



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

---

February 9, 2023

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

Attention: Jennifer Burnett

Dear Mrs. Burnett:

**Re: Applications for Consent and Zoning By-law Amendment  
Part Lot 14, Concession 3, Geographic Township of Derby,  
Township of Georgian Bluffs, County of Grey  
(218072 Concession 2)  
Owners: Melissa MacLeod and Cassio Mosqueira**

Further to our recent pre-consultation discussions regarding a proposed lot line adjustment, enclosed please find completed applications for Consent and Zoning By-law Amendment. Also attached are the Township application fees and the GSCA review fee.

To assist your office in its review of this proposal, I offer the following:

**Proposal:**

Melissa MacLeod and Cassio Mosqueira own an 8825 square metre property located along the west side of Concession 3, within the former Township of Derby. Situated on their lot is a house, pool and two accessory buildings.

Mr. Mosqueira also owns the abutting property to the north which comprises 9949 square metres of land and is occupied by a dwelling and accessory building.

Mrs. MacLeod and Mr. Mosqueira are wishing to relocate the common boundary between their two properties by severing a 38 metre wide parcel from their south property and adding it the north lot. This lot line adjustment would result in the existing orchard / garden / landscaped

yard, which is currently used in conjunction with the north property, legally forming part of that parcel. A small shed will also be included in the land conveyance. The new lot line would follow an existing fence line.

### **Approvals Required:**

The lot line adjustment requires approval of a Consent (severance) application by the Township's Committee of Adjustment.

Approval of a Zoning By-law Amendment by Township Council is also necessary to amend the 'RU' zoning of the retained parcel to allow for the following reductions:

- the 'minimum lot area' requirement from 0.8 hectares to 0.6035 hectares;
- the 'minimum lot frontage' requirement from 100 metres to 83.1 metres; and,
- the 'minimum side yard' requirement from 10 metres to 4.0 metres.

### **Georgian Bluffs Zoning By-law:**

Schedule A of the Township's Comprehensive Zoning By-law zones the subject property as 'RU'. Residential lots in this zone are required to have 0.8 hectares of lot area and 100 metres of frontage. Existing lots of record of a smaller size can still be developed. The existing lot exceeds both of these minimum standards but will not comply with either provision once the severance is granted. At the same time, the side yard along the north side of the house will no longer comply with the minimum side yard provision of 10 metres once the lot line is adjustment. For these reasons, relief from these three zoning provisions is necessary.

The lot benefitting from the lot line adjustment is also zoned 'RU' and complies with all relevant provisions of the Zoning By-law.

### **Grey County Official Plan:**

Schedule A of the County of Grey Official Plan designates the majority of the subject lands as 'Rural'. A small area of approximately 15 square metres in the northwest corner of the property is designated 'Hazard Lands'.

The 'Rural' consent policies given consideration to limited lot creation in these non-prime agricultural areas. In this particular instance, however, the requested severance does not involve the creation of a new lot but rather the shifting of a mutual lot line between two abutting properties.

The 'Rural' policies require new lots to possess at least 0.8 hectares of land. In the case of a lot line adjustment, however, consideration may be given to a reduced lot area provided the retained parcel is at least 0.4 hectares in size. The retained parcel will maintain 6035 square metres of land following the land conveyance.

Appendix B identifies some 'Significant Woodland' on the subject lands. Development and site alteration is typically not permitted in a 'Significant Woodland' or within 120 metres of such feature where the development or site alteration could negatively impact the woodland. This constraint mapping also includes the row of trees along the new lot line, although that particular mapping is questionable. The exact location of the woodland feature on the property, however, is not relevant since the lot line adjustment will not result in any development or site alteration.

Appendix E of the Official Plan applies the 'Selected Bedrock Resource Area: Covered by Drift (1 to 8 metres)' constraint to the entire subject property and the benefiting parcel. This mapping is provided to identify where these resources exist, where resource use or extraction could reasonably be predicted in the future, and to guide strategic land use decisions where future development may pose land use incompatibilities within the resource. Within this constraint area, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if the resource use would not be feasible or the proposed land use or development serves a greater long-term public interest, and issues of public health, public safety and environmental impact are addressed. On this note, whether the 2756.61 square metres of land to be severed is added to the abutting residential property or remains with the existing residential lot clearly has no impact on the aggregate extraction capability of either parcel because such activity could never occur on these residential parcels.

### **Provincial Policy Statement:**

The Provincial Policy Statement (PPS) would not interfere with a lot line adjustment involving two residential lots located in a non-prime agricultural area.

The PPS has policies to protect natural heritage features (e.g. significant woodlands) and areas of potential aggregate resources. As explained above, the proposed conveyance would have no effect on the two onsite constraints that are identified in the Official Plan.

### **Reduced Zoning Provisions:**

The requested Zoning By-law Amendment would reduce the lot area and frontage requirements of the 'RU' zone. Of significance in the consideration of this matter is the fact

that the retained parcel, comprising 0.6035 hectares (1.5 acres), will remain of ample size to accommodate the existing privately serviced development. It's also worth noting that most of the other residential lots within the immediate vicinity of the property are considerably smaller and therefore the retained lot will not be out of character with the neighbourhood.

The requested Amendment will also reduce the side yard requirement along the north side of the existing house to 4.0 metres. As noted above, the new lot line will follow a fence line. In support of this reduction, please consider the following: Firstly, the reduced yard remains of sufficient size to provide access to the side of the house for maintenance purposes without trespassing onto the neighbouring property. Secondly, there should be no concern regarding potential crowding of buildings on the two subject properties given the considerable distance between the new lot line and the dwelling on the benefiting parcel.

In view of the above, the requested relief from the 'RU' zone provisions should not create any negative impact. When drafting the Zoning By-law Amendment, it may be ideal to round-down the reduced zoning provisions in order leave a margin for error.

### **Concluding Comments:**

The proposed lot line adjustment and associated Zoning By-law Amendment will result simply in the shifting on a lot line but not result in any physical changes to the two properties involved. The applications have merit and should be approved.

I trust you'll find the application package to be complete. Should you have any questions regarding the proposal, please contact the undersigned.

I wish to advise that a spoiling of the original consent of the benefitting lot will be required at the time of deed stamping, as the benefitting lot was the "severed" parcel on a previous consent application.

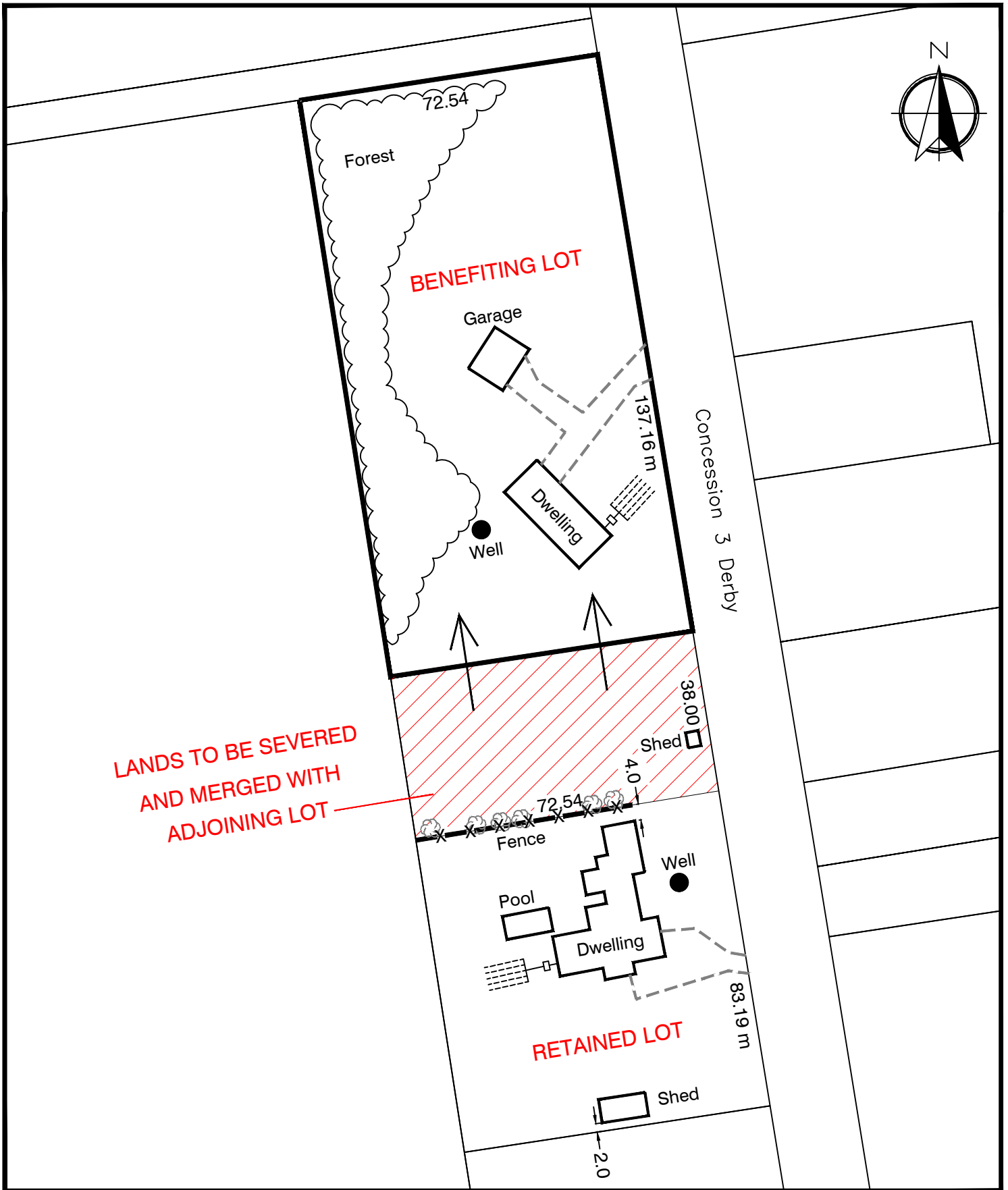
On a final note, it would be sincerely appreciated if you could contact me when scheduling the public meetings for these two files in order to ensure my availability.

Sincerely,



Ron Davidson, BES, RPP, MCIP

c.c. Melissa MacLeod and Cassio Mosqueira



Proposed Lot Line Adjustment  
 218072 Concession 3 Derby  
 Township of Georgian Bluffs

**RD** **RON DAVIDSON**  
 LAND USE PLANNING CONSULTANT INC  
 OWEN SOUND, ONTARIO  
 SCALE 1:1200