



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: April 9, 2024
Report Number: PDS.24.006
Title: Recommendation Report – Zoning By-Law Amendment and Consents to Sever for 372 Grey Road 21 (Rhemm Properties)
Prepared by: David Riley, Principal, SGL Planning & Design Inc.
Sierra Horton, Planner, SGL Planning & Design Inc.

A. Recommendations

THAT Council receive Staff Report PDS.24.006 entitled “Recommendation Report – Zoning By-Law Amendment and Consents to Sever for 372 Grey Road 21 (Rhemm Properties)”;

AND THAT Council enact a By-law to rezone the subject lands from Development (D), Hazard (H) and Wetland (WL) to Residential One – Holding (R1-1-h47), Hazard (H) and Wetland (WL), as outlined in Attachment 1 – Draft Zoning By-law Amendment;

AND THAT Council grant Provisional Consent to Applications P3166, P3167, P3168 subject to the conditions described in Attachment 2 Draft Consent Decision of report PDS.24.006.

B. Overview

The purpose of this report is to provide Council with a summary and recommendation regarding a Zoning By-law Amendment and Consents to Sever for the lands municipally known as 372 Grey Road 21. The proposal is seeking to sever three residential lots from an existing 20.28 hectare lot. The developable area to be severed is 0.3 hectares and the new lots are proposed to meet the minimum lot standards of the Residential One ‘R1-1’ Zone. The new residential lots are proposed to connect to the Collingwood water system and be supported by the water allocation provided to The Blue Mountains through the existing supply contract. The lots are proposed to connect to The Blue Mountains municipal sanitary sewer.

The proposed Zoning By-law Amendment application was submitted to the Town in April 2022. The application seeks to rezone the subject lands from the Development ‘D’, Hazard ‘H’ and Wetland ‘WL’ Zones to the Residential One ‘R1-1’, Hazard ‘H’ and Wetland ‘WL’ Zones. The Holding Provision ‘h1’, which relates to wetland impacts and GSCA authorization for development, is also proposed to be lifted.

The Zoning By-law Application was the subject of a public meeting on June 13, 2022, however was deferred and did not proceed to a Council meeting at that time. A revised Consent to Sever

Application was received with the 2nd Submission for the Zoning By-law Amendment in September 2023. A Public Meeting regarding the Consent to Sever Applications was held on March 12, 2024.

C. Background

Planning Services received a Zoning By-law Application and four Consent to Sever Applications in April 2022. A Statutory Public Meeting regarding the Zoning By-law Amendment was held on June 13, 2022. Following the Public Meeting, a 2nd Submission was received on September 6, 2023, for the Zoning By-law Amendment alongside revised Consent Applications which reduced the number of consents from four to three new residential lots based on comments received and further technical studies. A Public Meeting regarding the Consent to Sever Applications was held on March 12, 2024.

The subject lands are known municipally as 372 Grey Road 21. The property is located on the west side of Grey Road 21, south of Highway 26 and the residential neighbourhood spanning along Timmons Street. The lands are a large rectangular-shaped property having a total area of 20.28 hectares. There is a total lot frontage of 149.4 metres onto Grey Road 21. The site is bisected by the Georgian Trail. There is also an existing servicing easement that crosses the lands in the west end. The lands to the east of the servicing easement are 13.5 hectares and the lands to the west of the servicing easement are 6.96 hectares.

The east end of the property, where there previously was a single detached dwelling and new development is proposed, is generally maintained. Naturalized conditions span the remainder of the site, with woodland and wetland habitats. Portions of the wetland habitat on the property are part of the Silver Creek Provincially Significant Wetland (PSW) Complex. Drainage features are present along the northern and eastern property limits, which converge at Highway 26 where it flows through a culvert under the road to adjacent lands to the north.

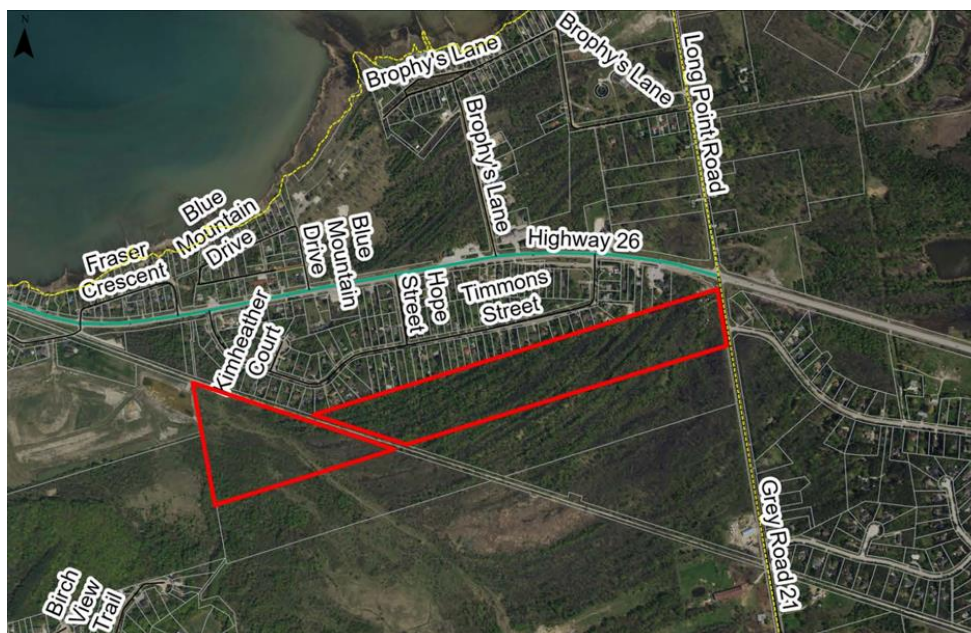


Figure 1. Location Map and Aerial View of Subject Lands

The proposed rezoning and consents apply to a small 0.3 hectare portion of the property along Grey Road 21 currently designated Residential Recreational Area in the Official Plan and zoned Development 'D' Zone. The applicant is proposing to rezone the lands from Development 'D' Zone to Residential One 'R1-1' Zone. No changes to the existing Wetland 'W' or Hazard 'H' Zones are proposed on the remainder of the property.

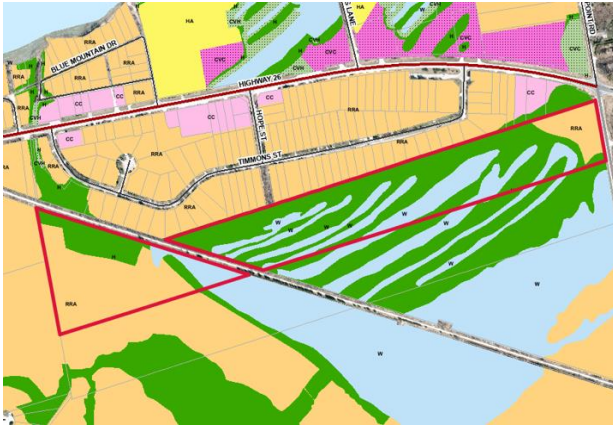


Figure 2. Existing Land Use

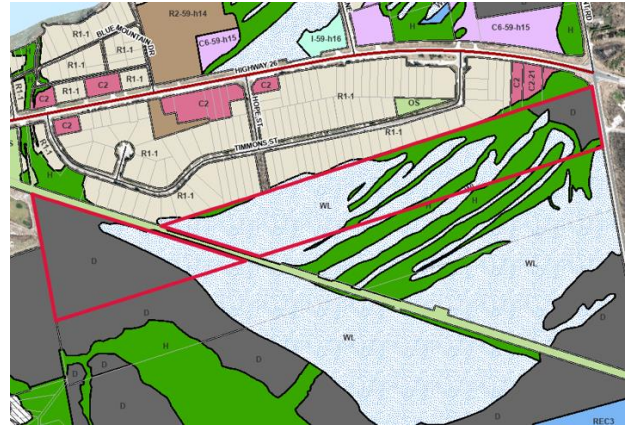


Figure 2. Existing Zoning

The Zoning By-law Amendment and Consent to Sever applications are requested to facilitate severance of the larger property to create three new residential lots along Grey Road 21, as shown in **Figure 3** and **Figure 4** below. As part of the consent applications, a 5.18-metre road widening of Grey Road 21 is required to be dedicated to the County of Grey. Additionally, the Town is requiring the conveyance of a 6-metre trail block along the front lot line.

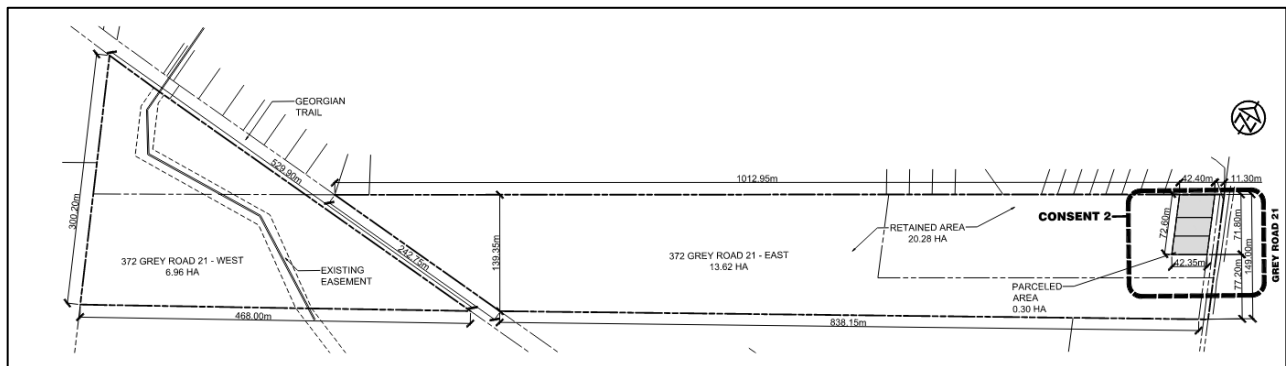


Figure 3. Lands Subject to Consent Application

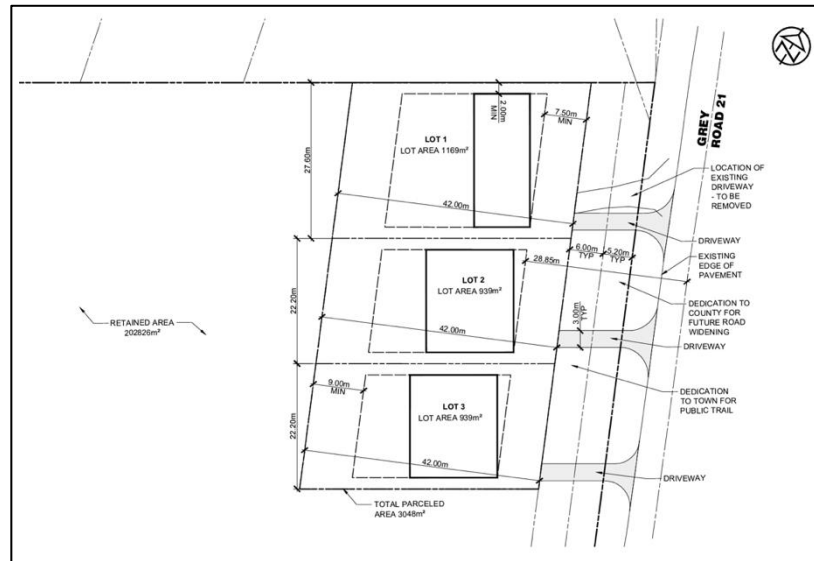


Figure 4. Proposed Residential Lots

As illustrated in **Table 1**, the proposed lot areas and frontages for the three new lots conform to the minimum requirements of the R1-1 Zone.

Table 1. Proposed Lots and R1-1 Zone Conformity

Lot	Proposed Lot Area	R1-1 Zone Minimum Lot Area	Proposed Lot Frontage	R1-1 Zone Minimum Lot Frontage
1	1169 m ²	550 m ²	27.6 m	18 m
2	939 m ²		22.2 m	
3	939 m ²		22.2 m	
Retained	20.28 ha	-	77.20 m	-

Public and Agency Comments

A Public Meeting regarding the Zoning By-law Amendment was held on February 13, 2024, with comments received from public agencies and members of the public. Comments were received from Grey County, Town of Collingwood, Grey Sauble Conservation Authority, Huron-Wendat Nation, Saugeen Ojibway Nation (SON), Blue Mountain Watershed Trust and other members of the public.

A Public Meeting regarding the Consent to Sever Applications was held on March 14, 2024, with comments received from public agencies and a member of the public. Comments were received from Grey County, Enbridge, Hydro One, Blue Mountain Watershed Trust Foundation and other members of the public.

Comments received regarding the Consent to Sever Public Meeting have been summarized as Attachment 3. Comments received regarding the previous Zoning By-law Public Meeting were previously summarized and are included as Attachment 4. Full versions of all written comments

are included as Attachment 5 to this report. Planning Staff responses to the summarized written comments are also included in Attachment 1 and 2.

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. Section 1.4 supports the provision of an appropriate range and mix of housing options and densities.

The proposed development would permit the creation of three new residential lots for single detached dwellings within a recreational settlement area in proximity to other residential uses. The development is proposed to be served by full municipal services.

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. To ensure adequate delivery of water servicing, the Town has proposed a holding provision be placed on the land until such time water connection details are worked out via agreement or other means with the Town of Collingwood. There is sufficient wastewater capacity to service the proposed lots. A drainage swale is located to the rear of the proposed lots. In order to ensure appropriate maintenance of the swale, a condition of consent has been recommended, noting that the responsibility of the maintenance of the swale shall be determined by the Owner, in consultation with, and to the satisfaction of the Town, and any necessary agreements shall be entered into, if required.

Section 3.1 of the PPS provides policies guiding the growth and development within Natural Hazard areas, which generally directions development away from these areas unless it can be demonstrated development impacts will be minimized through mitigation and adaptation techniques. An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed a Holding

provision in the Zoning By-law Amendment to require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly.

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' and 'Wetlands' in the Grey County Official Plan.

The Recreation Resort Area 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 Recreation Resort Area designation shall contribute to, or promote new land uses that will contribute to, community recreational amenities and tourism activities, as well as facilitate municipal service infrastructure. The proposed development is located in proximity to other similar residential uses, where a mix of permanent and seasonal residences exist. The lands are in close proximity to recreational facilities such as ski clubs, resorts and tourism destinations (e.g. Blue Mountain Village and the Scandineve Spa). The Georgian Trail runs along the western property line. As a condition of consent, the Town is recommending that a 10-metre wide block along the length of the Georgian Trail be dedicated to the Town, for the purposes of future works to facilitate drainage improvements along the trail.

Section 7.3 of the Grey County Official Plan dealing with wetlands generally encourages development be setback from wetlands by at least 30 metres. In some cases, this 30 metre distance can be reduced based on site-specific circumstances, or through the completion of an EIS. The EIS and Addendum completed by Birks Natural Heritage Consultants identified and delineated the wetland habitat on the site which the proposed application does not encroach into. The development proposes a buffer area of 2034.74 m² and an enhancement area of 2708.87 m² from the wetland. Several mitigation measures were provided to ensure proposed development does not impact identified Key Natural Heritage Features and Key Hydrological Features and functions during construction.

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 is in proximity to existing similar residential development, 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. Tatham Engineering has consulted with County and Town Staff on municipal water and sewer connections. To ensure there is sufficient capacity at both the Waste Water Treatment Plan and

Waste Water Pumping Station to accommodate three new water and sewer connections, a Holding provision is proposed to be included in the Zoning By-law Amendment.

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, Wetland and Hazard.

The intent of the Residential Recreational Area 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.

Section B3.7.4.1 sets out density and open space requirements for the Residential Recreational Area, permitting a maximum density of 10 units per gross hectare and requiring a minimum open space component of 40%. Lands designated Wetland and Hazard Lands may be included within the required open space component; however, such lands are not included for the purpose of calculating density. Based on the 0.3 hectare developable area subject to the current applications, a density of 10 units per gross hectare is proposed. However, there is also approximately 3.67 hectares of developable land in the west block of the subject property (where a future draft plan is contemplated), generating a total of approximately 3.97 hectares of developable land on the site. Based on the total developable area of the site, a density of 1 unit per gross hectare is proposed. Removing the developable lands from the open space calculation leaves the site with 16.61 ha of open space, generating an open space component of 81%, whereas 40% is required. As noted previously in this report, a condition of consent is recommended that a 10-metre wide block along the length of the Georgian Trail be dedicated to the Town, for the purposes of future works to facilitate drainage improvements along the trail, which is an added open space benefit associated with this application.

The Blue Mountains Zoning By-law

The subject lands are currently 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 future residential development on the three severed parcels. The submitted request is to rezone a portion of the subject land currently zoned Development 'D' to the Residential One (R1-1) Zone. The three new lots will comply with the zone standards of the R1-1 Zone. No modifications to the existing Hazard 'H' and Wetland 'WL' Zones are requested.

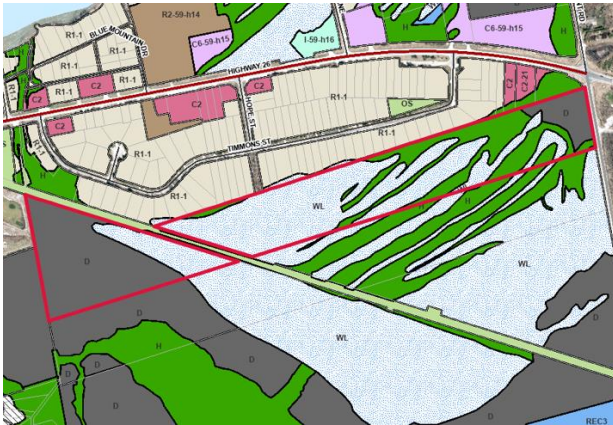


Figure 5. Existing Zoning



Figure 6. Proposed Zoning

The Zoning By-law Amendment also proposes to lift the existing Hold (h1) as follows:

“The holding (h1) may be lifted if a Development Permit or exemption has been obtained from the Grey Sauble Conservation Authority and provided the proposed development will not have a negative impact on the wetland and its associated ecological functions.”

An Environmental Impact Study has been completed and submitted to the GSCA in support of lifting the holding symbol in part to allow for the development of the proposed lots.

Attachment 1 contains the Draft Zoning By-law Amendment.

Summary

In summary, we have reviewed the proposed development and find that the proposed new lots and Zoning By-law Amendment, 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 Consent to Sever applications subject to the conditions and comments contained in this report.

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

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 Zoning By-law Amendment 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 it can 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

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 two Public Meetings which took place on **June 13, 2022** relating to the Zoning By-law Amendments and **March 12, 2024** relating to the Consents to Sever. Those who provided comments at the Public Meetings 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. Draft Consent Decision
3. Public Meeting Comments – March 12, 2024 (Summary)
4. Public Meeting Comments – June 13, 2022 (Summary)
5. Public Meeting Comments (Original)

Respectfully submitted,

David Riley, Principal
SGL Planning & Design Inc., on behalf of Planning and Development Services

Sierra Horton, Planner
SGL Planning & Design Inc. on behalf of Planning and Development Services

For more information, please contact:

planning@thebluemountains.ca

(519) 599-3131 ext. 263