



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole Meeting
Meeting Date: November 1, 2022
Report Number: PDS.22.127
Title: Request for Draft Plan Extension – Lora Bay Phase 6, Cottages at Lora Bay
Prepared by: Adam Smith, Director of Planning & Development Services

A. Recommendations

THAT Council receive Staff Report PDS.22.127, entitled “Request for Draft Plan Extension – Lora Bay Cottages Phase 6, Cottages at Lora Bay”;

AND THAT Council recommend to the County of Grey to grant a one (1) year extension of the Draft Plan Approval for the Cottages on Lora Bay from the current date of expiry being December 12, 2022;

B. Overview

The purpose of this report is to provide recommendations to Council on an application for an extension of Draft Plan Approval for the Cottages on Lora Bay project.

C. Background

The current Draft Approval for this project will expire December 12th, 2022.

The County of Grey and Town of The Blue Mountains have received a request from Ms. Kristen Rennie, Principal, Georgian Planning Solutions, as Agent for Reid’s Heritage Homes requesting an extension of the Draft Approval for the Cottages on Lora Bay. The current request by the Agent seeks an extension of Draft Approval for a period of one (1) year (being December 12th, 2023).

The subject lands are located south of the intersection of the 39th Sideroad and Sunset Boulevard. This project received Draft Approval in October 2006. Since this time, there have been past extensions of Draft Approval granted, and the construction of residential dwellings has taken place in various phases. As the project has matured various Condominium corporations have been created that have established the form of the property ownership tenure.

In 2021, staff supported an extension requested on the basis that it be for one year and include additions to the Draft Plan conditions including:

- Development communication plan/signage/minimum notice periods
- Servicing allocation related to the built capacity of water and sewer services
- Installation of fibre optic infrastructure
- Warnings to purchasers that accommodation for students within a public school in the community is not guaranteed.

The recommendation was further supported by an analysis of the Provincial Policy Statement, Niagara Escarpment Plan, County of Grey Official Plan, and the Town's Official Plan and Zoning By-law. As such, the Draft Plan first enacted in 2006 and subsequently revised in 2017, remained in alignment with provincial, County and local policies.

The Draft Plan extension was ultimately granted in December 2021 by the County of Grey for one year (1). In March 2022, the holding zone for Phase 5 was lifted with the execution of a development agreement that reflects the Draft Plan conditions as well as the registration of a Plan of Condominium allowing for building permits to be issued.

Currently, Town staff are reviewing the engineered drawings for Phase 6 and anticipate that a development agreement will be concluded in the near future for this phase. Similar to Phase 5, the development agreement will need to be accompanied by a site plan agreement or condominium registration prior to the holding zone being lifted and building permits to be issued.

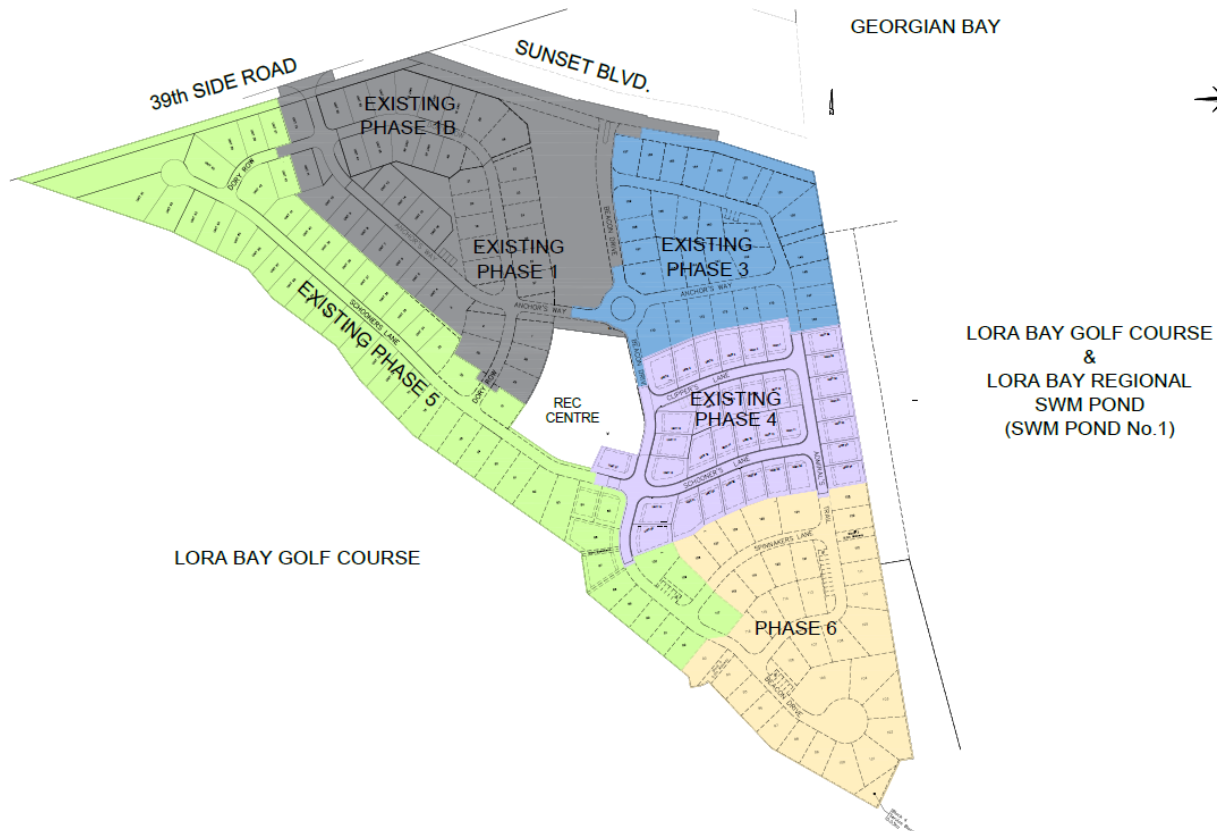
D. Analysis

Council is the approval authority in circumstances when an extension request is made for a Draft Plan of Subdivision that has been in effect for ten (10) years or more. In evaluating the request, staff recommend following the guidance of Bylaw No. 2021-61 being a By-law detailing certain delegation of Powers and Duties of the Municipality. For extension requests of Draft Plans of Subdivision under the delegated authority of the Director of Planning and Development Services, the following review criteria is established:

- a. Municipal services continue to be available.
- b. New legislation, regulations, policies and/or by-laws would not preclude the proposed development.

Similar to the previous extension request in 2021, staff do not have any concerns with the above criteria being met. Further, as illustrated in Figure 1 below, development impacts on existing neighbourhoods created by previous phases are not anticipated to carry the same concerns for build-out of Phase 6. Building permits for the dwelling units of Phase 5 are

beginning to be issued but there is no clear timeline for occupancy upon these permits being issued.



(Figure 1: Lora Bay Cottages Phasing Plan)

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

No known environmental concerns have been identified. Environmental impacts would have been addressed through the original Draft Plan of Condominium process. It is noted that a current Condition of Draft Approval requires a clearance from the Grey Sauble Conservation Authority (GSCA) related to appropriate zoning. Execution of a development agreement for Phase 6 will be accompanied by appropriate vegetation protection plans.

G. Financial Impacts

Under By-law 2021-17 Being a By-law for Fees related to Planning Matters and Engineering Services, Development Engineering receives a 5.64% works fees for the scope of construction (excluding buildings) upon execution of a Subdivision Agreement. This would be foregone revenue in the event and extension is not granted either by the municipality and/or the County of Grey.

In addition, decisions of Council may be subject to an appeal to the Ontario Land Tribunal (OLT), or if recourse with the Tribunal is not available, a Court of competent jurisdiction. Depending on the scope of the appeal and/or recourse sought and the Town's involvement in such proceedings, additional financial obligations may be required.

H. In Consultation With

Brian Worsley, Manager of Development Engineering

Shawn Postma, Manager of Community Planning

Tim Murawsky, Chief Building Official/Manager of Building Services

Will Thomson, Director of Legal Services

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Adam Smith, directorplanningdevelopment@thebluemountains.ca

J. Attached

1. Lora Bay Cottages Draft Plan Extension Request

Respectfully submitted,

Adam Smith
Director of Planning & Development Services

For more information, please contact:
Adam Smith, Director of Planning & Development Services
directorplanningdevelopment@thebluemountains.ca
519-599-3131 extension 246

September 23, 2022

Adam Smith
Director of Planning & Development
Services
Town of The Blue Mountains
26 Bridge Street, PO Box 310
Thornbury, ON N0H 2P0



Dear Mr. Smith;

**RE: Draft Condominium 42-CDM-2006-11
Cottages of Lora Bay (Keepers Cove)
Part Lot 39, Concession 12 being part of Lots 1 & 3, Plan 1032
(Geographic Township of Collingwood) Town of the Blue Mountains
Extension of Draft Approval**

According to our files the Draft Approval of the Plan of Condominium File No. 42-CDM-2006-11 will expire on December 12, 2022. This letter is a request to extend the draft approval for one (1) additional year. The approval of the last phase (phase 6) is well underway including the finalization of the approval of the engineering drawings and the execution of the amending agreement. However, we are concerned that all of elements required for registration will not be in place by the draft plan lapse date. We are aware that this request must go to County Council and are requesting that you review and respond to this letter as soon as possible. The \$206.00 fee for the extension of draft approval will be provided under separate cover.

We have also formally applied to the County of Grey with the same request. Your attention to your request is greatly appreciated and should you have any questions or require any additional information please let me know.

Yours Truly,



Georgian Planning Solutions
Krystin Rennie, MAES MCIP RPP

cc: Travis Sandberg, TOBM
Robert Schumacher, Sherwood Homes
Scott Taylor, Grey County