



Town of/Ville de Penetanguishene

Applicant:	Queen's Court Development	Date of Decision:	March 28, 2018
File No:	PEN-SUB-2013-01	Date of Notice:	April 12, 2018
Subject Lands:	Part of Lots 102 to 113 (inclusive) on the west side of Church Street, Registered Plan 70 and more particularly described as Parts 1 and 2 on Reference Plan 51R-19230, Parts 1 to 3 on Reference Plan 51R-27151 and Parts 5 to 7 on Reference Plan 51R-36067	Last Day of Appeal:	May 2, 2018

Notice of Decision NOTICE OF THE REFUSAL OF AN APPLICATION FOR A ZONING BY-LAW AMENDMENT

TAKE NOTICE THAT on March 28, 2018 the Council of the Corporation of the Town of Penetanguishene refused the application for a Zoning By-law Amendment (File NO. Z.A. 8/2015) under Section 34 of the *Planning Act, R.S.O. 1990*.

The application pertains to the following parcels of land:

- Private Lands composed of Part of Lots 104 to 113, West Side of Church Street, on Registered Plan 70 in the Town of Penetanguishene, County of Simcoe.
- Municipally-owned lands composed of Part of Lots 102 and 103 on the west side of Church Street, Registered Plan 70 and more particularly described as Parts 1 to 3 on Reference Plan 51R-27151 and Parts 5 to 7 on Reference Plan 51R-36067, and municipally known as 24 Broad Street.

Attached to this Notice is a Location Map identifying the lands subject to the application and the proposed Draft Plan of Subdivision.

THE PURPOSE AND EFFECT of the proposed Zoning By-law Amendment Z.A. 8/2015 is to rezone the property to facilitate a proposed plan of subdivision including: a site specific zone Exception within the Residential Third Density (R3) zone. The proposed site specific zone requirements include a Minimum Lot Frontage of 12 metres, a Minimum Lot Area of 320.0 square metres, a Minimum Front Yard Setback of 6.0 metres to the garage and 4.5 metres to the habitable portion of the dwelling, a Minimum Rear Yard Setback of 6.0 metres and a Maximum Lot Coverage of 40%. The request also sought to zone the future Medium Density Block into a Residential Third Density (R3) zone category but subject to the Holding "H" Provision. The removal of the "H" would be subject to the approval of a Site Plan and registration of the accompanying agreement. The Woodlot and Storm Water Management Pond is requested to be zoned to Open Space (OS); and the significant slope at the rear of the single detached dwelling lots would be zoned Environmental Protection (EP) Zone.

EXPLANATION FOR REFUSAL

Council determined that the proposed Zoning By-law Amendment was not consistent with Provincial Policy and did not conform to the Town's Official Plan.

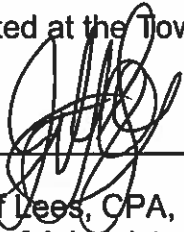
EFFECT OF WRITTEN AND ORAL SUBMISSIONS

In accordance with Subsection 34(10.10) of the *Planning Act, R.S.O. 1990*, the written and/or oral submissions received had the following effect on the decision:

- The written and oral submissions received by Council were supportive of and/or consistent with Council's determination that the proposed Zoning By-law Amendment was not consistent with applicable Provincial Policy and did not conform with the Town's Official Plan.

AND TAKE FURTHER NOTICE that that Applicant or the Minister may appeal the Refusal By-law by filing with the Clerk of the Town of Penetanguishene, (if applicable) no later than **May 2, 2018**, a notice of appeal on the requisite Local Planning Appeal Tribunal Form setting out the objection to the refusal of the applications and the reasons in support of the objection, accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act in the amount of \$300.00 which must be in the form of a cheque payable to the Minister of Finance.

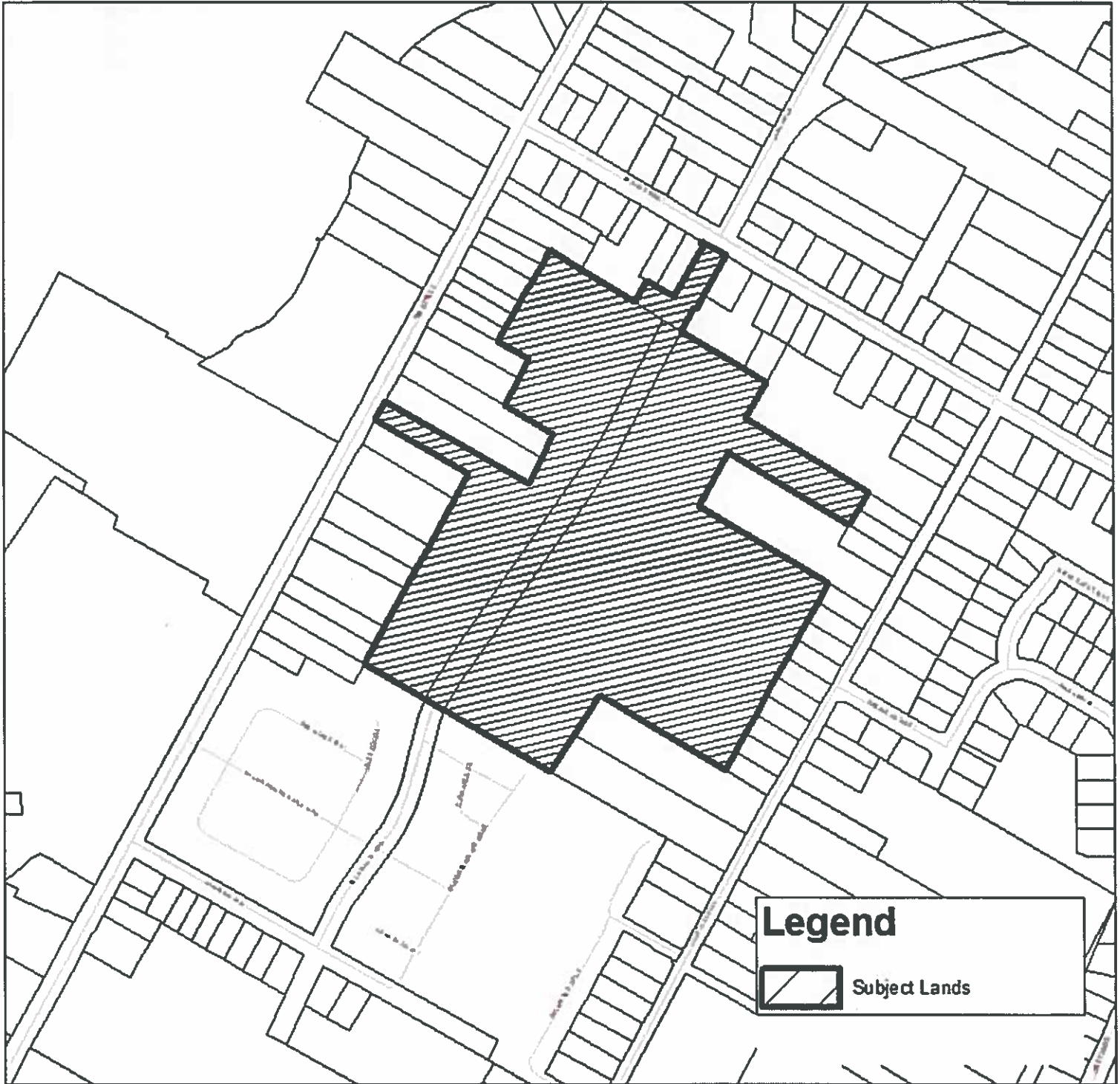
Dated at the Town of Penetanguishene this 12th day of April, 2018.



Jeff Lees, CPA, CGA
Chief Administrative Officer
Town of Penetanguishene
10 rue Robert St. West/ouest
P.O./C.P. Box 5009
Penetanguishene, ON
L9M 2G2



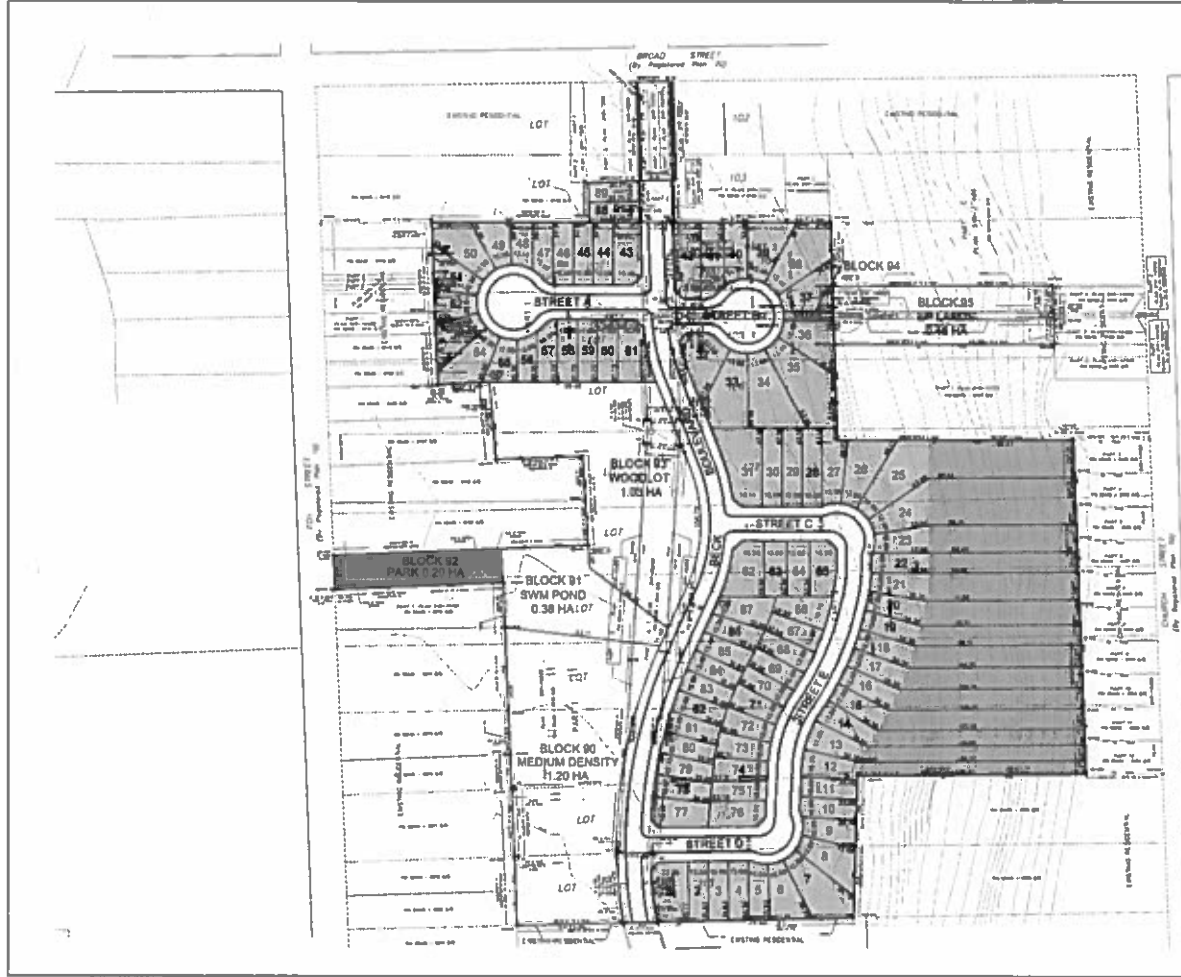
Location Map



Draft Plan of Subdivision Application
No. PEN-SUB-2013-01
and Zoning By-law Amendment - Z.A.8/2015
221 Fox Street - Queen's Court Developments Ltd.



This map, either in whole or in part, may not be reproduced without the written authority from the Town of Penetanguishene. Copyright © Town of Penetanguishene Land Information Network Cooperative - LINC 2012. Produced (in part) under license from: the Ontario Ministry of Natural Resources (Copyright - Queens Printer 2012). ©Teranet Enterprises Inc. and its suppliers all rights reserved, and Members of the Ontario Geospatial Data Exchange THIS IS NOT A PLAN OF SURVEY.



KEY PLAN

DRAFT PLAN OF SUBDIVISION
 PART OF LOTS 103 TO 113
 WEST SIDE OF CHURCH STREET
 RP 70

TOWN OF PENETANGUISHENE
 COUNTY OF BRUCE
 L.L. 1-1

PROPERTY DESCRIPTION

1. Quarter lot 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Collette Phillips Planning Inc.
 85 Bayfield Street
 Suite 500
 Barrie, Ontario
 L4M 3K7

Date: January 15, 2024
 Sheet of 1 of 1