



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

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January 27, 2025

Township of Georgian Bluffs  
177964 Grey Road 18  
R.R. #3  
Owen Sound, ON  
N4K 5N5

Attention: Michael Benner  
Director, Development & Infrastructure

Dear Michael:

**Re: Minor Variance Application  
Part Lot 8, Georgian Range, Geographic Township of Keppel  
Township of Georgian Bluffs  
(Part 2, Reference Plan 16R-4377)  
A.R.N.: 420362000723405  
Owners: Lisa Ireland and Rob Palmer**

Further to preconsultation discussions involving the above-noted property, enclosed please find the following:

- Minor Variance application;
- Environmental Impact Study;
- Archaeological Assessment;
- Application fees; and,
- Garage building plans.

To assist your office in its evaluation of the requested minor variance, I offer the following:

**Purpose of Application:**

The purpose of the application is to allow for a detached garage on the property without a principal building, i.e. detached dwelling. The owners are proposing to erect an 8.54 metre x

11 metre (28 foot x 36 foot) garage on the property, which would be used in conjunction with their neighbouring residential lot. The building plans for the garage are included in this submission.

### **Background:**

The subject lands are located along the west side of Grey Road 1, approximately eight kilometres south of the community of Big Bay.

The site comprises 0.65 hectares of land, most of which is heavily forested. The front 20 metres (approximately) of the property was recently cleared.

The owners' residence is situated on a waterfront lot located directly across Grey Road 1. Given the size and topography of their residential lot, it is not possible to construct a garage on that parcel. They have therefore purchased the subject property for the purpose of erecting a two-vehicle garage.

The garage would be situated approximately 28.3 metres from the front lot line. An additional ten metres of the existing treed area would be cleared in order to accommodate the garage and driveway. The total area to be cleared would not exceed approximately 30 metres x 30 metres.

The garage and driveway will be oriented such that the vehicles pulling out of the garage will be able to turn around and drive forward onto the County Road, as opposed to backing out.

The development proposed for the property is illustrated on the Site Plan attached to this Planning Justification Report.

### **Adjacent Land Uses:**

All of the lots along the west side of County Road 1 in the general vicinity of the subject property are forested, and most are vacant, including the lots to the immediate north and south.

All waterfront properties along the east side of the County Road in this area are occupied by detached dwellings.

### **Other Supporting Documents:**

During preconsultation discussions with the Township Planner, County Ecologist, and Saugeen Ojibway Nation, the applicant was advised that an Environmental Impact Study was required since the property is recognized as 'Significant Woodland' in the Grey County Official Plan and that an Archaeological Assessment was needed given that the site is within an area of high archaeological potential.

The requested studies have been completed and are summarized as follows:

#### **Environmental Impact Study**

The Environmental Impact Study (EIS) was scoped to address: (1) Significant Wildlife Habitat; (2) Habitat for Endangered and Threatened Species; and (3) Significant Woodland. The EIS focused on the lands near the front of the subject property, which included the proposed 30-metre x 30-metre building envelope and a 120-metre buffer.

The EIS concluded that the study area did not involve Significant Wildlife Habitat.

The fieldwork, though, did result in the finding of two trees that could possibly be habitat for bat roosting/maternity functions. Those trees, however, are not situated within the identified development envelope, and therefore the Ecologist concluded that the habitat would not be impacted if the site disturbance was restricted to the development envelope.

The Ecologist also concluded that the woodland feature and its function would not be negatively impacted by the proposed development due to the small size of the development envelope. It was recommended, though, that no tree felling activity occur between April 1 to November 30 in order to protect possible bat roosting/maternity functions.

The recommendations of the EIS will be implemented through the Minor Variance Decision Sheet. Suggested wording for the Decision Sheet is provided later in this Planning Justification Report.

#### **Stages 1 and 2 Archaeological Assessment**

Given the proximity of the site to the Georgian Bay shoreline, the subject property was considered to have high archaeological potential, and therefore a Stage 2 Archaeological Assessment was required.

The onsite investigation studied the proposed development envelope plus a ten-metre buffer area on the subject property.

Following the completion of the investigation, the Archaeologist concluded that the project area does not contain archaeological resources of cultural heritage value or interest.

### **Minor Variance Evaluation:**

Minor Variances are evaluated within the context of the four tests stated in Section 45(1) of the Planning Act. In this regard, please consider the following:

1. *Does the variance maintain the intent and purpose of the Grey County Official Plan?*

The subject lands are designated primarily 'Inland Lakes and Shoreline Development Area' on Schedule A of the Grey County Official Plan. Permitted uses within this designation are limited to low-density residential dwellings, bed and breakfast establishments, home occupations, marinas, resource-based recreational uses, and convenience commercial uses.

Erecting a garage on the subject property and using it in conjunction with the owners' residence on the adjacent property is in keeping with the intent of this land use designation.

It should be understood that erecting the garage on this parcel now does not preclude a future owner from erecting a house on these lands at a later time.

Appendix B of the Grey County Official Plan identifies the subject lands as being part of a 'Significant Woodland'. Development and site alteration in this natural heritage feature or within 120 metres is not permitted unless it can be demonstrated that the feature or its function would not be negatively impacted. As explained above, an Environmental Impact Study (EIS) was conducted to address impact on the woodland as well as any other natural heritage feature that may exist within the study area. The EIS concluded that no natural heritage features or functions would be negatively impacted if development occurred within the identified envelope, and if tree felling occurred outside of the bat roosting/maternity functions season.

Based on the above, the requested variance maintains the intent and purpose of the Official Plan.

2. *Does the variance maintain the intent and purpose of the Township of Georgian Bluffs Zoning By-law?*

The subject lands are zoned predominantly 'SR' (Shoreline Residential) on Schedule A of the Township's Comprehensive Zoning By-law. The 'EP' (Environmental Protection) zone applies to a small area near the rear of the site.

The 'SR' zone would permit a detached dwelling on the subject property, as well as a home occupation within the dwelling, and accessory buildings. A detached garage is allowed as an "accessory building"; however, it would only be permitted if the principal use (i.e., detached dwelling) has already been established. In other words, the Zoning By-law does not permit the garage as a standalone structure on the site. The general intent of the Zoning By-law, as it pertains to this "house first" requirement, is to ensure that this lot is used for residential purposes. By allowing for an accessory structure to be erected on a property without a principal structure, there is a perceived risk that the owner may utilize the building for a non-residential activity (e.g., a small commercial or industrial workshop), and such use might not be compatible with the neighbourhood. It is also possible that the property would not be maintained to the same standards as a lot containing a house, which also might cause problems for the neighbours.

Mr. Palmer and Ms. Ireland, however, have no intentions of utilizing the garage for any other purpose than parking their own vehicles. Their residence is situated on their other lot, located along the opposite side of the County Road, as noted above. That lot is relatively small, and the existing house, well, septic system, and small driveway occupy a significant portion of it. There is clearly no room on that property to erect a garage, which explains why the owners are requesting permission to build the garage across the road, on their currently vacant lot. Given the clear intent of Mr. Palmer and Ms. Ireland to utilize the garage for the parking of their personal vehicles, and given that the garage is essentially an extension of the residential use of their adjacent lands, allowing for this accessory structure to be erected without the principal building will maintain the intent and purpose of the Zoning By-law.

3. *Is the variance minor in nature?*

This test has traditionally been interpreted as meaning "what impact will the variance have on the neighbours?" In this regard, it should be explained that Mr. Palmer and Ms. Ireland could erect a house on the subject property today, under the current zoning; and therefore the issue is not whether any development should occur on the property but rather whether allowing for a garage on the property without a house will cause problems for the neighbours. On this note, it is highly unlikely that the neighbours would be impacted since the garage will be used solely for the parking of two vehicles. This will not

result in noise or visual impacts, or cause any undue hardship on adjacent landowners. The variance is minor in nature.

4. *Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?*

A garage is permitted on the subject property, but only after a house has been erected on the same lands. The owners do not need a residence, however, as their home is located directly across the road. As explained above, there is no room on their adjacent residential lot to construct a garage due to the size of the lot and the existing development on it, i.e., house, driveway, septic system, and well. Constructing a garage on the subject property so that the owners have covered shelter for their vehicles during the winter months is a reasonable desire.

It should also be noted that the existing driveway on their abutting residential lot is steep, which makes it challenging at times to back up the vehicle onto the County Road. This will no longer be a concern if the garage is constructed on the subject property.

Based on the merit provided, it is evident that the variance is highly desirable for the appropriate and orderly development and use of the lands and building.

In view of the above, the proposed variance is deemed to conform to Section 45(1) of The Planning Act.

**Provincial Planning Statement:**

The Provincial Planning Statement (PPS) does not include specific policies pertaining to garages or other types of accessory uses.

The PPS contains policies aimed at protecting natural heritage features and areas of archaeological significance, among other things. The Environmental Impact Study and Stages 1 and 2 Archaeological Assessment have addressed these policies.

The requested variance is therefore consistent with the Provincial Planning Statement.

**Conclusion and Recommendation:**

The requested variance has substantial merit and should be given favourable consideration.

In order to implement the recommendations of the Environmental Impact Study and to acknowledge that the Stages 1 and 2 Archaeological Assessment only assessed a portion of the subject property, the following is recommended:

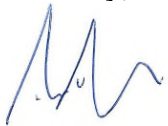
1. The Site Plan dated January 22, 2025 and included with the Minor Variance application should be attached to the Committee of Adjustment Decision Sheet and referred to as *Schedule A of Decision Sheet A\_\_/25*.
2. The Decision Sheet should include the following conditions:
  - (i) Based on the recommendations of the Environmental Impact Study and the scope of the Archaeological Assessment, the construction of the garage and driveway, and any other site disturbance including tree clearing, shall only occur within the identified "Development Envelope" shown on Schedule A of this Decision Sheet; and,
  - (ii) The felling of trees within the "Development Envelope" shall only occur between April 1 to November 30 in order to protect possible bat roosting/maternity functions.

**Final Comments:**

I trust you will find the application package to be complete. Should you have any questions regarding the proposal, please contact the undersigned.

On a final note, it would be sincerely appreciated if you could contact me when scheduling the public meeting for this file in order to ensure our availability.

Sincerely,

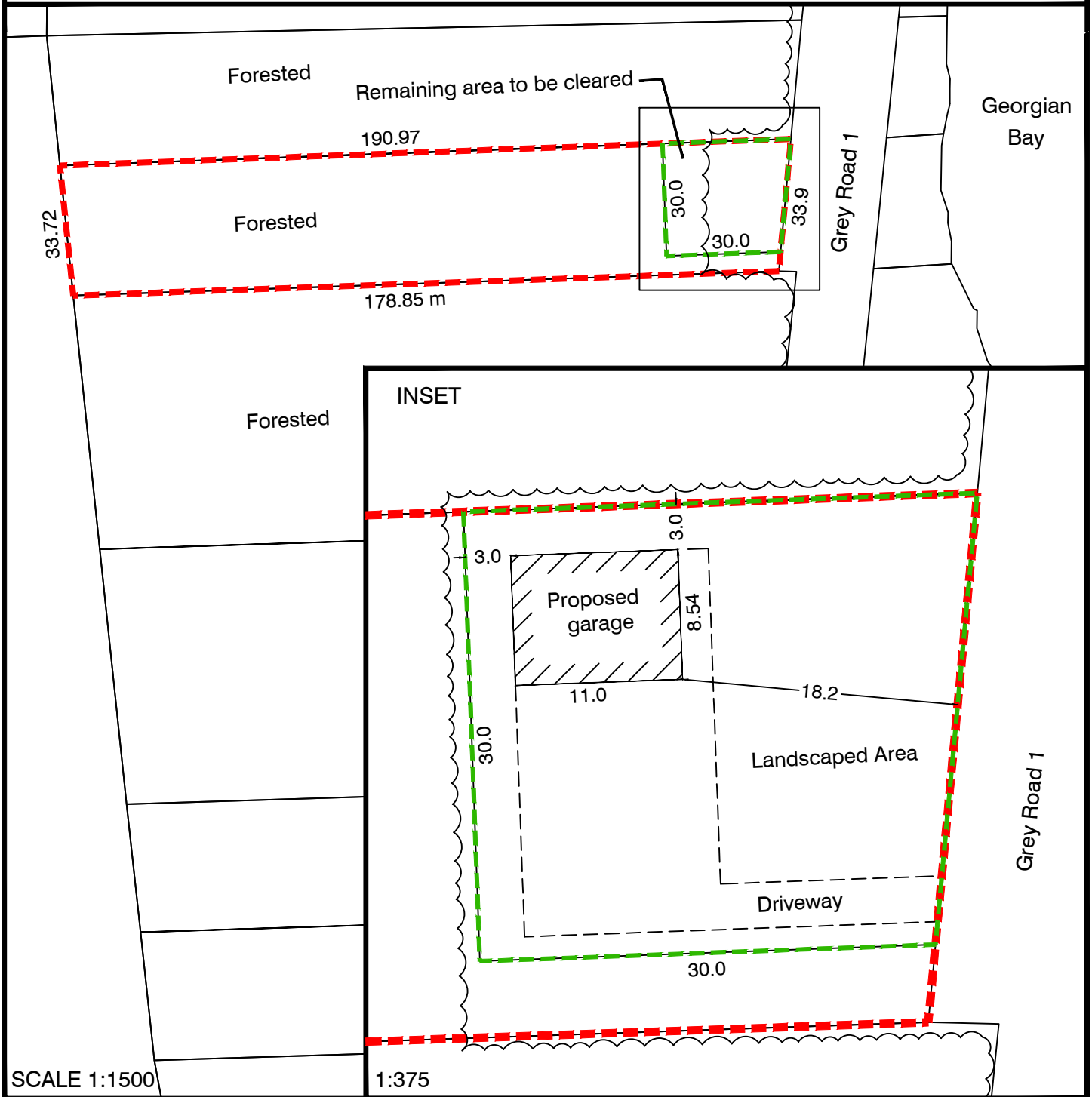


Ron Davidson, BES, RPP, MCIP

c.c. Rob Palmer and Lisa Ireland

# Site Plan

-  Subject Property
-  Development Envelope



Part Lot 8, Georgian Range  
 (Part 2, Reference Plan 16R4377)  
 Geographic Township of Keppel  
 Township of Georgian Bluffs