



Staff Report

Planning and Development Services

Report To: Committee of the Whole
Meeting Date: June 2, 2020
Report Number: PDS.20.40
Subject: Recommendation Report – Peaks Meadows Subdivision and Zoning Amendment
Prepared by: Denise Whaley, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.20.40, entitled “Recommendation Report – Peaks Meadows Subdivision and Zoning Amendment”, for the lands known as Block 46, Registered Plan 16M-20;

AND THAT Council support a recommendation to the County of Grey to grant Draft Plan Approval of Subdivision (County File 42T-2016-06), subject to the Draft Plan Conditions attached to Staff Report PDS.20.40;

AND THAT Council enact a Zoning By-law Amendment to change the zone symbol on the lands from Residential Two Exception with Holding Symbol (R2-44-h7) and Hazard (H), to Residential One Exception (R1-1-44) and Hazard (H), to permit the development of single detached dwellings.

B. Overview

This report provides a summary of an application for Plan of Subdivision and Zoning By-law Amendment proposing to develop 16 residential lots for single detached residential dwellings. Council is being asked to make a decision on the applications. Staff have recommended Draft Plan approval as outlined in this report and a draft zoning by-law amendment is also attached.

C. Executive Summary

Application File # P2351

Application Received Date: June 24, 2016

Application Deemed Complete Date: October 10, 2017

Public Meeting: November 15th, 2017

Official Plan Designation: Residential Recreational Area RRA

Zoning Bylaw Category: Residential Two (R2-119-h35) & Hazard (H) (*proposed change to R1-1*)

Location: South side of Dorothy Drive (Camperdown)

The Town received applications for Zoning By-Law Amendment and Draft Plan of Subdivision for lands known as Block 46, Registered Plan 16M-20 in 2016. Following the public meeting the applicant has worked through some issues that had been identified through the first Planning staff review of the files. The proposal was later revised by the applicant to increase the development from twelve (12) lots to sixteen (16) lots. Because the development type was not proposed to change (single detached houses), the change was considered minor and both the County and Town were satisfied that a second public meeting was not warranted.

This report summarizes the information received at the public meeting and the Planning Policy review of the revised proposal. Staff recommend approval of this Draft Plan of Subdivision application and a draft Zoning By-Law Amendment is attached to this report (Attachment #1).

D. Background

Proposal

The Town received applications for Zoning By-Law Amendment and Draft Plan of Subdivision for the proposal in 2016. The Plan of Subdivision Application originally proposed to create twelve (12) single detached residential lots. The Zoning By-Law Amendment requested to rezone the lands to change the housing type allowed on the property from townhouses to single detached dwellings. The County of Grey also received an application for Draft Plan of Subdivision and is the approval authority for subdivision proposals. Initially both the Town and the County deemed the applications incomplete, noting additional information was required in support of the applications. Once the applicant provided the additional information, the Town hosted a public meeting on November 17, 2017.

In support of the proposal the applicant submitted a Planning Justification Report, Stages 1 and 2 Archaeological Assessments, Environmental Impact Study, Functional Servicing Report, Traffic Opinion Letter, Slope Assessment and Geotechnical Report.

The subdivision application has been since revised to sixteen (16) single detached residential lots.

Location and Description

The subject property is located on the corner of Dorothy Drive and Camperdown Road, as shown in the Figure 1: Key Map.

The legal description of the lands is Block 46, Registered Plan 16M-20, (formerly the Township of Collingwood), Town of The Blue Mountains. The lands are in the Camperdown area, south of Highway 26.

The property has an area of approximately 2.3 hectares, with access onto Dorothy Drive. No access is available on Camperdown Road due to an existing 0.3m reserve (Block 55). To the north of the subject lands are lots approved for single detached dwellings (most are still

vacant). To the west, fronting George McRae Road is a single detached dwelling. To the east and south are Town lands which include an Open Space area part of the Escarpment (Figure 2).

Figure 1: Key Map



Figure 2: Aerial View (2015)



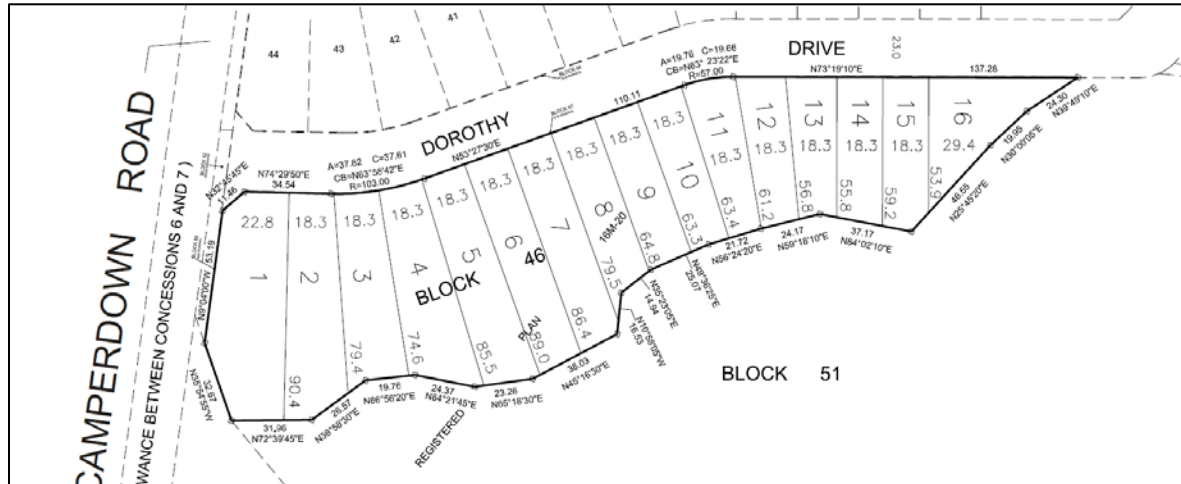
Figure 3 is an excerpt of the proposed draft plan and shows the proposed lot layout. Most of the lots have frontages of approximately 18.3m. Due to the escarpment slope to the south, the lots have varying depths, as the original Block 46 was created to generally follow the slope.

Original Peaks Meadows Subdivision

The original Peaks Meadows Subdivision was approved by the Ontario Municipal Board (OMB) in 2006. For reference, Figure 4 provides an excerpt of the original subdivision. The subdivision was approved for 45 singled detached lots, with Block 46 to be a multi-unit residential development to a maximum of 65 units. There is no minimum number of units intended for the Block 46 property. Blocks 47 and 51 are Open Space Blocks dedicated to the Town and comprise Natural Heritage Features – including woodlands and significant slopes. Block 50 is a

Town-owned walkway feature. A public crescent road, made up of Barton Boulevard and Dorothy Drive provides access to the subdivision from Camperdown Road.

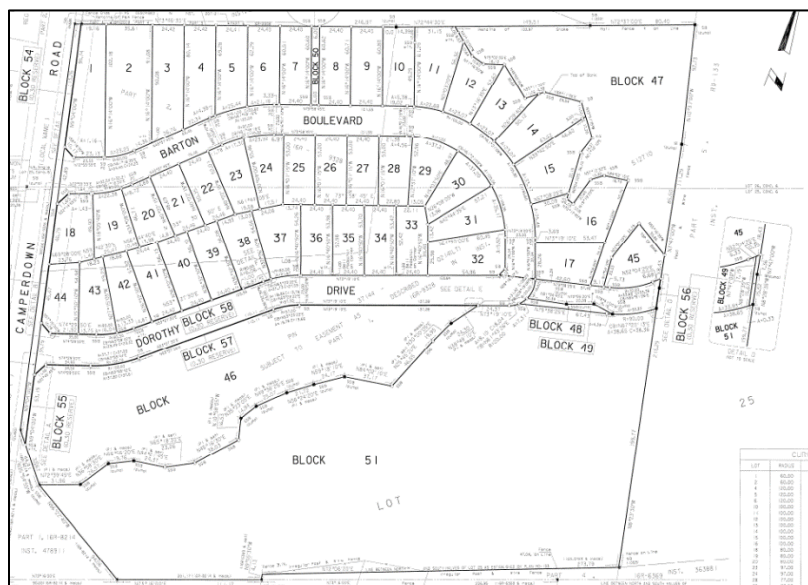
Figure 3: Proposed Updated Draft Plan



Original Peaks Meadows Subdivision

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Figure 4: Excerpt of Plan 16M-20



It is noted that additional Open Space and Parkland was not required as part of this development, having formed part of the original Plan of Subdivision and already acquired by the Town.

Public Meeting

The Town held the public meeting for this proposal on November 15th, 2017. At the public meeting, the agent made a presentation in support of the proposal.

Summarized Comments

Planning Staff prepared a Comments Response matrix with all written and verbal comments (Attachment 3). Comments received in writing are specifically attached to this report (Attachment 4). Agency received are also summarized below.

Name	Public Meeting Comments
County of Grey	No concerns.
Grey Sauble Conservation Authority (GSCA)	Comments were generally supportive. Recommended that: lots 1-2 be combined, a hazard zone be applied to the lands, approximately 15 metres setback from the watercourse. Recommendations for conditions to a Draft Plan Approval, including that a detailed Tree Retention/Enhancement Plan and Stormwater Management Plan be prepared.
Niagara Escarpment Commission (NEC)	Comments were generally supportive Recommended as a condition of Draft Plan Approval that a Vegetation Preservation/ Landscape Plan be required.
Historic Saugeen Metis	No objection or opposition to the proposed rezoning.
Union Gas	Requested the owner be required to provide necessary easements and/or agreements required for the provision of gas services for this project.
Canada Post	Development will be served by existing Community Mailboxes located at Dorothy Dr and Barton Blvd.
Public Comments	All public comments received were in favour except for one letter objecting to additional development in this area adjacent to the Escarpment.

E. Analysis

This section provides the staff analysis based on the relevant legislation and policies, as well as the identified issues. Summaries of policies and issues are provided in the following sections.

Planning Act

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. Authority for Subdivision of Land is found in Section 51. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act.

The Planning Act also sets the framework for other Planning Policy that is used as the basis for decisions on development applications. The Planning Act requires that these decisions must be consistent with the Provincial Policy Statement (PPS); conform or not conflict with the Niagara Plan; and conforms with the policies of the Official Plan which apply to the lands. More detail is provided in the following sections of this report.

Provincial Policy Statement 2020

This Provincial Policy Statement 2020 came into effect May 1, 2020. It replaces the Provincial Policy Statement 2014. The Provincial Policy Statement, also known as the “PPS”, provides policy direction on matters of Provincial Interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of Provincial Interest, public health and safety, and the quality of the natural and built environment. Decisions on Planning matters made by a municipal Council (or any other planning authority) must be consistent with the Provincial Policy Statement.

Within the PPS framework, the subject property is within a “Settlement Area” and designated Residential Recreational Area in the Town of The Blue Mountains Official Plan. Settlement Areas are built-up areas where development is concentrated, have a mix of land uses and designated in an Official Plan for development over the long-term planning horizon. The focus of growth and development is within Settlement Areas as outlined in Section 1.1.3.

Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion. New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.6.6 deals with Sewage, Water and Stormwater. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within Settlement Areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of

the services. This proposed development will be serviced with full municipal sewage and water services.

Stormwater management solutions should minimize erosion and prepare for impacts of a changing climate, mitigate risks to human health, safety, property and environment. Maximization of the functions of vegetation, pervious surfaces and other best practices including Low Impact Development.

Section 2.1 Natural Heritage requires that Natural features and areas shall be protected for the long term. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. Development is not permitted in significant Natural Heritage features unless it has been demonstrated there will be no negative impacts. This will be addressed with enhanced zoning rear yard setbacks and the later submission of tree preservation and landscape plans.

Section 3.0 addresses protection of Public Health and Safety in relation to Natural Hazards. Development is directed to outside areas of Hazards, unless there is appropriate mitigation. New hazards must not be created, and no adverse environmental impacts will result. In support of these applications a Slope Assessment and Geotechnical Report were submitted, and the conclusions of these documents have been validated by peer review.

As noted above the proposal included required studies and reports which address Servicing, Stormwater Management, Natural Hazards and Natural Heritage matters. The property is within an existing Plan of Subdivision and designated as development lands. The proposal is to reduce the maximum density on the property, however based on the existing topography and land area of this parcel, the maximum number of units would be difficult to achieve. The revised proposal of 16 lots balances the proposed type of development (singles) with the existing site conditions, protection of natural heritage features, mitigates the stormwater on the site and makes use of existing municipal water and sewer services.

Staff are satisfied that the proposal is consistent with the intent and direction of the PPS.

Niagara Escarpment Plan (NEP)

The Niagara Escarpment Plan provides land use policies to guide development while ensuring the preservation and enhancement of the Niagara Escarpment as an internationally recognized World Biosphere Reserve. Key objectives of the Plan are to maintain and enhance the natural environment and the open landscape character of the escarpment and adjacent lands. New development is permitted subject to the land use designation requirements to ensure compatibility with the purpose of the Plan. (Niagara Escarpment Plan, Page 1 to 3).

Niagara Escarpment Plan designates the subject lands **Escarpment Recreational Area**. This designation applies to areas of existing or potential recreational development associated with the Escarpment. Such areas may include both seasonal and permanent residences. Uses permitted in the Escarpment Recreational Area are those provided for in the Town of The Blue

Mountains Official Plan. New development must not generate substantial negative impact on environmental features and must be designed and located in a manner to preserve the natural, visual and cultural characteristics of the area. Site design and layout must also be in harmony with and maintain the existing character of the escarpment landscape. (Niagara Escarpment Plan, Section 1.8 and 2.2)

Comments from the Niagara Escarpment Commission indicated policy support within the Niagara Escarpment Plan for the proposal subject to a Vegetation Preservation/ Landscape Plan. This can be addressed through fulfillment of the Conditions of Draft Approval.

Staff are satisfied that the proposal is not in conflict with the Niagara Escarpment Plan.

County of Grey Official Plan 2019

The County of Grey Official Plan is in place to guide development within the whole of the County of Grey and provides broad policy framework for local Municipal Official Plans, Secondary Plans and by-laws. The policy framework builds further on provincial policy direction and encourages strong healthy communities, and new development growth while maintaining and protecting environmental and economic resources. The County Plan provides a general framework assessment for land use and development which does not include a detailed assessment of local planning issues within each constituent municipality.

The County Official Plan designates the lands **Recreational Resort Area**. This area applies to Settlement Areas which have developed as a result of site-specific amendments to the County's Official Plan and/or local Official Plan consisting of a defined development area, specific recreational amenities, residential development and serviced with full municipal sewer and water services. Development of these lands is subject to policies for the Recreational Resort Area, Residential Intensification and General Development Policies.

Housing policies encourage a wide variety of housing types and densities. The County also encourages intensification, mix of compatible land uses, good environmental practices and public safety to maintain a mix of housing by both type and tenure. (Section 1.8).

The County Official Plan designates a portion of the property Hazard Lands. It is noted that the application seeks refinement of the Hazard area. Section 7.2 Hazard Lands notes that precise delineation of Hazard Lands will be shown in the local zoning by-laws. An amendment to the Official Plan will not be required to permit redefining of a Hazard Land boundary. Modifications to the Hazard Lands may occur through a Zoning By-Law Amendment after consultation with the conservation authority and the approval authority. An Environmental Impact Study was submitted with these applications.

Other Studies and documents were received to demonstrate conformity with Section 9.13 Plans of Subdivision and Condominium, 9.17 Complete Applications. The findings of studies submitted with these applications have been reviewed and accepted.

It is noted that additional parkland, Open Space and trails were not required as part of this development since these matters were addressed as part of the original subdivision.

Based on the foregoing, Planning staff are of the opinion that the proposed Draft Plan of Subdivision and Zoning By-law Amendment conforms to the County of Grey Official Plan.

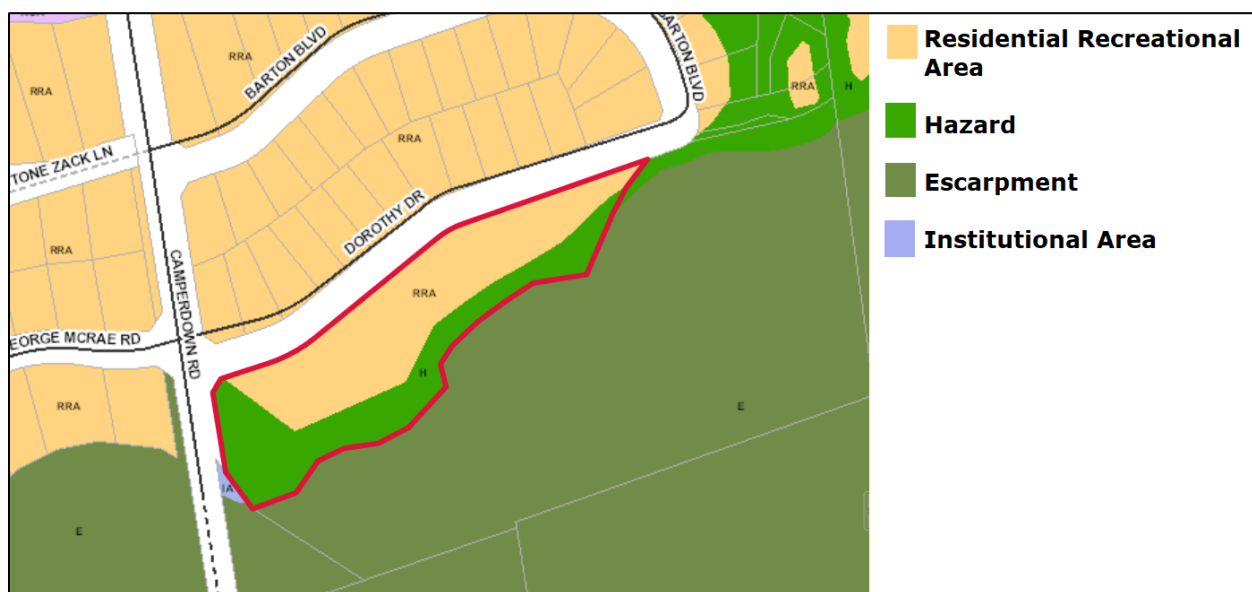
Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan establishes the vision for growth and development in the Town and contains policies supporting the Goals and Objectives to achieve that vision. The policy framework builds upon Provincial Policy and County Official Plan Policy as described above. General development policies help guide new development through subdivision design, community design, transportation, parkland, servicing and environmental issues.

The Official Plan contains a number of goals and strategic objectives. The goal under section A3.3 Growth and Settlement is to direct most forms of development to areas where full municipal wastewater and water services are available and to support the efficient use of land in these areas. The strategic objective of that section is to encourage infilling, *intensification* and *redevelopment* in appropriate locations and with appropriate built form and design.

The Town's Official Plan designates the lands **Residential Recreational Area** (Figure 5) and Hazard Lands. The Residential Recreational Area designation under Section B3.7 recognizes areas within the Town where there is a mix of seasonal and permanent residential and recreational uses, and those where some residential uses are located to support and provide access to resort and recreational amenities. Within this designation single, semi-detached dwellings, townhouse and low-rise multiple units are permitted residential dwelling types. The current proposal is for single detached dwellings and this use is permitted in the Residential Recreational Area designation.

Figure 5: Town of The Blue Mountains Official Plan



The maximum density permitted in this designation is 10 Units Per Hectare. The original Peaks Meadows subdivision was approved at a maximum density of 110 units or approximately 10 Units Per Hectare if the 65 dwellings on Block 46 were constructed as originally envisioned. The current proposal to reduce the density on Block 46 reduces the overall subdivision density to approximately 5.6 Units Per Hectare.

When the proposal was first made, Planning staff noted concerns regarding reducing the density of the subdivision. However, it was noted that although the present zoning permitted up to 65 dwellings, but there was no minimum density on Block 46. Given the site topography, comments of agencies including the GSCA indicated that the maximum density of 65 dwellings would likely not be achievable. The applicant also expressed desire to develop houses that were comparable and compatible with the existing lots in the surrounding area. Discussions with the applicant seeking to address the above concern resulted in the increase from the initial 12 lots to the current revised concept of 16 lots.

It is intended that new residential developments provide generous amounts of open space with at least 40% of the development being the open space component. New development must also maintain the resort, open landscape character of the area with development being clustered in form. It is noted that the required dedication of Open Space was completed at the time of the original subdivision and the Subject Lands are adjacent to the dedicated Open Space block.

Under Section B5.4 Hazard Lands, the purpose of the Hazard Lands designation is to identify those lands having inherent environmental hazards. Policies allow for minor alteration of Hazard Lands mapping in consultation with the appropriate Conservation Authority without amendment to the Official Plan. More detailed Hazard Land mapping may be provided in the Zoning By-law as provided by the Conservation Authorities.

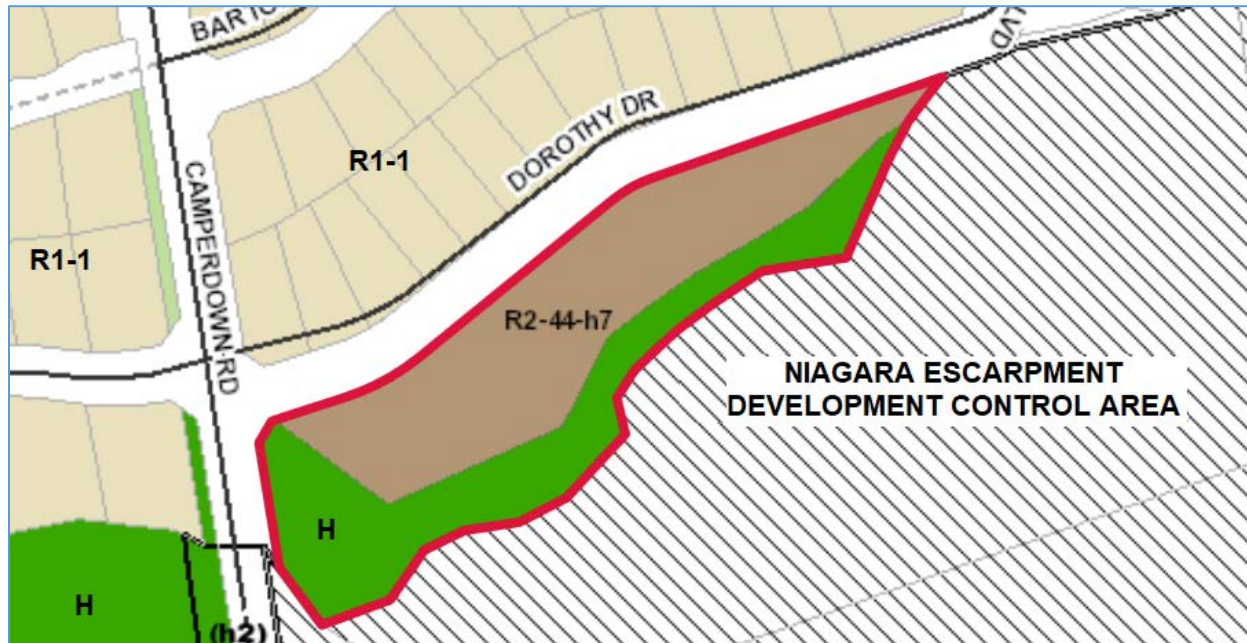
General Development policies are provided under Section D of the Official Plan. The policies require that Council be satisfied that items related to timing, infrastructure, density, compatibility, servicing, environmental protections and conformity with the criteria of Section 51(24) of the Planning Act can be met. Planning staff are satisfied that the subdivision will be able to proceed, that full municipal services are available, that the density and proposed character is in-keeping with the surrounding area and maintains the goals and objectives of the Official Plan and that the proper environmental protections can be implemented throughout the development of the property. The criteria requirements under Section 51(24) have been reviewed in technical detail by Planning staff and Development Engineering staff and the opinion is that this criteria can also be satisfied.

Town of The Blue Mountains Zoning By-law 2018-65

The property is currently zoned Residential Two (R2-44-h7) & Hazard (H) in the Town's Zoning By-law. The Exception 44 currently limits the number of dwelling units to a maximum of 65. There is no minimum number of dwelling units specified in the current R2-44 zone.

The current Hazard Zone follows the watercourse and swale at the south at the base of the slope. The swale is proposed to be moved to the furthest west of the property.

Figure 6: Town of The Blue Mountains Zoning By-law 2018-65



The Holding (h7) provision applies to lands that have received Zoning Approval and/or Draft Plan Approval for a future Plan of Condominium. The Holding Provision (h7) may be lifted upon the execution of a Site Plan and/or Development Agreement. In this instance the form of the actual “Agreement” will be a Subdivision Agreement under Section 51 of the Planning Act.

The current rezoning application seeks to rezone from the R2 to the R1-1 zone and refine the Hazard area. The text of Exception 44 would be revised to provide the following special regulation:

- 15 Minimum Rear Yard for all buildings and structures.

The use of a setback rather than a Hazard Zone was the approach recommended by the GSCA.

The Holding provision is not proposed to be carried forward into the new zone. The original plan for Block 46 as a multi-residential block the Holding (h7) provision was relevant. However, since the new proposal is for freehold single detached dwellings in a plan of Subdivision rather than a condominium, Site Plan Control is not applicable.

A draft by-law and schedule are found in Attachment #1.

Identified Issues

Planning and Development Services staff requested the Slope Stability and Geotechnical Reports because of both the slope of the property and the adjacent significant escarpment slope. These reports were then Town peer reviewed; and the peer review was generally supportive of the findings of the original reports. Town staff are satisfied with the findings of the Peer Review.

Planning staff also expressed concern for “down zoning” of the property from multi-unit development to the proposed singles. However, it was previously noted the zoning did not have a minimum number of dwellings that could be built and considering the topography of the site it is likely the maximum density would not be realistic or possible on this Block. To address the issue of the reduction in density, the applicant revised the proposal to add the additional four units (making the proposal 16 lots). This revision strikes a balance between efficient development and protection of natural features, recognizing the location, existing trees and the relationship with the adjacent lands.

The western section of the property presently contains a drainage swale in the area zoned Hazard. To address the comments from the GSCA and Town staff, the proposal includes relocation of the swale, outside the building envelope on Lots 1 and 2. The recommendation from the GSCA is to include the 15 metre setback from the rear lot line rather than a Hazard Zone. Town staff and the GSCA area satisfied with this approach of the swale and of the Hazard setback.

Council has been advised under a separate cover (per Staff Report PDS.20.48) that this particular Plan of Subdivision is presently deficient in having its works complete. With respect to the Peaks Meadows Subdivision the Engineer of Record did determine for the Town that, with some pragmatism, the amount of securities currently held by the Town should be adequate to complete this Subdivision as per the Approved For Construction drawings (AFC).

Moreover, Council has been previously advised by the Town’s legal counsel under separate cover (per Staff Report PDS.20.50) that the current owners of development Blocks have no legal obligation to remedy the defects in subdivision works that are already installed. Although this legal opinion was provided with respect to the Ridge Estates Subdivision located to the west, the principal behind that legal opinion also applies for the Peaks Meadows Subdivision.

Lastly, Council should also be satisfied under Section 34(17) of the Planning Act that no further public meeting is required for this Zoning By-law Amendment application. Recall that the when the public meeting was held on November 15th, 2017 the proposal at that time was for twelve (12) units of single detached dwellings; whereas the revised proposal is sixteen (16) units of single detached dwellings.

For Council’s consideration, it is the opinion of Town staff that a further public meeting should not be required. There is little evidence suggesting that a second public meeting would garner additional new public comment or concerns from outside commenting agencies. Moreover, Town staff are of the opinion that a second public meeting is not needed considering the following points:

- The proposed use is permitted in both County and Town Official Plans
- The increase in units is a movement closer to the original dwelling unit count envisioned for this block, and more density within a settlement area
- The revision would result in the same development type (single detached units) as the original proposal

- The resultant sixteen (16) lots were similar in frontage to surrounding the surrounding lots
- A net increase of an additional four (4) units is not, in the opinion of staff, considered a substantial deviation from the original proposal such that a second public meeting is warranted.
- No requirement for a second meeting was requested by the approval authority (County of Grey)

Town Staff are satisfied that the identified issues have now been addressed within the revisions, the proposed Zoning By-law and Draft Plan Conditions.

Draft Plan Conditions

The proposed Draft Plan Conditions within Attachment #2 deal incorporate the recommendations from the GSCA, the NEC, and Union Gas. These draft conditions also address the criteria of Section 51(24) of the Planning Act.

Conclusion

Planning staff are satisfied that the issues identified through technical review and the public process have now been addressed within the proposal's revisions, the proposed Zoning By-law and Draft Plan Conditions. Based on the information provided in this report, Planning staff are satisfied that the proposed Draft Plan of Subdivision, and Zoning By-law Amendment are consistent with the Provincial Policy Statement, do not conflict with the Niagara Escarpment plan, conforms to the intent and direction of the County of Grey Official Plan and Town of The Blue Mountains Official Plan. Planning staff supports these applications subject to the comments contained in this report.

F. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles

Objective #3 Manage Growth and Promote Smart Growth

G. Environmental Impacts

Environmental impacts have been reviewed through the Environmental Impact Study and confirmed by the Grey Sauble Conservation Authority. Environmental impacts can be appropriately mitigated and will be addressed through detailed draft plan conditions.

H. Financial Impact

Decisions of Council may be subject to an appeal to the Local Planning Appeals Tribunal (LPAT). Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required.

I. In consultation with

Brian Worsley, Manager of Development Engineering
Trevor Houghton, Manager of Community Planning

Nathan Westendorp, Director of Planning and Development Services
Scott Taylor, Senior Policy Planner, County of Grey.

John Metras, Town Solicitor

J. Public Engagement

The topic of this Staff Report was the subject of a Public Meeting on November 15, 2017. Staff provided notice of this Staff Report to everyone who submitted letters or commented at the Public Meeting and provided their email contact information, as well as anyone else who requested notice on this matter.

K. Attached

1. Draft Zoning By-law Amendment
2. Proposed Draft Plan Conditions
3. Comments Matrix
4. Comments Received

Respectfully submitted,

Denise Whaley, MSc MCIP RPP
Planner II

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

For more information, please contact:
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DRAFT

The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

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

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 34 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. Schedule ‘A’ Map 12 is amended by changing the zoning symbols of the lands known as Block 46 on Registered Plan 16M-20, from the Residential Two (R2-44-h7) Zone with a Holding (-h7) Symbol and the Hazard (H) Zone, to the Residential One Exception (R1-1-44) Zone and the Hazard (H) Zone, as shown on the attached Schedule “A-1”.
- 2. Table 9.1 - Exceptions is amended by deleting the text associated with Exception 44 and replacing with the following:

Exception Number	Zone	Special Provisions
44	R1-1-44	Minimum Rear Yard15 m The minimum rear yard applies to the main building and all accessory buildings and structures, including swimming pools and tennis courts. (Block 46, Plan 16M-20)

- 3. 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 upon the enactment thereof.

Enacted and passed this 15th day of June, 2020

Alar Soever, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2020-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 15th day of June, 2020.

Dated at the Town of The Blue Mountains, this 15th day of June, 2020.

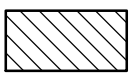
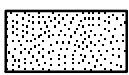
Corrina Giles, Clerk

Town of The Blue Mountains

Schedule 'A-1'

By-Law No. _____

Legend

-  Subject Lands of this Amendment
-  Area to be rezoned from R2-44-h7 to R1-1-44
-  Area to be rezoned from H to R1-1-44



Peaks Meadows Block 46, 16M-20 Conditions to Draft Plan Approval

Draft Plan of Subdivision File No. 42T-2016-06

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 Dorothy Drive.

The legal description of the subject lands is Part of Lot 25, Concession 6, being Block 46 of Registered Plan 16M20, 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.
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").

Servicing, Grading and Road Requirements

7. 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
 - b) A detailed Servicing Plan providing for municipal sewer and water to the satisfaction of the Town.
8. 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;
 - b) To carry out, or cause to be carried out, all the works referred to in condition 7(a) above; and
 - c) To comply with all statutory requirements of the GSCA, as amended from time to time.

9. Prior to final approval and registration, the Owner shall submit a detailed 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.
10. 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.
11. 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

12. 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):
 - 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.
13. 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

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

Utilities and Canada Post

15. The Owner shall grant all necessary easements for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
16. 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

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

- 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 CBO 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 site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 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.
18. 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.
19. 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.
20. That the Owner shall provide the Town of The Blue Mountains with digital copies of the Final Plan in a format acceptable to the Town of The Blue Mountains

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 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 and Climate Change 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.
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.

Peaks Meadows Block 46 Proposed Rezoning – Comments Response Matrix

Item #	Author	Comment	Responses and Revisions
1.	Grey Sauble Conservation Authority (GSCA)	No objections to the application. 1. Recommend new Hazard Zone be applied which follows generally a 15 setback from the watercourse at the south of the property 2. Noted lot sizes outlined adequate building envelopes except for Lot 1 which has a watercourse feature. 3. Suggest Lots 1-2 be combined to address the existing drainage feature on Lot 1. 4. Agree with the findings of the Karst investigation that the site is not affected by significant Karst features 5. Generally agree with the approach taken within the Stormwater Management Report. 6. Noted a portion of the property is regulated by the GSCA and permits for site alteration/development will be required. 7. Recommend draft plan conditions to deal with: a) A detailed Tree retention/enhancement Plan be completed b) stormwater management plan and Tree Retention Plan be implemented through a Subdivision Agreement c) Subdivision Agreement note that permits are required from the GSCA 8. Requests notice of decision.	1. Further discussions with the GSCA along with updated Stormwater Management/ Grading Plans resulted in a recommended 15 m setback from the rear lot line, rather than a Hazard Zone on the South side. An area of Hazard is maintained in the draft zoning by-law for the small area on the further west portion of the property. The draft zoning schedule and by-law includes recommended 15 m setback. 2. Noted 3. To address this issue, the applicant has proposed moving the existing drainage/swale outside the potential building envelope of Unit 1. Development Engineering staff have supported this approach. 4. Noted. 5. Noted. 6. Noted. 7. These matters are included in the draft plan conditions. 8. Noted.
2.	Niagara Escarpment Commission (NEC)	No objection to the application 1. Lot 1 appears to be entirely constrained by hazard and the watercourse setback. Policies of the NEP support the CA request for Lots 1 & 2 to be combined. 2. We recommend a Condition of Approval should include a requirement for the preparation of a Vegetation Preservation/	1. See #1-3 2. These matters are included in the draft plan conditions. 3. Noted.

Peaks Meadows Block 46 Proposed Rezoning – Comments Response Matrix

		Landscape Plan be prepared for the approval of the Niagara Escarpment Commission which will be incorporated into the development agreement. 3. Requests Notice of Decision	
3.	Historic Saugeen Metis (HSM)	No objection or opposition to the application	
4.	Union Gas Limited	1. owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project	Noted.
5.	Canada Post	1. The development will be served by existing CMB's located at Dorothy Dr and Barton Blvd.	Noted.
6.	Area Resident	Opposed to 12 more lots on Dorothy Dr. 1. expressing concerned about effects of development on the natural environment and potentially homes being constructed on the escarpment or very close to it.	1. Staff responded to this email prior to the public meeting to explain the purpose was to reduce the existing development permissions on this existing development parcel. The submitted studies and proposed zoning address the concern of the escarpment and slope. The development is adjacent to the escarpment and the slope is protected as a Town Open Space parcel.
7.	Area Residents	Supports the rezoning to a lower density. 1. Feels the proposal is more in keeping with the area and feels single detached homes would have more favourable affects on the natural environment. 2. Asked to be informed of decisions.	1. Noted 2. Resident added to the notification list
8.	Area Resident	Supports the rezoning to a lower density.	1. Noted.

Peaks Meadows Block 46 Proposed Rezoning – Comments Response Matrix

		1. Feels it is more in keeping with existing lot sizes and uses. 2. Asked to be informed of decisions on file.	2. Resident added to the notification list.
9.	Public Meeting Comment – Area Resident	Supports the rezoning to a lower density. 1. Feels application is more in keeping with the area.	1. Noted.



237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6
Telephone: 519.376.3076 Fax: 519.371.0437
www.greysauble.on.ca

March 21, 2018

Scott Taylor, Grey County Planner
County of Grey Planning Department
595 9th Avenue East
Owen Sound, ON
N4K 3E3

Dear Mr. Taylor:

RE: Application for Zoning By-law Amendment and Plan of Subdivision (42T-2016-06)
Lot 25, Concession 6
Roll No. 42-42-000-006-365-47
Town of The Blue Mountains, formerly Collingwood Township
Our File: P13111

The Grey Sauble Conservation Authority (GSCA) has reviewed this application in accordance with our mandate and policies for natural hazards, for natural heritage issues according to our planning services agreement with the Town of The Blue Mountains relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The subject proposal is to gain approval for a draft plan of subdivision, plan of subdivision # 42T-2016-06. This development, referred to as Block 46, is part of the larger development of the Peak Meadows Subdivision, currently consisting of the development of 45 single family lots. The plan of subdivision proposes the construction of 12 single detached dwellings with frontage onto Dorothy Drive.

In addition, the application is seeking to rezone the property from Residential Sixth Density Exception (R6-172-h) with a holding symbol, to the Residential Third Density (R3) zone. The current zoning allows for a maximum of 65 townhouses to be built on the subject property, while the change in zoning would facilitate the construction of 12 single detached dwellings.

Site Description

The subject property is located on the south side of Dorothy Drive and east of Camperdown Road in the Town of The Blue Mountains. The property generally consists of woodland, with

1 of 5



Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

some disturbed areas on the east end. The lands to the north and west have been approved for development, with some lots developed and others under construction. The lands to the south and east of the subject property is undeveloped largely dominated by woodlands. The environmental impact study outlines vegetation on the site as generally confirmed by our site visit.

Provincial Policy Statement (PPS 2014)

3.1 Natural Hazards

Hazards on the property include flood and erosion prone areas associated with a watercourse feature running parallel to the west and south lot lines of the property and the slopes associated with the Blue Mountain Slope. This watercourse feature has a drainage divide behind proposed lot 3 as outlined in the Grading and Stormwater Drainage Plan prepared by Crozier and Associates.

Under Section 3.1.1 b) & c) of the Provincial Policy Statement (PPS) development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards and hazardous sites.

Lot sizes outlined in the draft plan provide adequate building envelopes while maintaining an appropriate buffer from the watercourse and slope hazards with the exception of Lot 1. Lot 1 has a watercourse feature traversing the lot and the drainage plan has drainage being directed to the Town's access to the water reservoir. This drainage feature on lot 1 should be maintained.

The stormwater management plan generally addresses drainage concerns associated with these natural hazards. However, we suggest that lots 1 and 2 be combined to maintain the existing drainage feature on lot 1. This will assist in reducing future potential erosion and flooding issues from the drainage associated with the Blue Mountain Slopes. We recommend that a 15 metre setback be maintained from the watercourse feature for flood and erosion hazards for the new buildings. This setback should be incorporated as a hazard zone within the site specific zoning by-law amendment.

Additionally, the property is designated as a Special Policy Area for Karst Topography under the County of Grey Official Plan. As part of the Environmental Impact Study (EIS) completed by Hensel Design Group, a site-specific field investigation for Karst topography was undertaken by Azimuth Environmental Consulting. Through this study it was determined that no significant karst features were noted and as such the proposed development is not limited by significant karst features. After our site inspection, we agree with the findings outlined in the EIS that a lack of significant karst features are present on the site.

2.1 Natural Heritage

GSCA identified natural heritage features on the subject property including significant woodland as mapped in the County of Grey Official Plan and the Provincially significant Blue Mountains Slope life science Area of Natural and Scientific Interest (ANSI).

Under section 2.1.5 b) & e) of the PPS development and site alteration shall not be permitted in significant woodlands and significant areas of natural and scientific interest.

The EIS study completed by Hensel Design Group evaluated the ecological function of the significant woodland present on site, the potential impacts of the proposed development, and mitigative measures. It was found that development would have minimal further negative impact on the significant woodlands as there was little diversity in identified species, little interior habitat identified on site, and abundant habitat connectivity and ecological linkages are present to the south and east of the site.

Additionally, it is not anticipated that the proposed development will impact the Blue Mountains Slope ANSI, as an appropriate buffer can be maintained between the development and this natural heritage feature. In this regard, the proposed hazard zone covers a portion of the ANSI and its' adjacent lands and this area should be maintained in native vegetation.

Stormwater Management

We have completed a preliminary review of the stormwater management plan and generally concur with the approach taken. The Stormwater Management Report previously completed for the Peak Meadows Subdivision accounted for a full build-out of Block 46 as medium density development, and as such there will be sufficient capacity to service the proposed development of 11 single dwelling residential units. The stormwater report should be revised to maintain the watercourse feature on proposed lot 1.

GSCA Regulations

A portion of the subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated area is associated with a watercourse feature that runs parallel to the western and southern lot lines.

Under this regulation, a permit is required from this office prior to the construction, reconstruction, erecting or placing of buildings or structures of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for the interference with a wetland, and/or the straightening,

changing, diverting, or in any way interfering with an existing channel of a river, lake, creek, stream or watercourse.

The attached map depicts the extent of the regulated areas on the property.

Recommendations

Zoning By-law Amendment

We recommend that a hazard zone be incorporated into the proposed Zoning By-law Amendment to include a 15 metre setback from the watercourse feature as noted on the attached map. Creating 11 single residential dwellings can provide for an opportunity for tree preservation and enhancement, compared to the construction of 65 townhouse units. The 30% lot coverage provision within the proposed R3 zone provides assistance in this regard and should be maintained.

In addition, the large size of the lots proposed provides ample opportunity to maintain an appropriate setback from flooding and erosion concerns associated with the watercourse feature running parallel to the south lot line.

Plan of Subdivision – 42T-2016-06

We recommend that lots 1 and 2 should be combined as one lot. We acknowledge that the hydrogeology report to assess for karst topography is appropriate and is consistent with our site inspection assessment.

Provided lots 1 and 2 are combined, we recommend the following conditions for draft approval:

- 1) Appropriate zoning be implemented to include the recommended hazard zone to the satisfaction of the Grey Sauble Conservation Authority.
- 2) An updated detailed stormwater management plan be prepared to the satisfaction of the Grey Sauble Conservation Authority.
- 3) A detailed tree retention and/or enhancement plan be completed for the development to the satisfaction of the Grey Sauble Conservation Authority.
- 4) That the Stormwater management plan and the Tree retention plan be implemented through the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority.

A note to draft Approval be included indicating that:

- 1) Prior to any development or site alterations within the Regulated Area under Ontario Regulation 151/06 a permit or permission must be obtained from the Grey Sauble Conservation Authority.

Application for Zoning By-law Amendment and Plan of Subdivision (42T-2016-06)
Lot 25, Concession 6, Town of The Blue Mountains (Collingwood Township)
Our File: P13111 Roll No. 42-42-000-006-365-47

If any questions should arise, please contact the undersigned.

Regards,

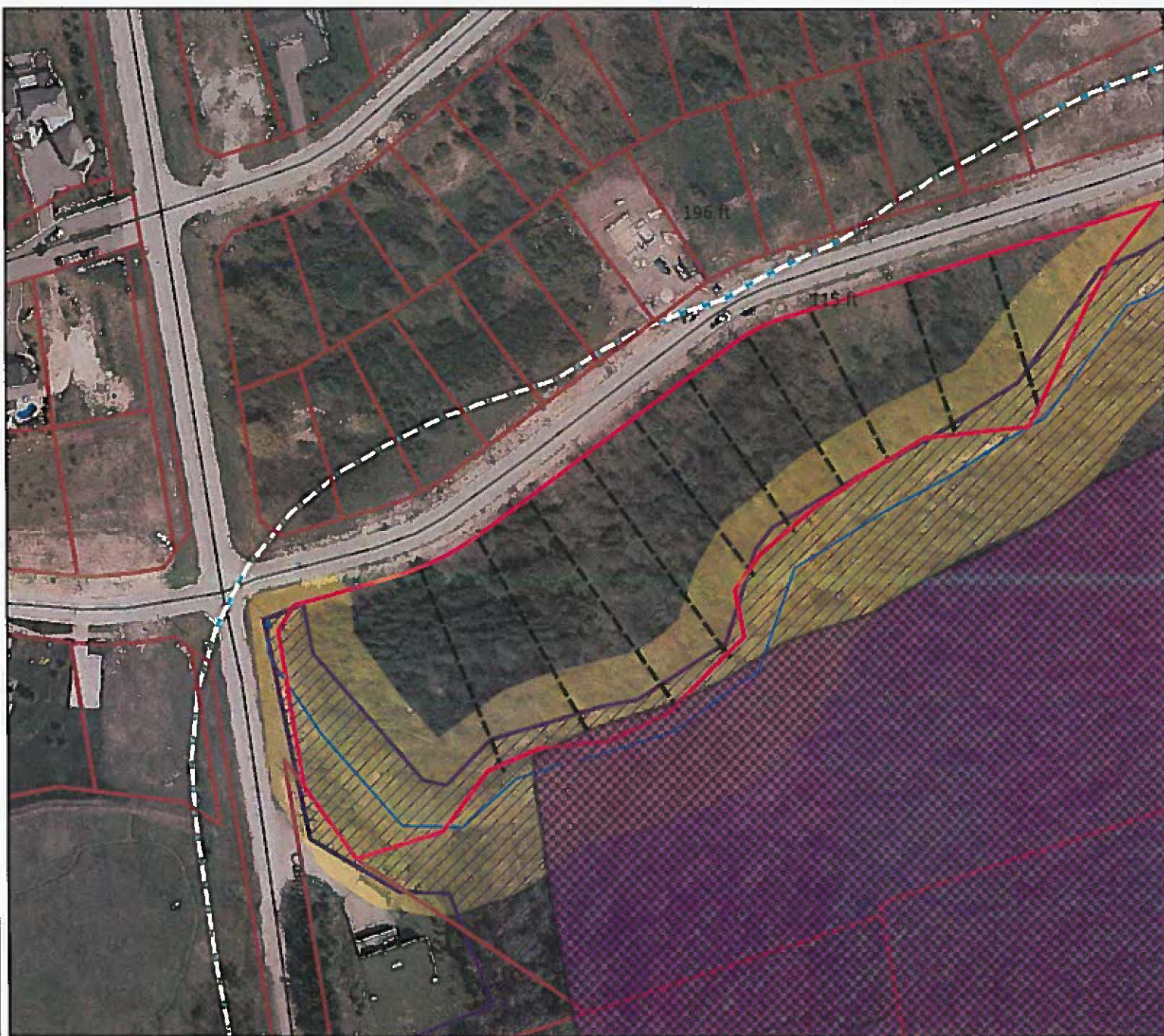
A large black rectangular redaction box covering the signature of the undersigned.A small black rectangular redaction box covering the name of the undersigned.

Environmental Planning Coordinator

Enclosure

cc John McGee, Authority Director, Town of The Blue Mountains
Denise Whaley, Planner, Town of the Blue Mountains
Corrina Giles, Town of The Blue Mountains
Judy Rhodes-Munk, Niagara Escarpment Commission
Keith MacKinnon, KLM Planning Partners Inc.

**Grey Sauble Conservation Authority (GSCA): Regulation of Development, Interference with Wetlands
and Alterations to Shorelines and Watercourses
(Ontario Regulation 151/06)**



-  **Subject Properties(Approx.)**
-  **Proposed Lot Lines**
-  **Hazard Area(approx.)**
-  **Recommended Hazard Zone**
-  **Watercourse feature**
-  **Life Science ANSI**
-  **120 Metre Adjacent Lands**



Scale = 1:2000
0 1 m

**Draft Plan of Subdivision 42T-2016-06
Zoning By-law Amendment
Block 46, Plan 16M-20
Town of The Blue Mountains
GSCA File: P13111**

March 22, 2018

The included mapping has been compiled from various sources and is for information purposes only. Grey Sauble Conservation is not responsible for, and cannot guarantee, the accuracy of all the information contained within this map. Regulations were created by Grey Sauble Conservation (GSCA) using 1 metre contours interpolated from the Provincial (50 metres) Digital Elevation Model Version 1 & 2 at 1:10,000 scale mapping by mapping this map you agree to use for the map or database with the exclusive written permission of Grey Sauble Conservation. Produced by GSCA with Data supplied under license by Members of the Ontario Geographic Data Exchange. © Queen's Printer for Ontario and its licensors. [2018] May Not be Reproduced with or without work. THIS IS NOT A PLAN OF SURVEY. This mapping contains products of the South Western Ontario Geographic Project (SWOGP). These maps were taken in 2015 at 20 cm resolution by First Base Systems Inc. They are the property of Grey Sauble Conservation © 2017.



**Projection: Universal Transverse Mercator - Zone 17 (N)
Datum: North American 1983 (mean for Canada)**

Niagara Escarpment Commission

99 King Street East
P.O. Box 308
Thornbury, ON N0H 2P0
Tel. No. (519) 599-3340
Fax No. (519) 599-6326
www.escarpment.org

Commission de l'escarpement du Niagara

99, rue King est
p.o.b. 308
Thornbury ON N0H 2P0
No de tel. (519) 599-3340
Télécopieur (519) 599-6326
www.escarpment.org



January 9, 2019

Sent Via Email Only

d.whaley@thebluemountains.ca

Denise Whaley, Planner
Town of the Blue Mountains
PO Box 310, 32 Mill Street
Thornbury, ON N0H 2P0

Dear Denise:

**RE: 42T-2016-06 Peaks Meadow
Block 46, registered Plan 16M-20
Part of Lot 25, Concession 6
Town of The Blue Mountains, Grey County**

NEC staff has reviewed the proposed Draft Plan of Subdivision application, and the supporting documentation posted on the County website and offer the following comments post circulation.

The property is designated **Escarpment Recreation Area** by the **Niagara Escarpment Plan (NEP)**. Escarpment Recreation Areas are areas of existing or potential recreational development associated with the Escarpment. The property is located just above the toe of the Escarpment slope in an area designated in the County Official Plan as a settlement area. The property is not within the Niagara Escarpment Development Control area.

Development Objective 1.8.5.7 restricts development and the creation of new lots from the Escarpment slope above the contour identifying the toe, except where those uses are approved as part of the Town of The Blue Mountains Official Plan. The proposed development is a permitted use in the Town of The Blue Mountains official plan. A Zoning By-law amendment is required to re-zone the subject lands from Residential Sixth Density Exception (R6-172-h) to the Residential Third Density (R3) zone.

The **New Lots** policies of the Escarpment Recreation Area designation state that subject to Part 2, Development Criteria of the NEP and the requirements of official plans, secondary plans and/or by-laws that are not in conflict with the NEP, new lots may be created for permitted uses. The creation of new lots for residential development should occur by registered plan of subdivision or condominium or other similar forms of ownership.

1 of 3

Block 46 is part of the larger Peaks Meadows Subdivision. We note that the proposed 12 lot residential draft plan of subdivision represents a substantial decrease in density from the currently approved zoning to allow 65-unit townhouse development. As noted in the correspondence from the GSCA, this will provide opportunity for tree preservation and is more in keeping with the objectives of the NEP. We understand the proposed development is to be serviced by full municipal water and sewer.

Development is not permitted in key hydrologic features according to **Part 2.6 Development Affecting Water Resources** of the NEP. The Functional Servicing and Stormwater Management Report does not identify the watercourse feature along the south boundary of the property and should be revised. The EIS describes this feature as an “intermittent swale”. The GSCA identified a natural hazard associated with this feature. The NEP recognizes both permanent and intermittent streams as key hydrologic features to be protected and enhanced. **Part 2.2.2** states that development shall not be located on lands prone to natural hazards. Implementation of an appropriate setback from the watercourse feature will protect development from potential hazards. We recommend that the 15 m setback recommended by the GSCA be maintained as a natural vegetation protection zone to protect the hydrologic feature in accordance with **Part 2.6.4** of the NEP. Lot 1 appears to be entirely constrained by hazard and the watercourse setback. Policies of the NEP support the CA request for Lots 1 & 2 to be combined.

The property is wooded and is adjacent to Significant Woodlands. It is also within adjacent lands of a provincially significant life science Area of Natural and Scientific Interest (ANSI). Significant Woodlands and ANSIs are considered key natural heritage features within the NEP. Maintenance of a vegetation protection zone, as described above, will provide a buffer between the ecologically significant area to the south and wooded area to the east. The EIS concluded that the proposed development would not negatively impact the features and functions of the natural heritage features.

We recommend that, should the proposed plan receive draft approval, a Condition of Approval should include a requirement for the preparation of a Tree Preservation Plan. If the nature of the forest cover and/or servicing requirements does not allow for adequate tree retention, planting of indigenous species should be a requirement to provide screening and meet the objective of maintaining the existing character of the Escarpment landscape.

A Stage 1 & 2 Archaeological study has been completed establishing that no further assessment is required. This satisfies **Part 2.10 Cultural Heritage Development Criteria** of the NEP.

Both the NEP and Town of the Blue Mountains OP contain policies that seek to minimize the physical and visual impacts of development on the Escarpment environment.

Single detached dwellings on 11 lots will have much less impact on the scenic resources of the Niagara Escarpment than what was previously proposed. Retained vegetation and the natural topography will help to mitigate visual impact.

2 of 3

We recommend that as a condition of draft approval, a Vegetation Preservation/ Landscape Plan be prepared for the approval of the Niagara Escarpment Commission, which will be incorporated into the development agreement.

Niagara Escarpment Commission staff has no objection to the approval of this Draft Plan of Subdivision and related Zoning By-law Amendment.

We request notification of the decision in respect to the proposed Plan of Subdivision and Zoning By-law Amendment.

Yours truly,

A large black rectangular redaction box covering the signature of the Senior Planner.A black rectangular redaction box covering the name of the Senior Planner.

Senior Planner

- c Scott Taylor, Grey County Planning
- Andrew Sorensen, Grey Sauble Conservation Authority

From: [Lands and Resources Consultation Coordinator](#)
To: [REDACTED]
Subject: Request for Comments - Blue Mountains (2399494 Ontario Inc.) Proposed Plan of Subdivision
Date: October 23, 2017 3:21:45 PM

Your File: 42T-2016-06
Our File: Blue Mountains Municipality

Good Afternoon Mr. Taylor and Ms. Whaley,

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official plan and/or Zoning By-law Amendments.

I trust this may be helpful.

Regards,

[REDACTED]

Co-ordinator Lands, Resources, and Consultation

Historic Saugeen Metis
204 High Street
Southampton, Ontario
N0H 2L0

[REDACTED]
[REDACTED]
[REDACTED]

This message is intended for the addressees only. It may contain confidential or privileged information. No rights to privilege have been waived. Any copying, retransmittal, taking of action in reliance on, or other use of the information in this communication by persons other than the intended recipient(s) is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.

From: [REDACTED]
Subject: FW: Your file 42T-2016-06
Date: October 27, 2017 10:31:08 AM

FYI

Scott Taylor
Senior Planner

Grey County



From: [REDACTED]
Sent: Friday, October 27, 2017 9:42 AM
To: Taylor, Scott
Subject: Your file 42T-2016-06

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Union Gas Limited's ("Union") request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.

Should you require any further information, please contact the undersigned.

[REDACTED]
Analyst, Land Services
Union Gas Limited | An Enbridge Company
50 Keil Drive North | Chatham, ON N7M 5M1
Tel: [REDACTED]

uniongas.com | [Canada's Top 100 Employer](#) |
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#)

From: [REDACTED]
Subject: Blue Mountains - Dorothy and Camperdown - 42T-2016-06
Date: November 1, 2017 2:21:29 PM

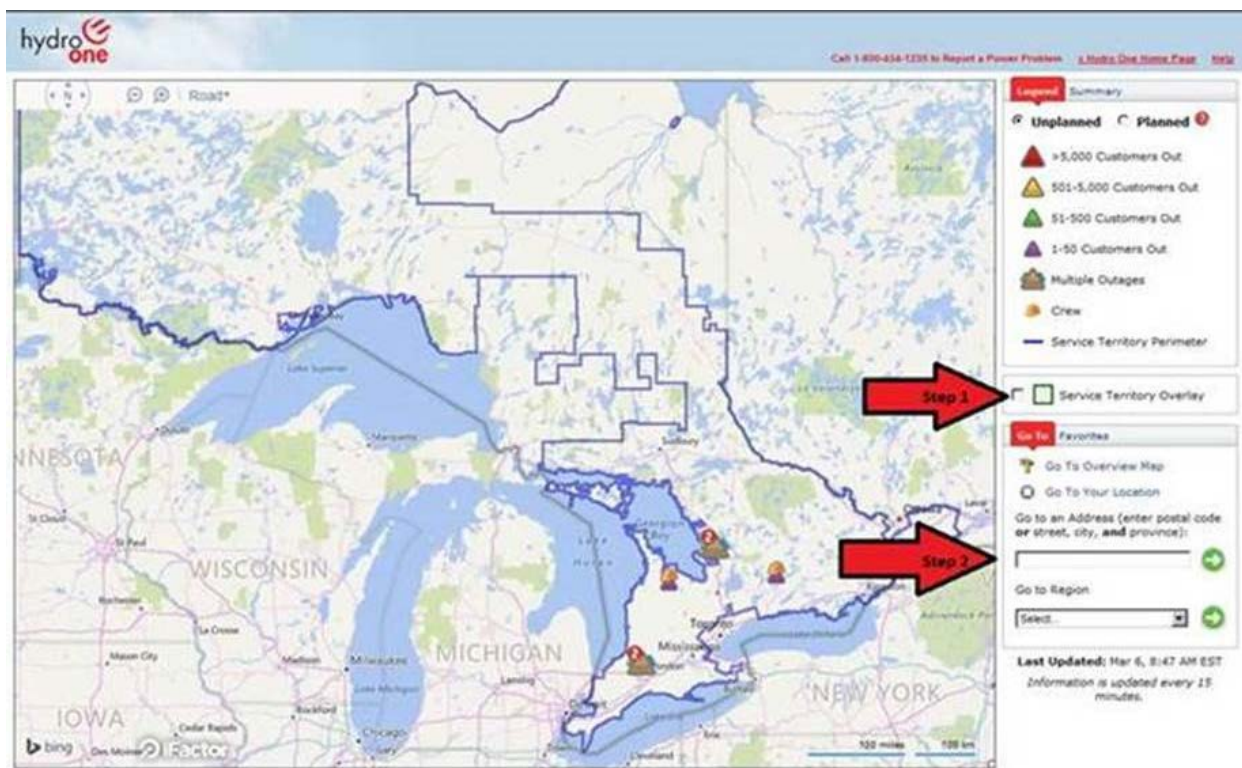
Hello,

We are in receipt of your Plan of Subdivision application, 42T-2016-06 dated Oct 18, 2017. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. [Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.](#)

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select "Service Territory Overlay" and locate address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre.

Please let me know if you have any questions or concerns.

Thank you,

[REDACTED]
Real Estate Co-op, Real Estate Department
Hydro One Networks Inc.
Tel: [REDACTED]

Email: [REDACTED]

Sent on behalf of

[REDACTED]
Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel:



Email:



-

-
[Please note we also accept circulations via email at LandUsePlanning@HydroOne.com.](mailto:LandUsePlanning@HydroOne.com)

-

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Date: Jan 23 2020

Reference File: 42T-2016-06

[REDACTED]
Senior Planner
Grey County
595 9th Avenue East
Owen Sound, ON N4K 3E3
[REDACTED]
[REDACTED]

<https://www.grey.ca>
<http://www.visitgrey.ca>
<http://www.greyroots.com>

Thank you for contacting Canada Post regarding plans for a new development of Peaks Meadows.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the development through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the development.
3. **The development will be served by existing CMB's located at Dorothy Dr and Barton BLVD.**
4. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s),

Please see Appendix A for any additional requirements for this developer.

Regards,

Canada Post | Postes Canada

Delivery Planning Office

Delivery Service Officer / Agent de Service de Livraison

P.O Box 8037 Ottawa T CSC

Ottawa, Ontario K1G 3H6

Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

From:



Subject:

Dorothy Drive

Date:

November 6, 2017 4:56:08 PM

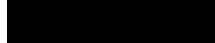
Dear Mr. Taylor and Ms Whaley,

I would like to go on record as **opposed** to the new development of 12 more lots on Dorothy Drive, at the top of Camperdown Road.

I walk up to the very top of the road most days for my exercise and to enjoy the beautiful views of Georgian Bay. I also enjoy the quiet forest area and listening to the birds. I have on occasion even sighted a fawn standing in the middle of the road!

We do not need more development in this area! Already, large homes are being built, erasing the habitat of the many birds and animals who live here. This land must be part of the escarpment or very close to it, which in itself must have some special conditions for constructing homes. This area should be maintained in its natural state. We don't need more development in our natural habitats! There are so few remaining!

Sincerely,



Resident of The Town of Blue Mountains

From: [REDACTED]
Sent: November 15, 2017 6:51 PM
To: Denise Whaley
Subject: Comments - Peaks Meadows - Subdivision #42T-2016-06

Hello Denise: My husband and I attended the public meeting at the town of the Blue Mountains this evening, November 15th. We didn't give our comments at the meeting but wanted to relay them by email to you.

We own Lot 29 on Barton Blvd and have just started building our home. We strongly support the new application to change to 12 lots instead of the existing zoning of sixth density. We feel the larger lots will suit this area better aesthetically and functionally. This beautiful area is not conducive to high density. Also current owners of Peak Meadows may be reluctant to build due the possibility of condos going up. If it is re-zoned low density, we may see people starting to build sooner.

If condos are permitted to be built, there would be much more unwanted traffic coming up and down Camperdown Road. This could lead to the necessity of traffic lights at the bottom of Camperdown to reduce the risk of traffic accidents.

We also feel single family homes will have more favorable affects on the eco system. Condos will displace more of the natural environment due to more paved parking and larger building foot print. On the other hand with single family homes there will be more landscaping and trees and shrubs planted to help sustain animals' habitats.

Please keep us in the loop of developments of this application.

Thank you

[REDACTED]

From:

Subject:

Date:

Re: Block 46 Peaks Meadows

February 13, 2018 10:45:06 AM

Ok thanks Denise.

I am in favor of the reduced density here (I believe it is currently zoned for townhouses). This new proposal will align nicely with the existing subdivision in lot size and use.

Can you please put me on the email notification list.

If it is hard copy mailing, please send to



On Tue, Feb 13, 2018 at 9:40 AM, [REDACTED] wrote:

Hi Blair,

No decision has been made on this file.

You can sign up for notification of the decision. However, perhaps you want to make your comments known on the application now as Council has not yet received any staff report on the matter. There is still time to get your comments in before the decision is made.

Kind Regards,

[REDACTED]

Planner

Town of The Blue Mountains

Planning and Development Services

PO Box 310 - 32 Mill Street, THORNBURY, ON N0H 2P0

Phone: [REDACTED]

Toll Free: [1-888-258-6867](tel:1-888-258-6867) (1-888-BLU-MTNS)
www.thebluemountains.ca

From: [REDACTED]
Sent: February 12, 2018 3:16 PM
To: Denise Whaley
Subject: Block 46 Peaks Meadows

Hi Denise,

I was looking for an update on the application for Block 46 , near Camperdown Road. I have missed the Public meeting, but I am not sure if the site has been granted Draft Plan approval yet?

Also is it possible to sign up for notification of decisions on this site?

thanks

Blair Boston

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