

# Planning Justification Report

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## Whistle Bare Campground

Township of North Dumfries

Whistle Bare Campground Ltd.

Zoning By-law Amendment

August 2020



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**Prepared for:**

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# 1. Introduction

## 1.1 Background

GSP Group Inc. has been retained by Whistle Bare Campground Ltd. (the “Owner”) to coordinate the preparation and submission of a planning application for a Zoning By-law Amendment for the property municipally known as 1898 Whistle Bare Road in the Township of North Dumfries.

The proposed Zoning By-law Amendment Application (the “Proposed Application”) is necessary to permit the expansion of the existing campground. The current campground includes 82 campsites, 3 overnight campsites, a swimming pond and other recreational amenities. A total of 383 campsites are contemplated (the “Proposed Development”).

A pre-consultation meeting was held on August 13, 2018 with the Township of North Dumfries and the Region of Waterloo to discuss the requirements of a complete application. Several requirements were identified for a complete application, including a Planning Justification Report in support of the Proposed Application. This Planning Justification Report should be read in conjunction with the other associated studies prepared in support of the Proposed Application.

The purpose of this Planning Justification is to provide:

- A description of the Site, its existing physical condition, and its context within the surrounding community;
- An outline of the Official Plan and Zoning By-law Amendment Applications;
- An overview of the relevant planning policy regulations that affect the Proposed Application, including Provincial, Regional and Township policy and regulations;
- A summary of each of the technical studies; and
- A planning opinion and justification for the Proposed Application.

## 1.2 Proposed Application

A Zoning By-law Amendment is required to permit the Proposed Development. The Site is currently zoned Agriculture (Z.1) with two site specific exceptions that permit a private picnic and campground recreation area and accessory buildings or structures and a trailer park however an expansion of the existing use requires a Zoning By-law Amendment. The proposed Zoning By-law Amendment would repeal the site-specific exemptions 20.1.26 and 20.1.229. The following site-specific permitted uses are proposed:

- Campground/trailer park with associated recreational areas and office;
- Accessory uses including:
  - Self-storage;
  - Outdoor trailer storage;
  - Display and sale of trailers;
  - Recreation Centre.
- Two single detached residential dwellings

The natural features and buffers are proposed to be zoned Environmental Protection Two (EP2) 12B – Z.12B. An overlay is proposed on a portion of the lands to be zoned 12B - Z.12B. The purpose of this overlay reflects what is described in the EIS as a “limited impact zone”. There is a 5 metre limited impact zone proposed from the Environmentally Sensitive Policy Area feature. This area identified as a limited impact zone will continue to contain existing uses (i.e. existing campsites) and will be subject to some limited impacts. The purpose of this overlay is to permit perpendicular servicing cuts, placement of trailers, and lot maintenance which the 12B – Z.12B Zone would not permit. Please refer to the complete Environmental Impact Study for additional details regarding this limited impact zone

There are two areas on the Site that require a Holding provision. The Holding provision is proposed to deal with further archaeological assessment that has been recommended through the completion of the Stage 1-2 and 3 Archaeological Assessments. The proposed holding provision wording is as follows, *“Notwithstanding Sections XX of this By-law, within the lands zoned Z.1 and shown as affected by this subsection on Schedule XX: no development shall be permitted until such time as the Township of North Dumfries is advised that the Ministry of Heritage, Sport, Tourism and Culture is satisfied.”*

### 1.3 Supporting Studies

The following studies have been prepared in support of the Proposed Application:

- Functional Servicing and Preliminary Stormwater Management Report prepared by GM Blue Plan Engineering Ltd.;
- Wastewater Servicing Report prepared by FlowSpec Engineering;
- Environmental Impact Study prepared by Natural Resource Solutions Inc.
- Transportation Assessment prepared by Salvini Consulting;
- Environmental Noise Study prepared by SLR Consulting;
- Archaeological Study(s) prepared by Detritus Consulting;

- Preliminary Geotechnical Report prepared by Chung & Vander Doelen Engineering Ltd.;
- Hydrogeological Report prepared by Chung & Vander Doelen Engineering Ltd.

A summary of the above noted reports is contained in Section 5 of this Report.

## **2. Site Description**

### **2.1 Site Location and Description**

The Site is located north of Whistle Bare Road, east of Highway 401 and an existing gravel pit, west of Whistle Bare golf course and south of a naturally wooded area. The Site is 38.2 hectares (94.4 acres) with approximately 355 metres of frontage along Whistle Bare Road (see Figure 1). The Site currently has two driveway access points from Whistle Bare Road that lead to existing single detached dwellings. These two single detached dwellings are used by operators of the campground. The two driveways converge into one driveway which provides access to the north of the Site and the existing campsites. There are a total of 82 campsites. The campground has been in existence since the 1950's. There is a hydro corridor that runs through the Site, a wetland, 3 ponds and vegetated areas. One of the ponds is currently used for recreational uses.

The current Owner acquired the Site in February 2017 and has experience in owning and operating campgrounds. The Proposed Development will both increase the number of campsites and amenities as well as bring the existing campground up to current standards (e.g. wastewater and servicing).





## 3. Proposed Development

### 3.1 Proposal

The Proposed Development contemplates a total of 383 campsites, including 347 campsites, 10 cabin sites and 26 overnight sites. A site storage area is contemplated to store trailers when they are not in use. A garbage/recycling area is depicted to the west of the storage area which will provide convenient access when people are exiting the Site to dispose of their waste and recycling. A recreational building (906 m<sup>2</sup>) with an associated pool is contemplated at the front of the Site, along Whistle Bare Road. The existing dwellings are proposed to remain. A new office/workshop (547 m<sup>2</sup>) is proposed. An area for trailers to be stored that are for sale is labeled on the Development Concept as a “Show Lot”. There will be a controlled access for those entering and exiting the Site. The existing campsites have been reconfigured to make more efficient use of the site. The pond that is currently used for swimming is proposed to remain with some improvements to be made around it, including a playground, pool, new recreational building and a basketball court (see Figure 2). There are various linework colours on the Development Concept, these colours represent the following:

- Purple: Floodplain (GRCA)
- Turquoise: Environmentally Sensitive Policy Area Limit
- Royal Blue: Wetland Boundary
- Red: Development Boundary

All of the above noted linework has been surveyed and confirmed by Natural Resource Solutions Inc. The Environmental Impact Study (EIS) goes into greater depth in terms of these environmental features and the buffers proposed.

The proposed campsites are generally the same size at 15.2 metres x 24.4 metres. Each campsite fronts onto a gravel road, either 3 metres or 6 metres in width. The purpose of the gravel drive is to provide access to each of the campsites however it is not anticipated that these drive aisles will be heavily used as people will bring their recreational vehicle (“RV”) for the season and then stay on the property (with the exception of the overnight sites which are to be used on a shorter term basis). The existing gravel driveway has been maintained where possible.

A new wastewater treatment facility is proposed at the northeast corner of the Site which will assist with the current wastewater servicing which does not currently meet Ministry of the Environment, Conservation and Parks (MOECC) standards. A new well is also proposed.





## 4. Planning Policy Overview and Planning Justification

The following section sets out the relevant planning policy framework to assess the appropriateness of the Proposed Application in the context of Provincial, Region and Township policy regulations. Justification is provided throughout this section of the Report.

### 4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) is issued under the authority of Section 3(1) of the Planning Act and came into effect on May 1, 2020, replacing the PPS issued on April 30, 2014. Section 3(5) of the Planning Act requires that decisions affecting planning matters shall be consistent with the PPS. The below PPS policies are relevant to the Proposed Application:

- Policy 1.1.1 b) identifies that *“healthy, liveable and safe communities are sustained by accommodating an affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, 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.”*

The Proposed Application will facilitate the expansion of a campground which will contribute to the range of uses available in the Township of North Dumfries, specifically, a recreational use.

- Policy 1.1.1 c) states that *“healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns.”*

No environmental, public health or safety concerns are anticipated as a result of the campground expansion. The use is existing, and the addition of new campsites and recreational facilities is not expected to cause any unwanted impacts. The EIS concludes that there will not be any adverse impacts on the environment.

- Policy 1.1.4.1 g) and h) states that *“healthy, integrated and viable rural areas should be supported by: providing opportunities for sustainable and diversified tourism,*

*including leveraging historical, cultural and natural assets and conserving biodiversity and considering the ecological benefits provided by nature;*

The Proposed Application will contribute to a viable rural area and will support the tourism industry in the Township of North Dumfries. The proposed expansion will respect and conserve the natural heritage aspects of the Site while providing for a tourism use that draws visitors to the Township.

- Policy 1.1.5.3 states that *“recreational, tourism and other economic opportunities should be promoted”* on rural lands.

The Proposed Application will facilitate an improved recreational and tourism use on rural lands.

- Policy 1.1.5.5 states *“development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.”*

The Proposed Application will facilitate development that will be serviced via a private well and wastewater treatment system. The wastewater treatment system will be an upgrade from the existing individual septic systems. No uneconomical expansion of municipal infrastructure is proposed in order to service the expansion.

- Policy 1.1.5.7 states *“opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.”*

The Site is designated Open Space and the expansion of the existing campground represents a logical extension of this recreational use which will support a diversified rural economy through the introduction of additional campsites and additional visitors coming to the area.

- Policy 2.1.1 says that natural features shall be protected for the long term.

The natural features on the Site are to be protected. Please refer to the EIS for a complete discussion on the natural features on the Site, the proposed buffers and proposed mitigation measures associated with the expansion of the campsite.



- 2.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

A portion of the existing Site is a former aggregate pit which has been repurposed as a campground. As the Site was previously used for an aggregate pit, the proposed expansion does not preclude or hinder mineral aggregate operations as they have already taken place on the Site.

- 2.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest; and
  - c) issues of public health, public safety and environmental impact are addressed.

As the campground is existing, it is our opinion that the expansion of the campground will not preclude or hinder the establishment of new aggregate operations. Several technical studies have been prepared in support of the Proposed Application and specifically, the Noise Study concludes that, *“As outlined in Section 3.4, the sound levels from the surrounding industries on the proposed development are predicted to be at or below the NPC-300 sound level limits for stationary sources.”* It is our opinion that as the noise levels are at or below the NPC-300 sound level, the proposed expansion will not hinder future establishment of new aggregate operations.

Should either of the nearby aggregate pits wish to expand their operations, they would need to apply for an Aggregate Permit which requires that dust and noise be mitigated if there are sensitive receptors within 2000 metres of the permitted boundary. A sensitive receptor is defined as *includes residences or facilities where people sleep (nursing homes, hospitals, trailer parks, camping grounds, etc.); schools, day-care centres.*

It is our opinion that as the campground use is existing, there are two existing residential dwellings on the Site and a single detached dwelling along Whistle Bare Road, these mitigation measures would already need to be in place without the expansion of the campground. The Proposed Development will not hinder the expansion of the aggregate pits, there may be mitigation measures that need to be put in place. These mitigation measures would not be determined until such time as an Aggregate Permit was applied for.

- Policy 2.6.2 speaks to cultural heritage and states, *“Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”*

A Stage 1-2 and Stage 3 Archaeological Assessment have been completed. Further archaeological study will be required on two specific areas of the Site and will be completed at a later date. A holding provision is proposed for these areas of the Site until such time as the additional archaeological work can be completed. The majority of the Site has been accessed and does not require additional study

It is our opinion that the Proposed Application is consistent with the policies of the PPS as is detailed above.

## **4.2 Growth Plan for the Greater Golden Horseshoe**

The Province announced a new Growth Plan for the Greater Golden Horseshoe which came into effect on May 16, 2019. The Growth Plan continues to support the development of complete communities. All land use planning decisions must conform to the Growth Plan.

The Growth Plan provides an overall growth strategy for the Greater Golden Horseshoe region that complements the Provincial Policy Statement and is implemented by municipal planning documents. At the core of the Growth Plan are guiding principles for building compact, vibrant and complete communities; planning and managing growth to support a strong, competitive economy; and optimizing the use of existing or planned infrastructure to support growth in a compact and efficient form. The Proposed Application represents a logical development pattern in a compact and efficient form.

Section 2.2.1 speaks to managing growth and that applying the policies of the Growth Plan will support the achievement of complete communities that feature a diverse mix of land uses, improve social equity and overall quality of life and will provide convenient access to recreational facilities. The Proposed Application will contribute to the availability of

recreational uses in the Township of North Dumfries. The Proposed Application represents a logical expansion of an existing recreational use and does not propose the uneconomical expansion of existing services or infrastructure.

Section 4.2.4 of the Growth Plan speaks to key hydrologic features and key natural heritage features. Policy 4.2.4.1 states: *“Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:*

- a) Is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;*
- b) Is established to achieve and be maintained as natural self-sustaining vegetation; and*
- c) For key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.*

In response to Section 4.2.4 of the Growth Plan, an Environmental Impact Study (EIS) has been prepared which proposes buffers for three areas: below the dripline of the environmentally sensitive policy area (ESPA), wetland buffers and watercourse buffers which also include planting and restoration plans. The EIS determines that the on-site ESPA and wetland/watercourse features can be protected with no significant impacts as a result of the Proposed Development. It is our opinion that the completed EIS addresses the above noted policies of the Growth Plan.

Section 2.2.9 of the Growth Plan includes policies for Rural Areas. Policy 2.2.9.3 and 2.2.9.4 states, *“subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:*

- a) The management or use of resources;*
- b) Resource-based recreational uses; and*
- c) Other rural land uses that are not appropriate in settlement areas provided they:*
  - i. Are compatible with the rural landscape and surrounding local land uses;*
  - ii. Will be sustained by rural service levels; and*
  - iii. Will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.*

It is our opinion that the proposed recreational use is compatible with the rural landscape and surrounding local land uses. The campground is existing, and the proposed expansion will continue to be compatible with the surrounding land uses. The Site is not designated as prime agricultural land and is intended to be used for Open Space, as such it is our opinion that the Proposed Application will not adversely affect the protection of agricultural uses.

Please see above justification in Section 4.2 as it relates to there being no adverse impacts on mineral aggregate operations.

*4. Where permitted on rural lands, resource-based recreational uses should be limited to tourism-related and recreational uses that are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape, and may include:*

- a) commercial uses to serve the needs of visitors; and*
- b) where appropriate, resource-based recreational dwellings for seasonal accommodation.*

The Proposed Development contemplates a tourism-related, recreational use which is permitted in the Open Space designation of the Official Plan. The campground is existing, and the expansion will continue to be compatible with the scale and character of the surrounding landscape. To the north and south of the Site are agricultural lands. Directly to the east is a golf course (i.e. recreational use) and a campground is not anticipated to conflict with the use of the golf course given that they are both recreational uses. To the west and south-west is Grower's Choice which is a manufacturer and supplier of premium mulches, soil mixes, nursery mixes and golf mixes. There are two aggregate pits within proximity of the Site. There are a few single detached dwellings along Whistle Bare Road.

The Proposed Development will be of a similar form as what exists on the Site today (single storey trailers and accessory buildings). The use is low rise in nature. The expansion is not expected to impact on the surrounding rural landscape and is proposed to enhance the recreational/tourism-related uses available in the Township. A campground is expected to be located in a rural area as those using the Site are typically looking for a rural and secluded environment.

At the Site Plan Application stage, a landscape plan will be developed which will look at screening through either planting and/or fencing. Screening measures can be implemented that will screen many of the uses from view along Whistle Bare Road. Landscaping will likely be proposed that will enhance the appearance and enjoyment of the Site for both the visitors and those passing by.

There are commercial uses proposed that will serve the visitors of the campground including storage units, site storage and a show lot. These areas provide visitors an opportunity to store their recreational vehicle/items and view new recreational trailers. These uses are proposed to be accessory in nature and directly related to the use of the Site as a campground. Commercial uses that serve visitors are permitted by the Growth Plan.

It is our opinion that the Proposed Application conforms with the Growth Plan for the Greater Golden Horseshoe.

#### **4.3 Region of Waterloo Official Plan**

The Region of Waterloo Official Plan (ROP) was adopted by the Region of Waterloo in June 2009 and received final approval from the Province on December 22, 2010. The ROP was approved by the Ontario Municipal Board (now referred to as the Local Planning Appeal Tribunal) in June 2016. The ROP provides goals and objectives for future growth and development within the Region.





The Site is designated Rural Area and Protected Countryside on Map 7 – The Countryside in the ROP (see Figure 3). The following policies are applicable to the Proposed Application:

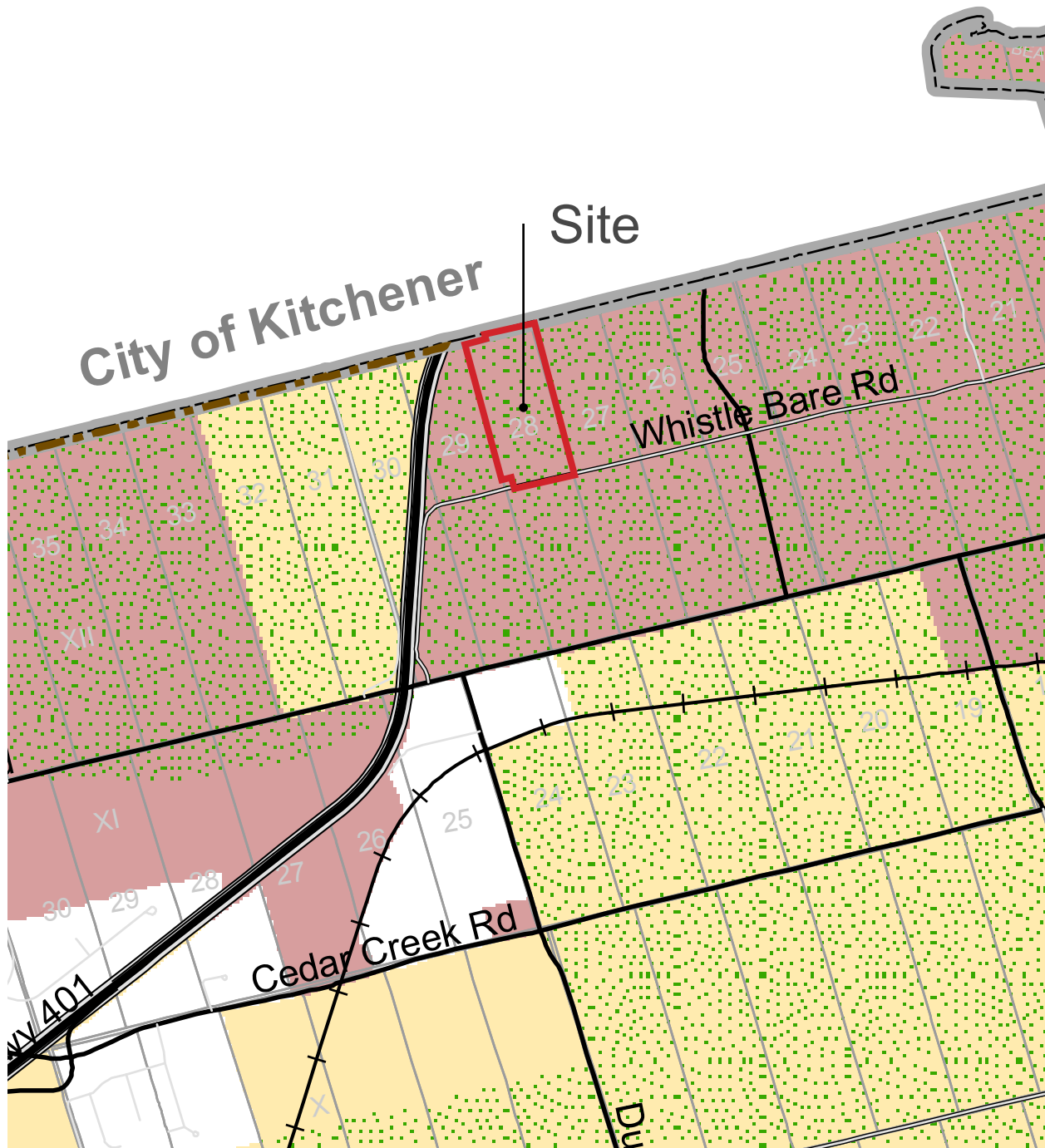
Policy 2.6.11.2 states that land uses within the Protected Countryside will be regulated in accordance with the underlying policies of the rural area designation.

Policy 6.A.8 states that *“Recreational and tourism uses, rural institutional uses and limited infill residential uses may be permitted in Rural Areas in accordance with the policies in this Chapter.”*

The Proposed Application proposes recreational and tourism uses in a Rural Area.

Policy 6.C.5 states, *“Minor intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes to the uses thereof, may be permitted within the limits of the existing property.”*

-  Protected Countryside
-  Prime Agricultural Area
-  Rural Areas
-  Countryside Line



## Region of Waterloo Official Plan - Countryside

Source: Region of Waterloo Official Plan Map 7 (2013)

Figure  
**3**

It is our opinion that the Proposed Application will realize the intensification of the existing campground which is within the limits of the existing property. It is our opinion that the intensification of this existing use is minor for the following reasons:

- The Proposed Development can be adequately serviced without any expansion to municipal services. Water, sanitary and stormwater servicing can all be dealt with on Site.
- The Proposed Application will reconfigure and expand the existing campground which will provide for a new wastewater treatment facility. This is a much better solution than the ad-hoc septic systems that exist on the Site today. These systems were put in at the time the campground was established and the proposed wastewater treatment facility will be a significant upgrade. This wastewater treatment facility will require an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks. The existing septic systems are decaying and as such the Proposed Development will improve this situation.
- There are no noise concerns from a transportation or stationary noise perspective;
- Any additional traffic that is generated by the Proposed Development will continue to maintain Whistle Bare Road's designation as a Township road.
- No improvements are required to Whistle Bare Road as a result of the additional traffic.
- The Environmental Impact Study proposes appropriate buffers and mitigation measures which will ensure that there are no negative impacts to the natural heritage features on the Site. Opportunities for enhancement and restoration have been provided in the EIS.
- The proposed commercial uses (storage, show lot and recreational centres) are accessory to and will support the main recreational use.
- Represents a logical and efficient use of the Site which is designated for Open Space uses.
- Based on the technical studies completed it is our opinion that the proposed expansion is minor in nature and no negative impacts will be realized.


The Site is within the Blair- Bechtel-Cruickston Environmentally Sensitive Landscape which includes Core Environmental Features (ESPA 37, Significant Woodlands and Provincially Significant Wetlands) (see Figure 4).

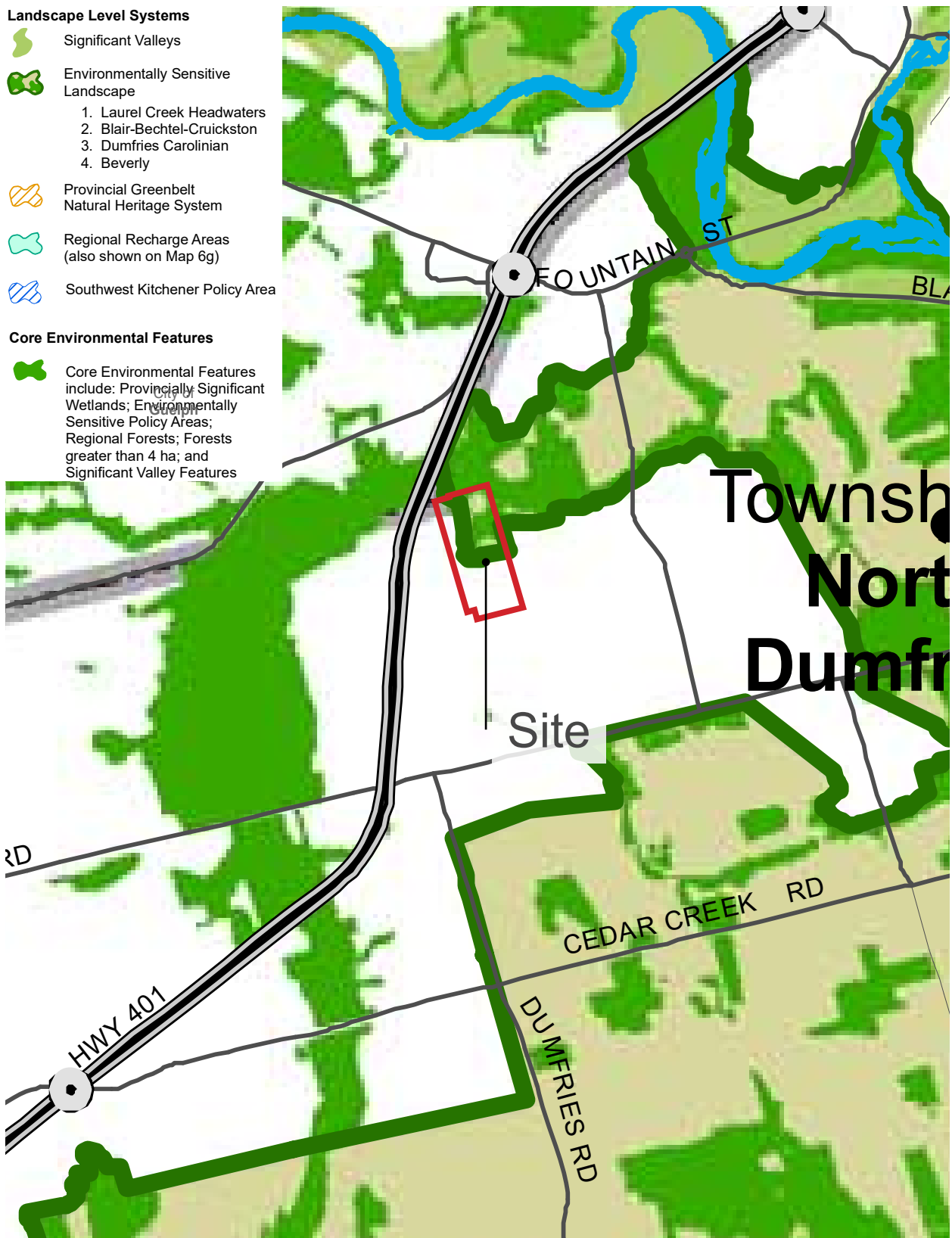


#### Landscape Level Systems

-  Significant Valleys
-  Environmentally Sensitive Landscape
  1. Laurel Creek Headwaters
  2. Blair-Bechtel-Cruikston
  3. Dumfries Carolinian
  4. Beverly
-  Provincial Greenbelt Natural Heritage System
-  Regional Recharge Areas (also shown on Map 6g)
-  Southwest Kitchener Policy Area

#### Core Environmental Features

-  Core Environmental Features include: Provincially Significant Wetlands; Environmentally Sensitive Policy Areas; Regional Forests; Forests greater than 4 ha; and Significant Valley Features





The following policies are applicable to lands identified as an Environmentally Sensitive Landscape:

- 7.B.9 *Within the Environmentally Sensitive Landscapes designation, development applications submitted in accordance with the policies in Chapter 6 to:*
  - a) *Establish or expand recreational and tourism uses or rural institutional uses;*
  - c) *Permit the minor intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes in the uses thereof;*

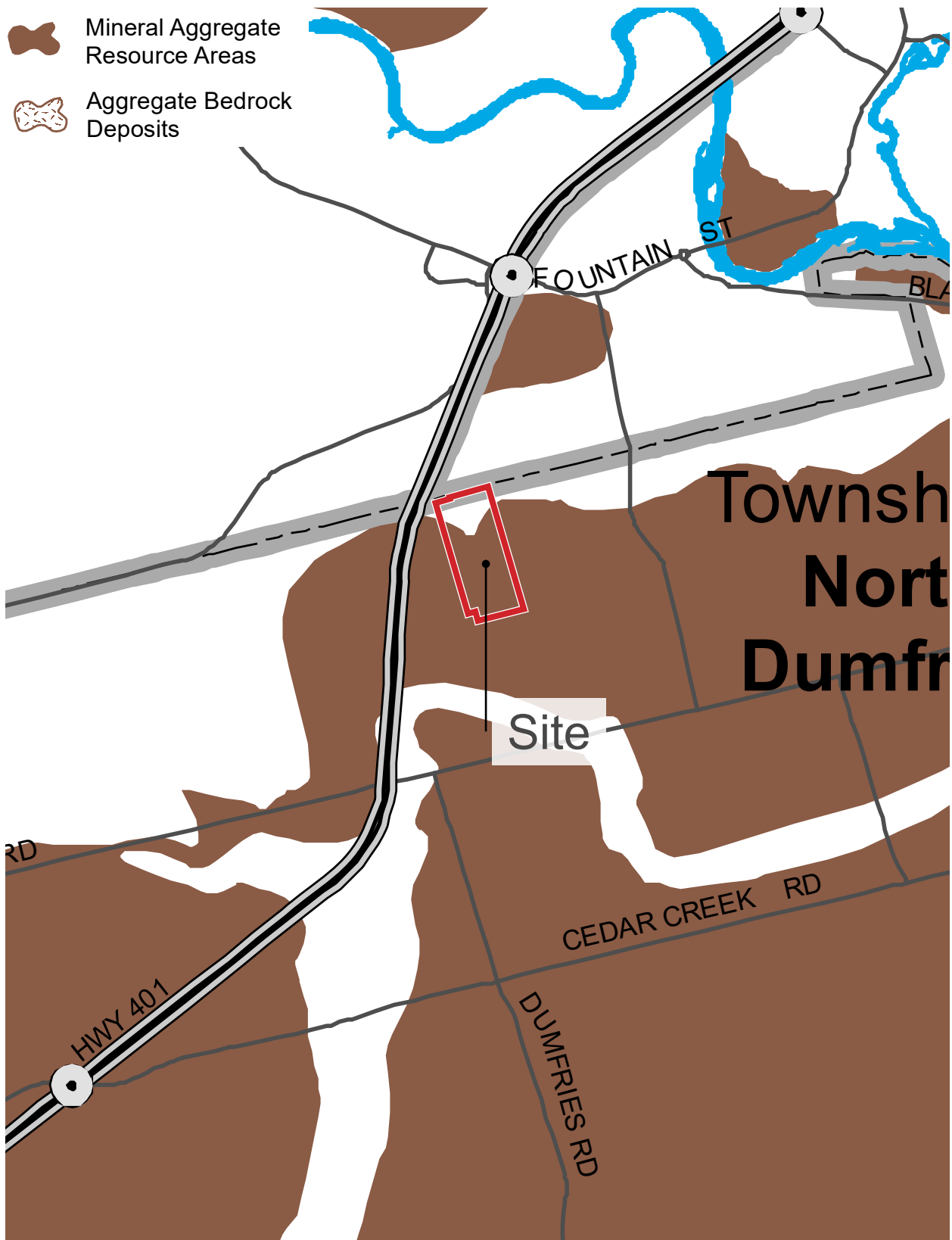
*may be considered for approval subject to the following additional criteria:*

- i) *There will be no adverse environmental impacts on environmental features and ecological functions, enhancement/restoration areas, existing corridors and linkages, watercourses, or the quality and quantity of groundwater within or contiguous to the Environmentally Sensitive Landscape resulting directly from the proposed development or through increases in traffic or development of required servicing infrastructure;*
  - ii) *Disturbance of existing natural vegetation will be minimized;*
  - iii) *The development will be buffered from existing natural features by an appropriate width of natural vegetation, and will otherwise facilitate the enhancement or restoration of new areas and/or corridors and linkages; and*
  - iv) *All natural landscape features, required buffer strips, and enhancement or restoration areas on the subject property are given appropriate zoning in the zoning by-law of the respective Area Municipality and/or protected through a Conservation Easement acceptable to the Region.*
- 7.B.12 *Where development or site alteration is proposed on lands within or contiguous to an Environmentally Sensitive Landscape, the owner/applicant will be required to submit an Environmental Impact Statement which addresses landscape impacts in addition to any other requirements in accordance with the policies in Section 7.G.*
- 7.C.4 *Provincially Significant Wetlands, as identified by the Province, will be considered Core Environmental Features for the purposes of this Plan. The Region*

*will collaborate with the Province to ensure that wetlands on lands affected by or contiguous to any proposed development or site alteration are properly evaluated and identified as Provincially Significant Wetlands, where appropriate.*

Please find enclosed an Environmental Impact Study which addresses the present Environmentally Sensitive Policy Area, Environmentally Sensitive Landscape and Core Environmental Features on the Site. The EIS proposes buffers around each of these environmental areas and determines that there are no negative impacts associated with the Proposed Development. The EIS also discusses opportunities for enhancements including planting and restoration plans.

Chapter 9 of the ROP contains policies for managing aggregate resources. The Site is identified as being within a Mineral Aggregate Resource Area on Map 8 of the ROP (see Figure 5).



There are two existing aggregate pits within proximity of the Site, the following policy applies:

- 9.2 *Prevent any changes in land use that could conflict with existing or future mineral aggregate operations.*

A portion of the Site was previously used as an aggregate pit and as such it is our understanding that the extraction of aggregates is complete and the Site has been rehabilitated. It is our opinion that there is not an opportunity on the Site for future aggregate operations and as such that the Proposed Application will not conflict with aggregate operations on the Site specifically.











Please see Section 4.2 of this report for justification on any conflicts with respect to existing aggregate pits in the area. Should there be expansion proposed of the existing aggregate pits, it is likely that under the current conditions, these aggregate operators would be required to implement mitigation measures given the existing residential dwellings on the Site and along Whistle Bare Road. As such, the expansion of the campground is not introducing a new sensitive use that would require new mitigation measures that wouldn't exist otherwise. It is expected that at the time of any aggregate expansion, noise and dust impacts would be reviewed and appropriately mitigated.

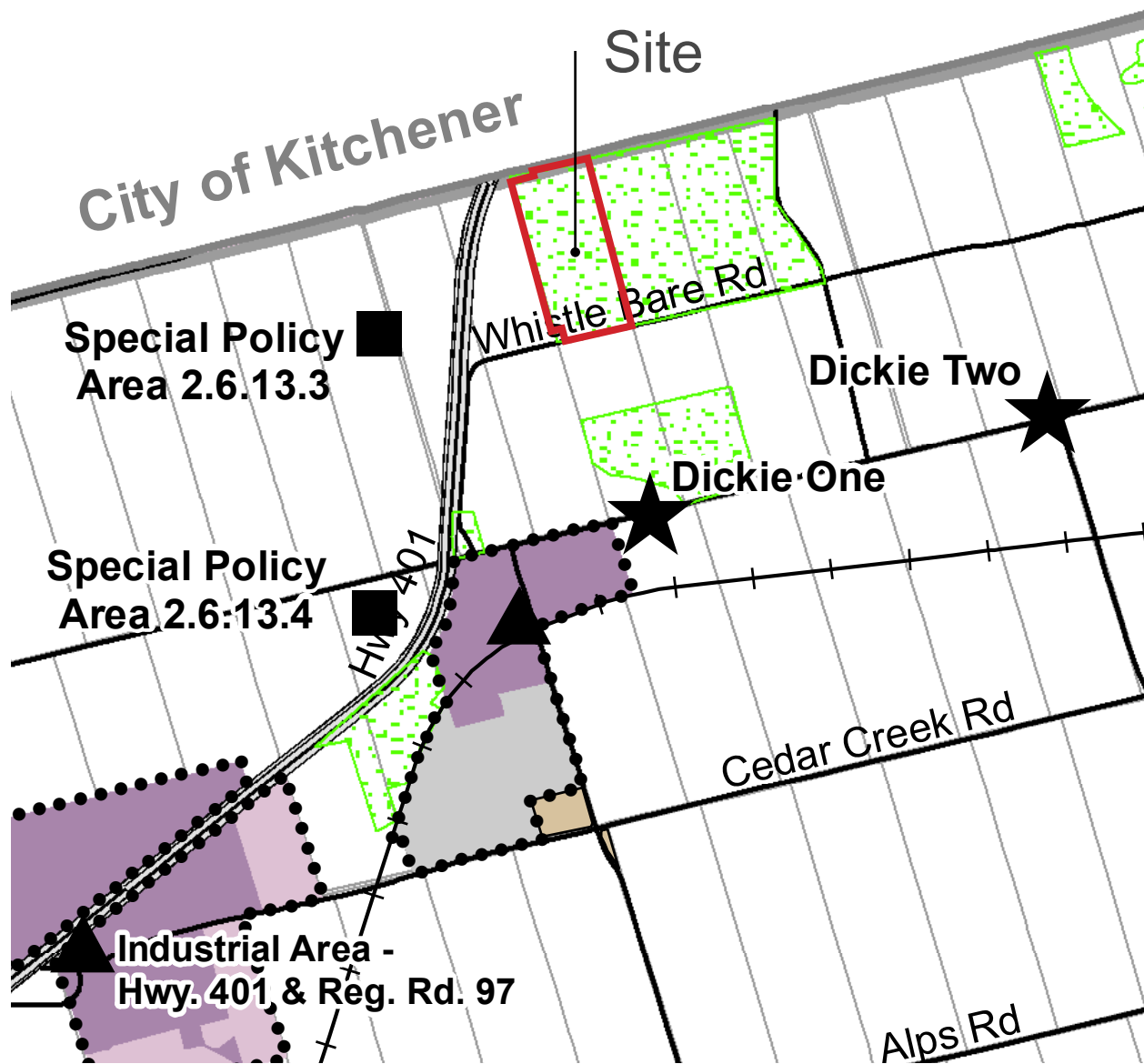
It is our opinion that the Proposed Application conforms to the Region of Waterloo Official Plan.

#### **4.4 Township of North Dumfries Official Plan**

The Township of North Dumfries Official Plan (the "OP") was adopted by Township Council in December 2013. The Region of Waterloo approved this plan with modifications in August 2014. Portions of the Official Plan are under appeal and remain before the Local Planning Appeal Tribunal. A consolidated version of the Official Plan was released in November 2018 which was intended to incorporate site specific amendments that have been approved.

The Site is designated Open Space on Map 2 – Planned Township Structure (see Figure 6).

- |   |   |
|---|---|
|  Ayr Urban Area Boundary                         | ★ Rural Settlement Area   |
|  Urban Area                                      | ▲ Rural Employment Area   |
|  Urban Growth Centre                             | ■ Special Policy Area   |
|  Highway 401/Regional Road 97 Employment Area    | <b>Countryside</b>  |
|  Prime Industrial/Strategic Reserve (Unserviced) |  Agricultural        |
|  Built-Up Area                                   |  Open Space          |
|  Designated Greenfield Area                      |  Rural Institutional |



The Open Space designation is applied to conservation areas, major public parks, privately owned recreation areas, cemeteries, appropriate heritage features, fairgrounds, golf courses, camping facilities and recreational trailer parks. The Open Space designation is intended to accommodate for a range of recreational and tourism uses in the Countryside as provided for in the ROP.

The Proposed Application is in keeping with the permitted uses of the Open Space designation which permits recreational trailer parks.

The following policies are applicable to the Site and the Proposed Development:

- *2.6.9.2 Where lands are designated as Open Space on Map 2 and Environmental Constraint Areas on Map 5B, uses permitted within the Open Space designation will be subject to the restrictions as established through the policies contained in Section 6.1 of this Plan.*
- *2.6.9.4 Specific uses within the Open Space designation will be regulated through the Township Zoning By-law.*

Land use compatibility policies are contained in Section 3.1.1 of the OP. The OP states that factors that will be used to assess the compatibility of a proposed development include:

- a) *The density, scale, height, massing, visual impact, building materials and architectural character of surrounding buildings and the proposed development;*

While the density in terms of number of sites is proposed to increase, the height and massing of the Proposed Development will remain the same as what currently exists on the Site (approximately 1 storey). The proposed recreational building will also be in keeping with a similar height of the existing trailers at 1 storey in height. There are no buildings proposed adjacent the existing single detached residential dwelling along Whistle Bare Road. There are overnight sites proposed closest to the existing single detached dwelling, this is a temporary use for trailers that wish to stay overnight only. There are no existing buildings directly to the north, east or south of the Site and the majority of the western lands that the Proposed Development would have an impact on from an architectural character perspective. The proposed trailers will likely be screened from view through appropriate plantings and landscaping features.

- b) *The preservation of the natural environment and built heritage resources;*

Please refer to the EIS and the discussion related to the conclusions of the EIS referred to earlier in this report. The existing environmental features are proposed to be preserved, maintained through buffers. The buffers are proposed to be enhanced through restoration and planting plans.

c) *The continued visibility and viability of adjacent land uses;*

The Proposed Development will allow for the continued visibility and viability of adjacent land uses. The Proposed Development will not hinder the use of the existing, adjacent land uses.

d) *Pedestrian and vehicular movement and linkages, and parking requirements;*

Pedestrian connections will be considered at the time of site plan however the internal roadway is intended to be shared by both cars and pedestrians given the recreational use and the fact that vehicles will not be travelling quickly on the internal roadways. Each campsite will accommodate both a trailer and one vehicle.

e) *Landscaping, setbacks, sun and shadow effects, wind effects, signage, lighting and buffering of proposed and existing developments;*

Landscaping and lighting will be dealt with at the Site Plan stage. There are no sun and shadow or wind effects anticipated as a result of the Proposed Development given the low rise nature of the trailers and accessory buildings.

f) *Noise, dust, emissions or odours generated by surrounding land uses as well as the proposed development; and,*

The Noise Study concludes that there are no noise impacts from surrounding land uses on the Site.

g) *Traffic generated by surrounding land uses and the proposed development.*

The Transportation Assessment concludes that the additional traffic from the campground expansion would result in traffic volumes on Whistle Bare Road that are still in keeping with the designation as a local Township road. The increase in traffic is expected to be predominantly passenger vehicles and there is not expected to be an increase in truck traffic related to the campground expansion.

Policy 3.1.3.1 states, *“All proposed development, or any new/expanded livestock barns and manure storage facilities will conform with the Minimum Distance Separation (MDS). The MDS will be determined through the Minimum Distance Separation Formulae I and II.”*

MDS I calculations have been completed and no setbacks are required as a result of the MDS calculations.

Policy 3.1.4.1 requires that a noise feasibility study be prepared to the satisfaction of the Region and/or the Township.

A Noise Study has been completed in support of the Proposed Development.

Whistle Bare Road is identified as a Local Road on Map 3A – Transportation in the OP (see Figure 7).

Local roads are described in Policy 3.3.1.1 iii) as roads that *facilitate internal traffic movement in Rural Settlement Areas, Industrial/Commercial Areas and the Ayr Urban Area. Local roads provide access to abutting land uses and are not intended to accommodate the movement of traffic throughout the Township.*

As is stated above, the Transportation Assessment concludes that the additional traffic will result in volumes that are still in keeping with a local road classification.

Policy 3.3.2.4 states, *“The Township will identify and encourage opportunities for enhanced pedestrian and cycling environments which contribute to opportunities for walking and cycling for purposes of convenient travel, recreational, health, environmental and economic reasons, and promoting physical activity through the review of development applications and site plans. Examples of such measures may include:*

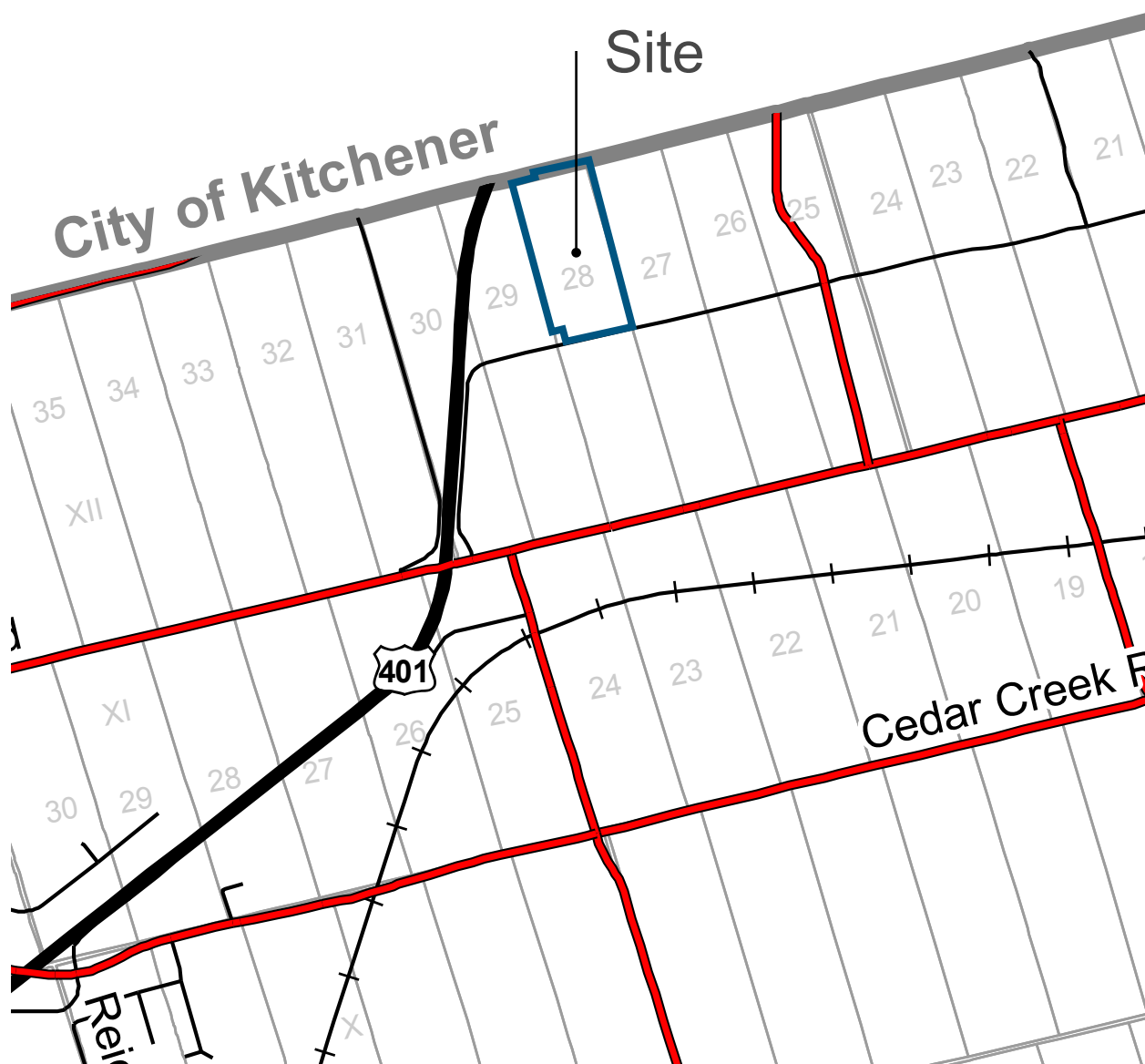
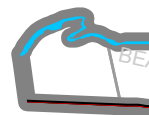
- a) Integrating pedestrian and cycling facilities into developments;*

Policy 3.3.4.2 states that where a development application is proposed adjacent to a Township Road, or is proposing the creation of new Township Roads, traffic impact analyses, land dedications, and other measures may be required as a condition of approval.

A Transportation Assessment has been completed and submitted in conjunction with this Report. Please refer to this report for the traffic impact analyses. No land dedications or upgrades to Township Roads are required as part of the Proposed Application.



- Provincial Highways
- Regional Roads
- Primary Township Roads
- Secondary Township Roads
- Local Roads
- Planned Regional Roads
- Proposed Regional Corridors



## Township of North Dumfries Official Plan - Transportation

Source: Township of North Dumfries Official Plan Map 3A (2013)

Figure  
**7**

Policy 3.4.2.3 requires that if private wells are proposed, a study must be undertaken to demonstrate that such wells can operate satisfactorily over the long-term on the site and not negatively affect groundwater resources.

A Hydrogeological Assessment has been prepared in support of the Proposed Application and concludes that, *“well records confirm the excellent aquifer capabilities to supply the proposed campground expansion and also confirm the existence of an intermediate depth aquitard layer that provides good security to the deep aquifer from potential surface contaminants. The proposed supply would come from an existing deep aquifer well in the northern part of the property that has been tested at 80 gpm with minimal drawdown. No quantity impacts to groundwater and surface water receptors in the area is predicted from the water taking. A confirmatory pumping test to support a MECP Permit to Take Water is recommended.”*

The OP stipulates that Stormwater Management Plans must address a number of criteria which are outlined in Policy 3.4.4.2 to ensure that development will not have significant adverse impacts on the natural environment.


A Functional Servicing and Preliminary Stormwater Management Report has been completed and submitted in support of the Proposed Application. The major storm runoff generated from the site will continue to sheetflow overland to the existing wetland complex and to Blair Creek. Post-development flows will be attenuated to the existing conditions via infiltration and ponding in roadside ditches. Quality control will be provided through directing storm flows over grassed areas and through ditches to provide filtration and settling of suspended particles. Quality control for higher traffic areas such as parking lots and storage areas will be provided by oil grit separators prior to discharge. Infiltration structures are proposed along roadside ditches to assist in meeting the recharge requirements for the post-development water balance.

There is an Environmentally Sensitive Landscape (ESL) and Core Environmental Features identified at the north portion of the Site as per Map 5A – Greenlands Network in the OP (see Figure 8).

#### Landscape Level Systems

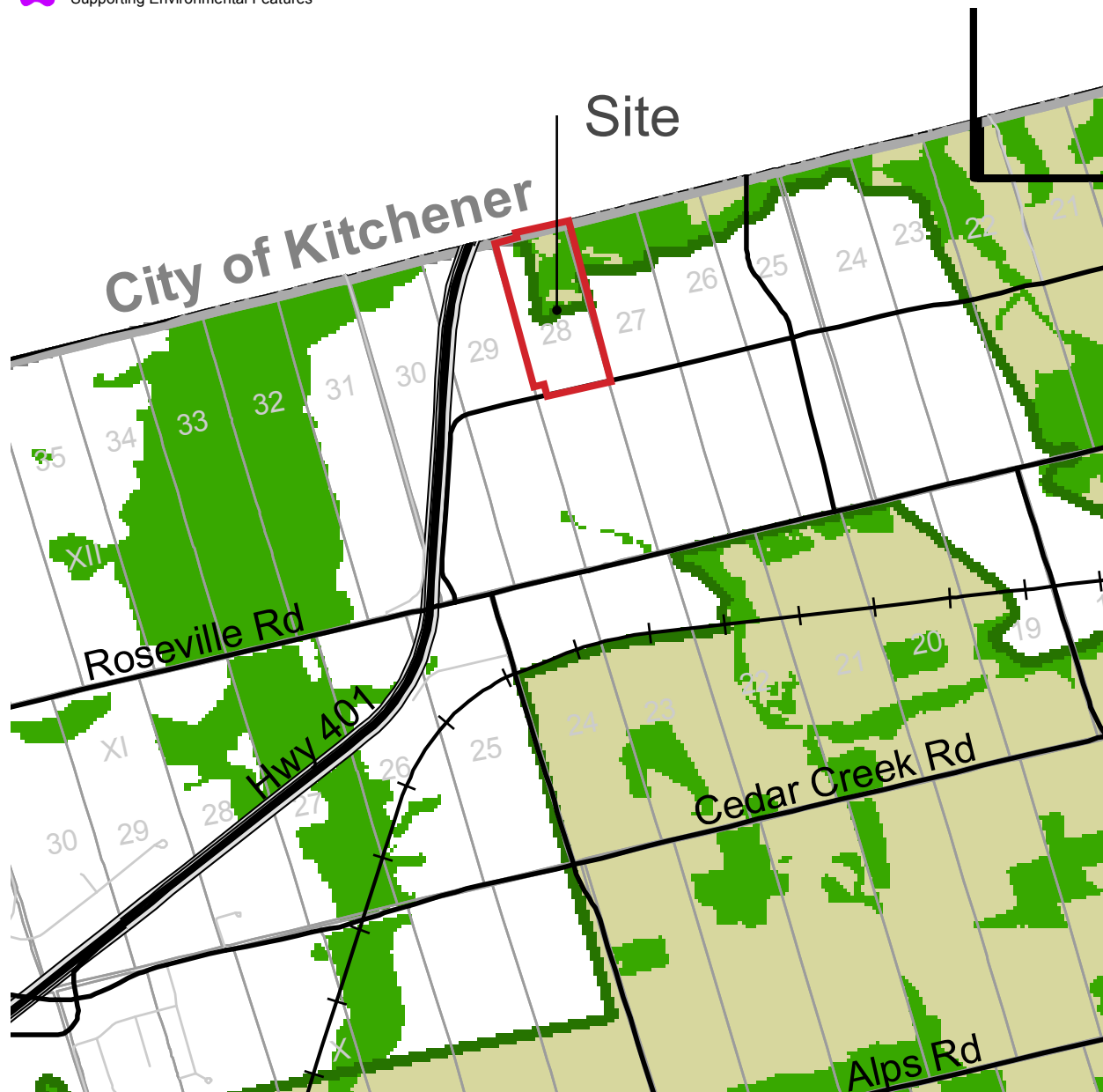
-  Significant Valleys
-  Environmentally Sensitive Landscape
-  Provincial Greenbelt Natural Heritage System
-  Regional Recharge Areas (also shown on Map 4)

#### Core Environmental Features

-  Core Environmental Features

#### Supporting Environmental Features

-  Supporting Environmental Features



### Township of North Dumfries Official Plan - Greenlands Network

Source: Township of North Dumfries Official Plan Map 5A (2013)

Figure

8

Section 6.1.3 of the OP contains policies related to Environmentally Sensitive Landscapes. The following policies are applicable to the Proposed Application:

- 6.1.3.5 *Development applications within Environmentally Sensitive Landscapes Submitted to:*
  - a) *Establish or expand recreational and tourism uses or Rural Institutional uses;*
  - b) *Create a new lot, or permit a lot addition, for a recreational and tourism use or Rural Institutional use;*
  - c) *Permit the minor intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes in the uses thereof;*
  - d) *permit new agriculture-related uses or secondary uses;*

*may be considered for approval subject to the following additional criteria:*

- i) *there will be no adverse environmental impacts on environmental features and ecological functions, enhancement/restoration areas, existing corridors and linkages, watercourses, or the quality and quantity of groundwater within or contiguous to the Environmentally Sensitive Landscape resulting directly from the proposed development or through increases in traffic or installation of required servicing infrastructure;*

The EIS concludes that there will be no adverse environmental impacts as a result of the Proposed Development. The EIS also details how the impact of the campground is different than a typical residential (or other) development given that there is limited grading and hard surfaces are proposed.

- ii) *disturbance of existing natural vegetation will be minimized;*

Vegetation removal/disturbance is expected to be minimal.

- iii) *the development will be buffered from existing natural features by an appropriate width of natural vegetation, and will otherwise facilitate the enhancement or restoration of new areas and/or corridors and linkages; and*

Buffers are proposed to the existing natural features and will be enhanced or restored through planting and stewardship plans.

- iv) *all natural landscape features, required buffer strips, and enhancement or restoration areas on the subject property are zoned appropriately through a zoning by-law amendment and/or protected through a Conservation Easement acceptable to the Region.*

The natural features are proposed to be appropriately zoned as Environmental Protection Zones. Please see the enclosed zoning graphic (Figure x).

An ESL is a broad area with distinct geographical and ecological characteristics which support and sustain a range of ecological functions. The ESL boundary on the Site encompasses the ESPA, Core Environmental Features which include: Provincially Significant Wetland and Significant Woodlands.

There are some existing campground sites that encroach into the ESL and in some instances existing trailers may be parked under the canopy of the forested dripline. A 5 metre interior limited impact zone has been proposed within the ESL and ESPA. The limited impact zone is described in greater detail in the EIS. The wetlands/ponds on the eastern boundary of the Site will have a 15 metre buffer, which is proposed to be planted and restored. The watercourse feature adjacent Pond 1 and the watercourse at the northeast corner of the Site is proposed to have a 10 metre buffer. These buffers are expected to result in negligible impacts to the natural areas.

The natural features and buffers are proposed to be zoned Environmental Protection Two (EP2) 12B – Z.12B.

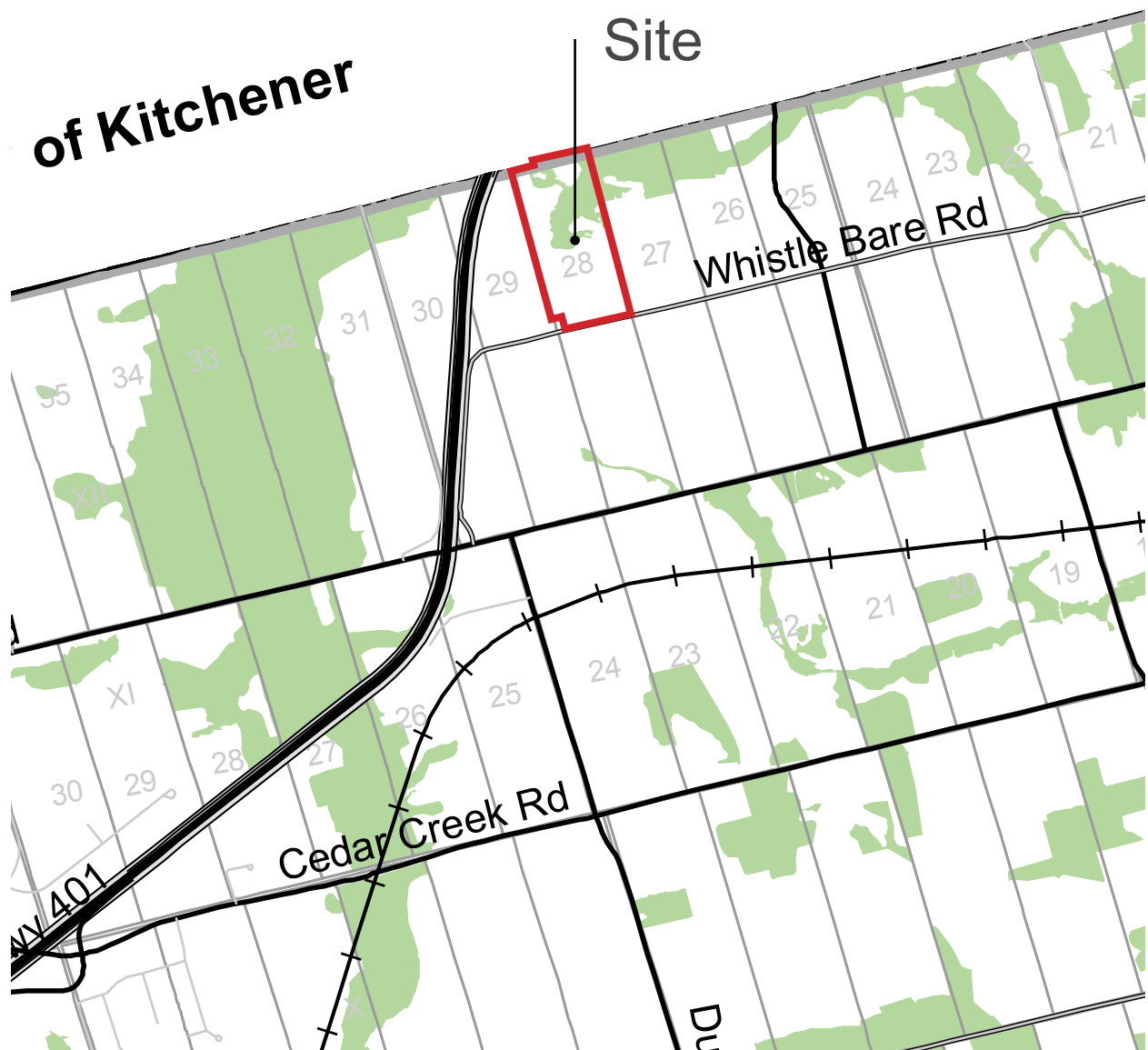
Policy 6.1.3.7 requires that where development or site alteration is proposed on lands within or contiguous to an Environmentally Sensitive Landscape, an Environmental Impact Study will be required.

An Environmental Impact Study prepared by Natural Resource Solutions Inc. has been submitted in support of the Proposed Application.

An Environmental Constraint Area is identified on Map 5B – Environmental Constraint Areas (see Figure 9).



## Environmental Constraint Areas



### Township of North Dumfries Official Plan - Environmental Constraint Areas

Source: Township of North Dumfries Official Plan Map 5B (2013)

Figure

9

Supporting environmental features are designated as Environmental Constraint Areas and are areas that meet the following criteria:

- a) *is identified by the Ministry of Natural Resources as a Locally Significant Wetland (including all previously classified Class 4 to 7 Wetlands identified by the Ministry of Natural Resources); or,*
- b) *is identified by the Ministry of Natural Resources as significant wildlife habitat; or,*
- c) *is identified by the GRCA as a cold or warm water fishery; or,*
- d) *provides a connection or acts as a buffer or supporting area or other designated natural areas, thus maintaining ecological connection between communities; or,*
- e) *performs vital hydrogeological functions, such as serving as headwaters of a stream, groundwater recharge and Environmentally Significant Discharge Areas.”*

Policies that apply to Core Environmental Features are contained in Section 6.1.7 of the OP.

The Core Environmental Features designation applies to lands that meet the criteria set out in the ROP as:

- a) *significant habitat of endangered or threatened species;*
- b) *provincially significant wetlands*
- c) *Environmentally Sensitive Policy Areas;*
- d) *Significant Woodlands; or*
- e) *Environmentally Significant Valley Features.*

Development or site alteration is generally not permitted within Core Environmental Features with a few exceptions contained in Policy 6.1.7.4 a) to e).

Policy 6.1.7.5 states, *“Development, or site alteration will only be permitted on lands contiguous to a Core Environmental Feature where an Environmental Impact Statement, or similar study, submitted in accordance with the policies in Section 6.3 has determined to the satisfaction of the Township, the Region, the GRCA and/or the Province, as appropriate, that approval of the proposed development or site alteration would not result in adverse environmental impacts on the features and ecological functions of the Core Environmental Feature.”*

Policy 6.1.7.6 states, “An Environmental Impact Statement submitted in accordance with Policies 6.1.7.4 or 6.1.7.5 will identify appropriate buffers to Core Environmental Features, to the satisfaction of the Township in consultation with the Region and the GRCA. Such buffers will not only serve to protect Core Environmental Features from adverse environmental impacts but will also provide opportunities for net habitat enhancement or, wherever feasible, restore the ecological functions of the Core Environmental Feature. The location, width, composition and use of buffers will be in accordance with the approved Environmental Impact Statement, with buffers being a minimum of 10 metres as measured from the outside boundary of the Core Environmental Feature and established and maintained as appropriate self-sustaining vegetation.”

The following buffers are proposed in the EIS:

- A 5 metre buffer to the Environmentally Sensitive Policy Area;
- A 15 metre buffer to the wetlands;
- A 5 metre Limited Impact Zone;
- A 10 metre stream restoration area.

The EIS states that the impact of the campground should be considered differently based on a number of factors:

- *Trailer sites are a less densely populated type of development,*
- *Limited hard surfaces are proposed,*
- *Grading is expected to be very limited, and*
- *Vegetation removal is expected to be minimal.*

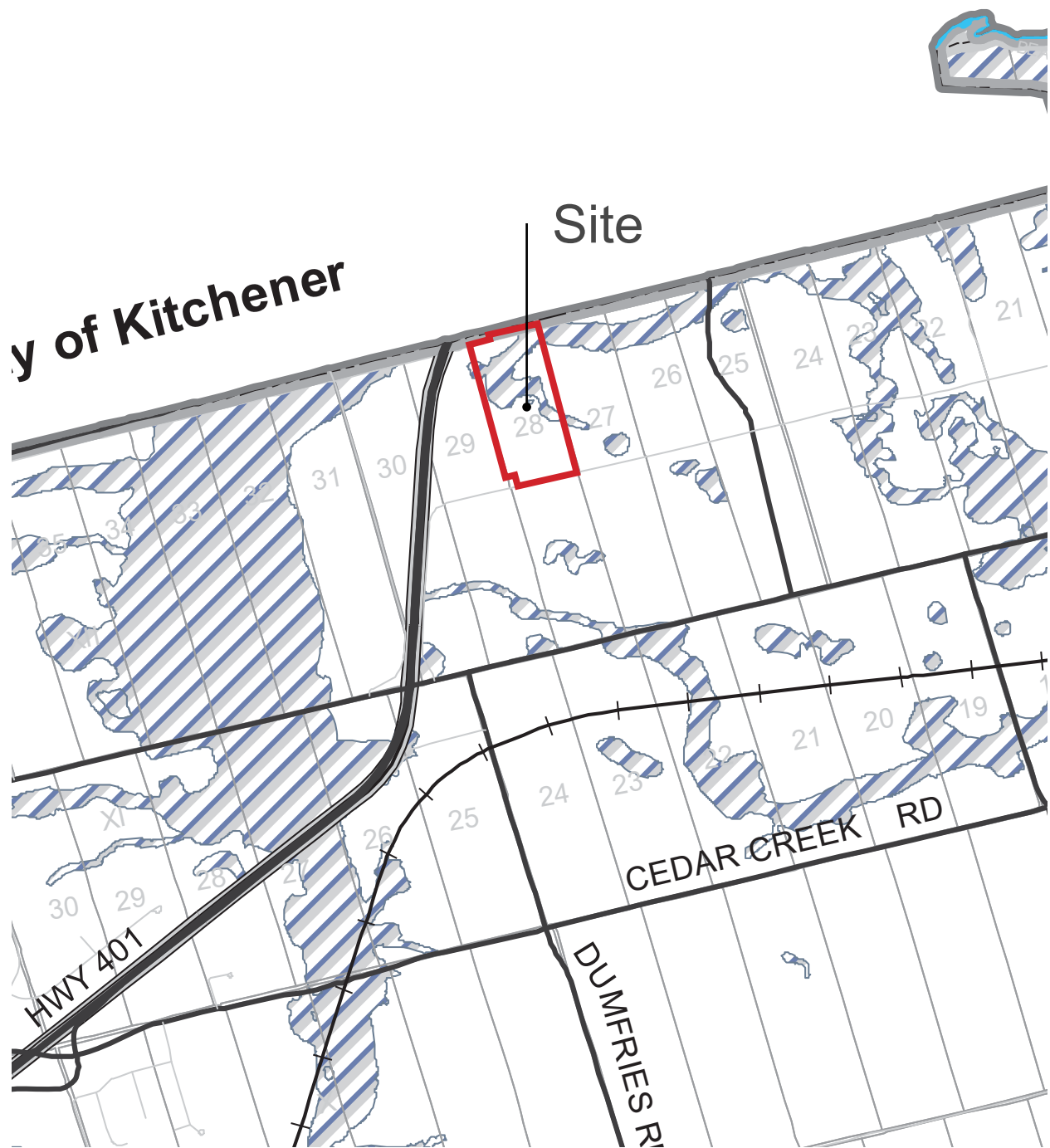
Please refer to the EIS for further justification with respect to the above noted policies related to the environmental features on the Site. The EIS concludes that the existing wetlands and Environmentally Sensitive Policy Areas will be protected with no major impacts as a result of the Proposed Application.

Natural Hazards are identified on Map 5C – Hazard Lands. A portion of the Site is identified as Hazard Lands (see Figure 10).





Hazard Lands



Township of North Dumfries Official Plan -  
Hazard Lands

Source: Township of North Dumfries Official Plan Map 5C (2013)

Figure

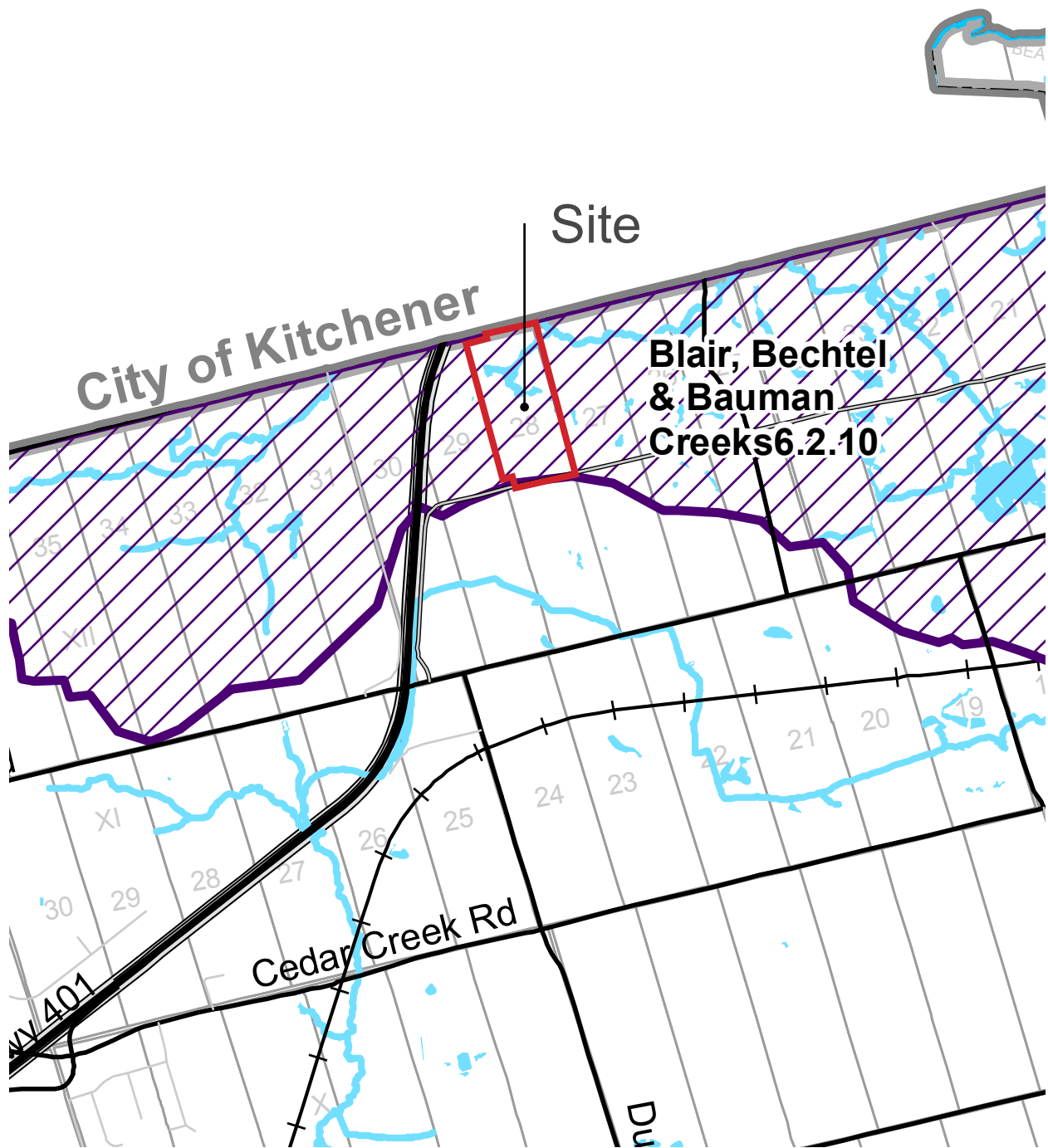
10

Passive non-structural uses are permitted within areas identified as Hazard Lands. Further, the Hazard Lands designation primarily encompasses campsites that currently exist and the existing wetland. As non-structural uses are permitted within Hazard Lands, it is our opinion that the Proposed Development is permitted within the area identified as Hazard Lands.

Policy 6.4.12 states, *“The Township will require detailed hydrogeological and/or geotechnical studies to assess potential risks to persons, buildings, structures, or public infrastructure occasioned by groundwater discharge or high water tables prior to development. Such studies should demonstrate that engineering solutions designed to protect structures from the effects of groundwater discharge and high water tables will be effective, will not require significant on-going maintenance to remain effective, and will not divert or impede natural groundwater flows so as to create hazards or annoyances to adjacent lands and buildings. Where discharge constraint areas are identified in the above studies, they will be identified through an amendment to this Plan and/or in Community Plans.*

A Hydrogeological and Geotechnical Study has been submitted in support of the Proposed Application.

The Site is located within the Blair, Bechtel & Bauman Creeks Watershed as is identified on Map 6 – Watershed Study Areas (see Figure 11). NRSI has delineated the Blair Creek Provincially Significant Wetland on the Site. The ESPA contains this Provincially Significant Wetland. No development is proposed within the ESPA and a 5 metre buffer to it is proposed.



Township of North Dumfries Official Plan -  
Watershed Areas

Source: Township of North Dumfries Official Plan Map 6 (2013)

Figure

11

As per the Regional Official Plan, the Site is within the Rural Area on Map 7 – The Countryside.

Policy 2.11.1 speaks to the expansion of recreational uses within rural areas might be permitted by amendment through a Zoning By-law, provided that:

- a) *Any buildings or structures associated with the use are small-in-scale and do not include overnight guest accommodation, with the exception of campgrounds;*

There are three permanent buildings proposed as part of the Proposed Development. These include two recreational hall buildings and an office/workshop. These uses are small scale in nature in relation to the campground use and are required to support the visitors of the campground. The trailers will be small scale in nature (one storey).

- b) *The use is compatible with surrounding agricultural operations;*

The proposed campground is compatible with surrounding agricultural operations. The agricultural operations will not hinder the use and enjoyment of the campground. The campground is not expected to have any impact on nearby agricultural operations. Landscaping and screening can be provided at the street edge to provide separation between uses. Given that Highway 401 is very close to the existing campground, there are not expected to be any noise concerns greater than what is already experienced on the Site today.

- c) *The use minimizes the amount of land removed from agricultural production;*

The Site is designated Open Space in the OP and as such is not intended to be used for agricultural uses. The Site is intended to be used for recreational purposes.

- d) *The use complies with other policies In this Plan regarding mineral aggregate extraction, source water protection, the natural environment and water and wastewater servicing;*

The proposed campground expansion complies with all other policies of the OP including mineral aggregate extraction, source water protection, the natural environment, water and wastewater servicing as is detailed in the paragraphs above and the technical studies submitted in combination with this Report.

Policy 2.11.3 states that within rural areas, the Township may permit the minor intensification of existing recreational uses within the limits of the existing property.

This policy is also included in the ROP. Please refer to Section 4.3 of this Report where we have provided justification with respect to the minor intensification of the existing recreational use. As there are no negative impacts anticipated as a result of the Proposed Application, it is our opinion that the intensification of the existing recreational use is minor.

The Site is identified within a Mineral Aggregate Resource Area on Map 8 – Mineral Aggregate Resource Areas and Aggregate Bedrock Deposit in the OP. The Site was previously used as an aggregate operation and as such it is not expected that the Site would be used for mineral aggregate operations.

It is our opinion that the Proposed Application conforms with the OP policies applicable to the Site as is detailed above.

## 4.5 Township of North Dumfries Zoning By-law

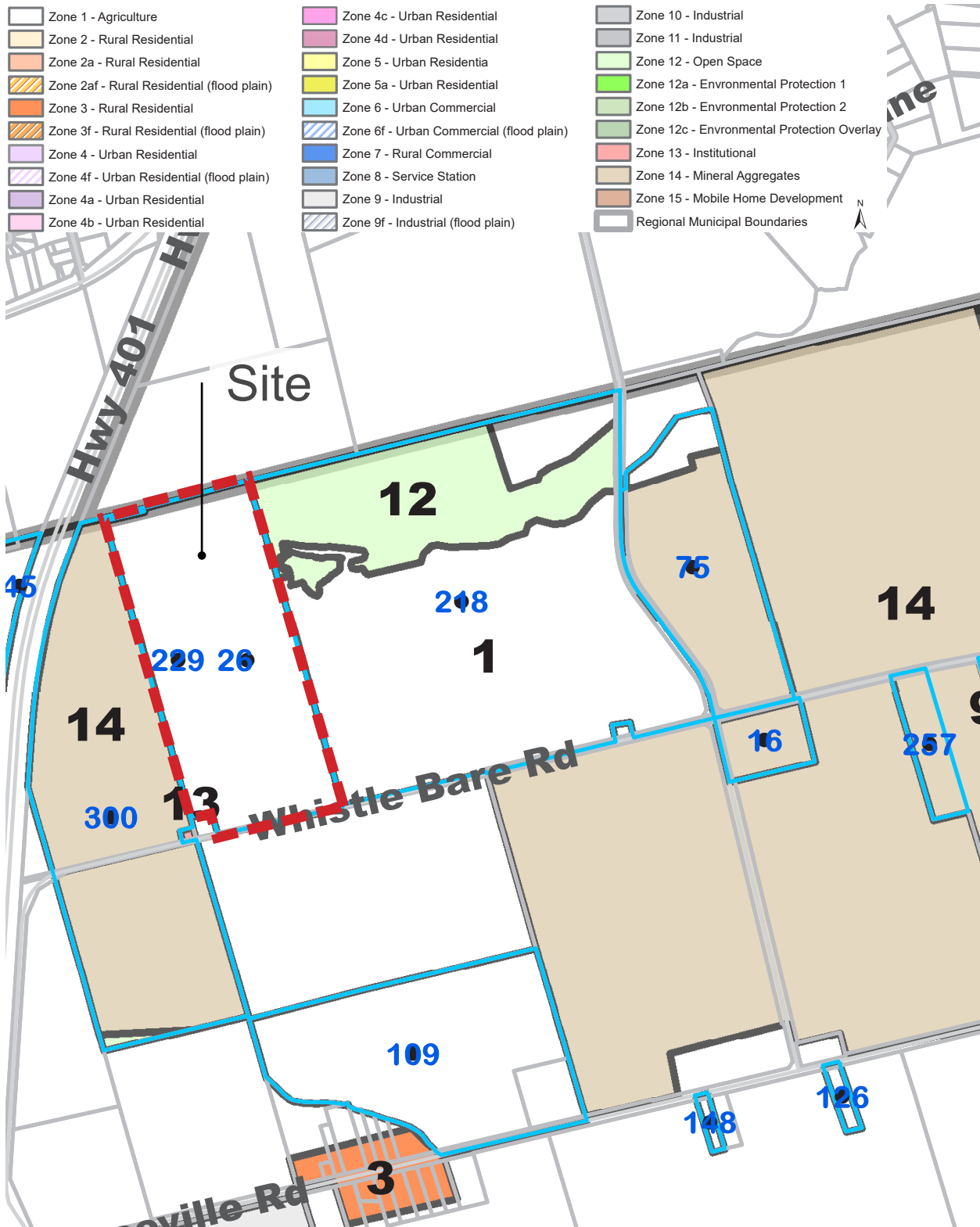
The Site is zoned Zone 1 – Agriculture (Z.1) with two site specific Exemptions being 20.1.26 and 20.1.229 which are identified on Part 92 of Schedule “B” (see Figure 12). The Z.1 Zone permits the following uses:

- Farming (except sod farming or commercial greenhouses) including the following accessory uses:
  - a) any barn, shed, building or structure required as part of the farm operation part
  - b) sale of products grown or raised on the premises
  - c) a farm-related occupation
  - d) a secondary dwelling unit
- Residential Building – One Unit which may include:
  - a) private home day care
  - b) a home occupation or office, base or headquarters for a hairdresser or barber
  - c) bed and breakfast establishment
- A Secondary Dwelling Unit
- A Coach House
- A Group Home Type ‘A’
- A Veterinary Clinic or Office
- The raising, training or boarding of horses including Riding Stable or Riding Academy
- Accessory Uses
  - a) buildings or structures accessory to the foregoing permitted uses
  - b) accessory signs

The following regulations are applicable to lands zoned Z.1:

	Regulation	Required	Provided
7.2.1	Minimum Lot Area	35 hectares	38.2 hectares
7.2.2	Minimum Lot Frontage	230 metres	355 metres
7.2.3	Minimum Side Yard (each side)		164 metres (west) 173 metres (east)
	a) Residence	3 metres (10 feet)	

	b) Other Permitted and/or Accessory Buildings	Equal to one half (1/2) the building but in no case less than 3 metres (10 feet)	Existing Pavilion – 53 metres and 178 metres Existing Accessory Building – 51 metres
7.2.4	Minimum Rear Yard	7.5 metres (25 feet)	Greater than 7.5 metres Proposed Rec Hall – 146.5 metres
7.2.5	Minimum Floor Area – Residential Building a) 1 storey b) 1 ½ storey or split level c) 2 or more storeys	100 square metres 140 square metres 160 square metres	N/A – no new residential dwellings proposed
7.2.6	Off-Street Parking	In conformity with Sections 6.11 and 6.13	Residential Single detached – 2 spaces per dwelling unit  Other Permitted Uses – i.e. Recreation Hall – 1 space for each 45 square metres of floor area = 20 spaces. Exact number of spaces to be determined at Site Plan Application stage
7.2.7	Minimum Distance Separation Buildings used for livestock or manure storage	In conformity with Sections 6.28 and 6.29	Please see MDS I Calculations contained in Appendix A of this Report.



**Township of North Dumfries Zoning By-law**  
 Source: Township of North Dumfries Zoning By-law 689-83 North-West Township Map (July 2019)

Figure  
**12**



Section 20 of the Zoning By-law outlines the exemptions that apply to certain properties in the Township. Exemption 20.1.26 permits the following additional permitted uses on the Site:

- a) a private picnic and campground recreation area and buildings or structures accessory thereto;
  - b) a trailer park
- subject to the following
- c) all uses permitted by this By-law as additional permitted uses shall be conducted entirely within the buildings existing on the lands as shown on the map forming Schedule 'A', Section 20.1.26 of this By-law, together with approved area for parking and access thereto and no additions, extension or enlargements of the said existing buildings shall be permitted nor shall additional buildings be constructed in connection with such additional permitted uses.

Exemption 20.1.229 permits the following additional use:

- a) a second permanent farm-related residential unit to permit accommodation for full time farm help on the site
- subject to the following:
- i) That the additional use permitted by the By-law is to be erected within the building envelope as shown on Schedule 'A' – Section 20.1.229 attached hereto, which outlines an area which is in close proximity to the existing farm buildings and is outside the 120 metre wetland buffer area.

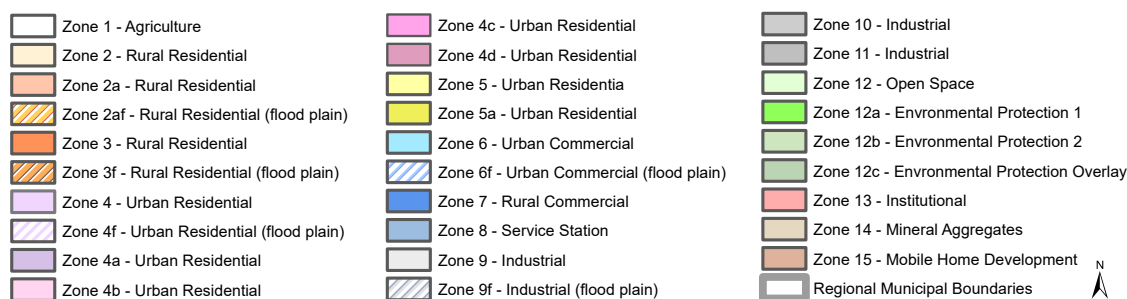
The Zoning By-law Amendment Application proposes to repeal the existing exemptions (20.1.26 and 20.1.229) and proposes a new site-specific by-law.

Exemption 20.1.26 permits a campground and accessory buildings however does not permit the extension or enlargements of existing buildings or the addition of additional buildings. There are additional buildings proposed as part of the Proposed Development and as such it is our opinion that a new site-specific By-law is required and necessary to permit additional buildings on the Site.

Exemption 20.1.229 permits a second farm-related residential unit to allow for accommodation for full time farm help. As the future use of the existing residential dwellings is not for farm purposes, it is our opinion that this exemption is no longer necessary and should be repealed.

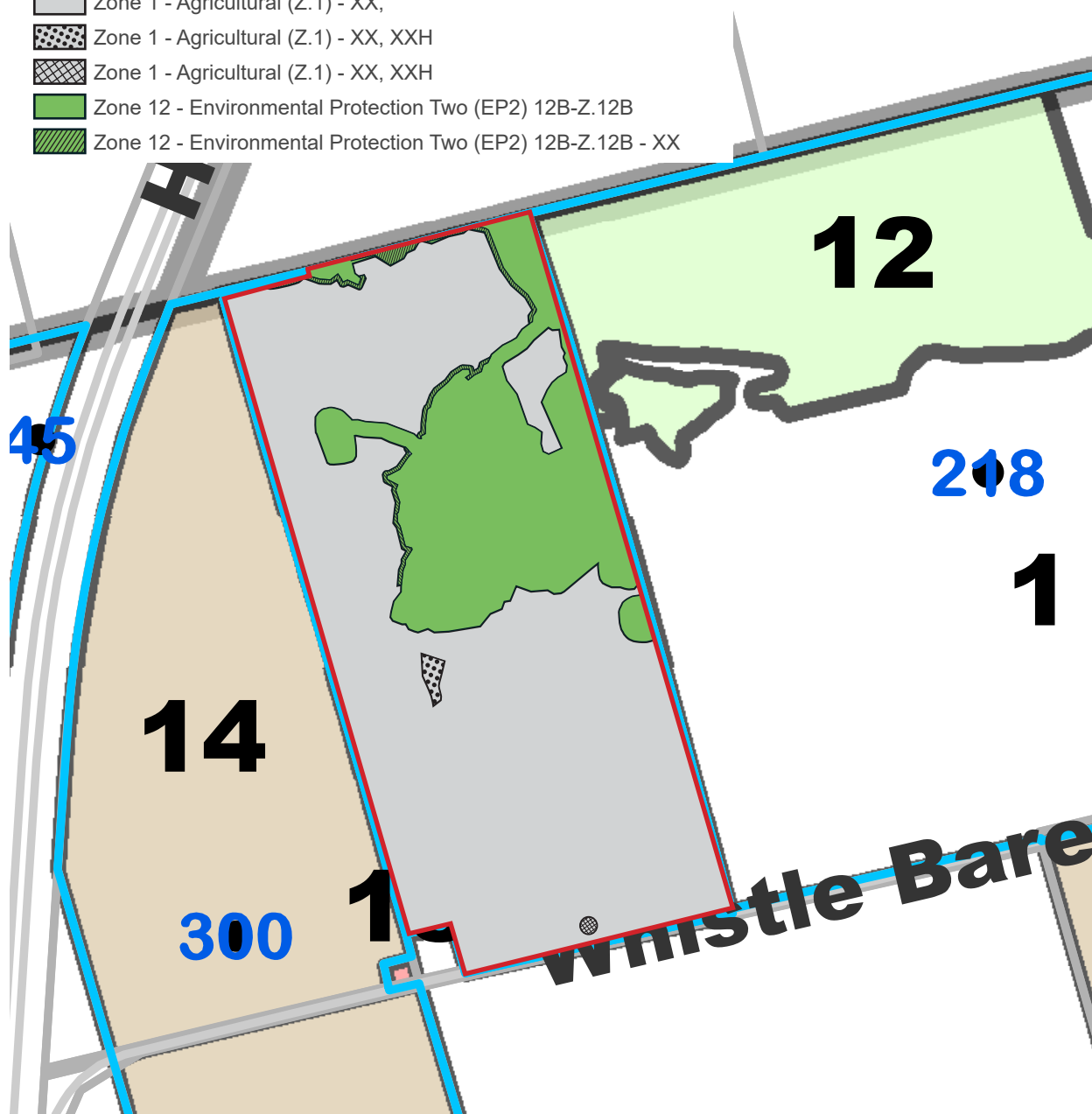
The proposed site-specific by-law deals only with permitted uses on the Site. No site-specific regulations with respect to setbacks, height, etc. are required or proposed. The parent zone being Z.1 will continue to remain as there is no other parent zone in the Township's by-law that permits a campground/trailer park (see Figure 13). The natural features and buffers are proposed to be zoned Environmental Protection Two (EP2) 12B – Z.12B which is reflective of the environmental features on the Site. An overlay is proposed on a portion of the lands to be zoned 12B - Z.12B. The purpose of this overlay reflects what is described in the EIS as a “limited impact zone”. There is a 5 metre limited impact zone proposed from the Environmentally Sensitive Policy Area feature. This area identified as a limited impact zone will continue to contain existing uses (i.e. existing campsites) and will be subject to some limited impacts. The purpose of this overlay is to permit perpendicular servicing cuts, placement of trailers, and lot maintenance which the 12B – Z.12B Zone would not permit. Please refer to the complete Environmental Impact Study for additional details regarding this limited impact zone.

There are two areas on the Site that require a Holding provision. The Holding provision is proposed to deal with further archaeological assessment that has been recommended through the completion of the Stage 1-2 and 3 Archaeological Assessments. The proposed holding provision wording is as follows, *“Notwithstanding Sections XX of this By-law, within the lands zoned Z.1 and shown as affected by this subsection on Schedule XX: no development shall be permitted until such time as the Township of North Dumfries is advised that the Ministry of Heritage, Sport, Tourism and Culture is satisfied.”*



#### Proposed Zoning

- Zone 1 - Agricultural (Z.1) - XX,
- Zone 1 - Agricultural (Z.1) - XX, XXH
- Zone 1 - Agricultural (Z.1) - XX, XXH
- Zone 12 - Environmental Protection Two (EP2) 12B-Z.12B
- Zone 12 - Environmental Protection Two (EP2) 12B-Z.12B - XX



Proposed Zoning By-law  
Source: Township of North Dumfries Zoning By-law 689-83 North-West Township Map (July 2019)

Figure  
**13**

The Zoning By-law Amendment proposes the following site-specific uses to permit the Proposed Development. Please note that a campground and trailer park are existing permitted uses however as that exemption is being repealed, these uses have been included in the list of requested uses.

- Campground/trailer park with associated recreational areas and office;
- Accessory uses including:
  - Self-storage
  - Outdoor trailer storage
  - Display and sale of trailers;
  - Recreation Centre
- Two single detached residential dwellings that are associated with the use of the campground.

The following definitions shall apply:

Campground/trailer park – means the use of a property for the temporary accommodation of the travelling public in major recreational equipment, or tents for recreational use.

Recreation Centre – means the use of a building as the place of assembly for purposes of indoor leisure activities and events associated with a campground.

Recreation, Outdoor Active – means the use of land for outdoor leisure and athletic activities and can include playgrounds, outdoor swimming facilities and outdoor racquet facilities.

Mobile Homes are defined in the Township's Zoning By-law as: *means a Residential Building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include travel trailer or tent trailer or trailer otherwise designed or recreational vehicle.*

There are no mobile homes proposed to be constructed on the Site. Permanent accommodation is not permitted by the campground (e.g. mobile homes) and it will be managed such that no one is using their trailer as a permanent residence. Those wishing to stay at the campground must prove that they have a permanent address and that information is recorded at the time of entering. A driver's license with a permanent address must be presented to campground staff or entry is not permitted. As such, it is our opinion that the campground is a recreational use and recreational uses are not necessarily confined to a certain time of the year (i.e. summer only). The campground is proposed to be open from March to December. Mobile homes are designed differently than recreational

trailers and mobile homes are not permitted by either the zoning or the owner/campground operations staff which means that permanent accommodation will not exist on the Site.

## 5. Supporting Studies

### 5.1 Functional Servicing and Preliminary Stormwater Management Report

GM Blue Plan Engineering was retained by the Owner to prepare a Functional Servicing and Preliminary Stormwater Management Report in support of the Proposed Application. The conclusions of this report are as follows:

- 1. Water supply will be provided by the existing private domestic supply well #A219397 and additional private drilled wells as required.*
- 2. Sanitary service will be provided by the collection and pumping of sewage to the on-site wastewater treatment facility.*
- 3. Storm service will be provided with roadside ditch drainage to appropriate outlets.*
- 4. Major storm runoff generated from the site will continue to sheetflow overland to the existing wetland complex and to Blair Creek.*
- 5. Post-development flows will be attenuated to the existing conditions levels via infiltration and ponding in roadside ditches and areas of least anticipated use.*
- 6. Quality control will be provided through directing storm flows over grassed areas and through ditches to provide filtration and settling of suspended particles. Quality control for higher traffic areas such as parking lots and storage areas will be provided by oil grit separators prior to discharge.*
- 7. Infiltration structures are proposed along roadside ditches to assist in meeting the recharge requirements for the post-development water balance.*
- 8. Prior to construction, a silt fence will be installed along the property boundary in all locations where runoff will discharge from the site to adjacent lands. This will minimize the transport of sediment off-site during the construction period.*

Please refer to the complete Functional Servicing and Preliminary Stormwater Management Report for additional detail.

### 5.2 Wastewater Servicing Assessment

FlowSpec Engineering was retained by the Owner to prepare a Wastewater Servicing Assessment in support of the Functional Servicing Brief prepared by GM Blue Plan

Engineering. Onsite wastewater servicing is required for the Whistle Bare campground given that there is no municipal or communal servicing nearby.

The existing septic systems that service the existing campsites will be decommissioned and a collection system (i.e., sewers, forcemain, and pump stations) will be constructed to convey all wastewater to a proposed centralized treatment and subsurface dispersal system or Class 4 wastewater treatment system. Dedicated septic systems will continue to service the two single detached dwellings. Construction of this wastewater system will require an Environmental Compliance Approval from the MECP as it exceeds 10,000 L/day. As can be seen on the Development Concept, approximately 10,000 m<sup>2</sup> in area has been shown for the proposed wastewater treatment system and specifically the leaching bed. This is based on a maximum peak wastewater flow.

Each campsite will be provided with water and wastewater connections (with the exception of tent sites). The Wastewater Servicing Assessment concludes that the proposed campground expansion can be serviced by an onsite Class 4 wastewater treatment system within the 10,000 m<sup>2</sup> area shown for the proposed leaching bed, provided the following process are completed following the Proposed Application: *i) an assessment of impact on water resources to be performed to the satisfaction of the MECP, ii) pre-application consultation is to be completed with the MECP to finalize effluent criteria, and iii) an Environmental Compliance Approval is to be procured from the MECP.*

Please refer to the complete Wastewater Servicing Assessment for additional details.

### **5.3 Environmental Impact Study**

Natural Resource Solutions Inc. (NRSI) was retained by the Owner to prepare an Environmental Impact Study (EIS).

The Region's OP identifies the natural features within the central and western portions of the Site to be part of the "Blair Swamp Environmentally Sensitive Policy Area" (ESPA) and part of the Greenlands Network. The northern half of the Site is within an "Environmentally Sensitive Landscape" (ESL). The ROP permits development applications submitted in accordance with the policies contained in Section 6.

The Site is designated Open Space in the Township Official Plan and there are natural features within the central, east and north portion of the Site which contain Environmentally Sensitive Landscapes (ESL), Environmental Constraint Areas, Hazard Lands and Protected Countryside. The OP permits development applications if submitted in accordance with the policies of Section 6.1.3.

NRSI completed a total of 12 filed visits between April 2018 and February 2019. Please refer to the EIS for a detailed overview of the wildlife surveys that were completed. The EIS states that, *“given that the proposed undertaking is the reconfiguration and expansion of the existing seasonal campsites, and continued recreational use of the property, a lower level of potential impact is expected rather than that which would typically accompany a permanent residential development. The impact of the campground should be considered differently based on a number of factors:*

- *Trailer sites are a less densely populated type of development,*
- *Limited hard surfaces are proposed,*
- *Grading is expected to be very limited, and*
- *Vegetation removal is expected to be minimal.*

The ROP requires a 10 metre buffer to Core Environmental Features. The purpose of this buffer is to:

1. *Protect trees, vegetation and their root zones,*
2. *Mitigate disturbance to forest wildlife, and*
3. *Provide a separation distance between the natural feature and disturbance and occupancy by residents.*

Some encroachment into the delineated ESPA (and Core Environmental Feature) and ESL currently exists. The existing campsites that extend into the wooded area are proposed to remain. A 5 metre interior limited impact zone is proposed within the ESPA areas. No new encroachments into the ESPA are proposed. A 5 metre Limited Impact Zone is proposed from the ESPA feature in lieu of a 10 metre buffer. This zone will continue to contain existing uses, but will be subject to some limited impacts (servicing). The Limited Impact zone will not have any construction or development activities other than the following:

- *Perpendicular servicing cuts to each trailer location for water, electrical and wastewater. The angle of these cuts minimizes root damage to trees, as shown in Figure 1,*
- *The placement of trailers, and*
- *Lot maintenance, including personal lawn and yard care (with restrictions regarding invasive species, discussed in Section 7.4).*

The woodland edges are proposed to be enhanced through a planting plan and stewardship plan. The separated wetlands/ponds along the eastern boundary of the site will have a 15 metre buffer, which is proposed to be planted and restored (details of this to be determined at Site Plan Application).

A 10 metre buffer is proposed to be planted and restored along the watercourse features. These features will require a new bridge to provide adequate access.

The EIS includes mitigation measures and if implemented, the above noted buffers are expected to result in negligible impacts to the natural areas. The proposed mitigation measures are as follows:

- *Natural areas should be enhanced through a planting and restoration plan, which should include both invasive species management and native plantings. This should be developed at the site plan application stage for 3 areas: below the dripline of the ESPA, for the wetland buffers in the east, and for the 10m watercourse buffers,*
- *Education of maintenance staff to advise on appropriate limits of grass mowing, tree cutting, pruning practices, wildlife protection, disposal of yard waste, etc.*
- *A stewardship plan should be designed by a qualified ecologist, and implemented by the landowner that ensures continued invasive species management, regulation of planted garden plants that can be aggressive or invasive, such as English Ivy (*hedera helix*) and Lily-of-the-Valley (*Convallaria majalis*), and*
- *The only permitted construction activities and long-term land use are those listed in this section, which are comprised of perpendicular servicing cuts, trailer placement, and yard maintenance. The final land use will not extend beyond that already existing.*

Typical development proposals require grading of most or all of the development footprint. The majority of the Site does not need to be graded however there will be some for servicing, building construction, road development and the creation of ditches for stormwater management. In order to mitigate any impacts from grading, the EIS proposes the following mitigation measures:

- *Tree retention should be reviewed by a Certified Arborist, and retention should be maximized throughout. A Tree Protection Plan should be developed and maintained throughout all grading activities,*
- *A sediment and erosion control plan should be designed and implemented prior to any grading or earth moving. Any wetlands, ponds and watercourses should be protected from surface runoff from cleared areas,*



- *Heavy machinery access and staging should be limited to pre-defined areas, away from natural features. Any proposed bioswales should be planned with tree retention in mind, avoiding critical root zones, and*
- *Erosion Control Fencing and/or Tree Protection Fencing should be placed at the edge of grading impacts. The wetland, watercourses and natural areas should be completely fenced from any development activities.*

The following mitigation measures for tree removal are outlined in the EIS:

- *A certified Arborist should be consulted during the Site Plan Application Stage and Detailed Design stage, and a tree retention analysis should be completed by the Certified Arborist. A Tree Protection Plan should be developed and maintained throughout all construction activities,*
- *Vegetation removal should be minimized where possible,*
- *Any tree or bush removal should be completed outside of the active breeding bird season (April 5 to August 27),*
- *Any removal of trees with cavities suitable for bats should be completed outside of the active bat roosting season (April 1 to October 31),*
- *No tree or vegetation removal will be permitted within the ESPA or PSW features, and,*
- *Trees identified for protection at the Site Plan Application stage should be inspected following construction to identify any remaining hazards or damage that may not be safe following construction.*

Please refer to the complete EIS for mitigation details related to wildlife, surface water runoff, wastewater treatment, water supply, injury to trees and erosion and sedimentation.

The EIS concludes that, *The study shows that on-site and adjacent ESPA and wetland features can be protected, with no major impacts, and enhanced through this development application, if the listed mitigation measures are carried out before, during and following the development.*

Please refer to the EIS for a fulsome discussion on relevant Provincial, Regional and Township policies related to the natural heritage aspects of the Site, field methods, terrestrial field surveys, aquatic surveys, existing conditions, designated natural areas, significant wildlife habitat, habitat of endangered and threatened species, fish habitat, impact analysis and monitoring and stewardship.

## 5.4 Transportation Assessment

Salvini Consulting was retained by the Owner to prepare a Transportation Assessment in support of the Proposed Application. The summary and conclusions of this Assessment are as follows:

- *Average daily traffic volumes on Whistle Bare Road in August 2019 were 302 near Roseville Road and 462 near Dickie Settlement Road.*
- *The sight distance for traffic exiting Whistle Bare Road at Roseville Road and at Dickie Settlement Road appears to be tight. The most recent five-year collision history indicates that there have not been any collisions related to sight distance at either intersection. The sight distance review was discussed with Traffic Engineering staff at the Region of Waterloo and they will be undertaking an assessment in the coming year of the sight distance to determine if any additional measures are needed to meet current Regional standards.*
- *The proposed expansion to the campground includes the following:*
  - *Increasing seasonal campsites from 70 to 347*
  - *Increasing storage spaces from 170 to 200*
  - *Increasing overnight campsites from 15 to 26*
  - *Adding 10 cabins for rental.*
- *The owner plans to extend the season to start in March and to end in December. The extended season would not increase traffic during the summer months but is likely to result in higher traffic volumes in the shoulder months of March, April, November and December.*
- *The campground currently generates 272 average daily trips in August. The peak hour for traffic generation occurs Sunday ending at noon with 45 two-way trips. In the typical weekday morning peak period, the peak hourly total campground traffic is 14 vehicles. In the typical weekday afternoon peak period, the peak hourly total campground traffic is 32 vehicles on Friday.*
- *The forecast daily traffic for the proposed expansion, including the existing traffic, is 802 daily trips entering and exiting the site, an increase of 547 daily trips on average in the busiest month of the year. If the traffic patterns throughout the week and each day are consistent with the expansion, peak hour volumes on a Sunday in August would increase to 135 two-way trips, weekday morning peak hour volumes would*

*increase to 42 two-way trips and weekday afternoon peak hour volumes would increase to 96 two-way trips.*

- *The additional traffic from the campground expansion would result in traffic volumes on Whistle Bare Road that are still in keeping with the designation as a local Township road. The increase in traffic is expected to be predominantly passenger vehicles – there is not expected to be an increase in heavy vehicle traffic.*
- *From a transportation capacity perspective, no improvements are required to Whistle Bare Road in the vicinity of the site.*

Please refer to the complete Transportation Assessment for additional details.

## **5.5 Environmental Noise Study**

SLR was retained by the Owner to prepare an Environmental Noise Study in support of the Proposed Application. The purpose of the Environmental Noise Study is to examine the potential for impacts of the environment on the proposed development, impacts of the proposed development on itself and impacts of the proposed development on the surrounding environment. This Study reviews transportation noise impacts and stationary source noise impacts.

The Environmental Noise Study concludes the following:

- *An assessment of transportation noise impacts has been completed for the surrounding roadways and railways.*
- *Based on transportation façade sound levels, outlined in Section 2., the proposed expansion of the Whistle Bare Campground will not require additional noise mitigation strategies. The future expansion towards Whistle Bare Road is not predicted to experience sound levels greater than the existing campsites.*
- *“Stationary” noise impacts from the surrounding area on the proposed development have been assessed and are outlined in Section 3.0 of this report.*
- *As outlined in Section 3.4, the sound levels from the sounding industries on the proposed development are predicted to be at or below the NPC-300 sound level limits for stationary sources.*

Please refer to the complete Environmental Noise Study for additional details.

## **5.6 Archaeological Assessment (Stages 1, 2 and 3)**

Detritus Consulting Ltd. was retained to prepare an Archaeological Assessment in support of the Proposed Application. A Stage 1-2 Archaeological Assessment were conducted between June 4 and September 11, 2019. The Stage 1 background research indicated that portions of the Site exhibited moderate to high potential for the identification and recovery of archaeological resources and were recommended for a Stage 2 field survey.

The Stage 1 - 2 field survey resulted in the documentation of four archaeological sites which were mostly clustered at the northern end of the large agricultural field. The Stage 1 – 2 Assessment details recommendations for each of the four location findspots. Please refer to the full Assessment for further detail. Further archaeological study was recommended for two of the four findspots which resulted in the preparation of a Stage 3 Archaeological Assessment. One of the findspots still requires a Stage 3 Archaeological Assessment (findspot closest Whistle Bare Road).

The Stage 3 Assessment was conducted on October 24 and November 8, 2019. The Stage 3 Assessment yielded ten or more artifacts which fulfills the criteria for a Stage 4 mitigation of impacts. Stage 4 mitigation by avoidance and protection is not possible and as such, a Stage 4 mitigation by hand excavation is recommended. This investigation will consist of a hand excavated block of 1 metre units surrounding the highest yielding Stage 3 test units at the site. Soil from the Stage 4 units will be screened through 6mm hardware cloth to facilitate the recovery of any small artifacts that may be present. All artifacts will be bagged and tagged by provenience.

Please refer to the complete Stage 1-2 and Stage 3 Archaeological Assessments for further details.

A holding provision is proposed for the two areas that are subject to further archaeological study. The holding provisions would need to be lifted prior to development of the areas shown on Figure 13 above however allows the Zoning By-law Amendment Application and a Site Plan Application to proceed in advance of this work being completed.

## **5.7 Preliminary Geotechnical Report**

Chung & Vander Doelen Engineering were retained by the Owner to prepare a Geotechnical Report. The purpose of this report was to evaluate the subsurface conditions and provide general geotechnical recommendations for the design and construction of private/communal site servicing, roadways and building structures.

The report recommends that future servicing (including sewage pumping stations) be kept as shallow as possible to prevent/minimize extensive dewatering requirements and prevent uplift forces being applied to the installed infrastructure.

The report provides recommendations regarding site servicing, excavation conditions, pipe bedding, backfilling operations, groundwater control, pavement design and construction, foundations and infiltration rates.

Please refer to the Geotechnical Report for additional details.

## **5.8 Hydrogeological Report**

Chung & Vander Doelen Engineering were retained to prepare a Hydrogeological Assessment in support of the Proposed Application. The report provides the following conclusions & recommendations:

- 1. Well records confirm the excellent aquifer capabilities to supply the proposed campground expansion and also confirm the existence of an intermediate depth of aquitard layer that provides good security to the deep aquifer from potential surface contaminants. The proposed supply would come from an existing deep aquifer well in the northern part of the property that has been tested at 80 gpm with minimal drawdown. No quantity impacts to groundwater and surface water receptors in the area is predicted from the water taking. A confirmatory pumping test to support a MECP Permit TO Take Water is recommended.*
- 2. The campground property is underlain by moderately to highly permeable soils with good to excellent infiltration capabilities to support both the proposed 'passive' stormwater management approach and the leaching bed for the proposed new communal sewage system. Groundwater recharge should be easily maintained or enhanced with the stormwater approach and the sewage effluent infiltration.*
- 3. The proposed wastewater treatment system for the campground expansion will be designed in accordance with MECP requirements. The MECP approval process for a large communal system is very thorough and ensures a high degree of environmental protection and responsible monitoring and maintenance.*
- 4. The depth to the water table varies across the property, from about 10 m in the southern upland area to about 1-2 m in most of the northern low-lying area. The deep water table in the south is a positive feature to support both the large infiltration quantities of the sewage effluent and excellent attenuation of contaminants, such as ammonia and phosphorous.*

5. *The water table configuration and northerly groundwater flow direction will be utilized to maintain the future sewage effluent plume on-site and to maximize the attenuative capability of the subsurface to ensure no detrimental impact to on-site and off-site groundwater and surface water receptors.*

Please refer to the complete Hydrogeological Assessment for additional details related to groundwater and surface water receptors, water taking, sewage effluent and stormwater management facilities and groundwater recharge.

## 6. Conclusions

GSP Group Inc. has been retained by Whistle Bare Campground Ltd. (the “Owner”) to coordinate the preparation and submission of a planning application for a Zoning By-law Amendment for the property municipally known as 1898 Whistle Bare Road in the Township of North Dumfries.

A Zoning By-law Amendment is required to permit the expansion of the existing campground. The Site is currently zoned Agriculture (Z.1) with two site specific exceptions that permit a private picnic and campground recreation area and accessory buildings or structures and a trailer park. The proposed Zoning By-law Amendment would repeal site-specific exemptions 20.1.26 and 20.1.229. The following site-specific permitted uses are proposed:

- Campground/trailer park with associated recreational areas and office;
- Accessory uses including:
  - Self-storage;
  - Outdoor trailer storage;
  - Display and sale of trailers;
  - Recreation Centre.
- Two single detached residential dwellings

A portion of the lands are to be zoned Environmental Protection Zone (EP2) 12B – Z.12B to protect the natural heritage features on the Site. There are two areas that require a Holding provision as there is additional archaeological work required prior to development being permitted.

This Planning Justification Report concludes that the Proposed Application is appropriate and represents good planning for the following reasons:

- Consistent with the policies of the Provincial Policy Statement (2020);
- Conforms with the Growth Plan for the Greater Golden Horseshoe (2019);
- Conforms with the Region of Waterloo Official Plan;
- Conforms with the Township of North Dumfries Official Plan and the Open Space designation;
- The Site can be serviced through existing/new wells and a proposed on-site wastewater treatment facility;
- Will facilitate an improved recreational and tourism use on rural lands;
- Represents a logical expansion which will support a diversified rural economy through the introduction of additional campsites and additional visitors coming to the area;
- It is appropriate in this rural context and the proposed zoning will ensure no negative impacts on the environmental features.