

September 10, 2021

Matthew Colley  
Planning, Housing and Community Services  
Regional Municipality of Waterloo  
150 Frederick Street, 8<sup>th</sup> Floor  
Kitchener, ON N2G 4J3

Dear Mr. Colley,

**Re: Response to Proposed Draft Plan of Subdivision (30T-20301) and Zoning By-law Amendment (ZC-01/20) Cambridge Aggregate Services Inc., Post Circulation Comments 30T-20301 (c/o Dryden, Smith & Head Planning Consultants Ltd.) 1940 Wrigley Road (Scott Street), Ayr Township of North Dumfries**

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For convenience and understanding, we have taken all of the comments as provided from September 14, 2020 and addressed each comment in *italics and bold* below.

### **Delegated Authority Comments**

#### **Hydro One:**

In an email dated July 19, 2020, Hydro One specified that its preliminary review considers issues affecting Hydro One's High Voltage Facilities and Corridor Lands Only. They have no comments or concerns at this time. For proposals affecting Low Voltage Distribution Facilities, the owner/applicant should consult their local area distribution supplier.

***Understood.***

#### **Enbridge:**

In an email dated July 3, 2020, Union Gas provided that it will require the necessary easements and/or agreements for the provision of gas services for this project to the satisfaction of Enbridge.

***Agreed.***

#### **Bell Canada:**

In an email dated July 8, 2020, Bell Canada provided that it will require the necessary easements and/or agreements to service this new development to the satisfaction of Bell Canada.

***Agreed.***

**Energy Plus:**

In a letter dated July 22, 2020, Energy Plus provided that it will require the owner/applicant to enter into an agreement with Energy Plus to establish the terms of conditions to service the Plan of Subdivision and will grant easements to the satisfaction of Energy Plus.

***Agreed.***

**Waterloo Region Catholic District School Board:**

In an email dated July 26, 2020, WCDSB provided that it will require the following:

- That Education Development Charges shall be collected prior to issuance of a building permit(s).

***Agreed.***

- That the owner/applicant will be required to enter into an agreement with the school board regarding the supply and erection of a sign (at their expense according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area.

***Agreed.***

- That the owner/applicant agree in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the required clause in all offers of Purchase and Sale/Lease.

***Agreed.***

- The installation of sidewalks on both sides of all roads to improve subdivision accessibility.

***As per the Township of North Dumfries CAO, Andrew McNeely, we have installed sidewalks on one side of the road. See excerpt from October 28,2019 email below.***

*"It is the Township's practice to place the sidewalk on the side of the road where lot frontages are wider than 11 m in width ... as such where semi-detached, townhouse, etc lots or blocks are proposed the sidewalk alignment should not be present."*

**Waterloo Region District School Board:**

That the owner/applicant agrees in the Subdivision/Condominium and/or Site Plan Agreement to notify all purchasers of residential units and/or renters of same, by inserting the following clauses in all offers of Purchase and Sale/Lease, and that this remain on Title to the property/unit for heirs, successors and assigns:

“Whereas the Waterloo Region District School Board may designate this parcel of land as a Development Area for the purposes of school accommodation, and despite the best efforts of the Board, sufficient accommodation may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school.”

**Agreed.**

**Grand River Conservation Authority (GRCA):**

In a letter dated July 27, 2020, GRCA acknowledged review of the draft plan of subdivision, Planning Justification Report, Preliminary SWM Report, Engineering Drawings, Scoped EIS, and Geotechnical Report associated with the subject development at 1940 Wrigley Road. The GRCA is not in a position to provide a recommendation or approval of this draft plan until the following items are addressed:

- The EIS and SWM Report do not identify a monitoring plan to assess the function and performance of the SWM treatment train. This must be amended in both reports.

***Please see Second Draft Plan Submission as prepared by Meritech Engineering. Sept 1, 2021, and the revised Scoped Environmental Impact Study as prepared by Aboud & Associates Inc., August 11, 2021.***

- EIS Section 4.2.1 Wetlands, identifies a 120 metre wetland buffer to the PSW. The draft plan of subdivision and SWM shows Block 105 as a walkway into the buffer. The EIS does not identify or interpret the requirement for public access into the buffer. If a public/community trail is planned to support this development, then an addendum to the EIS should be submitted for further GRCA review and comment.

***See revised Draft Plan of Subdivision June 10, 2021, and revised Scoped Environmental Impact Study as prepared by Aboud & Associates Inc., August 11, 2021.***

GRCA Staff also provide the following advisory recommendations:

- EIS Section 4.4 Stormwater Management should be amended to include a discussion and assessment of the impacts of road salt to the shallow groundwater system and the adjacent wetland and cold water stream since all drainage will be infiltrated.

***Please see Second Draft Plan Submission as prepared by Meritech Engineering. Sept 1, 2021, and the revised Scoped Environmental Impact Study as prepared by Aboud & Associates Inc., August 11, 2021.***

- EIS Section 4.6 Blanding's Turtle Mitigation, the mitigation measures recommended should be circulated and registered with the Ministry of Environment, Conservation and Parks to ensure compliance with the Endangered Species Act.

***See revised Scoped Environmental Impact Study as prepared by Aboud & Associates Inc., August 11, 2021.***

- EIS Section 6.2 Impact Assessment 4, rear lot fencing with no provision for gates on all lots backing onto the natural heritage buffer would reduce indirect and induced impacts from residential homeowners.

***See revised Scoped Environmental Impact Study as prepared by Aboud & Associates Inc., August 11, 2021.***

GRCA Staff also note that any new development/site alteration within the GRCA's regulated areas will require a permit under Ontario Regulation 150/06. The required fees for a draft plan of subdivision is are detailed in the provided letter from GRCA.

***Noted.***

**Regional Comments:**

Regional Staff have reviewed the application and provides the following comments:

**Application Fee:**

Regional Staff confirm receipt of the required application and draft approval fee.

***Noted.***

**Record of Site Condition:**

As noted in Regional comments on the associated Zoning By-Law Amendment application (ZC-01/20) dated September 14, 2020, Regional Staff will secure implementation of the Record of Site Condition (RSC) through a Holding Provision.

***Noted.***

**Planning Justification Report:**

Regional Staff note that the Planning Justification Report (February 2020) submitted in support of the proposed Plan of Subdivision needs to be updated to reflect the current policies framework. Specifically, the report cites the Provincial Policy Statement (2014). However, as of May 1, 2020 a revised Provincial Policy Statement came into effect and all planning decisions must be 'consistent with' this policy framework. In addition, the

report references Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006) and (2017). However, a revised Growth Plan came into effect on May 15, 2019.

The owner/applicant must submit a revised Planning Report that addresses the subject development's conformity with the Provincial Policy Statement (2020) and the Growth Plan (2019).

The Planning Justification Report should also consider and provide opinion with respect to Section 51(24) of the Planning Act, as amended.

***See revised Planning Report, August 2021.***

Regional Official Plan Conformity:

The owner/applicant is required to provide a thorough analysis of provincial, regional, and local polices associated with the proposed development. The following policies should be addressed in the Planning Justification Report, **Policy 3.A.5 and 2.E.6**.

Regional Official Plan (ROP) **Policy 3.A.5** states the following:

“Where a development application proposing residential uses is submitted for a site containing two hectares or more of developable land, the Region and Area Municipalities will require, wherever appropriate, a minimum of 30 percent of new residential units to be planned in forms other than single-detached and semi-detached units, such as town homes and multi-unit residential buildings.”

Regional Staff require the owner/applicant to address the above-stated policy within the updated Planning Justification Report.

***See revised Planning Report, August 2021.***

In addition, ROP **Policy 2.E.6** outlines that development occurring in Township Designated Greenfield Areas will be planned to achieve the appropriate density targets. In the case of this subject development, **Policy 2.E.6 (b) (i)** specifies:

i) areas serving primarily a residential function will meet or exceed a minimum density of 45 residents and jobs combined per hectare on lands not subject to a plan of subdivision application as of June 16, 2006.

Regional Staff acknowledge this policy is referenced in the report. However Regional Staff require the updated Planning Justification Report to include the calculation of the number of persons and jobs per hectare based upon the proposed residential development.

**Residents per Unit Calculation:**

79 Single Detached Units x 3.25 = 256.75

30 Semi Detached Units x 3.25 = 97.5

37 Street Townhouse Units x 2.44 = 90.28

Range of 20-38 Stacked Townhouse Units x 2.44 = 48.8 to 92.72

TOTAL = Range of 493.33 to 537.25 people (56.4 to 61.4 Residents per Hectare)

**Jobs Calculation**

493.33 x 2.8% = 13.81 jobs  
537.25x2.8% +13.81 jobs

**RESIDENTS AND JOBS PER HECTARE CALCULATION**

(493.33 (people) + 13.81 (jobs)) / 8.75 (site area in ha.)  
= 507.14 residents and jobs (**57.95** residents and jobs per hectare)  
(537.25 (people) + 15.04 (jobs)) / 8.75 (site area in ha.)  
=552.29 residents and jobs (**63.11** residents and jobs per hectare)

**SUMMARY**

For the proposed Isley Draft Plan of Subdivision, the range of Residents and Jobs per hectare is:  
**57.95 to 63.11 residents and jobs per hectare**

***The proposed development will see density at 58 to 63 residents and jobs per hectare. See revised Planning Report, August 2021.***

**Land Use Compatibility:**

Regional Staff require the owner/applicant to provide additional information in the Planning Justification Report regarding how the proposed development is compatible with the surrounding land uses.

***See revised Planning Report, August 2021.***

Regional Staff note that the future development of Block 102 is identified as Stacked Townhouse Condominium with 28 units proposed. Regional Staff note that this is inconsistent with the label of land use on in the Schedule of Land Use on the draft plan for Block 102. The future development should be consistently identified in all materials with a proposed range of units. The Zoning By-Law text also includes the provision for an 8-storey apartment on Block 102 and Regional Staff recommend the owner/applicant revisit the type of multi-residential units (i.e. stacked townhouses) for the proposed block to ensure there is appropriate compatibility with the remainder of the development and surrounding land uses.

***The PJR and Zoning By-law have removed any mention of an Apartment building. See revised Draft Plan of Subdivision June 10, 2021 and Planning Report August 2021.***

Regional Staff request clarification at to the proposed inclusion of Block 105 (Walkway) to private lands to the east. Regional Staff suggest the owner/applicant review whether this proposed walkway is compatible with the proposed development and surrounding land uses.

***See Revised Draft Plan of Subdivision, June 10, 2021.***

**Water Services:**

Regional Staff have reviewed the Preliminary Servicing Report authored by Meritech (December 2019) and provide the following comments:

- On page 11, Regional Staff confirm and validate the assumptions in the water and wastewater servicing capacity.
- On page 12, for sanitary services, the owner/applicant is required to verify the downstream capacity in the collection system. In 2012 the Region completed the Ayr Wastewater Servicing Master Plan. Included in the master plan report was the allowance of various growth areas in Ayr. The owner/applicant must verify the assumptions made in the Master Plan and confirm that the current application is consistent with the assumptions from the 2012 report, or identify any discrepancies. It is the owner/applicant's responsibility to confirm that the sanitary collection system has capacity for the proposed development. A request for a digital copy of these reports can be made to the Region of Waterloo.
- On page 12 in Figure 4, the watermain distribution analysis must confirm the requirement for the proposed watermain sizes. It is noted that a 250mm watermain is proposed but that size is typically not permitted without Chief Municipal Engineer approval. The analysis must prove that a 250mm is required instead of a 200mm.
- In the appendix C, "Fire Flow Calculations", the owner/applicant has provided the fire flow for only block 96, and there is no stated reason why this block is selected to be the worst case scenario. This section needs to be updated with a full report containing complete fire flow calculations for all the blocks and/or land use types to make the correct assumption.
- The owner/applicant is required to provide the results of the modeling of EPA for Regional Staff to review including a table that describes the Block, the required fire flow (including backup fire flow calculations in an appendix), and the model results of the available fire flow in order to confirm that the proposed development can be supported with the existing and proposed infrastructure.

Regional Staff require these matters to be addressed through the submission of an updated Preliminary Servicing Report.

***Please see Second Draft Plan Submission as prepared by Meritech Engineering, Sept 1, 2021.***

#### **Hydrogeology and Source Water Protection:**

Regional Staff reviewed the Hydrogeological and Salt Assessment Report authored by BluMetric, 2020 and the Preliminary Servicing Report authored by Meritech, 2019 and provide the following comments:

- The pre- and post-development water balance results reported in the Hydrogeological report and the Preliminary SWM report are inconsistent. Regional Staff require clarification as to which values are correct pre- and post-development, and ensure post-development infiltration matches or exceeds pre-development infiltration.

***Please see Second Draft Plan Submission as prepared by Meritech Engineering Sept 1, 2021.***

- A large infiltration gallery located central to the subdivision has been proposed as the primary method of balancing infiltration post-development. As a best practice, lot-level infiltration of clean rooftop runoff should be the preferred method to balance infiltration, followed by conveyance and finally end-of-pipe infiltration, as this reduces water quality issues which arise from infiltrating salty road runoff.
- Lot-level infiltration controls should be oversized to accommodate a 15% decrease in performance over time, as well as account for some residents disconnecting them for rain barrels.
- The owner/applicant shall enter an agreement to complete Salt Management Plans for all commercial and multi-use residential uses prior to site plan approval. This will be included as a condition of draft approval for the plan of subdivision

***See Response to Draft Plan of Subdivision Comments, Cambridge Aggregates, 1940 Wrigley Road, Township of North Dumfries***

**Environmental Planning:**

1. Agree to conduct clearing and site preparation for the development outside of the active season for turtles; the active season being between May 1 and October 15. If work takes place during the active season, silt fencing should be installed prior to any work occurring, with the location and height of silt fencing to be as specified in the Erosion and Sediment Control plan and the Scoped Environmental Impact Study (14300 Nd Landco Subdivision) prepared by Aboud & Associates Inc. (January 27, 2020) in order to limit turtle access to the subject lands;
2. Agree to install permanent fencing, such as a low rock wall, shall be installed along the west and north edge of the development in accordance with the recommendation of the Scoped Environmental Impact Study (14300 Nd Landco Subdivision) prepared by Aboud & Associates Inc. (January 27, 2020). The rock wall may be a low wall, around 30cm, installed to limit turtle access to the subject lands while not affecting other wildlife.
3. Agree to conduct an active nest survey immediately prior to any site disturbance or alteration which will occur within the turtle Core Nesting Period;
4. Agree to implement the approved Erosion and Sediment Control Plan (ESC);
5. Agree to install and monitor a silt and sediment control barrier prior to any work, with the silt fencing to be inspected weekly during construction, and within 24 hours following a storm event of 25mm within a 24 hour period;

6. Agree to maintain all Erosion and Sediment Control measures and keep them in place until construction has been completed and all disturbed soils have been revegetated.
7. Agree to complete a Tree Protection Plan and install Tree Protection Fence if impacts to existing trees are anticipated;
8. Agree to install tree and shrub enhancement plantings along the edges of the development, specifically in the area adjacent to the Provincially Significant Wetland;
9. Prior to registration, the owner develop a brochure or guide for new home purchasers which provides information about the natural features adjacent to the subdivision, along with advise to promote environmental stewardship awareness through information such as a list of recommendations to avoid or minimize residual impacts (e.g. control pets, avoid use of invasive plant species), and that the brochure be to the satisfaction of the Township of North Dumfries, the Grand River Conservation Authority and the Region.
10. That prior to final approval, the developer enters into a development agreement with the Township of North Dumfries and/or the Regional Municipality of Waterloo to ensure, as part of Site Plan Approval or Plan of Condominium, that any lighting to be installed within Block 102 be designed so as not to shine into the Core Environmental Features;
11. That prior to final approval, the developer enters into a development agreement with the Township of North Dumfries and/or the Regional Municipality of Waterloo to ensure no clearing of vegetation on the site occurs during the bird breeding season (May 1 – July 31), in compliance with the Migratory Birds Convention Act unless it can be ascertained by a qualified expert that no birds covered by the Act are observed to be breeding in or adjacent to the affected area; and
12. That prior to any land clearing, grading or other site alteration, the owner ensure compliance with the Endangered Species Act.

***Agreed.***

**Lot Grading and Stormwater Management:**

Regional Staff have reviewed the Conceptual Grading Plan Sheet 3 and 4 (December 18, 2019) and the Preliminary Stormwater Management Report (December 2019) all prepared by Meritech Engineering and with respect to the lands abutting Regional Road #49 (Wrigley Road) and have no further concerns.

Regional Staff note that any new servicing connection(s), modifications to existing servicing, modifications to previously approved servicing plans or removal of existing services would require Regional approval through a separate process of Municipal

Consent. This must be provided prior to any works commencing within the Regional right-of-way. The owner/applicant will be required to submit through the Region's website for servicing approval at <https://rmow.permitcentral.ca>. Prior approval must be obtained from the Region by anyone planning to work on or adjacent to a Regional Road. A work permit is required prior to anyone occupying a Regional road, shoulder, sidewalk or right-of-way, even if the work is not expected to damage the road. The permit must be obtained in advance of the working being done through the link provided above.

***Understood.***

**Regional Road Dedication:**

A 25 foot (7.62 metre x 7.62 metre) daylight triangle will be required at the proposed new intersection of Regional Road #49 (Wrigley Road) and Street A. An Ontario Land Surveyor (OLS) must determine the exact road widening. It is recommended that the OLS contact Regional Staff to discuss the road widening prior to preparing the Reference Plan.

The land must be dedicated to the Region of Waterloo for road allowance purposes and must be dedicated without cost and free of encumbrance. All land dedications should be identified on the Site Plan.

The owner/applicant must engage an OLS to prepare a draft reference plan which illustrates the required road allowance widenings. Prior to registering the reference plan, the OLS should submit a draft copy of the plan to Regional Staff for review. Further instructions will be provided with regards to document preparation and registration.

***Understood.***

**Access Permits:**

Regional Access Permits will be required for the proposed access (Street A) and the emergency vehicle access to Wrigley Road. The proposed accesses must comply with the Regional Access Policy. The fee for the issuance of the permit is \$230.00 each. The application for Regional Road Access Permits can be found on the Region's website at:

<https://www.regionofwaterloo.ca/en/doing-business/applications-licences-and-permits.aspx>

***Understood.***

**Transportation Impact Study:**

Regional Staff have reviewed the Traffic Impact Study (TIS) prepared by Paradigm Transportation Solutions (January 2020) and concur with the conclusions and recommendations noted therein.

Regional Staff note that an Environmental Assessment project along Scott Street is scheduled to commence in 2023. This project will occur along the frontage of the proposed development and will have a direct impact on the future road network in this area. Regional Staff acknowledge that matters such as street connectivity the installation of sidewalks, pedestrian refuge island, and access into the proposed subdivision will be assessed through the EA process.

***Understood.***

**Environmental Noise:**

Regional Staff have reviewed the report entitled Noise Compatibility Study, Proposed Residential Development, ND Landco Ayr, part of Lot 33, Concession 8, Ayr, Ontario, prepared by HGC Engineering (April 2019) and provide the following comments regarding transportation noise.

The report indicates that the primary source of noise is road traffic on Wrigley Road/Scott Street (Regional Road #49). The report indicates that the acoustical impacts are above acceptable levels at the units along Wrigley Road and Scott Street and mitigation, including warning clauses and the provision for future installation of central air conditioning are required to ensure indoor noise levels do not exceed acceptable levels in NPC-300 and NPC-216.

The report indicates that dwelling units closest to Wrigley Road will require the provision for the future installation of air conditioning. The location, installation and sound ratings of the air conditioning devices should comply with NPC-300.

The report notes that the requirements of the Ontario Building Code (OBC) will provide adequate sound insulation for all dwelling units in the development.

The report indicates that the predicted sound level in the Outdoor Living Areas (OLA) closest to Wrigley Road will be in excess of the Ministry of the Environment, Conservation and Parks (MECP) limit and a noise warning clause will be required. The predicted sound level in the remaining OLA's will be acceptable and a noise warning clause will not be required.

Regional Staff note that a maximum 1.5-metre-high maintenance free chain link fence will be required to be installed 0.15 metres onto the Wrigley Road and Scott Street road allowance.

***The lotting and road design has rear loaded lots (1-9) that front onto Wrigley Road but are accessed through street 'A'. These lots are the gateway into Ayr and should not be encumbered by a fence that will trap garbage and weeds. We request that the fence requirement be reduced to the rear yards of lot 10 and 11 and side yard of Lot 48 (Scott Street).***

Given that the noise sources, Wrigley Road and Scott Street are roadways under the jurisdiction of the Region of Waterloo, an agreement to implement the recommendations of the noise study will be required. The report recommends the following noise warning clauses be registered on title for dwelling units 1 through 9.

The owner will be required to enter into an agreement with the Region of Waterloo and that the following clause(s) be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations.

**Dwelling Units 1-9:**

- a) *“Purchasers/tenants are advised that, despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”*
  
- b) *“This dwelling has been with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”*

Regional Staff note that an acoustical engineer will be required to certify that the building plans include all required noise control measures, including the provision for the installation of air conditioning prior to issuance of a building permit. An acoustical engineer will also be required to certify that all required noise control measures, including of air conditioning has been installed.

**Agreed.**

**Summary**

Regional Staff also note that the submitted hydrogeological study did not include a dewatering assessment as the proposed basement elevations are not below the water table. In the circumstances that construction is proposed to go below the water table, Regional Staff would require an updated hydrogeological study to be completed for review. This is a result of a high water table with strong artesian pressure in Ayr which can cause issues with dewatering and geothermal systems.

Regional staff will require additional information to complete the review of all applicable studies prior to granting draft approval, and will consider additional comments (including the Township’s) as they are received.

Additional fees may be incurred as part of satisfying individual draft approval conditions.

***Understood.***

Do not hesitate to contact me if you require any additional information.

Thank you.

Yours truly,

Andrew Head  
Dryden, Smith & Head  
Planning Consultants Ltd.