



Date Wednesday, May 12, 2021

From Jenn Burnett, Senior Planner

Subject Z-05-21 Joint Zoning Amendment and B03/21 Severance Report for Ron & Patty Davy

Report PL.2021.22

Recommendation

Zoning By-law Amendment Z-05-21

It has been demonstrated that application Z-05-21 for Ron Davy for lands described as Concession 4, Pt Lot 14, Keppel, is consistent with the Provincial Policy Statement 2020, the County of Grey Official Plan, Recolour Grey and the intent of the Township of Georgian Bluffs Zoning By-law 2020-020. If no concerns are raised at the Public Meeting, it is recommended that the application be approved.

Severance Applications B03/21

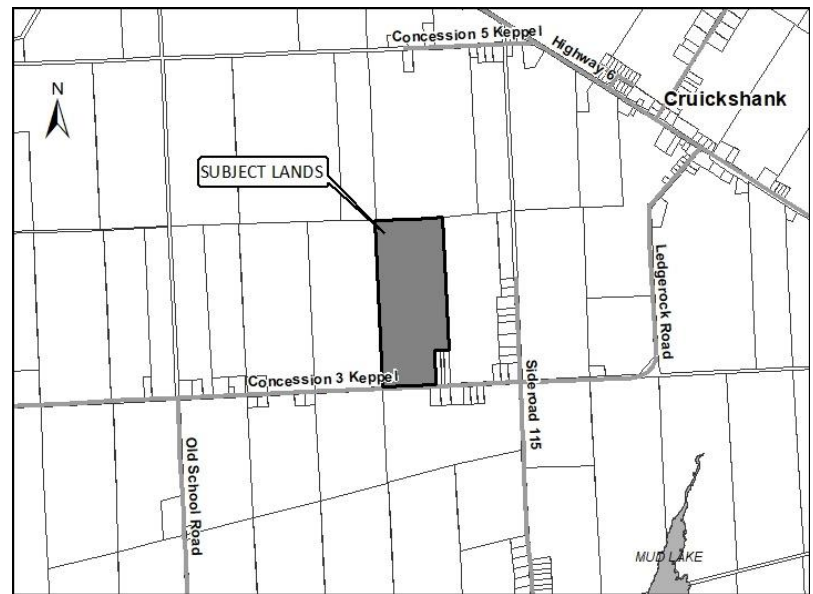
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Application Summary

This is a joint report that will be presented at the May 12, 2021 Public Meeting to consider Zoning By-law Amendment application Z-05-21 and at the May 18, 2021 Public Hearing to consider Severance application B03/21 scheduled for the Committee of Adjustment Meeting.

Applicant: Ron Davidson
 Owners: Ronald and Patty Davy
 Legal Description: Con 4 Pt Lot 14
 Civic Address: 242161 Concession 3
 ARN: 4203 620 001-09600
 Related applications: Z-05-21 & B-03-21

Zoning By-law Amendment
 Application Z-05-21 seeks relief to the minimum lot frontage for a Rural non-farm residential lot from 100 m to 76.2 m. Application B03/21 proposes a 36.92 ha lot addition to the adjacent easterly 30.6 ha lot.



The new lot measurements propose the following dimensions:

	Retained Lot	B05/21 Lot Addition	Resultant Parcel
Frontage	+/- 76.2 m	+/- 243 m	+/-492 m
Width: Rear Lot Line	+/- 76.2 m	+/- 407 m	+/-735 m
Depth: Side Lot Line	+/- 201.2 m	+/- 989 m	+/-989 m
Area	+/- 1.53 ha	36.92 ha	67.52 ha

Policies Affecting the Proposal

Provincial Policy Statement, 2020, County of Grey Official Plan, 2019, and the Township of Georgian Bluffs Zoning By-law 2020-020

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 Healthy 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) locates the subject lands within the Wetlands, Hazard Lands and Rural designations. The application is for a lot addition and County severance policies in the Rural designation support the proposal provided the enlarged lot and retained lots are greater than 0.4 hectares each (Section 5.4.3(3)). As noted above, the proposed lot sizes are +/- 1.53 ha and +/- 67.52 ha and meet the County requirement. No development is proposed within the Wetlands or Hazard lands.

Section 3.1 Natural Hazards, of the PPS 2020 directs development outside of hazardous areas. GSCA notes that there are Natural Hazards associated with the flood and erosion potential of the watercourses and wetland feature. “There is ample space of the easterly parcel to accommodate future development outside of the hazard areas. We note, the westerly parcel is already developed with the existing dwelling being outside of the hazard area.” (GSCA letter dated April 7, 2021)

Section 7.4(1) of the GCOP and Section 2.1 of the PPS 2020 directs that Natural features and areas shall be protected for the long term. The GSCA, on behalf of the Township, reviews and comments on the impact of applications on the Natural Heritage features and assesses consistency with the PPS 2020. The GSCA identified that the natural heritage features identified on the subject lands include the Provincially Significant Long Swamp Wetland, significant woodlands as mapped in the County of Grey Official Plan, significant wildlife habitat, potential for habitat of endangered species and threatened species, and fish habitat.

“The proposed applications are for lot addition purposes and the overall development potential of the properties remains the unchanged. Furthermore, we understand future development of the easterly parcel will be located well beyond the 120 metre adjacent lands to the PSW feature. As such, we do not anticipate any negative impacts to the natural heritage features.” (letter dated April 7, 2021)

A portion of the subject lands is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The GSCA identifies that the regulated area is associated with Davidson Creek, unnamed watercourses and the Provincially Significant Long Swamp Complex. A permit will be required prior to any development and site alteration within the regulated area.

Section 5.2.2(5b) of the Grey County Official Plan exempts lot additions from an MDS I calculation.

“MDS I shall not apply to lot additions, which do not result in the creation of a new lot.”

No new lot is being created, however, MDS I will apply at the time of the building permit application as required by Section 5.14 of the Zoning By-law 2020-020 and in accordance with MDS Guideline #7.

Appendix A of the GCOP identifies 'Special Policy Area' or karst mapping on the lands. The area where development can be contemplated is clearly outside of the mapped karst area and does not require an assessment for the purposes of these applications.

Appendix E of the GCOP identifies 'bedrock' on the subject lands. Section 5.6.6(2) of the GCOP seeks to protect bedrock and shale resources by deterring development that would preclude or hinder the establishment of new operations or access to the resource. County Planning comments indicate that while a new dwelling will be constructed within the bedrock resources area, the overall lot size mitigates the impact on the resource.

Zoning By-law

The lands are currently zoned 'RU' Rural and 'EP' Environmental Protection. Development is not permitted within 15m of the EP zone. The general provisions in the zoning by-law do not permit the creation of lots if the severed or retained parcels do not meet the size and area provisions required by the by-law. The amending by-law will reduce the minimum required lot frontage from 100 m to 76.2 m for a rural residential parcel. The proposed residential and rural uses are consistent with the surrounding rural area and residential uses and the lot resulting from the lot addition meets the lot area and frontage provisions of the zoning by-law. No other relief to the by-law was requested.

Relevant Consultation

Agency

A Notice of Complete Application and Notice of Public Meeting/Public Hearing was circulated to the agencies on March 22, 2021. The following comments were received:

- **Township of Georgian Bluffs Operations Department-** in comments dated March 24, 2021 the Director of Operations noted no concerns, "unless they decide to create entrance to the parcel of the west side. If that is the case they an entrance permit would be required."
- **Grey Sauble Conservation Authority –** provided comments dated April 7, 2021, noting no objections to the approval of the subject applications. They note that there is ample space of the easterly parcel to accommodate future development outside of the hazard areas. It is the opinion of the GSCA 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 will be required from GSCA for any development or site alteration within the regulated area;

3. Consistency with Sections 2.1 & 2.2 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.

- **Grey County Planning and Development Department:** In comments dated April 7, 2021 Planning Staff note that provided the consent is considered only for lot addition purposes and that the two larger parcels are merged together as described, County planning staff have no concerns with the subject applications. The County requests notice of any decision rendered with respect to these files
- **Risk Management Office (RMO) –** Provided comments dated March 22, 2021 noting that “[t]his property is not located within a vulnerable source protection area where source protection policies apply, therefore we have no comments on this application under the Clean Water Act.”
- **Historic Saugeen Metis (HSM)** in email correspondence dated March 30, 2021 the HSM note that, “[t]he Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Zoning By-law Amendment and Consent to Sever Land as presented.”

Residents

The Notice of Public Meeting was circulated March 22, 2021 to all property owners within 120 m of the subject property. No written comments were received from the public by the report submission deadline.

Conclusion & Recommendation

Zoning By-law Amendment Z-05-21

It has been demonstrated that application Z-05-21 for Ron Davy for lands described as Concession 4, Pt Lot 14, Keppel, is consistent with the Provincial Policy Statement 2020, the County of Grey Official Plan, Recolour Grey and the intent of the Township of Georgian Bluffs Zoning By-law 2020-020. If no concerns are raised at the Public Meeting on May 12, 2021, it is recommended that the application be approved.

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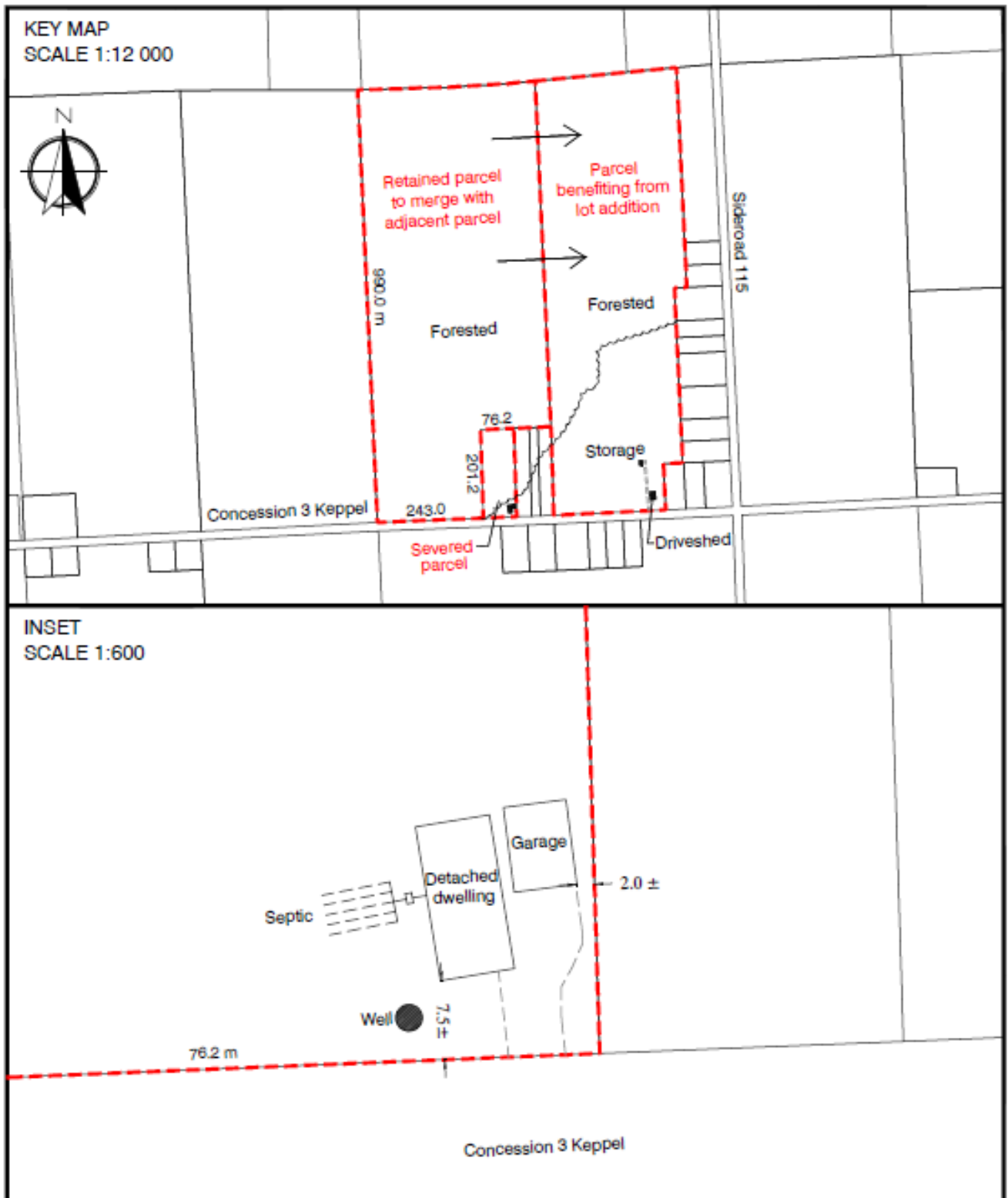
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1. That a Reference Plan be completed and a copy filed with the Municipal Clerk or an exemption from the Reference Plan be received from the Land Registry Office.
2. That the application is for a lot addition only; and, that the lands to be severed be merged under the same ownership as the abutting lands (CON 4 PT LOT 15 CONCESSION 3 [242193 Concession 3]), 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 (CON 4 PT LOT 15 CONCESSION 3 [242193 Concession 3]) shall be filed with the Township of Georgian Bluffs Committee of Adjustment. (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 consent certification fee at the time of certification of the deeds.
4. That a zoning by-law amendment be in force and effect.

Respectfully Submitted:

Jenn Burnett

Jenn Burnett, MSc., MCIP, RPP
Senior Planner



Lot Line Adjustment
242161 Concession 3 Keppel
Township of Georgian Bluffs

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO

Report Approval Details

Document Title:	PL.2021.22 Z-05-21 Ron Davy.docx
Attachments:	- GSCA Comments B-03-21 and Z-05-21.pdf
Final Approval Date:	May 6, 2021

This report and all of its attachments were approved and signed as outlined below:

Tim Lewis, Chief Building Official / By-law Enforcement Officer

Steven Dollmaier, Director of Operations

Janet Hilts, HR Manager

Kassandra Rocca, Director of Finance / Treasurer

Brittany Drury, Clerk

Al Meneses, Chief Administrative Officer