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**Date** Wednesday, July 14, 2021

**From** Jenn Burnett, Senior Planner

**Subject** Addendum report Re-Zoning Application Z-07-19 and Deeming By-law Rotary Club of Owen Sound Camp Presqu'ile

**Report** PL.2021.28

### Recommendation

It has been demonstrated that the proposed application is consistent with the Provincial Policy Statement 2020, the County Official Plan and the Township of Georgian Bluffs Zoning By-law 2020-020.

It is recommended that Addendum Report PL.2021.28 regarding Re-Zoning Application Z-07-19 and Deeming By-law for Rotary Club of Owen Sound Camp Presqu'ile be received for information and,

Provided no further concerns are raised at the Public Meeting, it is recommended that Zoning By-law Amendment Application Z-07-19 and the corresponding deeming application for lands described as 339639 Presqu'ile Road be approved.

### Application Summary

A Public Meeting for the above-noted applications was held on May 8, 2019 with the decision on the applications being deferred pending the submission of a survey showing the 100 year flood line at elevation 177.9 metres and confirmation of the location of existing structures within that flood line area. Information has since been provided to the Grey Sauble Conservation Authority (GSCA) and reviewed resulting in a recommendation to realign the Environmental Protection (EP) zone, to rezone a portion of the property EP special and reduce the setback to the EP-Special zone to 0m.

Since the Public meeting in 2019, the Province has approved a new Provincial Policy Statement 2020, the County of Grey adopted a new official Plan and the Township of Georgian Bluffs passed a new zoning by-law. Given the change to three significant policy documents, a 2<sup>nd</sup> Public meeting was scheduled to consider the application against the new policies as well. Section 4.1 of the PPS, 2020 states that, "[t]his Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020."

This report considers the current policies, evaluates how the information submitted since the May 2019 Public Meeting supports the proposal and reviews the comments received through the second consultation. The original report is attached for Council's review.

## Proposal

Camp Presqu'île is an overnight summer camp for youth aged 6-16 years, operated by a partnership between the Owen Sound Rotary Club and the YMCA of Owen Sound Grey Bruce over the past 60 years. More information on the Camp is available at the following links:

<https://www.ymcaowensound.on.ca/camps/camp-presquile/>

<http://www.rotarycamp.com/index.html>

Civic address: 339639 Presqu'île Road

ARN: 4203 580 004 1120

Legal Description: P142 LT 1-12 E KING LT 1-11;W MAIN LT A,B,E,7-11 E MAIN;LT D,K,C,1-6 S CENTRE C3 PT;LOT 41 WL OPPOSITE

This application is to rezone the property from SR –Shoreline Residential to I – Institutional to permit a building addition to the kitchen area of the main hall building. The application also seeks relief to:

1. Section 5.7 as the lot does not front upon and have direct access to an improved public street;
2. Section 14 reduce the side yard setback to 0m from 4.5 m for the building addition;
3. recognize deemed parcels as a lot of record as the lots will be deemed not to be lots on a registered plan so that they merge.
4. Per comments received from the Grey Sauble Conservation Authority, the portions of the property within the flood area will be rezoned EP - Environmental Protection and EP- Special. There will be a 0m setback to the EP-Special zone and the zoning will recognize structures in their current place but will not permit them to be rebuilt if destroyed by flood. No new structures will be permitted within these areas.



## Policies Affecting the Proposal

**Provincial Policy Statement 2020, Grey County Official Plan (2019), Recolour Grey, 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 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 to the Grey County Official Plan (GCOP) designates the subject property as Hazard and Inland Lake and Shoreline and permits resource based recreational uses which includes water based recreation, campgrounds, and lodges/resorts. The property currently operates as Camp Presqu'ile and would be considered a permitted use under the GCOP. Development is not generally permitted in the Hazard designation.

Appendix 'B' Constraint mapping locates Significant Woodlands on a portion of the property west of Presqu'ile Road. The proposed building addition to the main hall is on the property east of Presqu'ile Road, within the existing building cluster and clearly outside of the Significant Woodlands. Appendix B also locates the subject lands adjacent to Georgian Bay and the GCOP policies do not permit development within 30 m of the banks of a stream, river, lake or Georgian Bay unless an EIS has been completed and supports the development, or the GSCA determines that the setbacks can be reduced. The GSCA provided follow up comments on November 14, 2019 and they are supportive of the building addition. It has been demonstrated that the application meets Policy 7.8.9(2) of the Grey County Official Plan.

Section 3.1 of the PPS directs development to areas outside of

*"3.1.1.1 a) hazardous lands adjacent to the shorelines of the Great Lakes – St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;"*

The proposed building addition is located outside of the hazard area and within a regulated area so permits will be required from the GSCA. The GSCA has no objection to the proposed setback of 0 m for the kitchen addition in the main hall. The GSCA concerns have been addressed through the submission of the survey showing the 100 year flood line. It has been demonstrated that the application meets Section 3.1 of the PPS, 2020.

The Township of Georgian Bluffs Zoning By-law 2020-020 zones the subject lands SR-Shoreline Residential and permits residential uses. The proposal is to rezone the property from SR to 'I' Institutional to permit the camp to continue to operate and to comply with the zoning by-law. The Institutional zoning to permit a camp complies with

the County Official Plan designation for this property and meets the intent of the permitted uses in the Institutional zone.

The amending by-law will recognize the deemed parcels as a lot of record; recognize that each lot does not front upon and have direct access to an improved public street as required by Section 5.7 and, recognize the existing accessory structures and provide relief to the setback requirements as well as the number of structures. The amending by-law will also specifically permit sleeping cabins, recognize the existing parking and reduce the exterior side yard setback to 0m to allow the building addition to the kitchen area in the main hall.

The by-law will implement a special EP-17 zone with a 0m setback as recommended by the GSCA and the zoning will recognize structures in their current place but will not permit them to be rebuilt if destroyed by flood. No new structures will be permitted within these areas. The by-law will clarify that the provisions addressing Legal Non-Conforming Uses in Sections 5.12 b) (enlargement of buildings) and d) (restoration of a building damaged by causes beyond the control of the owner) do not apply to structures within the lands zoned EP or EP-17, unless supported by a Coastal Engineer's Report, in accordance with the GSCA April 26, 2019 comments. The proposed EP zoning is attached as file 'GSCA Proposed EP and EP Special Zones' for Council's review. Lands outside of the EP zones will be zoned Institutional Special or 'I-3'.

### Deeming By-law and Encroachment Agreement

Due to outstanding issues related to the location of structures and the legal descriptions of the lands, an encroachment agreement and the deeming bylaw are not being presented to Council at this time. The Township's lawyer continues to work with the Rotary Club's lawyer to address these issues.

### Relevant Consultation

The Notice of Complete Application and Notice of Public Meeting was circulated to various agencies for review in June 2021. The following additional comments were received:

- **Grey Sauble Conservation Authority:** in email correspondence dated June 30, 2021 the GSCA commented that their November 14, 2019 comments still apply. "Based on the recent survey, we acknowledge that some buildings on the site may have been built with the proper permits and some may have not. Since the zoning proposed is to institutional, it is important to recognize nature hazards on the site through zoning.
  1. We recommend that for the zoning by-law amendment that the area below the 100 year flood line be zoned environmental protection (EP). No new buildings or expansions to any buildings within the EP zone would be permitted. Any buildings within the EP Zone destroyed by water or fire, would need to be re-located to an area outside 100 year flood line and the 15 metre

- setback from the 100 year flood line. This provision would affect three small bunk houses and a shed.
2. We also recommend that the area within the 15 metre setback from the 100 year line be zoned Environmental Protection - special provisions. The special provisions would recognize the existing buildings and structures within this area and deem them legal non-conforming. No new structures or expansion to the existing buildings would be permitted within this area without the support of a coastal engineer's report and a permit from the Township and the GSCA. We suggest that existing structures in this area can be maintained in a safe condition on the existing footprints.
  3. The remainder of the site could be zoned institutional including the area west of Presqu'ile Road as proposed to recognize the existing camp facility.
  4. Provided the above provisions are implemented, the EP zone setback provision in the comprehensive zoning by-law can be reduced to 0 in this particular case.

Portions of the property are regulated under Ontario Regulation 151/06, natural hazard and/or natural heritage features and development will require a permit." They request a notice of decision in this matter be provided to their office.

- **Grey County Planning & Development Department:** in email correspondence dated June 25, 2021 the Planning Department noted that staff have no further comment and that comments dated April 18, 2019 still apply. Those comments were "[p]rovided that positive comments are received from the conservation authority and safe road access can be ensured, County planning staff have no further concerns with the subject application. The County requests notice of any decision rendered with respect to this file." (Correspondence dated April 18, 2019)
- **Risk Management Office – Grey Sauble Conservation Authority:** In comments dated June 15, 2021 the RMO noted that "[t]his property is not located within a vulnerable source protection area, therefore we have no comments under the Clean Water Act."
- **Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department:** In comments dated July 5, 2021 the HSM noted, "[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 Z-07-19 as presented."

The Notice of 2<sup>nd</sup> Public Meeting was circulated to all property owners within 120 m of the subject property. No comments were received.

## Conclusion & Recommendation

Camp Presqu'ile has been in operation for 60 years and the proposed change in zoning from Residential to Institutional is not anticipated to have an impact on the surrounding area as there is no proposed change to the use of the lands.

It has been demonstrated that the proposed application is consistent with the Provincial Policy Statement 2020, the County Official Plan and the Township of Georgian Bluffs Zoning By-law 2020-020.

It is recommended that Addendum Report PL.2021.28 regarding Re-Zoning Application Z-07-19 and Deeming By-law for Rotary Club of Owen Sound Camp Presqu'ile be received for information and,

Provided no further concerns are raised at the Public Meeting, that Zoning By-law Amendment Application Z-07-19 and the corresponding deeming application for lands described as 339639 Presqu'ile Road be approved.

The deeming by-law will be brought forward at a later date.

Respectfully Submitted:  
Jenn Burnett, MSc., MCIP, RPP  
Senior Planner

## Report Approval Details

Document Title:	PL.2021.28 Addendum Report Re-Zoning Application Z-07-19 and Deeming By-law for Rotary Club of Owen Sound Camp Presqu'ile.docx
Attachments:	<ul style="list-style-type: none"><li>- PL.2019.20 Rotary Club of Owen Sound - Camp Presqu'ile.pdf</li><li>- GSCA Proposed EP and EP Special Zones.pdf</li><li>- 19112_ROTARY_Z7_2019_GSCA(2)_NOV_14_2019(002).pdf</li></ul>
Final Approval Date:	Jul 7, 2021

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

Steven Dollmaier

Janet Hilts

Kassandra Rocca

Brittany Drury

Al Meneses