraulic functions of the watercourse were implemented. However, through the SVCA's review of the current Plan of Subdivision application, it was noted that the proposed mitigated plan was predicated on a different draft plan for the lands. Moreover, the SVCA suggested that tree/vegetation retention and erosion and sediment control (ESC) measures recommended in the EIS were not implemented when the trees were removed. As such, the SVCA requested an addendum to the 2018 EIS to clarify the matters raised through their review.

An Addendum to the EIS was submitted by Natural Resource Solutions Inc. on September 28, 2021 to reflect existing conditions and to address SVCA concerns. The SVCA has reviewed the EIS Addendum and is generally satisfied with the conclusion subject to a number of conditions being imposed. The conditions require that prior to final approval, the SVCA review and approve the following plans and reports:

- A Final Servicing and Stormwater Management Report
- Lot Grading Plan
- Erosion and Sedimentation Control Plan
- Tree Protection Plan
- Landscape / Restoration Planting Plan
- A letter from a qualified ecologist indicating that Lot 33 (at the location of the bypass channel and SWM) pond has been inspected for the presence of any federally, provincially, or regionally significant vegetation species and that it is confirmed none of these species are present; or that, the impacts to these species can be mitigated. Should endangered or threatened species be identified, the applicant will need clearance from the Ministry of Environment, Conservation, and Parks (MECP) directly. The SVCA has indicated that, provided the recommendations and conditions are met, the proposal is consistent with the natural heritage and natural hazard policies of the Provincial Policy Statement, conforms to both the County Official Plan and Kincardine Official Plan.

It is our understanding that the applicant has agreed with the imposition of these conditions of approval.

## Land Use Compatibility

The Kincardine Official Plan encourages a range of housing forms and densities. The subdivision is to be developed with both low density and medium density residential uses. The surrounding neighbourhood also contains a mix of existing and proposed low and medium density residential uses. Public comments on this application raised concerns about the compatibility of the proposed townhomes with the subdivision with the abutting single detached lots.

The medium density component of the proposed subdivision consists of 19 townhome units within the centre and eastern side of the proposed subdivision. Six of the proposed townhome units will back onto three existing single detached lots that front Queen Street. The Kincardine Official Plan outlines considerations for medium density developments, including considerations for impacts to adjacent lands, buffering and landscaping. It is noted that there is a vegetative buffer between the existing dwellings on Queen Street and the proposed townhome units. The proposal meets the guidelines of the Kincardine Official Plan for medium density development adjacent to low-density development.

## Range and Mix of Housing Types

The proposed development provides a range and mix of housing types and lot sizes to meet the projected requirements of current and future residents. The proposal meets the County and Municipal targets, 30% and 25% respectively, of proposed dwelling units to be medium density or higher. In this case, the proposal would exceed the target as the 19 medium density units represent 57% of the 33 dwelling units proposed.

## Affordability

Kincardine is designated by the County Official Plan as a Primary Urban Community, where a majority of the Municipality's anticipated growth is expected to occur. As a growth centre within the County, Kincardine requires a range of housing types and tenures to provide housing for residents of all ages and socio-economic backgrounds.

The affordability policies of the County Official Plan are intended to provide overall direction for growth and development, and guidance to local Official Plans. These policies include that housing should be affordable to residents of the County, with 30% of new residential development and residential intensification affordable to family incomes up to the 60th percentile, and that local plans should require 30% of new development to be available as rental housing. This is a target for all of development in Bruce County and is not expected to be met in each site-specific development. Similarly, the Kincardine Official Plan also sets a target of 30% of new housing to be provided as affordable housing. As with the County Plan target, this is for all development and is not expected to be met through every site-specific development.

While the County and Local Official Plans do not provide specific direction regarding affordability for individual proposals, we note that by increasing the housing supply, and exceeding the medium density target noted above, the development is expected to contribute to the overall affordability of housing in the community.

## Sewer and Water Services

Full municipal water and sewage services are the preferred form of servicing for subdivision developments within the Municipality. The proposed subdivision is to be serviced by municipal water and sanitary sewer. It is anticipated that municipal water and sanitary sewer system will have capacity for the proposed development. The existing R3-u-h zoning contains a holding provision that requires service allocation to be confirmed by the Municipality.

### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to the Ontario Land Tribunal

#### **Report Author:**

Daniel Kingsbury,  
Senior Planner

#### **Departmental Approval:**

Mark Paoli,  
Director of Planning & Development

#### **Approved for Submission:**

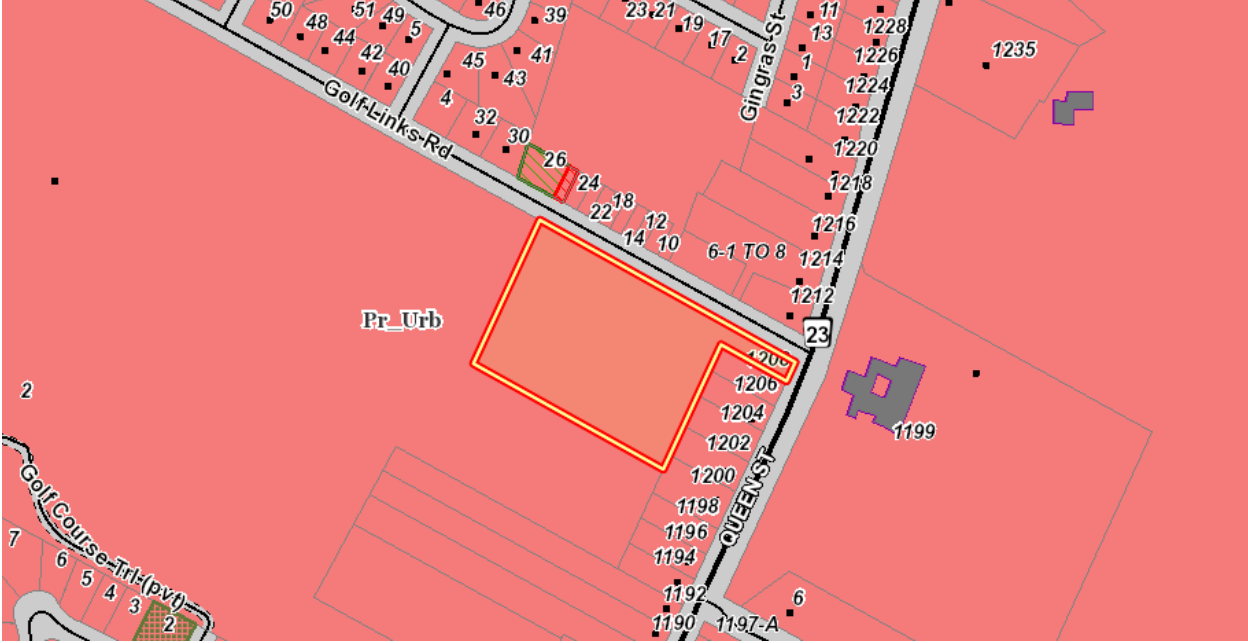
Christine MacDonald  
Interim Chief Administrative Officer

### **Appendices**

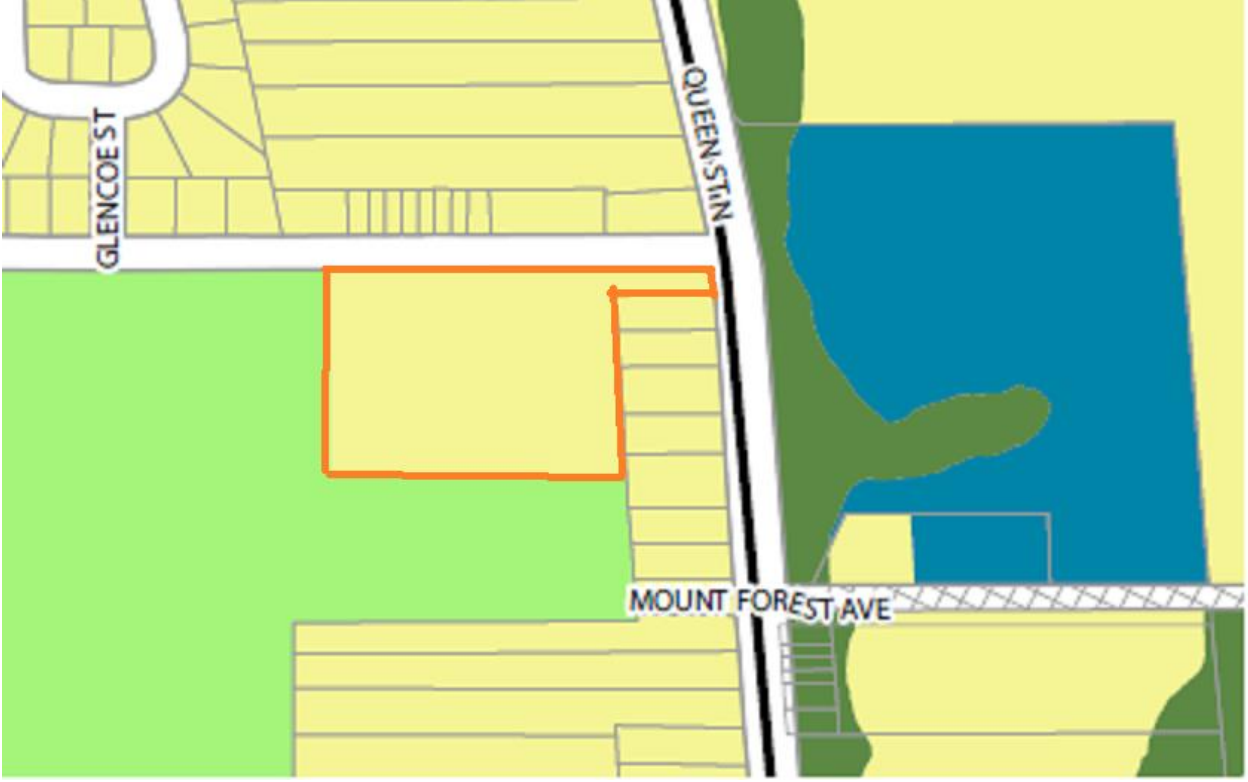
- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Proposed Draft Plan of Subdivision (attached)
- Agency Comments (attached)
- Public Comments (attached)



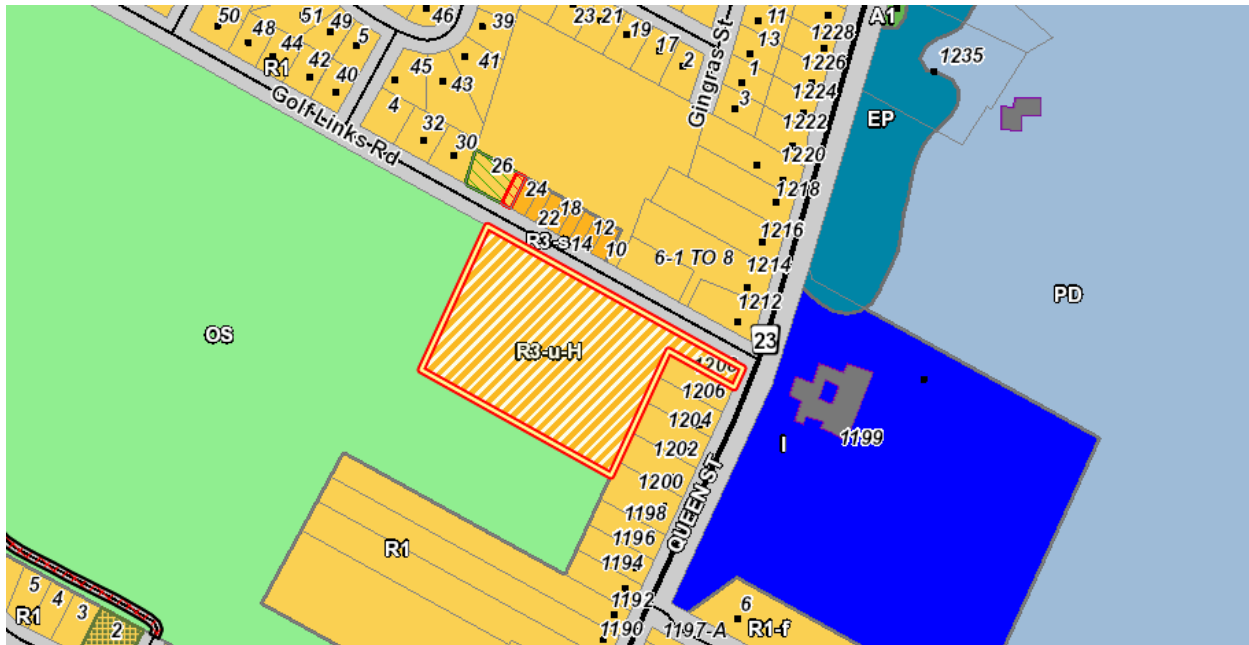
County Official Plan Map (Designated Primary Urban)



Local Official Plan Map (Designated Residential)



# Local Zoning Map (Zoned Residential Three Special Holding 'R3-u-h)



## List of Supporting Documents and Studies

- Draft Plan of Subdivision
- Archaeological Assessment (Stage 1 & 2) - Timmins Martelle, 2019
- Environmental Impact Study - NRSI, May 2018
- Environmental Impact Study Addendum -NRSI, September 2021
- Functional Servicing and Stormwater Management Report - Burnside, 2021
- Planning Justification Report - Ron Davidson Land Use Planning Consultant Inc., 2021