



G. H. Russell Planning and Development Services

Planning Justification Report

Proposed Accessory Second Unit

**Linda and Gil Vieira
23 Georgian Manor Drive,
Lot 12, Registered Plan 1082,
Part Lot 41, Concession 6,
Town of Collingwood,
County of Simcoe**

June 1, 2022

1. **Executive Summary:**

Linda and Gil Vieira propose to convert the upper storey of their detached private garage from recreational and storage space, to a self-contained second unit, being 65 m² in gross floor area (gfa), which would be accessory to their existing main single detached dwelling which is 86.15 m² in gfa. The approval of;

- a Zoning By-law Amendment, as per sub-section 4.40.14 of the Town Zoning By-law. for a second unit building gfa ratio of 76% is required,
- a Council approved ICBL exemption, and
- the issuance of two (2) Building Permits; a) installation of new septic system and b) right to convert recreational space to residential space,

are required to be approved to see the establishment of this proposed accessory second unit within the existing detached accessory building being accessory to the Vieira's main residential dwelling.

2. **Proposal:**

The Owners wish to;

- A. obtain the approval of a Zoning By-law Amendment permitting a second unit having a gross floor area of 76 % (conversion of existing recreational space on upper floor of existing private garage) of the main dwelling gross floor area (General Provisions, Sub-section 4.40.14 of Zoning By-law),
- B. Receive Council approval for an exemption to the Town's ICBL for one(1) second unit,
- C. obtain a Building Permit to convert the upper story recreational space of their private detached garage to an accessory 'second unit', and
- D. obtain a Building Permit to install a new septic system to support the new second unit.

The owners, Mr. and Mrs. Vieira, wish to complete this process in conformity with the Town's Official Plan, in compliance to the Town's Zoning By-law Permitted Uses and Provisions and in compliance to the Ontario Building Code.

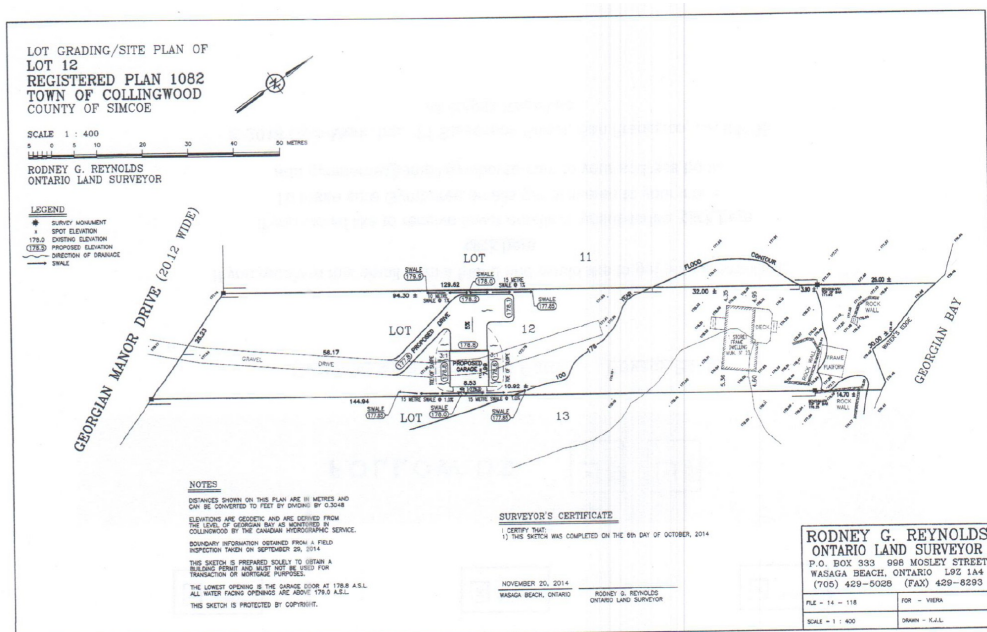
3. **Municipal Address:** 23 Georgian Manor Drive, Collingwood, County of Simcoe



4. **Owners:** Linda and Gil VIEIRA
5. **Assessment Roll Number:** 4331030000315200
6. **Aerial Photograph:** 2018 *Note: Lot fabric illustrated incorrectly on County GIS Mapping.
Lot lines as per survey.



7. **Survey:** Rodney Reynolds OLS Lot Grading/Site Plan: November 20, 2014



8. Legal Description: Lot 12, Registered Plan 1082,
Part Lot 41, Concession 6 (Nottawasaga),
Town of Collingwood,
County of Simcoe.

9. Lot Dimensions:

- Frontage: 28.23 m (92.61 ft.),
- Depth:
 - a) North lot line: 187.62m (615.55 ft.),
 - b) South lot line: 159.64 m (523.75 ft.),
- Rear lot line width: +/- 30.0 m (+/- 98.4 ft.),
- Area: +/- 0.36 ha (+/- 0.89 ac).

10. Present Use of Lands: Residential, Single Detached Dwelling with accessory uses and detached garage building.

11. Surrounding Land Uses: Residential Single detached dwellings and Georgian Manor Drive (local road).

12. Photographs: 23 Georgian Manor Drive (November 4, 2021)

Main Dwelling and Parking Area - Three (3) Parking Spaces:



Driveway Entrance:



Private Garage and Parking Area A: Two (2) Parking Spaces

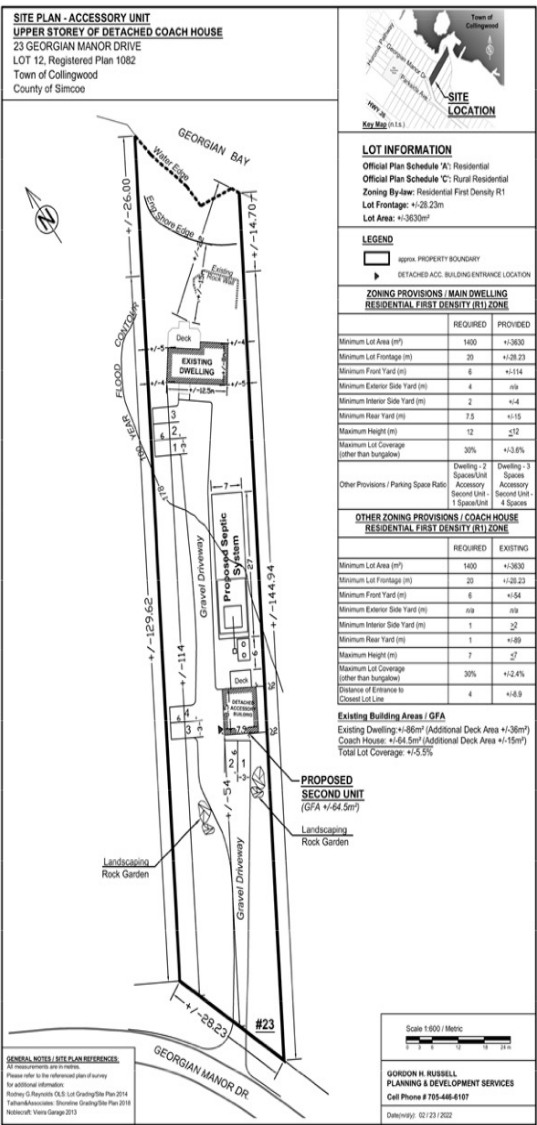


Private Garage Parking Area B – Two (2) Parking Spaces:

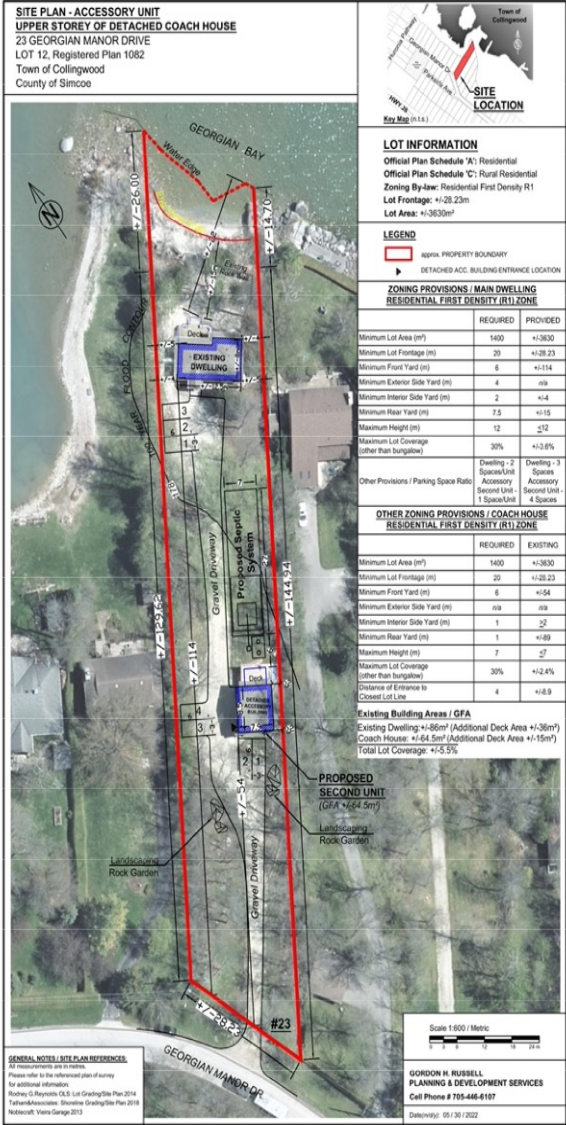


13. Site Plans: November 16, 2021

A.



B.



14. Supporting Documentation:

In support of this proposed Zoning By-law Amendment the following documentation has been submitted:

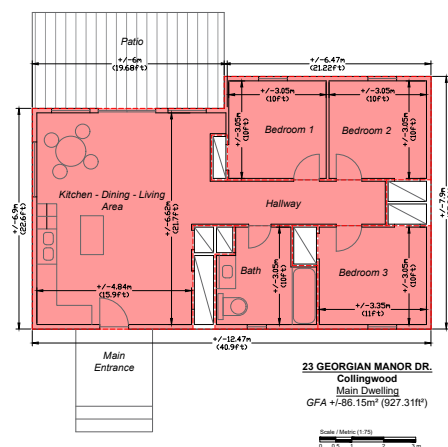
- a draft Zoning By-law Amendment c/w Schedules '1' and '2'.
- Site Plans A & B Plan; and
- Building Floor Plans of Existing Dwelling, Existing Garage and Proposed Second Unit (upper level of garage).

15. Draft Zoning By-law:

The purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject lands from the R1 Zone to the R1-Exception Zone to permit the proposed residential 'second unit' to have a gross floor area of 65 m² being 76% of the total gross floor area of the main dwelling (86.15 m²).

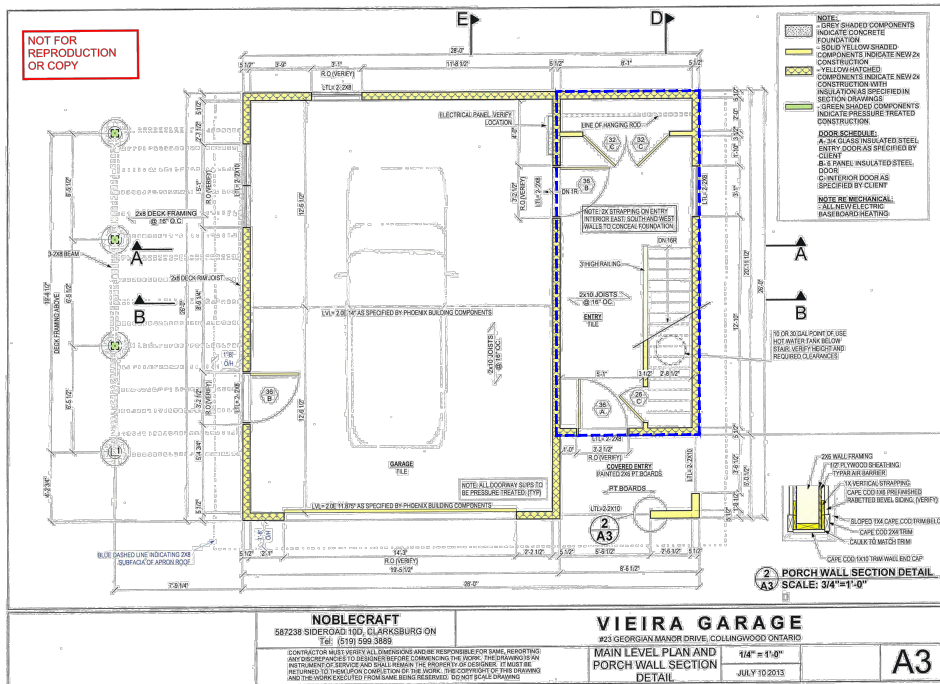
The permitted floor area of a second unit in metres squared permits; 1) a range of 35 m² - 75 m² and 2) a maximum gross floor area percentage of 40% of the main gross floor area. The main dwelling, however, only has a gross floor area of 86.15 m², being insufficient in gross floor area to create two (2) additional bedrooms. Hence the need to increase the allowed ratio of 40% in gross floor area between the second unit and the main dwelling permitting the conversion of the existing recreational space on the upper storey of the detached garage to an accessory second unit.

16. Main Dwelling Floor Plan: 86.15 m² gfa

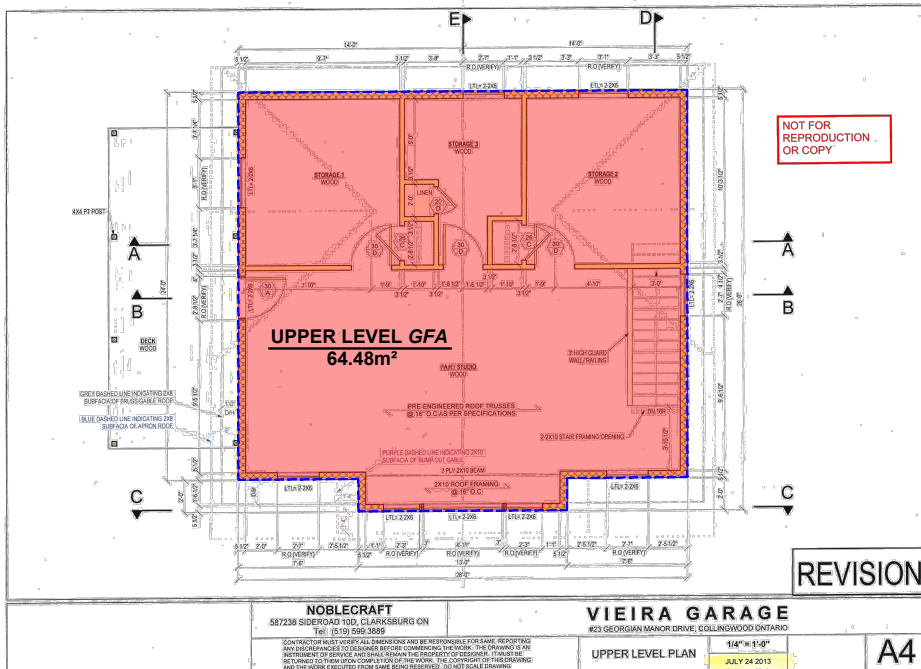


17. Detached Garage Building Floor Plans

A. Ground Floor:



B. Upper Floor: Proposed Second Unit, 65 m2 gfa



18. Building Plans Review:

- Storage 1 Area to be converted to Bedroom 1,
- Storage 2 Area to be converted to Bedroom 2
- Storage 3 Area to be converted to Bathroom.

- Stairwell to be enclosed (side wall and door) at bottom of stairwell to separate lower garage foyer from upper second unit.

19. *Planning Act Planning Review:*

This planning review was completed in context to the relevant planning documents including;

- the *Planning Act*;
- the 2020 Provincial Policy Statement (2020 PPS);
- the Growth Plan for the Great Golden Horseshoe Area 2019 (GPGGHA 2019)
- the County of Simcoe Official Plan (SOP 2016);
- the Town of Collingwood Official Plan (OP Consolidated 2010); and
- Town of Collingwood Zoning By-law No.2010-65, as amended (ZBL).

20. *Planning Act:*

Section 1.1: Purposes.

- a) promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- b) provide for a land use planning system led by provincial policy;
- c) integrate matters of provincial interest in provincial and municipal planning decisions;
- d) provide for planning processes that are fair by making them open, accessible, timely and efficient;
- e) encourage co-operation and co-ordination among various interests;
- f) recognize the decision-making authority and accountability of municipal councils in planning.

Section 2: Provincial Interest.

The following Provincial interests are most relevant;

- h) the orderly development of safe and healthy communities;
- j) the adequate provision of a full range of housing, including affordable housing;
- m) the co-ordination of planning activities of public bodies;
- n) the resolution of planning conflicts involving public and private interests;
- p) the appropriate location of growth and development;
- r) the promotion of built form that,
 - i. is well-designed,
 - ii. encourages a sense of place, and
 - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Planning Review:

It is required 'regard shall be had' for the *Planning Act*. One of the main purposes

of the *Planning Act* is to integrate matters of provincial interest into the municipal planning decisions. The adequate provision of a full range of housing is a provincial interest. The allowance of an 'accessory second unit' on this property would promote the range of housing permitted within the Town resulting in the establishment of one more accessory second unit of modest size to Collingwood's existing housing stock and future potential rental units. It is this planner's opinion this proposal has had regard for the *Planning Act*.

21. 2020 Provincial Policy Statement (2020 PPS):

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas. It recognizes that the wise management of land use change may involve directing, promoting, or sustaining development. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Part V: Policies

1.0 Building Strong Healthy Communities

Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy, and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable, and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing, and housing for older persons), ... and other uses to meet long-term needs.

1.1.3 Settlement Areas

1.1.3.1 Settlement *areas* shall be the focus of growth and development.

1.4 Housing

- 1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:
- b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes
 - d) promoting densities for new housing which efficiently use land, resources, *infrastructure*, and *public service facilities*
 - f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

6.0 Definitions

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) development and introduction of new *housing options* within previously developed areas;
- e) the conversion or expansion of existing industrial, commercial, and institutional buildings for residential use; and
- f) **the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other *housing options*.**

PPS 2020 Planning Review:

The PPS 202 focuses growth and development to be within urban and rural settlement areas. The Town of Collingwood is an urban settlement area. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents.

The Town must be consistent with the PPS to facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents. To achieve this, Municipal measures such as promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety is to be a policy of Collingwood's urban settlement area to accommodate new growth and development.

Based on my review of the above policies for the PPS 2020 planning document, this Planner is of the opinion the promotion and permission to allow for the conversion of part of an existing accessory residential building (detached private garage) into an upper residential accessory second unit, promotes the range of housing options which will be affordable to Collingwood's existing and future residents, utilises efficient use of existing services, and minimizes the cost of bringing some additional housing units in a time where affordable secondary housing units are most required to provide living accommodation options to some of Collingwood's residents. This proposal for the allowance of an upper-level accessory second unit having an enlarged gross floor area ratio in a detached accessory building to the residential main dwelling, is consistent with the PPS 2020.

22. A Place to Grow Growth Plan for the Greater Golden Horseshoe (May 2019):

1.2 A Place to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Places to Grow Act, 2005 enables the development of regional growth plans that guide government investments and land use planning policies.

Vision for the GGH

Part of the vision for the *GGH* is to have sufficient housing supply that reflects market demand and what is needed in local communities.

To support the achievement of complete communities growth will be allocated based on the vast majority of growth being directed to settlement areas (Collingwood) which have a delineated built boundary and an existing or planned municipal water and wastewater systems. This Plan will support the achievement of complete communities that feature a diverse mix of land uses, including residential uses in the form of additional residential units and affordable housing, to

accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

3 Infrastructure to Support Growth

Well planned infrastructure is essential to the viability of Ontario's communities and critical to economic competitiveness, quality of life, and the delivery of public services.

3.2 3.2.1 Policies for Infrastructure to Support Growth

1. 2. Integrated Planning

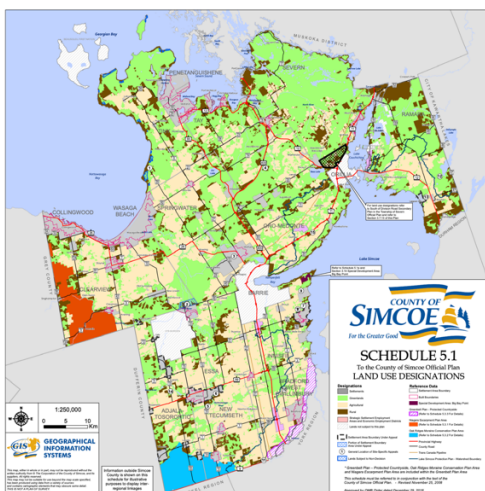
Infrastructure planning, land use planning, and *infrastructure* investment will be co-ordinated to implement this Plan.

Greater Golden Horseshow Growth Plan Planning Review:

Municipalities are to plan for complete communities with the provision of planned municipal services to achieve a diverse mix of land uses inclusive of residential uses. Such residential uses may include affordable housing options for their residents who are at all stages of life, and to accommodate the needs of all household sizes and incomes. The establishment of 'accessory second suites' help achieve this housing goal and as such the allowance of the Vieira second suit will promote conformity to the Greater Golden Horseshoe Growth Plan.

23. County of Simcoe Official Plan (CSOP) 2016:

Schedule 5.1 entitled Land Use Designations of the Official Plan for the County of Simcoe identifies the subject lands to be within the 'Settlements' land use designation.



In accordance with Part 5 – Schedules, Table 5.1 Recognized Settlement Areas,

the Town of Collingwood is recognized as a Primary Settlement Area.

Section 3.5 Settlements lists the objectives of this designation to include;

- 3.5.1** To focus population and employment growth and development within settlements, with particular emphasis on primary settlement areas, in accordance with the policies of this Plan.
- 3.5.2** To develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services.
- 3.5.3** To develop mixed use settlements as strong and vibrant central places and to create healthy settlements and communities that are sustainable.
- 3.5.4** To promote development forms and patterns which minimize land consumption and servicing costs.

Planning Review:

As a 'Primary Settlement Area', the Town of Collingwood shall be the focus of population and employment growth and its vitality and regeneration shall be promoted. Residential, commercial, industrial, institutional, and recreational land uses shall be developed within *settlement area* boundaries on land appropriately designated in a *local municipal* official plan for the use. Intensification of the designated development areas and the accommodation of a range of housing types are objectives which enhance the development of compact complete communities and are supported by policies of this Plan.

This proposal promotes in a modest way intensification of lands through the allowance of a 'second unit' within a primary settlement area to be serviced with existing municipal water and a private septic system, on lands already developed with a single detached dwelling and an accessory detached private garage.

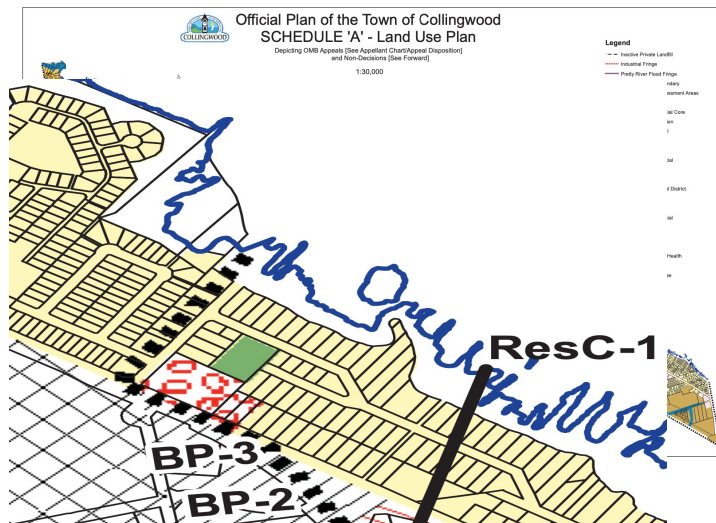
The approval of this proposed site-specific Zoning By-law Amendment to permit a larger gross floor area than what is normally permitted for a 'second unit' in comparison to the main dwelling, will enable the second unit to be established in the interest of intensification of lands adequately serviced to support this form of development within the Town of Collingwood. The County Official Plan promotes development within primary settlement areas with the provision municipal services and the establishment of a range of housing, where possible. It is this Planner's opinion this minor intensification proposal to permit one (1) 'second unit' for an additional accessory apartment unit in a detached accessory building conforms to

the County's Official Plan.

24. Town of Collingwood Official Plan (Consolidated Jan. 2019):

Schedule 'A' Land Use Plan

Land Use Designation: Residential



Zoomed in 'A' Excerpt:

Schedule 'A' Land Use Plan illustrates the subject lands to be designated Residential.

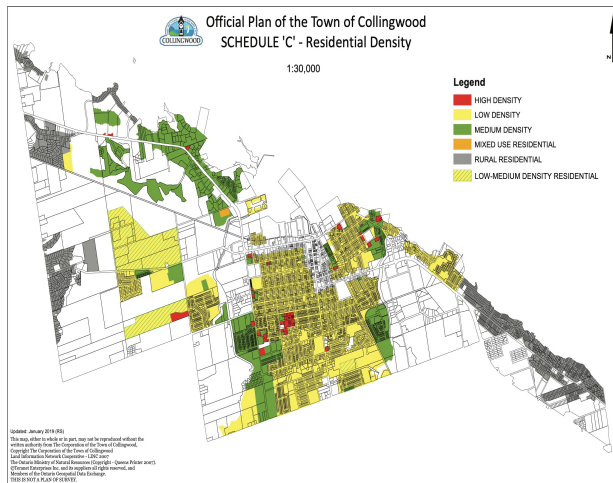
4.3 RESIDENTIAL (OPA #33)

Development Overview

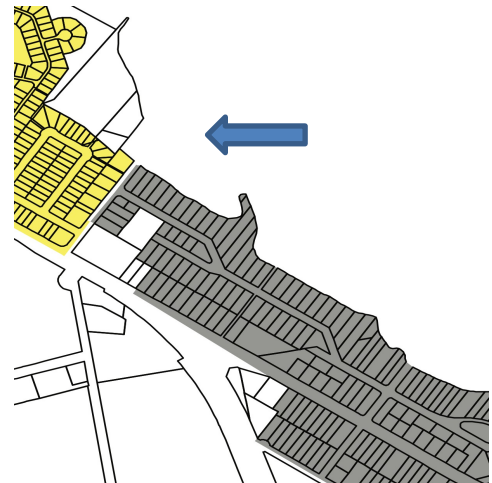
The Residential designation provides for a variety of housing opportunities and associated uses, within a broad range of residential densities, to meet the Town's long-range housing needs and the complete community and compact urban form policies of the Places to Grow, Growth Plan for the Greater Golden Horseshoe.

Specifically, lands designated Residential and Rural Residential on Schedule 'A' shall be used predominantly for a variety of residential uses, including low, medium, and high, density housing, and shall also include public and private nursing homes, senior citizen/retirement homes, group homes and crisis-care facilities. In addition, complementary uses which contribute to residential areas as complete neighbourhoods, shall also be permitted.

Schedule 'C' Residential Density:



Zoomed in 'C' Excerpt:



Schedule 'C', Residential Density Plan, illustrates the lands to be within the Rural Residential density classification.

Schedule 'C' show the lands within the Town that are intended to accommodate residential growth to 2031, including residential intensification areas. Schedule 'C', Residential Density Plan, also indicates specific dwelling types permitted and density ranges within the various density designations.

4.3.1 Goals and Objectives

Provincial and County Policies

1. To be consistent with the policy direction of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, as amended, and the Simcoe County Official Plan,
 - To achieve the population, employment and density targets assigned to the Town under the Growth Plan,
 - To provide a hierarchy of desirable residential development opportunities on the basis of the availability and accessibility of municipal water, wastewater and transportation servicing, community infrastructure and other amenities - emphasizing intensification and redevelopment opportunities before consideration of other designated growth areas and designated Greenfields; and,
 - To ensure that at a minimum 40% of residential growth is directed to areas within the Town's identified built boundary.

People's Needs

- 4 To ensure residential development which is consistent with the **demographic characteristics and socio-economic needs** of the Town's present and future **residents**.
- To encourage housing forms, densities and locations which **are affordable** to lower and moderate-income **households**.

4.3.2 Policies

4.3.2.1 Residential Intensification

To assist in reaching the general intensification target of the Growth Plan, as well as contribute to Collingwood's development as a complete community with compact urban form, **this Plan provides opportunities for residential intensification throughout the areas of the Town designated for urban residential uses.**

4.3.2.1.1

Residential intensification means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes: redevelopment, including the redevelopment of brownfield sites, the development of vacant or underutilized lots within previously developed areas, infill development, the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and the **conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments**, secondary suites and rooming houses.

4.3.2.1.2

Consideration of opportunities for Residential Intensification throughout the Town, as well as specific development proposals, will be based on the following criteria and the other applicable policies of the Official Plan:

- a) Capacity and availability of **municipal water** and wastewater servicing;
- b) Proximity to and adequacy of community infrastructure, services and facilities;
- c) Ability to accommodate required **off-street parking**;
- d) Ability to accommodate an **outdoor amenity area**;
- e) Acceptable impacts on **traffic**;

- f) **Sensitivity to the urban design and character of adjacent buildings**, including their location, massing, height and building materials;
- g) **Compatibility with the character and streetscapes of the surrounding neighbourhood**; and,
- h) Preservation of heritage resources.

4.3.2.1.5 General Intensification – Accessory Apartment and Second Units

On Low, Medium, Low-Medium, and **Rural Residential designated residential lands** (identified on Schedule 'C') outside the Collingwood Intensification Area, **residential intensification through the inclusion of** accessory apartments, in single detached, semi- detached, townhouse dwelling units, and **second units, such as coach houses** and garden suites, **may be permitted, subject to appropriate zoning**, site plan control where deemed appropriate by Council, and **satisfaction of the policies of this Plan, (including section 4.3.2.1.2).**

4.3.2.3 Affordable Housing

Recognizing the importance of providing affordable housing options for Collingwood's residents, and in support of Simcoe County's target that a minimum of 10% of new housing units created each year be affordable, the following policies shall apply in relation to all new residential development.

- 1. Affordable housing shall be permitted and encouraged throughout the Town in all residential areas and in a variety of housing types, subject to the policies of this plan, appropriate zoning, and design considerations.
- 2. **Special emphasis will be given to** accessory apartments and **second units which will be permitted in association with single detached**, semi-detached and townhouse **dwelling units**, subject to the policies of this plan, appropriate zoning, and design considerations.
- 8. The **time period for the processing of residential development proposals will**, as far as possible, **be minimized**, especially for those that include affordable housing.

4.3.2.9 Rural Residential

It is intended that all future development within the Town of Collingwood occur on full municipal water and sanitary sewage disposal services. As a result of earlier approvals, however, certain un-serviced (or partially serviced) residential areas already exist within the municipality. Existing residential uses in these

areas maybe recognized in the implementing Zoning By-law and future development shall occur in accordance with the following policies:

4.3.2.9.1 Permitted Uses

The primary permitted residential uses on lands designated Rural Residential on Schedules 'A' and 'C' to this Plan shall be limited to **single-detached dwellings** thereto in accordance with the policies set out below.

4.3.2.9.2 Density

Permitted density within the Rural Residential designation shall be determined on the basis of environmental and servicing approvals, with the exception of the former Charis property (595 Mountain Road) which shall have a maximum density of 2 dwelling units per gross hectare.

4.3.2.9.3 Servicing for Existing Lots of Record

Permitted single-detached dwellings may be serviced in accordance with the prevalent servicing configuration in the immediate area, **typically municipal water supply in conjunction with a private sanitary sewage disposal system**, subject to meeting the requirements of the Town of Collingwood and/or the regulatory Ministry/agency responsible for such facilities.

Where municipal water is not available, a private well in conjunction with a private sanitary sewage disposal system may be permitted subject to meeting the requirements of the Town of Collingwood and/or the regulatory Ministry/agency responsible for such facilities.

9.4 ACCESSORY USES

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and subordinate to that use shall also be permitted.

10.0 Glossary of Terms

Second Unit (OPA #33): A self-contained dwelling unit accessory to a main permitted residential use located within a detached accessory building.

Planning Review:

The subject lands are designated on Schedule 'A', Land Use Plan, as Residential and on Schedule 'C' Residential Density, the subject lands are identified as being as having a Rural Residential density designation.

The Residential land use designation permits a wide range of residential uses subject to the level of servicing available to the lands. The Rural

Residential density designation identifies there are limited municipal services available to these lands. The subject lands are serviced with municipal water and a private septic system.

Additionally, it is a policy of this Plan to ensure residential development which is consistent with the demographic characteristics and socio-economic needs of the Town's present and future residents. The provision of the proposed second residential unit provides for an affordable option to Mr. and Mrs. Vieira, as the main dwelling is modest in size and the conversion of the recreational space above the existing garage provides an affordable form of housing for their children and grandchildren.

Intensification of residential uses within residential urban areas is a goal of both the Growth Plan and the Town's Official Plan. The conversion of an existing building to accommodate the establishment of a second unit increases the number of residential units on this property from one (1) unit to two (2) units which represents a modest intensification of this residential property.

The subject lands are presently serviced by municipal water and private septic system. It is proposed to service the second dwelling unit with municipal water from the main dwelling and to install a new private septic system to independently support and service the second unit.

Regarding available parking the Development Plan illustrates at total of seven (7) external parking spaces and two (2) parking spaces located within the garage. Three (3) of these parking spaces are dedicated for everyday use for and adjacent to the dwelling. Four additional parking spaces are located adjacent or in proximity to the detached garage and would accommodate parking for the second unit. The parking spaces within the garage will continue to be used for seasonal parking and winter storage.

The existing driveway provides access to both the main dwelling and the garage in which the second unit will be accommodated. Driveway access is achieved from Georgian Manor Drive, a local open public road, which meets minimum municipal standards.

The same density designation exists on these lands, the surrounding lands, and most of the lands within this neighbourhood. As there is no variation or transition in density, buffering is in the form of, building setbacks from the side and front lot lines and landscaping both in the form of gardens and side lot line hedge-row vegetation.

The Rural Residential density designation permits single detached residential dwellings. Permitted density within the Rural Residential designation shall be determined based on environmental and servicing approvals.

Servicing for existing lots of record is to be permitted in accordance with the prevalent servicing configuration in the immediate area, typically municipal water

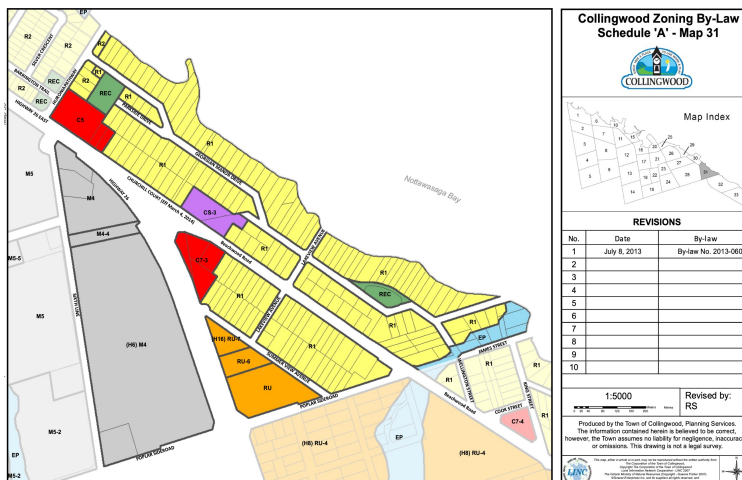
supply in conjunction with private sanitary sewage disposal system. Municipal water remains available and septic approval from both the Town and the NVCA (Permit No. 2018-10626 issued and expires Nov. 5/22) will be achieved to service the addition of this second unit. These approvals will be received once this proposed Zoning By-law Amendment is approved.

Conformity to the Town of Collingwood Official Plan:

Based on a review of the above Official Plan policies, it is this professional planner's opinion the approval of a 'second unit' for residential purposes consisting of a two (2) bedroom suite having a size of 65 m2 gfa, within a detached accessory building would be in conformity to the Town's Official Plan with regard to;

- the proposed use is a Permitted Use within the Rural Residential land use designation,
- being in line with the allowed density,
- the promotion of greater intensification,
- being appropriately located on the site,
- no other accessory unit situated on these lands,
- supporting water and sanitary services (municipal water and private sanitary (septic system) servicing)
- adequate buffering (vegetation and distance separation from lot lines),
- sufficient vehicle parking (main and second unit) and
- direct vehicle access from a local road.

25. Town of Collingwood Zoning By-law 2010-040, as amended: Map 31



Map 31 Zoomed in Excerpt:



The subject lands are within the zone classification of Residential First Density (R1).

Section 3.0 Defined Terms

Accessory:

Any use or building that is customarily incidental, subordinate and exclusively devoted to the main building or main use occupying the land.

Dwelling, Single Detached:

A detached building used as a dwelling unit, but that is not occupied as more than on housekeeping unit.

Gross Floor Area:

In the case of a dwelling unit, the aggregate sum of the areas of all habitable space measured from the exterior faces of the exterior walls, or from the centre of common walls, but shall not include any space used for storage, heating, laundry, attached garage or carports, porch, or unfinished attic.

Second Unit: An independent, self-contained, and accessory secondary dwelling unit that is located within a detached structure accessory to a single detached dwelling unit.

Section 4: General Provisions

4.31 Accessory Buildings and Uses

4.31.1 Where this Zoning By-law provides that a main building or main use is permitted on a lot, then any accessory building or use may also be

permitted. Unless provided elsewhere, no accessory building or use shall be established on a lot without a main building or main use having been first established.

4.33 Detached Accessory Buildings

- 4.33.1 Where a detached accessory building is constructed, it shall be constructed in accordance with Table 4.33.1.1, entitled Detached Accessory Building Yards.

Table 4.33.1.1 Detached Accessory Building Yard Requirements

Zone Classification	Required Minimum Yard
All Residential Zones	
Front Yard	Same as that required for a main building
Exterior Side Yard	Same as that required for a main building
Interior Side Yard	1.0 m
Rear Yard	1.0 m

- 4.33.2 Despite the Table above, a detached building that is accessory to a dwelling unit shall be setback from a street line so as to provide a minimum driveway length of 6.0 m.

- 4.33.3 Where a detached accessory building is constructed it shall have a separation distance to any other building in accordance with Table

Table 4.33.3.1 Detached Accessory Building Separation Distance

Zone Classification	Required Separation Distance
All Residential Zones	2.0 m

- 4.33.4 Within a Residential zone, no exterior wall of a detached accessory building shall be closer to a front lot line than the closest exterior wall projection of the dwelling unit. This provision shall not apply to a lot abutting Nottawasaga Bay.
- 4.33.5 Within a Residential zone, the total sum of the lot coverage of all detached accessory buildings shall be a maximum of 15% of the lot area, provided that the maximum lot coverage permitted in the zone is not exceeded.

- 4.33.6. Within a Residential zone, the maximum ground floor area of any detached accessory building shall be 75 m².

For a detached accessory building in a plan of condominium the maximum ground floor area shall be 200 m².

- 4.33.7. When a detached accessory building is constructed, it shall have a maximum building height in accordance with Table 4.33.7.1, entitled Maximum Height of Detached Accessory Buildings.

Table 4.33.7.1 Maximum Height of Detached Accessory Building

Zone Classifications	Maximum Height
Residential Zones	7.0 m
A detached accessory building for a legal, non-conforming dwelling in the C1 Zone	7.0 m

- 4.33.7. Unless provided elsewhere in this Zoning By-law, within a Residential zone no detached accessory building may be used as a dwelling unit, but it may have its interior areas finished as private recreational space.

Second Units

- 4.40.10. A second unit, such as coach house or a garden suite, may be constructed on a lot in compliance with the following provisions.
- 4.40.11. A second unit shall only be constructed inside of a detached accessory building on a lot with a minimum lot frontage of 15.0 m on a public street and a minimum lot area of 550 m².
- 4.40.12. The number of second units permitted in association with a single detached dwelling shall be a maximum of one (1).
- 4.40.13.** A second unit shall not be permitted where an accessory apartment already exists on the lot.
- 4.40.14.** **A second unit** shall range in size from a minimum gross floor area of 35 m² to a maximum of 75 m² but **shall not exceed 40% of the gross floor area of the single detached dwelling** nor any other applicable lot coverage provisions for single detached dwelling and detached accessory buildings.

- 4.40.15** A second unit shall have an independent and direct access to the exterior of the accessory building but may have a shared hallway with the accessory building.
- 4.40.16** The entrance for a second unit and any associated encroachments shall not be located adjacent to any yard that is less than 4.0 m.
- 4.40.17** A minimum 1.2 m unobstructed hard surfaced walkway shall be provided from required parking to the entrance to the second unit.
- 4.40.18** A second unit shall only be permitted where the associated dwelling is connected to both a municipal water supply and a municipal sanitary sewer.
- 4.40.19** A second unit may be permitted where a municipal water supply system and/or a municipal sanitary sewer are unavailable, provided that it can be demonstrated to the satisfaction of the Town that the applicable provisions of the Ontario Building Code are met.
- 4.40.20** A second unit shall not cause the total number of dwelling units built on a lot to exceed the density limits set out on Schedule “C” of the Town’s Official Plan entitled Residential Density Plan, or as may be otherwise permitted.

Planning Review: General Provisions Accessory Second Unit

	Required/Allowed.	Existing/Proposed
Detached Accessory Building	Yes	Yes
Lot Frontage	15.0 m	28.23 m
No. of second units	1	1
Existing Accessory Apartment	0	0
Second unit size m2:	35 m2 - 75 m2.	65.0 m2
Second unit (gfa 86.15 m2)		
% of gfa of single detached dwelling	40% max.	76 %
Independent and direct access	Yes	Yes
Setback of entrance to second unit	4.0 m.	≥ 4.0m
Entrance to second unit	1.2 m wide	1.2 m wide gravel walkway
Services	Municipal water and sanitary services or Town Building (OBC) approvals	Municipal water and private septic system

Density, Schedule C, Rural Residential - Permitted density within the Rural Residential designation shall be determined on the basis of environmental and servicing approvals. The NVCA has issued a Development Permit for a new septic system. A Building Permit application will be submitted to the Town for review and approval for the proposed additional septic system. The proposed new septic system is to service the new 'second unit'. The existing main dwelling is presently serviced by its own separate septic system. The existing lot is approximately

Planning Review:

The existing one (1) storey residential dwelling is approximately 86.15 m² in gross floor area. The existing recreational gross floor area of the proposed second unit is to be approximately 65.0 m². Section 4.40.10 Second Units, subsection 4.40.14, states the maximum gross floor area of a 'Second Unit' may not exceed 40 % of the gross floor area. of the main dwelling. The existing zoning provision would allow a proposed new second unit of approximately 34.46 m². When the upper recreational floor area level of the private garage is converted to a dwelling unit, the Second Unit would then be approximately 75.5% of the gross floor area of the main dwelling. This Second Unit would therefore exceed the allowed 40% gross floor area ratio between the second unit and the main dwelling. This provision is required to be amended site-specifically to permit an increase in gross floor area ratio from 40% to 75.5% between the proposed second unit and the existing main dwelling.

Section 5.0 Parking and Loading Provisions:

5.15 Parking Space Requirements

Table 5.15.1.1 Required Parking Spaces

Type of Use	Parking Space Ratio
Accessory apartment/second unit	1 space
Dwelling, single detached Dwelling, semi-detached Dwelling, duplex Dwelling, townhouse	2 spaces per unit

- 5.15.16 Unless provided elsewhere in this Zoning By-law, the minimum number of required parking spaces for uses, other than those on lands in a C1 zone classification, shall be in accordance with Table

5.15.1.1, entitled Required Parking Spaces.

Parking Requirement:

The required vehicle parking space ratio for the establishment of a second unit is one (1) parking space. There are four (4) external parking spaces presently available to the accessory building and three (3) external parking spaces remaining directly adjacent to the main dwelling. There are also two (2) vehicle parking spaces on the ground floor within the detached garage building.

Section 6.0 Residential Zones:

Section 6.1 Residential Permitted Uses and Density:

- 6.1.1. No person shall use any land or construct or use any building or structure in any Residential zone except in accordance with Table 6.1.2.1., entitled Residential Permitted Uses.
- 6.1.2. No person shall use any land or construct or use any building unless the total number of dwelling units built on a lot is in conformity with the density limits set out on Schedule 'C' of the Town's Official Plan entitled Residential Density Plan, or as may be otherwise permitted.

Table 6.1.2.1 Residential Permitted Uses

Uses	Zones			
	R1	R2	R3	R4
Apartment			✓(b)	✓(b)
Duplex		✓	✓	
Group or Cluster			✓	✓
Single-Detached	✓(a)	✓	✓	
Semi-Detached		✓	✓	
Townhouse			✓	
Senior Citizen Housing			✓(b)	✓(b)
Retirement Home			✓(b)	✓(b)
Boarding Home		✓(c)	✓(c)	
Nursing Facility			✓(b)	✓(b)
Community Garden	✓	✓	✓	✓

6.2 Residential Footnotes

- 6.2. Where the permitted uses in Table 6.1.2.1 are also followed by a letter in brackets, which indicates a footnote, then the additional provision associated with the following footnotes shall also apply.

6.2. Footnote (a)–Private Services

- 6.2.2.1 A single detached dwelling may be serviced without connection to a

municipal sanitary system and a municipal water supply system.

6.3 Residential Provisions

6.3.1. No person shall use any land or construct or use any building or structure in any Residential zone except in accordance with provisions of Tables 6.3.1.1 or 6.3.1.2 or 6.3.1.3.

Table 6.3.1.1 Residential First Density (R1) Zone Provisions

Lot Provisions	R1
	Single Detached
Minimum Lot Area (m ²)	1,400
Minimum Lot Frontage (m)	20.0
Minimum Front Yard (m)	6.0
Minimum Exterior Side Yard (m)	4.5
Minimum Interior Side Yard (m)	2.0
Minimum Rear Yard (m)	7.5
Maximum Height (m)	12.0
Maximum Lot Coverage (bungalow)	20%
Maximum Lot Coverage (other than bungalow)	20%
Minimum Landscaped Open Space	30%
Other provisions	

Planning Review: This Planner has reviewed the Town's Zoning By-law and advises the following;

- the subject lands are zoned Residential First Density R1,
- a single detached dwelling is a permitted use,
- the dwelling may be supported with municipal water and private sanitary septic services,
- a single detached dwelling serviced by municipal water and private septic system now exists on this property,
- accessory buildings and uses are permitted where a main building or main use is permitted,
- the establishment of one (1) accessory 'second unit' is permitted in a detached accessory building subject to compliance to the General Provisions regarding 'Second Units' in Section 4.40.10,
- Section 5.15 Parking Space Requirements stipulates a total of three (3) parking spaces are required for the establishment of a dwelling (2 spaces) and an accessory second unit (1 space).

Zoning Compliance:

The establishment of a second unit will comply in all aspects to the provisions of the Town's Zoning By-law, other than the building ratio between the proposed second dwelling and the existing dwelling. The maximum allowed gross floor area

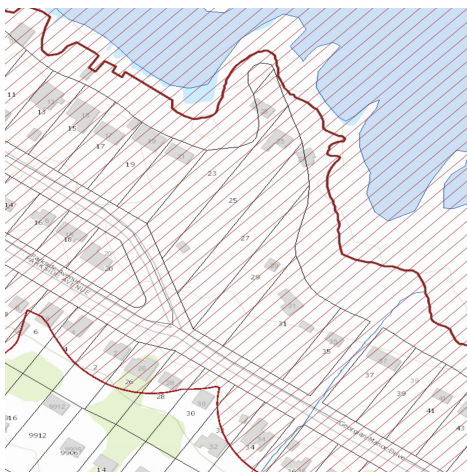
of a 'second unit' is regulated in two ways, 1) an actual range in floor area between 35 m² to 75 m², which is being complied with and 2) a ratio in maximum percentage of the gross floor area between the second unit and the main dwelling being a maximum of 40% which presently the proposed second unit exceeds in maximum percentage.

The gross floor area of the proposed 'second unit' is estimated to be approximately 65 m², complying to the maximum floor area of 75 m². The gross floor area of the main dwelling is estimated to be 86 m². The conversion of the accessory gross floor area of the recreational space located on the upper floor of the existing garage to a 'second unit', results in a gross floor area percentage of 76% compared to that gross floor area of the existing dwelling.

An amendment to the Town's Zoning By-law, subsection 4.40.14, which states '**A second unit ... shall not exceed 40% of the gross floor area of the single detached dwelling**' is required to be approved to increase the gross floor area (65 m² gfa / 86 m² gfa) percentage of the 'second unit' from 40% to 76% of the gross floor area of the main dwelling. If approved this allowance would permit the conversion of the existing recreational space to an upper storey 'second unit' within the accessory detached private garage.

26. Nottawasaga Valley Conservation Authority (NVCA):

- Regulation 172/06 Mapping for the Nottawasaga Valley Conservation Authority. Mapping includes regulated wetlands, flood, meander, and slope erosion hazards, along with the associated hazard allowances.
- 23 Georgian Manor Drive is within the NVCA Regulated Development Control Area as depicted on the attached mapping.
- NVCA Regulated development Control Area and Site Plan (septic) indicating location of new septic system.



NVCA Permit Valid from November 5, 2020, to November 5, 2022:

- Proposal: for the construction of an armour stone revetment wall and new septic system, at the above noted location as indicated on the attached or noted drawings/reports, subject to the following conditions:

NVCA Permit:

NVCA  **Nottawasaga Valley Conservation Authority**
8195 8th Line, Utopia, ON, L0M 1T0
T: 705-424-1479 • F: 705-424-2115
E: admin@nvca.on.ca • nvca.on.ca

RENEWED & AMENDED
November 5, 2018
PERMIT
2018-10626

16) In accordance with Section 28 (1) of the *Conservation Authorities Act*, R.S.O. 1990 and Ontario Regulation 172/06, permission has been granted to the applicant, subject to the conditions below.

If you do not agree with these conditions, you have a right to a Hearing under the *Conservation Authorities Act*. Please notify the Nottawasaga Valley Conservation Authority (NVCA) within 30 days of receipt of this permit to exercise your right to a Hearing. Should you fail to notify the NVCA within 30 days of receipt of this permit, you will agree to the conditions as set out below.

17) **APPLICANT:** Linda Viera
23 Georgian Manor Drive
Collingwood, Ontario, L9Y 3Z1

LOCATION: 23 Georgian Manor Drive
Part Lot 41, Concession 6
Town of Collingwood, County of Simcoe
Assessment Roll Number: 4331030003152000

PROPOSAL: for the construction of an armour stone revetment wall and new septic system, at the above noted location as indicated on the attached or noted drawings/reports, subject to the following conditions:

18) **PROPOSAL:** for the construction of an armour stone revetment wall and new septic system, at the above noted location as indicated on the attached or noted drawings/reports, subject to the following conditions:

This permit is valid from November 5, 2020 to November 5, 2022

Please note that this permit has been renewed and amended. The expiry date has been amended to reflect a new expiry date of November 05, 2022. This is a one-time renewal and amendment. Should the proposed works not be completed prior to the expiry date of this permit and/or the proposed works change from what has been approved, you will be required to submit a new permit application and applicable fee.

20) **PERMIT CONDITIONS**

Note

1) The owner acknowledges that this permit is non-transferrable and is issued only to the current owner of the property. The owner further acknowledges that upon transfer of the property into different ownership, this permit shall be terminated and a new permit must be obtained from NVCA by the new owner.

Note

2) That consent is given to NVCA, its employees and other persons as required by NVCA, to access the property for the purpose of inspection, obtaining information, and/or monitoring any and all works, activities and/or construction pertaining to the property in addition to the works as approved under cover of any permit issued by NVCA.

Shou Regt

3) That the works be carried out in accordance with the following submissions:

- Regulations File # 26481 – NVCA Permit Application (dated August 17, 2018), Site Photographs, Email Correspondence with Agent/Proponent. (Retained)
- Site Plan (Includes detail of boulder revetment). Prepared by C. C. Tatham & Associates Ltd. Job No. 418425. Signed and sealed August 22, 2018. (Attached)
- Site Plan prepared by Applicant. Indicating location of new septic system. Dated September 01, 2020. (Attached)

Kate
Regu
Prov.

Page 1 of 3

Copy: Town of Collingwood – Building/Planning Department (by email)

NVCA – Permit Number 2018-10626

Page 2 of 3

- 4) All materials and equipment used for the purpose of site preparation and project completion shall be operated and stored in a manner that prevents any deleterious substance from entering the water. Vehicular re-fuelling and maintenance should be conducted well away from the water (>30m).
- 5) Please note that this permit is only valid if approvals, agreements or permits are received from all other agencies having jurisdiction.
- 6) That all development and site alteration is subject to all other applicable federal, provincial and municipal statutes, regulations and by-laws, such as the Municipal Act, Zoning and Tree-Cutting By-Laws, the Federal Fisheries Act, Navigable Waters Act, Public Lands Act, Lakes and Rivers Improvement Act, Drainage Act, Environmental Protection Act and the Ontario Water Resources Act.
- 7) That this permit does not confer upon you any right to occupy, develop or flood lands owned by other persons or agencies.
- 8) That appropriate erosion and sediment control measures are installed **prior to construction** and maintained until all disturbed areas are stabilized, to ensure that sediments do not enter any watercourse, wetland, lake, pond or sensitive area within the development or adjacent properties. When an erosion and sediment control plan appears to be inadequate, the deficiencies must be addressed and additional measures or practices implemented as needed. It is the responsibility of the owner and the owner's representative (if contracted) to implement, monitor and maintain all erosion/sedimentation control structures and practices until vegetative cover has been successfully established. **Silt fence must be installed as per BSD-23 Draft or OPSD 219.131.**
- 9) No grading of the existing contours of the lot is permitted with the exception of that which is absolutely required for the proposed development and as identified on the approved Site Plan. The natural drainage patterns beyond the immediate work site area are to remain in their natural state and existing vegetation shall not be removed.
- 10) That no filling or importation of fill to the property has been proposed or permitted as part of the proposed works.
- 11) That any excess excavated material must be placed at least 30 metres from any slope, lake, pond, wetland, watercourse or floodplain. That any fill material stock piled for longer than 30 days must be stabilized and re-vegetated to prevent erosion.
- 12) The owner shall ensure all excess material generated from the works will not be stockpiled and/or disposed of within any area regulated by NVCA (on or off-site) pursuant to Ontario Regulation 172/06 without a permit from the NVCA.
- 13) The soils disturbed during construction and access should be stabilized as soon as possible upon completion of work and restored to a pre-disturbed state or better. Disturbed areas should be re-vegetated/seeded when the growing season permits using plantings and seed mix native to Ontario. From September 15th to April 30th, structural stabilization techniques (e.g. application of erosion control blankets) should be utilized.
- 14) All work is to be completed in the dry (i.e. during Low Lake Level).
- 15) That the contractor shall submit to the NVCA for approval, detailed plans for any cofferdams and/or dewatering systems prior to commencement of construction (if required). Detailed plans must indicate location, materials, sequencing and methodology of the work. Failure to do so will result in the permit being revoked.

Proposed Septic System: L. T. Equipment (Mr. Leonard Thomas, BCIN - 42970)

- Septic Design Calculation Information,
 - Plumbing:
 - 1 toilet,
 - 1 tub/shower,
 - 1 wash basin,
 - 1 kitchen sink,
 - Building Areas:
 - Number of Bedrooms – 2,
 - Water Supply:
 - Municipal,
 - Septic System Class – 4, filter bed
 - Calculations:
 - Effluent - 1100 L/day,
 - Pump chamber,
 - Tank Size - 800 imperial gallons
 - Filter Sand Bed area - 16 m² (4m x 4m), 3-inch pipe, 4 runs,
 - Contact Sand - 65 m²,
 - Mantle Sand Area - 187 m²,
 - Filter bed and contact sand will be raised above present ground surface.

Planning Review:

The subject lands are within an area regulated as a Development Control Area by the NVCA. The NVCA has issued Permit No. 2018-10626, valid until November 5,

2022, for the purpose of the installation of a new class 4 filter bed septic system to service the proposed plumbing fixtures the existing garage. To construct the proposed Private On-site Sewage System, the following steps are required to be undertaken;

- I. an application for a Permit to Construct or Demolish along with a Schedule 2: Sewage System Installer Information Form, shall be submitted to the Town of Collingwood for review and approval;
- II. payment of the required fee, and
- III. the issuance of a Building Permit to convert the existing recreational upper floor garage space to a 'second unit' and to construct the proposed associated septic system.

27. Town of Collingwood Interim Control By-law (ICBL) No. 2021-024:

- Approved April 26, 2021,
- This by-law came into force and effect for a period of one (1) year from the date of its passage and has been extended subject to Council's direction concerning the time required to settle all appeals of the proposed new Official Plan policies and Zoning provisions now before the Ontario Land Tribunal.
- The ICBL refers to the formulation of a review and study in respect of the Town's land use planning policies, including, but not limited to, its Official Plan and Zoning By-law, in relation to:
 - a) any required changes to the Town's land use planning policies and regulatory framework because of the Town's significant and ongoing water and wastewater servicing capacity constraints; and,
 - b) the impact and implications of the water and wastewater servicing capacity constraints on Official Plan policies and Zoning By-law provisions related to growth management and servicing as well as the Town's other land use planning policies and regulatory framework.
- This By-Law applies to all lands within the boundaries of the Town, except for those lands outlined in Schedule "A" attached hereto (i.e., lands owned by the Town & 10 Greco Court).
- Notwithstanding any other by-law to the contrary, no person shall:
 - a) use any land, buildings, or structures for any purpose whatsoever except for a use that lawfully existed on the date this by-law was passed, as long as, it continues to be used for such purpose; or
 - b) be permitted to construct, alter, or expand any building or structure, save and except where such construction, alteration, or expansion:
 - i. is for a deck, patio, fence, porch, accessory building or structure, temporary building, or structure, or interior or exterior renovation to an existing building; or,

- ii. is for the repair; re-build or restoration of an existing building or structure, or part thereof, provided that the building or structure continues to be used for the same purpose, and in the same manner, as it was used on the date of passing of this by-law.

Planning Review:

During the time the Town's Interim Control By-law is in effect for the purpose of enabling the Town the time to review the Town's Official Plan and Zoning By-law land use policies with water and wastewater capacity constraints, an 'Exemption from Council ' would be required to permit the establishment of one (1) residential second unit on these lands. This may only be permitted upon Zoning compliance when this Zoning By-law Amendment application is approved permitting the allowance of a second unit having 76% gross floor area (65 m²) of the main dwelling's gross floor area.

The approval of the issuance of a Building Permit which would permit the establishment of; 1) a new accessory second unit dwelling within the existing detached garage building, and 2) the installation of a new septic system, may be presently prohibited.

28. Summary:

Based on the above detailed planning review it is this Planner's professional opinion the proposed establishment of a second unit within the detached existing garage building;

- I. Has had regard for the *Panning Act*,
- II. Is consistent with the Provincial Planning Statement 2020 (PPS 2020),
- III. Is in conformity to the Greater Golden Horseshoe Growth Plan 2020,
- IV. Conforms to the County of Simcoe Official Plan,
- V. Conforms to the Town of Collingwood Official Plan, and
- VI. Will maintain the purpose and intent of the Town of Collingwood's implementing Zoning By-law No. 2010-040, as amended.

29. Recommendation:

It is this Professional Planner's recommendation the proposed Zoning By-law Amendment to permit a gross floor area of 76 % of the main dwelling for the proposed second unit allowing the conversion of the existing recreational space on the upper level of the detached garage to an accessory second (dwelling) unit should be supported and approved.

Thank you for your consideration to the above and should Planning staff have any questions regarding the above Planning Review please do not hesitate to contact the undersigned.

Respectfully submitted by:

Gord Russell

Gordon H. Russell, MCIP, RPP
Land Use Planner
G. H. Russell Planning and Development Services
38 Willow Drive, Tiny, ON, L0L1P1,
Cell Number : 705-446-6107
gord.russell@rogers.com