



Committee Report

To: Councillor Steve Hammell, Chair and
Members of the Planning and Development Committee

From: Derrick Thomson
Acting Director of Planning and Development

Date: July 14, 2022

Re: Major Revision to Draft Plan of Subdivision 41T-2016-02.46
(Bluewater)

Staff Recommendation:

That Major Revision to Draft Plan of Subdivision 41T-2016-02.46 (Bluewater) be approved subject to the modified Conditions of Draft Approval and Draft Plan (attached); and

That the Secretary-Treasurer of the Land Division Committee be authorized to sign the Decision Sheet and the Draft Plan.

Summary:

The application proposes a revision to an existing Draft Approved Plan of Subdivision in the Town of Saugeen Shores. The application proposes an increase of 20 residential units. If approved, the proposal would accommodate a revised mix of dwelling types.

The application is being referred to the Committee for a decision due to objections raised by a neighbouring landowner and a resolution by the Town of Saugeen Shores Council to have the Bluewater District School Board conditions removed.

Alignment with Guiding Principles:



GOOD GROWTH

To put growth in the right locations with the right services



AGRICULTURE

To support our key economies, including supporting a thriving agriculture community



CONNECTING

To improve our ability to move people, goods, and information between communities



HOMES

To increase the supply and mix of homes



BUSINESS

To create opportunities for a diversity of businesses, jobs, and employers



COMMUNITIES

To create wellbeing through access to healthy complete communities



HERITAGE

To identify and manage our cultural heritage resources



NATURAL LEGACY

To manage natural resources wisely for future generations

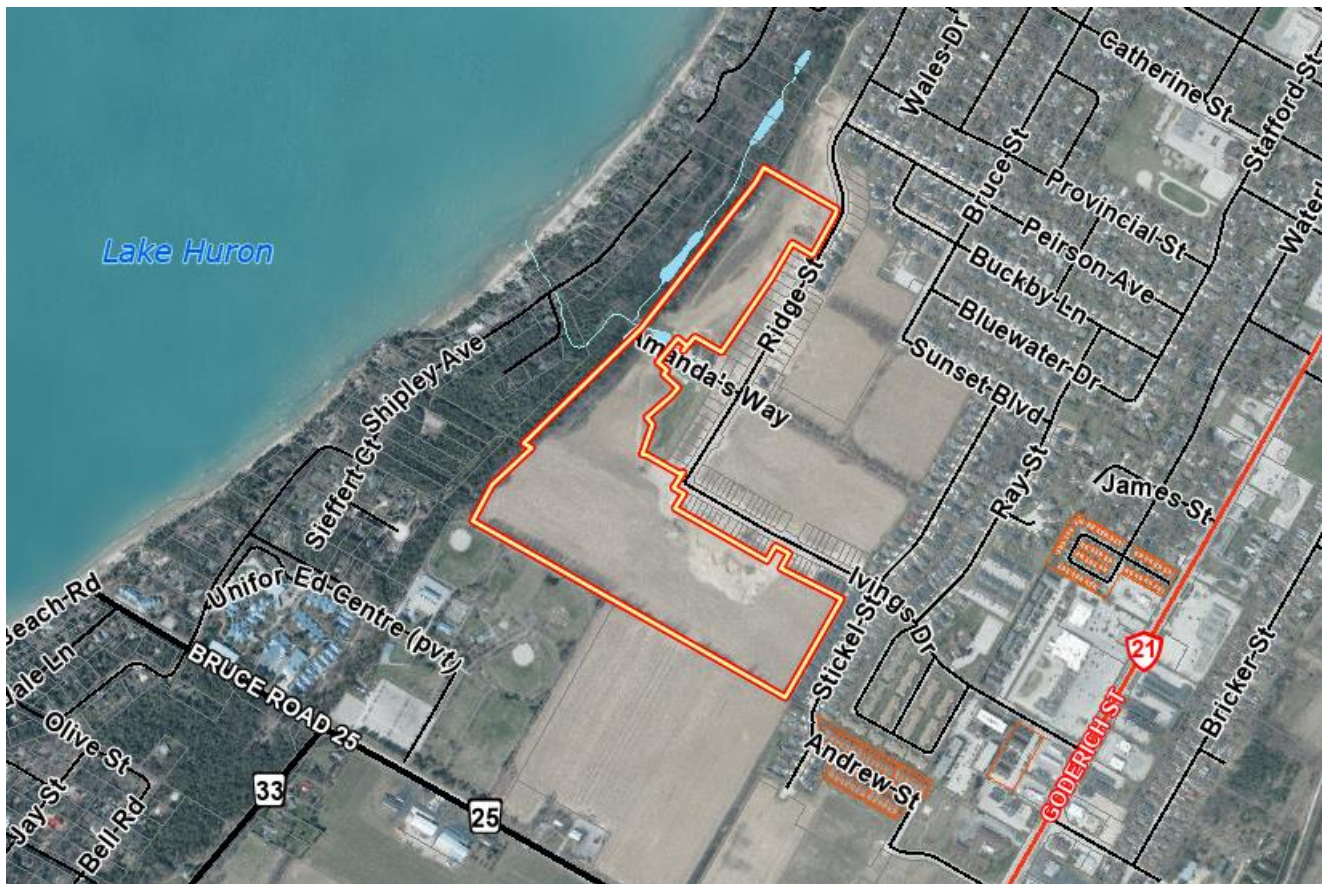
- Not applicable
- Not aligned
- Aligned
- Strongly aligned

The 26.03 ha property is located in the south end of Port Elgin, northwest of Highway 21 and Bruce Road 25. This is a logical infill project in the Settlement Area that makes efficient use of land and infrastructure. Therefore, the plan is aligned with the Good Growth guiding principle.

The proposed development would increase the supply and mix of homes in Port Elgin by adding 19 townhouse dwelling lots on Ridge Street and 1 single detached dwelling lot on Ivings Drive. This is strongly aligned with the Homes guiding principle.

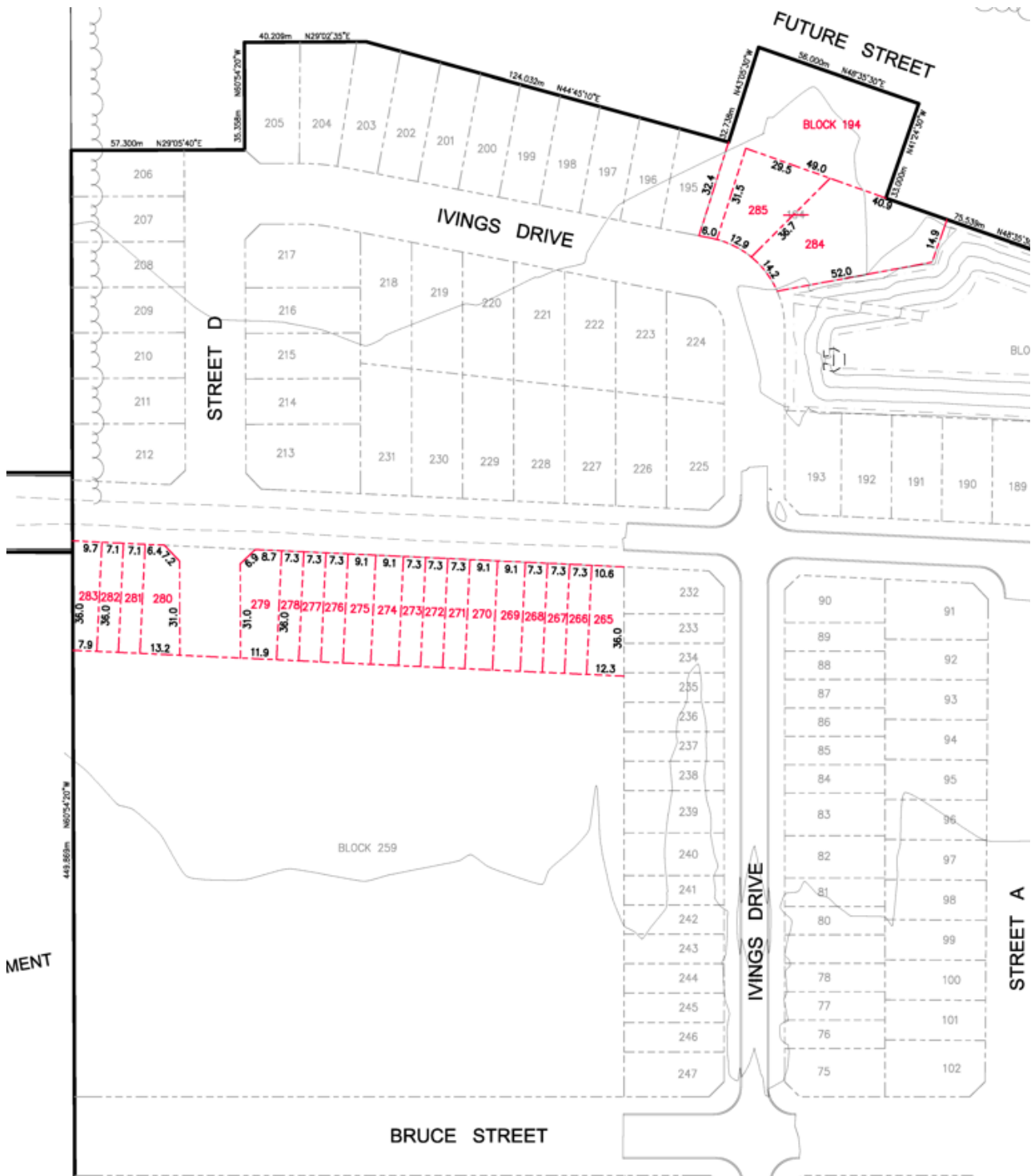
On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

Airphoto



Site Plan

*Close-up of affected area - see full Red Line Revision to Draft Plan attached separately.



Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached) and planning policy sections.

Background

The County granted draft approval for the residential Plan of Subdivision in November 2016. A major revision and extension were subsequently granted in January 2018. Final approval was then issued for Phase 1 in July 2019. The balance of the site is still in the draft approval stage.

The current Plan of Subdivision provides for 518 residential units (257 single detached and townhouse dwellings and 261 residential units in two larger development blocks). There are also two blocks for servicing/walkways, two blocks for future development and one block for a stormwater management facility.

A revision to the Plan of Subdivision has been submitted which proposes to increase the number of residential units from 518 to 538 by:

- Creating 19 townhouse dwelling lots on Ridge Street through a revision to Block 259, one of the residential development blocks. Block 259 is zoned Residential Fourth Density Special (R4-2). This site-specific zone “allows a seniors complex consisting of one or more of those uses normally permitted in the R4 zone, in addition to a retirement lodge, retirement home, community centre and a continuum-of-care facility in accordance with the R4 zone provisions.” The applicant indicated this parcel is larger than required for its intended purposes and proposes to remove a small portion of the block to allow for the creation of the 19 townhouse dwelling lots; and
- Creating 1 additional single detached dwelling lot on Ivings Drive through a revision to Lot 194. This parcel was initially intended to contain the original farmhouse which has since been removed due to its poor condition. This parcel is proposed to be divided into two single detached dwelling lots and a servicing/walkway block.

There are no modifications to the road network.

A related Zoning By-law Amendment (Z-2021-093) was passed by the Town of Saugeen Shores on April 25, 2022. The amendment rezoned the proposed lots on Ridge Street to Residential Fourth Density Special (R4-22 from R4-2) with a reduced interior side yard width and increased lot coverage for the street townhouse dwellings. This Zoning By-law Amendment is now in full force and effect. A Zoning By-law Amendment was not required on Ivings Drive.

Efficient Use of Land and Infrastructure

The subject lands are located on the south side of Port Elgin within the Settlement Area. The developable portion of the subject property is designated Primary Urban Communities in the Bruce County Official Plan and Residential in the Town of Saugeen Shores Official Plan.

The goals and objectives of both the County and local Official Plans direct much of the future growth to Primary Urban Communities, such as Port Elgin, to support the wise use of land and infrastructure.

The lands are currently zoned for residential purposes as are much of the surrounding lands (R1, R2, R3 and R4) with the exception of some areas zoned Institutional (I) and Planned Development (PD) to the south and Environmental Protection (EP) to the west.

The applicant is proposing an increase of 20 residential units compared to the current draft approval. The development form is compatible with the surrounding lands while continuing to conform with the density targets established in the County Official Plan and local Official Plan.

The proposed development will be accessed from Ivings Drive and Ridge Street. Both streets are constructed up to their shared intersection and will be extended through future phases of the development. As such, the development will utilize the existing and planned municipal street network.

Similarly, the lands will be connected to existing municipal water and sewer services through extension of these services to the site. Stormwater will also be addressed through connections to the existing storm sewer system. The applicant's consultant has shown there would not be significant impact to the storm system through the proposed modifications to the Draft Plan. Confirmation that there is adequate capacity in the water, sewer and stormwater systems to accommodate the proposed changes and the detailed submissions related to that will be provided through final approval of the Plan of Subdivision. Full municipal services are the preferred form of servicing in Port Elgin.

The proposed changes to the plan continue to make efficient use of land and infrastructure.

Range and Mix of Housing Types

The proposed development provides an appropriate range and mix of housing types to meet the projected requirements of current and future residents. With the current proposal, the applicant is increasing the number of dwelling units by 20 through 19 new street townhouses and one additional single detached dwelling. The proposal will contribute to a greater range of housing choices in the area. The project also continues to meet the County and Municipal target requiring 30% of proposed dwelling units to be medium density or higher.

Land Use Compatibility

Compatibility was identified as a concern by a neighbouring property owner who wrote that the 19 proposed townhouse dwellings would not be in keeping with the character of the street. All of the current homes on Ridge Street are single detached dwellings. The neighbouring landowner suggested that if there is a demand for townhouses that they should be located in Blocks 258 and 259, or alternatively on Street 'A' at Lots 24 to 36.

As noted above, the area where the 19 townhouse dwelling lots are proposed is currently part of Block 259. Block 259 is zoned Residential Fourth Density Special (R4-2). The R4 zone allows apartment dwellings, multi-unit dwellings and townhouse dwellings among its permitted uses. A retirement lodge, retirement home, community centre and a continuum-

of-care facility are also permitted based on the R4-2 special provision on this block. Townhouses are therefore already permitted along this section of Ridge Street.

The applicant is seeking to permit these townhouses on standalone lots fronting onto Ridge Street to make efficient use of the road frontage. The remainder of Block 259 will be maintained for seniors' complex purposes. This complex may include any of the dwelling types noted above, including townhouses.

The amended Block 259, together with Block 258, will continue to accommodate 261 residential units. The density on Blocks 258 and 259 will increase from 49 to 56 units per hectare due to the change in block size. The density of the 19 townhouse dwelling lots will be 33 units per hectare. The maximum density permitted in the R4 zone is 90 units per gross hectare. The proposal does not exceed the maximum permitted density.

The proposed townhouses will also offer a transition between the proposed single detached dwellings on the west side of Ridge Street and the higher density contemplated in Blocks 258 and 259. Irrespective of this, townhouses are considered compatible with single detached and semi-detached dwellings. The surrounding neighbourhood is already characterized by a mix of dwelling types.

Modified Conditions of Draft Plan of Subdivision Approval

The applicant is proposing revisions to the project as discussed above that require modification to the conditions of Draft Plan of Subdivision approval in accordance with the new subdivision layout. The modified conditions are attached to this report.

The proposal was also circulated for agency comment. The Bluewater District School Board requested that conditions be included as part of the approval as it relates to the provision of public schools and busing. Town staff also requested a condition of approval which compels the construction of additional dwelling units progressively in each phase of the subdivision. Staff advised that this condition has been implemented in other subdivisions in Saugeen Shores. The Town and School Board conditions have been incorporated into the modified conditions.

All other changes to the conditions are administrative in nature to amend names and clarify clearance requirements.

The County is the Approval Authority for Draft Plans of Subdivision. The County seeks comments from the local Municipality before making a decision on a request to approve or revise a Draft Plan of Subdivision. For this file, Council of the Town of Saugeen Shores (The Town) directed that the conditions from the Bluewater District School Board be removed. The conditions from the Board read as follows:

23. That the owner(s) shall agree in the Subdivision Agreement with wording acceptable to Bluewater District School Board to:
 - i. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school operated by Bluewater District School Board in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to

- accommodation in a portable classroom, a “holding school,” or in an alternate school within or outside of the community.
- ii. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at the discretion of the Student Transportation Service Consortium of Grey-Bruce.
 - iii. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required within the Subdivision in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey-Bruce.
 - iv. Provide sidewalks and pedestrian linkages throughout the subdivision, to promote active transportation and safe walking routes to the satisfaction of the Town of Saugeen Shores in consultation with the Bluewater District School Board.

These conditions are a current standard comment from the Board. The Town’s Planning and Development Committee expressed concern particularly with the first condition which states that accommodation in a school within the community cannot be guaranteed. While the Town recognizes the Board is actively working to ensure sufficient capacity within the community and that new schools or expansions require Provincial approval, it is the Town’s preference for the Board to communicate any issues directly to the community as opposed to using the subdivision process/agreement for this purpose. The Committee requested the Bluewater District School Board conditions be removed for this reason, which was supported by Council resolution on May 9, 2022.

The Board subsequently provided a response letter (attached) to explain the purpose of the conditions. Board staff also amended the first condition to read:

- i. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school operated by Bluewater District School Board may include temporary facilities, including but not limited to, portable classrooms or directing students to an alternative attendance boundary.

In reviewing proposed conditions, County staff assess if they are within scope, enforceable and actionable (i.e., can be satisfied by the applicant prior to the lapsing date). In this regard, staff note that subdivision construction and sales may occur over several years through multiple phases. While the School Board is obligated to provide public schools to local residents, school composition and location may change over time based on demand, capacity and the status of Provincial approvals. Student busing is also at the discretion of the Student Transportation Service Consortium of Grey-Bruce. The Board’s warning clauses offer a means of identifying to prospective purchasers’ potential circumstances that may be in place at the time of purchase. The Board is requesting these clauses be implemented by the applicant through the subdivision agreement. The Board is also requesting that sidewalks and pedestrian linkages be provided by the applicant to the satisfaction of the Town. The subdivision agreement is a legal document signed by the applicant and the Town outlining obligations of the parties as it relates to the development of the site, including among other things, servicing installation, sidewalk construction and the provision of warning clauses in offers of purchase and sale. The subdivision agreement is the mechanism that makes the requested conditions enforceable and actionable.

It is the opinion of County staff that the Board conditions are within scope. The warning clauses are similar to other clauses that advise prospective purchasers about matters of interest in the area (e.g., location of a nearby stormwater management pond that will require regular maintenance). Sidewalks and pedestrian linkages are also commonly requested by the Town in residential developments and the applicant would be required to install them in this area even if the Board condition was not included. It should also be noted that the applicant agreed to the inclusion of the Board's conditions. On this basis, County staff recommend approval of the modified Conditions of Draft Approval as attached, including those conditions provided by the Bluewater District School Board.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Ontario Land Tribunal.

Report Author:

Coreena Smith
Senior Development Planner

Departmental Approval:

Derrick Thomson
Acting Director, Planning and Development

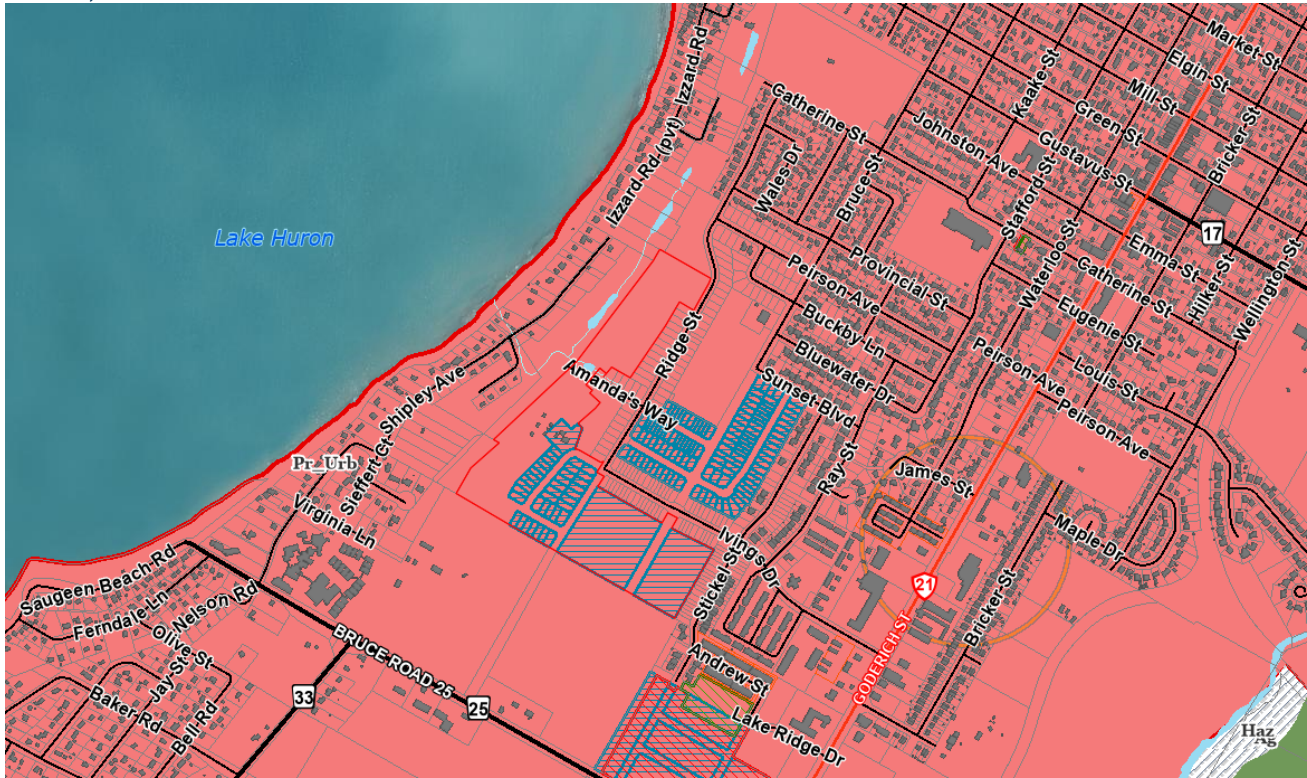
Approved for Submission:

Derrick Thomson
Chief Administrative Officer

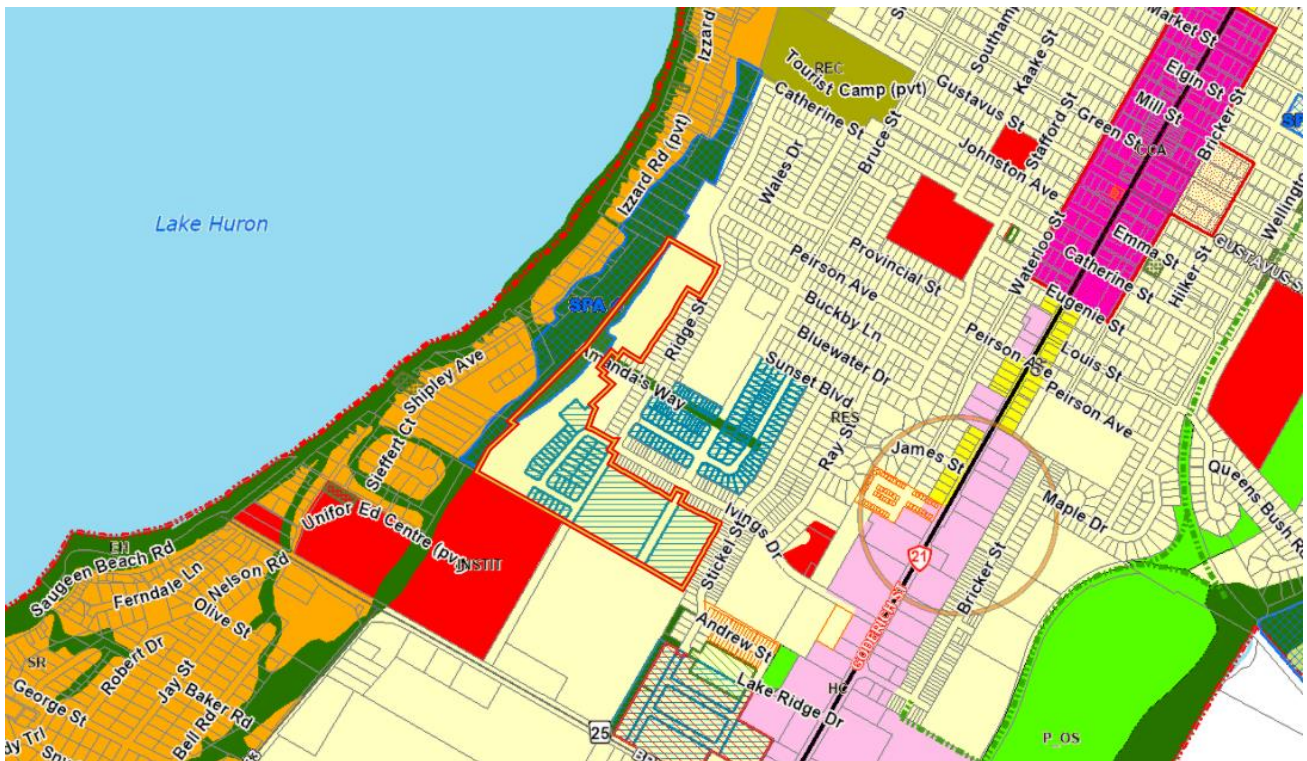
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice
- Saugeen Shores Committee of the Whole Meeting Minutes
- Saugeen Shores Council Resolution
- Decision Sheet
- Redline Revision to Draft Plan of Subdivision
- Modified Conditions of Draft Plan of Subdivision Approval

County Official Plan Map (Designated Primary Urban Communities and Hazard Land Areas)



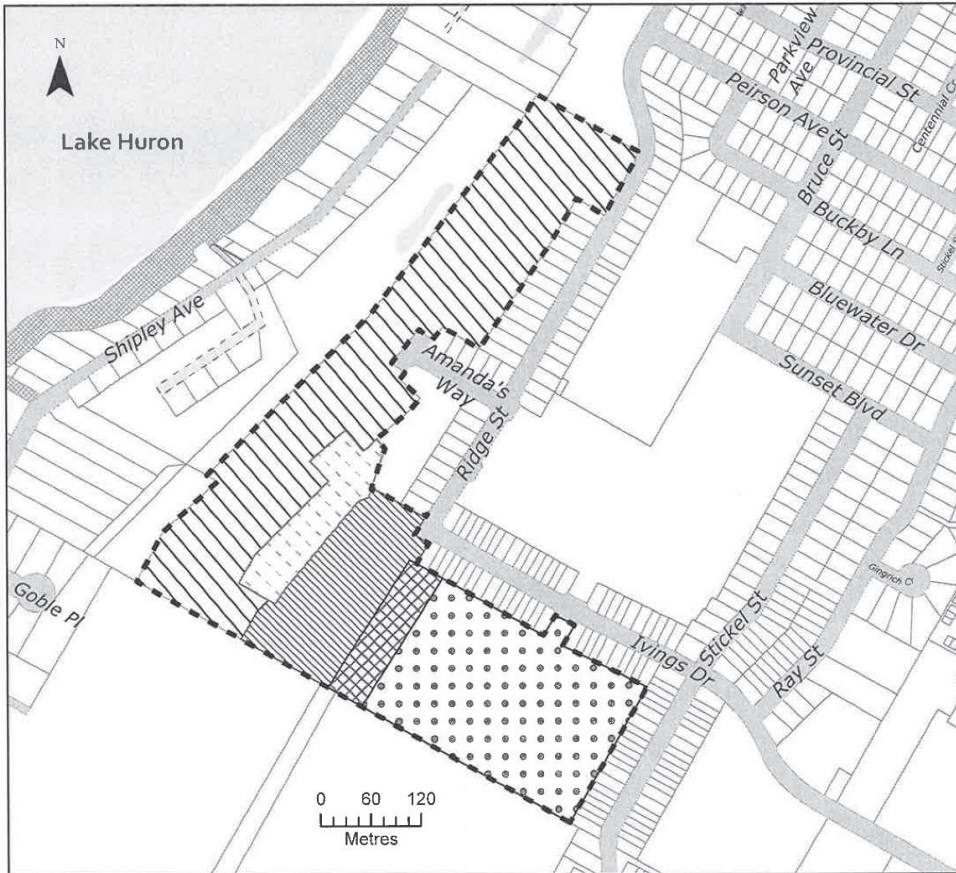
Local Official Plan Map (Designated Residential and Environmental Hazard)



Local Zoning Map (Zoned R1 - Residential First Density, R1-84 - Residential First Density Special, R2-4 - Residential Second Density Special, R4-2 - Residential Fourth Density Special and R4-22 - Residential Fourth Density Special)

Schedule 'A'

Lake Range PT Lots; 33 to 36 RP 3R8329 Part 24; PT Parts 9 17 21 to 23
 RP; 3R9500 Part 2 - Roll # 411046000440302
 Town of Saugeen Shores (geographic Town of Port Elgin)



-  Subject Property
-  Lands to be zoned R4-22 - Residential Fourth Density Special
-  Lands zoned R4-2 - Residential Fourth Density Special
-  Lands zoned R1-84 - Residential First Density Special
-  Lands zoned R2-4 - Residential Second Density Special
-  Lands zoned R1 - Residential First Density

This is Schedule 'A' to the zoning by-law amendment number 39 - 2021 passed this 25th day of April, 2022

Mayor _____
 Clerk Hinda White

List of Supporting Documents and Studies

- Planning Justification Report, prepared by Ron Davidson Land Use Planning Consultant Inc., dated February 14, 2022.
- Stormwater Management Review, prepared by GM BluePlan Engineering, dated October 15, 2021.

Agency Comments

Town of Saugeen Shores: Town staff have reviewed the noted file and provide the following comments:

- We are generally supportive of the revisions to more efficiently use the land.
- In order to address housing attainability to ensure a more diverse supply of housing options are brought online as quickly as possible, the Town recommends a revised condition of approval which, as we have recently implemented in other subdivisions, compels the construction of additional dwelling units progressively in each phase of the subdivision.
- We look forward to working with the proponent to advance the subdivision through its next stages to make progress on our housing needs.

Bruce County Transportation and Environmental Services: No comment.

Historic Saugeen Métis (HSM): The HSM Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Revised Draft Plan of Subdivision and Zoning By-law Amendment as presented.

Bruce-Grey Catholic District School Board: No comments.

Bluewater District School Board (BWDSB): BWDSB has no objection to this development and requests conditions be included as part of the revision to the draft approved Plan of Subdivision (full letter and response attached).

Saugeen Valley Conservation Authority (SVCA): SVCA staff find this proposal acceptable (full letter attached).

*Agency comments have been incorporated in the Modified Conditions of Draft Plan of Subdivision Approval where applicable.

Public Comments

No public comments had been received at the time of the Public Meeting on March 21, 2022. The County was subsequently advised that a neighbouring landowner had sent comments by mail to the County for the Town's consideration at that meeting. Those public comments were later considered by the Town when it made its decision on the files on April 25, 2022. The public comments are attached to this report and have been discussed above.