



# Staff Report

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## Planning & Development Services – Planning Division

**Report To:** COW-Operations\_Planning\_and\_Development\_Services  
**Meeting Date:** April 30, 2024  
**Report Number:** PDS.24.075  
**Title:** Recommendation Report – Zoning By-Law Amendment and Plan of Subdivision for Part Lots 35 and 36, Concession 10 (Lora Greens)  
**Prepared by:** David Riley, SGL Planning & Design Inc.

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### A. Recommendations

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THAT Council receive Staff Report PDS.24.075, entitled “Recommendation Report – Zoning By-Law Amendment & Plan of Subdivision for Part Lot 36 & 36, Concession 10 (Lora Greens);

AND THAT Council enact a By-law to rezone the subject lands from the Development (D), Development-Holding 40 (D-h40) and Hazard-Holding 39 (H-h39) to Residential One-Holding 46 (R1-1-h46), Open Space-Holding 46 (OS-h46) and Hazard-Holding 39 (H-h39) as outlined in Attachment 1 of Staff Report PDS.24.075;

AND THAT Council adopt the Draft Plan of Subdivision shown in Attachment 2 of Staff Report PDS.24.075 and refer the matter to Grey County Council for approval.

### B. Overview

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The purpose of this report is to provide Council with a summary of public consultation and a recommendation regarding a proposed Zoning By-law Amendment and Plan of Subdivision for Lora Greens.

The application proposes the development of a Draft Plan of Subdivision to create 38 residential lots. The proposed zoning by-law amendment would rezone the subject property from Development (D), Development-Holding 40 (D-h40) and Hazard-Holding 39 (H-h39) to Residential One-Holding 46 (R1-1-h46), Open Space-Holding 46 (OS-h46) and Hazard-Holding 39 (H-h39). The dwellings are proposed to connect to municipal water and wastewater services. The proposal includes the construction of a new road, a stormwater management facility and a walkway linkage to the Georgian Trail. The subject property is currently vacant.

The application proposes to use the existing performance standards of the R1-1 Zone, and is not proposing any changes to any established provisions of the Town’s Zoning By-law.

Planning Staff are supportive of the proposed zoning by-law amendment and Plan of Subdivision, and recommend approval of the Draft Zoning By-law Amendment shown in Attachment 1 to this report, and the adoption of the Draft Plan of Subdivision shown in Attachment 2 to this report.

At this time, Council has the following options available:

- A. Approve the Zoning By-law Amendment as outlined in Attachment 1 to rezone the subject lands from the Development (D), Development-Holding 40 (D-h40) and Hazard-Holding 39 (H-h39) to Residential One-Holding 46 (R1-1-h46), Open Space-Holding 46 (OS-h46) and Hazard-Holding 39 (H-h39), and adopt the Draft Plan of Subdivision as contained in Attachment 2.
- B. Modify the requested Zoning By-law Amendment to the satisfaction of Council and/or modify the Draft Plan of Subdivision.
- C. Refuse the requested Zoning By-law Amendment and recommend refusal of the Draft Plan of Subdivision and require a resubmission of an alternative development proposal.
- D. Not make a decision at this time for reasons provided by Council which may include requirements for additional information, a future staff report, and Council consideration.

## **C. Background**

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The Town of The Blue Mountains and the County of Grey received a plan of subdivision application, known as the Lora Greens development (County File No. 42T-2023-03) to create thirty-eight (38) lots for single detached residential dwellings and associated uses. Access is proposed via 10th Line. The lots are proposed to be serviced by municipal water and wastewater as well as a storm water management facility. The applicant is proposing cash-in-lieu for parkland.

The subject lands are designated 'Recreational Resort Area' and 'Hazard Lands' in the County of Grey Official Plan, and 'Residential Recreational Area' and 'Hazard' in the Town of The Blue Mountains 2016 Official Plan.

Prior to the current applications, the lands were the subject of an appeal to the Ontario Land Tribunal (OLT). The effect of the OLT Minutes of Settlement is now reflected in the Town's Zoning By-law 2018-65, which rezoned the lands to recognize a proposed floodway re-channelization to establish holding provisions to ensure satisfactory development through a future planning application process. We are now considering that future planning application process.

The Public Meeting as required under the Planning Act was held on May 30, 2023. Plan Wells Associates Inc. presented the development proposal.

Town staff received written and verbal comments from internal departments, external agencies and the public in advance of, and following the Public Meeting. All comments received have been summarized and consolidated into Attachment #3. All original written correspondence is included in Attachment #4.

The Town's project page for the subject applications is up to date with all supporting information provided by the applicant for the public to consider.

## **D. Analysis**

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This section should include the analysis that led to the recommendation, including an analysis of the risks of following through (or not) with the recommendation.

### Planning Act

In making planning decisions, the Planning Act requires approval authorities to have regard for matters of Provincial Interest, as outlined by Section 2 of the Act and the Provincial Policy Statement. Council must also have regard for the policies of the Official Plan which apply to the lands. S.34 of the Act provides authority to municipal councils to enact land-use zoning by-laws, and S.51(24) of the Act provides criteria for consideration of draft plans of subdivision.

Additional commentary is provided below regarding the policies of the PPS and Official Plan.

### PPS

The Provincial Policy Statement (PPS) provides more detailed policy direction on matters of provincial interests related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. Within the framework of the PPS, the subject lands are located within a settlement area. The PPS supports a wide range and density of uses within Settlement Areas, acknowledges these areas as the focus for growth and development, and that their vitality and regeneration shall be promoted.

Section 1.0 of the PPS promotes Building Strong Healthy Communities through the provision of efficient development and land use patterns that promote cost effective development patterns to minimize land consumption and servicing costs. Residential uses should have compact form and be comprised of a range and mix of dwelling types and densities in order to allow for efficient use of land and services (PPS Section 1.4.3). In this regard, the PPS directs growth and intensification to existing Settlement Areas where suitable infrastructure is available or planned, adjacent to existing development. Municipal water and sanitary sewer systems are the preferred servicing form within settlement areas (PPS Section 1.6). Healthy active communities should be promoted by facilitating active transportation, providing a range of built and natural recreational amenities, providing opportunities for public access to shorelines, and encouraging a sense of place by promoting well-designed built form (PPS Sections 1.5, 1.6.7 and 1.7.1). The proposed applications provide for efficient land-use by maximizing the development potential of the lands.

The proposed development provides for single detached dwellings that are being constructed to facilitate future provision of additional residential units, providing for a mix and range of housing which will be connected to existing municipal streets and public trail systems within the development area. In addition, the proposed development will include a connection to the Georgian Trail, and will facilitate the construction of a floodway channel and stormwater management facility which will improve stormwater management in the area.

Section 2.0 of the PPS promotes the long-term prosperity, environmental health, and social wellbeing of the province through the conservation of biodiversity, protection of the Great Lakes, and protection of natural heritage, water, agricultural, mineral, and cultural resources. Natural heritage features are to be protected for the long term. Site alteration is not permitted within areas containing habitat for fish, or endangered or threatened species, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. There are very few trees on the property, and removal of any trees will be subject to a Tree Preservation and Planting Plan, as required in the Draft Plan Conditions (**Attachment 5**). A net gain in vegetation is expected from pre to post development, with vegetation to be planted in the channel, the SWM Pond block, along streets and in the Open Space block.

The potential for natural and cultural resources have been evaluated through an Environmental Impact Study and Stage 1-2 Archaeological Assessments. These studies concluded that there are no existing natural or cultural resources on the lands which require further protection or mitigation measures. These studies have been reviewed by Grey County Planning Ecology Staff, Grey Sauble Conservation, the Ministry of Citizenship and Multiculturalism Archaeology Program Unit.

Section 3.0 of the PPS aims to protect public health and safety by directing development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

As noted, the proposed development is facilitating the construction of a channel and stormwater management facility to address stormwater management, and ultimately will improve the current condition of the subject lands with respect to potential flood hazard. The submitted reports and studies further confirm that there will be no unacceptable risk to public health or safety, or property damage, as a result of the development of the lands.

Based on the above comments, Planning Staff are satisfied that the proposed zoning and draft plan of subdivision are consistent with the direction provided by the Provincial Policy Statement (2020).

#### Grey County Official Plan

The subject lands are designated as Recreational Resort Area (RRA). 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 County Official Plan encourages the provision of a variety of housing types within the County. Within this designation, the County does not support residential zones which only allow for single detached dwellings as the only residential use in a zone. As-of-right permissions for additional residential units could satisfy this policy. New residential developments are promoted at densities which efficiently use available servicing and are appropriate to site conditions and existing patterns of development (Section 4 Live Grey). Section 7 of the Official Plan also promotes the conservation and protection of natural heritage features within the County.

The proposed applications provide for residential development in proximity to existing residential development and the Georgian Trail, with direct connection to the Trail proposed. The development of the lands will further facilitate logical extension of municipal infrastructure to support housing types of a similar density consistent with the current development pattern on High Bluff Lane, and some of the proposed dwellings will be constructed to facilitate the future provision of additional residential units within each dwelling.

Generally, buildings and structures are not permitted within the hazard lands designation of the County OP. Extensive consultation and review has occurred with GSCA regarding the hazard lands on-site, there are associated draft plan conditions that address the technical matters of the identified hazard lands.

County transportation staff had no concerns with the proposed development.

Planning Staff are therefore satisfied that the proposed development is consistent with the policies of the County of Grey Official Plan.

#### Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan is intended to provide the basis for managing growth that will support and emphasize the Town's unique character, diversity, civic identity, recreational and tourism resources, rural lifestyle and heritage features and to do so in a way that has the greatest positive impact on the quality of life in the Blue Mountains. The Official Plan directs the majority of new residential growth to areas where full municipal services are available, and encourages infilling, intensification, and redevelopment in appropriate locations with appropriate built form and design (A3.3.2). Infrastructure required to service urban areas shall be built prior to or coincidental with new development. The Official Plan must be considered in its entirety in the review of all new development proposals.

#### *Residential Recreational Area 'RRA'*

The subject lands are designated as Residential Recreation Area 'RRA' within the Municipal Official Plan. It is the intent of the RRA designation to recognize areas within the Town which consist of a mix of seasonal and permanent residential and recreational uses and to recognize

areas where residential uses are located to support and provide access to recreational uses. It is also the intent of this designation to maintain the open landscape character and image of the area. Permitted uses within this designation include single detached dwellings and low-rise multiple units, as well as recreational uses and golf courses. New residential development within the RRA designation is limited to a maximum density of 10 units/hectare and must provide a minimum open space component of 40% to provide for recreational opportunities. All development must also be accompanied by a landscape analysis to ensure that the visual quality of the area is preserved and enhanced.

The Lora Greens lands are approximately 7.11 ha in area. Given the size of the lands, a total of 51 units may be accommodated in accordance with the maximum permitted density (note: the density calculation excludes hazard lands and Floodway Channel Corridor). Thirty-eight (38) units are proposed, which results in a proposed density of 7.48 units/hectare. The proposed density conforms to the policies of the Official Plan.

A 40.1% open space component is provided for the proposed subdivision, which meets the minimum open space requirement for the lands.

#### *Community Design Guidelines*

Section A3.4 provides policy direction related to urban community character and directs that new development be held to a high standard of community design through demonstrated consideration for the Town Community Design Guidelines.

Section D5 of the Official Plan provides policy direction for community design, including the enhancement of the unique character of the Town's community areas by encouraging high quality design that is complementary and compatible with existing development. Further reference to the Town Community Design Guidelines is also made.

Section 4.5 of the Town Community Design Guidelines provides recommendations for the design of residential areas, including that a variety of front yard setbacks along a street to provide visual interest and depth along the streetscape should be used. The proposed development consists of lots that meet the established minimum lot standards of the R1-1 zone, and as such, there is flexibility in the applicable standards to accommodate a variety of built form and setback conditions to achieve the intent of the guidelines.

#### *Servicing and Stormwater Management*

Section D1 outlines that the preferred means of servicing within a settlement area is by full municipal water and sewage services. Lora Greens is proposed to be serviced by municipal water and sanitary sewer services, with water service connections proposed to Peel Street and 10<sup>th</sup> Line (to create a closed loop system), and sanitary service connection proposed to Peel Street. Storm sewers will service the proposed residential lots and will drain to a proposed Stormwater Management (SWM) facility. The proposed development will also facilitate the development of a realigned drainage channel to support broader stormwater management improvements. In principle, the Town is satisfied with the proposed servicing solutions. Detailed engineering will be finalized through the process of the applicant fulfilling all proposed Draft Plan Conditions (**Attachment 5**).

*Roads, Transportation, and Active Transportation*

Section D2 provides policy direction on roads and transportation. A traffic impact study may be required to support development applications to ensure that impacts on the adjacent road network are appropriately mitigated. Active transportation and public transit considerations are also important for the development of healthy communities.

Access to the Lora Greens lands is proposed to be provided by construction a new local road from 10<sup>th</sup> Line. The new local road is proposed to be municipally owned and maintained.

Through the development review process, Town engineering staff have reviewed the proposal and have signed off on the proposed road configuration, permitting a deviation to facilitate the construction of a cul-de-sac, with no requirement for a secondary emergency access (as originally proposed).

Access to the Georgian Trail is proposed from Block 40 (walkway block) and from Block 41 (SWM block), allowing for an active transportation link to other parts of the Town and beyond.

The applicant has submitted a Transportation Impact Study (TIS), prepared by Tatham Engineering in support of the proposed development. Part of the analysis within the TIS involves the impact of the proposed development on the intersection of Highway 26 & 10<sup>th</sup> Line with respect to traffic and operations, while considering background traffic (existing and planned traffic prior to Lora Greens being constructed) and total traffic (existing and planned traffic after Lora Greens is constructed) conditions. It is important to note that the background and future traffic conditions consider all proposed development in the area (includes all Lora Bay, Community Campus Care, and Trailwoods developments).

The Highway 26 and 10<sup>th</sup> Line intersection is comprised of a provincial highway (east and west) a county road (south) and municipal road (north). Responsibility for the maintenance and upgrade of the intersection is held by the Province under the Ministry of Transportation.

To address background traffic conditions, the TIS recognizes that existing traffic volumes and intersection controls at Highway 26 and 10<sup>th</sup> Line provides an acceptable level of service with average delays during peak hours and thus no improvements are required to support the existing conditions. Future growth including the development of the Lora Greens Site as well as other area developments including Lora Bay, Campus of Care, and other general growth in the area suggests that warrants for the signalization and illumination of the Highway 26 and 10<sup>th</sup> Line intersection will be reached in 2031. These improvements would be in response to increased traffic volumes not wholly precipitated by the proposed development. With respect to total traffic, the proposed Lora Greens development is anticipated to generate 27 trips during the morning peak period, and 36 trips during the afternoon peak period. According to the TIS, the additional traffic generated by the proposed development does not generate any further required improvements beyond recommended improvements for background traffic conditions. From an operational perspective, the TIS states that the existing left turn lanes on Highway 26 are of sufficient length to accommodate all projected traffic, that no exclusive turn lanes are required from 10<sup>th</sup> Line into the proposed development, and that sight lines along Highway 26 and 10<sup>th</sup> Line are all adequate.

The Ministry of Transportation has completed a preliminary review of the development site as well as the TIS. The Ministry has identified that additional work be completed through a “signal warrant analysis” and “illumination warrant analysis” to determine the timing for intersection upgrades. Any required intersection improvements are the financial responsibility of the developer. In order to ensure that the above analysis are completed and final acceptance of the Traffic Impact Study by MTO is completed, Draft Plan Conditions have been added to require the completion of this work to the satisfaction of MTO, the County of Grey and the Town.

On April 9, 2024, a deputation was made at Committee of the Whole regarding concerns related to traffic and safety at the intersection of Highway 26 and 10<sup>th</sup> Line, as well as consideration for a roundabout at the intersection in light of reference to this in the Town’s Transportation Master Plan (TMP). At this time there are no firm dates as to when or if any intersection improvements will occur and further to the TMP does not commit to a roundabout in the absence of further study. The previously mentioned studies must be completed first and accepted by the Town and MTO prior to construction occurring on the Lora Greens site.

In response to the applicant’s TIS and the deputation made at the April 9, 2024 Committee of the Whole meeting, the Town has reviewed all submitted materials, as well as further responses provided by the applicant in response to comments provided by the Town and the Ministry of Transportation (MTO). Town Staff are of the opinion that all concerns raised have been adequately addressed, and the proposed mitigation to signalize and illuminate the intersection adequately and appropriately addresses the traffic and safety concerns raised. The proposed conditions of Draft Plan Approval require the implementation of the recommendations of the TIS.

Planning Staff are of the opinion that the proposed development conforms to the policies of the Official Plan with regard to roads, transportation, and active transportation, and that matters with respect to traffic and safety are adequately addressed provided the recommendations of the TIS are implemented.

#### *Cultural Heritage*

Section D3 of the Plan outlines the importance of protecting and maintaining the cultural heritage of the Town. All new development is required to complete an archaeological assessment to assess potential impacts on cultural resources. A Stage 1 and 2 Archaeological Report was completed for the Lora Greens lands. As a result of the Stage 2 property assessment, no archaeological resources were encountered. As such, no areas of archaeological interest are proposed to be reflected through zoning.

#### *Parks, Recreation, Trails and Open Space*

Section D6 of the Plan describes the Town’s parkland and open space policies. These policies aim to establish a system of connected public open space and parkland areas. In order to achieve this objective, park land dedications shall be obtained through the development process at a rate of 5% of the land, or cash-in-lieu, in accordance with the Planning Act. Land is generally preferred for larger development proposals. When cash-in-lieu payments are received, the Plan directs that the funds be used to purchase park land or to secure public shoreline access.

Due to the size of the lands and the requirement to realign the channel through the property, as well as adjacency to the Georgian Trail, cash-in-lieu of parkland is requested, and the applicant is proposing to provide it.

An internal trail network is not proposed, however, multiple connections to the Georgian Trail have been included, via Blocks 40 and 41, as previously noted. These connections would provide future residents of Lora Greens with easy access to the Trail and promote the use of the Town's existing trail system.

#### *Range and Mix of Housing*

Section D7 of the Plan provides policy direction on housing, requiring the Town to monitor the housing supply within the municipality and to maintain a ten-year supply of residential land. These policies further identify that a variety and range of housing types shall be encouraged.

The Lora Greens development provides for a single detached dwelling. It is also noted that updates to the Planning Act as a result of Bill 23 allow for up to three residential units (additional residential units) on single detached and rowhouse lots connected to full municipal services, which may allow for basement apartments and other similar additional dwelling units on a lot. The developer has stated that they will be providing basement rough-ins and home designs for 16 of the 38 total proposed units that can allow for the easy construction of these additional residential units.

Section A3.10 contains strategic objectives for housing in the Town, including the achievement of residential intensification and affordable housing by encouraging opportunities for mixed-use development in appropriate locations. All units in Lora Greens are proposed to be market-rate units and as such, these units would not be considered affordable or attainable housing. In the absence of affordable or attainable units, staff have requested that there be consideration towards a contribution to the Housing Within Reach Community Improvement Plan program to facilitate such projects elsewhere. The applicant has agreed to a contribution to be secured through a future development agreement.

Based on the respective Official Plan policies, Planning Staff support the proposed concept of development and support the proposed Zoning By-law Amendment and Draft Plan of Subdivision.

Town of The Blue Mountains Zoning By-law 2018-65

The developable portion of the Lora Greens lands are zoned as Development 'D'.

The proposed Zoning By-law amendment application proposes to rezone the developable portion of the subject lands to permit the development of single detached dwellings. The subject lands are proposed to be rezoned to R1-1-h46. The proposed open space, walkway and stormwater management facility blocks are proposed to be placed into the Open Space 'OS-h46' Holding zone.

Based on commentary in previous sections of this report, Planning Staff are supportive of the proposed use of the subject lands for residential and open space development. Additional commentary is provided below on the specific holding zones proposed.

#### *'OS' and 'R1-1' Holding Zones*

The proposed 'OS' and 'R1-1' holding zones are proposed to ensure that no development or site alteration is permitted until the site alteration as required for the re-channelization of a floodway to convey natural hazard (flooding) events within the Hazard (H) zoned lands abutting to the south have been constructed and that the new hazard limits of the re-channelized works have been accepted by the Grey Sauble Conservation Authority.

#### Summary

In summary, we have reviewed the proposed development, as revised, and find that the proposal, including both the Zoning By-law Amendment and Draft Plan of Subdivision, has appropriate regard for matters of Provincial interest of S.2 Planning Act, satisfies all of the criteria of s.51(24) of the Planning Act, is consistent with the PPS, and conforms to the County and Town Official Plans. We recommend the approval of the Zoning By-law Amendment and adoption of the Draft Plan of Subdivision.

### **E. Strategic Priorities**

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#### **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**

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As noted above, the potential for natural and cultural resources have been evaluated through an Environmental Impact Study and Stage 1-2 Archaeological Assessments. These studies concluded that there are no existing natural or cultural resources on the lands which require further protection or mitigation measures.

## **G. Financial Impacts**

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Decisions of Council on planning applications may be subject to an appeal to the Ontario Land Tribunal (OLT). Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required. The Lora Greens application is not subject to the refund of application fees due to the timing of when the application was submitted. However, the appeal window is open and the application could be appealed at any time. The applicant has continued to work cooperatively with the Town on the continued processing of the applications.

## **H. In Consultation With**

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Town Departments via Development Review Committee

Stephanie Lacey-Avon, County of Grey

Shawn Postma, RPP, MCIP, Manager of Community Planning

Adam Smith, Director of Planning and Development Services

## **I. Public Engagement**

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The topic of this Staff Report has been the subject of a Public Meeting which took place on **May 30, 2023**. 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](mailto:planning@thebluemountains.ca)

## **J. Attached**

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1. Draft Zoning By-law Amendment
2. Draft Plan of Subdivision
3. Public Meeting Comments (Summary)
4. Public Meeting Comments (Original)
5. Draft Plan Conditions

Respectfully submitted,

David Riley, SGL Planning & Design Inc.  
Principal

For more information, please contact:

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### Report Approval Details

Document Title:	PDS.24.075 Recommendation Report - ZBA and Plan of Sub for Part Lots 35 and 36, Concession 10 (Lora Greens).docx
Attachments:	- PDS-24-075-Attachment-1.pdf - PDS-24-075-Attachment-2.pdf - PDS-24-075-Attachment-3.pdf - PDS-24-075-Attachment-4_Redacted.pdf - PDS-24-075-Attachment-5.pdf
Final Approval Date:	Apr 19, 2024

This report and all of its attachments were approved and signed as outlined below:

**Adam Smith - Apr 19, 2024 - 10:09 AM**