

Planning Justification Report

**149 Sideroad 18, Fergus
Township of Centre Wellington
County of Wellington**

Zoning By-law Amendment and Consent Application
RSR Inc.
March 2022

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1.0 Introduction

1.1 Background

GSP Group Inc. has been retained by RSR Inc. (the “Owner”) to coordinate the preparation and submission of a Planning Justification Report in support of a Zoning By-law Amendment and Consent Application for land legally referred to as Part of Lot 9 & 10, All of Lot 11, Registered Plan 87 in the former Geographic Township of Nichol, Township of Centre Wellington, County of Wellington or municipally known as 149 Sideroad 18, Fergus in the Township of Centre Wellington (the “Site”).

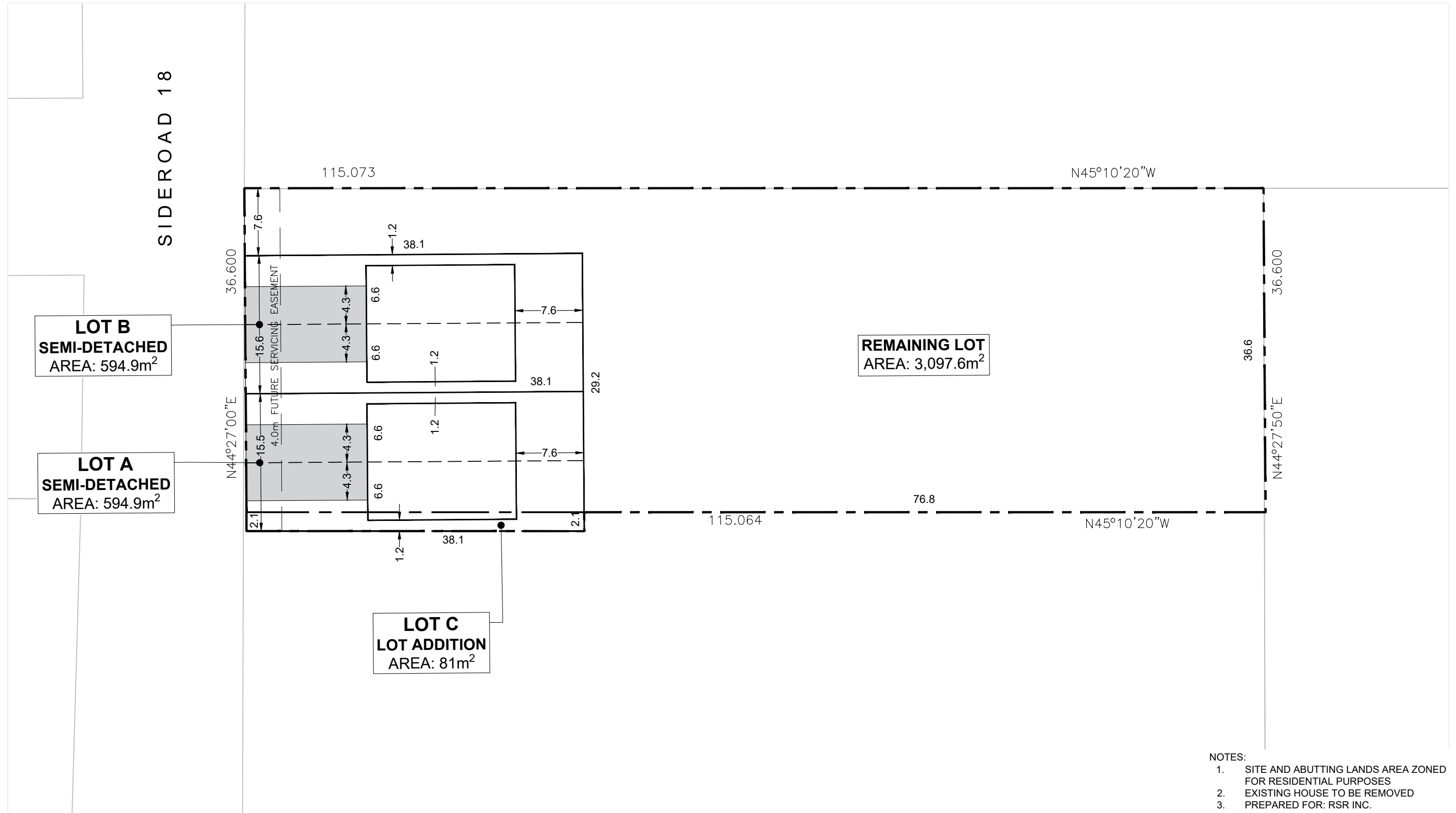
The Site is identified within the “Urban Centre” boundary of Fergus according to Schedule A-1 of the County of Wellington Official Plan. The Site is located within the built boundary and designated “Residential” according to Schedule A-1 in the Township of Centre Wellington’s Official Plan. The Site is currently zoned “Residential (R1A.70.1)” with an Environment Protection Overlay according to Schedule ‘A’ Map 66 in the Township of Centre Wellington Zoning By-law No. 2009-45.

The Site is approximately 0.42 hectares in size with an approximate frontage of 36.6 metres onto Sideroad 18. The Site was recently created through a severance application (B16-20) and contains a single detached dwelling that is setback approximately 20 metres from Sideroad 18. The Owner is proposing to create two new lots on the Site. A lot line adjustment is also being proposed with the adjacent property located at 157 Sideroad 18. The lot line adjustment and creation of two new lots (the “Consent Applications”) are illustrated in **Figure 1** and are summarized below:

- Parcel A – Approximate lands to be severed (594.9 m²)
- Parcel B – Approximate lands to be severed (594.9 m²)
- Parcel C – Approximate lands for lot line adjustment (81 m²) to be merged with Parcel A

The land to be retained (the “Retained Parcel”) comprises a land area of 3,097.6 m².

The Owner would like to construct a semi-detached dwelling on Parcels A & C, and Parcel B (the “Proposed Development”). The Retained Parcel will remain vacant. The current zoning on the Site will not facilitate the Proposed Development, therefore a Zoning By-law Amendment (the “Zoning Application”) is required to rezone the properties from the current ‘Residential’ R1A Zone to a ‘Residential’ R2 zone that will recognize a semi-detached dwelling as permitted use. Site specific provisions being requested will include a reduced lot frontage for the Retained Parcel. The rezoning is also requesting provisions for a reduced lot frontage and side yard setback for the semi-detached dwellings, as well as permissions for accessory apartments within the semi-detached dwellings along with tandem parking.



- NOTES:
1. SITE AND ABUTTING LANDS AREA ZONED FOR RESIDENTIAL PURPOSES
 2. EXISTING HOUSE TO BE REMOVED
 3. PREPARED FOR: RSR INC.



As required by the Township of Centre Wellington and County of Wellington, a Planning Justification Report has been prepared in support of the proposed Zoning By-law Amendment and Consent Applications. To this end, the Report has been structured to provide:

- A description of the Site, its existing physical conditions and its context within the surrounding community.
- An overview of the relevant planning policy and regulations that affect the proposed planning application, including Provincial, County and local policies, regulations and guidelines; and
- A planning opinion and justification for the proposed planning application.

1.2 Proposed Applications

A Zoning Application has been submitted to the Township of Centre Wellington to amend the existing “Residential (R1A.70.1)” zone with an Environmental Protection Overlay to a site-specific “Residential (R2-X) Zone” to facilitate the Proposed Development. The intent of the Zoning Application is to recognize smaller lots sizes than in the R1A zone, therefore creating more affordable housing options in the Township of Centre Wellington. The R2 zone also recognizes semi-detached dwellings as a permitted use. The site-specific rezoning is requesting a reduced side yard setback from the required 1.5 metres to 1.2 metres for a semi-detached dwelling, as well as a reduced minimum lot frontage from the required 9 metres to 7.6 metres. The rezoning will also include site specific provisions to permit an accessory apartment and the provision for tandem parking for the semi-detached dwellings. The Retained Lands will also require a reduced lot frontage from the required 9.0 metres to 7.6 metres. Further details on the Zoning By-law Application are contained in Section 2.6 of this Report.

A Consent Application will also be submitted to the County of Wellington to create two lots as illustrated on **Figure 1**. Parcel A and Parcel B represent the lands to be severed from the Site. Parcel C is the proposed lot line adjustment that will merge with Parcel A. The intent of the Consent Applications is to create smaller developable lots that will accommodate semi-detached dwellings on Parcels A and B. The Retained Parcel will remain vacant.

1.3 Site Description and Surrounding Land Uses

The Site is located east of the intersection of Beatty Line North and Sideroad 18 in the built boundary of Fergus in the Township of Centre Wellington. The Site (including the proposed lot line adjustment) has a total area of approximately 4,306 square metres (1 acre) with 39 metres (128 feet) of frontage onto Sideroad 18 as shown in **Figure 2**. The Site currently contains a single detached dwelling that is planned to be removed.



Site Location
Source: Google Earth (2021)

Figure
2

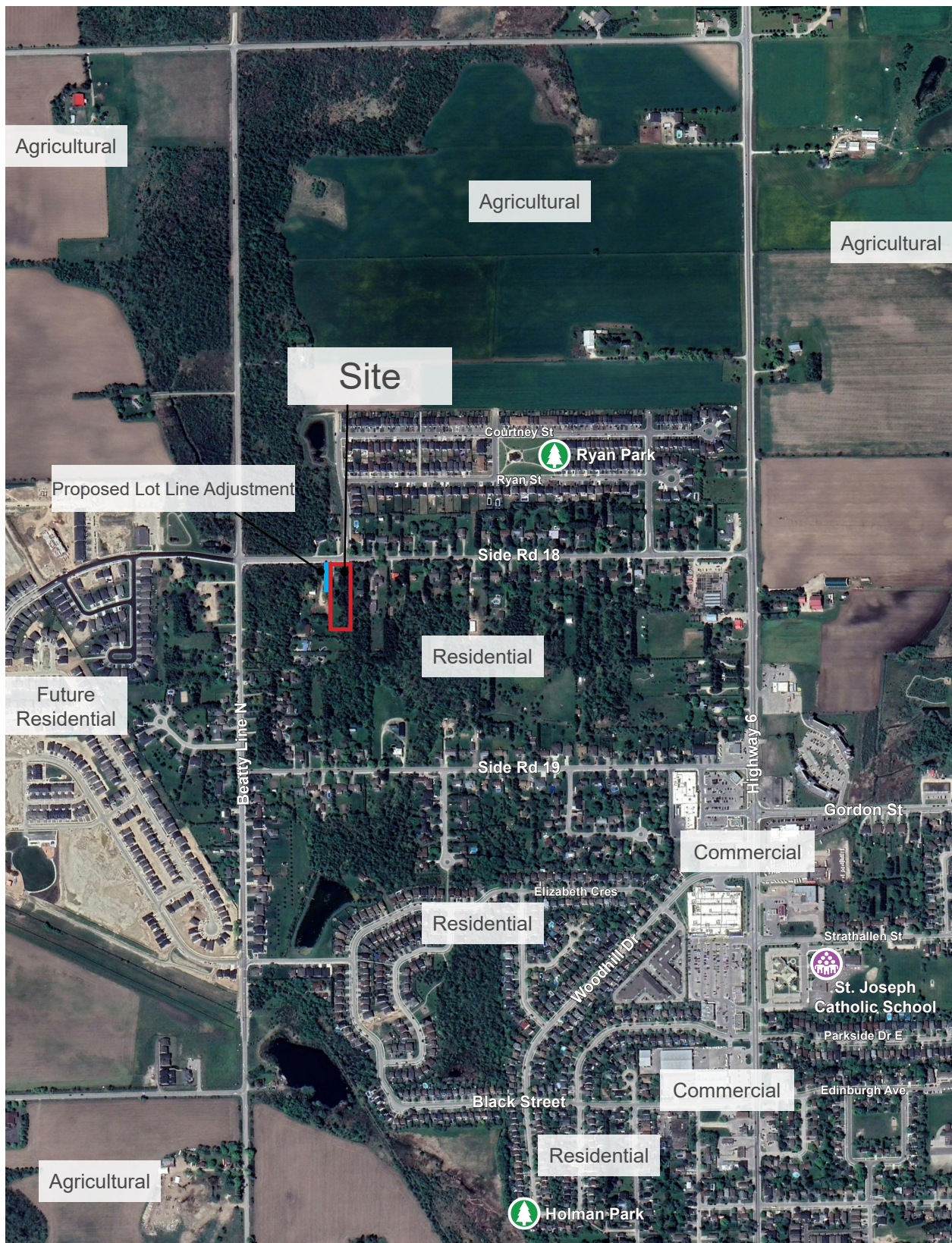
North: Recently constructed mixed use residential subdivision that includes single detached dwellings, semi-detached dwellings and row houses. Beyond the residential subdivision are agricultural fields.

East: Residential lots (un-serviced portion of Sideroad 18) consisting of single detached dwelling. A small forest extends to the southwest of the Site.

West: Existing residential (dwelling currently under construction at 157 Sideroad 18). Existing wetland designated as Core Greenlands (Provincially significant wetland). Further west is a residential infill/apartment project that was recently approved.

South: Residential. There is a proposed multi-residential condominium project located on the next municipal road south of the Site (Sideroad 19).

The location of the Site and surrounding land uses are illustrated in **Figure 3**.



2.0 Land Use Policy Review

The following section summarizes and analyzes the relevant Provincial, County and local policies applicable to the Zoning By-law Amendment and Consent Applications.

2.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (the “PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act and came into effect April 30, 2014. Section 2 requires that, *‘decisions affecting planning matters shall be consistent with policy statements issued under the Act’*.

2.1.1 Community Design

The PPS focuses on building strong, healthy, and liveable communities by encouraging efficient land use and development patterns that support sustainability, protecting the environment and public health and safety, and facilitating economic growth as outlined in Section 1.0.

Policy 1.1.1 of the PPS seeks the establishment of “healthy, livable, and safe communities” through:

- a) *Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial, institutional) including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *Avoiding development and land use patterns which may cause environmental or public health and safety concerns,*
- e) *promoting growth management, intensification to achieve cost-effective development patterns, and standards to minimize land consumption and servicing costs.*

Accordingly, Policy 1.1.2 states that “*within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*”

Policy 1.1.3.3 directs planning authorities to “*...identify locations and opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stocks areas...*”

Policy 1.1.3.6 of the PPS states “*new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact forms, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities*”.

Response: The Proposed Development will provide a mix of housing including the provision of accessory apartments that can be serviced with existing municipal infrastructure. The Site is strategically located within the built boundary of Fergus and is an ideal location for residential intensification. For these reasons, it is our opinion that the proposed Zoning and Consent Applications are consistent with Policy 1.1.1, 1.1.2, 1.1.3.3 and 1.1.3.6 of the PPS by contributing towards to an appropriate range and mix of residential housing to meet the long-term needs in the community.

2.1.2 Housing

According to Policy 1.4.3 of the PPS planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and needs arising from demographic changes and employment opportunities.*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

Response: The Proposed Development will create smaller lots that will facilitate the construction of semi-detached dwellings with secondary residential units on the Site. This type of housing will contribute towards a mix of housing types in an area. In our opinion, the Proposed Development is consistent with Policy 1.4.3 of the Provincial Policy Statement which encourages promoting densities for new housing that efficiently use land and infrastructure.

2.1.3 Infrastructure

Policy 1.6.6.2 of the PPS also states that municipal sewage and water are the preferred form of servicing for settlement areas. Intensification and redevelopment that are planned on existing municipal services should be promoted.

Response: Both the proposed easterly and westerly lots will require new connections for water, sewage, and hydro. Discussions with the Township have confirmed that the proposed lots can be serviced with existing available infrastructure along Sideroad 18. It is our opinion that the Proposed Development can be adequately serviced with municipal infrastructure and is consistent with Policy 1.6.6.2 of the PPS.

2.1.4 Natural Heritage

Policy 2.1.1 of the PPS states natural features and area shall be protected for the long-term.

Policy 2.1.8 of the PPS states “*development and site alteration shall not be permitted on adjacent lands to the natural heritage features and area identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*”

Response: The Proposed Development is located adjacent to a Provincially Significant Wetland. The scoped EIS prepared by Lincoln Environmental Consulting dated August 20, 2021, for the Site concluded that no significant natural heritage features were found on the Site. The area between the wetland and the subject land includes existing approved development. These areas provide an adequate buffer between the Proposed Development and the wetland. Based on the reasons above, it is our opinion that the Proposed Development is consistent with Policy 2.1.1 and 2.1.8 of the PPS.

2.1.5 Cultural Heritage and Archaeology

Policy 2.6.2 of the PPS states that “*Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant resources have been conserved.*”

Response: A copy of the Ministry Archaeological checklist has been attached in **Appendix A**, which indicates that an archaeological study is not required based on no known archaeological or aboriginal knowledge on or within 300 metres of the property. Furthermore, the Site is not designated for its cultural heritage value and is not located near present or past water sources. Based on these reasons, it is our opinion, the Proposed Development is consistent with Policy 2.6.2 of the PPS.

2.2 Growth Plan for the Greater Golden Horseshoe (August 2020)

The Growth Plan for the Greater Horseshoe (the “Growth Plan”) builds on the policy directions contained in the PPS and in this regard, is intended to function as a policy framework for achieving strong and prosperous communities by managing growth in the Greater Horseshoe (GGH) Region. The policies contained in the Growth Plan guide land uses, transportation and infrastructure with the goal of enhancing the quality of life of residents. All decisions made within the GGH that affects planning matters are to conform to the policies in the Growth Plan.

2.2.1 Growth Management

Section 2.2.1.2(a) of the Growth Plan states the majority of growth will be directed to settlement areas that:

- i. *that have a delineated built boundary;*
- ii. *have existing or planned municipal water and wastewater systems; and*
- iii. *can support the achievement of complete communities.*

Section 2.2.1.2(d) of the Growth Plan states development will be directed to settlement areas, except where the policies of this Plan permit otherwise.

Section 2.2.1.4 of the Growth Plan states that applying the policies of the Plan will support the achievement of complete communities that *“provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes”*.

Response: The Proposed Development is located within the built boundary and can be serviced with available municipal infrastructure. It will contribute towards a mix of housing within the neighbourhood and contribute towards the minimum intensification target for the built-up area. Therefore, it is our opinion the Proposed Development conforms to Section 2.1.1.2(a), 2.2.1.2(d) and 2.2.1.4 of the Growth Plan.

2.2.2 Natural Heritage System

The Growth Plan also requires that new development needs to determine that there are no negative impacts on key natural heritage features or hydrologic features or their functions (Policy 4.2.2.3(a)(i)).

Response: The Proposed Development is located adjacent to a Provincially Significant Wetland. The scoped EIS prepared by Lincoln Environmental Consulting dated August 20, 2021, for the Site concluded that no significant natural heritage features were found on the Site. The area between

the wetland and the subject land includes existing approved development. These areas provide an adequate buffer between the proposed development and the wetland. The GRCA has reviewed the development proposal and indicated no objection to the proposed consent applications. A separate permit will be required for future development on the Severed and Retained Parcels. Based on the reasons above, it is our opinion that the Proposed Development is consistent with Policy 4.2.2.3(a)(i) of the PPS.

2.2.3 Cultural Heritage

Policy 4.2.7 of the Growth Plan states that cultural heritage resources will be conserved.

Response: A copy of the Ministry Archaeological checklist has been attached in Appendix A, which indicates that an archaeological study is not required based on no known archaeological or aboriginal knowledge on or within 300 metres of the property. Furthermore, the Site is not designated for its cultural heritage value and is not located near present or past water sources. In our opinion, the Proposed Development conforms to Policy 4.2.7 of the Growth Plan.

2.3 County of Wellington Official Plan

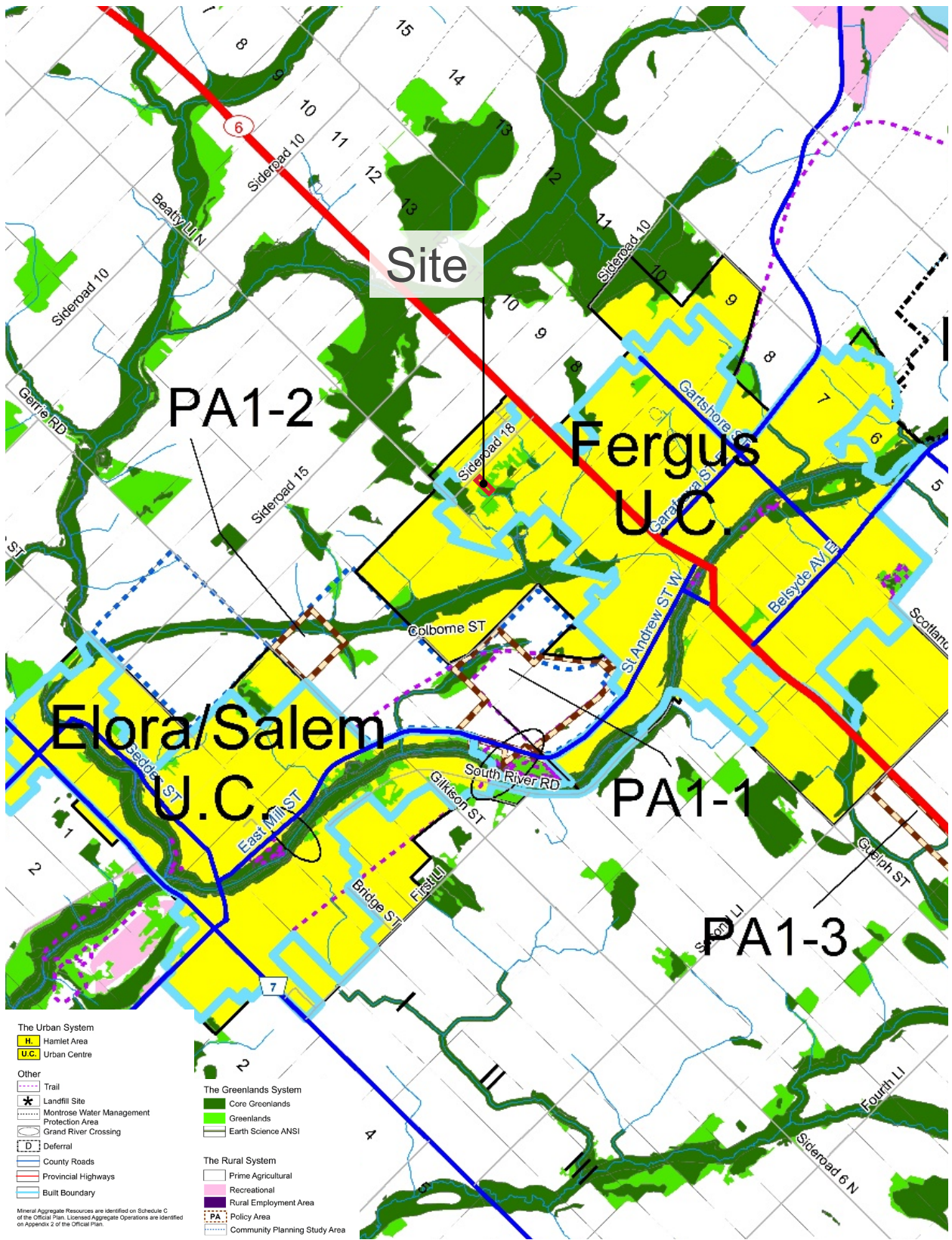
The County of Wellington Official Plan (“County OP”) was first adopted in 1998 with several changes being made since its inception and was recently updated June 1, 2018. The County OP policies are the basis on which the County and local council make decisions on land use planning matters. Local municipalities have the option to develop their own more detailed policies for all or parts of their community, and as such The Township of Centre Wellington adopted its own Official Plan in 2003. The County OP sets out broad policies applying to Urban Areas while the Township of Centre Wellington Official Plan (“Township OP”) provides more detailed planning policies for land use within the boundaries of the Urban Centre.

2.3.1 Land Use Designation

According to Schedule A1 of the County OP, the Site is identified within the Urban Centre of Fergus (**Figure 4**). According to Section 7.1, the Urban System includes the larger urban places in Wellington which are expected to accommodate most of the growth over the planning period. New development along with an increase in population will be directed to the urban system and to those areas with full municipal services.

Section 7.5.1.3 of the County OP outlines the permitted uses and activities in an Urban Centre that includes *“residential uses of various types and densities, commercial, industrial and institutional uses as well as parks and opens space uses.”*

The Urban Centre policies within Section 7.5.5 of the County OP states that:



Centre Wellington
 Source: County of Wellington Official Plan, Schedule A1, Centre Wellington (2021)

Figure
4

In Wellington, the single-family residence will continue to be the dominate use of urban lands. Other forms of housing at densities appropriate to the servicing and nature of the community will also be developed including semi-detached, duplex, townhouse and apartment units.

Response: The Proposed Development conforms to the Urban Centre policies of the County OP as it is consistent with the type of residential development complemented for an urban centre. It will contribute towards a mix of housing types and tenures in the Township of Centre Wellington, as well is appropriate given the existing densities in the neighbourhood.

2.3.2 Cultural Heritage and Archaeological Resources

Cultural heritage and archaeological resources form an important part of the community fabric. In conjunction with the Ontario Heritage Act, the County OP contains policies for the protection and enhancement of cultural heritage resources including built heritage, cultural heritage landscapes and archaeological resources.

As per Section 4.1.5(j) of the County OP, if the County has determined a proposed development has an area of archaeological potential, an assessment of the property will be required to identify archaeological resources. Any resources identified and determined to be significant will be conserved.

Response: A copy of the Ministry Archaeological checklist has been attached in **Appendix A**, which indicates that an archaeological study is not required based on no known archaeological or aboriginal knowledge on or within 300 metres of the property. Furthermore, the Site is not designated for its cultural heritage value and is not located near present or past water sources. In our opinion, the Proposed Development conforms to Section 4.1.5(j) of the County OP.

2.3.3 Housing

Section 4.4.2 of the County OP states the County will provide for a variety of housing types to satisfy the well-being requirements of residents of the regional market area. As stated in the County Official Plan “*New residential developments will be promoted at densities which efficiently use available servicing and are appropriate to site conditions and existing patterns of development.*”

Furthermore, section 4.4.3 the County OP contains policies encouraging intensification in urban centres that includes:

- d) encouraging intensification within urban centres along major roadways and arterial roads.*
- e) encourage modest intensification in stable residential areas respecting the character of the area. Stable residential areas are considered to be established areas generally consisting of predominately low density housing on local roads within the built boundary.*

- g) Encouraging intensification which results in new rental accommodation.*
- j) Ensuring that adequate infrastructure is, or will be, established to serve the anticipated development.*

Section 4.4.6 of the County OP defines additional residential units, also known as accessory or basement apartments, secondary suites or in-law suites, has effective forms of intensification and increase the stock of affordable rental housing; provide homeowners with additional sources of income; and offer alternative housing options in the community.

It is the policy of the County OP to authorize:

- a) The use of two residential units in a single detached dwelling, semi-detached dwelling or rowhouse; and*
- b) The use of a residential unit in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or rowhouse.*

This policy would permit up to a total of three residential units, which includes the primary dwelling unit, on eligible properties.

As per the County OP, an Additional Residential Unit will be required to be serviced by appropriate water and wastewater services in a manner that is acceptable to the local municipality. Section 4.4.6.1 and 4.4.6.2 of the County OP directs local municipalities on how to enact zoning provisions to allow one Additional Residential Unit within a single detached dwelling, semi-detached dwelling, or row house on a property; and within a building or structure that is ancillary to a single detached dwelling, semi-detached dwelling or rowhouse, provided that a residential unit does not already exist in an ancillary building on the property.

Response: The Proposed Development will contribute towards a range of housing types in the neighbourhood and provide for varying forms of tenures. The Proposed Development will respect the existing surrounding community and will not pose any negative impacts such as shadowing or lack of privacy. The type of housing being proposed is consistent with the residential subdivision that is located north of the Site. For these reasons, it is our opinion that the Proposed Development conforms to policies 4.4.2, 4.4.3. and 4.4.6 of the County OP.

2.3.4 Water Resources

Schedule B3 of the Official Plan identifies vulnerable area for each municipal water supply source and their associated vulnerability score. Wellhead Protection Area is an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats because land use activities in these areas have the potential to affect the quality or quantity of water that flows into the well.

Response: According to Schedule B3 of the Official Plan, the Site is not identified as being within a Wellhead Protection Area as seen in **Figure 5**.

2.3.5 Greenlands System

According to the County OP, the Greenland designation is intended to include natural heritage features including wetlands, environmental sensitive areas, streams and valley lands, fish, and wildlife habitat among other areas. The Site is located immediately adjacent to a Core Greenlands designation.

Natural features such as provincially significant wetlands, habitat of endangered or threatened species and fish habitat and hazardous lands within the County of Wellington are included in the Core Greenlands designation. A provincially significant wetland is identified in Appendix 3 of the County OP as illustrated in **Figure 6**.

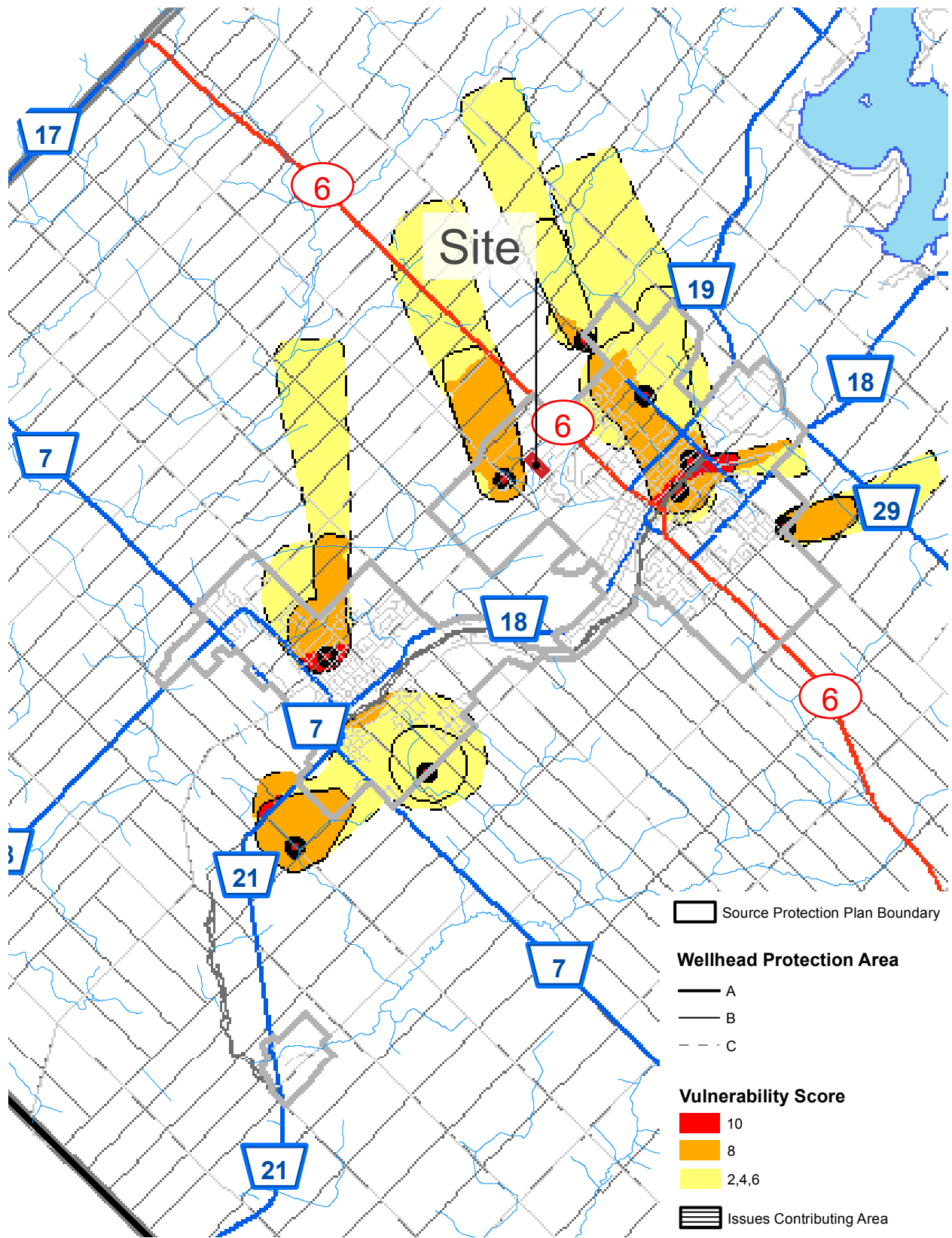
Section 5.6 of the County OP states that within the Core Greenlands designation, development and site alteration shall not be permitted within Provincially Significant Wetlands, or in significant habitat of threatened or endangered species. When development is proposed in the Greenlands system or on adjacent lands, the County or local municipality will require the developer to identify the nature of the features; and prepare where required, an environmental impact assessment. Development will not be approved unless the County is satisfied that the Greenland and Environmental Impact Assessment policies have been met.

Response: The Proposed Development is located adjacent to a Provincially Significant Wetland. The scoped EIS prepared by Lincoln Environmental Consulting dated August 20, 2021, for the Site concluded that no significant natural heritage features were found on the Site. The area between the wetland and the Site includes existing approved development. These areas provide an adequate buffer between the proposed development and the wetland. For these reasons, it is my opinion that the Proposed Development conforms to Section 5.6 of the County OP.

2.3.6 New Lot Creation

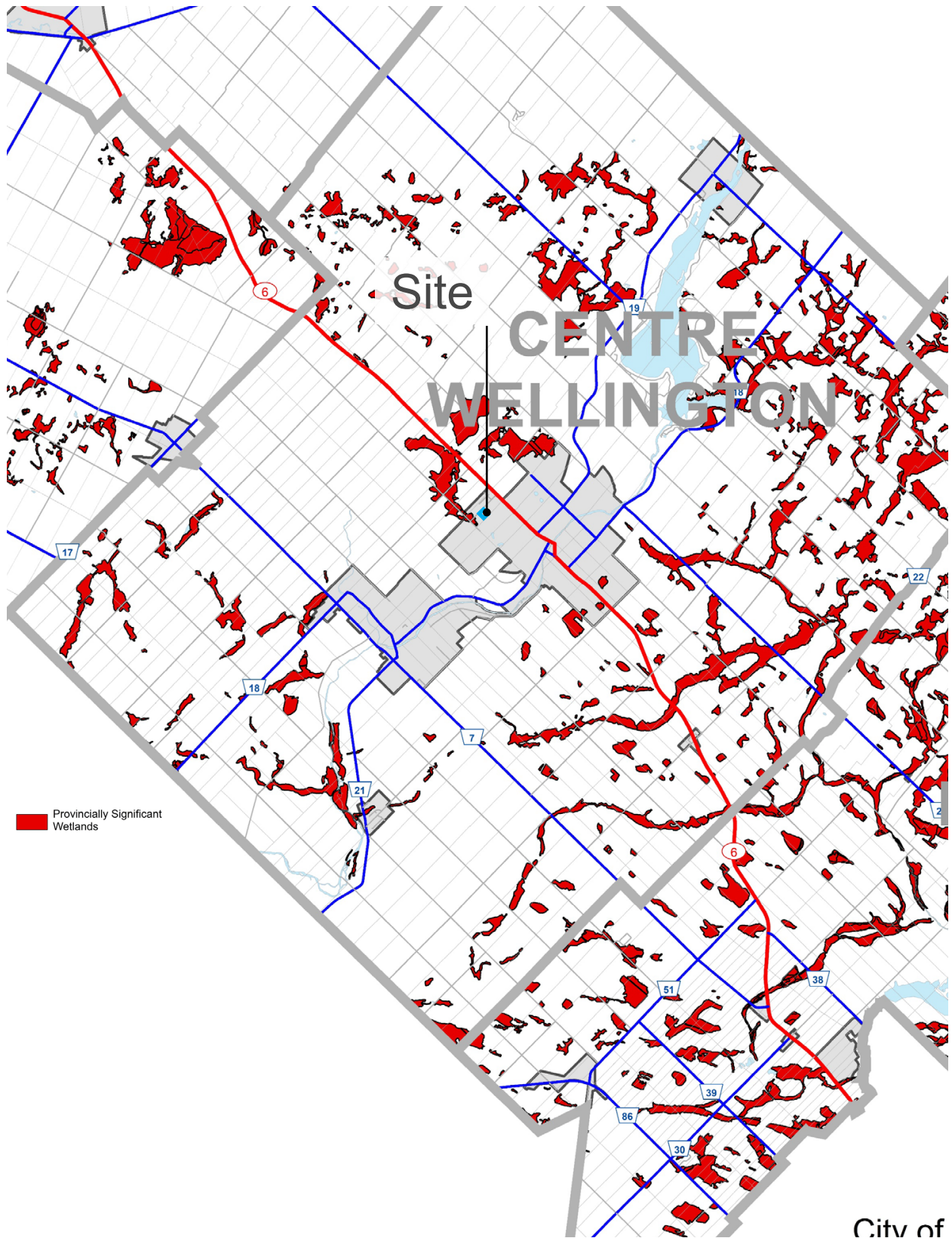
The creation of new lots is the responsibility of the County of Wellington. In reviewing applications for consent, the County will ensure that:

- The natural environment is protected.
- Natural resources are protected.
- Public services are used efficiently.
- Good community design is promoted.
- Health and safety issues are addressed.



Source Protection Plan
 Source: County of Wellington Official Plan, Schedule B1, Grand River Source Protection Plan (2021)

Figure
5



Provincially Significant Wetlands
 Source: County of Wellington Official Plan, Appendix 3, Provincially Significant Wetlands (2017)

City of
 Figure
6

Section 10.6.2 of the County Official Plan also states that new lots created in Urban Centre may be created provided that the land will be appropriately zoned.

Section 10.6.3 of the County Official Plan states that lot line adjustments may be permitted where there is no adverse effect provided that basic lot patterns in an area not unreasonably altered.

Response: As demonstrated in the scoped EIS, there are no natural features on the Site. The area between the wetland and the Site includes existing approved development. As concluded in the EIS, these areas provide an adequate buffer between the proposed development and the wetland. Furthermore, the GRCA also reviewed the development proposal and indicated no objection to the proposed consent applications. A separate permit will be required for future development on the Severed and Retained Parcels. The Proposed Development is compatible with the surrounding neighbourhood and will not impact the existing streetscape. Future residents will utilize public services in the area including a nearby neighbourhood park. Based on these reasons, it is my opinion, that the proposed Consent Application and lot line adjustment conform to section 10.6.2 of the County OP. To facilitate the Proposed Development, a Zoning By-law Amendment is required, which has been submitted concurrently with the Consent Application.

2.4 Township of Centre Wellington Official Plan

The Township of Centre Wellington Official Plan (“Township OP”) was first adopted in 2003 and approved in May 2005 with several changes being made since its inception and was recently updated on January 4, 2013. The purpose of the Township OP is to outline goals, objectives, and policies to guide future physical, social, and economic development, and change within the Township. In Centre Wellington, there are three Urban Centres identified including Fergus, Elora-Salem and Belwood. The remainder of the Township is part of the Greenlands and Rural systems identified in the County OP.

2.4.1 Land Use Designation

The subject property is currently designated “Residential (R1A.70.4)” with an Environmental Overlay according to Schedule “A-1” in the Township OP as illustrated in **Figure 7**. Within the Residential designation, a variety of housing is encouraged, but low rise and low-density housing forms such as single-detached and semi-detached dwelling units are the predominate form of housing. Section D.2.4 of the Township OP considers single-detached, semi-detached and duplex dwellings to be low density housing forms. The character of the existing low density residential neighbourhoods is generally to be protected and land uses that would cause significant impacts or incompatible are discouraged.

Section D.2.12 of the Township Official Plan outlines the criteria with respect to intensification within the residential land use designation as noted the following table:

Criteria	Response
a) Compatibility including height, massing, scale, setbacks, orientation, use, built form, architectural character and materials, separation distances, shadowing and privacy.	The proposal will be compatible with adjacent single detached and semi-detached dwellings in terms of built form, height, orientation and architectural character of the dwellings in the local neighbourhood. The intention is to maintain compatible lot frontages and front yard setbacks so there is not a visible difference from the streetscape.
b) Degree to which building height and massing shall provide a transition between planned and existing development.	The proposed dwellings will be compatible in terms of height and massing with existing adjacent dwellings. Secondary residential units will be included within the main building.
c) Maintenance of a lotting pattern that is generally consistent and compatible with the predominate character of the area.	The proposed lotting pattern is generally consistent and compatible with the existing dwellings in the neighbourhood.
d) Ability of roads or municipal infrastructure to accommodate the proposal.	There are existing water, sewer and hydro services that currently service the existing dwelling and can be extended to the new lots created.
e) Impact of the development on the streetscape including the protection of municipal street trees.	The development will require additional driveways and curb cuts and is not expected to impact the streetscape.
f) Impact on adjacent properties is minimized in relation to grading, drainage, location of service area, access and circulation, privacy, views, enjoyment of outdoor amenities and shadowing.	The Proposed Development will not impact the privacy, enjoyment of outdoor amenities or shadowing on adjacent lands. As part of the building permit, a grading and drainage plan will be required.
g) Conservation of significant cultural heritage resources.	There are no significant cultural heritage resources on the subject property or adjacent to the property.

2.4.2 Natural Heritage

The Township of Centre Wellington encourages the protection and enhancement of the natural heritage of the Township. As stated in Section C.3.2 of the Township OP, development on lands adjacent to provincially significant or locally significant wetlands will only be permitted subject to the preparation of an Environmental Impact Assessment.

Response: As demonstrated in the scoped EIS, there are no natural features on the Site. The area between the wetland and the Site includes existing approved development. Based on these reasons, it is my opinion, that the proposed Consent Application and lot line adjustment conform to section C.3.2 of the Township OP.

2.4.3 Housing

Section C.5.4 of the Township Official Plan defines affordable housing as “*housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area*”. For rental housing, affordable means “*a unit for which the rent is at or below the average market rent of a unit in the regional market area.*” Accessory residences, semi-detached, duplex, townhouse and low-rise apartment units will provide the bulk of affordable housing opportunities in Centre Wellington.

Section C.5.5 Residential Intensification in the Township OP encourages modest intensification in stable residential areas that respect the character of the area. According to Section C.5.5. e), “*stable residential areas are considered to be established areas generally consisting of predominately low-density housing on local roads within the built boundary*”.

Section C.15.3 of the Official Plan encourages the use of urban design guidelines to be applied to all development proposals. The purpose of urban design guidelines is to ensure that proposed developments:

- a) *Are compatible in architectural form with abutting neighbourhoods;*
- b) *Form a cohesive and unified cluster of buildings which are architecturally compatible with each other;*
- c) *Provide links with the pedestrian, cycle and vehicular routes on their perimeter by such means as the extension of existing pathways and local streets into or through the site; and*
- d) *Maintain and enhance remaining elements of valued historic development patterns in the layout of new development.*

New development located within an existing neighbourhood should be designed as an integral part of the area’s existing larger pattern of built form and open spaces such as building mass, height, proportion, enclosed volume and position relative to street and site.

Response: It is our opinion that the Zoning and Consent Applications conform with the goals and objectives of the policies in the Township OP. The Proposed Development is a permitted form of housing within the Residential designation and respects the character of the low-density neighbourhood. It also conforms to the criteria for intensification within the Residential land use

designation. It will also contribute towards an affordable housing option within the Township of Centre Wellington that is currently in demand.

2.4.4 Land Division

According to Section E.9.3 when a proposal for consent is considered, it shall be evaluated according to the following criteria.

Criteria	Response
The undue extension of any major service is not required.	Existing municipal services are available including water and sewage. Hydro servicing is also available.
The land fronts on an existing public road which is of a reasonable standard of construction.	The Site fronts onto Sideroad 18.
Regard shall be had to the provisions of the Planning Act, and to the objectives, policies, and land use designations of this Municipal Plan.	The Proposed Development will utilize existing municipal infrastructure. The Proposed Development will also contribute towards a mix of housing types to the area, as well as provide more affordable housing options to the Township. The Site is an ideal location for residential intensification as it is in the built boundary and will not cause any adverse impacts to the surrounding properties.
All parcels shall comply with the provisions of the Zoning By-law. Zoning compliance shall be a condition of the approval of all new lots created by consent.	It is understood that zoning compliance will be a condition of approval of the Consent Application. A Zoning By-law Amendment has been submitted concurrently with the Consent Application.
The size and shape of all parcels shall be appropriate for the intended use, and shall be generally compatible with adjacent lots.	The size and shape of the parcels proposed to be created are comparable to other lots in the surrounding neighbourhood. The lots created will not cause any negative impacts in terms of shadowing or lack of privacy on adjacent properties.
The proposed severance will not unduly contribute to traffic congestion or create a traffic hazard.	The addition of two additional dwellings on the property is not expected to cause any traffic congestion or hazards.
The availability of water and sewage services to accommodate the proposed use.	Municipal water and sewage are available to accommodate the proposed lots.
Compliance with the environmental protection policies of this Plan.	The EIS prepared has indicated that there no natural heritage features on the Site.

Furthermore, the lot line adjustment for the purpose of boundary alterations to abutting properties may be permitted as per the Township OP. In no case, however, shall such consent result in a lot that does not comply with the requirements of the Zoning By-law.

Response: The Consent Application is proposing the creation of two lots that are comparable in terms of size to other lots in the neighbourhood. The proposed lots can be serviced with existing municipal servicing. To facilitate the Proposed Development, a Zoning By-law Amendment is required before the Consent Application can receive final approval. The property located at 157 Sideroad 18 subject to the lot line adjustment will maintain a total lot area of 1.91 hectares and a lot frontage of 155.70 metres which complies with the R1A.70.4 zone regulations in the Township Zoning By-law.

2.5 Technical Analysis

2.5.1 Site Servicing

The existing dwelling on the Site is currently connected to full municipal services. As per Section C.6.2 of the Township OP, new development is required to connect to municipal services when they are available. As such, the Proposed Development will be required to connect to existing municipal infrastructure as approved by the Township.

Response: Both the proposed easterly and westerly lots will require new connections for water, sewage, and hydro. Discussions with the Township have confirmed that the proposed lots can be serviced with existing available infrastructure along Sideroad 18.

2.5.2 Centre Wellington Urban Design Guidelines

The purpose of the draft Centre Wellington Urban Design Guidelines (UDGs) dated April 2015 is to provide design direction for the development, redevelopment and enhancement for buildings, façades, streetscapes, public open spaces and natural areas in Centre Wellington.

Within the UDGs, there are guidelines specific to Residential Areas that encourage design considerations for building portions, scale and placement. Infill buildings are encouraged to be consistent with the existing setback, footprint, size and massing patterns of a neighbourhood, particularly the immediately adjacent properties. Infill buildings should be of similar height of adjacent building. Abrupt variations in height is to be avoided. Additionally, front and side setbacks of infill development should be consistent with adjacent buildings. Architectural features such as roof type, scale and pitch should be complementary to the surrounding buildings.

There are no perceived impacts in terms of loss of privacy, shadowing, or enjoyment of amenity space to neighbouring properties with the Proposed Development. The separation provided between the driveways avoids a large, monotonous area of paving for parking which allows for a greater area of softscape. The overall location of the proposed dwellings and driveways is consistent with the lot fabric and streetscape along Sideroad 18. Any future development on the Retained Parcel will be located towards the back of the property due to the flag shaped parcel. This will ensure there is no impact to the streetscape.

Response: The Proposed Development will be designed to respect the existing character of the neighbourhood by complementing the existing massing and setbacks along the streetscape. Further design details of the proposed dwellings will be provided with the Site Plan application for the Site.

2.6 Township of Centre Wellington Zoning By-law

The Site is zoned “Residential (R1A.70.4)” with an Environmental Protection Overlay according to Map 66 in the Township of Centre Wellington Zoning By-law No. 2009-045 (**Figure 8**). The permitted uses within this zone include:

- A single detached dwelling;
- An existing semi-detached dwelling;
- An existing link or twin dwelling;
- A group home; and
- Accessory uses, building and structures.

The current R1A.70.4 zone has site specific provisions to permit a minimum lot frontage of 10.6 metres and a maximum front yard setback of 50.6 metres.

The Applicant is requesting to amend the existing zoning from “Residential (R1A.70.4)” Zone to a site specific “Residential (R2-XX)” to the facilitate the Proposed Development. The R2 zone includes semi-detached dwellings as a permitted use. The rezoning will include a site-specific provision for a reduced minimum side yard setback of 1.2 metres whereas 1.5 metres is required for the unattached side for a semi-detached dwelling. The proposed semi-detached lots will also require a reduced lot frontage from the required 9.0 metres to 7.6 metres. The rezoning is also requesting site specific provisions to permit secondary residential units and tandem parking. The Retained Parcel requires a site specific provision to permit a reduced lot frontage to 7.6 metres whereas 9.0 metres is required.

A summary of the Proposed Development and zoning requirements are provided below in the following table:

Regulation	R2 Zone	Parcel A & C	Parcel B	Complies
Minimum Lot Frontage	9 m (30ft) per unit	7.6 m (25 ft)	7.6 m (25 ft)	No
Minimum Lot Area	279 m ² per unit (3,003 ft ²)	675.9 m ² (7275.3 ft ²)	594.9 m ² (6,403.5 ft ²)	Yes
Maximum Building Height	3 storeys but not greater than 11 m (36 ft)	3 storeys or less	3 storeys or less	Yes
Minimum Front Yard	6 m (19.7 ft) but 6 m (19.7 ft) to front face of a garage if driveway crosses a front lot line	13.7 m	13.7 m	Yes
Minimum Exterior Side Yard	N/A	N/A	N/A	N/A
Minimum Side Yard	1.5 m (4.9 ft) on the unattached side	1.2m / 1.2 m	1.2 m / 1.2m	No
Minimum Rear Yard	7.5 metres (24.6 ft)	7.6	7.6 m	Yes
Maximum Lot Coverage	N/A	N/A	N/A	N/A
Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The width of the driveway shall not exceed 55% of the lot width, up to a maximum driveway width of 7.5 m (24.6 ft)	Maximum driveway width 4.2 m	Maximum driveway width 4.2 m	N/A
Garage/Driveway Width Restriction	The outside walls of an attached garage shall not exceed 55% of the lot width; and the driveway leading to the	Garage width not to exceed 4.2 m	Garage width not to exceed 4.2 m	N/A

	garage can be no more than the width of the exterior dimensions of the garage.			
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Regulation	R2 Zone	Retained Lot	Complies
Minimum Lot Frontage	9 m (30ft)	7.6 m (25ft)	No
Minimum Lot Area	279 m ² per unit (3,003 ft ²)	3,097.6 m ² (33,342.3 ft ²)	Yes
Maximum Building Height	3 storeys but not greater than 11 m (36 ft)	N/A	N/A
Minimum Front Yard	6 m (19.7 ft) but 6 m (19.7 ft) to front face of a garage if driveway crosses a front lot line	N/A	N/A
Minimum Exterior Side Yard	N/A	N/A	N/A
Minimum Interior Side Yard	1.2 m (3.9 ft) on one side; 0.6 m (2 ft) on the other side; 1.8 m (5.9 ft) between dwellings on abutting lots (1) Where the dwelling does not include an attached garage, the minimum interior side yard on one side shall be 3.0 m (9.8 ft)	N/A	N/A
Minimum Rear Yard	7.5 metres (24.6 ft)	N/A	N/A
Maximum Lot Coverage	N/A	N/A	N/A
Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The width of the driveway shall not exceed 55% of the lot width, up to a maximum driveway width of 7.5 m (24.6 ft)	N/A	N/A

Regulation	R2 Zone	Retained Lot	Complies
Garage/Driveway Width Restriction	The outside walls of an attached garage shall not exceed 55% of the lot width; and the driveway leading to the garage can be no more than the width of the exterior dimensions of the garage.	N/A	N/A

2.6.1 Second Residences

The *Strong Communities through Affordable Housing Act, 2011* amended the *Planning Act* to require that municipalities authorize second units in their official plans and zoning by-laws. Section 16(3) of the *Planning Act* requires municipal official plans to authorize second units:

- In detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and
- In a building or structure ancillary to those housing types provided that the primary dwelling does not contain a second unit.

Currently, the R2 zone in the Township Zoning By-law permits accessory uses, buildings and structures including an accessory apartment in accordance with Section 4.1. It is noted under Section 4.1 of the Zoning By-law accessory apartments are not permitted as of right in a detached building but may be considered through application to the Committee of Adjustment.

The County OP provides guidance to local municipalities in developing zoning provisions for Additional Residential Units within a main residence, and for Additional Residential Units within an ancillary building or structure. As per Section 4.4.6.2 of the County OP, municipalities should consider the following:

- Safe road access
- Does not require an additional driveway
- Adequate off-street parking can be provided for the main residence and additional residential unit
- Adequate amenity areas are provided for both residences
- Additional unit meets applicable Building Code, Fire Code and local property regulations.

As per Section 4.2 of the Township Zoning By-law, whenever an accessory building or structure is permitted, such building or structure shall only be constructed or used in accordance with the following:

Regulation	Regulations (Full Municipal Sewer and Water)	Provided	Complies
Min. Lot Area	325 m ² (3,498 ft ²)	594.9 m ² (6,403.5 ft ²)	Yes
Min. Lot Frontage	11 m (36 ft)	7.6 m (25 ft)	No
Max. Floor Area of An Accessory Apartment	45% of the Floor Area of the Principle Dwelling but no more than 100 m ² (1,076 ft ²).	45% of Floor Area or Principle Dwelling	Yes
Maximum Number of Bedrooms	2	2 or less	Yes
Front Yard Parking	In no case shall parking areas occupy more than 50% of the width of the front yard, or more than 50% of the total area of the front yard.	Requesting tandem parking	No
Permitted Alterations and Additions	a) Additions to accommodate the installation of an accessory apartment are permitted but shall not project closer to a front lot line or an exterior side lot line than the existing dwelling. b) Exterior staircases shall be located in a rear yard and shall not be visible from the street.	a) No additions required b) Access to be provided through garage or at the back of the house.	Yes
Accessory Buildings	Accessory apartment are not permitted as of right in a detached building, but may be considered through application to the	Requesting use be permitted as part of the zoning by-law amendment	No

	Committee Adjustment.	of		
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2.6.2 Tandem Parking

It is also encouraged through the new legislation that the maximum parking required per second unit should be one space. Tandem parking (a parking space that is only accessed by passing through another parking space) should also be permitted.

2.6.3 Reduced Lot Frontage and Side Yard

The required side yard for the unattached side of a semi-detached building is 1.5 metres. The site specific R2-XX is requesting a reduced side yard setback to 1.2 metres to facilitate the proposed semi-detached dwelling on the lot. The lands to the west are vacant and represent a landscaped area as well as the entrance to 157 Sideroad 18. No development is permitted in this area as it is within the 15 metre setback from the wetland. The area to the east is also an entrance where there is no current dwelling. Therefore, it is our opinion that the reduce side yard setbacks will have no impact to the adjacent properties. Furthermore, it is our opinion that this is a minor deviation from the required side yard and maintains adequate space to facilitate access to the front and rear yards.

The lot frontage reduction from the required 9.0 metres to 7.6 metres will permit a slightly smaller lot to facilitate the proposed infill development. The proposed lot frontage is not expected to impact the overall streetscape on Sideroad 18. The driveways have been paired to minimize the amount of curb cuts along the street.

2.6.4 Reduced Lot Frontage (Retained Lands)

The site specific provision to permit a reduced lot frontage from the required to 9.0 metres to 7.6 metres on the Retained Parcel is adequate to facilitate access to the lands. The minimum lot frontage setback proposed is appropriate to accommodate a safe driveway access.

Response: It is our opinion that the Zoning Application is appropriate and represents good planning. The change of zoning will permit semi-detached dwellings with accessory apartments on the Site. These types of housing are more affordable housing options within the Township. The proposed R2 zoning is compatible with the existing character, scale, and form within the neighbourhood. The site specific provision to allow a reduced lot frontage will facilitate a slightly smaller lot that is common with infill development. The proposed side yard setback of 1.2 metres is keeping with the intent of the Township Zoning By-law and is only a minor deviation from the required 1.5 metres. The secondary residential units will be contained within the main dwelling.

A generous front yard setback will ensure that a second vehicle can be parked within the driveway without impacting the current streetscape.

The site specific provision to permit a reduced lot frontage from the required to 9.0 metres to 7.6 metres on the Retained Parcel is adequate to facilitate access to the lands.

A copy of the draft Zoning By-law can be found in **Appendix B**.

3.0 Conclusions

The Applicant is requesting to amend the existing zoning from “Residential (R1A.70.4) Zone” with an Environmental Overlay to “Residential (R2)” Zone with site-specific provisions to permit a reduced side yard setback for the unattached side of a semi-detached dwelling from the required 1.5 metres to 1.2 metres, as well as a reduced lot frontage from the required 9.0 metres to 7.6 metres. The Application is also requesting site-specific provisions to permit secondary residential units and tandem parking. Site specific provisions being requested for the Retained Parcel will facilitate safe access to the Site for future development.

The Planning Justification Report concludes that the Zoning By-law Amendment and Consent application is justified for the following reasons:

- It is consistent with the policies of the Provincial Policy Statement.
- It conforms with the policies of the Growth Plan.
- It conforms with the County of Wellington Official Plan and Township of Centre Wellington Official Plan.
- The Proposed Development is compatible with surrounding residential land uses.
- The development will utilize land within the built-up area where municipal servicing is available; and
- It is anticipated that the Proposed Development will provide a mix of housing types to the area and also provide affordable housing choices and tenures within the current housing market.

Based on the foregoing, it is our opinion that the proposed Zoning By-law Amendment and Consent Applications are appropriate, represents good land use planning and is in the public interest. The Proposed Development will be serviced on full municipal services utilizing existing available infrastructure to the Site. The Proposed Development has been designed to mitigate any impacts on adjacent property owners by complimenting the lot frontages and type of units within the existing homes in the neighbourhood. It is anticipated that the Proposed Development will contribute towards the housing diversity and provide more affordable housing options to the Township of Centre Wellington.

Appendix A

Ministry Archaeology Checklist

The **purpose of the checklist** is to determine:

- if a property(ies) or project area may contain archaeological resources i.e., have archaeological potential
- it includes all areas that may be impacted by project activities, including – but not limited to:
 - the main project area
 - temporary storage
 - staging and working areas
 - temporary roads and detours

Processes covered under this checklist, such as:

- *Planning Act*
- *Environmental Assessment Act*
- *Aggregates Resources Act*
- *Ontario Heritage Act* – Standards and Guidelines for Conservation of Provincial Heritage Properties

Archaeological assessment

If you are not sure how to answer one or more of the questions on the checklist, you may want to hire a licensed consultant archaeologist (see page 4 for definitions) to undertake an archaeological assessment.

The assessment will help you:

- identify, evaluate and protect archaeological resources on your property or project area
- reduce potential delays and risks to your project

Note: By law, archaeological assessments **must** be done by a licensed consultant archaeologist. Only a licensed archaeologist can assess – or alter – an archaeological site.

What to do if you:

- **find an archaeological resource**

If you find something you think may be of archaeological value during project work, you must – by law – stop all activities immediately and contact a licensed consultant archaeologist

The archaeologist will carry out the fieldwork in compliance with the *Ontario Heritage Act* [s.48(1)].

- **unearth a burial site**

If you find a burial site containing human remains, you must immediately notify the appropriate authorities (i.e., police, coroner's office, and/or Registrar of Cemeteries) and comply with the *Funeral, Burial and Cremation Services Act*.

Other checklists

Please use a separate checklist for your project, if:

- you are seeking a Renewable Energy Approval under Ontario Regulation 359/09 – [separate checklist](#)
- your Parent Class EA document has an approved screening criteria (as referenced in Question 1)

Please refer to the Instructions pages when completing this form.

Project or Property Name
149 Sideroad 18, Fergus

Project or Property Location (upper and lower or single tier municipality)
149 Sideroad 18, Fergus, Township of Centre Wellington, County of Wellington

Proponent Name
RSR Inc.

Proponent Contact Information

Screening Questions

	Yes	No
1. Is there a pre-approved screening checklist, methodology or process in place?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, please follow the pre-approved screening checklist, methodology or process.

If No, continue to Question 2.

	Yes	No
2. Has an archaeological assessment been prepared for the property (or project area) and been accepted by MTCS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, do **not** complete the rest of the checklist. You are expected to follow the recommendations in the archaeological assessment report(s).

The proponent, property owner and/or approval authority will:

- summarize the previous assessment
- add this checklist to the project file, with the appropriate documents that demonstrate an archaeological assessment was undertaken e.g., MTCS letter stating acceptance of archaeological assessment report

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g., environmental assessment document
- maintained by the property owner, proponent or approval authority

If No, continue to Question 3.

	Yes	No
3. Are there known archaeological sites on or within 300 metres of the property (or the project area)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
4. Is there Aboriginal or local knowledge of archaeological sites on or within 300 metres of the property (or project area)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300 metres of the property (or project area)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
6. Is there a known burial site or cemetery on the property or adjacent to the property (or project area)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
7. Has the property (or project area) been recognized for its cultural heritage value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes to any of the above questions (3 to 7), do **not** complete the checklist. Instead, you need to hire a licensed consultant archaeologist to undertake an archaeological assessment of your property or project area.

If No, continue to question 8.

	Yes	No
8. Has the entire property (or project area) been subjected to recent, extensive and intensive disturbance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes to the preceding question, do **not** complete the checklist. Instead, please keep and maintain a summary of documentation that provides evidence of the recent disturbance.

An archaeological assessment is not required.

If No, continue to question 9.

9. Are there present or past water sources within 300 metres of the property (or project area)? Yes No

If Yes, an archaeological assessment is required.

If No, continue to question 10.

10. Is there evidence of two or more of the following on the property (or project area)? Yes No

- elevated topography
- pockets of well-drained sandy soil
- distinctive land formations
- resource extraction areas
- early historic settlement
- early historic transportation routes

If Yes, an archaeological assessment is required.

If No, there is low potential for archaeological resources at the property (or project area).

The proponent, property owner and/or approval authority will:

- summarize the conclusion
- add this checklist with the appropriate documentation to the project file

The summary and appropriate documentation may be:

- submitted as part of a report requirement e.g., under the *Environmental Assessment Act*, *Planning Act* processes
- maintained by the property owner, proponent or approval authority

Instructions

Please have the following available, when requesting information related to the screening questions below:

- a clear map showing the location and boundary of the property or project area
 - large scale and small scale showing nearby township names for context purposes
- the municipal addresses of all properties within the project area
- the lot(s), concession(s), and parcel number(s) of all properties within a project area

In this context, the following definitions apply:

- **consultant archaeologist** means, as defined in Ontario regulation as an archaeologist who enters into an agreement with a client to carry out or supervise archaeological fieldwork on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client. In Ontario, these people also are required to hold a valid professional archaeological licence issued by the Ministry of Tourism, Culture and Sport.
- **proponent** means a person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking.

1. Is there a pre-approved screening checklist, methodology or process in place?

An existing checklist, methodology or process may be already in place for identifying archaeological potential, including:

- one prepared and adopted by the municipality e.g., archaeological management plan
- an environmental assessment process e.g., screening checklist for municipal bridges
- one that is approved by the Ministry of Tourism, Culture and Sport under the Ontario government's Standards & Guidelines for Conservation of Provincial Heritage Properties [s. B.2.]

2. Has an archaeological assessment been prepared for the property (or project area) and been accepted by MTCS?

Respond 'yes' to this question, if all of the following are true:

- an archaeological assessment report has been prepared and is in compliance with MTCS requirements
 - a letter has been sent by MTCS to the licensed archaeologist confirming that MTCS has added the report to the Ontario Public Register of Archaeological Reports (Register)
- the report states that there are no concerns regarding impacts to archaeological sites

Otherwise, if an assessment has been completed and deemed compliant by the MTCS, and the ministry recommends further archaeological assessment work, this work will need to be completed.

For more information about archaeological assessments, contact:

- approval authority
- proponent
- consultant archaeologist
- Ministry of Tourism, Culture and Sport at archaeology@ontario.ca

3. Are there known archaeological sites on or within 300 metres of the property (or project area)?

MTCS maintains a database of archaeological sites reported to the ministry.

For more information, contact MTCS Archaeological Data Coordinator at archaeology@ontario.ca.

4. Is there Aboriginal or local knowledge of archaeological sites on or within 300 metres of the property?

Check with:

- Aboriginal communities in your area
- local municipal staff

They may have information about archaeological sites that are not included in MTCS' database.

Other sources of local knowledge may include:

- property owner
- local heritage organizations and historical societies
- local museums
- municipal heritage committee
- published local histories

5. Is there Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300 metres of the property (or property area)?

Check with:

- Aboriginal communities in your area
- local municipal staff

Other sources of local knowledge may include:

- property owner
- [local heritage organizations and historical societies](#)
- local museums
- [municipal heritage committee](#)
- published local histories

6. Is there a known burial site or cemetery on the property or adjacent to the property (or project area)?

For more information on known cemeteries and/or burial sites, see:

- Cemeteries Regulation Unit, Ontario Ministry of Consumer Services – for [database of registered cemeteries](#)
- Ontario Genealogical Society (OGS) – to [locate records of Ontario cemeteries](#), both currently and no longer in existence; cairns, family plots and burial registers
- Canadian County Atlas Digital Project – to [locate early cemeteries](#)

In this context, ‘adjacent’ means ‘contiguous’, or as otherwise defined in a municipal official plan.

7. Has the property (or project area) been recognized for its cultural heritage value?

There is a strong chance there may be archaeological resources on your property (or immediate area) if it has been listed, designated or otherwise identified as being of cultural heritage value by:

- your municipality
- Ontario government
- Canadian government

This includes a property that is:

- designated under *Ontario Heritage Act* (the OHA), including:
 - individual designation (Part IV)
 - part of a heritage conservation district (Part V)
 - an archaeological site (Part VI)
- subject to:
 - an agreement, covenant or easement entered into under the OHA (Parts II or IV)
 - a notice of intention to designate (Part IV)
 - a heritage conservation district study area by-law (Part V) of the OHA
- listed on:
 - a municipal register or inventory of heritage properties
 - Ontario government’s list of provincial heritage properties
 - Federal government’s list of federal heritage buildings
- part of a:
 - National Historic Site
 - UNESCO World Heritage Site
- designated under:
 - *Heritage Railway Station Protection Act*
 - *Heritage Lighthouse Protection Act*
- subject of a municipal, provincial or federal commemorative or interpretive plaque.

To determine if your property or project area is covered by any of the above, see:

- Part A of the MTCS Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes

Part VI – Archaeological Sites

Includes five sites designated by the Minister under Regulation 875 of the Revised Regulation of Ontario, 1990 (Archaeological Sites) and 3 marine archaeological sites prescribed under Ontario Regulation 11/06.

For more information, check [Regulation 875](#) and [Ontario Regulation 11/06](#).

8. Has the entire property (or project area) been subjected to recent extensive and intensive ground disturbance?

Recent: after-1960

Extensive: over all or most of the area

Intensive: thorough or complete disturbance

Examples of ground disturbance include:

- quarrying
- major landscaping – involving grading below topsoil
- building footprints and associated construction area
 - where the building has deep foundations or a basement
- infrastructure development such as:
 - sewer lines
 - gas lines
 - underground hydro lines
 - roads
 - any associated trenches, ditches, interchanges. **Note:** this applies only to the excavated part of the right-of-way; the remainder of the right-of-way or corridor may not have been impacted.

A ground disturbance does **not** include:

- agricultural cultivation
- gardening
- landscaping

Site visits

You can typically get this information from a site visit. In that case, please document your visit in the process (e.g., report) with:

- photographs
- maps
- detailed descriptions

If a disturbance isn't clear from a site visit or other research, you need to hire a licensed consultant archaeologist to undertake an archaeological assessment.

9. Are there present or past water bodies within 300 metres of the property (or project area)?

Water bodies are associated with past human occupations and use of the land. About 80-90% of archaeological sites are found within 300 metres of water bodies.

Present

- Water bodies:
 - primary - lakes, rivers, streams, creeks
 - secondary - springs, marshes, swamps and intermittent streams and creeks
- accessible or inaccessible shoreline, for example:
 - high bluffs
 - swamps
 - marsh fields by the edge of a lake
 - sandbars stretching into marsh

Water bodies not included:

- man-made water bodies, for example:
 - temporary channels for surface drainage
 - rock chutes and spillways
 - temporarily ponded areas that are normally farmed
 - dugout ponds
- artificial bodies of water intended for storage, treatment or recirculation of:
 - runoff from farm animal yards
 - manure storage facilities
 - sites and outdoor confinement areas

Past

Features indicating past water bodies:

- raised sand or gravel beach ridges – can indicate glacial lake shorelines
- clear dip in the land – can indicate an old river or stream
- shorelines of drained lakes or marshes
- cobble beaches

You can get information about water bodies through:

- a site visit
- aerial photographs
- 1:10,000 scale [Ontario Base Maps](#) - or [equally detailed and scaled maps](#).

10. Is there evidence of two or more of the following on the property (or project area)?

- elevated topography
- pockets of well-drained sandy soil
- distinctive land formations
- resource extraction areas
- early historic settlement
- early historic transportation routes

• **Elevated topography**

Higher ground and elevated positions - surrounded by low or level topography - often indicate past settlement and land use.

Features such as eskers, drumlins, sizeable knolls, plateaus next to lowlands, or other such features are a strong indication of archaeological potential.

Find out if your property or project area has elevated topography, through:

- site inspection
- aerial photographs
- [topographical maps](#)

• **Pockets of well-drained sandy soil, especially within areas of heavy soil or rocky ground**

Sandy, well-drained soil - in areas characterized by heavy soil or rocky ground - may indicate archaeological potential

Find out if your property or project area has sandy soil through:

- site inspection
- [soil survey reports](#)

- **Distinctive land formations**

Distinctive land formations include – but are not limited to:

- waterfalls
- rock outcrops
- rock faces
- caverns
- mounds, etc.

They were often important to past inhabitants as special or sacred places. The following sites may be present – or close to – these formations:

- burials
- structures
- offerings
- rock paintings or carvings

Find out if your property or project areas has a distinctive land formation through:

- a site visit
- aerial photographs
- 1:10,000 scale [Ontario Base Maps](#) - or equally detailed and scaled maps.

- **Resource extraction areas**

The following resources were collected in these extraction areas:

- food or medicinal plants e.g., migratory routes, spawning areas, prairie
- scarce raw materials e.g., quartz, copper, ochre or outcrops of chert
- resources associated with early historic industry e.g., fur trade, logging, prospecting, mining

Aboriginal communities may hold traditional knowledge about their past use or resources in the area.

- **Early historic settlement**

Early Euro-Canadian settlement include – but are not limited to:

- early military or pioneer settlement e.g., pioneer homesteads, isolated cabins, farmstead complexes
- early wharf or dock complexes
- pioneers churches and early cemeteries

For more information, see below – under the early historic transportation routes.

- **Early historic transportation routes** - such as trails, passes, roads, railways, portage routes, canals.

For more information, see:

- historical maps and/or historical atlases
 - for information on early settlement patterns such as trails (including Aboriginal trails), monuments, structures, fences, mills, historic roads, rail corridors, canals, etc.
 - [Archives of Ontario](#) holds a large collection of historical maps and historical atlases
 - digital versions of historic atlases are available on the [Canadian County Atlas Digital Project](#)
- commemorative markers or plaques such as local, [provincial](#) or [federal](#) agencies
- [municipal heritage committee](#) or other [local heritage organizations](#)
 - for information on early historic settlements or landscape features (e.g., fences, mill races, etc.)
 - for information on commemorative markers or plaques

Appendix B

Draft Zoning By-law

