



# Staff Report

## Planning and Development Services – Planning

**Report To:** Committee of The Whole  
**Meeting Date:** April 3, 2017  
**Report Number:** PDS.17.30  
**Subject:** Consent Applications B04-2017 & B05-2017 (Suleman-Wessinger)  
**Prepared by:** Denise Whaley, Planner II

### A. Recommendations

THAT Council receive Staff Report PDS.17.30 “Consent Applications B04-2017 & B05-2017 (Suleman-Wessinger)”, for properties at Lot 5 of Plan 377 and Part of Lots 6, 7 & 8 of Plan 377; and

THAT Council authorize Consents # B04-2017 and B05-2017, subject to the conditions in Attachment #2 “Draft Consent Decision”, to Staff Report PDS.17.30;

### B. Overview

The purpose of this report is to provide a summary of the public meeting and provide details of the Planning Staff review of the proposal, requesting consent to establish service easements on the properties at 113 Eastwind Lane and 208567 Highway 26. Staff recommend approval of this application, subject to the attached conditions (Attachment #2).

### C. Background

These applications request consent for easements across two properties. The purpose of the easements is for a utility (gas line) to service the adjacent parcels. The service easements are proposed on two parcels:

- Easement #1 is on 113 Eastwind Lane
- Easement #2 is on 208567 Highway 26

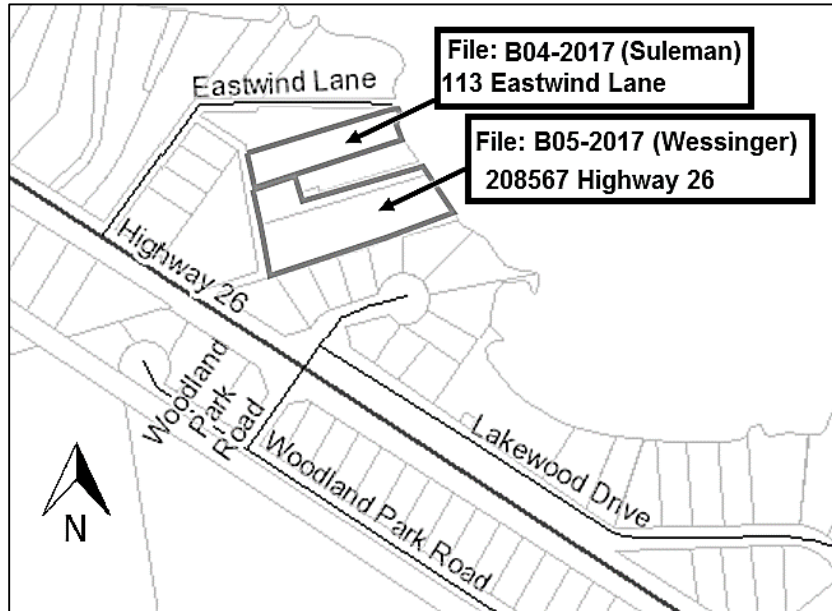
Note that no new parcels or lot adjustments are proposed. These Consent applications are to establish the easements only.

#### Location

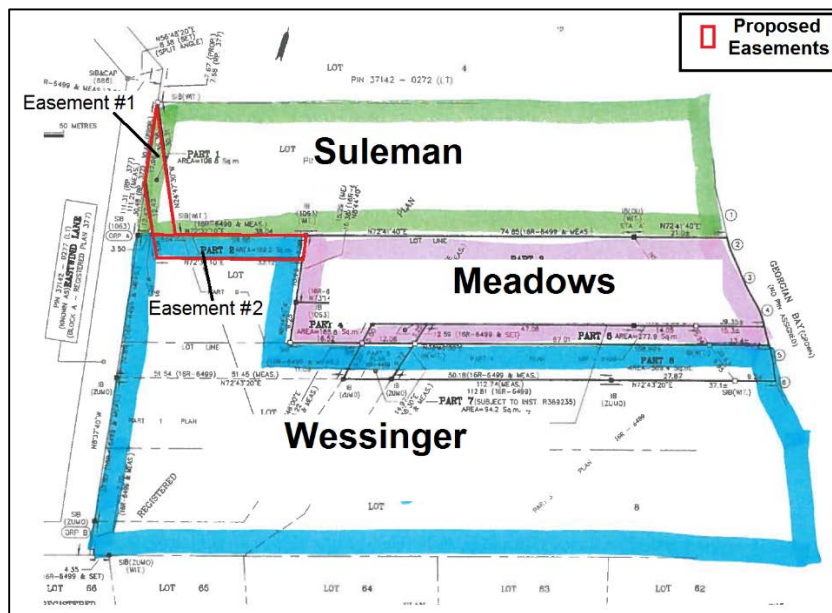
The properties are in the area of Camperdown, along the shoreline of Georgian Bay. The Suleman property is made up of Lot 5 of Plan 377. The Wessinger property was recently reconfigured as part of lot addition file # B14-2015, and is made up of Part of Lots 6, 7 & 8 of

Plan 377. Figure 1 shows the location of the lots. Figure 2 shows the proposed easements location on these lots.

**Figure 1: Location Map**



**Figure 2: Sketch of Proposed Easement Locations**



As shown in Figure 2, Easement #1 is on the Suleman property and would provide service to both the Wessinger and Meadows Properties. Easement #2 continues on the Wessinger property and would extend the service to the Meadows property.

### Public Meeting Summary

The public meeting for this proposal was held on March 13, 2017. Comments were received from the County of Grey, Grey Sauble Conservation Authority and the Historic Saugeen Metis which had no concerns.

No public comments were received for these applications.

All correspondence received is attached to this report in Attachment #1.

## **D. Analysis**

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### Provincial Policy Statement

There are no issues with the Provincial Policy Statement 2014.

### Official Plans

The County Official Plan designates the lands Recreation Resort Area. In the Town's Official Plan 2016, the lands are designated Residential Recreation Area. These designations allow for residential uses related to the shoreline area. The proposed service easements do not offend policies in either Official Plan.

### Zoning By-law 83-40

The properties are both zoned Residential Third Density (R3) in the zoning by-law. The proposal conforms, or does not conflict with the zoning by-law.

### Conclusion

The proposed service easements are considered appropriate as they will provide a needed gas service utility to each property. Staff support approval of these applications and have provided a draft decision in attachment #2.

## **E. The Blue Mountains Strategic Plan**

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The recommendations in this report supports the following goals and objectives:

Goal #3: Support healthy lifestyles

## **F. Environmental Impacts**

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None.

## **G. Financial Impact**

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None.

## **H. In consultation with**

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Internal staff, the public and agencies through the Public Meeting circulation.

**I. Attached**

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1. Comments Received
2. Draft Decision

Respectfully Submitted,

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Denise Whaley, MSc MCIP RPP  
Planner II

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Michael Benner, MCIP RPP  
Director of Planning and Development Services

For more information, please contact:  
Denise Whaley, Planner II  
[dwhaley@thebluemountains.ca](mailto:dwhaley@thebluemountains.ca)  
519-599-3131 extension 262



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Telephone: 519.376.3076 Fax: 519.371.0437  
www.greysauble.on.ca

March 6, 2017

Ms. Corrina Giles, Clerk  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury ON  
N0H 2P0

Dear Ms. Giles:

**RE: Consent Application: B04-2017 & B05-2017**  
**Applicant: Rahim Suleman & Mike and Amanda Wessinger**  
**Lot 29, Concession 7; 113 Eastwind Lane & 208567 Hwy 26**  
**Roll Numbers: 42-42-000-011-044-00 & 42-42-000-011-046-00**  
**Town of the Blue Mountains, formerly Collingwood Township**  
**Our File: P12463**

The Grey Sauble Conservation Authority (GSCA) has reviewed this application in accordance with our mandate and policies for natural hazards, for natural heritage issues as per the provincial Policy Statement and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

#### **Subject Proposal**

These applications are requesting to establish service easements on the two properties. The purpose of the easements is for a utility (gas line) on private property to service the adjacent parcels.

#### **Site Description**

The subject lands affected by the proposed severance applications include the rear portion of 113 Eastwind Lane and the north-west portion of 208567 Highway 26. These portions of the subject lands are currently forested.

#### **GSCA Regulations**

Portions of the subject properties are regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands & Alteration to Shorelines & Watercourses. The regulated area is associated with the 100 year flood line elevation of Georgian Bay and includes a 30 metre inland allowance from this feature.

Under this regulation, a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing

1 of 2

the size of the building or structure or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek, stream or watercourse.

The proposed easements are outside of the regulated areas on the subject properties.

### **Provincial Policy Statement (2014)**

#### **3.1 Natural Hazards**

Natural hazard areas identified on the subject properties include potential flood and erosion hazards associated with the 100 year flood line elevation of 177.0 metres Geodetic Survey of Canada (G.S.C) plus a 15 metre inland setback to allow for wave uprush and other water related hazards. Any proposed future development must be directed to locations outside of the natural hazard areas identified on the subject properties.

The proposed easements are outside of the natural hazard areas on the subject properties.

#### **2.1 Natural Heritage**

No significant natural heritage features were identified within the vicinity of the proposed easements.

### **Recommendations**

The GSCA has no objection to the approval of the proposed consent applications to establish service easements on the subject properties, as they will be outside of the regulated area and no natural hazard areas or significant natural heritage features were identified within the vicinity of the proposed easements.

We request a notice of decision in this matter to be provided to our office.

If any questions should arise, please contact our office.

Regards,



Andrew Sorensen  
Environmental Planning Coordinator

cc John McGee, Authority Director, Town of the Blue Mountains



# Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

March 8, 2017

Corrina Giles, Town Clerk  
Town of the Blue Mountains  
32 Mill Street Box 310  
Thornbury, Ontario N0H 2P0  
\*Sent Via E-mail

**RE: Application for Consent for Two Easements B04-2017 and B05-2017  
113 Eastwind Land (B04-2017)  
208567 Highway 26 (B05-2017)  
Town of the Blue Mountains  
Owner/Applicant: Rahim Suleman and Mike and Amanda Wessinger  
Agent: D.C. Slade Consultants Inc.**

Dear Ms. Giles,

This correspondence is in response to the above noted applications. We have had an opportunity to review the applications in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject applications is to establish service easements on two properties. The purpose of the easements is for a utility (gas line) on private property, to service the adjacent parcels.

Schedule A of the OP designates the subject property as 'Recreation Resort Area'. Section 2.6.7(1) of the OP states,

The Recreation Resort designation as shown on Schedule A shall apply to those lands which are settlement areas which have developed as a result of site specific amendments to the County of Grey Official Plan and/or local Official Plan consisting of a defined development area, specific recreational amenities, residential development and serviced with full municipal services (sewer and water).

The subject application appears to conform to the above noted policy.

Appendix A indicates that the subject property is within 'Intake Protection Zone 2' (IPZ-2). Section 5.3.4.1(3) of the OP states,

Any Planning Act applications proposed within the Municipal WHPAs or Municipal IPZs identified on Appendix A of this Plan will be subject to a review by the County and the local municipality to assess the risks of such uses to potentially contaminate groundwater or surface water and, based on this assessment, to determine whether or not a Hydrogeological Study or Environmental Impact Study is required to the satisfaction of the County and the local municipality. It may be necessary for County or local staff to consult with Drinking Water Source Protection staff on these matters. A Hydrogeological Study or Environmental Impact Study must be completed by qualified individuals.

County staff recommend Township staff receive comments from the Designated Risk Management Official (RMO) in this regard.

The subject property abuts a Provincial Highway. Comments should be received from the Ministry of Transportation (MTO) in this regard.

Provided positive comments are received from the MTO and the RMO, County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,



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Planner  
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kelly.henderson@grey.ca  
www.grey.ca

c.c. Denise Whaley



**From:** [Lands and Resources Consultation Coordinator](#)  
**To:** [Denise Whaley](#)  
**Subject:** Request for Comments - Blue Mountains (Suleman) Land Severance  
**Date:** February 24, 2017 9:49:27 AM

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Your File: B04-2017  
B05-2017  
Our File: Blue Mountains Municipality

Good Morning Ms. Whaley,

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official Plan and/or Zoning By-law Amendments.

I trust this may be helpful.

Regards,

**George Govier**

Co-ordinator Lands, Resources, and Consultation

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Southampton, Ontario  
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## The Corporation of the Town of The Blue Mountains

### DRAFT Decision on Consent Application File No. B04-2017

**Owner:** Rahim Suleman

**Purpose / Effect:** The application request to establish a service easement in favour of two properties in order to provide a utility (gas line).

**Legal Description:** Lot 5, Plan 377 (formerly the Township of Collingwood)

**Severed (Easement):** Frontage: 17.93 m Depth: 5.04 m Area: 106.8 sq m

**Retained:** Frontage: 111.3 m Depth: 140 m Area: 4113 sq m

**Road Access:** Eastwind Lane

**Municipal Water:** Yes **Municipal Sewer:** Yes

**Decision:** Granted/ Granted Provisional Consent / Refused

**Date of Decision:** April 19, 2017 (Consent expires two (2) years from this date)

In making the decision upon this application for Consent, the Council of The Corporation of the Town of The Blue Mountains is satisfied that the proposed Consent Application complies with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan and the Town of The Blue Mountains Official Plan, and represents good planning.

**Notice:** The last date for appealing this decision or any of the conditions is: May 10, 2017.

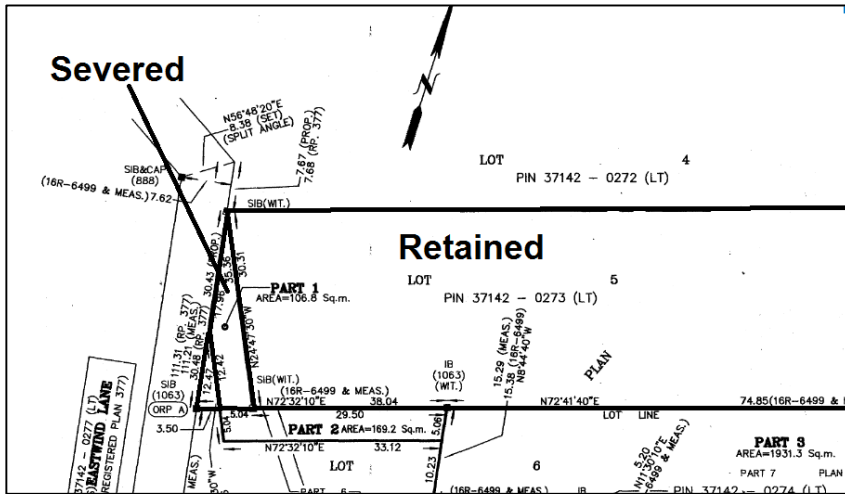
**If provisional consent is given, then the following conditions must be met by April 19, 2017 (one year from decision).**

1. That the Owner meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. That the Owner provides a description of the land which can be registered in the Land Registry Office;
3. That all above conditions be fulfilled within one year of the Notice of Decision so that the Town's Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.

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Corrina Giles, Town Clerk  
Town of The Blue Mountains  
32 Mill Street, Box 310, Thornbury, ON, N0H 2P0

## Severance Sketch



## Certification

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Corrina Giles, Town Clerk of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Council of The Corporation of the Town of The Blue Mountains with respect to the application recorded therein.

Corrina Giles, Town Clerk  
Town of The Blue Mountains

Dated: April 20, 2017



# The Corporation of the Town of The Blue Mountains

## DRAFT Decision on Consent Application File No. B05-2017

**Owner:** Mike and Amanda Wessinger

**Purpose / Effect:** The application request to establish a service easement in favour of an adjacent property in order to provide a utility (gas line).

**Legal Description:** Part of Lots 6-8, Plan 377 (formerly the Township of Collingwood)

**Severed (Easement):** Frontage: 0 m      Depth: 29.5 m      Area: 169.2 sq m

**Retained:** Frontage: 0 m      Depth: 160 m      Area: 9312 sq m

**Road Access:** **Highway 26 (via easement)**

**Municipal Water:** Yes    **Municipal Sewer:** Yes

**Decision:**        **Granted** / Granted Provisional Consent / Refused

**Date of Decision:** **April 19, 2017** (Consent expires two (2) years from this date)

In making the decision upon this application for Consent, the Council of The Corporation of the Town of The Blue Mountains is satisfied that the proposed Consent Application complies with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan and the Town of The Blue Mountains Official Plan, and represents good planning.

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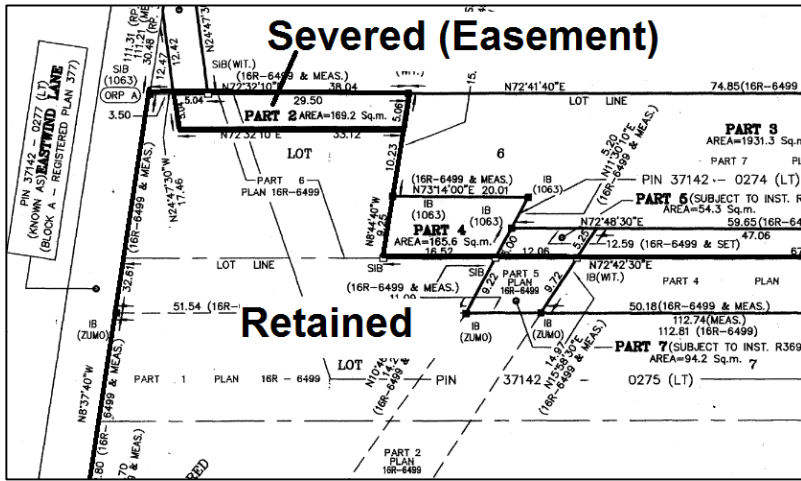
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32 Mill Street, Box 310, Thornbury, ON, N0H 2P0

**Severance Sketch**



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Corrina Giles, Town Clerk  
Town of The Blue Mountains

Dated: April 20, 2017