



Zoning By-law Amendment & Consent Applications Planning Justification Report

<i>To:</i>	Andrea Betty, Director of Planning and Community Development
<i>From:</i>	Josh Morgan, RPP & Jonathan Pauk, MCIP, RPP
<i>Date:</i>	March 27, 2024 (Updated April 16, 2024)
<i>Our File No.:</i>	PN 1332
<i>Delivered:</i>	By Email
<i>Subject:</i>	65 Nettleton Drive, Town of Penetanguishene

1.0 INTRODUCTION

MORGAN Planning & Development Inc. (“MP&D”) was retained to facilitate the approval of the creation of one new lot and one retained lot at 65 Nettleton Drive (“the Site”) in the Town of Penetanguishene.

The lot creation will be achieved by a Consent to Sever application, followed by an implementing Zoning By-law Amendment application.

Access to the proposed severed and retained lots will be secured by new entrances onto Nettleton Drive. The Site is vacant and does not contain any buildings or structures, See **Figure 1**. The Site is located on the north side of Nettleton Drive and to the west of the intersection of Scott Street, see **Figure 2**.

The Site is located entirely in the settlement area of the Town of Penetanguishene and is designated “Neighbourhood Area” and “Environmental Protection Area” in the Town’s Official Plan (see **Figure 3**) and is zoned “Open Space” and “Environmental Protection” in the Town’s Zoning By-law, see **Figure 4**.

An Environmental Impact Study (EIS) has been conducted to evaluate natural heritage features on an adjacent to the Site. The proposed lot configuration has been established to include the recommended buffers and setbacks on the proposed lots. The proposed concurrent Zoning By-law Amendment application will implement the mitigation measures contained in the EIS and establish a building envelope on each of the severed and retained lots.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject property is located on the north side of Nettleton Drive and is approximately 2,145 square metres in lot area and has approximately 33.4 metres of lot frontage onto Nettleton Drive. The location of the subject property is shown in **Figure 1**.

Almost the entirety of the of the property is treed and is currently vacant. The surrounding uses in the general area are described as follows:

- NORTH:** Rotary Champlain Wendat Park
- EAST:** Existing single-detached residential dwellings fronting onto Scott Street
- SOUTH:** Nettleton Drive and existing residential dwellings fronting onto Robert Street West
- WEST:** Existing single-detached residential dwellings fronting onto Nettle Drive

3.0 DESCRIPTION OF PROPOSAL

The purpose and effect of the consent application is to create one (1) new residential lot fronting onto Nettleton Drive. The proposed lot configuration is shown in **Figure 5**. The future residential uses on the retained lot and severed lot are to be serviced by municipal water and wastewater services. A summary of the proposed lot configuration is included in Table 1.

Table 1 – Summary of Proposal Consent Application

Proposed Lot	Lot Area	Lot Frontage	Proposed Use
Retained Lot	954 square metres	15 metres	Residential
Severed Lot	1,172 square metres	18.4 metres	Residential

In support of the consent application, an Environmental Impact Study (EIS) has been prepared by Azimuth Environmental Consulting Inc. which concluded that the proposed development can occur without resulting in negative ecological impacts to natural heritage features and functions, including the ecological function of drainage feature on-site and candidate significant wildlife habitat, provided the mitigation measures are implemented.

A concurrent Zoning By-law Amendment (ZBA) application has been submitted with the Consent application to rezone a portion of the subject property to the Residential One Exception Zone; implement to mitigation measures identified in the EIS as well as to permit a minimum setback from a watercourse of 5 metres whereas 7.5 metres is required in accordance with Section 4.18.2 (a) of the Town's Zoning By-law. The rear portion of the subject property is to be rezoned to the Environmental Protection Zone to ensure protection of the natural heritage features and establish a building envelope on the proposed severed and retained lots in accordance with the recommendations contained in the EIS. The proposed ZBA text and schedule is included as **Attachment 1** to this Report.

In support of the ZBA and consent applications a Traffic Impact Letter and geotechnical study have also been prepared in the support of the proposed applications. The Traffic Impact Study prepared by Tatham Engineering determined that the proposed development is not expected to have any significant impacts on the operations of the existing road network, which will readily accommodate the additional volumes generated by the site.

4.0 PLANNING ANALYSIS

The following subsections provide a detail of the relevant policies as it relates to the proposed provisional Consent and Zoning By-law Amendment application.

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement 2020 ("PPS") is applicable to the Site. The following is a summary of policies within the PPS, which have been reviewed in detail as it relates to the proposal.

As outlined in Policy 1.1.1, the PPS seeks to sustain healthy, liveable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Furthermore, Policy 1.1.2 directs that, "*Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years*". The proposed development provides an opportunity for intensification, will utilize existing servicing and transportation infrastructure and will not result in any environmental, public health or safety concerns, therefore is considered to be consistent with these policies.

Policy 1.1.3 identifies that settlement areas shall be the focus of growth. The Town of Penetanguishene is identified as a Settlement within the County of Simcoe Official Plan. Growth

through applications such as lot severances are supportable by the PPS when located within a settlement area. The Site is located within the Settlement Area of the Town of Penetanguishene and will provide for a residential use on an existing underutilized lot within a developed area. The proposed development provides for intensification and therefore contributing to the intensification targets of the County and the Town.

Section 1.1.3.4 promotes appropriate development standards for intensification, redevelopment and compact form, and states "*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*" The severance will help to achieve the necessary intensification standards to facilitate the development and while at the same time be compatible with the surrounding land use and mitigating any potential impacts to surrounding land uses.

Section 1.4 contains the housing policies of the PPS. The housing section is primarily a directive to planning authorities on how to plan for housing. The policies state that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements. The proposed consent application will help the Town meet this policy by providing single detached units which will assist with providing a housing option for the residents of the Town of Penetanguishene. The proposed development provides for intensification on the subject property at a higher density than what currently exists on the property. The proposed development provides for a residential use which efficiently uses the land, the existing infrastructure and neighbouring and Town wide public service facilities.

Section 1.6 of the PPS includes policies pertaining to infrastructure and public services facilities, including sewage, water and stormwater are in. The preferred form of servicing for settlement areas is municipal services. Generally, these policies require infrastructure and public service facilities to be provided in a cost-effective manner with the use of existing infrastructure being optimized. The proposed redevelopment of the Site would efficiently use the existing road infrastructure and allow for the future residential uses to be connects to existing municipal water and wastewater services.

Section 1.6.6 of the PPS contains policies that promote the efficient use and optimization of existing municipal sewage and water services. The proposed development is to occur on full municipal services and the Town. The proposed lots are to be serviced by municipal infrastructure in accordance with Town and Provincial standards.

Section 2 of the PPS provides policies regarding the natural environment and resources and states that the ecological function and the biodiversity of the natural heritage system should be maintained, restored, and where possible, improved, recognizing linkages between and among natural heritage feature areas.

Section 2.1.8 of the PPS states that development and site alteration shall not be permitted on adjacent lands to natural heritage features, unless the ecological function of the adjacent lands

has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. A portion of the subject property is designated and zoned Environmental Protection. The consent application is consistent with the natural heritage policies of the PPS as it has been demonstrated through the EIS prepared by Azimuth Environmental Consulting Inc. that the natural heritage features on and adjacent to the property will not be negatively impacted by the creation of one new residential lot. This report concludes that with the implementation of the proposed mitigation measures, the subject application is consistent with the PPS as it relates to the Natural Heritage features.

The EIS concluded that the consent application is not expected to result in direct and/or indirect impacts to the identified natural heritage features and associated functions. In addition, the proposed lot configuration includes a 5 metre buffer from the boundary of the drainage feature traversing the property. The buffer area provides for a physical separation of development from the natural feature boundary by utilizing a 5 metre setback area. The EIS concluded that the proposed development envelope is located entirely outside of the limits of the drainage and the associated 5 metre vegetated setback, and as a result, direct impacts to seeps and springs are not anticipated.

Section 3.0 of the PPS contains policies related to directing development away from natural or human made hazards. In accordance with Section 3.1 of the PPS the subject property is located outside of hazardous lands and hazardous sites and not affected by a dynamic beach hazard, flooding hazard or erosion hazard. The proposed development is not abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations or contamination, all in accordance with Section 3.2.

Based on the above analysis, it is the opinion of MP&D that the consent application and the implementing Zoning By-law Amendment are consistent with the policies of the Provincial Policy Statement.

4.2 A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020)

The Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the “Growth Plan”) was prepared 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 Growth Plan policies are consistent with the Provincial Policy Statement in that growth is to be directed to settlement areas, such as the Town of Penetanguishene. The Growth Plan directs a significant portion of new growth to the built-up area of the community, supports mixed-use, transit supportive, pedestrian-friendly urban environments, encourages municipalities to develop as complete communities, directs developments to settlement areas and areas which offer municipal water and wastewater systems, as well as other policies.

Section 2 of the Growth Plan provides policies on 'where and how to grow'. In accordance with Section 2.2.1 of the Growth Plan which includes policies for how to manage growth, the Growth Plan directs a vast majority of growth to Settlement Areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of a complete community.

The Site is located within the Town of Penetanguishene settlement area and is also located within the built boundary of the Town. The Site is to be serviced by existing municipal water services available on Nettleton Drive. The proposed development supports the development of a complete community by providing living opportunities near existing commercial areas, community parks and services, as well as public transportation.

Policies related to housing are included in Section 2.2.6 of the Growth Plan. The housing policy section of the Growth Plan is a municipal wide planning directive primarily related to the development of a housing strategy that supports the achievement of minimum intensification and density targets while including policies for a diverse range of housing types and a mix of housing options and to support the achievement of complete communities. The proposed development provides for a housing option for residents within a complete community.

Section 3.2 of the Growth Plan provides for policies for infrastructure to support growth. The infrastructure planning section of the Growth Plan is a municipal wide planning directive primarily related to future infrastructure investment and expansion. The severed and retained lots will utilize the existing water and wastewater infrastructure available along Nettleton Drive.

Section 4 of the Growth Plan contains the natural heritage and resource policies. An objective of the Growth Plan is to plan for the protection of Key Natural Heritage features and Key Hydrologic features. Section 4.2.4 of the Growth Plan contains policies regarding Lands Adjacent to Key Natural Heritage Features and have been reviewed as the subject property is abutting Key Natural Heritage Features.

Section 4.2.2.6 of the Growth Plan requires the continued protection of natural heritage features within settlement areas in a manner that is consistent with the PPS. As mentioned, a portion of the subject property is designated and zoned Environmental Protection. The Environmental Impact Study prepared by Azimuth Environmental Consulting Inc. concludes that the natural heritage features on and adjacent to the property will not be negatively impacted by the proposed new residential lot, subject to the implementation of the proposed mitigation measures.

The Town of Penetanguishene is subject to the Simcoe Sub-Area policies of Section 6 of the Growth Plan. These policies, among others, provide an emphasis which directs a significant amount of growth within the Simcoe Sub-area to settlement areas, with a particular emphasis on primary settlement areas, such as the Town of Penetanguishene. The development of this subject property will assist the Town in meeting the population forecasts.

The specific policies in the Simcoe Sub-Area with respect to planning for settlement areas includes identifying and planning for intensification, planning to create complete communities, ensuring development of high quality urban form and public open spaces that create attractive and vibrant places that support walking and cycling and which are transit supportive. The proposal for the subject property assists the Towns in achieving these policy initiatives.

Based on the above review and analysis, it is MP&D's opinion that the consent application and implementing Zoning By-law Amendment conforms to the policies contained in the Growth Plan.

4.3 County of Simcoe Official Plan

The County of Simcoe Official Plan (County OP) designates the Site, along with the entirety of Municipality, as being "Settlements". Table 5.1 of the County Official Plan identifies that the Town of Penetanguishene as one of the recognized and designated settlements in the County of Simcoe.

Section 3.1.1 of the County OP identifies that most growth will be directed to the settlements throughout the County. This policy also clarifies that the planning strategy of the County of Simcoe directed of a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on primary settlement areas, such as the Town of Penetanguishene.

Accordingly, as the Town of Penetanguishene is currently recognized as a primary settlement in the County OP, and the policy context is supportive of this provisional consent application. 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 OP. The consent application proposes one new lot on lands that are designated by the County as "Settlements" and designated by the Town to permit residential uses; as such, the use of the lots for residential development conforms with the County of Simcoe Official Plan.

Section 3.3.15 of the County Official Plan contains policies relating to Natural Heritage. Section 3.3.15 (vi) a) states that development and site alteration shall not be permitted *on adjacent lands to the natural heritage features and areas listed above, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.* The Site contains mapped natural heritage features in the Town's Official Plan and Zoning By-law. An EIS was prepared, which

concludes that subject to mitigation recommendations, both the severed and retained lots can be developed in conformity with natural heritage policies of the County Official Plan.

Section 3.3.19 describes the importance and need for municipalities to require stormwater management plans to support certain development. The severed and retained lots will be connected to the existing municipal stormwater infrastructure along Nettleton Drive.

Section 3.5 provides policies for the Settlement designation. Objectives of the County for this designation include, to focus population and employment growth and development within settlements; to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services; to develop mixed use settlements as strong and vibrant central places and to create healthy settlements and communities that are sustainable; and to promote development forms and patterns which minimize land consumption and servicing costs. The development proposed will contribute positively in the pursuit of these goals which are outlined in Sections 3.5.1 to 3.5.4 of the County OP.

Section 3.5.7 requires that settlement areas to be the focus of population and employment growth and their vitality and regeneration shall be promoted. It also states “Residential, commercial, industrial, institutional, and recreational land uses shall be developed within settlement area boundaries on land appropriately designated in a local municipal official plan for the use.” The subject property is located within the settlement area boundaries. This designation applies to lands within the settlement area that are intended for urban land uses and the proposed use of the severed and retained lots conforms to the settlement area growth management objectives.

Section 3.5.24 of the County OP includes intensification target for the local municipalities in the County of Simcoe. The intensification target within the built-up area of for the Town as prescribed by the County is 40%. The redevelopment of the subject property will assist the municipality in achieving the intensification target set out by the County of Simcoe and contribute to a compact development form.

Section 4.1 relates to healthy communities and housing. The subject property is located within the Town of Penetanguishene and the scale of development proposed the matters relating to this policy section are addressed to an appropriate degree. Accessibility exists to recreational facilities, schools, parks and local businesses. The future residential development on the severed and retained lots will have regard for streetscapes, building orientation, traffic flow and safety, and housing type.

Based on the review and analysis of the County of Simcoe Official Plan, the provisional consent application and implementing Zoning By-law Amendment applications conform to the policies of the County of Simcoe Official Plan.

4.4 Town of Penetanguishene Official Plan

The subject property is designated Neighbourhood Area and Environmental Protection Area in the Town of Penetanguishene Official Plan, in accordance with Schedule A – Land Use Structure, see **Figure 3**. In accordance with Schedule B2: Source Protection Policy Overlays, the subject property is almost entirely located within the Highly Vulnerable Aquifer overlay.

Section 2 of the Town’s Official Plan provides policy direction for Managing Growth within the Town. This section clarifies that the Town is identified as a Primary Settlement Area which is intended to accommodate significant growth to 2031 and that The Town will focus growth to accommodate a wide range of land uses and opportunities for intensification, infill and redevelopment. The creation of one new residential lot is considered infill as it will provide for the development of additional buildings on a property which will support intensification and fill development gaps in the existing neighbourhood.

Section 2.2.2 identifies that *residential intensification within the Delineated Built Boundary will be accommodated while minimizing negative impacts on established Neighbourhood Areas*. The consent and implementing Zoning By-law Amendment will create an infill lot within the delineated built boundary of the Town and will not negatively impact the character or traffic flow on Nettleton Drive.

Section 3.8.1 states that managing the supply of housing is instrumental to encourage an appropriate range of attainable housing in the Town. The consent application will facilitate the construction of a single detached dwelling on both the severed and retained lots, which will provide an additional housing option for residents in the Town.

Section 4.2 of the Town’s Official Plan contains policy direction for lands that are designated Neighbourhood Area. This section identifies that the Town’s Neighbourhood Areas are generally characterized by low density residential uses and that new development will be accommodated in Designated Greenfield Areas as well as through infilling on existing lots of record and the rounding-out of existing development patterns in the Delineated Built Boundary. The severed lot is considered infill development on an underutilized parcel within the existing developed area of the neighbourhood.

Section 4.2 of the Official Plan also includes the goals of the Neighbourhood Area designation, which in general, seek to sustain the character and identity of existing residential neighbourhoods; maintain and supplement existing housing stock through infilling; promote a range of accommodation types; ensure the preservation of existing tree cover; ensuring compatibility with the character of the area and ensuring compact form of development.

The consent application will facilitate the construction of a single detached dwelling on both the severed and the retained lots, which will be in-keeping with the existing residential character of the neighbourhood through an infill type of residential development. The consent application will

offer a housing type that is compatible with the existing low residential development that will be serviced by municipal water and wastewater services, all in accordance with the goals of the Neighbourhood Area designation included in Section 4.2.

Section 4.2.1 identifies that low-density residential uses are permitted on lands designated Neighbourhood Area. The proposed single detached dwellings on each of the severed and retained lots are identified as a permitted use.

Section 6.3.5 of the Official Plan contains policy direction for Land Division in the Town. Section 6.3.5.2.3 contains the general criteria for consent applications. Table 2 below provides a summary of the policies and our analysis on the conformity of the application to the criteria.

Table 2 – Summary of Consent Policies

Section	Policy	Conformity
6.3.5.2.3 (a) (i)	Road Access The lot to be retained and the lot to be severed shall have frontage on and access to an open, improved public road which is maintained on a year-round basis.	The severed and retained lots have frontage onto Nettleton Drive which is identified as a municipally maintained road.
6.3.5.2.3 (a) (ii)	Lots shall not be created which would create a traffic hazard due to limited sight lines on curves or grades	Development of the severed and the retained lots will not create a traffic hazard. Please refer to the Traffic Impact Review prepared by Tatham Engineering which is included in the application submission for a complete overview.
6.3.5.2.3 (a) (iii)	Any required road widenings, improvements or extensions to existing rights-of-way may be required as a condition of severance approval.	There are no improvements or extensions to Nettleton Drive required in support of the consent application. This is confirmed in the Traffic Impact Letter prepared by Tatham Engineering and detailed in Section 5.2 of this Report.
6.3.5.2.3 (a) (iv)	Notwithstanding subsection i., the lot to be retained and the lot to be severed may have frontage on and access to a Private Road where the consent is to separate two existing dwellings on a lot of record	Not applicable.
6.3.5.2.3 (b) (i)	Lot Size The lot area and frontage of both the lot to be retained and the lot to be severed shall	The severed and retained lots are of adequate size to accommodate future residential uses. The building

	be adequate for existing and proposed uses and shall allow for the development of a use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.	envelopes and setbacks shown on the proposed consent sketch (Figure 5) have been included in accordance with the recommendations included in the Environmental Impact Study and will be established through the implementing Zoning By-law Amendment application.
6.3.5.2.3 (b) (ii)	The proposed lots shall comply with the provisions of the Zoning By-law. Where it is not possible to meet the standards of the Zoning By-law, the Town may amend the standards in the Bylaw or a minor variance may be granted as a condition of approval, where that action is considered appropriate.	The severed and retained lots have been configured to comply with the minimum lot frontage and lot area requirements for the Residential One (R1) Zone.
6.3.5.2.3 (c) (i)	Proper Development of Adjacent Lands The proposed lot(s) shall not restrict the development of other parcels of land, particularly the provision of access to allow the development of remnant parcels in the interior of a block of land.	The lot configuration will not restrict the development of other parcels of lands in the area.
6.3.5.2.3 (d) (i)	Parkland Dedication Where a consent is approved, the parkland dedication policies of Section 6.3.11.2 shall apply.	Parkland dedication benefits will be carried out in accordance with the <i>Planning Act</i> .
6.3.5.2.3 l (i)	Municipal Services Connection shall be made to municipal services provided they are available. Where they are not, individual water and sewage services may be permitted provided that site conditions are suitable for the long-term provision of such services with no negative impacts.	The severed and retained lots will be serviced my municipal water and sanitary services.

As detailed in Table 2, the proposed consent application conforms to the policies of Section 6.3.5.2.3.

Section 4.10 of the Official Plan contains policy direction for lands designated Environmental Protection Area.

Section 3.10 contains policies regarding Natural Heritage Features and Areas. Section 3.10.1 states, *lit shall be the policy of the Town that the delineation of Natural Heritage Features and*

Areas is based on data or criteria provided by the Town's Natural Heritage Study. These features shall be protected for the long-term and given due consideration in the development, redevelopment and alteration of land within the identified areas. The delineation of these features may be determined and/or refined through the preparation of a detailed Environmental Impact Study (EIS).

An EIS has been prepared by Azimuth Environmental Consulting Inc. and confirms that the natural heritage features on and adjacent to the property will not be negatively impacted by the proposed new residential lot. The EIS concluded that the environmental conditions are not limiting to the proposed development of a future residence through incorporation of the environmental protection measures described in the EIS. The protection measures include vegetation clearing windows, installation of silt fencing prior to site works on the property, and a 5 metre setback from the drainage feature. The developable area on the property will be implemented through the proposed Zoning By-law Amendment to establish setbacks from the drainage feature on the property.

The consent application will maintain the existing character of the area and provide for a lot fabric that is similar to those on the south side of Nettleton Drive. The lots are sized to be capable of accommodating future residential uses that can be serviced by municipal water and wastewater services.

It is the opinion of the undersigned that the consent application and implementing Zoning By-law Amendment application conform to Town of Penetanguishene Official Plan.

4.5 Town of Penetanguishene Zoning By-law

The subject property is currently zoned Open Space (OS) and Environmental Protection (EP) as shown in **Figure 4** to this Report.

In order to accommodate future residential development on the severed and retained lots, a concurrent Zoning By-law Amendment ("ZBA") application has been submitted with the consent application.

The ZBA application proposes to rezone a portion of the subject property to the Residential One Exception Zone and Environmental Protection (EP) Zone. The ZBA would facilitate future residential development and establish a building envelope on each of the proposed lots.

The permitted uses in the Residential (R1) Zone include single detached dwellings as detailed in Table 6.2.1 of the Zoning By-law and the zone provisions for the R1 Zone are included in Table 6.3.1 of the Zoning By-law. The severed and retained lots comply with the minimum lot area and lot frontage requirements for the R1 Zone. A zoning compliance review of the consent application has been completed and is summarized in Table 3 (following page).

Table 3 – Zoning Matrix

Lot Standard	Minimum R1 Zone Standard	Proposed Severed Lot	Proposed Retained Lot
Minimum Required Lot Area (Fully Serviced)	460 square metres	1,172 square metres	954 square metres
Minimum Required Lot Frontage	15 metres	15 metres	18.4 metres

In order to implement the recommendations contained in the Environmental Impact Study (EIS), we recommend that a condition of provisional consent to be imposed. The condition would require that a portion of the Site be rezoned to the Residential One Exception Zone in order to implement the mitigation measures identified in the EIS, to permit a minimum setback from a watercourse of 5 metres.

A draft zoning by-law has been submitted to the Town which outlines the proposed zoning, which is included as **Attachment 1** to this Report.

Based on a review of the proposed lot configuration, it is the opinion of the undersigned that the site is well suited to accommodate future residential development, and that the consent and implementing ZBA applications maintain the general intent and purpose of the Town’s Zoning By-law.

5.0 SUPPORTING STUDIES

5.1 Environmental Impact Study

An Environmental Impact Study has been prepared by Azimuth Environmental Consultants Inc. dated October 2023. The Report concludes that the development would be consistent with the natural heritage policies of the PPS and conform to the natural heritage policies of the Growth Plan, County of Simcoe Official Plan and the Town of Penetanguishene Official Plans.

An examination for Species at Risk (SAR) was completed as part of the work program. It was identified the habitat requirements of all SAR assumed and documented to occur in the area, and results indicate the proposed development will not result in negative direct or indirect impacts to habitat of SAR provided the recommended mitigation measures are implemented.

The key recommendations and mitigation measures contained in the EIS include:

- Ensuring tree removals are avoided during the April 1st to September 30th time period;
- A 5m setback is recommended in recognition of the urbanized character of the local landscape, and relatively fragmented and degraded condition of wetlands located on and immediately adjacent to the property boundary;

- The proponent consult the appropriate qualified professional(s) to ensure that the ultimate proposed development does not indirectly impact seepage areas associated with the drainage feature;
- Prior to the commencement of works on the property, silt fencing should be applied along the length of directly adjacent natural or naturalized features, and routine inspection/maintenance of the silt fencing should occur throughout construction.
- All maintenance activities (re-fueling machinery, stockpiling loose/erodible material, fuel storage, greasing machinery, etc.) required during future construction should be conducted at least 30m away from woodlands, wetlands and the drainage feature to prevent accidental spillage of deleterious substances that may harm natural environments.

The provisional consent application and the proposed development is supported from a natural heritage perspective in accordance with the EIS that has been completed and submitted in support of this application.

5.2 Traffic Impact Review

A Traffic Impact Review was prepared by Tatham Engineering dated March 1, 2024, to assess the impact the development would have on the adjacent roadway and provide recommendations regarding the provision of safe and efficient traffic infrastructure and services.

The conclusions of the Traffic Impact Review include the following:

- The trip generation of the proposed development will be minimal, with no material impacts to the adjacent road network.
- There are no road network improvements required to accommodate the proposed development.
- The sight lines along Nettleton Drive to/from each proposed driveway are adequate.
- The sight lines along Scott Street to/from Nettleton Drive are adequate; and
- There is sufficient maneuvering space provided for typical private automobiles to navigate to/from each proposed driveway.

Overall, the Traffic Impact Study concluded that the traffic generated by the development of the severed and retained parcels can be supported by the existing road network.

5.3 Geotechnical Assessment

A Geotechnical Assessment been prepared by Cambium Environmental dated March 26, 2024. The purpose of the report was to to inform the foundation and servicing designs for the future dwellings on each of the proposed lots and to obtain updated groundwater elevations for the property. The Report concluded that with the implementation of groundwater controls, excavation timing windows and designing the proposed dwellings without basements, the

proposed development can occur in a manner that that is consistent with Provincial and Municipal policies and guidelines.

6.0 CONCLUSION

In considering the site location, conditions, context and surrounding uses, the consent application and implementing Zoning By-law Amendment represent proper and orderly development and good planning. The ZBA would amend the present zoning on the Site to permit future residential development in accordance with the recommendations of the EIS.

Based on a detailed review of all applicable Provincial and local planning documents, it is the opinion of the undersigned that the consent and Zoning By-law Amendment applications are consistent with the policies of the PPS; in conformity with the policies of the Growth Plan, County of Simcoe Official Plan and Town's Official Plan; and, represent good planning.

Respectfully submitted,
MORGAN Planning & Development Inc.



Jonathan Pauk, HBASc., MSc., MCIP, RPP
Senior Planner



Josh Morgan, MCIP, RPP
Principal



Figure 1

AERIAL PHOTO

65 Nettleton Drive

Part of Lot 116, Concession 1
Penetanguishene, County of Simcoe

LEGEND

 Subject Lands

0 5 10 15 20m

Scale: 1 : 500



Source: County of Simcoe interactive map.

Drawn By: A.M.

Date: February 13, 2024

File No: 1332

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Figure 2

CONTEXT MAP

65 Nettleton Drive

Part of Lot 116, Concession 1
Penetanguishene, County of Simcoe

LEGEND

 Subject Lands

0 100 200 300m

Scale: 1 : 7,500



Source: County of Simcoe interactive map.

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







Figure 3

OFFICIAL PLAN LAND USE DESIGNATION

65 Nettleton Drive
Part of Lot 116, Concession 1
Penetanguishene, County of Simcoe

LEGEND

-  Subject Lands
-  Neighbourhood Area
-  Major Open Space Area
-  Mixed-Use and Commercial Area
-  Downtown and Waterfront Area
-  Environmental Protection Area
-  Delineated Built Boundary

0 50 100 150 200m

Scale: 1 : 5,000



Source: Town of Penetanguishene Official Plan, Schedule A:
Land Use Structure, January 2019.

Drawn By: A.M.

Date: February 14, 2024

File No: 1332

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Zone Matrix	Residential One (R1) (ZBL 2022-17)	PROPOSED Lands to be Severed	PROPOSED Lands to be Retained
	Lot Area (min)	460m ²	±1,172.6m ² (0.29ac)
Lot Frontage (min)	15m	±18.4m	±15.0m
Lot Coverage (max)	35%	±9.7%	±11.9%
Front Yard (min)	6.0m	25.2m	8.0m
Side Yard (min)	1.2m	2.1m	1.2m
Rear Yard (min)	7.5m	±27.7m	±45.0m
Building Height (max)	11.0m	<11.0m	<11.0m

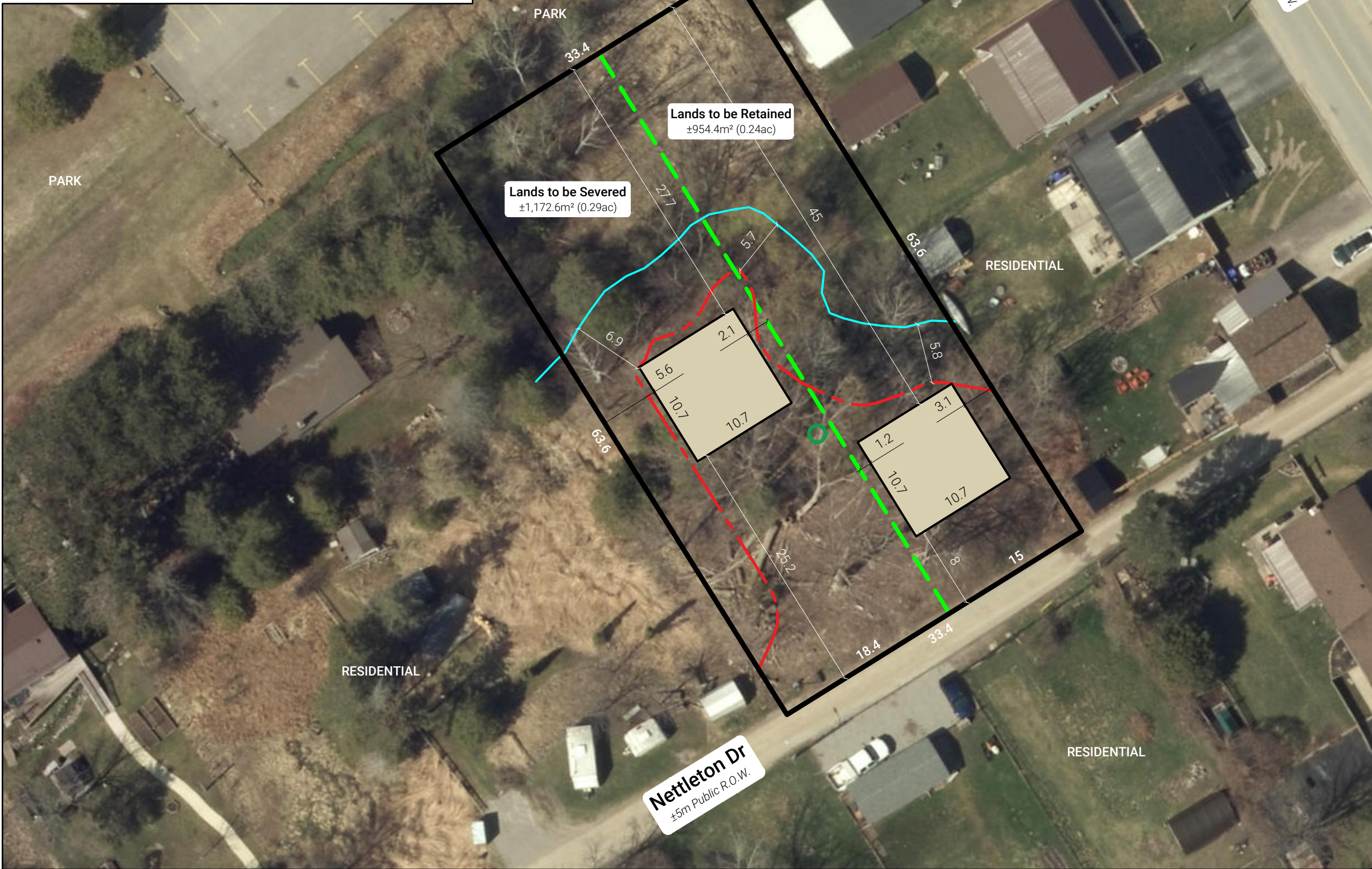
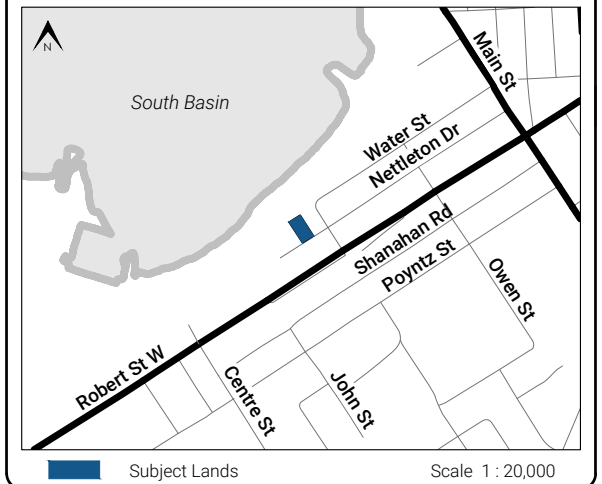


Figure 5

LOT CONFIGURATION

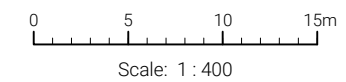
65 Nettleton Drive

Part of Lot 116, Concession 1 W of Penetanguishene Rd
Penetanguishene, County of Simcoe



LEGEND

- Subject Lands
Lot Area: ±2,127.0m² (0.53ac)
Lot Frontage: ±33.4m
- Development Envelope as identified by Environmental Impact Study
- Conceptual Building Footprint
- Proposed Severance Boundary / Lot Line
- Bat Snag - High Quality
- Watercourse



Note: This drawing is for discussion purposes only.
Boundary to be verified by an O.L.S.

Source: Environmental Constraints sketch, Azimuth Environmental Consultants Inc, October 2022.
County of Simcoe interactive map.

Drawn By: A.M. Date: February 14, 2024 File No: 1332



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