



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations, Planning and Development Services
Meeting Date: August 15, 2023
Report Number: PDS.23.067
Title: Recommendation Report – Holding ‘h’ Removal – Windfall Phase 6
Prepared by: Shawn Postma, Manager of Community Services

A. Recommendations

THAT Council receive Staff Report PDS.23.067, entitled “Recommendation Report – Holding ‘h’ Removal – Windfall Phase 6”;

AND THAT Council enact a By-law to remove the Holding ‘h’ symbol from Windfall Phase 6 as described as Part Block 40, Registered Plan 16M-42.

B. Overview

This report provides an overview of Windfall Phase 6 Holding ‘-h19’ provisions, and a recommendation to lift the Holding ‘-h19’ symbol in order to allow building permits to be issued for new home construction.

C. Background

Planning Services received an application for removal of Holding ‘-h’ By-Law for the Windfall Phase 6 lands. Phase 6 represents the final phase of the Windfall development which was originally Draft Plan Approved and Zoned in 2011. Draft Plan Conditions as well as Holding ‘-h19’ provisions are in place to ensure the orderly development of the project and the requirement to complete certain conditions prior to new home construction beginning. The final check is done at the Holding By-law stage which confirms that all requirements for that phase have been completed to the satisfaction of the Town and that new home construction may proceed.

The Holding ‘-h’ symbol was placed on the lands via By-law 2011-57 and through the new Blue Mountains Comprehensive Zoning By-law 2018-65. The following requirements must be completed prior to the Holding ‘-h’ symbol being removed from the lands:

- i. Execution of a Master Development Agreement,
- ii. Execution of a Subdivision Agreement or Site Plan Agreement,
- iii. Registration of a Plan of Subdivision or Granting of Site Plan Approval.

D. Analysis

Planning Staff are satisfied that the requirements to lift the Holding ‘-h’ symbol have been completed as follows:

- i. A Master Development Agreement was executed on April 16, 2013.
- ii. A Subdivision Agreement was executed on May 30, 2023.
- iii. The Registration of the Plan of Subdivision was completed under Registered Plan 16M-94.

Planning Staff recommend that that the Holding ‘-h19’ symbol be lifted on the Windfall Phase 6 lands now. Enacting the By-law will allow for construction to begin on the newly created lots in accordance with the Registered Plan of Subdivision and Subdivision Agreement in place.

E. Strategic Priorities

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

There are no adverse environmental impacts anticipated as a result of this application.

G. Financial Impacts

There are no adverse financial impacts anticipated as a result of this application.

H. In Consultation With

Adam Smith, Director of Planning and Development Services

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Town Planning Staff at planning@thebluemountains.ca. Notice of intent to lift a Holding ‘-h’ symbol as required under the Planning Act shall be provided to the Owner. In addition, updates have been provided to the Town Website and notification of this report circulated to the subscribers list.

J. Attached

1. Registered Plan 16M-42
2. Draft Holding 'h-19' Removal By-law

Respectfully submitted,

Shawn Postma, MCIP RPP
Manager of Community Planning

For more information, please contact:
Shawn Postma
planning@thebluemountains.ca
519-599-3131 extension 248

Report Approval Details

Document Title:	PDS.23.067 Recommendation Report - Holding 'h' Removal - Windfall Phase 6.docx
Attachments:	- PDS-23-067-Attachment-1.pdf - PDS.23-067-Attachment-2.pdf
Final Approval Date:	Aug 2, 2023

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

Adam Smith - Aug 2, 2023 - 1:36 PM

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 –

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 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 ‘-h19’ symbol from the lands lying and being in the Town of The Blue Mountains comprised of Part of Block 40 and RP 16R10498 Part of Part 2 (now known as 16M-42) as indicated on the attached key map Schedule ‘A-1’.
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 _____, 20____

Andrea Matrosovs, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2023-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ____ day of _____, 20____.

Dated at the Town of The Blue Mountains, this ____ day of _____, 20____.

Corrina Giles, Clerk

Town of The Blue Mountains
Schedule ‘A-1’

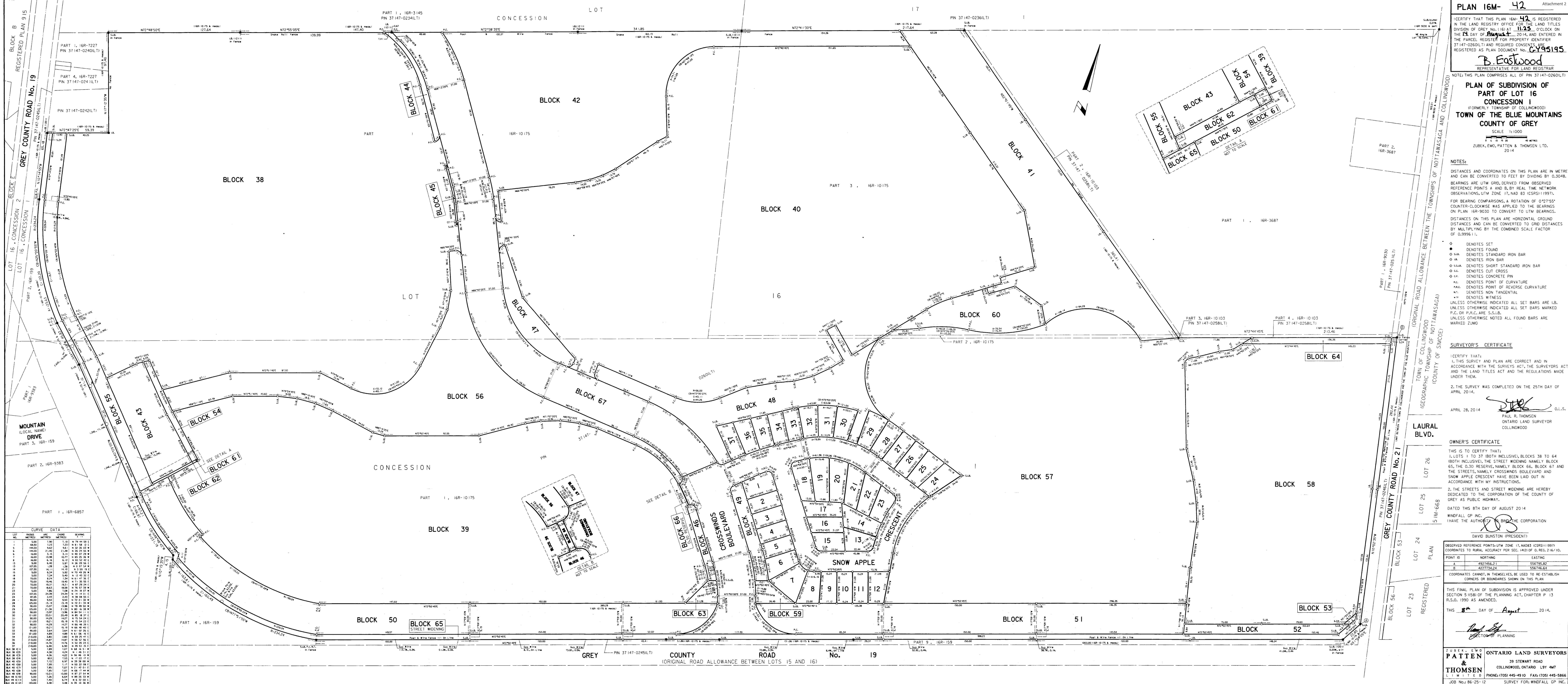
By-Law No. _____

Legend



Area To Be Rezoned From R1-3-62-h19 to R1-3-62





PLAN 16M- 42 Attachment 2

I CERTIFY THAT THIS PLAN 16M-42 IS REGISTERED
IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES
DIVISION OF GREY NO. 1161 AT 11:25 O'CLOCK ON
THE 14 DAY OF August 2014, AND ENTERED IN
THE PARCEL REGISTER FOR PROPERTY IDENTIFIER
37147-026(061) AND REQUIRED CONSENTS ARE
REGISTERED AS PLAN DOCUMENT No. C495195

B. Eastwood
REPRESENTATIVE FOR LAND REGISTRAR

NOTE: THIS PLAN COMPRISES ALL OF PIN 37147-0260(LT)

PLAN OF SUBDIVISION OF
PART OF LOT 16
CONCESSION I
(FORMERLY TOWNSHIP OF COLLINGWOOD)
TOWN OF THE BLUE MOUNTAINS
COUNTY OF GREY

SCALE 1:1000
0 5 10 15 20 40 METRES
ZUBEK, EMO, PATTEN & THOMSEN LTD.
2014

NOTES:

DISTANCES AND COORDINATES ON THIS PLAN ARE IN METRE AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD 83 (ICSR) (1997).

FOR BEARING COMPARISONS, A ROTATION OF 0°27'55" COUNTER-CLOCKWISE WAS APPLIED TO THE BEARINGS ON PLAN 16R-9030 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 0.999611.

- DENOTES SET
- DENOTES FOUND
- S.I.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
- P. DENOTES POINT OF CURVATURE
- P.R.C. DENOTES POINT OF REVERSE CURVATURE
- N.T. DENOTES NOT TANGENTIAL
- W DENOTES WITNESS

UNLESS OTHERWISE INDICATED ALL SET BARS ARE I.B.
UNLESS OTHERWISE INDICATED ALL SET BARS MARKED
P.C. OR C.C. ARE C.C.
UNLESS OTHERWISE NOTED ALL FOUND BARS ARE
MARKED ZUMU

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 25TH DAY OF APRIL 2014.

APRIL 28, 2014  O.L.S.

PAUL R. THOMSEN
ONTARIO LAND SURVEYOR
COLLINGWOOD

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 37 (BOTH INCLUSIVE), BLOCKS 38 TO 64
(BOTH INCLUSIVE), THE STREET WIDENING NAMELY BLOCK
65, THE 0.30 RESERVE, NAMELY BLOCK 66, BLOCK 67 AND
THE STREETS, NAMELY CROSSWINDS BOULEVARD AND
SNOW APPLE CRESCENT HAVE BEEN LAID OUT IN
ACCORDANCE WITH MY INSTRUCTIONS.

2. THE STREETS AND STREET WIDENING ARE HEREBY
DEDICATED TO THE CORPORATION OF THE COUNTY OF
GREY AS PUBLIC HIGHWAY.

DATED THIS 8TH DAY OF AUGUST 2014

WINDFALL GP INC.
I HAVE THE AUTHORITY TO BIND THE CORPORATION

DAVID BUNSTON (PRESIDENT)

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 (CSRS) (1997)
COORDINATES TO RURAL ACCURACY PER SEC. 1412) OF D. REG. 2.16/10.

POINT ID	NORTHING	EASTING
A	4927456.21	556795.82
B	4227734.24	556746.64

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

THIS FINAL PLAN OF SUBDIVISION IS APPROVED UNDER
SECTION 5 (58) OF THE PLANNING ACT, CHAPTER P 13
R.S. 1955, AS AMENDED.

THIS 8th DAY OF August 2014.

1184

DIRECTOR OF PLANNING

ONTARIO LAND SURVEYORS

39 STEWART ROAD
COLLINGWOOD, ONTARIO L9Y 4M7

PHONE: (705) 445-4910 FAX: (705) 445-5866
JOB No.: 86-25-12 SURVEY FOR: WINDFALL GP INC.