

Report PDR-PCD-26-14

To: Chair Wright and Members of the Planning and Community Development Committee

From: Randy Scherzer, Director of Planning

Meeting Date: July 22, 2014

Subject: **42T-2006-19 (Georgian Shores) – Three Year Draft Approval Extension Request**

Status: Recommendation adopted by Committee as presented per Resolution PCD88-14; Endorsed by County Council August 5, 2014 per Resolution CC115-14;

Recommendation(s)

WHEREAS the Ontario Municipal Board approved draft Plan of Subdivision No. 42T-2006-19 in accordance with the minutes of settlement as outlined in the Board Decision dated November 22, 2011;

AND WHEREAS the Ontario Municipal Board has given the County the authority to clear the conditions of draft approval, however the conditions can only be modified by the Ontario Municipal Board and therefore an extension request needs to be approved by the Board;

AND WHEREAS a request has been received from the developer's agent requesting that the parties to the Board Hearing support a three year extension to draft approval;

NOW THEREFORE BE IT RESOLVED THAT the Planning and Community Development Committee receives Planning Report PDR-PCD-26-14;

AND THAT the Committee supports the request for a three year extension to draft Plan of Subdivision 42T-2006-19 subject to the Township of Georgian Bluffs supporting the request.

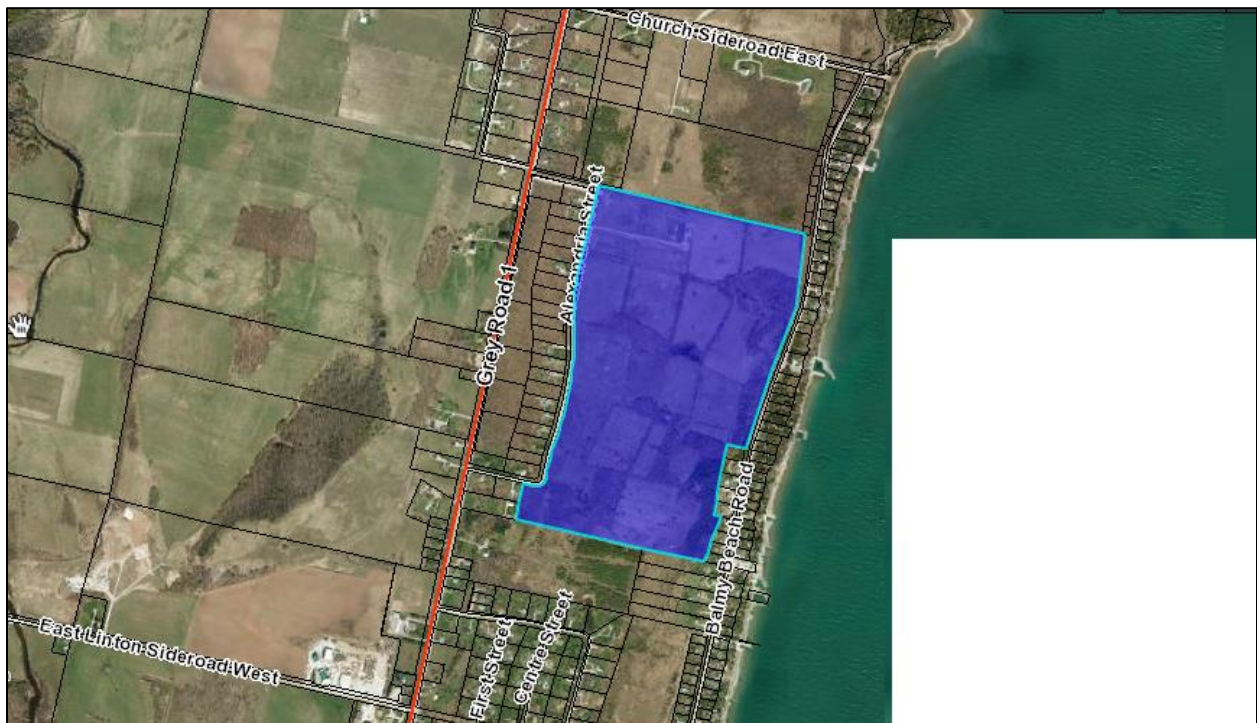
Background

Plan of Subdivision Application 42T-2006-19 was draft approved by Committee on June 15, 2010 and the decision was appealed by the City of Owen Sound. The subject lands are located in the Secondary Settlement Area known as East Linton specifically on Lots 24, 25, and 26, Concession 3 (geographic Township of Sarawak), Township of Georgian Bluffs (see Map 1 below). Minutes of Settlement were reached between the parties which resulted in modifications to the proposed plan and the conditions of draft approval. The revised conditions allow Phase 1 to proceed on partial services (16 lots). The remaining portion of the lands have been identified as a “Future Development Block” and that prior to development proceeding within this Block, a Servicing Options Study must be completed to the satisfaction of the County, the Township and the Ministry of Environment. The Board approved the revised plan and the modified conditions as outlined in the decision dated November 22, 2011.

The following is a link to a report which provides further information on the settlement reached amongst the parties:

[Addendum to PDR-PCD-32-11 Georgian Shores Settlement Overview](#)

MAP 1: Georgian Shores Subject Lands



In a letter dated May 28, 2014, the developer's agent requests that the parties to the Board Hearing support a 3 year extension to draft approval. The letter notes that considerable research has been undertaken on the Servicing Options Study as required by the conditions of draft approval and there has been progress towards the completion, however the letter notes that more time is needed to clear this condition and to address the other technical aspects to register Phase 1.

Condition 6 requires the developer to prepare Terms of Reference for the Servicing Options Study to the satisfaction of the County, the Township and the Ministry of the Environment. There has been consultation on the Terms of Reference for the Servicing Options Study, however a final Terms of Reference has not been completed to date. County staff continues to encourage the developer to prepare Terms of Reference to the satisfaction of the County, the Ministry of Environment and the Township prior to commencing work on the Servicing Options Study in order to ensure that the Study addresses all the information that will be required by the review agencies.

County staff also encourages the developer to address the conditions to allow Phase 1 to proceed. Condition 8 requires that a monitoring program be established to monitor the build out of Phase 1 to ensure there are no environmental impacts caused by the long-term use of the tertiary septic systems. The monitoring of Phase 1 will assist in providing evidence to determine whether or not the Future Development Block can be developed on partial services.

The standard period of time for extensions of draft approval is one year. The granting or supporting of one year extensions has been delegated to the Director of Planning. Extension requests beyond one year are required to be approved by the Planning and Community Development Committee. In this case, the Board has delegated the clearing of conditions to the County; however the conditions can only be modified by the Board. To extend the approval for another 3 years would involve modifying Condition 29 and therefore draft approval extensions for this development need to be approved by the Ontario Municipal Board. Prior to making a decision on the extension request, the Board will want to hear whether or not the parties support the extension.

County staff typically recommends that extensions to draft approval only be for a one year period to ensure that the proponent is continuing to move forward with fulfilling the conditions and to allow local municipalities to have the option of not extending draft approval if the municipality is experiencing servicing capacity issues.

Township of Georgian Bluffs will be considering the extension request at their meeting on July 16, 2014.

Based on the reasons for the extension request identified in the letter from the Owner's agent, County staff recommends that Committee support the three year extension to draft approval subject to the Township of Georgian Bluffs supporting the request.

Financial / Staffing / Legal / Information Technology

Considerations

At this point there are no financial, staffing, legal or Information Technology considerations.

Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan requires the continued management of growth and the application of sound land use planning principles. Permitting an extension to draft approval for a previously draft approved subdivision would be considered sound land use planning, given the specific circumstances.

Respectfully submitted by,

Randy Scherzer
Director of Planning