

Planning Justification Report

Rezoning of 39 Yeo Street, Penetanguishene, Ontario

This Planning Justification Report will address the property located 39 Yeo Street in Penetanguishene that is owned by Darren Brown. The property in particular was recently created by the Committee of Adjustment by virtue of Consent to Sever Application B1/2021.

The property is described as part of Lot 3, Registered Plan 36 and is more particularly described as Part __, Reference Plan 51R ____ in the Town of Penetanguishene. The land has a frontage of 50 metres onto the north side of Yeo Street and a depth of 50 metres with a lot area of 2,500 square metres. A two story residence with an approximate ground floor area of 120 square metres is situated on the site.

Application

The Committee of Adjustment granted the severance application with several conditions; one of them being that the property be zoned to recognize the existing single family residence. The subject property and the vacant land surrounding it are currently zoned Deferred Development (D) in Zoning Bylaw 2000-02, as amended. This zone is intended to be a restrictive holding zone until such time as the vacant lands are redeveloped.

The application is to rezone the subject lands from Deferred Development (D) to **Residential First Density Special R1S Zone** which will formerly recognize the existing single family residence.

Surrounding Land Uses

The subject property is located on the north side of Yeo Street in an established residential neighbourhood. The lands to the east fronting onto Church Street, and those lands fronting onto the south side of Yeo Street are residential. The immediate lands on the west side of the subject lands are vacant and border onto an unopened road allowance that extends from Yeo Street northward to Don Street. The properties further along Yeo Street and the lands on Don Street distantly backing onto the subject property are also residential.

Provincial Policy Statement

The Provincial Policy Statement (PPS) describes matters of provincial interest related to land use planning and development in Ontario. The policies of the PPS provide for appropriate development while protecting resources of provincial interest, public health, and safety and the quality of natural and built environment. The Provincial Policy Statement supports improved land use planning and management which contributes to a more effective and efficient land use planning system. Section 3 of the PPS requires that decisions affecting planning matters shall be consistent with the policy statements issued under this Act. The documents notes the policies should be read in entirety not individually and that the planning objectives need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal. The PPS speaks to several areas in the provincial interest including: Building Strong Healthy Communities, Wise Use and Management of Resources and Promoting Public Health and Safety.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The document A Place to Grow: Growth Plan for the Greater Golden Horseshoe (GPGGH) came into effect on May 16, 2019 and is a long term plan to “plan for growth and development in a way in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life. To support these goals the GPGGH works to:

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet the people’s for daily living throughout an entire lifetime.
- Prioritize *intensification* and higher densities in *strategic growth* areas to make efficient use of land and *infrastructure* and support transit viability.
- Support a range of mixed housing options, including second units and *affordable* housing, to serve all sizes, incomes, ages of households.
- Provide for different approaches to manage growth that recognizes the diversity of communities in the Greater Golden Horseshoe (GGH).
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Metis communities.
- Integrate climate change considerations into planning and management growth such as planning for more resilient communities and *infrastructure*-that are adaptive to the impacts of a changing climate-and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

Generally the GPGGH directs growth to built-up areas within communities that have the capacities to accommodate the growth and development. The Growth Plan requires intensification of development and greater densities within communities to create more compact, vibrant and complete communities. Additionally the Growth Plan places emphasis on setting higher density targets and encouraging intensification and development on lands with existing or planned Municipal water and waste water systems. The GPGGH includes specific policies affecting the municipality with in Section 6 of the GPGGH, Simcoe Sub Area. The Town is identified as a Primary Settlement Area (PSA) on Schedule 8. Growth is expected in a PSA and to communities where development development can be most effectively serviced, and where growth the range of opportunities for people to live, work, and play in their communities. The GPGGH forecasts a population of the Town of Penetanguishene of 11,000 to 2031, with further allocations to 2041 to be addressed in the County of Simcoe’s Municipal Comprehensive Review. In addition to be identified as a PSA, the Town has a delineated Built Boundary, where growth and intensification are directed.

Section14(1) of the Places To Grown Act, 2005 requires that all decisions under the Planning Act shall conform to the Growth Plan for the Greater Golden Horseshoe.

County of Simcoe Official Plan

The entire Town of Penetanguishene is identified as a “Primary Settlement Area” (PSA) in the County of Simcoe’s Official Plan (SCOP). As a PSA the municipality has a “delineated Built Boundary” and the SCOP indicates with particular emphasis that the PSA will be the focus of growth and employment where it can be effectively serviced and developed as a complete community. There are no specific policies that pertain directly to and affecting the subject lands.

Town of Penetanguishene Official Plan (OP)

The property at 39 Yoe Street is designated as a **Neighbourhood Area** on Schedule A: Land Use Structure and is within a Wellhead Protection Area Q1 as shown on Schedule B2: Source Protection Policy Overlays. The relevant sections of the OP which apply to this application are summarized below.

Section 4.2 contains policies regarding the Neighbourhood Area designation. The OP states that "Neighbourhood Areas are generally characterized by low density residential uses as well as some medium density residential and a range of service uses and facilities". As the Zoning Bylaw Amendment application is to recognize an existing residential land use there are no conflicts with this Section.

Section 3.13.1.2f) defines the Wellhead Protection Area Q1 as "an area delineated through a Tier 3 Water Budget and Water Quality Risk Assessment as being the combined area that is the cone of influence of the well and the whole of the cones of influence of all other wells that intersect that area". There are no restrictions with respect to consents and zoning recognizing existing residential land uses for properties designated as Wellhead Protection Q1.

There are no other Overlay Designations which affect the property.

Zoning Bylaw 2000-02, as amended

The property is currently zoned **DEFERRED DEVELOPMENT (D)**. The permitted uses of the D Zone include a Conservation, Forestry or General Agricultural land uses not including and residential accommodation, and any land use, building or structure existing on the date of passing of the Zoning Bylaw. The regulations for the D Zone are 'as existing' on the date of the passing of Zoning Bylaw.

The intent of the application is to zone the lands **Residential First Density Special R1S Zone**.

Zoning Justification

The subject lands were part of a larger vacant parcel of land that had an overall area of 19,428 square metres fronting onto the north side of Yoe Street and onto an unopened road allowance which extends northward from Yoe Street to Don Street along the western property line. The Committee of Adjustment granted a severance application to create a lot with an area of 2,500 square metres with an existing residence situated thereon and further it is subject to a condition that the property be zoned to recognize the existing single family residence. During the severance process it was recognized that the lot conforms to provincial policies and regulations, the County of Simcoe Official Plan and the Towns Official Plan but not the zoning bylaw, hence the application to zone the lands residential to recognize the existing single family residence.

Conclusion

The intent of the Zoning Bylaw Amendment application is to fulfill the conditions of the Committee of Adjustment application B1/2021 which created a residential lot with a single family residence thereon. The application is to zone the lands **Residential First Density Special R1S Zone**.

Submitted by Bryan MacKell RPP (retired)