



# Staff Report

## Planning & Development Services – Planning Division

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**Report To:** COW-Operations, Planning and Development Services  
**Meeting Date:** February 21, 2023  
**Report Number:** PDS.23.019  
**Title:** Lora Bay Cottages Information Report  
**Prepared by:** Adam Smith, Director of Planning & Development Services

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### A. Recommendations

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THAT Council receive Staff Report PDS.23.019, entitled “Lora Bay Cottages Information Report”;

### B. Overview

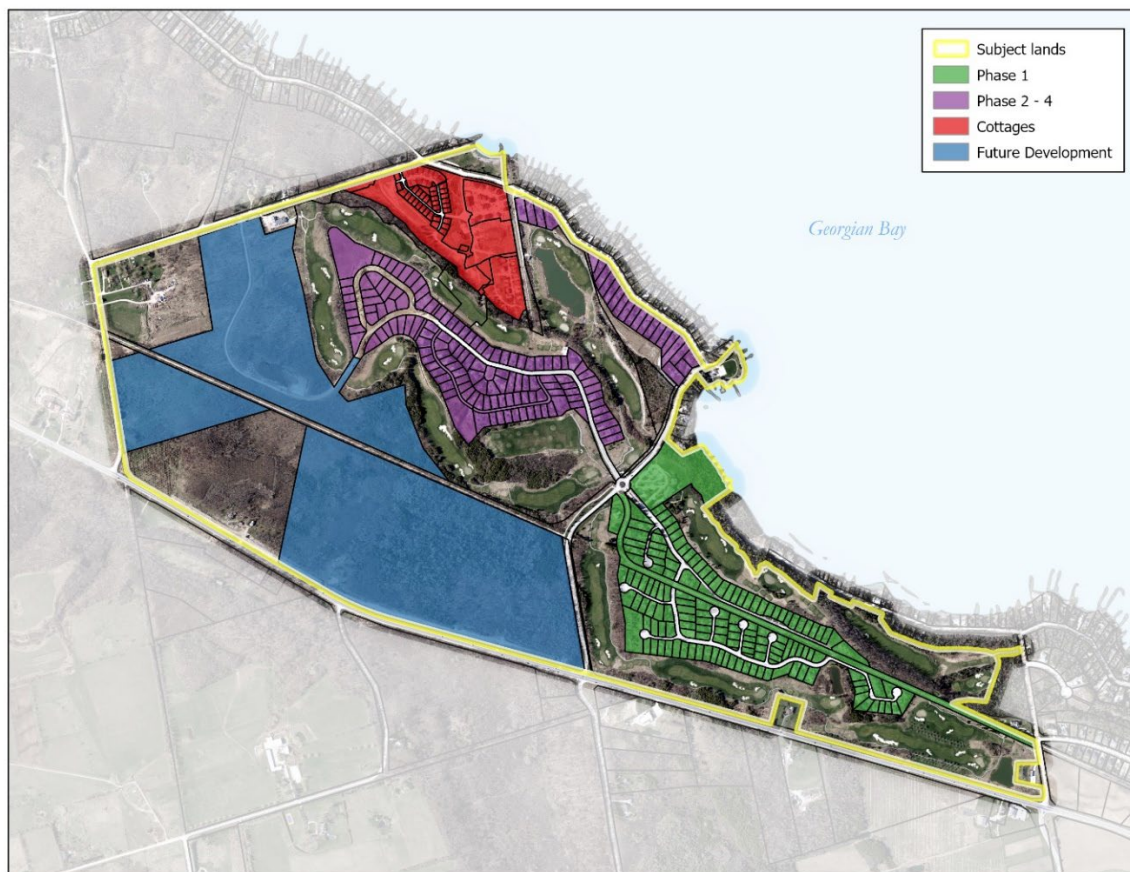
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This report is intended on providing a brief history of Plan of Condominium 42-CDM-2006-11 (Keepers Cove) otherwise known as The Cottages at Lora Bay which received draft approval in October 2006 and has proceeded as a 6-phase development. In doing so, staff are seeking to support Council decision-making on a future development agreement in relation to the final phase. In conjunction with the information provided herein staff will be circulating notice to the Lora Bay Condominium Corporations seeking comments on future development to allow for sufficient time to effectively respond prior to agreements being presented to Council in Q2/Q3 2023.

### C. Background

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The subject lands that consist of the Cottages at Lora Bay Plan of Condominium are located north of Highway 26, in the western end of the Town of The Blue Mountains and south of the intersection of 39th Sideroad and Sunset Boulevard. This proposed development is part of the Lora Bay development area, and this particular section was formerly known as Keepers Cove (see Figure 1). The entirety of the development area is subject to a Master Development Agreement (MDA) which provides a set of broad objectives for the development and establish some parameters, goals, and requirements in a “big-picture” sense. Figure 2 illustrates the hierarchy of local policies and agreements governing development in Lora Bay.



(Figure 1: Lora Bay Community Development Area)

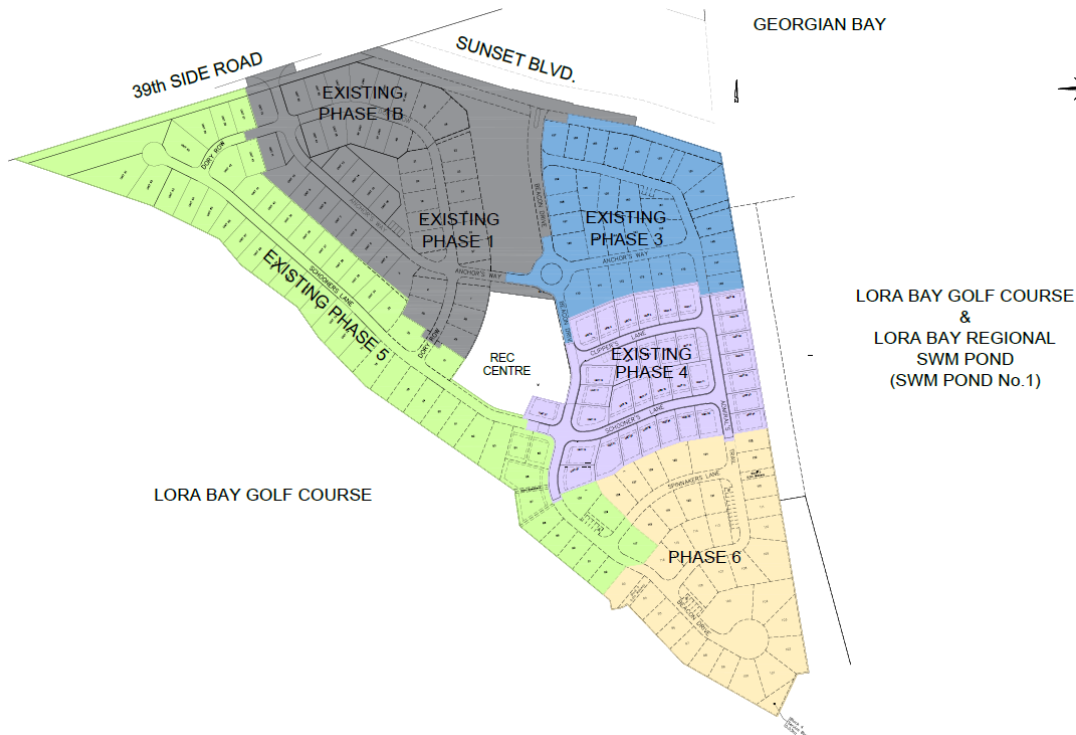


(Figure 2: Local agreements and policies governing development in Lora Bay)

Since receiving approval for a Zoning By-law Amendment and Draft Plan of Condominium approval in 2006, the Cottages at Lora Bay have been steadily built out through several phases. There has been a number of revisions and draft plan extensions granted resulting in a shift from the design submitted as part of the 2006 draft approval. In 2008/09 the units were revised to single detached dwellings in the draft plan and in 2010 the zoning for the single detached dwellings lot coverage was revised.

In 2017, another Zoning By-law Amendment proceeded concurrently with a red-line revision to the Plan of Condominium. This would affect overall lot layout on the easterly portion of the property including changes to the road patterns, size, recreational area as well as changes to walkway and servicing blocks. This would reduce the overall number of lots for the entire property from 198 to 194 units.

The plan to commence development in six phases has remained constant as has the process to commencing site works in each phase (see Figure 3). This involves the removal of the holding zone designation. Applying this instrument is a means to allow Council to outline specific requirements that describe what conditions need to be met in order to develop/establish permitted uses on a property. Upon satisfaction of these conditions, Council can then remove the holding zone. In the case of each phase for Lora Bay Cottages, this requires the execution of a development agreement that reflects the Draft Plan conditions as well as the registration of a Plan of Condominium or Site Plan Approval.



**(Figure 3: Lora Bay Cottages Development Area)**

Most recently, a holding zone was removed by Council in May 2022 for the Phase 5 subject lands which has allowed building permits to be issued for this area of the development.

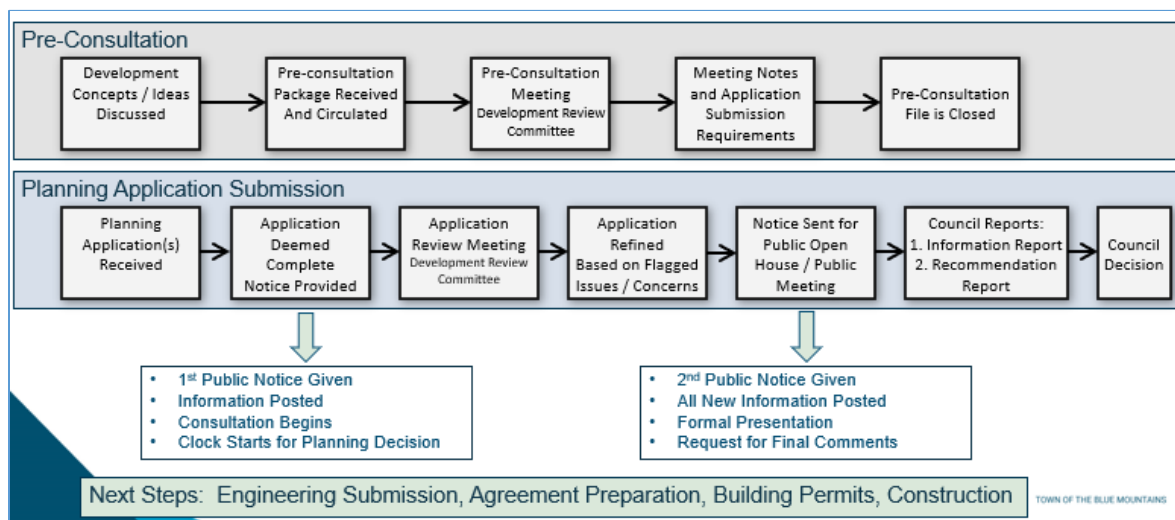
The challenge pertaining to the Lora Bay Cottages development area is the extent of time it has taken for each phase to be completed. As noted previously, draft plan approval was received in 2006. While the Director of Planning and Development Services has delegated authority for those approvals that have been in effect for 10 years or less, Council approves extensions beyond this period of time. As a result, there have been multiple instances where an extension request has been before Council; the first being in December 2021 and the second in November 2022. In reviewing these requests, staff recommend the guiding criteria outlined in the Delegation By-law which includes:

- a. Municipal services continue to be available.
- b. New legislation, regulations, policies and/or by-laws would not preclude the proposed development.

In November 2022, staff put forward a report recommending an extension based on an analysis of the above criteria. In conjunction with the extension approval to September 30, 2022, Council subsequently put forward a motion revoking staff delegated authority on execution of development agreements for this file.

## D. Analysis

Importantly for Council consideration, the statutory public process under the Planning Act for the Lora Bay Cottages Draft Plan has concluded. As illustrated in Figure 3 below the preparation of development agreements is generally under the purview of staff as it pertains to implementing those decisions made by Council.



(Figure 3: Process Map)

We Are Here

In the case of Phase 6, the development agreements will be executed by Council. In doing so, staff will provide a report upon all the conditions of the 2006 draft plan approval being met. However, this alone will not allow building permits to be issued as the holding zone will also have to be lifted. Upon those conditions pertaining to the hold being met, a subsequent report will proceed.

Leading up to the presentation of the agreement for Council that is anticipated prior to September 30<sup>th</sup>, 2023, staff will be issuing correspondence to the Lora Bay condominium corporations requesting input on the development proposed for Phase 6. By doing so months in advance of an anticipated agreement, staff are seeking to ensure there is time available for the developer to incorporate changes that may otherwise be difficult to accomplish between the time when the agreement is heard at Committee of a Whole and potentially executed at the subsequent Council meeting.

Similar to any recommendation report on a planning application that would proceed to Council, staff will provide a comment matrix that summarizes the input received and note any actions that were taken as a result. Although an action may not be feasible for every comment received, staff will strive to ensure that the development agreement is sensitive to concerns brought forward and align with the parameters of the draft plan approval. For reference and as a tool for further engagement efforts is the matrix completed following the November 14<sup>th</sup> Council meeting.

## **E. Strategic Priorities**

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### **1. Communication and Engagement**

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

## **F. Environmental Impacts**

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N/A

## **G. Financial Impacts**

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N/A

## **H. In Consultation With**

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Will Thomson, Director of Legal Services

Shawn Postma, Manager of Community Planning

Michael Benner, Senior Planner

## **I. Public Engagement**

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The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Adam Smith, [directorplanningdevelopment@thebluemountains.ca](mailto:directorplanningdevelopment@thebluemountains.ca)

## **J. Attached**

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1. Comment Matrix – Lora Bay Draft Plan Extension Request – Phase 6

Respectfully submitted,

Adam Smith  
Director of Planning & Development Services

For more information, please contact:  
Adam Smith, Director of Planning & Development Services  
[directorplanningdevelopment@thebluemountains.ca](mailto:directorplanningdevelopment@thebluemountains.ca)  
519-599-3131 extension 246

### Report Approval Details

Document Title:	PDS.23.019 Lora Bay Cottages Information Report.docx
Attachments:	PDS.23.019 Attachment 1
Final Approval Date:	Feb 10, 2023

This report and all of its attachments were approved and signed as outlined below:

**Adam Smith - Feb 10, 2023 - 1:31 PM**

## COMMENTS RESPONSE MATRIX

Comments Received By:	Date Received:	Written or Oral:	Comments / Concerns / Questions Summary:	Response
<b>PUBLIC COMMENTS:</b>				
<b>Roy and Angie Wilson</b>	November 7 <sup>th</sup> 2022  November 9 <sup>th</sup> , 2022	Written	<ol style="list-style-type: none"> <li>1. Concerned around relocation from the model homes. Financial settlement required to relocate. Development Agreement allows for them to stay.</li> <li>2. No works to be carried out for Phase 6 while living in model homes.</li> </ol>	
<b>Doris VanBarneveld</b>	November 7 <sup>th</sup> 2022  November 9 <sup>th</sup> , 2022	Written	<ol style="list-style-type: none"> <li>1. Concerned around relocation from the model homes. Grandfathered into community and expect this to be honoured.</li> <li>2. Health and safety concerns for the Phase 6 area. Pot holes continue to be an issue. No compensation for loss of recreation centre.</li> </ol>	
<b>GVLCC 122 (Pamela Murphy)</b>	November 9 <sup>th</sup> , 2022	Written	<ol style="list-style-type: none"> <li>1. Concerned about the lack of transparency on future plans; website is inactive/outdated and would like to see clear plans for Phase 6.</li> <li>2. Requesting a pedestrian safety strategy developed for the Cottages community and in collaboration with the condo corporations. Have regard for the use of, common elements such as walkways and utility corridors as safe alternatives to Beacon Drive for pedestrian mobility within the community and to Sunset Blvd and nearby walking trails.</li> <li>3. Concerned about the loss of the recreation centre. Would like to see the plan and timeline for redevelopment of this land.</li> </ol>	
<b>GVLCC 80, GVLCC 103, GVLCC 111, GVLCC 122</b>	November 10, 2022	Written	<ol style="list-style-type: none"> <li>1. Drainage concerns; flooding of recreation land in 2022 and detailed in October 2019 deputation</li> <li>2. Recreation facilities promised to Lora Bay home purchasers. Unfulfilled commitment to amend Development Agreement to register lands as parkland.</li> <li>3. Landscaping plan for roundabout has not been provided. Intersections do not have painted crosswalks.</li> <li>4. Phases 1 – 4 do not have designated snow storage areas</li> </ol>	



## COMMENTS RESPONSE MATRIX

Comments Received By:	Date Received:	Written or Oral:	Comments / Concerns / Questions Summary:	Response
			<ol style="list-style-type: none"> <li>Inadequate visitor parking. Existing phases must not get any spillover from Phase 6</li> <li>Lack of direct access to the beach. Residents need to walk across busy construction roads</li> <li>Requesting that the recreation/parkland be registered, conveyed and funds be provided to the LBCA to assist in replacing the recreation facility</li> <li>Requesting the Town conduct a peer review of the engineered drainage plan for Phase 6</li> <li>Requesting plans for finishing of Beacon Drive roundabout and crosswalk including landscaping plan and painted crosswalks.</li> <li>Requesting that issues in previous phases be accommodated in Phase 6 including snow storage and visitor parking.</li> <li>Requesting clear definitions for pedestrian access in the community involving agreements with the condo corporations.</li> </ol>	
<b>November 14<sup>th</sup> PUBLIC MEETING:</b>				
<b>Ken Schneider</b>	November 14 <sup>th</sup> , 2022	Oral	<ol style="list-style-type: none"> <li>Reiterated letter submitted on November 10<sup>th</sup>.</li> </ol>	
<b>Drew Brims</b>	November 14 <sup>th</sup> , 2022	Oral	<ol style="list-style-type: none"> <li>Letter from Condo Boards highlight the major concerns</li> <li>Request for deferral to the subsequent Council</li> </ol>	
<b>Stew Elkins</b>	November 14 <sup>th</sup> , 2022	Oral	<ol style="list-style-type: none"> <li>Commitments from developer in October 2019 that have never been fulfilled. Roundabout plan would be ready shortly and residents will be consulted. Recreation centre and waterfront lands would be turned over to LBCA. This is noted in the condominium declaration.</li> </ol>	

## COMMENTS RESPONSE MATRIX

Comments Received By:	Date Received:	Written or Oral:	Comments / Concerns / Questions Summary:	Response
			<ul style="list-style-type: none"> <li>2. In 2018 staff and the developer made a commitment to use the 11<sup>th</sup> Line ROW. Beacon Drive now used for heavy traffic.</li> <li>3. Commitments are not delivered upon.</li> </ul>	
<b>Roy Wilson</b>		Oral	<ul style="list-style-type: none"> <li>1. Nobody from Sherwood has been in contact with the resident of the model home park</li> <li>2. Happy with the current state and do not require Phase 6 improvements</li> <li>3. Ensure all Phase 6 concerns be attended to first prior to approval.</li> </ul>	