

REPORT #: PLN-2024-35

DATE: 6-Aug-24

TO: Mayor and Members of Council

SUBJECT: Recommendation Report for Applications for Official Plan Amendment (File No.: D09-23-01), Zoning By-law Amendment (File No.: D14-23-16) and Draft Plan of Subdivision (File No.: D12-23-12) for lands municipally known 53, 39, 31 and 23 Danube Lane and 735 and 743 Simcoe Road

PREPARED BY: Mana Masoudi, MCIP, RPP

1. RECOMMENDATIONS:

That Report PLN-2024-35 entitled "Recommendation Report for Applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision " for lands municipally known 53, 39, 31 and 23 Danube Lane and 735 and 743 Simcoe Road be received;

That the Official Plan Amendment (File D09-23-01) for the 0.07 hectares of land located within the eastern boundary of Lot 15 in Concession 5, be adopted as recommended herein;

That the proposed Zoning By-law Amendment Application (File D14-23-16) for the lands located in Blocks 101, 103 and 112 in Registered Plan 51M-1138 and Part of Lot 15, Concession 5, be approved as recommended herein; and,

That proposed Draft Plan of Subdivision Application (File D12-23-12) be given draft approval subject to the conditions included in Attachment 5.8 of Report PLN-2024-35, including that draft approval lapse after three (3) years if a Subdivision Agreement is not executed and final approval is not achieved within that time period.

That pursuant to Section 34(17) of the Planning Act, Council adopts that no further public notification related to this Zoning By-Law Amendment is required.

2. PREAMBLE

On November 2nd, 2023, the Office of Community Planning received applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision submitted by KLM Planning Partners Inc. on behalf of Bradford East Developments Inc. The application proposed the creation of a residential subdivision with a total of ninety-three (93) residential units contained within a mixture of semi and single detached dwellings along with townhouse blocks.

The subject properties consist of a total of eight parcels located at the south-east intersection of Simcoe Road and Danube Lane and include the following municipal addresses: 53, 39, 31 and 23 Danube Lane and 735 and 743 Simcoe Road. A location map is attached to this report for reference purposes as Attachment 5.1- location map.

Town staff deemed the application complete on November 6th, 2023, and in accordance with the requirements under section 17(15) and 34(12) of the *Planning Act*, a public meeting was held on November 28th, 2023, for the purposes of providing the public and Council with an opportunity to make representation with respect to the applicant's proposed plan. The Public Comments Response Matrix is Attachment 5.10.

Following the statutory public meeting and in consultation with Town Staff and external reviewing agencies, the applicant implemented revisions to the original submission in order to address the feedback provided. The revisions did not alter general configuration of the subdivision nor the total number of dwelling units as was originally proposed and presented at the statutory public meeting. Therefore, the proposed development continues to seek the creation of a total of 93 dwelling units.

Accordingly, the purpose of this report is to provide:

- Background information on the applications;
- Description of the proposed development;
- Review of consistency and conformity with applicable land use planning policies;
- Review of proposed amendments; and,
- Recommendation to Council for consideration in its disposition of the applications.

In conclusion, Staff support approval of the applicant's requested amendments to the Town's Official Plan and Zoning By-law and for draft approval to the draft plan of subdivision subject to conditions outlined in Attachment 5.8 - Proposed Draft Plan of Subdivision Conditions of Approval.

3. BASIC DATA PERTAINING TO THE MATTER:

The ensuing section of this report provides information on the following list of matters itemised and hyperlinked to the applicable section number of the report and for ease of reference:

[3.1 - Description of Subject lands and the Surround Uses](#)

[3.2 - Description of Development Proposal and Draft Plan of Subdivision](#)

[3.3 - Application History and Materials Submitted](#)

[3.4 - Land Use Planning Policies and Analysis of Consistency and Conformity](#)

[3.4.1- 3.4.4 – Analysis of Consistency and Conformity with Provincial Policies](#)

[3.4.5 - County of Simcoe Official Plan, 2016](#)

[3.4.6 - Town of BWG Official Plan, 2023 & Proposed Amendment](#)

[3.4.7 - Town of BWG Zoning By-law 2010-050 & Proposed Amendment](#)

[3.5 - Public & Agency/Departmental Consultation Comments](#)

[3.6 - Future Planning Applications](#)

[3.7 – Conclusion and Recommendations](#)

3.1 Subject Lands and Surrounding Context

The Subject Lands consist of a total of eight (8) separately assessed parcels of land located at the south east intersection of Simcoe Road and Danube Lane. The Subject Lands are surrounded by institutional uses to the north, south and west of the lands with the Ukrainian Orthodox Church to the north of Danube Lane, the Portuguese Cultural Centre directly to the south and Marshview Public School to the west of the lands. Vacant lands zoned environmental protection and a future residential subdivision currently under construction by the same owner (related file D12-16-06) are located to the north and east of the subject site.

The Subject Lands have a combined total area of approximately 3.215 hectares and are generally flat with some scattered trees and vegetation within the vacant dwellings and driveways located on the lands. The eastern portion of the Subject Lands (known municipally as 53 Danube Lane) contains a floodplain and shoreline erosion hazards associated with a watercourse (the North Canal). The associated regional floodline has been mapped by the Lake Simcoe Regional Authority and the floodplain contour line is shown to traverse the south easterly limit of the subject lands and is shown traversing through block 39 on the Draft Plan of Subdivision (see Attachment 5.2 - Draft Plan of Subdivision).

3.2 Description of Development Proposal and Draft Plan of Subdivision

The applicant has submitted applications in support of an Official Plan Amendment, Zoning By-law Amendment with site specific development standards and a Draft Plan of Subdivision in order to permit the proposed development. Below is a description of the existing plan that is recommended for approval. The Draft Plan of Subdivision proposes to divide the subject property into a total of number (No.) of 13 blocks and 28 lots as follows:

Table 1: Description of Draft Plan of Subdivision Blocks, Lots and Streets

Land Use	Total Blocks	Total Lots	Total Units	Area in Hectares	Description
Single Detached (Lots 1-8 & 19-34)		24	24	± 0.863	The 24 single detached dwellings are proposed in the eastern half of the lands with frontages of 11.6 metres.
Semi-Detached (Lots 9-10, 35 & 38)		4	8	± 0.202	The 8 semi-detached dwellings are proposed within the eastern half of the lands with frontages of 9.15 metres.
Townhouses (Blocks 11-18, 37 & 38)	10		61	± 1.25	The 61 street townhouse with a range of 4 to 8 units proposed per block are located within the western half of the site with frontages of 6.2 metres
Subtotal	10	28	93	± 2.32	

Open Space (Block 39)	1				± 0.20	Consists of a small vacant green space which also includes the floodline that will be dedicated to the Town.
Road Widening (Block 40)	1				± 0.012	Will be dedicated to the Town for road widening of Simcoe Road.
0.3 m Reserve (Block 41-45)	5				± 0.004	Road reserve on Simcoe Road and Danube Lane.
Street '2' (373 m in length and 18 metres in width)					± 0.67	The only access point to the subdivision with ingress and egress provided from Danube Lane. Will be dedicated to the Town.
Danube Widening (Street '1')					± 0.004	Widening for Danube Lane to be dedicated to Town.
Total	17	28	93		± 3.215	

For the total of 93 units proposed, a minimum of two (2) parking spaces will be provided per unit, with some units providing 3 parking spaces. The applicant has indicated that a total of 22 on street visitor parking spaces can fit within the site to accommodate visitors, (please see Attachment 5.9 – Parking Plan).

While some minor revisions have been made to the original design of the proposed development that was presented at the statutory public meeting on November 28, 2023, the majority of the proposed plan remains the same. The table below highlights the areas of revisions made:

Table 2: Description of Changes from Original Version of Proposal

Feature	Proposal presented at Public Meeting	Current Proposal
No. of Parking Spaces Parking Ratio	2 parking spaces per unit No. of units with three (3) parking spaces: 48	2 parking spaces per unit No. of units with three (3) parking spaces: 62
Requested zoning relief from the required rear yard setbacks applicable to 3 townhouse blocks to the south	No rear yard reduction was requested. Parent zone "R2-2" permits minimum 7.5 m rear yard setback.	Current proposal seeks a minimum rear yard setback of 5.5 m for townhouse blocks 11, 12 and 13 in order to increase the number of units providing a total of 3 parking spaces (see section 3.4.7 of this report).

Orientation of Townhouse Blocks 14 and 15 on Simcoe Road	Block 14 and 15 consisting of Townhouse units were proposed to front towards the internal street with the rear yard on Simcoe Road.	Block 15 is now proposed as a dual frontage townhouse unit. Block 14, however, due to drainage concerns (see section 3.4.7 of this report) is oriented as before.
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3.3 Application History

The below chart highlights the dates whereby key *Planning Act* and development application processing milestones related to the project were achieved to date:

Table 3: Dates of Application *Planning Act* Milestones Achieved

Planning Act Milestone	Date
Applications Received by Town Staff	November 2, 2023
Applications Deemed Complete by Town Staff	November 6, 2023
Public Notice Issued by Town Staff	November 7, 2023
Notice Signs Placed on Property by Applicant	November 8, 2023
Statutory Public Meeting	November 28, 2023
Submission 1 Comments Issued by Town Staff to the Applicant	December 8, 2023
Submission 2 made by the Applicant	May 29, 2024
Submission 2 Comments Issued by Town Staff to the Applicant	July 12, 2024
Recommendation Report to Council	August 6, 2024

The 120-day period set out in the *Planning Act* before the Owner can appeal the applications to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on March 5th, 2024. As the applicant was successfully working with reviewers to address concerns at this time, no appeal was made. Staff also note that with the Royal Assent given to Bill 185 the *Cutting Red Tape to Build More Homes Act, 2024* on June 6, 2024, third party appeals of official plan and zoning by-law amendments by third-party members of the public who made written or oral submission at the statutory public meeting are no longer permitted. Similarly, no third party appeals are permitted for an approved draft plan of subdivision.

3.3.1 Application Materials

In support of the submitted applications and as a part of the required list of studies and plans in order to be deemed complete the applicant submitted and completed the following list of plans and studies:

Table 4: List of Materials Submitted by Applicant

Submission Material	Prepared by:
Planning Justification Report and Draft Official Plan & Zoning By-law Amendments	KLM Planning Partners Inc.

Urban Design Brief	
Site Plan / Draft Plan/R Plan	
Geotechnical / Soils Report	Toronto Inspection Ltd.
Hydrogeological Analysis	Watermark Environmental Ltd.
Functional Servicing Report including the following drawings: a. Preliminary Grading Plan; b. Preliminary Servicing Plan; c. Erosion and Sediment Control Plans; and, d. Utility Coordination Plan.	Urban Ecosystems Limited
Stormwater Management Report including: a. Phosphorus Budget b. Water Balance Assessment.	KSGS Engineering Corp.
Acoustical Study	Jade Acoustics
Traffic Impact Study	Crozier & Associated Ltd.
Plan of Survey/ Topographic Survey	R-PE Surveying Ltd.
Fish and Wildlife Assessment	Azimuth Environmental Consulting Inc.
Tree Inventory and Preservation Plan	Azimuth Environmental Consulting Inc.
Environmental Impact Study	Cunningham Environmental Associated & Azimuth Environmental Consulting Inc.
Archaeology Studies	Archaeological Consultants Canada

3.4 Land Use Planning Policies and Analysis of Consistency and Conformity

The *Planning Act (1990)* (“the Act”) sets the basis of the land use planning system in Ontario including establishment of the planning process, recognition of the decision making-authority of municipal councils for planning matters, determination of planning matters of provincial interest and it’s integration with municipal planning decisions. The *Planning Act* requires that decisions with respect to the exercise of authority affecting a planning matter be consistent with the *Provincial Policy Statement* and conform or not conflict with applicable provincial plans in effect. In accordance with this requirement, the following provincial documents (with policy analysis provided further in this report) contain policies the proposed development must be consistent with and conform or not conflict with:

- a) *Provincial Policy Statement, 2020*
- b) *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- c) *Lake Simcoe Protection Plan, 2009* (approved under the *Lake Simcoe Protection Act, 2008*)
- d) *South Georgian Bay Lake Simcoe Source Protection Plan* (approved under the *Clean Water Act, 2006*)

Further policies requiring the creation of official plan documents that provide additional guidance for land use planning within a regional and local context are also included in the *Planning Act*. In accordance with section 17(2) of the Act, the authority to grant or deny planning approvals relating to matters concerning the Official Plan (OP) of a lower-tier municipality is delegated to the upper-tier authority. In the case of BWG, this means that the County of Simcoe, as the upper-tier, is the approval authority for any amendments made to the Town OP. The Act requires that upper-tier authorities grant amendments to a lower-tier OP only if the proposed amendment conforms to the upper-tier municipality's official plan (section 17(34.1)). As such, in accordance with the requirements of the Act, the proposed development must also conform to policies in:

- e) The County of Simcoe Official Plan, 2016

Lastly, in addition to the documents listed above, an analysis of the conformity of the proposed applications with the general intent and objectives in the Town of Bradford Official Plan (2023) and review of the amendments to the Town's Zoning By-law 2010-050 are also provided below.

3.4.1 Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* ("PPS, 2020") guides decisions on development applications in order to achieve appropriate patterns of development and to protect cultural and natural resources. The *Planning Act* requires that municipal decisions on land use planning matters be consistent with the policies of the PPS, 2020. The PPS promotes healthy, liveable and safe communities through efficient land use and development patterns and by accommodating an appropriate range and mix of uses including residential and employment uses to meet long term needs. The PPS also directs avoidance of developments that may cause environmental, public health and safety concerns and encourages cost-effective development patterns and standards that minimize land consumption and servicing costs (Policy 1.1.1).

The subject lands are located within the Bradford Urban Area, which is identified as a settlement and built-up area under the PPS. The PPS directs that settlement areas be the "focus of growth and development" (Policy 1.1.3). The PPS also promotes opportunities to intensify and redevelop settlement areas through setting appropriate development standards that promote compact form development (Policy 1.1.3.4). The provision of a range and mix of housing options and densities that have consideration for the diverse needs of current and future residents is also promoted as are the inclusion of measures that promote healthy and active communities such as the provision of parks and or open spaces that can be publically accessed (policy 1.4). Efficient (re)development of lands is also directed to occur through the aligning of land use with municipal sewage and water services, in other words by prioritizing intensification and redevelopment in settlement areas with existing access to municipal sewage and water servicing (section 1.6.6.2).

The proposed development occurs within a settlement area which in consistency with PPS policies is to be the focus of growth and development. The proposed development also

proposes a mix of housing types including single detached, semi-detached and townhouse dwellings which is also consistent with PPS policies that promote the provision of a range of housing options for existing and future residents of the Town. The inclusion of an open space block in the south east corner of the draft plan of subdivision is also consistent with PPS criteria for promoting livable communities. Further, the subject lands are also proposed to be connected to existing and available municipal water and sewage services as directed by the PPS. Based on the above, and review and consideration of other policies of the PPS, Staff are of the opinion that the application is consistent with the PPS, 2020.

3.4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020* (Growth Plan) is issued under the *Places to Grow Act, 2005*. The Growth Plan provides policy direction for managing growth in the regions experiencing the greatest development pressures in the province (i.e., the Greater Golden Horseshoe, which includes Bradford). The Growth Plan delineates growth areas and establishes land density targets to promote orderly development and ensure sufficient investments in infrastructure and public facilities are made and coordinated at a regional level in order to accommodate rising demands for housing, infrastructure, public services and other needs. Under the *Planning Act*, planning decisions shall conform to or not conflict with policies contained in the Growth Plan.

The subject lands fall within both the Built-Up Area and the Designated Greenfield Area as shown in Schedule 2 - "A Place to Grow Concept" of the Growth Plan. Consistent with the PPS, the Growth plan directs growth to settlement areas with a delineated built up area (policy 2.2.1). The Growth Plan also promotes the creation of complete communities which are communities that provide a diverse mix of land uses including a mix of housing options that accommodates a range of age-groups, household sizes and incomes (section 2.2.6). Policies on designated greenfield areas are similar to the aforementioned policies as it supports new developments provided that they are planned, designated and zoned in a manner that supports the achievement of a complete community (policy 2.2.7).

Additionally, Schedule 3 of the Growth Plan allocates population and employment targets for the greater golden horseshoe to the year 2051. Simcoe County is allocated a total population of 555,000 and 198,000 jobs by 2051. Section 2.2.6 of the Growth Plan directs that municipalities support the achievement of the forecasted population and employment growth found in Schedule 3 through promoting the creation of complete communities. The achievement of these forecasts is also directed to occur by planning for a range and mix of housing options and densities and supporting the diversification of the overall housing stock across the municipality (section 2.2.6). Lastly, similar to the PPS, the Growth Plan also directs that land use planning and infrastructure planning occur in an integrated manner in order to optimize opportunities to make efficient use of services within the existing system capabilities (section 3.2).

The proposed development incorporates a mix of housing options, on lands located within the built-up area and designated greenfield area that are envisioned to accommodate growth and development by the Growth Plan. The subject lands are also surrounded by a mix of land uses including institutional uses such as the Ukrainian Orthodox Church to the north of Danube Lane, the Portuguese Cultural Centre directly to the south and Marshview Public School to the west of the lands. This proximity and convenient access to an array of land uses conforms to Growth Plan policies directing the creation of complete communities. Further, the subject lands also have access to existing municipal servicing thus aligning the development of the lands with the availability of existing infrastructure as directed by the Growth Plan. The proposed number of dwelling units further contribute to the achievement of the population and employment allocations for the County of Simcoe per Schedule 3 of the Growth Plan. As a result, staff are of the opinion that the proposed development conforms with the policies of the Growth Plan.

3.4.3 Lake Simcoe Protection Plan, 2009

The Lake Simcoe Protection Plan was prepared and approved under the *Lake Simcoe Protection Act, 2009*. The Plan generally applies to the Lake Simcoe watershed and provides objectives for the protection, improvement and restoration of the ecological health of the watershed. Under Section 1(1)(e.1) of the *Planning Act*, the Lake Simcoe Protection Plan is considered a "Provincial Plan", meaning all planning decisions within its jurisdictional area must conform to the designated policies of the plan.

The subject property is located within the watershed of Lake Simcoe and, therefore, the proposed Draft Plan of Subdivision and amendments to the Town's Official Plan and Zoning By-law are subject to the provisions of the Lake Simcoe Protection Plan, 2009 ("LSPP"). The LSPP is intended to protect, improve, and restore the ecological health of Lake Simcoe by mitigating adverse impacts on the environment within its watershed and promoting environmentally sustainable development practices. The LSPP regulates such activities as the development of new private and municipal sewage treatment facilities, storm water management, and proposed changes to land uses from what is currently permitted. The Lake Simcoe Protection Act requires that decisions on this form of development conform to the policies of the LSPP.

Lake Simcoe Regional Conservation Authority staff have reviewed the proposed Draft Plan of Subdivision and the Official Plan and Zoning By-law Amendment applications in the context of the applicable policies of the LSPP. LSRCA Staff have not objected to the approval of the proposed development applications and have issued recommended conditions of approval. These conditions have been incorporated into the proposed Conditions of Draft Plan of Subdivision Approval that are attached to this report as part of Attachment 5.8.

3.4.4 South Georgian Bay Lake Simcoe Source Protection Plan, 2015

The South Georgian Bay Lake Simcoe Source Protection Plan (Source Protection Plan) includes policies intending to protect existing and future supplies of municipal drinking water. In accordance with Section 40 of the *Clean Water Act*, all decisions under the *Planning Act* must conform to the significant threat policies as set out in the Source Protection Plan, as of July 1, 2015. The subject property is located within the area of the Town of BWG affected by the South Georgian Bay Lake Simcoe Source Protection Plan ("SGBLSSPP") and, therefore, the proposed Draft Plan of Subdivision and Official Plan and Zoning By-law Amendment is subject to the provisions of the SGBLSSPP.

The SGBLSSPP stipulates that Planning Approval Authorities shall only permit new major development in a WHPA-Q2 where the activity would not be a significant drinking water threat. New development must demonstrate through the submission of a Hydrogeological Study that the existing water balance can be maintained through the use of best management practices such as low impact development. Where necessary, implementation and maximization of off-site recharge enhancement within the same WHPA-Q2 to compensate for any predicted loss of recharge from the development may be required.

Lake Simcoe Regional Conservation Authority staff have reviewed the proposed Draft Plan of Subdivision and Official Plan and Zoning By-law Amendment applications in the context of the applicable policies of the SGBLSSPP. LSRCA staff have not indicated any concerns with the proposed applications and on July 16, 2024 issued Conditions of Draft Plan of Subdivision Approval.

Through review and consideration of the provincial land use planning policies that are applicable to the proposed development, including those referenced above, Town staff submit that the proposed Draft Plan of Subdivision and corresponding Official Plan and Zoning By-law Amendment applications are consistent with and/or conform to (as applicable) the South Georgian Bay Lake Simcoe Source Protection Plan.

3.4.5 County of Simcoe Official Plan, 2016

The County of Simcoe Official Plan (SCOP) outlines the policies that govern land in Simcoe County (the "County") at a broader level. Policies of the County Official Plan provide a framework for local municipalities to undertake more detailed planning approach that implements efficient growth, coordinates land use planning among neighbouring municipalities, and ensures public health and safety and economic sustainability.

The subject lands are designated "Settlements" on Schedule 5.1 Land Use Designations of the County Official Plan and are located within the Bradford Urban Area. The County Official Plan directs population and employment growth and development to settlement areas, with a focus on primary settlement areas like the Bradford Urban Area (section 3.5). The SCOP

includes policies encouraging compact, mixed use built forms that promote settlement areas as vibrant places (section 3.5). To achieve the compact development of settlement areas, the County OP provides specific density and intensification targets including policy 3.5.24 states that Town of Bradford West Gwillimbury is to achieve an intensification target of 40% within the built boundary and a minimum target of 35 people and jobs per hectare for designated greenfield areas. Further, section 3.2 of the SCOP projects that the Town is will need to accommodate a total population of 50,500 people and 18,000 jobs to the planning horizon of 2031.

Using the person per unit (PPU) count developed as part of the [Development Charges Background Study](#) prepared for the Town of BWG by Watson & Associates Economists Ltd. (table 6-1) in April of 2019 (see table 6-1 of report page 6-2) , the following approximate calculations in the generation of people, jobs and density based on the proposed development can be derived:

Table 5: Proposed Development Calculation

<i>Dwelling Type</i>	<i>Number of Units Proposed</i>	<i>PPU</i>	<i>Number of Persons</i>
Single Detached	24	3.454	83
Semi-detached	8	3.454	28
Townhouse unit	61	2.440	149
Total			260

As demonstrated above, the proposed development can contribute to an approximate population of 260 additional people through the provision of a mix of housing units, thus supporting achieving the population allocation to the Town by the County to 2031. Additionally, when calculating for the overall density generated by the proposed development, by dividing the approximate number of persons generated with the total subject land area of 3.2 hectares, an approximate density of 81 people per hectare can be achieved through the proposed development, which further assists in achieving SCOP minimum density and intensification targets set for the Town. Based on the above analysis, staff are of the opinion that the proposed development conforms to the policies of the Simcoe County Official Plan.

3.4.6 Town of BWG Official Plan, 2023 & Proposed Amendment

3.4.6.1 Official Plan Community Structure

Schedule ‘A’ – Urban Structure and Built Boundary to the Town Official Plan, 2023 (“OP”) identifies the Town’s community structure, the elements of which include: settlement areas, the Bradford delineated built up areas, lands outside settlement areas among others. As it relates to the proposed development, the entirety of the subject lands falls within the settlement area boundary. However within that boundary, approximately two-thirds of the western portion of the site (containing the proposed townhouse and semi-detached

dwelling) falls within the Town's delineated built boundary while approximately one third of the eastern portion of the lands (containing single detached dwellings) is shown within the "Delineated Greenfield Area" (DGA) (see Attachment 5.3 – OP Schedule A).

Both areas are subject to policies encouraging residential intensification, with the delineated built up area directed to accommodate 40% of the forecasted additional dwelling units to be constructed in the Town (policy 3.2.1 b)), while the DGA prescribes a minimum density target of 35 persons and/jobs per hectare for any proposed developments while also requiring that a minimum proportion of 20% of dwelling units developed after 2017 be accommodated in DGAs (policy 3.2.1 d) and 3.2.4.2 d)).

3.4.6.2 Official Plan Land Use Designation

The Subject Lands are also designated 'Low Density Residential', 'Residential Built Up' and 'Environmental Protection' on Schedule 'B-1', Land Use Bradford Urban Area to the OP (see Attachment 5.4 - OP Land Use Map).

The western half of the subject lands where the townhouse blocks are proposed fall within the "Residential Built Up" designation of the OP. Permitted uses for the Residential Built Up designation include a range of dwelling units: low density residential uses; medium and high density residential uses including triplex dwellings, fourplex dwellings, row or block townhouse dwellings etc. and neighbourhood commercial uses. Section 4.1.5 b) of the OP also states that lands within the "Residential Built Up" designation can "contribute the greatest single-use opportunities for meeting intensification targets" and then further directs that "developments incorporating...townhouse dwellings and similar medium profile residential buildings may be required to provide on-site recreational facilities or amenities such as private open space or playground equipment" (policy 4.1.5 f)). The western portion of the lands that is subject to the policies of this designation is proposed to contain the townhouse blocks which are a permitted use in this designation and therefore conform to the OP.

The eastern portion of the subject site proposing single and semi-detached dwellings falls within the "Low Density Residential" (LDR) designation of the OP. Permitted uses for the Low Density Residential designation include a range of traditionally low-rise dwelling units: detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings and townhouse dwellings (policy 4.1.2). A maximum density target of 30 dwelling units per net hectare is permitted within this designation (policy 4.1.2 b)). The central portion of the subject lands for which the LDR designation applies is proposed to consist of 8 semi-detached units and 24 single detached dwellings. Both the proposed dwelling type and the density of 30 dwelling units per hectare generated (calculated by dividing a total of 32 units by the 1.065 ha area containing the units) conforms to the LDR policies of the OP as well.

3.4.6.3 Proposed Official Plan Amendment

The applicant has submitted an Official Plan Amendment requesting to re-designate approximately 0.07 ha of area located in the south east portion of the subject lands (south of Danube Lane and north of Canal Road), from the 'Environmental Protection' designation to the 'Low Density Residential' designation, in order to permit the proposed single detached dwellings. The Draft Official Plan Amendment and schedule prepared by the applicant is attached hereto as Attachment 5.5 – Proposed Official Plan Amendment.

Section 4.5.1 of the Town OP includes policies applicable to lands that fall within the 'Environmental Protection' (EP) designation. Among the policies regarding permitted uses and built form in the EP designation are the following:

“Uses permitted in the Environmental Protection designation may include fish/wildlife and forest management, conservation projects and flood and erosion control projects, low-intensity recreational uses, open spaces, existing uses, and uses accessory to the foregoing uses...”

No development or site alteration within the Environmental Protection designation shall be permitted. However, should expansions to existing development within the Environmental Protection designation be proposed, they shall be subject to the policies regarding any Natural Heritage Features and functions and/or Natural Hazards, which may be a constraint to development.”

While the above policy does not permit development or site alteration in the Environmental Protection designation, Section 7.3.3 of the Town OP however, provides that:

“the [boundaries of the] land use designations depicted on Schedules..B-1 [land use schedule]... of this Plan are approximate and indicate the general intent of this Plan and its permitted use...rather than precise boundaries and alignments.”

The 0.07 ha portion of the subject lands subject to the request for re-designation to 'Low Density Residential' (LDR) from the EP designation, previously contained a series of trees that appear to have been removed from the lands in advance of any submission of applications to the Town (as confirmed through aerial imagery). The remaining area of the subject lands that consists of the EP designation includes a portion of the lands that consists of a floodplain and shoreline erosion hazards associated with the North Canal watercourse. With the existing canal adjacent to the subject lands having already been mapped by the LSRCA along with the floodplain contour line that traverses through the south easterly limits of the site (please refer to block 39 in Attachment 5.2 - Draft Plan of Subdivision), the applicants environmental consultant were able to determine more precise boundaries of the

floodplain limit. Per the findings of the Environmental Impact Study (EIS), it was concluded that are none of the following features were found on the subject lands (which would warrant protection under the EP designation) including:

- Areas of Natural and Scientific Earth Science and/or Life Science (ANSI);
- Environmentally Significant Areas (ESA);
- Significant Woodlands (SW);
- Significant Wildlife Habitat (SWH);
- Significant Valleylands (SV);
- Fish and fish habitat; and,
- Flora and/or fauna Species at Risk (SAR) or their habitats.

Additional findings from the EIS also state that the proposed development will not have a negative impact on existing natural heritage features or functions located on adjacent lands and no adverse or negative impacts were identified to the existing vegetation cover. The EIS also concluded that there is no evidence of Threatened or Endangered species within the Subject Lands however a list of mitigation measures intended to protect any potential endangered species located off property at nearby sites are recommended and will be implemented as part of the conditions of draft plan approval in order to avoid or limit any potential direct and indirect impacts.

The portion of the subject lands containing the floodplain area and the floodline (block 39 (“valley”)) will continue to remain designated as ‘Environmental Protection’ and are identified as an open space block on the draft plan of subdivision that will be dedicated to the Town. No development or site alteration is proposed to occur on that portion of the lands. The referenced EIS conclusions and findings have been reviewed without objection by the Town’s Development Engineering Staff and the LSRCA.

To conclude, staff support the proposed OP amendment seeking to re-designate the 0.07 hectares of the subject lands from the EP designation to the LDR designation on the basis that:

- 1) The area subject to the re-designation request does not contain fish/wildlife and forest management, conservation projects and flood and erosion control projects, Natural Heritage Features and functions and/or Natural Hazards as determined through the following list of studies which have been reviewed and accepted by the LSRCA and the Town’s Development Engineering Staff:
 - a. Arborist Report and Tree Preservation Plan prepared by Azimuth Environmental Consulting Inc. (see Attachment 5.11 – Arborist Report);

- b. Fish and Wildlife Assessment prepared by Azimuth Environmental Consulting Inc. (see Attachment 5.12 – Fish and Wildlife Assessment);
 - c. Scoped Environmental Impact Statement prepared by Cunningham Environmental Associated in association with Azimuth Environmental Consulting Inc. (see Attachment 5.13 – Environmental Impact Study);
- 2) The area subject to the re-designation request does not constitute or contain any part of the floodplain area or its associated features including the regional floodline as mapped by the LSRCA and which is located to the south east of the subject lands (block 39) and which will not be re-designated and shall remain in the ‘Environmental Protection’ designation and which no works is proposed on; and,
- 3) Notwithstanding the Town OP policy 7.3.3 which states that:

“The land use designations depicted on Schedules B, B-1, B-2, and B-3 of this Plan are approximate and indicate the general intent of this Plan and its permitted uses and intent, rather than precise boundaries and alignments. Minor revisions will not require an amendment to this Plan provided that the intent of the policies of the Official Plan are maintained that the boundaries shown in Schedule B-1 [Land Use] are approximate and indicate the general intent of this Plan and its permitted use...rather than precise boundaries and alignments”;

That the proposed OP amendment was required to more accurately delineate the limits of the development and environmental features existing on the subject lands. And that therefore, based on the findings provided and reviewed by town staff and the LSRCA, the proposed amendment is aligned with the Town’s planned land use framework as identified in the Town OP and will enable the efficient development of the site in accordance with provincial, County and Town policies. Therefore, Staff support the proposed OP amendment.

3.4.7 Town of BWG Zoning By-law 2010-050 & Proposed Amendment

The lands are zoned as “Future Development (FD)” and “Environmental Protection (EP)” on Schedule ‘B’ Map #23 and #24 to the Town’s Zoning By-law No. 2010-050, as amended (see Attachment 5.6 – Existing Zoning). The FD Zone does not permit the development of new buildings or structures. Similarly the proposed residential uses are also not permitted in the EP Zone. As a result the proponent submitted applications to rezone the lands from the aforementioned zones to the following site specific zones as they relate to the proposed development:

Table 6: List of Zoning Relief Requests

Zone	Requested Exception	Description and Staff Comment
R1-2*A (H1)	<p>Minimum lot area – 315 square metres (sq. m)</p> <p>Maximum height – 13 metres</p>	<p>This requested site specific zone applies to all of the 24 proposed single detached dwellings within the eastern portion of the site. The parent R1-2 zone requires a minimum lot area of 340 sq. m and a maximum height of 11 m. The applicant is requesting to reduce the minimum lot area by 25 sq. m to a total of 315 sq. m and increase the building height by 2 m to a total of 13 m.</p> <p><i>Staff Comment:</i> The portion of the lands being re-zoned from the EP zone to the R1-2*A zone is the same area of land that is being re-designated to LDR from EP by way of the OPA. The remainder of this area included in this re-zoning request is currently zoned FD. As explained in section 3.4.6.3 of this report, the portion subject to the re-zoning from EP was not found to contain any environmental or conservation features which would otherwise impact Staff’s ability to support a re-zoning from the EP zone. The area of the land that does consist of a floodline and floodplain is not subject to re-zoning and will remain as EP.</p> <p>The requested site-specific amendments to the parent R1-2 zone represents only two minor areas of relief from the provisions of the parent zone. While the requested minimum lot area is a 25 sq. m reduction from the provision in the parent zone, the 2 metre increase in the height permission has been requested by the applicant on the reasoning that it will allow for more flexibility in the roof designs of the proposed dwellings. Further, staff also note that when accounting for the height increase alongside the minimum lot area reduction, the additional height can contribute to a slight increase to the total gross floor area of the units which may be more</p>

		suitable for larger family units. Therefore staff support the requested amendment.
R1-4*A (H1)	Maximum height – 13 metres	<p>This requested site specific zone applies to all of the 4 proposed semi-detached blocks, two of which are located to the north of the site fronting onto Danube Lane whereas the remaining 2 blocks located to the south of the site will front onto “Street 2”. Similar to the above, this relief seeks to increase building height by 2 m for a total of 13 m.</p> <p><u>Staff Comment:</u> Similar to the reasoning provide above as the increase in height is minor and does not present any adverse impacts on the institutional use to the south of the site or the adjacent road, staff are supportive of this request.</p>
R2-2*A (H1)	Maximum height – 13 metres	<p>This requested site specific zone includes 5 townhouse blocks located in the north-west portion of the subject lands, with 2 blocks fronting onto Danube Lane and the remaining 3 blocks fronting on “Street ‘2’”, applying to a total of 32 townhouse dwellings. Similar to the above, this relief seeks to increase building height by 2 m for a total of 13 m.</p> <p><u>Staff Comment:</u> Similar to the reasoning provided above as the height increase is minor and does not present any adverse impacts on the streets adjacent to the blocks, staff are supportive of this request.</p>
R2-2*B (H1)	<p>- Maximum height – 13 metres</p> <p>- Provision requesting that the lot line abutting Street “2” shall be deemed to be the front lot line and the lot line abutting Simcoe Road shall be deemed to be the rear lot line</p>	<p>This requested site-specific zone captures townhouse block 14, which is located at the south west corner of the subject lands and contains a total of 4 townhouse units. Similar to the above, the first relief seeks to increase building height by 2 m for a total of 13 m. The second site specific request is to allow for the townhouse units to front onto ‘Street 2’.</p> <p><u>Staff Comment:</u> Similar to the reasoning provided above Staff support the requested increase in height as it is minor and does not present any adverse impacts on the streets and institutional use adjacent to the block. Staff are also supportive of the additional provision requesting to establish the front</p>

		<p>lot line on “Street 2” as the applicant has stated that due to grading and drainage constraints on this block that frontage onto Simcoe Road was not possible. Further as this block is a corner lot with only a small portion of its lot line on Simcoe Road, it is believed that any impacts of establishing the rear lot line on Simcoe Road will be limited.</p>
<p>R2-2*C (H1)</p>	<p>- Maximum height – 13 metres</p> <p>-Provision requesting that the lot line abutting Simcoe Road shall be deemed to be the front lot line and the lot line abutting Street “2” shall be deemed to be the rear lot line.</p> <p>-Provision requesting that the lot line forming the limits of the daylight triangle between Danube Lane and Simcoe Road shall be deemed to form part of the exterior side lot line.</p>	<p>This requested site-specific zone captures townhouse block 15 containing a total of 7 units proposed within the western portion of the subject site with one lot line on Simcoe Road and an opposite lot line on “Street 2”. Similar to the above requests the applicant is seeking to increase the permitted height from 11 m to a total of 13 m.</p> <p>The last two requested site specific exceptions seeks to:</p> <ul style="list-style-type: none"> • Establish that the townhouse units on block 15 will front onto Simcoe Road; and, • For interpretation purposes to determine the limits of the daylight triangle and the calculation of the exterior side yard setback. <p><u>Staff Comment:</u> Similar to the reasoning provide above staff are supportive of the height increase due to its minimal nature, functional purpose and lack of adverse impact on the adjacent roads. Staff are also supportive the site specific request establishing the front lot line on Simcoe Road as it will help contribute to an active streetscape on Simcoe Road. Lastly, Staff also have no objection the provision establishing the limits to calculating the exterior side yard setback for the corner block.</p>
<p>R2-2*D (H1)</p>	<p>- Maximum height – 13 metres</p> <p>- Minimum required rear yard – 5.5 metres</p>	<p>This request applies to 3 townhouse blocks located at the south of the site. Similar to the requested provisions discussed above relief to increase the building height by 2 m from 11 m to 13 m is included. The second area of relief seeks to reduce the minimum rear yard from 7.5 m to 5.5 m.</p>

		<p><u>Staff Comment:</u> Similar to reasons outlined above staff support the requested height increase that is consistent with the rest of the development. Staff are also supportive of the reduction in the rear yard as it is being requested in order to address parking concerns and to provide for an extra parking space for those townhouse blocks, therefore increasing the number of units providing more than the minimum 2 parking spaces. The reduction in the rear yard is also further supported by Staff as the development contains an open space block that is also adjacent to a larger green space area.</p>
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Holding (H) Provision:

The current municipal practice is that development projects have a Holding (H) provision incorporated into the implementing Zoning By-law prior to the completion of a Development Agreement. A future application for the removal of the Holding (H) provision will be required prior to the issuance of building permits. The removal of the Holding (H) Provision will be recommended to Council by planning staff once a Development Agreement has been executed for the Draft Plan of Subdivision lands.

In conclusion the site-specific zoning standards proposed represent a minor change from the parent zone standards, additional site-specific provisions included have been done so in order to address feedback from Staff, Council and the public and in order to accommodate limitations particular to the site. Therefore staff support all of the above zoning amendment requests. Please refer to Attachment 5.7 – Draft Zoning By-Law Amendment submitted by the applicant for more information regarding the submitted re-zoning request.

3.5 Public & Agency/Departmental Consultation Comments

The requisite studies, plans and fees for the applications for Official Plan and Zoning Amendment and Draft Plan of Subdivision were received by Town Staff on November 2nd, 2023 and the applications were deemed “Complete” on November 6th, 2023. In accordance with requirements of the *Planning Act* and as prescribed in O. Reg. 543/06, 544/06 and 545/06, notice of “Complete Application” and “Public Meeting” for the applications were jointly issued in the Town Newspaper website and mailed out to all assessed property owners within 120 metres of the subject lands on November 7th, 2023. The applicant confirmed posting of signage indicating the notices for complete application and public meeting on the subject lands on November 8th, 2023.

3.5.1 Public and Council Comments at Public Meeting

A number of comments (oral and or written) were received both at and in advance of the scheduled Public Meeting on November 28th, 2023. A detailed account with associated responses provided by Town Staff and the consultant to each public correspondence is included in Attachment 5.10 – Public Comments Response Matrix. The following chart contains a brief summary of the top three comments and or concerns that were shared.

Table 7: General Summary of Response to Comments

Comment Summary	Response
Concern with Blocks 14 and 15 fronting onto “Street 2” with the rear yard facing Simcoe Road and the impact of this layout on the streetscape on Simcoe Road.	As was described throughout this report the applicant has addressed this concern by reorienting block 15 to so that it is fronting onto Simcoe Road. Due to concerns regarding drainage the same reorientation was not feasible for block 14. As block 14 contains a limited portion of its corner lot line onto Simcoe Road, Staff determined that this in conjunction with the technical limitations posed by the site that block 14 could remain fronting to “Street 2”.
Concerns around insufficient parking being provided and the outflow of cars being parked on the street.	In order to accommodate increased parking capabilities for the proposed plan of subdivision, the applicant reduced the rear yard of 3 blocks of townhouses, totaling 18 units, in order to provide 3 parking spaces per unit, thus reducing the strain that may be placed on the local street to accommodate any additional outflow of parking.
Concerns in relation to the proposed developments contribution to the generation of increased levels of traffic in the neighbourhood particularly at the intersection of Danube Lane and Simcoe Road.	A Traffic Impact Study (please see Attachment 5.14 – Traffic Impact Study) prepared by a licensed professional engineer was submitted by the applicant which analyzed the existing and future traffic conditions of the intersection of Danube Lane and Simcoe Road, the site and associated roads. As outlined in the Traffic Impact Study, under the 2023 existing conditions, the intersection of Simcoe Road and Danube Lane is operating efficiently with reserve capacity to accommodate future increases in traffic volumes. The Traffic Impact Study indicated that the development application can be supported from a traffic operations perspective as the boundary road network can accommodate the increase in traffic volumes attributable to the proposed development. Further, the proposed accesses are forecast to be functionally adequate. This study including it’s findings and recommendations were reviewed by the Town’s Development Engineering Services Staff with no objections to the findings and analysis provided.
Concerns around the re-designation and re-	As discussed throughout this report, a number of studies examining the presence and impacts of the development on any

zoning of an 'Environmental Protection' designation and zone to residential.	natural hazard features or endangered species were required to be prepared and reviewed by the Town and the LSRCA. The recommendations and findings of those report concluded that no natural hazard features or environmental constraints are present on the portion of lands being re-designated to LDR. Please see section 3.4.6.3 of this report.
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3.5.2 Town Staff and Agency Comments

The applications were (re)circulated to internal departments and external agencies for review and comment. No objection was provided to the approval of these applications subject to the inclusion of conditions within the conditions for draft plan approval and which have been incorporated by Staff into the attached Conditions of Draft Plan of Subdivision Approval included in Attachment 5.8 - Proposed Draft Plan of Subdivision Conditions of Approval, these include (but are not limited to conditions from the following departments and agencies:

- Town of Bradford (As reviewed by Development Engineering and Planning Staff);
- Bell Canada;
- Rogers Communications;
- Enbridge Gas;
- Canada Post;
- County of Simcoe;
- Lake Simcoe Conservation Authority (LSRCA);
- Alectra Utilities;
- Hydro One Networks Inc.;
- Simcoe Muskoka Catholic District School Board;
- Simcoe County District School Board;

Pursuant to the Planning Act, all written and oral submissions received relating to the applications have been taken into consideration as part of staff's recommendation. Further and pursuant to Section 34(17) of the Planning Act, Council may determine that no further public notification is required in respect to this Zoning Bylaw Amendment.

3.6 Future Planning Applications

If the applicant is successful in obtaining Council approval for the Official Plan Amendment, Zoning By-law Amendment, and Draft subdivision approval, their next steps would entail entering into a Subdivision Agreement and fulfilling all the conditions needed to obtain Subdivision Approval (as shown in Attachment 5.8- Proposed Draft Plan of Subdivision Conditions of Approval). Future applications for Zone Hold Removal will be needed to obtain building permits and later after foundations of the buildings have been constructed, an application would also be anticipated for

“Exemption to Part-Lot Control” for the purposes of establishing the individual parcels for the townhouse and semi-detached dwellings.

3.7 Conclusion

Through review and consideration of the applicant's proposal in the context of all applicable legislation, policies and regulations, and consideration of comments received from members of the public, Council, agencies and Town Departments and Divisions, it is the opinion of Staff that:

- The applications are consistent with the Provincial Policy Statement, 2020;
- The applications conform to, and or do not conflict with:
 - the Growth Plan for the Greater Golden Horseshoe, 2020
 - the Lake Simcoe Protection Plan, 2009;
 - the South Georgian Bay Lake Simcoe Source Protection Plan, 2015;
 - the Simcoe County Official Plan, 2016;
 - the Town of Bradford West Gwillimbury Official Plan (2023)
- That approval of the proposed Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision would enable development that would integrate successfully with existing development of the area;
- That approval of the proposed Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision would maintain the general intent of the applicable policies of the Official Plan and the Community Plan Area 1, and the general purpose and intent of the Comprehensive Zoning By-law;
- That sufficient public input has been provided and that an additional public information meeting for the proposed Draft Plan of Subdivision and Official Plan and Zoning By-law Amendment is not considered to be warranted;
- That approval of the proposed applications would facilitate development that would contribute positively to the Towns' growth and intensification targets;
- That the final details regarding engineering and functionality can be addressed through the review of a detailed Engineering submission and Development Agreement; and

Accordingly, Town staff recommend that Council give draft approval subject to conditions included in Attachment 5.8 - Proposed Draft Plan of Subdivision Conditions of Approval for Draft Plan of Subdivision Application (File D12-23-12), Official Plan Amendment (D09-23-01) and Zoning By-law Amendments (D14-23-16) for lands municipally known as 53, 39, 31 and 23 Danube Lane and 735 and 743 Simcoe Road.

PLN-2024-35

Recommendation Report for Official Plan and Zoning By-Law Amendments and Draft Plan Conditions

Owner: Bradford East Developments Inc.

Applicant: KLM Planning Partners Inc. (c/o Tim Schilling)

Location: 53, 39, 31 and 23 Danube Lane and 735 and 743 Simcoe Road

Planning File No.: D09-23-01; D14-23-16; D12-23-12

4. EFFECT ON TOWN FINANCES:

The approval of the proposed Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision is not anticipated to negatively affect the Town's finances.

5. ATTACHMENTS:

Attachment 5.1 – Location Map

Attachment 5.2 – Draft Plan of Subdivision

Attachment 5.3 – OP Schedule A

Attachment 5.4 – OP Land Use Map

Attachment 5.5 – Proposed Official Plan Amendment

Attachment 5.6 – Existing Zoning

Attachment 5.7 – Proposed Draft Zoning By-Law Amendment

Attachment 5.8 – Proposed Draft Plan of Subdivision Conditions of Approval

Attachment 5.9 – Parking Plan

Attachment 5.10 – Public Comments Response Matrix

Attachment 5.11 – Arborist Report

Attachment 5.12 – Fish and Wildlife Assessment

Attachment 5.13 – Environmental Impact Study

Attachment 5.14 – Traffic Impact Study