

May 08, 2023



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

Our file: 22-1101

Attention: Andrea Betty, Director of Planning

Reference: **Planning Justification Letter**  
**Proposed Residential Lot Addition**  
Keefe Street Properties  
Penetanguishene, Ontario

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**Monteith Brown Planning Consultants** (“MBPC”) on behalf of our clients, 2718801 Ontario Inc. (c/o Michael Smele and Nancy Hildebrand), owners of the above noted lands, is pleased to submit a Consent Cancellation and Consent to Sever Application to permit the proposed severance of the two neighbouring properties (Roll numbers: 437201000712150 and 437201000712151) at the end of Keefe Street into three individual parcels. MBPC has been authorized to act as an agent for both property owners.

### Subject Lands

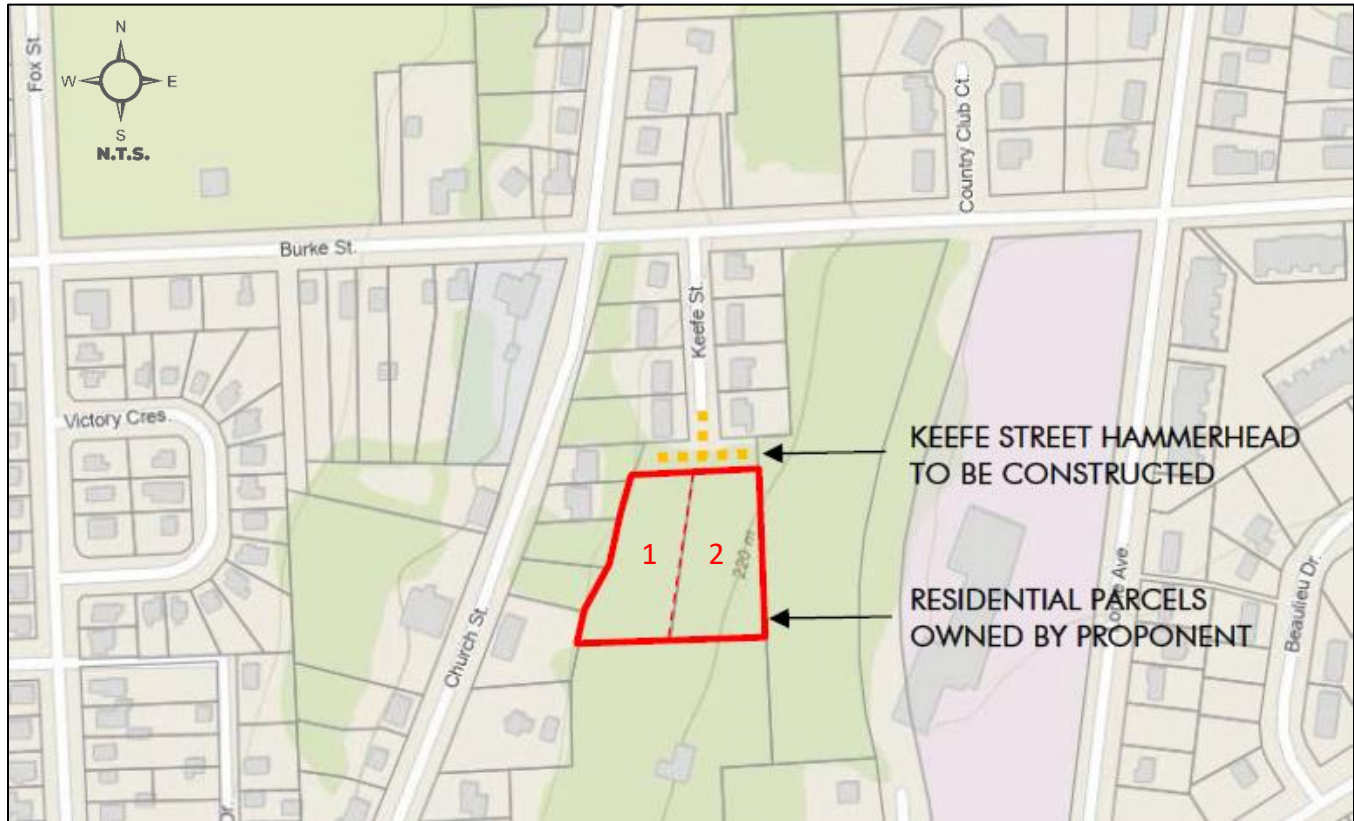
The properties, identified as Parcel ‘1’ and Parcel ‘2’ (See **Figure 1**), have a total area of approximately 5892 square metres (1.45 acres), with approximately 57 metres of frontage along the hammerhead extension of Keefe Street. It is our understanding that the proponent is working with the Township to build out the Hammerhead Road extension as a public right-of-way to provide legal frontage for the two properties. The subject lands are currently vacant with the building lots cleared of vegetation.

### Adjacent Lands

The subject lands are adjacent to established, low-density residential development along Keefe Street to the north. To the west, single detached residential development is nestled between wooded areas along Church Street. James Keating Elementary School is located to the east of the subject lands. To the South, one single detached dwelling abuts the property which is located behind more established low-density dwellings along Burke Street.

(continued...).

**Figure 1** | Aerial of the Subject Lands



Source: Simcoe County GIS, 2023

### Proposed Planning Application

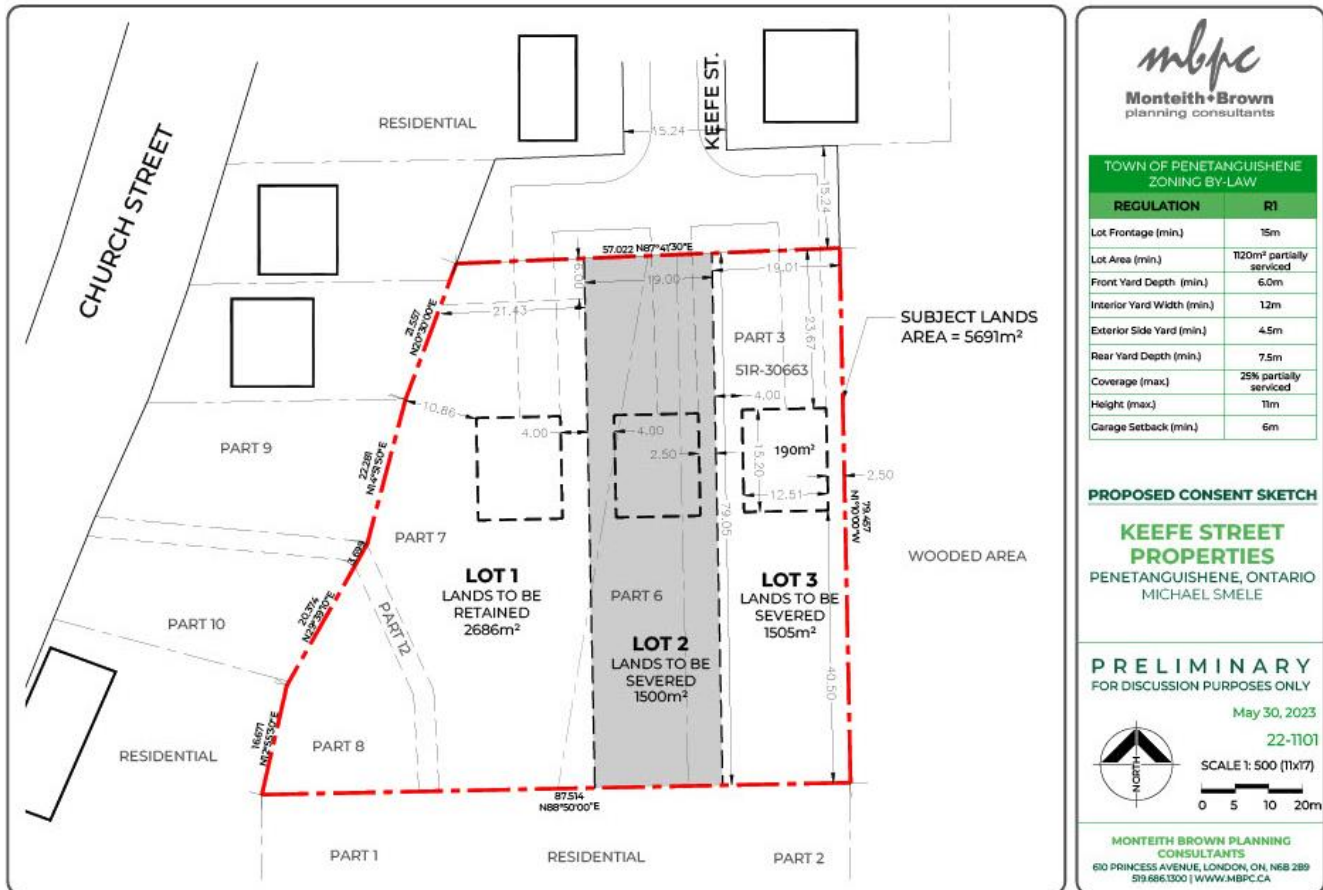
A severance sketch outlining the proposal is provided in **Figure 2** on the next page and has been submitted along with the application in a larger format. The proponent is proposing to sever the two existing parcels into three residential lots with each lot having at least 19.0 metres of frontage along a hammerhead extension of Keefe Street. The consent application will create two rectangular lots and one irregular lot.

In order to facilitate this severance, a consent cancellation certificate must first be issued to consolidate the two existing lots into one. A severance application will then divide the consolidated lot into three, as identified in the severance sketch on the next page. More specifically:

- **Lot 1** proposes a frontage of 21.43 metres on Keefe Street, and a maximum depth of 79.05 metres resulting in a lot area of approximately 2686 square metres.
- **Lot 2** proposes a frontage of 19.00 metres on Keefe Street, and a depth of 79.05 metres resulting in a lot area of approximately 1500 square metres.
- **Lot 3** proposes a frontage of 19.01 metres on Keefe Street, and a depth of 79.05 metres resulting in a lot area of approximately 1505 square metres.

The purpose of the severance application is for the future residential development of the lots. As of right, the new lots have the potential to contain three units on each, helping Penetanguishene to achieve housing and density targets. The proposed consent application is to accommodate the creation of one additional residential lot only; no change in land use nor the erecting of any buildings or structures on the severed or retained lands is proposed through the consent application.

**Figure 2** | Severance sketch of subject lands



Source: MBPC, 2023

### Pre-Application Consultation Meeting

A pre-application consultation meeting was held on June 16, 2023, with Town of Penetanguishene Planning and Public Works Staff. The minutes of this meeting are attached with this Letter. The following reports were identified as requirements for a complete application:

- Planning Justification Letter;
- Functional Servicing Report; and,
- Site Plan Drawing, including a zoning matrix.

## Technical Studies

### *Functional Servicing Design Brief*

A.M. candaras associates inc. was retained to complete a Functional Servicing Design Brief (2024) for the proposed consent application, which provides the proposed servicing strategy for the three proposed residential lots.

With respect to stormwater, the West Lot (Lot 1) will have a drainage divide where the north portion of the lot (including the home, roof eaves trough, front yard and portion of the side yard) will drain north towards the existing Keefe Street road ditches, the rear yard area will drain to the rear-yard catchbasin (RCB) 1 which will discharge west and drain into the proposed infiltration facility, and the remainder maintain its current drainage patterns, draining west. The centre lot (Lot 2) and East Lot (Lot 3) will also have a drainage divide where the north portion of the lot will drain north towards the existing Keefe Street road ditches, and the remaining lot area will maintain its current drainage patterns, draining west.

The proposed stormwater management design for each lot will include the downspouts from the proposed house connecting to a below ground stone infiltration facility, which will reduce the amount of stormwater leaving the individual site to the existing receiving areas. The paved areas from the proposed Hammer Head will drain north to the existing Keefe Street road swales. The use of enhanced vegetated swales along the proposed severance will be used to convey stormwater around the proposed house.

With respect to sanitary servicing, there is an existing 200mm sanitary sewer located on Keefe Street. It is proposed that a new 1200mm manhole as per OPSD 701.010 and 100mm sanitary sewer connect the proposed lots to the existing sanitary sewer located at the south end of Keefe Street. The existing 200mm sanitary sewer has a pipe capacity of 44.22 l/s and has adequate capacity to convey the additional flows generated from the proposed residential developments.

With respect to water servicing, it is proposed that a new 25mm domestic connection to the existing 100mm watermain on Keefe Street be provided to allow for water service connection to the proposed lots. A new fire hydrant will be installed at the end of the existing 100mm watermain along Keefe Street to ensure fire protection is available and the maximum spacing of 90m between the existing hydrant on Burke Street and the proposed fire hydrant is maintained.

With respect to snow storage, a steel beam guardrail is proposed on the westerly portion of the Hammer Head road, to be located immediately adjacent to the proposed retaining wall to allow for snow storage to occur along the full width of the Right-Of-Way ("ROW"). A Site Servicing, Stormwater Management and Grading Plan is appended to the Functional Servicing Report.

A copy of the Functional Servicing Design Brief is included with this Justification Letter.

## Planning Framework

### Provincial Policy Statement 2020

The Provincial Policy Statement 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act “*shall be consistent with*” policy statements issued under the Act.

The proposed development directs new development to a designated growth area within the Penetanguishene Settlement Area in a manner that is compact in urban form and proposes connection to appropriate local municipal services, consistent with the PPS policies which seek to:

- Direct growth and development to existing settlement areas (Policy 1.1.3.1);
- Provide for land use patterns within settlement areas that are based on densities and a mix of land uses which:
  - Efficiently use land and resources,
  - 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; and,
  - Promote appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating public health and safety risks (Policy 1.1.3.4)
  - Contribute to the achievement of intensification and redevelopment targets (Policy 1.1.3.5).
  - Direct new development to a designated growth area, adjacent to the existing built-up area and should have compact form and phased in a manner that allows for the timely provision of infrastructure and public service facilities (Policy 1.1.3.6 and 1.1.3.7).

The proposed severances will provide an opportunity to develop the vacant residential-designated lands for additional residential dwellings in the future, supporting Policies 1.4.1 and 1.4.3 which calls on planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based requirements of current and future residents of the regional market area. This includes permitting and facilitating, “*all types of residential intensification*”.

Please note, however, that no development is proposed through the consent application; the application is for the purpose of land division only.

In light of the above, the proposed consents are consistent with the Provincial Policy Statement.

## A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The proposed consent application conforms with the Policies of A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) for the following reasons:

- The subject lands are located within a designated settlement area; the vast majority of growth will be directed to settlement areas (s.s. 2.2.1.2);
- The subject lands are located within the delineated built-up area of Penetanguishene, in walking distance to public transit, active transit, and publicly accessible recreational spaces (i.e., McGuire Park) (s.s. 2.2.2, 2.2.4, 3.2.3);
- Creation of additional lots for future development supports housing choices in the Town and helps achieve Town and County intensification and density targets, and assist in providing sufficient residential land supply to meet projected needs (s.s. 2.2.6, 5.2.4);
- The subject lands are identified as residential development lands in both the Town Official Plan and Zoning By-law (s.s. 2.2.6);
- The proposed lots created through consent will front onto a municipal right-of-way and be appropriately serviced through on-site and municipal services (s.s. 3.2.6, 3.2.7); and,
- The subject lands do not have any natural heritage features, nor are any negative impacts on natural features anticipated, in keeping with the Growth Plan’s direction for long-term protection of the region’s natural heritage and biodiversity features (s.s. 4.2.2).

## Simcoe County Official Plan

The Simcoe County Official Plan (“County OP”) designates the subject lands as being within the “Penetanguishene Settlement” area (Schedule 5.1). The Growth Management Strategy of the County OP is to direct a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on primary settlement areas (s.s. 3.1).

Further, the County OP permits consents so long as the land uses maintain the intent of the Plan's objectives and policies (s.s. 3.3.2) and lots may be created where they have access and frontage on a public highway (s.s. 3.3.4). The proposed Keefe Street hammerhead provides public road access to all three lots. The proposed consent maintains the intent of the County OP's objectives for settlements by developing a compact form that minimizes land consumption and servicing costs (s.s. 3.5.2, 3.5.4). The County OP discourages lot creation outside of settlement areas, emphasizing that the infill development proposed on the subject lands is the preferred option for growth (s.s. 3.3.7).

As seen through the policies noted above, the proposed consent application conforms to the Simcoe County Official Plan.

**Town of Penetanguishene Official Plan**

The Town of Penetanguishene Official Plan (“Local OP”) designates the properties as “Neighbourhood Area” on Schedule A: Land Use Structure. A number of uses are permitted within Neighbourhood Areas, recognizing that a more definitive list shall be provided in the Zoning By-law (s.s. 4.2.1). These uses include but are not limited to: Residential Uses (i.e., Low-density residential uses, medium density residential uses, home occupations, and secondary dwelling units), Neighbourhood Commercial uses (i.e., convenience stores, personal service establishments, small-scale eating establishments), Community Facility uses (i.e., Hospitals, Clinics and treatment facilities, schools, places of worship, and Parks and Open Space uses).

The proposed consents are consistent with the Consent policies under subsection 6.3.5.2 of the Local OP; more specifically, the proposed lots created: will not result in the creation of more than five (5) lots or create linear development; will comply with the regulations in the Zoning By-law; will have frontage and access to a public road (Keefe Street) without creating traffic hazards; provide for lot sizing compatible with adjacent residential uses; do not restrict development of adjacent lands; will be connected to municipal services; and are not located within any Natural Heritage Features and Areas.

As seen through the above noted policies, the proposed severance conforms to the Town of Penetanguishene Official Plan.

**Town of Penetanguishene Zoning By-law 2022-17**

The subject lands are zoned ‘Residential One’ (‘R1’) in the Town of Penetanguishene’s Zoning By-law 2022-17. Permitted uses in the R1 zone include: Single-Detached Dwelling Unit, Additional Dwelling Unit, Bed and Breakfast Establishment, Boarding and Rooming House, Group Home, Home Occupation and Private Home Daycare.

Zoning regulations for the R1 zone are outlined in **Table 1**, below. Although the consent application is for the division of land only, with construction requiring building permit approval, the proposed lots contain building envelopes which conform with the existing R1 zone that applies to the subject lands. As such, no zoning by-law amendment or minor variances are required, and the proposed consent application conforms to the Town of Penetanguishene Zoning By-law 2022-17.

**Table 1 |** Town of Penetanguishene Zoning By-law - R1 zoning regulations

Regulation	Required	Provided (on Consent Sketch)
Lot Frontage (min.)	15.0m	19.0m
Lot Area (min.)	460m <sup>2</sup>	1500m <sup>2</sup>
Front Yard Depth (min.)	6.0m	23.67m
Interior Yard Width (min.)	1.2m	2.5m
Exterior Side Yard (min.)	4.5m	N/A
Rear Yard Depth (min.)	7.5m	40.5m
Coverage (max.)	35%	13%

Height (max.)	11m	N/A
Garage Setback (min.)	6m	N/A

A Development Agreement for the two existing lots was entered between the proponent and the Municipality after the removal of a Holding symbol on the subject lands. A condition of this consent application may be to amend the development agreement to recognize the three new lots.

### Conclusion

Based on the above analysis, the proposed consent application is consistent with the Provincial Policy Statement, and conforms to the Simcoe County Official Plan, the Town of Penetanguishene Official Plan, and Town of Penetanguishene Zoning by-law. It is a recommendation of this letter that the proposed Consent application be approved.

In support of this application, please find enclosed the following materials for your review and consideration:

- One (1) copy of the Completed Consent Cancellation Certificate Application;
- One (1) copy of the Completed Application for Consent;
- One (1) copy of the Consent Site Sketch;
- One (1) copy of the pre-consultation meeting notes;
- One (1) copy of the functional servicing report;
- One (1) copy of the Site Servicing, Stormwater Management and Grading Plan;
- One (1) copy of the Registered Plan for the subject lands; and
- One (1) copy of the Authorization as Agent form;


Application fees, payable to the “Town of Penetanguishene”, will be submitted by our client under separate cover. We trust that the enclosed information is satisfactory to address the Town’s submission requirements and look forward to working with staff toward timely approvals. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully Submitted,

**MONTEITH BROWN PLANNING CONSULTANTS**

 (digitally signed by author)

Patrick Matkowski, MCIP, RPP  
Intermediate Planner  
[pmatkowski@mbpc.ca](mailto:pmatkowski@mbpc.ca)

 (digitally signed by author)

Adam Lagrou, B.Sc.  
Planner  
[alagrou@mbpc.ca](mailto:alagrou@mbpc.ca)

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