



**CORPORATE REPORT**  
**The Corporation of the Town of Wasaga Beach**  
**Meeting Date: 5/1/2025**

**DATE:** 5/15/2025

**SUBJECT:** Application for an Extension to the Approval of the Golden Sand Draft Plan of Subdivision (PS0125)

**CONTACT:** Matt Ellis, Senior Planner

**REPORT NUMBER:** 2025/05/15-23

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**RECOMMENDATION:**

1. **THAT** the report titled: Application for an Extension to the Approval of the Wasaga Heights Inc. Draft Plan of Subdivision (PS0125), to the Council meeting of May 15, 2025, be received; and
2. **THAT** Council approve a three year extension to the Draft Approval for the Wasaga Heights Inc. Plan of Subdivision, including minor amendments to the associated conditions of draft plan approval, with a lapsing date of May 26, 2028.

**EXECUTIVE SUMMARY:**

- The Wasaga Heights Inc. (also known as Golden Sand) Draft Plan of Subdivision approval consists of 102 lots for townhouse and semi-detached dwellings, three commercial blocks as well as a common element condominium block for roads, communal amenity area, stormwater management and environmental protection/parkland dedication.
- The Plan of Subdivision received Draft approval for the subject lands on May 26, 2022 and has a current lapsing date of May 26, 2025.
- 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 and commercial 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 May 26, 2028.

## BACKGROUND:

### *Subject Lands*

The subject lands, as shown in **Figure 1**, are bounded by a commercial centre to the north, single-detached residential dwelling lots to east, Knox Road West to the south and 45<sup>th</sup> Street South to the west.

Surrounding land uses include Canadian Tire and Mark's Work Warehouse stores (commercial centre), a further mix of commercial businesses that includes grocery, gas station, restaurants, a range of medical uses and low density residential development.

The subject lands are designated "Residential", "District Commercial" and "Natural Hazards" on Schedule A-3 of the Town's Official Plan. Within the Town's Comprehensive Zoning By-law the lands are zoned "Residential Type 3 Hold- Exception 35" (R3H-35), District Commercial Hold (CD-H) and Open Space (OS).

### *Proposal*

An application for extension to Draft Plan Approval was received from Goldberg Group on behalf of Wasaga Heights Inc. (the Owner) on March 25<sup>th</sup>, 2025. The Draft Plan of Subdivision is scheduled to lapse on May 26, 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 **May 26<sup>th</sup>, 2028**.

The approved Draft Plan of Subdivision for the subject lands, appended to this report as **Attachment 1**, proposes to subdivide the subject lands into a total of 21 blocks over two phases. Phase One consists of 18 blocks for 100 proposed townhome and two semi-detached residential dwelling units, a common element block for private roads, common amenity space, stormwater management and pedestrian access as well as an environmental protection/park block to be dedicated to the Town as part of the Draft Plan conditions that contains the Carly Patterson Memorial Trail. Phase Two consists of three commercial blocks.

At the time of writing this report, the Owner has cleared the majority of the conditions of draft approval. Among the conditions that have been cleared are the plans for the development being Approved for Construction (AFC'd), an abbreviated version of which is appended to this report as **Attachment 2**. According to the Owner's agent, however, current market conditions have delayed the ability to commence the sales process for the proposed units and as a result, the Owner has been delayed in executing the Subdivision Agreement and the ability to clear the remaining conditions. The Owner, therefore, requests an extension to the Draft Plan Subdivision approval.

Figure 1: Property Location



## 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 has no comments and additions or revisions to the current Draft Plan Conditions.

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) has no objection to the application for extension to draft plan approval. The NVCA, however requests a number of revisions to the draft plan conditions to reflect current legislative authority, administrative procedures and remove redundancy.

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.

The County of Simcoe has no comments on the extension of Draft Approval for this Subdivision.

Changes to the draft plan conditions to reflect comments from applicable approval/ review agencies are noted below:

Condition #13 is revised by adding an Invasive Species Management Plan to the list of items that must be submitted to the Town's satisfaction prior to final approval, to reflect recent legislative changes, as per the comments for Conditions #52d and #55 noted below.

Conditions #52d and #55 are revised by replacing the NVCA as the approval agency with the Town and Ministry of the Environment, Conservation and Parks (MECP) to reflect recent changes to the Conservation Authorities Act and its regulations.

Condition #54 is revised to clarify the Developer's responsibilities regarding the provision of fencing along the rear and side lot lines adjacent to the natural hazard and environmentally sensitive lands within Block 23.

Condition #60 is revised to add clarity regarding the payment of fees in accordance with the NVCA's Fee Policy under the Conservation Authorities Act.

Note #9 is revised to clarify that only the Developer is required to execute the Subdivision Agreement (as opposed to the Developer and the Town) to receive clearance of the draft plan conditions for the NVCA.

Note #10 is deleted as this requirement is addressed in Condition #60.

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 3**.

## **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", "District Commercial" and "Natural Hazards" on Schedule A-3 of the Town's Official Plan.

### ***Residential Designation***

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.
- Ensure 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.

Developments consisting of townhouse dwelling units are considered as medium-density and are generally limited to a maximum density of 37 units per net hectare, in accordance with Policies 5.2.5(a) and (b). Net residential hectare is defined in Policy 20.4.2 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/parkland, (Block 23); the proposed development would result in a net density of 23 residential units per net hectare.

Planning staff also notes the subject lands are located within an area of Town that is serviced by municipal water and sanitary sewer, in accordance with Policy 5.2.5.6 and Phase One of the development would be accessed by two entrances along 45<sup>th</sup> Street South, which is identified as an Arterial Road on Schedule B, in accordance with Policy 5.2.5.7.

### ***District Commercial Designation***

Objectives of the Commercial designations (which include Local Commercial, District Commercial, Service Commercial and Recreational Commercial) of the Town's Official Plan include the following among other policies:

- To provide a wide range of commercial facilities and services and to increase the level of service available within the Municipality to permanent and seasonal residents and visitors;
- To recognize the existing under supply of commercial services and reduce the deficiency of commercial space and degree of market leakage;
- To promote the distribution of commercial facilities in order to ensure adequate levels of service in the west, central area and the eastern portions of the Municipality and to ensure that a sufficient supply of land is provided for new commercial development in appropriate locations;

As per Policy 6.2.2, permitted uses in the District Commercial designation include a wide range of cultural, retail, personal service, tourism accommodation, automotive, institutional, office and accessory residential uses.

As per Policy 6.3.1 commercial developments are encouraged to develop in that is compact, attractive and efficient and located to provide for active transportation features and be easily accessible by vehicular traffic. Where possible the use of mutual access points and internal road connections are encouraged.

In accordance with Policy 6.3.8 screening and buffering are required between commercial and non-compatible uses. In this respect, Planning staff note that Phase One of the subject development includes an acoustic barrier along the north lot line of Blocks One through Three to mitigate noise impacts for the future residents of these dwelling units from the loading docks of the adjacent Canadian Tire and Mark's Work Warehouse stores to the north. Phase One also includes landscaping and privacy/acoustical fencing along the common lot line between residential blocks 4, 16-18 and commercial blocks 19-21 to mitigate any noise impacts for the residents of these dwelling units from the future commercial uses on blocks 19-21.

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 residential blocks of the Draft Plan of Subdivision are zoned "Residential Type 3 Hold- Exception 35 (R3H-35) within the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60.

The proposed commercial blocks are zoned District Commercial Hold (DC-H). The Environmental Protection/Parkland Block that is to be conveyed to the Town as a condition of the Draft Plan of Subdivision is zoned as Open Space (OS) in the Comprehensive Zoning Bylaw 2003-60.

The proposed blocks meet the minimum lot area and frontage requirements of their respective zones in Comprehensive Zoning Bylaw 2003-60.

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:**

A review of the Term of Council Priorities (TOCP's) was undertaken, it is the opinion of Planning Services staff that the TOCP's are not applicable to the proposed development.

### **CONCLUSION:**

The subject lands are situated in an appropriate location to accommodate a medium-density/commercial infill project, with proximity to a wide range of commercial and medical uses that cater to daily needs, have direct access along an arterial road and are serviced by Town water/sanitary sewer services. The proposed development would, therefore, contribute to intensification within the Town's delineated built boundary. Furthermore, Planning staff note the proposed development contributes to the efforts of a Complete Community within the Springhurst Junction Strategic Growth Area (SGA) and is consistent with the policies of the Town's draft Official Plan.

Lastly, the proposed development would ensure the continued protection of the Carly Patterson Memorial Trail and adjacent Trillium Creek as these lands are to be transferred to the Town through the conditions of the Draft Plan of Subdivision.

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 at the time of writing this report.

Accordingly, Planning staff recommend that Council approve the requested Extension to Draft Plan of Subdivision (PS01/25).

Authored by:

Matt Ellis, BES, RPP, MCIP  
Senior Planner

**Appendices:**

Attachment 1: Draft Plan of Subdivision

Attachment 2: Approved for Construction (AFC'd) Development Plans

Attachment 3: Revised Draft Plan of Subdivision Conditions