

## Staff Report P2025-03

Committee 2025-01-27

Council 2025-02-10

Amendments

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**Submitted To:** Committee of the Whole | Council  
**Submitted By:** Summer Valentine, Director, Planning, Building and Economic Development  
**Prepared By:** Justin Teakle, Senior Planner  
**Subject:** Proposed Draft Plan of Subdivision Approval Extension Request  
Trails of Collingwood (391 High Street)  
Town File PLEDP2024338

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### Recommendation

**THAT** Report P2025-03, “Draft Plan of Subdivision Approval Extension Request – Trails of Collingwood (391 High Street, Town File PLEDP2024338)”, dated February 10, 2025, be received;

**AND THAT** in recognition of the housing crisis and the urgency at all levels of government to increase housing supply in the near term, the Request for Extension of Draft Approval for the Plan of Subdivision – Trails of Collingwood (PLEDP2024338), including amendments to the associated conditions of draft plan approval as appended to this Report, be approved for a period of three years with the expectation that the proponent will progress expeditiously toward registration;

**AND THAT** Staff be directed to include a condition requiring the collection of securities on any Tree Removal Permit issued on the subject lands that can be drawn upon for replanting in the event that the development not proceed.

*\*Added by amendment at the Committee of the Whole meeting on January 27, 2025.*

## Amendments

On January 27, 2025, Committee of the Whole discussed taking securities in association with any future permit to remove trees to ensure replanting in the event that the development does not proceed. The result of the discussion was an amendment to the staff recommendation to include direction for the concurrent application for tree removal on the subject lands.

## 1. Executive Summary

The purpose of this Report is to provide Council with an analysis and recommendations regarding the request to extend Draft Plan of Subdivision Approval (Draft Plan Approval) for the file known as Trails of Collingwood, municipally addressed as 391 High Street.

The Trails of Collingwood Draft Plan Approval was scheduled to lapse on October 20, 2024. In this regard, the Town has received the extension request on August 15, 2024. The proponent has requested the Draft Plan Approval be extended for an additional three (3) years. Staff have issued four emergency 30-day extensions to the lapsing date on under delegated authority to allow the technical review to be completed and conditions of draft approval to be updated accordingly. The lapsing date is currently February 20, 2025.

The previously approved Trails of Collingwood Draft Plan of Subdivision (as of 2022) includes:

- 34 lots for single-detached dwellings;
- 16 lots for 32 semi-detached dwellings;
- One blocks for 46 townhouse dwellings;
- One block for 125 apartment dwellings split between two four-storey buildings;
- One stormwater management block;
- One block for a soil containment berm;
- One block for a swale/servicing corridor; and

- One block for a trail.

The appropriateness of extending the draft plan approval is contained in the Analysis section of this Report and supported by the materials which examines the draft approval against review criteria addressing:

- File history and status
- Consistency and/or conformity with the relevant planning policies, legislation and regulations, as well as applicable technical standards and guidelines
- Servicing and infrastructure requirements
- Applicant efforts to advance the development
- Other important matters of interest to Council and the community.

Based on the development review process, Planning Services confirms that the submitted proposal is general in conformity to the relevant land use planning instruments and satisfies the other criteria noted above. Therefore, staff recommend that Council consider approving the Draft Plan Approval Extension Request for a period of between 1 and 3 years, with 3 years being requested by the applicant and supportable by staff.

## 2. Background

The Town has received a Draft Plan Approval Extension Request for the Trails of Collingwood (Helen Court Homes) subdivision, which was due to lapse near the end of 2024. The draft residential subdivision was originally approved on October 20, 2008 and subsequently extended six (6) times since.

This Report considers the Extension Request with a greater rigor than may have been the case in the past, reviewing among other things:

- Overall planning and technical merit measured against the policies, standards, guidelines, and regulations currently in effect

- Detailed status of the draft plan conditions relative to a variety of factors
- Input from departmental and agency partners
- Information from the applicant

To enable sufficient time for technical review and the authoring of a report to Committee and Council, the Director of Planning, Building, and Economic Development has issued four 30-day emergency extensions to the lapsing of draft approval under the Town's Delegation By-law 2020-059, as amended. As a result, the new lapsing date is February 20, 2025.

## **Property Description**

Per Figure 1, the draft approved Trails of Collingwood Plan of Subdivision is approximately 7.6 hectares in size and the subject lands are located on the east side of High Street between Telfer Road and Tenth Street with frontage on High Street and the dead-ends of Spruce Street to the north and south. The site is generally flat and treed. The property is legally described as Lot P, and Part of Lots N, R, S, T, V and X and Part of Cameron Street and Part of Spruce Street, Registered Plan 263, Town of Collingwood, County of Simcoe and is municipally addressed as 391 High Street.



*Figure 1: 2024 Aerial image of the subject property*

The surrounding land uses include recreation (Underwood Creek Trail) and residential (singles, semis, apartments, and townhouses) to the north. To the immediate east is vacant residential and environmental protection lands associated with a stormwater pond. Further east is the recreational Walnut Trail and single detached residential dwellings. To the south are single detached residential dwellings and to the west across High Street are vacant lands zoned for residential development.

### **Subdivision Application History**

The draft residential subdivision was originally approved on October 20, 2008. Actions that have occurred since the original approval are summarized below:

- Extensions to Draft Plan Approval were granted in 2012, 2015, 2018, 2019, 2020, and most recently in 2021, which included partially updated conditions.

- Between the extension in 2012 and 2015 the applicant identified soil contamination on the subject property due to a previous apple orchard on the site. Holding Provision 13 was applied to the property to restrict sensitive land uses until a record of site condition confirms the lands are appropriate for such uses.
- In 2017, the applicant applied for a Zoning By-law Amendment and revisions to the Approved Draft Plan of Subdivision. The primary purpose of the applications was to facilitate a soil containment berm on the site. Council approved the applications on August 18, 2022. No further extension beyond the three years granted in 2021 was provided at that time.
- On August 15, 2024 the applicant filed the subject request for Draft Plan Approval Extension in anticipation of the lapse date of October 20, 2024.

### **Draft Plan of Subdivision Revisions and Zoning By-law Amendment (2022)**

On August 18, 2022 Council approved a Zoning By-law Amendment and revisions to the Draft Approved Plan of Subdivision. The Draft Approved Plan revisions reduced the number of townhouse dwellings originally contemplated to accommodate an on-site soil containment berm (Block 53) for soils which were contaminated from historical use of the subject lands for apple orchards. The loss of the townhouse units was offset by an increase in the number of apartment units. Two other minor changes to the Draft Approved Plan were made, including the addition of a swale/servicing corridor (Block 62) and a trail connection to join the Spruce Street and the Underwood Creek Trail with the proposed Cameron Street extension (Block 63). The conditions of draft approval were also updated to reflect these changes as well as other necessary revisions to address phasing, road layout, and stormwater management, however a comprehensive update to new standard conditions to meet current requirements was not undertaken as the applicant was intending to move immediately to final approval and registration. As

those actions were not commenced, this Extension Request will include a full revision of the conditions.

The Zoning By-law Amendment rezoned the lands for the soil containment berm to permit open spaces uses only, similar to the Shipyards berm.

## **Proposal**

The Trails of Collingwood Draft Plan of Subdivision, originally approved by Council in 2008, and amended in 2022, consists of the following elements identified on Figure 2:

- 34 lots for single-detached dwellings (south side of Cameron Street extension);
- 16 lots for 32 semi-detached dwellings (north side of Cameron Street extension);
- 8 blocks for 46 townhouse dwellings (Block 52);
- One block for 125 apartment dwellings split between two four-storey buildings (Block 51);
- One stormwater management block (Block 54);
- One block for a soil containment berm (Block 53);
- One block for a swale/servicing corridor (Block 62); and
- One block for a trail (Block 63).

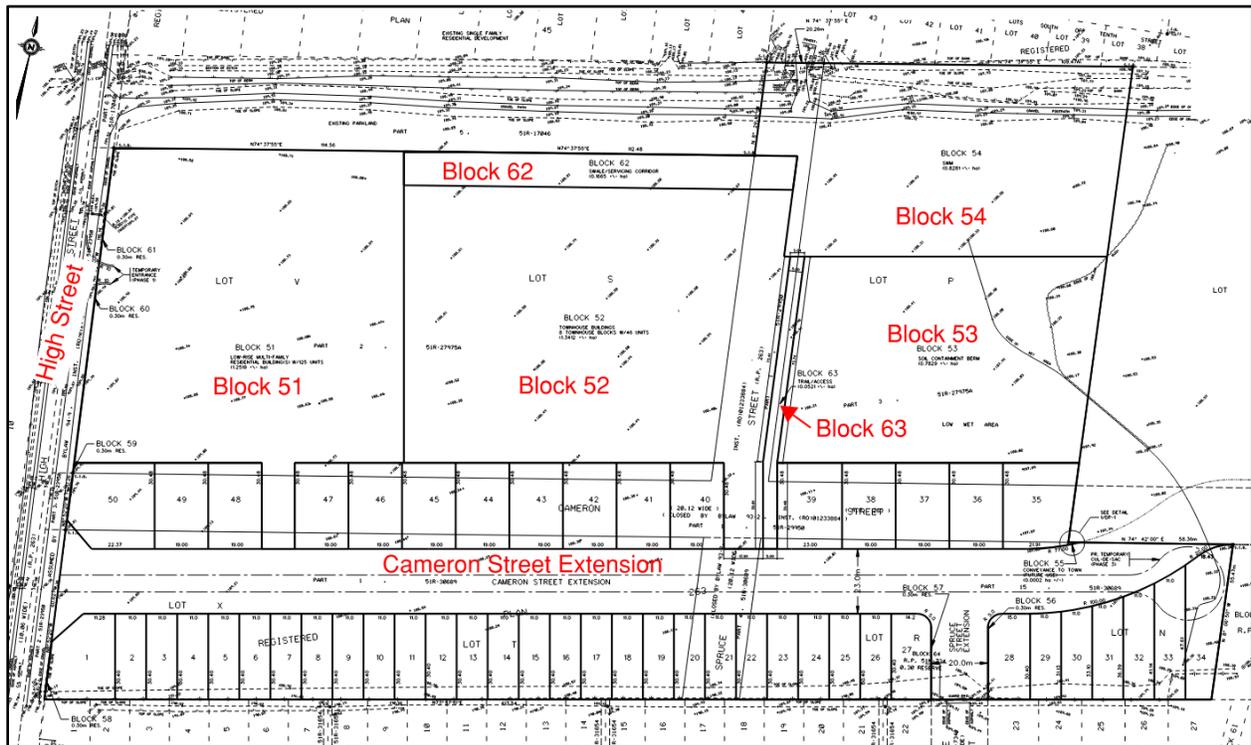


Figure 2 Approved Draft Plan of Subdivision

## Modifications to Proposal

An essential component of an Extension Request is the ability for the associated conditions and draft plan to be updated to meet current standards, policies, regulations and guidelines in effect. The technical review of the proposal and subsequent discussions with the proponent have resulted in adjustments to the conditions of draft approval. This is to ensure that this draft plan approval remains appropriate relative to current circumstances and provides necessary flexibility to deal with anticipated changes over the next several years. The draft approved phasing plan for the subdivision is illustrated in Figure 3. Should additional changes be needed in the future to better reflect community circumstances, Council has the authority to amend the conditions of approval at any time prior to final approval and registration or consider amendment applications advanced by the proponent.

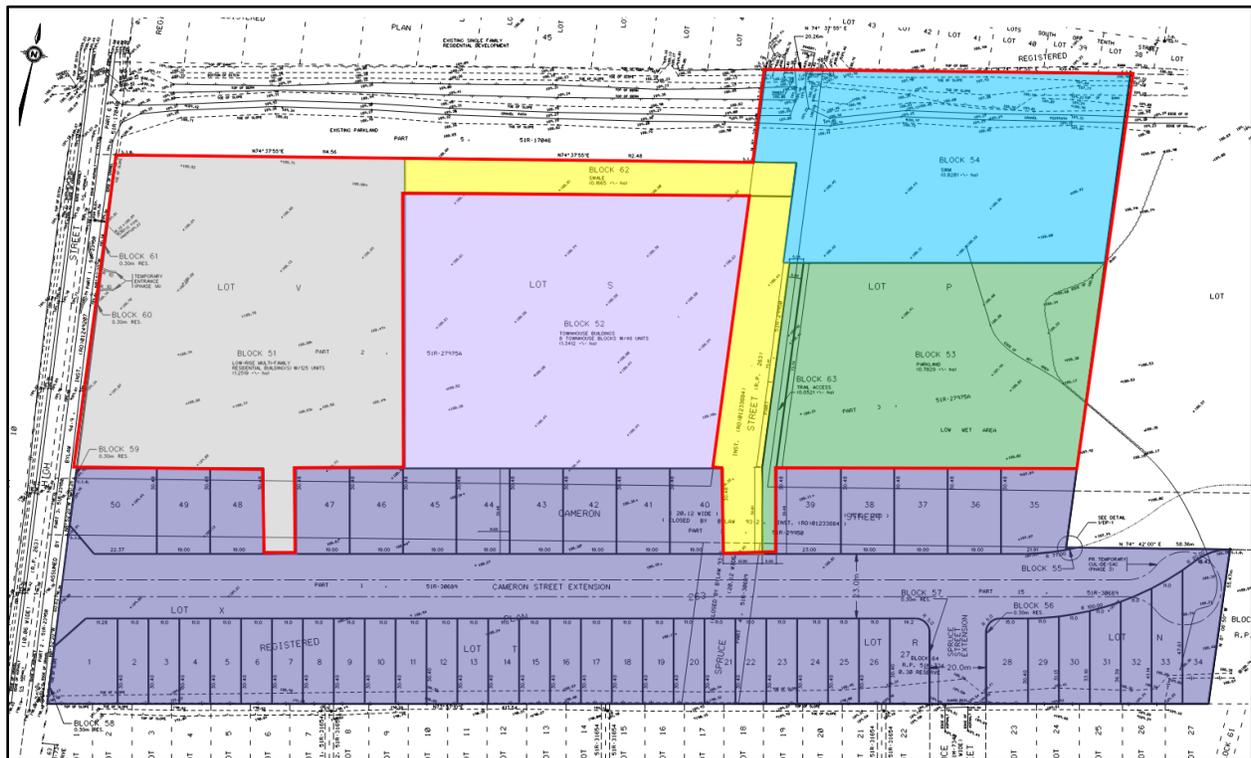


Figure 3 Trails of Collingwood Phasing Plan (Phase 1 outlined in red; Phase 2 in dark purple; Phase 3 in light purple).

Planning Services staff note that the conditions for this Draft Plan of Subdivision address a multitude of matters, such as municipal servicing infrastructure, urban design, future details for the multi-residential blocks, and approvals or requirements from outside agencies, which need to be resolved before final plan approval occurs. The updated conditions of draft approval are attached to this Report (see Appendix “B”).

### Progress

Since the previous Draft Plan Approval extension in 2021, several significant events have occurred that impact the Trails of Collingwood Draft Plan of Subdivision. Firstly, the Town of Collingwood Council approved the Servicing Capacity Allocation Policy

(SCAP) in May 2022 (further amended in January 2023). Secondly, a new Official Plan was adopted by Town Council in December 2023 and approved by Simcoe County in September 2024 after the extension request was filed. Thirdly, the proponent has indicated they're eager to initiate site remediation works in accordance with the conditions of draft approval and have filed applications for Tree Cutting Permits and Fill Permits with the Town. These applications would only be considered should Council extend the lapsing date for the Draft Approved Plan).

With respect to the SCAP, it states that in order to ensure that development proceeds expeditiously and does not hold commitment to allocate or allocation without performance, it is the intent of Council to update the Town's Official Plan policies to align approval of draft plans of subdivision and condominium descriptions with the initial three (3) years commitment plus one (1) year maximum for any extension of capacity commitment and/or allocation as per this Policy, unless extenuating circumstances (e.g. change of ownership, significant amendments to the proposal, unforeseen economic conditions, etc.) are demonstrated. The corresponding policies in the new 2024 Official Plan are under appeal. Until such time as the policies are in force, the Allocation Policy shall serve as Council's direction respecting new approvals or requests to extend existing draft approvals. The most other policies in the new 2024 Official Plan addressing servicing capacity allocation to align with SCAP are in effect.

Actions toward progress identified by the applicant include:

- With respect to site servicing, the Trails of Collingwood agents have been in communications with the Town's Development and Growth Services Division (formerly Engineering Services) to discuss servicing and stormwater management approaches
- The multi-stepped work program to address site conditions and contamination was initiated, including the coordination of multiple permits and approvals from the Town and outside agencies, necessary supporting studies and investigations, and monitoring activities

- Conversations with multiple Town Divisions on the status and clearance of conditions
- Contact initiated with the Nottawasaga Valley Conservation Authority (NVCA) and Town regarding tree cutting and fill permits.

The extenuating circumstances outlined by the applicant include:

- Passing of the Interim Control By-Law (ICBL) by the Town to address municipal water limitations and capacity allocation
- Impacts from the COVID-19 pandemic
- The need to address contaminated soils prior to undertaking development, including the new conditions imposed by the Town in 2022

While staff agree that some progress has been made toward final approval and registration of the Draft Plan of Subdivision and are sympathetic to the impacts of the ICBL and the pandemic, the most persuasive rationale for extenuating circumstances effecting this development proposal are the challenges related to protecting human health and safety by removal and containment of the contaminated soils on the subject lands. The conditions appropriately imposed by the Town in 2022 to address the contamination are extensive and include additional documentation to satisfy Ministry of the Environment, Conservation and Parks brownfield processes and standards, implementation of a Remediation Plan, obtaining Record of Site Condition, Risk Assessment and Certificate of Property Use documents, provision of an easement for vehicular access to the containment berm, posting of securities, and establishment of a post-conveyance monitoring program. The fulfillment of these conditions, though necessary, is a substantial undertaking that could delay the timing of development.

In light of the above commentary, it is the opinion of Planning Services that extenuating circumstances apply to this file, which would provide eligibility for more than a one-year extension.

### 3. Analysis

#### **Matters of Provincial Interest**

Section 2 of the *Planning Act*, as amended, provides that Council, in carrying out their responsibilities under the *Planning Act*, shall have regard to matters of provincial interest.

Planning Services is satisfied that the proposal has regard to the applicable matters of provincial interest and, more specifically, supports the following principles:

- (a) the protection of ecological systems, including natural areas, features and functions;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (n) the resolution of planning conflicts involving public and private interests;
- (p) the appropriate location of growth and development; and
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

Staff would note that the proposed residential units are not necessarily intended to meet the Town or Province's definition of affordable housing but would add to the overall housing stock in the Town and include a range of mid and/or higher density forms that tend to be smaller in size and more attainable in price-point.

Based on the foregoing, Planning Services are satisfied that the Draft Plan of Subdivision, subject to the updated conditions of draft approval, continues to have regard for Provincial interests and meets other technical and process requirements outlined in the *Planning Act*.

### **Provincial Policy Statement (2024)**

Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Planning Statement (PPS) was issued under Section 3 of the Act and came into effect on October 20, 2024. It replaces the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The intent of the PPS is to provide policy direction on matters of provincial interest related to land use planning and development. The 2024 PPS applies to any land use planning decision made after the effective date, regardless of when the application(s) was submitted.

The PPS states that Settlement Areas shall be the focus of growth and development. Development within Settlement Areas shall be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure, support active transportation, and are transit supportive. The subject property is located in the Town of Collingwood which is a Settlement Area.

The PPS further notes that planning authorities shall support general intensification to promote the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

The Trails of Collingwood Draft Plan of Subdivision would allow the subject lands to be developed with a mix of residential land uses on full municipal services, with immediate servicing options available to the site. . The proposal would represent intensification of a

brownfield site that supports both active-transportation and transit use. The subdivision would also enhance community connectivity by aligning new streets and trails with the existing dead ends of Spruce Street and Cameron Street in neighbouring subdivisions, resulting in improved connectivity. The site is also adjacent to the Underwood Creek and High Street Trails and would include an on-site trail system that connects to this existing network. Transit service runs along on High Street adjacent to the Draft Approved Subdivision, with existing stops at High Street/Tenth Street and Tenth Street/Spruce Street, approximately 240 and 110 metres from the subject lands, respectively.

The PPS also states that natural features and areas shall be protected for the long term and that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored, or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. In addition, the PPS states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. An environmental review of the subject lands was undertaken through previous applications. At the time, the authority with jurisdiction was the Nottawasaga Valley Conservation Authority (NVCA), who functioned in a peer review role for the Town. The NVCA's review did not identify any Provincially significant natural heritage features on the subject lands. However, it was recognized that an unevaluated wetland may exist on the site. Therefore, a condition of draft approval was included in 2022 that required the regional stormwater management pond to be naturalized and unfenced, designed as an amenity for the community and incorporating trail connectivity. The NVCA supported this approach in their commentary on the original Draft Plan of Subdivision application, indicating that the stormwater pond and associated facilities should replicate the function of a wetland feature. The conditions of draft approval also require

that the stormwater management block be restrictively zoned as Environmental Protection, which has been completed. The conditions were further updated to require an Environmental Impact Study to be completed, scoped at minimum to the protection of species at risk to ensure consistency with PPS and legislative requirements.

A Phase I and II archaeological assessment of the subject lands has been undertaken, which has been reviewed by the Ministry. The Ministry recommended that no further archaeological assessment work be required prior to development. In response to the extension circulation, the Huronne-Wendat Nation noted interest in participating in all required archaeological assessments. Phase I and II assessments along with the Ministry recommendation have been sent to the Huronne Wendat Nation for their review.

In consideration of the foregoing, Planning Services are satisfied that the Draft Approved Plan of Subdivision, subject to the updated conditions of draft approval, is consistent with the 2024 PPS.

## **County of Simcoe Official Plan (2016)**

The County's Official Plan (SCOP) growth management strategy is based on four themes:

- 1) Direct a significant portion of growth and development to settlements where it can be effectively serviced, with an emphasis on primary settlement areas;
- 2) Enable and manage resource-based development including agriculture, forestry, aggregates, and tourism and recreation;
- 3) Protect and enhance the County's natural heritage system and cultural features and heritage resources, including water resources; and
- 4) Develop communities with diversified economic functions and opportunities, and a diverse range of housing options.

With respect to theme one, the SCOP contains policies relating to the orderly development which is directed to Primary Settlement Areas. The Town of Collingwood is identified as a Primary Settlement Area, and the subject property is designated 'Settlement' within the SCOP.

With respect to theme two, its focus is promoting the wise use of the County's rural areas and is not generally applicable to the Town.

With respect to theme three, the subject lands do not contain any significant natural heritage features. The stormwater management plan and detailed design of that infrastructure will ensure adequate quality and quantity controls are in place on this site. Further, this new residential community would be developed on full municipal services.

With respect to theme four, the SCOP identifies a need for a wide range of land uses in Settlements to provide an opportunity for people to live, work, shop and find recreation in one compact community, and for Primary Settlement Areas to develop as complete communities that are transit-supportive and accessible through active transportation networks. Moreover, the Plan states *'Intensification, or directing of development to the built-up area and serviced areas within settlement areas, contributes to compact development form'* and *'...local municipalities shall promote and facilitate intensification and efficient use of land in built-up areas...'* Further, the SCOP requires the progression of development within a settlement area to be sustainable and a logical progression of development and in accordance with Provincial, County and local municipal official plan policies. The Draft Plan of Subdivision facilitates a mix of residential unit types and includes recreational trails and represents intensification within a built-up and serviced area.

Simcoe County was circulated for feedback on the Extension Request and no conformity issues with the SCOP were identified. Planning Services is satisfied that the Draft Plan of Subdivision, subject to the updated conditions of approval, continues to conform to the general intent and purpose of the SCOP.

## **Town of Collingwood Official Plan (2004)**

Planning Services has determined that following schedules of the existing Town of Collingwood Official Plan are most pertinent to the Trails of Collingwood Subdivision:

- Schedule “A” *Land Use Plan* - the subject lands are designated Residential;
- Schedule “C” *Residential Density* - the subject lands are identified as High Density and Medium Density;
- Schedule “D” *Transportation Plan*- identifies a “Future Collector Road” on the subject lands in alignment with the proposed Cameron Street extension;
- Schedule “E” *Municipal Service Areas* – the subject lands are within Service Area 1; and
- Schedule “F” *Urban Structure* - the subject lands are Green Fields (Lands for Urban Uses).

Phase 1 of the Subdivision is comprised of the apartments (Block 51), stormwater management pond (Block 54), the soil containment berm (Block 53), the trail (Block 63), and the swale/servicing corridor (Block 62) . The apartment block is designated as “High Density” on Schedule “C”. The High Density Residential designation permits apartment buildings with a minimum density of 55 units per gross hectare and a maximum density of 120 units per hectare. With 125 proposed apartment units the proposed density is approximately 100 units per hectare, which is within the permitted high density range.

Phase 2 of the Subdivision includes the single and semi-detached dwellings along the Cameron Street extension. Permitted uses in the Medium Density Residential designation are single-detached dwellings, semi-detached dwellings, duplex dwellings, fourplexes, triplexes, townhouses, apartments, student dormitories and boarding homes. The Medium Density designation permits a minimum density of 20 units per gross hectare and a maximum density not exceeding 55 units per gross hectare. The proposed units within the medium density designation would be approximately 25 units

per hectare, which is within the permitted Medium Density range. Phase 3 of the Subdivision is the townhouse block (Block 52), which is within the Medium Density Residential designation.

Furthermore, the Trails of Collingwood Subdivision adds to value to the surrounding neighbourhoods by extending services, connecting roads, providing regional stormwater management facilities, and linking active transportation trails in the area.

Also, the Official Plan emphasizes that neighbourhoods are to be well connected, accessible and transit-supportive with a sense of place and belonging as the primary building blocks for achieving complete communities. In this regard, the subject property has frontage on High Street which supports an existing transit route. There are existing transit stops within walking distance located at High/Tenth and Tenth/Spruce. This will provide transit connectivity to the rest of the Town.

Planning Services is satisfied that the Draft Plan of Subdivision, subject to the updated conditions of approval, continues to conform to the general intent and purpose of the Town of Collingwood Official Plan.

## **Town of Collingwood New Official Plan (2024)**

On September 24, 2024, Simcoe County Council approved the new Town of Collingwood Official Plan. The approved plan is subject to a number of appeals and the subject extension application was received prior to County approval of the new Official Plan and is therefore reviewed under the 2004 Official Plan. Regardless, the new Official Plan provides additional context to understand if current decision on the Extension Request will likely be consistent with future land use designations and the long-term vision for the Town. The following schedules of new Official Plan are most pertinent to the Draft Plan of Subdivision:

1. Schedule '1' *Growth Management Plan* identifies the subject lands as Greenfield Residential Community Areas;
2. Schedule '2' *Land Use Plan* designates the subject lands as Future Neighbourhood;
3. Schedule '3' *Natural Heritage System* identifies Adjacent Lands Overlay on the subject lands;
4. Schedule '5' *Active Transportation Plan* identifies Future Improvements on the subject lands that aligns with the proposed Cameron Street extension; and
5. Schedule '6' *Transportation Plan* identifies a Future Collector on the subject lands that aligns with the proposed Cameron Street extension.

The Greenfield Residential Community Areas include those areas within the Town that are outside of the Built-Up Area Boundary but are needed to accommodate urban growth over the time horizon of this Plan. The Greenfield Areas identified on Schedule 1 are also expected to accommodate significant growth over the time horizon of this Plan. They are expected to become new residential neighbourhoods and shall achieve an overall minimum gross density target of 55 residents and jobs combined per hectare.

Greenfield Residential Community Areas that incorporate the elements of the Town that are focused on primarily residential land uses, but may also include community facilities, parks, institutional uses and small-scale retail and service commercial uses that support local residents. Future neighbourhoods will include an appropriate range and mix of housing types, parks and open space features, and an array of community facilities such as neighbourhood centres. The new Official Plan offers the proponent future opportunities for a greater mix of uses and continues to seek an extension of Cameron Street together with improved active transportation connections on the lands.

Based on the above, Planning Services is satisfied that the Draft Plan of Subdivision, subject to the updated conditions of approval, will not conflict with the general intent and purpose of the new Official Plan.

## **Town of Collingwood Zoning By-law and Urban Design**

The Trails of Collingwood Draft Plan of Subdivision complies with the regulatory standards in By-law 2010-040, as amended and has regard for the policies of the Town's Urban Design Manual (2010). The subdivision would facilitate improved neighbourhood connectivity with the extension of streets and trails. Streetscape and landscape plans, including for the naturalization of the stormwater pond, are required as conditions of approval. Conditions also require a tree preservation and planting plan for each phase. The residential lots in Phase 2, will through Architectural Control Guidelines, adhere to matters relating to good urban design including siting, massing, garage placement, off-street parking and amenity areas.

Per Figure 4, the land use zoning regulations for the subject lands are as follows:

- Residential Third Density (R3) Zone (Semi-detached dwellings -north side of Cameron Street extension).
  
- Exceptions to the R3 Zone:
  - R3-26 Zone (Singles-detached dwellings -south side of Cameron Street Extension) permits a full range of R3 residential uses. Site-specific lot provisions include the following for single-detached dwellings:
    - Minimum lot frontage: 11.0 m
    - Minimum exterior side yard adjacent to a local road: 4.4 m
    - Minimum exterior side yard adjacent to all other roads: 6.0 m
  
  - R3-27 Zone (Block 52) permits townhouse dwellings or group or cluster dwellings. Site-specific lot provisions include the following:
    - Minimum lot frontage: 13.6 m
  
  - R3-28 Zone (Block 51) permits apartment dwellings and group or cluster dwellings with a maximum density of 100 units per hectare. Parking may

be located in an above ground structure or private garage. Site-specific lot provisions include the following:

- Minimum lot area: 12,500 m<sup>2</sup>
- Minimum lot frontage: 13.5 m
- Maximum height: 14.0 m or 4 storeys

- Holding 13:

- Holding 13 applies to all of the subject lands except for Block 53 (soil containment berm). Holding 13 requires the following to be addressed before development may proceed:

- No sensitive land use is permitted until the completion and acceptance of a record of site condition confirming that the land is appropriate for such use.
    - Confirmation of water and wastewater servicing capacity and allocation to the satisfaction of the Town through the execution of a subdivision or other development agreement.
    - All other uses permitted by the underlying parent zone, or the exception zone, are lawfully permitted while the H13 symbol is in place.

- Holding 21 and REC-8:

- Holding 21 and REC-8 applies to Block 53 (soil containment berm). Holding 21 requires the following to be addressed before development may proceed:

- No sensitive land use is permitted until the completion and acceptance of a risk assessment, record of site condition and certificate of property use confirming that the land is appropriate for such use.

- The REC-8 Zone restricts uses to a soil containment berm, conservation and passive recreation within any limitations resulting from or imposed by

a Risk Assessment, Record of Site Condition or Certificate of Property Use as approved by the Ministry of Environment Conservation and Parks.

- Environmental Protection:
  - The EP Zone applies to Block 54 which is intended for a stormwater management pond. The EP zone permits flood control works such as a stormwater management pond.



Figure 4 Zoning of the subject lands outlined in red

## **Servicing Capacity Allocation Policy (SCAP) Evaluation**

The Servicing Capacity Allocation Policy (SCAP) was developed to guide how servicing capacity is allocated in a sustainable, transparent, equitable and responsible manner, with most minor development proposals exempted from the SCAP process. Major development projects are required to undergo merit-based evaluations through the SCAP and may be allocated servicing capacity through the 'batch review' process.

Council will be able to review the SCAP score and make a decision on the formal allocation of capacity through the development agreement when a phase of the subdivision is to be considered for registration. Staff can confirm that a phasing plan in accordance with SCAP requirements was provided in 2022 and remains included in the updated conditions of draft approval.

## **Infrastructure and Other Servicing Considerations**

Growth and Development Services (formerly Engineering Services) staff have thoroughly vetted the Extension Request noting that several infrastructure components are required to facilitate this development in an orderly and sustainable manner.

Improvements to the Town's stormwater system resulting from this development include:

- An enhanced level of stormwater treatment is proposed with a naturalized regional stormwater management pond offering extended detention and extensive landscaping. As a regional facility, it would serve other future developments in the area in addition to Trails of Collingwood.
- The regional stormwater pond will be integrated with the adjacent Underwood Creek Trail and a proposed new trail (Block 63) connecting Cameron Street extension with the Underwood Creek Trail and Spruce Street to the north, to function as a community amenity.

- Containment of contaminated soils in an engineered berm, preventing the migration of contaminants into the wider environment.

Improvements to the Town's road network include:

- Cameron Street extension providing connection with High Street.
- Connection of terminus of Spruce Street to the South with Cameron Street extension
- Locating additional residents within walking distance of existing bus stops.

Specific design of streets including any required traffic calming measures and active transportation facilities are required through conditions of approval.

Improvements to the Town's water and wastewater system include:

- The development proposal efficiently uses land and infrastructure through orderly and logical extension of development and municipal services.
- The extension of public street from High Street to Spruce Street (south of the site) will allow for water and sewage infrastructure in the area.
- All water and wastewater infrastructure within public streets will be assumed by the Town.

Improvements to Active Transportation:

In terms of active transportation facilities, the Trails of Collingwood development would incorporate sidewalks on the Cameron Street Extension and along High Street which would connect to sidewalks on Spruce Street to the south and trail system to the north.

A new trail connecting Cameron Street extension to the terminus of Spruce Street to the north and the Underwood Creek Trail.

Improvements to Town's Parks and Recreation Facilities:

- The plan includes an integrated open space block (soil containment berm) and stormwater management facility, the design of which will be detailed more extensively in the required development agreements. Both of these features

will provide land for passive recreation and tree canopy enhancement, beyond the Developer's parkland dedication obligations

- While the open space block will not be used for parkland, there is existing unnamed parkland in Town ownership immediately north of the subject lands border the west end of the Underwood Creek Trail (See Figure 5), which will be connected to the subject lands via existing and proposed trails and sidewalks. Walnut Street Park and J. J. Cooper Park (within the Creekside Subdivision) both have playgrounds and are within walking distance of the subject lands and although J. J. Cooper Park is opposite High Street, there is a signalized crossing.

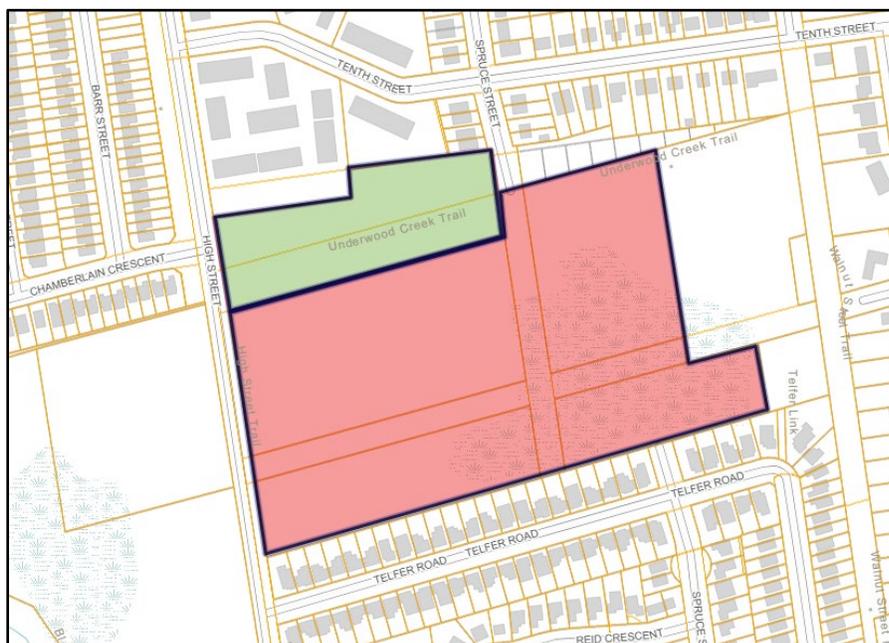


Figure 5 Adjacent unnamed parkland shown in green. Subject lands in red.

These notable infrastructure components required to facilitate the Draft Plan of Subdivision, among others, have been stipulated in the updated Conditions of Approval, including design and construction to applicable standards. Upon final approval of this Plan, appropriate clauses in the Town's Subdivision Agreement will ensure these works

are undertaken to the satisfaction of the municipality and any other authority with jurisdiction.

## **Recommendation and Options**

Analysis of the appropriateness of extending this Draft Plan Approval was based on an examination of the subdivision proposal that was extended in 2021 and amended in 2022, inclusive of the proposed updates outlined in this Report. Planning Services viewed the request through the context of the existing policy and regulatory framework, current circumstances and challenges as well as the ability to address issues through the provision additional/modified conditions of draft plan approval. Staff's review focused on the following areas, including input from external agencies:

1. File history, current status and associated applications in progress
2. Provincial and Municipal planning policy and legislative framework, as outlined in this Report
3. Technical requirements and standards, including servicing and infrastructure requirements
4. Progress made toward final approval and registration, along with any extenuating circumstances that impacted the ability to progress
5. Other important issues and challenges, including water capacity and allocation as governed by SCAP, connectivity, and urban design

Subsequent to the review and in accordance with the analysis and input from others as outlined in this Report, Planning Services has generally concluded that the Trails of Collingwood Draft Approved Plan of Subdivision continues to represent good planning. In this regard, the extension to this draft plan approval, subject to modifications to the associated conditions of draft plan approval, is appropriate and recommended for a period of between 1 and 3 years in recognition of extenuating circumstances that have impacted progress, most notably the need to address contaminated soils prior to undertaking development. A three year extension was requested by the applicant and is

supportable by staff, though staff could also support a 1 or 2 year extension to incent actions toward final approval by the proponent (see Options A and B below).

Several options are available to Council as it considers the merits of the Extension Request. They are as follows:

- a) Council can grant the Extension Request as submitted by the proponent (i.e. 3-year extension), with the proposed amendments to the conditions of draft approval. This would allow the developer's team the opportunity to satisfy the updated conditions of draft plan approval and enter into a Subdivision Agreement with the Town no later than October 20, 2027.
- b) Council can choose to extend the Draft Approved Plan for a different amount of time, in a manner that is in keeping with the Servicing Capacity Allocation Policy (i.e. 1 year up to 3 years), which would allow time for the applicant to fulfill conditions and register Phase 1. Choosing a 1 or 2 year extension period would keep up the pressure to see this site appropriately built out in the near term and housing supply delivered to market as quickly as possible to address the housing crisis. If Phase 1 at minimum is registered within the 1 to 2 year period, an additional extension could be considered by Council.
- c) Council can choose to further modify the Draft Plan of Subdivision and/or its conditions of approval in support of an extension. Modifications to a Draft Approved Plan can be either minor or major in nature. A number of amendments to the conditions of draft approval have been initiated by the proponent and staff through the extension process. Council may wish to further amend the proposal; however, it should be noted that the applicant can appeal changes to conditions of approval and staff would advise that any additional revisions desired by Council be circulated for technical review and staff be afforded the opportunity to comment on the land use planning merits of Council's request.

- d) Council can decline to grant the extension request and let the Draft Plan Approval lapse as of February 20, 2025. Lapsing would result in the need for the developer's team to reapply to the Town with a new application for a Plan of Subdivision should they wish to further develop these lands for urban land uses. Staff would note that lapsing of the draft approved plan does not impact the zoning in effect on the lands. Like Option b), this course of action would allow Council to revisit the development concept through the lens of the new 2024 Official Plan and other plan review processes available to them such as secondary plans. The number, density and distribution of residential units, location and orientation of streets, utility adequacy, and conservation of natural resources could be more fully examined at the time of submission. Should Council not elect to extend the Draft Plan Approval, there is likely no appeal to the Ontario Land Tribunal (OLT) to dispute that decision (legal advice required). However, Section 51(43) of the *Planning Act* allows applicants to appeal the conditions of draft approval at any time up to the point of registration. Therefore, there would be a risk that the applicant may appeal the conditions in the few days that remain prior to lapsing. The applicant is likely to be strongly concerned about the possibility of Council allowing the file to lapse as there would be negative impacts to property value and lost investment in previous background work and supporting documentation.

## **Financial Impacts**

The Trails of Collingwood Draft Plan of Subdivision will deliver an adequate, appropriate and orderly mix and supply of residential units in anticipation of the Town's future development and servicing conditions. It provides a long-term foundation for stable community growth and results in the generation of growth-related revenue associated with building permit fees, development charges, taxes, and other related fees. The potential for an OLT appeal would also have financial impacts, which can vary

depending on the nature and scope of the appeal. Should an appeal be lodged, further detail on cost estimates would be provided to Council in-camera.

## **Conclusion**

Based on the land-use planning analysis and the Town's development review process, the Extension Request, subject to the proposed amendments to the conditions of draft approval, generally be consistent with and conform to the relevant land use planning instruments. The Draft Plan Approval continues to have merit and is appropriate under the Town's Official Plan policies and Zoning By-law provisions, as well as County of Simcoe and Provincial planning policies. Furthermore, the conditions of draft approval have been brought up to date to reflect current best practices and ensure conformity with technical instruments and standards currently in effect.

As such, staff recommend that Council consider a further extension of the current Draft Plan Approval for a maximum period of 3 years, subject to the updated draft plan conditions. This allotment of time should be sufficient for the proponent to continue to pursue the final approval of, at minimum, Phase 1 of the Draft Plan of Subdivision and to determine if subsequent phases could also be registered in the near term.

## **3. Input from Other Sources**

The following documents were submitted by the proponent's agent in support of the extension request and made available to internal and external agencies:

- 1) Original Draft Plan of Subdivision approved in 2008, November 2007;
- 2) Current Draft Plan of Subdivision approved in 2022, August 2022;
- 3) Agent's Extension Request Cover letter, August 15, 2024;
- 4) Phasing Plan, August 2022;
- 5) Single Detached Dwelling Unit (SDU) Equivalent Review (water demands) – WMI & Associated Ltd, June 22, 2022;
- 6) Servicing Capacity Allocation Policy (SCAP) Evaluation, September 3, 2024;

Additionally, it is noted that in reviewing the Extension Request and in providing the recommendations contained within this Report, staff have also generally reviewed and considered a number of Town Master Planning documents, including, but not limited to, the Master Servicing Study, Master Stormwater Management Study, Transportation Master Plan, Parks Recreation and Culture Master Plan and Cycling Plan.

The Trails of Collingwood Draft Plan of Subdivision Extension Request was circulated to Town Departments and external agencies for review and comment. The following agencies responded to the Town's circulation notice:

- The Town's Growth and Development Services (formerly Engineering Services) has reviewed and recommended updated conditions requiring a new Traffic Impact Study, Functional Servicing Report, and Stormwater Management Report to address current polices and site context.
- The NVCA notes that the natural heritage related draft plan conditions, which are currently required to be addressed to their satisfaction are no longer within their jurisdiction and they defer to the Town with regard to those conditions. They request amended draft conditions related to natural hazards including the requirement for a Hydrogeological Report and detailed Geotechnical Report, including a soil stability analysis for the portion of the site impacted by the potential unevaluated wetland feature.
- Simcoe County District School Board requested updated draft plan conditions in accordance with their current standards regarding warning clauses regarding no guarantee of school accommodation and location of school bus pick up points.
- The Huronne-Wendat Nation noted interest in participation in all stages of archeological assessment that is required. A stage 1 and 2 Archaeological Assessment of the property has been completed, which was submitted to the Provincial ministry with jurisdiction, who acknowledged in 2011 that no further archaeological work would be required. Copies of the Assessment and Provincial clearance were shared with the Huronne-Wendat Nation with a request for any

further requirements for archaeological clearance. At the time of writing, no further comments have been received.

- Enbridge Gas does not have any changes to the draft plan conditions to address their interests.
- Hydro One has no concerns.

All matters related to the subject Extension Request have been satisfactorily addressed in the updated conditions of draft approval. Further, the conditions have been revised to reflect current standard conditions and requirements of the Town.

In accordance with the *Planning Act*, the Town was not required to hold a Statutory Public Meeting regarding the Extension Request.

Staff Report No. P2025-03 was forwarded to Department Heads on January 21, 2025 and the content of this report responds to the feedback received.

#### 4. Applicable Policy or Legislation

- *Planning Act* (1990, as amended)
- Provincial Planning Statement (2024)
- Simcoe County Official Plan (2016)
- Town of Collingwood Official Plan (2004)
- Town of Collingwood Official Plan (2024)
- Town of Collingwood Zoning By-law 2010-040

#### 5. Considerations

<input checked="" type="checkbox"/> Community Based Strategic Plan:	Consistent with CBSP
<input type="checkbox"/> Services adjusted if any	Not Applicable
<input checked="" type="checkbox"/> Climate Change / Sustainability:	Positive impact on climate change/sustainability (decreases GHG emissions)

*The proposal furthers the build out and intensification of serviced land adjacent to the Town's built boundary contributing to a complete community and reducing urban sprawl.*

Communication / Engagement: The Trails of Collingwood Draft Plan of Subdivision extension request was circulated to internal and external departments and agencies.

Accessibility / Equity, Diversity, Inclusion: Not Applicable

Registered Lobbyist(s) relating to content: Not Applicable

Next steps and future action required following endorsement:

- Agent advised of Council's decision pertaining the Extension Request
- If no appeal is received, the updated conditions of draft approval come into force and effect
- Future Subdivision Agreement once conditions of draft approval are satisfied

## 6. Appendices and Other Resources

**Appendix A:** Draft Approved Plan Trails of Collingwood (2022) and Phasing Plan (2022)

**Appendix B:** Updated Conditions of Draft Plan Approval (2025)

## 7. Approval

**Prepared By:** Justin Teakle, MCIP, RPP, Senior Planner

**Reviewed By:** Summer Valentine, MCIP, RPP, Director, Planning, Building and Economic Development

**CAO Comments:** Endorsed on Feb. 5, 2025 to proceed to Council