



Committee Report

To:	Warden Milne and Members of Grey County Council
Committee Date:	June 8, 2023
Subject / Report No:	Broos Redline Revision / PDR-CW-26-23
Title:	Broos Plan of Subdivision Redline Revision Final Report 42T-2020-01
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Municipality of West Grey
Status:	Recommendation adopted by Committee as presented per Resolution CW83-23; Endorsed by County Council July 22, 2023, per Resolution CC42-23.

Recommendation

1. That report PDR-CW-26-23 be received; and
2. That all written and oral submissions received on plan of subdivision 42T-2020-01 known as Broos were considered; the effect of which helped to make an informed recommendation and decision; and
3. That in consideration of the redline revision to plan of subdivision application 42T-2020-01, and the matters to have regard for under Subsection 51(24) of the Planning Act, the Grey County Committee of the Whole hereby approves the revised plan of subdivision to create a total of seventy-two (72) single detached lots, twenty-eight (28) semi-detached lots and blocks for up to one hundred and twenty-five (125) townhouse units, in addition to parkland, stormwater management, and road blocks on lands described as Part of Divisions 2 and 3 of Lot 24, Concession 1 East of the Garafraxa Road (EGR), geographic Township of Glenelg, now in the Municipality of West Grey, subject to the revised conditions set out in the Notice of Decision.

Executive Summary

This report considers proposed revisions to the Broos draft plan of subdivision 42T-2020-01 in the Municipality of West Grey. The County draft approved the Broos subdivision application in August 2021. The developer has applied for a redline revision to increase the number of residential units from a current maximum of 205 units, to a proposed maximum of 225 units. There are no further changes proposed to the subdivision at this time. This change has also triggered a zoning by-law amendment application from the Municipality of West Grey. Municipal staff have supported the redline revision, and a decision will be rendered on the zoning amendment application, following the decision on the redline revision. 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 current draft approved Broos subdivision will create up to 205 residential units, consisting of 118 single detached dwellings and up to 87 townhouse dwellings (via blocks to be divided later via part lot control). The proposed revised draft plan of subdivision will create up to 225 residential units, consisting of 72 single detached dwellings, 28 semi-detached dwellings, and up to 125 townhouse dwellings. Through this redline revision application there will be no changes to the roads, stormwater management, and park blocks created through the plan of subdivision. No other changes are proposed to the draft plan of subdivision.

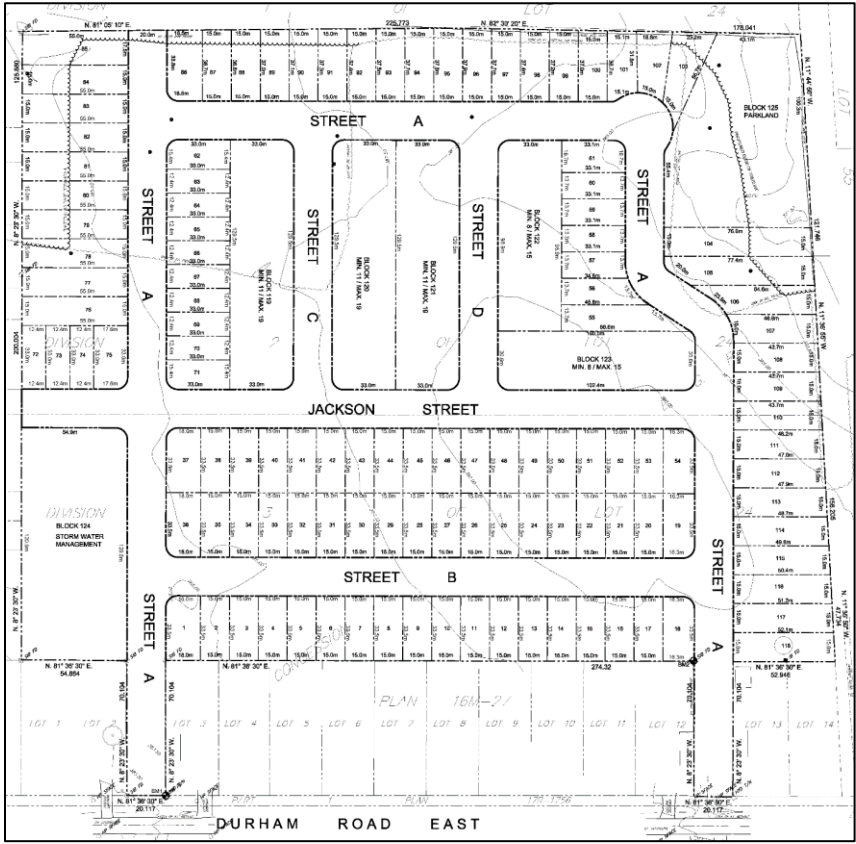
The increase in residential units is being proposed in the interior of the current draft approved plan of subdivision and will not increase the density on the lands directly abutting any neighbours.

The changes proposed have triggered a zoning by-law amendment from the Municipality of West Grey. A public meeting was held on the zoning amendment on May 16, 2023. No decision has been rendered on the zoning amendment, and that future decision will come after a decision on the redline revision.

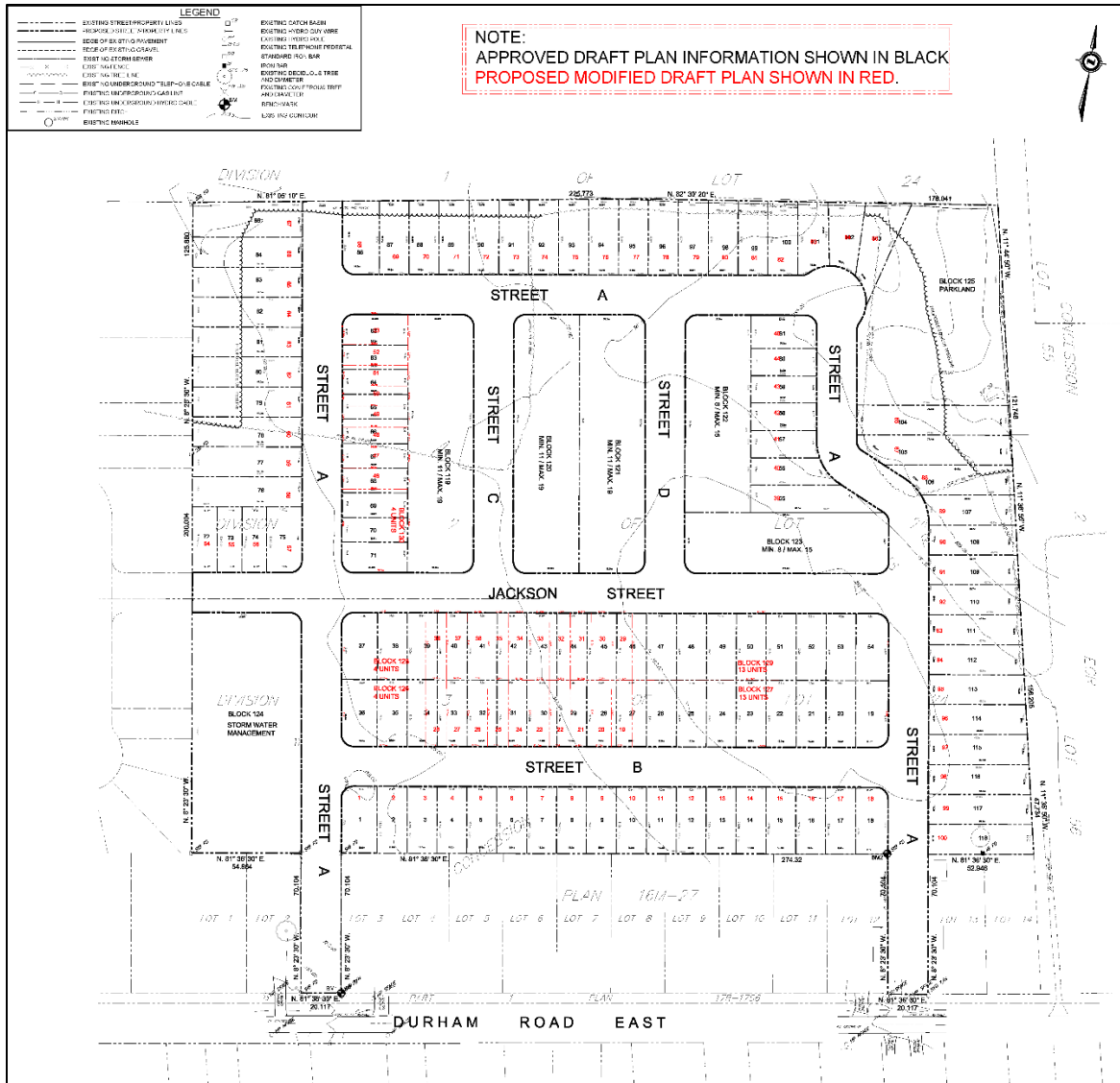
Map 1 below shows the subject lands in blue and the surrounding area, while Maps 2 and 3 show proposed plan of subdivision as initially draft approved and the proposed revisions. The revised version in Map 3 is what is now being considered for draft plan approval. A link to the background materials including the studies and proposed draft plan can be found on the [County website](#).



Map 1: 2020 Airphoto of Subject Lands



Map 2: Current Draft Approved Plan of Subdivision (courtesy of Cobide Engineering)



Map 3: Revised Draft Plan of Subdivision Proposal showing the Added Residential Lots (courtesy of Cobide Engineering)

Public and Agency Comments Received

A public meeting was held for the associated zoning by-law amendment on May 16, 2023. At that public meeting the changes proposed through the redline revision were also presented. The following three individuals spoke at the public meeting:

- Marian Ratcliffe,
- Chris Palmer, and
- Don Tremble.

A summary of the verbal comments from the public meeting is as follows:

- More homes will mean more outdoor lighting,
- It will be important to ensure that any exterior lighting on the homes and the streetlights is dark-sky compliant, and optimally not just meeting, but exceeding the minimal standards,
- West Grey's engineering standards need to be updated with respect to being more dark-sky friendly,
- The developer is encouraged to go beyond the minimum dark-sky requirements for lighting,
- The redline is positive as there is more chance for attainable homes through the added semi-detached and townhouse units.

In addition to the public comments, there were some Council questions on parkland, trails, the setbacks in the zoning by-law, and tree planting / preservation.

Written comments were received from the Saugeen Valley Conservation Authority (SVCA) and Hydro One. There were no agency concerns expressed with respect to this redline revision.

There are no concerns received regarding this redline revision from West Grey staff, who have noted that a recommendation on the zoning amendment will come after the County's decision on the proposed redline revision.

Analysis of Planning Issues

A detailed planning analysis was undertaken in the August 2021 County staff report (Addendum to PDR-CW-26-20), which is linked to in the Attachments section of this report. Adding additional residential units, including additional semi-detached and townhouse units, is beneficial as it pertains to provincial and local policies. The PPS, County Official Plan, and West Grey Official Plans all encourage a range of residential unit types, at densities which make efficient use of land and infrastructure. By removing some of the proposed single detached dwellings in favour of more dense forms of housing, this creates a better possibility for attainable or affordable housing, and makes a more efficient use of land and infrastructure. The developer has shown through their planning and engineering submissions how the increased residential units can be accommodated within this subdivision using current and planned infrastructure.

With respect to the public's comments on dark-sky lighting, staff would offer the following. The determination of the future lighting of this plan of subdivision will be between the Municipality of West Grey and the developer. At the time of detailed design, and implemented through the subdivision agreement, West Grey will have the ability to determine the appropriate street lighting for the development. With respect to

future exterior lighting on homes, such lights would be installed by the homeowner or builder and would be required to comply with any applicable by-laws at that time.

Based on the nature of the proposed changes, there are no conflicts with respect to planning legislation or policy. County staff are satisfied that the redline revision to the Broos plan of subdivision;

- has regard for matters of Provincial interest under the *Planning Act*,
- is consistent with the Provincial Policy Statement,
- conforms to the County Official Plan, and
- conforms to the West Grey Official Plan.

Legal and Legislated Requirements

The application was 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 revision, beyond those normally encountered in processing such applications. The County has collected the requisite fee for this application.

Relevant Consultation

- Internal: Planning
- External: The public, Municipality of West Grey, and required agencies under the *Planning Act*.

Appendices and Attachments

[Addendum to PDR-CW-26-20 Broos Subdivision Final Report](#)

Draft Notice of Decision (conditions of draft approval) – attached

Applicant: Tiffany Development Corporation
Municipality: Municipality of West Grey (geographic township of Gleneig)
Location: Part of Divisions 2 and 3 of Lot 24, Concession 1 EGR,
Date of Decision:
Last Date of Appeal:

File No.: 42T-2020-01

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 August 12, 2021. A request has been made to 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>.

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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:

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.

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ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Scott Taylor, MCIP, RPP, Director of Planning

Applicant: Tiffany Development Corporation
Municipality: Municipality of West Grey (geographic township of Glenelg)
Location: Part of Divisions 2 and 3 of Lot 24, Concession 1 EGR,
Date of Decision:
Last Date of Appeal:

File No.: 42T-2020-01

Date of Notice:

That the Redline Revision to Plan of Subdivision File No. 42T-2020-01 has been granted draft approval. The previous conditions of draft approval that were approved on August 12, 2021, are hereby revised as follows.

Former Draft Plan Condition # 1 is deleted and replaced by the following:

1. That this approval applies to the draft Plan of Subdivision for the lands being Part of Divisions 2 and 3, Concession 1, Part of Lot 24 East of the Garafraxa Road (EGR), geographic township of Glenelg, now in the Municipality of West Grey, County of Grey, prepared by Cobide Engineering Inc. (01840-DP-1) revised May 25, 2023 showing the following:
 - a. 72 single detached dwelling units (lots 1 – 18, 39 – 45, and 54 – 100),
 - b. 28 semi-detached residential dwelling units (lots 19 – 38 and 46 – 53),
 - c. A maximum of 125 townhouse units, or a minimum of 87 townhouse units in ten multi-family blocks (blocks 119 – 123 and 126 – 130),
 - d. Four new streets (labelled as streets 'A' – 'D'), in addition to an extension of Jackson Street,
 - e. One block for parkland dedication (block 125), and
 - f. One stormwater management block (block 124).

Former Draft Plan Condition # 7 is deleted and replaced by the following:

7. Sanitary sewer and water supply allocations shall be committed by the Municipality of West Grey for this development for a total of 225 residential units at the time of draft approval of the plan of subdivision. Through this draft approval the Municipality confirms that such allocations are available for such purposes.

That all other conditions of draft approval as granted on August 12, 2021, remain in effect.