

PLANNING JUSTIFICATION REPORT

Zoning By-law Amendment

PT LT 25 CON 4, COLLINGWOOD PT 1 16R1936;
S/T C0017986, THE BLUE MOUNTAINS

Blue Birch Properties Inc.

Prepared by: Loft Planning Inc.

October 20, 2023



LOFT PLANNING

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1.0 INTRODUCTION

Loft Planning Inc. has been retained by Blue Birch Properties Inc., to act as planners for a proposed Zoning By-law Amendment to facilitate future residential development on lands known as PT LT 25 CON 4 COLLINGWOOD PT 1 16R1936; S/T CO17986; THE BLUE MOUNTAINS. This Planning Justification Report provides an analysis of current land use planning policy that supports the proposed amendment.

The lands are designated Recreational Resort Settlement Area in the County of Grey Official Plan and Residential Recreational Area and Hazard in the Town of The Blue Mountains Official Plan. The lands are zoned Development (D), Hazard (H) and Wetland (W) in the Town of The Blue Mountains Zoning By-law 2018-65. The lands are regulated by the Grey Sauble Conservation Authority and are located within the jurisdictional boundaries of the Saugeen Ojibway Nation and the Huron-Wendat Nation.

2.0 SITE AND SURROUNDING AREA

The subject lands are legally described as PT LT 25 CON 4 COLLINGWOOD PT 1 16R1936; S/T CO17986; THE BLUE MOUNTAINS. There is no civic address assigned. The lands are an irregularly shaped lot, located south of Highway 26 West and generally between Wards Road on the west and Hidden Lake Road on the east. The lands wholly abut the Georgian Rail Trail on the northern lot boundary and are in close proximity to the Georgian Bay shoreline. The lands abut existing residential development, located along Barclay Boulevard and James Street as well as the Hidden Lake development. The lands abut two municipal road allowances namely, the Railway Street/Barclay Boulevard road allowance in the north west corner of the property and directly abut the James Street road allowance in the south east corner of the property.

The subject lands have a lot area of 10.6 hectares (Figure 1 – Subject Lands). The lands are vacant and well-treed. A significant portion of the lands comprise a Wetland feature and associated Hazard Lands. A watercourse, known as Watercourse 22, traverses the property from the southwest to the northeast. The lands are located directly adjacent to the Georgian Rail Trail and are in close proximity to Highway 26 and the Georgian Bay Shoreline. The lands are generally located in a residential area surrounded by existing residences that have frontages on Barclay Boulevard and James Street. The lands are also adjacent to a medium density condominium development (Hidden Lakes Development) (Figure 2 – Location).

3.0 PROPOSED DEVELOPMENT

3.1 PROPOSED SITE PLAN

The Applicant proposes to re-zone two developable areas of the property to allow for the construction of a single detached dwelling. Through the findings of the technical studies, two development envelopes have been identified on the property, one in the northwest and one in the southeast. The northwest development envelope has a land area of 0.783 ha and proposed access to Barclay Boulevard (Figure 3 – Development Envelope North). The Town has indicated that a Municipal Land Agreement and Entrance Permit would be required to provide access to this building envelope. The southeast development envelope has a land area of 0.49 ha and would permit one single detached residence to be constructed with frontage and direct access to James Street (Figure 4 – Development Envelope South). An Entrance Permit would be required. The proposal is for a Zoning By-law Amendment to re-zone the lands and establish building envelopes on an existing lot of record. There is no lot creation proposed at this time.

The application has been the subject of a formal Pre-Consultation process with the Town, which identified technical studies required as part of a complete application, including an Environmental Impact Study, Flood Hazard Study and Functional Servicing Report. The reports considered the entirety of property. The reports are provided as part of this submission.

Consultation requests were submitted to Saugeen Ojibway Nation and Huron-Wendat Nation by Tatham Engineering Limited on May 5, 2023 and May 12, 2023 respectively. Initial correspondence has been received from Huron-Wendat and we are awaiting comments from SON. No Archaeological Study has been completed for this proposed zoning by-law amendment which would allow a single detached dwelling to be built on an existing lot of record. We would anticipate that an Archaeological Report will be required to facilitate any future consent applications.

A review of the proposed development concludes that the following applications are required:

1. Zoning By-law Amendment:

Purpose: To rezone a portion of the lands to permit residential development by establishing building envelopes and to define the Wetland and Hazard Lands limits based on the technical studies.

Effect: To rezone the lands from Development (D), Hazard (H) and Wetland (W) to Residential One – One – Site Specific Exception (R1-1-X), Hazard (H), Hazard – Site Specific Exception (H-XX) and Wetland (W) to permit residential development by establishing building envelopes. Exception (-X) will deem the lands as having frontage on an open and maintained municipal road and will permit a reduced lot frontage of 10 m, a reduced front yard setback of 6 m, a reduced rear yard setback of 6 m and a reduced setback from the wetland feature of 15 m. Exception (-XX) will permit limited site works, including site grading and restoration. The Zoning By-law Amendment also requests the removal of the holding symbol on a portion of the lands supported for development and site works.

- **Natural Heritage**

Birks Natural Heritage Consultants were retained to undertake an Environmental Impact Study (EIS) in support of the proposed development. The EIS identified and delineated a wetland feature within the central portion of the property. Tatham Engineering were retained to prepare a Flood Hazard Study to assess the existing flood hazard conditions and establish the developable limits across the subject property. The EIS and Flood Hazard Study established building envelopes that are safe for development and do not impact the natural heritage features or their functions. Both reports contain mitigation measures that will flood proof the development envelopes and will prevent adverse impacts to the natural heritage features. More details can be found in the technical reports section below.

- **Servicing**

Tatham Engineering was retained to undertake a Functional Servicing Brief in support of the proposed development. The servicing brief provides a summary of the development as it relates to access, flood hazard, grading and drainage, soils and groundwater, water servicing, sanitary servicing and utilities. The lands will be connected to municipal watermain on Barclay Boulevard and James Street. No existing sanitary servicing is available, requiring an on-site septic system. More details can be found in the technical reports section below.

- **Trails and Connectivity**

The Georgian Rail Trail is located adjacent to the site and abuts the north boundary of the site. There would be no additional access to these private lands from the trail, however the residents of the property will be in close proximity to the trail system.

4.0 POLICY ANALYSIS

A review of planning documents is required to evaluate the compliance of the Zoning By-law Amendment Application to the Planning Act as well as the provincial and municipal planning documents. A review of the proposed development based on the applicable planning documents made the following conclusions:

1. **The Proposed Development has Regard for Matters of Provincial Interest (Section 2 of the Planning Act, 1990).** Section 2 of the Planning Act requires planning authorities to have regard for matters of provincial interest. The proposed application will establish two development envelopes for a single detached residential dwelling in an appropriate location for growth and development and will have appropriate consideration for the associated environmental features. The required technical studies have established the extent of the development envelopes.
2. **The Proposed Development is in the Public Interest.** The proposed application will permit a single detached residential use on the lands. The proposed development is based on the findings of the required technical studies and has taken into consideration the natural hazards and associated natural heritage features.
3. **The Proposed Development is Consistent with the Provincial Policy Statement 2020.** The proposed re-development is consistent with policies that apply to residential lands, natural hazards and the protection of health and safety.
4. **The Proposed Development Conforms to the County of Grey Official Plan and the Town of The Blue Mountains Official Plan.** The proposed application conforms to the policies that guide land use and development on residential lands and protect natural hazards.
5. **The Proposed Applications generally comply with the Zoning By-law.** The proposed application generally meets the intent of the Zoning By-law, as applied for. The focus of the studies was to determine if the lands currently zoned Development (D) were appropriate for development and to study the Wetland and Hazard Lands to establish boundaries and appropriateness of setbacks.

A detailed review of the applicable planning documents is provided in the following sections.

4.1 PLANNING ACT

The Planning Act must be considered when reviewing development applications. In consideration of the Zoning By-law Amendment, Sections 2 (Provincial Interest) and 3 (Provincial Plans) of the Planning Act apply.

Section 2 of the Planning Act requires that regard be given to matters of “Provincial Interest” which consider the following:

- ✓ the protection of ecological systems, including natural areas, features and functions;
- ✓ the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- ✓ the orderly development of safe and healthy communities;
- ✓ the adequate provision of a full range of housing, including affordable housing;
- ✓ the appropriate location of growth and development;
- ✓ the promotion of built form that,
 - is well-designed
 - encourages a sense of place, and
 - provides for public spaces that are of high quality, safe, accessible, attractive and vibrant

The site has been identified for potential development opportunities as part of the Recreational Resort Area designation. The site has been designed to efficiently use the available land and infrastructure, while ensuring the protection of the Wetland feature on the lands. An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants which established the developable lands on the site, taking into consideration the Wetland feature and adjacent lands. A Flood Study was completed by Tatham Engineering which established the developable lands and provided the required elevations and cut/fill requirements as it relates to flood hazards.

The application will facilitate residential development on an existing lot of record. There is no lot creation proposed at this time. The intent of this application and the technical studies was to establish the developable lands. The site is appropriately located for residential development, will contribute to and expand a housing opportunity for the Town and is compatible with the adjacent residential uses. The lands are located in close proximity to various transportation corridors, including Highway 26 providing regional vehicular and public transportation connections and the Georgian Rail Trail providing active transportation opportunities.

Section 3 (5) (a) of the Planning Act requires that decisions affecting planning matters must be consistent with policy statements and conform to provincial plans that are issued under the Act. In regard to the proposed applications, the Provincial Policy Statement (PPS) 2020 is addressed in the following section.

CONCLUSION:

The proposed application for the subject lands meets the requirements of the Planning Act RSO.

4.2 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) 2020 provides policy direction on matters of provincial interest related to land use planning and development, directing the location and nature of appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The County of Grey Official Plan identifies the Recreational Resort Area land use type as a settlement area, where growth and development are directed. The policies in the PPS that guide growth in Settlement Areas are as follows:

Section 1 - Building Strong Healthy Communities

The Provincial Policy Statement provides that, healthy, liveable and safe communities are sustained by a range of areas which include but are not limited to (Policy 1.1.1):

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) Accommodating an appropriate affordable and market-based range and mix of residential types;
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) Promoting land use planning, growth management, transit supportive development intensification and infrastructure to achieve cost, effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs;
- f) Promoting development and land use patterns that conserve biodiversity;
- g) Preparing for the regional and local impacts of a changing climate.

Section 1.1.3 provides policies related to settlement areas. Generally, settlement areas are the focus of growth and development. Development in settlement areas should be based on land uses which:

- Efficiently use land and infrastructure available;
- Minimize impacts to the environment and prepare for the impacts of climate change;
- Transit and freight supportive and support active transit.

The proposed development represents an infill development on an existing lot of record in a developed area that is surrounded by existing residential development. The lands currently include a portion of lands that are zoned Development (D). Technical studies were undertaken to evaluate and define the Wetland boundary and associated Hazard Lands and to determine if the Development (D) lands were developable. The findings of the reports did define the Wetland boundaries, associated Hazard Lands, appropriate setbacks and supported two building envelopes on the lands.

The development envelope in the northwest corner will have access to Railway Street/Barclay Boulevard. The proposed zoning would utilize a R1-1 Zone (similar to surrounding lands) and would therefore limit the use to single detached dwellings. The Town has indicated that a Municipal Land Agreement would be required in addition to an Entrance Permit. There are exceptions proposed within this R1-1 zone which will be discussed within Section 4.6 of this PJR. It is the applicant's intention to construct a single detached dwelling within one of the building envelopes immediately upon approvals. There is no lot creation proposed with this application. The development envelope in the southeast corner will have direct access to James Street. The proposal takes into consideration the surrounding residential lands, the lot sizes would be larger than the existing adjacent lots and would be limited to single detached residential uses and accessory uses. The proposed zoning is the R1-1 Zone which is consistent with surrounding lands on Barclay Boulevard and James Street.

The lands are located just south of Highway 26, offering both vehicular and public transit options, locally and regionally. The Georgian Rail Trail abuts the property to the north, providing access to active transportation options. The proposed development represents an efficient use of lands that are partially serviced and identified within a development designation/area.

Section 2 - Wise Use and Management of Resources

Section 2 of the PPS recognizes that wise use and management of resources is achieved by (policy 2.1-2.6):

- Protecting the longevity of natural features.
- Protecting and restoring the quality and quantity of water resources.
- Protecting agriculture, mineral, and cultural heritage and archeological resources for their economic, environmental, and social benefits.

The central area of the property is considered a Wetland feature. Significant Woodlands occupy a majority of the lands adjacent to the Wetland. Development and site alteration are not permitted on lands adjacent to natural heritage features unless it has been demonstrated that there are no negative impacts on the natural features or on their ecological functions (policy 2.1.8).

The Environmental Impact Study (EIS), completed by Birks Natural Heritage Consultants, characterized the Natural Heritage Features, determined their function and evaluated potential impacts related to the proposed

development. The Environmental Impact Study established building envelopments which were generally consistent with the development envelopes established by Tatham Engineering in the Flood Hazard Study, including appropriate setbacks from the wetland features. The EIS provided mitigation measures that will be implemented in order to prevent adverse impacts on the natural heritage features and their functions (Birks, 2023).

A Flood Hazard Study was completed by Tatham Engineering that provided an overview of the flood hazards, related to Watercourse 22, on the subject lands. The Study established the developable limits across the subject property and recommended mitigation measures to flood proof the developable areas and mitigate potential impacts on flood conditions, including raising the grade throughout the developable areas, cutting the area adjacent to the wetland, improving the drainage channel, and installing an inceptor swale along the southern developable area (Tatham, 2023).

Section 3 – Protecting Health and Safety

The PPS provides that planning authorities shall ensure measures are taken to address and mitigate known or suspected hazards, through planning and development approvals to protect human health and the environment. Specifically, Policy 3.1.1, 3.1.2 and 3.14 provides policies related to development and site alteration being directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

The technical reports prepared support the application, define the Wetland and Hazard Lands, and inform the building envelopes. The details of the technical reports are summarized below.

CONCLUSION:

Consistency with the Provincial Policy Statement 2020 has been demonstrated.

4.3 NIAGARA ESCARPMENT PLAN

The lands are located within the Niagara Escarpment Plan area and are designated Escarpment Recreation Area. Permitted uses within the Escarpment Recreational Area include single-detached dwellings. The plan provides that development shall be compatible with the protection of natural heritage and hydrologic features and functions, the conservation of cultural heritage resources and the sustainable use of water resources for ecological and servicing needs.

The proposed Application will rezone two development envelopes for residential land use. The Flood Hazard Study prepared by Tatham Engineering reviewed the existing and potential flood hazards as it relates to Watercourse 22 on the lands. The Study established limits for development and recommended several mitigation measures related to cut and fill and grading to flood proof the developable lands. (Tatham)

Birks Natural Heritage Consultants were retained to undertake an Environmental Impact Study (EIS) in support of the proposed development. The EIS was able to support the developable areas established through the Flood Hazard Study, including setbacks to the wetland features in the northern development envelope and the southern development envelope (Birks, 2023). The EIS identified mitigation measures that, if implemented, the proposed development is not anticipated to adversely impact the natural heritage features or their functions.

CONCLUSION:

Conformity with the Niagara Escarpment Plan had been demonstrated.

4.4 COUNTY OF GREY OFFICIAL PLAN

The subject lands are designated Recreational Resort Area in the County of Grey Official Plan. The lands are identified as containing Significant Woodlands and Other Wetlands on Appendix B of the County of Grey Official Plan. The Recreational Resort Area designation applies to areas that have been developed through site-specific amendments to the County Official Plan or local Official Plan and include defined development areas, recreational amenities, residential development and are serviced by municipal services (S.3.8). The objective of the Recreational Resort Area land use type is to serve the public interest by providing opportunities for community recreation and accommodate existing un-serviced development areas with development potential in the Recreational Resort Area land use type.

The development proposes to re-zone a portion of the lands for residential development in an area adjacent to existing residential development. The lands are currently vacant, an existing lot of record and located within an established recreational residential area, located south of Highway 26 and abutting the Georgian Rail Trail. The lands are located west of Craigeith Provincial Park and east of Camperdown and in close proximity to recreational and commercial uses along the Highway 26 corridor. The proposed development represents an infill development on vacant land, utilizing an existing lot and public infrastructure efficiently. Municipal water connections are available for the development.

Section 7.3.2 provides policies for Other Wetlands. Generally, development is not permitted on lands within Other Wetlands or their adjacent lands, unless it can be demonstrated that there will be no impact on the natural heritage features or their functions (S.7.3.2). The County encourages development to be setback 30 m from wetlands, unless it can be established through an EIS that this setback can be reduced.

An Environmental Impact Study was undertaken in support of the proposed development and evaluated the proposed developments impact on the natural heritage features. The northern developable envelope maintains a 15 m setback from the delineated wetland, with the majority of the setback extending beyond the 15 m. Site grading and alterations are proposed to mitigate the risk of flooding during regional storm events.

Once this grading has been completed, Birks NHC determined that a maximum 90 m setback to permanent site alteration can be achieved (Birks NHC, 2023). This setback is also intended to function as the setback to the retained Significant Woodland feature. The southern developable area allows for a 15 m ‘no-touch’ setback to the wetland habitat, in addition to the 5 m of lands within the Hazard Lands zone that will be re-naturalized. The EIS concluded that a 20 m setback to the wetland feature is supportable (Birks, 2023).

A Flood Study was undertaken that provided a review of the existing and potential flood hazards related to Watercourse 22 and established developable limits on the lands (Tatham, 2023). Mitigation measures have been recommended to flood proof the developable lands.

Section 7.4 provides policies for Significant Woodlands. Similarly, development is not permitted within or adjacent to Significant Woodlands, unless it has been demonstrated that development will not impact the natural features or their functions. The EIS conducted by Birks Natural Heritage Consultants Inc. determined that provided that the recommended mitigation measures are implemented, the proposed development and site alteration are not expected to adversely impact the natural heritage features or their function (Birks, 2023)

CONCLUSION:

Conformity to County of Grey Official Plan has been established.

4.5 TOWN OF THE BLUE MOUNTAINS OFFICIAL PLAN

The lands are designated Residential Recreational Area and Hazard (Figure 5 – Town of The Blue Mountains Official Plan). Permitted uses within the Residential Recreational Area designation include single-detached dwelling units, among other uses listed under Section B3.7.3.

It is the intent of the Recreational Resort Area to:

- *Recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses; and,*
- *Recognize areas where some residential uses are located to support and provide access to resort and recreational amenities.*

The subject lands are vacant and surrounded by existing residential uses that comprise a mix of seasonal and permanent residences. The lands are in close proximity to recreational uses including Northwinds Beach, Craigeith Provincial Park and to the Village at Blue. Limited development of the site offers an opportunity for a residence in close proximity to resort and recreational amenities on an existing lot of record.

Section B5.2 provides policies related to Natural Heritage Features. Natural heritage features include both Significant Woodlands and Other Wetlands as identified in the County Official Plan. Development and site alteration is not permitted in Significant Woodlands unless it has been demonstrated that there will not be any

adverse impacts to the natural features or their functions. Lands adjacent to Significant Woodlands and Other Wetlands also have constraints for development. Lands within 30 m of Other Wetlands and lands within 120 m of Significant Woodlands are considered “adjacent lands” and development is only permitted where it can be determined through an EIS that there will be no negative impact on the natural features or their functions.

A Flood Hazard Study was completed that established the developable limits on the subject lands. The study provided mitigation measures that will flood proof the development envelopes on the property and will ensure no adverse impact on existing flood conditions (Tatham, 2023).

The EIS supports the developable limits provided by the Flood Hazard Study, including the proposed setbacks from the wetland feature in the northern development envelope and southern development envelope. The EIS determined that the setbacks will be enhanced through site alterations that will restore naturalized conditions within the Hazard zone and will not impact the adjacent natural heritage features or their functions (Birks, 2023).

A Functional Servicing Report was completed for the proposed development. The FSR determined that the proposed development will be connected to existing municipal water services along Barclay Boulevard and James Street. Provided the recommended mitigation measures are implemented, the proposed development, including an on-site sanitary system within the established building envelopes is supported (Tatham, 2023).

CONCLUSION:

Conformity to the Town of The Blue Mountains has been established.

4.6 TOWN OF THE BLUE MOUNTAINS ZONING BY-LAW 2018-65

The subject lands are zoned Development (D), Hazard Land (H) and Wetland (W) in the Town of The Blue Mountains Zoning By-law 2018-65 (Figure 6 – Town of The Blue Mountains Zoning By-law). To establish the development envelopes a Zoning By-law Amendment is required. The proposed Amendment will redefine and rezone the Development (D) zones to the Residential One (R1-1-X) Zone and will provide for exceptions related to recognizing frontage on an open and maintained road, reduced lot frontage, a reduced front yard setback, a reduced rear yard setback, and a reduced setback from the wetland feature. A reduced lot frontage would permit future severances. The reduced setbacks will create more suitable building envelopes that most efficiently use the developable lands and provide some flexibility to a future landowner/resident. We would note that the setbacks requested are the setbacks permitted as of right within the R1-2 Zone and as such are common and acceptable setbacks. And further, that these building envelopes are large compared to adjacent residential uses but would be irregularly shaped. The Amendment also establishes an Exception on the Hazard Land (H-XX) Zone which relates to permissions for site works and grading. The details of the site works and grading are detailed within the Flood Study and are supported by the Environmental Impact Study (EIS). This

Exception area will remain lands zoned Hazard Lands (H) and will be considered adjacent lands to the Wetland feature. The Amendment would also Lift the Holding Symbol within the building envelopes based on the technical studies submitted.

The proposed Zoning By-law Amendment is as follows:

1. ***THAT*** Map A and Map No. 13 of the Town of The Blue Mountains Zoning By-law No. 2018-65 is hereby amended, in accordance with Schedule 'A' attached hereto, by rezoning the entirety of the said lands known as PT LT 25 CON 4 COLLINGWOOD PT 1 16R1936; S/T CO17986; THE BLUE MOUNTAINS from the DEVELOPMENT (D) ZONE, HAZARD (H) ZONE and WETLAND (W) ZONE to the RESIDENTIAL ONE - ONE – SITE SPECIFIC EXCEPTION (R1-1-X) ZONE, HAZARD (H), HAZARD - SITE SPECIFIC EXCEPTION (H-XX) and WETLAND (W) and removing the Holding 'h' symbol from the lands.
2. ***THAT*** Section 9 of By-Law No. 2018-65, is hereby amended by adding the following
 - 9.X Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted on the symbol *X on the schedule to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.
 - 9.X.1 Lands Subject to Exception *X:
 1. Lands are deemed to have frontage on an open and maintained municipal road.
 2. Reduced lot frontage of 10 metres.
 3. Reduced front yard setback of 6 metres.
 4. Reduced rear yard setback of 6 metres.
 5. Reduced setback from wetland feature of 15 metres.
 - 9.XX Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted on the symbol *XX on the schedule to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.
 - 9.XX.1 Lands Subject to Exception *XX:
 5. Additional permitted uses include:
 - i. Limited site works including site grading and restoration.

A proposed Draft Zoning By-Law Amendment is included in the Appendices of this PJR.

5.0 TECHNICAL REPORT

The following is a summary of the technical reports submitted in support of the development proposal:

5.1 ENVIRONMENTAL IMPACT STUDY

Birks Natural Heritage Consultants was retained to complete an Environmental Impact Study (EIS) in support of the proposed development. The purpose of the EIS was to characterize the Natural Heritage Features, being Significant Woodlands and Other Wetlands, determine their function and evaluate the potential impacts related to the proposed development. Based on the findings from the Flood Hazard Study completed by Tatham Engineering, the EIS was able to support the two developable areas in the northern and southern portion of the lands. The EIS concluded that given the size of the proposed site alterations, compared to the size and function of the natural landscape, direct impacts to the Significant Woodlands and Significant Wildlife Habitat are not anticipated. Provided the recommended mitigation measures are implemented, the proposed development is not anticipated to negatively impact the function of natural heritage features (Figure 7 – Wetland Mapping).

5.2 FLOOD HAZARD STUDY

A Flood Hazard Study was completed by Tatham Engineering in support of the proposed development. The Terms of Reference for this study included a review of existing and proposed drainage conditions, flood hazards and mitigation measures. The study established the regulatory flood elevations for the watercourse on the property and the adjacent Wetland. The report is summarized as follows:

- The grade throughout the developable areas will be raised in order to floodproof the proposed developable areas.
- An area adjacent to the wetland will be cut to compensate for floodplain storage volume lost through the placement of fill.
- Drainage channel west of the southern developable area will be improved.
- An interceptor swale will be constructed along the south limit of the southern developable area.
- Minimum opening/apron elevations were recommended for proposed structures.

The study concluded that provided the above mitigation measures are followed and implemented, the proposed development will not negatively impact flood conditions and will be floodproofed.

5.3 FUNCTIONAL SERVICING BRIEF

Tatham Engineering was retained to undertake a Functional Servicing Brief in support of the proposed development. The report looked at various aspects of the development, including access, flood hazard, grading and drainage, soils and groundwater, water servicing, sanitary servicing and utilities. The servicing brief concludes that there are two building envelopes that are suitable for residential development and is summarized as follows:

- The construction of a residential dwelling located above expected minimum water levels during a regional storm is possible in the established building envelopes.
- Residential lot areas are elevated 300 mm above the low point on the adjacent Georgian Trail, ensuring water flows will not be interrupted.
- Geotechnical investigation determined that soils can support residential development and an on-site septic system.
- Municipal water connection, electrical, communications and gas services can be extended to the development.
- A sewage treatment and disposal system can be constructed on site.

5.4 GEOTECHNICAL INVESTIGATION

Soil Engineers Ltd. were retained to conduct a Geotechnical Investigation in support of the proposed development. The purpose of the assessment was to identify the subsurface conditions and determine the properties for the disclosed soils for the proposed residential development (Soil Engineers, 2023). The Assessment identified sand and silty clay underneath the topsoil veneer and that topsoil thickness ranged from 13 to 20 cm. Weathered shale bedrock was found at depths of 1.8 m to 2.3 m below grade. A slope stability review was conducted and several geotechnical constraints were recommended to prevent disturbance of the existing slope. The Geotechnical Investigation concluded with several geotechnical considerations for the residential development of the property. Further details can be found in the full report, included as part of a complete submission.

6.0 CONCLUSION

This Planning Justification Report has been prepared in support of an application for a Zoning By-law Amendment to facilitate residential development on the subject lands. The Application is in keeping with the Planning Act RSO 1990, is consistent with the Provincial Policy Statement, 2020, and conforms to the County of Grey Official Plan, the Town of The Blue Mountains Official Plan and generally complies to the Town of The Blue Mountains Zoning By-law 2018-65, as applied for. Furthermore, it is our opinion that the application represents good land use planning.

Respectfully Submitted,

LOFT PLANNING INC.

A handwritten signature in black ink, reading "Kristine Loft". The signature is written in a cursive, flowing style.

Kristine A. Loft, MCIP RPP
Principal



Georgian Bay

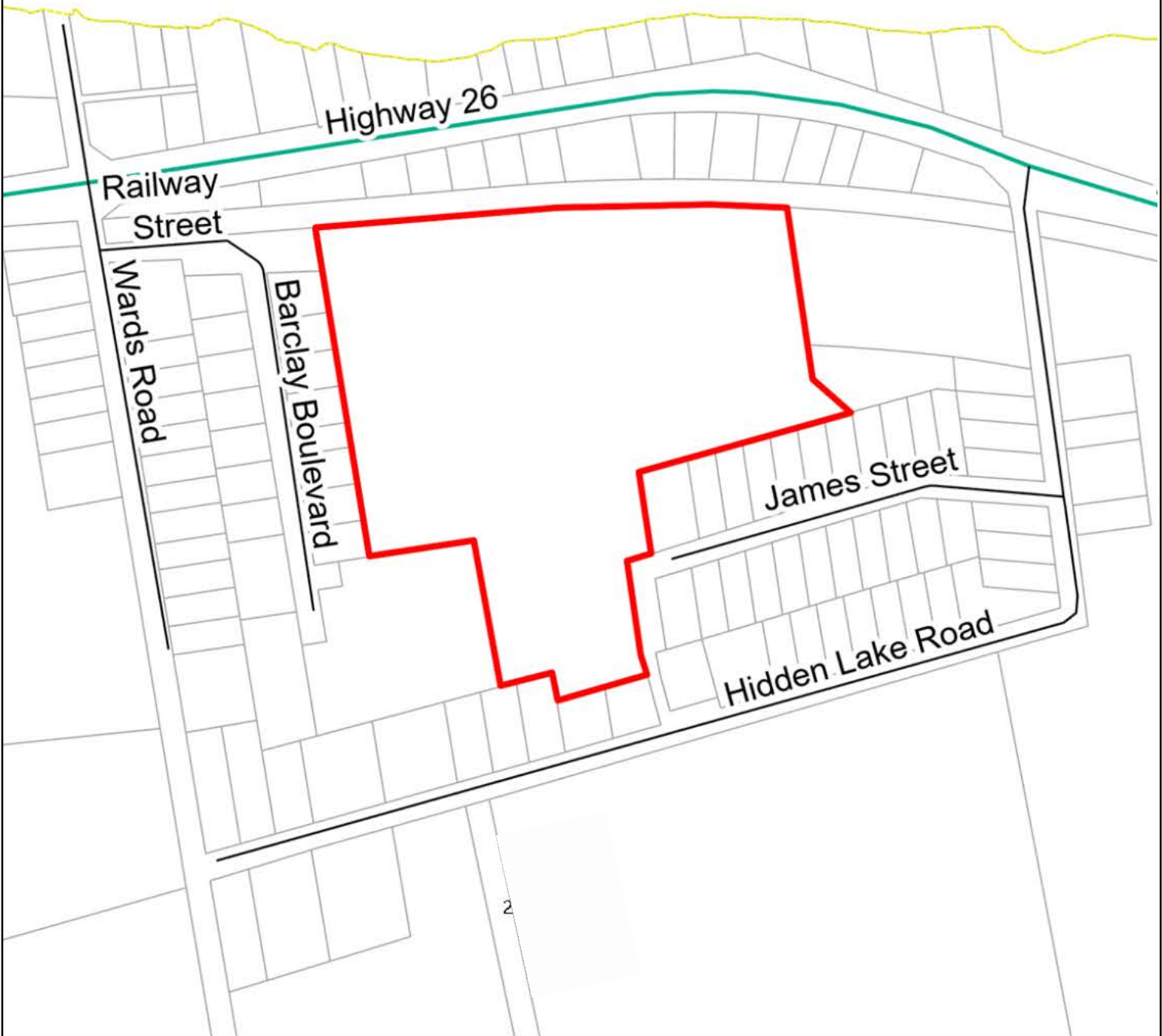


Figure 1
Subject Lands
PT LT 25 CON 4
Town of The Blue Mountains

 **Subject Lands**



LOFT PLANNING

October 20, 2023



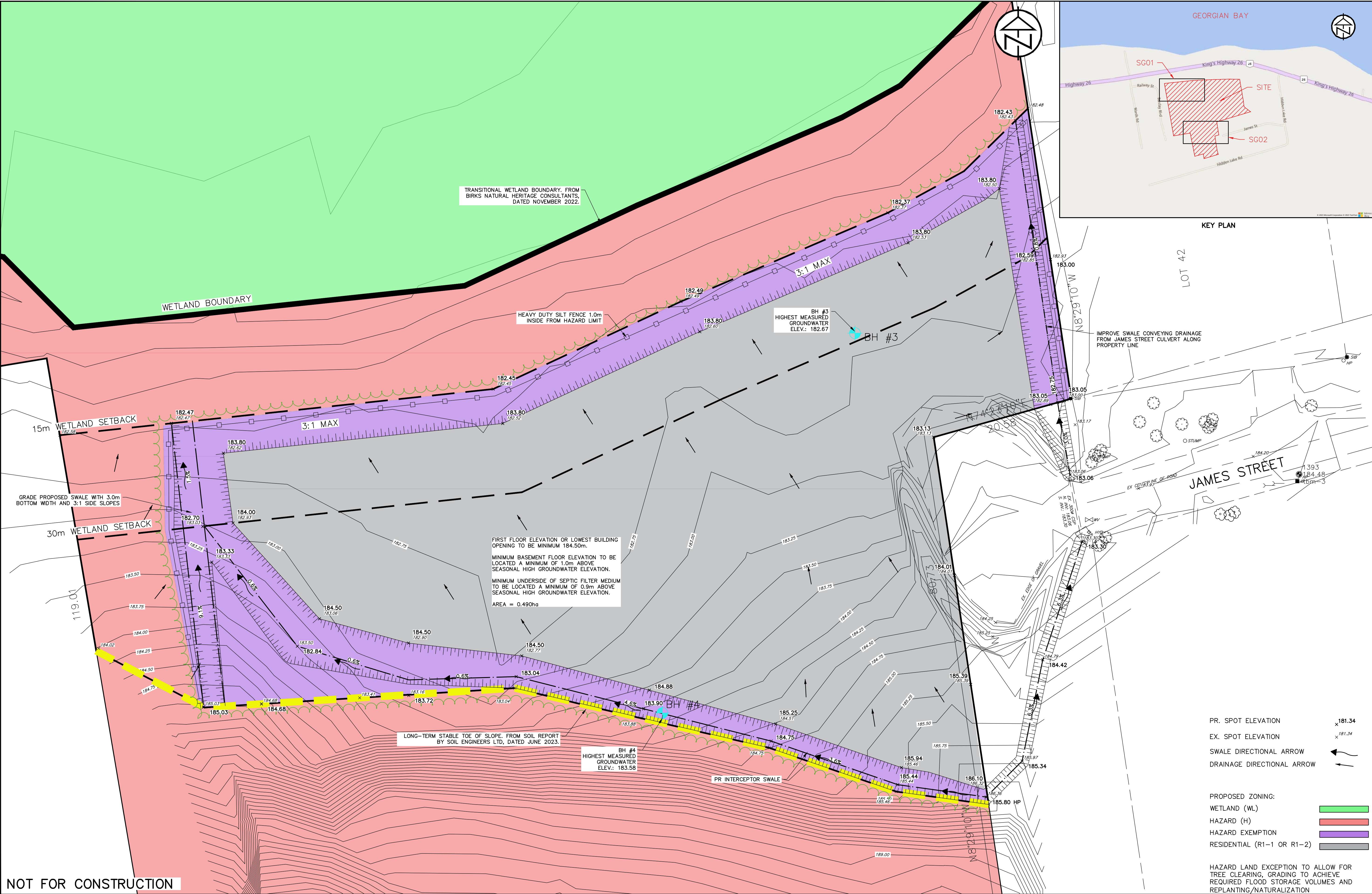
Figure 2
Location
PT LT 25 CON 4
Town of The Blue Mountains

 Subject Lands



LOFT PLANNING

October 20, 2023



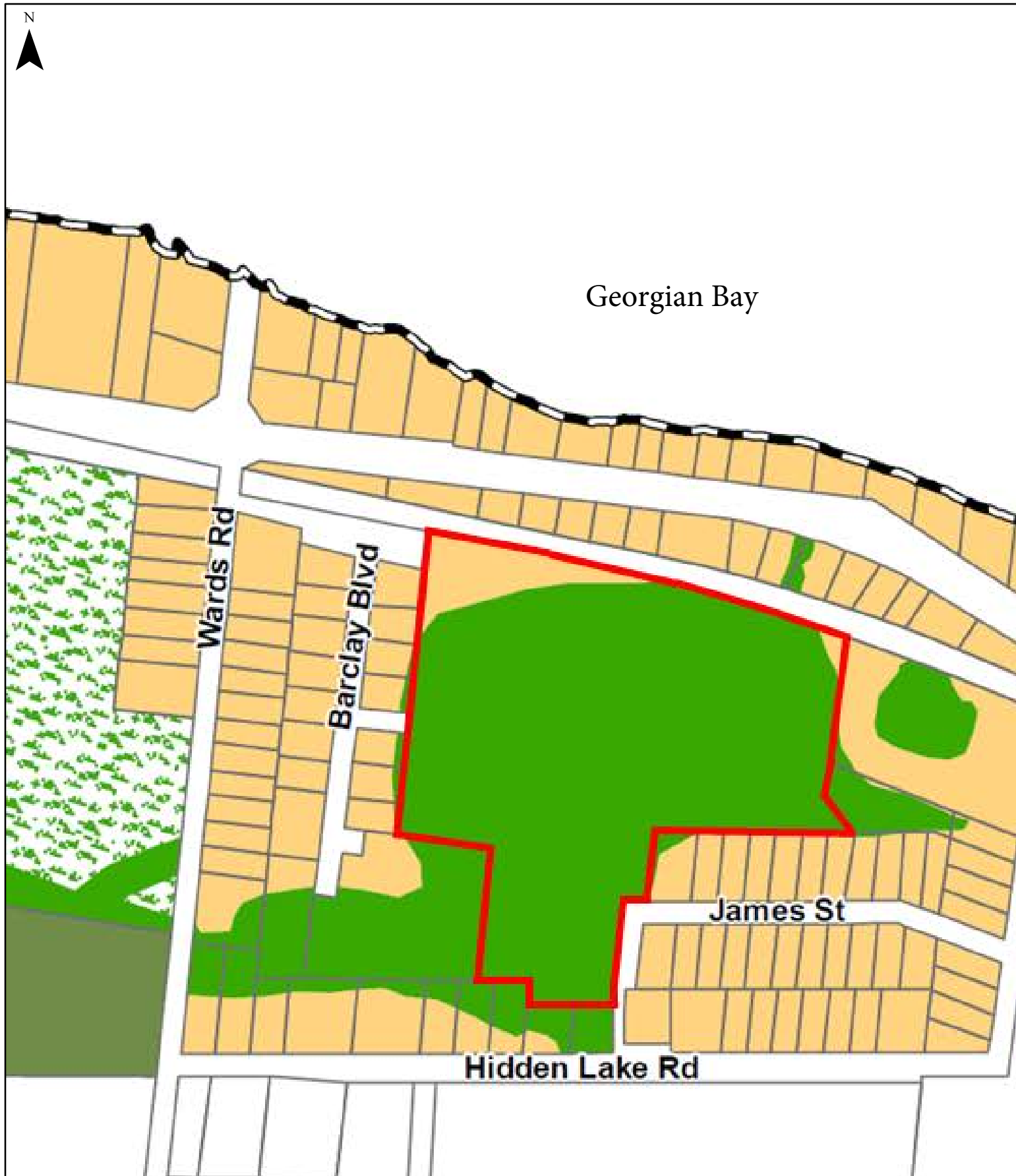


Figure 5
Town of The Blue Mountains Official Plan
PT LT 25 CON 4
Town of The Blue Mountains

- Subject Lands
- Hazard Lands
- Residential Recreational Area



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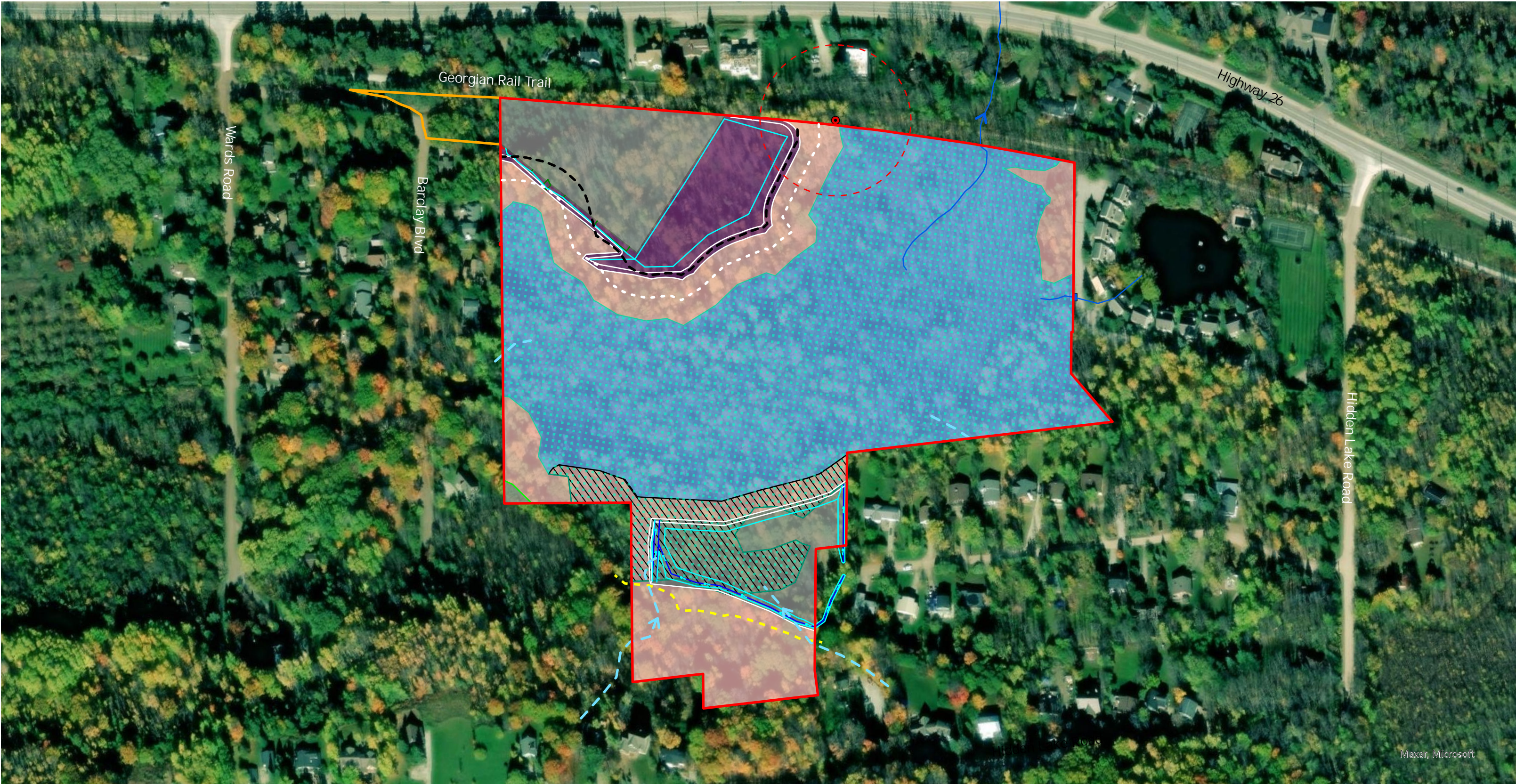
Figure 6
Town of The Blue Mountains Zoning By-law
PT LT 25 CON 4
Town of The Blue Mountains

- Subject Lands
- Hazard Lands (H)
- Development (D)
- Wetland (WL)



LOFT PLANNING

October 20, 2023



Concession 4 Part of Lot 15

Town of the Blue Mountains

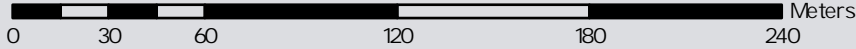
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Figure 3. Site Plan

- | | | | |
|---|----------------------------|---------------------------------------|----------------------------|
| Property Limit | Culvert Location (Approx.) | Wetland Area (Birks NHC) | Proposed Zoning |
| Town of The Blue Mountains Right-of-Way | Butternut Tree | Transitional Wetland Area (Birks NHC) | |
| Watercourse (LIO/Birks NHC) | 50m Butternut Tree Radius | 15m Wetland Setback | |
| Drainage Feature (Birks NHC) | | 30m Wetland Setback | |
| | | Toe of Slope (approximate) | |
| | | | Residential (R1-1 or R1-2) |
| | | | Hazard Exception (H-E) |
| | | | Hazard |
| | | | Wetland |



MAP DRAWING INFORMATION:
DATA PROVIDED BY: ESRI CANADA
MAP CREATED BY: HM
MAP CHECKED BY: MF
MAP PROJECTION: NAD 1983 UTMZONE 17N



FILE LOCATION:
Path: C:\Users\S_Brady\BirksNHC\Birks NHC Team for all - Documents\Project Folders\04 - SBrady Projects\ArcGIS - Projects here\Projects - here\HiddenLake
PROJECT: 04-044-2021 STATUS: DRAFT DATE: 14/09/2023

The Corporation of the Town of The Blue Mountains By-law Number 2023-____
Being a By-law to amend Comprehensive Zoning By-law 2018-65
of the Town of The Blue Mountains

BEING A BY-LAW UNDER THE PROVISIONS OF SECTIONS 34 AND 36 OF THE *PLANNING ACT*, R.S.O 1990,
C. P.13, AS AMENDED

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. p. 13, as amended, the By-law may be amended by Council of the Municipality;

AND WHEREAS pursuant to the provisions Section 36 of the *Planning Act*, R.S.O. 1990, c. p. 13, as amended, the By-law may be amended by Council of the Municipality to prohibit the use of land, buildings or structures within a defined area, or areas;

AND WHEREAS The Town of The Blue Mountains Zoning By-law No. 2018-65 is the governing By-law of the Corporation of the Town of The Blue Mountains and such was finally passed by the Council of the Town of The Blue Mountains on November 29, 2018;

AND WHEREAS The Council of the Corporation of the Town of The Blue Mountains has deemed it advisable to amend the Town of Blue Mountains Zoning By-law No. 2018-65, and thus implement the Official Plan of the Town of The Blue Mountains;

AND WHEREAS Council deemed that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held _____, and that a further meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THAT COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. **THAT** Map A and Map No. 13 of the Town of The Blue Mountains Zoning By-law No. 2018-65 is hereby amended, in accordance with Schedule 'A' attached hereto, by rezoning the entirety of the said lands known as PT LT 25 CON 4 COLLINGWOOD PT 1 16R1936; S/T CO17986; THE BLUE MOUNTAINS from the DEVELOPMENT (D) ZONE, HAZARD (H) ZONE and WETLAND (W) ZONE to the RESIDENTIAL ONE - ONE – SITE SPECIFIC EXCEPTION (R1-1-X) ZONE, HAZARD (H), HAZARD - SITE SPECIFIC EXCEPTION (H-XX) and WETLAND (W) and removing the Holding '-h' symbol from the lands.

2. **THAT** Section 9 of By-Law No. 2018-65, is hereby amended by adding the following

9.X Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted on the symbol *X on the schedule to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

9.X.1 Lands Subject to Exception *X:

1. Lands are deemed to have frontage on an open and maintained municipal road.
2. Reduced lot frontage of 10 metres.
3. Reduced front yard setback of 6 metres.
4. Reduced rear yard setback of 6 metres.
5. Reduced setback from wetland feature of 15 metres.

9.XX Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted on the symbol *XX on the schedule to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

9.XX.1 Lands Subject to Exception *XX:

5. Additional permitted uses include:
 - i. Limited site works including site grading and restoration.

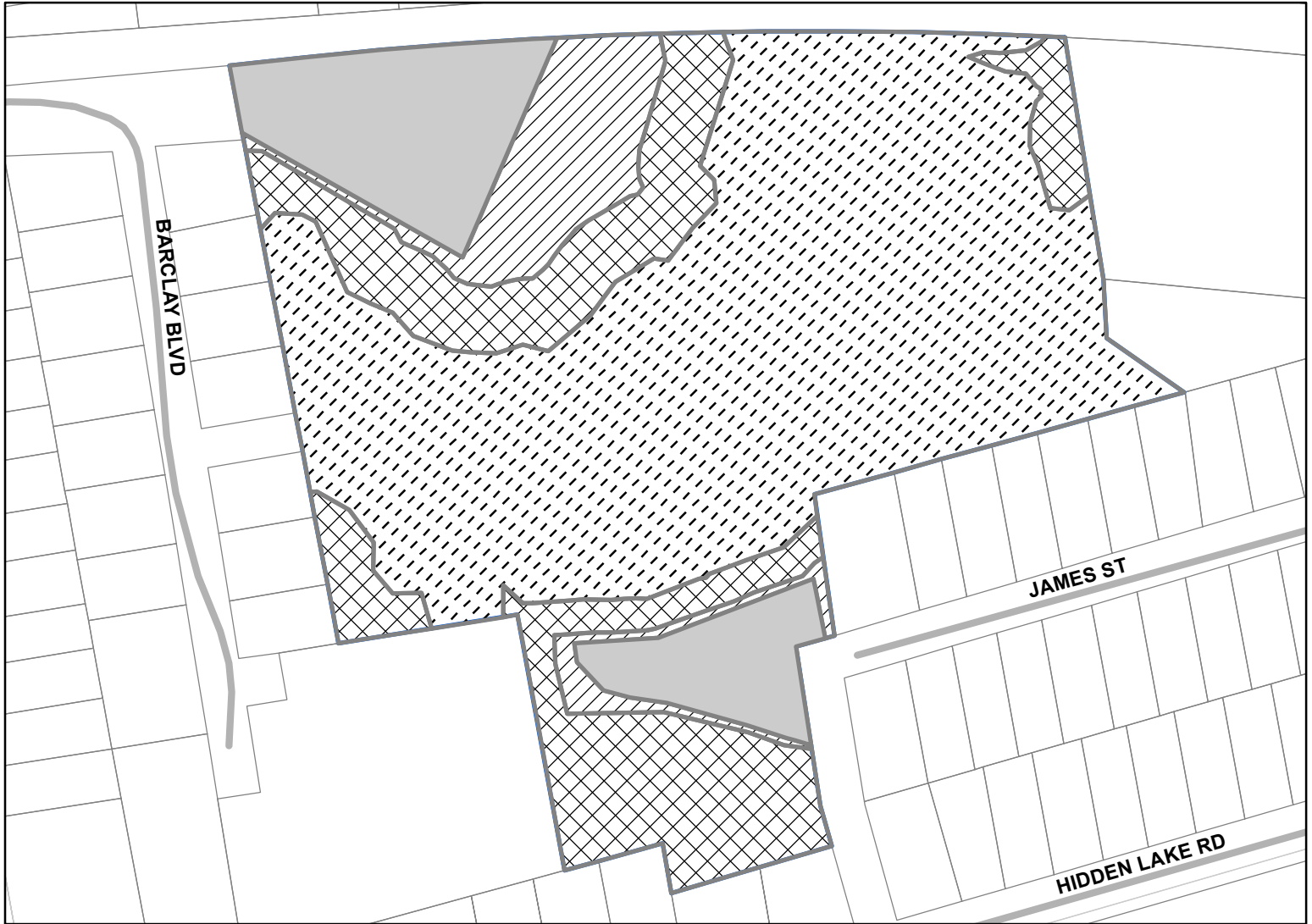
3. **THAT** Schedule 'A' is hereby amended by Schedule A-XX indicating the area affected by this amendment.
4. **THAT** This by-law shall come into effect upon being passed by Council, pursuant to the *Planning Act*, R.S.O. 1990, as amended.





READ A FIRST TIME THIS _____ DAY OF _____, 2023.

READ A SECOND TIME THIS _____ DAY OF _____, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, 2023.

Schedule 'A-1'
By-law 2023-_____
Town of The Blue Mountains
Part Lot 25, Concession 4 (Collingwood)



-  Lands to be rezoned to the Residential One Exception (R1-1-X) Zone and Lift of Holding Provision
-  Lands to be rezoned to the Hazard (H) Zone
-  Lands to be rezoned to the Hazard Exception (H-XX) Zone
-  Lands to be rezoned to the Wetland (W) Zone

This is Schedule 'A-1' to By-law _____

Passed this _____ day of _____, 2023.

Mayor

Clerk