

File No: CW-OPA-1943
Municipality: Town of Collingwood
Location: Part 1, Part 41, Concession 7, Reference Plan
No. 51R33507, Town of Collingwood
(360 Raglan Street)

Date of Decision: January 14, 2020
Date of Notice: January 17, 2020
Last Date of Appeal: February 6, 2020

NOTICE OF DECISION
With Respect to an Official Plan Amendment
Subsection 17(35) and 21 of the *Planning Act*

A decision was made by County of Simcoe Committee of the Whole on the date noted above to approve Amendment No. 43 to the Official Plan for the Town of Collingwood, as adopted by the Town of Collingwood By-law No. 2019-070 and as per Schedule 2 to Item CCW 2020-026.

Purpose and Effect of the Official Plan Amendment

The purpose and effect of the amendment is to re-designate the subject lands to permit a site-specific policy to allow development on the lands within an 18 metre setback to the Pretty River. The effect of the amendment is to permit an addition for the future use of a Health Club.

This decision is consistent with Provincial policy statements issued under the *Planning Act* and conforms with Provincial and County plans. A copy of the decision and Item CCW 2020-026 is attached.

Public Input in the form of oral and written submissions were received from the public and agencies. The effect of any comments are detailed in the associated staff report (CCW 2020-026). The County is satisfied that these comments were considered prior to approval of Official Plan Amendment No. 43.

Associated File(s): Municipal File D084119

When and How to File an Appeal

Any appeal to the Local Planning Appeal Tribunal must be filed with the Clerk of the County of Simcoe no later than 20 days from the date of this notice, shown above as the last date of appeal.

The notice of appeal should be sent to the attention of John Daly, County Clerk, at the address shown below and it must:

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies;
- (2) set out the reasons for the request for the appeal;
- (3) include a completed Tribunal Appellant Form (A1); and,
- (4) Be accompanied by the fee charged under the *Local Planning Appeal Tribunal Act 2017* in the amount of \$300.00, payable by certified cheque to the Minister of Finance, Province of Ontario.

Please refer to the Tribunal website for the Appellant Form (A1) and more information on filing an appeal (<http://elto.gov.on.ca/tribunals/lpat/about-lpat/>).

Who Can File an Appeal

Only individuals, corporations or public bodies may appeal the decision of the County of Simcoe to the Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the County of Simcoe is final if a Notice of Appeal is not received on or before the last day for filing a notice of appeal (please refer to the Last Date of Appeal noted above).

Getting Additional Information

Additional Information about the application is available for public inspection during regular office hours at the County of Simcoe at the address noted below, from the office of the municipality noted above, or by contacting the County of Simcoe Planning Department at (705) 726-9300.

Mailing Address for Filing a Notice of Appeal

County Clerk
County of Simcoe
Administration Centre,
1110 Highway 26, Midhurst, ON L9X 1N6

Attention: John Daly, County Clerk
Telephone: (705) 726-9300 - Ext. 1623



Ref. Item No: CCW 2020-026

Meeting Date: January 14, 2020

COUNTY OF SIMCOE

**COMMITTEE OF THE WHOLE
RESOLUTION**

Delegated under the Authority of the Planning Act

MOVED BY:

Councillor FLOYD PINTO PINTO

SECONDED BY:

Councillor [Signature] DAVIDSON

That Official Plan Amendment No. 43 to the Town of Collingwood Official Plan, as adopted by Town of Collingwood By-law 2019-070, be approved, as per Schedule 2 to Item CCW 2020-026 dated January 14, 2020; and

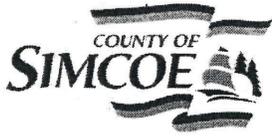
That Notice of Decision for Official Plan Amendment No. 43 to the Town of Collingwood Official Plan be provided in accordance with the *Planning Act*.

Carried

Defeated

[Signature]
Corporate Services Business Section Chair





To: **Committee of the Whole**

Agenda Section: Corporate Services
Division: Engineering, Planning and Environment
Department: Planning – Delegated Authority

Item Number: CCW - 2020-026

Meeting Date: January 14, 2020

Subject: Request for Approval – Town of Collingwood Official Plan Amendment No. 43

Recommendation

That Official Plan Amendment No. 43 to the Town of Collingwood Official Plan, as adopted by Town of Collingwood By-law 2019-070, be approved, as per Schedule 2 to Item CCW 2020-026 dated January 14, 2020; and

That Notice of Decision for Official Plan Amendment No. 43 to the Town of Collingwood Official Plan be provided in accordance with the *Planning Act*.

Executive Summary

The following provides a summary of the proposal:

Location: Legally described as Part 1, Part 41, Concession 7, Reference Plan No. 51R-33507, Town of Collingwood, County of Simcoe and municipally addressed as 360 Raglan Street

Applicant: A.G. Designs Corp.

Proposal: The purpose of the Official Plan Amendment is to re-designate the subject lands to permit a site-specific policy to allow development on the lands within an 18 metre setback to the Pretty River. The effect of the amendment is to permit an addition for the future use of a Health Club.

County File: CW-OPA-1943

Municipal File: D084119

Background/Analysis/Options

The purpose of the Official Plan Amendment is to re-designate the lands to permit a site specific policy to allow development on the lands with an 18 metre setback to the Pretty River where the Official Plan provides that, all development, including storm water management facilities shall be set

back a minimum of 30 metres from the stable top of bank of the Pretty River or shall be located outside of the 1:100 Year floodplains, whichever is greater.

The subject lands are located on the west side of Raglan Street and have a frontage of 44.0 metres and a lot depth of 93.0 metres. Surrounding land uses include industrial lands and environmental protection to the rear of the properties on the west side of Raglan Street, along Pretty River.

The property is designated 'Industrial' and is zoned 'Industrial (M2)' within the Town's Official Plan and Zoning By-law. The proposed Official Plan Amendment is required in order to permit an addition to an existing building with a proposed setback of 18 metres from the stable top of bank of the Pretty River, whereas 30 metres is required.

The existing industrial building has a custom woodworking shop and is proposing an addition at the rear of the property. The addition, having a ceiling height of 25 feet, is intended to serve as Cheer Core's (a cheerleading/health club) business location. The current zoning permits the existing custom workshop and a concurrent Zoning By-law Amendment application has been filed to the Town to permit the additional use of a 'health club'. A *health club* is defined by the Town's zoning by-law as "the use of land or building where establishments primarily engaged in operating health clubs and similar facilities featuring exercise and other physical fitness activities and conditions, or recreational sport activities, such as but not limited to swimming, skating or racquet sports."

The statutory public meeting was held on August 26, 2019, and Council for the Town adopted Official Plan Amendment No. 43 on October 28, 2019.

Prior to submitting an application to amend the Town's Official Plan, the applicant pre-consulted with Town staff and the following studies has been submitted in support of the application:

1. Amendment to Stormwater Management Plan Letter and Catchment Areas, prepared by Tatham Engineering, dated March 15, 2019;
2. Civil Engineering Drawings, prepared by Tatham Engineering, dated March 15, 2019; and
3. Planning Justification Report, prepared by LOFT Planning Inc., dated June 19, 2019.

Provincial Policy Statement (2014)

Section 1.1 of the Provincial Policy Statement (PPS) generally encourages the development of healthy, liveable and safe communities through promoting efficient development and land use patterns and accommodating an appropriate mix of residential, employment and other uses to meet long-term needs. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Policy 1.1.3.3 describes that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or area including brownfield sites. Policy 1.1.3.6 notes that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.3.1 states that planning authorities shall promote economic development and competitiveness by providing an appropriate mix and range of employment and institutional uses to meet long-term needs; encouraging compact, mixed-use development to support liveable and resilient communities; providing opportunities for a diversified economic base; and, ensuring the necessary infrastructure is provided to support current and projected needs.

Policy 1.7.1 describes that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness; maintaining, and where possible, enhancing the vitality and viability of downtowns and main streets; and, promoting the redevelopment of brownfield sites.

The subject lands are located within the existing built-up area and the proposed development would contribute to the Town's economic opportunities and livable community. The development would be an efficient use of land and municipal services while accommodating employment uses.

Policy 3.1.7 permits development and site alteration in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, or could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) Vehicles and people have a way of safely entering and exiting the area during times of flooding erosion and other emergencies;
- c) New hazards are not created and existing hazards are not aggravated; and
- d) No adverse environmental impacts will result.

Nottawasaga Valley Conservation Authority (NVCA) staff have reviewed the application and supplementary reports and have no natural heritage concerns with the proposed re-development. They further advise that the property is regulated due to erosion hazards associated with the Pretty River however, upon further technical review by staff, the erosion hazard does not pose a concern to the proposed development as the location of the river is at a maintained location within a dyke system. As far as maintenance access for the Pretty River Dyke, there would be enough space within NVCA property abutting this property for maintenance works if needed.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) manages growth and development that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The policies of the Plan concentrate on designing complete communities with high quality compact built form, prioritize intensification to make efficient use of land and infrastructure, support a range and mix of housing options and provide a diverse mix of land uses including residential and employment uses. The proposal would also contribute towards the Town's employment forecasts (13,500 jobs by 2031) as per Schedule 7 of the Growth Plan.

County of Simcoe Official Plan

Schedule 5.1 of the Simcoe County Official Plan (SCOP) designates the subject lands as 'Settlements'. The objectives 3.5.1 to 3.5.4 of the County Official Plan encourage settlement areas to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, and a development form and pattern to promote efficient use of lands and municipal services.

The development is serviced by existing municipal water and wastewater and is located near commercial uses, residential, recreation, and transit services. The proposal would contribute towards the Town's employment forecasts (13,500 jobs by 2031) as per Table 1 in the County Official Plan and the overall employment forecasts for the County of Simcoe.

Comments Received

Nine (9) letters of support were received from parents of children who currently train in the Cheer Core program. The program is currently operating from a location in Barrie and the proposed addition would eliminate the travel time from Collingwood for these families and thus provide a long-term training opportunity for their children within the community the business began in.

Comments expressing no concern were received from the NVCA, the County of Simcoe, Enbridge Gas Inc., and Hydro One during the public consultation process prior to the adoption by the Town.

The NVCA have requested, and the applicant is complying, with the to requirement to install a 1.8 metre chain-link fence at the rear of the property (15 metres from the top of the dyke) which is intended to prevent yard encroachment and access to the dyke.

County planning staff are satisfied that the oral and written submissions received from the agencies were considered and/or addressed prior to the approval of OPA No. 43.

Summary

OPA No. 43 amends the Town of Collingwood Official Plan Section 3.9.3 to permit development for the property municipally addressed as 360 Raglan Street with a rear yard setback of 18 metres from stable top of bank of the Pretty River located to the west of the subject lands.

County Planning staff recommends approval of Official Plan Amendment No. 43 to the Town of Collingwood Official Plan, as adopted by the Town of Collingwood By-law 2019-070, as Schedule 1 to this report, given the reasons outlined in this report which include:

- Consistency with the Provincial Policy Statement;
- Conformity with the Growth Plan for the Greater Golden Horseshoe;
- Conformity with the goals, objectives and general intent of the County of Simcoe Official Plan; and,
- Conformity with the Town of Collingwood Official Plan.

Financial and Resource Implications

There are no financial implications associated with this Item, however, if the County's decision is appealed to the Local Planning Appeal Tribunal (LPAT) there may be legal costs associated with that process. In the event of an appeal, staff will report back seeking authority to proceed with involvement in related LPAT proceedings.

Relationship to Corporate Strategic Plan

No direct relationship to corporate strategies.

Reference Documents

There are no reference documents associated with this Item.

Attachments

Schedule 1 – Location Map

Schedule 2 – Town of Collingwood Official Plan Amendment No. 43 as adopted

Prepared By Adrianna Spinosa, MCIP, RPP, Planner III

Approvals

Date

David Parks, Director of Planning, Economic Development and Transit December 17, 2019

Debbie Korolnek, General Manager, Environment, Planning and Environment December 20, 2019

Trevor Wilcox, General Manager, Corporate Performance January 4, 2020

Mark Aitken, Chief Administrative Officer January 6, 2020



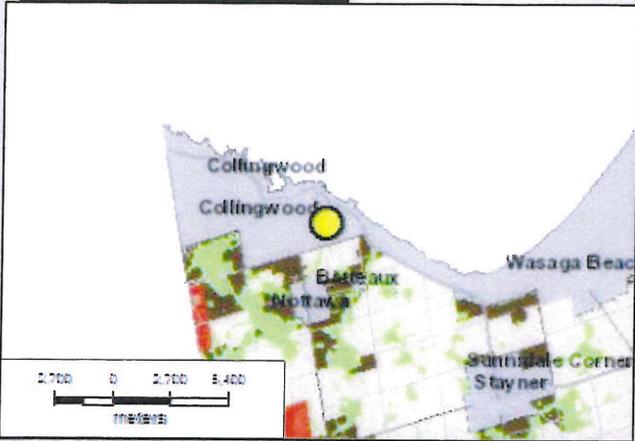
Location Map

Municipal Context

County File Number: CW-OPA-1943

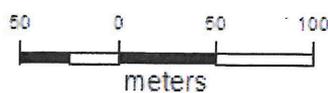
Address: 360 Raglan Street

COLLINGWOOD



County Official Plan Legend

- | | |
|--------------------|---|
| Agricultural Lands | Lands Not Subject To Plan |
| Settlements | Niagara Escarpment Plan Area |
| Economic District | Greenbelt Plan - Protected Countryside |
| Greenlands | Oak Ridges Moraine Conservation Plan Area |
| Rural Lands | Special Development Area Big Bay Point |
| Secondary Plan | Subject Property |



Map Legend

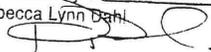
- | | | | |
|------------------|-----------------|----------------|------|
| Subject Property | Settlement Area | Built Boundary | 2016 |
|------------------|-----------------|----------------|------|



This map, either in whole or in part, may not be reproduced without the written authority from the County of Simcoe, Copyright © County of Simcoe Land Information Network Cooperative - LINC 2014. Produced (in part) under license from: the Cities of Barrie & Orillia, the Ontario Ministry of Natural Resources (Copyright - Queens Printer 2014). ©Teranet Enterprises Inc. and its suppliers all rights reserved and Members of the Ontario Geospatial Data Exchange.

THIS IS NOT A PLAN OF SURVEY.

Date Generated: 2019/12/17

This photocopy confirms to the original document which has not been altered in any way. Signed at the Town of Collingwood in the County of Simcoe this 7th day of November 2019
Rebecca Lynn Dahl 

AMENDMENT NO. 43
TO THE OFFICIAL PLAN OF THE
TOWN OF COLLINGWOOD

360 Raglan Street

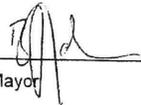
October 2019

(i)

**AMENDMENT No. 43
TO THE OFFICIAL PLAN OF THE
TOWN OF COLLINGWOOD**

The attached explanatory text constituting Amendment No. 43 to the Official Plan of the Town of Collingwood was prepared for and recommended to the Council of the Corporation of the Town of Collingwood.

This Amendment to the Official Plan of the Town of Collingwood was adopted by the Council of the Corporation of the Town of Collingwood in accordance with Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, by By-law No. 2019-070 passed on the 28th day of October, 2019.



Mayor



Deputy Clerk

21

(ii)

BY-LAW No. 2019-070
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD



BEING A BY-LAW TO ADOPT AMENDMENT NO. 43
TO THE OFFICIAL PLAN OF THE TOWN OF COLLINGWOOD

WHEREAS the Council of the Corporation of The Town of Collingwood held a public meeting on the 26th day of August, 2019 respecting a proposal to change the land use designation on the subject lands;

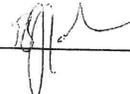
AND WHEREAS the Council has given serious consideration for the need to adopt an amendment to the Official Plan of the Town of Collingwood to permit said land use designation;

AND WHEREAS the Council has determined that said land use designation is appropriate and desirable for the development of the subject lands;

The Council of the Corporation of the Town of Collingwood, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, hereby **ENACTS** as follows:

1. **THAT** Amendment No. 43 to the Official Plan of the Town of Collingwood, being the attached text is hereby adopted.
2. **THAT** the Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of the aforementioned Amendment No. 43 to the Official Plan of the Town of Collingwood.

ENACTED AND PASSED this 28th day of October, 2019



MAYOR



DEPUTY CLERK

RB

OFFICIAL PLAN AMENDMENT**AMENDMENT NO. 43****TO THE OFFICIAL PLAN OF THE
TOWN OF COLLINGWOOD****PART 1 – THE PREAMBLE****1.1 TITLE**

This Amendment, when approved by the County of Simcoe, shall be known as Amendment No. 43 to the Official Plan of the Town of Collingwood.

1.2 COMPONENTS

This Amendment consists of the Text as attached hereto. The preamble does not constitute part of the actual Amendment, but is included for convenience purposes.

1.3 PURPOSE OF THE AMENDMENT

The purpose of this Amendment to the Official Plan of the Town of Collingwood is to re-designate the lands to permit a site specific policy to allow development on the lands with an 18 metre setback to the Pretty River where the Official Plan provides that, All development, including storm water management facilities shall be set back a minimum of 30 metres from the stable top of the bank of the Pretty River or shall be located outside the 1:100 Year floodplains, whichever is greater.

1.4 LOCATION

This Amendment applies to those lands described as Part West ½ Lot 41, Concession 7, Nottawasaga, being Part 1, Plan 51R33507, Town of Collingwood. The lands are known municipally as 360 Raglan Street, Town of Collingwood, County of Simcoe.

1.5 BASIS OF THE AMENDMENT

This Amendment has been submitted in order to facilitate the expansion of the existing industrial building on site, by allowing development at a setback of 18 metres from the stable top of the bank of the Pretty River and shall be located outside the 1:100 Year Floodplain.

PART 2 - THE AMENDMENT**2.1 PREAMBLE**

The Amendment consisting of the text and schedule referred in Subsection 2.2 below constitutes Amendment No. 43 to the Official Plan of the Town of Collingwood.

2.2 DETAILS OF THE ACTUAL AMENDMENT**PART A)**

That Section 3.9.3 Development within Flood Prone Areas Two-Zone Concept (Pretty River) Subsection titled Pretty River Building Setbacks that states all development, including storm water management facilities shall be set back a minimum of 30 metres from the stable top of the bank of the Pretty River or shall be located outside the 1:100 Year floodplains, whichever is greater, is hereby amended for the property municipally addressed as 360 Raglan Street. To permit development with a rear yard setback of 18 metres from the stable top of bank of the Pretty River located to the west of the subject lands.

2.3 IMPLEMENTATION

Amendment No. 43 to the Official Plan of the Town of Collingwood will be implemented by an amendment to the Town of Collingwood Zoning By-law No. 2010-040, as amended.

2.4 INTERPRETATION

The provisions of the Official Plan of the Town of Collingwood, as amended from time to time, regarding the interpretation of that Plan, shall apply in regards to this Amendment.