



# Staff Report

## Planning & Development Services – Planning Division

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**Report To:** Committee of the Whole  
**Meeting Date:** September 21, 2021  
**Report Number:** PDS.21.106  
**Title:** Recommendation Report – Holding ‘-h6’ Removal – Sleepy Hollow (P3050)  
**Prepared by:** Travis Sandberg, Planner II

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### A. Recommendations

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THAT Council receive Staff Report PDS.21.106, entitled “Recommendation Report – Holding ‘-h6’ Removal – Sleepy Hollow (P3050)”;

AND THAT Council enact a By-law to remove the Holding ‘-h6’ symbol from those lands legally described as Lots 1-6, inclusive, and Block 8, Registered Plan 16M-81, and from those lands legally described as Lots 1-10, inclusive, Registered Plan 16M-82.

### B. Overview

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The purpose of this report is to provide review and recommendation to Council to authorize the removal of the Holding ‘-h6’ symbol from the Sleepy Hollow Subdivision to allow the construction of dwellings in accordance with the executed Subdivision Agreement.

### C. Background

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The purpose of this report is to make a recommendation to Council to authorize the removal of the Holding ‘-h6’ symbol from the Sleepy Hollow Development. The application applies to lots within Plans of Subjection 16M-81 and 16M-82, as outlined in Schedule A-1 of the Draft By-law attached as Attachment 2.

The subject Plans of Subdivision received final approval from the County of Grey on January 19, 2020. Accepted for Construction approvals on the detailed engineering design were granted by the Town on April 4, 2019, and a Subdivision Agreement pertaining to the development of both Plans of Subdivision was executed on February 3, 2020. The Agreement was registered on-title on June 8, 2020.

Plan 16M-81 (Sleepy Hollow East) was registered on-title on January 22, 2021, and contains a total of six (6) single detached residential lots. Plan 16M-82 (Sleepy Hollow West) was also

registered on January 22, 2021, and contains a total of ten (10) single detached residential lots (see Attachment 1).

The Owner has made application to remove the Holding ‘-h6’ symbol from the subject lands to allow the issuance of Building Permits for the residential building lots located within the registered Plans of Subdivision. As a pre-condition to the issuance of a Building Permit for the lots located within these developments, it is required to remove the Holding ‘-h6’ symbol through the enactment of an Amending Zoning By-law approved by Council (see Attachment 2).

In accordance with Part 10.2.3 of the Zoning By-law, the Holding “-h6” provision applies to lands that have received Zoning Approval and Draft Plan Approval for a future Plan of Subdivision. The Holding Provision may be lifted upon the following:

- i) Execution of a Subdivision Agreement.
- ii) Registration of a Plan of Subdivision.

## **D. Analysis**

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The lands are zoned Residential ‘R1-1-h6’ and ‘R1-1-84-h6’ in the Town of The Blue Mountains Zoning By-law 2018-65. These two zone categories permit the construction of Single Detached Dwelling Units, and accessory structures and uses thereto. Exception 84, as applies to Sleepy Hollow West (16M-82), also establishes a site-specific setback requirement of 6.0m from the easterly property line of each parcel. The Holding ‘-h6’ symbol on the lands requires the Execution of a Subdivision Agreement and Registration of a Plan of Subdivision to be completed prior to building permits being issued for new dwelling units.

Planning Staff are satisfied that the requirements to lift the Holding ‘-h6’ symbol from the lands have been met. An executed Subdivision Agreement is now complete and registered on title, and a Plan of Subdivision has been registered (both Plan 16M-81 and 16M-82), as outlined in the Background section of this report.

Holding ‘-h’ symbols can only be removed by Council by way of By-law. A draft Holding ‘-h6’ Removal By-law is attached to this report (see Attachment 2).

## **E. Strategic Priorities**

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### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

## **F. Environmental Impacts**

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Environmental Impacts have been reviewed by Town Staff and Conservation Authority Staff as part of the earlier Subdivision review and approvals process and are mitigated in the Accepted For Construction design.

## **G. Financial Impacts**

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Financial obligations related to this development were collected at time of the Subdivision Agreement.

It is noted that Municipal Development Charges for the service categories in By-law 2014-51, excluding for Roads and Related, Waterworks System and Sanitary Sewage System service categories, shall be paid by the Lot Owner at the time a Building Permit is issued, in accordance with the registered Subdivision Agreement.

## **H. In Consultation With**

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Deanna Vickery, Development Engineering Reviewer

Trevor Houghton, Manager of Community Planning

## **I. Public Engagement**

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The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on June 9, 2014 (Sleepy Hollow East) and on September 8, 2014 (Sleepy Hollow West), as part of the original Plan of Subdivision process. Public notice has been circulated to the Owner and to residents within 120m of the subject lands that the Holding symbol is proposed to be removed. Under the *Planning Act* no separate Public Meeting is required prior to removal of a Holding symbol.

## **J. Attached**

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1. Registered Plan 16M-81 and 16M-82
2. Holding 'h' Removal By-law

Respectfully submitted,

Travis Sandberg  
Planner II

Trevor Houghton, RPP MCIP  
Manager of Community Planning

Nathan Westendorp, RPP MCIP

Director of Planning and Development Services

For more information, please contact:

Travis Sandberg, Planner II

[planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)

519-599-3131 extension 283

### Report Approval Details

Document Title:	PDS.21.106 Recommendation Report - Holding '-h6' Removal - Sleepy Hollow (P3050).docx
Attachments:	- PDS.21.106 Attachment 1.pdf - PDS.21.106 Attachment 2.pdf - PDS.21.106 Attachment 3.pdf
Final Approval Date:	Sep 13, 2021

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Trevor Houghton was completed by delegate  
Nathan Westendorp**

**Trevor Houghton - Sep 13, 2021 - 4:02 PM**

**Nathan Westendorp - Sep 13, 2021 - 4:04 PM**

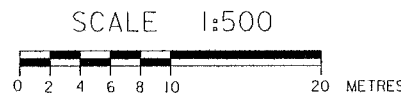
PLAN 16M- 81

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF GREY (No. 16) AT 19:29 O'CLOCK ON THE 22 DAY OF January AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER 37312-0287(LT) AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. 67199496

Chris Novak  
REPRESENTATIVE FOR LAND REGISTRAR

NOTE: THIS PLAN COMPRISES ALL OF PIN 37312-0287(LT)

PLAN OF SUBDIVISION OF  
PART OF LOT 21  
CONCESSION 3  
(FORMERLY TOWNSHIP OF COLLINGWOOD)  
TOWN OF THE BLUE MOUNTAINS  
COUNTY OF GREY



NOTES:

DISTANCES AND COORDINATES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
BEARINGS HEREON ARE UTM GRID, ZONE 17, NAD 83 (CSRS) 1997 AND ARE REFERRED TO THE BEARING OF THE WESTERLY LIMIT OF PART 1 BEING N18°56'35"W IN ACCORDANCE WITH PLAN 16R-10630.  
FOR BEARING COMPARISONS, A ROTATION OF 0°28'05" COUNTER-CLOCKWISE WAS APPLIED TO THE BEARINGS ON PLAN 16R-3337, 16R-2315, 16R-2052, 16R-1111, 16M-31, R.P. 1119 TO CONVERT TO UTM BEARINGS.  
DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999600.

- DENOTES SET
- DENOTES FOUND
- S.S.B. DENOTES STANDARD IRON BAR
- I.B. DENOTES IRON BAR
- S.S.I.B. DENOTES SHORT STANDARD IRON BAR
- C.C. DENOTES CUT CROSS
- C.P. DENOTES CONCRETE PIN
- WIT DENOTES WITNESS
- meas. DENOTES MEASURE
- P.C. DENOTES POINT OF CURVATURE
- P.R.C. DENOTES POINT OF REVERSE CURVATURE
- R.P. DENOTES REGISTERED PLAN
- N, S, E, W. DENOTES NORTH, SOUTH, EAST, WEST
- P.1 REFERS TO PLAN R.P. 1119
- P.W.F. DENOTES POST AND WIRE FENCE
- C.L.F. DENOTES CHAIN LINK FENCE

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:  
1. LOTS 1 TO 7 (BOTH INCLUSIVE), BLOCK 8 AND THE STREET, NAMELY SALZBURG PLACE HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.  
2. THE STREET NAMELY SALZBURG PLACE IS HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS AS PUBLIC HIGHWAY

DATED THIS 13<sup>TH</sup> DAY OF DECEMBER 2020.  
SLEEPY HOLLOW DEVELOPMENTS INC.

LES MALLINS (PRESIDENT)  
I HAVE THE AUTHORITY TO BIND THIS CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 9<sup>TH</sup> DAY OF NOVEMBER 2020.

NOVEMBER 10, 2020  
PAUL T. THOMSEN  
ONTARIO LAND SURVEYOR  
COLLINGWOOD

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 (CSRS) (1997) COORDINATES TO RURAL ACCURACY PER SEC. 14(2) OF O. REG. 216/10.		
POINT ID	NORTHING	EASTING
A	4930083.84	553327.28
B	4929841.60	553410.43

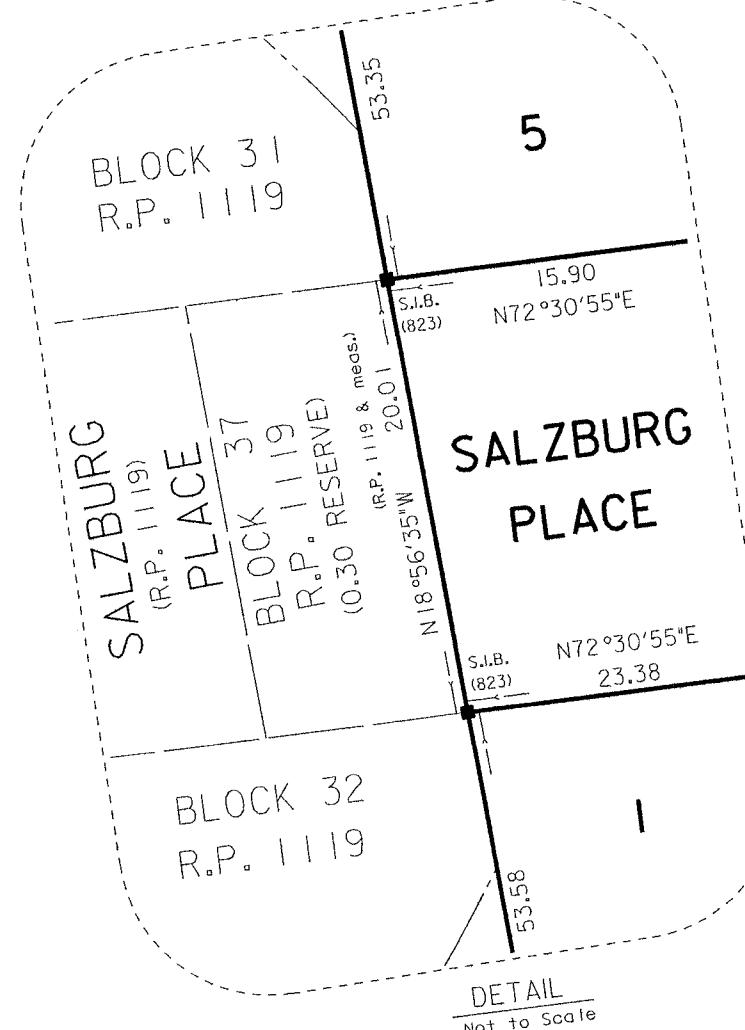
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

THIS FINAL PLAN OF SUBDIVISION IS APPROVED BY THE COUNTY OF GREY UNDER SECTION 51(5B) OF THE PLANNING ACT, CHAPTER P13, R.S.O. 1990 AS AMENDED.

THIS 19<sup>TH</sup> DAY OF January 2021.

Randy Scherzer  
DIRECTOR OF PLANNING

ZUBER, EMO PATTEN & THOMSEN LIMITED SURVEY FOR STREETCAR RETHINKING URBAN LIVING		ONTARIO LAND SURVEYORS 200 MOUNTAIN ROAD UNIT 4 COLLINGWOOD, ONTARIO L9Y 4V5 PHONE: (705) 445-4910	
JOB No. 77-112-22		DATE: 2020-12-10	



# PLAN 16M- 82

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF GREY (No. 16) AT 14:30 O'CLOCK ON THE 22 DAY OF January AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER 373 12-0288(LT) AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. 64199497

Chris Novak  
REPRESENTATIVE FOR LAND REGISTRAR

NOTE: THIS PLAN COMPRISES ALL OF PIN 373 12-0288(LT).  
BLOCK 11 IS SUBJECT TO RIGHT OF WAY AS IN INST. R496 173.

## PLAN OF SUBDIVISION OF PART OF LOT 21 CONCESSION 3 (FORMERLY TOWNSHIP OF COLLINGWOOD) TOWN OF THE BLUE MOUNTAINS COUNTY OF GREY

SCALE 1:750  
0 3 6 9 12 15 30 METRES

### NOTES:

DISTANCES AND COORDINATES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
BEARINGS HEREON ARE UTM GRID, ZONE 17, NAD 83 (CSRS) 1997 AND ARE REFERRED TO THE BEARING OF THE SOUTHERLY LIMIT OF BLOCK 28 REGISTERED PLAN 1119 BEING N72°31'55"E IN ACCORDANCE WITH PLAN 16R-10728.

FOR BEARING COMPARISONS, A ROTATION OF 0°28'05" COUNTER-CLOCKWISE WAS APPLIED TO THE BEARINGS ON PLAN 16R-1111, 16R-2612, R.P. 1118 AND R.P. 1119 TO CONVERT TO UTM BEARINGS.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999600.

- DENOTES SET
- DENOTES FOUND
- S.B. DENOTES STANDARD IRON BAR
- I.B. DENOTES IRON BAR
- S.S.B. DENOTES SHORT STANDARD IRON BAR
- C.C. DENOTES CUT CROSS
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- WIT DENOTES WITNESS
- MEAS. DENOTES MEASURE
- P.C. DENOTES POINT OF CURVATURE
- P.R.C. DENOTES POINT OF REVERSE CURVATURE
- R.P. DENOTES REGISTERED PLAN
- N, S, E, W. DENOTES NORTH, SOUTH, EAST, WEST
- C.L.F. DENOTES CHAIN LINK FENCE

### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 6TH DAY OF OCTOBER 2020.

OCTOBER 7, 2020

Paul R. Thomsen O.L.S.  
PAUL R. THOMSEN  
ONTARIO LAND SURVEYOR  
COLLINGWOOD

### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:  
1. LOTS 1 TO 10 (BOTH INCLUSIVE), BLOCK 11 AND THE STREETS, NAMELY McQUEEN COURT AND SALZBURG PLACE, HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

2. THE STREETS NAMELY McQUEEN COURT AND SALZBURG PLACE ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS AS PUBLIC HIGHWAY.

DATED THIS 13TH DAY OF DECEMBER 2020.

2686658 ONTARIO INC.

Bradley McMullen  
BRADLEY McMULLEN (PRESIDENT)  
I HAVE THE AUTHORITY TO BIND THE CORPORATION

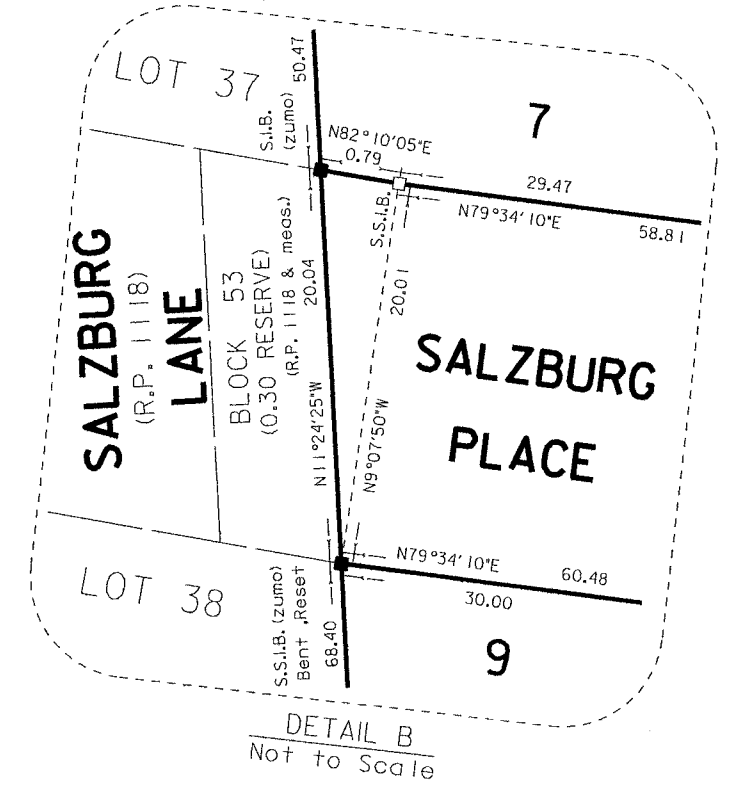
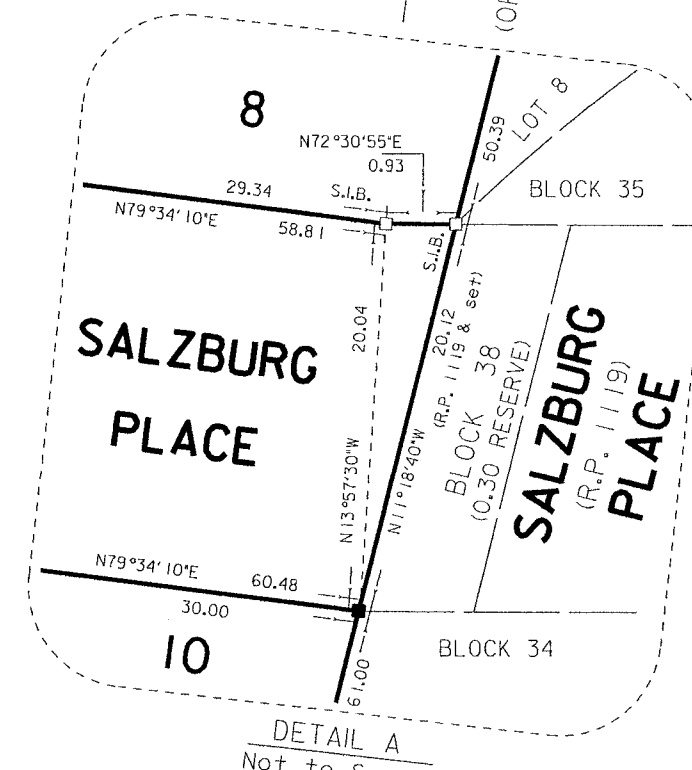
THIS FINAL PLAN OF SUBDIVISION IS APPROVED BY THE COUNTY OF GREY UNDER SECTION 51(58) OF THE PLANNING ACT, CHAPTER P13, R.S.O. 1990 AS AMENDED.

THIS 19th DAY OF January 2021.

Randy Scherzer  
RANDY SCHERZER  
DIRECTOR OF PLANNING

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 (CSRS) (1997)		
COORDINATES TO RURAL ACCURACY PER SEC. 14(2) OF O. REG. 216/10.		
POINT ID	NORTHING	EASTING
A	4929766.28	553220.00
B	4929841.60	553410.43
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN		

ZUBER, EMO PATTEN & THOMSEN LIMITED		ONTARIO LAND SURVEYORS
		200 MOUNTAIN ROAD UNIT 4 COLLINGWOOD, ONTARIO L9Y 4V5 PHONE: (705) 445-4910
JOB No. 77-112-21		SURVEY FOR: BRAD McMULLEN



## **The Corporation of the Town of The Blue Mountains**

### **By-Law Number 2021 –**

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

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

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

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

1. The Zoning By-law of the Blue Mountains being By-law 2018-65, is hereby amended by removing the Holding ‘-h6’ symbol from the lands lying and being in the Town of The Blue Mountains comprised of Registered Plan 16M-81 and 16M-82.
2. That Schedule ‘A-1’ is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the date of enactment.

Enacted and passed this     day of September 2021.

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Alar Soever, Mayor

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Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2021-\_\_\_\_ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the     day of September 2021.

Dated at the Town of The Blue Mountains, this     day of September 2021.

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Corrina Giles, Clerk






# Town of The Blue Mountains

## Schedule 'A-1'

By-Law No. \_\_\_\_\_

### Legend

-  Subject Lands of this Amendment
-  Area to be rezoned from R1-1-h6 to R1-1
-  Area to be rezoned from R1-1-84-h6 to R1-1-84

