



MTE Consultants

520 Bingham Centre Drive, Kitchener, Ontario N2B 3X9

April 25, 2025

MTE File No.: C55318-200

Township of North Dumfries
106 Earl Thompson Road, 3rd Floor
Ayr, Ontario N0B 1E0

**RE: Zoning By-Law Amendment Application – Response to Comments
50 Rose Street, Ayr – Township of North Dumfries**

Further to the meeting held on February 25, 2025 as it relates to the above-mentioned project, we offer the following response. For ease of reference all comments have been incorporated within this letter and MTE's corresponding responses in *italics* thereafter.

Public Comments

Written comments were received from the adjacent landowners (70 Rose Street) who raised the following concerns and questions:

The stormwater management letter issued by MTE indicates that "stormwater runoff generated from the building rooftop, side and rear yards is proposed to drain towards the Nith River." Downspout drainage between the houses (north side of 70 Rose Street and the south side of the proposed dwelling) will have to be adequately drained westward down towards the Nith. 70 Rose Street is significantly lower than the proposed dwelling with its basement slab at (very) roughly 2m below the proposed dwelling basement slab. Given the steep grade slope towards the Nith river and permeability of the soil, there is already significant groundwater flow moving from the east downslope westward to the river, especially during wet periods with high groundwater recharge. We are concerned that additional drainage runoff as well redirected groundwater flow around the proposed structure, will add hydraulic surcharge to the soil, resulting water problems and/or damage to the finished basement of 70 Rose Street.

- *A new swale is proposed along the southern property line between this site at 50 Rose Street and the 70 Rose Street property. The driveway design has been revised to direct most of the runoff toward a low point south of the driveway, near the east property line. From there, the runoff will flow into the proposed swale located within the landscaped area on the property, leading to the proposed property line swale. This property line swale will accept runoff from part of the front yard and the south side yard, guiding it downslope before it eventually reaches the river. Only a small section of the driveway within the boulevard will drain toward the Rose Street right-of-way, consistent with existing drainage conditions. Refer to MTE Drawing C2.1 for grading details.*

The stormwater management letter issued by MTE also states that "Under the proposed condition, runoff from the driveway and a portion of landscape area at the front of the site will drain towards the Rose Street right-of-way." Rose Street has no stormwater catchments to drain surface runoff along the downward grade slope running toward 70 Rose Street. Rose Street also is sloped slightly to the west. As a result, our driveway receives a very significant flow of surface runoff and is consequently eroded during heavy rainfall. (see attached photo). We repair our

driveway about 3-4 times a year, purchasing aggregate from time to time to replace that which has washed away. The proposed development will add more impermeable drainage surfaces (driveway, driveway directed roof downspout drainage, etc.) increasing surface runoff to Rose Street and ultimately our driveway, worsening the existing problem.

- *Refer to response above. All roof downspouts and runoff are currently proposed to be directed to the two side swales and ultimately drain towards the river. Only a small section of the driveway within the boulevard will drain toward Rose Street right-of-way, which is considered minimal and consistent with existing conditions.*

If the Z.4(f) vacant lot is currently limited to a dwelling with a footprint <55sq.m, what is the rationale for that limitation? What would be the rationale for waiving the 55sq.m footprint limit? What is the Township's plan or policy statement for developing Z.4(f) land.

- *Refer to GSP's response letter for detail.*

Agency Comments:

GRCA

The applicant is to be advised that a permit will be required from the GRCA for the final grading, retaining walls and new dwelling.

- *Acknowledged.*

RJ Burnside Engineering

Comment: Per Section 6.1.7.6 of the Township of North Dumfries Official Plan, the EIS must identify buffers to Core Features. The OP identifies that buffers must be a minimum of 10 m from "the outside boundary of the Core Environmental Feature and established and maintained as appropriate self-sustaining vegetation". Per Section 5.3 of the EIS, the proponent specifies that "the proposed development would occur proximate to the woodland, within an estimated range of 2-10 m from the dripline edge" with the closest occurring where the rear deck on the proposed dwelling will extend to the edge of the vegetated area that extend beyond the dripline. Based on the above statement, it appears that the proponent may not be meeting the requirements for a minimum 10 m buffer from a Core Environmental Feature. The proponent should provide additional clarity regarding the extents of disturbance within the 10 m buffer to the Significant Woodland, specifically the encroachments for grading and permanent structures. Additional discussion regarding buffers should be provided within the EIS.

- *Refer to GSP's response letter for detail.*

Section 6.1.7.6 of the Township OP, "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 proponent should clarify if buffer enhancement plantings or other measures are proposed beyond landscape plantings. It is understood that conditions within the woodlands are currently degraded. Additional enhancement of the buffer should also be considered if encroachments into the 10 m buffer of the Significant Woodland are proposed.

- *Refer to GSP's response letter for detail.*

Burnside is in agreement with Aster Environmental that native species, or species that do not pose as a risk (i.e. non-invasive) should be utilized in post-construction landscaping given the proximity of the proposed development to Core Environmental Features. The proposed alternatives are acceptable. The proponent should note that Witch Hazel (*Hamamelis virginiana*) is typically an understory species that prefers part shade to fully shaded conditions. This species may not be suitable for edge management planting but could be appropriate in any restored areas Significant Woodland.

- *Refer to GSP's response letter for detail.*

Per the MECP's Bat Survey Standards Note 2021, the bat active window is classified as April 1 - September 30 rather than April 15 - September 30. The timing window for tree removals specified within Section 5.4.2 of the EIS should be revised to reflect the MECP recommendations.

- *Refer to GSP's response letter for detail.*

The drainage of the Rose Street right of way is not addressed in the submission. Clearly water is draining towards the Nith River, but the upstream areas and pathways are not identified. To approve the submission, we must have confirmation that the subject lot does not play any role in the drainage system. We note in particular the Surveyor's Real Property Report that contains a contour showing a drainage depression immediately south of the site. However, the path to the river is blocked by the house at 30 Rose Street, so we require confirmation that the proposed regrading will not create any blockage in overland flow. In the event that Rose Street does require a drainage outlet to the Nith River an easement should be provided to the Township.

- *After reviewing the current survey by Van Harten (dated April 5, 2024) and road information from an earlier survey conducted by ACI Survey Consultants for the 70 Rose Street property (dated November 21, 2003), it was determined that a drainage split exists along the east property line and within the boulevard fronting the site. This high point prevents runoff within the right-of-way from flowing through the site toward the river. This drainage split/berm continues south along Rose Street, with the exception at the driveway entrance for 70 Rose Street, terminating just before the Rose Street wastewater pumping station at 10 Rose Street. A review of elevations along the asphalt edge and the centerline of Rose Street confirms that runoff within the right-of-way for major storm events drains south along the road, not through the subject site. Supporting photographs of the berm along the site's east property line, along with the survey data, are provided to support this conclusion.*

The grading plan appears to show a mislabelled contour. The contours drop in increments of 0.25 m, but one location shows instead a jump of 0.75 m. It is more likely that 284.75 ought to have been labelled as 283.75.

- *Mislabelled contour has been revised on the grading plan.*

The contours indicated an existing low point in the general area located in the southwest corner of the building setback. It appears to drain in a southwesterly direction onto the neighbouring property before finding its way to the river. The grading and stormwater reports need to identify all of the area flowing into this depression and need to describe how this drainage will function in the post-developed condition.

- *SWM memo has been updated to identify all of the areas flowing into this low area – only drainage within the property is draining towards the back of the site. The low laying*

area will be within the regrading limit proposed for the site; hence it will be eliminated and all runoff will be directed to the existing embankment draining towards the Nith River.

Water appears to flow across the property line from the south, such that the adjacent property drains onto the subject property. The grading plan attempts to reverse this, which is unacceptable. Water currently flowing onto this site should not be blocked by the proposed plan.

A new swale is proposed along the southern property line between this site at 30 Rose Street and the 70 Rose Street property. This property line swale will accept runoff from part of the front yard and the south side yard, and from the northerly side yard of 70 Rose Street, guiding it downslope before it eventually reaches the river. The walkway to the “mother-in-law-suite” in the basement slopes at 11.25%, which is much too steep to be a practical sidewalk.

- *Access to the secondary suit in the basement is provided along the north side of the building with the concrete walkway connecting the driveway and the side door. No walkway is proposed along the south side of the building.*

We note that the rear property line is located on the opposite side of the Nith River, such that a small amount of table land is inaccessible to the owners. That land is adjacent to a narrow strip of land that is part of a larger parcel that appears to be owned by the Township. It generally contains and follows water features. Consideration should be given to whether this private land should be acquired by the Township for use as part a trailway or other public interest.

- *Refer to GSP's response letter for detail.*

Region of Waterloo

A request must be made to the Region for the new service and confirmation that capacity is available in the existing system must be provided by the Region. We consider this the request and confirm that there is capacity in the water and sanitary system.

- *Acknowledged.*

The applicant must submit a design drawing sealed by a professional engineer for the proposed work within the Rose Street Right Of Way for review and approval by the Region.

- *Acknowledged. Grading and servicing plan (Dwg. C2.1) is provided as part of the application.*

The engineer must submit a cost estimate for works within the Rose Street Right Of Way for review and approval. Once approved, the applicant is required to post a security for the value of work. The security can be a letter of credit, certified cheque or cash.

- *Acknowledged. Cost estimate is included in the resubmission.*

The applicant is responsible for coordinating the construction with their own contractor. The Region does not undertake the work on behalf of the applicant.

- *Acknowledged.*

Region staff must be made aware at least 3 days in advance of any work taking place. A licensed water operator from the Region must be present to witness the water service connection.

- *Acknowledged.*

All appropriate road work permits must be attained from the Township of North Dumfries or Region of Waterloo, where applicable.

- *Acknowledged.*

After construction, the design engineer must provide a letter or certification stating that the works were constructed in accordance with the approved drawings. The engineer shall determine the level of inspection required to issue such certification.

- *Acknowledged.*

Once the work is complete and the certification letter is received, the security shall be reduced to 60% of the full value of work. After one year, inspections of the work will take place and the any deficiencies will be corrected (asphalt settlement, boulevard repair, etc.) after such time the full value of the security will be released.

- *Acknowledged.*

There is an application fee for a new water/sanitary service of \$1,250 which must be submitted along with the design drawing. Only once the drawing is approved and the application and deposit cheques are received shall any work be permitted to occur.

- *Acknowledged.*

The applicant is responsible for coordinating with the Township Building Department for the building/plumbing permit and acquisition of a water meter.

- *Acknowledged.*

The applicant is also responsible for setting up a new water billing account with the Region of Waterloo.

- *Acknowledged.*

Yours Truly,

MTE Consultants Inc.



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Designer

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JHN:dlb

https://mte85.sharepoint.com/sites/55318-200/Shared Documents/Correspondence/1st Towns Comments/ltr_GSP Group_2025-04-25_ResptoMarch7Comments.docx

NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT
AN APPLICATION (FILE NO. ZC-0125) HAS BEEN MADE TO THE TOWNSHIP OF NORTH DUMFRIES FOR AN AMENDMENT TO GENERAL ZONING BY-LAW NO. 699-83.
THE PURPOSE OF THE ZONING BY-LAW AMENDMENT APPLICATION (ZC-0125) IS TO ESTABLISH A SITE-SPECIFIC ZONING EXEMPTION TO PERMIT THE CONSTRUCTION OF A NEW TWO-STORY RESIDENTIAL DWELLING WITH A GROSS FLOOR AREA EXCEEDING 55 SQUARE METRES WITHIN A Z-4(U) URBAN RESIDENTIAL (FLOORPLAIN) ZONED AREA OF THE SUBJECT PROPERTY, WHICH IS PRESENTLY UNADDRESSSED AND REFERENCED BY ROLL NO. 000101000114505.
THE SUBJECT PROPERTY IS CURRENTLY SPLIT-ZONED, INCLUDING Z-4(U) URBAN RESIDENTIAL (FLOORPLAIN, Z-4 - URBAN RESIDENTIAL AND Z-1 - AGRICULTURAL IN GENERAL ZONING BY-LAW 699-83).
THE PROPOSED ZONING BY-LAW AMENDMENT WOULD CREATE A NEW RESIDENTIAL AREA OF THE PROPOSED DWELLING AND REMAINING AREA TO THE FURTHEST INLAND EXTENT OF THE SLOPE HAZARD.
THE SUBJECT PROPERTY IS CURRENTLY VACANT.
A HYBRID FORMAT, PUBLIC MEETING TO CONSIDER THE PROPOSED ZONING BY-LAW AMENDMENT WILL BE HELD IN THE DUMFRIES ROOM, NORTH DUMFRIES COMMUNITY COMPLEX, 2660 GREENFIELD ROAD, A/R, OR ALTERNATIVELY THROUGH REMOTE AUDIO VISUAL CONNECTION ON TUESDAY, FEBRUARY 23, 2025, AT 6:00 PM.
FOR MORE INFORMATION AND MATERIAL ABOUT THIS MATTER, INCLUDING PRESERVING YOUR APPEAL RIGHTS, CONTACT THE PLANNING DIVISION, TOWNSHIP OF NORTH DUMFRIES, 150 EARL THOMPSON ROAD, 3RD FLOOR, A/R, DURING REGULAR BUSINESS HOURS, TELEPHONE NO. 919-403-8800.

Drainage split
fronting the site





Drainage split
fronting the site



Site

Berm along Rose St



Ex. RW at 70
Rose St

Southeast corner of
the site, adjacent to
70 Rose St