
Planning Justification Report

SEVERANCE and CONSENT,
MINOR VARIANCE APPLICATION

284 Watson Road, Penetanguishene, Ontario - October 3, 2021, updated Dec. 9, 2021



Table of Contents

1.0 INTRODUCTION

2.0 SITE FEATURES

3.0 PROPOSAL

4.0 PLANNING REVIEW

5.0 CONCLUSION

APPENDICES

- Appendix 1: Severance Plan
- Appendix 2: photo of existing main cottage dwelling
- Appendix 3: photo of existing second cottage dwelling
- Appendix 4: photo of existing bunky
- Appendix 5: photo of existing utility transmission right of way and proposed access

1.0 INTRODUCTION

Truekei Design Company Inc. has been retained by Mrs. Sarah Curcione to complete a Planning Justification Report in relation to applications for Consent Application, on lands legally described as Part of Lot 21A, and Part of Water Lot in front of Ordinance Reserve, Registered Reference Plan 69, and municipally known as 284 Watson Road 93 in the Town of Penetanguishene, (in the former Municipality of Tay), County of Simcoe.

The subject property is located within the Penetanguishene Settlement Area and is designated as Shoreline Residential and Environmental Protection One in the Town of Penetanguishene Official Plan (the “Town OP”). The subject property is zoned Limited Services Rural Residential Holding (LSR-H) Zone in the Town’s Zoning By-law (the “Town ZBL”).

The purpose of the proposed Severance Consent application is for the purpose of separating two existing Single Detached Dwellings on an existing residential lot fronting onto Georgian Bay, thereby permitting the creation of a new shoreline residential lot, and retaining one existing shoreline residential lot fronting onto Georgian Bay, which would result in each of the two existing dwellings being located on separate lots. Access to the proposed severed lands would be through an existing shared right-of-way that bisects onto the retained lands.

It is also the Owner’s intention to seek approval to remove the Holding status, since the retained and severed lands are zoned LSR-H.

This Planning Justification Report provides justification for the proposed applications.

2.0 SITE FEATURES

The subject property is legally described as Part 31 A, Concession 3, Reference Plan No. 69, in the former Municipality of Tay, now in the Town of Penetanguishene, County of Simcoe. The subject property is accessed via Watson Road, through the existing private driveway right of way, and has a lot frontage 146.3 metres on the shoreline of Georgian Bay.

Watson Road is maintained by the Town. The existing private driveway, is and has been a shared right of way with owners of no.292, 300 and 308 Watson Road. The property and the existing development on the lot is located on the North northwest side (shoreline side) of Watson Road. The subject property has a lot area of 34,495 Square Metres (3.45 hectares, 8.524 acres), the majority being forested on the northwest side of Watson Road. The topography generally slopes down from Watson road northwestwards towards the shore of Georgian Bay.

The existing buildings and structures located on the subject property are summarized below:

1. Main Cottage Building: ±235 sq.m.
2. Accessory Building: ±28 sq.m.
3. 2nd Accessory building, in the process of being replaced on existing foundation: ±16 sq.m.
4. Second Cottage Building: ±124 sq.m.
5. Bunky Building: ±31 sq.m.
6. 3rd Accessory Building: ±9 sq.m.

In addition to the buildings and structures listed above, there are wrap around decks and covered verandahs/porches around both cottages, two removable docks, floating deck and small foot bridge.

3.0 PROPOSAL

The existing property is currently divided into several parts. There are two main parts which separate the main cottage building of approx. 235 square metres (Appendix 1), from the second cottage building of approx. 123 square metres (Appendix 2). The owner is proposing to formally sever the north-western portion of the property, which would separate the western second cottage and existing bunky (Appendix 3) from the rest of the property. The eastern main cottage building would retain the remaining parts of the property, including the 'retained part' which includes the woodland feature. The western second cottage dwelling will be accessed via the existing shared Right-of-Way / driveway Northwards from Watson Road, and continue Westwards along another existing shared Right-of-Way, which is also an existing hydro transmission line Right-of-Way (see severance plan by Raikes, and Appendix 1).

Aside from some minor vegetation management required for the driveway (i.e., select tree removal, pruning), no site works are being proposed as part of this severance application (Appendix 5).

The proposed severance is required to create the new Western lot which would result in a new lot line being established between the two legally existing cottage dwellings. The severance plan as prepared by the surveying company Raikes Geomatics Inc. dated 20th May 2021 (with revision on 11th Nov, 2021) indicates the extent of the proposed lot to be severed, and the proposed lot to be retained is enclosed. The severance plan also indicates the exact location of the proposed right of way access from the main driveway to the severed lot.

The severed lot is proposed to have a lot area of 8,755 Sq.M. (0.876 hectares, 2.165 acres); and the retained lot is proposed to have a lot area of 25,740 Sq.M. (2.574 hectares, 6.36 acres).

Following the proposed severance, the existing buildings and structures will be accommodated as follows:

Within Retained Lot:

1. Main Cottage Building: ±235 sq.m. together with associated covered verandahs/porches and decks. Associated removable docks and floating deck. Small foot bridge. (See Appendix 2 photo). Main Cottage has 3 years old septic system, well and separate hydro service.
2. Accessory Building: ±28 sq.m.
3. 2nd accessory building, in the process of being replaced on existing foundation: ±16 sq.m.

Within Severed Lot:

4. Second Cottage Building: ±124 sq.m., together with associated covered verandahs/ porches and decks. Associated removable docks and floating deck. (See Appendix 3 photo). Second Cottage has new septic system, well and separate hydro service installed in 2021.
5. Bunky Building: ±31 sq.m. (See Appendix 4 photo)
6. 3rd Accessory Building: ±9 sq.m.

Access to the proposed severed lands would be through an existing utility transmission right-of-way that bisects onto the retained lands. (See Appendix 1: Severance Plan by Raikes, Appendix 5, photo of right of way). This existing right of way/driveway access had been put in place since 1974 for the benefit of the property to the West and will now be also for the benefit of the severed lands. There will not be any impact on other neighbouring lots.

The existing dwellings within the retained lot and the severed lot are being serviced by separate on-site sewage services (septic beds) and water services (wells).

In addition to the proposed Consent, the owner will seek approval for the removal of the Development Holding status for these properties.

The proposed applications would bring the existing development into greater compliance with the Zoning By-law by resulting in two shoreline residential lots, each with one dwelling.

4.0 PLANNING REVIEW

The following is a review of the relevant and applicable land use policy framework related to the proposed applications for the subject property.

The Provincial Policy Statement, 2014 (hereinafter referred to as the “PPS”) is applicable to the subject property and Site. Planning Authorities are to be consistent with the PPS when exercising any authority. The following is a summary of most relevant policies of the PPS as they apply to this the proposal.

The PPS provides for policy direction for healthy, liveable and safe communities. As stated in Section 1.1.1 of the PPS, this will be sustained by the following examples: promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities for the long term, accommodating a range and mix of residential development, avoiding development that may cause environmental or public health and safety concerns, and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs. The proposed applications would result in the two existing detached cottage dwellings each being located on separate lots, with shared driveway access to an existing public road. There is no additional development proposed and each of the single detached dwellings will be serviced with separate individual on-site sewage systems.

Section 1.1.3 of the PPS includes policies regarding Settlement Areas. Settlements Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The Town of Penetanguishene is identified as a Primary Settlement Area within the County of Simcoe Official Plan. Settlement Areas are the location where a mix of land uses are permitted, including residential uses. Section 1.1.3.2 of the PPS requires that land use patterns within Settlement Areas shall be based on:

- (a) *densities and a mix of land uses which:*
 1. *efficiently use land and resources;*
 2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- (b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

The subject property is located within a Settlement Area, which encompasses the entire municipal boundary of the Town of Penetanguishene. The proposed applications will result in an additional shoreline residential lot, with an existing dwelling, an existing bunky structure, an existing accessory building, and no new residential development is being proposed.

The PPS includes policies regarding Sewage, Water and Stormwater in Section 1.6.6 and identifies that the preferred form of servicing is municipal services (sewage and water), and where not available, communal services are permitted. In situations where these two

preferred methods of servicing are not available, private services (well and sewage system) may be permitted. The two existing single detached dwellings are each serviced by their own individual on-site well water system and sewage system.

Section 2.0 of the PPS contains policies related to the wise use and management of resources. Ontario's long-term prosperity, environmental health, and social well-being are dependent on protecting water and natural heritage features. Section 2.1.1 of the PPS states that, "Natural features and areas shall be protected for the long term." A portion of the subject property is located within the Environmental Protection One designation of the Town of Penetanguishene's Official Plan; however the location of the existing development on the shoreline side of Watson Road is not included within this designation. The location of the existing development on the subject property is designated and zoned for shoreline residential development, and the area designated Environmental Protection One will remain unaltered, and therefore there will be no negative impacts on the natural heritage system. During pre-consultation, Town Staff noted that because the proposed applications are subject to an environmental impact study. The owner has engaged Birks Natural Heritage Consultants Inc. to provide site assessment and Environmental Impact Study. The EIS report indicates that since the severance application does not propose to undertake any site works and therefore no potential impacts to the identified natural heritage features will occur.

The PPS also contains policies in Section 2.1.6, 2.1.7 and 2.1.8 that protect fish habitat as well as endangered and threatened species. Fish habitat has not been identified adjacent to the subject property, and there are no new buildings proposed to be constructed associated with the proposed applications, there will not be alterations to the existing site drainage features and therefore no impacts to endangered and threatened species. The owner has indicated clear intentions to follow the recommendations in the EIS by Birks Natural Heritage Consultants to maintain the current drainage conditions.

Section 3.0 of the PPS contains policies related to directing development away from natural or human-made hazards. The existing development on the subject property is located within proximity to Georgian Bay, however it is already existing. There are no new proposed development on site, within areas adjacent to Georgian Bay where potential natural hazards (such as floodplains) may exist.

Based on the above, it is concluded that the proposed applications are consistent with the policies of the Provincial Policy Statement.

4.2 Growth Plan for the Greater Golden Horseshoe (2017)

The Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017 (hereinafter referred to as the "Growth Plan") was created by the Province to guide the building of stronger more prosperous communities through the management of growth. The intent of the Growth Plan is to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Growth Plan contains various policies that guide decisions on how land is developed.

These include but are not limited to building compact, vibrant and complete communities, managing growth, protecting natural resources, optimizing the use of infrastructure, and providing for different approaches to managing growth that recognizes the diversity of communities. The following section outlines the relevant details determined to be applicable to the proposed applications.

The Growth Plan policies are consistent with the Provincial Policy Statement in that growth is generally directed to Settlement Areas. The guiding principles and vision of Section 1.2.1 for the Greater Golden Horseshoe (GGH) provides the basis for direction on land use planning. Generally, these principles support growth in compact and complete communities which protect environmental features, and optimize the use of existing and new infrastructure to support a strong economy. The subject property is located within a Settlement Area.

Section 2.2.1 of the Growth Plan provides policies for Managing Growth. The vast majority of growth will be directed to Settlement Areas that have a delineated built boundary and Section 2.2.1.2 c) states that growth is to be focused in delineated built-up areas. The subject property is located beyond the built-up area of the Town of Penetanguishene's Settlement Area. Existing developments are to be recognized by any proposed development.

Policies regarding Designated Greenfield Areas are included in Section 2.2.7 of the Growth Plan. The subject property would be considered a Designated Greenfield Area since its location is outside the built boundary of the Town. Section 2.2.7.1 of the Growth Plan states,

New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:

- *a) supports the achievement of complete communities;*
- *b) supports active transportation; and*
- *c) encourages the integration and sustained viability of transit services.*

The proposed applications are to recognize existing development on the subject property, and is located within an area that is designated as zoned for shoreline residential development.

The Simcoe Sub-area policies in the Growth Plan (Section 6) are applicable to the Town of Penetanguishene. The Town is identified as a Primary Settlement Area in Schedule 8 of the Growth Plan. The Simcoe Sub-area contains population and employment forecasts for each municipality within the County of Simcoe. The proposed applications will accommodate existing dwelling development on the subject property, and the creation of one new shoreline residential lot complete with an existing dwelling.

Based on the above, it is concluded that the proposed applications conform to the policies of the Growth Plan.

4.3 County of Simcoe Official Plan (2016)

The subject property is designated as Settlement in the County of Simcoe Official Plan (hereinafter referred to as the “County OP”). In accordance with Table 5.1 of the County OP, the Town of Penetanguishene is identified as a Primary Settlement Area.

The County OP through Section 3.1.1 identifies that most growth will be directed to the settlements throughout the County. This policy also clarifies that the term settlements will refer to both primary settlement areas and urban and rural settlement areas. Since the Town of Penetanguishene is recognized as a Settlement, the policy context is considered supportive for the proposed applications.

The County OP permits land division by consent in accordance with Policy 3.3.2 for uses that are permitted by the designation, or that maintain the intent of the Official Plan. The lands are designated by the Town to permit shoreline residential uses; as such the use of the proposed applications if approved would maintain the intent of the Official Plan.

As noted the subject property is currently developed with two cottage dwellings and is located on an existing public road. Section 3.3.4 of the County OP reference lot creation and access, and states,

Lots may be created only where they have access to and frontage on a public highway and where an access permit to that highway can be obtained in accordance with the policies of this Plan and the County of Simcoe, the Province of Ontario, or local municipalities. Exceptions may occur in plans of condominium where the condominium development has access to a public highway. Subject to local municipal bylaws and official plans lots may be created on existing private roads or water only access.

The subject property is currently accessed by Watson Road which is an existing public road. The severed land will have frontage on Watson Road and will be accessed from one shared driveway from Watson Road. A Private Road Agreement will be established as a condition of provisional consent.

This is an existing legal non-complying development condition where two dwellings exist on one lot. The proposed applications would not result in any new development and seeks to legalize the existing condition through a formal severance application. As per Policy 3.3.2, the County OP directs local Zoning By-law Amendments to deal with the creation of new lots. The proposed OPA would facilitate the creation of the new lots in conformity with the policies of the County Official Plan.

Natural Heritage policies are included in Section 3.3.15 of the County OP. It is noted that a portion of the subject property is designated as Environmental Protection One in the local Official Plan, however there is no new development proposed on the subject property by way of the proposed applications. An Environmental Impact Study has been undertaken for the proposed applications which indicates that the proposed applications involves no significant environmental impact.

Section 3.5 of the County OP relates to Settlements. Section 3.5.1 identifies that one objective is to focus growth and development within settlements and Section 3.5.4 promotes development forms and patterns that minimize land consumption and servicing costs. The two existing single detached dwellings will be serviced by separate on-site sewage and water services.

Section 4.7 contains infrastructure policies and Section 4.7.6 outlines the circumstances under which development can occur within settlements while using individual on-site water and sewage systems. The proposal does not represent infilling or minor rounding out of existing development, but rather simply legally separates two existing dwellings that are already serviced by separate on-site sewage and water services.

Based on the above, it is concluded that the proposed applications conform to the policies of the County OP.

4.4 Town of Penetanguishene Official Plan

The subject property is designated as Shoreline Residential and Environmental Protection One in the Town of Penetanguishene Official Plan (hereinafter referred to as the “Town OP”). The portion of the subject property that contains the two existing dwellings and the existing development is designated as Shoreline Residential. The portion of the subject property beyond Watson Road to the west is designated as Environmental Protection One.

The purpose of the Official Plan is to guide development and redevelopment in the Town of Penetanguishene to achieve a healthy, safe, efficient and attractive environment. In general, the Official Plan seeks to foster a pattern of development that takes advantage of the Town’s location and to protect valuable natural amenities.

Section 2 of the Town OP includes policies regarding Sustainable Development. Section 2.1.3 refers to reviewing development applications and notes that Council shall take the following into consideration:

- *The protection and enhancement of natural and cultural features and their ecological processes;*
- *The use of community planning, design, resource management, engineering and other practices to conserve air, water, energy, cultural, land and biological resources;*
- *The objective of developing the Town to its fullest economic potential, while conserving resources and promoting the health of the individual, the community and the ecosystem;*
- *The satisfactory availability and capacity of the municipal sewer and water systems and other services prior to the approval of development applications. However, small-scale development proposals outside of municipally-serviced areas using individual*

on-site services may be considered when it can be demonstrated to the satisfaction of the Town and the appropriate Provincial agency having jurisdiction that existing environmental conditions are suitable, and an impact assessment has been completed in accordance with the policies and guidelines of the appropriate Provincial agency having jurisdiction.

- *The possibility of site contamination. If the site of the proposed land use is known, or suspected to be contaminated, the Town shall require that a study be prepared in accordance with Provincial government guidelines to determine the nature and extent of the contamination, as well as the identification of a remedial plan, if required. Where the need for remediation is identified, the site shall be restored in accordance with the remedial plan before development occurs to ensure that there will be no adverse impacts on the proposed use or adjacent land uses.*

The proposed applications would enable two legally existing detached dwellings to be located on separate lots that have access to an existing public road. There is no new development proposed on the subject property and each of the two existing detached dwellings are serviced with separate individual on-site water and sewage services.

Section 2.2 of the Town OP includes policies regarding the Waterfront and Environmentally Sensitive Areas. The policies within this section speak to setbacks from the shoreline, areas that are located within the Environmental Protection One and Environmental Protection Two designations, flood plains, and fish habitat. The proposed applications recognize existing development and there is no new development proposed as a result of the applications. There are no anticipated impacts to the waterfront or environmentally sensitive areas as no additional development is proposed.

Considerations for servicing new development are included in Section 2.6 of the Town OP. Prior to any land division or consent being permitted, the policies of Section 2.6.1 must be satisfied:

2.6.1 Servicing Considerations

Before any development takes place, and before any land division or consent for a land severance is permitted, or any amendment to a zoning by-law is made, it shall be established to the satisfaction of the Council and of all other bodies having jurisdiction that:

- *2.6.1.1 Soil and drainage conditions are suitable to permit the proper siting of buildings;*
- *2.6.1.2 Suitable arrangements have been made for water supply, sewage disposal, storm drainage and all other necessary public services and that there is no danger of pollution;*
- *2.6.1.3 No traffic hazards will ensue because of excess traffic generation or limited sight lines on curves or grades; and*

-
- *2.6.1.4 The land fronts on a public road which is of a reasonable standard of construction.*
 - *2.6.1.5 Applications for a zoning amendment involving multiple accommodation, apartments, mobile homes, commercial complexes other than single stores, marinas and any other development of a similarly detailed nature shall be accompanied by a site plan indicating layout, servicing, landscaping and design details.*
 - *2.6.1.6 Municipal water and sewer capacity is available to service the proposed development.*

The policies included in Section 2.6 generally relate to the servicing of new lots. The detached dwellings are existing and the consent application proposes that each dwelling be sited on its own lot.

The proposal conforms to these sections of the Town OP when considered in the context of the proposed severance that would permit the creation of the new lot.

Section 3.2.1 in the Town OP includes general principles and states that the intent of the Shoreline Residential designation is to:

- *Maintain the existing character of this predominantly residential area;*
- *Ensure existing development is appropriately serviced with water and sewage services; and*
- *Protect the natural features of the shoreline area and the immediate shoreline.*

In regards to maintaining the existing character of the area, there is no new development associated with the proposed applications. Following the proposed applications, the views from both the shoreline and Watson Road will remain intact.

The two existing dwellings are serviced with their own on-site sewage and water services. As no additional development is proposed, the natural features of the shoreline area and immediate shoreline are protected.

The predominant form of land use in the Shoreline Residential designation shall be low density residential uses as referenced in Section 3.2.2 of the Town OP. These uses include single detached dwellings for year-round or seasonal use. The proposed applications are in conformity with this Policy.

Watson Road is a public road maintained by the Town. Section 3.2.3.2 of the Town OP contains policies regarding development on public roads and includes the following: *All lots that do not have frontage on and direct access to a public road that is maintained year round shall be placed in a Limited Service Residential Zone in the implementing Zoning By-*

law.

All lots fronting on private roads shall also be subject to a Holding Provision in the implementing Zoning By-law. The Holding Provision will have the effect of prohibiting the construction of a new dwelling unit or any enlargement, renovation or addition to the habitable area of a dwelling unit that existed on the date the Implementing Zoning By-law comes into effect until the occupant obtains written confirmation from the appropriate agencies that the dwelling's septic system conforms to current standards. Once this approval is obtained, the Holding Provision shall be lifted by the Town.

The Town may also require the owner of a lot on a private road to enter into an agreement with the Town regarding the servicing of lots that are accessed only by a private road before new development or an expansion to existing development is permitted. This agreement may take the form of a Site Plan Agreement in accordance with the Planning Act. In order to permit the Town to enter into a Site Plan Agreement, all lots on private roads are designated as a Site Plan Control area.

The construction or development of new private roads or extensions to existing private roads shall not be permitted. The creation of a new lot on such a road is not permitted.

The subject property is zoned LSR and is subject to a Holding Provision as noted above. Prior to Removal of the Holding Provision, it must be demonstrated that the dwelling's sewage systems conforms to the current standards of the appropriate agencies. The owner has installed separate sewage systems in accordance with Town standards. This application propose the remove of the Holding Provision.

It is our understanding that a right-of-way agreement exists and it will be required to be updated, and a new agreement will be required for the newly created severed lot.

Section 3.2.3.2 does not permit new lot creation without direct access to a public road. In this proposal, the new lot does have direct frontage onto Watson Road and is not proposed to support an additional dwelling. Two dwellings currently exist. The proposed severance enables the creation of the proposed lot that recognizes the existing situation, being two dwellings on one lot.

Section 3.2.3.5 of the Official Plan outlines policies that apply to new lots proposed to be created by consent. This policy states,

There are limited opportunities for the creation of additional lots in the Shoreline Residential designation. However, the creation of new residential lots by consent to sever may be permitted provided that the proposed and retained lots:

- *a) front on an existing public road that is maintained year round by the Town;*
- *b) do not cause a traffic hazard as a result of their location on a curve or a hill; and,*
- *c) can be serviced with an appropriate water supply and means of sewage disposal.*

Given the desire to preserve the integrity of the shoreline and the tree cover on new shoreline lots, new lots shall be subject to Site Plan Control. The Site Plan Agreement shall deal with

such issues as the location of the building envelope, the driveway and access to the shoreline. It is the policy of this Plan that the majority of the existing tree cover on new shoreline lots be preserved.

The proposed applications satisfy the above policies 3.2.3.5 (b) and (c), and the new proposed lot would have frontage on an existing public road that is maintained by the Town (policy 3.2.3.5 a)).

The proposed severance enables the creation of the proposed lot that recognizes the existing situation, being two dwellings on one lot.

Section 3.2.3.6 identifies policies relating to the character of the residential area. This section states,

The low density character of the shoreline area contributes to the quality of life enjoyed by the area's residents. It is the intent of this Plan to protect the character of the shoreline area.

The proposed applications will maintain the existing character of the area, and the existing development located on the subject property is representative of low density residential development.

Section 3.2.3.8 of the Town OP includes additional requirements for new development in the Shoreline Residential designation. These policies apply to new development and the proposed applications are recognizing the existing development on the subject property.

The policies that apply to the lands located within the Environmental Protection One are included in Section 3.10 of the Town OP. The intent of this designation includes the following:

- *maintain and enhance the ecological integrity of the natural heritage system;*
- *eliminate the potential for the loss or fragmentation of significant wetlands and the habitats and ecological functions they provide; and,*
- *protect areas having physical conditions which could cause loss of life, property damage or damage to the environment, if development occurs on, or near these areas.*

Development and site alteration are not permitted within the Environmental Protection One designation. However, it has been confirmed by the Environmental Impact Study that there are no significant environmental impact, as a result of the proposed severance. In addition, the Town's implementing Zoning By-law does not permit development on the western portion of the property that is zoned Environmental Protection which reflects the Environmental Protection One designation in the Town's Official Plan. No development is proposed within these areas.

In summary, the proposed Consent is in conformance to the policies of the Official Plan because of the following:

- The proposed applications would result in two existing dwellings being located on separate lots.
- The proposed applications do not propose further extensive construction of new buildings or structures.
- There are no anticipated negative impacts to natural heritage features.
- The proposed applications recognize existing development and the character of the shoreline area will remain unaltered as a result.

4.5 Town of Penetanguishene Zoning By-law

The subject property is located within the Limited Services Rural Residential Holding (LSR-H) Zone and 'Environmental Protection' (EP) Zone as shown in Figure 4. The location of the existing development is within the portion of the subject property that is zoned LSR-H. It is noted that there is no existing or planned development within the portion of the property that is zoned Environmental Protection.

Table 3 compares the lot standards for the LSR Zone for the proposed lots on the subject property.

Existing Zoning By-law Standards:

Lot Frontage (min) 30 m
Lot Area (min) 0.2 hectares (2,000 sq. m.)
Front Yard (min) 7.5 metres
Interior Yard (min) 3 metres
Lot Coverage (max) 35%

There are no extensive proposed changes to the existing built form, and conditions of the 2 existing cottage dwellings are proposed to remain.

Section 3.6 includes regulations regarding non-complying buildings and structures. The Zoning By-law permits one detached dwelling per lot. The two existing single detached dwellings located on the subject property predate the Zoning By-law and are therefore considered legal non-complying buildings. As a result of the proposal applications, the two existing detached dwellings will be separated and development on the property would be brought into greater compliance to the Zoning By-law. The character of the area is also maintained as there are no new development proposed.

5.0 CONCLUSION

The purpose of the proposed Severance and Zoning Amendment applications is to separate two existing Single Family Detached Dwellings on a lot, thereby to facilitate the creation of one (1) new lot for low-density residential development within the Penetanguishene Settlement Area. The applications recognizes the nature and natural features of existing development on the site and brings the proposed lot into greater compliance with the Zoning By-law by recognizing one dwelling on each lot. The proposed lot creation is not anticipated to result in any adverse impact on land use planning considerations or the character and conditions of the surrounding area, including natural heritage features. The proposed development reflects limited residential development within an identified Primary Settlement Area that makes efficient use of the land, with independent sewage and water services, the application has limited impact on existing services, infrastructure and amenities while contributing one new residential dwelling and increase tax base in a manner that is compatible with the surrounding area.

The requested severance and minor variances application does demonstrate consistency with and conforms to applicable Provincial, County, and Municipal planning policies and principles.

It is our opinion that the proposed development represents good planning.

Respectfully submitted,

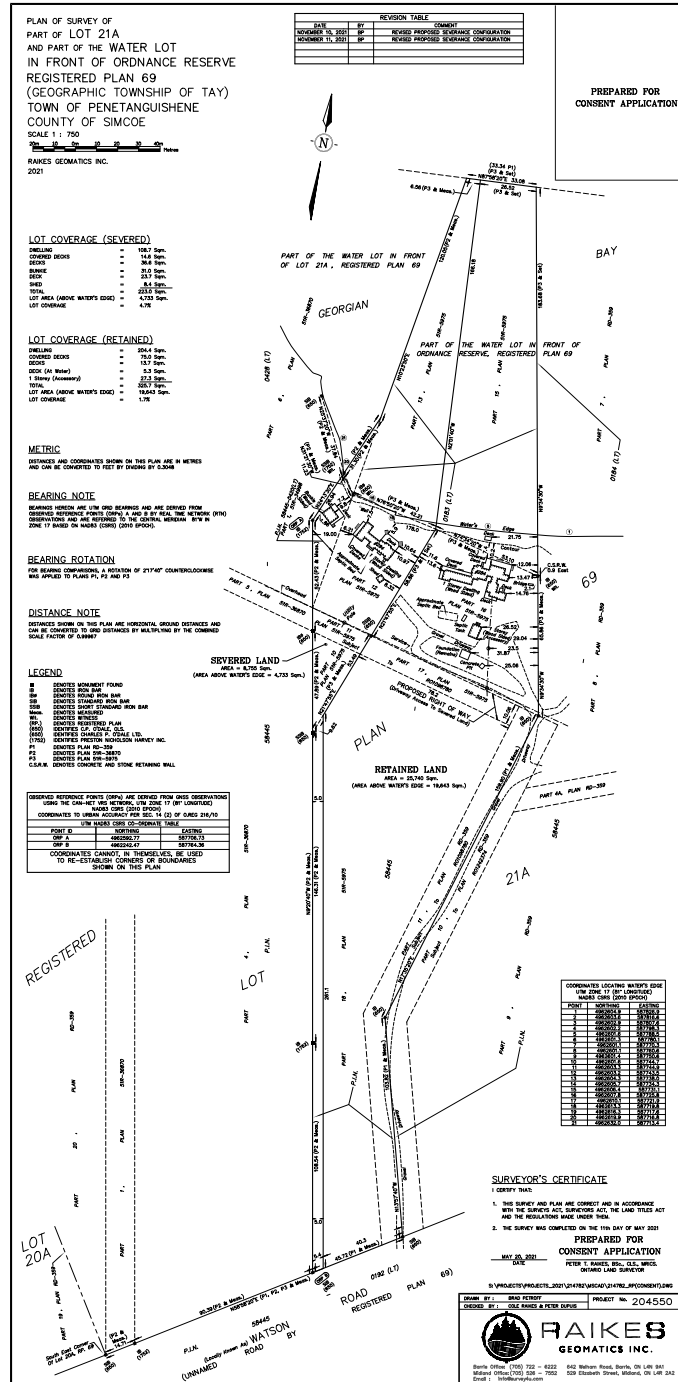
Truekei Design Company Inc.

A handwritten signature in black ink, appearing to read 'Kenneth Chow', with a stylized flourish at the end.

C-K Kenneth Chow Architect, OAA, M.Arch.

6.0 APPENDICES

Appendix 1: Severance Plan, see separate enclosed full size copy.



Appendix 2: Photo of existing main dwelling



Appendix 3: Photo of existing second dwelling



Appendix 4: Photo of existing bunky



Appendix 5: Photo of existing right of way access to proposed severed lands

