

**RON DAVIDSON**  
**LAND USE PLANNING CONSULTANT INC.**

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November 19, 2020

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

Attention: Jennifer Burnett

Dear Jennifer:

**Re: Application for Consent**  
**Part Lots 21 and 22, Concession 16,**  
**Geographic Township of Keppel, Township of Georgian Bluffs**  
**Owner: Larry Henry**

Further to our recent discussions regarding a proposed severance on the above-noted property, enclosed please find a completed Consent application. Also enclosed are:

- Township application fee;
- Grey Sauble Conservation Authority (GSCA) review fee;
- GSCA letter;
- Karst Assessment;
- Butternut Tree Assessment; and,
- MDS Report.

To assist your office with its evaluation of this application, I offer the following:

**Purpose of the Application:**

Larry Henry owns a 57.7 hectare property along the north side of Lindenwood Road in the former Township of Keppel. The property abuts the south end of Mountain Lake.

Mr. Henry proposes to sever a lot comprising approximately 22.8 hectares of land and retain a 34.9 hectare lot containing the existing detached dwelling. The proposed lot line would follow

the original boundary between Lot 21, Concession 16 and Lot 22, Concession 16. A Consent application has been filed in this regard.

### **Subject Lands:**

Situated on the 57.7 hectare property is a detached dwelling. Approximately five hectares of the site are cash-cropped, while the balance is predominantly forested. The treed area includes approximately 3.5 hectares of a Provincially Significant Wetland, a feature that also applies to the abutting Mountain Lake and other adjacent lands. The property is also covered partly by the Mountain Lake Fen which is recognized as Area of Natural and Scientific Interest (ANSI).

### **Adjacent Lands:**

This particular area of the former Keppel Township is significantly forested. Agricultural activity occurring in this area is very limited. Most of the nearby properties can be described as large, forested, residential lots.

### **Official Plan:**

The County of Grey Official Plan designates the subject property as predominantly 'Rural', with the north portion of the site, adjacent to Mountain Lake, designated 'Provincially Significant Wetlands' and 'Hazard Lands'.

The 'Rural' policies give consideration to lot creation at a maximum density of four lots (including the retained parcel) per original 40 hectare Crown-surveyed parcel. The subject property comprises parts of the original Lot 21, Concession 16 and Lot 22, Concession 16, and neither of these original lots have reached their maximum lot density permitted by the County Official Plan. Notwithstanding the existing density count, the proposed severance would follow the original boundary between Lots 21 and 22 and therefore lot density is not actually relevant. The severance clearly conforms to the density policy of the Official Plan.

The 'Rural' consent policies require new lots to comply with the Minimum Distance Separation (MDS) formulae. In this regard, there is one livestock barn located in relatively close proximity to the subject lands. This barn, which is currently not used to accommodate cattle, is situated 241 metres from the building envelope on the severed parcel, whereas the MDS requirement for this particular barn is only 173 metres, as shown on the attached MDS Report. As such, the proposed development exceeds the required setback.

Development and site alteration is not permitted within the 'Provincially Significant Wetland'. Within 120 metres of a 'Provincially Significant Wetland', development and site alteration is also prohibited unless it can be demonstrated that the wetland feature or its function would not be negatively impacted. In this regard, there is ample area to erect a house on the currently vacant, severed parcel well beyond the 120 metre buffer wetland boundary. The 'Rural' consent policies require new lot creation to comply with the Min

As well, Appendix A of the Official Plan designates the entire subject parcel and most other properties within this general area as exhibiting 'Karst Topography'. The policies of the Official Plan require test holes to be dug and an expert in this particular field to determine if, in fact, karst topographic features do exist on the site and whether it will cause problems for the proposed development. In this regard, GM BluePlan Engineering conducted a Karst Assessment for the site and determined that there was no evidence of significant karst features or hydraulically active karst in the area proposed for development. Additionally, the Engineer observed no evidence of karst features on the ground surface and no karst features were encountered in any of the testholes that were dug. A copy of the Assessment is included with the application package submitted to the Township.

Furthermore, Appendix B of the Grey County Official Plan identifies most of the severed parcel as 'Significant Woodland'. In this regard, the policies of the Official Plan state that no development or site alteration shall be permitted in a 'Significant Woodland' or within 120 metres unless it can be demonstrated that such development or site alteration would not negatively impact this natural heritage feature or its function. To address this issue, the Grey Sauble Conservation Authority (GSCA) visited the site prior to the Consent application being filed with the Township and identified a development envelope on the severed parcel where development and site alteration could occur without negatively impacting the woodland feature or its function. This areas is shown on a drawing included in the GSCA's letter (attached) and also illustrated on the severance sketch attached to this Planning Merit Letter.

Appendix B also identifies a Life Science ANSI on the rear portion of the subject property. Development and site alteration is not permitted in an ANSI or within 120 metre of such a feature unless it can be demonstrated that the ANSI would not be negatively impacted. The development envelope identified by the GSCA is beyond the 120 metre setback of the ANSI boundary.

The County Official Plan also contains policies designed to protect other natural heritage features that are not mapped in the Official Plan, including Habitat of Endangered and Threatened Species. In this regard, the GSCA stated in their letter that a butternut tree was identified within the vicinity of the identified building envelope during their site but in notably poor health. Mr. Henry retained the services of a Butternut Health Assessor who confirmed that the Butternut tree is affected by a Butternut canker to such an advanced degree that retaining the tree would not support the protection or recovery of Butternut in the area, and is considered "non-retainable". A copy of the Assessment is attached.

Based on the foregoing, it is evident that the proposed lot creation conforms to the County of Grey Official Plan.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) recognizes the majority of the site as 'Rural Lands'. Limited lot creation may be considered on 'Rural Lands'. The extent of such lot creation is determined in the Official Plan.

The PPS requires new uses on 'Rural Lands' to comply with the Minimum Distance Separation (MDS) formulae. As explained above, there is one barn nearby; however, the separation distance between the proposed building envelope on the severed parcel and that livestock facility exceeds the MDS requirement.

Furthermore, the PPS generally directs development to areas outside of hazardous sites such as lands exhibiting karst features. As noted above, the Engineer has determined that the chosen building envelope does not contain karst features despite the lands being identified on Appendix A as having potential karst topography.

Moreover, the PPS protects natural heritage features including provincially significant wetlands, significant woodlands, ANSIs, threatened and endangered species, etc. As explained above, the GSCA-recommended development envelope is located beyond the 120 metre setback from the provincially significant wetland and ANSI; and, although the development envelope is partially within the boundaries of the significant woodland as identified on Appendix B of the County Official Plan, development in this particular location should not negatively impact the woodland feature according to the GSCA. As stated earlier, a Butternut tree – an endangered species in Ontario – was found within the building envelope but is in poor health and will not survive.

In view of the foregoing, the proposed lot creation would be consistent with the PPS.

**Conclusion / Recommendation:**

The proposed severance conforms to the County Official Plan and is consistent with the PPS. As such, approval of the submitted Consent application should be granted.

To carry out the recommendations of the GSCA with limiting development to the identified building envelope, a Site Plan Agreement will be necessary. An application in this regard will be filed following the approving of the Consent application.

**Closing Remarks:**

I trust this information is satisfactory. Should you have any questions, please do not hesitate to contact the undersigned.

On a final note, it would be sincerely appreciated if your office could advise me of the possible Public Meeting date before actually scheduling the meeting in order to ensure my availability.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, BES, RPP, MCIP

c.c. Larry Henry

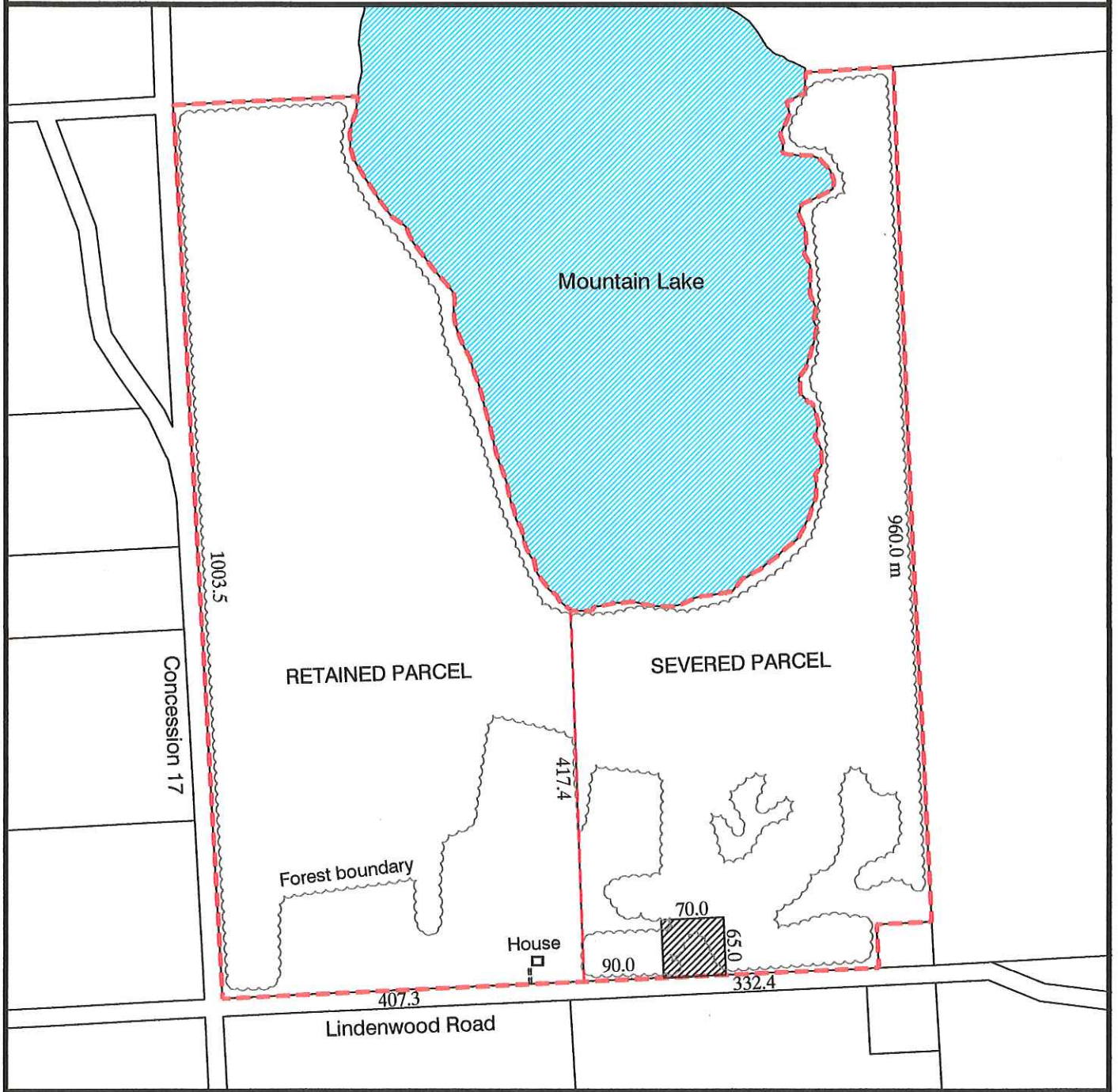
# Lot Creation



Subject Property



Development Envelope (GSCA recommended)



Part Lots 21 and 22, Concession 16  
Geographic Township of Keppel  
Township of Georgian Bluffs

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:6500