

July 17, 2020

Mr. Keith MacKinnon
KLM Planning Partners Inc.
64 Jardin Drive, Unit 1B
Concord, ON, L4K 3P3

Re: Proposed Plan of Subdivision 42T-2016-06
Block 46, Registered Plan 16M-20
Town of The Blue Mountains (Geographic Township of Collingwood)
Owner: 2399494 Ontario Inc.
Agent: Keith MacKinnon, KLM Planning Partners Inc.

Dear Mr. MacKinnon,

Pursuant to Subsection 51(31) of the Planning Act R.S.O. 1990, as amended, the above noted draft plan of subdivision is hereby given draft approval. The list of conditions that must be fulfilled prior to final approval are also attached. The County staff report that was presented to Committee of the Whole on July 9, 2020 can also be found on the County website at - <https://www.grey.ca/council/agendas-minutes>

The approval of this draft plan will lapse on **July 9, 2023**. The approval may be extended pursuant to Subsection 51(33) of the Act, but no extension can be granted once the approval has lapsed.

Please see the attached Notice of Decision for further information regarding this decision.

Yours truly,



Randy Scherzer, MCIP, RPP
Director of Planning & Development
519-372-0219 ext 1237
randy.scherzer@grey.ca

- cc. MSO Southwest Ministry of Municipal Affairs and Housing (via email)
- Town of The Blue Mountains (via email)
- Grey Sauble Conservation Authority (via email)
- Niagara Escarpment Commission (via email)
- Canada Post (via email)
- Kevin Elsey (via email)
- Blair Boston (via email)
- Bina Cherian (via email)
- Wojtek (via email)

Applicant: 2399494 Ontario Inc.
Municipality: Town of The Blue Mountains
Location: Block 46, Registered Plan 16M-20
Date of Decision: July 9, 2020
Last Date of Appeal: August 6, 2020

File No.: 42T-2016-06

Date of Notice: July 17, 2020

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision

under Subsection 51(37) of the Planning Act

Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above. The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

1. set out the reasons for the appeal,
2. be accompanied by the fee required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
3. Include the completed appeal forms from the Tribunal's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person* or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions of the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Local Planning Appeal Tribunal (LPAT) as it relates to the proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Grey related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act. These are recent changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here - <https://www.ontario.ca/laws/statute/90p13>. For more information about these recent changes, please visit the LPAT website or contact LPAT - <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>.

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The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

RELATED APPLICATIONS

Town of The Blue Mountains Zoning By-law Amendment 2020-42 is also related to this development and has recently been approved by the Town.

GETTING ADDITIONAL INFORMATION

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Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP RPP

Director of Planning & Development

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Plan of Subdivision File No. 42T-2016-06 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

General Requirements

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2016-06 prepared by KLM Planning Partners Inc., dated August 28, 2018 showing:

- i) Sixteen (16) lots fronting on Dorothy Drive.

The legal description of the subject lands is Part of Lot 25, Concession 6, being Blocks 46, Registered Plan 16M-20, Town of the Blue Mountains, County of Grey.

2. The Owner shall enter into and execute a Subdivision Agreement, in accordance with these Draft Plan Conditions, prior to final approval and registration of the Plan, to satisfy these conditions and all financial, legal, and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town and the County of Grey ("the County"), as well as any statutory requirements of other government authorities, including the payment of all applicable Town and County development charges in accordance with the applicable Development Charges By-law.
3. The Owner shall not commence any work on the Lands, including filling, grading, removing trees and/or top soil, installing any works, or constructing any buildings or structures until they have entered into a Pre-Servicing Agreement and/or Subdivision Agreement with the Town, in a form satisfactory to the Town.
4. The Owner shall agree in the Subdivision Agreement that all of the works required by the Town, the County, other government authorities and utility providers for the development and servicing of the lands shall be designed and installed in accordance with the Town's Engineering Standards, and Provincial & Federal Guidelines & Standards, that are in effect at the date of execution of the Subdivision Agreement. Where compliance with Town Engineering Standards necessitates off-site works, (i.e. stormwater management system upgrades, localized water storage) the owner shall enter into agreements with the Town to implement the requisite off-site works, to the satisfaction of the Town.

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5. Prior to final approval and registration of the subdivision, an amending Zoning By-law implementing the subject plan shall be approved under Section 34 and 36 of the *Planning Act*.
6. The implementing Zoning By-law shall include necessary hazard zoning to the satisfaction of the Grey Sauble Conservation Authority (the "GSCA").
7. That a restrictive covenant be placed on the lots within the draft plan of subdivision advising all future owners that short term accommodation uses are prohibited within the subdivision.

Servicing, Grading and Road Requirements

8. Prior to preparation of a Subdivision Agreement by the Town, the Applicant shall submit the following to the satisfaction of the Town and the County, in consultation with the GSCA.
 - a) An updated detailed engineering and drainage report, describing the stormwater drainage system for the proposed development on the subject lands. The report should include:
 - i. Plans illustrating how the drainage system will integrate into the drainage of surrounding properties;
 - ii. The stormwater management techniques which may be required to control minor and major flows;
 - iii. How external flows will be accommodated and the design capacity of the receiving system;
 - iv. Location and description of all outlets and other facilities which may require permits;
 - v. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - vi. Overall grading plans for the subject lands;
 - vii. Stormwater overland flow routes shall be kept within roads, approved walkways, or an approved easement only.

- viii. Confirmation that the treatment and conveyance approaches and facilities will have no negative effect on drainage issues within the Camperdown Service area.

It is recommended that the Owner or their consultant shall contact the Town and the GSCA, prior to preparing the above report to clarify the specific requirements of this development.

- b) A detailed Servicing Plan providing for municipal sewer and water to the satisfaction of the Town.
9. Prior to final approval and registration, the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Town in consultation with the GSCA;
- i) To carry out, or cause to be carried out, all the works referred to in condition 8(a) above; and
 - ii) To comply with all statutory requirements of the GSCA, as amended from time to time.
10. Prior to final approval and registration, the Owner shall submit a detail soils investigation of the site prepared by a qualified geotechnical engineer, to the satisfaction of the Town. A copy of this report shall also be submitted to the Town's Chief Building Official.
11. Prior to final approval and registration, arrangements shall be made to the satisfaction of the Town for any relocation of utilities required by the development of the subject lands, to be undertaken at the Owner's expense.
12. The Owner shall agree to complete a full width reconstruction of Dorothy Drive, save and except the municipal services within, unless they are damaged by the owners' works or required by the site servicing design, from Station 0+020 to 0+360 to a Town Standard. The reconstruction shall be to the existing condition of Dorothy Drive at the time works commence, and shall be undertaken at the Owner's expense.

Landscaping, Trees, Fencing, and Streetscape Requirements

13. Prior to entering into a Pre-Servicing Agreement or Subdivision Agreement by the Town, the Owner shall complete the following to the satisfaction of the Town, in consultation with the GSCA and the Niagara Escarpment Commission (NEC):

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- a) A Landscape Analysis & detailed Landscape Plan, in accordance with the Town's Official Plan and Community Design Guidelines; and
 - b) A Tree Preservation Plan and Tree Restoration Plan in accordance with the recommendations of the approved Environmental Impact Statement.
14. The subdivision agreement shall contain a provision to require the installation of warning signs by the owner, to demarcate the boundary between Block 46 and Block 51, to ensure protection of the ANSI and Woodlands features within the Town Open Space / Natural Heritage Block.

Parkland and Open Space Requirements

15. The Owner shall pay cash-in-lieu for 5% parkland dedication in accordance with the Planning Act.

Utilities and Canada Post

16. The Owner shall grant all necessary easements for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
17. The Owner shall make satisfactory arrangements with Canada Post and the Town, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:
- a) An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required vehicle lay-bys, walkway access and/or curb depressions for wheelchair access.
 - b) A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.

Administration

18. Prior to final approval and registration, the Subdivision Agreement shall include special provisions addressing the following matters in wording acceptable to the Town:

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- a) That the Owner shall agree that all vacant lots shall be rough graded such that best efforts are taken to ensure there is no standing water and maintained in general conformance with the approved comprehensive grading plan. Efforts will be made to maintain the existing tree cover where applicable until such time as building envelopes have been established. The Owner shall further agree in the Subdivision Agreement to topsoil and seed any rough graded area not proceeding to construction in a timely manner, to the satisfaction of the Town.
- b) That the Owner shall agree to engage a qualified engineer and that the Owner's Engineer certify that their reports conform with applicable standards to the satisfaction of the Town of The Blue Mountains and that the Engineer provides certification that the final constructed works conform to the approved design.
- c) That the Owner shall agree to engage a qualified engineer to review and certify that the completed pre-grading works comply with the pre-grading shown on the approved grading and drainage plan.
- d) The Owner, and/or any future Lot Owner, shall agree to engage a qualified consultant to prepare a Final Lot Grading Certificate prior to Final Inspection, indicating that the grading of the lot has been completed in conformity with the Approved for Construction Master Grading/Drainage Plan, and to submit to the Chief Building Official for approval.
- e) The Owner shall agree that any temporary stormwater management, construction mitigation, sediment and erosion control measures be approved by the Town and in place prior to site alteration with the exception of site alteration to install such measures.
- f) That the Owner shall agree to obtain any required statutory permits from the County of Grey, Town of The Blue Mountains, the Grey Sauble Conservation Authority, or any other applicable authority, prior to any site alteration.
- g) The Owner shall agree to the following:
 - i) Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, such resources may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the

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site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with section 48 (1) of the *Ontario Heritage Act*;

- ii) That anyone working on the subject lands who uncovers a burial site containing human remains shall cease fieldwork or construction activities and immediately report the discovery to the police or coroner in accordance with the Funeral, Burial and Cremation Services Act.

- 19. Prior to the signing of the final plan by the County of Grey, the County is to be advised by the applicant in writing, how all Draft Plan conditions have been carried out to the Town's satisfaction.
- 20. If final approval is not given to this plan within five (5) years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the *Planning Act, RSO 1990*, as amended. If the owner wishes to request an extension to draft approval, a written explanation along with the applicable application fee and a resolution from the local municipality must be received.
- 21. That the Owner shall provide the Town of The Blue Mountains and County of Grey with digital copies of the Final Plan in a format acceptable to the Town of The Blue Mountains and County of Grey.

NOTES TO DRAFT APPROVAL

- 1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
- 2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations

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where personnel and construction vehicles might come in close proximity to the conductors.

3. Clearances or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:

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

Grey Sauble Conservation Authority
237897 Inglis Falls Road, RR4
Owen Sound, ON N4K 5N6

Canada Post Corporation
300 Wellington Street
London, ON N6B 3P2

Niagara Escarpment Commission
1450 7th Avenue
Owen Sound, ON N4K 2Z1

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:
 - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) subsection 144(2) allows certain exceptions.

The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment Conservation and Parks under the Ontario Water Resources Act, RSO 1990, as amended.
6. All measurements in subdivision final plans must be presented in metric units.
7. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.

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8. The required Landscape Analysis shall evaluate existing site vegetation and incorporate it into the Landscape Plan, wherever feasible.
9. The required Tree Preservation Plan shall identify any wooded areas or individual trees which are intended to be retained, and those which are to be removed.

SCALE 1:750



PART 1, 16R-8214
LOT 25
CONCESSION 6

BLOCK 51

N.T.S.

- A. AS SHOWN ON DRAFT PLAN
- B. AS SHOWN ON DRAFT PLAN
- C. AS SHOWN ON DRAFT PLAN
- D. SEE SCHEDULE OF LAND USE
- E. AS SHOWN ON DRAFT PLAN
- F. AS SHOWN ON DRAFT PLAN
- G. AS SHOWN ON DRAFT PLAN
- H. MUNICIPAL PIPED WATER AVAILABLE AT TIME OF DEVELOPMENT
- I. CLAY-LOAM
- J. AS SHOWN ON DRAFT PLAN
- K. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
- L. AS SHOWN ON DRAFT PLAN

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE
SUBDIVIDED AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO
THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE June 1____, 2016

PAUL R. THOMSEN OLS
ZUBEK, EMO, PATTEN & THOMSEN LTD.
COLLINGWOOD

I AUTHORIZE KLM PLANNING PARTNERS INC. TO PREPARE AND SUBMIT
THIS DRAFT PLAN OF SUBDIVISION TO THE GREY COUNTY PLANNING
DEPARTMENT FOR APPROVAL

OWNER

2399494 ONTARIO INC.

1270 VANDORF SIDEROAD
AURORA, ONTARIO
L4G 0N8


LEONIDAS ANAGNOSTAKOS
A.S.O.

TOTAL AREA OF LAND TO BE SUBDIVIDED = 2.303±Ha. (5.691±Acs)

<u>DETACHED DWELLINGS</u>	BLOCKS	LOTS	UNITS	±Ha.	±Acs.
LOT 16 MIN. LOT FRONTAGE=22.0m. MIN LOT AREA=1427.10±sq.m.		1	1	0.143	0.353
LOTS 1-15 MIN. LOT FRONTAGE=18.3m. MIN LOT AREA=986.09sq.m.		15	15	2.160	5.338
TOTAL		16	16	2.303	5.691

NOTE — ELEVATIONS RELATED TO
CANADIAN GEODETIC DATUM

**DRAFT APPROVAL
GIVEN
DATE: July 9, 2020**

Res. 8j

PROJECT No. P-2591

SCALE 1:750 AUG 28, 2018

(2591-DES3) X-REF: (2591MAS & 2591TOPO)

KLM DWG. No. - 18:1

KJLMI
PLANNING PARTNERS INC.

Planning • Design • Development