



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

November 20, 2023

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 Minor Variance
Part Lot 11, Jones Range, Geographic Township of Keppel
Township of Georgian Bluffs
Owner: Perminder Chattha and Colleen Newell**

Further to our preconsultation discussions over the last three years involving your office, Grey County Planning Department, Grey County Transportation Department, and Grey Sauble Conservation Authority regarding the above-noted property, enclosed please find three Consent applications and a Minor Variance application.

Also enclosed are the following:

- Township applications fees;
- Grey Sauble Conservation Authority review fees;
- Environmental Impact Study;
- D-5-4 & D-5-5 Private Servicing Feasibility Study;
- Coastal Engineering Assessment;
- Archaeological Assessment;
- Site Plan;
- Grading Plan; and,
- Site Servicing.

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

Proposal:

Perminder Chattha and Colleen Newell own a 4.4628-hectare parcel of land located along Grey Road 1 and Old Mill Road in the Township of Georgian Bluffs.

The owners propose to subdivide the subject property into four lots, as illustrated on Figure 1 of this Planning Justification Report.

The size of the proposed lots is as follows:

Lot 1:	0.4369 ha
Lot 2:	0.9424 ha
Lot 3:	1.0671 ha
Retained Lot:	2.164 ha

A detached dwelling will be erected on each parcel.

Vehicular access to/from Lots 1, 2 and 3 will be provided along Old Mill Road. The retained lot will be accessed from Grey Road 1 because it provides no frontage along the Township Road. This access arrangement is satisfactory to the County Transportation Department. It is understood that the County will ask for a 0.3-metre reserve across the east side of the subject property, except on the retained parcel, in order to block vehicular access to the County Road.

Sewage disposal will be handled by individual private septic systems that will be installed on each site. Potable water will be provided from new shore wells that will be constructed on public lands located on the west side of Old Mill Road, directly across the municipal road allowance from the subject property. A 5.0-metre wide easement across Lot 3 in favour of the retained lot will be necessary to allow for a waterpipe to traverse these lands, as illustrated on Figure 1 of this Planning Justification Report.

Approvals Required:

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

- three Consent (severance) applications; and,
- a Minor Variance application.

The Minor Variance application is required to reduce the 'minimum lot frontage' requirement of the 'SR' (Shoreline Residential) from 36 metres to 20.63 metres for Lot 3. Additional details are provided later in this Planning Justification Report.

Subject Lands:

The subject property is located 1.3 kilometres northeast of the Oxenden settlement area.

The east side of the site is bounded by Grey Road 1. The property's west side provides two areas of road frontage along Old Mill Road.

Georgian Bay is located on the opposite side of Old Mill Road.

The subject property is partially forested, with the balance of the site described as scrub lands. This holding is currently vacant of any buildings and structures. A more detailed description of the site is available in the Environmental Impact Study.

Adjacent Land Uses:

The subject property is located within a residential area that is based on the area's proximity to the Georgian Bay Shoreline. The residential lots in the area contain mostly detached dwellings, the majority of which appear to be occupied year-round.

County of Grey Official Plan:

i. Land Use Designations

The subject property is designated predominantly 'Inland Lakes and Shoreline Settlement Area' on Schedule A of the County of Grey Official Plan, as illustrated on Figure 2 of this Planning Justification Report. The 'Hazard Lands' designation applies to a small area in the site's northwest corner.

Permitted uses within the 'Inland Lakes and Shoreline Settlement Area' designation include low density residential dwellings, bed and breakfast establishments, home occupations, marinas, resource based recreational uses, convenience commercial, and public uses. The intended use of the subject lands is residential detached dwellings.

ii. 'Significant Woodland' Constraint

Appendix B of the County Official Plan identifies the forested areas of the subject property as 'Significant Woodlands', as shown on Figure 3. The natural heritage policies contained in Section 7 *Natural Grey* of the Official Plan serve to protect 'Significant Woodlands' and the other natural heritage features of interest to the County.

An Environmental Impact Study (EIS) has been conducted for the entire site by SAAR Environmental Limited, and it has concluded that the proposed development can occur in accordance with the 'Significant Woodland' policies – and all other natural heritage policies contained in the Grey County Official Plan and the Provincial Policy Statement - provided the development occurs in accordance with Site Plan, Site Servicing Plan and Grading Plan prepared by Darryl M. Robins Consulting Inc. and the mitigation measures contained within Section 7.0 of the EIS. The Site Servicing Plan and Grading Plan identify a building envelope for each of the four parcels along with an alternative building envelope, the septic system envelope, and the location of the proposed driveway. These engineered drawings were prepared with the assistance of the EIS's author as well as GM BluePlan Engineering Ltd. who prepared the D-5-4 & D-5-5 Private Servicing Feasibility Study.

iii. 'Inland Lakes and Shoreline Settlement Areas'

Section 3.7 *Inland Lakes and Shoreline Settlement Areas* states the following:

- 1) *The extensive shorelines within the County have historically attracted significant seasonal residential and related tourism development. More recently, shoreline areas have attracted a greater amount of permanent residential development and/or the conversion of seasonal residences into year-round housing. Historically, shoreline areas have been developed on private individual services on small lots. Ecologically, shorelines perform and contain a variety of natural functions and features, including supporting water quality. They are also important components of the natural heritage system. The ecological sensitivity and importance of shorelines together with the implications of extensive permanent residential development on the ecological functions of shorelines and the growth management strategies of municipalities needs to be further assessed. The County will work with local municipalities, conservation authorities, and other affected stakeholders to determine the most appropriate management approach for new development within these areas.*
- 2) *The Inland Lakes and Shoreline Settlement Area land use type on Schedule A is applied to areas of concentrated development in the vicinity of inland lakes and shorelines. The shoreline areas throughout the County will be guided by local official plan policies that consider the following:*
 - a) *The need to establish clusters of neighbourhoods as identifiable communities;*
 - b) *The likely demand for housing in these areas over the planning period, and the designation of a suitable inventory of development land;*
 - c) *The establishment of a logical development pattern;*

- d) *Phasing and staging of residential development to monitor potential impact to a waterbody;*
 - e) *Provision of community services, including parks and recreation facilities;*
 - f) *Access to the shoreline, including appropriate infrastructure (e.g. parking, boat launch, public washrooms, etc.);*
 - g) *The feasibility of full municipal services, and where full services aren't feasible, the potential impact to water quality from the placement of septic systems should be considered;*
 - h) *The promotion of tourism;*
 - i) *The integration with the County natural heritage system and local municipal natural heritage features;*
 - j) *Conservation of shorelines and mitigation of impacts to these ecologically important areas;*
 - k) *The ability to meet Provincial Water Quality Objectives;*
 - l) *Promoting the maintenance of a naturalized shoreline and limiting disturbance to the vegetative buffer to the minimum amount required for water access.*
- 3) *Permitted uses in the Inland Lakes and Shoreline Settlement Area must be limited to low- density residential dwellings, bed and breakfast establishments, home occupations, marinas, resource based recreational uses, convenience commercial, and public uses. Any new development will need to address the requirements of the servicing section of this plan, Section 8.9.*
- 4) *Expansion of the Inland Lakes and Shoreline Settlement Area land use type around the inland lakes will not be permitted without an approved comprehensive review as per Section 3.4.2 of this Plan, as well as an approved secondary plan or official plan amendment. In addition to the provisions of Section 9.3, a lake carrying capacity study must also be required for any expansion of the Inland Lakes and Shoreline Settlement Area land use type, exclusive of the Georgian Bay shoreline. As well, the adequacy of potable water supply and sewage treatment and disposal must be demonstrated. For the definition of a lake carrying capacity study refer to Section 9.18 of this Plan.*
- 5) *Local municipalities abutting Georgian Bay are encouraged to provide public access to the lakeshore. Consideration should also be given to trails and active transportation opportunities to help promote a healthy community. Local*

municipalities abutting Georgian Bay must establish policies and By-law provisions for development fronting onto the lakeshore which addresses Section 7.2(9).

- 6) *Expansion of the Inland Lakes and Shoreline Settlement Area land use type is not permitted in the Special Agricultural land use type. In addition, the creation of new or expanded uses in the Prime Agricultural Areas must meet the criteria outlined in Section 5.2, including compliance with Provincial Minimum distance separation formulae, and the completion of an Agricultural Impact Assessment.*

With regard to these policies, please consider the following:

- The proposed lots are relatively large in size and are considerably bigger than most of the existing lots within the general vicinity.
- A considerable amount of work has been conducted by a series of experts in the fields of hydrogeology, stormwater management, coastal engineering, ecology, and land use planning to ensure that the small-scale development does not place a negative impact on any environmental feature including ground water, the natural environment, and the Georgian Bay shoreline.
- The development is occurring within the existing 'Inland Lakes and Shoreline Settlement Area' designation, and therefore an expansion of this land use designation is not required.

iv. 'Inland Lakes and Shoreline Settlement Areas'

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:

- The proposed low-density development is permitted in the 'Inland Lakes and Shoreline 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.
- The construction of four detached dwellings across four hectares of land would clearly be compatible with the adjacent land uses, which are primarily detached dwellings on much smaller lots.
- The proposed development conforms to the servicing policies of Section 8.9 of the Official Plan. The use of private septic systems and wells can be considered in areas where full or communal services are not available provided the site conditions are suitable for such an arrangement over the long term. In this regard, the D-5-4 and D-5-5 Study has demonstrated that the soil conditions are suitable to accommodate a four-lot development. This study has also recommended the use of shore wells, as explained below:

As discussed, based on nearby water well records and hydrogeological literature (Singer, Cheng, & Scafe, 2003), it appears that the potential for local bedrock aquifers to supply the required flow rates is low. It is noted that there are currently no reported overburden water supply wells in the vicinity of the Site. The yield of

the underlying bedrock formation is reported to be poor, suggesting that bedrock aquifers are of limited importance as a source of water supply in the local area and will not be a viable supply option for the proposed developments.

It is our understanding that water supply needs in the area are typically serviced by municipal water lines, cisterns, or shore wells drawing from Colpoy's Bay (Lake Huron). At this time, it has been reported by planning staff at the Municipality of Georgian Bluffs that it will not be possible to extend the municipal water lines to the Site, and water supply through the use of cisterns is not acceptable. In order to adequately supply the proposed developments, the use of four individual shore wells for each proposed property is likely to be the most viable option.

For the purposes of establishing feasibility of adequate water supply, the use of shore wells installed into Colpoy's Bay is expected to be sufficient to support the required water supply quantities needed for each of the proposed developments. However, it is recommended that the design of well supply network system be completed by a licensed well contractor to ensure adequate intake distances and depths are met. While the three proposed severances are positioned adjacent to the shoreline of Colpoy's Bay, the retained lot is noted to be land-locked with no direct access to the shoreline. In order to support adequate water supply on each of the individual properties, an easement has been proposed through one of the proposed lots to maintain a water supply network to this interior property. The easement location is included in the Site Layout shown in Figure 2.

This would be subject to the required permits and permissions for the intake pipes crossing public lands. As discussed, it is our understanding that Township of Georgian Bluffs personnel have been pre-consulted on the use of shoreline wells and would be receptive to this proposal.

- Old Mill Road will provide vehicular access to Lots 1 to 3. The retained parcel will obtain its access from County Road 1. Please note that the Grey County Transportation Department reviewed this access arrangement and, following a site visit, determined that access to the retained parcel can be provided near the northern boundary of this particular lot. The County has advised that a 0.3-metre reserve along the east side of Lots 1, 2, and 3 must be conveyed to the County, and this would serve as a notice to future landowners that entrances along the County Road are not possible.
- No livestock facilities exist within 750 metres of the subject property, and therefore the lot creation conforms to the Minimum Distance Separation (MDS) Statement.
- The proposed severance does not require a Zoning By-law Amendment; however, a Minor Variance to allow Lot 3 to have a reduced frontage is required. The merit

of the proposed variance is explained later in this Planning Justification Report.

- All conditions imposed by the Township's Land Division Committee must be satisfied before the deeds for the three new parcels are stamped.

v. 'Hazard Lands' Designation

As noted above, a small area in the northwest corner of the subject property is designated 'Hazard Land' on Schedule A of the County Official Plan. The boundary of this land use designation appears to generally follow the 100-year flood level elevation of 177.9 m GSC level. The building envelopes and alternative envelopes shown on the Site Plan and Site Servicing Plan are not situated within the 'Hazard Land' designation.

It should be noted, however, that no portion of the subject lands are zoned 'EP' (Environmental Protection) in the Township of Georgian Bluffs Zoning By-law.

The driveways for Lots 1 to 3 are proposed to be located within the 100-year flood area.

Section 7.2 *Hazard Lands* states:

- 9) *In the Hazard Lands land use type development and site alterations will only be considered if all of the following can be satisfied:*
 - a) *The hazards can be safely addressed and new hazards are not created or existing ones aggravated;*
 - b) *No adverse environmental impacts will result. The County, in consultation with the conservation authority, may require an environmental impact study to be prepared at the proponent's expense, in accordance with this Plan;*
 - c) *Vehicles and people have a way of safely entering and exiting at all times;*
 - d) *The development does not include;*
 - i. *Institutional uses including hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion; or*
 - ii. *Emergency services such as that provided by fire, police, and*

ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; or

- iii. Involve hazardous substances, and their disposal, manufacture, treatment or storage of.*

A Coastal Engineering Assessment was prepared by Darryl M. Robins Engineering Consulting Inc. to assess the severity of natural coastal hazards, establish the flood-proofing standard for the proposed residences, and provided the details for any structures that exist or will be required to address coastal concerns. The Assessment concluded with the following:

As determined in the analysis and discussion performed above for this project, the recommended minimum dry-floodproofing elevation for this project is 178.7m GSC, which is above the result of the modelled wave uprush elevation (178.46m) and provides a safety factor that if the lower landward area behind the roadway was flooded and the existing culvert could not handle the flows, the door openings and floor structure itself would be above the flood levels imposed by the crest (178.2m) of the existing roadway structure. It should be understood that the overall intent of the dry-floodproofing elevation is to ensure that no proposed openings in the habitable areas of buildings will be below this elevation. Proposed dwellings and related development should be located on the higher existing elevations of the proposed lots and away from hazard areas.

Access and egress to the proposed buildings will be accommodated by building entrances located above the dry floodproofing level and driveways will be provided that connect to Old Mill Road on the landward driving lane of the roadway, so adequate access and egress during emergency and flooding situations will be possible. Driveway surfaces should be above the wave uprush level of 178.46m wherever possible. It is also understood that an option for proposed driveways accessing Grey Road 1 may be reviewed and access/egress issues from coastal hazards would not need to be considered.

vi. Archaeology

Section 4.5.1 *Our Cultural Heritage* of the Grey County Official Plan states (edited for relevancy):

Development and site alteration must not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Preservation of the archaeological resources on site is the preferred method, but in some cases, conservation can occur by

removal and documentation. This will be done in accordance with archaeological licensing provisions of the *Ontario Heritage Act*.

Given the high potential of the site to be of archaeological significance - due to its close proximity to Georgian Bay - an Archaeological Assessment Stage 1 and 2 was conducted by Scarlett Janusas Archaeology Inc. No archaeological materials or features were located during the Stage 2 archaeological assessment and therefore the consultant recommended that no further investigation be required.

vii. Grey County Official Plan Review Summary

In view of the foregoing, it is evident that the proposed three-lot severance conforms to the Grey County Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) generally directs urban-type development to the designated settlement areas including those lands within the 'Inland Lakes and Shoreline Settlement Area' designation.

The PPS gives consideration to private servicing where municipal services are not available and communal servicing is not feasible, provided such servicing arrangement is suitable for the long term. The D-5-4 and D-5-5 Private Servicing Feasibility Study has demonstrated that private servicing is appropriate for the site for the long term.

Furthermore, the PPS provides policies that are designed to protect natural heritage features. The Environmental Impact Study has demonstrated that the development shown on the Site Plan and Site Servicing Plan can occur in accordance with the natural heritage policies of the PPS.

Moreover, the PPS ensures that development does not occur within areas of natural hazards, including where the lands may be susceptible to wash uprush. The Coastal Engineering Assessment has demonstrated that the intended development can occur on the site as shown on the site plan without causing any safety concerns.

Lastly, the PPS protects lands of archaeological significance. In this regard, the Archaeological Assessment found no archaeological materials or features during the onsite investigation, and therefore recommended that no further investigation be required.

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

Municipality of Georgian Bluffs Zoning By-law:

The subject lands are zoned 'SR' (Shoreline Residential) on Schedule A of the Township's Zoning By-law as shown on Figure 4 of this Planning Justification Report.

The 'SR' zone permits detached dwellings.

The 'minimum lot area' and 'minimum lot frontage' requirements are 4047 square metres and 36 metres, respectively, for privately serviced development. All four parcels will comply with the lot area requirement, and three of the four lots will meet the lot frontage standard. Lot 3, however, has a deficient lot frontage of 20.63 metres. A Minor Variance application has been filed to address this matter. The merit of that application is provided below.

Minor Variance:

The Minor Variance application is requesting a reduction in the 'minimum lot frontage' requirement of the 'SR' zone from 36 metres to 20.63 metres as it applies to Lot 3.

Section 45 of The Planning Act gives the Committee of Adjustment the authority to grant relief from a provision(s) of the Comprehensive Zoning By-law provided such relief passes four tests:

1. Does the Minor Variance maintain the intent and purpose of the Official Plan?

Comment: The 'Inland Lakes and Shoreline Settlement Area' designation allows for the creation of residential lots and the construction of detached dwellings. These policies for this land use designation do not include lot frontage requirements. Matters of this nature are typically handled by the Comprehensive Zoning. As such, the requested Minor Variance will maintain the intent and purpose of the Official Plan.

2. Does the Minor Variance maintain the intent and purpose of the Zoning By-law?

Comment: The purpose of the 'minimum lot frontage' requirement is generally to ensure that any new lot is of sufficient size and reasonable shape to accommodate development. In this regard, it is important to note that the proposed lot creation is not creating the 20.63 metre frontage situation because it already exists. As well, a frontage of this size is not unreasonable, especially given that this particular portion of the property will be used only for driveway purposes. The house will be erected further back from the road, on the wider area of the site. Furthermore, it is

important to note that Lot 3 is relatively large and will be of a size that is over double the required 0.4047-hectare 'minimum lot area' requirement.

It should also be noted that Lot 3 does provide a more than adequate frontage along Grey Road 1. However, because access to Lot 3 will be provided from Old Mill Road, the Township's Zoning By-law considers the frontage along Old Mill Road to be the only frontage, and therefore a variance is required.

In view of the foregoing, the intent and purpose of the Zoning By-law will be maintained.

3. Is the Minor Variance minor in nature?

Comment: This question is generally re-phrased as "what impact will the variance have on the adjacent lands?"

Given that no development will occur on this narrower portion of the property and that the lands to the north and south of the subject property only abut this narrower area, the residents to the north and south should not be impacted in any way by a smaller lot frontage.

4 Would the Minor Variance represent an appropriate or desirable use of the land and buildings?

Comment: In view of the above, the reduced frontage should not present any concerns. The variance represents an appropriate and desirable use of the lands.

Conclusions and Recommendation:

The proposed three-lot development conforms to the County Official Plan and is consistent with the Provincial Policy Statement. The Consent applications and associated Minor Variance application have considerable merit and should be approved.

As a condition of severance approval, a Development Agreement between the owner and the Township should be required. The Agreement will require all development on the four lots to occur in accordance with the Environmental Impact Study, D-5-4 and D-5-5 Private Servicing Feasibility Study, Coastal Engineering Assessment, Stormwater Management Plan, Site Plan, Site Servicing Plan, and Grading Plan. The Development Agreement should also acknowledge that the future landowner will be required to make

the necessary arrangements with the Township to construct a shoreline well prior to a Building Permit being issued.

Lastly, the severance conditions should require the conveyance of a 0.3-metre wide reserve along the easterly boundary of Lots 1, 2, and 3 to the County, as per the County's request during the preconsultation discussions.

Final Comments:

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

Lastly, please advise us of the potential Public Meeting date before actually scheduling the meeting in order to ensure our availability.

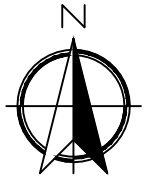
Sincerely,


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

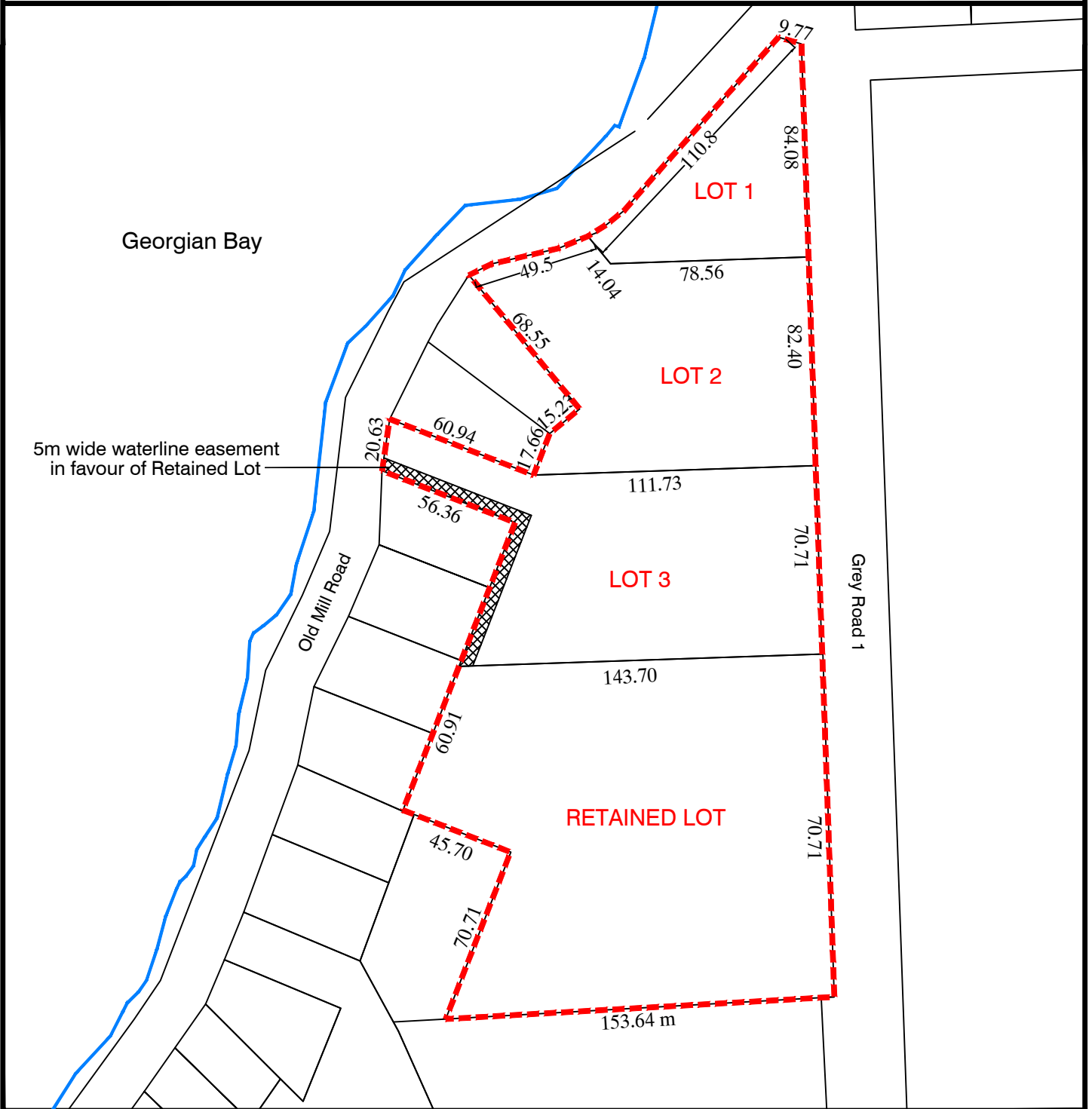
Ron Davidson, BES, RPP, MCIP

c.c. Perminder Chattha and Colleen Newell

Figure 1: Proposed Severances



 Subject Lands








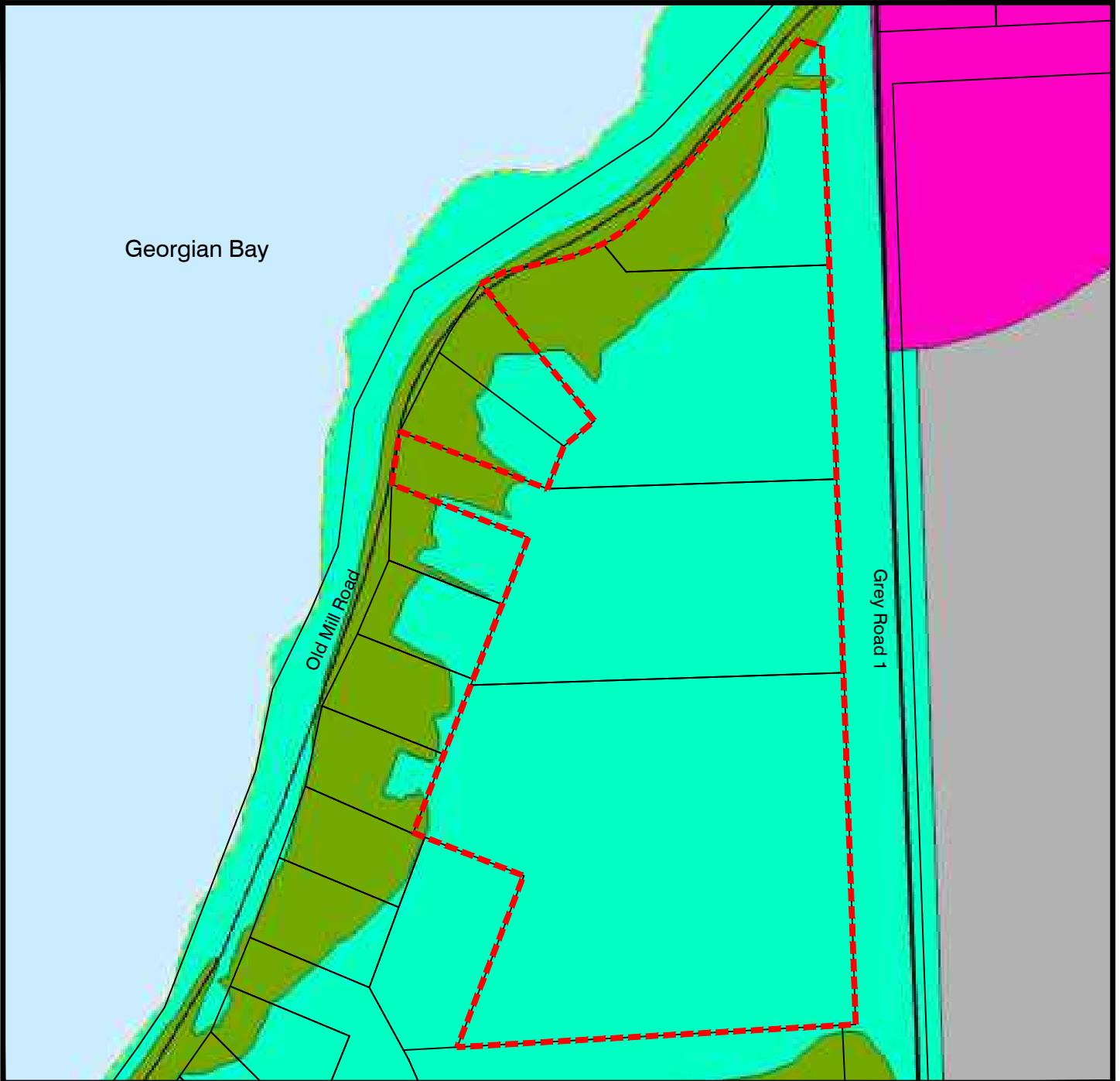
Part Lot 11, Jones Range
Geographic Township of Keppel
Township of Georgian Bluffs

RD RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.
OWEN SOUND, ONTARIO
SCALE 1:2250

Figure 2: County of Grey Official Plan Schedule A



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



Part Lot 11, Jones Range
Geographic Township of Keppel
Township of Georgian Bluffs

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LAND USE PLANNING CONSULTANT INC.
OWEN SOUND, ONTARIO
SCALE 1:2250

Figure 3: County of Grey Official Plan Appendix B



Subject Lands



Significant Woodlands




Part Lot 11, Jones Range
Geographic Township of Keppel
Township of Georgian Bluffs

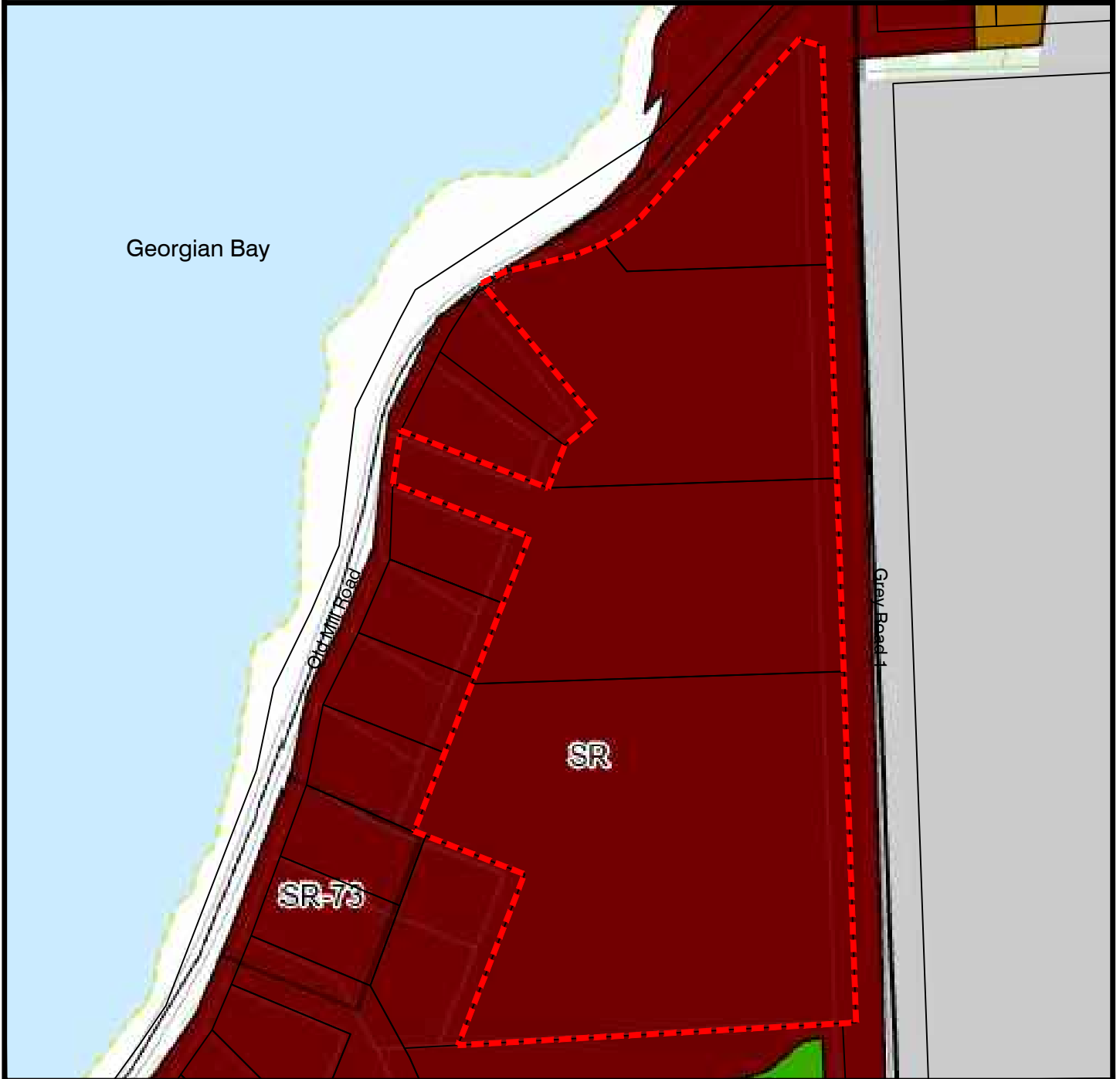


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Figure 4: Township of Georgian Bluffs Zoning By-law



 Subject Lands



Part Lot 11, Jones Range
Geographic Township of Keppel
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