



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

January 2, 2024

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

Attention: Michael Benner, Principal Planner

Dear Michael:

**Re: Applications for Consent and Zoning By-law Amendment
Lots 43 and 44, and Part Lot 35, Plan 857
Geographic Village of Shallow Lake
Township of Georgian Bluffs
70 Second Street, Shallow Lake
Owner: Lillian Joanne Deiter and the Estate of Wayne Rupert Deiter**

Further to our preconsultation discussions involving your office, the County of Grey Planner and Ecologist, and the Grey Sauble Conservation Authority Planner regarding the above-noted property, enclosed please find a Consent application and a Zoning By-law Amendment application. Also enclosed are the following:

- Township application fees;
- Grey Sauble Conservation Authority (GSCA) review fees;
- GSCA Planner's preconsultation comments; and,
- Grey County Ecologist's preconsultation comments.

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

Proposal:

Joanne Deiter and the Estate of Wayne Deiter (in care of Joanne Deiter) own a 2.11-hectare, residential property within the settlement area of Shallow Lake. Situated on this lot is a detached dwelling, garage, and two sheds.

The owner proposes to sever a 0.68-hectare, vacant lot upon which a detached dwelling will be erected at some point in the future. The retained lot will comprise 1.43 hectares of land and contain the existing buildings.

Municipal water and a private septic system service the existing house. New development on the severed parcel will be serviced in the same manner.

The proposed lot creation is illustrated on Figure 1 of this Planning Justification Report.

Approvals Required:

The intended development requires approval of the following Planning Act applications:

- Consent (severance) application; and,
- Zoning By-law Amendment application.

The proposed severance has been explained above.

The proposed Zoning By-law Amendment will rezone the majority of the subject property from 'D' (Development) to 'R1' (Residential One). A small area in the northeast corner will remain zoned 'EP' (Environmental Protection).

Subject Lands:

The subject property is located along the west side of Second Street. The Park Head Creek traverses the northeast corner of the site.

Situated on the property are the house, garage, and two sheds, as noted above. Forested areas exist on the east and south sides of the property, as illustrated on Figure 1. Singular trees are also scattered across the site.

Adjacent Land Uses:

The predominant land use in the area is detached residential dwellings. The property to the immediate south is forested and vacant.

County of Grey Official Plan:

The subject property is designated predominantly 'Secondary Settlement Area' on Schedule A to the County of Grey Official Plan. A small area at the northeast corner of the site, where it abuts the Park Head River, is designated 'Hazard Lands'.

The 'Secondary Settlement Area' land use designation applies to partially-serviced and privately-serviced urban areas, and it is intended to provide a limited opportunity for growth and promote a range of living styles and employment opportunities. Permitted uses in the 'Secondary Settlement Area' include residential uses, commercial and dry industrial uses, public uses, recreation uses, and institutional uses.

According to Section 3.5 *Secondary Settlement Areas*, the following policies would apply to development within Shallow Lake:

- 3) *Where partial services exist in a Secondary Settlement Area, development shall only be permitted to allow for the development of vacant and/or underutilized lots, as well as the creation of lots, subject to satisfying the following requirements:*
 - a) *The development is within the reserve sewage system capacity or reserve water system capacity;*
 - b) *Site conditions are suitable for the long-term provision of such services;*
 - c) *The development is within the existing settlement area;*
 - d) *Allow for infilling and minor rounding out of existing development (see Section 8.9.1(10)(c)).*

With regard to this policy, please note the following:

- Municipal water is available to service the new dwelling on the severed parcel;
- The severed and retained parcels are of ample size to accommodate a house, septic system, and accessory buildings;
- The subject property is located within Shallow Lake, which is a recognized settlement area in the County Official Plan; and,
- Section 8.9.1 of the Official Plan pertains to servicing. The intended development clearly conforms to paragraph (10) (c) which states:

Development on partial municipal services can include development of vacant and/or underutilized lots, as well as the creation of lots for infilling and minor rounding out, in accordance with the settlement area policies and the requirements noted above. Infilling and minor rounding out can include the creation of new lots from existing lots that are located within the current designated settlement area land use type subject to the findings of the Servicing Options Study.

Section 8.9.1 (18) also applies to the development. It states:

- 18) New lot creation less than 0.4 hectares in size on individual private services, or on partial services using private individual septic systems, shall only be considered with the successful completion of a nitrate study demonstrating that the lot can be serviced in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-5 Series Guidelines, or any successor thereto.*

Municipalities may choose to require a nitrate study for additional residential units on lots less than 0.4 hectares in size.

With regard to this policy, both the severed and retained parcels exceed 0.4 hectares in size, and therefore a nitrate study was not requested by the County or Township Planners.

The severance policies of Section 9.12 *Lot Creation* state the following:

- 1) Where division of land is considered, the approval authority must have regard to the policies of this Plan, the matters set out in the Planning Act, R.S.O. 1990, as amended and the following circumstances:*
- a) The land division is permitted by the appropriate land use policies of Section 3 to 8;*
 - b) The land division is to promote development in an orderly and contiguous manner, and should not conflict with the established development pattern of the area;*
 - c) The proposed use is compatible with existing and future permitted land uses on adjacent lands;*
 - d) The servicing requirements of Section 8.9 must be met;*
 - e) Direct access from a Provincial Highway or a County road may be restricted as outlined in Section 8.3. Where possible, residential lots must not be approved where access from a road would create a traffic hazard*

because of limited sight lines, curves, or grades;

- f) Evidence that soil and drainage conditions are suitable to permit the proper siting of buildings, that a sufficient and potable water supply exists, and that conditions are suitable for sewage system construction;*
 - g) The size of any parcel of land created must be appropriate for the proposed use, and in no case, will any parcel be created which does not conform to the minimum provisions of the zoning by-law;*
 - h) The proposed lots comply with Provincial Minimum Distance Separation Formulae except for lots created within settlement areas.*
- 2) *Any conditions, including zoning if required, must be fulfilled, prior to final approval of the lot creation.*

With regard to these policies, please note the following:

- A detached dwelling is permitted in the 'Secondary Settlement Area' land use designation, as explained above;
- The lot creation is orderly and does not conflict with the established development pattern in the area;
- A new detached dwelling on the severed parcel is clearly compatible with the adjacent lands uses;
- The proposed development conforms to the servicing policies of Section 8.9 of the Official Plan, as explained above;
- The severance will warrant a new entrance for severed parcel. The sightlines are excellent in this location, and therefore the issuance of an Entrance Permit poses no concerns;
- The severed parcel is of ample size to accommodate the intended use;
- The Minimum Distance Separation (MDS) Statement does not apply since the subject property is located within a recognized settlement area; and,
- The lands are currently zoned 'D' (Development), a zone which permits existing uses on an existing lot of record. In order for the lot creation to occur and for a house to be erected on the severed parcel, the lands must be

rezoned to 'R1', as explained later in this Planning Justification Report.

The housing policies contained in Section 4 *Live Grey* of the County Official Plan are supportive of new housing developments that involve infilling and intensification. The proposal would clearly be supported by all policies of this nature.

Appendix B of the County Official Plan identifies several areas of the site as 'Significant Woodland', including a large portion of the severed parcel. Having seen the property, it is evident that Appendix B is not accurate, and this has been confirmed by the County's Ecologist. A copy of his email, which includes revised mapping for this woodland feature, is enclosed with this Planning Justification Report. The Ecologist has stated that he has no ecological concerns with the intended development.

It is evident that the proposed development conforms to the County of Grey Official Plan.

Township of Georgian Bluffs Official Plan:

Schedule A of the Georgian Bluffs Official Plan applies the 'Residential' designation to the majority of the property. The northeast corner is designated 'Environmental Hazard'.

The 'Residential' designation states the following:

3.4.1 RESIDENTIAL

Residential areas are important components of settlement areas and should be developed in a manner that supports a high quality of life. Given the rural nature of the Township, the historic housing preference has been the single detached dwelling. However, given the past statistical trends which depict an ageing population and a declining household family size, demand for other housing formats may shift from the traditional detached dwelling. The residential policies for settlement areas within this plan are therefore aimed at recognizing this predominance for the single-detached dwelling while encouraging other housing formats. Emphasis is placed on facilitating differing housing formats and densities within settlement areas with careful consideration being given to compatibility, sufficient amenity and servicing availability to ensure a high quality of living is provided for residents.

3.4.1.1 PERMITTED USES

The permitted use of lands designated "Residential" shall include single detached

dwelling units, semi-detached and duplex units, townhomes and may include secondary suites and low-rise multiple dwelling unit structures.

Other uses compatible with residential development may also be permitted and include:

- Home occupations*
- Bed and breakfast establishments*
- Seniors/retirement homes*
- Nursing homes and assisted living facilities*
- Garden Suites*
- Day nurseries*
- Open Space uses in accordance with Section 3.4.4*
- Neighbourhood commercial uses in accordance with Section 3.4.2*
- Institutional and community facilities.*

A new detached dwelling on the severed parcel is permitted, according to the above.

With regard to lot creation, Section 5.5.2 *Consents* states:

- 1. The following policies shall apply to all consent applications for new development. It is intended that these policies will be implemented by the Committee of Adjustment or a Land Division Committee and relevant agencies influencing the creation of new lots within the Township.*
 - a) A consent shall only be granted if in conformity with the land use designations and policies of this Plan, the County of Grey Official Plan and the provisions of the Zoning By-law. Where required, such a by-law will be passed by Council prior to a consent being considered.*
 - b) Except for consents to secure conservation land, consents for new development shall only be granted where both the severed and retained parcels conform to the provisions of the Zoning By-law and have frontage on an open public road which is maintained on a year-round basis.*
 - c) Ribbon development along arterial roads shall be prevented. Access to county or municipal roads designated as “Arterial Roads” in this Plan or in the County of Grey Official Plan shall be restricted and only permitted where no traffic hazard will be created by the consent.*
 - d) The availability of access to Provincial Highways will be subject to the Ministry of Transportation’s (MTO’s) review of the proposed consent and will be based on compliance with the requirements of MTO’s highway access*

control policies and the Public Transportation and Highway Improvement Act.

- e) *No lot will be created in an area susceptible to flooding, erosion, or any other physical or environmental constraint unless it has been demonstrated and verified by the Ministry of Natural Resources and/or the Grey Sauble Conservation Authority, that the proposed use will not impact or be impacted by such constraints.*
- f) *No new lots for residential uses will be created within:*
 - i. *One kilometre of an active sanitary landfill site;*
 - ii. *500 metres of a closed sanitary landfill site, and/or;*
 - iii. *within 500 metres of an Aggregate resource area, as identified in the County Official Plan.*
- g) *Consents in settlement areas may be granted in accordance with the policies of Section 3 of this Plan and subject to the following criteria:*
 - i. *The scale of development or development potential would not require a plan of subdivision.*
 - ii. *The proposed lot(s) are consistent with the lot area, frontage and density pattern of the surrounding area.*
 - iii. *Appropriate servicing can be provided and no extension of municipal services is required.*

In view of these policies, please consider the following:

- The severance conforms to the County and Township Official Plans. An amendment to the Zoning By-law is required for the reasons explained below;
- The severed and retained parcels will front onto public roads;
- The subject property falls within the GSCA Regulated Area. As such, a permit will be required from GSCA before any development or site alteration can occur. In the attached letter, GSCA has confirmed that a Lot Grading and Drainage Plan will be required;
- The lands are not located within one kilometre of an active landfill site or within

500 metres of a closed landfill. Proximity to an aggregate resource area is not relevant to lot creation that occurs within a settlement area;

- A Plan of Subdivision application is clearly not required since only one lot is being severed;
- The size of the severed and retained parcels is consistent with the lot fabric in the neighbourhood; and,
- Partial servicing is appropriate for the site given the size of the severed and retained parcels and the known site conditions.

Based on the foregoing, it is evident that the proposed lot creation and associated Zoning By-law Amendment conform to the Georgian Bluffs Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) encourages urban type development such as townhouses to occur within the designated settlement areas.

The PPS also encourages a variety of housing types and densities in order to ensure housing for everyone.

Furthermore, the efficient use of land and infrastructure is promoted by the PPS. Partially serviced development can be considered in rounding out and infilling situations provided the site conditions are appropriate for the long term.

It is evident that the proposed development is consistent with the PPS.

Municipality of Georgian Bluffs Zoning By-law:

The subject lands are zoned mostly 'D' (Development) on Schedule A of the Township's Zoning By-law, as illustrated on Figure 2 of the Planning Justification Report. A small area of land in the northeast corner where the Park Head River traverses the property, along with its floodplain, is zoned 'EP' (Environmental Protection).

The 'D' zone essentially permits only existing uses and buildings on existing lots of record.

In order to sever the property and allow for a house to be erected on the severed parcel, the lands must be rezoned to 'R1' (Residential One).

Permitted uses in the 'R1' zone include detached dwellings and semi-detached dwellings. The 'minimum lot area' and 'minimum lot frontage' requirements are 1500 square metres and 30 metres, respectively, for partially serviced development. Both the severed and retained parcels comply with these minimum standards.

The 'EP' zoning in the northeast corner of the site will remain in effect.

Planning Discussion:

The proposed severance and associated amendment to the Township's Zoning By-law conform to the County and Township Official Plans, and both are consistent with the Provincial Policy Statement.

This infilling development has considerable merit and should be approved.

Final Comments:

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

Lastly, please advise of the potential Public Meeting dates before actually scheduling the meetings in order to ensure our availability.

Sincerely,


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

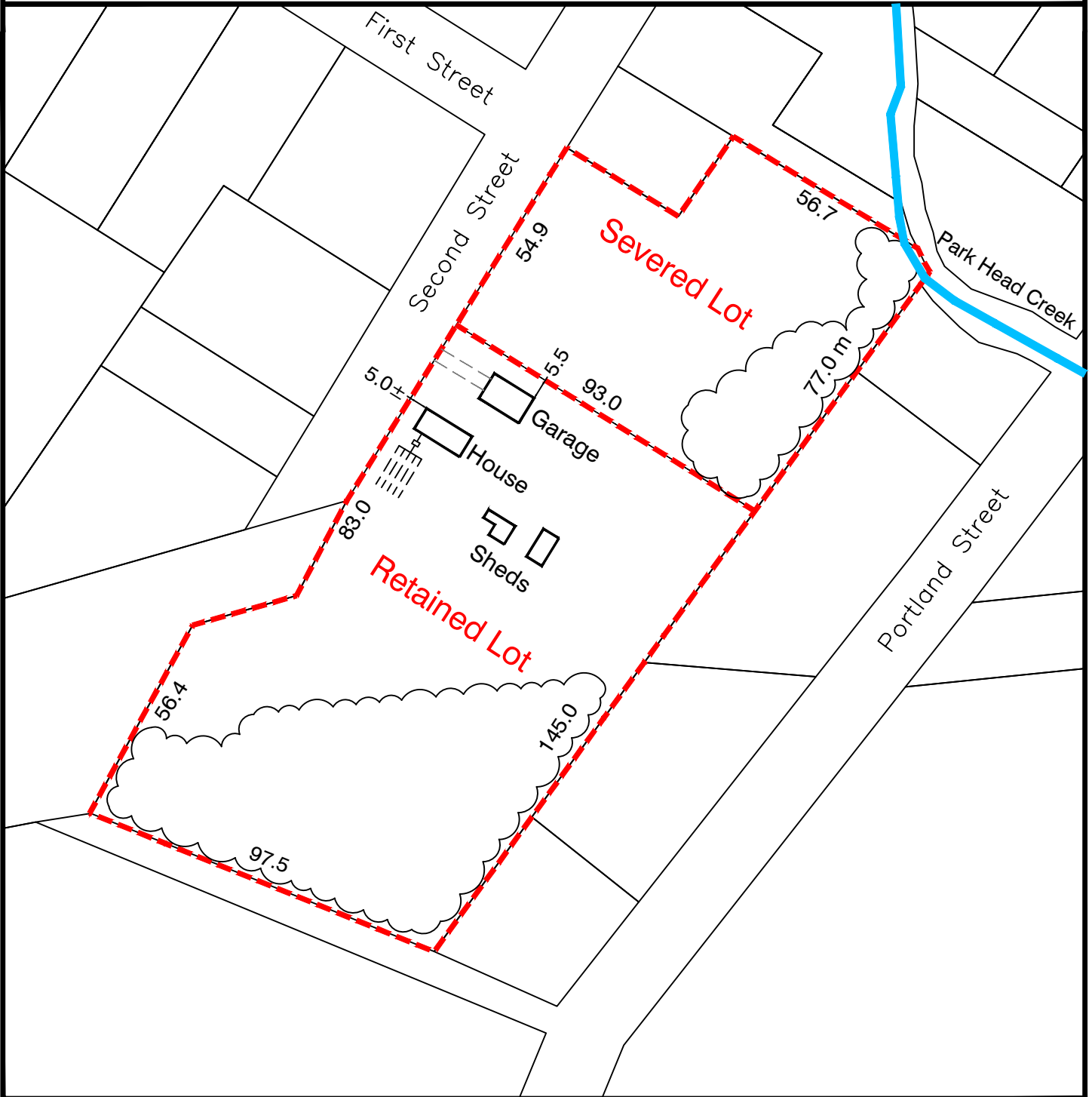
Ron Davidson, BES, RPP, MCIP

c.c. Wayne Deiter Jr.

Figure 1: Proposed Severance



 Subject Lands




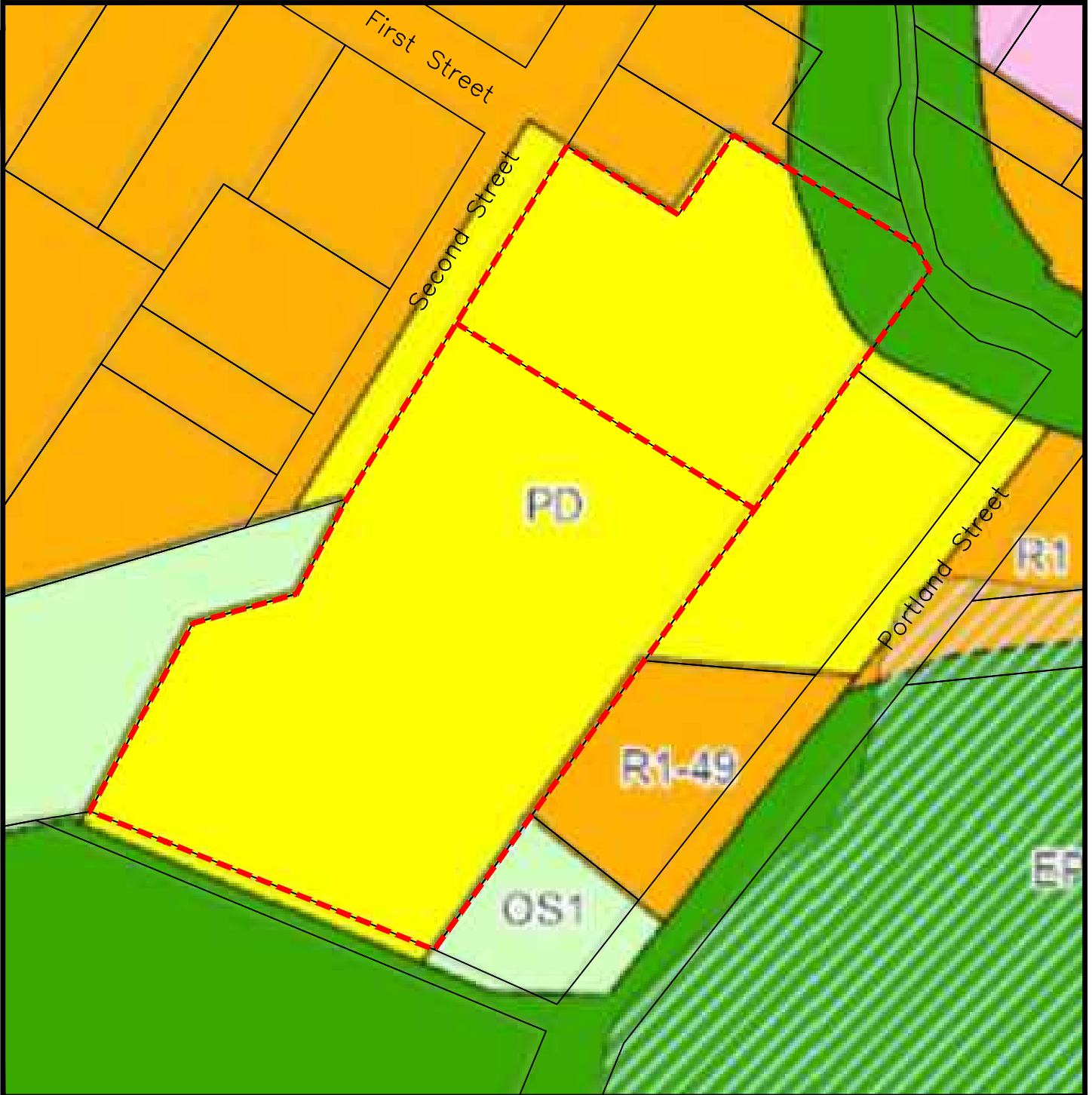
Lot Creation
70 Second Street
Shallow Lake, ON

RD **RON DAVIDSON**
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OWEN SOUND, ONTARIO
SCALE 1:1500

Figure 2: Township of Georgian Bluffs Zoning By-law Schedule A



 Subject Lands




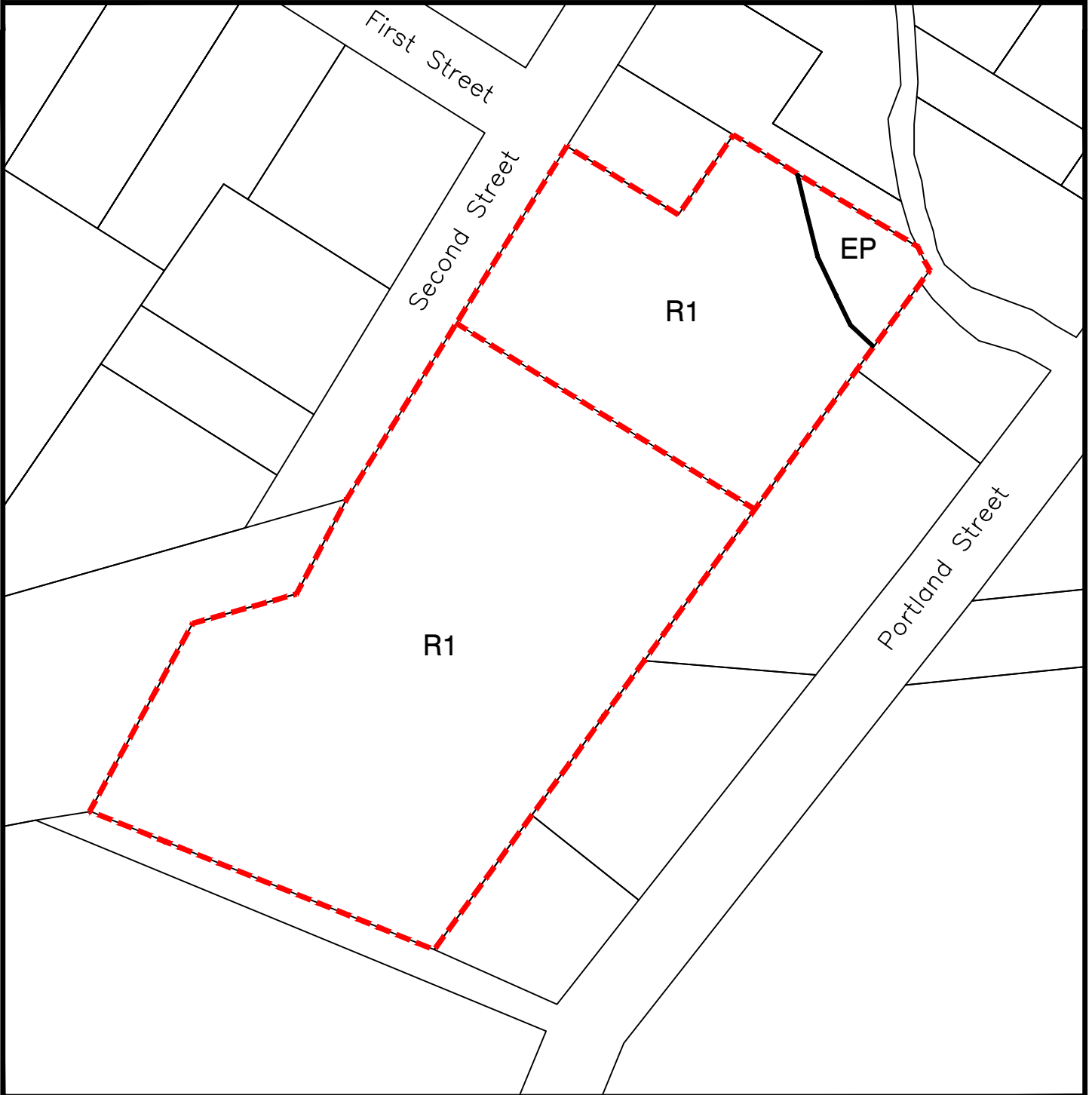
Lot Creation
70 Second Street
Shallow Lake, ON

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Figure 3: Proposed Zoning



 Subject Lands



Lot Creation
70 Second Street
Shallow Lake, ON

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