



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	April 14, 2022
Subject / Report No:	PDR-CW-11-22
Title:	Blue Bay Villas Redline Revisions 42-CDM-2013-03
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Township of Georgian Bluffs
Status:	Recommendation adopted by Committee as presented per Resolution CW54-22; Endorsed by Council April 28, 2022

Recommendation

1. That all written submissions received on the proposed redline revisions to plan of condominium 42-CDM-2013-03 were considered which helped to make an informed recommendation and decision; and
2. That the Report PDR-CW-11-22 be received, and that in consideration of the draft plan of condominium 42-CDM-2013-03, and the matters to have regard for under Subsection 51(24) of the Planning Act, the County of Grey Committee of the Whole hereby approves the revised plan of condominium on lands described as Part of Block 75, RP 16M-15, Part 3, Plan 16R-10059, (geographic Township of Sarawak) in the Township of Georgian Bluffs.

Executive Summary

The report considers some proposed revisions to draft plan of condominium 42-CDM-2013-03 known as Blue Bay Villas in Cobble Beach. The current draft plan consists primarily of residential units, amenity area, and parking. Through the proposed redline revision there would be a slight reduction in the number of residential units (from 41 to 37 units), and a slight increase in the amount of parking and amenity area. There are no proposed changes to the road layout in this development. The Township of Georgian Bluffs has supported the proposed redline revisions. All written comments regarding the proposed revisions have been considered and it is recommended that Committee approve the revisions to the draft plan.

Background and Discussion

The County has received a request for redline revision to the Blue Bay Villas draft plan of condominium (County file number 42-CDM-2013-03). Blue Bay Villas was granted draft approval on February 18, 2014 and later revised on September 16, 2014. The draft plan approval has been extended since then and portions of the development have now been built out.

The following are the proposed revisions to the draft plan of condominium:

- eliminating townhouse block 12,
- a new layout for townhouse blocks 9, 10, and 11 along the west side Hawthorn Crescent, and
- reconfiguration to the amenity area located at the rear of original townhouse blocks 9, 10 and 11, and an increase to the total amenity area.

Through these changes the residential unit total will decrease from 41 units to 37 units, there will be an increase in parking spaces from 146 spaces to 149 spaces, and an increase of 46.9 m² to the amenity area.

The subject lands are located east of Grey Road 1 in the Cobble Beach development on Hawthorn Crescent. Surrounding these lands are a mixture of residential units and the golf course.

The proposed changes meet the existing zoning, so no zoning amendments have been triggered in association with the draft plan revisions.

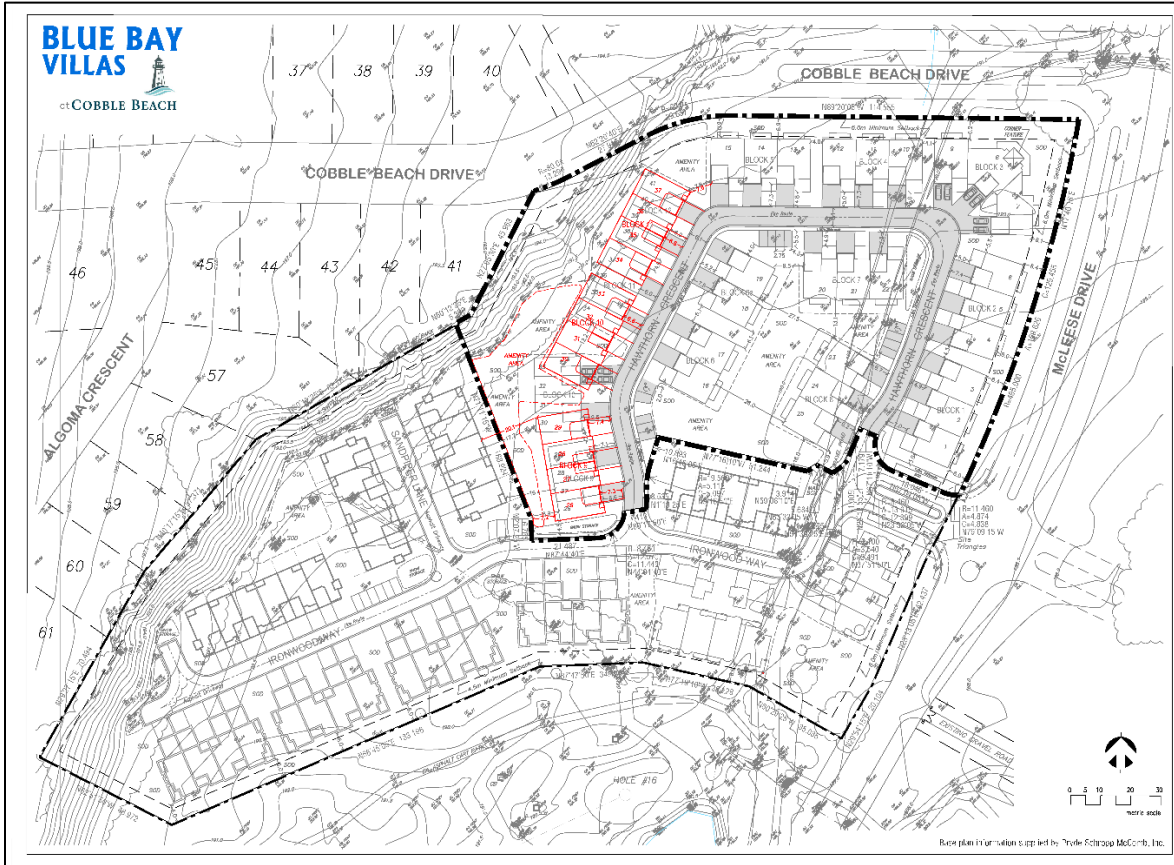
Pre-submission consultation between the proponent, the Township and the County identified the submission requirements for the proposed plan of condominium. The following reports have been submitted with the condominium application;

1. Planning Memo,
2. Engineering Memo and
3. Revised Draft Plan.

Copies of all background reports and plans can be found at [this link](#). Map 1 below shows the subject lands outlined in blue, while Map 2 shows the proposed draft plan changes.



Map 1: Subject Lands



Map 2: Proposed Revised Plan

Public and Agency Comments Received

Public Comments

As part of the planning application process, there were no public comments received.

Agency Comments

As part of the planning application process comments were received by the following groups, agencies and public bodies.

Saugeen Ojibway Nation (SON)

In an email dated March 2, 2022, the SON noted that they have no further comments on this application.

Canada Post

In comments dated February 28, 2022, Canada Post provided recommended draft plan conditions for the proposed development.

County staff would note that the original draft plan approval included conditions for community mailboxes to the satisfaction of Canada Post and the Township.

Township of Georgian Bluffs

On March 23, 2022, the Township of Georgian Bluffs passed a motion supporting the proposed redline revisions. Township staff prepared a report and noted that no one spoke in support of or in opposition to the application. Township staff concur that the changes are minor.

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2020, and conform to any official plans or provincial plans that govern the subject lands. In this case, the County of Grey Official Plan (including the Cobble Beach Secondary Plan) and the Township of Georgian Bluffs Official Plan have jurisdiction over the subject property.

The Planning Act

Section 1.1 of the *Planning Act* outlines the purposes of the Act. The purposes of the Act promote sustainable economic development, in a healthy natural environment, within a land use planning system led by provincial policy and matters of provincial interest. Section 2 of the *Planning Act* outlines matters of Provincial Interest, which decision makers must be consistent with when carrying out their responsibilities under the Act. The proposed revisions are minor in nature and have limited impact to the overall design. The subject redline revision application, with the attached revised conditions of draft approval, have regard for matters of Provincial Interest under the *Planning Act* including Section 51(24).

Provincial Policy Statement (PPS)

A key goal of the PPS is directing new growth to serviced settlement areas, and promoting the vitality of such settlement areas through re-development, infill and intensification. The subject lands have been designated for residential growth and are within a settlement area.

Section 1.6.6.1 of the PPS outlines the servicing hierarchy to be utilized in the Province of Ontario. At the top of the hierarchy are municipal water and sewer services. The proposed development will be serviced by municipal water and sewer services.

It can be concluded that the proposed redline revision application, with the attached revised conditions of draft approval, is consistent with the PPS.

County Official Plan

The proposed plan of condominium is designated as 'Primary Settlement Area' within the County Official Plan. A Secondary Plan has previously been approved for Cobble Beach development, including Blue Bay Villas, which has been included in the County Official Plan. The Cobble Beach Secondary Plan sets out specific policies for the overall development of Cobble Beach. The subject lands are designated as 'Village Centre' and a small portion of 'Residential' in the Cobble Beach Secondary Plan. These land use designations permit varying forms of residential development.

These lands are fully serviced by municipal water and sewer services and therefore conform to section 10.5.2 of the Cobble Beach Secondary Plan.

The proposed revisions would not change the road network and therefore there is no conflict with section 10.5.1 of the Cobble Beach Secondary Plan.

The proponent's planner has noted proposed revisions conform to the provisions of the Cobble Beach Secondary Plan, Township Official Plan, and Zoning By-law.

Subject to the revised conditions of draft approval attached to this report, the applications conform to the goals and objectives of the County of Grey Official Plan.

Legal and Legislated Requirements

The application has been processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed redline revisions, beyond those normally encountered in processing the application. The County has collected the requisite fee for this application.

Relevant Consultation

- Internal: Planning Staff
- External: Township of Georgian Bluffs, required agencies under the Planning Act, and the

public.

Appendices and Attachments

Revised Conditions of Draft Approval (attached)

Applicant: Georgian Villas Inc. (c/o Robert S. McLeese)
Municipality: Township of Georgian Bluffs
Location: Part of Block 75, Plan 16M-15, Part 2 on Plan 16R-10059 (Geographic Township of Sarawak)
Township of Georgian Bluffs, County of Grey
Date of Decision:
Last Date of Appeal:

File No.: 42-CDM-2013-03 (Revised)

Date of Notice:

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision under Subsection 51(45) of the Planning Act

Draft plan approval was given by the County of Grey on February 18, 2014 and later revised on September 16, 2014. A request has been made to further revise the draft plan. Revised draft plan approval is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Ontario Land Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee prescribed under the Ontario Land Tribunal Act, and
- (3) Include the completed appeal form from the OLT's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person* or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions of the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Ontario Land Tribunal (OLT) as it relates to the proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Grey related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act. These are changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here - <https://www.ontario.ca/laws/statute/90p13>. For more information about these recent changes, please visit the OLT website or contact OLT - <https://olt.gov.on.ca/about-olt/>. The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

Applicant: Georgian Villas Inc. (c/o Robert S. McLeese)

File No.: 42-CDM-2013-03 (Revised)

Municipality: Township of Georgian Bluffs

Location: Part of Block 75, Plan 16M-15, Part 2 on Plan 16R-10059 (Geographic Township of Sarawak)

Township of Georgian Bluffs, County of Grey

Date of Decision:

Date of Notice:

Last Date of Appeal:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

GETTING ADDITIONAL INFORMATION

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP RPP, Deputy CAO

Applicant: Georgian Villas Inc.

File No.: 42T-2004-02 (Revised)

Municipality: Township of Georgian Bluffs

Location: Part of Block 75, Plan 16M-15, Part 2 on Plan 16R-10059 (Geographic Township of Sarawak)

Township of Georgian Bluffs, County of Grey

Date of Decision:

Date of Notice:

Last Date of Appeal:

That the Redline Revision to Plan of Condominium File No. 42-CDM-2013-03 has been granted draft approval. The previous conditions of draft approval that were approved on February 18, 2014 and later revised on September 16, 2014 are hereby revised as follows.

No. Conditions

1. Condition 1 of the original draft plan approval dated February 18, 2014 and later revised on September 16, 2014 is hereby deleted and replaced with the following:

“That draft plan approval applies to the Draft Plan of Condominium 42-CDM-2013-03 prepared by Design Plan Services Inc. dated February 4, 2022 showing a total of 37 residential units within 11 blocks (Blocks 1 to 11), as well as one common elements roadway block within Part of Block 75, Registered Plan 16M-15, Part 2 on 16R-10059 in the Township of Georgian Bluffs, County of Grey. The Township has reviewed and approved proposed servicing that corresponds with the above-noted plan.

Any further proposed conversions from townhouse units to semi-detached units can be considered subject to the zoning requirements being met, the changes being incorporated into the site plan, and provided that the total unit count does not change.”

2. That all other conditions of draft approval as granted on February 18, 2014 remain in effect.