

## Memorandum

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**To:** City Council  
**From:** Jacklyn Iezzi, Junior Planner  
**Date:** February 14, 2022  
**Subject:** External Planning Policy Comment Summary – December 2021 & January 2022

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The Planning & Heritage Division is in receipt of a number of Planning-related policies, statutory notices and inquiries from the Province, County, and/or neighbouring municipalities. In consideration of Policy CS81 and the City's interest in upper-tier Planning matters, the following circulations merit note for Council's information:

### **A. Minor Variance (A-01-2022), 107 Gordon Owen Drive, Township of Georgian Bluffs**

The Planning & Heritage Division is in receipt of a Notice of Complete Application and Public Hearing for Minor Variance A-01-2022 applying to lands municipally known as 107 Gordon Owen Drive in the Township of Georgian Bluffs.

The application is proposing to increase the maximum permitted total lot coverage and accessory lot coverage provisions of the Township's Zoning By-law to permit a building addition and deck to be constructed.

#### **City Comment:**

The subject lands are located approximately 7 km north of the City limits on the west side of the harbour and are within the secondary settlement area of East Linton. Staff have no comments on the application.

### **B. Consents:**

- B11-21, 303007 and 303011 Grey Road 15, Municipality of Meaford
- B30-21, 143226 Superior Street, Municipality of Meaford
- B31-21, 145 Boucher Street East, Municipality of Meaford
- B01-22, 025559 Euphrasia-St. Vincent Townline, Municipality of Meaford
- B-02-22, 230821 Coles Sideroad, Township of Georgian Bluffs

The Planning & Heritage Division is in receipt of three (3) notices of No Appeal Filed for Consent B11-21, B30-21, and B31-21 in the Municipality of Meaford and two (2) notices of complete application; one (1) in the Municipality of Meaford, and one (1) in the Township of Georgian Bluffs.

**City Comment:**

The decisions of B11-21, B30-21, and B31-21 are final and binding. Staff have no comments on the applications.

Consent B01-22 requests consent to sever a portion of the lands occupied by an existing dwelling, agricultural and accessory structures measuring approximately 41.5 ha in size with approximately 303 m of frontage on Grey Road 12 and 1423 m of frontage on Euphrasia-St. Vincent Townline. The retained parcel of land with existing dwelling will maintain an area of approximately 81.5 ha and 300 m of frontage on Grey Road 12. The subject lands are within the Niagara Escarpment Plan Area and are located greater than >8km from the City limits. A permit from the Niagara Escarpment Commission has been approved for the lot creation. Staff have no further comments on the application.

Consent B-02-22 requests consent to sever a vacant parcel of land with approximately 2.12 ac of lot area and 100 m of frontage on Grey Road 1. The lands are slightly west of the secondary settlement area of Big Bay (> 8km from the City limits) and are designated 'Rural' by the County Official Plan. Staff have no further comments on the application.

**C. Notice of No Appeal Filed, Zoning By-law Amendment (Z12-21), 245350 22 Sideroad, Municipality of Meaford**

The Planning & Heritage Division is in receipt of a notice of No Appeal Filed for Zoning By-law Amendment Z12-21 in the Municipality of Meaford.

**City Comment:**

The decision is final and binding. Staff have no comments on the application.

**D. Notice of Revised Application, Zoning By-law Amendment (Z-14-21), 718129 Highway 6, Township of Georgian Bluffs**

The Planning & Heritage Division is in receipt of a revised Notice of Complete Application and Public Meeting for Zoning By-law Amendment Z-14-21 in the Township of Georgian Bluffs.

**City Comment:**

The effect of the application is to permit the creation of a lot (through Consent B-14-21) that has frontage but does not have direct access to a year-round municipally maintained road. The Ministry of Transportation has jurisdiction over entrances onto Highway 6 and will permit a shared entrance for the new lot through the abutting parcel located at 718129 Highway 6. The application has been further revised to request a reduced minimum lot frontage for the retained parcel of 168 m, whereas 200 m is required by the Township's Zoning By-law.

The lands are adjacent to the secondary settlement area of Springmount and are located approximately 3km west of the City Staff. Staff provided comments on the lot creation through a [Memorandum dated August 30, 2021](#) and on the original Notice of Complete Application for the Zoning By-law Amendment through a [Memorandum dated December 13, 2021](#). Staff have no further comments on the application.

**E. Notice of Application, Zoning By-law Amendment (Z-16-21), 382488 Concession 17, Township of Georgian Bluffs**

The Planning & Heritage Division is in receipt of a Notice of Complete Application and Public Meeting for Zoning By-law Amendment Z-16-21 in the Township of Georgian Bluffs.

**City Comment:**

The effect of the application is to permit the conversion of an existing garage located within a front yard into a Secondary Dwelling Unit. The subject lands are designated 'Rural' and 'Hazard Lands' by the County Official Plan and are located >8km from the City limits. Staff have no further comments on the application.

**F. Notice of Application, Zoning By-law Amendment (Z-17-21), 128 Maple Ridge Road, Township of Georgian Bluffs**

The Planning & Heritage Division is in receipt of a Notice of Complete Application and Public Meeting for Zoning By-law Amendment Z-17-21 in the Township of Georgian Bluffs.

Z-17-21 applies to lands municipally known as 128 Maple Ridge Road. The effect of the application is to rezone a portion of the lands from 'Rural' (RU) to 'General Residential' (R1) to facilitate the creation of three (3) new residential building lots proposed through consent application B11-21, B12-21, and B13-21. The ZBA also proposes to realign the 'Environmental Protection' (EP) Zone boundary and permit

a 0 m setback to the realigned EP Zone, whereas a setback of 15 m is required by Section 5.5 of the Township's Zoning By-law.

The following plans and studies have been prepared and submitted as part of a complete application (available on the [Township's website](#)):

- Planning Justification Report
- Stormwater Management Report and Plan
- Nitrate Study
- Environmental Impact Study

The Township of Georgian Bluffs is the approval authority for the applications. A public meeting to consider the Zoning By-law Amendment is scheduled for February 16, 2022. A public meeting to consider the Consent applications is scheduled for February 15, 2022.

**City Comment:**

The subject lands are located on the west side of Maple Ridge Road, adjacent to the Indian Falls Conservation Area and approximately 2.9 km north of the City limits on the west side of the harbour.

The subject lands are currently vacant and predominately consist of agricultural fields (cash cropping) in combination with natural wooded area to the east (front) of the site, where development is proposed. Surrounding land uses include agriculture and natural heritage features (i.e., Indian Falls, significant woodlands) and low density residential to the east and north (Maple Ridge Subdivision).

The east (front) portion of the property that is subject to the proposed Zoning By-law Amendment and Consent applications is within the secondary settlement area of Balmy Beach and contains Significant Woodland, as identified by the County Official Plan. The remainder of the lands are within the Niagara Escarpment Plan area.

The parcels proposed to be created through Consent B11-21, B12-21, and B13-21 are proposed to be serviced by partial servicing, receiving municipal water from the East Linton system and private, on-site septic systems. As noted above, a Nitrate Study has been submitted in support of the Zoning By-law Amendment and Consent applications to assess the subsurface conditions at the site and to assess the nitrate impact as a result of the proposed on-site septic systems. The study concluded that the use of tertiary systems is necessary to satisfy the minimum regulatory requirement for nitrate concentrations.

Policy 1.6.6.5 of the 2020 Provincial Policy Statement (PPS), states that partial services shall only be permitted in the following circumstances:

- a) Where they are necessary to address failed individual on-site services in existing development; or,
- b) Within settlement areas, to allow for infilling and minor rounding out of existing development on partial services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Development on partial services must also satisfy the criteria of Section 3.6 (3) of the County OP which generally require the development to be within the reserve sewage system capacity or reserve water system capacity, and that site conditions be suitable for the long-term provision of such services, among other matters.

It is noted that a Servicing Options Study has not been completed in accordance with Section 8.9.10 (c) of the County OP. County Planning Staff should be satisfied that the proposal satisfies the servicing policies of the PPS and the Secondary Settlement Area and servicing policies of the County OP.

Secondly, as noted above, an Environmental Impact Study (EIS) has been submitted in support of the subject Zoning By-law Amendment. The study identified the presence of three (3) natural heritage features on the subject lands including fish habitat, significant woodland (as identified by the County OP), and significant wildlife habitat. The EIS presents several recommendations to limit negative impacts to these natural heritage features including that minimum 30-metre and 15-metre no development setbacks be provided from on-site watercourses, that the total disturbed area for the severed parcels does not exceed 0.4 hectares in size, and that no tree-clearing occur from April 1 to August 15.

The policies of the PPS require the protection of natural features and areas for the long-term (policy 2.1.1). Policy 2.1.5 does not permit development and site alteration within significant woodlands or significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Policy 2.1.6 does not permit development and site alteration within fish habitat, except in accordance with provincial and federal requirements.

The policies of Section 7 of the County OP are generally consistent with that of the PPS. Section 7.4 (1) and 7.10 (1) provide that no development or site alteration shall occur within significant woodlands, significant wildlife habitat, or their adjacent lands (120 m), unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions. Section 7.9 does not permit development or site alteration within fish habitat, except in accordance with provincial and federal requirement. No

development is permitted within 30 m of the banks of a stream, river, or lake unless an EIS is conducted and concludes that setbacks may be reduced and/or reduced setbacks are approved by the local conservation authority (County OP Section 7.9 (2)).

The Grey Sauble Conservation Authority (GSCA) provides comments as a service provider to the County of Grey and the Township of Georgian Bluffs representing their interests regarding natural heritage. The County and the GSCA should be satisfied of the suitability of the EIS for addressing the policies of the PPS and County OP.

City Planning Staff request a copy of the County's, Township's, and GSCA's comments on the matter and a copy of any further notice respecting the applications.

### **G. Notice of Application, Zoning By-law Amendment (Z-01-22), unassigned Grey Road 17, Township of Georgian Bluffs**

The Planning & Heritage Division is in receipt of a Notice of Complete Application and Public Meeting for Zoning By-law Amendment Z-01-22 in the Township of Georgian Bluffs.

Z-01-22 applies to lands with an unassigned municipal address fronting onto Grey Road 17 (ARN: 420362000510601). The effect of the application is to reduce the minimum required setback to the 'Environmental Protection' (EP) Zone from 15 m to 3 m and the minimum required interior side yard setback for a single detached dwelling in the 'Rural' (RU) Zone from 10 m to 3 m in order to establish a building envelope.

The following plans and studies have been prepared and submitted as part of a complete application (available on the [Township's website](#)):

- Justification Report
- Site Plan and Grading Plan
- Letter of Opinion & Field Review – Bedrock Resource Area
- Grey Sauble Conservation Authority (GSCA) Pre-consultation Comments dated November 16, 2020.

It is noted that the Justification Report submitted in support of the application has not been completed by a Registered Professional Planner (RPP) or other qualified professional.

**City Comment:**

The lands have approximately 101 m of frontage on Grey Road 17 and 2.3 ac of lot area and are located >8km from the City limits. The lands are designated 'Agricultural' and 'Hazard Lands' by the County Official Plan (County OP). Appendix B of the County OP identifies the presence of wetlands on the northwest portion of the property and Appendix E identifies the presence of bedrock resources.

The policies of the PPS (2020) require that natural features and areas be protected for the long term (policy 2.1.1). In accordance with policy 2.1.5, development and site alteration shall not be permitted in significant wetlands or their adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Section 7.3 of the County OP is generally consistent with that of the PPS. Section 7.3.2 states that no development or site alterations shall be permitted within 'Other Wetlands' (as mapped within Appendix B of the County OP) unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

It is noted that an Environmental Impact Study (EIS), or similar study, has not been submitted in support of the application. The GSCA and County Planning Staff should be satisfied that the proposal meets the requirements of the PPS and the County OP as it relates to natural heritage.

City Planning Staff request a copy of the County's, Township's, and GSCA's comments on the matter and a copy of any further notice respecting the applications.