



Grey
County

Planning and Development

595 9th Avenue East, Owen Sound ON N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax 519-376-7970

March 3, 2021

Mr. Andrew Pascuzzo
Pascuzzo Planning Inc.
243 Hurontario Street
Collingwood, ON L9Y 2M1

Dear Mr. Pascuzzo:

RE: Proposed Plan of Subdivision/Condominium
County of Grey File # 42T-2018-13 Ridge Estates
Part of Lot 25, Concession 7, Block 38, RP 16M-24
Town of The Blue Mountains
Owner: Solcorp Development (Peaks Ridge) Inc.

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 February 25, 2021 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 **February 25, 2026**. 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. all by email

Ministry of Municipal Affairs and Housing
Town of The Blue Mountains
Grey Sauble Conservation Authority
Niagara Escarpment Commission
Canada Post
Glenn – Solcorp Developments
Wendy Muller
Fab Corazzola
Heather Laidlaw
Luciano Dinardo
David Camplin
Ron Wilson

Applicant: Solcorp Development (Peaks Ridge) Inc.

File No.: 42T-2018-13A and 42-CDM-2018-13B

Municipality: Town of The Blue Mountains

Location: Part of Lot 25, Concession 7, Block 38, Registered Plan 16M-24

Date of Decision: February 25, 2021

Date of Notice: March 3, 2021

Last Date of Appeal: March 23, 2021

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 File#P2675 (By-law 2021-21)

GETTING ADDITIONAL INFORMATION

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.

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Plan of Subdivision File No. 42T-2018-13A and Plan of Condominium File No. 42-CDM-2018-13B have been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision/condominium are as follows:

General Requirements

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2018-13 as per drawing 944-18-DP5 prepared by Pascuzzo Planning Inc. dated July 2019 showing 31 lots and one block for a 12-16 m wide Private Condominium Road and private open space / private recreation on Part of Lot 25, Concession 7, being Part of Block 38 Registered Plan 16M-24, Town of The Blue Mountains, County of Grey.
2. That the Owner shall not commence any work on the Lands, including filling, grading, removing trees, removing top soil, installing any works or constructing any buildings or structures until it has entered into a Subdivision Agreement, Pre-Servicing Agreement and/or Other Agreement with the Town, in a form satisfactory to the Town.
3. That the Owner shall enter into and execute a Subdivision Agreement with the Town of The Blue Mountains, prior to final approval and registration of the Plan to satisfy these conditions including financial, legal, and engineering matters, including the installation of services, roads, landscaping, and other requirements of the Town of The Blue Mountains ("the Town"), in consultation with the County of Grey ("the County"), the Grey Sauble Conservation Authority ("the GSCA") and the Niagara Escarpment Commission ("the NEC").
4. That the Subdivision Agreement include provisions for the payment of all required Town and County Development Charges in accordance with their applicable Development Charges By-laws.
5. Prior to final approval that appropriate zoning is in effect for this proposed subdivision that conforms to the County of Grey Official Plan and the Town of the Blue Mountains Official Plan and that addresses, *inter alia*, the following:
 - a. The imposition of a Holding (-h) prefix to be lifted upon identified conditions being met;
 - i. Registration of a Subdivision/Condominium Agreement; and
 - ii. Registration of the Plan of Subdivision and Plan of Condominium

- b. That Short Term Accommodation uses are not permitted.

Servicing, Grading and Road Requirements

6. Prior to the initiation of any site grading or servicing and prior to the registration of the plan, the Owner shall submit for the approval of the Town Development Engineering Division:
 - a. A detailed engineering and drainage report which describes the stormwater drainage system for the proposed development on the subject lands. The report should include:
 - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties
 - ii. The stormwater management techniques required to accommodate the 5 year storm event.
 - iii. The stormwater management techniques required to accommodate the 100 year storm event.
 - iv. How external flows will be accommodated and the design capacity of the receiving system
 - v. Location and description of all outlets and other facilities which may require permits
 - vi. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction

It is recommended that the developer or his consultant contact the Town Development Engineering Department prior to preparing the above report to clarify the specific requirements of this development.

- b. Overall grading plans for the subject lands
- c. The Owner shall agree in the Subdivision Agreement, in wording acceptable to the Town:
 - i. To carry out, or cause to be carried out, all the works referred to in sub-condition (a) above
 - ii. To obtain the necessary permits from the Grey Sauble Conservation Authority

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Mountains Engineering Standards. In this regard, minor revisions to the road pattern and intersection alignments may be required.

12. That the common element condominium roads and related cross section(s) are designed to the satisfaction of the Town.
13. The street lighting system on all roadways for this subdivision shall be designed and constructed in accordance with the Illuminating Engineering Society design standards or as otherwise approved by Town.
14. That the private road shall be named to the satisfaction of the Town of The Blue Mountains in accordance with the Town's Street Naming Policy.
15. That prior to final approval and registration, and in consideration of Section 51(24)(e) of the Planning Act and the need for adequate roads within and related to the plan of subdivision, the Developer shall agree as part of the Subdivision Agreement that construction shall not commence until the earlier of the following has occurred:
 - a. George McRae Road has been remediated by the Town to a standard acceptable to the Town; OR
 - b. the Owner has contributed 43% of the costs up to a maximum contribution of \$67,000 not funded by Securities to remediate and reconstruct George McRae Road to the Town's Standard
16. That prior to final approval and registration, the Owner shall agree in the subdivision Agreement with wording to the satisfaction of the Town to ensure timing of development and construction within the plan of subdivision will be coordinated with the remediation and reconstruction of George McRae Road.
17. That a boundary fence is provided along the westerly and easterly lot lines of Block 38 to delineate the property limits of the Block.
18. That prior to final approval and registration, the Town shall lift the 0.3 metre Reserve (Block 47, Plan 16M-24).
19. That the Subdivision Agreement include provisions for a maximum 10 metre transfer of Town Owned Lands to the Owner, being Part of Block 40 and/or Part of Block 41 Plan 16M-24 for required servicing, infrastructure and/or access purposes to Block 38 from George McRae Road, The transfer of lands to be completed in accordance with the Town of The Blue Mountains Sale and

Disposition of Lands policy and at a cost as determined through a completed appraisal to the satisfaction of the Town.

Utilities and Canada Post

20. That the Owner shall dedicate all required easements and/or blocks for drainage, servicing or utility purposes to the appropriate authority.
21. That the Subdivision Agreement include a requirement that arrangements be made with Canada Post and the Town's Development Engineering Department for the provision of suitable mail delivery methods which may include the installation of Canada Post Community Mailbox and that the location be included on the appropriate servicing plans.
22. That should a Community Mailbox be required, that the Subdivision Agreement contain further clauses requiring that the Developer install an appropriately sized sidewalk section (concrete pad) per Canada Post specifications, to place the mailbox on, plus any required walkway access and/or curb depressions for wheelchair access and the provision of a temporary Community Mailbox location until curbs, sidewalks and final grading have been completed.

Landscaping, Trees, Fencing, and Streetscape Requirements

23. Prior to entering into a Pre-Servicing Agreement or Subdivision Agreement with the Town, the Owner shall complete a Landscape and Tree/Vegetation Protection Plan incorporating the recommendations of the Environmental Impact Study and in accordance with the Town Official Plan and Community Design Guidelines to the satisfaction of the Town, GSCA and NEC.

Administration

24. That the Subdivision Agreement contain notice and warning clauses to be added to all purchase and sale agreements informing purchasers that lands to the west are used for active agricultural purposes and that normal farming practices will occur acknowledging potential impacts including but not limited to noise, odours and farm practices.
25. That the Subdivision Agreement contain restrictive covenants on all lots that all Owners shall comply with any Zoning By-law and/or Municipal By-law pertaining to Short Term Accommodation Uses.

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26. That prior to any development or site alteration, and to be included in the Subdivision Agreement the Owner shall prepare a Communications Plan to be submitted to the satisfaction of the Town.
27. That a portion of Block 32 be developed for private open space and/or private recreational uses.
28. That the Owner shall agree, prior to offering any of the residential lots for purchase, to place a 'Display Map' on the wall of the sales office and/or model home in a place visible to the public and prospective purchasers, which indicates the approved location of all sidewalks, walkways, trails, community mail boxes, parks, schools, open space areas, environmental protection areas/tree preservation areas, watercourses, and surrounding land uses. The Owner shall also agree to keep Accepted for Construction drawings in the sales office which show easements, hydrants, utilities, lighting, lot grading, landscaping, and noise attenuation measures, as applicable.
29. 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.
30. 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 site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act.
31. 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.
32. That the Owner shall agree in the Subdivision Agreement that the recommendations and mitigation measures identified in Section 6 (Table 3) and

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Section 7 of the Environmental Impact Study (EIS), Ridge Estates Block 38, dated September 2018 prepared by Hensel Design Group be implemented to the satisfaction of the Town in consultation with the GSCA.

33. That prior to any request for Pre-Servicing Agreement or Subdivision Agreement, the Town shall be advised by the owner in writing and with supporting documentation how all of the Draft Plan Conditions have been or will be satisfied.
34. That prior to final approval, a copy of the fully executed Subdivision Agreement between the developer and the municipality shall be provided to the County of Grey.
35. That prior to final approval being given, that the County is advised in writing by the Town of The Blue Mountains how Conditions 2 to 33 have been satisfied.
36. That prior to final approval being given, that the County is advised in writing by the Grey Sauble Conservation Authority how Conditions 6, 10 and 23 have been satisfied.
37. That prior to final approval being given, that the County is advised in writing by the Niagara Escarpment Commission how Condition 23 has been satisfied.
38. 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 together with the applicable application fee and a resolution/letter of support from the local municipality and the County must be submitted to the Local Planning Appeal Tribunal, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.
39. That the owner, submit to the County of Grey with a computer disk containing a digitized copy of the Final Plan in a format acceptable to the County of Grey.

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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 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 7 th Avenue Owen Sound, ON N4K 2Z1
4. With respect to any draft plan conditions requiring clearance or consultation with conservation authorities, for any conditions relating to natural hazards a clearance letter will be required prior to issuing final approval as this falls under the mandate of the conservation authorities. For any matters that are related to natural heritage, this falls under the mandate of the local municipality and the County. The local municipality and the County rely on the services of conservation authorities for natural heritage review and therefore the local municipality and the County will consult with the conservation authority to determine if they are satisfied that those conditions have been addressed. The

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conditions will clearly note which conditions require clearance from the conservation authority and which requires clearance from the local municipality/County in consultation with the conservation authority. In cases where the local municipality or the County (in consultation with the conservation authority) are not satisfied that conditions related to natural heritage matters have been addressed to their satisfaction then a peer review may be required at the expense of the Owner.

5. 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.

6. 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.
7. All measurements in subdivision final plans must be presented in metric units.
8. 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.



Grey
County

Planning and Development

595 9th Avenue East, Owen Sound ON N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax 519-376-7970

March 30, 2021

Mr. Andrew Pascuzzo
Pascuzzo Planning Inc.
243 Hurontario Street
Collingwood, ON L9Y 2M1

Dear Mr. Pascuzzo:

RE: Proposed Plan of Subdivision/Condominium
County of Grey File # 42T-2018-13A & 42CDM-2018-13B Ridge Estates
Part of Lot 25, Concession 7, Block 38, RP 16M-24
Town of The Blue Mountains
Owner: Solcorp Development (Peaks Ridge) Inc.

Pursuant to Subsection 51(42) of the Planning Act R.S.O. 1990, as amended, enclosed please find a Sworn Declaration that Notice of the proposed decision was given in accordance with the provisions of the Planning Act and that **no appeals** were received within the 20 day appeal period with the last day of appeal having been March 23, 2021.

Should you require any further information regarding this file, please do not hesitate to contact our office.

Yours truly,



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

cc. all by email

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Ron Wilson

SWORN DECLARATION

In accordance with Subsection 51(42)

of the Planning Act

R.S.O. 1990, as amended

Applicant: Solcorp Development (Peaks Ridge) Inc.

Municipality: Town of The Blue Mountains

File No.: 42T-2018-13A & 42CDM-2018-13B Ridge Estates

I, Randy Scherzer, of the Township of Georgian Bluffs, solemnly declare:

- 1) That in accordance with subsection 51(37) of the Planning Act, R.S.O. 1990, as amended Notice of the proposed decision in respect of the above noted matter was given as required on March 3, 2021.
- 2) That no appeal of the proposed decision was received by the County of Grey within the 20 day appeal period with the last day of appeal having been March 23, 2021 as provided by subsection 51(39) of the Planning Act, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated the 30 day of March 2021



Randy Scherzer, MCIP, RPP
Director of Planning and Development
County of Grey

Sworn/Affirmed/Declared before me at the City of Owen Sound
in the County of Grey on March 30, 2021

HEATHER LYNN MORRISON, a
Commissioner, etc., County of Grey,
while Clerk of the Corporation of
the County of Grey.



Commissioner for Taking Affidavits