

PLANNING JUSTIFICATION REPORT

in support of
an application for a
Zoning By-law Amendment
and a Plan of Subdivision

for

Queen's Court Developments Ltd.

for lands known as

221 Fox Street

Part of lots 104 to 113 West of Church Street,
Registered Plan 70, Military and Naval Reserve
Town of Penetanguishene
County of Simcoe

July 16, 2022

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1.0 INTRODUCTION

Celeste Phillips Planning Inc. has been retained by Queen’s Court Developments Ltd. to request approvals for a Zoning By-law Amendment (ZBA) and a plan of subdivision. A medium density development is proposed, consisting of 88 townhouses, proposed to be developed as a common element condominium project.

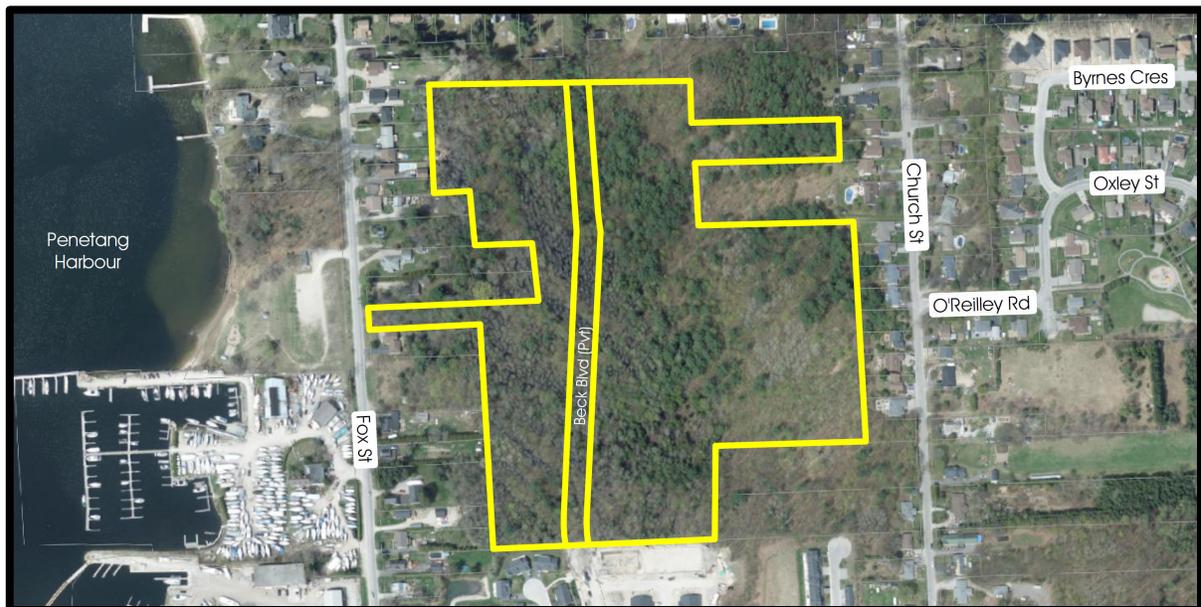
This report presents my professional planning opinion and includes a synopsis of applicable Provincial, County and Municipal planning policies as they relate to the subject lands. Further, this report provides the background and rationale relative to the applications.

2.0 BACKGROUND

2.1 LOCATION

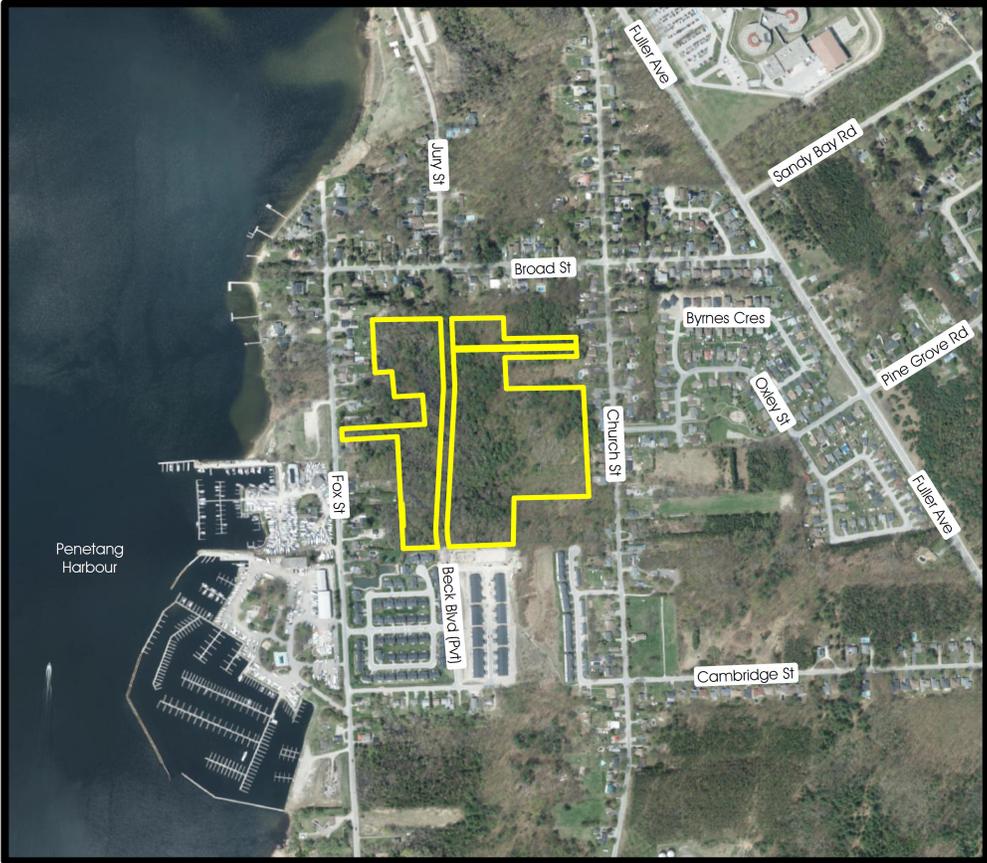
The subject property (“Queen’s Court”) shown in **Figure 1** consists of approximately 11.5 hectares (28.4 acres). The property is generally located east of Fox Street, north of the northerly terminus of Beck Boulevard, west of Church Street and south of Broad Street. The property is currently vacant and is located within the built boundary of the Town of Penetanguishene. The municipal address is 221 Fox Street.

Figure 1: Location Map



A portion of the property is owned by the Town and is currently landlocked. These Town lands are approximately 20 metres wide and extend from the current terminus of Beck Boulevard, northward to in Broad Street. Surrounding lands to the north, south and east are developed with single detached dwellings as illustrated in **Figure 2**. Lands to the south are developed as a land lease community and consist of single, semi-detached and townhouse dwellings. The land generally falls from the east to west.

Figure 2: Context Map



2.2 PREVIOUS APPLICATIONS

The Town of Penetanguishene issued a notice of complete application for a plan of subdivision for these lands in December 2014, and a notice of complete application for the implementing rezoning by-law request in December 2017.

The plan proposed at that time consisted of 89 single detached lots, and a medium density block consisting of 28 units. The plan contemplated the northerly extension of Beck Boulevard to connect with Broad Street.

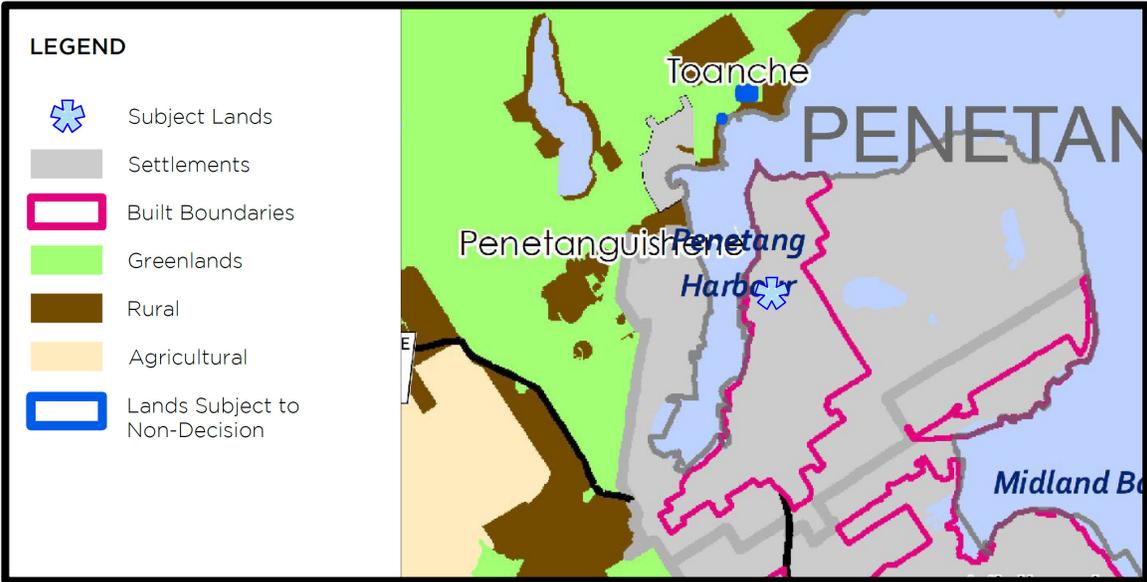
In March of 2018, Town Council refused both planning applications (PEN-SUB-2013-01 and Z.A.8/2015).

2.3 OFFICIAL PLAN DESIGNATIONS AND ZONING

2.3.1 County of Simcoe Official Plan

The lands are designated Settlements in the County of Simcoe Official Plan and located within the Built Boundary identified for the Town of Penetanguishene.

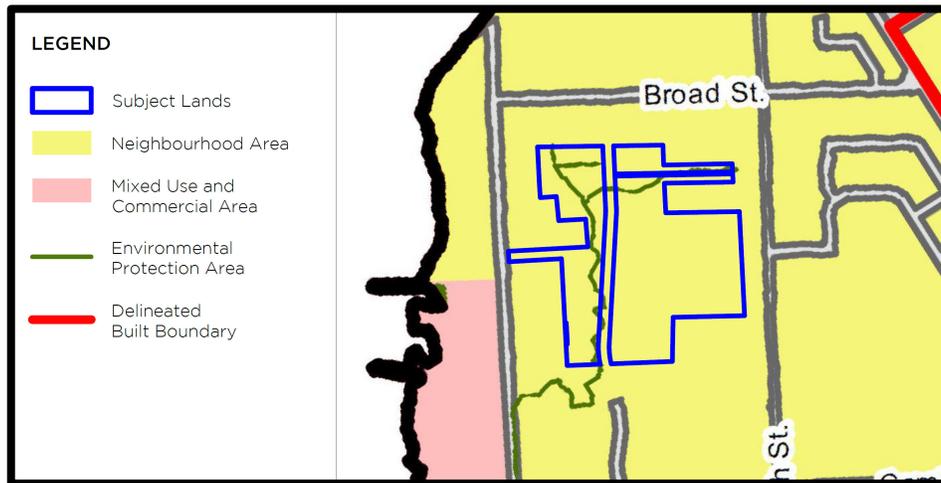
Figure 3: County of Simcoe Land Use Designations (extract)



2.3.2 Town of Penetanguishene Official Plan

On Schedule A: Land Use Structure, the Town of Penetanguishene’s Official Plan designates the lands Neighbourhood Area. Schedule B1 to the Town’s Official Plan shows an Environmental Protection Policy Overlay. Future road connections are not shown on Schedule C: Transportation Network, and as such, the extension of Beck Boulevard is not illustrated.

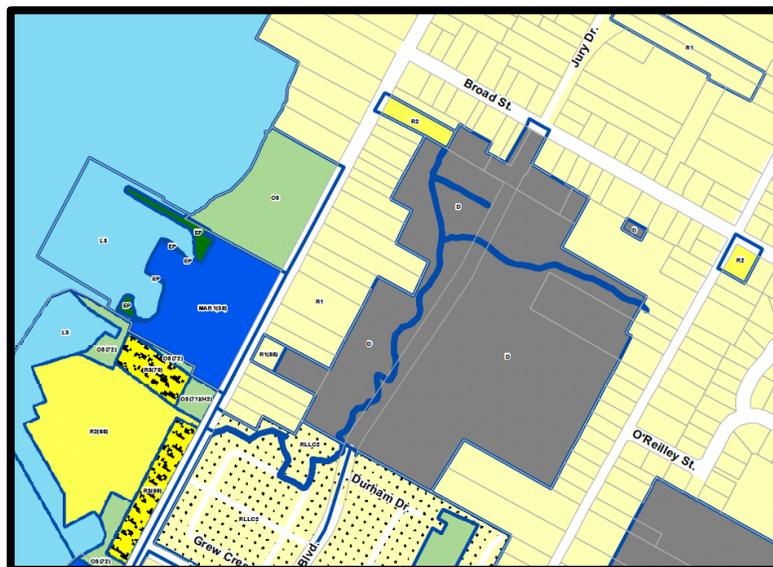
Figure 4: Town of Penetanguishene Official Plan Land Use Structure (extract)



2.3.3 Town of Penetanguishene Zoning By-law

Penetanguishene’s Zoning By-law 2000-02 zones the property “D” which represents the Deferred Development Zone (**Figure 5**). The Town’s new Zoning By-law also shows a Deferred Development Zone, but with a blue north-south line added to the Queen’s Court property. The addition of this line is currently under appeal. A rezoning to various residential zones is required prior to development proceeding.

Figure 5: Zoning Extract



2.4 TECHNICAL REPORTS

Technical Reports submitted as part of the previous planning applications included a Functional Servicing and Stormwater Management Report, an Environmental Impact Study and addendum (which was peer reviewed by the Town's environmental consultant), a Species at Risk survey, a Stage 1-2 Archaeological Investigation, Geotechnical and Hydrogeological Studies and a Bat Survey.

As part of the new planning applications, the Town requested updated engineering and environmental reports as well as a traffic report.

These reports/studies have been completed and conclude that the proposed development will meet all applicable requirements of the Province of Ontario, County of Simcoe and Town of Penetanguishene.

3.0 PROPOSED DEVELOPMENT

There has been extensive communication and collaboration with the Town to revise the plans. Prior to submitting these planning applications, and since 2020, Queen's Court Developments has met with the local community group Preserve and Protect Penetanguishene (PPP) over 10 times in person and by Zoom. Queen's Court has hosted three in-person meetings in Penetanguishene, two held at the library on August 24, 2021 and a well-attended Design Charrette held at a community meeting room at the Penetanguishene Arena on November 23, 2021. Feedback from these meetings has been prioritized and considered in this revised submission.

Two planning applications are being submitted:

- a) An amendment to the Zoning By-law to change the zoning from Deferred (D) to:
 - a Townhouse Residential zone (with site specific exceptions) for the 88 proposed condominium townhouses,
 - Open Space zones to recognize lands that will not be developed, a stormwater management pond and the open space area associated with the common element condominium.
- b) A Plan of Subdivision application to establish blocks which will allow for condominium tenure for the townhouses.

The proposed development concept shows the partial extension of Beck Boulevard northward with a connection to the west to Fox Street. This roadway,

to be assumed by the Town of Penetanguishene is proposed to be 20 metres in width.

The townhouses would be developed on 7 metre wide common element roadways, with maintenance and snow clearing managed by the Condominium Corporation. Similarly, snow storage and visitor parking areas are shown, with these elements to be managed by the Condominium Corporation.

The plan shows an open space buffer consisting of a minimum 10 metres in width, adjacent to the west, south and easterly boundaries of the ownership. This buffer shows Queen’s Courts’ interest in prioritizing the natural environment and lessening the development impact to adjacent properties.

The proposed stormwater management pond, consisting of 0.477 hectares will be dedicated to the municipality.

Of special note is the proposed open space area in the northern part of the plan, consisting of approximately 5.2 hectares (12.9 acres). This open space area represents approximately 47 percent of the total land area. The applicant will dedicate, or donate these lands to a Land Trust or Conservation Group to manage the open space long-term.

Careful attention has been paid to environmental features which area residents expressed an interest in -- a setback from a wetland area, and the inclusion of existing nature trails. The neighbourhood comments have influenced the design and location of the built form to ensure a ‘light touch’ to development. The proposed townhouses are concentrated in an area suitable for development.

The distribution of lands uses is proposed as follows:

Figure 6: Land Use Distribution

Use	Units	Area (Hectares)	Area (Acres)	Percentage
Residential Condominium Townhouses	88	5.047	12.47	45.2 %
Open Space		5.246	12.96	47 %
Stormwater Management		0.477	1.18	4.3 %
Street (Beck Blvd) 0.3 metre reserves		0.393 0.006	0.97 .002	3.5 % 0.1%

Figure 7: Proposed Plan of Subdivision and Figure 8: Draft Plan of Condominium illustrate the development concept. These plans are provided in full size and 11 x 17 sizes.

Figure 7: Proposed Plan of Subdivision



Figure 8: Draft Plan of Condominium



4.0 REVIEW OF APPLICABLE PLANNING POLICIES

4.1 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides planning policy direction on matters of Provincial interest related to land use planning and development in Ontario. It is noted that all planning decisions made in the Province of Ontario are required to be consistent with the Provincial Policy Statement.

The Provincial Policy Statement encourages a range of housing options, including new development as well as residential intensification to respond to current and future needs. A summary of relevant policies is as follows:

- Promoting efficient development (1.1.1 a)) and cost-effective development patterns (1.1.1 e)).

- Accommodating a range and mix of residential types to allow appropriate affordable and market-based housing options (1.1.1 b)).
- Focusing growth and development to settlement areas (1.1.3.1).
- Encouraging a mix of land uses within settlement areas that efficiently use land and resources and that efficiently use the planned or available infrastructure (1.1.3.2 a) and b).
- Promoting opportunities for a range of housing options through intensification and redevelopment (1.1.3.3 and 1.1.3.6).
- Facilitating intensification, redevelopment and compact form by way of appropriate development standards (1.1.3.4).
- Providing a range and mix of housing types and densities required to meet projected requirements and promoting all forms of residential intensification (1.4.1 and 1.4.3).
- Permitting and facilitating housing options and all types of residential intensification (1.4.3 b)).
- Directing development of new housing with appropriate levels of infrastructure (1.4.3 c)).
- Promoting the efficient use of land and infrastructure and prioritizing intensification and compact format (1.2.3 d) e) and f)).
- Providing publicly accessible natural settings for recreation including parklands, open space areas, trails (1.5.1.b).

In more specific terms, approval of the plan of subdivision and rezoning for the Queen's Court lands will:

- accommodate new population growth on vacant land in an area that can be serviced, within a defined Settlement Area and within the defined Built Boundary;
- developing residential uses in a compact form to meet the long-term needs of the community;
- assist the Town of Penetanguishene in achieving the intensification and density targets set by the Province of Ontario;

- permit housing on lands designated for development, on full municipal services;
- providing a significant green space for community use.

The proposed development will contribute to Penetanguishene’s long term prosperity by providing an efficient use of land within a settlement area. No significant or sensitive resources will be impacted by the proposal, nor will the proposal present a hazard to future uses of the site. In fact, the dedication of 47 percent of the property as public open space will be an asset to the Town of Penetanguishene. The proposal is consistent with the Provincial Policy Statement.

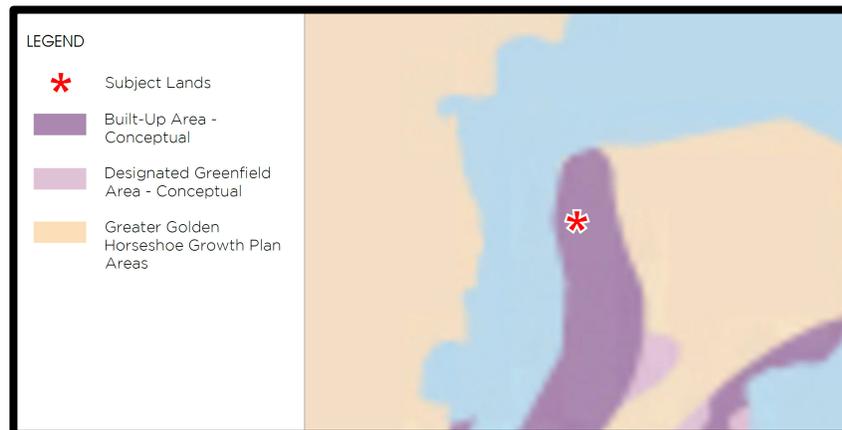
4.2. GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2020

A Place to Grow: Growth Plan for the Greater Golden Horseshoe was prepared and approved under the Places to Growth Act, 2005 and has been updated in 2017 and most recently in May 2020. This document contains policies to manage growth to the year 2051 and is to be read in conjunction with the Provincial Policy Statement.

This document guides decisions on a wide range of issues, including transportation, infrastructure, land use planning, urban form, housing, natural heritage and resource protection. All Regional and Municipal documents in the Greater Golden Horseshoe are required to conform to the policies of this Plan.

The Queen’s Court lands are located within the built boundary of the Town of Penetanguishene (**Figure 9: Growth Plan extract**). It is important to note that the Growth Plan identifies the Town of Midland together with the Town of Penetanguishene as a ‘primary settlement area’.

Figure 9: Growth Plan extract



Section 2.1 of the Growth Plan states: *This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.*

Also in Section 2.1 is reference to the achievement of complete communities, as follows: *To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH [Greater Golden Horseshoe] need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification...*

As noted, the Growth Plan directs new development to settlement areas such as Penetanguishene where there are full municipal services and where there is a delineated built boundary (2.2.1.2 a).

Supporting policies from the new Growth Plan include the following:

- Supporting a range and mix of housing options including second units and affordable housing to serve all sizes, incomes, and ages of households (Guiding Principles 1.2.1).
- Directing development to settlement areas and away from hazardous lands (2.2.1.2 d), e)).
- Achieving a complete community that provides a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (2.2.1.4 a) and c)).
- Encouraging municipalities to develop a system of publicly-accessible parkland, open space, and trails (4.2.5).
- Supporting the achievement of complete communities by:
 - planning to accommodate forecasted growth (2.2.6.2 a)).
 - planning to achieve the minimum intensification and density targets (2.2.6.2 b)).
 - planning to diversify the overall housing stock across the municipality (2.2.6.2 c)).

Given this policy framework, the proposed development concept for the subject lands represents the type of development that the Growth Plan encourages. This

residential townhouse development represents growth in a fully serviced settlement area with the provision of a very significant dedication of open space lands.

Based on my review of the proposed development plan as well as the reports and studies submitted, it is my opinion that the proposal conforms with the Growth Plan for the Greater Golden Horseshoe, 2020.

4.3 COUNTY OF SIMCOE OFFICIAL PLAN

The County of Simcoe Official Plan provides the land use policies for planning in the County including the Town of Penetanguishene. One of the key themes of the Plan is to *direct a significant portion of growth and development to settlements where it can be effectively serviced with a particular emphasis on primary settlement areas (3.1.1)*. As noted earlier, the Queen's Court lands are designated 'Settlements' on Schedule 5.1 to the County Plan, and the Town of Penetanguishene has been identified by the Province as a Primary Settlement Area.

Policies of the County Official Plan indicate that:

- The majority of population growth will be directed to settlement areas with full municipal services (3.2.3, 3.2.4, 3.5.1, 3.5.2, 3.5.7).
- A proportion of new growth will be accommodated through intensification (3.2.3) and priority will be given to infill and intensification proposals that use existing infrastructure (3.5.15). Intensification is defined as: *the development of a property, site or area at a higher density than currently exists through: a) redevelopment, including the reuse of brownfield sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings.*
- Division of land by plan of subdivision is permitted in the Settlements designation (3.3.2). The proposed condominium townhouses will have access to a public road, Beck Boulevard (Policy 3.3.4) by way of common element roadways. The local municipality will require the owner to enter into a subdivision agreement (Policy 3.3.9) prior to development proceeding.
- There are no significant wetlands, significant coastal wetlands that will be impacted by the proposed lot creation (Policy 3.3.15 i).
- The Town of Penetanguishene's Official Plan has on Schedule B identified Environmentally Protected lands as an overlay designation. This is addressed in Section 4.4 of this report (Policies 3.3.15 ii, 3.3.15 iii).

- A Species at Risk Report has been prepared and no fish habitat, endangered or threatened species were found (3.3.15 v, 3.3.15 vi).
- Servicing and stormwater management of the property and a review of potential traffic issues has been undertaken by WMI & Associates Limited and demonstrates that the proposed development can be efficiently serviced (Policies 3.3.19, 3.3.20).
- The proposed lots are unlikely to adversely affect adjacent uses in terms of odour, noise vibration, particulates or other emissions and of note are the proposed +/- 10 metre wide green buffers shown on the plan that provide a separation distance from existing developed areas. (Policy 3.3.21).
- A range of housing types and densities are encouraged (3.2.8). and the Plan promotes a development form that minimizes land consumption and servicing costs (3.5.4).
- Primary settlement areas such as the Town of Midland/Town of Penetanguishene are suitable for high intensification targets (3.5.6).
- The minimum density target (residents and jobs per hectare) for the Town of Penetanguishene is 50 (3.5.23). Assuming 88 townhouse units with 2 persons per unit, the proposed overall density for the project would be 15.7 persons per hectare (176 persons/11.169 ha.). However, on the basis of the lands set aside only for condominium use, (i.e. not the Open Space designation) the density would be 34 persons per hectare (176 persons/5.046 ha.) thereby contributing to the Town's target.
- The County has set the intensification target for Penetanguishene at 40 percent (3.5.24). This means that 40 percent of all new residential units are to be developed within the built boundary of the Penetanguishene settlement area. As indicated in Section 2.2 of this report, the Queen's Court property is located within the Penetanguishene built boundary and the proposed development will assist the Town in meeting its intensification target.
- Development within the built up areas of settlement areas may be of a higher density in order to achieve the policy directives of the County Plan (3.5.29). A range of types of housing is anticipated by the County and local municipal Official Plans are to facilitate such housing (3.5.30).
- Policy 4.1.3 of the County Official Plan encourages a full range and equitable distribution of publicly accessible built and natural settings for recreation, including parkland, open space and trails. (4.1.3)

As a summary of the relevant policies of the County of Simcoe Official Plan, it is my planning opinion that the proposed development is in conformity with the objectives and policies of the County Official Plan.

4.4 TOWN OF PENETANGUISHENE OFFICIAL PLAN

The Town of Penetanguishene's new Official Plan came into effect on January 9, 2020 and designates the Queen's Court lands as Neighbourhood Area.

Reference is made to pertinent Official Plan polices as follows:

- The environmental work concludes that the proposed development of the Queen's Court lands will not have an impact on Natural Heritage Features and Areas (1.4.2.1).
- Development of the lands will increase access to different housing types and tenures in the Town (1.4.2.2.).
- The proposed development responds to the Town's interest in accommodating a wide range of land use and opportunities for intensification, infill and redevelopment (2. Managing Growth) where full municipal services are available.
- The plan of subdivision proposes a total of 88 townhouses as a residential townhouse project which will assist in diversifying the existing housing stock in the Town of Penetanguishene (2.2).
- The Town's Official Plan supports residential intensification within the Delineated Built Boundary and along Major Roads while minimizing negative impacts on established Neighbourhood Areas (2.2.2, 2.2.5).
- The boundaries of the Environmental Protection Overlay can be refined through an Environmental Impact Study and an amendment to the Official Plan is not required (1.7.7, 3.10.8.3).
- The Environmental Impact Study prepared in support of the Queen's Court planning applications concludes that the proposed development can take place without adverse impacts to the environment.

The Town's Official Plan at Section 2.2.6.12 sets out criteria for considering applications for infill development. The Town's definition of infill includes *filling development gaps in existing neighbourhoods*. Given that the Queen's Court lands are located in an urban residential area, a response to each of the criterion is as follows:

a) The proposed development lands are appropriately suited for intensification based on the determination that the type and scale of development is appropriate and the effects of intensification have been mitigated including, but not limited to, consideration of transitional densities, built form and land uses.

Development of the Queen's Court land is proposed only in the southern part of the property with almost half of the property (in the north part of the lands) considered for dedication as Open Space. To mitigate potential concerns from existing residents, a minimum 10 metre environmental buffer is proposed. As such, there are no perceived impacts associated with loss of privacy, shadowing or incompatibility.

b) the existing water, sanitary sewer services, and stormwater management facilities can accommodate the additional development;

The WMI & Associates engineering report confirms that the existing municipal services can accommodate the proposed development. A new stormwater management pond is proposed to handle surface flow from Beck Boulevard and the development lands.

c) the road network can accommodate the traffic generated;

The Queen's Court development contemplates the northerly extension of Beck Boulevard, which would then curve westerly to connect with Fox Street. The balance of the development lands will be developed with common element condominium (private) roadways. The traffic report prepared by WMI & Associates assesses the traffic resulting from the proposed development (as well as sight distances) and concludes that traffic generated from the development will not adversely impact traffic movements and capacities on local area roadways.

d) the proposed development is consistent with the policies of the appropriate land use designation associated with the land;

Section 4.2 of the Town's Official Plan sets out the policies for Neighbourhood Areas. Neighbourhood Areas are "characterized by low density residential uses as well as some medium-density residential and a range of service uses and facilities".

There is no requirement to amend the Official Plan designation (Neighbourhood Area) for the proposed development, and the existing zoning (D) contemplates development.

e) the proposal respects and reinforces the existing physical character of the buildings, streetscapes and open space areas;

The Town of Penetanguishene Official Plan defines ‘character’ as the “collective qualities and characteristics that distinguish a particular area or neighbourhood”.

The physical character of the area consists of varied and longstanding single detached housing styles which for the most part have rear yards abutting the Queen’s Court lands. These homes are located along Broad, Fox and Church Streets. The Village at Bay Moorings is a land lease community located south of the Queen’s Court lands. The Bay Moorings development consists of single detached, semi-detached and townhouse residential uses.

As noted previously, the significant open space area that is proposed for dedication reflects the community’s interests in preserving trees and nature trails that have over time become very important to the community.

f) the proposal is compatible with the surrounding development;

The Town’s Official Plan anticipates medium density development within the Neighbourhood Area designation, and the land use policies encourage residential infill development and intensification. It is understood in land use planning law that ‘compatible’ does not mean ‘the same as’ and in this regard, although there are single detached dwellings constructed on nearby lands, this does not preclude townhouse development on the Queen’s Court property, and as noted, there are already semi-detached and townhouses on lands to the south, forming part of Bay Moorings, constructed on private roadways.

g) the proposal provides heights, massing and scale appropriate to the site and compatible with adjacent lands;

Two types of townhouses are proposed, none of which require a variation to the maximum height provisions of the Town’s Zoning By-law. For the most part, all of the townhouse Parcels of Tied Land (POTL) will meet the Town’s standards, although there are minor deviations that are described in Section 4.5 below. The townhouses that are proposed in the northeast part of the plan have been situated to take advantage of the existing slope and the opportunity for sunset views.

The development will contribute to the Town’s achievement of density and intensification targets. It is my opinion that the development as proposed will be compatible with adjacent lands.

h) the proposal provides adequate privacy, sunlight and sky views for existing and new residents;

No variations in height are required for the development of 88 townhouses and there is no expectation that the units will create any shadowing issues. Additionally, the development will be set back a minimum of 10 metres from existing residential uses, thereby ensuring rear yard privacy for both the existing and proposed residents. Each of the proposed townhouses will have its own backyard amenity area. With the Queen's Court property separated from other area properties there are no concerns regarding loss of privacy for existing residents in the area.

i) the proposal screens loading and service areas; and

Loading and service areas will not be required for the proposed development of the common element condominium townhouses. It is expected that the development will be subject to Site Plan Control at which time there can be a discussion regarding waste disposal, be it municipal or private.

j) the proposal complies to the appropriate urban design and built form policies of this Plan.

The Town's Official Plan contemplates medium density uses within the Neighbourhood Area and policies promote infill residential development as proposed. The proposed density does not exceed what is expected for a residential intensification project in the Town of Penetanguishene.

General Policies are found in Section 3 of the Town's Official Plan. Section 3.1, entitled Community Design and Built Form contains policies related to new development applications, including infill development proposals. Of note is the Town's interest in promoting efficient and cost effective development design patterns that minimize land consumption (3.1.2 a), are compatibly scaled and designed to enhance the character of the area (3.1.2.5).

Housing policies are located in Section 3.8 of the Town's Official Plan. Reference is made in policy 3.8.1 to encouraging an appropriate range of attainable housing and increasing the diversity of housing types and tenures. The Official Plan indicates that most of the Town's existing supply of housing is made up of single detached dwellings and there is a limited supply of semi-detached and townhouse dwellings. Approval of the Queen's Court development will assist the Town in increasing the availability of other housing types for existing and future residents in the Town.

Policy 3.8.1.2 indicates that the Town will work with proponents to ensure a full range of housing types and densities are provided to meet the anticipated

demand and anticipated demographic change. Similarly, policy 3.8.14 states that the Town will encourage the development of a full range of unit types and sizes to respond to changes over time, and the Town will support the diversification of the housing stock by encouraging a greater share of townhouse units (3.8.1.5 a)).

The Official Plan also references the need to prioritize the provision of housing that is attainable and affordable. At this point, it is not certain if the proposed townhouses will fall into the attainable sale prices as the timing for construction is dependent on various planning approvals. At the very least however, the Queen's Court development will add to the variety of housing available in the Town.

The Official Plan anticipates that the existing housing stock in Neighbourhood Areas will be supplemented by various forms of intensification. Further, a range of residential accommodation by housing type, tenure, size, and location are to be provided to assist in meeting the Town's housing needs. Toward that end, the Official Plan policies suggest that there may be the need for innovative zoning standards to accommodate the range of housing that is needed. In this regard, minor deviations are needed for some of the proposed townhouses. For this proposed development, a compact form is promoted, allowing for the efficient use of land and infrastructure and the dedication of lands for Open Space use.

The permitted uses in the Neighbourhood Areas are identified in Section 4.2.1 of the Official Plan and include medium density residential uses such as row or block townhouses (4.2.1.3).

The Land Use and Built Form Policies are set out in Section 4.2.2 of the Town's Official Plan. It is my position that the proposed development complies with criteria (a-j) because it:

- a) Is compatible with adjacent uses and will not exceed three storeys;
- b) Will not result in height and massing that is out of character with surrounding land uses;
- c) With the extension of Beck Boulevard, will have direct access to a year-round maintained roadway;
- d) Has access to municipal servicing facilities that are capable of accommodating the development;
- e) and h) Proposes a significant land dedication for open space uses and is in proximity to school facilities;
- f) Can be integrated with existing uses in the area;
- g) Provides adequate on-site parking by way of designated visitor parking areas;
- i) Is supported by a Functional Servicing, Stormwater Management and Traffic Report;
- j) Will be subject to Site Plan Control.

With regard to municipal services, per Policy 5.3.1.1, full municipal services are proposed.

Having reviewed the Official Plan for the Town of Penetanguishene, it is my planning opinion that the development proposed by Queen’s Court conforms to the applicable policies.

4.5 REQUESTED ZONING APPROVAL

The Town of Penetanguishene has recently enacted a new Comprehensive Zoning By-law (2022-17). The zone categories requested for the Queen’s Court development include:

- Residential 3 (R3)
- Residential 3-Exception (R3-X), and
- Open Space (OS)

The Residential 3 (R3) zone permits townhouses with the following standards:

Figure 10: Required Zone Standards

Standard	Requirement
Minimum Lot Frontage	7.5 metres
Minimum Lot Area	220 sq. metres
Minimum Front Yard Setback	6.0 metres
Minimum Interior Side Yard Setback	0 metres
Minimum Exterior Side Yard Setback	4.5 metres
Minimum Rear Yard Setback	7.5 metres
Minimum Setback to the Garage	6.0 metres
Maximum Height	11.0 metres
Maximum Lot Coverage	35 percent

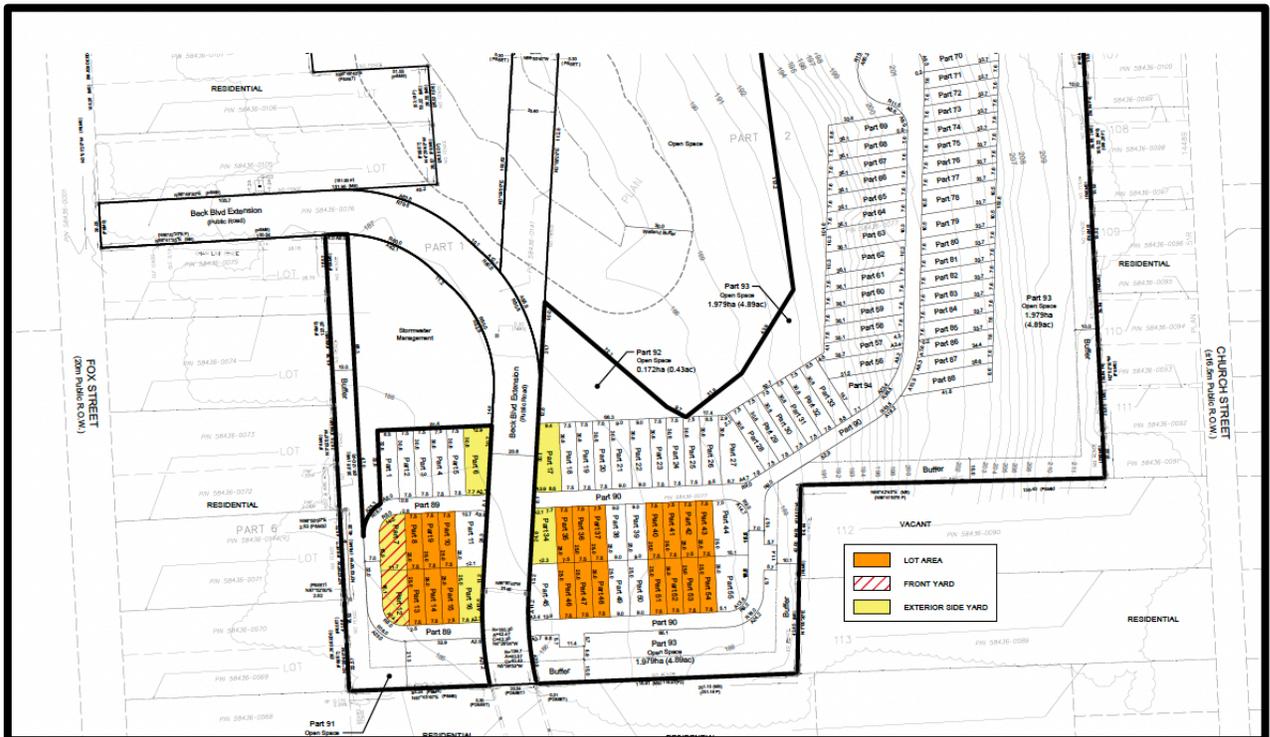
The vast majority of the Parcels of Tied Land (POTL) townhouses conform to all of these zoning standards. The confinement of development to the south part of

the ownership in order to maximize the opportunity to dedicate open space lands that contain nature trails, has resulted in the following site specific requests:

- 6 townhouse POTL's that required a site specific exterior side yard, two of which require a front yard exception (on the curve of the common element roadway);
- 20 townhouse POTL's that are slightly deficiency in lot area.

The POTL's requiring a specific exemption are illustrated in **Figure 11: Site Specific Zoning Requests**.

Figure 11: Site Specific Zoning Requests



The Queen's Court development will be a condominium townhouse project where all units will face private roads. Road maintenance will be managed by a Condominium Corporation and ample space has been set aside for snow storage and visitor parking. It is my planning opinion therefore that the requested site specific rezoning for some of the POTL's is supportable from a land use planning perspective.

The Open Space zone would be applied to the proposed Stormwater Management Pond Block and the illustrated green space including environmental buffer areas.

5. SUMMARY

Having reviewed the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the County of Simcoe Official Plan, the Town of Penetanguishene Official Plan and the Town's Zoning By-law, it is my opinion that the proposed Plan of Subdivision and Zoning By-law Amendment are appropriate for the following reasons:

- The lands are designated Neighbourhood Area and zoned Deferred Development (D). As such, lot creation is contemplated for this property.
- Approval of the Plan of Subdivision and Zoning By-law Amendment will be consistent with the policies set out in the Provincial Policy Statement and will conform to the Growth Plan for the Greater Golden Horseshoe. Additionally, the planning requests conform to both the County of Simcoe and Town of Penetanguishene Official Plans.
- The environmental work concludes that the lands can be developed without any adverse impact on significant natural heritage features. Almost half of the Queen's Court property will be dedicated as Open Space.
- The Stage 1-2 Archaeological work concludes that the property has no archaeological resources and no further archaeological assessment is warranted.
- The Hydrogeological, Geotechnical and Engineering Reports all demonstrate that the lands are suitable for development.
- The proposed rezoning will allow for the creation of eighty (88) townhomes that represent an appropriate housing project for the Town of Penetanguishene.

For all of these reasons, it is my professional planning opinion that the approval of the planning applications to permit a plan of subdivision and rezoning of the Queen's Court property is appropriate and represents good planning.

Respectfully submitted,



Celeste Phillips, MCIP, RPP