A. Recommendations

THAT Council receive Staff Report PDS.19.140, entitled “Windfall Phase 4A – Removal of Holding ‘h’ Symbol”;

AND THAT Council enact a Zoning By-law Amendment to remove the Holding ‘-h’ Symbol in its entirety from those lands described as Part Block 38 16M-42 also known as Windfall Phase 4A.

B. Overview

The purpose of this report is to advise Council on the status of the Windfall Phase 4A subdivision and provide a recommendation to lift the Holding ‘-h’ symbol to permit building permits to be issued upon completion of the Subdivision Agreement and registration of the Plan of Subdivision.

C. Executive Summary

Application File #: P2802

Application Received Date: September 25, 2019

Application Deemed Complete Date: October 9, 2019

Official Plan Designation: Residential / Recreational Area ‘RRA’

Zoning Bylaw Designation: Residential ‘R1-3-62-h19’

Location: Part Lot 16, Concession 1 (Crosswinds Boulevard)

Planning Services received an application for Subdivision Approval including detailed engineering submission, agreement preparation fees and removal of Holding ‘-h’ By-law. Engineering approvals through the issuance of Accepted for Construction Drawings are
complete and stamped “AFC” on October 30, 2019. A Subdivision Agreement has been prepared and is in process of final execution. A Plan of Subdivision has been prepared and will be registered shortly by the County of Grey. Based on the current stage of the approvals process, it is now appropriate to lift the Holding ‘-h’ Symbol by By-law that comes into effect after execution of the Subdivision Agreement and the Registration of the Plan of Subdivision. Upon the completion of the agreement and registration Building Permits will be immediately available for new construction.

D. Background

Windfall Phase 4A is part of the Master Planned community known as Windfall. Phases 1 and 2 are now built out. Phase 3 is nearing completion. Phase 4 is proposed to be constructed over two sub-phases known as Phase 4A and 4B. 4A is comprised of the easterly half of Sycamore Street and Courtland Street. Phase 4B consists of the remaining westerly section. To be completed are Phases 5 and 6 being the remainder of Blocks 38 and 40 of the Registered Plan 16M-42.

Location (shown in red)

E. Analysis

The detailed engineering design for Phase 4 was submitted in December 2018. Final Accepted for Construction (AFC) approvals were received from the Town Development Engineering Division on October 30, 2019. A Subdivision Agreement has been prepared and is awaiting final execution. All Draft Plan Conditions related to Phase 4A are nearing completion with Clearance Letters to be completed by the Town and outside agencies. The County of Grey is the approval authority for the Plan of Subdivision and will be prepared to register the Plan upon confirmation by the Town that the Subdivision Agreement has been completed and all Draft Plan Conditions have been completed to the satisfaction of the Town.
Requirements for the removal of the Holding ‘-h19’ symbol are found under Part 10.0 to the Blue Mountains Comprehensive Zoning By-law 2018-65. The Holding Symbol cannot be lifted until the following has been completed:

i. Execution of a Master Development Agreement  
ii. Execution of a Subdivision Agreement or Site Plan Agreement  
iii. Registration of a Plan of Subdivision or Granting of Site Plan Approval

A Master Development Agreement has been executed between the Town and Windfall in 2010.

A Subdivision Agreement has been prepared and the execution of the agreement is imminent.

Registration of the Plan of Subdivision will follow in due course after the execution of the Subdivision Agreement.

Planning Staff recommend that the Holding ‘-h19’ symbol be lifted now and that the By-law not come into full force and effect until such time as the above conditions are met. Enacting the By-law now will allow for construction to begin as soon as the lots have been legally created. Should the Town choose to wait for the conditions to be fully met, the lots will be created and construction will be deferred until Committee of the Whole and Council has considered the ‘-h19’ removal By-law adding approximately four to six weeks to the process. Planning Staff are satisfied that the project has reached a stage where development will be proceeding, and that building permits will not be issued until the conditions of the Holding ‘-h19’ symbol have been completed.

F. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles  
Objective #3 Manage Growth and Promote Smart Growth

G. Environmental Impacts

Nil

H. Financial Impact

Nil

I. In consultation with

Trevor Houghton, Manager of Community Planning  
Nathan Westendorp, Director of Planning and Development Services

J. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required.
Comments regarding this report should be submitted to Shawn Postma, Senior Policy Planner at planning@thebluemountains.ca. Notice is required under the Planning Act to be provided to the Owner (Windfall).

K. Attached

1. Draft Holding ‘-h19’ Removal By-law

Respectfully submitted,

_____________________________
Shawn Postma
Senior Policy Planner

_________________________
Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
Shawn Postma
spostma@thebluemountains.ca
519-599-3131 extension 248
Windfall Phase 4A ‘-h19’ Removal
ROLL# 4242000002128480000

The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "Blue Mountains Zoning By-law 2018-65"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. The Zoning By-law of the Blue Mountains being By-law 2018-65, is hereby amended by removing the Holding ‘-h19’ symbol from the lands lying and being in the Town of The Blue Mountains comprised of Part of Block 38 Registered Plan 16M-42 as indicated on the attached key map Schedule ‘A-1’.

2. That Schedule ‘A-1’ is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect until upon the Registration of Plan of Subdivision and a Subdivision Agreement for Windfall Phase 4A being Part of Block 38, Plan 16M-42.

Enacted and passed this 2nd day of December, 2019.

__________________________
Alar Soever, Mayor

__________________________
Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2019-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 2nd day of December, 2019.

Dated at the Town of The Blue Mountains, this 2nd day of December, 2019.

__________________________
Corrina Giles, Clerk
Town of The Blue Mountains
Schedule 'A-1'

By-Law No._________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R1-3-62-h19 to R1-3-62