

Applicant: Blevins Developments (Cove) Ltd. / 1382491 Ontario Ltd. File No.: 42-CDM-2006-11

Municipality: Town of The Blue Mountains

Location: Part of Lot 39, Concession 12, Part of Lots 1 & 3, Plan 1032 (Geographic Township of Collingwood)

Date of Decision: August 24, 2017

Date of Notice: September 8, 2017

Last Date of Appeal: September 28, 2017

# NOTICE OF DECISION

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## On Application for Approval of Draft Plan of Condominium under Subsection 51(45) of the Planning Act

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

### **PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE**

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

### **WHEN AND HOW TO FILE A NOTICE OF APPEAL**

Notice to appeal the decision to the Ontario Municipal Board must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee prescribed under the Ontario Municipal Board Act, and
- (3) Include the completed appeal form from the Board's website.

### **WHO CAN FILE A NOTICE OF APPEAL**

Only individuals, corporations or public bodies may appeal decisions in respect of applications for approval of draft plans of condominium to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group.

### **RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS**

The applicant or any public body may, at any time before the final plan of condominium is approved, appeal any of the conditions imposed by the County of Grey to the Ontario Municipal Board by filing with the Director of Planning and Development of the County, or her delegate, a Notice of Appeal.

### **HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS**

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

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of condominium if you have either,

- (1) made a written request to be notified of the decision to give or refuse to give approval of draft plan of condominium, or

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- (2) make a written request to be notified of changes to the conditions of approval of the draft plan of condominium.

### **GETTING ADDITIONAL INFORMATION**

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

### **ADDRESS FOR NOTICE OF APPEAL**

**County of Grey**

**595-9th Avenue East**

**OWEN SOUND, Ontario N4K 3E3**

**Attention: Mr. Randy Scherzer, MCIP RPP**

**Director of Planning & Development**

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That the Redline Revision to Plan of Condominium File No. 42-CDM-2006-11 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of condominium are as follows:

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No.	Conditions
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| 1. | That this approval applies to the draft plan originally prepared by Zubec, Emo, Patten & Thomsen Limited and now submitted by Georgian Planning Solutions and Design Plan Services dated February 28, 2017, as amended showing a total of one hundred and ninety-four (194) residential units within five (5) condominium corporations on Part of Lot 39, Concession 12 being Lots 1 and 3, Registrars Compiled Plan 1032 (geographic Township of Collingwood) Town of The Blue Mountains in the County of Grey. |
| 2. | That a Development Agreement entered into between the owner and the Town of The Blue Mountains addressing, but not limited to, the overall comprehensive development of the subject lands including such matters as the overall servicing strategy with respect to phasing of water supply and wastewater treatment, phasing of development, road construction and standards, stormwater management, drainage and grading, servicing, financial requirements, easements, reciprocal agreements and securities.   |
| 3. | That all necessary easements and agreements be established to the satisfaction of the Town of The Blue Mountains which would permit the establishment of multiple condominium corporations.  |
| 4. | That Condominium Agreements be entered into between the owner and the Town of The Blue Mountains for each respective condominium corporation. The Agreement shall contain all matters set out as Conditions of Approval as deemed necessary in this Decision, phasing of the development and any other matters as deemed appropriate including financial requirements by the Town of The Blue Mountains regarding drainage, services, road construction etc.   |
| 5. | That the owner agrees to satisfy all the requirements, financial and otherwise, of the Town of The Blue Mountains for the upgrading of the road allowance between Lots 39 and 40 and any related improvements to Christie Beach Road as well as the installation of services and any other financial matters consistent with the provisions of the Master Development Agreement.   |

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6. That the development be fully serviced with municipal sewage and water to the satisfaction of the Ministry of the Environment and Climate Change and the Town of The Blue Mountains.
7. That the owner conveys up to 5% of the land included in the plan to the municipality for park or other public recreational purposes. Alternatively, the municipality may accept cash-in-lieu of all or a portion of the conveyance.
8. The land be appropriately zoned for each phase to the satisfaction of the Grey Sauble Conservation Authority and the Town of The Blue Mountains.
9. That any easements as may be required for access, utility or drainage purposes shall be granted to the appropriate authority.
10. That the 6.0 metre strip of land between the road allowance between Lots 39 and 40 and Condominium Corporation 'A' be deeded to the Town of The Blue Mountains for road widening purposes.
11. That prior to final approval, a copy of the fully executed Master Development Agreement between the owner and the Town of The Blue Mountains shall be provided to the County of Grey.
12. That prior to final approval, a copy of the fully executed Condominium Agreement for each Condominium corporation between the owner and the Town of The Blue Mountains shall be provided to the County of Grey.
13. That prior to final approval, the County is advised in writing by the Grey Sauble Conservation Authority how condition 8 has been satisfied.
14. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how conditions 2 to 12 inclusive, have been satisfied.
15. If final approval is not given to this plan within three years of the original draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution from the Town of The Blue Mountains must be received by the County of Grey Director of Planning, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.

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16. That the owner provide the County of Grey with a digitized geo-referenced copy of the Final Plan in a format acceptable to the County.
17. That the Owner have prepared by an Ontario Land Surveyor a final plan in accordance with the Surveys Act, and with the Registry Act or the Land Titles Act, as the case may be and have provided that plan to the County of Grey prior to the lapsing date the mylars and white prints necessary for final approvals and registration.
18. That the Owner remit to the County the applicable final approval fee when the final plan is being presented to the County for the County's consideration for final approval.

#### 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. Portions of the Plan may be subject to the Grey Sauble Conservation Authority's 'Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' (Regulation No. 151/06). As such, written permission may be required from the Authority prior to any development occurring on the subject property.
4. Development directly adjacent to or near a provincial highway may require permits (access, building and land use, and sign) from the Ministry of

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Transportation, under the Public Transportation and Highway Improvement Act. Consultation with the Ministry of Transportation Southwest Regional Office at 659 Exeter Road, London, Ontario, N6E 1L3 (519-872-4100) is recommended.

5. Clearances are required from the following;
  - a) Town of The Blue Mountains, 26 Bridge Street East, Thornbury, Ontario, N0H 2P0
  - b) Grey Sauble Conservation Authority, R R # 4, Owen Sound, Ontario, N4K 5N6
6. 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.
7. It is suggested that the municipality register the condominium agreement as provided by section 51(26) of the Planning Act against the land to which it applies, as notice to prospective purchasers.
8. 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.
9. All measurements in the condominium final plans must be presented in metric units.
10. 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.