Application Summary

This is a joint planning report to address severance applications B02/20& B03/20 scheduled for a Committee of Adjustment Public Hearing on June 16, 2020 and zoning amendment application Z-06-18 scheduled for a Public Meeting on June 17, 2020. The applicant has requested that Council approve the zoning amendment application by by-law on June 17, 2020.

Owner: Reginald MacDonald Holdings Inc.
Civic: 202404 Highways 6 & 21 ARN: 4203 540 005 08602 Legal: Plan 535 Lot 66, Pt Lot 65 RP 16R2516 Pt Part 3 (Baywest Toyota)
Civic: 202408 Highways 6 & 21 ARN: 4203 540 005 08700 Legal: Plan 535 Pt Lot 65 RP16R10265 Parts 2 to 5 (Baywest Nissan)

Severance application B02/20 proposes a 1327 m² lot addition from the Baywest Nissan property to the Baywest Mitsubishi property. The purpose of the lot addition is to permit a building addition on the Baywest Mitsubishi property and to provide sufficient land to relocate the septic system.

Severance application B03/20 proposes to sever a 1.3 ha lot from the Baywest...
Toyota property. This will re-establish the Baywest Nissan property after it inadvertently merged with the Baywest Toyota property.

The proposed lot dimensions are as follows:

<table>
<thead>
<tr>
<th>Property</th>
<th>Toyota 202404 Highways 6 &amp; 21</th>
<th>Nissan 202408 Highways 6 &amp; 21</th>
<th>Mitsubishi 202410 Highway 6 &amp; 21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application</td>
<td>Retained Lot</td>
<td>Severed Lot B03/20</td>
<td>Severed–Lot addition B02/20</td>
</tr>
<tr>
<td>Lot Area</td>
<td>3.1 ha (7.66 ac)</td>
<td>1.3 ha (3.2 ac)</td>
<td>1278 m² (0.3 acre)</td>
</tr>
<tr>
<td>Frontage</td>
<td>+/- 77m (252 ft.)</td>
<td>+/-44 m (144 ft.)</td>
<td>+/-52.4m (172 ft.)</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>+/-150 m (500 ft.)</td>
<td>+/-182.88 m (600 ft.)</td>
<td>+/-24.28 m (80 ft.)</td>
</tr>
<tr>
<td>Configuration</td>
<td>irregular</td>
<td>irregular</td>
<td>regular</td>
</tr>
<tr>
<td>Servicing</td>
<td>Private well and septic</td>
<td>Private well and septic</td>
<td>n/a</td>
</tr>
<tr>
<td>Existing Structures</td>
<td>Baywest Toyota dealership</td>
<td>Baywest Nissan dealership</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Zoning by-law amendment application Z-06-19 proposes to:

- increase the total lot coverage from 10% to 16% to permit the Mitsubishi building addition and to recognize a deficient lot area of 1.43 ac where the by-law requires 2 acres.
- recognize deficient lot frontages for the Nissan (44 m) and Mitsubishi (63 m) and Baywest Toyota (77 m) as the by-law requires 100 m in the C4 Space Extensive Commercial zone.

No change to the existing entrance is proposed.

Policies Affecting the Proposal


The 2020 Provincial Policy Statement (PPS) issued under Section 3 of the Planning Act requires that land use planning decisions ‘be consistent with’ provincial policies. Decision makers are asked to be consistent with the policies of the PPS including: 1. Building Strong Communities; 2. Wise Use and Management of Resources; and 3. Protecting Public Health and Safety. The PPS is to be read in its entirety and the
relevant policies are to be applied to each situation, therefore only excerpts from the PPS have been highlighted to demonstrate the proposal’s conformity with the Provincial Policy Statement.

Under Section 4.6 of the PPS, the Official Plan is identified as, “the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land use designations and policies.” (PPS 2020, pg. 35). Schedule A of the Grey County Official Plan (GCOP) designates the subject property as ‘Space Extensive Commercial’. The Space Extensive Commercial permitted uses include automobile sales and services. Section 4.2 of the Township of Georgian Bluffs Official Plan permits vehicle sales and services within the “Sunset Strip” Development Area.

Appendix 'B' identifies 'Significant Woodlands' on-site, however, air photos show that the trees were removed from the property sometime between 2010 and 2015. The only development proposed as part of this application is the building addition on the rear of the Mitsubishi dealership and the installation of a new septic system for the Mitsubishi building.

Section 1.6.6.4 of the PPS allows for individual on-site servicing of a property and only permits it in settlement areas to allow for infilling and minor rounding out of existing development and provided that site conditions are suitable for the long term provision of such services with no negative impacts. A building permit will be issued for the septic system in compliance with the Ontario Building Code.

Section 1.6.8.3 of the PPS applies to applications where development is proposed along a provincial highway and directs that it cannot impede the purpose of the transportation corridor which is the safe and efficient movement of goods and people. The application proposes to maintain the shared and existing entrances and has been reviewed by the Ministry of Transportation. Section 8.3.1 of the County Official Plan defers to the MTO policies for properties with entrances onto a provincial highway.

Section 1.6.6.7 of the PPS, 2020 addresses stormwater management and states that,

“Planning for stormwater management shall:
   a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
   b) minimize, or, where possible, prevent increases in contaminant loads;
   c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
   d) mitigate risks to human health, safety, property and the environment;
   e) maximize the extent and function of vegetative and pervious surfaces; and
   f) promote stormwater management best practices, including stormwater
As a condition of a recent severance application for this property, the applicant provided a revised stormwater management plan, at the request of the GSCA, that reflects the building addition and site grading changes. This engineered plan was reviewed by the Township and the Grey Sauble Conservation Authority and approved (June 6, 2019). Staff recommend that the existing site plan agreement authorized by By-law 56-2012 be replaced with an updated agreement that correctly reflects the current legal description of the property with the revised stormwater management site plan. This can be done once the severance is approved so that the applicant can provide the corrected legal description and PIN.

The Township of Georgian Bluffs Zoning By-law 2020-020 zones the subject lands ‘C4-Space Extensive Commercial and permits car dealerships. The application proposes to increase the total lot coverage from 10% to 16% to permit the Mitsubishi building addition and to recognize a deficient lot area of 1.43 ac where the by-law requires 2 acres. The application is also to recognize deficient lot frontages for the Toyota (77 m), Nissan (44 m) and Mitsubishi (63 m) dealerships as the by-law requires 100 m in the C4 Space Extensive Commercial zone. No change to the existing entrances is proposed. The proposed development meets the intent of the zoning by-law.

The Toyota and Nissan dealerships were created in 2010 and the cash in lieu of parkland dedication was paid at that time. Through the severance process, a new lot is not being created rather, two lots that merged are being separated. No cash in lieu of parkland is being recommended. The lot addition application also does not create a new lot so no parkland dedication is required.

Relevant Consultation

The Notice of Complete Application and Notice of Public Meeting/Public Hearing was circulated to various agencies for review. Please be advised that the commenting agencies each provided one comment letter for all applications B02/20, B03/20 & Z-06-19. The following comments were received:

- **Grey Sauble Conservation Authority:** in email correspondence dated April 2, 2020, the GSCA note that there are natural hazards and natural heritage features on the property. No development is proposed within these features. They conclude that:
  1. Consistency with Section 3.1 of the PPS has been demonstrated;
  2. Ontario Regulation 151/06 does apply to the subject site. A permit from GSCA is required prior to any development or site alteration taking place within the regulated area;
  3. Consistency with Section 2.1 and Section 2.2 of the PPS has been demonstrated;
4. The subject site is not located within an area that is subject to the policies contained in the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan.”

GSCA has no objections to the approval of the subject applications. They wish to be notified of any decision made by the Township of Georgian Bluffs or any appeals received, with regard to the applications.

- **Grey County Planning & Development Department**: note no concerns as the subject applications are not proposing any new development. County planning staff have no further concerns with the subject applications and request notice of any decision rendered with respect to these applications. (Correspondence dated March 26, 2020)

- **Niagara Escarpment Commission**: They have no objection to the proposed consents or zoning by-law amendment. They request to be notified of the decision on these applications. (Correspondence dated May 27, 2020)

- **Historic Saugeen Metis (HSM)** in email correspondence dated March 17, 2020 the HSM note that, “The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and has no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official Plan and/or Zoning By-law Amendments.”

- **Ministry of Transportation (MTO)**: In comments dated June 11, 2020, it is noted that the MTO has, “no concerns with this proposal, MTO Permits will be required for the addition. The property owner can apply for the required MTO Permits electronically at the following location (https://www.hcms.mto.gov.on.ca/).

- **Suncor Energy Products Partnership**: In comments dated May 22, 2020, it is noted that, “Suncor would have no concerns with this proposed development work.”

The Notice of Complete Application and Notice of Public Hearing/Public Meeting was circulated to all property owners within 120 m of the subject property. No written comments in support of or in opposition to this application were received.

**Conclusion & Recommendation**

The severance application and associated zoning amendment application to facilitate a lot addition to the Mitsubishi property have received positive comments from the agencies.

The proposed severance and zoning amendment applications are consistent with the County Official Plan and Township of Georgian Bluffs Official Plan which implement the Provincial Policy Statement. The applications meet the intent of the Zoning By-law.

It is recommended that Joint Report PL.2020.28 for Reginald MacDonald Holdings Inc. regarding applications Z-06-19, B02/20 and B03/20 be received for information.
Provided there are no concerns raised at the Public Meeting on June 17, 2020, it is recommended that zoning by-law amendment Z-06-19 for Reginald MacDonald Holdings Inc. be approved. A by-law is presented with this report for Council’s consideration.

Provided there are no concerns raised at the Public Hearing on June 16, 2020, it is recommended that severance application B02/20 for Reginald MacDonald Holdings Inc. be approved subject to the following conditions:

1. That a Reference Plan be completed and a copy filed with the Municipal Clerk or an exemption from the Reference Plan be received from the Land Registry Office.
2. That, pursuant to Section 53(42) of the Planning Act, the ‘Certificate of Consent’ be affixed to the deed within one year of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e. stamping of the deed).
3. That the applicant pays the applicable $300.00 consent certification fee at the time of certification of the deeds.
4. That the application is for a lot addition only; and, that the lands to be severed be merged under the same ownership as the abutting lands (Plan 535 Pt Lot 65 16R 10265, Part 1, [202410 Highway 6 & 21]), and that Subsection (3) or (5) of Section 50 of the Planning Act, apply to any subsequent conveyance. A copy of the registered deed to the abutting lands (Plan 535 Pt Lot 65, 16R-10265, Part 1, [202410 Highway 6 & 21]) shall be filed with the Township of Georgian Bluffs Committee of Adjustment.

Provided there are no concerns raised at the Public Hearing on June 16, 2020, it is recommended that severance application B03/20 for Reginald MacDonald Holdings Inc. be approved subject to the following conditions:

1. That a Reference Plan be completed and a copy filed with the Municipal Clerk or an exemption from the Reference Plan be received from the Land Registry Office.
2. That, pursuant to Section 53(42) of the Planning Act, the ‘Certificate of Consent’ be affixed to the deed within one year of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e. stamping of the deed).
3. That the applicant pays the applicable $300.00 consent certification fee at the time of certification of the deeds.
Respectfully Submitted:

Jenn Burnett

Jenn Burnett, MSc., MCIP, RPP
SITE PLAN
Civic: 202404 Highways 6 & 21 (Baywest Toyota)
Civic: 202408 Highways 6 & 21 (Baywest Nissan)
Civic: 202410 Highways 6 & 21 (Baywest Mitsubishi)