

March 10, 2022

City of Belleville  
Engineering and Development Services Department  
169 Front Street  
Belleville, Ontario  
K8N 2Y8

Attention: Desta McAdam, MCIP, RPP  
Manager, Policy Planning

Dear Ms. McAdam

**Re: Hanley Park North  
Draft Plan of Subdivision and Rezoning Applications  
City Files: B-77-1115 & 12T-20001**

Further to the comments received from the City, agencies and the public, we have revised the Draft Plan of Subdivision and Zoning Amendment applications for the subject property located east of Haig Road and north of Victoria Ave, legally referred to as Part of Lots 14 Concession 1, former Township of Thurlow, now City of Belleville. The subject property contains 35.16 hectares (86.88 ac) and the land proposed for development is designated Residential and zoned Residential Holding.

### **Revised Development Proposal**

The original application proposed to create 150 single detached and townhouse lots and the revised draft plan of subdivision now contains:

- 103 residential lots consisting of 74 single detached units and 29 freehold townhouse units,
- 3 park blocks,
- 2 walkways, and
- a stormwater management facility.

Based on the revised plan, approximately 77% of the property or 27 hectares (67 acres) of land will be protected from development and dedicated to the City or Conservation Authority. This would include 3.15 ha (7.8 ac) of wooded area that was previously proposed for development. The area to be dedicated also includes 0.63 ha of land located within the

center of the site that has no significant natural heritage features, but since the only access to it would be through the wetland area, no development is proposed. Development will continue to be located outside of and setback 30 m from the Bell Creek Provincially Significant Wetland thereby protecting the feature and its functions.

Development will also be setback 30 m from the existing development on Tessa Blvd to allow for more park space.

### **Environmental Impact Study (EIS) Addendum**

An Addendum has been prepared to the Environmental Impact Study (EIS) by Michalski Nielsen and Palmer and the draft plan of subdivision has been revised in conjunction with the findings of the EIS Addendum. The EIS Addendum involved carrying out additional analysis including field work for the woodland area.

The woodland area consists of Fresh-Moist White Cedar Coniferous Forest (FOCM4-1), Dry-Fresh Poplar-White Cedar Mixed Forest (FOMM5-2) and Dry-Fresh White Cedar-Poplar Mixed Forest (FOMM4-2) as shown on Figure 1 of the EIS Addendum (copy attached). The FOCM4-1 and FOMM5-2 areas, which cover the southern portion of the woodland area, provide ecologically diverse conditions with generally larger trees and a robust groundcover layer compared to the FOMM4-2 area, covering the northern portion, which is heavily covered with smaller planted red cedar and the non-indigenous common buckthorn and has sparse groundcover. The proposed area of development has been reduced from what was originally proposed so that it now would only occur within the northern FOMM4-2 area.

The EIS Addendum indicates that the woodland meets the criteria for a Significant Woodland within the Provincial Policy Statement (PPS) but that the PPS indicates that development may be permitted within significant woodlands if there are no negative impacts to the feature of its functions. While the proposed development will result in a reduction of the size of the woodland feature, the majority of the woodland on the property will be retained and the feature and functions of it will not be negatively impacted. The EIS Addendum states that reduction of FOMM4-2 area represents “minor or acceptable impacts” rather than “negative impacts” as defined by the PPS given that the more ecologically diverse FOCM4-1 and FOMM5-2 wooded areas will be protected in the long term thereby retaining the ecological function.

In order to mitigate the environmental implications of the residential development, the EIS Addendum provides a suite of measures that will protect the Bell Creek Provincially Significant Wetland and woodland areas FOMM4-1 and FOMM5-2.

These mitigation measures include the provision of a low impact footpath/walkway in the outer edge of the 30 m natural buffer which could be linked to other trails in the area

and which would provide passive recreational and educational opportunities. Quinte Conservation has indicated they do not support the pathway and the Parks and Recreation Dept has indicated that the pathway should be paved. Paving the walkway within a buffer area would be inappropriate in our opinion, as it would have a more substantial impact on the natural environment but providing a wood chip pathway will help to protect the natural features by directing people to the edge of the buffer thereby limiting the human impacts primarily to less sensitive areas. It is noted that the Conservation Authority had no concerns with a wood chip footpath in the buffer area of the provincially significant wetlands in the Riverstone development in Belleville and the Riverstone pathway, which was a condition of draft plan approval, has now been built.

The EIS Addendum also indicates that the proposed 30 m buffer is an appropriate buffer width, that no greater protection would be afforded to the wetland by increasing the size of the buffer and that it is consistent with Quinte Conservation buffer width policies. It is noted that Quinte Conservation agreed to a 15 m buffer for the same wetland feature on the Parkville Greens subdivision to the south.

The EIS Addendum concludes that the subdivision would be consistent with Sections 2.1.5b) and 2.1.8 of the PPS relating to Significant Woodlands.

### **Stormwater Management Report**

The Stormwater Management Report has been updated to reflect the revised draft plan of subdivision to address water quality controls. The report indicates that stormwater quantity controls were not required of development either upstream or downstream of the proposed development given the proximity to the Bay and as a result, no quantity controls are proposed for this subdivision. Storm sewers will be provided through the development to convey stormwater toward the proposed SWM outfall.

The water quality will be addressed by a wet pond located in the southwest area of the proposed southern development and an appropriate size and configuration for the stormwater management facility has been identified. Water quality will be addressed for the lots on the Spruce Gardens extension by a level spreader.

### **Servicing Report**

The Servicing Report has been updated to reflect the revised draft plan of subdivision. The proposed development will be serviced by the existing 200mm diameter PVC Municipal watermain within Spruce Gardens and the existing 300mm diameter PVC Municipal watermain within Tessa Boulevard, installed as part of the Mercedes Meadows Residential Development. It is proposed to connect to these mains to service the development with 200mm diameter PVC watermain. Greater detail is provided in the Watermain Design Brief.

The proposed sanitary collection system is to consist of a standard gravitational design at a minimum depth of 2.7m. The sewer will be designed in accordance with typical municipal standards. The sewer is proposed to connect to the Spruce Gardens 200mm diameter PVC sanitary sewer, and Tessa Boulevard 375mm diameter PVC sanitary sewer installed as part of the Mercedes Meadows Residential Development. This sanitary sewer was designed to be oversized in order to accommodate flows from the subject lands.

The sanitary flows will be conveyed to the Haig Road 600mm diameter sanitary sewer, which is part of the Bayshore Truck Sanitary Sewer. As of the fall of 2019, the Bayshore Truck Sewer catchment area appeared to be 90% built out. After completing flow monitoring of Mercedes Meadows, Haig Road, and Keegan Parkway (Bayshore Truck Sanitary Sewer Catchment Area) in winter 2018-2019, it was determined that the existing sewers will have adequate capacity for the additional proposed development of Hanley Park North. Greater detail is provided in the Sanitary Flow Monitoring Memo prepared by Ainley.

### **Traffic Impact Study**

The Traffic Impact Study has been updated to address the revised draft plan of subdivision. It was also updated to address the assumptions made with respect to the decrease in traffic that was assumed to have occurred due the pandemic in factoring traffic volumes from the traffic surveys undertaken.

The updated report examined the impact of the subdivision trips at the intersection of Oak Ridge Boulevard and Haig Road, and at the intersection of Victoria Avenue and Haig Road and concluded that both intersections would operate at an acceptable level of service for the expected peak AM and PM hour traffic at the year 2034 and that no modifications would be required to the intersections. A stop sign is recommended at the southbound Mercedes Drive approach to the Mercedes/Tessa intersection.

The Fire Department indicated they had concerns with the number of residences with only one way in and out. The revised development would result in 99 units (97 units from this development plus 2 from the Merces Meadow subdivision) having access from a single public road, being the extension of Tessa Boulevard. The National Fire Protection Association recommends one access point for up to 100 households and the revised subdivision design meets that standard so we trust that this addresses the Fire Dept concerns. Nevertheless, we have continued to provide for an emergency access opportunity through the adjacent stormwater management facility access road.

### **Draft Zoning By-law**

A revised draft Zoning By-law has been prepared to reflect the revised subdivision layout.

## **Additional Agency Comments**

Quinte Conservation has indicated that a hydrology study should be undertaken to address the water balance in the wetlands and ensure its on-going water balance in order to address the requirements for a permit under Ontario Regulation #319/09. We believe that the study can be addressed as a condition of draft plan approval; however, the owners have retained a hydrogeologist to undertake the study and will be submitting it when it has been completed.

## **Public Comments**

Given the many submissions made by the public, we have not addressed each one but rather have grouped them into themes to respond.

### Recreational Use of the Land

Quite a few of the public comments related to the fact that the people objected to development of the property as they use it for recreational purposes. We would like to point out that it is private property not public and while the owners have not tried to prevent the public from using the property by fencing it off, they would be entitled to do so but have not. Our client has received communications from residents concerned that the lands have de facto become a public dog park despite their private ownership status and have expressed concerns about the potential liability arising from the public use of these private lands. Despite the fact that the lands are privately held, our clients are now proposing to dedicate 77 % of the land to a public body so it will become public property that will be protected for the long term and can be accessed everyone should the City or Quinte Conservation choose to allow for that once the lands have been dedicated as part of this development approval. In addition, our clients are proposing to create trails as part of the subdivision so that the public will continue to be able to use the area for recreational purposes. There will also be walkways from the subdivision to the trails around the perimeter of the site. In addition, there is parkland that is proposed within the subdivision that is beyond the dedication of any significant natural areas that may be required to be protected from development.

The same company also owned and obtained draft plan approval for what is now being developed as Parkville Greens. They provided for 10% parkland dedication in that subdivision and at the request of the City, they redesigned that subdivision to save a 100-year-old Oak tree so they have a track record of trying to work cooperatively with the City in addressing recreational and natural heritage issues and are prepared to work with the City on this application as well. Our clients understand the importance of ensuring that appropriate natural open spaces are preserved and where appropriate made available to the public as part of the development process and have always worked with the City to advance this purpose.

### Impacts on Vegetation and Habitats

Questions have been raised regarding why the buffer from the wetland is 30 m and not 120 m. The Provincial Policy Statement states that “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” Adjacent lands are defined as “those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives”. The Province’s Natural Heritage Reference Manual and Quinte Conservation’s Development and Interference with Wetlands and Watercourses Regulation - Policies and Procedures Manual recommends that the adjacent land width for considering the potential negative impact be 120 m for most significant natural features including wetlands and woodlands. The City’s Official Plan also indicates that adjacent lands are considered to be within 120 metres. That means that land within that distance should be assessed to determine the impacts of development. It does not mean that a 120 m buffer is required. As noted above, a 30 m buffer is appropriate for this development.

Other comments that have been made indicate a concern for the impact on wildlife and vegetation. While there will be a reduction in some habitat and vegetation, as noted above, over three quarters of the property will be retained in its current state providing for preservation of the various plant communities and species which will cover all types of existing habitat. The reduction in habitat does not give rise to a negative impact on either the feature or its ecological function because, as the EIS has identified, the feature and functions will continue in those areas.

There was also concern expressed about the impacts of the fill that will be needed to develop the subdivision. Any fill that is required will be approved by the City prior to construction and run off from it will be controlled during construction to prevent erosion. As required by the province, the fill itself will be clean fill that will not cause contamination.

### Flooding and Drainage

All of the proposed development is located outside of the flood plain as determined by the Conservation Authority and as this site will discharge ahead of the upstream peak flows, it will not have any impact to downstream flooding. The historic spring flooding, and now the more frequent flooding throughout the year is not associated with development but rather with changes in weather patterns.

Since the wetland boundary and the flood plain boundary on the subject site are similar, in most cases the proposed development will be setback 30 m or greater from the floodplain boundary, thereby allowing for additional protection from flooding. The owner has not been

responsible for removing or damaging any beaver dams on the property and there will continue to be sufficient beaver habitat.

A stormwater management report has been prepared to address the stormwater runoff from the subdivision and a stormwater management facility is proposed that will address the water runoff and water quality being released into the creek and wetlands. In addition, a detailed grading and sediment control plans will be required before development can proceed to ensure that erosion is properly controlled.

### Traffic

Concern was expressed about the volume of traffic using Tessa Blvd, Mercedes Meadows, Oak Ridge Blvd and Haig Road. Haig Road is a collector road and is intended to handle larger volumes of traffic. The traffic study indicates that the road system will continue to perform well with the added traffic. The number of proposed lots has now decreased from 150 to 103 thereby decreasing the amount of traffic that will generated by the subdivision and as noted above, the traffic report concludes it will operate within acceptable parameters.

The emergency access that is proposed would be located within the area developed for a stormwater management pond. The area was planned as the stormwater management facility, not as a park. The City has no zone for stormwater management facilities so they are zoned OS2. As a result, the use for the stormwater management facility for emergency access will not result in the loss of parkland.

No extension of Victoria Ave into the proposed subdivision was included in the plan as Quinte Conservation staff indicated they would not support the extension across the wetland. In addition, given that putting a cul de sac at the end of Victoria Ave to full municipal standards would require encroachment into the wetland area, no cul de sac is proposed.

### **Conclusions**

The land that is proposed for development is designated Residential in the Official Plan and is therefore clearly anticipated to provide new housing opportunities for the City. Based on the environmental analysis that has been undertaken, the proposed development provides an appropriate balance between the addressing the residential growth needs of the City and the protecting the natural environment by ensuring that the development does not give rise to negative impacts on the feature or the ecological function. It will dedicate approximately 27 hectares (67 acres) of land (77% of the property) to the City or Quinte Conservation which can then be incorporated for public recreational purposes should the new owner determine it appropriate. As it is located immediately adjacent to existing residential development and provides for a variety of lots sizes including townhouses, it does not, in our opinion, create urban sprawl but represents a planned, logical and appropriate extension of the existing community.

The supporting studies indicate that the development can be appropriately serviced and will have adequate access with no significant impact on the transportation system.

### **Submission**

In support of the applications please find enclosed:

- 4 full size copies and 1 reduced copy of the revised draft plan of subdivision;
- 4 copies of the revised proposed Zoning By-law amendment;
- 4 copies of the EIS Addendum;
- 4 copies of the revised Traffic Impact Study;
- 4 copies of the updated Stormwater Management Report;
- 4 copies of the updated Servicing Report;
- 4 copies of the updated Watermain Design Brief;
- 4 copies of the updated Flow Watering Memo; and
- 1 memory stick containing the revised plans and reports.

If you require have any questions regarding our revised applications, please let me know.

Please note that due to personal matters, Lorelei Jones is reducing her work load and so going forward, I will be the lead planner for this file although Lorelei will continue to assist where needed. Thank you.

Yours truly,

**Macaulay Shiomi Howson Ltd**

*Nick Pileggi*

Nick Pileggi, MCIP, RPP  
Principal

cc Hanley Park Developments Inc  
Paul DeMelo