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Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

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PL101270

IN THE MATTER OF subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 960121 Ontario Inc.
Appellant: Blue Mountain Watershed Trust Foundation
Subject: Proposed Official Plan Amendment No. OPA-20
Municipality: Town of The Blue Mountains
OMB Case No.: PL101270
OMB File No.: PL101270

IN THE MATTER OF subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 960121 Ontario Inc.
Appellant: Blue Mountain Watershed Trust Foundation
Subject: By-law No. 2010-47
Municipality: Town of The Blue Mountains
OMB Case No.: PL101270
OMB File No.: PL100845

APPEARANCES:

Parties

Counsel*/Agent

Town of The Blue Mountains
County of Grey

J. Metras*

Blue Mountain Watershed Trust Foundation

D. Kerr and N. Wingrov

Terrasan Development Corporation

R. Kanter*

960121 Ontario Inc.

D. Slade

**AMENDING MEMORANDUM OF ORAL DECISION DELIVERED BY
C. HEFFERON ON FEBRUARY 4, 2011 AND ORDER OF THE BOARD**

The Ontario Municipal Board (the "Board") amends its Decision issued on February 18, 2011 (the "Decision") for the purpose of amending the Order, as noted under the heading "Disposition & Order of the Board" on page 4 of the Decision, to more accurately reflect the modifications made to the attachments by properly referencing the

Wetlands and Wetlands Buffer designations not approved by the Board in the Decision. "Attachment 1" to the original Order, as noted under the heading "Disposition & Order of the Board" on page 4 of the Decision, did not accurately identify the lands to which the Schedule was referring. A modified Schedule has replaced the original Schedule in "Attachment 1". A new attachment, now known as "Attachment 3", reflects a further modification to Official Plan Amendment No. 20.

Upon consent of the Town of the Blue Mountains, County of Grey, and Terrasan Development Corporation, the Board therefore Orders, that paragraph i) on page 4 of the Decision under the heading "Disposition & Order of the Board", be deleted and replaced with the following:

OPA 20 as modified by the Decision of the County of Grey dated October 15, 2010 and further modified by "Attachment 3" to this Amending Order is approved save and except for the Wetlands and Wetlands Buffer designations shown on Schedule A-20-C to OPA 20 as shown in hatching on "Attachment 1" to this Order.

In all other respects, the Board's Decision of February 18, 2011 remains the same.

The Board so Orders.

"C. Hefferon"

C. HEFFERON
MEMBER

ATTACHMENT 3

**PROPOSED FURTHER MODIFICATION TO OFFICIAL PLAN
AMENDMENT NO. 20**

Delete Modification#9 in the Decision of Amendment No. 20 to the Town of The Blue Mountains Official Plan dated October 15, 2010 and replace it with the following:

<i>Modification Number</i>	<i>Policy Number</i>	<i>Modification</i>
<i>Modification#9</i>	<i>Part B – The Amendment Section 4.28.3.3(7)</i>	<i>Section 4.28.3.3(7) is hereby deleted in its entirety and replacing it with the following: “The Provincially Significant Wetland will be afforded varying setbacks from development as identified in Schedules “A-20-C”, “A-20-D” and “A-20-E”, however the actual setbacks from the Provincially Significant Wetland will be determined to the satisfaction of the Town, the County, the Grey Sauble Conservation Authority and the Niagara Escarpment Commission prior to draft approval of any future Plan of Subdivision or Condominium application(s)”.</i>

All other modifications in the decision approved by the County of Grey dated October 15, 2010 would remain unchanged.

