



Date Wednesday, October 20, 2021

From Jenn Burnett, Senior Planner

Subject Application for Support of a Condominium Exemption

Report PL.2021.38

Recommendation

That this report be received by Council with the following recommendation:

“THAT the Township of Georgian Bluffs is satisfied that all matters under Section 51 and 51.1 of the *Planning Act* have been addressed to their satisfaction; and

THAT development of the lands is addressed through the existing Master Development Agreement, Master Subdivision Agreement, the Site Plan Agreements and the Ontario Building Code; and

THAT the Township supports an exemption from Section 51 of the *Planning Act* for the development legally described as Part Block 75, 16M-15, 16R-11409, PARTS 3, 4 & 11; commonly known as the Hollow at Cobble Beach; and

FURTHER THAT this resolution be forwarded to the County of Grey and the Applicant.”

Application Summary

An application for the Support of a Condominium Exemption has been received from Georgian Planning Solutions on behalf of Reid’s Heritage Homes Ltd., owners of the above-noted property. The applicants are requesting an exemption from the requirements of Section 51 of the *Planning Act* in consideration that development agreements are in place, building permits have been issued for Block 12 and all four units in Block 12 have been granted occupancy. This exemption will allow the registration of four condominium units in Block 12 (Part 3 on 16R-11409 outlined in yellow), a portion of Ironwood Way (Part 4 on 16R-11409 outlined in black) and Part 11 on 16R-11409 (outlined in blue) is the natural area to the northwest of Block 12. The subject lands can be seen in the image below. Reference Plan 16R-11409 is appended to the report.



Application Review

Condominium exemptions are permitted under Section 9(6) of the *Condominium Act*, 1998 S.O. c.19 and grant the approval authority (Grey County) power to exempt the identified units from the provisions of Section 51 of the *Planning Act*. An exemption to Section 51 is essentially an exemption to the full approval process including the requirements to give notice of the application and to hold a Public Meeting (51(20)). The exemption is warranted if the proposed development has recently undergone *Planning Act* approvals such as Subdivision Agreements and Site Plan Control. Or, if the local municipality supports that all matters under Section 51 and 51.1 of the *Planning Act* have been addressed to their satisfaction. Council approved a Site Plan Agreement with Reid's Heritage Homes on September 4, 2019 under By-law 2019-100 (the legal description was amended by By-law 2020-039) for development in Phase II of the Hollow. The applicant is requesting that Council support the exemption request on the basis that all matters under Section 51 and 51.1 of the *Planning Act* have been addressed to the satisfaction of the municipality.

Requiring the applicant to move through the full approval process is not necessary given that there are four development agreements registered on title to the lands: the Master Development Agreement dated August 17, 2007, the Master Subdivision Agreement dated August 20, 2007, a Site Plan Agreement authorized by By-law 60-2008 and a Site Plan Agreement authorized by By-law 2019-100. These agreements apply to this development and demonstrate that adequate review and approval of development have been completed.

The Site Plan Agreement addresses the creation of the condominium units and in Section 7, requires the Owner to create a standard condominium corporation for units constructed on Block 75, hold common shares in Cobble Beach Holdings Inc., and

honor the provisions of the Cost Sharing Agreement as per the Master Development Agreement.

Building permits for this development were issued in 2020 and occupancy was granted for the four units in Block 12. A final inspection has not been requested, however, in support of this application, the Applicant provided confirmation from George Cooper, P.Eng., of Crozier Consulting Engineers, certifying that all civil services in Phase 2- Blocks 9 to 12 and pertinent to the Hollows condominium plan have been installed in such a manner as to ensure the independent operation of the said corporation if no further phases are created.

Section 51.1 of the *Planning Act* addresses parkland dedication. Parkland for this phase of the Cobble Beach development has already been addressed.

The Township currently holds a security for the completion of the works and for legal services and related consultation as required by the Site Plan Agreements.

Conclusion

The Applicant has demonstrated how the conditions of the Site Plan Agreement have been or will be met. The support of a condominium exemption will facilitate the final approval of the four units in this development and allow registration to proceed.

Recommendation

That this report be received by Council with the following recommendation:

“THAT the Township of Georgian Bluffs is satisfied that all matters under Section 51 and 51.1 of the *Planning Act* have been addressed to their satisfaction; and

THAT development of the lands is addressed through the existing Master Development Agreement, Master Subdivision Agreement, the Site Plan Agreements and the Ontario Building Code; and

THAT the Township supports an exemption from Section 51 of the *Planning Act* for the development legally described as Part Block 75, 16M-15, 16R-11409, PARTS 3, 4 & 11; commonly known as the Hollow at Cobble Beach;

AND FURTHER THAT this resolution be forwarded to the County of Grey and the Applicant.”

Respectfully Submitted:

Jenn Burnett, MSc., MCIP, RPP

Report Approval Details

Document Title:	PL.2021.38 Application for Support of a Condominium Exemption The Hollow Block 12.docx
Attachments:	<ul style="list-style-type: none">- Hollow Block 12 Exemption application 2021.pdf- 2021.10.12 Certification of Civil Works Letter (002).pdf- Reference Plan 16R-11409.pdf
Final Approval Date:	Oct 14, 2021

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

Brittany Drury, Interim CAO/Clerk