

PLANNING JUSTIFICATION REPORT – Second Submission

In connection with a Consent to Land Severance Application for Five Single Detached Residential Dwelling Lots made by Universalbau Corporation for lands within Part of Lots 14 and 15, Concession 3 of the Geographic Township of Tay, Town of Penetanguishene.



**Universalbau Corporation
1290 Sandy Bay Road
Part of Lots 14 and 15, Concession 3
Geographic Township of Tay
Town of Penetanguishene**



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**UNI-2024-01
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**Planning Justification Report
1290 Sandy Bay Road
Lots 14 and 15, Concession 3, Geographic Township of Tay,
now in Town of Penetanguishene
Proposed Consent to Land Severance Application**

1.0 INTRODUCTION

The purpose of this planning report is to review applications for consent to land severance. The applications are being submitted on behalf of the landowner, Universalbau Corporation (Mr. Martin Kiener) by the Goodreid Planning Group.

The subject property is approximately 25.2 hectares in size and located on the east side of Gilwood Park Drive in Lots 14 and 15, Concession 3 of the Geographic Township of Tay, now in the Town of Penetanguishene.

The Consent to Land Severance application is intended to sever five rural residential lots from a 25.2 ha rural parcel that are sized for municipal water and private septic systems.

In terms of land use policies, the subject property is classified as Settlement designation by the Official Plan for the County of Simcoe and Rural Designation by the Official Plan for the Town of Penetanguishene. The County Plan establishes the principle of development for Settlement land uses including single detached dwellings. The Rural Designation of the Town's Official Plan establishes the principle of residential development and supports up to five (5) severed single detached dwelling lots in an application, subject to addressing natural heritage features and functions on the site through an environmental impact study.

In terms of zoning, the Zoning By-law for the Town of Penetanguishene classifies the subject property as Rural (RU) Zone. The severance proposal will not involve a rezoning as the severed residential lots will have a minimum lot area of 2,000 m² and have a minimum lot frontage of 35 m, and the retained parcel has a minimum lot area exceeding 19.8 hectares and a minimum lot frontage on Sandy Bay Road exceeding 152 m. A 0.3 m reserve is proposed for the frontage of the retained parcel along Gilwood Park Drive, so that the lot frontage will be determined along Sandy Bay Road.

The Consent to Land Severance application is intended to sever five (5) single detached dwelling lots from a 25.2 hectare-parcel all in accordance with the Rural (RU) Zone.

As part of the preparation of the consent to land severance proposal, the Goodreid Planning Group did consult with the Town of Penetanguishene Planning staff to refine the development proposal

and address any municipal planning concerns. The Town planning staff input was taken into account in the Planning Justification Report.

The completed Consent to Land Severance application, together with the Planning Justification Report of Brian Goodreid, MCIP, RPP of the Goodreid Planning Group, the Environmental Impact Study by Neil Morris, a Consulting Ecologist, a Functional Servicing Design Brief by Kevin Bobechko, P. Eng. of the Kardin Group and an Archaeological Assessment by Amick Consultants Ltd. will permit for a comprehensive review of the Proposal. This Proposal has been prepared to be consistent with applicable Provincial Policies and Plans and conform to the County of Simcoe Official Plan and the Town of Penetanguishene Official Plan and Comprehensive Zoning By-law.

2.0 SITE DESCRIPTION & CONTEXT

This section of the report details the characteristics of the subject property within the context of the Town of Penetanguishene. It is our understanding that the subject property is vacant, forested land. The subject property is identified on Figure 1: Location Plan.

2.1 *Site Description*

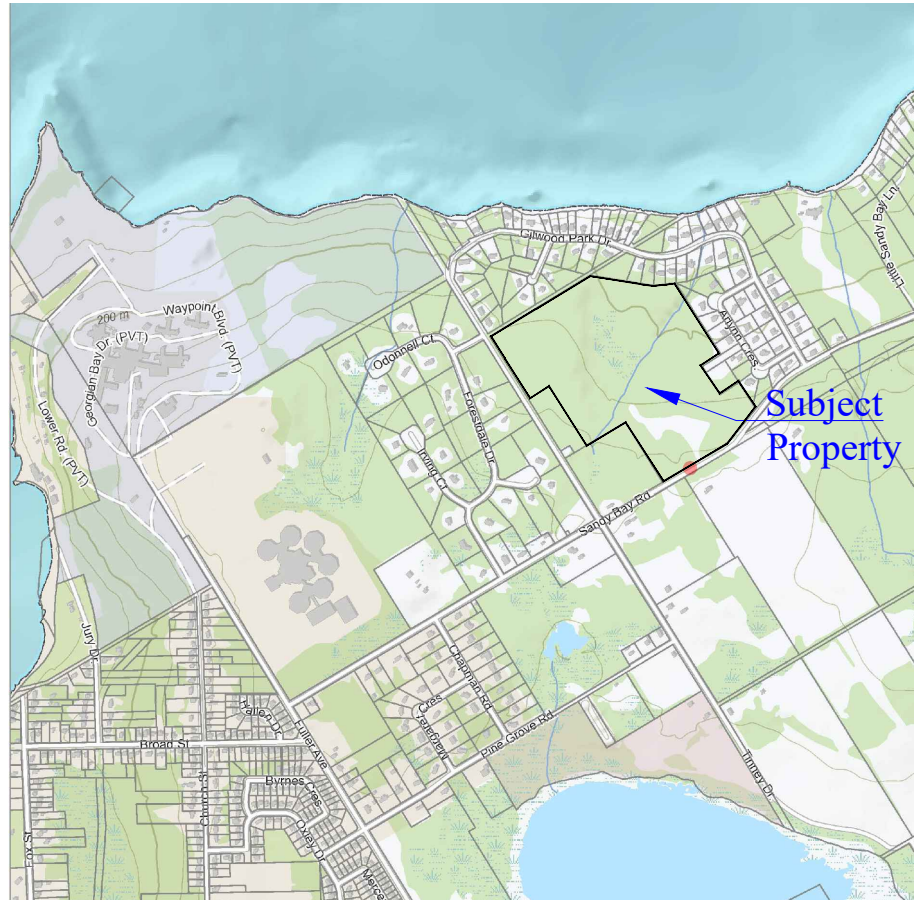
The subject property is comprised of an irregular shaped parcel of land in the Gilwood Bay Area of the Town of Penetanguishene. It comprises Part of Lots 14 and 15, Concession 3 of the Town, and is comprised of approximately 25.2 hectares of forested, vacant land. The subject property is bounded to the north and east by Gilwood Bay Phases 1 – 3 subdivisions and to the west by Gilwood Park Drive and to the south by Sandy Bay Road, both Town roads. The subject property is approximately 100 m away from Georgian Bay.

2.1.1 Topography

The existing topography of the subject property slopes towards Georgian Bay with a decrease in elevation from the southwest corner of the property (224 m ASL) to a topographic low in the northeast portion of the property (198 m ASL). Thus, there is a 26 m + decrease in elevation across the property. Figure 1 – Location Plan illustrates the location of the subject property as well as the drainage channel that traverses the property from southwest to northeast and the location building lots on surrounding registered plans. The drainage channel is a well-defined except through the centre of the site. In this area the topography becomes relatively flat and the channel is undefined for approximately 150 m. The soils are mixed sands, glacial till, stones, gravel and boulders up to approximately 40 m of thickness. Discontinuous seams of fine grain materials create localized perching of the water table. This creates localized areas of groundwater discharge within the site. Limestone is present at approximately 60 m. The sands on the site are Tioga series, sandy loam.

Site Location
 1290 Sandy Bay
 Road, Lots 14 and
 15, Concession 3,
 Town of
 Penetanguishene
 Ontario

Figure 1



2.1.2 Vegetation

The subject property is covered with varying deciduous species as determined in the Environmental Impact Study. The forest cover over the area of the proposed lots and retained parcel was identified as being within the ELC communities of Fresh-Moist Oak, Sugar Maple Deciduous Forest, Dry-Fresh Poplar Deciduous Forest, Dry Fresh Sugar Maple Deciduous Forest Ecosite and Fresh Moist Lowland Deciduous Forest are present on the property. The composition of these ELC communities is described in detail on pages 11-13 of the EIS.

2.1.3 Access

Ingress and egress to the subject property for the five severed residential lots is to be exclusively from Gilwood Park Drive and may be gained from Sandy Bay Road for the retained parcel. The subject property is located on two-lane paved Town roads with a rural cross-section. The roadway width for both Town roads at this location is 20 m. The posted speed limits in the area are 50 and 60 km/hr.

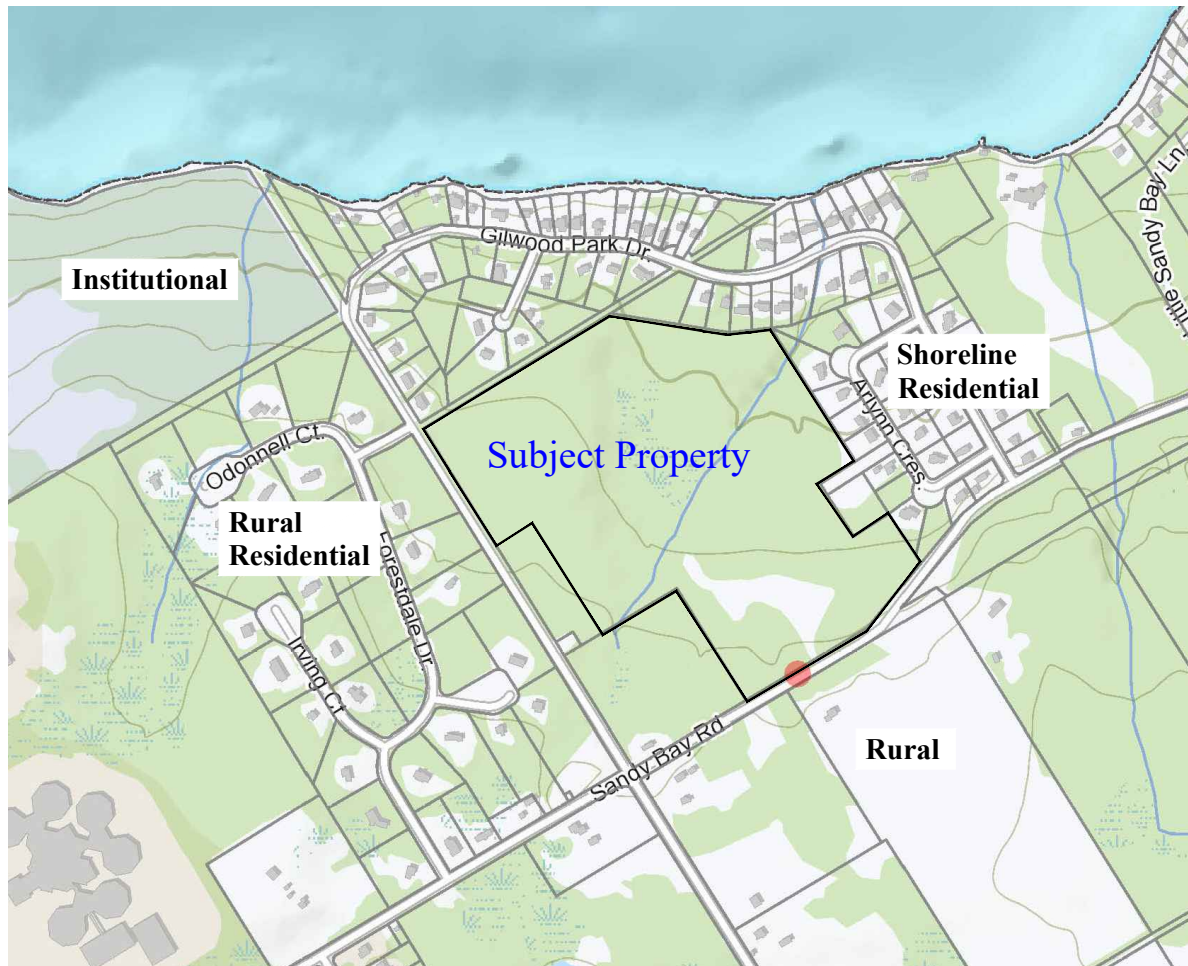
2.2 Site Context

The subject property is located in the rural part of the Town of Penetanguishene. The subject property is located on two paved Town roads with rural cross-sections. The ROW width for the Town Roads at this location is approximately 20 m.

Existing land uses in the vicinity of the subject lands include shoreline residential and low density residential, and rural land uses as follows:

- **North** - Immediately to the north is a well-established shoreline residential subdivision.
- **East** - Immediately to the east are well-established shoreline residential subdivision.
- **South** - Immediately on the south are approved rural residential lots and rural and rural residential land uses.
- **West** - Immediately on the west is an established rural residential subdivision.

The land uses in the areas described above are illustrated on Figure 2 – Surrounding Land Use. The subject property is located adjacent to an established shoreline residential area in proximity to Georgian Bay.



Surrounding Land Use
1290 Sandy Bay Road, Lot 14, Concession 3, Town of Penetanguishene Ontario

Figure 2



3.0 THE PROPOSAL

This Planning Justification Report accompanies an application for Consent to Land Severance.

The proposed Consent to Land Severance is to sever the 1290 Sandy Bay Road parcel into five severed lots and one retained parcel of land. The subject property is currently vacant and forested. The severed lots proposed are to have lot areas and frontages of a minimum of 2,000 m² and 35 m, respectively. The retained parcel is to have a minimum lot area and a minimum lot frontage exceeding 19.8 hectares and 152 m, respectively.

Figure 3 – Severance Plan illustrates the proposed severed and retained parcels for a single detached dwelling house development.

Severed Parcels

Severed Lots 1-5 are all rectangular in shape and each will have a lot area ranging from 2,492 m² to 2,560 m² and lot frontages ranging from 35 m to 40 m. The severed lots utilize the full street frontage on Gilwood Park Drive, except for the 20 m that is to be part of the retained parcel for a future street providing access to future residential subdivision lots and 3 m x 3 m daylighting triangles on Lots 2 and 3 for a future internal street.

Retained Parcel

The retained parcel has a lot area and lot frontage of 23.98 hectares and lot frontage of 344.67 m along Sandy Bay Road. The severed lots and the retained parcel together with the provision of a 20 m long - 0.3 m reserve provided on Gilwood Park Drive as a condition of consent will comply with the Rural (RU) Zone requirements applicable to the subject property.

No additional residential development is proposed by the landowner through this land severance application.

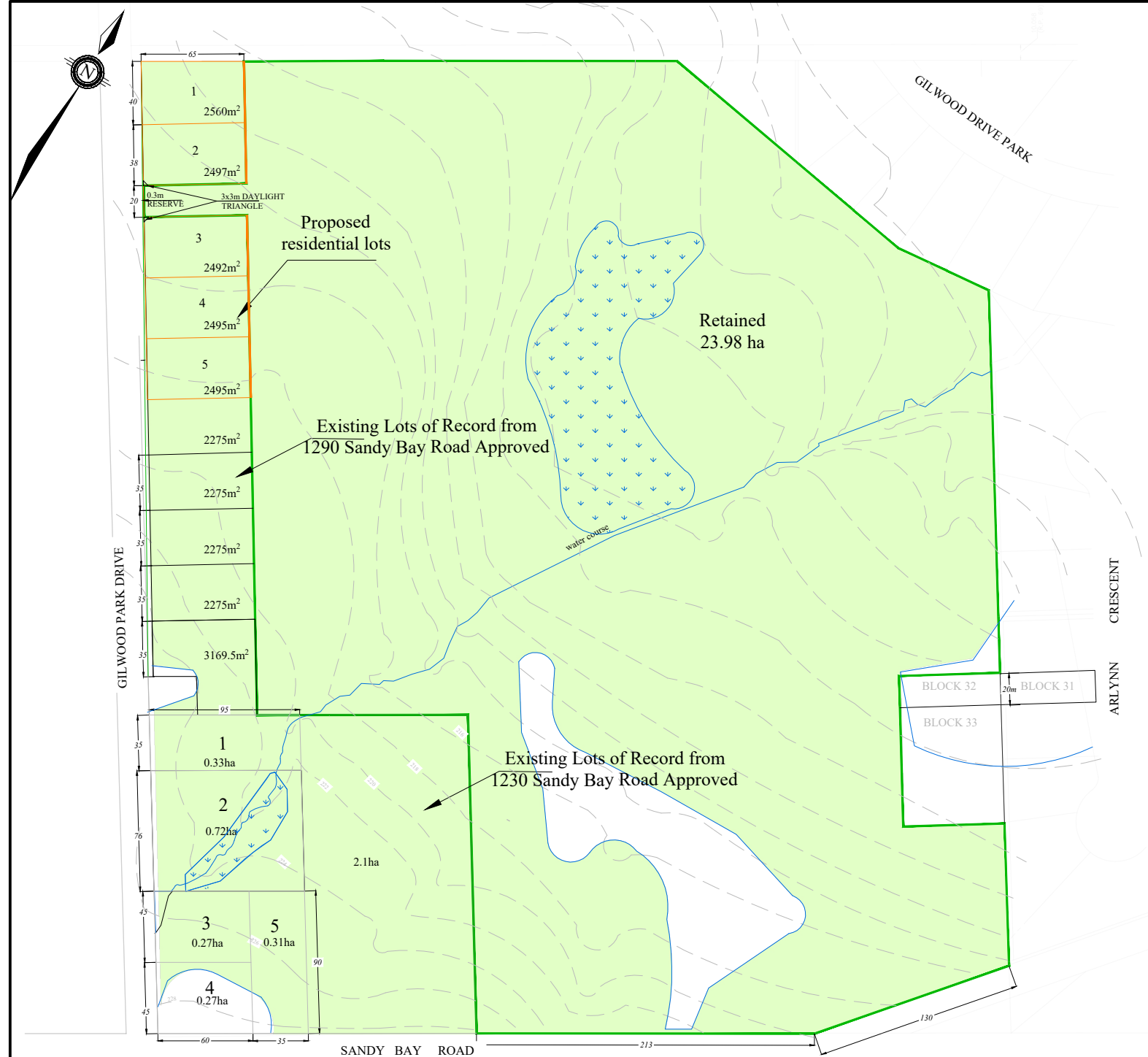
Figure 4: Site Plan illustrates the location for a typical severed lot (Lots 1-5) of the proposed driveway, the municipal piped water service connection, the building footprint, the septic tank, the septic bed, the mantle and the 4:1 slope area from the septic bed to meet the surrounding grade on the lot.

The sewage system design size details from the Functional Servicing Report are as follows:

- Filter Bed Area = 40 m²
- Filter Extended Area (includes Filter Bed) = 88 m²
- Mantle Area (including Extended Area) = 375 m²
- Mantle Area (excluding Extended Area) = 287 m²

Severance Plan 1290 Sandy Bay Road, Lots 14 and 15, Concession 3, Town of Penetanguishene Ontario

Figure 3

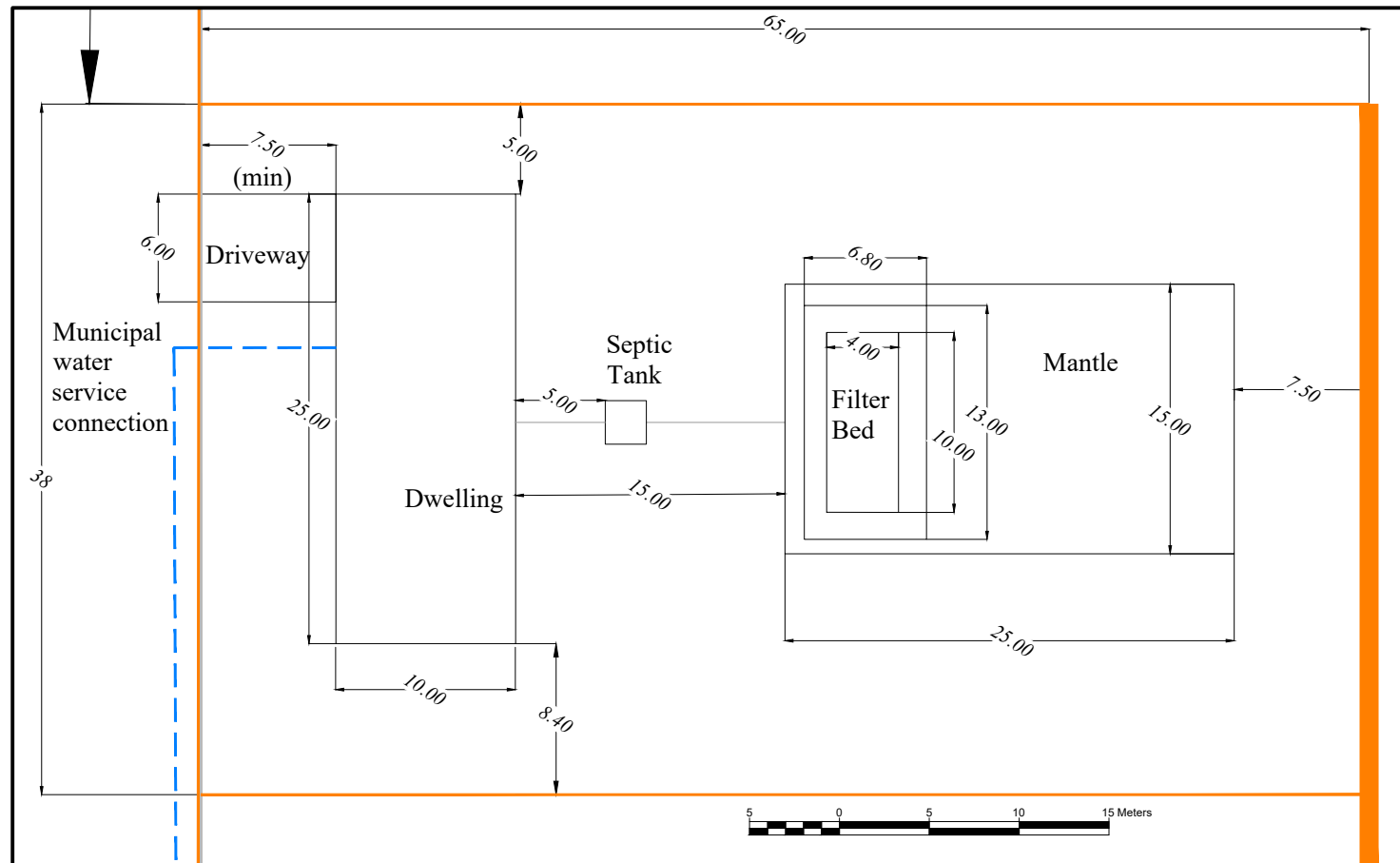
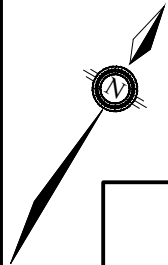


- Severed lots 1-5
- Retained Parcel
- Woodland
- Wetland

Site Plan -
1290 Sandy Bay
Road, Lots 14 and
15, Concession 3,
Town of
Penetanguishene
Ontario

Typical Single
Detached
Dwelling
Layout Lot 3
(Conceptual)

Figure 4



The assumptions made in the Functional Servicing Design Brief are Filter Bed dimensions of 4m x 10 m, the width of the Extended Area of 13 m x 6.8 m and the width of Mantle (including Extended area) of 15 m x 25 m. The size of Mantle is the potential footprint of the septic bed system. The configuration could be made slightly wider to reduce the depth. However, a minimum Mantle of 15m downgradient of the last distribution pipe is required. The layout in this figure assumes a raised bed, 1m above existing grade, with a 4:1 slope down to existing lot grade.

4.0 PLANNING POLICY OVERVIEW AND STATUTES

The following subsections summarize land use planning policies and applicable statutes established by the Province, the County of Simcoe and the Town of Penetanguishene.

The following subsections summarize land use planning policies established by the Province, the County of Simcoe and the Town of Penetanguishene.

4.1 PROVINCIAL POLICY STATEMENT, 2024 (PPS)

The 2024 PPS will come into effect on October 20, 2024. The PPS is a key part of Ontario's policy-led planning system and provides policy direction on matters of Provincial interest related to land use planning and development. All decisions made on or after October 20, 2024 in accordance with Section 3 of the Planning Act must be consistent with the PPS.

After reviewing the PPS in detail, it is our opinion as planners that the Universalbau Corporation proposed consent to land severance application is consistent with the PPS. While all of the policies of the PPS have been considered several relevant sections are highlighted below for review. The highlighted Sections address how to build strong communities and the importance of focusing growth and development within the settlement areas such as the Town of Penetanguishene. The whole Town is designated Settlement by the Simcoe County Official Plan.

4.1.1 Chapter 1: Introduction

The Vision of PPS contemplates the building of 1.5 million homes by 2031 for a prosperous Ontario. Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and exceptional quality of life. The PPS provides policy direction on matters of provincial interest related to land use planning and development. Municipal official plans are the most important vehicle for implementation of the Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning.

4.1.2 Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

In order to maintain an appropriate range and mix of housing options and densities planning authorities shall maintain 15 years through lands that are designated and available for residential development and maintain where new development is to occur land with servicing capacity at least

a 3-year supply through zoning and draft plan approvals. The approval of this severance application will contribute to the provision of housing in Penetanguishene.

Section 2.3,1 General Policies for Settlement Areas of Chapter 2 of the PPS, states that settlement areas shall be the focus of growth and development. This section continues and states that land use patterns within settlement areas shall be based upon densities and a mix of land uses which: effectively use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and are freight supportive. This section continues on and states that planning authorities should identify appropriate locations and promote opportunities for intensification and redevelopment.

The PPS supports building strong communities and Settlement Areas being the focus of growth and development of a community. The Town of Penetanguishene is identified as a settlement area and is one of a number of identified communities to be the focus of growth and development in the Simcoe County context. The subject property is recognized by the Town Official Plan as being Rural Designation and supports the division of land for a limited number of land severances for low density residential use. The Universalbau Corporation proposed severed lots will contribute towards the orderly, progressive development of Penetanguishene and will utilize municipal water and infrastructure already available in this part of the Town.

4.1.3 Natural Heritage System

The natural heritage policies of Section 4.1 of the PPS are intended to protect the natural environment and its functions. The proposed severed lots involve a woodland land area of approximately 1 hectare. The EIS concludes this development will not fragment or otherwise result in adverse impacts on the significant woodland. The EIS also finds that the proposed severed lots can be created and eventually developed in full compliance with Species at Risk regulations. There is no expectation that development within the proposed lots will have any direct or indirect impacts on the retained parcel or the habitat functions therein. The EIS finds that no impacts on the significant wildlife habitat function are expected. In addition, the EIS finds that there is no expectation that the creation and eventual development of the 5 lots will have an effect on fish habitat function within the small watercourse. The EIS also finds that creation of the 5 lots on the outer edge of the subject property will not cause any meaningful loss of impairment of ecological or hydrological connectivity, or the overall integrity of the natural heritage system. In response to SSEA comments on the EIS, a Tree Preservation Plan (TPP) was prepared and Peer Response Comments were also prepared by Neil Morris, Consulting Ecologist, both in February 2025. In summary after reviewing the EIS, the TPP and the Peer Review Response, it is our opinion as planners that the 5 proposed residential lots satisfy the natural heritage system policies of the PPS.

4.1.4 Infrastructure to Support Growth

With respect to Infrastructure and Facilities addressed in Chapter 3 of the PPS, notably subsections 3.1, and 3.6 existing infrastructure is available to service the proposed development including public street and municipal water supply services and stormwater management (open ditches). These are addressed in the Functional Servicing Brief of the Kardin Group as updated in 2025.

4.1.5 Planning Opinion on Consistency of Proposal with the PPS

In summary and as referenced above it is our opinion as planners that the Universalbau Corporation consent to land severance application is consistent with the PPS.

4.2 Places to Grow

(Deleted)

4.2 CRITERIA TO HAVE REGARD TO UNDER THE PLANNING ACT

The proposed severed and retained parcels, like plans of subdivision, must have regard to those criteria/matters referenced in Section 51 (24) of the Planning Act, where applicable. The criteria/matters are set out below in black and our planning responses in black bold text as follows:

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2. **The severance application does not impact matters of provincial interest.**
- b) whether the proposed subdivision is premature or in the public interest. **This proposal is not premature and is in the public interest. Limited low-density residential land uses are supported in the Rural designation of the Town of Penetanguishene by land severance.**
- c) whether the plan conforms to the official plan and adjacent plans of subdivision if any. **The consent proposal conforms to the County and Town Official Plans and does not conflict with adjacent plans of subdivision. The proposed severed lots do not adjoin the adjacent plans of subdivision.**
- d) The suitability of the land for the purposes for which it is to be subdivided. **The subject lands are suitable for the proposed residential development. Environmental, civil engineering and planning analyses have demonstrated this is the case.**
- e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them. **The suitability**

of the public roads to service the proposed residential lots has been addressed in civil engineering analyses. No change is proposed in that regard as these roadways meet the access needs of the proposed land uses on the subject property.

- f) The dimensions and shapes of the proposed lots. **The severed and retained parcel dimensions and shapes are appropriate and in keeping with the Rural (RU) Zone standards for single detached dwellings on the severed lots and on the retained parcel.**
- g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land. **The zoning by-law regulations of the RU Zone applicable to the proposed lots will permit one single detached dwelling on each severed lot and the retained parcel and contain appropriate development regulations for permitted land uses.**
- h) Conservation of natural resources and flood control. **This criteria/matter is not applicable in the case of this limited proposal as determined in the environmental and civil engineering analyses for the project.**
- i) the adequacy of utilities and municipal services. **The utilities and municipal services to the severed lots and the retained parcel currently meet the requirements of the proposed development. Municipal water and private sewage systems are proposed. Development servicing is addressed in the civil engineering analysis provided.**
- j) the adequacy of school sites. **This small proposal is not anticipated to impact schools.**
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes. **No land dedication for public purposes is proposed for this limited proposal.**
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy. **This limited severance proposal does not represent a significant change in land use, reflects the development contemplated in this area by the Town's Official Plan and as such this requirement is maintained.**
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located in a site plan control area designated under Subsection 41 (2) of the Act. **Site Plan control is not anticipated for this low-density form of residential land use.**

The criteria/matters set out in Subsection 51 (24) of the Planning Act as detailed above are met through the consent to land severance application.

4.3 COUNTY OF SIMCOE OFFICIAL PLAN

The preparation of the Official Plan for the County of Simcoe was initiated in 2004, adopted by County Council on November 25, 2008 and submitted to the MMAH in December 2008. On December 7, 2009 the County appealed the lack of decision by the MMAH to the OMB. The County has in more recent years worked with public and private stakeholders, conducted public open houses and revised the document on several occasions to address the concerns raised by stakeholders. The OMB hearing process proceeded with a series of partial approval(s) to the Official Plan to address certain key policy areas particularly in respect to matters of provincial interest and local municipal based policy matters. The LPAT also dealt with appeals to the Official Plan for the County of Simcoe. It is our understanding that the County of Simcoe Official Plan including land use policies and schedules have been addressed by the OMB and by LPAT.

The Simcoe County Official Plan unlike its predecessor was intended to specifically designate settlement area boundaries on Schedule 5.1 – Land Use. The settlement area boundaries for Town of Penetanguishene on Schedule 5.1, Land Use Designations of the County of Simcoe Official Plan encompass the whole municipality. Since approval the County Official Plan has been the subject of a number of amendments.

Figure 5 – Excerpt of County Official Plan – Schedule 5.1 illustrates the Settlement Designation for Penetanguishene.

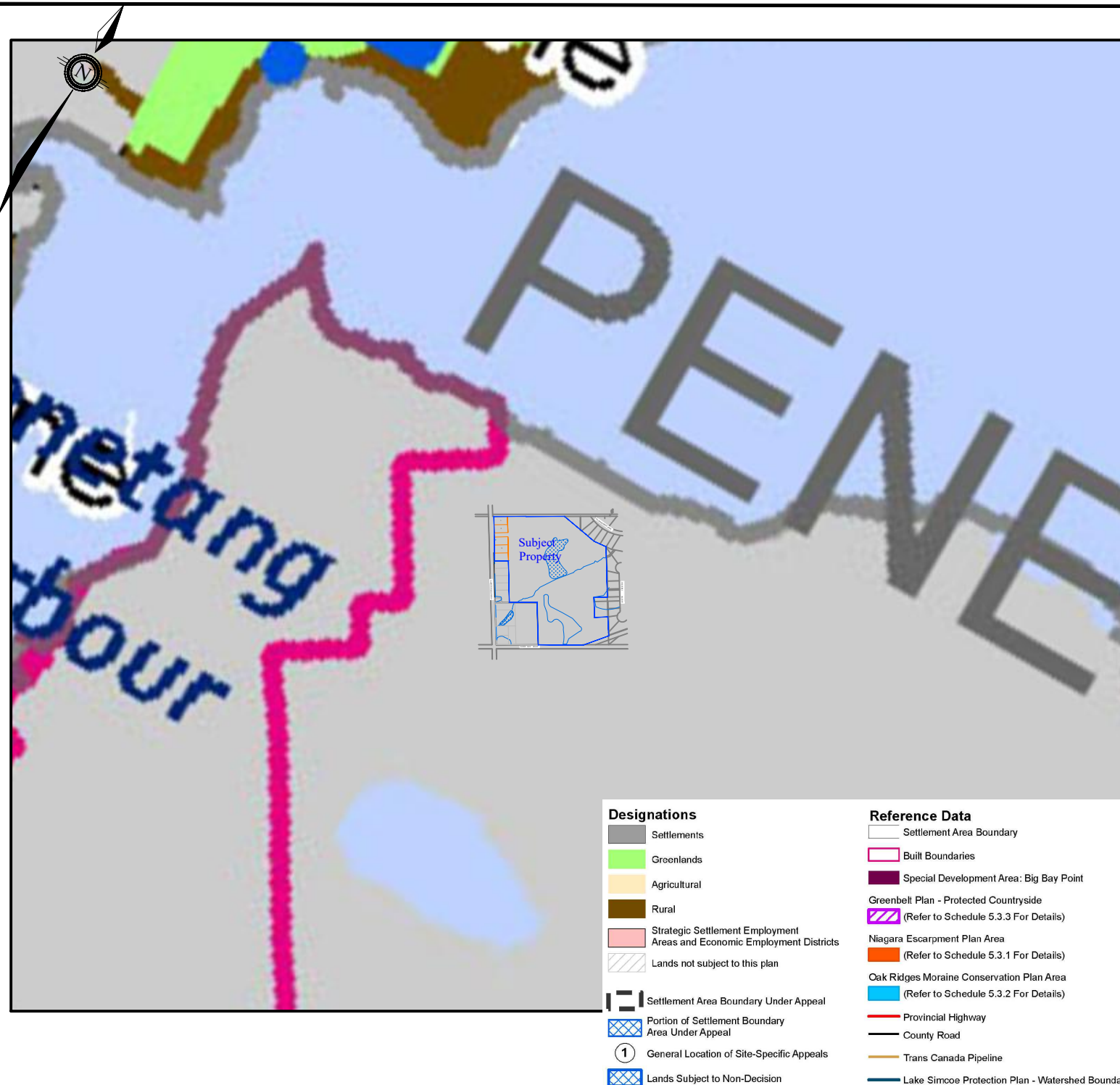
Section 3.5.7 indicates that Settlement Areas are to be the focus of growth and their vitality and regeneration are to be encouraged and are to be planned to accommodate a diversity of land use including residential, commercial, industrial and institutional uses to reinforce their traditional role as central places and service centre. The proposed consent to land severance will contribute towards Penetanguishene being a focus of growth that contributes to meeting the residential housing needs of the Town. The single detached residential lots now being proposed are contemplated by the County Official Plan and will contribute to a compact community over the longer term.

Table 1 of Section 3.2, Population and Employment Projections/Allocations proposes population and employment targets for the Town of Penetanguishene to 2031 of 13,000 population and 6,000 jobs, respectively. This Proposal is intended to introduce 5 new dwelling units on the subject property with approximately 15 persons based upon 3 persons per dwelling unit and will contribute to meeting the population forecast.

Severance policies applicable to this consent to severance proposal include Section 3.3.2 and 3.3.4. Section 3.3.2 of the Lot Creation policies indicate lots may be created by consent only for land uses permitted in the Settlement designation. Low density residential uses are permitted in

Excerpt of County
Official Plan -
Schedule 5.1 - 1290
Sandy Bay Road,
Lots 14 and 15,
Concession 3,
Town of
Penetanguishene
Ontario

Figure 5



the Settlement designation. Section 3.3.4 further indicates that lots may only be created where access to and frontage on public highway is available and an access permit can be obtained (in this case from the Town). The consent proposal affects a property with public road frontage on Gilwood Park Drive and Sandy Bay Road. Both these roadways are open and maintained through all seasons of the year. Access permits are to be obtained subsequent to the land severance process.

In our opinion as planners the proposed consent to land severance application conforms to the Official Plan for the County of Simcoe.

4.4 TOWN OF PENETANGUISHENE OFFICIAL PLAN

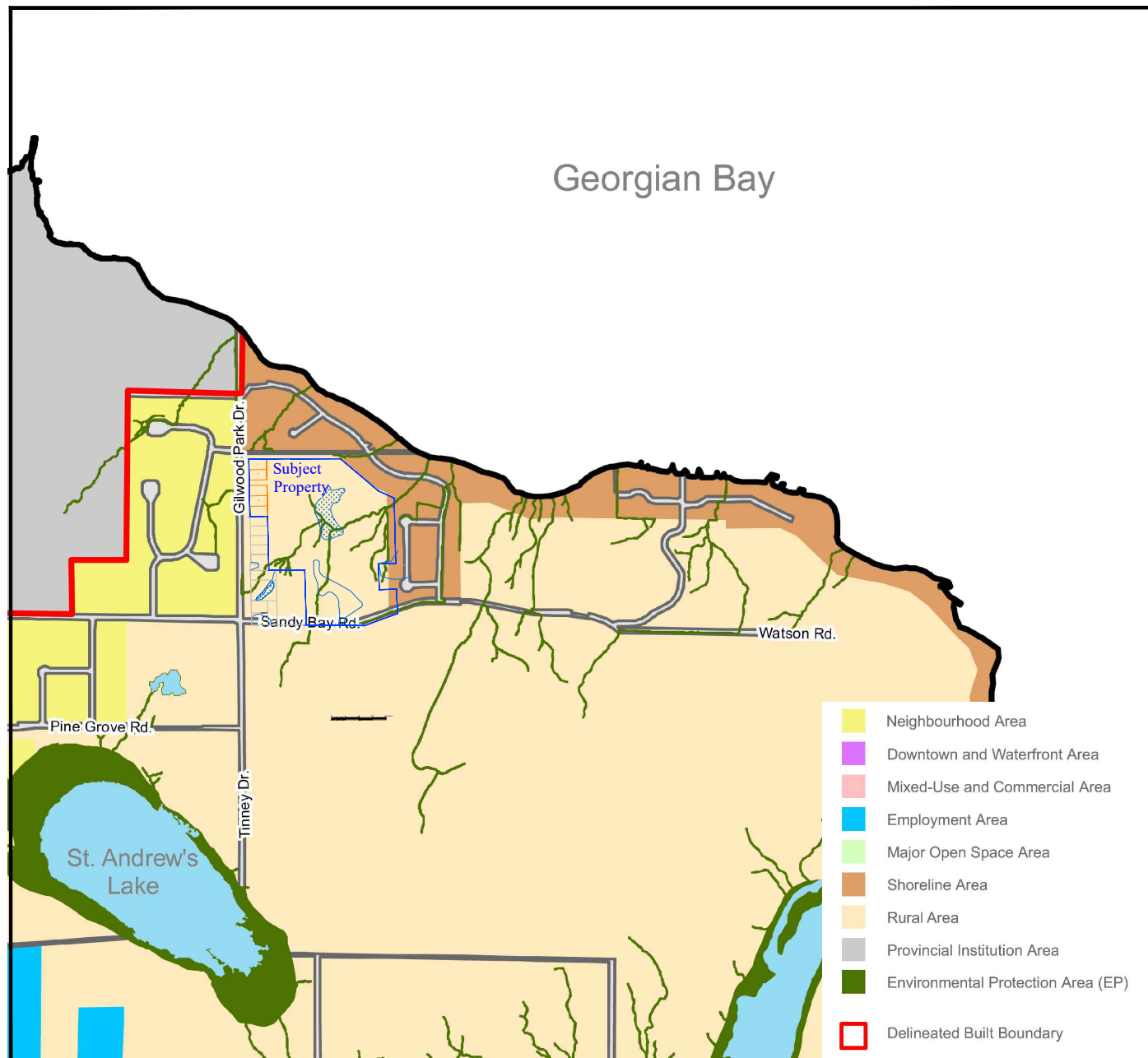
Schedule “A” – Land Use of the Town of Penetanguishene Official Plan designates the subject property as Rural designation. Figure 6: Penetanguishene Official Plan - Schedule “A” – Land Use illustrates the Rural designation applicable to the subject property. Figure 7: Penetanguishene Official Plan Schedule ‘B1’ – Policy Overlay illustrates the Environmental Protection overlay category applicable to the subject property. Figure 8: Schedule ‘B2’ – Source Protection Policy Overlays classifies the proposed Severed Lots 1-5 as Significant Groundwater Recharge Areas. Figure 9: Penetanguishene Official Plan Schedule ‘C’ – Transportation Network illustrates the Local Road category applicable to Gilwood Park Drive and Sandy Bay Road opposite the subject property.

Our planning response comments on the Official Plan policies below are highlighted with bold black text for ease of reference.

Section 3.13.1, Source Protection of the Official Plan addresses Groundwater Recharge Areas. **In this case the proposed development is limited to five single detached dwelling lots serviced by municipal watermain and private septic systems. The septic systems are to be located in the rear yard with infiltration via filter bed and sand mantle. Hard impervious surfaces are to be limited to the driveway and building footprint. As municipal water services (versus individual wells) are proposed groundwater levels will not be drawn down. In addition, the proposal does not involve non-residential use identified under Section 59 of the Clean Water Act. The Functional Servicing Design Brief addresses development servicing including stormwater management measures proposed for quantity and quality control such as enhanced swales, berms and soak away pits. These measures are addressed in the Functional Servicing Design Brief and proposed to be further detailed in engineering drawings prepared for inclusion in a land severance agreement (or site plan approval), as the case may be. This proposal in our opinion as planners satisfies the policy requirements of Section 3.13.1 of the Official Plan.**

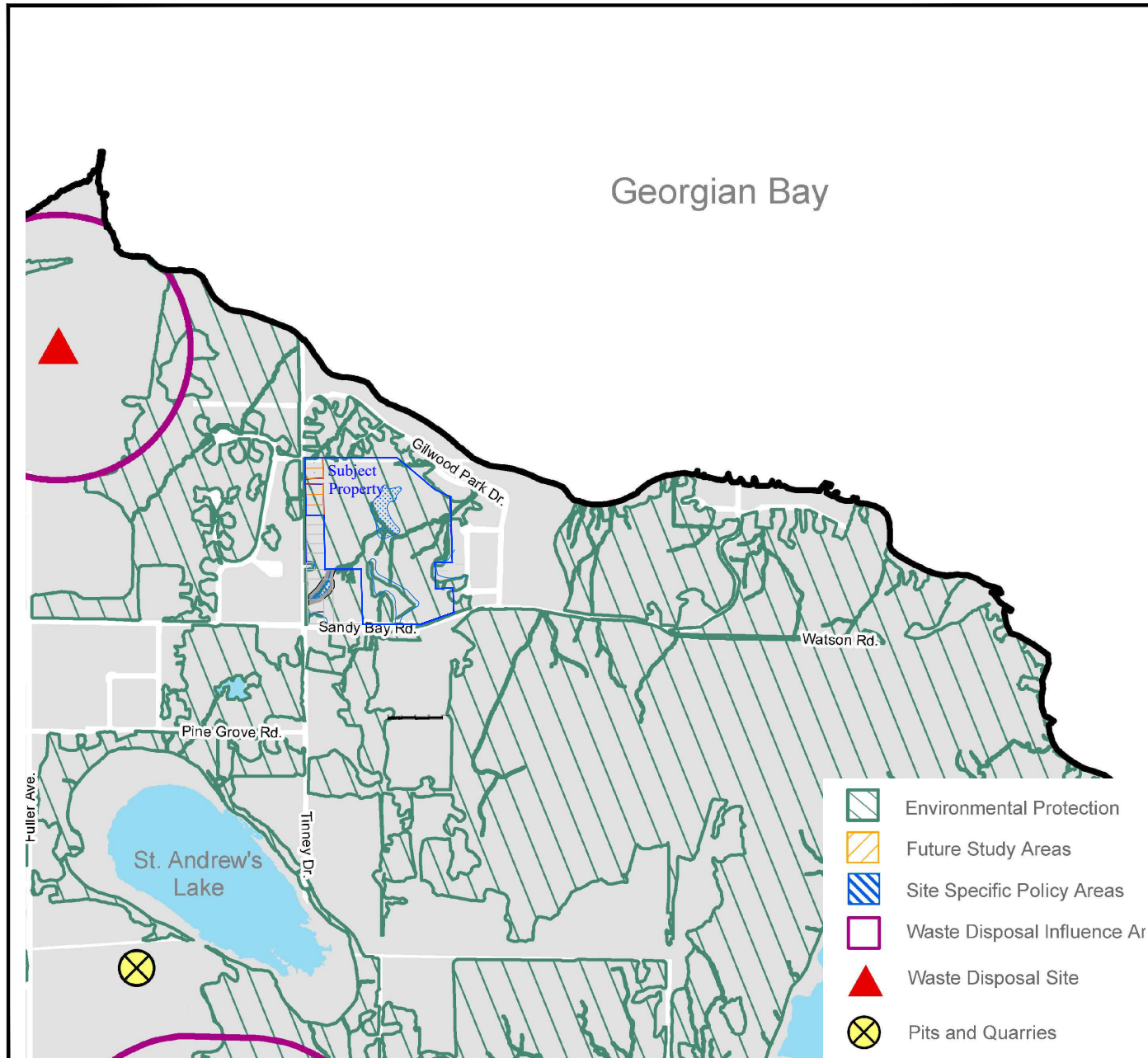
Excerpt of Schedule A
- 1290 Sandy Bay
Road, Lots 14 and 15,
Concession 3, Town
of Penetanguishene ,
Ontario

Figure 6



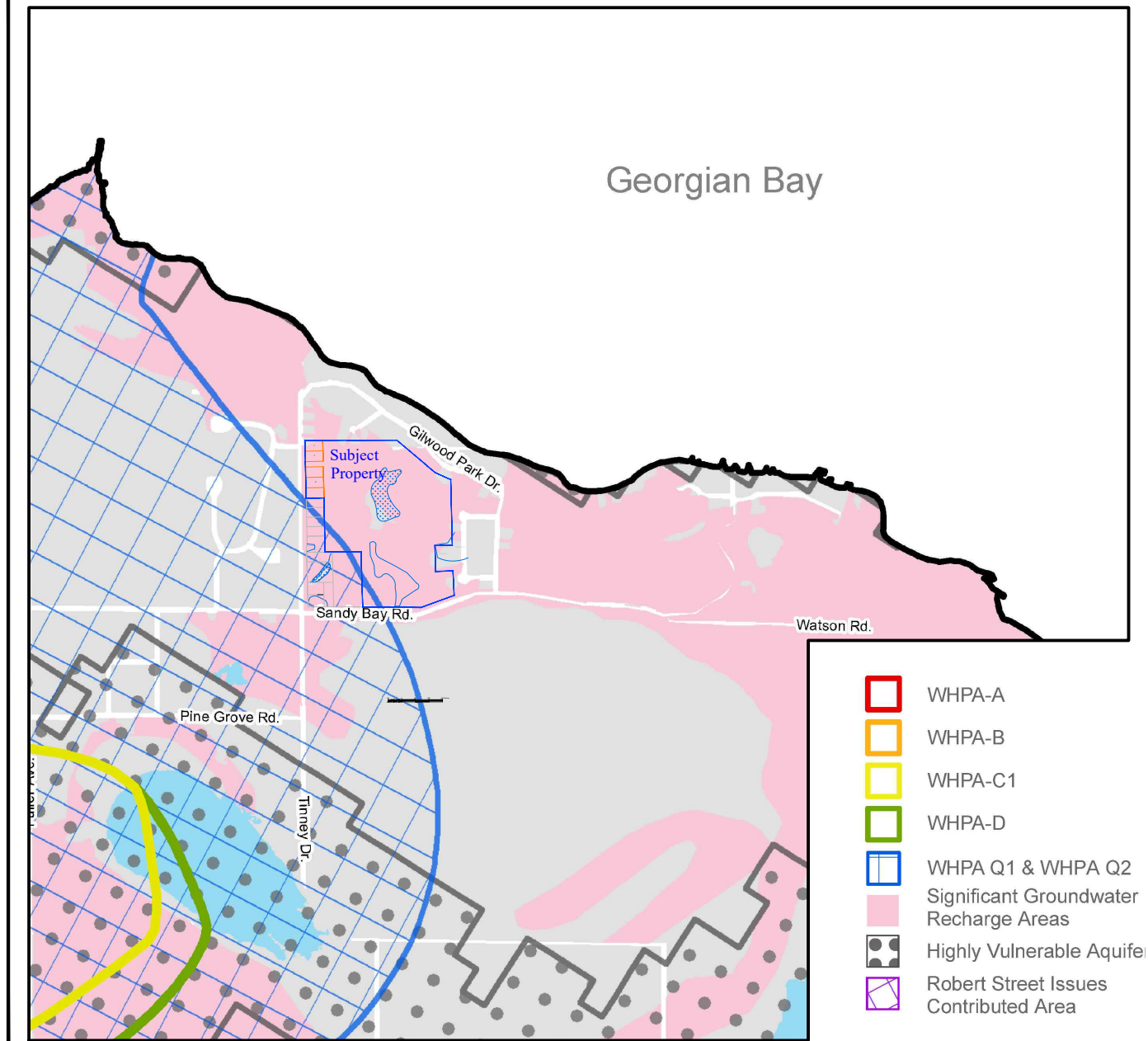
Excerpt of Schedule
B1 - 1290 Sandy Bay
Road, Lots 14 and 15,
Concession 3, Town
of Penetanguishene ,
Ontario

Figure 7



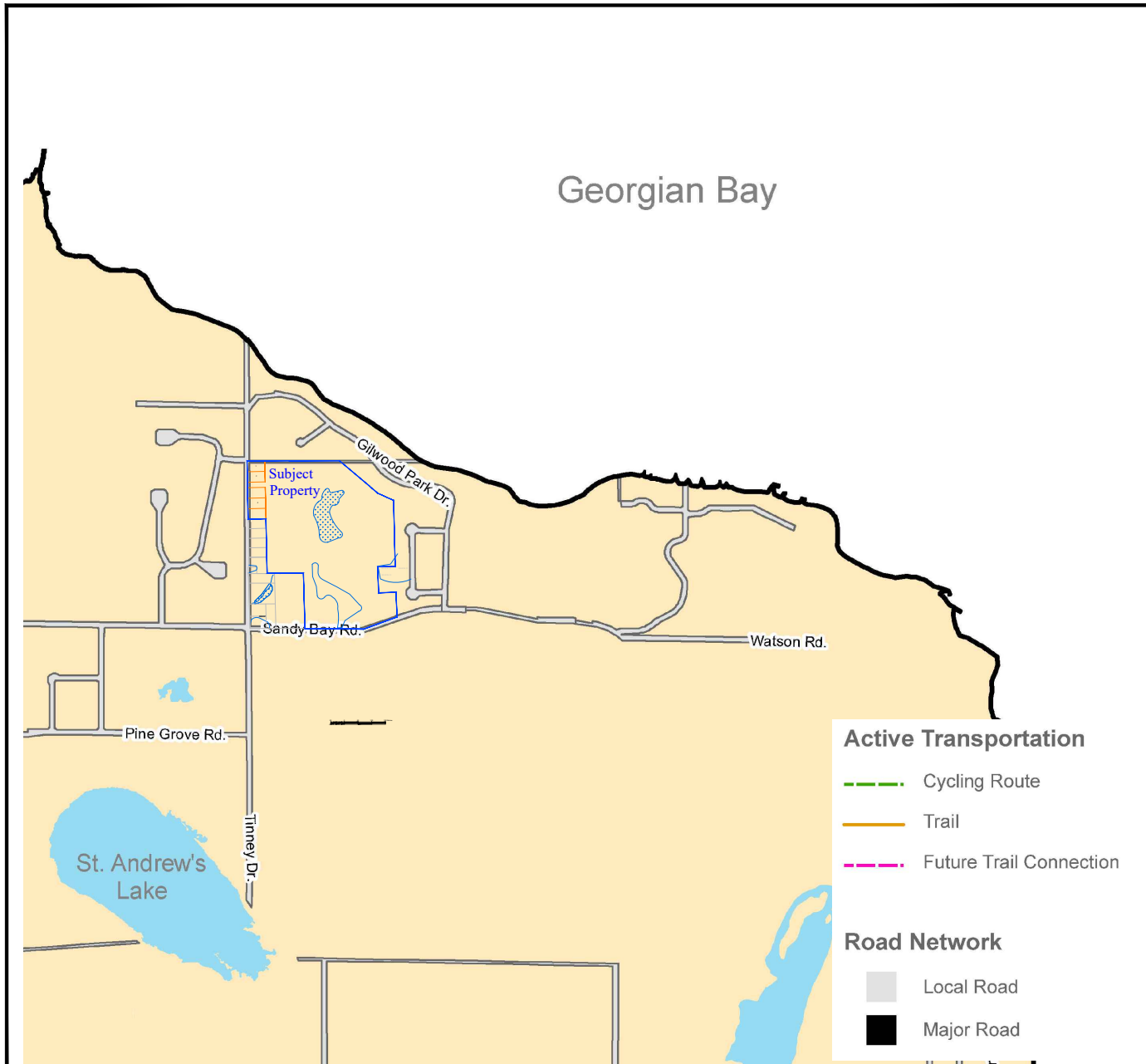
Excerpt of Schedule
B2 - 1290 Sandy Bay
Road, Lots 14 and 15,
Concession 3, Town
of Penetanguishene ,
Ontario

Figure 8



Excerpt of Schedule C
- 1290 Sandy Bay
Road, Lots 14 and 15,
Concession 3, Town
of Penetanguishene ,
Ontario

Figure 9



Section 4.9.1 Permitted Uses of the Rural Area designation states that the permitted uses are agriculture, forestry, and other resource based uses that do not disrupt other permitted uses, limited rural industrial uses, tourist commercial and private recreational uses, existing pit and quarry operations, home occupations and home industries in association with a permitted residential use, bed and breakfast establishments, a secondary dwelling unit, low density residential uses and uses accessory to any of the foregoing uses. **This Section of the Plan establishes the principle of development for low density residential uses.**

The Residential Uses policies of Section 4.9.2 of the Official Plan applicable to the proposed development state that limited residential development is permitted in the Rural Area if it does not impact the character of the Rural Area, the development protects wooded and scenic landscapes as well as ensures that no areas of wildlife habitat are adversely impacted; the lot sizes of the proposed development are of an adequate size to accommodate the dwelling and only permit the removal of trees for the building envelope and a driveway; the lands to be developed have access to a public road that is maintained year round by the Town; and the development meets the servicing policies of the Town. **The development proposed is for a limited number of residential lots and is in keeping with the low-density residential character of the surrounding area.** Figure 4: Site Plan for the proposed residential severed lots identifies a typical development layout for each lot including the driveway, single detached dwelling footprint, septic tank and bed and the mantle. **The Environmental Impact Study (EIS) prepared by Neil Morris, Consulting Ecologist confirms natural heritage features and functions including but not limited to the woodlands and wildlife habitat referenced in this Section of the Official Plan are not impacted by the proposed residential lots.**

Section 4.10, Environmental Protection Area of the Official Plan states that Natural Heritage Areas are designated as Environmental Protection Area (EP) on Schedule 'A' and identified as Environmental Protection Overlay (EPO) on Schedule 'B1' to this Plan. In this case the subject property is designated as Rural Area on Schedule 'A' and EPO on Schedule 'B1'. The EP designation includes lands where development and site alteration are prohibited, whereas the EPO includes lands where development and site alteration may be permitted, subject to preparation of an EIS including significant woodlands for example. **The EIS prepared by Neil Morris supports the proposed limited residential development on the subject property in accordance with the Rural Area designation policies of the Official Plan.**

Section 5.2.3, Local Roads of the Official Plan states that direct access to local roads from abutting properties is permitted provided the access point is in a location where there are adequate sight lines. Local roads as designated on Schedule C have right of way widths of at least 16 m and two lanes of traffic. **The sight lines for the proposed severed lots were assessed by Kevin Bobechko, Eng., of the Kardin Group in a Functional Servicing Design Brief and determined**

to be suitable. In addition, Gilwood Park Drive at this location is 20 m wide with a rural cross section and paved surfaces for two-way traffic.

Section 5.3.1.1, Partial Services in Clause 3 and 5 states that priority shall be given to the development of land that is presently serviced by municipal piped water systems, or those areas that can most easily be serviced at minimal expense; and private sewage disposal may be provided by a septic tank and weeping tile system subject to approval by the Town. A servicing report may be required to identify the most appropriate form of servicing. **The Functional Servicing Design Brief by Kevin Bobechko, Eng., of the Kardin Group determined that municipal piped water services were readily available nearby, but piped sanitary sewers were not. The preferred method of servicing in this case is municipal water and private septic systems for each lot. The cost of provision of municipal piped water service to the severed lots would be borne by the developer.**

The Clauses set out in Section 6.3.5.2, Consents of the Official Plan are stated below and our planning comments highlighted in bold black text as follows:

1. "A consent should only be permitted where a plan of subdivision is deemed to be unnecessary, where the application conforms with the policies of this Plan, is consistent with the Provincial Policy Statement, and generally, the consent shall not result in the creation of more than 5 new lots in a single application." **This application proposes five (5) residential lots with frontage on an existing public road. The depth and size of the lots and reliance of direct public road access ensure no negative impact on natural heritage features further back on the property.**
2. "Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes as a condition of consent." **This policy is not applicable to new lot creation for land development.**
3. The following policies shall be used to evaluate consent application ...which may be applicable to a particular application.

a. Road Access

- i. The lot to be retained and the lot to be severed shall have frontage on and access to an open, improved public road which is maintained on a year-round basis. **This policy is satisfied.**
- ii. Lots may not be created which would create a traffic hazard ... **This has been addressed by the Kardin Group and satisfied.**

- iii. Any required road widenings ... may be required as a condition of severance approval. **It appears the Gilwood Park Drive meets ROW width required by the Local Roads policy of the Official Plan. No widening is anticipated.**
- iv. Notwithstanding I., the lot to be retained and the lot to be severed may have frontage on a Private Road ... **This policy is not applicable.**

b. Lot Size

- i. The lot area and frontage of both the lot to be retained and the lot to be severed shall be adequate for existing and proposed uses and shall allow for the development of the use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering. **It is our position as planners that the lot area and frontages of the severed and retained parcels are appropriate and compatible with surrounding low-density residential land uses and appropriately setback without provision for buffering.**
- ii. The proposed lots shall comply with the provisions of the zoning by-law. Where it is not possible to meet the requirements of the Zoning By-law, the Town may amend the standards of the By-law or a minor variance may be granted as a condition of approval, where that condition is considered appropriate. **The proposed severed and retained lots comply with the Rural (RU) Zone applicable on the subject property.**

c. Proper Development of Adjacent lands

- i. The proposed lot(s) shall not restrict the development of other parcels of land, particularly the provision of access to allow the development of the remnant parcels in the interior of a block of land. **The proposed lots collectively are approximately 1.2 hectares in area and the retained parcel is approximately 23.9 hectares. The lot frontages for the retained lot provide opportunities for future access points along both Gilwood Park Drive and Sandy Bay Road.**

d. Parkland Dedication

- i. Where a consent is approved, the parkland dedication policies of Section 6.3.11.2 shall apply. **It is anticipated that a 5% cash-in-lieu of parkland will be required for the severed lots.**

e. Municipal Services

- i. Connection shall be made to municipal services provided they are available. Where

they are not individual water and sewage services may be permitted ... **It is anticipated that the severed lots will be serviced by municipal water and private septic systems.**

- f. The Town may require the following conditions of approval of a consent application for the severed lot and/or retained lot where such a condition is appropriate:
- i. payment of taxes;
 - ii. payment of development charges;
 - iii. payment of drainage and local improvement charges;
 - iv. provisions for connection to the municipal water or sanitary sewage services;
 - v. provisions for stormwater management;
 - vi. road dedications or improvements;
 - vii. parkland dedications or payment-in-lieu;
 - viii. approval of zoning by-law amendment or minor variance;
 - ix. approval of Site Plan; and
 - x. other technical matters deemed appropriate by the Town under specific circumstances of the Consent.

It is anticipated that the Town will impose conditions of approval such as for payment of taxes, payment of development charges, provision of municipal water service, payment of cash-in-lieu of parkland and other technical matters associated with the division of land as referenced in i. to x. above through a land division agreement.

- g. Consents for building purposes shall not be permitted under the following circumstances:
- i. the land is located within any Natural heritage features and areas, and a suitable building site cannot be found through the evaluation completed in an Environmental Impact Study;
 - ii. the land is located in a floodway;
 - iii. the land is located on or within 300 metres of an area, as identified by the Province.
 - iv. Provincial and Town transportation objectives, standards or policies cannot be maintained; or
 - v. the severed and retained parcels cannot be provided an adequate level of service.

The matters identified in i. to v. above are not applicable in this case in our opinion as planners.

On the basis of our planning analysis, we have determined that the proposed consent to land severance is in conformity with the Official Plan of the Town of Penetanguishene.

4.5 TOWN OF PENETANGUISHENE ZONING BY-LAW

The subject property is zoned as Rural (RU) Zone on Schedule A of the Town Zoning By-law 2022-17, as amended. Figure 10 – Excerpt of Penetanguishene Zoning By-law – Schedule “A” illustrates the Rural (RU) Zone applicable to the subject property. The RU Zone permits a conservation, forestry, or general agricultural use, a single detached dwelling, a home occupation, or private home daycare or bed and breakfast establishment, an outdoor recreation area, a private or public park, a farm produce sales outlet, a home industry, a kennel and a public use.

The Zoning Requirements of the RU Zone for a Single Detached Dwelling are as follows:

Minimum Lot Area	2000 m ²
Minimum Lot Frontage	35 m
Minimum Required Front Yard	7.5 m
Minimum Required Exterior Side Yard	7.5 m
Minimum Required Interior Side Yard	3.0 m
Minimum Rear Yard	7.5 m
Maximum Lot Coverage	35%
Minimum Ground Floor Area	85 m ²
Maximum Building Height	11.0 m

The Zoning Requirements of the RU Zone for Other Permitted Land Uses are as follows:

Minimum Lot Area	19.8 ha
Minimum Lot Frontage	152 m
Minimum Required Front Yard	8.0 m
Minimum Required Exterior Side Yard	8.0 m
Minimum Required Interior Side Yard	8.0 m
Minimum Rear Yard	8.0 m

Figure 10



Maximum Lot Coverage	10%
Maximum Building Height	11.0 m

A zoning by-law amendment is **not** required to accommodate the consent to land severance application as the severed and retained lots will all comply with the lot area and frontage requirements for the Rural (RU) Zone.

5.0 PLANNING RATIONALE

The proposed Consent to Land Severance application is to sever 1290 Sandy Bay Road into five severed lots and a retained parcel of land. The severed lots proposed all have lot areas and frontages that exceed the minimum lot area and lot frontage of 2,000 m² and 35 m for the Rural (RU) Zone. The retained parcel has a lot area and lot frontage that exceeds the minimum lot area and lot frontage requirement of 19.8 hectares and 152 m for the Rural (RU) Zone. A 0.3 m reserve is proposed for the 20 m frontage provided for the retained parcel on Gilwood Park Drive. This 20 m frontage is intended to provide a location for a future internal street subdivision access and ensure the lot frontage of the retained parcel as per the definition in the Zoning By-law is measured on Sandy Bay Road. The severed lots and the retained parcel with this 0.3 m reserve will all comply with the Rural (RU) Zone requirements.

In our opinion as planners the proposed consent to land severance application is consistent with the Provincial Policy Statement. The Official Plan for the County of Simcoe establishes the principle of development for a diversity of land use including residential, commercial, industrial and institutional uses to reinforce their traditional role as central places and service centres. The proposed consent to land severance will contribute to Penetanguishene realizing growth in the Simcoe County context and will support the Town to meeting local residential housing needs.

The Rural designation of the Official Plan establishes the principle of low-density residential land use on the subject property and a limited number of residential lots by land severance, notably five (5) new lots on Gilwood Park Drive. There is no further lot creation potential for the subject property along Gilwood Park Drive. This Planning Justification Report, the Environmental Impact Study (including the TPP and the Peer Review Response of February 2025 by Neil Morris) and the Functional Servicing Design Brief provide a solid land use planning, environmental and servicing rationale in support of the consent to land severance application on the subject property.

The consent to land severance application complies with the Town Zoning By-law. The land uses proposed and the size of all severed and retained lots are consistent with the Zoning By-law. No zone change is required in support of this application.

6.0 CONCLUSIONS

In conclusion, the proposed development is consistent with the PPS and in conformity with the Official Plans for the County of Simcoe and the Town of Penetanguishene and represents good planning.

In our opinion as planners the proposed consent to land severance will result in an appropriate form of land use at this location and represents the optimal and best use of the subject severed lots under the current planning policy regime.

We trust our Planning Justification Report meets your municipal processing requirements for the proposed consent to land severance application.

Respectfully submitted by:

GOODREID PLANNING GROUP

A handwritten signature in blue ink that reads "Brian Goodreid". The signature is written in a cursive, flowing style.

Brian J. Goodreid, MCIP, RPP
Principal