



# 138 Robert Street East

## PLANNING JUSTIFICATION REPORT

Town of Penetanguishene

IPS NO. 22-1197

December 2022



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138 ROBERT STREET EAST

**TOWN OF PENETANGUIHENE**

APPLICATIONS FOR

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**OFFICIAL PLAN AMENDMENT  
ZONING BY-LAW AMENDMENT  
DRAFT PLAN OF SUBDIVISION**

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PREPARED BY

**INNOVATIVE PLANNING SOLUTIONS**

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ON BEHALF OF

**138 Robert Street LP**

DECEMBER 2022

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## **1.0 INTRODUCTION**

Innovative Planning Solutions (IPS) has been retained by 138 Robert Street LP to prepare a Planning Justification Report relative to applications for Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA), and Draft Plan of Subdivision for the lands municipally known as 138 Robert Street East, Town of Penetanguishene. The subject lands have a total area of 31.6 hectares (78.1 acres) with 226.2 metres of frontage along Robert Street East. **Figure 1** shows the location of the subject lands.

The subject lands are designated 'Settlement' in the County of Simcoe Official Plan; are designated 'Neighbourhood Area' and 'Employment Area' in the Town of Penetanguishene Official Plan; and are zoned 'Rural (RU)' and 'Deferred Development (D)' in the Town of Penetanguishene Zoning By-law. The intent of the subject applications is to round out this corner of the urban Settlement Area of Penetanguishene by comprehensively developing a Subdivision possessing approximately 564 residential units, and 11 employment blocks, 2 stormwater management ponds, and 1 park.

This report will review the applicable policies found within the documents noted below to demonstrate consistency with good planning principles:

- Planning Act, 2021 Consolidation
- Provincial Policy Statement, 2020 Consolidation
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- County of Simcoe Official Plan, 2016
- Town of Penetanguishene Official Plan, 2020
- Town of Penetanguishene Community Design Manual, 2014
- Town of Penetanguishene Zoning By-law 2002-02, 2012

## **2.0 SITE DESCRIPTION AND SURROUNDING LAND USES**

The subject lands are located within the Town of Penetanguishene, south of Robert Street East and west of Thompsons Rd. The subject lands have 226.2 metres of frontage along Robert Street East and a total area of 31.6 hectares. The lands largely consist of wooded areas, with a gradual slope downward from east to west.

The Subject Lands are designated 'Settlement' in the County of Simcoe Official Plan and are located adjacent to the Built Boundaries. The subject lands are designated 'Employment Area' and 'Neighbourhood Area' (Schedule A) (**Figure 2**); consist of Environmental Protection lands (Schedule B1) (**Figure 3**); and are identified as being within the Wellhead Protection Area (WHPA) Q1 & Q2, with a portion of the lands within WHPA-D and a Highly Vulnerable Aquifer (Schedule B2) (**Figure 4**) in the Town of Penetanguishene Official Plan. The north half of the subject lands are zoned 'Deferred Development (D)' and the south half are zoned 'Rural (RU)' (**Figure 5**).

**Figure 6** depicts aerial photography of the subject lands and surrounding land uses. The surrounding land uses include:

- North:** Directly adjacent is Robert Street E, identified as a Major Road in the Town's Official Plan. The local Penetanguishene Bus Route runs along Robert St E and Dunlop St, providing for efficient transit connections to the Town of Midland and County of Simcoe LINX Transit Service. North of Robert Street E are lands designated 'Employment Area' and zoned for industrial and manufacturing uses.
- South:** Directly adjacent is Thompsonss Road, identified as a Major Road in the Town's Official Plan. South of Thompsonss Road are lands designated and zoned for rural uses, consisting largely of wooded area with some agricultural/farm uses.
- East:** East of Thompsonss Road are lands designated 'Employment Area' and 'Rural Area', zoned 'Deferred Development' and 'Open Space'. These lands largely consist of wooded area and are identified 'Environmental Protection' in Schedule B1 – Policy Overlays.

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**West:** Directly adjacent are lands designated 'Neighbourhood Area' and zoned institutional, consisting of St Anne's Catholic School and a future study area (51 Dunlop St). The Town has identified the following potential uses for the future study area: recreation centre, housing development, health and community facilities, and/or future school. Georgian Village and Manor Long Term Care facility is also adjacent to the west. Further west are residential neighbourhoods.

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 Subject Lands

Figure 1  
**SUBJECT LANDS**

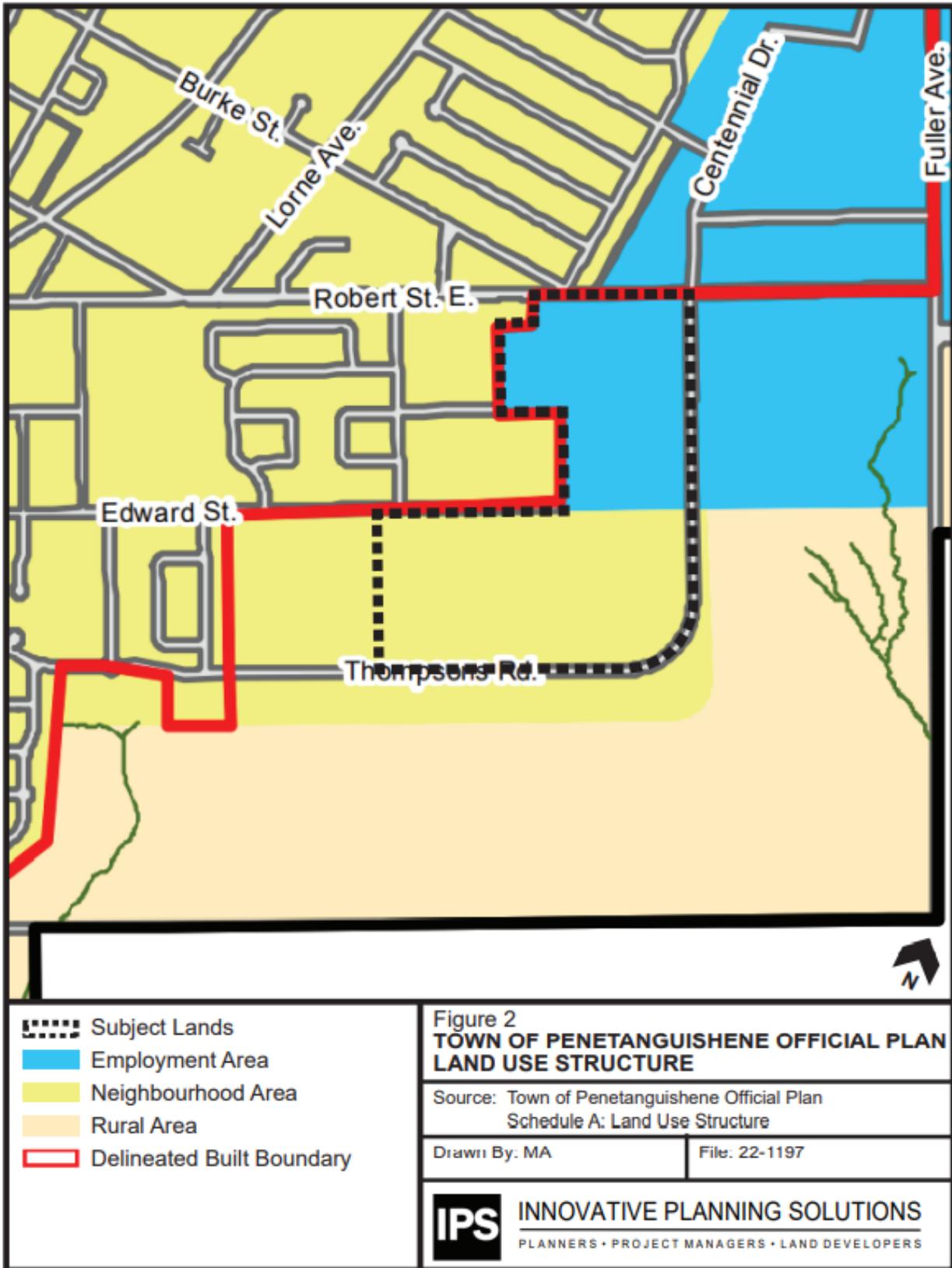
Source: County of Simcoe Mapping, 2018.

Drawn By: MA

File: 22-1197



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-  Subject Lands
-  Environmental Protection
-  Future Study Area
-  Waste Disposal Influence Area

Figure 3  
**TOWN OF PENETANGUISHENE OFFICIAL PLAN  
 POLICY OVERLAYS**

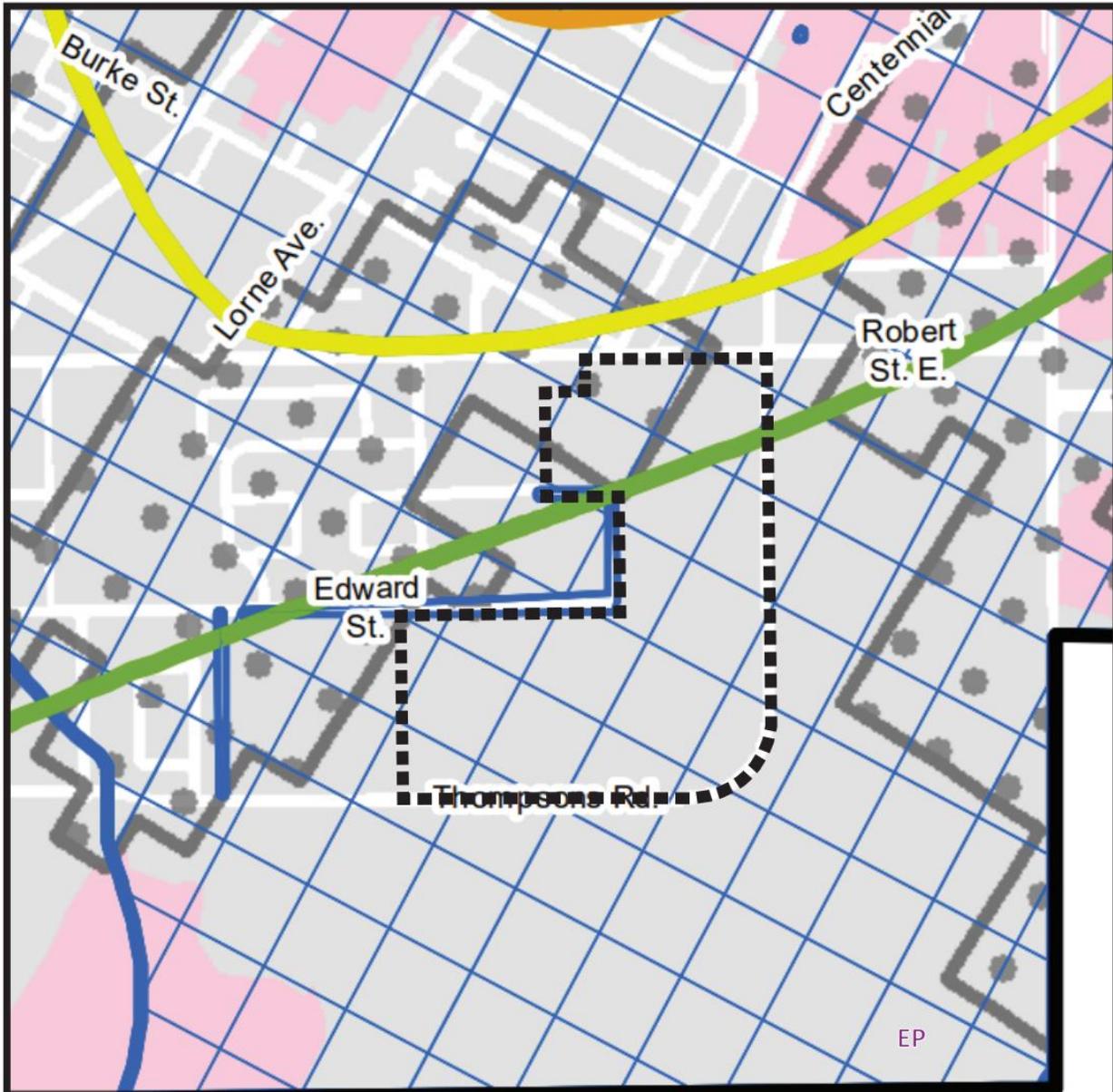
Source: Town of Penetanguishene Official Plan  
 Schedule B1: Policy Overlays

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-  Subject Lands
-  WHPA-B
-  WHPA-C1
-  WHPA-D
-  WHPA Q1 & Q2
-  Highly Vulnerable Aquifer
-  Significant Groundwater Recharge Areas

Figure 4  
**TOWN OF PENETANGUISHENE OFFICIAL PLAN  
 SOURCE PROTECTION POLICY OVERLAYS**

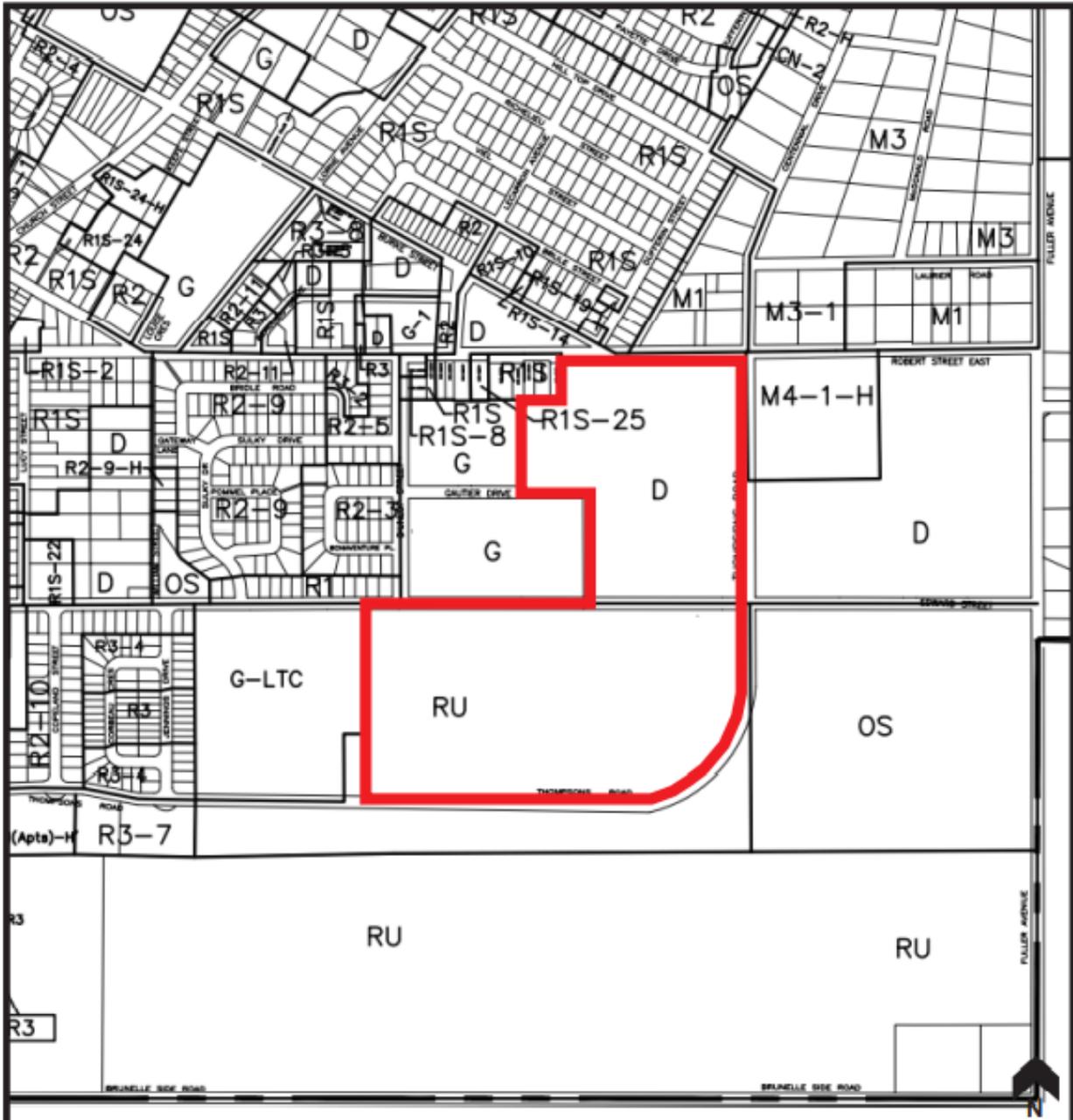
Source: Town of Penetanguishene Official Plan  
 Schedule B2: Source Protection Policy Overlays

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<ul style="list-style-type: none"> <li><span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Lands</li> <li><b>D</b> Deferred Development</li> <li><b>RU</b> Rural</li> <li><b>G</b> Institutional</li> <li><b>OS</b> Open Space</li> <li><b>M1</b> Industrial Services</li> <li><b>M3</b> Yard Storage and Heavy Industrial</li> <li><b>R</b> Residential</li> </ul>	<p><b>Figure 5</b>  <b>TOWN OF PENETANGUISHENE ZONING BY-LAW</b></p> <p>Source: Town of Penetanguishene Zoning By-law No.2000-02          Schedule 'A' - Zoning Map</p>	
	<p>Drawn By: MA</p>	<p>File: 22-1197</p>
<p><b>IPS</b> <b>INNOVATIVE PLANNING SOLUTIONS</b>          PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS</p>		

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 Subject Lands

Figure 6  
**SURROUNDING CONTEXT**

Source: Google Maps, 2022.

Drawn By: MA

File: 22-1197



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### **3.0 DESCRIPTION OF DEVELOPMENT**

The intent of the subject applications is to round out this corner of the urban Settlement Area of Penetanguishene by comprehensively developing the lands for residential and employment purposes by way of Plan of Subdivision. The Subdivision is proposed to possess approximately 564 residential units, and 11 employment blocks, 2 stormwater management ponds, and 1 park. In order for this to occur, Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications are required.

Approval of the OPA and ZBA Applications are required in order to permit the proposed Draft Plan of Subdivision. The OPA seeks to redesignate a portion of the lands from 'Employment Area' to 'Neighbourhood Area'. The ZBA seeks to rezone the 'Rural (RU)' and 'Deferred Development (D)' zones to the 'Residential Third Density (R3)' zone, with the respective exceptions required for each lot type, and the 'Industrial Services (M1)' zone with requested exceptions. The proposed applications are discussed in further detail through the following sections.

#### **3.1 OFFICIAL PLAN AMENDMENT**

The subject lands are currently designated 'Neighbourhood Area' and 'Employment Area' as per Schedule A of the Town of Penetanguishene Official Plan.

In order to permit the proposed development, an OPA is required to redesignate a portion of the subject lands, located north of the Gauthier Dr extension and west of the proposed 'Street A', from 'Employment Area' to 'Neighbourhood Area'. The OPA further seeks the implementation of a Defined Policy Area to align the Town of Penetanguishene Official Plan with the Growth Plan for the Greater Golden Horseshoe, facilitating the conversion of these Employment Lands.

Section 4.5(4) of the Town of Penetanguishene Official Plan states that:

*Employment Areas shall be protected and preserved for employment uses and the Town shall discourage the conversion of Employment Areas for other uses. The conversion of lands from Employment Areas to non-employment uses shall only be considered through a municipal comprehensive review undertaken by the County.*

Growth Plan Section 2.2.5.10 states that:

*Notwithstanding policy 2.2.5.9, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:*

- a) satisfy the requirements of policy 2.2.5.9 a), d) and e);*
- b) maintain a significant number of jobs on those lands through the establishment of development criteria; and*
- c) not include any part of an employment area identified as a provincially significant employment zone unless the part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.*

The requirements of Section 2.2.5.9(a)(d)(e), of the Growth Plan, are as follows:

- a) there is a need for the conversion;*
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

It is our understanding that the Town of Penetanguishene Official Plan (2018) was drafted prior to the update of the Growth Plan (2020), and as such, there is a policy mis-alignment in this regard. The OPA seeks to implement a Special Policy Area to permit the conversion of Employment Lands to non-employment uses through an Official Plan Amendment, and eliminate the need for the conversion through a Municipal Comprehensive Review, in alignment with the Growth Plan framework.

In accordance with Growth Plan requirements for employment land conversion outside of a Municipal Comprehensive Review, the proposed OPA achieves the requirements as follows:

- a) there is a need for the conversion;*

COMMENT: The portion of the subject lands proposed for employment conversion is surrounded in 3 directions (north, south, west) by Neighbourhood Area. Such a situation creates the potential for conflicting land uses should an industrial operation be located on these lands, in close proximity to existing sensitive uses. The proposed conversion seeks to align the

Neighbourhood Area designation with the dividing line to the south and north, while also providing a buffer between the Neighbourhood Area designation and the Employment Area designation by introducing a new roadway between. The need for this conversion is rooted in the need to avoid conflicting land uses, while appropriately placing residential & employment uses where they logically belong on the subject lands and greater area.

- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*

COMMENT: The proposed conversion would positively affect the overall viability of both the employment area and neighbourhood areas, by eliminating the potential for conflicting land uses to be positioned adjacent to each other (industrial adjacent to residential), on multiple sides of the property. The proposed conversion will also assist the Town in achieving its mandated density target.

- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

COMMENT: As evidenced within the Functional Servicing Report accompanying this submission, sufficient infrastructure and services exist to accommodate the conversion lands, and the Subdivision overall.

During formal pre-consultation, the Town was generally supportive of the proposed conversion of these employment lands to residential. The conversion will provide for an important and logical alignment and buffer between the existing residential neighbourhood and proposed employment uses. The lands to be redesignated are more appropriately suited for residential uses as they demonstrate compatibility with the adjacent lands to the south, west, and north which consist largely of low-rise residential, school, and potential future community centre. The proposed conversion lands are isolated from the remaining employment lands through the proposed 'Street A' (which aligns with the existing traffic intersection at Robert St) and will be provided with appropriate transition to the proposed employment uses.

A copy of the draft Official Plan Amendment Text and Schedule are provided in **Appendix 1**.

### 3.2 ZONING BY-LAW AMENDMENT

The subject lands are currently zoned 'Deferred development (D)' and 'Rural (RU)' as per the Town of Penetanguishene Zoning By-law 2002-02. In order to facilitate the proposed Plan of Subdivision, a ZBA is required to rezone the subject lands to the appropriate zone for each proposed use.

The ZBA seeks to rezone the 'Deferred Development (D)' and 'Rural (RU)' zones to seven (7) distinct zones:

1. 'Industrial Services Exception X (M1-X)'
2. 'Residential Third Density Exception X (R3-X)'
3. 'Residential Third Density Exception Y (R3-Y)'
4. 'Residential Third Density Exception Z (R3-Z)'
5. 'Residential Third Density Exception XX (R3-XX)'
6. 'Residential Third Density Exception YY (R3-YY)'
7. 'Open Space (OS)'

The site-specific exceptions proposed for the above-mentioned zones are as follows:

#### Industrial Services Exception X (M1-X)

Notwithstanding the Uses Permitted by Subsection 7.1.1 or any other provisions of this by-law, the lands zoned "M1-X" shall permit the following uses:

- Brewing Establishment
- Cannabis Production Facility
- Commercial Fitness Centre
- Commercial Parking Lot
- Commercial Recreation Use
- Commercial School
- Commercial Self-Storage Use
- Community Centre
- Contractor's Yard
- Equipment Sales And Rental
- Establishment

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- Impound Yard
- Industrial Use
- Motor Vehicle Body Shop
- Motor Vehicle Repair Establishment
- Motor Vehicle Rental Establishment
- Motor Vehicle Washing Establishment
- Office
- Outdoor Storage, Accessory
- Retail Store, Accessory
- Service And Repair Establishment
- Transport Terminal
- Warehouse

The exceptions proposed for the 'Industrial Services Exception (M1-X)' zone are requested to align the zone with both Zoning By-law 2022-17 (appealed) and Zoning By-law 2000-02.

'Residential Third Density Exception X (R3-X)'

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-X" shall only permit Single Detached Dwellings and the following shall apply:

- |  |                            |
|--|----------------------------|
| a) Minimum Lot Frontage                          | 9 metres                   |
| b) Minimum Lot Area                              | 225 square metres          |
| c) Maximum Lot Coverage                          | 55%                        |
| d) Minimum Yard Requirements                     |                            |
| a. Minimum Front Yard (to house)                 | 4.5 metres                 |
| b. Minimum Front Yard (to garage)                | 6.0 metres                 |
| c. Minimum Interior Side Yard                    | 0.6 metres                 |
| d. Minimum Exterior Side Yard                    | 3.0 metres                 |
| e. Minimum Rear Yard                             | 5.0 metres                 |
| e) Maximum Height                                | 11.0 metres                |
| f) Minimum Ground Floor Area                     | 74 square metres           |
| g) Minimum Parking                               | 2 spaces, including garage |
| h) Maximum lot coverage for accessory structures | 10%                        |

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'Residential Third Density Exception Y (R3-Y)'

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-Y" shall only permit Single Detached Dwellings and the following shall apply:

- |  |                            |
|--|----------------------------|
| a) Minimum Lot Frontage                            | 10.5 metres                |
| b) Minimum Lot Area                                | 260 square metres          |
| c) Maximum Lot Coverage                            | 55%                        |
| d) Minimum Yard Requirements                       |                            |
| a. Minimum Front Yard (to house)                   | 4.5 metres                 |
| b. Minimum Front Yard (to garage)                  | 6.0 metres                 |
| c. Minimum Side Yard                               | 0.6 metres                 |
| d. Minimum Exterior Side Yard                      | 3.0 metres                 |
| e. Minimum Rear Yard                               | 5.0 metres                 |
| e) Maximum Height                                  | 11.0 metres                |
| f) Minimum Ground Floor Area                       | 74 square metres           |
| g) Minimum Parking                                 | 2 spaces, including garage |
| h) Maximum lot coverage for accessory structure(s) | 10%                        |

'Residential Third Density Exception Z (R3-Z)'

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-Z" shall only permit Single Detached Dwellings and the following shall apply:

- |                                   |                   |
|-----------------------------------|-------------------|
| a) Minimum Lot Frontage           | 12 metres         |
| b) Minimum Lot Area               | 300 square metres |
| c) Maximum Lot Coverage           | 55%               |
| d) Minimum Yard Requirements      |                   |
| a. Minimum Front Yard (to house)  | 4.5 metres        |
| b. Minimum Front Yard (to garage) | 6.0 metres        |
| c. Minimum Side Yard              | 0.6 metres        |
| d. Minimum Exterior Side Yard     | 3.0 metres        |
| e. Minimum Rear Yard              | 5.0 metres        |
| e) Maximum Height                 | 11.0 metres       |

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- |  |                           |
|--|---------------------------|
| f) Minimum Ground Floor Area                       | 74 square metres          |
| g) Minimum Parking                                 | 2 spaces including garage |
| h) Maximum lot coverage for accessory structure(s) | 10%                       |

'Residential Third Density Exception XX (R3-XX)'

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.5 the lands zoned "R3-XX" shall only permit Row House and Back-to-Back Townhouse Dwellings, and the following shall apply:

- |  |                              |
|--|------------------------------|
| a) Minimum Lot Frontage                            | 6 metres per unit            |
| b) Minimum Lot Area                                | 100 square metres per unit   |
| c) Maximum Lot Coverage                            | 75%                          |
| d) Minimum Yard Requirements                       |                              |
| a. Minimum Front Yard (to house)                   | 4.5 metres                   |
| b. Minimum Front Yard (to garage)                  | 6.0 metres                   |
| c. Minimum Interior Side Yard                      | 0.0 metres / 1.2 metres      |
| d. Minimum Exterior Side Yard                      | 1.8 metres                   |
| e. Minimum Rear Yard                               | 0.0 metres                   |
| e) Maximum Height                                  | 11.0 metres                  |
| f) Minimum Ground Floor Area                       | 60 square metres             |
| g) Minimum Parking                                 | 1.5 spaces, including garage |
| h) Maximum lot coverage for accessory structure(s) | 10%                          |

'Residential Third Density Exception ZZ (R3-YY)'

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.5 the lands zoned "R3-YY" shall only permit Row House and Rear Lane Row House Dwellings, and the following shall apply:

- |                              |                            |
|------------------------------|----------------------------|
| a) Minimum Lot Frontage      | 6 metres per unit          |
| b) Minimum Lot Area          | 150 square metres per unit |
| c) Maximum Lot Coverage      | 70%                        |
| d) Minimum Yard Requirements |                            |

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a. Minimum Front Yard	3.0 metres
b. Minimum Interior Side Yard	0.0 metres / 1.2 metres
c. Minimum Exterior Side Yard	1.8 metres
d. Minimum Rear Yard (to house)	4.5 metres
e. Minimum Rear Yard (to garage)	6.0 metres
e) Maximum Height	11.0 metres
f) Minimum Ground Floor Area	60 square metres
g) Minimum Parking	2 spaces, including garage
h) Maximum lot coverage for accessory structure(s)	10%

The proposed R3-X, R3-Y, and R3-Z zones will permit single-detached dwellings, consistent with the adjacent neighbourhood, while providing for a more compact built form and increased density. The proposed R3-XX and R3-YY zones permit row/town houses, back-to-back or stacked townhouses, and rear lane townhouses, providing new, and much needed, attainable housing options to the Town's housing stock.

The proposed exceptions permit increased densities which will allow for a variety of housing types and options. Each proposed lot, and associated exceptions, maintains adequate space for the permitted residential use, provide appropriate space for site/vehicle access, and maintain appropriate setbacks to adjacent lots, while providing for a more compact built form while still allowing for individual amenity space. The requested exceptions and resulting built form promise to appropriately transition to the existing adjacent neighbourhood.

A copy of the draft Zoning By-law Amendment Text and Schedule are provided in **Appendix 2**.

### **3.3 DRAFT PLAN OF SUBDIVISION**

The Draft Plan of Subdivision seeks to comprehensively develop the subject lands to round out this corner of the urban area of Penetanguishene. The proposed subdivision provides logical connections to existing municipal roads, while incorporating both employment and residential growth in appropriate locations. The Subdivision provides stormwater facilities in their most effective locations, while providing for a centrally located municipal park. The Subdivision consists of a total residential area of 14.1 hectares and a total employment area of 7.8 hectares.

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The proposed internal road network has been designed to best integrate with the existing external network, providing a south extension of Dunlop St, an east extension of Edward St, and an east extension of Gauthier Dr. The proposed 'Street A' aligns with the existing Burks St/Robert St intersection. The employment lands have been consolidated and positioned adjacent to existing employment lands (north of Robert St) and along major roads (Robert St & Thompsons Rd), ensuring they are well serviced by transportation routes. A total of 11 employment blocks are provided, contributing to the range and availability of employment sites within the Town.

The residential lands are located adjacent to an existing residential neighbourhood with appropriate separation from the employment lands. Three lot types for single-detached dwellings provide for a total of 283 residential units, while providing a range of household sizes. A total of 21 blocks are provided for rear lane townhouses, accommodating for 126 residential units. Two (2) medium density blocks are also proposed within the subdivision, conceptually consisting of condominium townhouses, stacked townhouses, and back-to-back townhouse dwellings, providing for a total of 155 residential units. A total of 564 residential dwellings are proposed through the proposed development

The proposed Plan of Subdivision further includes one centrally located block for park space along with two appropriately positioned blocks for stormwater management facilities.

The Draft Plan of Subdivision is provided in **Figure 7** and **Appendix 3**. A plan of subdivision matrix is provided in **Table 1**, providing an area and unit breakdown of the proposed.

<b>Table 3. Draft Plan of Subdivision Matrix</b>					
<b>LAND USE</b>	<b>LOT/BLOCK NO.</b>	<b>UNITS</b>		<b>AREA</b>	
		<b>UNITS</b>	<b>%</b>	<b>HA.</b>	<b>%</b>
Residential Single Lot (9.15m / 30')	Lots 1-10, 19-27, 40-58, 176-184, 232-242, 266-270	63	11.17%	1.495	4.7%
Residential Single Lot (10.5m / 34')	Lots 11-18, 28-39, 88-95, 99-102, 106-121, 135-145, 172-175, 185- 192, 199-205, 207-211, 243-246, 253-265, 271-279	109	19.33%	3.185	10.1%
Residential Single Lot (12.19m / 40')	Lots 59-87, 96-98, 103-105, 122- 134, 146-171, 193-198, 206, 212- 231, 247-252, 280-283	111	19.68%	4.083	12.9%
Residential Rear Lane Townhouses (6.1m/20')	Blocks 284-305	126	22.34%	2.244	7.1%

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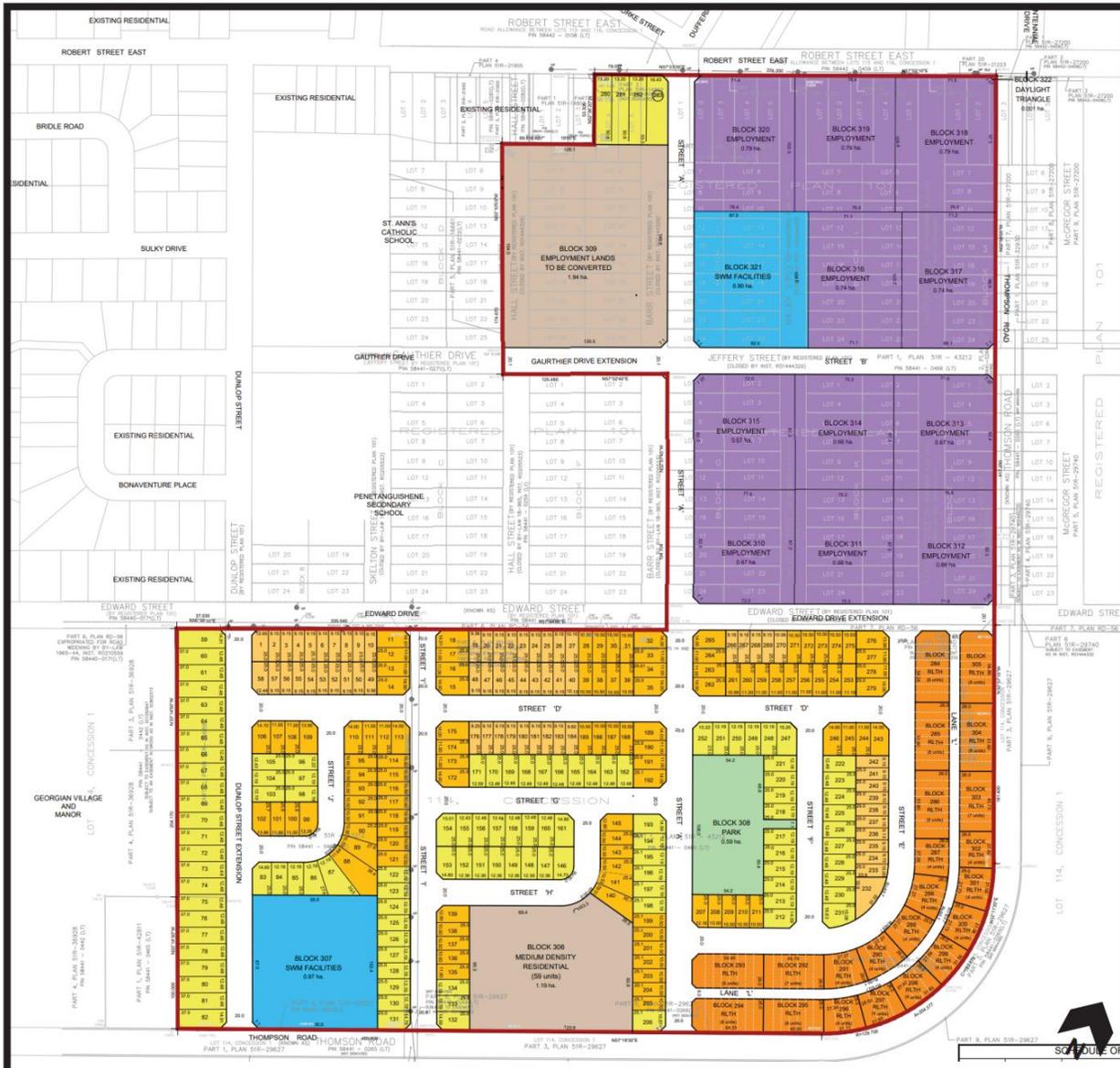
Residential Density	Medium	Blocks 306, 309	155 (projected)	27.48%	3.127	9.9%
SWM Facilities		Blocks 307, 321			1.870	5.9%
Park		Block 308			0.593	1.9%
Employment Lands		Blocks 310-320			7.839	24.79%
Daylight Triangles		Block 321			0.001	0.0%
Streets		Street A-K, Lane L			7.185	22.7%
<b>TOTAL</b>			<b>564</b>	<b>100%</b>	<b>31.622</b>	<b>100%</b>

### 3.4 TECHNICAL REPORTS

Through the pre-consultation process with the Town of Penetanguishene, meeting held on February 1, 2022, the following studies were deemed required in support of the subject applications, and submitted under separate cover:

1. Stage 1-2 Archeological Assessment, prepared by ASI (Archaeological Services Inc.)
2. Environmental Impact Study, prepared by Cambium
3. Functional Servicing Report & Stormwater Management Report, prepared by Gerrits Engineering
4. Traffic Impact Study, prepared by GHD
5. Hydrogeological Analysis, prepared by Cambium
6. Geotechnical Investigation, prepared by Cambium
7. Air and Noise Study, prepared by Sonair Environmental
8. Land Use Compatibility Study, prepared by Sonair Environmental
9. Arborist Report, prepared by Burgess Gleason
10. D-4 Study (As of July 7, 2022, the Town no longer required a D-4 Study as the subject lands were demonstrated to be outside of the waste disposal site influence area.)

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- Subject Lands
- Residential Single Lot (30')
- Residential Single Lot (34')
- Residential Single Lot (40')
- Residential Rear Lane Townhouses (20')
- Residential Medium Density
- Stormwater Management Facilities
- Park
- Employment Lands
- Daylight Triangles/Streets

Figure 7  
**DRAFT PLAN OF SUBDIVISION**

Source: IPS.

Drawn By: MA

File: 22-1197

**IPS** INNOVATIVE PLANNING SOLUTIONS  
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS

## **4.0 PLANNING POLICY AND ANALYSIS**

This Section will outline the applicable planning and development policies impacting this application and will provide planning rationale on conformity and development principles.

### **4.1 PROVINCIAL POLICY STATEMENT**

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. The subject lands are within the Primary Settlement Area of Penetanguishene and is therefore a focus for development, as stated in Section 1.1.3.1 of the PPS. The following policies are analyzed in relation to the subject applications.

#### **Managing & Directing Land Use**

The PPS promotes healthy, liveable, and safe communities that provide for efficient development and land use patterns, while avoiding environmental, health, and safety concerns. In alignment with Section 1.1.1, the proposal provides for the efficient use of land within a primary settlement area, adjacent to the built boundary; provides for a range of housing options and employment types; avoids development that may cause environmental or health concerns; and promotes the integration of land use planning to provide cost-effective development patterns.

#### **Settlement Areas**

Section 1.1.3 of the PPS provides policy on Settlement Areas, stating them to be the focus for growth and development. In alignment with Section 1.1.3.2, the proposed development efficiently uses land and resources, providing for growth within a Primary Settlement Area; promotes transit and active transportation use through its close proximity to transit routes, local amenities, and integration of employment uses; and provides for a range of housing options and sizes that are complimentary to the surrounding area and building stock, accommodating for varying household sizes and affordabilities. The proposal further provides for development in an area designated for development and directly adjacent to the existing built-up area; the proposal offers a compact form and a range of densities that allow for the efficient use of land, infrastructure, and public service facilities (1.1.3.6).

#### **Employment**

Section 1.3 provides policies on Employment, promoting economic development that provides for diverse economic opportunities that are compatible with the adjacent residential uses (1.3.1). The north portion of the subject lands are designated 'Employment Area' in the Town's Official Plan,

with employment uses proposed through the subject applications. The proposed draft plan of subdivision provides for large lot sizes to accommodate a diverse range of employment opportunities.

An Official Plan Amendment is proposed to convert a portion of the employment lands, located in the northwest portion of the site, to residential use. This conversion is permitted under section 1.3.2.5 of the PPS as the lands are not identified as provincially or regionally significant; residential use is more compatible with the adjacent lands to the west; there will be no adverse affect to the remaining employment area; and infrastructure and public services are available to support the residential development. The conversion of this portion of lands to residential is appropriate as adjacent lands to the west are in the form of residential, institutional, and potential future community uses; the lands to be converted are isolated from the remaining employment lands by the proposed Street 'A'. The proposed conversion also seeks to rectify a potential land use conflict were a significant industrial operation to locate on the proposed conversion portion, given its position directly adjacent to sensitive land uses.

### **Housing**

Section 1.4 provides policies on Housing, with the goal of providing for an appropriate range and mix of housing options and densities in order to meet the needs of current and future residents. In alignment with Section 1.4.3, the proposed development provides for a more compact built form adjacent to the built-up area and in a location where appropriate levels of infrastructure and public services are available and can be supported. The proposed compact built form ensures an efficient use of land and resources while providing for a range of housing types.

### **Sewage, Water & Stormwater**

Section 1.6.6 provides policies on sewage, water and stormwater services. The development is proposed to be serviced by municipal sewage, water and stormwater services which will include an extension into the subject lands. Municipal water and sewer services are the preferred method of servicing settlement areas, as stated in Section 1.6.6.2 of the PPS. In alignment with Section 1.6.6.7, an integrated stormwater management system has been implemented into the proposed development, with two stormwater management facilities within. A Functional Servicing Report (FSR) has been prepared in support of the subject application and provides additional details on the proposed servicing and stormwater management.

### **Long-Term Economic Prosperity**

Section 1.7 speaks to achieving and supporting long-term economic prosperity. In adherence with the policies of this section, the proposal provides employment uses that promote opportunities for economic development (1.7.1.a) and provides residential uses that respond to dynamic market-based needs, providing necessary housing supply through a range of options for a diverse workforce (1.7.1.b). The proposal ultimately supports the redevelopment of underutilized lands, contributing towards efficient land use and the optimization of existing resources and infrastructure, promoting the long-term economic prosperity the Town.

### **Natural Heritage**

A large portion of the subject lands are designated Environmental Protection Overlay on Schedule B1 of the Town of Penetanguishene's Official Plan. Section 2.1 of the PPS provides policies on Natural Heritage encouraging their long-term protection. Section 2.1.5/2.1.8 states that development and site alteration shall not be permitted within, or on lands adjacent to, natural heritage features, including significant woodlands, unless it can be demonstrated that there will be no negative impacts as a result of development.

In alignment with Sections 2.1.5 and 2.1.8, an Environmental Impact Study (EIS) has been completed and submitted as part of this subject application. The EIS provides a detailed explanation of each environmental feature found on the site and ultimately supports the the proposed development. The EIS further demonstrates that there will be no negative impacts on any natural heritage feature, or their ecological function, as a result of the proposed development.

Through a review of the applicable policies noted above, the proposed development demonstrates consistency with the Provincial Policy Statement.

## **4.2 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE**

The Growth Plan provides guiding policies for efficient and coordinated growth within the Greater Golden Horseshoe. The subject lands are recognized as being within a Primary Settlement Area on Schedule 8 of the Growth Plan, and adjacent to the built-up area as identified in the County of Simcoe Official Plan. The following policies have been analyzed in relation to the subject application.

### **Settlement Areas**

Similar to the PPS, the Growth Plan identifies Settlement Areas as the focus for growth and development. Section 2.2.1.2.a states that the vast majority of growth will be directed to Settlement Areas that have a delineated built boundary, have existing and/or planned municipal water and wastewater systems, and that can support the achievement of complete communities. The proposal is located on lands designated for development, positioned directly adjacent to the delineated built boundary, and will be serviced by municipal services.

In alignment with Section 2.2.1.4, the proposal supports the achievement of complete communities as it provides for a range of land uses, including employment, residential, open space, and is in proximity to schools, potential future recreation/community centre, local amenities and transit stops/routes (2.2.1.4.a/d). The proposal further provides for a more compact built form and a variety of housing options and densities, in the form of single residential lots, rear lane townhouses, and the potential for stacked and back-to-back townhouses. The proposed development accommodates for different household sizes and affordabilities, while contributing toward a more vibrant and walkable public realm (2.2.1.4.c/e).

### **Designated Greenfield Areas**

The subject lands are located outside and adjacent to the delineated built boundaries, therefore considered a designated greenfield area and subject to the density targets of Section 2.2.7. As per Section 2.2.7.2.b, the minimum density target for designated greenfield areas in the County of Simcoe is 40 residents and jobs combined per hectare. The proposed applications will assist the Town in achieving prescribed density targets for greenfield areas while providing a development that supports complete communities, active transportation, and transit services (2.2.7.1).

## Employment

Section 2.2.5 provides policy on employment uses which seek to promote economic development and competitiveness within the Greater Golden Horseshoe. In alignment with these policies, the proposed development uses vacant underutilized lands (Employment Area) for the development of 11 blocks for employment, increasing employment density (2.2.5.1).

The OPA application proposes the conversion of a portion of the employment lands to residential use. Section 2.2.5.10 states that the conversion of employment lands to a non-employment use may be permitted, provided the conversion would meet the following:

- a) satisfy the requirements of policy 2.2.5.9 a), d) and e);*

Comment: Section 2.2.5.9 states that a conversion of employment lands may be permitted provided, a) there is a need for the conversion; d) the proposed use would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets of the plan; and that e) there is existing or planned infrastructure and public service facilities to accommodate the proposed use.

The portion of the subject lands proposed for employment conversion is surrounded in 3 directions (north, south, west) by Neighbourhood Area. Such a situation creates the potential for conflicting land uses should an industrial operation be located on these lands, in close proximity to existing sensitive uses. The proposed conversion seeks to align the Neighbourhood Area designation with the dividing line to the south and north, while also providing a buffer between the Neighbourhood Area designation and the Employment Area designation by introducing a new roadway between. The need for this conversion is rooted in the need to avoid conflicting land uses, while appropriately placing residential & employment uses where they logically belong on the subject lands and greater area.

The proposed conversion would positively affect the overall viability of both the employment area and neighbourhood areas, by eliminating the potential for conflicting land uses to be positioned adjacent to each other (industrial adjacent to residential), on multiple sides of the property. The proposed conversion will also assist the Town in achieving its mandated density target.

Regarding servicing, as evidenced within the Functional Servicing Report accompanying this submission, sufficient infrastructure and services exist to accommodate the conversion lands, and the Subdivision overall.

*b) maintain a significant number of jobs on those lands through the establishment of development criteria; and*

Comment: A significant number of jobs are maintained on the subject lands through this development through the creation of 11 new lots/blocks for employment use, along with the required road network and servicing infrastructure. The lands proposed to be converted are adjacent to residential and institutional uses where land use conflicts are likely were this area to be utilized for industrial purposes. Given the proposed medium density residential nature of the conversion block, it is anticipated that a significant amount of home occupations will be created through this development, maintaining jobs/employment on the lands.

*c) not include any part of an employment area identified as a provincially significant employment zone unless the part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.*

Comment: The subject lands are designated Employment Area in the Town's Official Plan but are not considered provincially or regionally significant in provincial or county planning documents. Furthermore, the proposed is not located within a major transit station area.

Given the above, the proposed development satisfies the Growth Plan criteria for employment land conversion.

## **Housing**

Section 2.2.6 provides policies on housing, seeking to achieve minimum housing targets while providing a range and mix of housing types and densities that meet the needs of current and future residents. These policies seek to provide for complete communities while also supporting the minimum intensification and density targets set out in the Growth Plan.

In alignment with the goals and policies for housing, the proposed development brings new housing options and higher density built forms within the Primary Settlement Area of

Penetanguishene, contributing towards the achievement of the Growth Plan's minimum density targets and supporting the achievement of complete communities, as stated above.

### **Natural Heritage System**

The subject lands are designated 'Environmental Protection Overlay' in the Town's Official Plan. Growth Plan Section 4.2.2 provides policy on Natural Heritage Features. As evidenced within the Environmental Impact Study (EIS) submitted with these applications, the proposed development aligns with the Natural Heritage policies as the proposed development will cause no negative impacts to the natural heritage feature or its ecological function.

Through a review of the applicable policies noted above, the proposed development demonstrates conformity with the Growth Plan for the Greater Golden Horseshoe.

### **4.3 COUNTY OF SIMCOE OFFICIAL PLAN**

The County of Simcoe Official Plan provides upper tier policy direction. The subject lands are designated 'Settlement', as per Schedule 5.1 of the County of Simcoe Official Plan, within a Primary Settlement Area, and are adjacent to the Delineated Built Boundary.

### **Growth Management Strategy**

Similar to the PPS and the Growth Plan, the County Plan directs growth and development towards settlement areas that can be effectively serviced; enables and manages resource-based development; protects and enhances natural heritage systems, cultural features, and heritage resources; and develops communities with diversified economic functions and opportunities and provides a diverse range of housing options (3.1).

Section 3.2 provides population and employment forecasts/allocations for the year 2031, providing the Town of Penetanguishene with a population forecast of 11,000 residents and an employment forecast of 6,000 jobs. More recent growth forecasts have been provided through the *Growth Forecasts and Land Needs Assessment*, prepared by Hemson for the County of Simcoe (2022). Through this Assessment, the Town of Penetanguishene was provided with an increased population forecast of 11,600 by 2031 and 14,390 by 2051, and a decreased employment forecast of 5,270 by 2031 and 5,970 by 2051.

The proposed development will assist the County and Town in meeting these updated growth forecasts by developing vacant designated land for both housing and employment growth.

Section 3.2.10 of the Official Plan stipulates that the conversion of employment lands within employment areas to nonemployment uses will only be considered through a municipal comprehensive review. As outlined in Section 3.1 of this Report, the Town Official Plan and County Official Plan are not consistent with the Growth Plan which permits employment and conversions outside of the MCR process, subject to specific criteria. Please refer to Sections 3.1 and 4.1 of this Report, providing overview of how the Growth Plan's employment land conversion criteria have been achieved by the proposed development.

### **Settlement Areas**

Section 3.5 provides policies on Settlement Areas, promoting a compact built form that efficiently uses land, resources, and infrastructure, and encourages a development form that minimize land consumption and servicing costs. Section 3.5.23 provides density targets for designated greenfield areas for local municipalities within the County, providing the Town of Penetanguishene with a density target of 50 residents and jobs per hectare.

In order to meet the population and employment forecasts, the County Plan considers Primary Settlement Areas to be suitable for higher density targets in designated greenfield areas (3.5.6). In alignment with the Settlement Area policies, the proposed development provides for compact development in the designated greenfield area of the Primary Settlement Area of Penetanguishene, positioned directly adjacent to the built boundary (3.5.14).

The proposed development supports the achievement of the population and employment forecasts by contributing towards the density for the Town and is on lands designated for development with access to municipal services (3.5.9). In further alignment with the Settlement Area policies, the proposed subdivision provides for a more compact form that supports compatibility with the adjacent land uses in all directions. The proposed development offers consistent and transitioning road patterns, lot fabrics, and housing types (3.5.29) to the surrounding area.

### **Housing**

The County prioritizes the development of complete and healthy communities, supported by the proposed development through its proximity to schools (adjacent), potential future recreation centre (Future Study Area), various transit options, employment uses, and public services (4.1.2). The proposed subdivision further provides for a range in housing options accommodating for varying household sizes and affordabilities, meeting the needs of current and future residents and improving housing choice (4.1.6/4.1.7).

### **Natural Heritage**

Section 3.3.15 states that development shall not be permitted in significant woodlands or significant wildlife habitats, unless it can be demonstrated that there will be no negative impacts on the natural feature or their ecological functions. As demonstrated through the EIS, and stated above, the proposed development will have no negative impacts on the natural feature or their ecological function.

### **Infrastructure**

Section 4.7 provides policies on sewage and water infrastructure, which seek to promote systems that conserve and protect the environment; promote financially supported sewage and water services; and that protects drinking water sources. In alignment with the PPS, Section 4.7.4 of the County Plan states full municipal sewage and water services as the preferred method of servicing settlement areas. The proposed method of servicing the development is through municipal water and sewer services which promotes the efficient use of services and optimizes existing available services (4.7.9).

Through a review of the applicable policies noted above, the proposed development demonstrates conformity with the County of Simcoe Official Plan.

## **4.4 TOWN OF PENETANGUISHENE OFFICIAL PLAN**

The subject lands are designated 'Employment Area' and 'Neighbourhood Area' in the Town's Official Plan, with the east half of the subject lands designated 'Environmental Protection Overlay'. The subject lands are further identified as being within a Highly Vulnerable Aquifer, Wellhead Protection Area (WHPA) D, WHPA Q1 and Q2. The following policies have been reviewed as they relate to the subject applications.

## **Managing Growth**

Section 2 provides policies and direction related to growth with a focus on accommodating for a range of land uses, the optimization of existing infrastructure, the protection of natural heritage features, and the promotion of compact and complete communities. The proposed development supports these goals by providing a mixture of compact residential, employment, and open space uses which utilize existing municipal infrastructure and protect natural heritage features.

The subject lands are located directly adjacent to the Delineated Built Boundary and within the Designated Greenfield Area where new development is planned to achieve a minimum density of 50 residents and jobs combined per hectare. The proposed Plan of Subdivision supports the Town's intent to develop Designated Greenfield Areas as compact areas which efficiently use land and assist the Town in achieving the minimum density targets stated above (2.3). The proposed development introduces new housing types to the area, in the form of singles, rear lane townhouses, and back-to-back townhouses, along with new employment opportunities and jobs, providing for an increased density that respects the surrounding context and provides for logical development adjacent to the Delineated Built Boundary (2.3.6).

## **Community Design and Built Form**

Section 3.1 provides policy on the built form and physical design of communities, providing direction on the development of Plans of Subdivision, ensuring they support a well-designed community.

Section 3.1.2 provides policy specific to plans of subdivision, stating that during the application process the Town:

- a. shall promote efficient and cost-effective development design patterns that minimize land consumption;*

Comment: In alignment with this objective, the proposed plan of subdivision provides for efficient development by providing for an additional 564 residential units and 11 blocks for employment use on underutilized lands. The proposed development will be serviced by municipal water and wastewater services contributing towards cost-effective development. The compact lot sizes and layouts provides for an efficient design pattern that minimizes the use of land.

- b. shall ensure that new development is designed in keeping with the traditional character of the Town in a manner that both preserves the traditional community image and enhances the sense of place within the Town;*

Comment: The proposed development maintains the traditional character of the Town by maintaining a low-rise built form and providing a street layout that is consistent and aligns with the surrounding road network and area.

- c. shall promote the improvement of the physical character, appearance and safety of the Town in neighbourhoods and throughout the public realm including, but not limited to, streetscapes, civic spaces, and parks;*

Comment: The proposed plan of subdivision has been designed using a modified grid street pattern, provides for a centrally located municipal park, two stormwater management ponds, sidewalks throughout, and reverse frontage townhomes for a high level streetscape.

- d. shall encourage tree retention or tree planting and replacement;*

Comment: Significant woodlands are identified both on and adjacent to the Site. Although the woodlands on the Site are considered significant, they are separated from the expansive woodland on adjacent lands by Thompsons Road and exhibit signs of historic anthropogenic disturbance. The woodland does not act as a significant wildlife movement corridor, given its position on the edge of the Town's built area. The woodlands are relatively low in vegetative diversity and are partially composed of a remnant, non-native Scotch Pine plantation. No hydrologic features or uncommon habitat characteristics were observed. Cambium is of the opinion that removing the woodland on the Site will not negatively impact the overall ecological function of the expansive significant woodland tract in the area, provided that the mitigation measures summarized in the EIS are implemented.

- e. shall encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure;*

Comment: The proposed development incorporates existing street patterns into the design of the subdivision, providing access to the proposed street layout. The existing street patterns are continued through extensions to Gaurthier Dr, Edward Dr, and Dunlop St and traditional patterns and structure are maintained.

Section 3.1.3 states that, *measures shall be taken to ensure that the permitted uses address compatibility with adjacent land uses*. The proposed plan of subdivision is located adjacent to residential uses (west), rural lands (south & east), and residential and employment uses (north). The proposed development has been designed to appropriately compliment and transition to the surrounding adjacent uses. A Land Use Compatibility Study (LUCS) was completed, demonstrating that the proposed development will not cause adverse impacts to adjacent land uses and adjacent land uses are not expected to adversely impact the subject lands. Refer to the LUCS report for additional details.

### **Housing**

Section 3.8 provides policy on housing, seeking to provide sufficient, diverse, and affordable housing options, with Section 3.8.1 providing policy specific to the supply of housing. The proposed plan of subdivision, in alignment with Section 3.8.1.1, provides for residential development on lands designated for residential use. The proposed plan of subdivision provides for a range of housing types, including singles, rear lane townhouses, standard townhouses and potentially stacked or back-to-back townhouses, increasing the diversity of housing types and responding to changes in household composition over time (3.8.1.4). The diverse housing stock provided through the proposed plan of subdivision provides for a mix of dwelling sizes to accommodate various household sizes (3.8.1.).

### **Neighbourhood Area**

The south portion of the subject lands are designated 'Neighbourhood Area' with residential development proposed through the subject applications. The Neighbourhood Area designation is characterized by the Town's Official Plan as low density residential uses with some medium-residential and a range of services and facilities.

The proposed development aligns with the policies on Neighbourhood Areas as it provides for a range of low and medium density options, in the form of single lots and various townhouse dwellings, accommodating for a range of housing types, affordabilities, and sizes, satisfying the Town's housing needs. The proposal further aligns with these policies as it provides for a compact built form that is compatible, and respects the character, of the adjacent residential neighbourhood (4.2).

Section 4.2.2 provides policy on residential land uses and built form within the Neighbourhood Areas designation. The proposal provides for two medium density residential Blocks (Blocks 306 & 309), each of which may possess standard towns, stacked towns, or back-to-back townhouse units, as well as rear lane townhouse units provided in the southeast corner. As per Section 4.2.2, medium density residential uses are subject to specific criteria, including the below:

- a. the density, height and character of the development shall be compatible with adjacent uses but shall not exceed three storeys;*
- b. the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low/medium density residential area and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition;*

Comment: The proposed townhouse dwellings are compatible with the surrounding residential uses as they maintain a similar height and massing to the adjacent single-detached dwellings and maintain the character of the area.

- c. the development shall have direct access to a road maintained year-round by the Town;*

Comment: Each medium density block, and the rear lane townhouses, have access to the proposed street network, which will be developed to Town standards and be maintained year-round.

- d. the watermains, sanitary sewers, and stormwater management facilities shall be capable of accommodating the development, or the proponent shall commit to upgrading services at no cost to the Town;*

Comment: Each dwelling unit will be serviced by municipal services, as stated throughout this report and described within the Functional Servicing Report prepared by Gerrits Engineering.

- e. the development is adequately serviced by parks and school facilities;*

Comment: Park space is provided within the proposed Plan of Subdivision, providing convenient access to residents. The subject lands are located in proximity to an elementary school (600m west) and a catholic school (adjacent). The subject lands are also adjacent to the Future Study Area which the Town has identified future potential uses to include a recreation centre and/or a future school.

- g. all required parking shall be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 5.2.8 of this Plan, shall not be accepted by the Town;*

Comment: All parking is provided for within the Plan of Subdivision. The medium density blocks provide for parking at each unit and additional parking areas for visitor parking.

### **Economic Development & Employment Areas**

Section 3.5 provides policy related to economic development identifying designated employment areas as areas to drive employment and economic development opportunities. The subject applications direct employment uses to lands currently designated Employment Area, seek to rectify a situation where potential land use conflicts could arise through a conversion, and provide appropriately sized lots to provide for a range of employment types and evolving uses.

Section 4.5 provides policies for lands designated Employment Area, stating these lands as being vital to the local economic well-being and the long-term growth of jobs. In alignment with Sections 4.5 and 3.5.1.2, the employment blocks are located along Robert St E and Thompsons Rd (major roads), adjacent to existing employment uses (north), and will be serviced by municipal services. The employment blocks promote economic development by providing a lot size that can accommodate for a range of uses and employment activities. The blocks are appropriately located to ensure employment related traffic can be kept away from the local residential streets and have efficient access to a major road.

Section 4.5(4) states that, *Employment Areas shall be protected and preserved for employment uses and the Town shall discourage the conversion of Employment Areas for other uses. The conversion of lands from Employment Areas to non-employment uses shall only be considered through a municipal comprehensive review undertaken by the County.* As stated, an OPA is requested to implement a Site Specific Policy Area to facilitate the conversion of employment lands without the need for a Municipal Comprehensive Review, as permitted within the Growth Plan. The requested OPA will convert a portion of the Employment Area designated lands to the Neighbourhood Area designation. Residential uses in the subject location (north of the Gauthier Dr extension, west of proposed Street 'A) are better suited for residential use as they are surrounded by lands designated Neighbourhood Area (North, South, and West) and current or future sensitive land uses. The proposed converted lands and their residential uses will provide for better compatibility and an increased buffer between the adjacent low-rise neighbourhood and

proposed employment uses. Further details pertaining to how the proposed conversion achieves the Growth Plan requirements for conversion outside of the MCR process can be found within Sections 3.1 and 4.2 of this report.

### **Source Protection**

Section 3.13.1 provides policy related to source protection. The subject lands have been identified as being within WHPA Q1 and Q2, WHPA-D and a Highly Vulnerable Aquifer. The WHPA-D refers to water quality considerations, representing the 25-year travel time for water to enter the well; WHPA Q1 & Q2 refer to water quantity considerations (3.13.1).

Section 3.13.1.6 lists prohibited uses within WHPA-D; the prohibited uses do not include those permitted through the proposed ZBA applications. In alignment with sections 3.13.1.15 and 3.13.1.16, a stormwater management plan has been completed and provided with this submission.

### **Environmental Protection Areas**

A portion of the subject lands are designated as Environmental Protection Overlay on Schedule B1 but are not identified as Environmental Protection Area on Schedule A of the Official Plan. As per Section 4.10, which provides policy on Environmental Protection Areas, development and site alteration may be permitted on lands designated Environmental Protection Overlay (EPO) provided an EIS is prepared demonstrating there will be no negative impacts as a result of the proposed development.

An EIS was prepared by Cambium in support of the proposed development. The EIS concluded that potential negative impacts associated with the proposed development and site alteration can be appropriately minimized, provided that the recommendations outlined in the EIS are followed. The EIS demonstrates that the proposed development can be carried out in a way that will not adversely impact natural heritage and hydrologic features and function identified on or adjacent to the subject Site. Furthermore, the proposed development complies with applicable planning policy.

### **Infrastructure: Roads**

Section 5.2 of the Official Plan provides policy on road networks. The subject applications propose a modified grid local road network which provides logical extensions to each surrounding

municipal road stub. The proposed road network also provides direct access to each freehold residential lot, along with private condominium roads in Blocks 306 and 309. The proposed road network is provided access off the existing Robert Street E, Gauthier Drive, Edward Drive, and Thompsons Road. A Traffic Impact Study (TIS) has been prepared by GHD in support of the subject applications. The TIS supports the proposed development and ensures there will be no negative impacts on surrounding road networks as a result of the proposed development.

In alignment with Section 5.2.3, the internal local road network provides direct access to the residential units, while maintaining adequate sight lines. The proposed local road network will be constructed to the Town's standards for new local roads. Private condominium roads promise to provide connection to the internal municipal road network (5.2.4).

#### **Infrastructure: Water & Wastewater**

Section 5.3.1 provides policy on municipal water and sewer services, stating priority to be given to development that can easily be serviced by municipal services. As stated in the FSR, the proposed subdivision is to be serviced by existing municipal service connections. In alignment with the Official Plan policies, the proposed development will utilize the preferred method of servicing and provide for efficient use of municipal services.

#### **Land Division**

Section 6.3.5 provides policy on Land Division with section 6.3.5.1 specific to Draft Plans of Subdivision. In alignment with this section, the proposed Plan of Subdivision demonstrates the following:

- 1. The provisions of the Planning Act relating to subdivision control, including subdivision agreements and part-lot control, shall be used to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.*
- 2. Any application for a Plan of Subdivision shall be evaluated to ensure consistency with the Provincial Policy Statement.*

Comment: As demonstrated through this Report, the proposed development demonstrates consistency and conformity to the Planning Act and the PPS.

3. *Prior to approval of an application for plan of subdivision or plan of condominium, the confirmation of the availability of adequate servicing infrastructure and allocation in accordance with Section 5.3, waste management, and roads and pedestrian pathways in accordance with Sections 5.1 and 5.2.9, and community facility capacity, including schools.*

Comment: An FSR has been completed to ensure adequate servicing is available and appropriate for the site. A TIS has also been completed demonstrating the existing road and pedestrian connections can accommodate for the proposed development. It is not anticipated that the proposed development will trigger the need for new schools, however all appropriate School Boards will be circulated for comment through the formal application circulation.

5. *The review of plans of subdivision or plans of condominium shall be based in part on the consideration of the Plan's Land Use and Built Form policies included in each of the Plan's Land Use designations.*
6. *All lots within a plan of subdivision shall have frontage on a public road maintained on a year round basis, constructed to an acceptable Town standard. Plans of condominium shall have access to a public road maintained on a year round basis; however, it is recognized that development within the condominium plan may occur on private roads.*

Comment: As demonstrated above, the proposed plan of subdivision has consideration for, and demonstrates conformity, with the Town's Land Use and Built Form policies. Each lot and future private road promises to have access from the local/public road network, which will be maintained year round and constructed to Town standards.

7. *Natural Heritage Features and Areas and functions shall be protected and preserved in the design of any plan of subdivision or condominium.*

Comment: An EIS was prepared by Cambium in support of the proposed development. The EIS concluded that potential negative impacts associated with the proposed development and site alteration can be appropriately minimized, provided that the recommendations outlined in the EIS are followed. The EIS demonstrates that the proposed development can be carried out in a way that will not adversely impact natural heritage and hydrologic features and function identified on or adjacent to the subject Site.

Through a review of the applicable policies noted above, the proposed development demonstrates conformity with the Town of Penetanguishene's Official Plan.

#### 4.5 TOWN OF PENETANGUISHENE COMMUNITY DESIGN MANUAL

The Town of Penetanguishene provides urban design guidelines through the Penetanguishene Community Design Manual (PCDM) (2014), which seeks to create a built environment that supports community well-being that is consistent with the existing character of the Town and the Community's vision for the future. The following design guidelines have been reviewed as it relates to the proposed Plan of Subdivision.

##### **Blocks & Streets**

The PCDM provides guidelines related to block size and street patterns seeking to maintain the existing pedestrian-scaled blocks and direct the design of blocks and large developments that balances the conditions found in the existing community, the transportation requirements of the proposed uses, and safely serves all modes of transportation. Applicable guidelines on block size are detailed below.

8. *Blocks shall be of a regular shape, measuring no more than 100m in width and 200m in length. with the following exceptions:*
  - a. *Industrial areas: maximum block dimensions shall be 300m for length and width.*
  - b. *Irregularly shaped or sized blocks: may be permitted to:*
    - i. *Respond to natural features;*
    - ii. *Define public spaces such as parks;*
    - iii. *Create priority lots/sites; and,*
    - iv. *Respond to existing development*
9. *For large projects and/or those with private thoroughfares, the internal development pattern shall meet the requirements of this Section; through the introduction and location of: streets; vehicle maneuvering lanes; pedestrian walkways; and, building sites.*
10. *Residential blocks may be up to a maximum of 400m in length provided:*
  - a. *There is an exceptional circumstance such as: topography; the location of critical natural areas; a shift in block pattern occurs; or, the location of collector or arterial streets makes the standards impractical; and,*
  - b. *Mid-block pedestrian connections are provided for all blocks over 200m in length.*

Comment: The proposed residential blocks meet these guidelines of 100m by 200m with the exception of Lots 59-82, which responds to the existing development patterns of the adjacent lands, Lots 113-131 which results from the location of the Stormwater Management Pond and

proposed street layout, and Blocks 284-305 which responds to the existing curves street of Thompsons Road. Where the lots/blocks exceed 200m in length, they are within the maximum 400m length. The proposed employment blocks are approximately 200m by 200m to accommodate for the larger lot sizes required for the permitted employment uses and to maintain alignment with the proposed street network while efficiently using the land. The proposed internal street pattern meets the general intent of the PCDM guidelines and provides for walkable block sizes where appropriate. The street pattern provides for appropriately sized blocks that efficiently use the lands.

The PCDM provides additional guidelines on street pattern; applicable guidelines are detailed below.

1. *The pattern of thoroughfares utilized for subdivisions and developments shall be predominantly a grid or modified grid pattern with intersections designed at right angles or T intersections.*
3. *Short and curved or irregular streets can contribute to variety and a sense of place, and may also be appropriate where there are topographical or other site constraints. They may be permitted; however, using excessive curves shall be avoided, as they make access for active transportation particularly difficult.*
4. *To ensure the effective continuity of the street pattern, and implementation of long range active transportation networks:*
  - a. *Gaps in the existing street grid shall be completed by providing connecting streets;*
  - b. *Adjoining streets shall be extended into developments and subdivisions; and,*
  - c. *Streets shall be extended to the boundaries of the development to accommodate further interconnections with future development.*
7. *All streets shall be designed to support walkability, with appropriate speeds for their intended use, and include pedestrian-oriented intersections that facilitate safe and enjoyable active transportation.*

Comment: The proposed internal road network utilizes a grid pattern that builds off the adjacent road network and utilizes the existing curve of Thompsons Road. The curved streets within the development area add to the variety and contribute to an efficient road design by implementing curves where needed and maintaining a grid pattern. The proposed street layout utilizes the surrounding existing street network by ensuring the internal street network connects to the existing; and that the existing streets are extended into the subdivision (Edward Dr, Gauthier Dr,

Dunlop St) and extended to the boundaries to accommodate for future development. The block/street layout accommodates for walkability and ensures that all intersections are right angles.

### **Subdivisions & Lots**

The PCDM provides guidelines related to subdivision and lot layout promoting walkable blocks and interconnected human scaled networks and thoroughfares with convenient access to open space and parks. Applicable guidelines related to subdivision layout are detailed below.

1. *Subdivisions shall be designed in patterns of interconnecting streets, defined by buildings, open space and parks, landscaping, and pedestrian ways.*
2. *Subdivisions should use street layout and lot sizes, shapes and orientations to facilitate a mix of housing types and the efficient use and conservation of energy, with attention to maximizing passive solar energy.*
4. *The arrangement of lots for different types of residential densities and/or uses should meet the following as much as practical:*
  - a. *Residential densities should be mixed throughout the development with denser residential uses located adjacent to parks, community amenities, or civic uses and buildings, and collector and arterial streets; and,*
  - b. *Land use and density changes should transition in rear yards, or in adjacent blocks, as opposed to facing blocks across streets, as much as practical to maintain consistent streetscapes.*

Comment: The subdivision is designed to accommodate for an interconnected street network, defined by a range of residential densities, employment uses, open space, and parks. Residential densities are mixed throughout the development and provide a of single-detached options, townhouse units, rear lane townhouse units, and stacked or back-to-back townhouse units. The higher density options are located in close proximity to parks/amenity space and along major roads.

The PCDM provides additional guidelines on perimeter and lots; applicable guidelines are detailed below.

#### *Perimeter*

1. *Subdivisions bordered by arterial streets shall:*

- a. *Create blocks that run perpendicular to these streets; or,*
- b. *Provide laneway access to residences fronting the arterial;*

Comment: As preferred by the PCDM, laneway access is provided to the rear lane townhouse units where they front Thompsons Rd (Major Road).

#### *Lots*

1. *Lots shall be shaped to facilitate effective use and development. Generally, the depth of the lot should not be more than three times the width of the lot, and of a regular shape.*
2. *Side lot lines shall be at right angles to street lines or radial to curved street lines, and no more than 15 degrees from perpendicular to the front property line.*
3. *Side and rear lot lines shall be straight, or composed of straight line elements.*
4. *Lots shall be arranged in a manner that:*
  - a. *Address and create public spaces;*
  - b. *Create development sites that are appropriately sized, proportioned, and oriented for their intended use and to support the uses of public spaces; and,*
  - c. *Support integration of other amenities, uses, and spaces such as water courses, waterfront, trails, parks, public spaces, and neighbouring uses.*
8. *The following may be considered priority sites for the purposes of the PCDM:*
  - b. *Lots located at the intersections of pairs of collector and/or arterial streets;*

Comment: The proposed subdivision provides for regular shaped lots that ensure side lot lines are right angles to street lines and that side and rear lot lines are straight. Each lot is to an appropriate size and proportion to accommodate the proposed use. The subject lands are located at the intersection of Thompsons Road (Major Road) and Robert St E (Major Road) and on lands already designated for development, making it a priority site for the purpose of the PCDM.

#### **Site Layout & Buildings**

The PCDM provides guidelines for site layout and buildings which are intended to facilitate contextually appropriate designs. The building requirements seek to ensure the building design and architecture create positive and supportive relationships between buildings and the public realm. The proposed lots ensure an appropriate built form can be provided for that accommodates the community design guidelines. As no built form is currently proposed, the following will relate to the proposed Draft Plan of Subdivision; applicable policies are detailed below.

1. *All development (including subdivisions) shall be arranged to address streets, excepting laneways, as window streets, by lining them with: building front facades; active uses; public spaces; and, functional windows and entrances, rather than parking lots, garages, or blank walls.*
6. *Building masses on one site should relate to those on neighbouring sites to create a coherent streetwall by extending the street grid lines and building setback lines when defining building envelopes and arrangements.*
7. *Variation of development patterns within residential subdivisions is required to achieve visual diversity and avoid monotonous streetscapes. Applicants shall exhibit to the Municipality how this is will be achieved. townhouse (attached), and apartment-style residential developments, or blocks, may be exempted.*

Comment: The configuration of single, townhouse, rear lane townhouse, and stacked / back-to-back townhouse units is arranged to ensure front facades face the streets, and that building massing appropriately relate to adjacent lots, providing for a transition in density. The variation in built form will help to achieve visual diversity and avoid a monotonous streetscape.

### **Active Transportation**

The PCDM provides guidelines related to active transportation seeking to achieve an integrated network that directly affects the health of the community and seeks to elevate the needs of pedestrians and cyclists. Applicable guidelines related to active transportation have been detailed below.

1. *Developments shall provide necessary infrastructure for pedestrian accessibility to support safe and convenient movement of people.*
5. *All projects shall connect the on-site pedestrian circulation system to the off-site sidewalks; and trail system where present*
6. *Multi-unit residential developments, and residential subdivisions shall incorporate pedestrian connections to adjoining residential, recreational, open space, and commercial uses.*

Comment: The proposed Plan of Subdivision provides for pedestrian oriented block sizes with connections to on-site pedestrian circulation networks that further connect to adjacent sidewalks of adjoining residential neighbourhoods.

Through a review of the applicable guidelines noted above, the proposed development aligns with the Town of Penetanguishene's Community Design Manual. A Block Plan has been prepared and submitted with these applications.

## **5.0 CONCLUSION**

The proposed development seeks to comprehensively develop this large parcel of land into a cohesive Subdivision to round out this urban portion of Penetanguishene. The proposed development provides for residential and employment growth on lands designated for such growth, ideally positioned adjacent to the Delineated Built Boundary. The development provides a variety of residential built forms, while also creating 11 new serviced blocks for future industrial uses, along with 2 stormwater management ponds and 1 centrally located park.

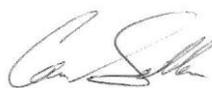
In order to develop the proposed Subdivision, approvals are required for Official Plan Amendment, Zoning by-law Amendment, and Draft Plan of Subdivision. The OPA seeks to redesignate a portion of lands designated 'Employment Area' to 'Neighbourhood Area', eliminating a potential for conflicting land uses that currently exists, providing attainable housing options to the area, and increasing the buffer between the existing low rise residential neighbourhood and the proposed employment uses. The Draft Plan of Subdivision Application seeks to create 321 lots/blocks, providing for approximately 564 residential units, 11 blocks for employment use, park space, and stormwater management facilities. The ZBA seeks to rezone the lands to a variety of zones, consistent with the OPA & Draft Plan of Subdivision.

It is our professional planning opinion that the requested Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications demonstrate consistency with, and conformity to, applicable Provincial, County, and Municipal planning policies and principles.

Respectfully submitted,  
**Innovative Planning Solutions**



Darren Vella, MCIP, RPP  
*President & Director of Planning*



Cameron Sellers  
*Partner*



Megan Asbil  
*Junior Planner*

## APPENDICES

**APPENDIX 1: DRAFT OFFICIAL PLAN AMENDMENT  
TEXT & SCHEDULE**

**AMENDMENT No. \_\_\_\_\_ TO THE  
OFFICIAL PLAN FOR THE  
TOWN OF PENETANGUISHENE**

**138 ROBERT STREET EAST**

**THE CORPORATION OF THE TOWN OF PENETANGUISHENE**

**BY-LAW NO. 2023-\_\_\_\_\_**

A By-law to adopt Amendment No. \_\_\_\_ to the Official Plan for the Town of Penetanguishene, for lands known municipally as 138 Robert Street East.

WHEREAS authority is given to the Council of the Corporation of the Town of Penetanguishene, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, as amended, to pass this By-law; and

WHEREAS the Council of the Corporation of the Town of Penetanguishene has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*, R.S.O. 1990;

The Council of the Corporation of the Town of Penetanguishene HEREBY ENACTS AS FOLLOWS:

1. THAT the attached explanatory text, policies, and schedule constitute the Amendment No. \_\_\_\_ to the Official Plan for the Town of Penetanguishene shall be and is hereby adopted.

2. THAT this By-law shall come into force and take effect on the date of its final passing.

Read three times and finally passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR,

\_\_\_\_\_  
CLERK,

CORPORATE SEAL  
OF THE CITY

## **THE CONSTITUTIONAL STATEMENT**

The following Amendment to the Official Plan for the Town of Penetanguishene consists of three (3) parts:

### **PART A – THE PREAMBLE**

Consists of the purpose, location and basis for the Amendment, and does not constitute part of the actual Amendment.

### **PART B – THE AMENDMENT**

Which sets out the actual Amendment consisting of the text and Schedule 'A' which constitutes Amendment No.\_\_\_\_ to the Official Plan for the Town of Penetanguishene.

### **PART C – THE APPENDICES**

Consists of information pertinent to this Amendment in the form of background information. This Section does not constitute part of the actual Amendment.

## **PART A – THE PREAMBLE**

### **1.0 PURPOSE & BASIS**

The subject lands are currently designated ‘Neighbourhood Area’ and ‘Employment Area’ as per Schedule A of the Town of Penetanguishene Official Plan.

In order to permit the proposed development, an OPA is required to redesignate a portion of the subject lands, located north of the Gauthier Dr extension and west of the proposed ‘Street A’, from ‘Employment Area’ to ‘Neighbourhood Area’. The OPA further seeks the implementation of a Defined Policy Area to align the Town of Penetanguishene Official Plan with the Growth Plan for the Greater Golden Horseshoe, facilitating the conversion of these Employment Lands.

Section 4.5(4) of the Town of Penetanguishene Official Plan states that:

Employment Areas shall be protected and preserved for employment uses and the Town shall discourage the conversion of Employment Areas for other uses. The conversion of lands from Employment Areas to non-employment uses shall only be considered through a municipal comprehensive review undertaken by the County.

Growth Plan Section 2.2.5.10 states that:

Notwithstanding policy 2.2.5.9, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:

- a) satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b) maintain a significant number of jobs on those lands through the establishment of development criteria; and
- c) not include any part of an employment area identified as a provincially significant employment zone unless the part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.

The requirements of Section 2.2.5.9(a)(d)(e), of the Growth Plan, are as follows:

- a) there is a need for the conversion;
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

The Town of Penetanguishene Official Plan was drafted prior to the update of the Growth Plan (2020), and as such, there is a policy mis-alignment in this regard. The OPA implements a Defined Policy Area to permit the conversion of Employment Lands to non-employment uses through an Official Plan Amendment, eliminating the need for the conversion through a Municipal Comprehensive Review, in alignment with the Growth Plan framework.

In accordance with Growth Plan requirements for employment land conversion outside of a Municipal Comprehensive Review, the proposed OPA achieves the requirements as follows:

- a) there is a need for the conversion;

COMMENT: The portion of the subject lands proposed for employment conversion is surrounded in 3 directions (north, south, west) by Neighbourhood Area. Such a situation creates the potential for conflicting land uses should an industrial operation be located on these lands, in close proximity to existing sensitive uses. The proposed conversion seeks to align the Neighbourhood Area designation with the dividing line to the south and north, while also providing a buffer between the Neighbourhood Area designation and the Employment Area designation by introducing a new roadway between. The need for this conversion is rooted in the need to avoid conflicting land uses, while appropriately placing residential & employment uses where they logically belong on the subject lands and greater area.

- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and

COMMENT: The proposed conversion would positively affect the overall viability of both the employment area and neighbourhood areas, by eliminating the potential for conflicting land uses to be positioned adjacent to each other (industrial adjacent to residential), on multiple sides of the property. The proposed conversion will also assist the Town in achieving its mandated density target.

- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

COMMENT: Sufficient infrastructure and services exist to accommodate the conversion lands, and the Subdivision overall.

The conversion will provide for an important and logical alignment and buffer between the existing residential neighbourhood and proposed employment uses. The lands to be redesignated are more appropriately suited for residential uses as they demonstrate compatibility with the adjacent lands to the south, west, and north which consist largely of low-rise residential, school, and potential future community centre. The proposed conversion lands are isolated from the remaining employment lands through the proposed 'Street A' (which aligns with the existing traffic intersection at Robert St) and will be provided with appropriate transition to the proposed employment uses.

## **2.0 LOCATION**

The lands affected by this Amendment are municipality known as 138 Robert Street East in the Town of Pentanguishene, and legally known as Part of Lots 1, 2, 3 and All of lots 4 to 25 inclusive block E and All of Lots 1 to 24 inclusive block G and All of Lots 1 to 25 inclusive block H and All of Lots 1 to 25 inclusive block I and All of Lots 1 to 24 inclusive block K and Part of Lots 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 and 24 block L and All of Lots 1 and 2, Part of Lots 3, 7, 8, 11, 12, 15, 16, 19, 20 23 and 24 block M And part of Jeffery

Street, Edward Street, Hall Street and Barr Street (closed by RO1444329) And all of Miller Street and Patton Street(closed by RO1444329), Registered plan 101 And Part of lot 114, concession 1 (Geographic Township of Tay), Town of Penetanguishene.

The subject lands include 31.6 hectares of land holdings, with frontage along Robert Street East to the north, and Thompsons Road to the east and south.

The lands are currently designated by Schedule A (Land Use) as '*Employment Area*' and '*Neighbourhood Area*'.

## **PART B – THE AMENDMENT**

### **1.0 DETAILS OF THE AMENDMENT**

#### **1.1 LAND USE DESIGNATION**

The Town of Penetanguishene Official Plan is hereby amended as follows:

Schedule A – Land Use to the Official Plan is amended as shown on ‘Schedule A’ to this Amendment (Amendment No. \_\_\_\_), to redesignate the subject lands from ‘*Employment Area*’ to ‘*Neighbourhood Area*’.

#### **1.2 DEFINED POLICY AREA ‘X’**

Section 4.4.3, Defined Policy Areas, of the Official Plan is further amended by placing the subject lands in a Site Specific Policy Area 2 (SSPA2), as described below and shown with clarity on Schedule ‘A’ attached to this By-law.

On lands identified as Site Specific Policy Area 2 (SSPA2) on Schedule B1 the following is a policy of the Town:

- a) Notwithstanding Section 4.5 of the Official Plan, an employment land conversion from Employment Area to Neighbourhood Area is permitted without the necessity of a Municipal Comprehensive Review, in accordance with Growth Plan Policy 2.2.5.10.

### **2.0 IMPLEMENTATION**

This Amendment to the Town of Penetanguishene Official Plan shall be implemented by Amendment to the Official Plan, as amended, passed pursuant to Section’s 17 and 21 of the *Planning Act*, R.S.O. 1990, c.P.13.

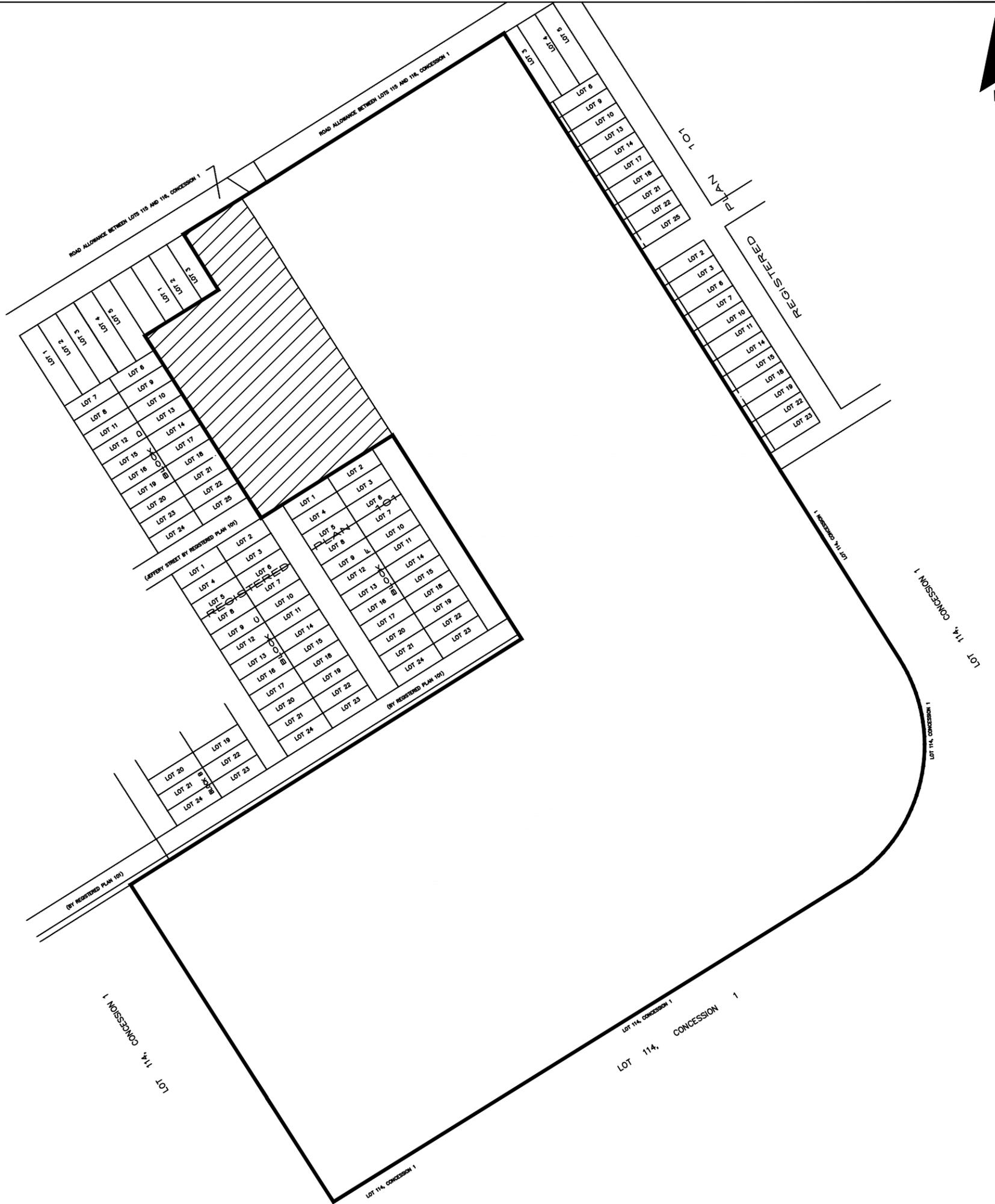
### **3.0 INTERPRETATION**

The provisions set forth in the Town of Penetanguishene Official Plan, as amended from time to time regarding the interpretation of that Plan, shall apply in regard to this Amendment.

## **PART C – THE APPENDICES**

This part consists of the background information and planning considerations associated with this amendment. This section does not constitute part of the actual amendment.

1. Planning Justification Report, prepared by Innovative Planning Solutions
2. Stage 1-2 Archeological Assessment, prepared by ASI (Archaeological Services Inc.)
3. Environmental Impact Study, prepared by Cambium
4. Functional Servicing Report & Stormwater Management Report, prepared by Gerrits Engineering
5. Traffic Impact Study, prepared by GHD
6. Hydrogeological Analysis, prepared by Cambium
7. Geotechnical Investigation, prepared by Cambium
8. Air and Noise Study, prepared by Sonair Environmental
9. Land Use Compatibility Study, prepared by Sonair Environmental
10. Arborist Report, prepared by Burgess Gleason
11. Draft Plan of Subdivision Drawing, prepared by Innovative Planning Solutions
12. Block Plan, prepared by Innovative Planning Solutions



**LEGEND**

-  Subject Site (31.62ha)
-  Lands to be re-designated from 'Employment Area' to 'Neighbourhood Area'

## SCHEDULE "A" OFFICIAL PLAN AMENDMENT

PART OF LOTS 1, 2, 3 AND  
 ALL OF LOTS 4 TO 25 INCLUSIVE BLOCK E AND  
 ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK G AND  
 ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK H AND  
 ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK I AND  
 ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK K AND  
 PART OF LOTS 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 AND 24 BLOCK L AND  
 ALL OF LOTS 1 AND 2, PART OF LOTS 3, 7, 8, 11, 12, 15, 16, 19, 20 23  
 AND 24 BLOCK M  
 AND PART OF JEFFERY STREET, EDWARD STREET, HALL STREET AND  
 BARR STREET  
 (CLOSED BY RO1444329)  
 AND ALL OF MILLER STREET AND PATTON STREET(CLOSED BY  
 RO1444329)  
 REGISTERED PLAN 101  
 AND  
 PART OF LOT 114, CONCESSION 1  
 (GEOGRAPHIC TOWNSHIP OF TAY)  
 TOWN OF PENETANGUISHENE  
 COUNTY OF SIMCOE

Scale



Source: Town of Penetanguishene Official Plan Schedule 'A':  
Land Use Structure  
Note: Information shown is approximate and subject to  
change.

<b>IPS</b>	<b>INNOVATIVE PLANNING SOLUTIONS</b>		
	PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS 647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7 tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com		
Date:	December 22, 2022	Drawn By:	A.S.
File:	22 - 1197	Checked:	C.S.

**APPENDIX 2: DRAFT ZONING BY-LAW AMENDMENT  
TEXT & SCHEDULE**

**THE TOWN OF PENETANGUISHENE ZONING  
BY-LAW NUMBER 2000-02**

Being a By-law to Amend Zoning By-law 2000-02 as amended of the Corporation  
of the Town of Penetanguishene (138 Robert St E)

**WHEREAS** pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, the Council of the Town of Penetanguishene passed Zoning By-law 2000-02 as amended;

**AND WHEREAS** the Council of The Corporation of the Town of Penetanguishene has received an application to amend Zoning By-law 2000-02 and has approved the application;

**AND WHEREAS** a Public Meeting has been held in accordance with the Planning Act, R.S.O. 1990, to provide information to enable the public to understand generally the purpose and effect of the amendments being proposed;

**AND WHEREAS** the Council of The Corporation of the Town of Penetanguishene deems it appropriate to amend Zoning By-law 2000-02, pursuant to the authority given to it under Section 34 of the Planning Act, R.S.O. 1990;

**NOW THEREFORE** the Council of The Corporation of the Town of Penetanguishene hereby enacts as follows:

1. That Schedule 'A' to By-law 2000-02, as amended, is hereby further amended by zoning a portion of the lands shown on Schedule "1" attached hereto and forming part of this By-law composed of Part of Lots 1, 2, 3 and All of lots 4 to 25 inclusive block E and All of Lots 1 to 24 inclusive block G and All of Lots 1 to 25 inclusive block H and All of Lots 1 to 25 inclusive block I and All of Lots 1 to 24 inclusive block K and Part of Lots 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 and 24 block L and All of Lots 1 and 2, Part of Lots 3, 7, 8, 11, 12, 15, 16, 19, 20 23 and 24 block M And part of Jeffery Street, Edward Street, Hall Street and Barr Street (closed by RO1444329) And all of Miller Street and Patton Street(closed by RO1444329), Registered plan 101 And Part of lot 114, concession 1 (Geographic Township of Tay), Town of Penetanguishene shall be rezoned from Rural (RU) Zone and Deferred Development (D) Zone to Residential Third Density Exception X (R3-X) Zone, Residential Third Density Exception Y (R3-Y) Zone, Residential Third Density Exception Z (R3-Z) Zone, Residential Third Density Exception XX (R3-XX) Zone, Residential Third Density Exception YY (R3-YY) Zone, Industrial Services Exception X (M1-X) Zone, Open Space (OS) Zone.
2. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.X which shall read as follows:

#### 5.3.12.X R3-X

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-X" shall only permit Single Detached Dwellings and the following shall apply:

a)	Minimum Lot Frontage	9 metres
b)	Minimum Lot Area	225 square metres
c)	Maximum Lot Coverage	55%
d)	Minimum Yard Requirements	
	a. Minimum Front Yard (to house)	4.5 metres
	b. Minimum Front Yard (to garage)	6.0 metres
	c. Minimum Side Yard	0.6 metres
	d. Minimum Exterior Side Yard	3.0 metres
	e. Minimum Rear Yard	5.0 metres
e)	Maximum Height	11.0 metres
f)	Minimum Ground Floor Area	74 square metres
g)	Minimum Parking	2 spaces, including garage
h)	Maximum lot coverage for accessory structures	10%

3. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.Y which shall read as follows:

#### 5.3.12.Y R3-Y

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-Y" shall only permit Single Detached Dwellings and the following shall apply:

a)	Minimum Lot Frontage	10.5 metres
b)	Minimum Lot Area	260 square metres
c)	Maximum Lot Coverage	55%
d)	Minimum Yard Requirements	
	a. Minimum Front Yard (to house)	4.5 metres
	b. Minimum Front Yard (to garage)	6.0 metres
	c. Minimum Side Yard	0.6 metres
	d. Minimum Exterior Side Yard	3.0 metres
	e. Minimum Rear Yard	5.0 metres
e)	Maximum Height	11.0 metres
f)	Minimum Ground Floor Area	74 square metres
g)	Minimum Parking	2 spaces, including garage
h)	Maximum lot coverage for accessory structure(s)	10%

4. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.Z which shall read as follows:

5.3.12.Z R3-Z

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned “R3-Z” shall only permit Single Detached Dwellings and the following shall apply:

a)	Minimum Lot Frontage	12 metres
b)	Minimum Lot Area	300 square metres
c)	Maximum Lot Coverage	55%
d)	Minimum Yard Requirements	
	a. Minimum Front Yard (to house)	4.5 metres
	b. Minimum Front Yard (to garage)	6.0 metres
	c. Minimum Side Yard	0.6 metres
	d. Minimum Exterior Side Yard	3.0 metres
	e. Minimum Rear Yard	5.0 metres
e)	Maximum Height	11.0 metres
f)	Minimum Ground Floor Area	74 square metres
g)	Minimum Parking	2 spaces, including
	garage	
h)	Maximum lot coverage for accessory structure(s)	10%

5. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.XX which shall read as follows:

5.3.12.XX R3-XX

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.5 the lands zoned “R3-XX” shall only permit Row House, Back-to-Back Townhouse Dwellings, Stacked Townhouse Dwellings and the following shall apply:

a)	Minimum Lot Frontage	6 metres per unit
b)	Minimum Lot Area	100 square metres
c)	Maximum Lot Coverage	75%
d)	Minimum Yard Requirements	
	a. Minimum Front Yard (to house)	4.5 metres
	b. Minimum Front Yard (to garage)	6.0 metres
	c. Minimum Interior Side Yard	0.0 metres / 1.2
		metres
	d. Minimum Exterior Side Yard	1.8 metres
	e. Minimum Rear Yard	0.0 metres

- |    |   |                  |
|----|---|------------------|
| e) | Maximum Height                                  | 11.0 metres      |
| f) | Minimum Ground Floor Area                       | 60 square metres |
| g) | Minimum Parking<br>including garage             | 1.5 spaces,      |
| h) | Maximum lot coverage for accessory structure(s) | 10%              |

6. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.YY which shall read as follows:

5.3.12.YY R3-YY

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.5 the lands zoned “R3-YY” shall only permit Row House and Rear Lane Row House Dwellings, and the following shall apply:

- |    |   |                     |
|----|---|---------------------|
| a) | Minimum Lot Frontage                            | 6 metres per unit   |
| b) | Minimum Lot Area                                | 150 square metres   |
| c) | Maximum Lot Coverage                            | 70%                 |
| d) | Minimum Yard Requirements                       |                     |
|    | a. Minimum Front Yard                           | 3.0 metres          |
|    | b. Minimum Interior Side Yard<br>metres         | 0.0 metres / 1.2    |
|    | c. Minimum Exterior Side Yard                   | 1.8 metres          |
|    | d. Minimum Rear Yard                            | 5.0 metres          |
| e) | Maximum Height                                  | 11.0 metres         |
| f) | Minimum Ground Floor Area                       | 60 square metres    |
| g) | Minimum Parking<br>garage                       | 2 spaces, including |
| h) | Maximum lot coverage for accessory structure(s) | 10%                 |

7. That Subsection 7.1.5 (M1 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 7.1.5.X which shall read as follows:

7.1.5.X M1-X

Notwithstanding the Uses Permitted by Subsection 7.1.1 or any other provisions of this by-law, the lands zoned “M1-X” shall permit the following uses:

- Brewing Establishment
- Cannabis Production Facility
- Commercial Fitness Centre
- Commercial Parking Lot
- Commercial Recreation Use
- Commercial School
- Commercial Self-Storage Use
- Community Centre

- Contractor's Yard
- Equipment Sales And Rental Establishment
- Impound Yard
- Industrial Use
- Motor Vehicle Body Shop
- Motor Vehicle Repair Establishment
- Motor Vehicle Rental Establishment
- Motor Vehicle Washing Establishment
- Office
- Outdoor Storage, Accessory
- Retail Store, Accessory
- Service And Repair Establishment
- Transport Terminal
- Warehouse

8. All other provisions of By-law 2000-02 as amended remain in full force and effect.

9. This By-law shall take effect and come into force pursuant to the provisions and regulations made under the Planning Act, R.S.O. 1990, chapter P.13, as amended.

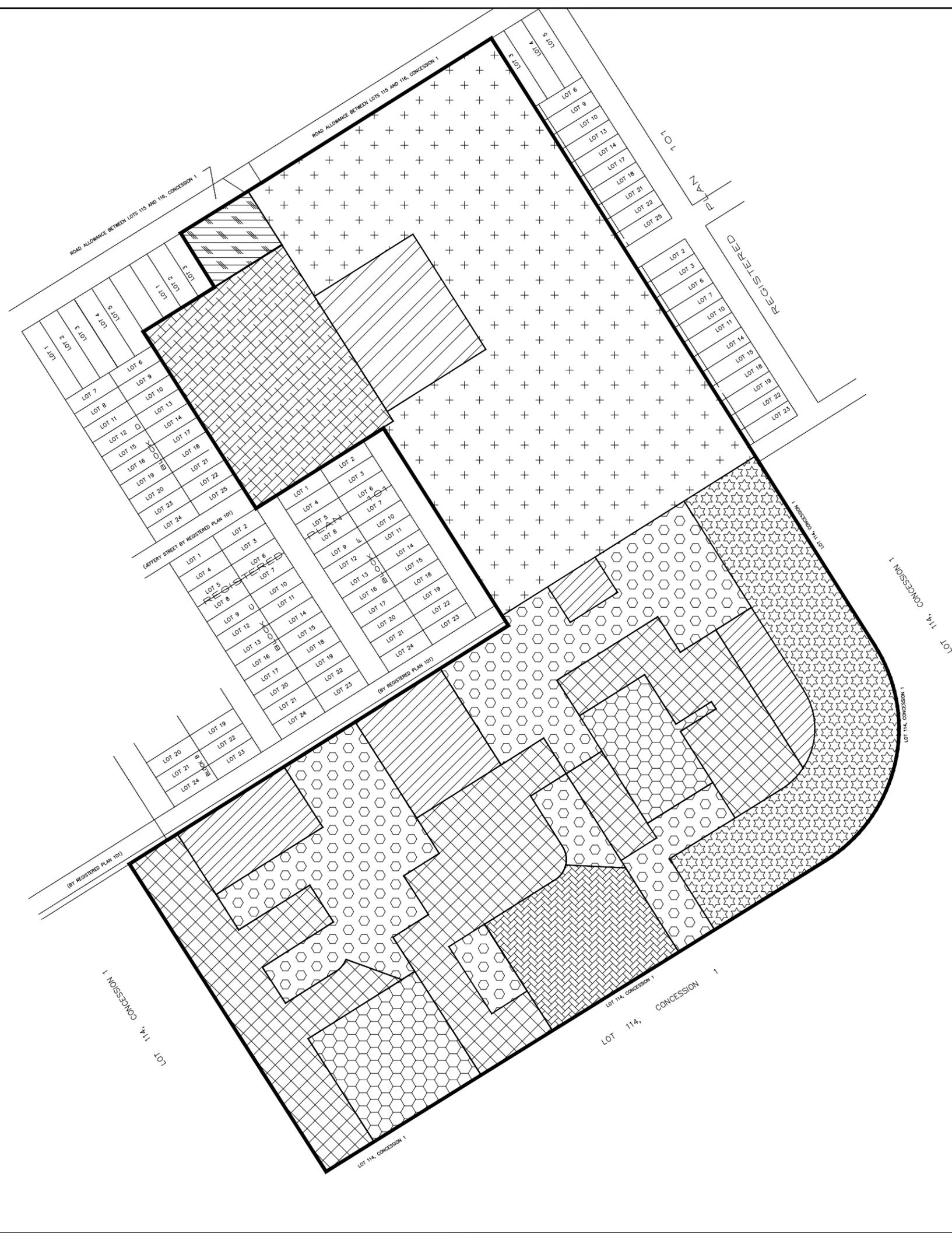
BY-LAW read a first, second and third time and finally passed by Council this xx day of xx, 2023.

---

MAYOR Douglas Rawson

---

CLERK



- LEGEND**
- Subject Site (31.62ha)
  - Lands to be rezoned from 'Rural (RU)' zone to 'Residential Third Density with Exceptions (R3-X)' zone
  - Lands to be rezoned from 'Rural (RU)' zone to 'Residential Third Density with Exceptions (R3-Y)' zone
  - Lands to be rezoned from 'Rural (RU)' zone to 'Residential Third Density with Exceptions (R3-Z)' zone
  - Lands to be rezoned from 'Rural (RU)' zone to 'Residential Third Density with Exceptions (R3-XX)' zone
  - Lands to be rezoned from 'Rural (RU)' zone to 'Residential Third Density with Exceptions (R3-YY)' zone
  - Lands to be rezoned from 'Rural (RU)' zone to 'Open Space (OS)' zone
  - Lands to be rezoned from 'Deferred Development (D)' zone to 'Residential Third Density with Exceptions (R3-Z)' zone
  - Lands to be rezoned from 'Deferred Development (D)' zone to 'Residential Third Density with Exceptions (R3-XX)' zone
  - Lands to be rezoned from 'Deferred Development (D)' zone to 'Industrial Services with Exceptions (M1-X)' zone
  - Lands to be rezoned from 'Deferred Development (D)' zone to 'Open Space (OS)' zone

## SCHEDULE "A" ZONING BY-LAW AMENDMENT

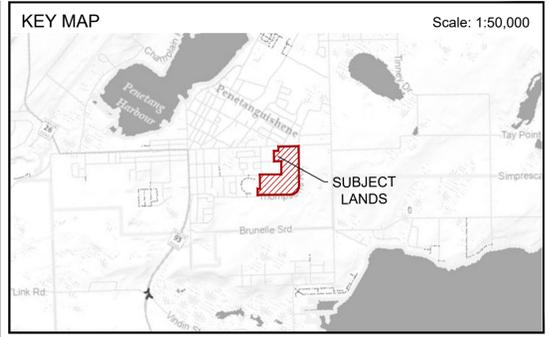
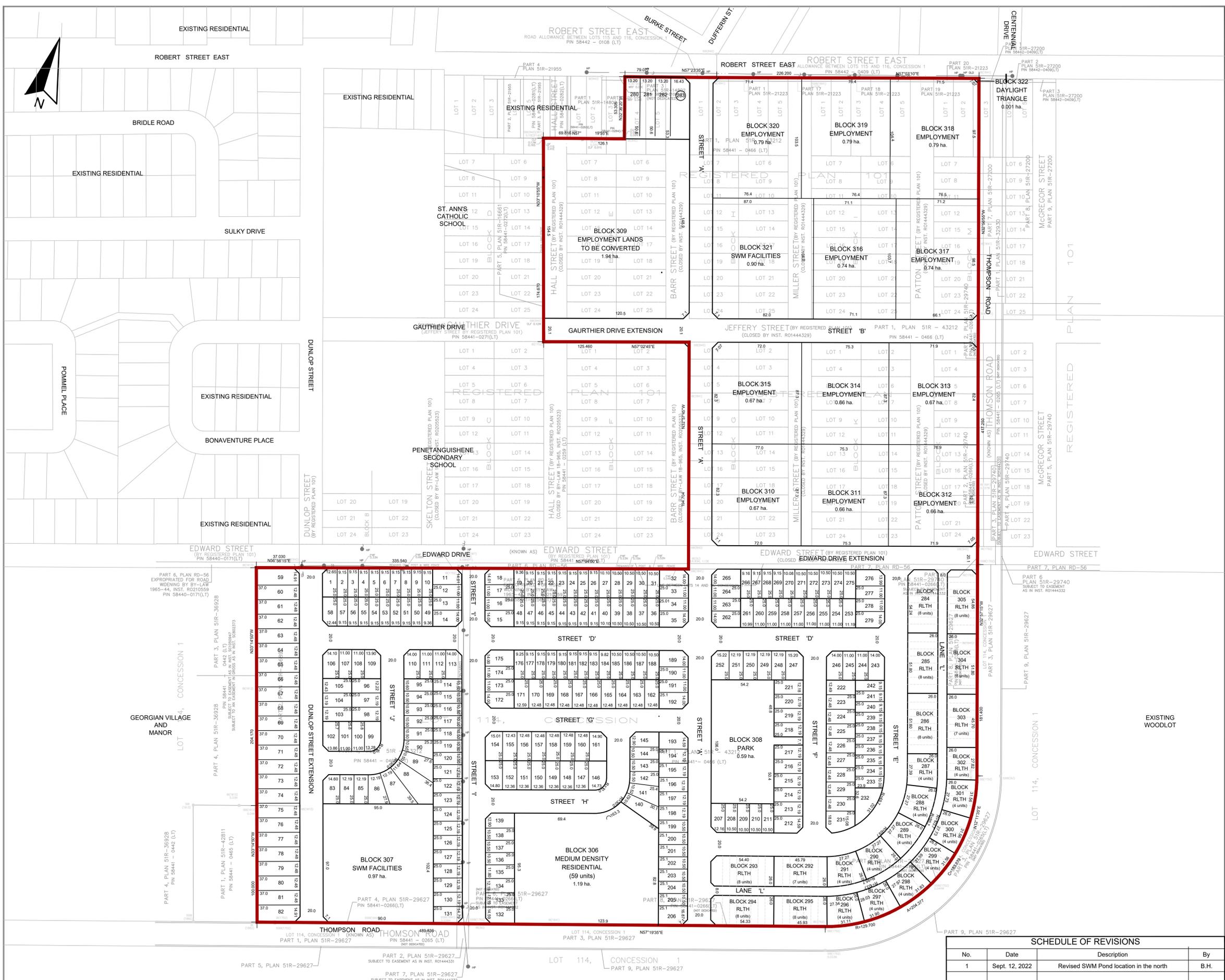
PART OF LOTS 1, 2, 3 AND  
ALL OF LOTS 4 TO 25 INCLUSIVE BLOCK E AND  
ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK G AND  
ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK H AND  
ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK I AND  
ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK K AND  
PART OF LOTS 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 AND 24 BLOCK L AND  
ALL OF LOTS 1 AND 2, PART OF LOTS 3, 7, 8, 11, 12, 15, 16, 19, 20 23  
AND 24 BLOCK M  
AND PART OF JEFFERY STREET, EDWARD STREET, HALL STREET AND  
BARR STREET  
(CLOSED BY RO1444329)  
AND ALL OF MILLER STREET AND PATTON STREET (CLOSED BY  
RO1444329)  
REGISTERED PLAN 101  
AND  
PART OF LOT 114, CONCESSION 1  
(GEOGRAPHIC TOWNSHIP OF TAY)  
TOWN OF PENETANGUISHENE  
COUNTY OF SIMCOE



Source: Town of Penetanguishene Zoning By-Law No. 2000-02  
Note: Information shown is approximate and subject to change.

<b>IPS</b>	<b>INNOVATIVE PLANNING SOLUTIONS</b>		
	PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS 647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7 tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com		
Date:	December 22, 2022	Drawn By:	A.S.
File:	22 - 1197	Checked:	C.S.

## **APPENDIX 3: DRAFT PLAN OF SUBDIVISION**



# DRAFT PLAN OF SUBDIVISION

PART OF LOTS 1, 2, 3 AND ALL OF LOTS 4 TO 25 INCLUSIVE BLOCK E AND ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK G AND ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK H AND ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK I AND ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK K AND PART OF LOTS 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 AND 24 BLOCK L AND ALL OF LOTS 1 AND 2, PART OF LOTS 3, 7, 8, 11, 12, 15, 16, 19, 20, 23 AND 24 BLOCK M AND PART OF JEFFERY STREET, EDWARD STREET, HALL STREET AND BARR STREET (CLOSED BY R01444329) REGISTERED PLAN 101 AND PART OF LOT 114, CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF TAY) TOWN OF PENETANGUISHENE COUNTY OF SIMCOE



**LEGEND**  
   SUBJECT LANDS - 31.62 ha

**LAND USE SCHEDULE**

Land Use	Lot / Block No.	Units	Area (ha.)	Area (ac.)	%
RESIDENTIAL SINGLE LOT (8.15m / 30')	Lots 1-10, 19-27, 40-58, 176-184, 232-242, 266-270	63	1,495	3.69	4.7
RESIDENTIAL SINGLE LOT (10.50m / 34')	Lots 11-18, 25-39, 88-95, 99-102, 105-121, 135-145, 172-175, 185-192, 199-205, 207-211, 243-246, 253-265, 271-279	109	3,185	7.87	10.1
RESIDENTIAL SINGLE LOT (12.19m / 40')	Lots 59-87, 96-98, 103-105, 122-134, 146-171, 193-198, 206, 212-231, 247-252, 260-263	111	4,083	10.09	12.9
RESIDENTIAL REAR LANE TOWNHOUSES (6.1m / 20')	Blocks 284-305	126	2,244	5.54	7.1
RESIDENTIAL MEDIUM DENSITY (50 upha.)	Blocks 306, 309	155	3,127	7.73	9.9
STORMWATER MANAGEMENT FACILITIES	Blocks 307, 321		1,870	4.62	5.9
PARK	Block 308		0,593	1.46	1.9
EMPLOYMENT LANDS	Blocks 310 - 320		7,839	19.37	24.8
DAYLIGHT TRIANGLES	Block 321		0,001	0.01	0.0
STREETS	Street A - K (20.0m ROW) Lane 'L' (8.0m ROW)		7,185	17.76	22.7
<b>TOTAL</b>		<b>564</b>	<b>31,622</b>	<b>78.14</b>	<b>100.0</b>

**OWNER'S CERTIFICATE**  
 I, THE UNDERSIGNED, BEING THE REGISTERED OWNER OF THE SUBJECT LANDS, HEREBY AUTHORIZE INNOVATIVE PLANNING SOLUTIONS TO PREPARE THIS DRAFT PLAN OF SUBDIVISION AND TO SUBMIT SAME TO THE TOWN OF PENETANGUISHENE FOR APPROVAL.

DATE \_\_\_\_\_ SIGNING OFFICER \_\_\_\_\_  
 NAME OF FIRM \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE \_\_\_\_\_ TOM KRCMAR, OLS  
 KRCMAR SURVEYORS LTD.

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT**

- a) SHOWN ON PLAN
- b) SHOWN ON PLAN
- c) SHOWN ON PLAN
- d) RESIDENTIAL, OPEN SPACE, EMPLOYMENT
- e) SHOWN ON PLAN
- f) SHOWN ON PLAN
- g) SHOWN ON PLAN
- h) MUNICIPAL WATER
- i) SANDY
- j) SHOWN ON PLAN
- k) MUNICIPAL SEPTIC SERVICES
- l) NONE

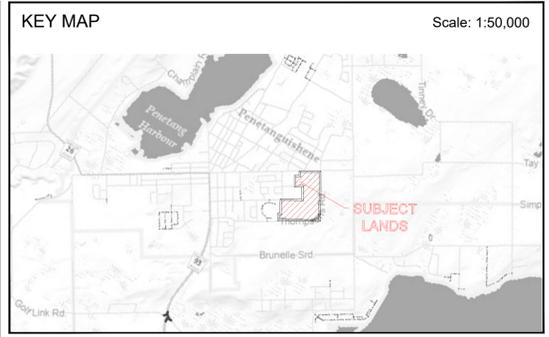
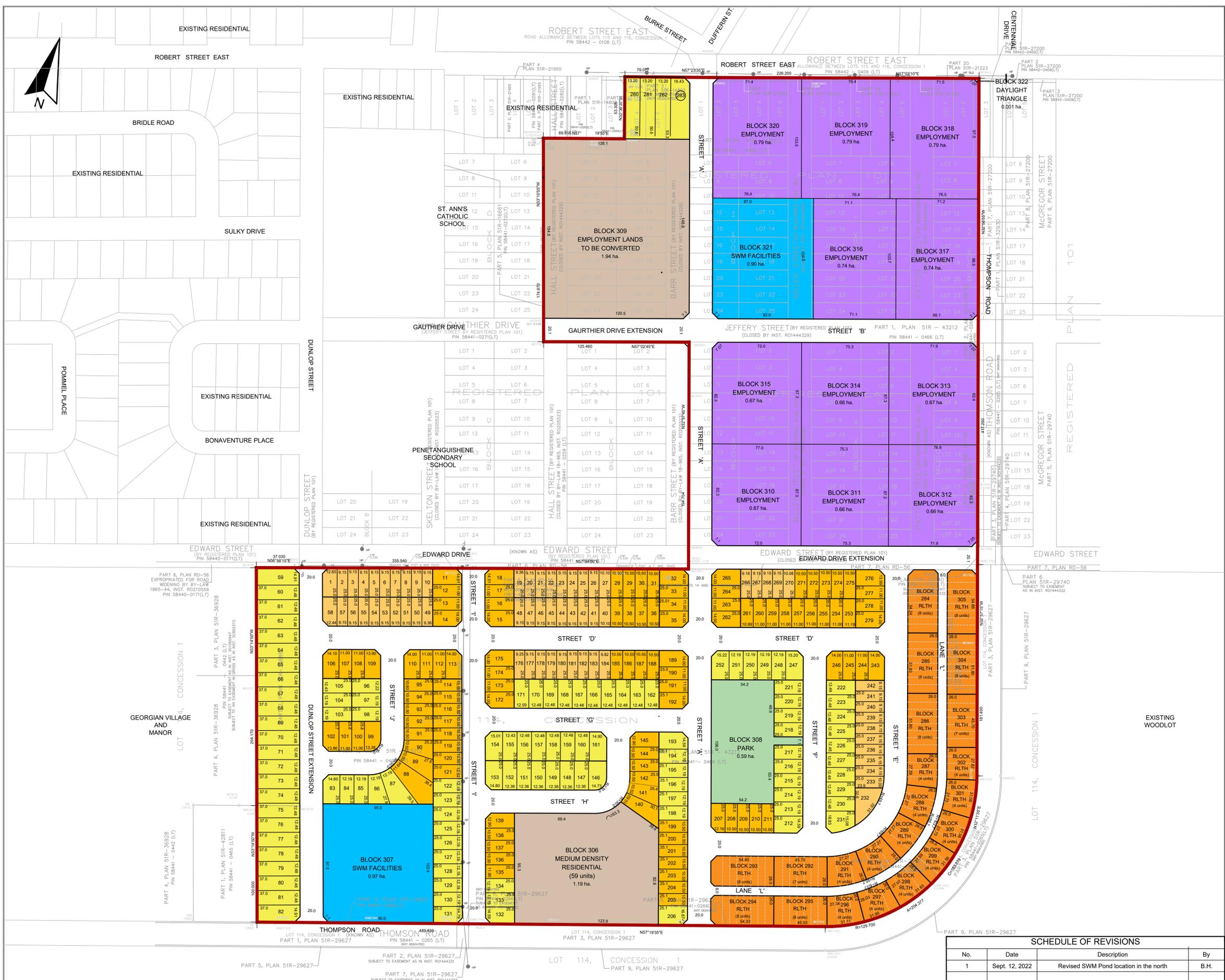
**SCHEDULE OF REVISIONS**

No.	Date	Description	By
1	Sept. 12, 2022	Revised SWM Pond location in the north	B.H.

**IPS INNOVATIVE PLANNING SOLUTIONS**  
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS  
 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7  
 TEL: 705 • 812 • 3281 FAX: 705 • 812 • 3438 E: info@ipsconsultinginc.com www.ipsconsultinginc.com

Date: August 4, 2022 Drawn By: BH  
 File: Checked: CS

**METRIC NOTE:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



# DRAFT PLAN OF SUBDIVISION

PART OF LOTS 1, 2, 3 AND ALL OF LOTS 4 TO 25 INCLUSIVE BLOCK E AND ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK G AND ALL OF LOTS 1 TO 25 INCLUSIVE BLOCK H AND ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK I AND ALL OF LOTS 1 TO 24 INCLUSIVE BLOCK K AND PART OF LOTS 1, 4, 5, 8, 9, 12, 13, 16, 17, 20, 21 AND 24 BLOCK L AND ALL OF LOTS 1 AND 2, PART OF LOTS 3, 7, 8, 11, 12, 15, 16, 19, 20, 23 AND 24 BLOCK M AND PART OF JEFFERY STREET, EDWARD STREET, HALL STREET AND BARR STREET (CLOSED BY R01444329) AND ALL OF MILLER STREET AND PATTON STREET (CLOSED BY R01444329) REGISTERED PLAN 101 AND PART OF LOT 114, CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF TAY) TOWN OF PENETANGUISHENE COUNTY OF SIMCOE



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e) SHOWN ON PLAN	f) SHOWN ON PLAN	f1) NONE	
g) SHOWN ON PLAN	h) MUNICIPAL WATER	i) SANDY	
j) SHOWN ON PLAN	k) MUNICIPAL SEPTIC SERVICES	l) NONE	

**SCHEDULE OF REVISIONS**

No.	Date	Description	By
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