PLANNING REPORT

PROPOSED RESIDENTIAL PLAN OF SUBDIVISION

BOULTER ESTATES LTD.

PART OF LOT 5, JONES RANGE
GEOGRAPHIC TOWNSHIP OF KEPPEL
TOWNSHIP OF GEORGIAN BLUFFS
COUNTY OF GREY

Prepared by:

Ron Davidson
Land Use Planning Consultant Inc.
265 Beattie Street
OWEN SOUND, ONTARIO
N4K 6X2

August 20, 2013
TABLE OF CONTENTS

1. BACKGROUND ................................................................................................... 4
   1.1 The Proposal ................................................................................................. 4
   1.2 Approvals Required ...................................................................................... 4
   1.3 Purpose of this Report ................................................................................... 5

2. SUPPORTING DOCUMENTS ................................................................................. 6

3. SUBJECT PROPERTY AND SURROUNDING LAND USES ............................. 7
   3.1 Property Location and Description ................................................................. 7
   3.2 Surrounding Land Uses ................................................................................. 7

4. SERVICING ......................................................................................................... 9
   4.1 Water Supply ................................................................................................. 9
   4.2 Sewage Disposal ........................................................................................... 9
   4.3 Stormwater Management ............................................................................. 10
   4.4 Road Works ................................................................................................ 10
   4.5 Other Utilities .............................................................................................. 11

5. LAND USE POLICY ANALYSIS OF THE PROPOSED SUBDIVISION ............ 12
   5.1 County of Grey Official Plan ........................................................................ 12
      5.1.1 Existing Land Use Designation ........................................................ 12
      5.1.2 Plans of Subdivision ....................................................................... 13
      5.1.3 Servicing .......................................................................................... 18
      5.1.4 Natural Environment ....................................................................... 21
      5.1.5 Archaeology .................................................................................... 27
   5.2 Niagara Escarpment Plan ........................................................................... 29
      5.2.1 Development Within the Escarpment Recreation Areas .................. 29
      5.2.2 Development Criteria ....................................................................... 33
         5.2.2.1 General Development Criteria ........................................ 33
         5.2.2.2 Lot Creation .................................................................... 35
         5.2.2.3 New Development Affecting Water Resources ............... 37
         5.2.2.4 New Development Within Wooded Area ......................... 41
         5.2.2.5 Wildlife Habitat ........................................................ 41
         5.2.2.6 Forest Management ........................................................ 42
         5.2.2.7 Heritage .......................................................................... 44
   5.3 Provincial Policy Statement ....................................................................... 45
      5.3.1 Housing ............................................................................................ 45
      5.3.2 Servicing ........................................................................................... 46
      5.3.3 Natural Environment ........................................................................ 47
      5.3.4 Archaeology ..................................................................................... 48
6. IMPLEMENTATION OF BACKGROUND STUDIES AND OTHER CONSIDERATIONS .......................................................................................................................... 49

7. SUMMARY / RECOMMENDATION.......................................................................................................................... 50

FIGURES

Figure 1: Location Map

Figure 2: Land Uses (Air Photo 2010)

Figure 3: Schedule A (Land Use) to the County of Grey Official Plan

Figure 4: Map 7 to the Niagara Escarpment Official Plan

Figure 5: Schedule A (Map 3) to the Township of Georgian Bluffs Zoning By-law

APPENDICES

Appendix A: Proposed Plan of Subdivision

Appendix B: Niagara Escarpment Development Control Site Plan

Appendix C: Township of Georgian Bluffs Committee of the Whole Minutes
(February 13, 2013)
1. BACKGROUND

1.1 The Proposal

Boulter Estates Ltd. proposes to create a residential subdivision along the shores of Colpoy’s Bay (Georgian Bay).

The development involves the creation of 22 single family residential lots, including eleven waterfront properties, all fronting along a new (proposed) Township road.

A copy of the proposed Draft Plan is contained in Appendix A to this Planning Report.

1.2 Approvals Required

The proposed development requires approval of the following applications:

- Plan of Subdivision; and,
- Development Control Permits.

The Plan of Subdivision application has been filed with the County of Grey Planning & Development Department under Section 51 of The Planning Act (R.S.O. 1990, as amended) and is intended to establish 22 building lots and a new municipal road.

Two Development Control Permits have been filed with the Niagara Escarpment Commission under The Niagara Escarpment Planning and Development Act (R.S.O. 1990, as amended) for the purposes of: (1) allowing 22 detached dwellings with individual, private septic systems to be constructed on the 22 respective lots; and (2) allowing for the construction of a new Township road, the extension of a municipal water main along the new Township road and all drainage works associated with the new development.

As part of the Plan of Subdivision and Development Control Permit processes, approval of reports pertaining to the natural environment, archaeology, stormwater management and sewage disposal by local, County and Provincial authorities is also required.
1.3 Purpose of this Report

Ron Davidson, Land Use Planning Consultant Inc. has been retained by Boulter Estates Ltd. to prepare a Planning Report for the purposes of explaining the proposed subdivision development and evaluating the proposal within the context of sound land use planning principles.
2. SUPPORTING DOCUMENTS

In addition to this Planning Report, the following background material has been prepared in support of the proposed development:

- Draft Plan of Subdivision (Darryl M. Robins Consulting Inc.);
- Niagara Escarpment Development Control Site Plan; (Darryl M. Robins Consulting Inc.);
- Functional Servicing Report (Darryl M. Robins Consulting Inc.);
- Nitrate Loading Impact Assessment (Darryl M. Robins Consulting Inc.);
- Geotechnical Investigation (Peto-MacCallum Ltd. Consulting Engineers);
- Environmental Impact Study (Aquatic and Wildlife Services); and,
- Stage 1-2 Archaeological Assessment (AMICK Consultants Limited)

The aforementioned documents have been referenced often in this Planning Report. Copies of the complete documents in printed and PDF formats have been provided to the County of Grey and the Niagara Escarpment Commission.
3. SUBJECT PROPERTY AND SURROUNDING LAND USES

3.1 Property Location and Description

The subject lands are located along the shoreline of Colpoy’s Bay (Georgian Bay), approximately 1.6 kilometres east of Wiarton and one kilometre west of Oxenden, as shown on Figure 1 to this Planning Report.

The site comprises 7.1 hectares of land and offers approximately 86 metres of frontage along the constructed portion of Galloway Drive which abuts the east side of the property. The subject lands also have a small amount of frontage along Wilson Drive which terminates at the western boundary of the site.

The subject property contains no buildings or structures. Approximately 4 hectares of the site situated closest to the shoreline are mostly covered in white cedar and poplar trees, with two clearings existing within this area. The remainder of the property is described as abandoned farmland upon which some ash and maple trees have begun to grow.

With regard to the topography of the site, the lands slope gently downward from their highest point along the southerly limit toward the shoreline. Over the course of the property the lands drop by approximately 14 metres in elevation.

A drainage ditch traverses the middle of the property, running in a north-south direction. This watercourse captures surface water run-off from the lands to the immediate south and from those lands situated further south along the opposite side of Grey Road 1, and directs the water into the receiving Colpoy’s Bay.

3.2 Surrounding Land Uses

The subject property is described as a waterfront lot, although the lands are separated from Colpoy’s Bay by the unopened shore road allowance.

The lands to the immediate east and west of the subject property have been developed for single family residential purposes. Both of these existing adjacent developments are two-tiered, i.e. comprising waterfront and non-waterfront (or “back lot”) properties.

On a larger scale, the majority of the waterfront land in this general area has been developed for single family residential purposes.
The property to the immediate south comprises 5.47 hectares of land and contains a
house, barn and shed. Approximately two hectares of the site are actively used for
agriculture. The balance of the property is scrub lands. This parcel was recently
severed from the subject lands and is owned and occupied by Mack Boulter, the
principal of Boulter Estates Ltd.

A vacant 0.83 parcel of land is located to the southwest of the subject property and is
also owned by Mr. Boulter.
4. SERVICING

4.1 Water Supply

The Town of South Bruce Peninsula has extended a watermain from Wiarton along Grey Road 1 to service the community of Oxenden, which is approximately one kilometre east of the subject lands. The majority of the residential lots between Wiarton and Oxenden have been connected to this municipal service including the existing residential neighbourhoods to the immediate east and west of the subject lands.

The Town of South Bruce Peninsula has advised that adequate capacity exists in their system to accommodate an additional 25 lots. In this regard, this 22 lot subdivision will be serviced with this municipal water supply.

As explained in the Functional Servicing Report prepared by Darryl M. Robins Consulting Inc., an existing 200mm diameter watermain is available on Wilson Drive to the west and a 150mm diameter watermain is available to the east, at the intersection of Galloway Road and Sunset Boulevard. The Engineer is recommending that a 150mm diameter watermain be constructed along the new road within this development that would have the effect of connecting the existing watermains to the east and west respectively. This will eliminate a dead-end watermain at Wilson Drive and provide a watermain loop, which should improve the operations of the Oxenden Water System according to the Engineer.

Additional information regarding the water service is available in the Functional Servicing Report.

4.2 Sewage Disposal

Individual conventional Class IV filer bed sewage treatment systems are proposed for the 22 lots within this subdivision.

Darryl M. Robins Consulting Inc. conducted a Nitrate Loading Impact Assessment in July 2013 which confirmed that the subject lands can accommodate private septic systems for each lot.

Additional information on this matter is provided in the Functional Servicing Report and the Nitrate Loading Impact Assessment.
4.3 Stormwater Management

Surface water from the eleven waterfront lots (Lots 1 to 11) will drain via overland flow into Colpoy’s Bay, as explained in the Functional Servicing Report.

Drainage from the eleven back lots (Lots 12 to 22) will be directed to the new drainage ditch constructed along the new Township road. The surface water from Lots 17 to 22 will drain into this new ditch and flow into the existing ditch along the west side of the subject lands which discharges in Colpoy’s Bay. Similarly, the surface water from Lots 12 to 15 and a portion from Lot 16 will drain into the new ditch and flow into the existing ditch located along the east side of the subject lands, and ultimately drain into Colpoy’s Bay.

The Grey Sauble Conservation Authority has advised that the new road drains should be directed to the existing ditches located to the immediate east and west of the subject lands and not to the existing central watercourse on the property. In this regard, the new roadside ditches noted above will be designed to direct water away from the central drainage course wherever possible. The majority of the lands within Lot 16 naturally drains towards this central watercourse. The Engineer proposes to maintain the existing drainage pattern for Lot 16 and therefore the majority of this surface water from Lot 16 will discharge into the new drainage ditch along the new road and discharge into the existing central watercourse and, in turn, outlet into Colpoy’s Bay.

Additional information regarding the proposed drainage system, including quality and quantity control measures, roadside ditch and culvert sizing and lot grading, is provided in the Functional Servicing Report.

4.4 Road Works

Approximately 404 metres of new road will be constructed within this subdivision at the complete expense of the developer. The road will be constructed to Township standards for rural roads with a 6.6 metre asphalt surface plus gravel shoulders.

The new road will link the existing Galloway Road and Sunset Boulevard intersection along the east side of the subject property to Wilson Drive which currently terminates at the west side of the subject lands.

On January 28, 2013, the author of this Planning Report attended the Township of Georgian Bluffs Transportation Committee meeting to discuss the concept of creating a cul-de-sac as opposed to a through street. This idea was presented to the Committee in response to concerns raised from the respective owners of two lots located along
Wilson Drive who had recently stated they would be objecting to the new subdivision if the new road was connected to Wilson Drive. On February 13, 2013, the issue was discussed again, this time with the Committee of the Whole. The Operations Department and Fire Department presented a report which including the following comments:

Staff reviewed the proposed development area on January 29th, reviewed other municipal road jurisdiction engineering standards and spoke with planning staff, fire department staff and operations staff.

Both Operations and Fire Department staff preference would be for the new road to be connected to the existing roads in the area if possible, to allow for more efficient and effective response and road maintenance.

That Report TR003-2013 Boulter Estates Ltd Road Connectivity be received by the Transportation Committee and that the Committee recommends that Council recommend the road to serve this proposed development be connected to both existing streets, being Galloway Road to the east and Wilson Drive to the west.

Following this discussion, the Committee of the Whole recommended that the new road be connected to Galloway Road and Wilson Drive. As per the Township’s instructions, the subdivision proposes a through street and not a cul-de-sac.

The minutes from the February 13, 2013 Committee of the Whole meeting are contained in Appendix C to this Planning Report.

### 4.5 Other Utilities

Hydro, telephone and natural gas are available to service the proposed development. Cable television is not available in this area.
5. LAND USE POLICY ANALYSIS OF THE PROPOSED SUBDIVISION

5.1 County of Grey Official Plan

Various sections of the Grey County Official Plan are relevant to the proposed development including the policies pertaining to the ‘Escarpment Recreation Area’ designation, lot creation, servicing, the natural environment and archaeology.

5.1.1 Land Use Designation

The subject lands are designated ‘Escarpment Recreation Area’ on Schedule A (Land Use Plan) to the County of Grey Official Plan, as shown on Figure 3 to this Planning Report.

This land use designation is intended to reflect the same lands that are designated ‘Escarpment Recreation Area’ in the Niagara Escarpment Plan. According to the Niagara Escarpment Commission (NEC), the boundary of this designation in both the Niagara Escarpment Plan and the County Official Plan is determined by measuring 200 metres back from high water mark of Georgian Bay. In this regard, even though a small portion of the subject lands appears not to be designated ‘Escarpment Recreation Area’ in the respective land use schedules of both documents, the entire site is considered to fall within the ‘Escarpment Recreation Area’ designations.

Section 2.5.2 Escarpment Recreation Area of the Official Plan states the following (edited for relevancy):

2.5.2 Escarpment Recreation Area

1. Escarpment Recreation Area designation as shown on Schedule A of this Plan applies to the Escarpment Recreation Areas of the Niagara Escarpment Plan.

Comment: As noted previously, the boundaries of the ‘Escarpment Recreation Area’ designation of the County’s Official Plan (see Figure 3 to this Planning Report) are intended to follow the ‘Escarpment Recreation Area’ boundaries of the Niagara Escarpment Plan (see Figure 4 to this Planning Report).

2. Local Official Plans and/or Secondary Plans shall provide detailed land use policies and development criteria in these areas that are not in conflict with the provisions of the Niagara Escarpment Plan.
Comment: No local Official Plan applies to this area of the Township.

6. **The Escarpment Recreation Area designation, in addition to the designated Settlement Areas, will generally be the focus of growth within the County.**

Comment: This policy acknowledges that the subject property and other lands designated ‘Escarpmnt Recreation Area’ shall be viewed as a focal point for development within Grey County.

5.1.2 Plans of Subdivision

Section 6.12 Lot Creation states the following:

6.12 Lot Creation

1. Where division of land is considered, the approval authority shall have regard to the policies of this Plan, the matters set out in the Planning Act, R.S.O. 1990, as amended and the following circumstances:

   a) The land division is permitted by the appropriate land use policies of Section 2;

Comment: According to Section 2.5.2 of the Official Plan, lands designated ‘Escarpmnt Recreation Area’ shall be one of the focal points for development within the County of Grey.

   b) The land division shall promote development in an orderly and contiguous manner, and shall not conflict with the established development pattern of the area;

Comment: The lands located to the immediate east of the subject property and those lands located to the immediate west have been developed for single family residential purposes. Both of these developed areas involve a road constructed parallel to the shoreline along which waterfront lots and back lots have been established. The proposed subdivision would continue with this two-tier form of low-density residential development, and would have the effect of joining the two existing roads and creating a more functional traffic system in this area.

   c) The proposed use is compatible with existing and permitted future land uses on adjacent lands;

Comment: The proposed low-density development will be consistent with the existing residential development located on both sides of the subject lands.
d) The servicing requirements of Section 5.3 shall be met;

Comment: The servicing requirements of the Official Plan will be met, as explained later in this Planning Report.

e) Direct access from a Provincial Highway or a County Road shall be restricted as outlined in Section 5.2. Where possible, residential lots shall not be approved where access from a road would create a traffic hazard because of limited sight lines, curves or grades;

Comment: The proposed development will not have direct access onto a Provincial Highway or County Road.

f) Evidence that soil and drainage conditions are suitable to permit the proper siting of buildings, that a sufficient and potable water supply exists, and that conditions are suitable for sewage system construction;

Comment: The Functional Servicing Report, Nitrate Loading Impact Assessment and Geotechnical Investigation demonstrate that the soil and drainage conditions are suitable to accommodate a 22 lot, low-density, residential development serviced with individual septic systems. Municipal water will be extended to the site.

g) The size of any parcel of land created shall be appropriate for the proposed use, and in no case, shall any parcel be created which does not conform to the minimum provisions of the Zoning By-law.

Comment: The subject lands are situated within the Niagara Escarpment Development Control Area and are not governed by the Township of Georgian Bluffs Comprehensive Zoning By-law. That notwithstanding, the proposed development should be evaluated within the context of the ‘R2’ (Inland Lakes and Shoreline Residential) zone which would apply if the lands weren’t within the jurisdiction of the Niagara Escarpment Commission. In this regard, the ‘R2’ zone requires a ‘minimum lot area’ and ‘minimum lot frontage’ of 1500 square metres and 30 metres respectively for partially serviced (i.e. municipal water or sanitary sewage disposal) development. All 22 lots proposed for this development exceed these minimum standards. A table showing the area and frontage of each lot is provided on the Draft Plan.

h) That Minimum Distance Separation Formulae is applied to proposed lots.
Comment: The Minimum Distance Separation does not apply to development within an identified growth area, as confirmed by both the County of Grey Planning & Development Department and the Niagara Escarpment Commission during the preconsultation discussions.

2. Any conditions, including zoning if required, shall be fulfilled, prior to final approval of the lot creation.

Comment: A list of conditions will be imposed at the Plan of Subdivision Draft Approval stage, and such conditions must be fulfilled prior to the County granting Final Approval.

6.12.1 Plans of Subdivision and Condominium

1. In any new applications for plan of subdivision or plan of condominium submitted to the County for approval, the proponent shall consider and be prepared to justify the following:

   a) The layout of the proposed plan with regard to matters of:

      i) Access to public transportation (where applicable) and access to existing trails,

      Comment: Public transportation is not available.

      Although it won’t represent an actual off-road trail, by connecting the existing development to the west with the residential subdivision to the east the new road will improve the opportunities for walking and cycling along less-busy roads in this area.

      ii) Connections to existing trails,

      Comment: See comment above.

      iii) Improving and promoting the walkability / cyclability within the proposed plan and with consideration for existing walking and / cycling conditions,

      Comment: See comment above.

      iv) Accessibility for persons with disabilities,

      Comment: A person with a disability would have the opportunity to erect a dwelling within this subdivision to meet his/her needs. The subdivision itself will not create physical barriers for disabled people.

      v) The provision of sidewalks,
Comment: Given the relatively low volume of traffic that will be generated along this new road, a sidewalk should not be warranted.

(vi) The street pattern of the proposed plan and how it fits with the surrounding neighbourhood. Plans which utilize a grid pattern or a modified grid pattern shall be considered more favourably than those with a curvy street patterns or cul-de-sacs,

Comment: The new road will utilize a grid pattern. The new road will be connected to existing streets to the east and west, resulting in an area road system that is efficient for emergency service vehicles and snow ploughs. As stated earlier in this Planning Report, the idea of establishing a cul-de-sac within this new development was discussed with the Township of Georgian Bluffs staff and Council (Committee of the Whole), with such cul-de-sac extending from the Galloway Road / Sunset Boulevard intersection; however, the Township requested that the new road also be connected to Wilson Drive for safety and maintenance reasons.

(vii) Energy conservation and efficiency design measures such as LEED (Neighbourhood) and Low Impact Development,

Comment: The future owners of the new residential lots will have the option of designing a house in accordance with LEED (Leadership in Energy and Environmental Design). With regard to Low Impact Development, measures to manage surface water will be in accordance with the approved practices of the Ministry of the Environment.

(viii) Impact on the natural environment, as defined in Section 2.8 of this Plan.

Comment: The impact of the natural environment has been addressed in the Environmental Impact Study, as explained later in this Planning Report.

(ix) Consideration of the design of street lighting to minimize impact on dark skies,

Comment: Street lighting will be addressed at the Subdivision Agreement stage. The developer will be required to construct the street lights in accordance with the standards of the Township of Georgian Bluffs.

(x) The provision of usable parkland and green space,

Comment: The Township advised during preconsultation that it was not interested in acquiring parkland, and therefore the proposed subdivision does involve the dedication of land to the Township for park purposes. Instead, a cash-in-lieu of parkland payment will be required. Notwithstanding the fact that
no new parkland will be established, it should be noted that all 22 residential lots will have access to the Colpoy’s Bay shoreline, as discussed below.

(xi) Public access to water front or beach (where applicable),

Comment: Lots 11 to 22, being waterfront parcels, will have direct access to the shoreline. The back lots will access the Colpoy’s Bay shoreline via the existing road allowances that abut the easterly and westerly boundaries of the subject lands.

(xii) Snow removal and emergency vehicle access.

Comment: By connecting the new public road with the existing developments to the east and west, as opposed to creating a cul-de-sac with access only from Galloway Road from the east, the subdivision is more accessible for snow removal and emergency vehicles.

b) A range of housing and employment densities.

Comment: Given that the property is not connected to full municipal services, a development on this property should not exceed a low density.

c) A mix of housing types including homes for the aged and assisted living facilities.

Comment: Residential development in this general area of the Township should be restricted to low-density given that the houses will be serviced with individual, private septic systems. The above policy is geared toward new development within the urban centres where full municipal services are available.

d) The provision of affordable housing

Comment: In all likelihood, the proposed development will not provide affordable housing given the costs of the land and infrastructure and the inability to create a higher density to offset these costs.

e) Consistency with Provincial Policy and Local Official Plan provisions

Comment: This Planning Report addresses consistency with the Provincial Policy Statement. No local Official Plan applies to this area of the Township.

f) The information requirements listed under Section 6.18
Comment: Section 6.18 states that an accurate and completed Plan of Subdivision application package shall be submitted to the County. This policy requires preconsultation with County and municipal staff to determine the types of studies necessary, with such studies possibly including an environmental impact study, a D-4 study, a Planning Report including a statement of compliance with the Official Plan(s) and the Provincial Policy Statement, hydrogeological report, functional servicing report, lake carrying capacity study, MDS calculation report, a settlement area capability study, archaeological review, and any other studies deemed necessary by the County, delegated approval authority or agencies. In this regard, the submission to the County of Grey includes a completed Plan of Subdivision, required fees and copies of every background report requested during the preconsultation discussions involving the County, Township, Niagara Escarpment Commission and the Grey Sauble Conservation Authority, as detailed in Section 2 of this Planning Report.

5.1.3 Servicing

The following policies related to servicing are relevant to the proposed development (edited for relevancy):

5.3 Services

5.3.1 Background

The servicing policies are directed toward promoting municipal services where these can be provided in a financially feasible manner and where need exists, and toward preventing problems in areas serviced by private systems.

5.3.2 Policies

1. The provision of a public water supply and the provision of the public sanitary sewer treatment facilities is the preferred method of servicing but shall be provided on the basis that: the systems can be sustained by the water resources upon which services rely; is within the financial capabilities of the municipality; complies with all regulatory requirements of the appropriate approval authority; and protects human health and the natural environment as defined in Section 2.8 of this Plan. Waste water treatment and water supply servicing options must be based on a hierarchy which considers environmental, technical, and long and short term financial factors, to determine the appropriateness of the various servicing options for development.
Local municipalities shall plan for sewage and water services which direct and accommodate expected growth in a manner that promotes the efficient use of existing: municipal sewage services and municipal water services; and, private communal sewage services and private communal water services where municipal sewage and municipal water services are not available. Municipalities shall require the entering into of a responsibility agreement between the owner/operator and the municipality in order to ensure perpetual maintenance of these systems in order to avoid adverse human health and environmental impacts.

2. The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have developed in a local Official Plan or Secondary Plan. The feasibility of the options will be considered in the following order of priority:

   a) Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas;

   b) Private communal sewage services and private communal water services, where municipal sewage and municipal water services are not provided and where the municipality has established policies to ensure that the services to be provided satisfies Section 5.3.2(1) of this Plan;

   c) Partial services in accordance with Section 5.3.2(11); or,

   d) Individual on-site sewage services and individual on-site water services in accordance with Section 5.3.2(8), Section 5.3.2(9), and Section 5.3.2(10).

3. For the purposes of interpreting this Plan, "feasible" is to be defined on a case by case basis by the County, in consultation with the affected local municipality, and will be based on an evaluation of:

   a) The scale and nature of both the specific development proposal and the anticipated development;

   b) Physical or environmental constraints to the provision of servicing the proposed development;

   c) Potential cumulative impacts to ground and surface water resources;

   d) A comparison of costs and benefits of the alternatives including the costs associated with planning, construction, start-up, operation, maintenance, financing and replacement of the system or its component;

4. Wherever possible, the costs associated with the construction and operation of these facilities and systems shall be borne by those utilizing the facilities.
5. A private communal water system and private communal sewage system designed to municipal and provincial standards may be acceptable, where municipal sewage and municipal water services are not provided and where the municipality has established policies to ensure that the services to be provided satisfies Section 5.3.2(1) of this Plan.

7. Developers wishing to establish public water and sewage systems to serve major parts of areas designated for urban development will be encouraged. Local municipalities shall develop a policy which will address servicing of existing development within a serviced area. All new development shall connect to municipal services where they exist.

11. Partial services shall only be permitted in the following circumstances:

   a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; and

   b) within Settlement Areas, to allow for development where partial services exist provided that:

      (i) the development is within the reserve sewage system capacity or reserve water system capacity; and

      (ii) site conditions are suitable for the long-term provision of such services.

   Development on partial services shall be applied as the development of vacant and/or underutilized lots, as well as the creation of lots, in accordance with the Settlement Area policies and subject to satisfying the requirements stated above.

12. In all new subdivisions and other large scale developments, surface water management systems shall be incorporated to prevent on- or off-site flooding or erosion, and to prevent deterioration of environmentally sensitive watercourses. Other developments may also require such systems or studies, as determined by the County or municipality, if runoff from the location could increase existing drainage or water quality problems.

   Applicants may be required to submit studies or information relating to:

   a) Analysis of pre- and post-development storm runoff and water source flows, erosion, groundwater levels and infiltration;

   b) Proposed storm water drainage facilities;

   c) Means of controlling erosion and sedimentation;

   d) A grading plan for the proposed development; and
e) An assessment of the impacts of the proposed development on the water quality of any watercourse or waterbody, including fisheries habitat, and the means of mitigating any potential reductions in water quality.

Comment: The proposed residential subdivision will be connected to the Town of South Bruce Peninsula (Wiarton) municipal water supply and serviced with individual septic systems. The Functional Servicing Report addresses the options of extending sanitary sewers from Wiarton and establishing a new communal sewage disposal system in accordance with the servicing option policies listed above, but concludes that the preferred means of sewage treatment for the proposed development is individual private systems.

The ‘Escarpment Recreation Area’ designation is not specifically identified in the County Official Plan as a designated settlement area. That notwithstanding, the County of Grey Planning & Development Department advised during the preconsultation discussions that the County would require the new subdivision to be connected to the readily-available municipal water, even if it creates a partial servicing situation.

5.1.4 Natural Environmental

The following policies pertaining to the natural environment are relevant to the proposed subdivision development (edited for relevancy):

2.8 Natural Environment

2.8.1 Background

For the purpose of this Official Plan, the natural environment is comprised of a number of landscape features and processes which influence the entire land base. While each of the landscape units represents one component of the environment or regulatory framework, when taken together, these can be managed so as to conserve and maintain the County’s prized natural qualities.

The natural environment land use designations include Hazard Lands and Provincially Significant Wetlands. New development shall be protected from natural hazards and natural features found within these areas are recognized by generally directing new development outside of these areas.

Significant Woodlands mapping as shown on Appendix B has now been developed by the County of Grey in concert with the Ministry of Natural Resources. It is acknowledged that there may be inaccuracies in the mapping; however it does show areas of environmental constraint. Further the policies are in place to correct for any inaccuracies in the mapping. No development and site alteration is permitted within Significant Woodlands and the associated adjacent lands unless it has been demonstrated though an
Environmental Impact Study that there will be no negative impacts on the natural features or on their ecological functions. Fragmentation of the woodlands is generally discouraged.

Lakeshores are shown symbolically as the waters edge together with the abutting lands.

While each of these designations and constraints was produced with information provided by different Ministries and agencies, the County Plan uses data collectively to provide an integrated approach to the environment. Geographic as well as jurisdictional fragmentation increases the potential for native species to abandon specific areas and reduces the potential for re-colonization. This Plan attempts to maintain natural linkages so as to enhance ecological features, functions and processes. The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems, should be maintained, restored or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features. The cumulative effects of new development on the natural environment as defined in section 2.8 of this plan, and surrounding land uses shall also be addressed.

There is no County-wide mapping of fish habitat, valleylands, wildlife habitat and aquifer recharge areas on which to base land use designations. Until such mapping becomes available, the Hazard Lands and Provincially Significant Wetlands designations and the natural features shown on Appendices A and B shall be interpreted as generally representative of many, but not necessarily all, of these features. The Endangered Species Act, 2007, which came into effect on June 23, 2007 provides protection for significant endangered, threatened and extirpated species and habitat. The Act applies to all projects including infrastructure, development, maintenance, and Planning Act Applications. Limited mapping from the Ministry of Natural Resources showing areas of significant endangered or threatened species is available. This broad mapping is not indicative of the specific habitat area, but rather serves as an area of constraint flagging further study. The County may use this mapping when assessing development applications, with advice from the Ministry of Natural Resources.

For the purposes of Section 2.8 of this Plan, ‘adjacent lands’ means those lands, contiguous to a specific natural heritage feature or area, where it is likely that development or site alteration would have a negative impact on the feature or area. The adjacent lands widths listed below are approximate values to be used in this Plan unless different values are established by amendment to this Plan or in a local official plan supported by a technical study prepared by a qualified professional knowledgeable on natural resources:

<table>
<thead>
<tr>
<th>Feature or Area</th>
<th>Adjacent Land Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Significant Habitat of Threatened or Endangered Species</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Wetlands</td>
<td>120 metres</td>
</tr>
<tr>
<td>Other Identified Wetlands</td>
<td>30 metres</td>
</tr>
<tr>
<td>Fish Habitat</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Woodlands</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Valleylands</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Wildlife Habitat</td>
<td>50 metres</td>
</tr>
<tr>
<td>Area of Natural and Scientific Interest</td>
<td>50 metres</td>
</tr>
</tbody>
</table>
Comment: The Environmental Impact Study (EIS) identifies two potential areas of concern within the study area: Threatened Species (Bobolink) on the subject lands; and, Fish Habitat within the adjacent area. The EIS addresses the potential impact of the proposed development on these two features and recommends mitigative measures to ensure that no impact occurs.

2.8.6 Natural Function

The Natural Function policies address specific significant natural areas within the County for which mapping is generally not available or is incomplete at present, including threatened and endangered species habitat, fish habitat, valleylands, and wildlife habitat. Provincially significant Areas of Natural and Scientific Interest are shown on Appendix B. In general development and site alteration that is incompatible with significant natural features and areas will not be permitted.

1. In the absence of more specific mapping showing significant natural areas and functions, the Hazard Lands, and the Provincially Significant Wetlands designations shall be used, in conjunction with Appendices A and B. Development and site alteration shall not be permitted within valleylands, wildlife habitat, and their adjacent lands, unless it has been demonstrated through an acceptable Environmental Impact Study is completed in accordance with Section 2.8.6(4) of this Plan that there will be no negative impacts on the natural features or their ecological functions. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2. No development or site alteration shall be permitted within areas of significant threatened and endangered species as identified by the Ministry of Natural Resources. No development or site alteration may occur within the adjacent lands to areas of significant threatened and endangered species unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in section 6.19 of this Plan.

4. Where it is allowed by this Plan, development and site alteration may be permitted provided it is demonstrated by an acceptable Environmental Impact Study, prepared by a qualified individual, that there will be no negative impacts on the natural features or on the ecological function for which the area is identified.

5. No development shall be permitted within 30 metres of the banks of a stream, river, lake, or Georgian Bay. Where an Environmental Impact Study prepared in accordance with Section 2.8.6(4) of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate Conservation Authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream and to increase natural connections.
8. The County may undertake a Natural Heritage Study, with the assistance from local municipalities and/or interested partners. A primary objective of the undertaking will be to identify and map significant natural heritage features and functions where such information is lacking, and to augment existing information.

9. When the more detailed identification of areas of significant threatened and endangered species, fish habitat, valleylands and wildlife habitat has been completed by the County or appropriate authority, they will be recognized in this Plan, by amendment to this Plan.

10. The County, through its development review and approval authority, may require the preparation of subwatershed plans for major specific development proposals, or expansion to a recreation area or settlement area, the cost of which may be the proponent's responsibility. Before a decision is made to do so, the County will consult with the local municipality(ies) and the appropriate Conservation Authority.

2.8.7 Implementation

The Natural Environment policies of this Plan shall be implemented by the following methods:

1. Where an Environmental Impact Study is required in accordance with the policies of this Plan, it will be prepared, at the proponent's expense, by a qualified professional and will consist of:
   a) A statement of the purpose and rationale for the development
   b) Maps and site plans showing the location of the lands affected by the development proposal in relation (where applicable) to the Hazard Lands, Provincially Significant Wetlands, Other identified Wetlands, Significant Woodlands, Areas of Natural and Scientific Interest, generalized locations (element occurrences) of endangered and threatened species and the Georgian Bay Shoreline as well as existing land uses, trees, surface water and landscape context, ownership patterns, existing and proposed land use designations and alternative development concepts; and
   c) Analysis of the impacts of the proposal on the natural features and ecological functions of the site and development influence area and proposed measures to mitigate these impacts if appropriate/feasible.
   d) All other requirements of an Environmental Impact Study as defined in Section 6.19 of this Plan.

2. The County will provide a site scoped Environmental Impact Study format to be used where buildings and structures are to be replaced or expanded, accessory buildings, structures and site modification are proposed and where a single dwelling on a vacant lot is proposed. A full scale Environmental Impact Study will be required for all other applications, except for the creation of a
single lot where a site scoped Environmental Impact Study will be sufficient. Site scoped and full scale Environmental Impact Studies shall be prepared by a qualified professional.

The local municipality, based on the provisions of a local Official Plan and/or Secondary Plan, may develop an Environmental Impact Study format to address Environmental Constraint issues of a local nature provided all matters contained in the County format are incorporated.

The County may allow for the waiving of the requirement for the preparation of an Environmental Impact Study when one or more of the following applies:

a) A development is subject to a duplicate or similar environmental assessment process;

b) A development is minor in nature; or

c) The site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of significant environmental features.

The county may seek outside independent advice as to whether: the proposed development is minor in nature; an Environmental Impact Study would serve any useful purpose; and/or the adequacy of a duplicate environmental assessment process.

3. The Zoning By-laws adopted by the appropriate municipal Councils will contain appropriate standards for buffer planting, setbacks, permitted uses etc. Municipalities shall utilize holding provisions, or a similar technique which achieves the same effect, for lands adjacent to Natural Heritage Features, which would require an Environmental Impact Study (EIS) prior to development or site alteration.

4. Where appropriate, site plan control and development agreements will be utilized through the use of Section 41 of the Planning Act, R.S.O. 1990, as amended, to fulfill the requirements of the local municipality relative to the Natural Environment provisions of the County Official Plan.

5. The assistance and advice of the various authorities will be obtained where appropriate in the applications of the Natural Environment policies.

6. Nothing in Section 2.8 that relates specifically to natural heritage features and areas is intended to limit the ability of existing agricultural uses to continue.

7. The policies of the Niagara Escarpment Plan apply in addition to the policies of the Official Plan where identified Natural Environment features are located within the boundaries of the Niagara Escarpment Plan.
Comment: The Environmental Impact Study (EIS) prepared by Aquatic and Wildlife Services has followed the study requirements listed above. The EIS identified two potential areas of concern within the study area: Threatened Species (Bobolink) and Fish Habitat.

With regard to Fish Habitat, the EIS stated that the fronting waters of Colpoy's Bay are confirmed to support fish, with a mix of cold and cool water fish species. As such, no development should occur within 30 metres of the shoreline's primary tree line. The EIS also stated that the drainage course that traverses the central area of the property does not support Fish Habitat nor does it provide thermal-cold water benefits to the receiving waters. This stream course does, however, provide an ecological contribution of water quality and forage species to the fish community within the receiving waters of Colpoy's Bay. The EIS notes that the stream course has historically experienced site alteration impacts from open and free access by livestock, seasonal outflow from the agricultural pond on site, and run-off from County Road 1 and agricultural lands further to the east. Given these existing on-site and off-site impacts, and the fact that there is no direct fish habitat and no contribution to thermal cooling from this stream course, a reduced development setback would have no measurable negative impacts to the identified ecological functions this stream course. The EIS recommends a 15 metre setback from this drainage ditch for site alteration and a 30 metre setback for the septic systems.

With regard to the Threatened Species, the Environmental Impact Study identified a small area in the southwest corner of the property (along the southern boundary of Lots 19-22) as a suitable habitat for the Bobolink. No ecological functions of this bird were identified on the adjacent lands. To ensure that no impact occurs on this habitat, no development or site alteration (other than the installation of a property line fence) should be allowed in that particular area. In this regard, the Niagara Escarpment Development Control Site Plan and the Site Servicing Plan (contained within the Functional Servicing Report), both prepared by Darryl M. Robins Consulting Inc., have identified this small area as a no-development area. The EIS states that with this mitigation measure in place, the proposed development would have no impact on the Bobolink habitat.

The above-noted recommendations and all other recommended mitigative measures stated in the EIS have been incorporated into the design of the proposed Plan of Subdivision. The setbacks are specifically identified on the Site Servicing Plan (which is contained within the Functional Servicing Report) and the Niagara Escarpment Development Control Site Plan.
5.1.5 Archaeology

The following heritage policies are relevant to the proposed residential subdivision:

SECTION 3 HERITAGE POLICIES

1. The County of Grey has a rich and diverse cultural heritage, which includes sites of archaeological value; buildings and structural remains of historical, architectural and contextual value; and rural, village and urban districts or landscapes of historic and scenic interests. The County recognizes the importance of its cultural heritage resources and in managing them in a responsible manner which perpetuates their use and benefit to the community.

2. Local municipalities shall develop policies which encourage the conservation of heritage resources in land use and development decisions.

Local municipalities will identify cultural heritage resources by establishing and maintaining a register of properties situated in the municipality that are of cultural heritage value or interest. Local municipalities will include on their register, all properties designated under Part IV, V or VI of the Heritage Act and including but not limited to:

a) properties that have heritage conservation easements or covenants registered against title
b) cultural heritage resources of interest to the County
c) cultural heritage resources identified in provincial or federal inventories
d) additional cultural heritage resources that the council of the local municipalities believe to be of cultural heritage value or interest
e) areas of archaeological potential and archaeological and historical resources identified by the Province.

3. Local municipalities are encouraged to include all licensed, private abandoned or legally closed cemeteries in their heritage property register. Area municipalities are encouraged to consider the designation of these cemeteries in order to retain them in their original condition and location.

4. Local municipalities shall ensure adequate archaeological assessment and consult with appropriate government agencies, including the Ministry of Culture and the Ministry of Small Business and Consumer Services (Cemeteries Regulation Unit) when an identified marked or unmarked cemetery is affected by land use development. The provisions of the Heritage Act and the Cemeteries Act shall apply.
5. Development proposals shall conserve significant built heritage properties and significant cultural heritage landscapes.

6. The County will conserve and manage its heritage resources and cultural heritage landscapes when undertaking public works, managing public facilities of heritage interest, or otherwise directly undertaking development or infrastructure projects which may have adverse effects on heritage resources.

7. Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated through a heritage impact assessment or an archaeological assessment and it has demonstrated that the heritage attributes of the protected heritage property will be conserved.

For the purposes of Section 3 of this Plan, ‘adjacent lands’ means those lands, contiguous to a specific protected heritage property, where it is likely that development or site alteration would have a negative impact on protected heritage property. The adjacent lands widths listed below are approximate values to be used in this Plan unless different values are established by amendment to this Plan or in a local official plan supported by a technical study prepared by a qualified professional knowledgeable on cultural heritage resources:

<table>
<thead>
<tr>
<th>Feature of Area</th>
<th>Adjacent Land Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protected Heritage Property</td>
<td>50 metres</td>
</tr>
</tbody>
</table>

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration. This would be addressed through the preparation of a conservation plan. Local municipalities shall identify the heritage attributes of the protected heritage property and establish an appropriate buffer area, to the heritage property based on the heritage attributes.

8. Development and site alteration may be permitted on lands containing significant archaeological resources if it has been demonstrated that the proposed development will maintain the heritage integrity of the site through the preparation of an archaeological assessment. Where this is not possible, the development proponent shall conserve significant archaeological resources through the removal and documentation in advance of any land disturbances, and in accordance with archaeological licensing provisions of the Ontario Heritage Act.

9. It shall be a policy of this Plan that the County will endeavour to consult with First Nations and Metis on applications that will have the potential to infringe on aboriginal treaty rights and aboriginal interests.

10. A Stage 1 Archaeological Assessment is required for proposed Plans of Subdivision or Plans of Condominium. The Stage 1 Archaeological Assessment shall be done in accordance with the
11. The County may undertake an Archaeological Management Plan to conserve the County's archaeological heritage. The County will consult with First Nations and Metis when developing the Terms of Reference for the Archaeological Management Plan. The objectives of the Archaeological Management Plan will be to:

- guide development away from lands that have archaeological significance;
- assist local municipalities when reviewing development applications;
- provide a detailed inventory of known archaeological sites and previously assessed archaeological areas;
- provide a synopsis of the prehistory and history of the County of Grey, and;
- determine areas of archaeological potential which will be mapped digitally;
- will work with First Nations and Metis to develop a consultation protocol.

12. Local municipalities are encouraged to utilize zoning to prohibit any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a known significant archaeological resource in accordance with Section 34(1)3.3 of the Planning Act.

Comment: A Stage 2 Archaeological Assessment was conducted on the subject property by AMICK Consultants Limited. No archaeological resources were found.

5.2 Niagara Escarpment Plan

Various sections of the Niagara Escarpment Plan are relevant to proposed residential development including the policies pertaining to the ‘Escarpment Recreation Area’ designation, general development, lot creation, water resources, wooded areas, wildlife habitat, forest management and heritage.

5.2.1 Development Within the Escarpment Recreation Areas

The subject property is designated ‘Escarpment Recreation Area’ on Map 7 to the Niagara Escarpment Plan, as shown on Figure 4 to this Planning Report. In this regard, the Plan offers the following:
1.8 Escarpment Recreation Area

Designated Recreation Areas are areas of existing or potential recreational development associated with the Escarpment. Such areas may include both seasonal and permanent residences.

Objectives

1. To minimize any adverse effects of recreational activities on the Escarpment environment.

2. To provide areas where new recreational and associated development can be concentrated around established, identified or approved downhill ski centres.

3. To provide areas where new recreational and associated development can be concentrated around established, identified or approved lakeshore cottage areas in Grey and Bruce Counties.

4. To recognize the importance of the Four Seasons Craigleith-Camperdown Recreation Area (in the Town of The Blue Mountains) to the tourism sector of Ontario’s economy.

5. To provide for the development of new ski centres or other recreational areas.

6. To ensure that future recreational development is compatible with cultural and natural heritage values (e.g. fisheries and wildlife habitats) in the area.

Comment: The proposed 22 lot, low-density development is clearly supported by objective no. 3 above which, as stated, is intended to “provide areas where new recreational and associated development can be concentrated around established, identified or approved lakeshore cottage areas in Grey and Bruce Counties”. As noted above, such recreational development may include seasonal or permanent residences.

Permitted Uses

Subject to Part 2, Development Criteria, and the requirements of official plans, and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, the following uses may be permitted.

1. Existing uses.

4. In lakeshore cottage areas, dwellings, facilities such as marinas, and commercial developments such as lodges, retail stores and service establishments accessory to the cottage recreational development.
7. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users.

9. Signs and billboards, subject to Part 2.2.11.

11. Agricultural operations.

12. Agricultural purposes only lot (see definition and policies for APO lots).

13. Accessory buildings, structures and facilities (e.g., garage or farm pond), signs and the site modifications required to accommodate them.

14. Incidental uses (e.g., swimming pools, tennis courts and ponds) and site modifications required to accommodate them, provided the impact on the natural environment is minimal.

Comment: As noted in paragraph 4 above, permitted uses within the ‘Escarpment Recreation Area’ include dwellings in the lakeshore cottage areas.

New Lots
(edited for relevancy)

Subject to Part 2, Development Criteria, and the requirements of official plans, secondary plans and/or bylaws that are not in conflict with the Niagara Escarpment Plan new lots may be created for permitted uses. Residential development should occur on lots or blocks created by registered plans of subdivision or condominium or other similar forms of ownership.

Comment: This Planning Report serves to demonstrate that the proposed residential development conforms with Part 2 of the Niagara Escarpment Plan and all relevant policies of the County of Grey Official Plan.

Development Objectives

2. Lakeshore cottage areas may extend inland to permit new development in a planned group provided that it does not encroach upon the Escarpment Natural Area or the Escarpment Protection Area designations and does not exceed approximately 200 metres (650 feet) in depth measured from the high water mark.

Comment: The proposed subdivision represents a new development within a planned group. The development will not extend beyond a 200 metre setback from the high water mark of Colpoy’s Bay.
3. **Within lakeshore cottage areas, where proposed lots within a subdivision have no lake frontage, provision shall be made with the municipality (land or cash in lieu), prior to registration, for public lake frontage to be part of or adjacent to the subdivision.**

Comment: The proposed subdivision will create eleven waterfront lots. The other eleven lots will have access to the shoreline through the existing road allowances to the immediate east and west of the site.

4. **Growth should be compatible with and provide for the protection of unique ecologic, historic and archaeological areas, wildlife and fish habitat, streams and water supplies and other environmentally sensitive areas, consistent with Part 2, the Development Criteria of this Plan, both inside and adjacent to Escarpment Recreation Areas.**

Comment: The Archaeological Assessment conducted on the site found no traces of archaeological significance. The Environmental Impact Study concluded that the proposed development will not impact upon any environmentally sensitive feature of the subject property or adjacent lands provided certain mitigative measures are taken, as explained earlier in this Planning Report.

5. **Recreational uses shall be designed to utilize existing site and topographical conditions, with allowance for minimum regrading, placement/excavation of fill and vegetation removal only if they are essential to the use and only if adverse effects can be mitigated.**

Comment: The proposed development will utilize the existing site conditions wherever possible; however, in order to ensure surface water drainage occurs in an appropriate manner, site grading will be necessary. No adverse effects will result from such works. The details pertaining to lot grading and drainage are explained in the Functional Servicing Report.

As recommended in the Environmental Impact Study, tree retention areas will be established along the existing watercourse and along each of the proposed side lot lines.

**Official Plans, Secondary Plans and/or Bylaws**

*Official plans, secondary plans and/or by-laws for the designated Escarpment Recreation Areas may be amended without requiring an amendment to the Niagara Escarpment Plan provided these amendments are not in conflict with the objectives of the designation and Part 2, Development Criteria.*

Comment: The proposed Plan of Subdivision does not require an amendment to the County Official Plan or the Township’s Comprehensive Zoning By-law.
5.2.2 Development Criteria

As noted in Section 5.3.1 of this Planning Report, development within the ‘Escarpment Recreation Area’ designation is required to conform with the various policies of Section 2 of the Niagara Escarpment Plan, which include:

Section 2.2  General Development Criteria;
Section 2.4  Lot Creation;
Section 2.6  New Development Affecting Water Resources
Section 2.7  New Development Within Wooded Area;
Section 2.8  Wildlife Habitat
Section 2.9  Forest Management
Section 2.12  Heritage

The following is an evaluation of the proposed subdivision within the context of these policies:

5.2.2.1 General Development Criteria

2.2 General Development Criteria
(edited for relevancy)

The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.

1. Permitted uses may be allowed provided that:

   a) The long term capacity of the site can support the use without a substantial negative impact on Escarpment environmental features such as contours, water quality, water quantity, natural vegetation, soil, wildlife, population, visual attractiveness and cultural heritage features.

   b) The cumulative impact of development will not have serious detrimental effects on the Escarpment environment (e.g. water quality, vegetation, soil, wildlife, and landscape).

   c) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding.

   d) Development meets applicable federal, provincial and municipal requirements including health and servicing requirements.

Comment: A series of background reports has been conducted in conjunction with this development proposal to ensure that this low-density, residential
subdivision can be developed without impacting upon the various natural environment aspects of the subject lands and adjacent properties and in accordance with the applicable requirements of the various levels of government.

2. Where a lot is located in more than one designation, development shall be located on that portion of the lot located in the least restrictive designation, except where it is evident that the impact of development on the Escarpment environment would be reduced by locating the development on a portion of the lot located in a more restrictive designation.

Comment: The subject property is designated entirely ‘Escarpment Recreation’ on Map 7 to the Niagara Escarpment Plan, as shown on Map 4 to this Planning Report. Although the southern portion on the property appears to be located outside of this designation, the Niagara Escarpment Commission confirmed during the preconsultation discussions that the ‘Escarpment Recreation Area’ designation boundary is determined by measuring 200 metres back from the high water mark of the shoreline. The southerly boundary of the subject property is, in fact, situated 200 metres from the high water mark of the shoreline. This is not a coincidence; this property was recently severed from the lands to the immediate south, and the new property boundary was intentionally established 200 metres from the high water mark as recommended by the Niagara Escarpment Committee at that time.

3. Private sewage systems and water supplies associated with permitted uses require, where specified by statute, the approval of the Ministry of Environment or its agent, the local Medical Officer of Health, or the authority having jurisdiction in these matters.

Comment: The proposed individual septic systems will require permits from the Township of Georgian Bluffs. The engineering studies prepared in conjunction with this development proposal explain that the soils conditions are appropriate to accommodate 22 detached dwellings serviced with individual, standard septic systems.

4. Any development permitted should be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area.

Comment: The Environmental Impact Study provides recommendations for preserving natural aspects of the area which, when implemented, will help preserve the visual characteristics of the area.

5. Where development involves new roads, road improvements or service corridors, their designation and alignment should be in harmony with the Escarpment landscape.
Comment: The new road should be consistent with the Escarpment landscape of the area.

6. The design of subdivisions, condominiums or other similar forms of residential lot ownership within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas should be in harmony with and maintain the existing character of the Escarpment landscape.

Comment: This low-density development should be consistent with the existing Escarpment landscape of this general area.

8. Development permitted should be designed and located in such a manner as to provide for or protect access to the Niagara Escarpment including the Bruce Trail Corridor.

Comment: The proposed subdivision should have no impact on the Bruce Trail Corridor.

5.2.2.2 Lot Creation

2.4 Lot Creation
(edited for relevancy)

The objective is to direct the formation of new lots to those locations that are the least environmentally sensitive.

1. Lot Creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, may be permitted subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria.

Comment: This Planning Report demonstrates the proposed development’s conformity with the County Official Plan and Part 2 of the Niagara Escarpment Plan.

2. New lots to meet residential needs should be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas.

Comment: The proposed 22 lots will be created on a property designated ‘Escarpment Recreation Area’.

4. Ribbon or strip development should be prevented.
Comment: A well-designed plan of subdivision involving lots along both sides of a new municipal road is proposed. This form of development does not constitute ribbon or strip development.

5. The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning bylaws and the objectives of the designation.

Comment: The Official Plan for Grey County does not provide minimum standards for new lots in the ‘Escarpment Recreation Area’ designation, and the Township’s Zoning By-law does not apply to these lands. However, given that the adjacent residential lots are zoned ‘R2’ (as shown on Figure 5 to this Planning Report), the proposed development should be evaluated within the context of the ‘R2’ zone provisions. In this regard, the ‘R2’ zone provisions require a ‘minimum lot area’ and ‘minimum lot frontage’ of 1500 square metres and 30 metres respectively for partially serviced (i.e. municipal water or sanitary sewage disposal) development. All 22 proposed lots exceed these minimum standards. A table showing the area and frontage of each lot is provided on the Draft Plan.

6. New lots must satisfy the following criteria:

a) The location, design, size and density retain the open rural landscape and protect the natural features.

b) The design is in harmony with the existing heritage features and heritage areas of the Escarpment landscape.

Comment: The new lots will be large in size and should maintain the rural and natural landscape.

7. Prior to commenting upon new lots, the implementing authority shall consider:

a) The number, distribution and density of vacant lots in the area;

b) The additional lots that may be created in conformity with the Plan;

c) The consequences of the development of the lots with regard to the objectives of the designation; and

d) Providing for or protecting public access to the Niagara Escarpment including the Bruce Trail corridor.
Comment: There appears to be very few vacant, residential lots within the general vicinity of the subject lands and perhaps no vacant waterfront lots. The proposed lots will be created in conformity with the Niagara Escarpment Plan. This development should have no impact on public access to the Bruce Trail Corridor.

8. **The creation of new lots shall be consistent with all applicable provincial policies and should have regard to federal and municipal requirements.**

Comment: The proposed lot creation will comply with all relevant polices of the various levels of government.

10. **Except for new lots permitted under Part 2.4.14, new lots created by consent shall front onto an existing public road that is of a reasonable standard of construction and generally maintained all year round.**

Comment: The 22 residential lots will front onto the new Township road which will be constructed to full municipal standards for rural areas and maintained on a year-round basis.

### 5.2.2.3 New Development Affecting Water Resources

#### 2.6 New Development Affecting Water Resources

The objective is to ensure that new development affecting streams, watercourses, lakes, wetlands, and groundwater systems will have minimum individual and cumulative effect on water quality and quantity, and on the Escarpment environment.

**Water Quality**

1. **Changes to the natural drainage should be avoided.**

Comment: The property will be graded in such a manner that the surface water of the waterfront lots will drain towards the shoreline. The surface water for the back lots will be directed to the existing drainage ditches located along the easterly and westerly boundaries of the property via new ditches along the new Township Road, and ultimately outlet into Colpoy’s Bay.

2. **No sewage system should be allowed closer than 30 metres (approximately 100 feet) from:**

   a) The high water mark of any lake;
   b) The top of a stream bank or ravine; or
c) The edge of any wetland.

Where this setback cannot be achieved on an existing lot of record the distance may be varied to the satisfaction of the Ministry of Environment or its designated agent.

Comment: The septic systems will be set back at least 30 metres from the high water mark of Colpoy’s Bay and 30 metres from the drainage ditch traversing the central area of the property.

3. A setback for other development will be established from each side of a stream, river bed, lakeshore or wetland necessary to maintain existing water quality. The width of this buffer shall be determined by the implementing authority in consultation with the Ministry of Environment, Conservation Authority and the Ministry of Natural Resources, which shall consider:

a) Soil type;

b) Types and amounts of vegetation cover;

c) Slope of the land; and

d) Fish and wildlife.

Comment: The Grey Sauble Conservation Authority (GSCA) reviewed the Environmental Impact Study prior to Plan of Subdivision and Development Control Permit applications being filed. The GSCA accepted the recommendations that a 30 metre setback adjacent to the shoreline be maintained in tree vegetative cover and enhanced where necessary and that the 15 metres adjacent to the existing drainage ditch (on each side) be maintained in treed vegetation cover and enhanced where necessary. These setbacks are shown on the Site Servicing Plan (contained within the Functional Servicing Report) and on the Niagara Escarpment Development Control Site Plan. It is important to note that the majority of the 30 metre setback from the shoreline is not actually situated within the subject lands but rather is part of the 20 metre wide unopened, shore road allowance.

4. No alteration of the natural grade or drainage shall occur within the setback where, in the opinion of the implementing authority, such action would adversely affect surface and/or groundwater resources.

Comment: As noted above, the GSCA has accepted the setbacks recommended in the EIS.
5. The cutting of trees within the setback is regulated by Parts 2.7 and 2.9, Development Criteria.

Comment: Conformity with 2.7 and 2.9 is explained later in this Planning Report.

6. Where in the opinion of the implementing authority a potential ground or surface water pollution problem exists, the applicant shall detail through appropriate studies, the detrimental effects and how they will be minimized.

Comment: No potential ground or surface water pollution problems exist.

7. During development, the following sediment and erosion control practices should be carried out:
   a) Only the smallest practical area of land should be exposed at any time during the development.
   b) When land is exposed during development the exposure should be kept to the shortest practical period of time.
   c) Natural features such as tree groves, grades and waterways should be preserved.
   d) Temporary vegetation and/or mulching should be used to protect critical areas exposed during development.
   e) Final landscaping and vegetation should be installed as soon as practical following completion of the development.
   f) Topsoil should not be removed from the site, but rather, should be stored and redistributed as a suitable base for seeding and planting.
   g) Sediment control devices should be installed to remove sediment from run-off due to changed soil surface conditions during and after construction.
   h) Construction in or across a watercourse or wetland should be appropriately timed to minimize impacts on fish and wildlife habitat.

Comment: The Environmental Impact Study has recommended sediment and erosion control measures that are to be carried out during the construction of the subdivision.

Fisheries

The objective is to ensure that water resources are maintained in a clean and healthy condition so that there is no net loss of aquatic ecosystems including fish habitat or other natural habitats which depend upon lakes, watercourses, wetlands, and groundwater systems for their existence in accordance with the Federal Fisheries Act and any associated protocols or policies that the province and the federal government have established.
14. **New Development or redevelopment adjacent to significant fishery resources shall demonstrate the following:**

   a) The development shall ensure net gain/no net loss of productive capacity of fish habitat;

   b) Maintenance of minimum baseflow of watercourses;

   c) Maintenance of existing watercourses in a healthy, natural state;

   d) Maintenance of vegetative buffers in accordance with the sensitivity of the fishery resource and development criteria; and

   e) Best available construction and management practices shall be used to protect water quality and quantity, both during and after construction. Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Ministries of Environment and Natural Resources.

**Comment:** The EIS stated that the fronting waters of Colpoy's Bay are confirmed to support fish, with a mix of cold and cool water fish species. As such, no development should occur within 30 metres of the shoreline’s primary tree line. The EIS also stated that the drainage course that traverses the central area of the property does not support Fish Habitat nor does it provide thermal-cold water benefits to the receiving waters. This stream course does, however, provide an ecological contribution of water quality and forage species to the fish community within the receiving waters of Colpoy's Bay. The EIS notes that the stream course has historically experienced site alteration impacts from open and free access by livestock, seasonal outflow from the agricultural pond on site, and run-off from County Road 1 and agricultural lands further to the east. Given these existing on-site and off-site impacts, and the fact that there is no direct fish habitat and no contribution to thermal cooling from this stream course, a reduced development setback would have no measurable negative impacts to the identified ecological functions this stream course. The EIS recommends a 15 metre setback from this drainage ditch for site alteration and a 30 metre setback for the septic systems.

15. **Public access to fishery resource areas shall be maintained or, wherever possible, improved.**

**Comment:** The proposed development will not impact upon public access to fishery resource areas.
5.2.2.4 New Development Within Wooded Areas

2.7 New Development Within Wooded Areas

The objective is to ensure that new development should preserve as much as possible of wooded areas.

1. Disturbance of treed areas should be minimized, and proposed developments in heavily treed areas shall have site plan agreements containing specific management details regarding the protection of existing trees.

2. Trees to be retained should be protected by means of snow fencing, wrapping, or other acceptable means during construction (e.g. tree wells).

3. Existing tree cover or other stabilizing vegetation will be maintained on slopes in excess of 25 per cent (1 in 4 slope).

Comment: The Environmental Impact Study has recommended areas on each property for tree retention and other areas for no site disturbance. The EIS also recommends certain mitigative measures to ensure that the trees are protected during construction. These recommendations have been incorporated into the design of the subdivision and are shown on the Site Servicing Plan (contained within the Functional Servicing Report) and the Niagara Escarpment Development Control Site Plan.

5.2.2.5 Wildlife Habitat

2.8 Wildlife Habitat

The objective is to protect the habitat of endangered (regulated) as prescribed by the Endangered Species Act, endangered (not regulated), rare, special concern and threatened, plant and animal species, and minimize the impact of new development on wildlife habitat.

1. New development will not be permitted in identified habitat of endangered (regulated) plant or animal species.

2. Development shall be designed so as to:

   a) Minimize the impacts upon wildlife habitat, in particular, habitats of endangered (not regulated), rare, special concern, and threatened plant or animal species, as identified by on-site evaluation;
b) Maintain wildlife corridors and linkages with adjacent areas; and

c) Enhance wildlife habitat wherever possible.

Comment: The Environmental Impact Study conducted by Aquatic and Wildlife Services identified a small area in the southwest corner of the property (along the southern boundary of Lots 19 to 22) as a suitable habitat for the Bobolink, which is a Threatened Species. No ecological functions of this bird were identified on the adjacent lands. To ensure that no impact occurs on this habitat, no development or site alteration (other than the installation of a property line fence) should be allowed. In this regard, the Site Servicing Plan (contained within the Functional Servicing Report) and the Niagara Escarpment Development Control Site Plan have both identified this small area as a no-development area.

5.2.2.6 Forest Management

2.9 Forest Management

The objective is to maintain and enhance the forests and associated animal and plant habitats.

1. All cutting of trees requires approval from the implementing authority with the following exceptions:

   a) The cutting or other destruction, removal or pruning of trees carried out under the Crown Forest Sustainability Act, the Forestry Act, the Municipal Act and the Conservation Authorities Act, or in accordance with programs administered by the Ministry of Natural Resources.

   b) The cutting or other destruction, removal or pruning of trees for domestic personal use provided that:

       i) The property owner or his/her agent is the tree cutter;

       ii) No sales of the trees or wood products will take place; and

       iii) The provisions of Part 2.9.2 e) are met.

   c) Where there are specialized tree crops, such as Christmas tree farms, nurseries, or orchards, where clear cutting or removal and replanting is a normal part of the operation.

   d) Where trees create a safety hazard (e.g. dead or diseased trees in danger of falling, trees blocking driveway sight-lines).
2. Approval to cut is conditional upon:

a) Using tree cutting methods designed to minimize adverse effects on the natural environment including surface drainage and groundwater.

b) Minimizing disruption of habitats for plants and animal species occurring in the area.

c) Retaining the diversity of tree species.

d) Aiming over the long term to retain or enhance the quality, appearance and productivity of the forest site.

e) Minimum cutting within highly sensitive areas such as steep slopes, unstable soils, stream valleys, wetlands and areas of significant groundwater recharge and discharge.

3. Subject to Part 2.9.6, public bodies will ensure that plans for the cutting of trees on public lands are in accordance with sustainable forestry management practices.

4. Reforestation using native tree species shall be encouraged by both provincial and municipal authorities, particularly in areas of shallow and unstable soils, steep slopes, stream valleys, headwaters and groundwater infiltration areas critical to the maintenance of the quality and quantity of natural streams and water supplies; also, to restore open abandoned sub-marginal agricultural land to productivity by growing a forest crop.

5. Any tree cutting program should include natural regeneration or rehabilitation through reforestation where necessary.

6. Tree cutting in an Area of Natural Scientific Interest (Life Science) which is in public ownership will be permitted where it is necessary to maintain the values for which the area was acquired, for emergency access, where existing agreements are in effect or to implement uses permitted in approved Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.

Comment: Tree removal on the site will be in accordance with the recommendations of the Environmental Impact Study.
5.2.2.7 Heritage

2.12 Heritage

The objective is to inventory, interpret, evaluate, maintain and conserve the cultural heritage features of the Niagara Escarpment Plan Area.

1. Care should be taken to discover unknown and to preserve known archaeological sites (especially native burial sites) and areas where such sites might reasonably be expected to exist.

2. Existing heritage features, areas and properties should be retained and reused. To determine whether such actions are feasible, consideration shall be given to both economic and social benefits and costs.

3. New development including reconstruction, alterations and consideration of a second dwelling under Part 2.2.7(b) should be in harmony with the area’s character and the existing heritage features and building(s) in general mass, height and setback and in the treatment of architectural details, especially on building facades.

4. Where new development involves a heritage feature it should express the feature in some way. This may include one or more of the following:
   a) Preservation and display of fragments of the former buildings' features and landscaping;
   b) Marking the traces of former locations, shapes and circulation lines;
   c) Displaying graphic verbal descriptions of the former use; or
   d) Reflection of the former architecture and use in the new development.

5. Where development will destroy or significantly alter cultural landscapes or heritage features, actions should be taken to salvage information on the features being lost. Such actions could include archaeological salvage and excavation, and the recording of buildings or structures through measured drawings or photogrammetry or their physical removal to a different location.

6. Where the implementing authority has approved the construction of a second single dwelling on an existing lot of record to preserve the local, provincial or national heritage value or interest of an existing single dwelling on the same lot, the property and details regarding its size and location shall be recorded and listed in Appendix 3.

Removal of the property from the list on Appendix 3 shall require an amendment to the Niagara Escarpment Plan.
Comment: A Stage 2 Archaeological Assessment was conducted on the subject property by AMICK Consultants Limited during which no archaeological resources were found.

5.3 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) contains Provincial directives pertaining to housing, servicing, natural environment and archaeology that are relevant to this subdivision application, as follows:

5.3.1 Housing

Section 1.4 Housing of the PPS states (edited for relevancy):

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

a. establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

b. permitting and facilitating:

1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and

2. all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3;

c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed; and
e. establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Comment: The development proposed will result in the creation of 22 new detached dwellings on large lots. Given that the subdivision will be serviced with private septic systems, the development as proposed is clearly the most appropriate form of housing for the subject property.

5.3.2 Servicing

Section 1.6.4 Sewage and Water states (edited for relevancy):

1.6.4.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

1.6.4.3 Municipalities may choose to use private communal sewage services and private communal water services, and where policy 1.6.4.4 permits, individual on-site sewage services and individual on-site water services, where:

a. municipal sewage services and municipal water services are not provided; and

b. the municipality has established policies to ensure that the services to be provided satisfy the criteria set out in policy 1.6.4.1.

1.6.4.5 Partial services shall only be permitted in the following circumstances:

a. where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; and

b. within settlement areas, to allow for infilling and rounding out of existing development on partial services provided that:

1. the development is within the reserve sewage system capacity and reserve water system capacity; and

2. site conditions are suitable for the long-term provision of such services.
Comment: The proposed development involves partial services. Municipal water from the Wiarton water system is available. Sewage will be treated with private, individual systems.

The concepts of extending sanitary sewers from Wiarton and establishing a communal sewage treatment facility on site were explored, as detailed in the Functional Servicing Report; however, neither of these options was considered feasible.

As noted in 1.6.4.5 b. above, partial services can be given consideration in certain circumstances. In this regard, it should be noted that capacity is available within the Wiarton water system to provide a municipal water supply to this development; and, as demonstrated in the Functional Servicing Report and Nitrate Loading Impact Assessment, site conditions are suitable for the long-term provisions of 22 private septic systems on the subject lands.

5.3.3 Natural Environment

Section 2.1 Natural Heritage states:

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 Development and site alteration shall not be permitted in:

a. significant habitat of endangered species and threatened species;

b. significant wetlands in Ecoregions 5E, 6E and 7E1;

c. significant coastal wetlands.

2.1.4 Development and site alteration shall not be permitted in:

a. significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;

b. significant woodlands south and east of the Canadian Shield2;

c. significant valleylands south and east of the Canadian Shield2;

d. significant wildlife habitat; and

e. significant areas of natural and scientific interest.
unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

2.1.5 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.6 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Comment: The Environmental Impact Study (EIS) identifies two potential areas of concern within the study area: Threatened Species (Bobolink) and Fish Habitat. The EIS addresses the potential impact of the proposed development on these two features and provides recommended mitigative measures to ensure that no impact occurs, as explained in detail earlier in this Planning Report.

5.3.4 Archaeology

Section 2.6 Cultural Heritage Archaeology states:

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

2.6.3 Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

Comment: A Stage 2 Archaeological Assessment was conducted on the subject property by AMICK Consultants Limited. No archaeological resources were found.
6. IMPLEMENTATION OF BACKGROUND STUDIES AND OTHER CONSIDERATIONS

The recommendations of the Environmental Impact Study include setbacks from the drainage course and Colpoy’s Bay, tree retention areas, tree planting area, no-disturbance areas to protect a Threatened Species Habitat and mitigation measures that are to be taken during construction. The Site Servicing Plan (contained in the Functional Servicing Report) identifies the various setbacks.

The Site Servicing Plan also identifies the boundaries of the detached dwelling building envelopes that would apply if the lands were governed by the Township of Georgian Bluffs Zoning By-law. In this area, the following ‘R2’ zone provisions would apply:

- minimum front yard of 7.5 metres;
- minimum side yard of 3 metres; and,
- minimum rear yard of 7.5 metres.

All of the setbacks required by the EIS and the ‘R2’ zone provisions are shown as separate lines on the Site Servicing Plan.

Darryl M. Robin Consulting Inc. has prepared an additional drawing entitled Niagara Escarpment Development Control Site Plan which is a simplified drawing that takes into account the various setbacks mentioned above and establishes one clearly-defined development (dwelling and septic system) limit for each property. All servicing components of the proposed subdivision are also shown on this drawing. The Niagara Escarpment Commission may choose to attach this drawing to the Development Control Permit when approving the two applications.
7. SUMMARY / RECOMMENDATIONS

The subject 7.1 hectare property is situated within an area of the Township of Georgian Bluffs where residential development is permitted, according to the Niagara Escarpment Plan and the County of Grey Official Plan. Both of these land use policy documents give consideration to the establishment of a Plan of Subdivision on this site.

The series of studies carried out by the team of consultants has demonstrated that the development of the subject lands into a 22 lot residential subdivision can be accomplished without negatively impacting on the groundwater, Colpoy’s Bay, wildlife or any other aspect of the natural environmental.

Given the favourable conclusions of the Environmental Impact Assessment, the Functional Servicing Report, the Nitrate Loading Impact Assessment, the Geotechnical Investigation and the Archaeological Assessment, it has been successfully demonstrated that the proposed development will conform with the County of Grey Official Plan and the Niagara Escarpment Plan and is consistent with the Provincial Policy Statement.

Based on the foregoing, the proposed Plan of Subdivision and requested Niagara Escarpment Development Control Permits reflect sound land use planning. In my professional opinion, this development should be approved as proposed.

Ron Davidson, BES, RPP, MCIP

Acknowledgements: Darryl M. Robins Consulting Inc.
Peto-MacCallum Ltd. Consulting Engineers
Aquatic and Wildlife Services
AMICK Consultants Limited
FIGURES

Figure 1: Location Map

Figure 2: Land Uses (Air Photo 2010)

Figure 3: Schedule A (Land Use) to the County of Grey Official Plan

Figure 4: Map 7 to the Niagara Escarpment Official Plan

Figure 5: Schedule A (Map 3) to the Township of Georgian Bluffs Zoning By-law
RESIDENTIAL PLAN OF SUBDIVISION
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs

FIGURE 1: LOCATION MAP

Residential Plan of Subdivision
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs
FIGURE 2: LAND USES (AIR PHOTOGRAPH 2010)

Residential Plan of Subdivision
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs

SCALE 1:5000
Residential Plan of Subdivision
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs
Residential Plan of Subdivision
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs
FIGURE 5: SCHEDULE A (MAP 3) TO THE TOWNSHIP OF GEORGIAN BLUFFS ZONING BY-LAW

R1  Geneal Residential
R2  Inland Lake and Shoreline Residential

Niagara Escarpment Development Control

Residential Plan of Subdivision
Boulter Estates Ltd.
Part Lot 5, Jones Range,
Geographic Township of Keppel
Township of Georgian Bluffs

SCALE 1:5000
APPENDICES
Appendix A: Proposed Plan of Subdivision
Appendix B: Niagara Escarpment Development Control Site Plan
Appendix C: Township of Georgian Bluffs Committee of the Whole Minutes
(February 13, 2013)
Committee of the Whole Minutes

Township of Georgian Bluffs

Wednesday, February 13th, 2013 7:00 P.M.

Members Present:
Mayor – Alan Barfoot
Councillor – Carol Barfoot
Councillor – Judy Gay
Councillor – Robert Lennox
Councillor – Ryan Thompson
Councillor – Tom Wiley (arrived at 7:28 p.m.)

Members Absent:
Deputy Mayor – Dwight Burley

Staff Present:
Chief Administrative Officer – Murray Hackett
Chief Building Official – Bill Klingenberg
Clerk – Bruce Hoffman
Deputy Clerk – Christine Fraser-McDonald (Recording Secretary)
Planner – Clinton Stredwick
Operations Manager – Chris Thompson
Treasurer – Holly Morrison

1. Call to Order:

Mayor Barfoot called the meeting to order at 7:00 p.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof:

None at this time.

3. Hearing of Delegations or Deputations:

7:00 p.m. - Committee of Adjustment meeting to consider Minor Variance Application A-01-2013 for Lori and Brent Knudsen at Lots 19 to 21, Plan 231 and Lot 42, Plan 447 in the geographic Township of Sarawak.

Motion No. COW-1/2013/02/13
Moved by: Councillor Thompson
Seconded by: Councillor Lennox

That the Committee of the Whole recess the regular meeting to sit as the Committee of Adjustment for the purpose of considering a Minor Variance Application for Lori and Brent Knudsen at Lots 19 to 21, Plan 231 and Lot 42, Plan 447 in the geographic Township of Sarawak. Carried
Moved by: Councillor Barfoot  
Seconded by: Councillor Gay

That the Committee of the Whole meeting be reconvened at 7:09 pm.  
Carried

7:15 p.m. – Ron Davidson, Land Use Planning Consultant re: Boulter Estates Ltd. Road Connectivity.

Mr. Davidson made a presentation to Council regarding a proposed subdivision for Boulter Estates on a property immediately east of the Northbourne Subdivision. A portion of the property is within the Escarpment Recreational area and this allows for a Plan of Subdivision.

An archeological assessment has been completed as well a hydrogeological study is in the progress of being completed. The lots will be serviced with municipal water from the Town of South Bruce Peninsula. People will enter the subdivision from a proposed road at the intersection of Galloway Road and Sunset Boulevard.

Mr. Davidson asked Council if the developer would be able to put in a cul-de-sac rather than have the road going straight through to Wilson Drive. This is because the neighbours had expressed not wanting the road to go through and Mr. Davidson feels that they may appeal the Plan of Subdivision. A cul-de-sac would stop any appeals.

If the road goes through there will probably be an OMB hearing and an NEC hearing.

Council thanked Mr. Davidson for his presentation and indicated that council wants the road to go straight through to Wilson Drive.

4. Correspondence:

(1) John O’Brien re: Request to occupy existing dwelling during construction of new dwelling on property.

Council gave the Clerk direction to prepare an Agreement to be presented at a future Council meeting.

(2) Ontario SPCA re: Discontinuation of services in Bruce and Grey Counties.

Noted and filed by Council.
(3) Uwe Harders re: Specialized Transit service to the Julie McArthur Recreation Centre.

Council directed the Clerk to send a letter to Mr. Harders informing him that the Recreation subsidy is only for minors and that he may want to contact the Owen Sound Family Y, to see if they provide any financial assistance for persons with disabilities towards the registration cost, and further that the Township doesn’t provide any specialized transit service.

5. Reports and Recommendations:

Clerks Department

(1) Parking Agreement for the off-site parking at the Kilsyth Hall.

Clerk Hoffman said that the offer to purchase for the Kilsyth Hall contained a clause requiring the purchaser to enter into a parking agreement with the Municipality to provide for off-site parking at the Municipal Parking Lot across from the Hall. The agreement was sent to the purchaser’s Solicitor who asked that a termination clause be inserted into the agreement. However, this is not possible as the Zoning By-law requires a minimum of three parking spaces for the use that is proposed for the property.

Council authorized the agreement to be sent to the purchaser for signatures and then to be brought back to Council for adoption.

(2) Draft Modifications to the Georgian Bluffs Official Plan.

Planner Clinton Stredwick went through a list of modifications to the Georgian Bluffs Official Plans as requested by the County of Grey.

Council accepted the list of modifications and requested that the Planner notify the County of this.

Operations Department

(1) Report TR003-2013 Boulter Estates Ltd. Road Connectivity.

Operations Manager Chris Thompson in his report said that in the fall of 2012, the Committee of Adjustment granted a severance to Boulter Estates Ltd. that severed the lands into two parcels. It is anticipated that the northerly parcel will be subject to a Plan of Subdivision this year.

In January, Ron Davidson, agent for Boulter Estates, corresponded with Council about alternatives of the potential new road location to serve the subject property and also about the connectivity to the existing road network.
The proposed road to serve the development would be an extension of Sunset Blvd., west of Galloway Road. Mr. Davidson and Mr. Boulter attended the Transportation Committee meeting on January 28th, 2013 and spoke briefly about the proposed development. They asked the Township to provide direction regarding the new road to serve the development, being either a cul-de-sac or a connection to Wilson Drive to the west. Mr. Davidson indicated that he believes the existing residents on the dead end portion of Wilson Drive will be opposed to the connection of the new road to Wilson Drive for pedestrian and child safety reasons and will possibly appeal the Plan of Subdivision. Staff was asked to investigate options and bring back a report.

Both the Operations and Fire Department staffs preference would be for the new road to be connected to the existing roads in the area if possible, to allow for more efficient and effective response and road maintenance.

It is recommended that the road to serve the proposed development be connected to both existing streets, being Galloway Road to the east and Wilson Drive to the west.

Council recommended that the proposed road be connected to both Wilson Drive and Galloway Road.

6. Public Question Period:

There were no questions from Members of the Public.

7. In Camera Session:

None.

8. By-Laws:

None.

9. Unfinished Business:

None.

10. New Business:

(1) Wiarton-Keppel Airport Joint Municipal Service Board Draft Motion regarding an amendment to the airport agreement with the Town of South Bruce Peninsula.

A draft motion to recommend amendments to the Airport Agreement between the Town of South Bruce Peninsula and the Township of Georgian Bluffs were reviewed by Council.
The Airport Joint Municipal Service Board has adopted the policies of the Town of South Bruce Peninsula; the motion recommends that the policies of the Township of Georgian Bluffs be adopted.

Council requested that this be deferred until the next Committee of the Whole meeting when Deputy Mayor Burley, who is Chair of the Airport Board, is present.

11. **Adjournment:**

The Committee of the Whole meeting adjourned at 9:08 p.m. on a motion moved by Councillor Gay and Seconded by Councillor Thompson to meet again at the next scheduled Committee of the Whole meeting on March 13th, 2013 or at the call of the Mayor.

______________________________   ______________________________
Mayor – Alan Barfoot                     Clerk – Bruce Hoffman