

To:	Warden Hicks and Members of Grey County Council
Committee Date:	June 13, 2019
Subject / Report No:	PDR-CW-31-19
Title:	Flato East – Redline Revisions – 42T-2015-05
Prepared by:	Randy Scherzer
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	Township of Southgate
Status:	Recommendation adopted by Committee of the Whole as presented as per Resolution <i>CW132-19</i> ; Endorsed by Council on June 27, 2019 as per Resolution <i>CC47-19</i> .

Recommendation

1. That all written and oral submissions received on the proposed redline revisions to plan of subdivision 42T-2015-05 were considered which helped to make an informed recommendation and decision; and
2. That PDR-CW-31-19 be received, and that in consideration of the draft plan of subdivision 42T-2015-05, 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 subdivision on lands described as Part of Lots 233 and 234, Concession 1, (geographic Township of Proton) in the Township of Southgate.

Executive Summary

The report considers proposed revisions to draft plan of subdivision 42T-2015-05 known as Flato East. The current draft plan consists of a total of 500 residential units (310 detached dwellings and 190 townhouses). The revisions propose to increase the size of a stormwater management block and to reduce the width of adjacent residential lots by approximately 1 metre or less. The revisions also propose to shift Street D by 2 metres resulting in an increase in depth for some lots and a slight decrease in depth for some other lots. The total number of draft approved lots would remain the same. All written and verbal 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 redline revision application that proposes minor changes to draft plan of subdivision 42T-2015-05 known as Flato East. The draft approved plan is in the settlement area of Dundalk on lands situated southwest of Highway 10 and will eventually gain access off of Highway 10 and also connect to Flato West and Flato North. The lands described as Part of Lots 233 and 234, Concession 1, (geographic Township of Proton) in the Township of Southgate (see Figure 1 – Subject Lands).

Figure 1: Subject Lands – Flato East

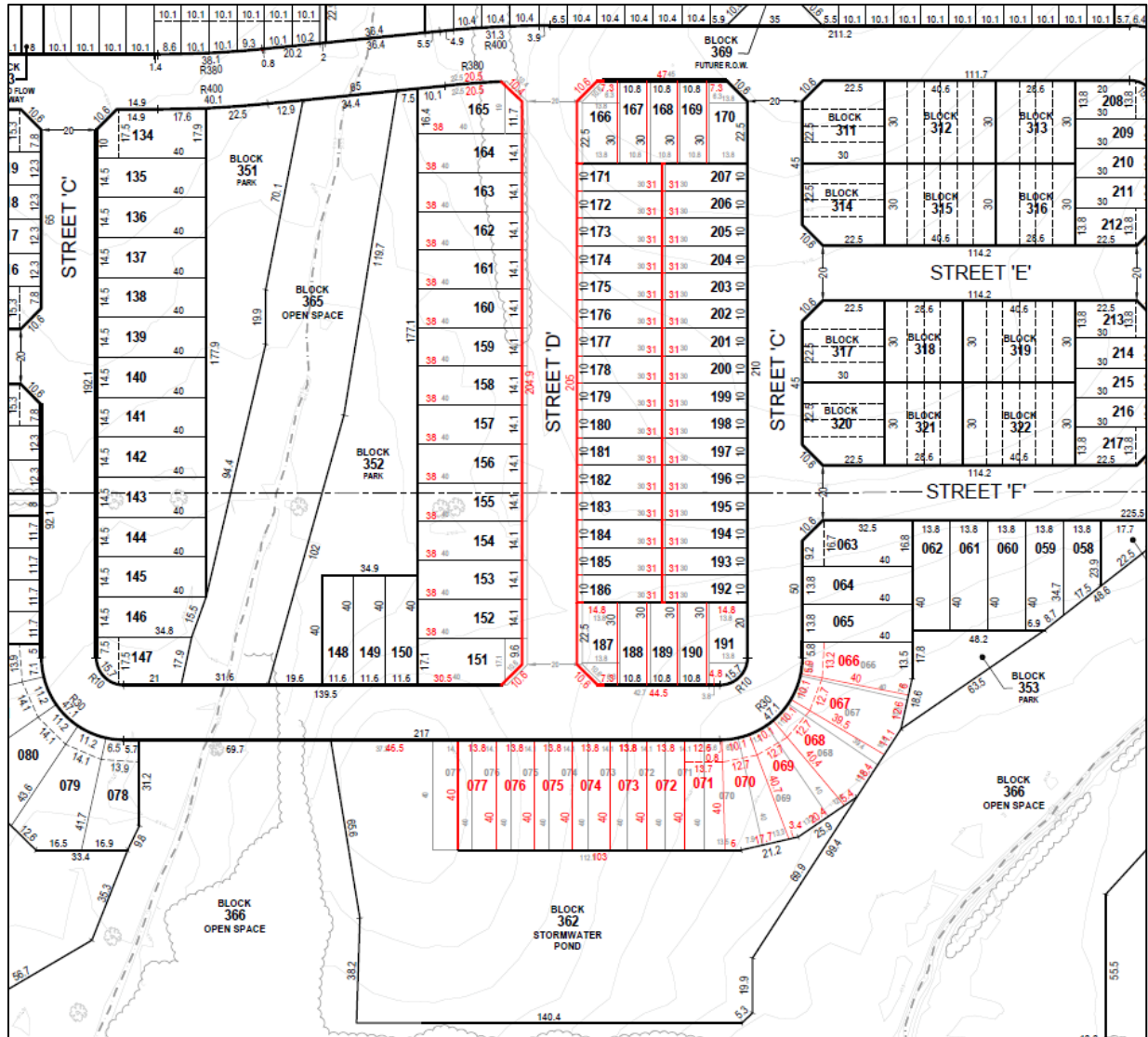


The redline revisions propose to add additional road frontage to Block 362 (stormwater management block) along Russell Street (Street C) which will allow conventional grading to be used versus the need to construct a retaining wall within the Stormwater Management Pond Block. This proposed change to Block 362 would be accommodated by reducing the widths of Lots 63 to 77 by approximately a metre or less. The number of lots would remain the same (see Figure 2 – Excerpt of Proposed Revision Plan).

The applicant is also proposing to shift Wright Street (Street D) by 2 metres to the west in order to provide additional lot depth to Lots 171 to 186 and Lots 192 to 207 east of Wright Street. This would increase the lot depth for these lots from 30 metres to 31 metres which would increase the lot area from 300 square metres to 310 square metres. Lots 151 to 165 on the west side of Wright Street (Street D) would be reduced from 40 metres to 38 metres (see Figure 2).

The Applicant has submitted a Planning Summary Letter and a Revised Draft Plan. Copies of all background reports and plans can be found at [this link](#).

Figure 2: Excerpt of 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.

Grand River Conservation Authority (GRCA)

In a letter dated May 3, 2019, the GRCA notes that they have no objections to the proposed revisions.

Grey County Transportation Services

In an email dated April 17, 2019, Grey County Transportation Services indicated that they have no concerns as the changes appear to be with dimensions of the same number of lots.

Ministry of Municipal Affairs and Housing

In correspondence dated May 7, 2019, Ministry of Municipal Affairs and Housing note that the Ministry of Environment, Conservation and Parks has reviewed the proposed revisions and have no comments or concerns.

Township of Southgate

In speaking with Township Staff, they indicated that they have no concerns with respect to the proposed revisions. The revisions will be addressed through the subdivision agreement.

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) 2014, and conform to any official plans or provincial plans that govern the subject lands. In this case, the County of Grey Official Plan and the Township of Southgate 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 result in improvements 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 subdivision is designated as 'Primary Settlement Area' within the County Official Plan. These lands are fully serviced by municipal water and sewer services and therefore conform to section 5.3 of the County Plan. 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, Transportation Services
- External: Township of Southgate, agencies under the Planning Act.

Appendices and Attachments

Revised Conditions of Draft Approval (attached)

NOTICE OF DECISION

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

Draft Plan Approval was originally given by the County to Plan of Subdivision 42T-2015-05 on November 10, 2016 and later revised on February 23, 2017. 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 Local Planning Appeals 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 Local Planning Appeals Tribunal Act, and
- (3) include the completed appeal form from the LPAT's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of applications for approval of draft plans of subdivision to the Local Planning Appeals 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.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The applicant or any public body may, at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the County of Grey to the Local Planning Appeals Tribunal by filing with the Director of Planning and Development of the County, or her delegate, a Notice of Appeal.

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 either,

- (1) made a written request to be notified of the decision to give or refuse to give approval of draft plan of subdivision, or
- (2) make a written request to be notified of changes to the conditions of approval of the draft plan of subdivision.

GETTING ADDITIONAL INFORMATION

Applicant: Flato Dundalk Meadows Inc. (c/o Shakir Rehmatullah)

File No.: 42T-2015-05 (Revised)

Municipality: Township of Southgate

Location: Part of Lots 233 and 234, Concession 1 (Geographic Township of Proton)

Date of Decision:

Date of Notice:

Last Date of Appeal:

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

Director of Planning & Development

Plan of Subdivision File No. 42T-2015-05 has been revised and granted draft approval. The draft plan is hereby revised. The County's conditions of final plan approval for this draft Plan of Subdivision are amended as follows:

No. Conditions

1. Condition 1 of the draft plan conditions approved on November 10, 2016 and revised on February 23, 2017 is hereby deleted and replaced with the following:

That this approval applies to the draft Plan of Subdivision as prepared by MHBC Planning dated December 11, 2015 and revised March 13, 2019, showing a total of 500 residential lots, 310 lots for detached dwellings (Lots 1 to 47, 166 to 217, and 233 to 310) and 190 residential lots for townhouse dwellings within Blocks 311 to 349, eleven park blocks (Blocks 350 to 360), three stormwater pond blocks (Blocks 361 to 363), four open space blocks (Blocks 364 to 367), three future right of way blocks (Blocks 368 to 370), one road widening block (Block 371), 0.3 metre reserve(s) (Block 372), and an overland flow/walkway block (Block 373) and Streets 'A' to 'J'.

2. That all other conditions of draft approval as granted on November 10, 2016 and revised on February 23, 2017 remain in effect.