



## Corporation of the Township of Brock

### Staff Report to the Mayor and Members of Council

**From:** Robin Prentice, MCIP, RPP

**Position:** Director of Development Services

**Title / Subject:** Draft Plan of Subdivision (S-B-2022-02) and Zoning By-law Amendment (07-2022-RA) Applications, Simcoe 16700 Inc., Part of Lot 24, Concession 7 (Brock), Township of Brock - Recommendation Report

**Date of Report:** May 22, 2025

**Date of Meeting:** June 9, 2025

**Report No:** 2025-DS-003

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#### 1.0 Issue / Origin

In April 2022, applications for a draft plan of subdivision and related zoning by-law amendment were received respectively by the Region of Durham and the Township of Brock from Michael Smith Planning Consultants (the Agent) on behalf of Simcoe 16700 Inc. (Bloomfield Homes c/o Selva Chelliah) (the Owner).

These Planning Act applications are to facilitate the development of a residential plan of subdivision in Manilla.

As of January 1, 2025, the upper-tier planning responsibilities have been removed from the Region of Durham. Therefore, the Township of Brock is now the approval authority for both the Draft Plan of Subdivision and Zoning By-law Amendment applications.

The purpose of this report is to review and provide recommendations regarding the Draft Plan of Subdivision (S-B-2022-02) and Zoning By-law Amendment (07-2022-RA) applications.

#### 2.0 Background

##### 2.1 Proposal

The subject property is located on the west side of Simcoe Street in the Hamlet of Manilla. It is municipally known as 16700 Simcoe Street and legally described as Part of Lot 24, Concession 7. The entire property is approximately 28.24 ha in size with 518.4 metres of frontage on Simcoe Street (see location map on page 3 of the report).

The subject property currently contains a single detached dwelling and accessory buildings and structures and is currently being farmed.

The land subject to the applications and proposed for development are approximately 11.94 ha in size. The remaining lands, shown as “other lands owned by applicant” on the proposed plan are approximately 16.3 ha in size. The remaining lands owned by the applicant are located outside of the hamlet boundaries and will continue to be used for agricultural purposes.

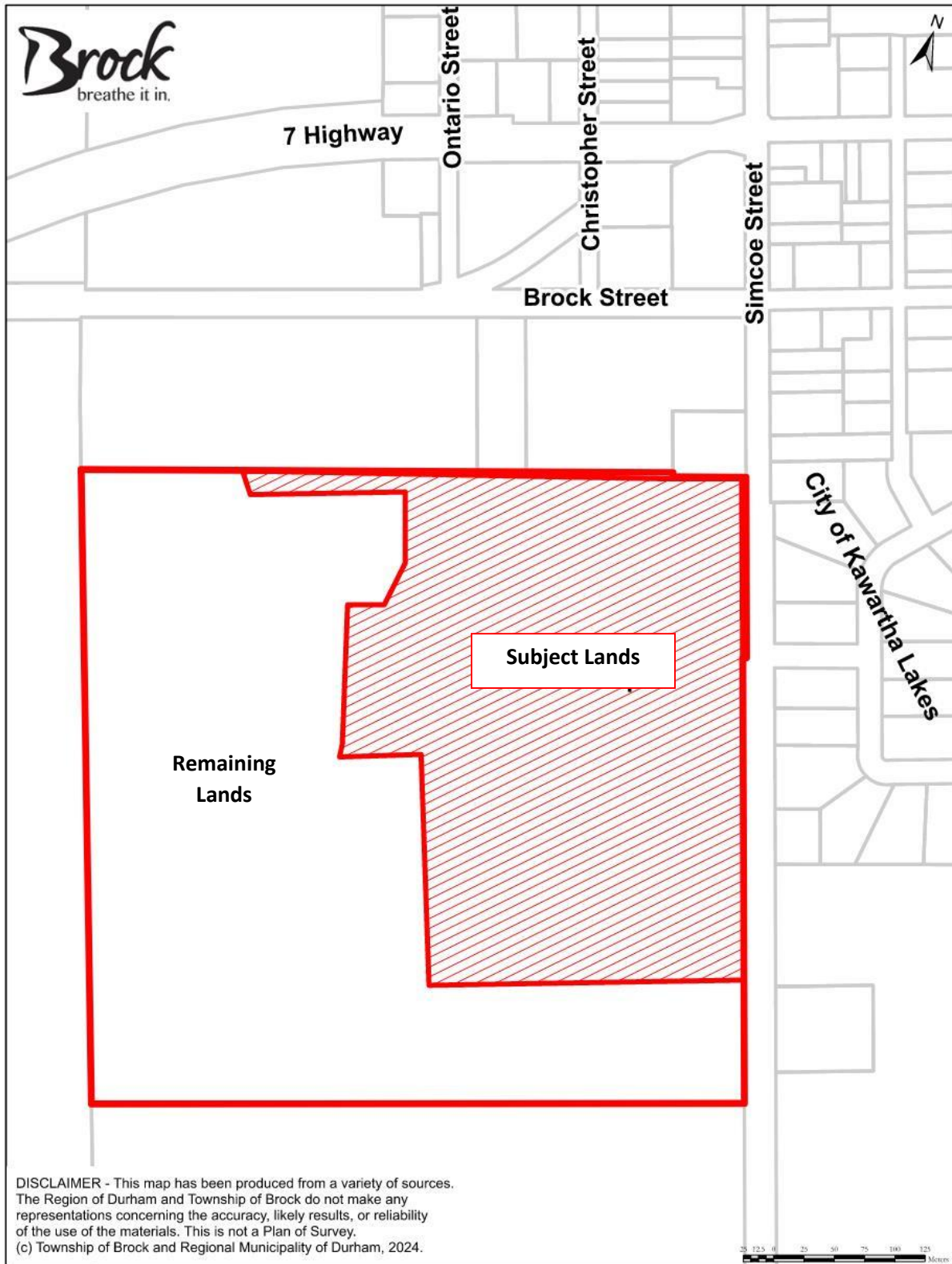
The purpose of the proposed applications is to facilitate a residential subdivision, with an open space block for a stormwater management facility and walkway connection to the existing park to the north. The plan is proposing 31 residential lots that will be serviced by private wells and septic systems. The proposed plan of subdivision is attached to this report as Attachment 1.

The purpose of the proposed Zoning By-law Amendment is to rezone the subject property to implement the draft plan of subdivision. The amendment would rezone the subject property to Hamlet Residential with exceptions related to the minimum lot area and frontage, Rural Buffer with an exception to address the minimum lot area and setbacks of the remaining lands, Environmental Protection (EP) and Open Space (OS) with an exception to permit the stormwater management facility and walkway. The proposed Zoning By-law Amendment is attached to this report as Attachment 2.

## **2.2 Location and Context**

<b>Location:</b>	Part of Lot 24, Concession 7, Township of Brock
<b>Envision Durham Official Plan:</b>	Hamlet, Greenbelt Protected Countryside - Prime Agricultural Area
<b>Township Official Plan:</b>	Hamlet, Greenbelt Protected Countryside - Prime Agricultural Area
<b>Current Zoning:</b>	Rural Buffer (RB), Rural (RU) and Environmental Protection (EP)
<b>Present Use:</b>	Agricultural, one house, and environmental
<b>Adjacent Uses:</b>	Residential, agricultural, parkland, environmental
<b>Lot Area:</b>	Total: 28.24 ha (69.78 acres) Subject Lands: 11.94 ha (29.50 acres)

## Location Map



### **3.0 Planning Policy Framework**

#### **3.1 Planning Act**

Township Council, in carrying out its responsibilities under the Planning Act in considering a draft plan of subdivision, shall have regard “to the health, safety, convenience, accessibility of persons with disabilities and welfare of the present and future inhabitants of the municipality,” among other matters, and to a number of specific matters identified in Section 51(24) of the Act.

These matters are reviewed in Attachment 4 to this report which demonstrates that the proposed plan, as modified, has regard for matters in Section 51(24) of the Planning Act, including matters of provincial interest referred to in Section 2 of the Act.

#### **3.2 Provincial Policy Statement (2020)/Provincial Planning Statement (2024)/Growth Plan for the Greater Golden Horseshoe**

On October 20, 2024, the new Provincial Planning Statement, 2024 came into effect, replacing both the Provincial Policy Statement, 2020 and the Growth Plan for the Greater Golden Horseshoe. However, the policies of the Provincial Policy Statement, 2020 and Growth Plan continue to apply where specified in the Greenbelt Plan. Development must be consistent with the PPS and conform with the Growth Plan.

The relevant policies of the PPS and the Growth Plan direct development to settlement areas, with consideration to rural characteristics, the scale of the development and the provision of appropriate services. The PPS also provides direction for healthy, liveable and safe communities by avoiding development and land use patterns that may cause environmental or public health and safety concerns.

While municipal sewage and water services are the preferred form of servicing for settlements areas, Section 1.6.6.4 of the PPS, 2020 permits the use of private individual sewage and water services where municipal services are not available. Municipal water and sewage services are not available, and communal services are not planned. Therefore, the proposed development will be serviced with private wells and septic systems. The Hydrogeological Study submitted with the applications concludes that the development can be adequately serviced by private wells and septic systems. Furthermore, the lots proposed are sufficient in size to provide for an individual septic system and well.

The proposed development is within the Hamlet of Manilla and reflects the directions outlined in the PPS as more specifically established in the Envision Durham Official Plan and the Township Official Plan. The proposed development will add to the range and mix of housing types within the Township.

The hamlet of Manilla is considered a rural settlement within the Growth Plan, where limited growth and development is permitted.

The remaining lands outside of the hamlet boundary will continue to be used for agricultural purposes.

The proposed development is consistent with the PPS and conforms with the Growth Plan.

### **3.3 Greenbelt Plan (2017)**

The Greenbelt Plan identifies where urbanization should occur in order to provide permanent protection to the agricultural land base and the ecological features and functions that occur in the rural landscape. The majority of the Subject Lands are located within the Hamlet of Manilla, which is identified as a “Hamlet” in the Greenbelt Plan.

Hamlets within the Greenbelt Protected Countryside are subject to the policies of the Growth Plan, the Envision Durham Official Plan and the Township of Brock’s Official Plan. Limited growth is permitted in hamlet areas in the Greenbelt Plan Area subject to appropriate water and sewage services.

In accordance with Policy 4.2.1.1 a) of the Greenbelt Plan, infrastructure that supports Hamlets is permitted in the Protected Countryside, if there is no reasonable alternative. The proposed stormwater management facility is located within the Greenbelt Protected Countryside and is located near the site’s natural low-lying area to best maintain the existing drainage pattern.

An Environmental Impact Study (EIS) was completed and determined that there are no key natural heritage or hydrologic features within the proposed development area. A woodlot is located to the northwest of the Subject Lands and a vegetative buffer is proposed along a portion of the northern lot line adjacent to the woodlot. The EIS concludes that no negative impacts are anticipated on any natural features provided the recommendations of the EIS are implemented.

The proposed development conforms to the Greenbelt Plan.

### **3.4 Lake Simcoe Protection Plan**

The Lake Simcoe Protection Plan (LSPP) is a comprehensive plan designed to protect and restore the ecological health of Lake Simcoe and its watershed. It applies to the Lake Simcoe watershed which includes a portion of the Subject Lands. Most of the policies within the LSPP deal with development on or near the shores of Lake Simcoe, on or near tributaries of Lake Simcoe, within recharge areas and in or near key natural heritage and key hydrologic features that are outside of settlement areas and the Greenbelt Plan.

Policy 4.8DP of the LSPP requires a stormwater management plan be submitted. A Stormwater Management Report was completed and submitted in accordance with Policy 4.8DP.

An EIS was submitted and notes there are no key natural heritage features or key hydrologic features within the Subject Lands. A buffer is proposed on the adjacent woodlot, which is outside of the proposed development area. An intermittent drainage swale was also identified outside the Subject Lands and it will not be affected by the proposed development.

Lake Simcoe Region Conservation Authority (LSRCA) reviewed the applications and indicated that they have no objection to the draft approval of the proposed subdivision. Any outstanding comments can be addressed through the detailed design stage.

The proposed development conforms to the Lake Simcoe Protection Plan.

### **3.5 Envision Durham Official Plan**

The Envision Durham Official Plan was approved by the Province on September 3, 2024.

The proposed residential lots are located within the Hamlet of Manilla and designated “Hamlet” in the Envision Durham Official Plan. The balance of the site is located within the Greenbelt Protected Countryside and designated “Prime Agricultural Area” in the Envision Durham Official Plan.

The Envision Durham Official Plan indicates that development within hamlets shall be individually serviced with private drilled wells and private sewage disposal systems where groundwater quantity and quality permits, and in compliance with the standards of the Region and the Ministry of Environment, Conservation and Parks (Policies 6.5.9 and 6.5.14). Hamlet development shall only be permitted to proceed if the required technical studies conclude that the development on individual private services is sustainable.

Policy 6.5.10 encourages development to be compatible with surrounding uses and the rural landscape, including housing.

This 31-lot subdivision is compatible with other residential uses in the hamlet area and the adjacent agricultural uses. A Functional Servicing Report and Hydrogeological Study were submitted and demonstrate that the proposed development can be supported by private water and sewage services.

Policy 6.5.14 requires development within a hamlet to proceed by plan of subdivision and the subdivision application shall include:

- a hydrogeological report to assess the potential impact of the proposed subdivision on the available water supply and the impact of proposed private sewage systems on the groundwater supply.
- a lot servicing plan.
- a report of the results of a soil sampling program that adequately represents the geology of the subdivision.
- a grading plan indicating elevations and lot drainage patterns.

The required plans and reports as outlined above have been submitted and reviewed by the required agencies. The Region engaged a peer reviewer to review the Hydrogeological Study.

Infrastructure, such as the proposed stormwater facility, is permitted within Prime Agricultural Areas.

The Envision Durham Official Plan designates Simcoe Street as a Type “A” Arterial Road which is intended to carry higher volumes of traffic with some access restrictions. Simcoe Street is subject to the boundary agreement between the Region of Durham and the City of Kawartha Lakes and this section of the road is under the City of Kawartha Lakes’ jurisdiction.

The proposed plan conforms to the Envision Durham Official Plan.

### 3.6 Township of Brock Official Plan

The Subject Lands proposed for residential purposes are designated “Hamlet” on Map 6-B, while the proposed stormwater management facility is located within the Prime Agricultural Area designation.

Section 5.9 of the Official Plan provides the policies for the Hamlet designation. The general framework, established in the objectives for the Hamlet designation, is for Hamlets to be a focus of limited development outside of the Urban Areas. The residential character and cultural heritage that is unique to each hamlet is to be preserved and enhanced.

“Development in Hamlets is to be compatible with the surrounding land uses and may consist of a variety of uses including residential uses; community facilities; employment uses and commercial uses that meet the immediate needs of the residents of the hamlets and the surrounding rural area.” (Section 5.9.2.2)

“Development in Hamlets is to be in a compact manner, in depth rather than strips, utilize a grid system of roads and make every effort to preserve their historic characteristics by requiring new development to complement existing building types. Development is to be individually serviced with private drilled wells and private sewage disposal systems that adhere to current Regulations.” (Section 5.9.2.3)

Specific criteria identified in the Plan for the consideration of residential plans of subdivision, in addition to the criteria in the Planning Act, include:

- a) an analysis of the hydrogeological regime to determine the availability and quality of groundwater on a long-term basis;
- b) an assessment of the impact of future development on existing groundwater and surface water quality and quantity, on the existing sources of drinking water and stormwater management;
- c) an assessment of the long-term suitability of the soil and groundwater conditions for the effective operation of private sewage disposal systems;
- d) other studies required in the Durham Regional Official Plan; and,
- e) new residential development within the Hamlet of Manilla must demonstrate conformity to the Minimum Distance Separation formulae.

The proposed plan addresses the criteria as follows:

- The required plans and reports as outlined above have been submitted and reviewed by the required agencies. The Region engaged a peer reviewer to review the Hydrogeological Study. The Hydrogeological Study submitted with the applications concludes that the development can be adequately serviced by private wells and septic systems.
- The development is within a settlement area and Minimum Distance Separation setbacks are not required as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes.

The proposed plan conforms to the Township's Official Plan.

### **3.7 Township of Brock Zoning By-law 287-78-PL**

The subject property is currently zoned "Rural Buffer (RB)," "Rural (RU)" and "Environmental Protection (EP)" in the Township's Zoning By-law 287-78-PL (as amended).

The purpose of the proposed Zoning By-law Amendment is to rezone the property to implement the draft plan of subdivision. The amendment would rezone the subject property to:

- Hamlet Residential Exception 8 (HR-8) with exceptions related to the minimum lot area and frontage,
- Open Space Exception 8 (OS-8) with an exception to permit the stormwater management facility, trail and conservation uses,
- Rural Buffer Exception 10 (RB-10) with exceptions to address the minimum lot area and setbacks of the remaining lands, and
- Environmental Protection (EP).

Please refer to Attachment 2 for the proposed Zoning By-law.

## **4.0 Agency Circulation Comments**

The applications were circulated to the required agencies in accordance with the Planning Act. Through this process a detailed review of the technical background studies was carried out by the Region of Durham, as well as the Township and the Lake Simcoe Region Conservation Authority (LSRCA), among other agencies. The following provides a summary of agency comments. The proposed conditions of draft plan approval can be found in Attachment 3.

### **Region of Durham:**

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| <ul style="list-style-type: none"><li>• <b>Community Growth &amp; Economic Development</b></li><li>• <b>Works</b></li><li>• <b>Health</b></li><li>• <b>Transportation</b></li><li>• <b>DRT</b></li></ul> | <ul style="list-style-type: none"><li>• No objection to draft approval of subdivision.</li><li>• The peer review of the technical studies submitted in support of the proposed servicing methods supports the application and the number of proposed lots.</li><li>• Provided conditions of draft approval (outlined in Attachment 3)</li><li>• Site screening matters have been addressed.</li><li>• Any required noise mitigation measures and warning clauses as outlined in the Noise Study are required to be implemented through the Township's subdivision agreement.</li><li>• Archaeological requirements to be addressed as a condition of draft approval.</li></ul> |
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**Lake Simcoe Region  
Conservation Authority  
(LSRCA)**

- Any outstanding technical comments can be addressed as part of detailed design.
- Provided conditions of draft approval, including the need for studies and plans to be provided as part of detailed design (outlined in Attachment 3).

**Enbridge Gas Inc.**

- No objection. Provided conditions of draft plan approval (outlined in Attachment 3).

**Bell Canada**

- Provided conditions of draft plan approval (outlined in Attachment 3).

**Hydro One**

- No comments or concerns.

**Durham District School Board**

- No objection. Students will be accommodated at existing school(s).

**Canada Post (CP)**

- Mail delivery services will be provided through community mail box(es) in the subdivision.
- Provided conditions of draft plan approval (outlined in Attachment 3)

**Township of Brock  
Engineering Consultant  
(AECOM)**

- Any outstanding comments to be addressed through the detailed design stage and are included in the draft plan conditions outlined in Attachment 3.

## **5.0 Financial / Budget Assessment**

The required Subdivision and Zoning By-law Amendment application fees have been received by the Township. Should these applications be approved, additional fees would be required as part of the subdivision agreement stage and development charges would be paid as part of the building permit process.

### **5.1 Asset Management**

A few new assets would come under the Township's ownership once this subdivision is constructed and assumed by the Township. Such assets would include a stormwater management facility, walkway, as well as a road and associated amenities.

## **6.0 Climate Change Impacts**

Planning compact settlement areas supports the development of healthy and complete, sustainable communities, while efficiently using land and resources. The proposed development will focus residential growth and development within an existing hamlet area.

## **7.0 Communications**

A statutory public meeting was held on August 8, 2022 in accordance with the Planning Act.

Nine (9) members of the public provided verbal comments at the public meeting held by the Township and seven (7) members of the public provided written submissions. A copy of the minutes from the statutory public meeting can be found in Attachment 5 and a summary of all public comments and responses can be found in Attachment 6.

## **8.0 Conclusion**

Provincial, Regional and Township planning policy documents direct development to settlement areas, including the Hamlet of Manilla. The Official Plan designates the developable portion of the Subject Lands as “Hamlet” and limited residential development is permitted within the Hamlet designation.

The applicant has addressed comments related to the proposed development through extensive technical analyses carried out in response to comments from agencies and the public. Township staff and external agencies have reviewed the applications and have indicated no objections to the proposed development subject to the conditions outlined in Attachment 3.

It is staff’s opinion that the applications are consistent with the PPS and conform to the Growth Plan, Greenbelt Plan, Lake Simcoe Protection Plan and the Official Plans.

## **9.0 Recommendation**

Be it resolved that report 2025-DS-003 regarding Draft Plan of Subdivision (S-B-2022-02) and Zoning By-law Amendment (07-2022-RA) Applications, Simcoe 16700 Inc., Part of Lot 24, Concession 7, Township of Brock – Recommendation Report, be received;

That the Township grant draft approval of draft plan of subdivision S-B-2022-02 (Attachment 1), subject to the conditions outlined in Attachment 3 to this report and any minor revisions to the satisfaction of the Director of Development Services;

That the application to amend Zoning By-law 287-78-PL (07-2022-RA) be approved; and

That the Zoning By-law appended to this report as Attachment 2 be adopted by Council.

### **Attachments:**

Attachment 1 – Proposed Plan of Subdivision

Attachment 2 – Proposed Zoning By-law

Attachment 3 – Proposed Draft Plan Conditions

Attachment 4 – Planning Act Section 51(24) Review

Attachment 5 – Public Meeting Minutes (August 8, 2022)

Attachment 6 – Summary of Public Comments and Responses