



Town of Huntsville Staff Report

Meeting Date: January 18, 2022

To: Planning Committee

Report Number: DEV-2022-13

Confidential: No

Author(s): Richard Clark, Manager of Planning

Subject: SPA/134/2021/HTE - New Urban Retail - Hanes and Centre Street

Report Highlights

Staff review and recommendation respecting Site Plan Application SPA/134/2021/HTE.

Recommendation

That: the Director of Development Services APPROVE Site Plan Application SPA/134/2021/HTE;

And That: the agreement be prepared to the satisfaction of the Town;

And Further That: the Mayor and Clerk are hereby authorized to sign any necessary documentation.

Conditional On:

1. All final plans and drawings being to the satisfaction of the Town and all other commenting agencies.
2. Shay Road, Ott Drive, and associated infrastructure works being completed to the satisfaction of the Town of Huntsville and District of Muskoka and assumed by the appropriate public authority.

Background

Purpose and Effect: The applicant is proposing to construct a commercial development known as Paisley Centre, consisting of four (4) new commercial buildings totaling 4203m², as follows:

- Building A - 3090.45m² food store/supermarket;
- Building B - 650.30m², 4-unit retail building including a 40-seat restaurant with drive-thru;
- Building C - 245.11m², 54-seat restaurant with drive-thru; and
- Building D - 216.68m², 32-seat restaurant with drive-thru.

The development site is bounded by Hanes Road to the north and Centre Street to the west. As illustrated on the Site Plan drawing contained in [Attachment #2](#), future Shay Road and Ott Drive

extensions comprise the southern and eastern boundaries. Once completed and assumed, these roads will establish the limits of development for this application, as well as a primary means for provision of access and servicing. As such, a Site Plan Agreement can not be finalized until the roads and any associated services are constructed and assumed by the Town of Huntsville and District of Muskoka. Council approved these extensions in principle on April 26, 2021, through adoption of General Committee Resolution GC31-21 (See Report [OPS-2021-09](#)).

A Holding (H) provision applies to the lands and includes clauses that prevent development proceeding until Council is satisfied that the adequate provision of infrastructure (including water, sewer, stormwater systems, access, roads, and pedestrian linkages, site design, architectural design and streetscape design and transportation) is constructed or secured and the necessary development agreements have been entered into.

Site Characteristics and Surrounding Uses: The lands subject to this application are approximately 3.6ha in area, but will be approximately 2.1ha in area following Town assumption of adjacent new roads. The property slopes downwards from Hanes Road to a wetland and watercourse located on adjacent lands to the south. There is an approximate elevation change of 12m from north to south and until recently the lands were well vegetated with mature woodlands. Mature trees have been retained around the perimeter of the property. The surrounding uses are generally residential, mixed use, and commercial in nature.

Location: Part of Lot 14, Concession 2, Chaffey, designated Part Lot 1 on RCP547, and Parts 1 to 3 on Plan 35R25419

Previous/Current Files: OPA/10/2014/HTE, ZBA/10/2014, and B/12-15/2014/HTE

Natural Constraints: Wetlands, Watercourses

Human Constraints: None

Official Plan: Eagle Ridge Mixed Use Area

Zoning: Mixed Used Four Holding with Exception "0279" (MU4-H-0279) and Mixed Use Four Holding with Exception "279" and "0280" (MU4-H-0279 & 0280)

Access: Hanes Road (Year Round Maintained Local Road) Shay Road and Ott Drive (Future Roads)

Servicing: Municipal Water and Sewer Services

OSRA Status: N/A

Technical Background Report(s):

- Site Plan and Elevations (A1.0, A3.0 & A3.1), prepared by Greystone Engineering, dated November 5, 2021;
- Functional Servicing and Stormwater Management Report prepared by Greystone Engineering, dated November 5, 2021;
- Engineering Drawings (S, G1, G1, & ESC1) prepared by Greystone Engineering, dated November 5, 2021;
- Electrical Photometric Site Plan (ESP) prepared by Greystone Engineering, dated October 1, 2021, revised November 5, 2021;
- Landscape Plans (L1-01 to L1-05, & LD-01) prepared by MSLA, dated October 2021, revised November 4, 2021;
- Hanes Road Species at Risk Assessment Update prepared by FriCorp Ecological Services, dated October 2021;
- Traffic Impact Study prepared by JD Northcote Engineering Inc., dated October 20, 2021;
- Traffic Impact Study Addendum prepared by JD Northcote Engineering Inc., October 20, 2021; and
- Legal Opinion Letter from Aird & Berlis to Jamie Chisholm prepared by Steven A. Zakem, dated May 26, 2021

Discussion

Town of Huntsville Official Plan

The subject lands are included in the Mixed Use designation within the Eagle Ridge Mixed Use Area, as identified on Schedule B-1 of the Huntsville Official Plan. The Plan notes that the Eagle Ridge Mixed Use Area provides for both multiple unit residential development and a mix of commercial uses including Department Store Type Merchandise (DTSM) retail stores.

Policies in Section C3.6.12 of the Plan indicate a supermarket is not permitted in the Eagle Ridge Mixed Use Area; however, the Town's Comprehensive Zoning By-law, which was amended through By-law 2015-67, permits Food Stores, including supermarkets, without limitation on their size. Given this inconsistency between Official Plan policies and Zoning By-law permissions, supermarkets are permitted within the Mixed Use designation for Eagle Ridge by virtue of subsection 24(4) of the Planning Act, which provides that a Zoning By-law shall be conclusively deemed to conform with the Official Plan.

The Official Plan indicates that development within the Mixed Use designation should contribute to the well being and cohesiveness of the community (C3.6.3). To implement this objective, the Plan outlines general design criteria to promote walkable, vibrant mixed use area that are compatible with the natural, cultural, and small-town character of the Town (C3.6.5). In this instance, the relevant criteria encourage that restaurants, cafes and food retailers have outdoor sitting areas; sidewalks and buildings are barrier-free and accessible; walking and bicycle trails linking the development to the surrounding community are provided; and landscaping is implemented to provide visual screening, define pedestrian zones, and add visual interest to the site and streetscape. With the exception of the provision for walking and bicycle trails, it is staff's opinion that the relevant criteria have been met through the site layout. To better address the matter of walking and bicycle trail connectivity, revisions to this plan are recommended as described below.

General policies in the Official Plan respecting character protection are to be considered for all development in the Huntsville Urban Settlement Area. These policies indicate that views and vistas should be preserved and as much vegetation as possible will be maintained on skylines and ridgelines (C3.2.9 and C3.2.10). Additionally, policies in section E3.6 of the Official Plan require that every effort is made to preserve the character and scenic amenity along a roadway, while ensuring that the function and safety of that roadway will be maintained. In consideration of these polices, the applicant was asked to preserve existing mature trees around the perimeter of the site. Retention of existing mature trees and planting of a new native species will continue to be encouraged in appropriate locations around the perimeter, and required as conditions of development approval.

The policies in Part B of the Official Plan speak to environmental protection, and generally direct development away from natural heritage features and hazard lands that are unsuitable for development. In this instance, identified constraints included wetlands and a watercourse on adjacent lands to the south. A Scoped Environmental Impact Study (EIS), prepared by FriCorp Ecological Services ("FriCorp"), was prepared in support of previous planning applications for the subject lands and A Species At Risk Assessment Update Addendum, also prepared by FriCorp, was submitted in support of this application. This update assessed the natural features and areas on the development site in the context of species at risk and confirmed that all previous environmental mitigation recommendations would be sufficient to address potential negative impacts resulting from the development. The Addendum confirmed that FriCorp's original recommendations should be implemented in relation to this development, noted the appropriateness of the previously identified

30m buffers to wetlands and watercourses, and noted all tree clearing should occur between October 15th and April 30th to avoid any potential impacts to individual species at risk.

Policies in Section E3.6.5 indicate that roads providing access to new development areas must have the capacity to accommodate the additional traffic. A Traffic Impact Study and an Addendum, prepared by JD Northcote Engineering Inc., were submitted to address this policy. The study assessed the impact of traffic related to the development on the adjacent roadways and provided recommendations to accommodate this traffic in a safe and efficient manner. The report concluded that the proposed development will not cause any operational issues provided its recommendations are implemented; hence the development will not add significant delay or congestion to the local roadway network. Notwithstanding that intersection upgrades at Hanes Road and Centre Street are not considered warranted as a result of the development, it is noted that a schedule for these works are currently being considered and are anticipated to take place in relation to the Shay Road and Ott Drive extensions in the near future.

District of Muskoka Official Plan

The lands are included in the "Urban Area" designation in the Muskoka Official Plan (MOP). The proposal would appear to conform to the intent of the MOP. District Environment and Public Works staff comments in response to this application are contained in [Attachment #6](#) to this report.

Provincial Policy Statement

The lands are located within settlement area lands according to the 2020 Provincial Policy Statement (PPS). Policies in Section 1.1.3.1 direct that settlement areas shall be the focus of growth and development and that their vitality and regeneration be promoted. Land use patterns within settlement areas shall also be based on densities that efficiently use land and infrastructure.

Zoning By-law

The proposed development proposes retail commercial, supermarket, and restaurant uses that are all permitted within the Centre Street Mixed Use (MU4-0279 & 0280) Zone. Additionally, the proposal maintains the applicable lot coverage and yard requirements applicable within the zone (given the current lot configuration). Generally, the proposal appears to be in keeping with the site-specific permissions and the general provisions of the Zoning By-law, except where noted below.

Site Plans

Some minor amendments to the site plan drawing may be necessary to ensure consistency between information provided throughout the set of plans.

Outdoor refuse collection areas are to be fully enclosed. Setback to these areas should be included on the plans to ensure they will be setback 9m from all existing and future public streets.

Sidewalks and trails that connect the development to the surrounding community should be considered in consultation with Town Operations and Protective Services staff and included on the site plans as appropriate.

As noted above, the limits of development for the site may be subject to minor changes as the detailed design for the Shay Road and Ott Drive extensions are still subject to review. Additionally, the site itself will not exist until these roads are constructed to the satisfaction of the Town and assumed. Some minor amendments to the site plan may be required to address these matters and maintain compliance with relevant Zoning By-law provisions.

The Town's Building department has requested that Fire Hydrant locations should be noted in the site plans and noted that additional hydrants (private) may be required to meet 3.2.5 of the Ontario Building Code.

Elevations

No concerns.

Parking

No concerns.

Lighting Plan

No concerns.

Landscape Plans

Landscape plans should be revised to include identification of areas around the perimeter of the site where existing mature trees will be protected during construction and preserved wherever possible post construction. Snow storage areas should also be identified on the plans.

Site Servicing, Grading and Stormwater Management

District of Muskoka Environment and Public Works comments indicated no major concerns exist, but provided comment respecting provision of municipal water services, which are to be extended to one water meter in a heated locked utility room with an external entrance. The plans should be revised accordingly to address this requirement. As the development will be serviced by sanitary and water sewers extending to the site from the Shay Road and Ott Drive extensions, the District must also review and accept these works prior to development proceeding.

Town Operations staff conducted a review of the Storm Water Management Report to assess feasibility of the storm water controls proposed. This report and related plans require revision to address review comments. It is noted that storm water from the subject property will be controlled to pre to post levels before discharging into the future municipal system along the north side of the Shay Road Extension. Town Operations staff requested additional details relating to this proposal and asked the applicant's ecological consultants to review the plans to ensure wetlands and watercourses will be adequately protected.

Cost estimates for implementing works associated with the final Landscape, Civil Engineering, and Lighting Plans should be prepared and submitted to assist in finalizing a Site Plan Agreement.

Next Steps

The proposal for the Site Plan Agreement would appear to facilitate development that would conform to the intent of the Official Plan and be consistent with the Provincial Policy Statement. Some minor amendments to the site plan are required as noted above and to address outstanding comments. Additional changes may be warranted pending the finalization of detail design of road extensions and associated infrastructure. It is not anticipated that the above noted outstanding comments will significantly alter the site design as currently proposed. As such, staff are recommending approval of this application, subject to conditions.

Options

Committee could recommend denial of the application; however that is not recommended as it would appear to conform to the intent of the Official Plan and be consistent with the Provincial Policy Statement.

Council Strategic Direction / Relevant Policies / Legislation / Resolutions

Strategic Plan

Natural Environment & Sustainability Goal 2.2: Integrate sustainability principles into planning & development policies and processes.

Communications Goal 1.4: Awareness - to increase awareness of Town Services and events.

Communications Goal 2.1: Community engagement - increase opportunities for public engagement.

Unity Plan

Economic Considerations

Goal 11: Economic Development: Huntsville will promote a diverse and prosperous economy by attracting innovation, growing a knowledge-based economy, providing adequate training, developing green jobs, and offering sustainable year round employment to retain Huntsville's youth.

Social Considerations

Goal 6: Social well-being: The community will encourage and support social diversity and personal sense of well-being by improving accessibility, promoting volunteerism, striving to reduce poverty, and maintaining a healthy, safe, friendly community to live, work, and play for all ages, cultures and abilities.

Environmental Considerations

Goal 1: Environmental Protection: The community will protect, preserve, restore, and enhance the terrestrial and aquatic environments and biodiversity of Huntsville and surrounding area by being responsible stewards of the environment.

Relevant Policies/Legislation/Resolutions

Provincial Policy Statements

Planning Act, R.S.O. 1990, cP.13

District of Muskoka Official Plan

Town of Huntsville Official Plan

Zoning By-law 2008-66P, as amended

Attachments

[Attachment #1: Location Map](#)

[Attachment #2: Site Plan](#)

[Attachment #3: Elevations](#)

[Attachment #4: Landscape Plans](#)

[Attachment #5: Site Photos](#)

[Attachment #6: District Comments](#)

Consultations

The application was circulated internally and to relevant agencies. MTO comments are forthcoming.

As noted above, the Town's Building department requested that Fire Hydrant locations be noted in the site plans and that additional hydrants (private) be provided as required to meet 3.2.5 of the Ontario Building Code.

The Town's Operations and Protective Services department note that Shay Road will need to be constructed and assumed by the Town prior to this application proceeding. Staff also noted outstanding concerns with respect to the proposed stormwater management measures, an noted in the discussion above.

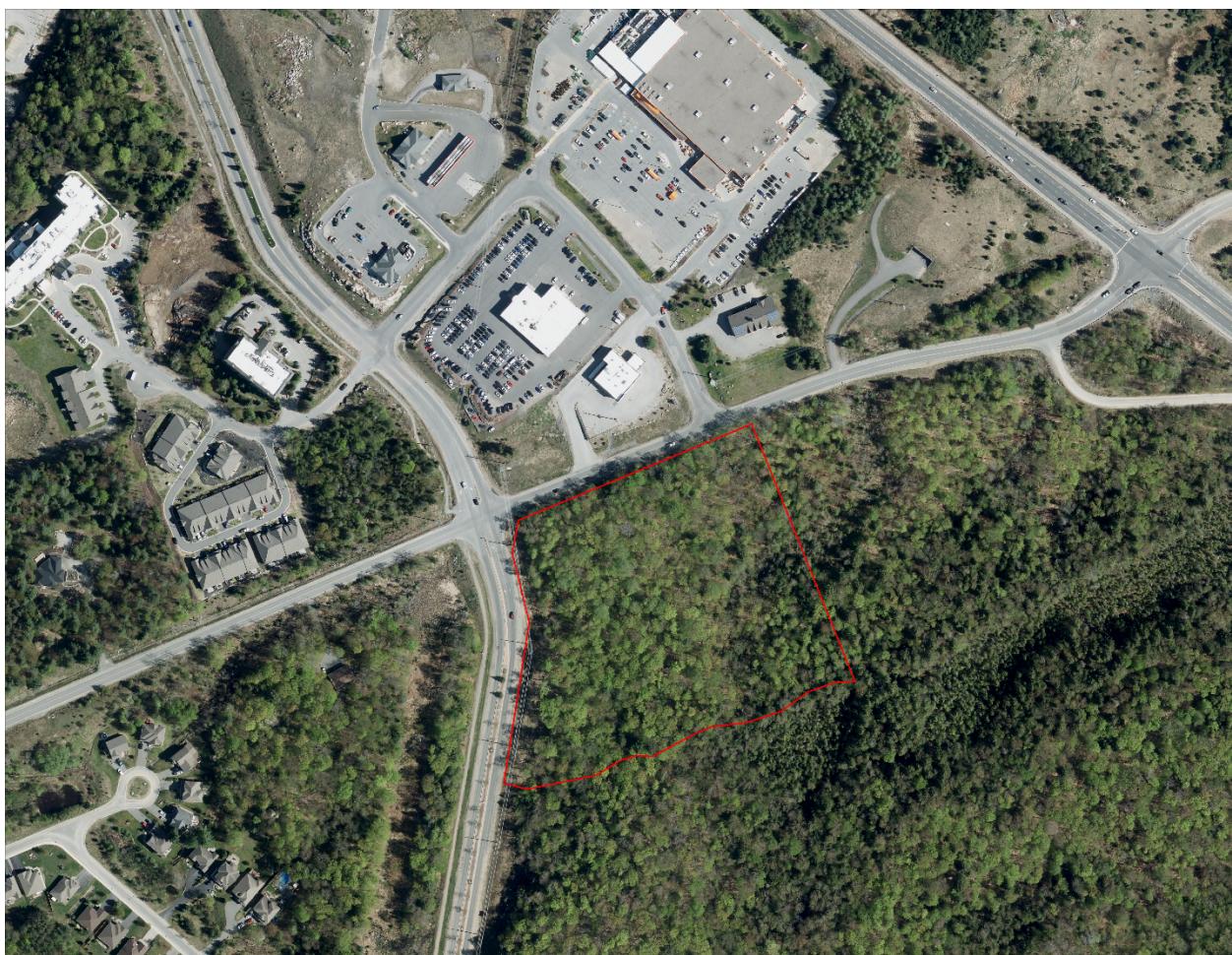
Respectfully Submitted: Richard Clark, Manager of Planning

Manager Approval (if required): _____

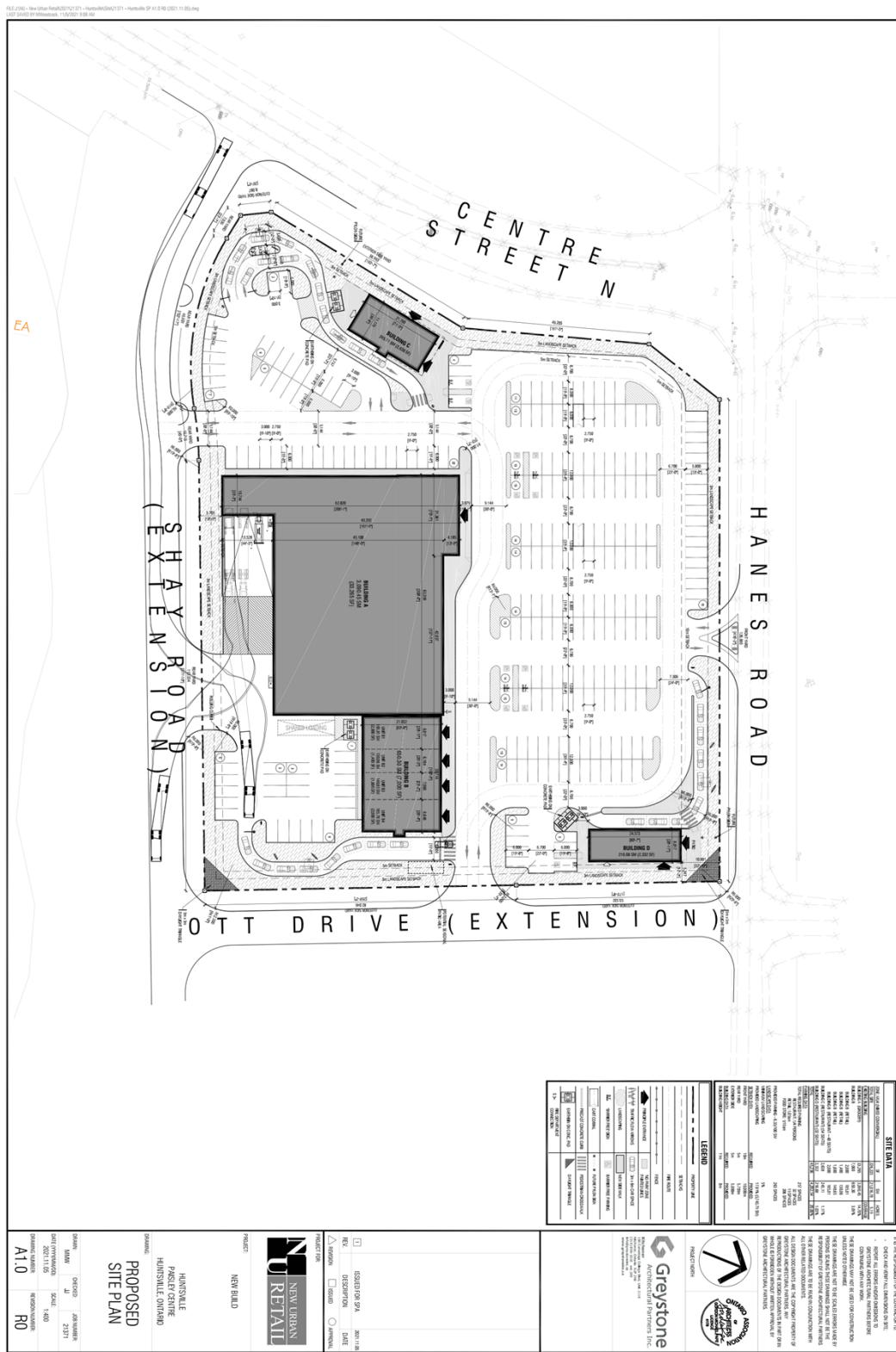
Director Approval: Kirstin Maxwell, Director of Development Services

CAO Approval: _____

Attachment #1: Location Map

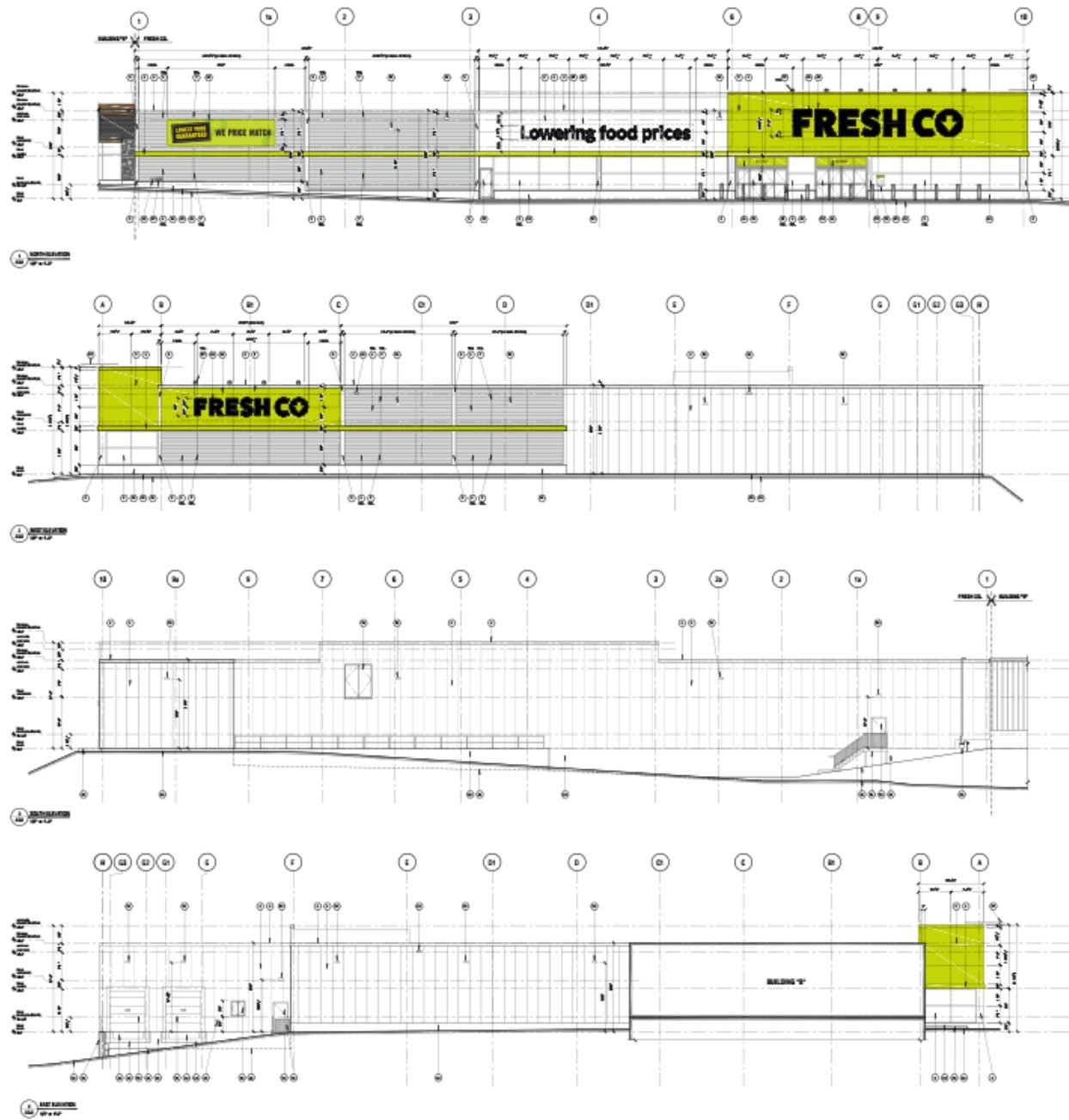


Attachment #2: Site Plan

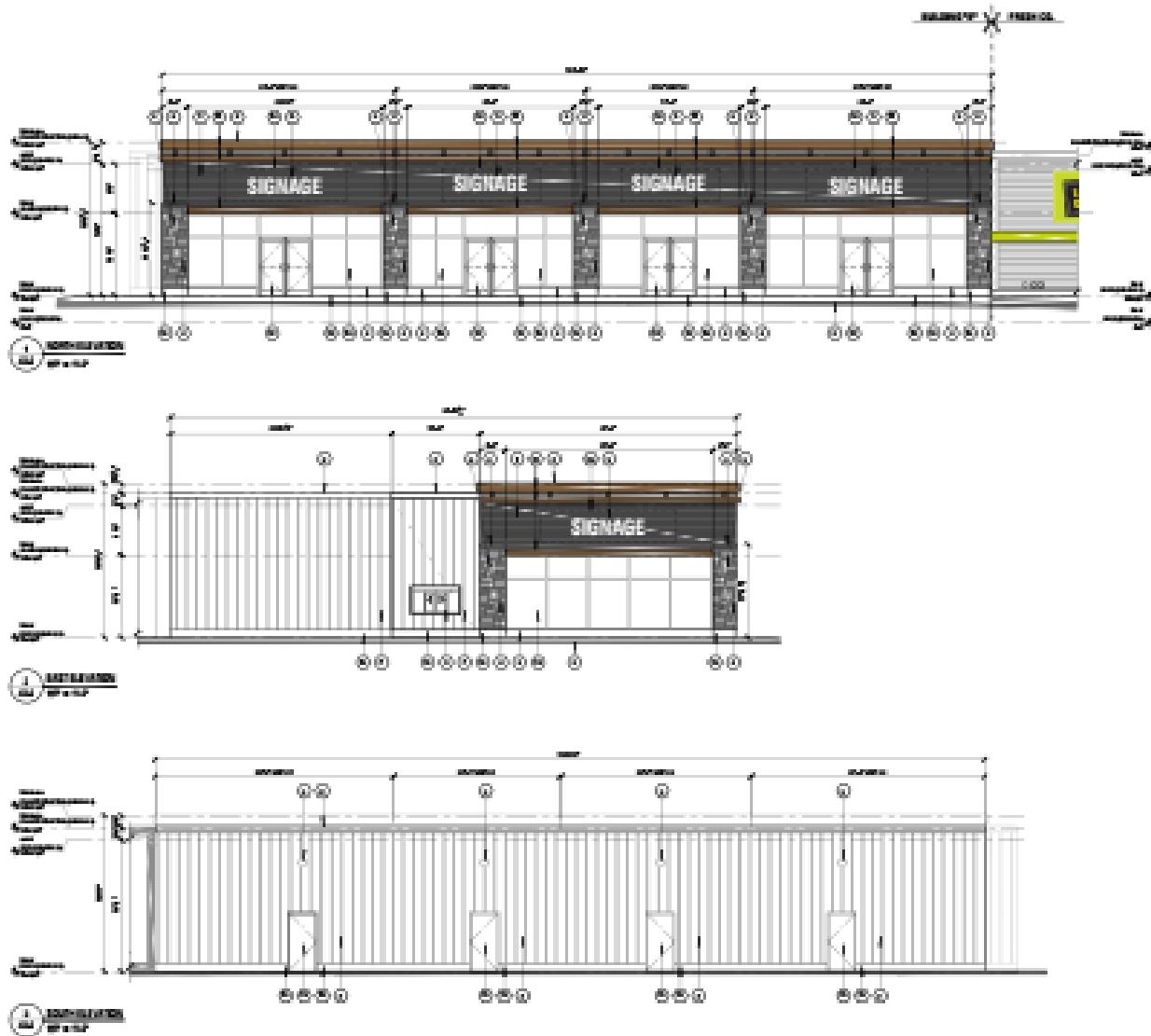


Attachment #3: Elevations

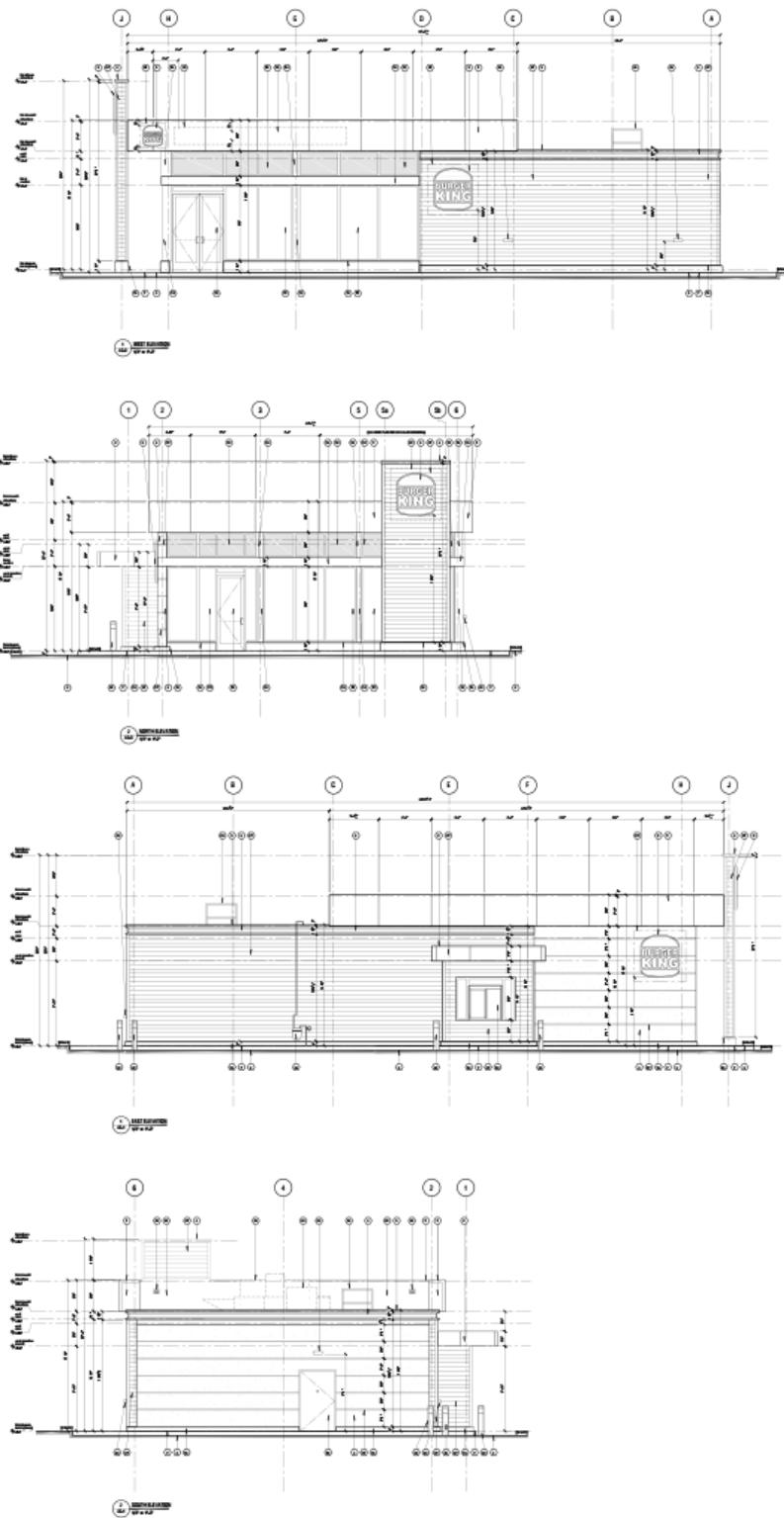
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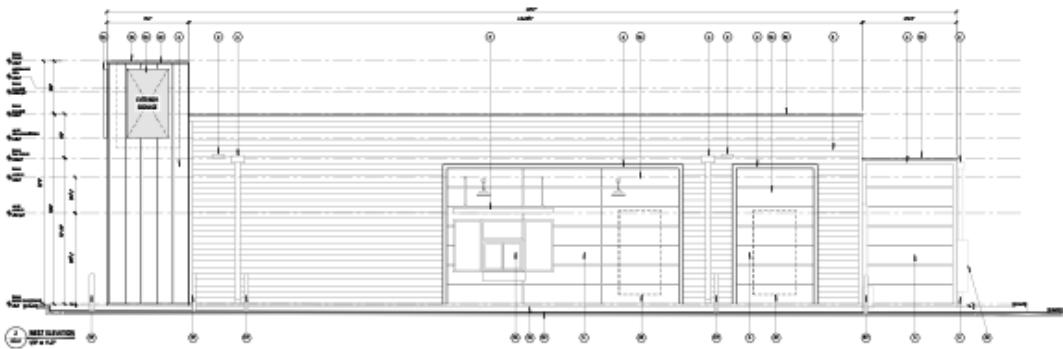
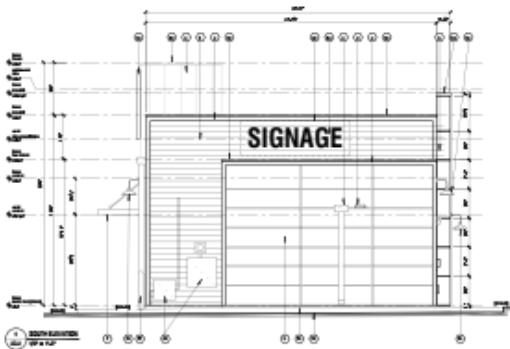
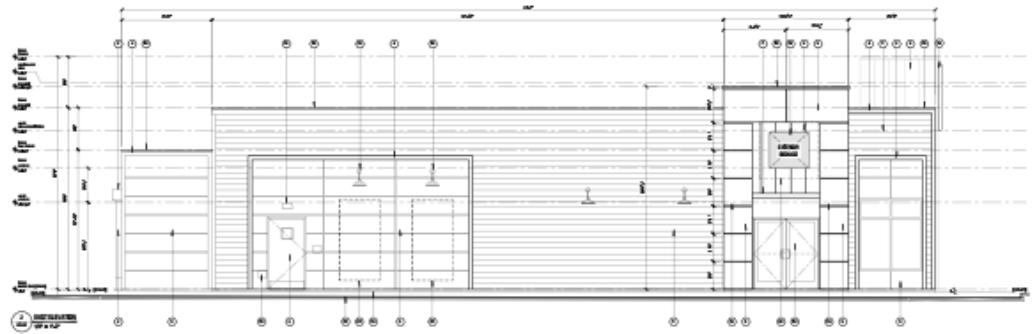
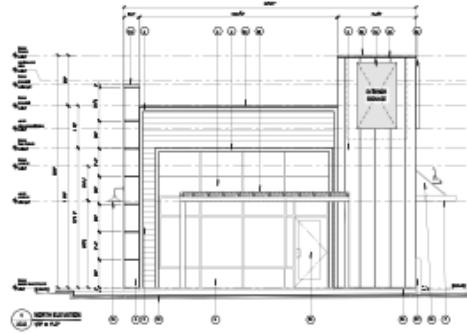
Building B



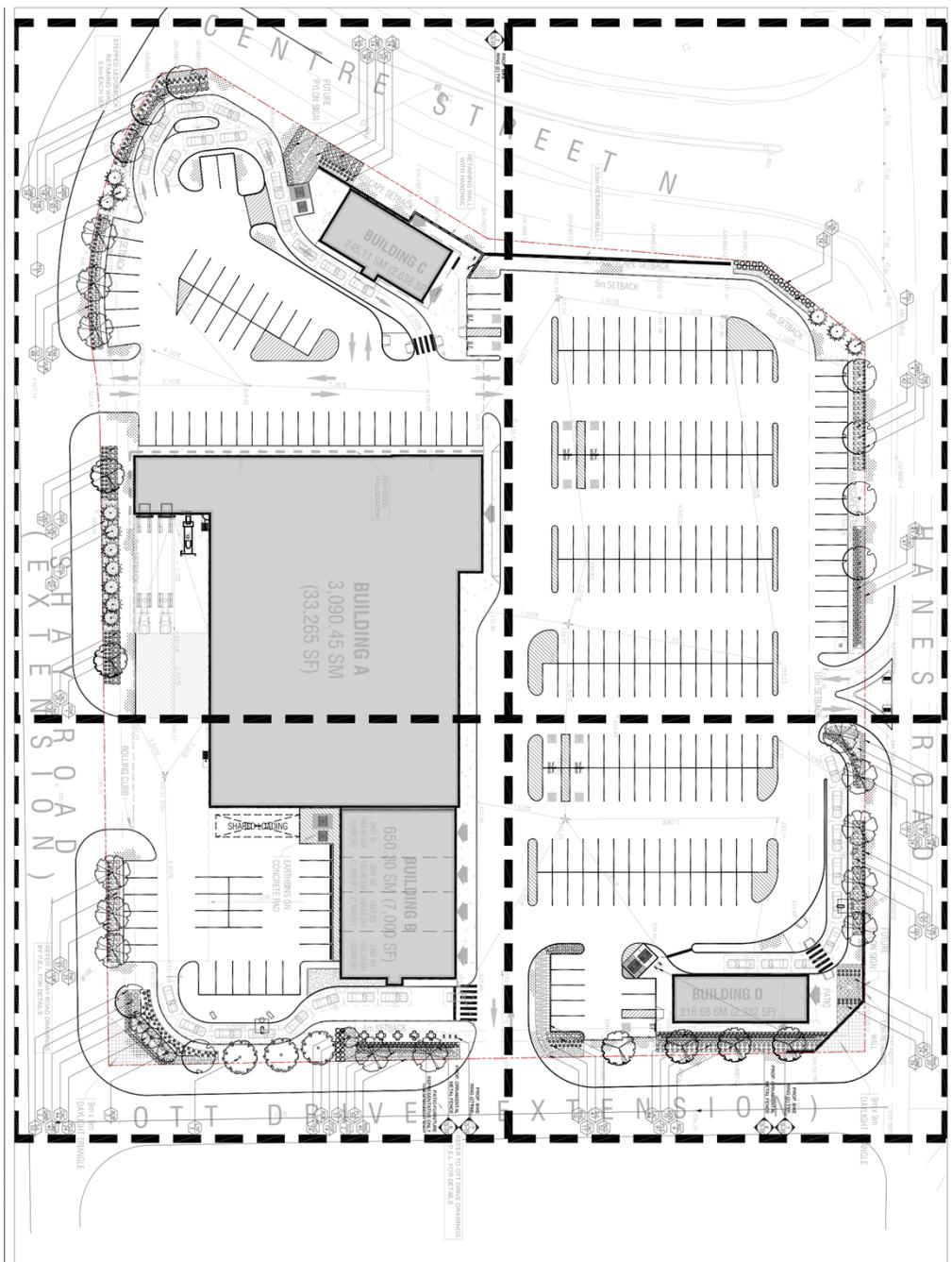
Building C



Building D



Attachment #4: Landscape Plans



 Landscape Master Plan Project No. 21175 L-41	Project: Proposed Landscape and Pavilion/Gazebo Hospital, Clinton Scenic: 1:200 Scale Oct 2012 Drawn By: S.P. Chodakoff, L.M. Drawing Title:	Issued by Subdivision or Issued by Reviewer No. Revision Date Stamp NOVEMBER 2007
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All information contained in these plans shall be the property of the contractor or architect and shall not be reproduced without the written consent of the Landscape Architect. A license, commission, or otherwise, all drawings have no copyright and shall remain the property of the Landscape Architect. It is the responsibility of the contractor or architect to obtain any and all permits required for the proposed development. It is the responsibility of the contractor or architect to determine if any and all permits are required for the proposed development.

All information contained in these plans shall be checked by the contractor. All dimensions shall be reported to the Landscape Architect (L.A.) before commencing work construction. All drawings have copyright and shall remain the property of the Landscape Architect. Copying or any reproduction in part or whole shall only be permitted with written consent of L.A. Drawings shall not be used for construction unless signed L.A. SIGNATURE. Contractor shall be responsible for any damage resulting from any unauthorized copying or reproduction. The provider of existing conditions shall be responsible for any damage resulting from any unauthorized copying or reproduction. The accuracy of the position of utilities or address is not guaranteed. Following work, the contractor shall confirm the exact location of all existing utility lines and fixtures, and shall assume liability for damages.

DO NOT CUT EASURES, BURROW Holes, OR REMOVE FOREST COVER. THESE ARE THE PROPERTY OF THE LANDSCAPE ARCHITECT AND ALL DAMAGE TO THEM MUST BE MADE UP BY STRUCTURAL ENHANCEMENTS PRIOR TO CONSTRUCTION.

DATE: _____



Attachment #5: Site Photos

Photo 1 – View of lands at Ott Drive extension location looking south



Photo 2 – View of Hanes Road frontage looking west



Photo 3 – View of lands looking west from northeast corner



Photo 4 – View of land looking north from southwest corner



Photo 5 – View of lands looking north from southwest corner



Photo 6 – View of future Shay Road corridor looking east



Photo 7 – View of southwest corner of lands (Centre St and future Shay Rd)



Photo 8 – View of northwest corner of lands (Centre St and Hanes Rd)



Photo 9 – View of lands looking southwest





Attachment #6: District Comments

December 13, 2021

BY PDF EMAIL

Town of Huntsville
37 Main Street East
Huntsville, Ontario
P1H 1A1

Attention: Richard Clark

RE: SPA 134-21-THE Paisley Centre
Hanes Road and Centre St N
Huntsville, Ontario

Dear Mr. Clark:

The District Engineering and Public Works Department review comments pertaining to the abovementioned Site Plan are as follows:

1. Municipal Water and Sewer

This property is within the Urban Servicing Area and as such must connect to Municipal Water and Sewer Services. Only a single water (this allows both the fire line and domestic as show) and single sanitary sewer service shall be permitted to the development.

Only a single water meter shall be permitted for the development. The current internal layout does not support this. This is typically accommodated by a “hot box” setup or in a heated, locked utility room that is externally accessible by District staff. Any hot box setup will need to be approved by District staff (no confined space will be considered).

This Site Plan Agreement shall be contingent upon the construction of water and sanitary services under the Shay Road Extension to the extent that they service the subject property and the services have been assumed by the District of Muskoka.

The proposed water services must be disinfected in accordance with MECP and District Standards for water service lines of 100mm and greater.

The developer is to confirm that the proposed services are suitably sized for the development.

ENGINEERING AND PUBLIC WORKS DEPARTMENT

70 Pine Street, Bracebridge, Ontario P1L 1N3

Phone: 705-645-6764 Toll-Free: 1-800-281-3483 Fax: 705-645-7599
Email: publicworks@muskoka.on.ca Website: www.muskoka.on.ca

2. Transportation/ Access

No comment

3. Storm Water Management (SWM)

The proposed changes to the property do not concern the District in regards to Storm Water Management and District of Muskoka infrastructure.

4. D-4 Land Use On or Near Landfills and Dumps

The proposed Site Plan is not located within a D4 influence area.

5. Waste Management Services

Disposal of solid waste materials as per by-law 98-59, as amended.

6. Land Use Near a Water Intake Protection Zone

The proposed Site Plan is not located within a Water Intake Protection Zone.

Where applicable, all works shall conform to the District's Criteria and Design Manual.

<https://www.muskoka.on.ca/en/finance-and-administration/resources/Documents/Design-Criteria-and-Design-Standards-Manual---Final---June-2019.pdf>

The provided comments are based on the existing information. Additional comments may be provided upon receiving further information.

Regards,

Craig Douglas
Manager - Development Engineering

Reviewed:

Mark Misko
Director of Engineering and Transportation