



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

October 21, 2022

Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, ON
N4K 5N5

Attention: Jennifer Burnett

Dear Jennifer:

**Re: Applications for Consent, Zoning By-law Amendment and Site Plan Control
Part Lots 23 and 24, Concession 14 and Part Lot 24, Concession 15,
Geographic Township of Keppel, Township of Georgian Bluffs
Owner: Estate of Muriel McCrabb**

Further to our recent preconsultation discussions regarding the re-creation of three previous lots on the above-noted property, enclosed please:

- two Consent applications;
- Zoning By-law Amendment application;
- Site Plan Control application;
- Township's application fees;
- Grey Sauble Conservation Authority review fees;
- Environmental Impact Study;
- Bedrock Resource Area Viability Letter of Opinion; and,
- Karst Topography Assessment.

To assist your office with its evaluation of these applications, I offer the following:

The Proposal:

The Estate of Muriel McCrabb owns a 48.12 hectare parcel of land in close proximity to Francis Lake, in the Township of Georgian Bluffs. This parcel previously comprised three separate lots and, in fact, still appears as three lots on the County GIS and are taxed in the same manner. The owner's lawyer, however, advises that the lands here merged on title into one holding.

The owner wishes to re-establish the original lots as illustrated on Figure 1 of this Planning Report. The proposed lots are described as follows:

- Severed Lot 1 comprises 0.401 hectares of land and fronts onto Big Rock Road;
- Severed Lot 2 comprises 6.78 hectares of lands and fronts onto Francis Drive; and,
- The retained lot comprises 40.92 hectares of land and fronts onto Concession 14.

A Site Plan showing the proposed building envelopes on the three parcels is provided in this Planning Report.

Approvals Required:

In order to re-create the original parcels, two Consent applications - one for each of the severed lots - is being filed with the Township.

A Zoning By-law Amendment application is also being submitted. The requested Amendment will reduce the 'minimum lot area' requirement of the 'SR' (Shoreline Residential) zone, as it applies to Lot 1, from 4047 square metres to 4010 square metres.

Furthermore, a Site Plan Agreement application has also been submitted. The Agreement is necessary in order to implement the recommendations of the Environmental Impact Study by identifying the recommended development envelopes (i.e., areas to be cleared of trees) and stipulating the time of year in which the tree removal can occur. The Site Plan is enclosed in this Planning Report.

Subject Lands:

The 48.1 hectare subject property is entirely forested, and has frontages along three Township roads as explained above. Lot 2 has two areas of frontage along Francis Street.

Adjacent Lands:

The subject lands are located partially within the Lake Francis settlement area and, because of this, a large number of residential lots – both year-round and seasonal – exist nearby, on lands to the north, west and south. The large property to the east is heavily forested.

Preconsultation Discussions and Submission Requirements:

The proposed lot creation was discussed with the Township Planner, Grey County Planning and Grey Sauble Conservation Authority during the summer of 2021. As a result of the preconsultation discussions, the following special studies were conducted:

- Environmental Impact Study (EIS);
- Karst Topography Assessment;
- Bedrock Resource Area Viability Letter of Opinion; and,
- Planning Report.

Grey County Official Plan:

Schedule A of the County of Grey Official Plan designates the entire Lot 1 and a small area of Lot 2 as ‘Inland Lakes and Shoreline’, as illustrated on Figure 2 of this Planning Report. The balance of Lot 2 and the entire Lot 3 are designated ‘Rural’.

The ‘Inland Lakes and Shoreline’ designation applies to areas of concentrated development in the vicinity of inland lakes and the Georgian Bay shoreline. Permitted uses within this land use designation are limited to low-density residential dwellings, bed and breakfast establishments, marina, resource-based recreational uses, convenience commercial, and public uses. It is evident that the re-creation of Lot 1 for the purposes of erecting a detached dwelling conforms with the ‘Inland Lakes and Shoreline’ policies.

As noted above, a portion of Lot 2 falls within the ‘Inland Lakes and Shoreline’ designation as well; however, that portion of the parcel is a “leg” that is only 9.0 metres wide, which renders that particular area of the site as undevelopable given the side yard requirements of the Zoning By-law. The balance of the property, including the area where future development would occur, is designated ‘Rural’. In this regard, Section 5.4.3 *Consent Policies* of the Official Plan gives consideration to limited lot creation within the ‘Rural’ land use designation. The lot density is based on the original Township lot fabric and permits up to four lots per original Crown-surveyed 40 hectare parcel, including the retained lot. Proposed Lot 2 forms part of the original 40 hectare Crown-surveyed parcel described as Lot 23, Concession 14, Geographic Township of Keppel. Determining the existing lot density of this original Crown-surveyed parcel is difficult given that a large number of lots have already been severed but are within the ‘Inland Lakes and Shoreline’ designation. Given, however, that four other ‘Rural’ designated lots have been severed from the original Lot 23, Concession 14, it can be stated that the maximum density allowed under the ‘Rural’ consent policies has been reached. This notwithstanding, the re-creation of Lot 2 would follow the original boundary between Lot 23, Concession 14 and Lot 24, Concession 14 which means that lot density of Lot 23, Concession

14 is not actually changing, as per the County's historical interpretation of this severance policy. As such, the re-creation of Lot 2 does conform to the 'Rural' density policies of the Official Plan.

The retained parcel is designated 'Rural' and comprises the entire, original 40 hectare Crown-surveyed parcel described as Lot 24, Concession 14, Geographic Township of Keppel. As such, the re-creation of this 40 hectare, retained parcel conforms to the 'Rural' density policies of this Official Plan.

Appendix A of the Official Plan recognizes portions of Lot 2 and the retained parcel, including the identified building envelope on both of these lots, as 'Karst Area' as illustrated on Figure 3 of this Planning Report. This mapped constraint implies that the lands may exhibit karst topographic features. The Official Plan policies states that development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated. For any Planning Act application (e.g., Consent) where the lands are identified as 'Karst Area' on Appendix A, the proponent shall provide an assessment of the proposed area of development. In this regard, GM BluePlan Engineering was retained by the owner to conduct the required Karst Topography Assessment. Their onsite investigation began with a visual investigation of the three building envelopes of the proposed three lots which did not show surface evidence of hydraulically active karstic features. Given, however, the mapping of the County Official Plan which suggest that karstic features could exist within the development envelopes on Lot 2 and the retained lot, test pitting was subsequently conducted within these two particular areas and confirmed no evidence of active karst features that would cause a direct risk to the proposed development. The Assessment did, nevertheless, provide some recommendations that should be followed at the time of development. Please review the Assessment for additional information.

Appendix B of the Official Plan identifies the entire subject property as 'Significant Woodland' as illustrated on Figure 4 of this Planning Report. The natural heritage policies of the Official Plan state that development and site alteration is not permitted in a 'Significant Woodland' or within 120 metres unless it can be demonstrated that this feature or its function would not be impacted. On this note, Palmer (Ecologist) has conducted an Environmental Impact Study and determined that development can proceed on each of the three proposed parcels provided the disturbed area is limited to 0.4 hectares of land in each parcel and that the any tree removal must occur outside of bird nesting season. The 0.4 hectare development envelopes have been specifically identified for Lot 2 and the retained parcel. It isn't necessary to identify the development envelope on Lot 1 since this parcel is only 0.4 hectares is size. In order to implement these recommendations, a Site Plan Agreement is necessary. In this regard, a Site Plan Agreement application has been filed with the Township in conjunction with the Consent applications.

Appendix E of the Official Plan applies the 'Selected Bedrock Resource Area: Covered by Drift (1 to 8 metres)' constraint to most of Lot 2 and a large portion of the retained lot, as illustrated

on Figure 5 of this Planning Report. A small area of the retained parcel is designated 'Selected Bedrock Resource Area: Covered by Drift (Less than 1 metres)'. The 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. This policy, however, does not apply to the creation on farm-sized lots, which is any parcel in the non-urban area comprising 20 hectares of land or more. Lot 1 is not identified on Appendix E as having of either of these two bedrock constraints. The retained parcel is not affected by these policies since this lot will constitute a farm-sized parcel. Lot 2, however, is subject to the above-noted policy evaluation, and in this regard GM BluePlan Engineering prepared a Letter of Opinion on this matter. Based on the test pitting described above, it was determined that the depth of bedrock in the vicinity of the areas of the property that are proposed for future development is between approximately 0.3 and 1.5 metres below ground surface (mbgs) and, that although there is the potential in some instances for the extraction of dolostone of the Amabel or Guelph formation for use as either dimension stone or for crushing to produce aggregate resources, the area of the subject property proposed for severance and/or development is not considered to be feasible for the extraction of these resources, for the following reasons, as stated in the GM BluePlan letter:

1. *Proximity to Existing Residential Development, Francis Lake and Community Opposition*

The subject property is situated in locations adjacent to the ROW of Concession Road 14, Francis Drive, and Big Rock Road, respectively. The surrounding properties in the vicinity of the development areas of the proposed severance lots consist of single residential dwellings. In particular, the property is bound to the south, north, and extensively to the west, by rural and recreational residential lots. The majority of lots are along the shore of Francis Lake, The property itself, is approximately 100 m to 750 m away from Francis Lake. A proposed quarry development in this location would be expected to be met with strong community opposition, regardless of the findings of background studies and a design that could meet mitigative requirements. The work required to address the opposition would decrease the viability of the use of the property for extraction considerably. Should bedrock extraction be considered on this Site in the future, the setbacks from the existing residential dwellings would need to be considered, which would be expected to limit the extraction of the rock to greater than 120 metres from the nearest residence. The setbacks along the west, north and south would further limit viability of the pit through loss of extractable area.

2. Significant Woodlands

Perhaps the most significant issue with respect to use for bedrock extraction is the fact that the entire subject Site is currently designated as “Significant Woodlands” as per Appendix B of the Grey County Official Plan, which indicates that “no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study.” The use of the Site for a quarry is considered to be significantly invasive with potential risk to the ecological health on the Site. As such, quarrying on this property would likely be difficult to obtain a licence for under the Aggregate Resources Act due to the requirement for an Environmental Impact Study that would be required to show little to no impact on ecological health. Since large swaths of woodland would need to be clear cut in order to accommodate quarrying operations, it is not likely possible to achieve. The land designation as Significant Woodland is considered to be a significant hurdle that would likely stand in the way of the approval of a quarry operation on this Site.

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

Provincial Policy Statement:

Section 3 of the Planning Act (PPS) requires all decisions made under the Act by an approval authority to “be consistent with” the Provincial Policy Statement (PPS). The PPS provides a number of policies that are designed to protect planning matters of interest to the Ontario Government. The following is an evaluation of the proposed development within the context of the relevant PPS (2020) policies:

The ‘Rural’ land use designations that applies to the subject property in the Grey County Official Plan acknowledged that the site does not qualify as ‘Prime Agricultural Lands’ under the PPS but rather as ‘Rural Lands’.

According to Section 1.1.5.2 of the PPS, permitted uses of rural lands include:

- c) *residential development, including lot creation, that is locally appropriate;*

In other words, the County and local Official Plan (where applicable) are to determine the appropriate policies for lot creation in the rural areas of the municipality. This policy has been implemented through the County Official Plan which allows for limited lot creation within the ‘Rural’ and ‘Inland Lakes and Shoreline’ designations.

Section 2.1 *Natural Heritage* states (edited for relevancy):

2.1.5 *Development and site alteration shall not be permitted in:*

- b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

- 2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and .1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

As explained earlier in this Planning Report, the subject lands are recognized in the County Official Plan as 'Significant Woodlands'. As such, an Environmental Impact Study has been conducted, and it concluded that development on each of the three parcels could occur without negatively impacting the woodland feature if the development envelope (i.e., area to be cleared) on each parcel was limited to 0.4 hectares and tree removal did not occur during bird nesting season, as explained earlier in this Planning Report.

Section 2.5 *Mineral Aggregate Resources* states (edited for relevancy):

- 2.5.2.5 *In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

- a) *resource use would not be feasible; or*
- b) *the proposed land use or development serves a greater long-term public interest; and*
- c) *issues of public health, public safety and environmental impact are addressed.*

In this regard, the definition of "mineral aggregate resources" includes shale. As noted above, the Schedule E of the Grey County Official Plan applies the 'Selected Bedrock Resource Area: Covered by Drift (1 to 8 metres)' constraint to most of Lot 2 and a large portion of the retained lot. A small area of the retained parcel is designated 'Selected Bedrock Resource Area: Covered by Drift (Less than 1 metres'. The Official Plan policies which serve to implement the above-noted PPS policy doesn't apply to the retained parcel because the lot is greater than 20 hectares in size. This policy is, however, applicable to proposed Lot 2. GM BluePlan has addressed this issue, as stated above.

Section 3.1 *Natural Hazards* states (edited for relevancy):

- 3.1.1 *Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:*
- 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;*
 - b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
 - c) *hazardous sites.*

In this regard, the definition of “hazardous sites” in the PPS includes lands exhibiting karst topographic features. As noted above, the County Official Plan identifies the severed parcel as possibly having karst topography; however, the expert has determined after visiting the site and conducting test pitting that karst does not exist on the severed parcel.

Based on the foregoing, the proposal would be consistent with the natural heritage policies of the PPS.

Township of Georgian Bluffs Zoning By-law:

Lot 1 is zoned ‘SR’ (Shoreline Residential) on Schedule A of the Township’s Zoning By-law, as illustrated on Figure 6 of this Planning Report. The ‘minimum lot area’ and ‘minimum lot frontage’ requirements of the ‘SR’ zone are 4047 square metres and 36 metres respectively. Lot 1 will have an area of 4010 square metres, which is slightly undersized. In this regard, a Zoning By-law Amendment is necessary. Given that Amendment would allow for a decrease in lot area of less than 1%, the proposal would still maintain the intent and purpose of the Zoning By-law, and additional justification should not be necessary.

Lot 2 is also zoned ‘SR’. This parcel will comply with the minimum lot area and frontage provisions stated above.

The retained lot is zoned ‘RU’ (Rural), a zone which requires a ‘minimum lot area’ of 20 hectares and a ‘minimum lot frontage’ of 200 metres. This parcel will comply with these minimum standards.

Conclusion / Recommendation:

The re-creation of the three original lots conforms to the County Official Plan and is consistent with the PPS. As such, approval of the submitted Consent and Zoning By-law Amendment applications should be granted.

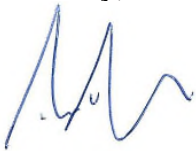
As a condition of severance approval, the owner will be required to enter into a Site Plan Agreement in order to implement the recommendations of the Environmental Impact Study, as explained earlier in this Planning Report.

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 dates before actually scheduling the meetings in order to ensure my availability.

Sincerely,

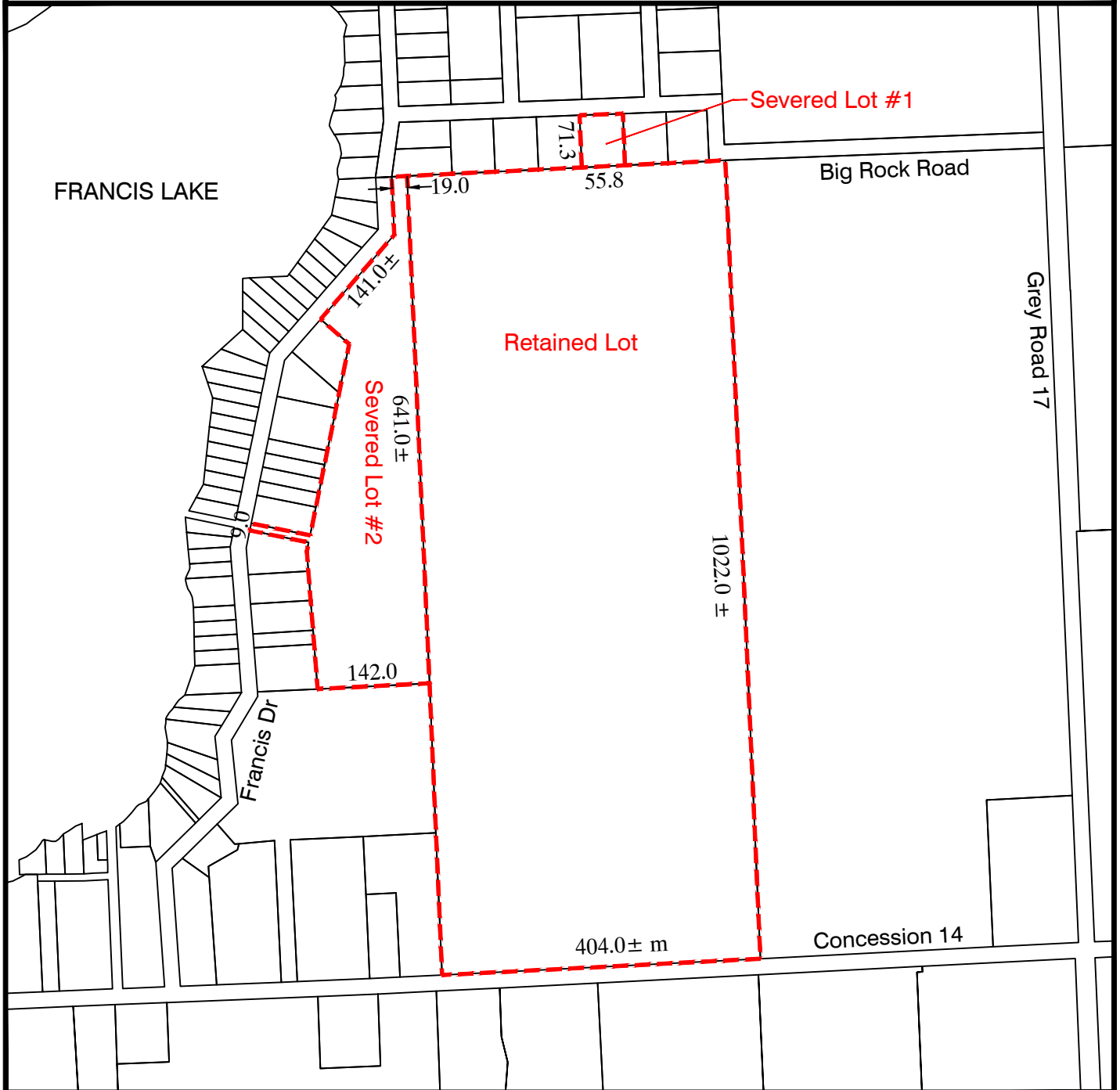
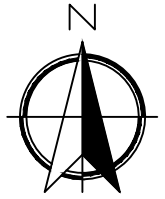
A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, BES, RPP, MCIP

c.c. Allan Speer






Figure 01: Proposed Severances

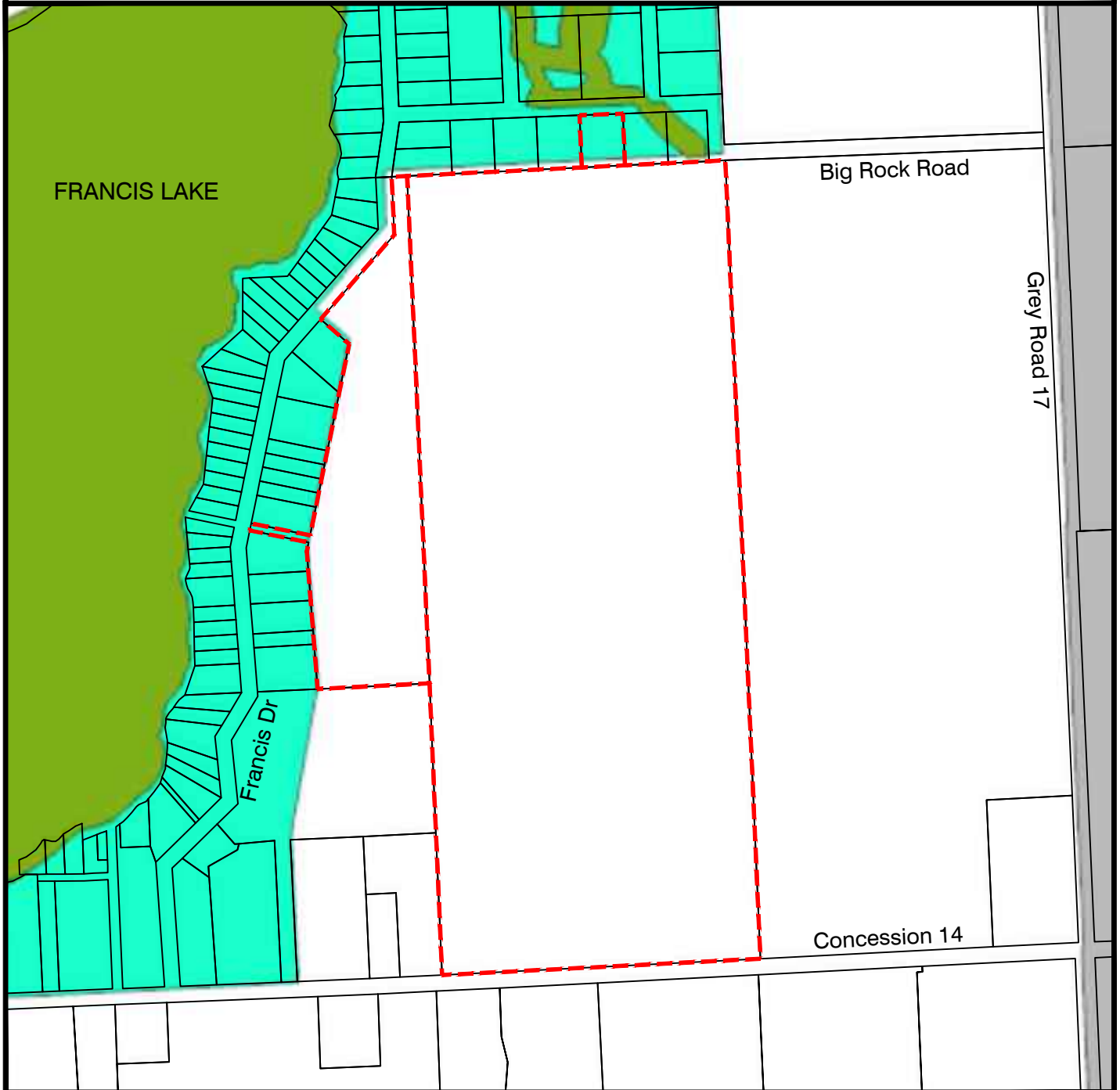
 Subject Lands



Re-creation of Original Lots
Estate of Muriel McCrabb



Figure 02: County of Grey Official Plan Schedule A

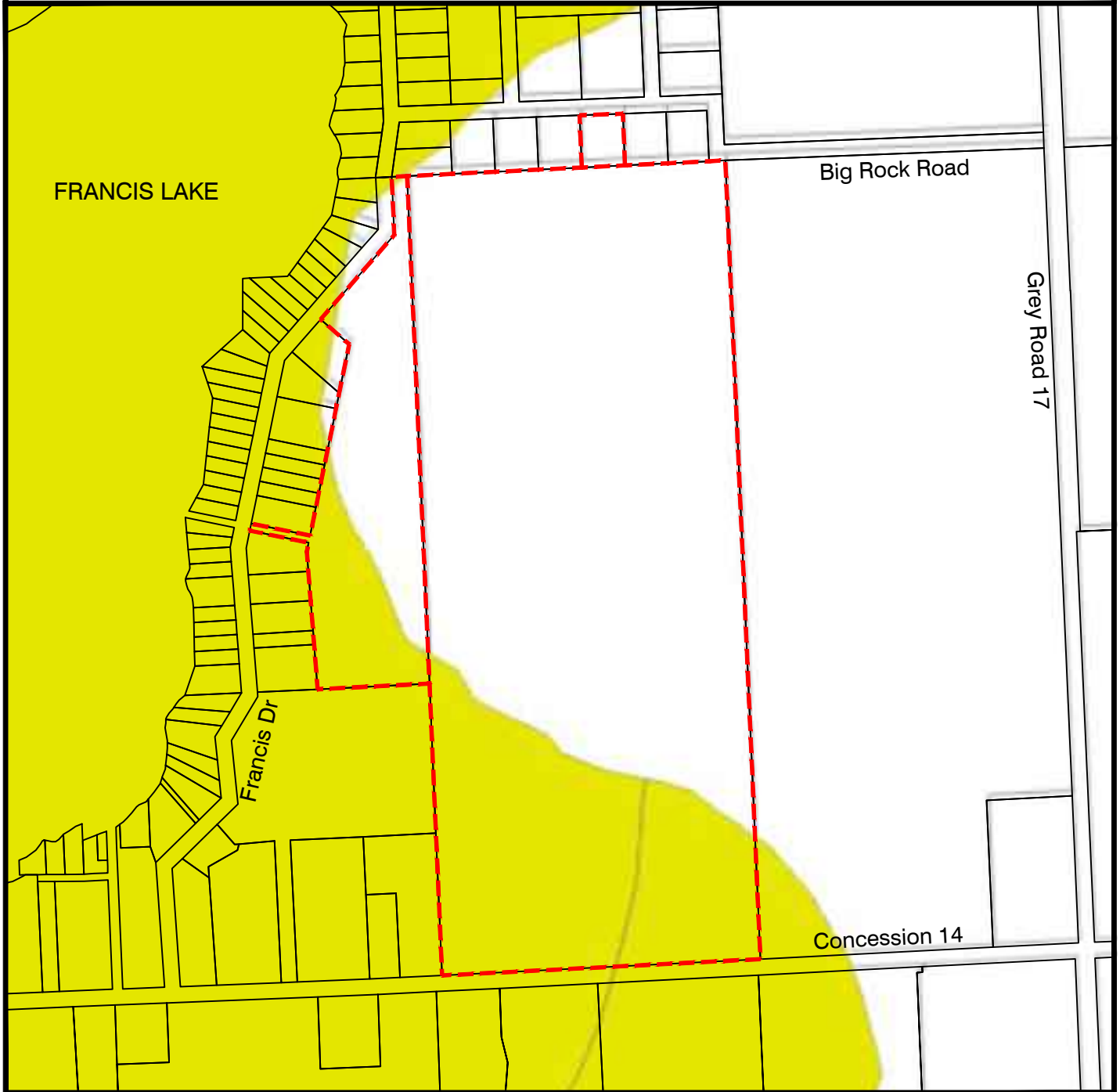
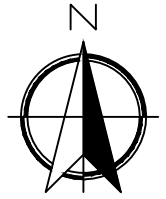
-  Subject Lands
-  Rural
-  Hazard Lands
-  Inland Lakes and Shoreline
-  Niagara Escarpment Plan Area



Re-creation of Original Lots
Estate of Muriel McCrabb

Figure 03: County of Grey Official Plan Appendix A



-  Subject Lands
-  Karst Area

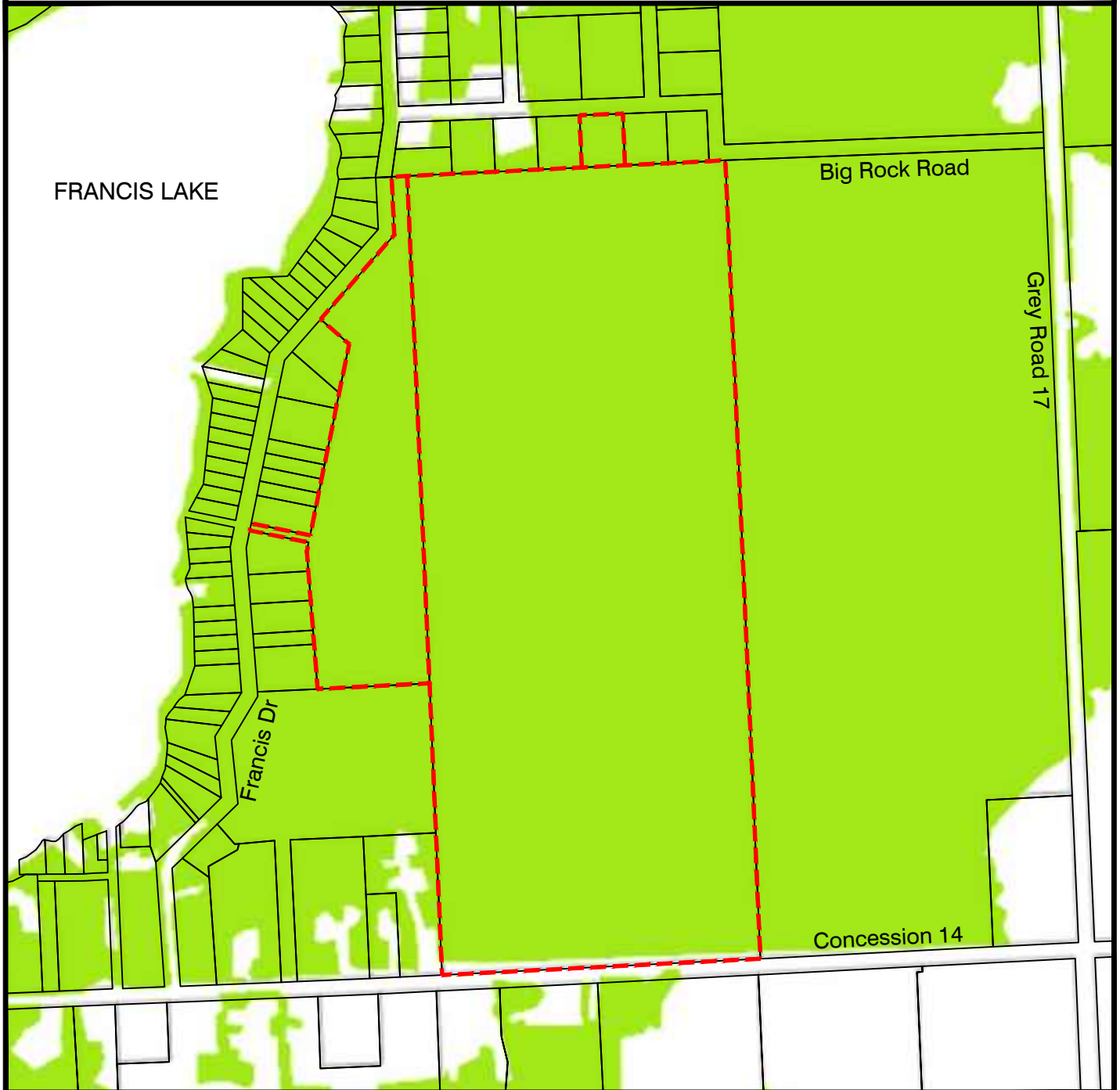
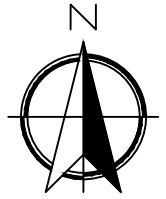


Re-creation of Original Lots
Estate of Muriel McCrabb

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO
SCALE 1:7500

Figure 04: County of Grey Official Plan Appendix B

-  Subject Lands
-  Significant Woodlands



Re-creation of Original Lots
Estate of Muriel McCrabb


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SCALE 1:7500

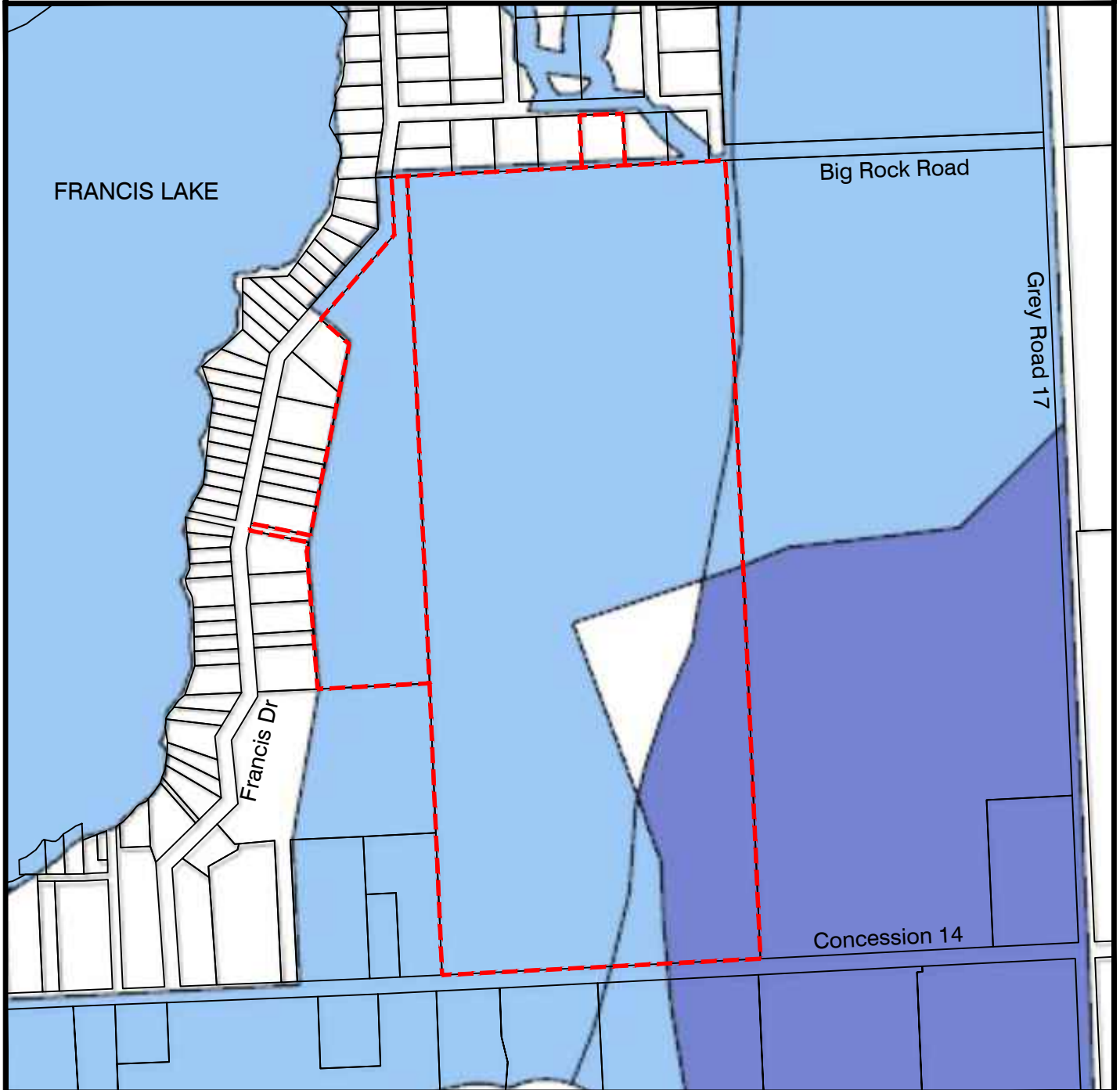
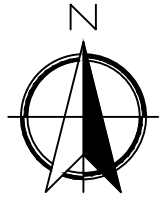
Figure 05: County of Grey Official Plan Appendix E

 Subject Lands

Bedrock Drift Thickness

 Less than 1m

 1m to 8m

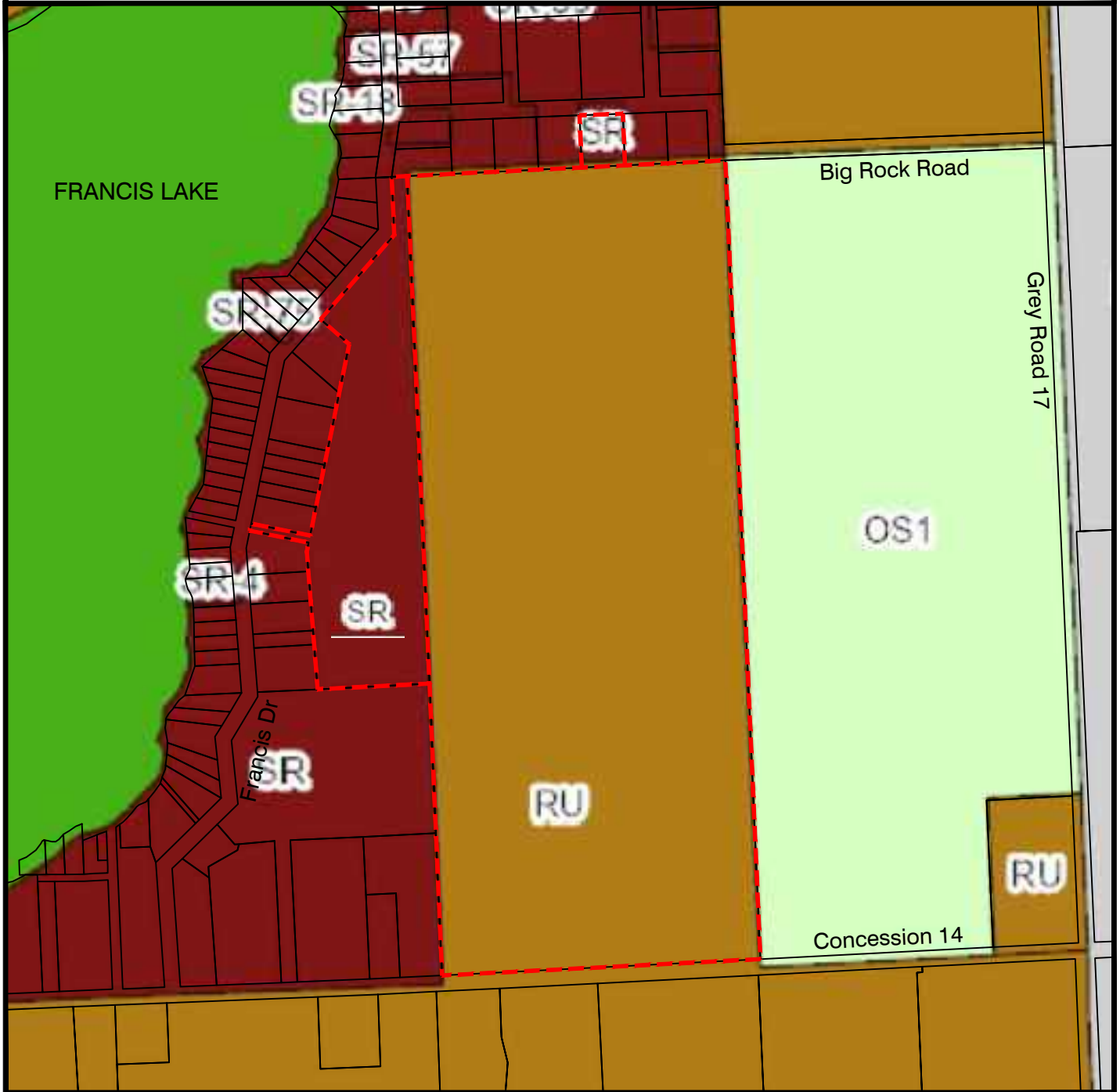


Re-creation of Original Lots
Estate of Muriel McCrabb

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SCALE 1:7500

Figure 06: Township of Georgian Bluffs Zoning By-law Schedule A

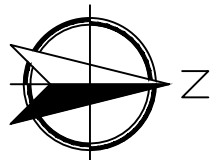
 Subject Lands



Re-creation of Original Lots
Estate of Muriel McCrabb

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LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO
SCALE 1:7500

SITE PLAN



Part Lots 23 and 24, Concession 14
and Part Lot 24, Concession 15
Geographic Township of Keppel
Township of Georgian Bluffs
County of Grey

-  Subject Lands
-  Development Envelope

SCALE 1:4000

October 3, 2022

