



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	July 14, 2022
Subject / Report No:	Blue Vista Final Report / Addendum to PDR-CW-29-19
Title:	Blue Vista Plan of Subdivision 42T-2019-01
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	

Recommendation

- 1. That Addendum to Report PDR-CW-29-19 be received; and**
- 2. That all written and oral submissions received on plan of subdivision 42T-2019-01 known as Blue Vista were considered; the effect of which helped to make an informed recommendation and decision; and**
- 3. That in consideration of the draft plan of subdivision application 42T-2019-01, for lands described as South Part Lot 17, Concession 1, geographic Township of Collingwood, now in the Town of The Blue Mountains, the Grey County Committee of the Whole approves the plan of subdivision to create a total of eighty-two (82) single detached dwellings, thirty-six (36) semi-detached dwellings for a total of seventy-two (72) individual dwelling units, as well as blocks for parkland, trails, stormwater management and road widening, subject to the conditions set out in the Notice of Decision.**

Executive Summary

The County received plan of subdivision application 42T-2019-01, known as the Blue Vista subdivision, currently proposing a total of 154 residential dwellings via a mix of single and semi-detached units. Changes have been made to this subdivision in response to comments received, which resulted in a slightly different road network, and a reduction in the number of residential dwellings to further preserve environmental features on-site. Access to the residential lots would be provided by a series of new roads, with road connections to Grey Road 21 and Stoneleigh Drive. Servicing to the

proposed subdivision would be via municipal water and sewer services. Based on agency review and comments received regarding the proposed plan of subdivision, it is recommended that the proposed plan of subdivision be granted draft approval subject to the conditions set out in the attached Notice of Decision.

Background and Discussion

The County has received a plan of subdivision application, known as the Blue Vista subdivision, to create 82 new single detached residential lots, 72 semi-detached dwellings (shown on the draft plan as 36 lots). The semi-detached units will be divided at a later date via part lot control. There have been significant changes made to this proposed development since the application was originally received in 2019. The changes to the development stemmed from comments received and resulted in;

- a slightly different road network to eliminate the cul-de-sacs and minimize impact on natural features, and
- to reduce the number of residential lots (from 180 dwellings to 154 dwellings) proposed to further minimize impact on natural features.

The lots would gain access from a series of new roads connecting to Grey Road 21 and through the Second Nature development to Grey Road 19. Blocks are also being created for open space, parkland, trails/walkways, environmental protection areas, and road widening/daylight triangles. Servicing to the proposed subdivision will be via municipal water and sewer services.

The subject lands are located in the Recreational Resort Area designation (a designated settlement area), along the Town of The Blue Mountains and Town of Collingwood boundary, south of Highway 26. The proposed subdivision is located on South Part Lot 17, Concession 1, Town of The Blue Mountains, geographic Township of Collingwood.

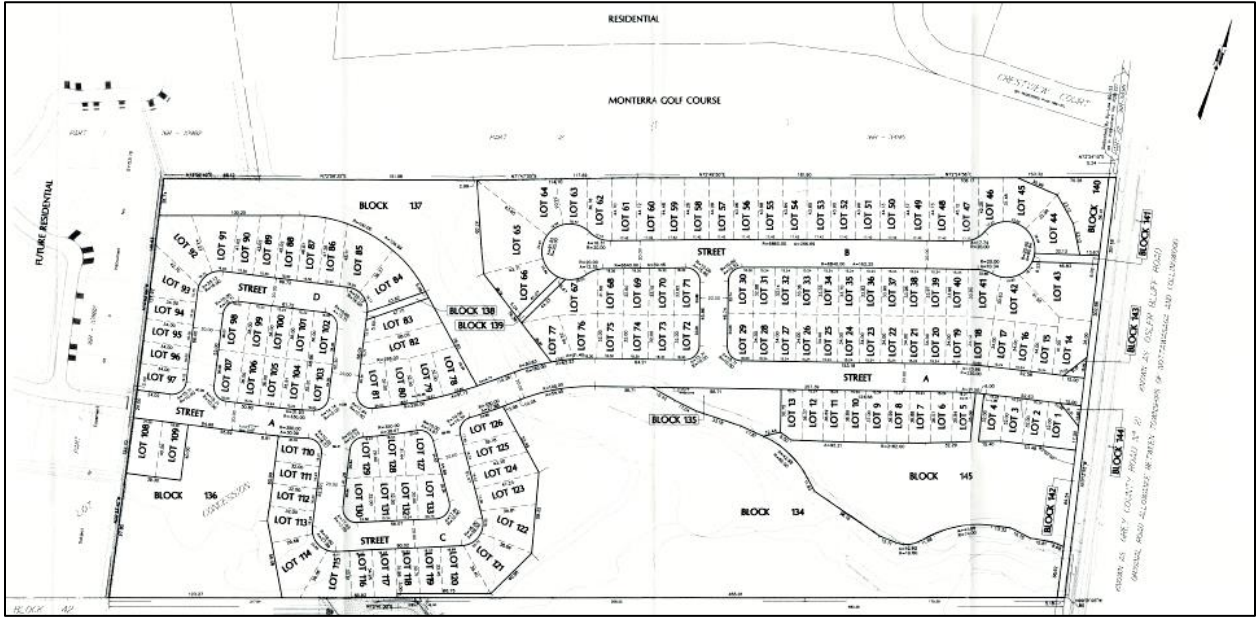
The subject lands are approximately 21 hectares in size. The subject lands are currently undeveloped, with a mix of treed and cleared areas.

Surrounding this site are a mixture of developed and soon to be developed lands. On the east side of Grey Road 21 is the Town of Collingwood / County of Simcoe. The below airphoto was taken in 2020. The Second Nature and Windfall developments have been further constructed in this area since then.

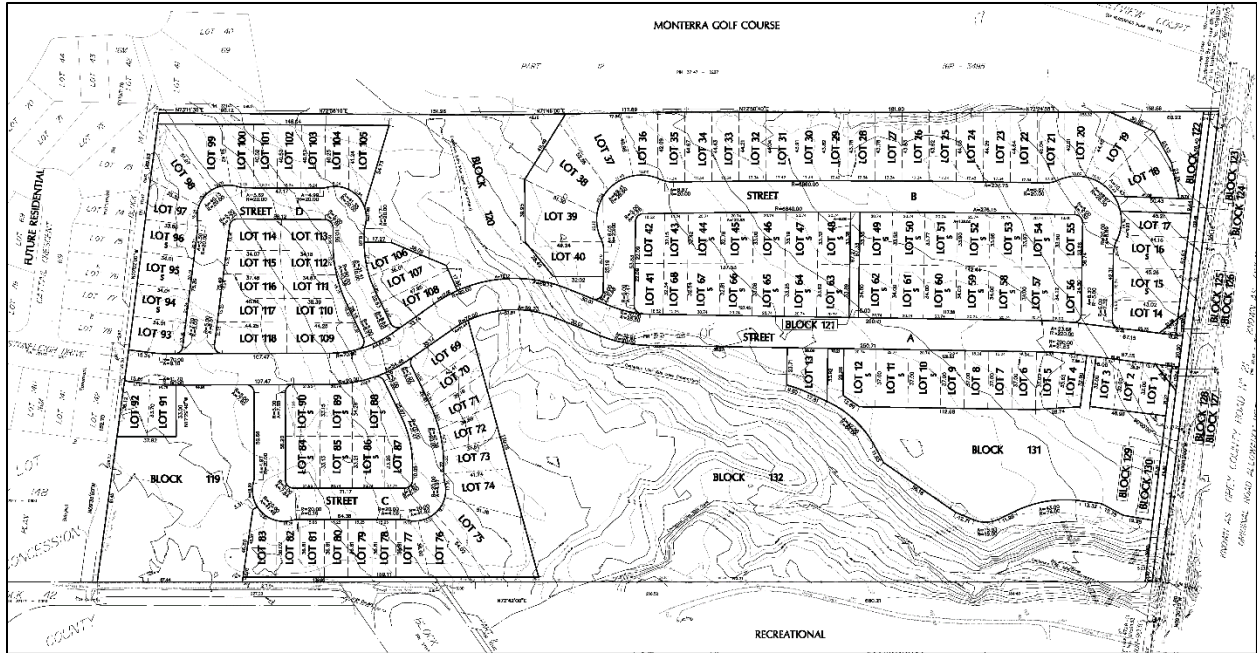
Map 1 below shows the subject lands and surrounding area, while Maps 2 and 3 show proposed plan of subdivision as initially proposed and as revised. The revised version in Map 3 is what is now being considered for draft plan approval.



Map 1: 2020 Airphoto of Subject Lands



Map 2: Original Draft Plan of Subdivision Proposal



Map 3: Revised Draft Plan of Subdivision Proposal

The proposed development also requires an amendment to the Town of The Blue Mountains zoning by-law, which has recently been passed by the Town.

Pre-submission consultation between the proponent, the Town of The Blue Mountains, the Niagara Escarpment Commission, and the County identified the submission requirements for the proposed plan of subdivision. Copies of all background reports and plans can be found at [this link](#).

Public and Agency Comments Received

There were members of the public that made written submissions, and oral submissions at the public meeting on January 27th, 2020 in the Town of The Blue Mountains. The minutes from the public meeting can be found at [this link](#).

The following people made comments on the proposed development either in writing or at the public meeting:

- 1) Blue Mountain Resorts,
- 2) Leland Clipperton,
- 3) Ken and Laura Mang,
- 4) Rosemary Mesley,
- 5) Lucy Richmond,
- 6) Lorraine Sutton,
- 7) Susan Wayne and Michael Godfrey,

- 8) Moira McIntyre,
- 9) Maureen Romanchych,
- 10) Marc Rutherford, and
- 11) John Brown.

County staff would note that in the public meeting minutes there is a ‘Ken May’ identified as having spoken, however this has since been corrected to ‘Ken Mang’ as per above.

Agency comments were received from the following:

- a) Grey Sauble Conservation Authority (GSCA),
- b) Nottawasaga Valley Conservation Authority (NVCA),
- c) Grey Bruce Health Unit,
- d) Grey County Transportation Services,
- e) Historic Saugeen Metis (HSM),
- f) Bruce Telecom,
- g) Hydro One,
- h) Enbridge Gas operating as Union Gas, and
- i) Town of The Blue Mountains: A Town staff report was presented to the Town Committee of the Whole on June 7, 2022. A copy of the Town staff report can be found at [this link](#). A copy of the motion supported by Town Council can be found at [this link](#).

Town staff included a comment summary and response table as Attachment 3 to their staff report. That table covered off the public comments 1 – 7 and agency comments (a) – (h) above. For the sake of brevity, County staff will not recreate that table or analysis here, but rather will defer to the Town’s staff report. What follows below are responses to comments 8 – 11, an additional response to comment 5, and a brief response to item (i).

Received From	Comments Raised	Response
John Brown	Inquiry on the status of the application and where to find more information.	A response was sent with links to the Town and County websites as well as a copy of PDR-CW-29-19.
Maureen Romanchych	We have interest in the Blue Vista Development and curious when phase 4 might open up. Also, will they begin phase 1 this spring?	A response was sent indicating that no approvals have been issued to date (i.e. at the time of the response).

Marc Rutherford	What does the process with the County of Grey Council consist of?	A response was sent with information about the County's approvals process and links to the Council section of the County website.
Moira McIntyre	Just looked at the detail on your website regarding this subdivision. Is it current? Can you let me know what the updated plan looks like?	A response was sent noting some recently added documents to the County website.
Lucy Richmond	There was a tree-cutting complaint on these lands in 2019. The complaint was not attached to the request for zoning by-law amendment when the matter came before Town Council. I offer it for information to the Town, who insists on transparency in its decision-making, would certainly have wanted to know about this matter before it made its decision to approve the Blue Vista draft plan, with conditions. It is my understanding that the County has its own process and would have to answer questions about how the County handles such a complaint, i.e. is it attached to the land / proponent, or is it simply ignored. I'll pursue the question with Grey County.	County and Town staff had collaborated on an earlier response to the tree-cutting complaint, which took place prior to the subdivision application being received. Excerpts from that response are included below. County staff would note that there are difficulties in pursuing any charges if the tree-cutting offence occurred greater than 6 months prior. As such, the County will not be pursuing charges here (based on the trees being cut in March 2018), and nor will there be any further decision needed from the County Committee of the Whole on the minor exemption (i.e. because the trees are already cut, and because the County no longer has the ability to pursue charges, there is nothing for the Committee to either 'approve' or 'refuse'). Based on the above, and based on some legislative changes that have occurred since the County last updated our County Forest Management By-law, the County will be proposing an update to the by-law. The update will include a process for public consultation, and County staff will be working closely with staff from each of the 9 member municipalities to (a) get their input, and (b) coordinate the County's updated by-law with any municipal tree-cutting by-laws (either existing or proposed). Public input from the community will be valuable to the update process. The original complaint to the County about the tree-cutting has not been discarded. The Blue Vista minor exemption application (which stemmed from the complaint) has been closed, but the file remains on record. The fact that the County cannot pursue charges here does not

		stem from the validity of the complaint, but rather the 6-month timeframe referred to above.
Town of The Blue Mountains	The Town recommended draft plan conditions as part of their staff report. Town Council recommended an additional draft plan condition with respect to attainable housing.	County staff support the majority of the draft plan conditions and have included them in the draft notice of decision attached to this report. Minor changes have been recommended to a few of the draft plan conditions, after discussing with Town staff and the developer. County staff cannot support Town Council's recommended draft plan condition with respect to attainable housing. More detail on this topic has been provided in the Planning Analysis section of this report.

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS), and conform to any Provincial Plans or Municipal Official Plans that govern the subject lands. In this case, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan have jurisdiction over the subject property. The subject lands are also located within the Niagara Escarpment Plan Area and therefore the policies of the Niagara Escarpment Plan also apply.

The subject application was deemed complete on May 24th, 2019. As a result, the application is not tested against some of the current planning policies such as the County's June 2019 Official Plan, Recolour Grey, which took effect June 7th, 2019.

Provincial Policy and Legislation

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas. The proposed plan of subdivision is within an existing settlement area designation and will be serviced with municipal water and sewer services. The density of the proposed development meets the density policies in the Town of The Blue Mountains Official Plan.

The supply of an adequate range and distribution of residential housing types is required in both Provincial documents. In this case, the proposed plan of subdivision is proposing a mix of single and semi-detached residential units.

The PPS discourages development within hazard lands. The application and supporting documents were circulated to the Nottawasaga Valley and Grey Sauble Conservation Authorities and they have recommended conditions of draft approval which have been included in the attached notice of decision.

The protection of significant environmental features is also required through the legislation and policy. An Environmental Impact Study (EIS) and multiple addenda submissions were submitted with the proposed application, examining the potential for impacts on the natural environment. The EIS and addenda submissions were reviewed by Town/County staff, as well as the County and Town's environmental peer reviewer and Conservation Authority staff. Based on the feedback from the peer reviewer and Conservation Authority staff, there were significant changes made to the draft plan, including the loss of more than 20 lots. There are also recommended conditions of draft approval which stem from this detailed environmental review.

Large portions of the subject lands will remain undeveloped for natural hazard and natural heritage purposes (blocks 120 and 132). Approximately 5.6 hectares of land will be kept as open space and hazard lands. This 5.6 hectares is above and beyond the stormwater management and park lands being proposed (blocks 122, 131, and 119).

Section 51(24) of the *Planning Act* also provides criteria which must be considered when assessing any new plan of subdivision. These criteria (in italics), along with staff analysis are as follows:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The matters of provincial interest have generally been analyzed earlier on in this section.

(b) whether the proposed subdivision is premature or in the public interest;

Municipal services will be provided to this subdivision. The lands have also been designated for growth in both the County and Town Official Plan. Furthermore, there is a demand for additional residential units in the Town. As such, the proposed plan of subdivision would not appear to be premature and is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed development conforms to both the Town and County Official Plans. Road and parkland connections will be made between this subdivision and the neighbouring developments of Second Nature and Windfall.

*(d) the suitability of the land for the purposes for which it is to be subdivided;
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Based on the background reports and technical studies, the subject lands appear suitable for residential development. The proposed units will not be affordable, as defined by the PPS or County Official Plan. This area of the Town is not the best suited for affordable housing, given the lack of other complete community attributes and the limits on development density that apply to these lands.

Town Council has recommended the following condition be included as a condition of draft plan approval to this development.

“That prior to final approval, the Developer shall enter into a Memorandum of Understanding with the Attainable Housing Corporation for the provision of attainable housing units on this Draft Plan or on other lands owned by the Developer within the Town of The Blue Mountains.”

County staff support the intent of the above-quoted draft plan condition i.e. to increase the amount of attainable housing in the Town. Although, staff do not support its inclusion as a formal draft plan condition for reasons generally expressed in staff report [PDR-CW-22-22](#). Staff would note that the wording here does have some nuanced differences from the wording proposed in the Abbotts development. Staff would also note the difference between affordable and attainable housing as another key difference here. County staff continue to have concerns about the legislative and policy tools available to pursue such an approach. Staff would further flag the difficulties that could stem from ownership changes, knowing that this development could be sold to another developer at any time, as could any other lands in the Town owned by this developer.

If the Town and the developer wish to pursue a voluntary memorandum of understanding (MOU) for attainable housing, the County has no concerns with that approach, and would applaud the Town and developer for collaboratively seeking housing solutions in this regard. However, County staff have concerns with tying the approval of this development to such a MOU i.e. making the MOU mandatory and not voluntary. Staff also have concerns that the term ‘attainable’ is not a term that is defined in the PPS or the County/Town Official Plans. By using the term attainable, it could lead to interpretation problems, unless the term is otherwise defined and understood by both parties.

In saying all of the above, County staff are aware that the MOU has already been signed between this developer and the Town. In that sense, even if this condition were to remain as a condition of draft plan approval, then it could be considered already cleared or completed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the

proposed subdivision with the established highway system in the vicinity and the adequacy of them;

This subdivision will link with the abutting Second Nature subdivision to the west and connect with Grey Road 21 to the east. Having this connection will provide for another east-west access through this section of the Town. The original plan of subdivision proposal contained two cul-de-sacs, but the developer has revised their plans based on feedback from Town and County staff to include a connected road network instead of cul-de-sacs. As a condition of draft plan approval, the County will also be acquiring road widening and daylight triangles for Grey Road 21. Town and County staff have reviewed the road network and transportation elements, and are satisfied, subject to the recommended conditions of draft plan approval.

(f) the dimensions and shapes of the proposed lots;

The lot sizes are an adequate size and most of the lot shapes are standard.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

County staff are not aware of any restrictions or proposed restrictions on the subject lands that would prevent the proposed development other than what has previously been noted in the report.

(h) conservation of natural resources and flood control;

GSCA and NVCA staff have provided recommended conditions of draft plan approval to address the natural resources and natural hazards on the subject lands. In terms of flood control, a detailed stormwater management plan is required to the satisfaction of the Town, NVCA, and GSCA (draft plan condition # 12).

(i) the adequacy of utilities and municipal services;

The proposed lands can be adequately serviced, and there are draft plan conditions which speak to reservation of servicing and when servicing capacity will be allocated.

(j) the adequacy of school sites;

The school boards were circulated on this application and did not raise any concerns. Standard wording has been included in draft plan condition 42 which is typically recommended by the school board.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Block 119 will be dedicated to the Town as a public park block, which will connect to the parks in the neighbouring Second Nature and Windfall developments to create a larger park space. In addition, there will be trails and walkways throughout the development.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

In accordance with the Town and County Official Plans, the lands are proposed to be developed at the required density, which is also compatible with neighbouring land uses. The lands will connect to the existing road network (i.e. Grey Road 21 and Stoneleigh Drive in Second Nature) and serviced in an efficient manner.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.

The proposed single and semi-detached lots do not require the utilization of site plan control.

Niagara Escarpment Plan 2017

The subject lands are designated as 'Escarpment Recreation Area' in the Niagara Escarpment Plan. This designation allows for recreational and residential development similar to neighbouring developments in this area. For this portion of the Town development control has been lifted, and the Town's Zoning By-law is in effect. Many policies in the Niagara Escarpment Plan closely mimic the policy foundation provided by the Town and County Official Plans, in addition to the PPS. The Niagara Escarpment Commission was circulated on this application and no concerns were raised.

County of Grey Official Plan 2012

The proposed plan of subdivision is located on lands designated as 'Recreational Resort Area' in the County Official Plan. Recreational Resort Areas are identified as locations in which to focus new residential and recreational growth in the County.

Section 4.2(f) of the current County Plan states:

"The goal of providing housing opportunities to moderate and lower income households. The County would like to achieve a minimum target of 30% of new housing, or units created by conversion, to be affordable in each local

municipality. Local municipalities are encouraged to have regard for the Grey County Housing and Homelessness Plan (2014-2024) when setting targets in their local official plan. Local municipalities will be encouraged to set a minimum target similar to the County for affordable units.”

While the current County Official Plan provides for the above-noted 30% target, the previous County Plan did not have any such affordable housing target. County staff would further note that even the current County Plan target is not applied on a development-by-development basis.

Appendix B to the County Plan maps portions of ‘Significant Woodlands’ and a watercourse on the subject lands. This matter has been addressed above, through the discussion of the peer review and Conservation Authority staff review.

The County Plan also requires the protection of cultural and archaeological resources. A Stage 1 – 2 Archaeological Assessment was conducted for this development. The Archaeological Assessment concluded that no further archaeological assessment of the study area is warranted. Wording has been included in the draft plan conditions, should any previously unknown or unassessed deeply buried archaeological resources be uncovered during development.

Section 5.3 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in section 5 of the Plan, are policies which govern roads, transportation, and stormwater management. Conditions of draft approval have been included to address these matters as part of the detailed design stage.

Town of The Blue Mountains Official Plan 2016

The subject lands are designated ‘Residential Recreation Area’ (RRA) with a small area designated ‘Hazard’ (H) within the ‘Blue Mountain Village Area’ of the Town of The Blue Mountains Official Plan. The RRA designation permits a wide variety of housing types and a maximum density of up to 10 units per hectare. A detailed analysis of the Town’s Official Plan has been provided by Town staff in their staff report which can be found [here](#). County staff have reviewed the analysis of the Town Official Plan provided by Town Staff and would concur with the conclusions provided.

Subject to the recommended conditions of draft approval attached to this report, County staff are satisfied that the draft plan of subdivision;

- has regard for matters of Provincial interest under the *Planning Act*,
- is consistent with the Provincial Policy Statement,
- conforms to the Niagara Escarpment Plan,

- conforms to the County Official Plan, and
- conforms to the Town Official Plan.

Legal and Legislated Requirements

The application was processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed subdivision, beyond those normally encountered in processing such applications. The County has collected the requisite fee and peer review deposit for this application. The peer review deposit was used to fund the environmental peer review of this development.

Relevant Consultation

- Internal: Planning, Transportation Services, and Legal Services
- External: The public, Town of The Blue Mountains, and required agencies under the *Planning Act*.

Appendices and Attachments

[Town of The Blue Mountains Staff Report](#)

[Town of The Blue Mountains Council Motion](#)

[Public Meeting Minutes](#)

[PDR-CW-22-22 Affordable Housing Planning Tools](#)

[PDR-CW-29-19 Blue Vista Subdivision Information Report](#)

Draft Notice of Decision (conditions of draft approval) – attached

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision

under Subsection 51(37) of the Planning Act

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

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

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

WHEN AND HOW TO FILE A NOTICE OF APPEAL

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

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

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee required by the Tribunal as prescribed under the Ontario Land Tribunal Act, and
- (3) Include the completed appeal forms from the Tribunal's website.

WHO CAN FILE A NOTICE OF APPEAL

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

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

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

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

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

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

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

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

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

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

RELATED APPLICATIONS

Town of The Blue Mountains Zoning By-law Amendment – By-law Number 2022-55

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. Please contact

Applicant: 2590019 Ontario Inc. c/o Royalton Homes

File No.: 42T-2019-01

Municipality: Town of The Blue Mountains

Location: South Part of Lot 17, Concession 1, geographic Township of Collingwood

Date of Decision:

Date of Notice:

Last Date of Appeal:

the Planning Office at 519-376-2205 or 1-800-567-GREY to schedule an appointment to review the information.

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Scott Taylor MCIP RPP

Director of Planning and Development

Plan of Subdivision File No. 42T-2019-01 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision as follows:

General Requirements

1. That this approval applies to the draft plan of subdivision located on the property legally described as South Part Lot 17, Concession 1, Town of The Blue Mountains, County of Grey, prepared by Lloyd & Purcell Ontario Land Surveyors last revised and signed by the Surveyor and Owner on April 7, 2022, showing the following:
 - 82 Single Detached Lots (82 Dwelling Units)
 - 36 Semi Detached Lots (72 Dwelling Units)
 - 4 Public Streets (Streets A, B, C, and D)
 - 14 Blocks:
 - Block 119 (Parkland Dedication)
 - Blocks 120 and 132 (Environmental Protection)
 - Blocks 121, 124, 125, 128, and 130 (Trails and Walkway)
 - Blocks 122 and 131 (Stormwater Management)
 - Block 123 Walkway/Service Connection
 - Block 126 and 127 (Grey County Road 21 Sight Triangles)
 - Block 129 (Grey County Road 21 Road Widening)
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 of The Blue Mountains ("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. That the Owner shall enter into development and other necessary agreements or obtain necessary approvals, satisfactory to the Town or any other appropriate authority before any development or site alteration within the plan including filling, grading, removing trees and/or topsoil, installing any works, or constructing any buildings or structures. These Agreements may deal with matters including but not limited to the following:
 - i. Engineering works which include municipal water, sanitary sewer services;
 - ii. Professional services including preparation of reports, plans, inspections, certifications and approval;
 - iii. Drainage, stormwater management;

- iv. Storm sewers and infiltration galleries;
- v. Road and intersection construction;
- vi. Securities, cash contributions, development charges;
- vii. Emergency services;
- viii. Land dedications and easements, reserves;
- ix. Hydro, street lighting, natural gas and telecommunication utilities;
- x. Architectural control;
- xi. Grading and sodding;
- xii. Fencing & landscaping;
- xiii. Trails/walkways;
- xiv. Fire Break Plan, if required;
- xv. Construction implementation and/or mitigation measures;
- xvi. Warning clauses, signed entry features and safety hoarding;
- xvii. Public notification, signage and minimum notice periods.

The details of which may indicated in correspondence from appropriate commenting agencies and/or departments.

4. The Owner acknowledges that this Draft Plan Approval provides water plant and sanitary sewer plant reservation. Draft Plan Approval does not constitute a commitment by the Town to provide servicing access to the Town's water or wastewater treatment plants or allocation of associated built capacity. Prior to execution of a Pre-Servicing Agreement and/or Subdivision Agreement with the Town, sufficient water and sanitary sewer capacity shall be confirmed as available and allocated by the Town.
5. 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, County standards, and Provincial & Federal Guidelines & Standards, that are in effect at the date of execution of the Subdivision Agreement to the satisfaction of the Town. Where compliance with Town Engineering Standards necessitates offsite works, (i.e. water distribution, sanitary sewer, or stormwater management system upgrades) the owner shall enter into agreements with the Town and/or the County to implement or enter into costs sharing agreements for the requisite offsite works, to the satisfaction of the Town.
6. That prior to final approval by the County, appropriate zoning is in effect for this proposed subdivision that conforms to the County of Grey Official Plan and the Town of The Blue Mountains Official Plan.
7. That the public streets shall be named in accordance with the Town's Street Naming Policy, to the satisfaction of the Town of The Blue Mountains.

Servicing, Grading and Road Requirements

8. That prior to final approval by the County, a Site Servicing Plan is prepared to show how the development is fully serviced with sanitary sewer and water to the satisfaction of the Town of The Blue Mountains.
9. That prior to final approval and registration of the Plan, the Town shall provide confirmation to the County that there is sufficient water and sanitary capacity available and allocated to service the entire plan of subdivision, based on actual usage, as determined by the Town's monitoring of water flows and sanitary sewer flows.
10. That the Subdivision Agreement shall detail and confirm the water and sanitary servicing capacity allocated to this plan of subdivision.
11. That the Owner shall agree in the Subdivision Agreement to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
12. That a stormwater management plan be prepared to the satisfaction of the Town, the Grey Sauble Conservation Authority, and the Nottawasaga Valley Conservation Authority.
13. That a Wetland Creation and Buffer Enhancement Plan be prepared to the satisfaction of the Nottawasaga Valley Conservation Authority demonstrating a net gain of wetland creation/expansion for the removal of unavoidable wetland features (Municipal Road). Wetland Buffer Enhancement to include fencing and tree planting as appropriate.
14. That prior to execution of a Pre-Servicing Agreement or Subdivision Agreement, a detailed engineering and drainage report will be provided which describes the stormwater drainage system for the proposed development on the subject lands to the satisfaction of the Town. The Plan shall demonstrate how the drainage system will tie into the drainage of surrounding properties and how external drainage and site drainage is appropriately conveyed.
15. That prior to final approval by the Town, Operation and Maintenance Manuals for any non-standard infrastructure shall be provided to the satisfaction of the Town.
16. That the Subdivision Agreement shall contain specific clauses related to the required Ontario Building Code / Engineering Standards, as applicable, of the Town and County of Grey including but not limited to the following:

- i. The appropriate horizontal and vertical alignments of all roads, trails, including their intersection geometrics, and underground services;
 - ii. That suitable construction traffic routes are identified to the satisfaction of the Town and County of Grey; and,
 - iii. The street lighting system on roadways be designed and constructed to the satisfaction of the Town. The Subdivision Agreement shall also require that all external lighting, including street lighting, be dark-sky compliant.
17. That the Subdivision Agreement between the Owner and the Town provide for the dedication of a 5.181 metre Grey Road 21 road widening (Block 129) and 15.24 metre intersection day light triangles (Block 126 and 127) to be conveyed to the County of Grey without monetary consideration and free of all encumbrances. Wording in the Subdivision Agreement shall also be included to address Blocks 125 and 128 where the trail crosses the daylight triangles and the intersection to the satisfaction of the Town and the County of Grey.
18. That the Subdivision Agreement between the Owner and the Town provide for the dedication of the Stormwater Management System including Block 122 and Block 131 without monetary consideration and free of all encumbrances.
19. That an entrance permit be granted by the County of Grey for any new entrances or intersections, such as Street 'A' and Temporary Construction Access, that are connecting onto Grey Road 21. Any work within the County's road allowance will require an encroachment permit. The design of the intersection of Street 'A' and Grey Road 21, including the trail crossing, will need to be to the satisfaction of the Town and the County of Grey.
20. That a suitable temporary construction access road is provided to direct development construction activity away from Street 'A' as appropriate. This temporary access is to be constructed to the satisfaction of the Town and the County of Grey. The Subdivision Agreement will provide for the timing of the closure and decommissioning of this temporary road access.

Utilities and Canada Post

21. That the Owner shall grant all necessary easements and/or blocks and/or enter into agreement for drainage, utility and servicing purposes, including CRTC-licensed telephone and broadcasting distribution, as may be required, to the appropriate agency or public authority.
22. The Owner shall provide to Enbridge Gas (operating as Union Gas) the necessary easements and/or agreements required by Union for the provision of gas services in a form satisfactory to Enbridge Gas.

23. The Owner, in consultation with the applicable utilities and Communications Service Providers, shall prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the subdivision, as well as the timing and phasing of the installation.
24. That the Subdivision Agreement include a clause requiring that the Owner agrees to relocate any existing utilities as a result of the subject development at the sole expense of the Owner.
25. That the Subdivision Agreement include a requirement that arrangements be made with Canada Post and the Town's Development Engineering Department for the provision of suitable mail delivery methods which may include the installation of Canada Post Community Mailbox and that the location be included on the appropriate servicing plans.
26. That should a Community Mailbox be required, that the Subdivision Agreement contain further clauses requiring that the Developer install an appropriately sized sidewalk section (concrete pad) per Canada Post specifications, to place the mailbox on, plus any required walkway access and/or curb depressions for wheelchair access and the provision of a temporary Community Mailbox location until curbs, sidewalks and final grading have been completed.

Vegetation, Fencing and Streetscape Requirements

27. That prior to final approval, the Owner prepares a Vegetation Assessment and Vegetation Management Plan by a qualified consultant to the satisfaction of the Town of The Blue Mountains. The Vegetation Management Plan shall include amongst other matters:
 - i. Special provisions to ensure that the existing vegetation on the periphery of the site be maintained and protected, where feasible, during the development process;
 - ii. Special provisions to ensure that existing vegetation on the adjacent lands be protected during development and construction; and,
 - iii. That said plan be incorporated into the Subdivision Agreement with the Town.
28. That a tree/vegetation retention, enhancement, and compensation plan be completed for the site to the satisfaction of the Town, the Grey Sauble Conservation Authority and the Nottawasaga Valley Conservation Authority.
29. The Subdivision Agreement shall ensure that the Owner shall save and/or remove any trees and vegetation on the subject lands as required by the

Vegetation Assessment / Vegetation Management Plan to the satisfaction of the Town of The Blue Mountains.

30. That prior to final approval, the Owner prepares an Edge Management Plan to address areas requiring establishment of a new woodland edge and to identify and specify approaches for restoration/enhancement of open lands adjacent to retained woodlands.
31. That prior to final approval, the Owner shall prepare a Landscape Plan providing additional tree plantings adjacent to the golf course in accordance with the recommendations of the Golf Spray Analysis.
32. That prior to final approval, the Owner shall complete a Trail Assessment on the potential impacts related to the trail alignment with recommendations for trail design to avoid, minimize and/or mitigate impacts to woodlands, wetlands, watercourses and related features and functions.
33. That the Owner shall dedicate a 4.5 metre trail block adjacent to Grey Road 21 To the Town and construct a 3.0 metre wide stonedust trail in accordance with Town Standards.
34. That the Owner shall remove all identified trees from the Public Parkland Block 119, rough grade such that best efforts are taken to ensure there is no standing water and shall be maintained in general conformance with the approved comprehensive grading plan. The Owner shall further agree in the Subdivision Agreement to topsoil and seed all rough graded areas.

Park and Open Space Requirements

35. The Owner shall provide Block 119 (1.018 hectares / 5.0%) being the minimum parkland dedication of 5% to the Town of The Blue Mountains, in accordance with the Planning Act.
36. That the Subdivision Agreement between the Owner and the Town provide for the dedication of the Environmental Protection Blocks (Block 120 and 132) without monetary consideration, free of all encumbrances, and in a form acceptable to the Town
37. That the Subdivision Agreement include provisions for a public walkway connection between Grey Road 21 and the Community Park being Plan 16M-42 Block 42 or Plan 16M-69 Block 148.

Miscellaneous

38. That the Subdivision Agreement shall contain Notice and Warning clauses on all Purchase and Sale Agreements to acknowledge;
- a. That the existing golf course lands to the north is privately owned and not part of a public municipal park or public municipal open space system and therefore unauthorized access is prohibited.
 - b. That the lands in question are in proximity to a golf course with associated maintenance requirements resulting in noise and related nuisance from machines, golf play, and turf management operations. In addition, such warning clauses should require the purchaser to acknowledge that notwithstanding additional requirements being incorporated into development plans; normal golf play could result in errant golf balls landing on the subject property that it is the purchaser's responsibility to respect development setbacks and buffering requirements including additional tree plantings.
39. That prior to execution of any Subdivision Agreement, the Owner shall submit a Development Communications Plan for review and approval by the Town. The Development Communications Plan shall inform the Town and area residents of Significant Site activities and include:
- i. Installation of a Project Notification Sign, 1.2 m x 2.4 m minimum, to Town template, at each construction access to the Lands and visually obvious to the public, at least two (2) weeks before the construction start date, and maintained for full duration of construction.
 - ii. Notification of the construction project to property owners as deemed appropriate in consultation with Development Engineering via hand/mail delivery.
 - iii. Schedules of intended site activities updated routinely. (typically, weekly to bi-weekly).
 - iv. A minimum of two (2) weeks' notice following Town approval and prior to commencement of:
 - a. Significant site activities including such as site alteration works as tree clearing & grubbing, commencement of site servicing/grading, placement of asphalt, concrete curbs and sidewalk, and landscaping, and/or
 - b. Off-site works on Town Owned Lands/Roads following receipt of a Municipal Land Use Permit (MLUP).
40. That prior to final approval and registration, the Owner shall obtain a letter from the Ministry of Heritage, Sport, Tourism and Culture Industries, that the Archaeological Assessment has been entered into the Ontario Public Register of Archaeological Reports.

41. That the Owner shall agree in the Subdivision Agreement, prior to offering any of the residential lots for purchase, to place a 'Display Map' on the wall of the sales office in a place visible to the public, which indicates the approved location of all sidewalks, walkways, trails, community mailboxes, parks, schools, open space areas, environmental protection areas/tree preservation areas, watercourses, and surrounding land uses. The Owner shall also agree to keep Accepted for Construction drawings in the sales office which show easements, hydrants, utilities, lighting, lot grading, landscaping, and noise attenuation measures, as applicable.

Administration

42. Prior to final approval and registration, the Subdivision Agreement shall include special provisions addressing the following matters in wording acceptable to the Town:
- i. 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 shall be maintained in general conformance with the approved comprehensive grading plan. 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.
 - ii. 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.
 - iii. 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.
 - iv. The Owner, and/or any future Lot Owner, shall agree to engage a qualified consultant to prepare a Final Lot Grading Certificate prior to Final Inspection, indicating that the grading of the lot has been completed in conformity with the Approved for Construction Master Grading/Drainage Plan, and to submit to the Chief Building Official for approval.
 - v. 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.
 - vi. That the Owner shall agree to obtain any required statutory permits from the County of Grey, Town of The Blue Mountains, or any other applicable authority, prior to any site alteration.
 - vii. The Owner shall agree to the following:
 - a. 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 section 48 (1) of the *Ontario Heritage Act*;

- b. 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.
- viii. The Owner shall agree to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
- ix. the Owner shall agree that a municipal numbering system shall be assigned to the satisfaction of the Town with regard to 911 emergency servicing. The Owner shall also agree in the Subdivision Agreement to display the lot number and corresponding assigned municipal address in a prominent location on each lot prior to and during all times of construction.
- x. The Owner shall agree in the Subdivision Agreement to place the following notification in all offers of purchase and sale for all lots and/or units:
 - a. Purchasers are advised that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a “holding”, or in an alternate school within or outside of the community.
 - b. Purchasers are advised that if school buses are required within the Subdivision in accordance with Board Transportation policies, as may be amended from time to time, school buses will not enter cul-de-sacs and school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce.

43. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how Conditions 1 – 42 have been satisfied.

44. That prior to final approval, the County is advised in writing by the Grey County Transportation Services Department how Conditions 16, 17, 19, and 20 have been satisfied.

45. That prior to final approval, the County is advised in writing by the Nottawasaga Valley Conservation Authority and Grey Sauble Conservation Authority how Conditions 12, 13 and 28 have been satisfied.
46. That prior to final approval, the County is advised in writing by Enbridge Gas how Condition 22 has been satisfied.
47. That prior to final approval, the County is advised in writing by the Canada Post how Conditions 25 and 26 have been satisfied.
48. This draft plan approval shall lapse on July 14, 2025. If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution/letter of support from the local municipality must be submitted to the County of Grey, 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.
49. That prior to final approval, a copy of the fully executed Subdivision Agreement between the Owner and the municipality shall be provided to the County of Grey.
50. That the Owner, submit to the Town of The Blue Mountains and the County of Grey with a digitized copy of the Final Plan in a format acceptable to the County of Grey.

NOTES TO DRAFT APPROVAL

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

- **Overhead Electrical Wires**” in all locations where personnel and construction vehicles might come in close proximity to the conductors.

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

- Town of The Blue Mountains, PO Box 310, 32 Mill Street, Thornbury, ON, N0H 2P0
- Canada Post Corporation, 300 Wellington Street, London, ON, N6B 3P2
- Grey Sauble Conservation Authority, 237897 Inglis Falls Road, RR4, Owen Sound, ON, N4K 5N6
- Nottawasaga Valley Conservation Authority, 8195 8th Line, Utopia, ON, L0M 1T0
- Grey County Transportation Services, 595 9th Avenue East, Owen Sound, ON, N4K 3E3
- Enbridge Gas, 500 Consumers Road, North York, ON, M2J 1P8

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:

- a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
- b) subsection 144(2) allows certain exceptions.

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

5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of the Environment, Conservation and Parks under the *Ontario Water Resources Act*, RSO 1990, as amended.

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

7. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.