



Date Wednesday, January 11, 2023

From Jenn Burnett, Senior Planner

Subject **Public Meeting Report Z-16-22 for Carolyn and Rob Hicks**

Report PL.2023.01

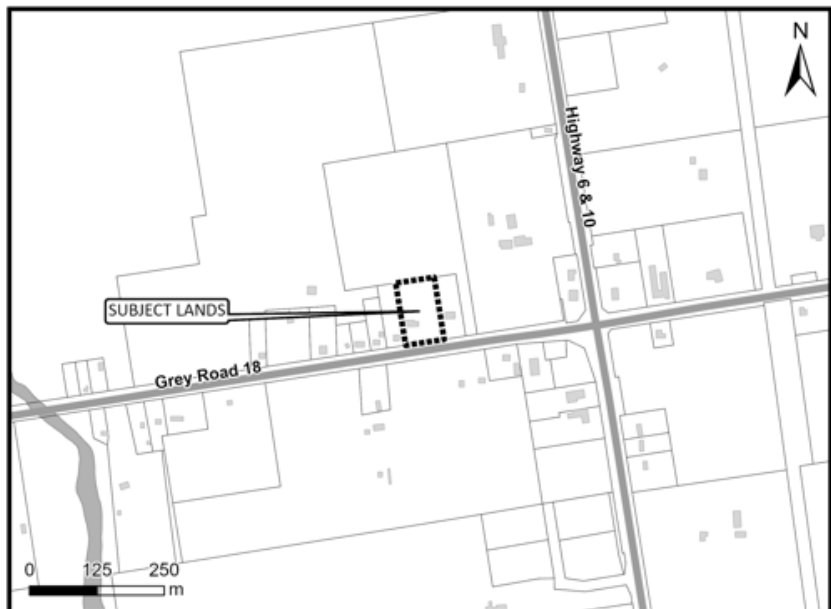
Recommendation

It has been demonstrated that the proposed application is consistent with the Provincial Policy Statement 2020, the County Official Plan, the Township of Georgian Bluffs Official Plan, and the Township of Georgian Bluffs Zoning By-law 2020-020. It is recommended that Zoning By-law Amendment Application Z-16-22 for lands described as Con 1 Pt Lot 10 RP16R6368 Pt 1, **be approved**.

Application Summary

Owners: Rob and Carolyn Hicks
Legal Description: Con 1 Pt Lot 10 RP16R6368 Pt 1
Civic Address: 102759 Grey Road 18, Georgian Bluffs
ARN: 4203 540 001 06005

Zoning By-law Amendment Application Z-16-22 proposes to rezone the property from PD- Planned Development to Residential - R1 and permit a detached garage to be built in the front yard 95 feet from the front lot line. This will locate the garage 13 feet in front of the dwelling.



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 of the Grey County Official Plan (GCOP) designates the subject property as Secondary Settlement area. The Township of Georgian Bluffs Official Plan locates the property within the Tertiary Settlement area of Rockford within the Residential designation and permits low density residential uses.

Appendix A to the GCOP identifies that the property falls within a Karst constraint area. Section 7.5 of the County policy explains,

"Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock that is commonly underlain by caverns and solution-enhanced joints and bedding planes that influence the flow of surface and groundwaters. Due to the nature of its formation, karst terrains are ephemeral and are controlled by past and present climatic and local weather conditions. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals."

The GCOP requires that the proponent of any planning application provide an assessment, by a qualified professional, of the proposed area of development. In support of the application, a Karst assessment was completed August 8, 2022, by Corbin Sweet, P.Geo., of GM BluePlan Engineering Limited, who noted,

"Based on the findings of this investigation, no evidence of hydraulically active karst features was discovered in the area proposed for detached garage development that would cause a direct risk to the development. Further, no evidence of epi-karst (i.e. geologically historically active karst features) were observed in the test holes or across the surface of the Study Area.

At the time of development, and as is standard under the OBC process, it is recommended that the nature of the bedrock/soils be inspected at the time of the construction of the structure. Where unforeseen fractures or crevasses are uncovered during site preparation for foundations, additional support or adjustments to the foundation design may be required. As per standard requirements under the OBC, we recommend that such a design review/adjustment be completed by a qualified person.

With the implementation of the above noted recommendations, it is our opinion that it is reasonable to expect that a new detached garage can be built in the area outlined in Figure 2 without impacts from bedrock features.”

The Grey Sauble Conservation Authority reviews planning applications within Georgian Bluffs and provides comments based on their responsibilities as a regulatory authority under Ontario Regulation 151/06 and as a service provider through a memorandum of understanding with the Township, to address natural heritage features. Upon review of this application, they note the following:

“2.1 Natural Heritage

Natural heritage features on the subject property include significant woodland as mapped by the Grey County Official Plan. The detached garage is proposed within the mapped significant woodland. The area in question appears to be juvenile trees planted over manicured lawn. We do not anticipate negative impacts to the significant woodland or its ecological function provided tree clearing is limited to the footprint required for the building and associated grading, and conducted outside the active woodland bird nesting/rearing season from May 1st to August 15th, in accordance with the Federal Migratory Birds Act.”

“2.2 Water

An increase in imperviousness is expected following construction of the detached garage. We recommend that appropriate sediment and erosion controls are implemented prior to any site alteration or development on site, and that drainage for the area is designed to ensure no increase in runoff to neighbouring properties.”

“3.1 Natural Hazards

Natural hazard features identified on the subject property include karst topography as mapped in the Grey County Official Plan. Karst topography presents a potential hazard and development should be generally directed elsewhere. In the case of the subject proposal it appears that the proposed development may be within the known karst area. A Karst Topography Assessment prepared by GM Blue Plan (August 8, 2022) was provided with the application. The assessment did not identify hydraulically active karst features or epi-karst and recommended that the proposed development could proceed in the specified area. As such, we are of the opinion that the proposal is consistent with section 3.1 policies of the PPS.”

The Township of Georgian Bluffs Zoning By-law 2020-020 zones the subject lands 'PD' Planned Development. The 'R1' permits residential development. This zone permits uses that legally existed on the date of passing of the by-law with a by-law amendment required for future development. The Township of Georgian Bluffs Official Plan (GBOP) locates the property within the Tertiary Settlement area of Rockford. Within that settlement area, the property falls within the Residential designation. As noted in the GBOP,

"Tertiary Settlement Areas have historically been developed on private on-site septic systems and private potable well water. These settlement areas generally consist primarily of low density residential uses concentrated near a major roadway corridor, intersection or adjacent to an urban centre and include the communities of:

- Balmy Beach
- Big Bay
- Brooke
- Creamery Hill
- Cruickshank
- Keady
- Kemble
- Oxenden
- Rockford

Tertiary settlement areas will be the primary focus of low density residential uses, home occupations, institutional uses, open space areas and limited small-scale service commercial and industrial uses."

The dwelling was built in 1996 and established a residential use of the property. The GBOP designates the lands Residential so the application to rezone the property from PD to R1 meets the policy requirements of the Official Plan. The garage proposed for the front yard constitutes new development, so the requirement to rezone the property is triggered. The PD zone does not provide zone provisions for new development and the R1 zone does not permit detached garages in the front yard. The amending by-law will recognize the garage in the front yard 95 feet from the front lot line and 13 feet in front of the dwelling, so that the owners can obtain a building permit. The application is consistent with the GBOP and meets the intent of the zoning by-law.

Relevant Consultation

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

- **Grey Sauble Conservation Authority:** In comments dated December 2, 2022, GSCA noted no objections to the requested rezoning and proposed garage.

- Grey County Planning & Development Department:** In comments dated November 21, 2022, the County “County Planning staff recommend receiving comments from the Conservation Authority regarding the Significant Woodlands. Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County’s Forestry Management By-law <http://grey.ca/forests-trails>. An exemption to the by-law includes the injuring or destruction of trees required in order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued. County Transportation Services have reviewed the subject application and have no concerns. A 75-foot setback from the centreline of the County Road is in effect for any new development on the subject property. Provided positive comments are received from the Conservation Authority regarding the Significant Woodlands, County Planning staff have no concerns with the subject application. The County requests notice of any decision rendered with respect to this file.”
- Grey Sauble Conservation Authority Risk Management Office (RMO):** In comments dated November 4, 2022 the RMO noted, “[p]lease note that this property is not located within a vulnerable source protection area where policies apply under the Clean Water Act, therefore we have no comments.”
- Saugeen Ojibway Nation (SON):** In comments dated November 4, 2022, SON noted that at, “this point, the Saugeen Ojibway Nation's Environment Office does not have the resources to engage in consultation on this project. We have no further comments on this project. If at any point anything of archeological interest is revealed on site, please contact the SON Environment Office immediately.
- Enbridge Gas:** In comments dated November 4, 2022, it was noted, “Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan. Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

The Notice of Complete Application and Notice of Public Meeting was circulated to all property owners within 120 m of the subject property, no written comments were received.

Respectfully Submitted:

Jenn Burnett, MSc., MCIP, RPP
Senior Planner

Report Approval Details

Document Title:	PL.2023.01 Public Meeting Report Z-16-22 Hicks.docx
Attachments:	<ul style="list-style-type: none">- Notice Of Public Hearing Z-16-22 Hicks.pdf- Application - Hicks R.pdf- Justification letter - Hicks.pdf- Site Plan - Hicks.pdf- Karst Assessment - Hicks.pdf- County Comments.pdf- Enbridge Comments.pdf- GSCA Comments - J Bousfield.pdf- GSCA Comments - K Gillian.pdf- SON Comments - J Meekins.pdf
Final Approval Date:	Dec 31, 2022

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

Cynthia Fletcher, Chief Administrative Officer