



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: December 9, 2025
Report Number: PBS.25.081
Title: Report in response of deputation of Christina Eaton re: requesting the opportunity to purchase the Bay Street Unopened Road Allowance
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

THAT Council receive Staff Report PBS.25.081, entitled “Report in response of deputation of Christina Eaton re: requesting the opportunity to purchase the Bay Street Unopened Road Allowance”;

AND THAT Council direct that the Bay Street West unopened road allowance bounded by Lansdowne Street to the west and Lakeshore Drive to the east, be retained in Town ownership and remain as an unopened road allowance.

AND THAT Council confirm that the subject road allowance is required to accommodate the Ontario Land Tribunal approved road alignment and tree preservation/open space area for the Abbotts Subdivision and to preserve the ability to establish a future public trail link in this corridor.

B. Overview

The purpose of this report is to provide a follow up to the September 8, 2025 deputation presented by Christina Eaton Lakeshore Drive Resident requesting the opportunity to purchase the Bay Street West unopened Road Allowance to further divide and adjoin to the existing lots along Lakeshore Drive.

This report provides an overview of the deputation request, Council direction, location and context, the existing draft plan approved development, sale and disposition of land policy and Council options.

C. Background

On September 8, 2025 Council received a deputation from Christina Eaton a Lakeshore Drive resident on behalf of a group of homeowners whose properties back onto the Town-owned Bay Street West road allowance. They respectfully requested that Council consider an opportunity

to sell the unused road allowance with the intention of incorporating the lands onto the existing properties along Lakeshore Drive under mutually agreeable terms. The lands would be subdivided along the existing side lot lines of the Lakeshore Drive lots and extend for each lot to also include that portion of the Bay Street Road Allowance. It was noted in the presentation that there are 14 existing lots plus the Bay Side Villas condominium that are located between Lakeshore Drive and the Bay Street unopened road allowance. The deputation presented that the Bay Street road allowance was originally intended to serve as the primary road through the neighbourhood, however Lakeshore Drive was installed instead and that the original Bay Street road allowance is now functionally redundant. With the dedication of the road allowance to each of the Lakeshore Drive lots, it was submitted that the Town can benefit from increased tax revenue, improved drainage (including reduced liability and maintenance), tree protection, and general community benefit.

Council received the deputation along with some general questions and answers focused around the process, valuation, area residents support/buy-in, and ownership options.

Council then passed a resolution directing Staff to prepare a Staff Report and present options for Council consideration.

D. Analysis

The portion of the Bay Street Road Allowance is shown below in Figure 1 and comprises of the unopened road allowance bounded by Lansdowne Street to the West and Lakeshore Drive/Bayshore Villas to the East. The lands are a standard Road Allowance width of 66 feet (20.12 metres) by approximately 360 metres long.



Figure 1: Section of Bay Street Road Allowance (RED) Lakeshore Drive Lots (Green)

The Town has held ownership of the Bay Street Road Allowance since the original land survey was completed for the former Town of Thornbury. All Road Allowances were originally set aside in the 1830's through the original Crown Survey in an organized grid pattern to provide access and future roads along with the parcels of land for future growth and development.

Some Road Allowances were eventually opened up as new Municipal Roads, and others remain unopened and are presently used as vacant land, alternative public uses such as public trails or utility corridors. These Road Allowances are generally intended for future growth and development when additional lands are needed.

The Municipality (as the owner) has jurisdiction over all road allowances within the Town and controls the uses that exist on them. No work (including tree removal, or construction of a new road) can occur on these lands without first obtaining a Municipal Land Use Permit or other Agreement which authorizes works on municipal lands and may set out limits and/or conditions to those works.

Generally the Town protects all Road Allowance lands for long term consideration as the grid layout of the Road Allowances allow for their efficient use for future roads, and also for trails and/or utility corridors. Requests to remove Road Allowance lands from the Town require thorough review and analysis to determine long term impacts that may arise from removing portions from Town ownership.

The process to consider the transfer of a Town Owned Road Allowance falls under the Town Policy POL.COR.07.02 for the Sale and Other Disposition of Town Owned Lands. The policy outlines the required process in order to consider the sale of Town Owned Lands (including Road Allowances). The first step is to obtain a resolution of Council in support of proceeding through the Sale and Disposition of Lands process which then includes requirements for public notice, a public meeting, staff report and then a decision of Council.

When assessing this particular request, it is noted that not discussed in the deputation, is a vacant development lot south of the Bay Street Road Allowance that has Draft Plan Approval for a proposed 22 unit Plan of Subdivision known as the Abbotts Subdivision (See Figure 2)



Figure 2: ***Section of Bay Street Road Allowance (RED)***
 Lakeshore Drive Lots (Green)
 Abbotts Subdivision (Purple)

The Abbotts Subdivision consists of 20 residential units including 4 Single Detached Dwellings and 16 Semi-Detached Dwellings. Access to the lots would be from Lansdowne Street and through new extensions of Bay Street West and Victoria Street North. The new road is proposed on the road allowance lands being requested by the deputation. The proposed new road is comprised of: a one-way street, also includes a portion of the development lands, and includes a tree protection / open space area on a portion of the road allowance north of the road.

The original planning files for the Abbotts Subdivision received objections through the planning approvals process and was ultimately appealed to the Ontario Land Tribunal for a decision. For more details on the Abbotts subdivision, the submission documents, previous Staff Reports and the Ontario Land Tribunal decisions please visit the town website here: [Abbotts Subdivision](#).

Figure 3 below includes the Ontario Land Tribunal Draft Approved Plan:

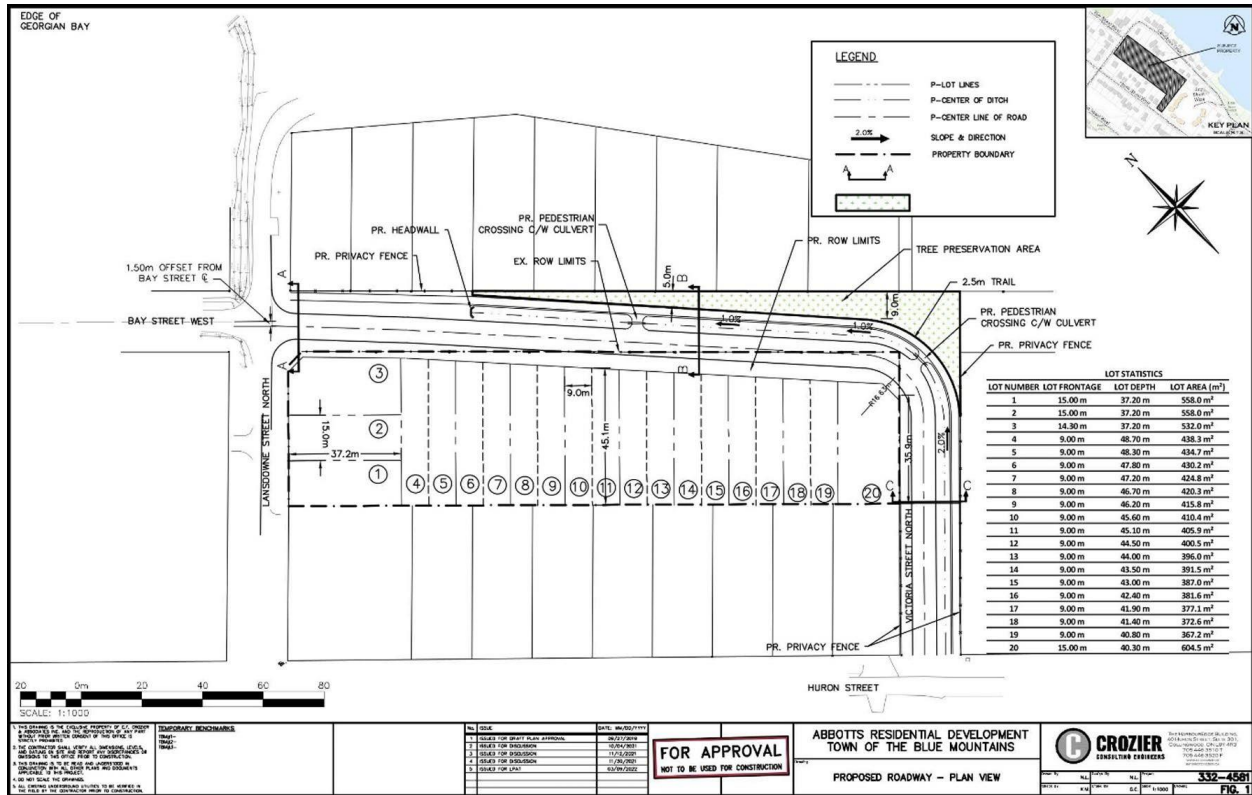


Figure 3: Abbots Subdivision Draft Approved Plan

The Ontario Land Tribunal Hearing heard positions from the Owner (Appellant), the Town, the County, Grey Condominium 11 (Bayshore Villas), and the Harbour West Residents Group Inc. Prior to the Hearing, the Tribunal received executed Minutes of Settlement between the Appellant, the Town, the County, and Bayshore Villas. In objection were the Harbour West Residents Group. A 3-day Hearing was completed in July 2021 to consider the objections raised. The Tribunal heard all concerns and imposed mitigation measures (as agreed in the settlement) which included the realignment of the new one-way Bay Street road partially on the development lands, the creation of a Tree Preservation Area / Open Space Area, the installation of a Privacy Fence, area drainage improvements, and other modifications.

Ultimately the Tribunal ordered that the Zoning By-law and Draft Plan be approved and directed the Town to consider passing a second Zoning By-law Amendment to rezone a portion of the Road Allowance to the Open Space Zone in order to establish the identified Tree Preservation Area. That Open Space By-law Amendment was enacted by Council in December 2022 through By-law 2022-86. After its passing, the Tribunal issued its final order formalizing the June 2022 Zoning By-law Amendment and Draft Plan Approval. These approvals continue to remain in effect and based on this status, once the Owner satisfies all conditions of Draft Approval, they will be in a position to register the subdivision and commence with the installation of the new road and new home construction.

Adjacent to the Abbots Subdivision is the Bayside Villas (Grey County Condominium Corporation #11). A previous deputation was presented in June 2023 on behalf of the Condo Corporation requesting to purchase the Bay Street road allowance adjacent to the

Condominium lands which currently includes the main entrance into the condominium corporation. These lands remain under the ownership of the Town and have been used by the condominium corporation for a laneway access. The request to purchase the Road Allowance was considered under Staff Report PDS.24.017 and resulted in Council refusing the request in order to retain the lands under Town ownership for a potential future trail linkage from Victoria Street to the Thornbury Beach/Harbour area.

Planning Staff has reviewed the request from the Deputation, and consistent with previous requests to purchase Town Road Allowances, and the status of the existing Draft Approved Plan of Subdivision, Planning Staff are unable to recommend support of the stop up and close of the Bay Street Road Allowance as requested through the deputation. Should Council see merit in proceeding through the transfer of these lands to the existing residential lots, Staff recommend that Council request Town Staff to report back to Council with 1) a legal opinion on the potential impacts of the sale in relation to the adjacent development lands, and 2) the completion of a detailed analysis on the need of the Road Allowance under Town Ownership for future consideration.

Council has requested options for their consideration and Planning Staff has identified the following two options:

Option 1: Retain the Lands as an unopened Road Allowance (do nothing)
(Recommended Option)

The Road Allowance lands will be retained for a future road as contemplated by the existing draft plan approved under the Abbotts Subdivision Development. Further, retention of the road allowance maintains the Town's ability for a future trail linkage and reinforces the Town's position with respect to PDS.24.017.

Option 2: Initiate Town Policy POL.COR.07.02 for the Sale and Disposition of Town Owned Lands

A Council Resolution is required to initiate the process which can begin immediately, or after the above noted follow up Staff Report is completed. Town Staff can then request a formal application from the Lakeshore Drive homeowners and provide Notice of Application, Notice of Public Meeting and following the meeting provide a Staff report for Council consideration.

However, as noted in the Analysis section, this option carries litigation risk and will need to be subject to legal review. The Town has signed the Minutes of Settlement approving both the subdivision design and access which is dependent upon a portion of the road allowance.

E. Strategic Priorities

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

Environmental Impacts have been confirmed through the Abbots Subdivision planning review process indicating that a proposed new road along with the drainage improvements, tree preservation and fencing can be minimized. Environmental Impacts resulting from the sale to adjacent land owners has not been reviewed, it being noted that public drainage through the road allowance lands would need to be addressed prior to the sale of road allowance lands.

G. Financial Impacts

It has been submitted that the Town may benefit from increased tax revenue and reduced liability/maintenance of area drainage which has not been reviewed under this report. It is noted that the Town can receive a one-time financial payment for the sale of the lands, with Staff recommending that any costs associated with an appraisal and land transfer will be a requirement of the benefitting properties.

H. In Consultation With

Tim Murawsky, Acting Director of Planning and Building Services
Adam Smith, CAO

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 Shawn Postma, planning@thebluemountains.ca

J. Attached

1. Nil

Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
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Report Approval Details

Document Title:	PBS.25.081 Report in response of deputation of Christina Eaton re purchase the Bay Street Unopened Road Allowance.docx
Attachments:	- PBS-25-081-Attachment-1.pdf
Final Approval Date:	Nov 26, 2025

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

Tim Murawsky - Nov 26, 2025 - 12:26 PM