

PLANNING REPORT

QUEEN'S COURT RESIDENTIAL PLAN OF SUBDIVISION

**Part of Lots 104 to 113, West Side of Church Street,
Registered Plan 70
Town of Penetanguishene**

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1.0 INTRODUCTION

The purpose of this Planning Report is to examine the proposed Queen's Court residential development on property located within a block of land bounded by Broad Street to the north, Fox Street to the west and Church Street to the east in the Town of Penetanguishene (Figure 1). This Planning Report is submitted on behalf of Queen's Court Homes, owner of the subject lands and is being submitted to the Town of Penetanguishene in support of a residential plan of subdivision application on the property.



Figure 1 - Key Plan

2.0 SITE DESCRIPTION

The subject property is described as Part of Lots 104 to 113, West Side of Church Street, Registered Plan 70. The property is municipally known as 221 Fox Street and occupies a total area of 12.01 hectares with approximately 20 metres of street frontage on Fox Street.

For the most part the subject property is surrounded by existing residential homes that front Broad Street, Fox Street and Church Street, and located in a neighborhood dominated by residential development. Lands located immediately to the south are presently being developed for residential uses (Bay Moorings Development).

The topography of the site generally falls in grade from east to west with a relatively steep ridge running north to south through the easterly portion of the property. The topography ranges from a high elevation of approximately 222 metres to a low elevation of 185 metres.

The lands are undeveloped and generally covered by coniferous forest, deciduous forest, mixed forest, and ash swamp. Existing soils are sandy loam and some organic soils are present in areas where there is poor drainage.



Figure 2 - Surrounding Land Uses

The subject property is surrounded by the following lands uses (Figure 2):

- North: Existing Residential
- West: Existing Residential
- South: Existing and Proposed Residential
- East: Existing Residential

3.0 PLANNING STATUS

3.1 County of Simcoe Official Plan

The County of Simcoe Official Plan designates the Town of Penetanguishene “Settlement”, and accordingly designates the subject property “Settlement”.

Section 3.5.8 of the Official Plan states:

“Settlement areas should be planned to accommodate a diversity of land uses, including residential, commercial, industrial, and institutional, to reinforce their traditional roles as central places and service centres. Local municipalities may develop a hierarchy.”

Section 3.5.9 states:

“Where settlement has municipal water and sewer services, compact development shall be promoted.”

The County Official Plan identifies the subject property to contain no significant wetlands, or Areas of Natural and Scientific Interest, nor does it form part of the County’s Natural Heritage System.

It should be noted that the County adopted a new Official Plan on November 28, 2008 and the Plan is awaiting approval from the Province. The new Official Plan designates the lands Settlement and identifies the lands as “Urban Area” within the Settlement designation. The new Official Plan indicates that lands identified as Urban Area within the Settlement designation area depict urban-type designations at the local level.

The proposed County Official Plan also identifies the subject property not to contain any significant wetlands, or Areas of Natural and Scientific Interest. In addition, the lands do not form part of the County’s Natural Heritage System.

3.2 Town of Penetanguishene Official Plan

Schedule A1 Land Use Plan of the Official Plan of the Town of Penetanguishene designates the subject property Neighborhood Residential (Figure 3). Uses permitted in the Neighborhood Residential designation generally include single detached, duplex and

semi-detached residences, multiple residences, such as townhousing and apartments, associated institutional uses, accessory retails uses, and parks and open space uses.

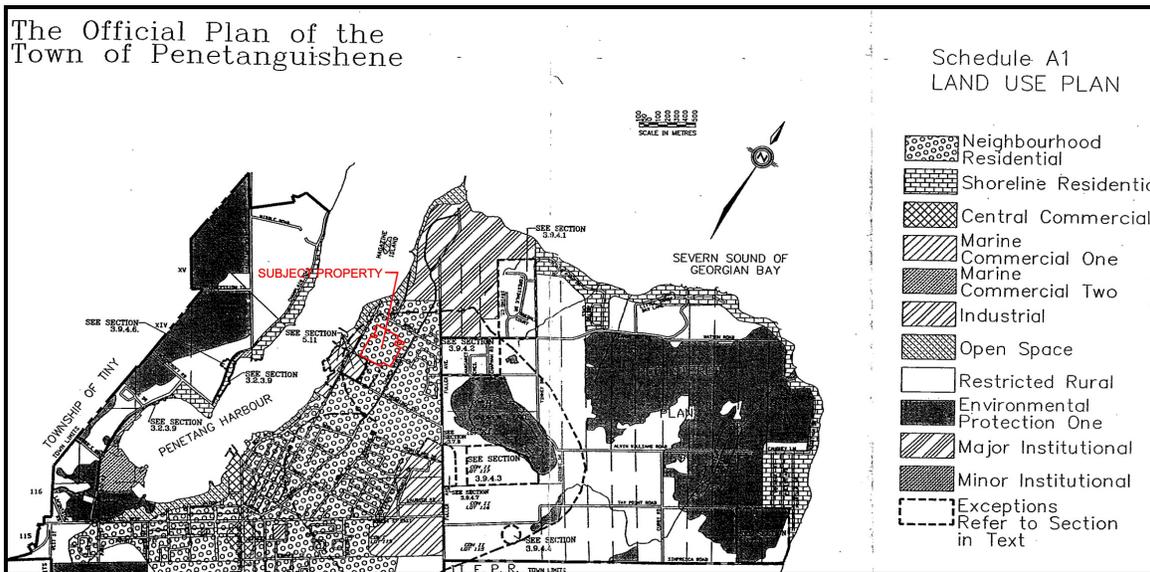


Figure 3 – Official Plan Schedule ‘A1’

Schedule B Community Improvement Areas of the Official Plan identifies the eastern portion of the property Environmental Protection One (Figure 4). It is understood that the Environmental Protection One designation is intended to recognize the steeper slopes that exist in this area. It is a policy of the Official Pan that within the Environmental Protection One designation no development of site alteration be permitted. In the case of lands so identified based on potential hazards, it is the Town’s policy to protect areas having physical conditions which could cause loss of life, property damage, or damage the environment, if development were to occur.

Schedule B also identifies the subject property to be located within the North End Community Improvement Area. Development within the North End Community Improvement Area is subject to specific policies as outlined under Section 3.1.5.4 of the Official Plan. These policies encourage that development respect the schematic alignment of the proposed collector road, that development be compatible with adjacent existing development and preserve the existing neighbourhood character.

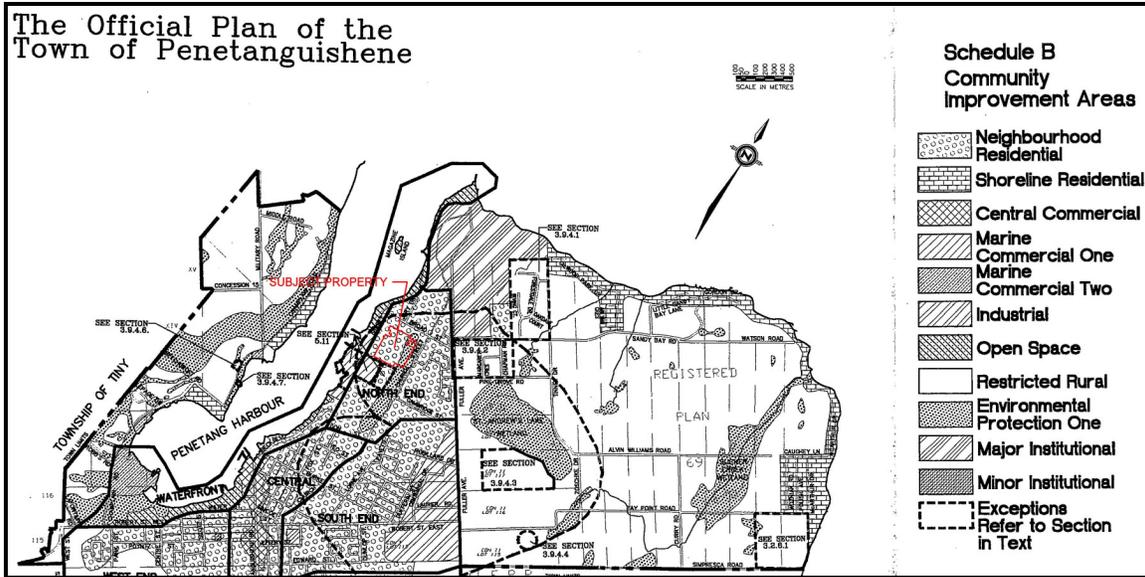


Figure 4 – Official Plan Schedule B

Schedule C of the Official Plan identifies a future 20 metre wide collector road running in a north south direction through the subject property (Figure 5). This collector road extends Beck Boulevard, which presently terminates at the southern property line of the property.

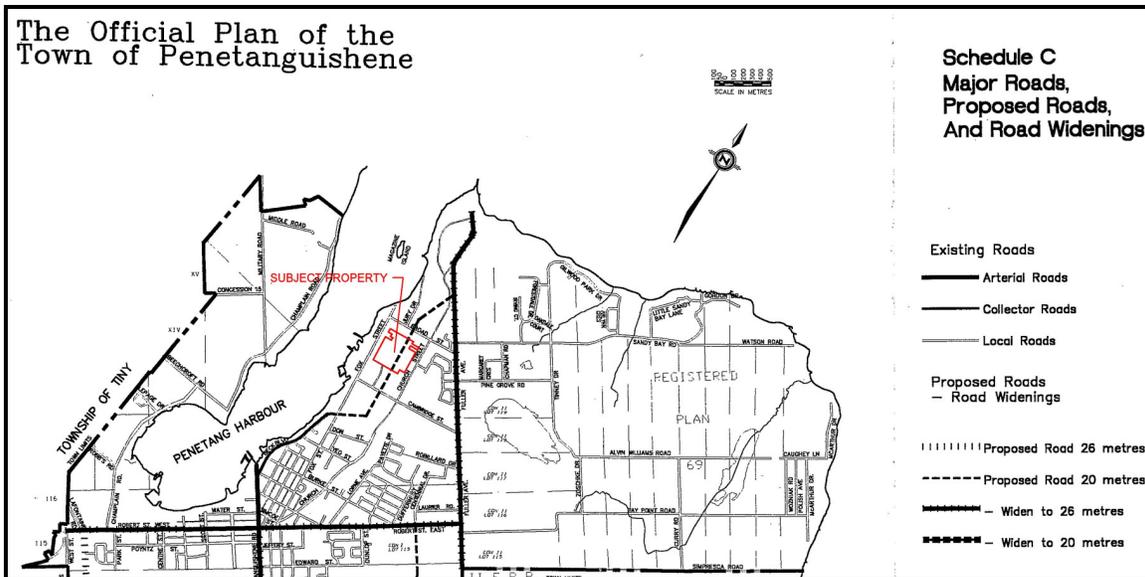


Figure 5 – Official Plan Schedule C

4.0 URBAN WOODLAND ASSESSMENT

In 2008, the Severn Sound Environmental Association completed a woodland assessment for the Town of Penetanguishene. The purpose of the study was to assess the woodland

cover contained within identified sites of vacant and underdeveloped parcels within Penetanguishene, and rank the sites with reference to their natural history values and ecological constraints to development, with a view of integrating the woodlands into the development of the lands.

The subject property forms the majority of what the Study identifies at Site 21. The Report identifies Site 21 as a “Gold” level site on the basis that the woodland is large in area, contains mature trees, has water occurring as seeps, and has moderate to steep slopes. The Study recommends that Gold level sites be retained and protected.

It should be noted that this Study was prepared as part of a larger growth management study undertaken for the Town in support of an update to the Town’s Official Plan. The update, in the form of an amendment to the Official Plan has not yet been adopted by the Town of Penetanguishene or approved by the County of Simcoe. As such, the results of the Urban Woodland Study, Growth Management Study and the amendment o the Official Plan have no status.

5.0 PROPOSED DEVELOPMENT

Queen’s Court Homes is proposing the development of a residential plan of subdivision providing single detached homes and townhomes, as well as an environmental protection block, parkland, and stormwater management facilities.

The Draft Plan of Subdivision (Figure 6), proposes the extension of the Beck Boulevard collector road through the property, which will provide access to several blocks, and local roads and lots, created through the approval of a plan of subdivision application.

The details of the proposed development are summarized in the following table.

USE	AREA (ha)	%	UNITS
12m Single Detached Lots	4.64	38.63	87
Medium Density Townhomes	1.20	9.99	28
Open Space (SWM Pond)	0.58	4.83	
Open Space (Parkland)	0.48	4.00	
Environmental Protection	3.07	25.56	
Roads	2.04	16.99	
Total	12.01	100	115

Table A - Development Statistics

In total, the Plan proposes the creation of 87 single detached lots and approximately 28 block townhomes for a total of 115 residential units. The plan proposes the creation of detached lots with 12 m frontages. This frontage is generally smaller than other detached lots that have developed in the Town, but is reflective of a general market trend towards slightly smaller lots that are more economical to develop and more affordable. In addition, these smaller lots, together with the proposal to develop 28 townhouse units provides an opportunity for more intensive development in the Town.

Additional features provided for in the Plan include two Environmental Protection areas that will protect a significant mineral ash swamp as identified by an Environmental Impact Study prepared in support of the development proposal and an area of moderately steep slopes located in the eastern portion of the property presently designated Environmental Protection in the Official Plan. In addition, the stormwater management facility has been located adjacent to the mineral ash swamp so that it can provide a sustained supply of water to the feature.

It should be noted that the Town acquired, though a condition of a previous consent to sever, a future road allowance to accommodate the extension of Beck Boulevard through the subject property, together with 0.3 m reserves on either side. This future road allowance is identified in the base information on the draft plan and provides relatively straight alignment through the subject property which will have a significant impact on the mineral ash swamp. Based on the recommendations of an Environmental Impact Study prepared in support of this application, the draft plan proposes to modify the alignment of Beck Boulevard in a manner that preserves the mineral ash swamp. Based on discussions with the Town and the Town's solicitor it was determined that realignment will be handled through a condition of draft plan approval which will require, in essence, an exchange of land between the applicant and the Town to accommodate the new Beck Boulevard alignment.

It is proposed that the development will be serviced with full municipal services all of which are available at the property line. A summary of the Functional Servicing Report and other reports prepared in support of this application is contained in Section 7 of this report.

6.0 PLANNING JUSTIFICATION

6.1 Conformity to Provincial Planning Policies

6.1.1 Provincial Policy Statement (PPS)

The proposed Queens Court Subdivision satisfies the relevant Provincial policies and is consistent with the 2005 PPS. First and foremost, the proposal contributes to the building of a strong community through the efficient development of the land and by providing an appropriate range and mix of residential, recreational and open space uses.

Under Section 1.1.2, the PPS states:

Sufficient land shall be made available through intensification and redevelopment and if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years.

These objectives are satisfied by this proposal.

Under Section 1.1.3.2a)2, the Province requires that new growth be directed in a manner that promotes the efficient use of existing municipal services. Full municipal services are available at the property to service the proposed development and an extension of municipal services is not required.

Section 1.4.3 states that a range of housing should be provided to meet the requirements of current and future residents:

Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market by: ...

b) permitting or facilitating:

- 1. all forms of housing required to meet the social, health and well being requirements of current and future residents, including special needs requirements; and*
- 2. all forms of residential intensification ...*

The development proposes a range of housing types including single-family detached and townhomes.

6.1.2 The Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe was prepared under the Places to Grow Act, 2005. The Plan provides a framework for implementing the Province's vision of building stronger, prosperous communities by better managing growth.

In essence, the purpose of the Plan is to mitigate urban sprawl through policies that direct growth to built-up areas, promote transit-supportive densities and a healthy mix of residential and employment land uses, and preserves employment uses for future economic opportunities.

Guiding principles include building compact, vibrant and complete communities, optimizing the use of existing and new infrastructure to support growth in a compact efficient form, and reducing dependence on the automobile through development of mixed-use, transit supportive, pedestrian-friendly urban environments. In addition, cities and towns are encouraged to develop as “complete communities” with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.

On January 19, 2012, the Province released an amendment to the Growth Plan (Amendment 1) that includes new policies, schedules and definitions that apply in the Simcoe Sub-area. These new policies are now contained within Section 6 of the amended Growth Plan.

The amended Growth Plan identifies Midland/Penetanguishene as a primary settlement area. Amendment 1 contains four policy areas to ensure sustainable, long term growth in the Simcoe Sub-area. These include the allocation of population and employment growth to support the primary settlement areas, and to provide flexibility to approve development in existing settlement areas.

The subject property is ideally located for the proposed development. The subject property represents a infill opportunity, located within an existing built-up area of the Town and within walking distance of the Town Centre, and other services.

6.2 Conformity to County of Simcoe Planning Policies (In-Force Official Plan)

The County of Simcoe relies, for the most part, on the lower tier municipal Official Plans to provide direction with respect to site-specific developments. The County's Official Plan designates Penetanguishene as a Settlement area, and as such, the proposed development conforms to the County's Plan. To the extent that the County's Official Plan

provides policy direction, these policies largely mirror the policies contained in the Provincial Policy Statement.

6.3 Conformity to County of Simcoe Planning Policies (Adopted Official Plan)

Simcoe County Council adopted a new Simcoe County Official Plan on November 25, 2008 and updated on January 22, 2013. The new Official Plan has not yet been approved by the Province and is not in force.

The new Official Plan sets out under Section 3.5, the objectives and policies regarding Settlements.

Section 3.5.1 states:

To focus population and employment growth and development within existing settlements, with particular emphasis on primary settlement areas, in accordance with the policies of this Plan, as the location for urban uses and most non-resource related growth and development.

Section 3.5.2 encourages a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services.

Sections 3.5.3 and 3.5.4 encourages the development of mixed use sustainable settlements that are strong and vibrant central places and to develop forms and patterns which minimize land consumption and servicing costs.

Section 3.5.7 of the new proposed Official Plan states:

Settlement areas shall be the focus of most non-resource related growth and their vitality and regeneration shall be promoted. Residential, commercial, industrial, institutional, and recreational land uses shall be developed within settlement area boundaries on land appropriately designated in a local municipal official plan for the use. Land use designation changes within settlement area boundaries do not require a County Official Plan amendment. The uses permitted in the land use designations within settlement area boundaries may be further restricted or prohibited in the local municipal official plans in order to facilitate urban development.

As noted, the subject lands are located within the existing built boundary of a primary settlement area, and the proposed development conforms to the applicable policies of the County's proposed Official Plan.

6.4 Conformity to Town of Penetanguishene Planning Policies

As discussed previously, the proposed development is permitted by the current Neighbourhood Residential designation and an amendment to the Official Plan is not required. With respect to the steeper sloped area of the site, the current Environmental Protection One designation was placed over this area based on the potential hazards associated with slopes. These steeper slopes are generally protected by the proposed plan of subdivision through the creation of Block 93, which, it is anticipated, will be conveyed to the Town as a condition of draft plan approval.

7.0 REPORTS PREPARED IN SUPPORT

A number of reports/studies have been prepared to support the plan of subdivision application. A summary of these reports is provided in the section.

7.1 Functional Servicing and Stormwater Management Report

WMI and Associates Limited was retained to prepare a Functional Servicing and Stormwater Management Report in support of the draft plan of subdivision. This report confirms that both water and sanitary services will be available from the existing development to the south and that the development will be provided with a network of 200mm sanitary sewers and 150mm watermains.

Utilities are also available in the existing residential community that surrounds the proposed subdivision and it is presumed that these utility services will be available to service the proposed development.

Stormwater will be handled through internal storm sewers and a stormwater management pond proposed for the development that will provide both quantity and quality controls.

7.2 Environmental Impact Study

Michalski Nielsen Associates Limited was retained to complete an Environmental Impact Study (EIS) for the subject lands.

The EIS notes that the subject lands have not been identified in the Town's Official Plan as exhibiting any environmentally significant features. Schedule B Community

Improvement Areas of the Official Plan does identify an Environmental One designation on the eastern portion of the property associated with the steeper slopes that exist in that area.

The vegetation communities located within the subject lands are not unique to the Pentanguishene area and district. The subject lands also do not contain any life or earth science Areas of Natural or Scientific Interest (ANSIs), or Provincially Significant Wetlands (PSWs), nor have any features been designated by the MNR or municipality as significant wetland.

However, an EIS was still undertaken in recognition of the fact that the subject property was identified as a woodland (Site 21) in the Penetanguishene Urban Woodland Assessment by the Severn Sound Environmental Association on 2008.

The woodland found on the surely property is entirely surrounded by urban development which is impacting the woodland. The impacts identified in the EIS include uncontrolled stormwater which has created erosional gullies, construction impacts from the south, a large number of indiscriminate trails, presence of aggressive exotic plant species and ongoing changes in moisture regime, all of which have placed the woodland in a state of transition.

The EIS also states that the proposed extension of Beck Boulevard though the subject property will essentially bisect the woodland, and as a result, no interior wildlife habitat would remain.

The proposed development occupies only 5.84 ha of the 12.01 ha site, maintaining 6.17 (or just over half of the site) as an environmentally protected area, open space and stormwater management block. The environmental protection areas include a 2.01 ha block in the eastern portion of the property intended to protect the moderately steep slopes in that portion of the site and a 1.07 ha block in the western portion of the site which is intended to preserve the majority of the with mineral ash swamp. As discussed previously, the development application proposes to realign the proposed Beck Boulevard extension in a manner that substantially protects this environmental feature.

7.3 Stage 1-2 Archaeological Assessment

Amick Consultants Limited was retained to undertake a Stage1-2 Archeological Assessment to evaluated the potential for archeological resources on the subject lands. The assessment included a review of background information and a physical assessment consisting of high-intensity test pit survey and an interval of five metres. As a result of

the physical assessment of the study area, no archeological resources were found and the report recommended no further assessment if the property is required.

7.4 Preliminary Geotechnical Investigation

Peto MacCallum Ltd. was retained to undertake a preliminary geotechnical investigation to explore the general subsurface conditions at the subject lands.

The field works consisted of drilling three boreholes to depths of 6.2 to 6.5 m and the installation of standpipes in each of the holes. Beneath approximately 150 mm of topsoil, the solid encountered were found to be predominately sand with an intermittent soft to firm clay silt layer over a compact to very dense till deposit. Stabilized groundwater levels ranged between 1.9 m and 4.4 m below existing grade.

7.5 Hydrogeological Function Analysis

A hydrogeological analysis was undertaken by Wilson Associates to assess the potential impact of the proposed development on the mineral ash swamp located in the western portion of the property. This analysis included a review of the borehole records included in the Preliminary Geotechnical Investigation and preparation of a basic water budget analysis.

Based on the results of this analysis and a review of the geological and hydrogeological setting of the site, the study concluded that the mineral ash swamp area functions primarily as a seasonal emergence feature/discharge zone of the regional watertable and that the emergence/discharge fluctuates depending on the dryness or wetness of the year.

The study concluded that the theoretical loss to the local groundwater regime due to development of the site to be less than 4% if the overall groundwater resource beneath the site and recommended the use of infiltration enhancement features (soak-away-pits, etc.) to maintain on-site infiltration rates.

8.0 SUMMARY AND CONCLUSIONS

It is acknowledged that the development of the subject property requires the balancing of a number of interests and benefits. Although the property has been identified as having high quality woodlands, it is designated for residential development in the Official Plan and is located within the built boundary of the Town. The property provides an excellent infill opportunity, surrounded by existing residential development, and can be fully serviced with existing municipal services.

The proposed development also facilitates the extension of the Beck Boulevard collector north through the property. It should be noted that the extension of the collector through the property alone will have a significant impact on the woodland and will result in a fragmenting the forest and eliminating any interior forest habitat. In addition the woodland is in a state of transition due to its location within an urban area surrounded by existing development.

The proposed plan of subdivision does incorporate the key recommendations of the EIS and proposes the creation of two EP blocks to protect the moderately steep slopes on the eastern portion of the site and a majority of the mineral ash swamp located in the western portion of the site.

The proposed development conforms to both the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. In addition the proposal conforms to the County's existing and proposed Official Plans and the Town of Penetanguishene's Official Plan, and as such is considered to be good planning.

Respectfully submitted,
Lucas and Associates

Per: Glenn Lucas B.E.S.