



Planning Report

PCA2025-15

Committee of Adjustment 2025-06-26

Amendments ☐

Submitted To: Committee of Adjustment
Submitted By: Justin Teakle, Senior Planner
Prepared By: Shaylin Whitehead, Planning Technician/Secretary-Treasurer
Subject: Minor Variance Number: PLCAMI2025168
Owner: 1655570 ONTARIO INC.
Applicant: Loft Planning Inc. c/o Kristine Loft
Municipal Address: 11283 Highway 26

Recommendation

It is recommended that Minor Variance Number PLCAMI2025168 be approved as submitted, subject to the following conditions:

1. The extent of the variances is to be limited to that shown on the sketch plan attached to the Notice of Public Meeting dated June 16, 2025; and,
2. The applicant shall, to the satisfaction of the Town of Collingwood, pay any additional costs and expenses incurred as a result of the review of this application and the satisfying of any of the conditions of the Minor Variance.

Amendments

None.

1. Proposal

Minor Variance Number PLCAMI2025168 is an application submitted for the lands municipally known as 11283 Highway 26. The purpose of this application is to grant the

applicant relief from the provisions of the Town of Collingwood Zoning By-law Number 2010-040, as amended. The variances sought under this submission are:

- 1) To increase the maximum height for a proposed Group or Cluster Dwelling development in the Residential Third Density (R3) zone from 12.0 m to 12.7 m, thus an increase of 0.7 m; and,
- 2) To reduce the interior side yard setback for a proposed Group or Cluster Dwelling development in the Residential Third Density (R3) zone from 6.0 m to 4.5 m, thus a decrease of 1.5 m.

The effect of this variance, if granted, is to provide relief from maximum height and interior side yard setback provisions for a proposed Group or Cluster Dwelling development.

2. Property Description and Background

Per Figure 1, the subject property is located on the west side of Highway 26 and is a through lot to Dawson Drive on the west side. The property is approximately 0.795 hectares (1.964 acres) in area with approximately 118 metres of frontage along Highway 26 and is currently vacant.



Figure 1: 2024 Aerial Image of Subject Property

Source: Simcoe County GIS Maps

Surrounding uses include Residential Third Density (R3) to the north and Residential Third Density Exception zones to the south and east, and west (residential condominium developments). The Town's multi-use 'Cranberry Inn Trail' runs along the Highway 26 frontage of the subject property.

Site Plan Control Number [D111722](#) is also related to the subject property. The ultimate proposed development will consist of 29 townhouse dwelling units and 4 semi-detached dwelling units on private roads and outdoor amenity space, including a children's play area (Group or Cluster Dwelling use as per Zoning By-law). Vehicular access to the development would be from Dawson Drive. The standard condominium would be created through a future application for condominium exemption.

A Notice of Public Meeting was posted by the property owner on June 16, 2025.

3. Planning Comments

Matters of Provincial Interest

Section 2 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, provides that the Council of a municipality, or a Committee of Adjustment, in carrying out their responsibilities under the *Planning Act*, shall have regard for matters of provincial interest. Upon review of the criteria itemized in Section 2 of the *Planning Act* it is the opinion of Planning Services staff that the Minor Variance, if granted, would have proper regard to this section of the *Planning Act*.

Provincial Planning Statement (2024)

Section 3(5) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, provides that the Council of a municipality, or a Committee of Adjustment, in exercising any authority that affects a planning matter, shall be consistent with the policy statements issued by the province. The Provincial Planning Statement (PPS) was issued under Section 3 of the *Planning 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

(2019). The intent of the PPS is to provide policy direction on matters of provincial interest related to land use planning and development. Upon review of the policies outlined in the Provincial Planning Statement (2024), it is the opinion of Planning Services staff that the Minor Variance, if granted, would be consistent with this subsection of the *Planning Act*.

County of Simcoe Official Plan

Schedule 5.1 entitled '*Land Use Designations*' of the County of Simcoe Official Plan, as amended, identifies the Town of Collingwood within the 'Settlement' designation. The County of Simcoe Official Plan contains policies relating to the orderly development of those areas that are designated as Settlement. The County of Simcoe has provided no comments with respect to this application. However, it is the opinion of Planning Services staff that the Minor Variance, if granted, would conform to the County of Simcoe Official Plan.

The Four Tests

For a variance application to be considered minor, it must satisfactorily meet each of the four (4) tests set out pursuant to Section 45(1) of the *Planning Act*, as follows:

1. The general intent and purpose of the Official Plan is maintained;
2. The general intent and purpose of the Zoning By-law is maintained;
3. The proposed variance is appropriate and desirable development; and,
4. The variance is minor in nature.

1. *Town of Collingwood Official Plan*

2004 Official Plan Designations:

- Schedule 'A' entitled *Land Use Plan* of the Town of Collingwood Official Plan designates the subject property as Residential.
- Schedule 'C' entitled *Residential Density* designates the subject property as Medium Density.

- Schedule 'F' *Urban Structure* identifies the subject property as Inside Built Boundary (Designated/Available Lands).

Under the Town's 2024 Official Plan, the property is designated Existing Neighbourhood which permits residential units in Low-Rise and Mid-Rise buildings. The properties immediately adjacent to the site are also designated Existing Neighbourhood.

However, the 2024 Official Plan is currently under appeal, and the Existing Neighbourhood policies have been affected by these appeals. As such, Planning Services has reviewed the policies of the Town's 2004 Official Plan, which designates the subject property Medium Density Residential.

Residential Policies

The overall function of the Residential designation is to allow for predominantly residential uses providing a variety of housing options within a broad range of residential densities. The primary permitted uses in the Medium Density designation include single detached dwellings, semi-detached dwellings, duplex dwellings, townhouses, apartments and boarding homes.

Per Section 4.3.2.6.1 'Medium Density Residential – Permitted Uses' of the Town's Official Plan, include townhouse dwellings and semi-detached dwellings.

The variances being sought are to reduce the minimum interior side yard setback and maximum height provisions for a proposed Group or Cluster dwelling development consisting of 29 proposed townhouse dwellings and 4 semi-detached dwellings in the Medium Density Residential designation.

Based on the above, it is the opinion of Planning Services staff that the requested Minor Variance, if granted, would maintain the general intent and purpose of the Town's Official Plan.

2. Town of Collingwood Zoning By-law

Town of Collingwood Zoning By-law number 2010-040, as amended, zones the subject property as Residential Third Density (R3). Group or cluster dwellings are a permitted use in the R3 zone.

The first variance requested is to increase the maximum height for a proposed Group or Cluster Dwelling development in the Residential Third Density (R3) zone from 12.0 m to 12.7 m, thus an increase of 0.7 m. The second variance requested is to reduce the interior side yard setback for a proposed Group or Cluster Dwelling development in the Residential Third Density (R3) zone from 6.0 m to 4.5 m, thus a decrease of 1.5 m. All other provisions of the Zoning By-law are complied with.

Based on the above, Planning Services staff is of the opinion that the proposed Minor Variance, if granted, would maintain the general intent and purpose of the Town of Collingwood Zoning By-law Number 2010-040, as amended.

3. Appropriate and Desirable Development

The subject property is designated and zoned for residential uses, including Group or Cluster semi-detached and townhouse dwellings. Planning Services staff is of the opinion that the requested variances to decrease the minimum interior side yard setback and increase the maximum height for a proposed Group or Cluster dwelling development consisting of 29 proposed townhouse dwellings and 4 semi-detached dwellings is appropriate in consideration of the existing neighbourhood context which is comprised primarily of Group or Cluster condominium dwellings in townhouse built form. Adjacent built form is two-to-three storeys in height and while the proposed units are four-storeys, the fourth storey is half outdoor terrace space. The fourth storey is also stepped back from adjacent public streets (Dawson Drive and Highway 26) with the terraces facing the streets. Furthermore, there is little evidence to suggest that approval of the variance would result in negative impacts to surrounding properties.

Planning Services staff is of the opinion that in accordance with the policies of the Town of Collingwood's Official Plan and the provisions of the Town's Zoning By-law, the requested Minor Variance, if granted, is appropriate and would facilitate desirable development.

4. *Minor in Nature*

As outlined above, the proposed Group or Cluster dwelling development comprised of 33 proposed townhouse dwellings requires relief for interior side yard setbacks and maximum height provisions. The relief for the interior side yard applies only to the southern lot line and the setback of Blocks 'C', 'D', 'E' and 'H'. The other four blocks comply with the minimum 6.0 metre interior side yard setback. The increase in height is related to the architectural articulation of the roofline, with the ceiling of the fourth storey falling below the maximum height of 12.0 metres. At its lowest point, the roofline is approximately 12.0 metres and the majority of the roofline is at approximately 12.4 metres. It's only at the two highest points (at both ends of each block of units) that the roofline is 12.7 metres. The proposed development is consistent with all other requirements of the R3 zone and all other relevant zoning provisions.

Planning Services staff is of the opinion that the proposed variances are minor in nature. There is little to be gained from a land-use planning perspective by reviewing this Minor Variance request by way of a Zoning By-law Amendment as opposed to a Minor Variance application. The requested Minor Variance, if granted, is not anticipated to create any negative impacts on surrounding properties.

4. Conclusion

It is submitted that, based on the circumstances of this case, this application has sufficient planning merit to meet all four (4) tests in accordance with subsection 45(1) of the *Planning Act*.

Based on the above review, it is the opinion of Planning Services staff that the requested variance appears to be reasonable, represents appropriate and desirable

development, and can be considered minor in nature. Therefore, Planning Services staff are recommending that the variance be granted as submitted subject to the conditions outlined at the beginning of this report.

5. Approval

Prepared By:

Shaylin Whitehead, CPT

Planning Technician

Reviewed By:

Justin Teakle, MCIP, RPP

Senior Planner