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planners • project managers • land development

February 18th, 2022

Town of Penetanguishene
10 Robert Street West,
Penetanguishene, ON L9M 2G2

Attention: Building and Support Services

Re: Application for Consent to Sever
1145 Fuller Avenue
Roll No: 43720200012360
Penetanguishene, County of Simcoe

1.0 INTRODUCTION

Innovative Planning Solutions has been retained by 2790542 Ontario Inc. to complete a Planning Justification Report in relation to the Consent application for the lands municipally know as 1145 Fuller Avenue, Penetanguishene and legally described as Lots 21B, 53B, 63B, and Part Lot 77B on Registered Plan 69. The lands are located at the intersection of Fuller Avenue and Pine Grove Road, in the Township of Penetanguishene, in the County of Simcoe. The subject lands possess an area of 13 hectares (32 acres). The location of the lands is shown in **Figure 1**.

The intent of the application is to obtain approval for one (1) severance to separate the approved Draft Plan of Subdivision from the additional lands owned by the applicant on the southwestern portion of the property, creating net one (1) lot.

This report will review the applicable policies found within the documents noted below and justify the application based on good planning principles:

- Provincial Policy Statement (2020)
- Places to Grow: Growth Plan for the Greater Golden Horseshoe (Consolidation 2020)
- County of Simcoe Official Plan (2016)
- Town of Penetanguishene Official Plan (Consolidation 2018)
- Town of Penetanguishene Zoning By-law 2002-02



Figure 1
SUBJECT LANDS AERIAL

Source: Google Maps, 2022

Drawn By: JT | File: 05-137

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2.0 BACKGROUND

In May of 2007, the respective owners of the lands submitted an Official Plan Amendment application to the Town for use of the lands for residential purposes. In June of 2015, the Council of the Town of Penetanguishene designated the subject lands as 'Neighbourhood Area' and 'Environmental Protection One', and a population allocation of 400 persons was provided. On February 22, 2019, Zoning By-law Amendment (File No. Z.A. 3/2019) and Draft Plan of Subdivision applications were submitted to the Town of Penetanguishene. This was to develop the property with a total of 173 dwelling units and associated future residential, commercial, open space, parkland, environmental protection and stormwater management facility blocks. A public meeting was held on September 11, 2019.

On August 12, 2020, a Zoning By-law Amendment to the Town of Penetanguishene Zoning By-law 2000-02 was passed to rezone the subject lands to multiple new zones, detailed in Section 2.0 of the Report to facilitate future residential development within the approved Draft Plan of Subdivision, also approved August 12, 2020 and contained in **Appendix 1**. This application for consent is associated with the phasing of the development plan outlined in the above application, to set aside a portion of the subject lands for future commercial development. This is further described in Section 3.0 of the Report.

3.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject lands possess 570.92 metres of frontage along Fuller Avenue and 105.02 metres of frontage along Pine Grove Road. The total land area of the land constitutes 13.21 hectares (32.64 acres). The lands are predominantly flat with some relief in the southwestern corner downward toward St Andrews Lake and Pine Grove Road. The lands immediately adjacent to St. Andrews Lake are identified as a Provincially Significant Wetland (PSW) and will remain protected. Also existing to the eastern side of the property is a Life Sciences Area of Natural and Scientific Interest (ANSI). Since the submission of the previous Zoning By-law Amendment and Draft Plan of Subdivision application in 2019, the lands have been cleared of vegetation and previously existing structures with the exception of the Environmental Protection Area.

The lands are located in the 'Settlements' area of the County of Simcoe Official Plan, Schedule 5.1 (**Figure 2**). The subject lands are currently designated 'Environmental Protection Area' and 'Neighbourhood Area' in the Town of Penetanguishene Official Plan (Consolidation 2018). They are further located outside of the 'Delineated Built Boundary' as shown in **Figure 3**. The Zoning By-law Amendment application approved in August 2020 rezoned the lands from 'Rural Exception (RU-9)' and 'Environmental Protection (EP)' to a combination of 'Residential-Exception', 'Environmental Protection',

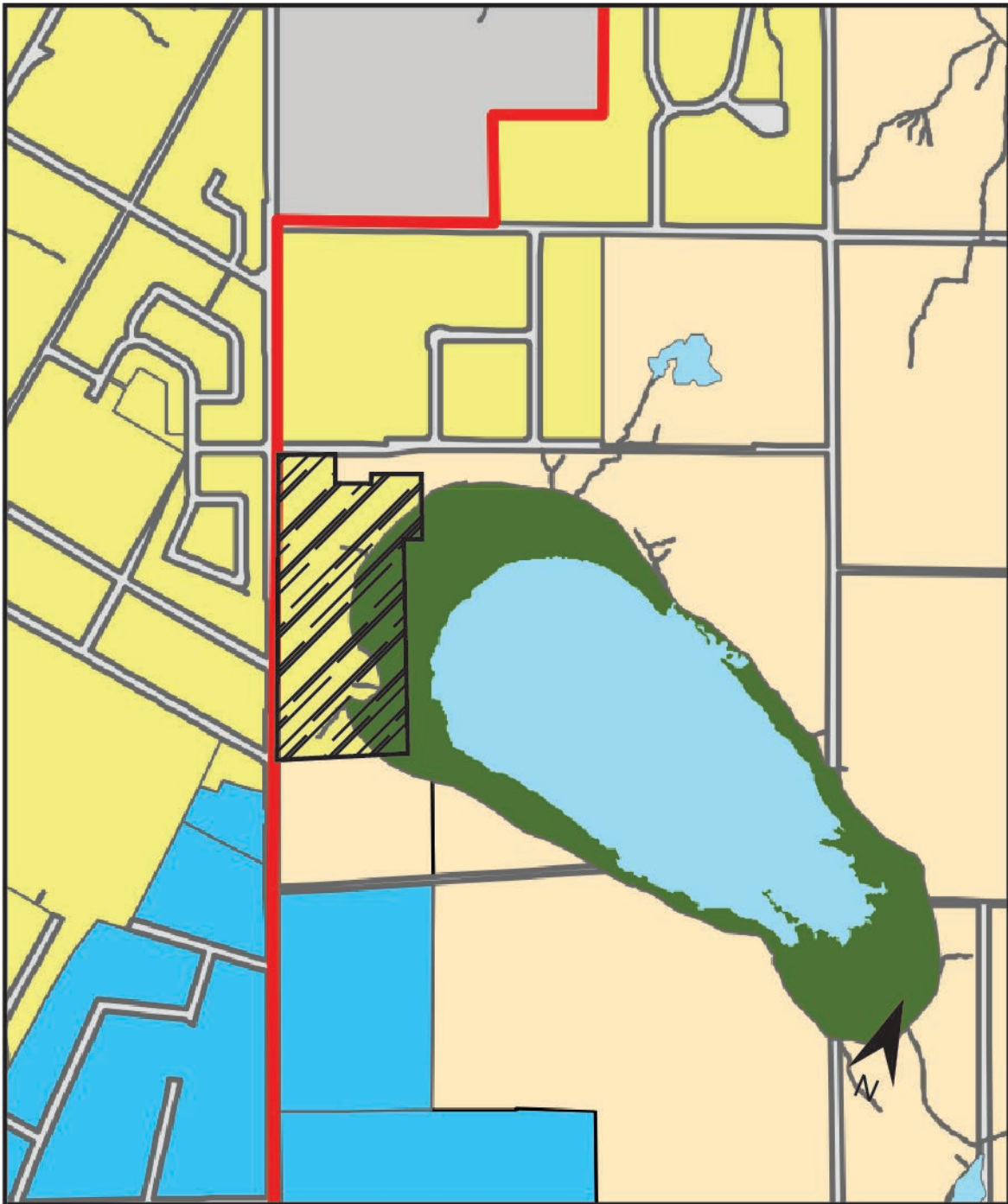
'Open Space' and 'Commercial Neighbourhood' zones in the Town of Penetanguishene Zoning By-law 2002-02. The resulting zones within the lands a result of the application are as follows:

- Commercial Neighbourhood Zone with Holding Symbol "CN-H"
- Environmental Protection Zone "EP"
- Open Space Zone "OS"
- Residential Third Density Exception 18 Zone "R3-18"
- Residential Third Density Exception Zone 19 "R3-19"
- Residential Third Density Exception Zone 20 "R3-20"
- Residential Third Density Exception 21 Zone "R3-21"
- Residential Multiple Exception 5 Zone with Holding "RM-5-H"

Provided in **Appendix 2** is a copy of the approved Schedule. The application intends to maintain current land use designations and zones, with adherence to zoning provisions.

General surrounding land uses are as follows and further demonstrated in **Figure 5**:

- North** Adjacent to the north exists single detached residential properties, consistent to the north of the lands with the exception of the Central North Correctional Centre (<1km north).
- East** Directly to the east are lands designated Environmental Protection, the St. Andrew's Provincially Significant Wetland (PSW), and St. Andrew's Lake.
- South** Directly to the south exists a residential land use. Lands further south are predominantly comprised of rural and rural commercial land uses, with industrial employment uses located along Centennial Drive and adjoining streets.
- West** Adjacent to the west exists single detached dwelling units across Fuller Avenue. Further west are low density residential land uses.



-  Subject Lands
-  Neighbourhood area
-  Environmental Protection
-  Delineated Built Boundary

Figure 3
TOWN PLAN DESIGNATION

Source: Town of Penetanguishene Official Plan
 Schedule A Land Use Structure

Drawn By: JT

File: 05-137

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Subject Lands

Figure 5

SUBJECT LANDS CONTEXT

Source: Google Maps, 2022

Drawn By: TS

File: 05-137



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4.0 DESCRIPTION OF DEVELOPMENT

The proposal aims to create one (1) new lot consisting of the additional lands owned by the applicant by way of severance, shown in the Severance Sketch provided in **Appendix 3**. The severed parcel will be comprised of the northwestern portion of the subject lands, totalling an area of 0.24 hectares (0.6 acres). The retained lands will include the remainder of the approved Draft Plan of Subdivision, possessing an area of 12.8 hectares (31.6 acres). The proposed severance will enable the owner to separate a block of additional lands from the rest of the plan of subdivision. The intent to sever these lands was previously detailed in the Zoning By-law Amendment and Draft Plan of subdivision applications submitted in 2019. Within these applications, it was stated that the lands to be severed were excluded from the proposed plan of subdivision to ensure that it could be separated to be developed for commercial uses through a separate process.

The severed parcel will have an area of 0.6 acres with approximately 45.3 meters of frontage along Pine Grove Road and 50.8 metres along Fuller Avenue. The severed parcel will be developed for future commercial uses, conveniently located on the northwestern corner of the lands at the intersection of Pine Grove Road and Fuller Avenue. The retained parcel will consist of the draft approved lands. The configuration of the proposed consent application will align with the respective zones of the lands and lot fabric associated with the subdivision plan. The severed lot will not incur impacts in terms of functionality to the approved subdivision, adjacent roads or immediate area. Both parcels will maintain access to municipal services provided by the Town of Penetanguishene.

Table 1 provided demonstrates the compliance of the severance proposal with the Town of Penetanguishene Zoning By-law 2002-02 for the Commercial Neighbourhood Zone. The retained lands will not be affected for zoning provisions and will not be assessed.

Table 1: Zoning Analysis the Commercial Neighbourhood Zone (CN)

Provision	Required Severed (CN)	Proposed Severed
Frontage (m)	19 m	45.3
Lot Area (m ²)	N/A	2,287.9

5.0 PLANNING POLICY AND ANALYSIS

This Section will outline the applicable planning policies relevant to the proposal. Each subsection will provide a review of applicable policies and provide associated justification of the application's alignment.

5.1 THE PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. The PPS directs land use patterns to be based on the provision of sufficient land for a full range of uses in areas which have the existing or planned infrastructure to accommodate them.

Settlement Areas

The subject lands are in the Primary Settlement Area of the Town of Penetanguishene identified in Schedule 8 of the Growth Plan for the Greater Golden Horseshoe. Detailed in Section 1.1.1 is the objective to sustain healthy, liveable and safe communities. Part (a) promotes efficient development and land use patterns that can contribute to the financial wellbeing of municipalities and of the Province over the long term. Pertaining to settlement areas, Section 1.1.3 provides that these areas will be the focus for growth and development. Section 1.1.3.2 further provides that land use patterns in settlement areas shall efficiently use land and resources, as areas sited for future intensification and redevelopment.

The proposed severance seeks to separate the lands zoned 'Commercial Neighbourhood' from the remainder of the approved Draft Plan of Subdivision. In doing so, the severed lands will be more appropriately allocated for future commercial development endeavours. The nature of the proposal is therefore consistent with Section 1.1.1 and associated settlement area policies provided for in Section 1.1.3, in successfully contributing to a variety of land uses in an efficient manner.

Infrastructure and Public Service Facilities

Section 1.6.6.1 promotes development that optimizes existing municipal sewage and water services. Further to this, Section 1.6.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas.

Consistent with Section 1.6, the proposed severance will continue to facilitate connectivity of the lands to municipal services, as both parcels will maintain connectivity to services provided by the Town of Penetanguishene.

For the above stated reasons, the proposal is consistent with the goals and objectives of the Provincial Policy Statement.

5.1 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

The Growth Plan for the Greater Golden Horseshoe ("Growth Plan") builds on the PPS and the Planning Act to inform growth and development to support economic prosperity, environmental protection, prosperous communities and guides subsequent land use policies. The Growth Plan further emphasises policies relevant to the proposal, inclusive of the situation in a designated 'Primary Settlement Area' in Schedule 8 Simcoe Sub-Area. They are considered to be located in a Designated Greenfield Area, due to being situated outside of the 'Delineated Built Boundary' in the Town of Penetanguishene Official Plan.

Managing Growth

Section 2.2.1.2 provides that the majority of growth is to be directed to settlement areas with a delineated boundary, areas with existing municipal services and which can support the achievement of complete communities.

The proposed severed lands are located in the Primary Settlement Area of the Town of Penetanguishene as indicated in Schedule 8 of the Growth Plan. Consistent with policies of Section 2.2.1 Managing Growth, the result of the severance application will be a land parcel allocated for future growth in the Town of Penetanguishene supported by existing municipal services, as supported by the Growth Plan.

Designated Greenfield Areas

Provided in Section 2.2.7, Designated Greenfield Areas are to provide new development that will support the achievement of complete communities and meet minimum density targets. The allocation of a population of 400 persons for the subject lands is applicable as per the OPA No. 27 submitted prior to this application.

The proposed severance seeks to achieve complete communities through contributing to a mix of land uses, specifically for providing commercial development opportunities and associated amenities for the immediate neighbourhood. The proposal will further facilitate the population allocation for the subject lands through provision of amenities.

Simcoe Sub-area

The subject lands are located in a Simcoe Sub-area, within the Town of Penetanguishene. Section 6.0 Simcoe Sub-area details Section 6.3 Managing Growth, which describes that municipalities will identify primary settlement areas and plan to support the achievement of complete communities in these areas.

Based on the statements above, it can be determined that the application demonstrates conformity with the Growth Plan.

5.3 THE COUNTY OF SIMCOE OFFICIAL PLAN (2016)

The County of Simcoe Official Plan provides policy direction on land use planning within the County. The subject lands are located within the 'Settlements' designations of the County of Simcoe Official Plan, in Schedule 5.1, and outside of the 'Delineated Built Boundary'.

General Development Policies

The County's general development policies are contained in Section 3.3. Section 3.3.2 provides that subdivision of land by plan of subdivision or consent, or plans of condominium, are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan's objectives and policies. Further provided in Section 3.3.4 is the policy where lots may only be created with access to frontage on a public highway.

Section 3.3.2 states that subdivision by consent is permitted only for land use permitted within the land use designation or that maintain the intent of the Plan's objectives in policies. It is understood that the application to sever the lands for commercial development is permitted within settlement areas and further in the 'Neighbourhood Area' land use designation of the Town of Penetanguishene Official Plan. The intent of this designation generally encourages access to local convenience retail in addition to the prominent development of low to medium density residential land uses. The proposal will facilitate both uses in the severed and retained parcels. This is further discussed in Section 4.4 of this Report. The proposal is further consistent with Section 3.3.4, where access to the created lot can be achieved both on Pine Grove Road and Fuller Avenue.

Settlements

Section 3.5.1 and Section 3.5.7 provide policy relating to the focusing of population and employment growth within settlement areas. Further to this, Section 3.5.2 encourages compact form, the efficient use of land and connectivity to services. In terms of growth patterns, Section 3.5.4 promotes development patterns which minimize land consumption and servicing costs.

The proposed application to sever the lands will maintain conformity with policies contained within Section 3.5, as the application seeks to allocate land for future commercial development adjacent to the approved subdivision. In doing so, development will be appropriately allocated to the settlement area in which the lands

are located. The configuration of the retained and severed parcels is consistent with efficient use lands within the settlement area, while maintaining connectivity to services.

Section 3.5.6 further provides that designated Greenfield shall be provided access to full municipal water and sewage services. These areas are also sited to contribute to density targets within the Town of Penetanguishene which is 50 residents/jobs per hectare, stated in Section 3.5.23. The subject lands, existing within the settlement area but outside of the built boundary meet the criteria for designated Greenfield areas. Employment opportunities can be provided for through the severed parcel, as facilitated by the severance application. Further, they will be provided access to full municipal services.

Given the above, the proposed development conforms to the County of Simcoe Official Plan.

5.4 THE TOWN OF PENETANGUISHENE OFFICIAL PLAN (2018)

The Town of Penetanguishene Official Plan provides direction for future growth, development and change within the Town. The lands are designated 'Neighbourhood Area' and are not within the 'Delineated Built Boundary' in Schedule A: Land Use Schedule of the Official Plan.

Neighbourhood Areas

Section 4.2 provides policy for the land use designation of Neighbourhood Area. It is provided that this land use designation shall consist predominantly of low-density residential land use, where neighbourhood-scale commercial uses are permitted to improve convenience and accessibility for residents. It is stated that new development shall further be located within Designated Greenfield Areas (i.e. those outside of the Delineated Built Boundary but within the Settlement Area). Under this Section, it is provided that the character of existing residential neighbourhoods is to be sustained and enhanced, with new development contributing high quality design that is supportive of the existing area. Specific policy under Section 4.2.1 provides that neighbourhood commercial uses are permitted inclusive of the following:

7. Neighbourhood commercial uses such as convenience stores, personal service establishments, small-scale eating establishments, and other similar convenience commercial uses that serve the day-to-day needs of the area shall be permitted subject to locational criteria.

The proposed severance will enable further development of the severed parcel to provide commercial services to the immediate area, including that of the residents of the approved Draft Plan of Subdivision, consistent with Section 4.2.

Land Division

Under Section 6.5.3.2 Consents, it is provided that:

1. *A consent should only be considered where a plan of subdivision is deemed to be unnecessary, where the application conforms with the policies of this Plan, is consistent with the Provincial Policy Statement, and generally, the consent shall not result in the creation of more than five new lots in a single application. Where feasible and applicable, the Town should limit strip development (linear development along a road) and require the clustering of lots to minimize the use of land.*

The severance proposal will not result in the creation of more than five new lots or meet criteria constituting strip development.

Related to this application, it is stated that policies related to road access, lot size, proper development of adjacent lands and connection municipal services are criteria in which a consent application is evaluated.

Relative to road access, the following is provided:

- i. *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.*

Comment: Both the severed and retained lots will have access and frontage along the public roads of Fuller Avenue and Pine Grove Road, indicated in the Severance Sketch in **Appendix 3**.

- ii. *Lots shall not be created which would create a traffic hazard due to limited sight lines on curves or grades.*

Comment: It is anticipated that future development of the lot will maintain appropriate sight lines on curves and grades as necessary.

Policy on lot size details that lot area and frontage for the retained and severed parcel must be provided so that existing and proposed uses can be facilitated, in which development is compatible with adjacent uses with appropriate setbacks and buffering. Further to this, the lots must be in compliance with the Zoning By-law stated in Section 6.5.3.2 (b). Compliance with this policy is demonstrated in **Table 1**, indicating that the

frontage and area meet the provisions of the Commercial Neighbourhood Zone for the severed parcel. The retained parcel will maintain conformity with the Zoning By-law, for the respective zones.

It is provided that the proposed lot to be created will not generate restrictions to the adjacent parcels, in particular provision of access as provided Section 6.5.3.2 (c). The adjacent approved Draft Plan of Subdivision will not be restricted in the development as proposed. The severed parcel has been set aside for future development in the approved Draft Plan of Subdivision.

Policy related to municipal services provides that connection for severed lots shall be maintained where available, provided in Section 6.5.3.2 (e). Consistent with this policy, the proposed severed parcel will maintain connectivity to municipal services by the Town of Penetanguishene, with the availability to service the severed parcel in the long term.

Based on the above, the consent application confirms to the objectives and policies of the Town of Penetanguishene's Official Plan concerning the nature and type of development.

5.5 TOWN OF PENETANGUISHENE ZONING BY-LAW 2002-02

The subject lands are zoned a combination of 'Residential-Exception', 'Environmental Protection', 'Open Space' and 'Commercial Neighbourhood' zones. The severed and retained lots will meet the criteria of their respective zones as established in **Table 1** and demonstrated in the Severance Sketch within **Appendix 3**.

6.0 CONCLUSION

The application proposes to create one (1) new lot from the lands of the approved Draft Plan of Subdivision. The intent of the application is to facilitate commercial uses within the severed lot, as put forward in the approved zoning by-law amendment application to zone the parcel for commercial uses in 2019. This application will enable the provision of complimentary commercial land use and services to the adjacent subdivision and immediate area within the Town. The proposed severance will maintain the principal development of the subdivision and seeks to attain a lot configuration that will encourage improved division of land uses and in phasing of the approved project.

This Report demonstrates consistency of the proposed consent to sever application with Provincial, Regional, County, and Municipal planning policies and principles. It is in our

professional planning opinion that the proposed consent application represents good planning.

Respectfully submitted,

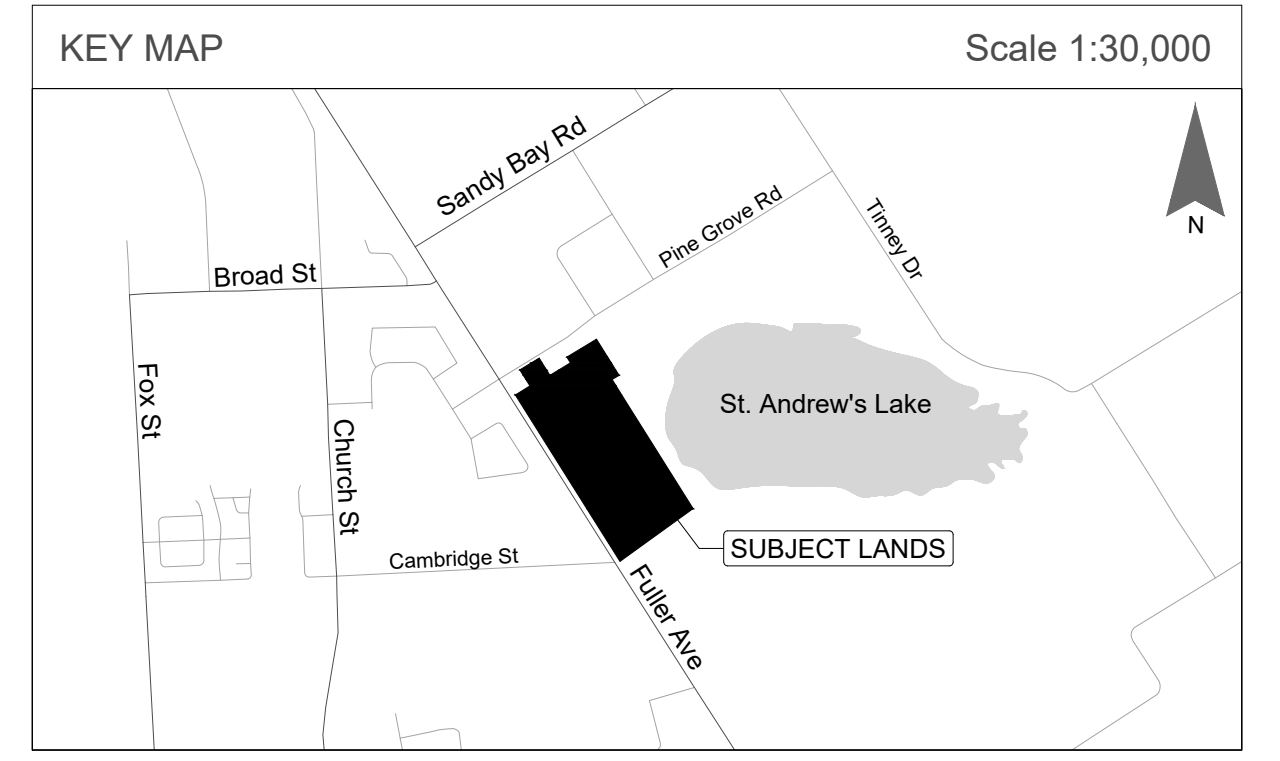
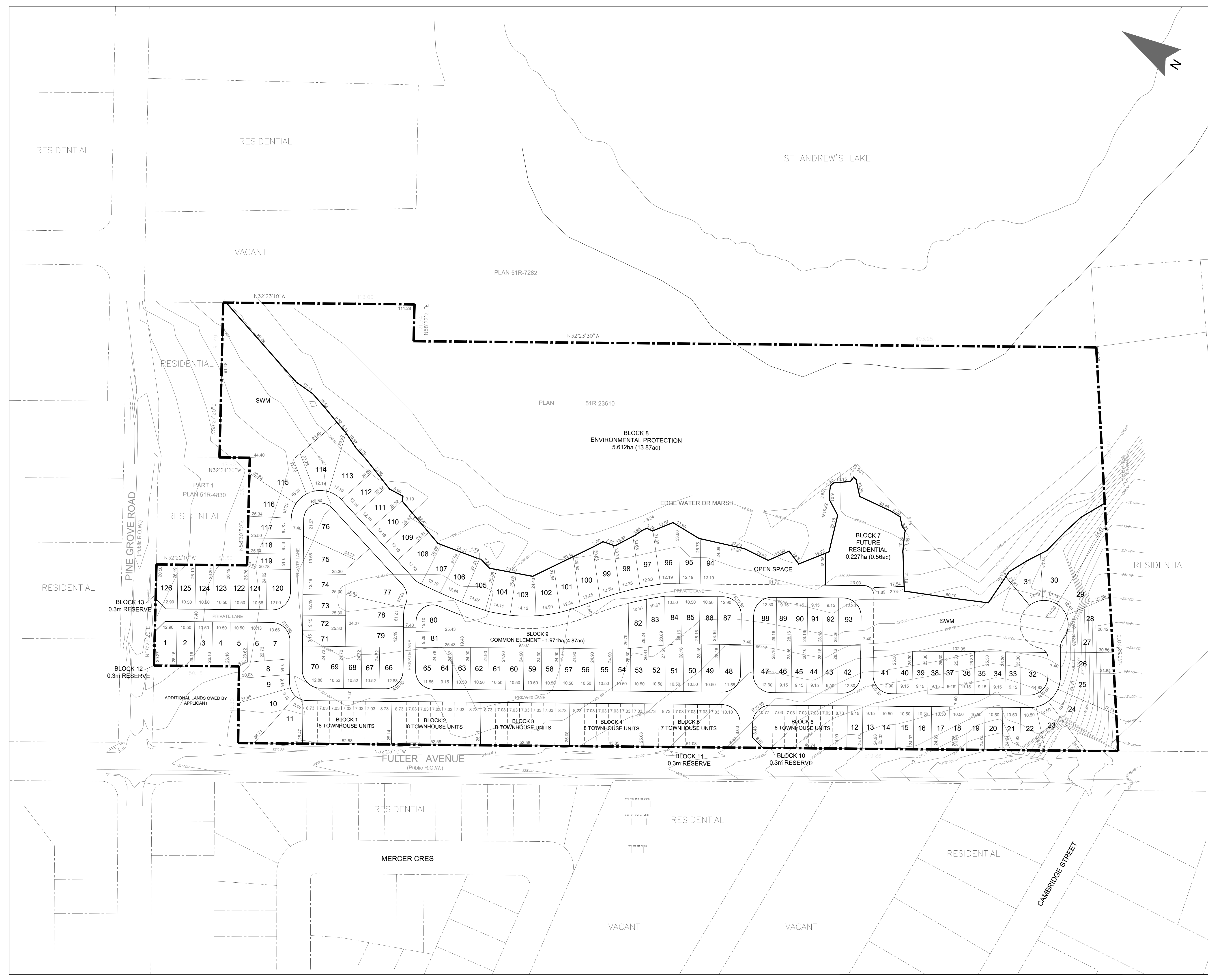
Innovative Planning Solutions Inc.

A handwritten signature in black ink, appearing to read 'D Vella', written over a horizontal line.

Darren Vella, MCIP, RPP

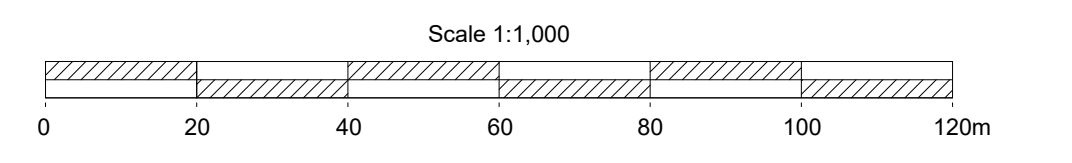
President & Director of Planning

APPENDIX 1:
APPROVED DRAFT PLAN OF SUBDIVISION



DRAFT PLAN OF SUBDIVISION

LOTS 21B, 53B, 63B, & PART OF LOT 77B
 REGISTERED PLAN 69
 FORMERLY IN THE TOWNSHIP OF TAY
 NOW IN THE
 TOWN OF PENETANGUISHENE
 COUNTY OF SIMCOE



LAND USE SCHEDULE

	LOTS/BLOCKS	Units	ha	ac	%
Single Residential Lots (12.19m)	7, 24-32, 41-42, 47, 66, 70, 73-80, 88, 93-117, 120	50	2.108	5.21	16.5
Single Residential Lots (10.50m)	1-5, 14-23, 49-63, 67-69, 82-87, 121-126	45	1.260	3.11	9.8
Single Residential Lots (9.15m)	6, 8-13, 33-40, 43-46, 48, 64-65, 71-72, 81, 89-92, 118-119	31	0.829	2.05	6.5
Townhouse Units (6.0m)	Blocks 1-6	47	0.780	1.93	6.1
Future Residential	Block 7	-	0.227	0.56	1.8
Environmental Protection	Block 8	-	5.612	13.87	43.8
Common Element	Block 9	-	1.971	4.87	15.4
0.3m Reserve	Block 10-13	-	0.022	0.05	0.1
TOTAL		173	12.809	31.65	100

Note: Common element block includes lanes, open space blocks, and stormwater management blocks.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- a) SHOWN ON PLAN
- b) SHOWN ON PLAN
- c) SHOWN ON PLAN
- d) SEE LAND USE SCHEDULE
- e) SHOWN ON PLAN
- f) NONE
- g) SHOWN ON PLAN
- h) MUNICIPAL WATER
- i) SHOWN ON PLAN
- j) SHOWN ON PLAN
- k) ALL MUNICIPAL SERVICES
- l) NONE

OWNERS' CERTIFICATE

I HEREBY AUTHORIZE INNOVATIVE PLANNING SOLUTIONS TO PREPARE THIS DRAFT PLAN OF SUBDIVISION AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE _____ JANICE WRIGHT
 DATE _____ DAVID WRIGHT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE _____ DINO ASTRIS D.L.S.
 DINO ASTRIS SURVEYING LTD.

SCHEDULE OF REVISIONS

No.	Date	Description	By
2	13 OCT 2021	Revised lot fabric.	AS
1	6 APR 2020	Addition of 0.3m reserve blocks.	VS

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
 647 WELHAM ROAD, SUITE 9, BARRIE, ONTARIO L4N 0B7
 Tel: 705 • 812 • 3281 Fax: 705 • 812 • 3438 E: info@ipsconsultinginc.com www.ipsconsultinginc.com

Date: November 27, 2018 Drawn By: VS
 File: 05-137 Reviewed By: DV

APPENDIX 2:
APPROVED ZONING BY-LAW AMENDMENT AND SCHEDULE



CORPORATION OF THE TOWN OF PENETANGUISHENE

BY-LAW NUMBER 2020-36

Being a By-law to Amend Zoning By-law 2000-02 as amended of the Corporation of the Town of Penetanguishene (1145 Fuller Avenue)

WHEREAS pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, the Council of the Town of Penetanguishene passed Zoning By-law 2000-02 as amended;

AND WHEREAS the Council of The Corporation of the Town of Penetanguishene has received an application to amend Zoning By-law 2000-02 and has approved the application;

AND WHEREAS a Public Meeting has been held in accordance with the Planning Act, R.S.O. 1990, to provide information to enable the public to understand generally the purpose and effect of the amendments being proposed;

AND WHEREAS the Council of The Corporation of the Town of Penetanguishene deems it appropriate to amend Zoning By-law 2000-02, pursuant to the authority given to it under Section 34 of the *Planning Act*, R.S.O. 1990;

NOW THEREFORE the Council of The Corporation of the Town of Penetanguishene hereby enacts as follows:

1. That Schedule 'A' to By-law 2000-02, as amended, is hereby further amended by zoning a portion of the lands shown on Schedule "1" attached hereto and forming part of this By-law composed of Lots 21B, 53B, 63B and Part of Lot 77B in Registered Plan 69 shall be rezoned from Rural Exception 9 (RU-9) Zone and Environmental Protection (EP) Zone to Residential Third Density Exception 18 (R3-18) Zone, Residential Third Density Exception 19 (R3-19) Zone, Residential Third Density Exception 20 (R3-20) Zone, Residential Third Density Exception 21 (R3-21) Zone, Residential Multiple Density Exception 5 (RM-5) Zone, Commercial Neighbourhood (CN-H) Zone, Open Space (OS) Zone and Environmental Protection (EP) Zone.
2. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.18 which shall read as follows:

"5.3.12.18 R3-18

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned "R3-18" shall only permit Single Detached Dwellings and the follow shall apply:

(a) Minimum Lot Frontage	9 metres
(b) Minimum Lot Area	225 square metres
(c) Maximum Lot Coverage	55%
(d) Minimum Yard Requirements	
a. Minimum Front Yard (to house)	4.5 metres
b. Minimum Front Yard (to garage)	6.0 metres
c. Minimum Side Yard	0.6 metres
d. Minimum Exterior Side Yard	3.0 metres
e. Minimum Rear Yard	5.0 metres
(e) Maximum Height	11.0 metres
(f) Minimum Ground Floor Area	74 square metres
(g) Minimum Parking	2 spaces

(h) Maximum lot coverage for accessory structures 10%

3. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.19 which shall read as follows:

“5.3.12.19 R3-19

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned “R3-19” shall only permit Single Detached Dwellings and the follow shall apply:

(e) Minimum Lot Frontage	10.5 metres
(f) Minimum Lot Area	260 square metres
(g) Maximum Lot Coverage	55%
(h) Minimum Yard Requirements	
a. Minimum Front Yard (to house)	4.5 metres
b. Minimum Front Yard (to garage)	6.0 metres
c. Minimum Side Yard	0.6 metres
d. Minimum Exterior Side Yard	3.0 metres
e. Minimum Rear Yard	5.0 metres
(e) Maximum Height	11.0 metres
(f) Minimum Ground Floor Area	74 square metres
(g) Minimum Parking	2 spaces
(h) Maximum lot coverage for accessory structure(s)	10%

4. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.20 which shall read as follows:

“5.3.12.20 R3-20

Notwithstanding the permitted uses under 5.3.1 and the zone regulations under 5.3.8 the lands zoned “R3-20” shall only permit Single Detached Dwellings and the follow shall apply:

(i) Minimum Lot Frontage	12 metres
(j) Minimum Lot Area	300 square metres
(k) Maximum Lot Coverage	55%
(l) Minimum Yard Requirements	
a. Minimum Front Yard (to house)	4.5 metres
b. Minimum Front Yard (to garage)	6.0 metres
c. Minimum Side Yard	0.6 metres
d. Minimum Exterior Side Yard	3.0 metres
e. Minimum Rear Yard	5.0 metres
(e) Maximum Height	11.0 metres
(f) Minimum Ground Floor Area	74 square metres
(g) Minimum Parking	2 spaces
(h) Maximum lot coverage for accessory structure(s)	10%

5. That Subsection 5.3.12 (R3 – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.3.12.21 which shall read as follows:

“5.3.12.21 R3-21

Notwithstanding the zone regulations under 5.3.5 for Row House Dwellings, the lands zoned “R3-21” the following shall apply:

(a) Minimum Lot Frontage	6.1 metres
--------------------------	------------

(b) Minimum Lot Area	150 square metres
(c) Maximum Lot Coverage	60%
(d) Minimum Yard Requirements	
a. Minimum Front Yard (to house)	4.5 metres
b. Minimum Front Yard (to garage)	6.0 metres
c. Minimum Side Yard (common wall)	0 metres
d. Minimum Side Yard (between units)	1.5 metres
e. Minimum Exterior Side Yard	4.0metres
f. Minimum Rear Yard	5.0 metres
(e) Maximum Height	11.0 metres
(f) Minimum Ground Floor Area	
i) Bachelor	32 sq. metres
ii) 1 Bedroom	51 sq. metres
iii) 2 Bedroom	65 sq. metres
iv)	10 sq. metres for each additional bedroom over 2.
(g) Minimum Parking	2 spaces
(h) Maximum Driveway width	0.3 metres from exterior wall of garage
(i) Maximum lot coverage for accessory structure(s)	10%

6. That Subsection 5.4.5 (RM – ZONE EXCEPTIONS) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 5.4.5.5 which shall read as follows:

“5.4.5.4 RM-5

Notwithstanding the zone regulations under 5.4.1 for Apartment Dwellings the lands zoned “RM-5-H” following shall apply:

(a) Minimum Lot Frontage	23 metres
(b) Minimum Lot Area	2,200 square metres
(c) Maximum Density	29 units

7. That Subsection 3.37 (HOLDING (H) SYMBOL) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 3.37.3 which shall read as follows:

“For the lands composed zoned Residential Multiple Density Exception 5 (RM-5) zone, the requirement for the removal of the Holding “H” Symbol shall be:

1. The approval of a Site Plan and Site Plan Agreement, pursuant to Section 41 of the Planning Act.”

8. That Subsection 3.37 (HOLDING (H) SYMBOL) of By-law 2000-02 as amended is hereby further amended by the addition of a new Subsection 3.37.4 which shall read as follows:

“For the lands composed zoned Commercial Neighbourhood (CN-H) zone, the requirement for the removal of the Holding “H” Symbol shall be:

2. The approval of a Site Plan and Site Plan Agreement, pursuant to Section 41 of the Planning Act.”

9. Notwithstanding the Permitted Uses under Subsection 5.3.1 any lands shown on Schedule “A” to this By-law shall also permit a Model Home(s) in accordance with the following:

- a. The land on which the model home is to be constructed has received draft plan approval under the provisions of the *Planning Act*.
 - b. That a Subdivision Agreement and/or a Model Home Agreement has been executed and that the Site has been developed in accordance with the Town's Community Design Manual.
 - c. That the building shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the plan of subdivision.
 - d. That the building shall comply with the zoning regulations of the by-law as though the units were constructed on the lot within the future plan of subdivision.
 - e. That the model home shall not be located further than 90 metres from a public street and/or a fire hydrant.
10. Notwithstanding any provisions to the contrary, a private road established under a Common Elements Condominium in accordance with the *Condominium Act*, shall also be deemed to be Public Street in accordance with the definition of a Public Street or Improved Public Street for any lands shown on Schedule "A" to this By-law.
 11. All other provisions of By-law 2000-02 as amended remain in full force and effect.
 12. This By-law shall take effect and come into force pursuant to the provisions and regulations made under the Planning Act, R.S.O. 1990, chapter P.13, as amended.

BY-LAW read a first, second and third time and finally passed by Council this 12th day of August, 2020.



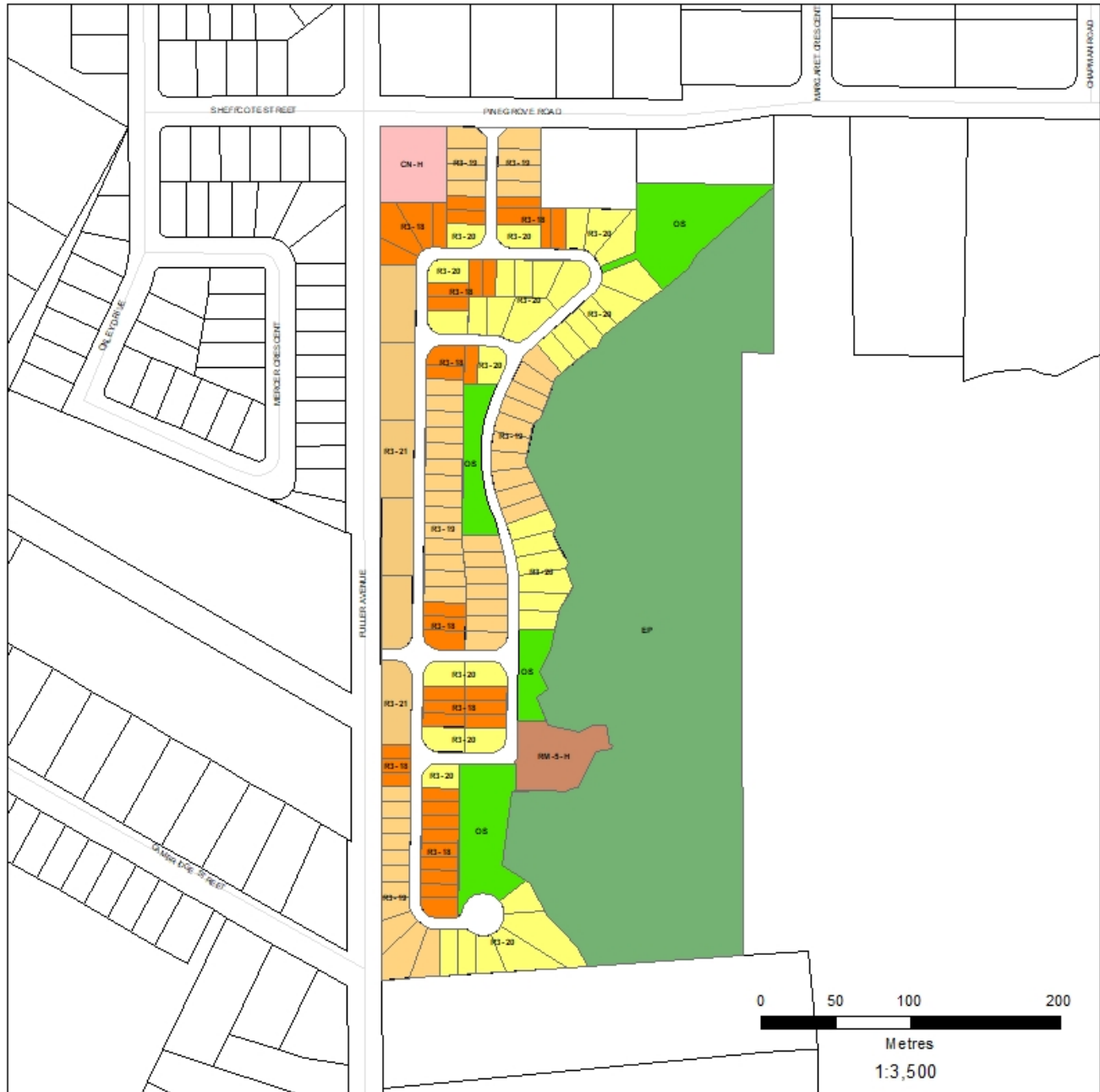
MAYOR Doug Leroux



CLERK Stacey Cooper



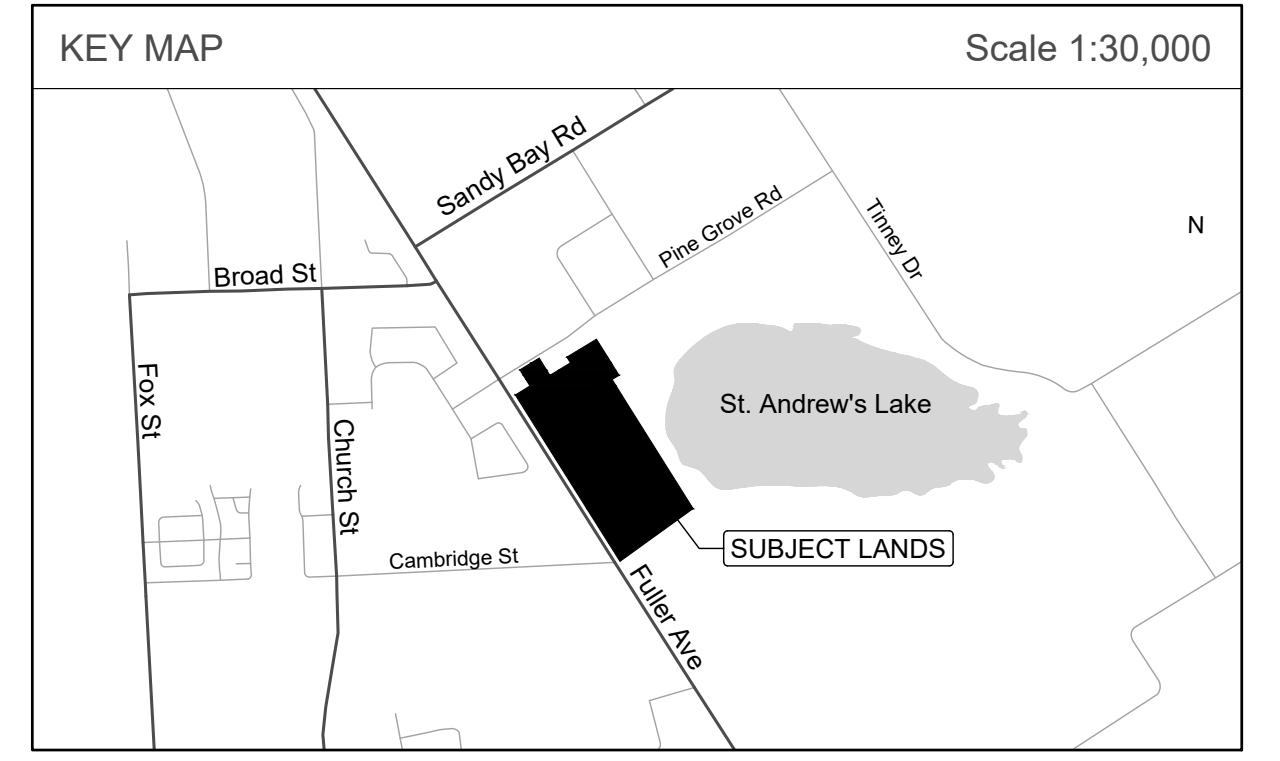
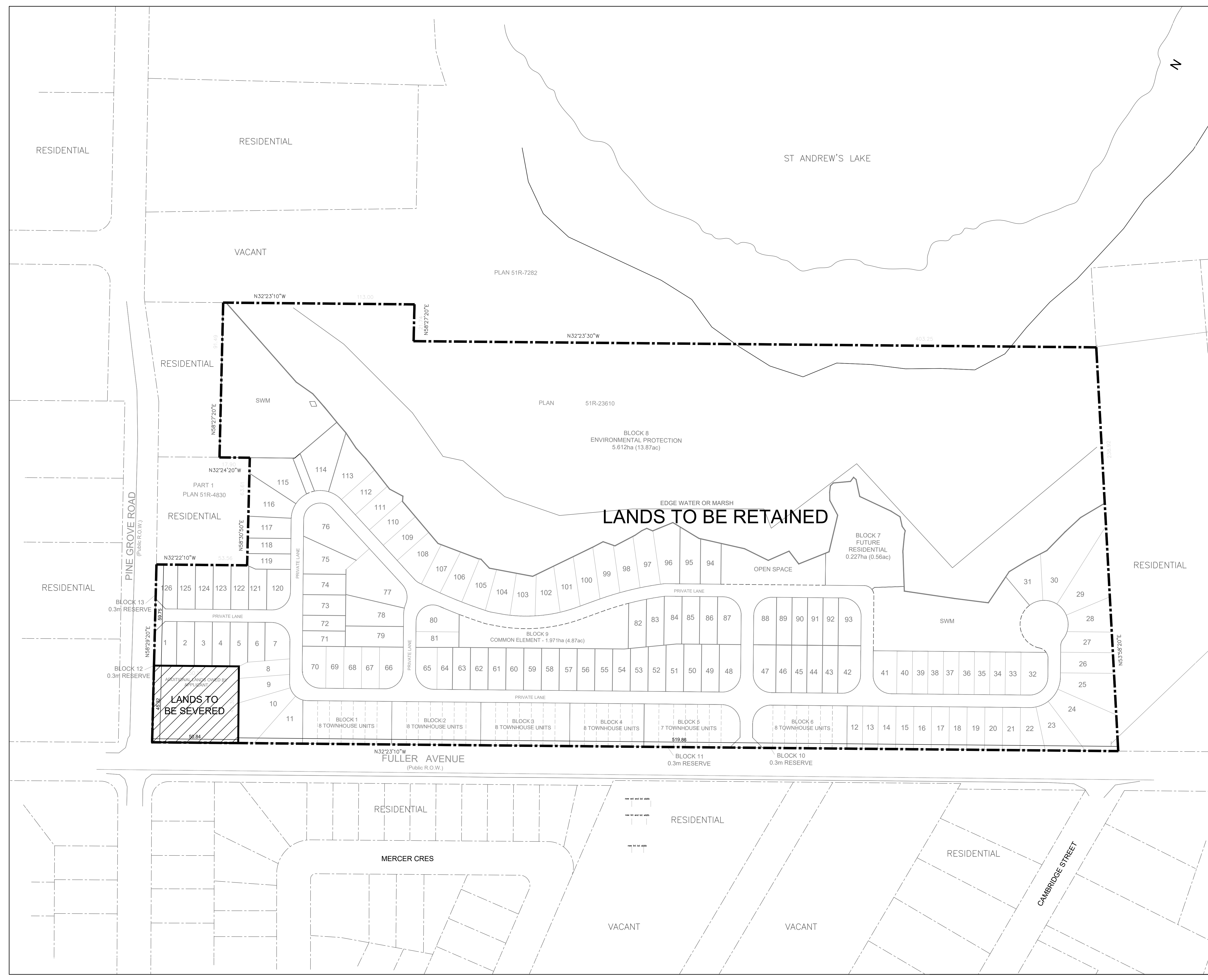
Schedule "1" to By-law 2020-36



Legend

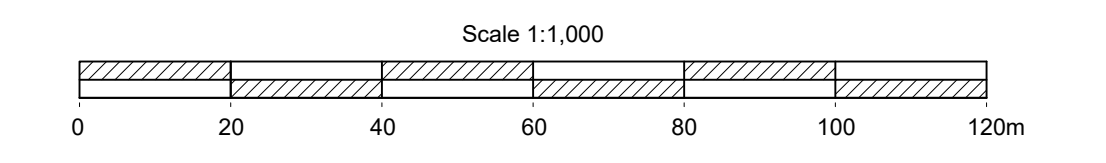
- | | |
|--|---|
|  Lands to be zoned Commercial Neighbourhood Zone with Holding Symbol "CN-H" |  Lands to be zoned Residential Third Density Exception Zone 19 "R3-19" |
|  Lands to be zoned Environmental Protection Zone "EP" |  Lands to be zoned Residential Third Density Exception 20 Zone "R3-20" |
|  Lands to be zoned Open Space Zone "OS" |  Lands to be zoned Residential Third Density Exception 21 Zone "R3-21" |
|  Lands to be zoned Residential Third Density Exception 18 Zone "R3-18" |  Lands to be zoned Residential Multiple Exception 5 Zone with Holding "RM-5-H" |

APPENDIX 3:
PROPOSED SEVERANCE SKETCH

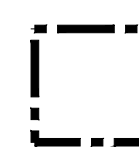
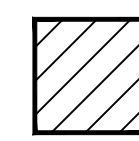
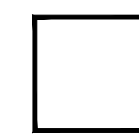


Severance Sketch

LOTS 21B, 53B, 63B, & PART OF LOT 77B
 REGISTERED PLAN 69
 FORMERLY IN THE TOWNSHIP OF TAY
 NOW IN THE
 TOWN OF PENETANGUISHENE
 COUNTY OF SIMCOE



LEGEND

-  **SUBJECT LANDS**
 Lot Area: 13,0381.5m² (32.2ac)
 Frontage: 105.0m
-  **LANDS TO BE SEVERED**
 Lot Area: 2287.9m² (0.6ac)
 Frontage: 45.3m (Pine Grove Rd)
-  **LANDS TO BE RETAINED**
 Lot Area: 128093.6m² (31.6ac)
 Frontage: 59.7m

SCHEDULE OF REVISIONS			
No.	Date	Description	By
2	13 OCT 2021	Revised lot fabric.	AS
1	6 APR 2020	Addition of 0.3m reserve blocks.	VS

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
 647 WELHAM ROAD, SUITE 9, BARRIE, ONTARIO L4N 0B7
 tel: 705 • 812 • 3281 fax: 705 • 812 • 3438 e: info@ipscollinsulinc.com www.ipscollinsulinc.com

Date: January 12, 2022 Drawn By: VS
 File: 05-137 Reviewed By: DV