



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: March 19, 2024
Report Number: PDS.24.038
Title: Recommendation Report – Follow-Up to the Public Meeting for Zoning By-Law Amendment and Consent to Sever for Old Lakeshore Road (1424798 Ontario Limited and Doering)
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A. Recommendations

THAT Council receive Staff Report PDS.24.038, entitled “Recommendation Report – Follow-Up to the Public Meeting for Zoning By-Law Amendment and Consent to Sever for Old Lakeshore Road (1424798 Ontario Limited and Doering)”;

AND THAT Council enact a By-law to rezone the subject lands from Development (D) and Hazard (H) Zones to the Residential One Holding ‘R1-1-h42’ and Hazard ‘H’ Zones as outlined in Attachment 1 – Draft Zoning By-law Amendment.

B. Overview

The purpose of this report is to provide Council with a summary of public consultation and a recommendation regarding a Zoning By-law Amendment for the lands municipally known as Part of Lot 26 Concession 6 (Old Lakeshore Road). The proposal is seeking to rezone the subject lands from Development (D) and Hazard (H) Zones to the Residential One ‘R1-1’ and Hazard ‘H’ Zones. No new construction is included as part of this proposal.

It is relevant to note that the applicant had also applied for consent to sever the subject lands to create four (4) new residential lots and one (1) linear servicing block, with the retained lot to be used for residential purposes. Through the review of these applications, the Town Staff has noted concerns with respect to the existing watermain infrastructure along Old Lakeshore Road, and has noted that additional connections to the existing watermain is not supported, as the watermain has been identified as a substandard grey brittle pipe. In light of these comments, the applicant has sent a formal request to Town Staff on March 6, 2024, requesting to proceed with the Zoning By-law Amendment application, and to defer the consent applications.

Town Staff supports the applicant’s request to defer the consent applications, and as such, this report only addresses the proposed Zoning By-law Amendment application.

C. Background

Planning Services received a request for a rezoning of the subject lands. The subject lands are known municipally as Part of Lot 26 Concession 6 and are located approximately 360 metres west of the Georgian Peaks Ski Club. The property is 0.69 hectares (1.7 acres) in size and is located on the south side of Highway 26 and on the north side of Old Lakeshore Road, with 119.7 metres of frontage along Old Lakeshore Road. Old Lakeshore Road is a gravel roadway ending in a cul-de-sac at the east end of the subject property. A location map and aerial view of the subject lands are shown in **Figure 1** and **Figure 2**.

The subject property is vacant, with the exception of an in-ground swimming pool, a shed just south of the pool and a gazebo in the eastern portion of the property. Surrounding land uses include the Georgian Trail and Highway 26 to the north, a large, forested property to the south, single-detached dwellings and the Georgian Peaks Ski Club to the east, and single detached dwellings to the west.

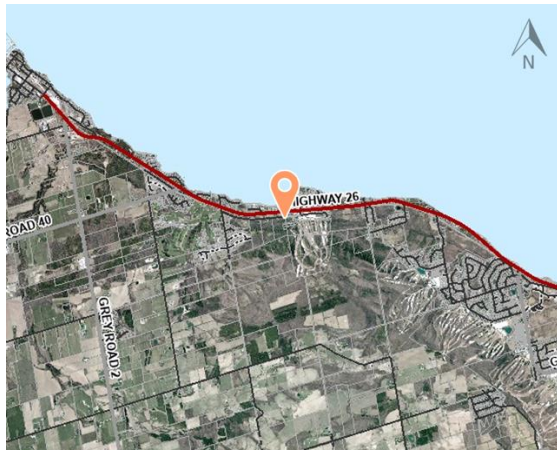


Figure 1. Location Map



Figure 2. Aerial View of the Surrounding Lands

The proposed rezoning is requested to facilitate the future severance of the lot to create a total of five residential lots (one retained and four new). The Zoning By-law Amendment proposes to rezone the subject lands from Development (D) and Hazard (H) Zones to the Residential One (R1-1) and Hazard (H) Zones, as shown in **Figure 3**.

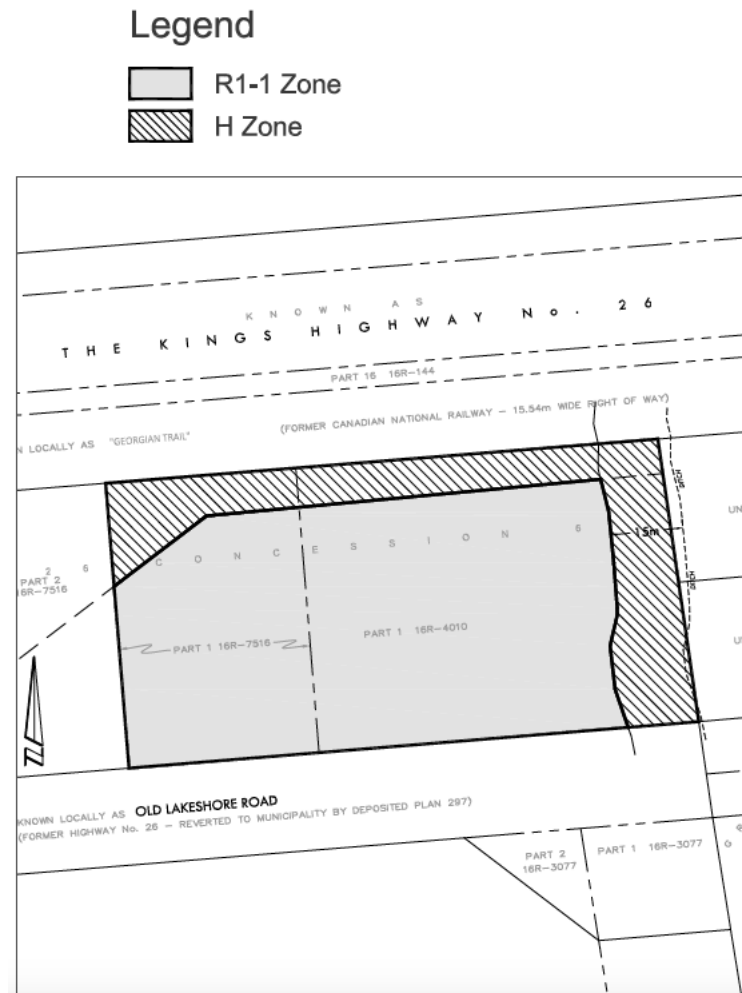


Figure 3. Proposed Zoning

It is intended that future lots on the subject lands be serviced by municipal water and sanitary sewer, with a connection to municipal water on Old Lakeshore Road. Staff have noted an additional connection to the existing watermain on Old Lakeshore Road is not supported, as the watermain has been identified as a substandard grey brittle pipe. Additional connections could cause breaks that could compromise the larger drinking water system. The main is also not in the correct location or at the right depth. Road reconstruction of Old Lakeshore Road would also be required. Old Lakeshore Road has been identified in the Town's Development Charges Background Study to be upgraded to an urban cross section. The Town does not currently have any capital projects lined up to upgrade the existing watermain on Old Lakeshore Road.

As a result of preliminary comments provided to the applicant with respect to the existing watermain along Old Lakeshore Road, the applicant has requested the deferral of the consent applications, and to proceed with the zoning by-law amendment application.

Agency Comments

A Public Meeting was held on February 13, 2024, with written comments received from public agencies. No comments were received from area residents regarding this application. Comments were received from Grey County, Grey Sauble Conservation Authority, Niagara Escarpment Commission, Hydro One and the Ministry of Transportation.

All comments received to date have been summarized as and full versions of all written comments are included in this report. Planning Staff responses to the summarized written comments are also included.

D. Analysis

This section provides the staff analysis for the application for a Zoning By-law Amendment and Consent to Sever. The analysis provides a review of relevant legislation, policies and identified issues.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and provides for appropriate development while protecting the resources of the province, public health and safety, and the quality of the natural and built environment. Decisions on planning matters made by a planning authority must be consistent with the PPS.

According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns and also by accommodating an appropriate range and mix of uses. Further, the PPS directs municipalities to avoid land use patterns which may cause environmental or public health and safety concerns and instead, promotes cost-effective development patterns to minimize land consumption and servicing costs. Section 1.1.3 notes settlement areas are to be the focus of growth. Development in settlement areas should be based on land uses which efficiently use land and infrastructure available; minimize impacts to the environment and prepare for the impacts of climate change; and are transit and freight supportive and support active transit. Section 1.4 supports the provision of an appropriate range and mix of housing options and densities.

The proposed development would establish the zoning framework to provide for residential intensification within an existing residential settlement area.

Section 1.6 of the PPS notes infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. With respect to servicing, the Town has concerns that the proposed connections to municipal water services are not feasible until such a time that water services infrastructure is upgraded along Old Lakeshore Road.

Grey County Official Plan

The County of Grey Official Plan is intended to guide development within the whole of the County of Grey and provides broad policy framework to be included in local Municipal Official Plans, Secondary Plans and Zoning By-laws.

The subject lands are designated 'Recreation Resort Area' in the Grey County Official Plan. This designation applies to settlement areas which have developed as a result of site-specific amendments to the County and local Official Plan. This designation consists of a defined development area, specific recreational amenities, and residential development serviced with full municipal services. New development in the RRA designation must serve the public interest by contributing to community recreational amenities and facilitating municipal service infrastructure. The RRA designation shall further strive to enhance recreational and tourism activities encouraging the maintenance and expansion of existing recreation facilities and encourage new land uses that will promote existing recreation facilities.

The proposed development is located within a defined and developed residential area, where a mix of permanent and seasonal residents exist. The development is in close proximity to Georgian Peaks Ski Club and the Georgian Bay. The proposed Zoning By-law Amendment will establish the framework to support and contribute to these recreational amenities and the economy of the Town of the Blue Mountains and County of Grey.

While no significant woodlands are located on the subject property, the wooded area south of Old Lakeshore Road has been identified as Significant Woodlands within the Grey County Official Plan. The Official Plan recommends evaluation of adjacent lands within 120 m to Significant Woodlands to ensure that development will not create any negative impacts on the natural heritage feature. The Natural Heritage Review concluded that the wooded area to the south of Old Lakeshore Road is generally a poor-quality vegetation community. In addition, given the existing disturbances by light and noise from adjacent roadways and the potential of further development along Old Lakeshore Road, the proposed residential development on the subject property will not have any negative effects on the Significant Woodlands or its ecological functions.

Section 9.12 of the Grey County Official Plan provides policies for lot creation. Generally, development is to be carried out in an orderly and contiguous manner that is compatible with its surroundings and does not conflict with the established development pattern in the area. Future development of the subject lands will be integrated within an existing neighbourhood and are located at the end of a cul-de-sac, representing contiguous residential development of the area and efficient use of land. Additionally for lot creation, the County's servicing requirements of Section 8.9 must be met; traffic hazards shall be avoided; soil drainage conditions must be suitable; and there must be sufficient potable water and suitable conditions for sewage system construction. As previously stated, the Town has concerns that the proposed connections to municipal water services are not feasible until such a time that water services infrastructure is upgraded along Old Lakeshore Road.

The Blue Mountains Official Plan

The Official Plan establishes the vision for growth and development in the Town and contains policies supporting the Goals and Objectives of the Plan to achieve that vision. The policy framework builds upon Provincial and County policy as described above.

The subject lands are designated Residential Recreational Area, with a small linear area abutting the Georgian Trail designated Hazard. The lands are also subject to Special Policy B3.13.5: Old Lakeshore

Road Neighbourhood Plan. **Figure 4** provides an excerpt of the Official Plan land use designation for the subject lands. The intent of the Residential Recreational Area land use designation is to recognize areas in the Town with a mix of seasonal and permanent residential and recreational uses and to recognize areas where the location of some residential uses supports and provides access to resort and recreational amenities. Single detached dwellings are permitted in the Residential Recreational Area designation. The surrounding area comprises of a mix of permanent and seasonal residential uses, and provide access to recreational amenities, including the Georgian Peaks Ski Club and Georgian Bay shoreline.

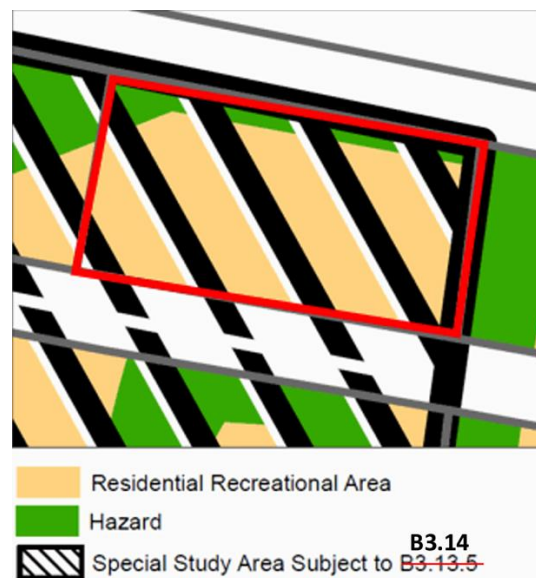


Figure 4. Official Plan Land Use Designations

Significant Woodlands are located within 120 metres of the site, on the south side of Old Lakeshore Road. Given the existing disturbances by light and noise from adjacent roadways and the existing and proposed development along Old Lakeshore Road, proposed residential development on the subject property will not have any negative effects on the Significant Woodlands.

Although an ANSI is located to the south of the property, this is not a constraint to development due to the distance between the ANSI and the subject property.

Town of The Blue Mountains Zoning By-law

The subject lands are zoned Development (D) and Hazard (H) in the Town's Zoning By-law 2018-65. A Zoning By-law Amendment is required to rezone the subject lands to permit the proposed severance and future residential development on the severed and retained parcels. The submitted request is to rezone the subject lands to the Residential One (R1-1) Zone, as well as Hazard (H).

A single detached dwelling is a permitted use in the R1-1 zone and it is intended that the future lots (created through consent) and future dwellings would comply with the zone standards of the R1-1 zone as they currently exist. As such, no modifications or exceptions to the R1-1 zone standards are requested as part of the proposal. The intent of these standards is to implement the policies of the Official Plan, including maintaining the existing character of the neighbourhood. As much of the adjacent residential

area is also zoned R1-1, the proposal is consistent with the existing low-density residential character of the area.

While the zoning by-law amendment and future proposed severance of the lots are supported in principle, from a land use planning perspective, Town staff agree with the applicant's request to defer the severance applications in light of the water servicing constraints along Old Lakeshore Road. Further, Town staff recommends that the proposed Zoning By-law Amendment be modified to include a Holding provision for the subject property, to ensure that development (including the future severance of the subject property) proceed only at a time that the Town is satisfied that there is sufficient infrastructure capacity to service the lands and any proposed development, that any proposed development supports the future reconstruction of Old Lakeshore Road into an urban cross section, as planned, and that it be demonstrated the any proposed development can adequately connect to the existing watermain along Old Lakeshore Road, or that a new watermain be constructed along Old Lakeshore Road between Camperdown Road and Wensley Street.

E. Strategic Priorities

1. Communication and Engagement

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

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 adverse environmental impacts are anticipated as a result of the recommendations contained in this report.

G. Financial Impacts

No adverse financial impacts to the municipality are anticipated from the recommendations contained in this report.

H. In Consultation With

Municipal Departments, Agencies, and the general public through the circulation of the Notice of Public Meeting in accordance with the provisions of the Ontario Planning Act.

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting which took place on **February 13, 2024**. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to planning@thebluemountains.ca.

J. Attached

1. Draft Zoning By-law Amendment
2. Public Meeting Comments (Summary)

Respectfully submitted,

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