



CORPORATE REPORT
The Corporation of the Town of Wasaga Beach
Meeting Date: 2/13/2025

DATE: 2/4/2025

SUBJECT: Draft Plan of Subdivision Approval Extension Request - Clear Valley Inc. (PS0615)

CONTACT: Matt Ellis, Senior Planner

REPORT NUMBER: 2025/02/13-17

RECOMMENDATION:

1. **THAT** the report titled: Draft Plan of Subdivision Approval Extension Request - Clear Valley Inc. (PS0615), to the Council meeting of February 13, 2025, be received; and
2. **THAT** Council approve a three-year extension to the Draft Approval for the Clear Valley Inc. Plan of Subdivision, including minor amendments to the associated conditions of draft plan approval, with a lapsing date of March 5, 2028.

EXECUTIVE SUMMARY:

- **Owner/Applicant:** Clear Valley Inc.
- The Clear Valley Draft Plan of Subdivision approval consists of 38 lots for single detached dwellings and blocks for stormwater management, environmental protection/parkland dedication and roads, and has a current lapsing date of March 5, 2025.
- The original applicant received Draft Plan of Subdivision approval for the subject lands from the County of Simcoe on March 5, 2010, and previous extensions to fulfill conditions and register the Plan of Subdivision were granted in 2013, 2016, and 2022.
- Planning staff confirms the application remains consistent with; or conforms to; applicable land use planning policies. The subject lands are appropriately designated and zoned for residential uses, appropriately located for residential infill and includes a conveyance of lands for Environmental Protection to the Town. Planning staff recommend approval of the Extension of Draft Plan of Subdivision for a period of 3 years, with minor amendments to the conditions of draft approval, and a new lapsing date of March 5, 2028.

BACKGROUND:

Subject Lands

The subject lands, as shown in **Figure 1**, consist of an irregular-shaped lot that is currently accessed by Deerbrook Drive (via Wydunas Crescent; an unopened Municipal road allowance) to the south, is bounded by Mary Street to the northwest and Earl Street to the northeast. The subject lands are also bisected by Sturgeon Creek.

Adjacent land uses include single-detached residential development to the north, south and west and the Wasaga Woods condominium development to the east.

Figure 1: Property Location



The subject lands are designated “Residential” and “Natural Heritage System Category 1” on Schedule A-8 of the Town’s Official Plan. The subject lands are partially located within the Town’s “Natural Heritage System Category One and Category Two on Schedule ‘D’ of the Town’s Official Plan.

Within the Town’s Comprehensive Zoning By-law the lands are zoned “Residential Type 1 Hold-Exception 19” (R1H-19), “Environmental Protection” (EP) and Open Space (OS).

Proposal

An application for extension to Draft Plan Approval was received from Jones Consulting Group on behalf of Clear Valley Inc. (Clear Valley) on December 16th, 2024. The Draft Plan of Subdivision is scheduled to lapse on March 5, 2025. Should Council approve the extension request, Planning staff recommend extending the Draft Plan of Subdivision for a period of **3 years**, resulting in a new lapsing date being **March 5, 2028**.

The approved Draft Plan of Subdivision for the subject lands consists of 38 residential lots for single detached dwellings, and accessed by two new streets. Lots 1-23 would have frontage along Street ‘A’ that originates from Deerbrook Drive and terminates in a cul-de-sac to the south of Sturgeon Creek while Lots 24-38 would have frontage on Street ‘B’ that originates from Earl Street and terminates in a cul-de-sac to the north of Sturgeon Creek. The forested greenspace on both sides of the creek is to be preserved to serve as a buffer and mitigate possible environmental impacts from the proposed residential lots.

According to survey information on the Draft Plan of Subdivision drawing, the subject lands have a total lot area of approximately 9.7 hectares (24.0 acres). Approximately 5.8 hectares (14.3 acres), almost 60% of the total of the development, is to be dedicated to the Town as lands for environmental protection and parkland purposes.

The Draft Plan of Subdivision consists of 38 residential lots, a stormwater management block, two blocks for future roads and a large environmental protection/parkland block adjacent to Sturgeon Creek. For reference, the signed Draft Plan of Subdivision is appended to this report as Attachment 1.

The Draft Plan of Subdivision, under the former Owner of the subject lands (Optima Homes), was initially approved by the County of Simcoe on March 5, 2010. At that time, the County of Simcoe was the approval authority for Plans of Subdivision for the Town. The current owner, Clear Valley Inc. acquired the lands around 2015.

It is expected that Clear Valley intends to submit a future application requesting a redline revision to the Draft Plan of Subdivision and the accompanying Draft Plan conditions. For now, Clear Valley is only requesting an extension to maintain the validity of the current approval until the above-mentioned application is submitted.

DISCUSSION:

Summary of Written Comments Received

Comments received for the requested extension to the Draft Plan of Subdivision are summarized below:

Letters of Concern: None

Letters of Objection: None

Letters of No Objection: The Town of Wasaga Beach Public Works/Engineering Department requests changes to the Draft Plan Conditions to reflect current Engineering standards.

Enbridge Gas does not have changes to the previously identified conditions for this extension of the Draft Plan of Subdivision.

The Nottawasaga Valley Conservation Authority (NVCA) confirmed the current Draft Plan of Subdivision conditions remain applicable and have no concerns related to approval of the requested extension.

The MTO has reviewed the site location and has no comments to provide as this site is outside of MTO permit jurisdiction. No MTO permits or approvals would be required for this site.

Hydro One has reviewed the documents concerning the noted Plan and have no comments or concerns at this time.

The County of Simcoe reviewed the submission materials and confirms the curb radii for the cul-de-sacs be revised to meet a

minimum of 13 metres as required by the County's technical standards. Otherwise, County of Simcoe Planning staff have no objection to the extension of Draft Approval for this Subdivision.

Simcoe County District School Board (SCDSB) have no objection to the requested extension to the Draft Plan of Subdivision, subject to conditions.

Planning staff recommend minor changes to the proposed conditions to reflect the Town's current Engineering standards, as noted earlier. Specifically, these changes are noted below:

Condition #16 has been updated to add a vibration monitoring report, hydrogeological report line-painting plan, signage plan and fire break lot plan to the list of materials that are required to the satisfaction of the Town and applicable authorities, prior to final registration of the Plan of Subdivision.

Condition #17 has been updated to add a vibration monitoring report to the list of materials that are required to the satisfaction of the Town and applicable authorities, prior to any site alteration.

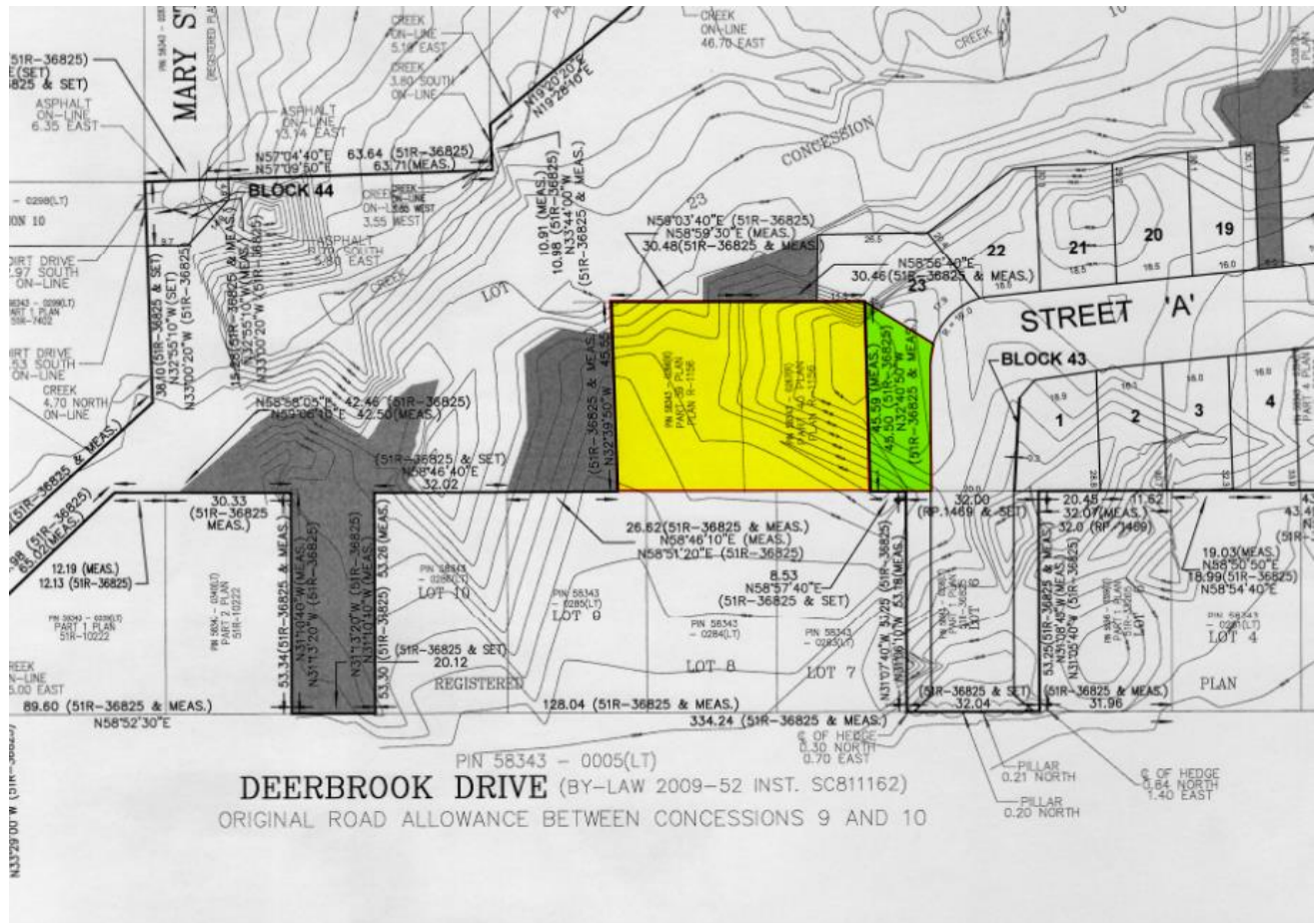
Condition #23 has been added to require the submission of architectural design guidelines to govern the character of the proposed dwelling units in a manner that is acceptable to the Town and in compliance with applicable urban design guidelines.

Condition #53b has been revised to upgrade the fence required along the lot lines adjacent to Block 41 from a 1.35 metre (4.43 feet) high woven wire "highway fence" to a 1.5 metre (4.92 feet) high black vinyl chain-link fence.

Condition #77 has been revised to require an increase to the radius of the cul-de-sacs at the ends of proposed Streets "A" and "B" to accommodate the County's current waste collection vehicles.

Condition #78 has been added to require the Owner (Clear Valley Inc.) to convey a Block "XX" to the Owner of the adjacent lots (Part Lot 23, Concession 10) so that once proposed Street "A" is completed, the resultant lots could have access on a year-round publically maintained road. In Figure 2 below proposed Block "XX" is indicated in green and the adjacent benefitting lands in yellow.

Figure 2: Proposed Block "XX" and Benefiting Lands



Other minor changes have been made throughout the document to reflect the Town's current practices for Draft Plan of Subdivision conditions, language and overall formatting. The revised Conditions of Draft Plan approval is appended to this report as Attachment 2.

LEGISLATION AND POLICY REVIEW

The Planning Act, R.S.O. 1990, c. P.13

The Ontario Planning Act (the "*Planning Act*") outlines the framework through which municipalities may develop Official Plans and Zoning By-laws (e.g. in conformity with Provincial policies and applicable upper-tier policies), and articulates the processes through which a proponent can propose the development of lands (e.g. conforming to applicable policies, consulting with the public).

Section 2 of the *Planning Act* outlines matters of Provincial interest that municipalities must have regard to when carrying out their planning responsibilities.

The *Planning Act*, under Section 3, also establishes the authority for the Province to issue policy statements that articulate matters of Provincial interest for use in guiding municipal land use planning decisions. In this case, the applicable policy statement is the Provincial Planning

Statement that came into force on October 20, 2024, which is a consolidation of the former Provincial Policy Statement and the Growth Plan for The Greater Golden Horseshoe (or the Growth Plan).

Under the *Planning Act*, applications for a Draft Plan of Subdivision are required to be consistent with applicable policy statements and applicable Provincial plans currently in effect, or shall not conflict with them as the case may be. Section 51 of the *Planning Act* includes policies for the approval of Plans of Subdivision. Specifically, Section 51(24) of the *Planning Act* provides criteria that must be considered when reviewing a draft Plan of Subdivision.

The proposed development is consistent with the matters of Provincial interest as referred to in Section 2 of the *Planning Act*, and the matters within Section 51(24) of the *Planning Act*.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 ("PPS") provides policy direction on land use planning and development throughout Ontario. The policies set out how land and resources should be managed over time to promote building strong communities that contribute to a more effective and efficient land use planning system. The *Planning Act* requires that municipal decisions on land use planning matters in Ontario be consistent with the policies of the PPS. In reviewing the policy directions of the PPS, Planning staff are satisfied the approved Draft Plan of Subdivision is consistent with the PPS, 2024.

County of Simcoe Official Plan (2023)

The County of Simcoe's Official Plan directs growth to settlement areas, promotes the efficient use of land and infrastructure and the protection of natural features. Consistent with Provincial Policy, the Simcoe County Official Plan requires that the Town of Wasaga Beach ensure that 20% of all growth is through intensification. Planning Staff summarizes that the current request for extension is appropriate, and complies with the policies of the County of Simcoe Official Plan.

Town of Wasaga Beach Official Plan (2004)

The Town of Wasaga Beach Official Plan articulates the Town's vision for land use and development patterns at the local level, while remaining consistent with or conforming to applicable Municipal and Provincial land use planning policies. Development applications made under the *Planning Act* are required to comply with the policy framework provided in the Official Plan.

The subject lands are designated "Residential" and "Natural Heritage System Category 1" in Schedule 'A-8' of the Official Plan.

Objectives of the Residential designation of the Town of Wasaga Beach Official Plan include the following among other policies:

- To provide distinct residential areas which have a harmonious integration of housing types.
- To encourage and provide for a Town wide structure of residential communities separated from industrial and tourism areas.

- To encourage the provision of a wide range of housing types and styles on a range of lot sizes.
- To allow limited infill development outside that area of the Town serviced by a municipal sanitary sewer and water system, while ensuring that the majority of approved residential development occurs within the serviced areas.
- Encourage a recreational trails system and particularly linkages to established or proposed trail systems in the design of any new development.
- To maintain and encourage evenly spaced natural buffering zones which provide drainage, encourage and protect wildlife and their habitat and assist with controlling air and noise pollution.

As per Section 5.2.4 c) of the Official Plan within the Low Density Residential Designation in areas with a municipal sanitary sewer and water system, single detached dwellings may be permitted to a maximum density of 20 units per net residential hectare. Net residential hectare is defined in Section 20.4.2 of the Official Plan as residential lots or blocks only, excluding any public lands. Therefore, accounting for the lands as part of the Draft Plan of Subdivision to be dedicated to the Town for purposes such as environmental protection, roads, emergency access and stormwater management (Blocks 39-44); the proposed development would result in a net density of 15 residential units per hectare.

In reviewing the policies of the Official Plan, Planning staff concludes the proposed development and request to extend the approved Draft Plan of Subdivision is consistent with the policies of the Town of Wasaga Beach Official Plan.

Town of Wasaga Beach Zoning By-law 2003-60

The proposed lots of the Draft Plan of Subdivision are zoned "Residential Type 1 Hold- Exception 19 (R1H-19) within the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60. The proposed Environmental Protection and Parkland Block that is to be conveyed to the Town as a condition of the Draft Plan of Subdivision are zoned as Environmental Protection (EP) and Open Space (OS) in the Comprehensive Zoning Bylaw 2003-60. The proposed lots meet the minimum lot area and frontage requirements of the R1H-19 Zone for lots served by a public water and sanitary sewer system.

Planning staff concludes, that the approved Draft Plan of Subdivision continues to be consistent with Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with this report.

CONCLUSION:

The lands are situated in an appropriate location to accommodate an infill project as they are located within the Wasaga Beach Settlement Area, and have direct access to Deerbrook Drive a collector road. The subject lands are also in proximity to commercial facilities, services and amenities generally located on River Road East (an arterial road). There are also numerous other developments occurring in surrounding areas. The three environmental protection blocks within the proposal allows for the protection of environmental features in close proximity to the residential lots. The subject property is located within an area of the Town that is well-suited for infill development that will contribute to intensification within the Town's delineated built boundary.

In consideration of the department and agency comments received and the policy analysis, it is the opinion of Planning staff that the application for Extension to Draft Plan of Subdivision (PS0615):

- Satisfies the Provincial interests outlined under Section 2 of the *Planning Act*.
- Is consistent with or does not conflict (as applicable) to policies of the Provincial Planning Statement.
- Conforms to the policies of the:
 - Simcoe County Official Plan, 2023, as amended; and,
 - Town of Wasaga Beach Official Plan (2004), as amended.
- Can be appropriately implemented through the current zoning contained in the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended and the revised draft plan conditions.

Based on these factors, planning staff support the requested extension to the approved Draft Plan of Subdivision. The extension request has been circulated to Town Departments and external agencies for review and comment. No negative comments were received.

Accordingly, Planning staff recommend that Council approve the requested Extension to Draft Plan of Subdivision (PS0615).

Authored by:

Matt Ellis, BES, RPP, MCIP
Senior Planner

Appendices:

Attachment 1: Draft Plan of Subdivision
Attachment 2: Conditions of Draft Plan Approval (revised 2025)