

April 7, 2021

Mr. Jeff Markowiak, MCIP, RPP
Director of Development Review
Planning, Development & Sustainability Department
Town of Halton Hills
1 Halton Hills Drive
Halton Hills, ON
L7G 5G2

Dear Mr. Markowiak:

**Re: Land Use Compatibility Study
1404649 Ontario Limited (Charleston Developments)
Part of Lot 23, Concession 10
Town of Halton Hills (Glen Williams)
File Nos.: D12/Charleston Developments & 24T-83008/H
Our File No.: 2005/09**

Introduction

We are Planning Consultants for 1404649 Ontario Limited (“Charleston”) with respect to the above-noted matter.

As a follow-up to our recent discussion, the purpose of this letter is to address Land Use Policy H4.6.3 b) ii) of the Glen Williams Secondary Plan (“GWSP”) which requires:

- “ii) A study that examines land use compatibility with the sand and gravel resources on the adjacent property, and provides recommendations regarding subdivision design to address issues of public health, public safety and environmental impact;”

Background

The Charleston applications for rezoning and draft plan of subdivision have a long history. The rezoning and plan of subdivision applications were submitted and circulated back in 1983. The original file numbers which remain in effect today are Rezoning File No.: E-83-011 and Subdivision File No. 24T-83008/H. The Charleston lands are situated within the Hamlet of Glen Williams and were a former sand and gravel pit. The first phase of the Charleston subdivision (i.e. Bishop Court) was developed several years ago with large estate homes. The second phase of development consisting of the extension of Bishop Court has been delayed over the years for various reasons. The reasons for delay are primarily the result of the review under the GWSP which is now

complete, and the ongoing environmental and engineering review. The GWSP (OPA No. 113) was adopted by Town Council on July 7, 2003 and approved by the Region on July 29, 2005. The GWSP was subsequently appealed and ultimately approved by the then Ontario Municipal Board (“OMB”). The GWSP included the Phase 2 lands within the Hamlet boundary and designated these lands “Hamlet Estate Residential Area” and “Greenlands” (Supportive and Core Greenlands).

Charleston was an appellant in the OMB proceedings. Charleston appealed the GWSP on the basis of the policies respecting supportive greenlands; hamlet buffer; lot size; servicing; and technical study requirements. One of the key issues arising from the appeal was the allowance of development within the plantation lands and on partial services (i.e. municipal water and septic system).

The Charleston appeals were eventually settled based on specific policy modifications and expectations regarding future development. This included development on partial services within the supportive greenlands (i.e. plantation).

Following the adoption of the GWSP in 2003, the Greenbelt Plan (February 28, 2005) came into effect. The Greenbelt Plan was established under Section 3 of the Greenbelt Act, 2005, and took effect on December 16, 2004. The lands abutting the north boundary of the Glen Williams Hamlet were included within the Greenbelt Plan. The lands immediately north of the Charleston development were designated “Protected Countryside” and “Natural Heritage System” under the Greenbelt Plan.

Planning Comments

Given that the Charleston lands are presently situated within a defined settlement area and designated for residential development, the requirement for a land use compatibility study at this point is unusual. The policy requiring such a study was based on the submissions by the property owner immediately north (Mr. Alf Spence). Mr. Spence cited potential sand and gravel resources on his property. Since the initial submissions by Mr. Spence, his lands were included within the Greenbelt Plan. More specifically, the location of the potential sand and gravel resources adjacent to the northeast corner of the Charleston lands now form part of the Greenbelt Natural Heritage System. Almost two (2) decades following the original adoption of the GWSP, there has been no applications for aggregate extraction for the Spence lands.

While there are certain environmental and compatibility challenges in establishing a new aggregate operation within the Greenbelt Natural Heritage System with nearby existing and proposed residential, the purpose of this analysis is not to pass judgement on the planning merits and/or feasibility of a new extraction operation to the north. Instead, my analysis will focus on potential measures that could mitigate against the interface between residential and aggregate uses.

Hamlet Buffer

Given the minimum lot size of 0.4 hectares within the Hamlet Estate Residential Area designation of the GWSP, the proposed lots are of sufficient size and depth to accommodate a 20 metre hamlet buffer. This buffer will remain in private ownership and consist of up to 10 metres of planting. Such landscape treatment will establish a naturalized buffer between adjacent land uses. It would also be expected that any new aggregate operation would provide an enhanced buffer and put forth other mitigation measures to establish compatibility.

Restrictive Zoning

The aforementioned hamlet buffer will be subject to restrictive open space/conservation zoning to protect the integrity of the buffer and to ensure that buildings and/or structures are prohibited.

Warning Clause

If deemed necessary and appropriate, there is also the opportunity to include a warning clause advising purchasers of nearby aggregate resources and the potential for future extraction activities.

Fencing/Berm

To establish compatibility between an aggregate operation and residential, the aggregate operator would be required to establish appropriate setbacks and provide appropriate fencing and a berm. The fencing and berm would guard against trespass and address, to some degree, concerns with respect to public safety.

Public Health and Safety

With respect to matters of public health and safety, a proposal to establish a new aggregate use would need to be supported by a host of technical studies to ensure the protection of public health and safety. For example, the impacts of noise, odour, dust, traffic on the community and nearby residential would need to be studied and evaluated to ensure no adverse impact.

Conclusions

Based on the comments above, there are various mitigation measures that will be employed through subdivision design irrespective of the potential for a future aggregate operation to the north. There are also mitigation measures that are available and could be considered to address a future proposed aggregate operation. There is an obligation on any proponent applying for an aggregate operation to justify the proposal on land use planning and technical grounds. The development of the Charleston subdivision does not change that obligation.

If you have any questions or wish to discuss further, please advise.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.



Glenn J. Wellings, MCIP, RPP.



c. Charleston Developments