



Town of The Blue Mountains

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Planning and Development 595 9th Avenue East,
Owen Sound Ontario N4K 3E3 519-376-2205 / 1-
800-567-GREY / Fax: 519-376-7970

December 21, 2023

Via Email Only

Travis Sandberg
Dunn Capital

**RE: Notice of Complete Application
516681 7th Line Georgian Bay Club Enclave
Application for Zoning By-law Amendment (File #P3359) and Draft Plan of Vacant Land
Condominium (File #3358)**

Dear Mr. Sandberg:

Thank you for your November 21, 2023 submission of materials in support of your proposed applications for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) at 516681 7th Line.

Notices of Incomplete application were issued on August 25, 2023 and November 14, 2023 itemizing both complete application requirements and requested documents. On October 30, 2023 and November 21, 2023 respectively submissions were received regarding complete application requirements and information requests. In response to the November 21, 2023 submission Town and County staff deem the applications complete per Sections 34 (10.4) and 51 (19.1) of the Planning Act.

Please note that the review of materials submitted with this application, materials provided in response to Notices of Incomplete to date, and requested materials set out therein may necessitate revisions to the proposal as submitted and/or the application of related conditions of approval to the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium to address related matters identified by Town staff including but not limited to:

- demonstrating legal access to a public street by way of required easements over adjacent condominium lands;
- demonstrating legal access to walkways and recreational facilities including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5;
- providing confirmed agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond;
- completing a tree inventory and protection plan prior to review of engineering submission (please note, August 25 2023 regarding scope of content):
 - *Please note that the document titled tree preservation plan that has been submitted with the application materials encompasses both lands proposed as open space on the*

subject site and off-site lands without the context provided by a landscape analysis. The document does not identify any on lot, boundary, or adjacent healthy or degraded trees for retention or removal, has not been coordinated with the landscape analysis and, among other things, does not address on and/or off lot mitigation and/or enhancement plantings that may be required;

Town Engineering Standards (2023) include the following provisions:

- *4.14.3. Tree Preservation A tree inventory, assessment and preservation plan and report must be completed for all developments as identified as part of the planning process. The tree assessment and preservation plan must include all boundary trees and ant trees located offsite within 6.0m of the property boundary. The developer must preserve all trees within the limits of the development in accordance with the tree inventory, assessment, and preservation plan/report.*
- integrating the landscape analysis with content of the tree inventory and protection plan;
- completing grading, stormwater management and landscape plans that address any measures emerging from tree inventory and protection plan and landscape analysis;
- addressing matters related to the submitted studies including but not limited to the review of the Environmental Impact Study (Cambian June 20 2023), Golf Spray Analysis (Fry Straka March 1, 2023), Landscape Analysis (Envision Tatham September 1, 2023) Preliminary Functional Servicing Report (July 28, 2023), Planning Justification Report (Dunn Capital July 25, 2023) and any other studies as required;
- community design provisions including but not limited to requirements for urban design and architectural control guidelines, provisions for pedestrian connections, landscaping and other matters as may be appropriate;
- trail design in the Town's right of way and landscape buffer provisions (on private and/or public lands as required).

The intent is that, within 15 days of the issuance of this notice of complete, public notice will be provided of a received complete application and a statutory public meeting scheduled for January 30, 2024.

If you have any questions with respect to this letter or the application process, please contact Adam Farr at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP
Senior Planner, Grey County

Attachment 1: August 25, 2023 Notice of Incomplete

Attachment 2: November 14, 2023 Notice of Incomplete

- c. Shawn Postma, Town of the Blue Mountains
Scott Taylor, Grey County



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November 14, 2023

Via Email Only

Travis Sandberg
Dunn Capital

**RE: Notice of Incomplete Application
516681 7th Line Georgian Bay Club Enclave
Application for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium)**

Dear Mr. Sandberg:

Thank you very much for your October 30, 2023 submission of materials in support of your proposed applications for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) at 516681 7th Line. Your correspondence is in response to Notice of Incomplete Application for the above captioned proposed project that was sent to you on August 25, 2023.

The August 25, 2023 Notice includes comments that were divided between those requirements necessary to establish a complete application and requested information that was not set out in pre-consultation but identified afterward and is considered important in evaluating the applications and formulating recommendations for Council's consideration. The requested information for which you have provided a response will form part of the staff review and formulation of recommendations for Council consideration.

Your response to the required content has enabled staff to narrow the outstanding issues. At this time the applications continue to be incomplete in accordance with Section 34 (10.4) and 51 (19.1) of the Planning Act pending the submission of materials set out in **A** below.

A. Required Materials:

1. Various easements in favour of the Subject Lands over the adjacent condominium

A partial list of the required easements was received by way of the letter dated October 24, 2023 by Robson Carpenter. However, the requested endorsement from Condo Corporation GCP 105 and owner of the Georgian Bay Club of the proposed condo plan and itemized list of required easements necessary to establish conformity with related Official Plan policies and provisions of the Town's Comprehensive Zoning By-law hasn't been received.

Additionally, as previously noted, the following is required :

- a) identification and endorsement of easements necessary to establish conformity with Zoning By-law requirements for Public Street Access;
- b) requested identification and endorsement of easements or provisions for access to recreational facilities, walkways including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5; and
- c) confirmed agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond.

B. Materials not provided but required through the review of the application and/or required as conditions of approval and/or holding provisions

The following materials are not required for a complete application. Through the review and approvals process we look forward to further work together to achieve related common objectives.

1. Tree Inventory and Protection/Retention Plan (TIPP)

The updated October 30, 2023 submission withdraws the originally submitted August 1 2023 one page document entitled “tree preservation plan” which depicted removal of all trees from the site and retention only of off-site vegetation.

Town staff are of the opinion that the requirement remains for a tree inventory and protection plan in order to fulfill related policy and Engineering staff confirm their comments in pre-consultation do not negate its requirement. It is highly recommended that a tree inventory and protection plan be included with the submission materials for review as part of the disposition of the application. Alternately, a tree inventory and protection plan may be required through the processing of the application and/or as a condition of approval and/or as part of any Holding provisions.

The Town’s Official Plan references requirements for Tree Inventory and Protection Plan in:

- E10 Complete Application Requirements,
- D8.2 Tree Canopy (notably with regard to policy d); and
- A Tree Inventory and Protection Plan (TIPP) was cited as a requirement through the pre-consultation notes.

Section D8.2 Tree Canopy reads:

Supporting the protection and enhancement of tree canopies can contribute to improvements to air and water quality, reductions in greenhouse gases, the support of biodiversity, and enhancement of natural features and systems. It is a policy of the Town to:

- d) require reimbursement, in the form of new trees or financial compensation, for all healthy trees proposed to be removed in development applications, based on the findings of a Tree Inventory and Preservation Plan.*

The TIPP would need to be completed by a qualified professional (arborist) and the results integrated into and informing the remainder of the application content. The TIPP should contain inventory of on lot, boundary, or adjacent off lot healthy or degraded trees for retention or removal, coordination and integration with the landscape analysis and, among

other things, on and/or off lot mitigation, compensation and/or enhancement plantings that may be required.

2. Grading Plan, Stormwater Management Report, Landscape Plan

Additional materials were requested through pre-consultation to be included with the subject applications which on submission will address various issues. These materials include: Stormwater Management Report, Landscape Plan, Site Grading.

These documents have not been provided. Their submission is required either as part of application processing and or as conditions of approval and/or holding provisions.

These materials are ideally integrated with the Tree Inventory and Protection Plan to identify constraints and opportunities for tree retention across the site and should inform any on and or off-site compensation, mitigation and/or enhancement plantings.

In considering the applications, the Town reserves the right to apply required conditions and/or holding provisions as may be appropriate relative to the review of the subject applications regardless of the commentary and interpretations presented by the applicant that accompanies their October 30, 2023 or the preceding August 1, 2023 correspondence.

If you have any questions with respect to this letter or the application process, please call me at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP
Senior Planner, Grey County

Attachment 1: April 7 2022 Pre-consultation Notes

Attachment 2: August 25 2023 Notice of Incomplete

- c. Shawn Postma, Town of the Blue Mountains
Scott Taylor, Grey County



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August 25, 2023

Via Email Only

Travis Sandberg
Dunn Capital

**RE: Notice of Incomplete Application
516681 7th Line Georgian Bay Club Enclave
Application for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium)**

Dear Mr. Sandberg:

Thank you very much for your submission of the above referenced proposed applications and in your responsiveness to questions of clarification by Town staff to assist in advancing our completeness review. Please note that mandatory fee return requirements and other Planning Act and related legislative provisions require that materials submitted with applications be substantially complete at the time of submission in order to meet decision making timeframes. We are glad to meet in person or otherwise to discuss further.

The Town has reviewed the Zoning By-law Amendment and Draft Plan of Condominium applications and supporting material for lands municipally known as 516681 7th Line also known as the Georgian Bay Club Enclave.

Please note the following:

- Applications, supporting materials and required fees regarding the above captioned project were submitted to the Town on August 1, 2022.
- Town staff undertook a review of the submission contents relative to the pre-consultation notes issued on April 7, 2022 (Attachment 1).
- Note that the proposal submitted with the application differs from that which is the subject of the April 7 2022 pre-consultation notes in so far as: lot count has increased from 21 to 22 blocks; the road pattern has changed; and an Open Space Zone has been proposed for a portion of the development.
- Town staff and the applicant engaged in a telephone call to clarify various aspects of the submission on Thursday August 10 2023.
- It was noted in that call that the project proposal is revised now to include consideration of tree retention outside of building footprints and driveways.
- Thank you also for your supplementary clarification letter submitted Wednesday August 16 2023 in response to staff request for clarification on a number of matters to assist in the determination of complete/incomplete application, identification of deficiencies and/or narrowing of issues. An annotated response to its contents is provided in the Attachment 2.

Notice of Incomplete

At this time the applications are deemed incomplete in accordance with Section 34 (10.4) and 51 (19.1) of the Planning Act pending the submission of materials set out in **A** below.

The structure of this letter advises of:

- A. Required Materials** for a complete application consideration as set out in the April 7 2022 pre-consultation notes; and
- B. Requested Materials** to complete an evaluation of the subject applications.

A. Required Materials:

1. Landscape Analysis and Tree Inventory and Protection/Retention Plan

A Landscape Analysis (per OP policy 3.7.4.3 Landscape Analysis) and Tree Inventory and Protection/Retention Plan, both of which are cited in Official Plan E10 Complete Application Requirements, were requested in pre-consultation notes dated April 7 2022 per the excerpt below but not provided:

Tree Inventory and Protection/Retention Plan, as part of a Landscape Analysis per Section B3.7.4.3 of the Town's Official Plan.

Please note that the document titled tree preservation plan that has been submitted with the application materials encompasses both lands proposed as open space on the subject site and off-site lands without the context provided by a landscape analysis. The document does not identify any on lot, boundary, or adjacent healthy or degraded trees for retention or removal, has not been coordinated with the landscape analysis and, among other things, does not address on and/or off lot mitigation and/or enhancement plantings that may be required.

2. Environmental Impact Study:

An environmental impact study for peer review was requested in the pre-consultation notes. Official Plan Policy Requirements for an Environmental Impact Study are set out in section C9.

The Environmental impact study includes the recommendation:

The Stormwater Management Plan prepared for the site should specifically address potential stormwater impacts to water quality and quantity of the surrounding features, erosion potential and a feature based water balance study (if required).

To confirm the conclusions of the EIS the following material is required:

a) FSR and SWM Report scope

The preliminary stormwater management report does not reference the requirement set out in the EIS. Please provide a response addressing the related matters set out above.

b) Water Balance Study

No feature based water balance study has been undertaken as stated in the EIS. Please provide a response addressing the related matters set out above.

This information should come from qualified professional(s) addressing the interrelationships between engineering and environmental issues on the subject and surrounding lands.

3. Various easements in favour of the Subject Lands over the adjacent condominium

Pre-consultation notes included the following request:

"Please confirm any existing easements etc., that may be in place in favour of the Subject Lands over Club Drive."

The Town requests endorsement from Condo Corporation GCP 105 and owner of the Georgian Bay Club of the proposed condo plan and itemized list of required easements necessary to establish conformity with related Official Plan policies and provisions of the Town's Comprehensive Zoning By-law including but not limited to:

- Required servicing easements including but not limited to access to the stormwater management pond and other services requiring approval over the private roadways;
- Public road access easements per requirements of Comprehensive Zoning By-law section *4.15 FRONTAGE ON A PUBLIC STREET*; and
- Easements or provisions for access to recreational facilities, walkways including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5.

Please also confirm agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond.

4. Note that additional materials were requested through pre-consultation to be included with the subject applications which on submission would address a number of related issues. These materials include: Stormwater Management Report, Landscape Plan, Site Grading.

B. Requested Materials

The following materials are requested in order to evaluate the subject proposal for Council consideration. Whether or not the materials are provided and the sufficiency of their content may impact the ultimate disposition of the applications:

1. **Please provide additional information to support statements that appear within the Planning Justification report demonstrating compliance with Local Official Plan policies with regard to:**

- a) Town Official Plan Policy D4.3 Subdivision Development Policies
Subdivision

e) all development by plan of subdivision shall be consistent with Section D5 of this Plan;
Please note the following policies of section D5 and provide supporting materials and/or information to demonstrate fulfillment of the policy content:

D5.2 Design Policies

"The community design policies of this Plan are to be implemented by:

b) ensuring that the design guidelines contained in the Blue Mountains Community Design Guidelines are consulted as a guidance tool;

f) utilizing architectural control in new development areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets;

All development applications shall be evaluated to determine the extent to which the application respects the Community Design policies of this Plan and the relevant Council adopted Community Design Guidelines.

b) Community Design Guidelines

As set out in the pre-consultation notes, dated April 7 2022, submission requirements included:

Section 4. of the Community Design Guidelines, entitled 'Greenfield Design', shall be consulted in the design of the proposed development, including Section 4.5.1 entitled 'Single Detached Dwellings'.

Insufficiently detailed materials have been provided to demonstrate that the guidelines have been consulted in accordance with the Town's request. Please provide additional materials that support the statements made in the Planning Justification Report.

While an Urban Design Brief and Architectural Control Guidelines were not cited as application requirements during pre-consultation, these documents would address the related matters and are requested as a preferred response for review of the proposed zoning to identify any required Zoning By-law provisions and also given possible pre-sales permitted upon draft approval unless a no pre-sales clause is agreed to.

c) Other

Please provide:

- confirmation of proposed mechanisms for securing on lot buffer lands in the event the 3.0 m on lot buffer is determined to be viable and any tree retention, mitigation, enhancement provisions within or around the proposed development area; and
- preliminary trail design details for purposes of establishing construction costs for property frontage trail and assessing impact on vegetation within the ROW that could impact buffering of lots and inform any required on and/or off lot mitigation efforts

This content should be linked to Landscape Analysis and Tree Inventory and Protection/Retention Plan.

In deeming these applications incomplete, the proposal will not advance for further review at this time. The Town reserves the right to ask for more information at a later time, if necessary, in review and consideration of this application.

If you have any questions with respect to this letter or the application process, please call me at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP
Senior Planner, Grey County

Attachment 1: April 7 2022 Pre-consultation Notes

Attachment 2: TOBM Annotated Correspondence of 2023-08-16 from Travis Sandberg

c. Shawn Postma, Town of the Blue Mountains
Scott Taylor, Grey County