



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: April 9, 2024
Report Number: PDS.24.006
Title: Recommendation Report – Zoning By-Law Amendment and Consents to Sever for 372 Grey Road 21 (Rhemm Properties)
Prepared by: David Riley, Principal, SGL Planning & Design Inc.
Sierra Horton, Planner, SGL Planning & Design Inc.

A. Recommendations

THAT Council receive Staff Report PDS.24.006 entitled “Recommendation Report – Zoning By-Law Amendment and Consents to Sever for 372 Grey Road 21 (Rhemm Properties)”;

AND THAT Council enact a By-law to rezone the subject lands from Development (D), Hazard (H) and Wetland (WL) to Residential One – Holding (R1-1-h47), Hazard (H) and Wetland (WL), as outlined in Attachment 1 – Draft Zoning By-law Amendment;

AND THAT Council grant Provisional Consent to Applications P3166, P3167, P3168 subject to the conditions described in Attachment 2 Draft Consent Decision of report PDS.24.006.

B. Overview

The purpose of this report is to provide Council with a summary and recommendation regarding a Zoning By-law Amendment and Consents to Sever for the lands municipally known as 372 Grey Road 21. The proposal is seeking to sever three residential lots from an existing 20.28 hectare lot. The developable area to be severed is 0.3 hectares and the new lots are proposed to meet the minimum lot standards of the Residential One ‘R1-1’ Zone. The new residential lots are proposed to connect to the Collingwood water system and be supported by the water allocation provided to The Blue Mountains through the existing supply contract. The lots are proposed to connect to The Blue Mountains municipal sanitary sewer.

The proposed Zoning By-law Amendment application was submitted to the Town in April 2022. The application seeks to rezone the subject lands from the Development ‘D’, Hazard ‘H’ and Wetland ‘WL’ Zones to the Residential One ‘R1-1’, Hazard ‘H’ and Wetland ‘WL’ Zones. The Holding Provision ‘h1’, which relates to wetland impacts and GSCA authorization for development, is also proposed to be lifted.

The Zoning By-law Application was the subject of a public meeting on June 13, 2022, however was deferred and did not proceed to a Council meeting at that time. A revised Consent to Sever

Application was received with the 2nd Submission for the Zoning By-law Amendment in September 2023. A Public Meeting regarding the Consent to Sever Applications was held on March 12, 2024.

C. Background

Planning Services received a Zoning By-law Application and four Consent to Sever Applications in April 2022. A Statutory Public Meeting regarding the Zoning By-law Amendment was held on June 13, 2022. Following the Public Meeting, a 2nd Submission was received on September 6, 2023, for the Zoning By-law Amendment alongside revised Consent Applications which reduced the number of consents from four to three new residential lots based on comments received and further technical studies. A Public Meeting regarding the Consent to Sever Applications was held on March 12, 2024.

The subject lands are known municipally as 372 Grey Road 21. The property is located on the west side of Grey Road 21, south of Highway 26 and the residential neighbourhood spanning along Timmons Street. The lands are a large rectangular-shaped property having a total area of 20.28 hectares. There is a total lot frontage of 149.4 metres onto Grey Road 21. The site is bisected by the Georgian Trail. There is also an existing servicing easement that crosses the lands in the west end. The lands to the east of the servicing easement are 13.5 hectares and the lands to the west of the servicing easement are 6.96 hectares.

The east end of the property, where there previously was a single detached dwelling and new development is proposed, is generally maintained. Naturalized conditions span the remainder of the site, with woodland and wetland habitats. Portions of the wetland habitat on the property are part of the Silver Creek Provincially Significant Wetland (PSW) Complex. Drainage features are present along the northern and eastern property limits, which converge at Highway 26 where it flows through a culvert under the road to adjacent lands to the north.

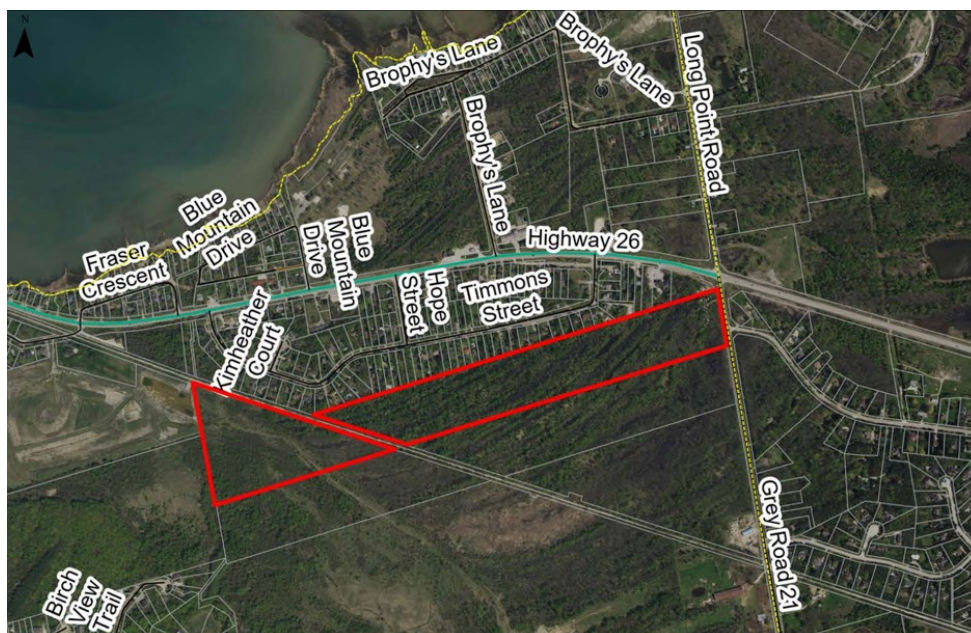


Figure 1. Location Map and Aerial View of Subject Lands

The proposed rezoning and consents apply to a small 0.3 hectare portion of the property along Grey Road 21 currently designated Residential Recreational Area in the Official Plan and zoned Development 'D' Zone. The applicant is proposing to rezone the lands from Development 'D' Zone to Residential One 'R1-1' Zone. No changes to the existing Wetland 'W' or Hazard 'H' Zones are proposed on the remainder of the property.

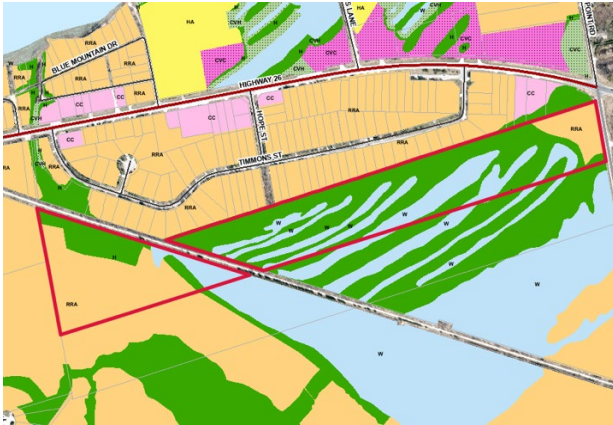


Figure 2. Existing Land Use



Figure 2. Existing Zoning

The Zoning By-law Amendment and Consent to Sever applications are requested to facilitate severance of the larger property to create three new residential lots along Grey Road 21, as shown in **Figure 3** and **Figure 4** below. As part of the consent applications, a 5.18-metre road widening of Grey Road 21 is required to be dedicated to the County of Grey. Additionally, the Town is requiring the conveyance of a 6-metre trail block along the front lot line.

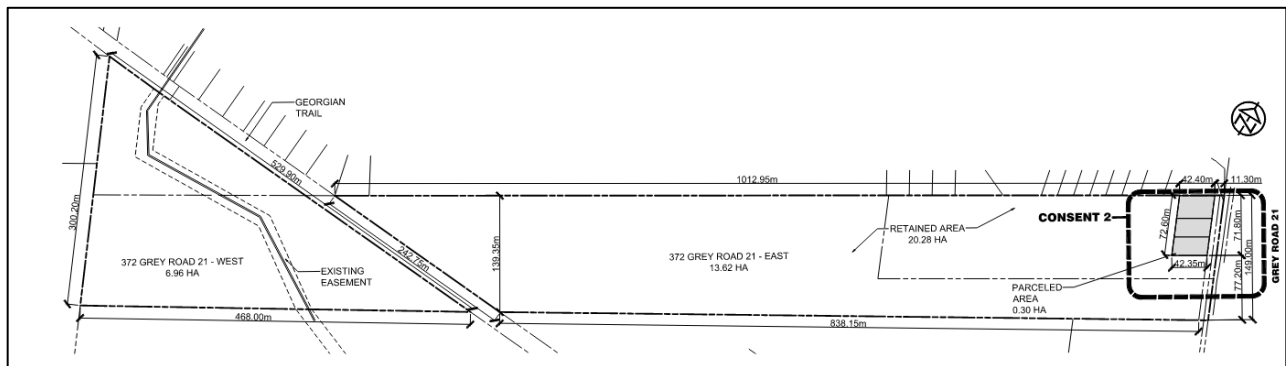


Figure 3. Lands Subject to Consent Application

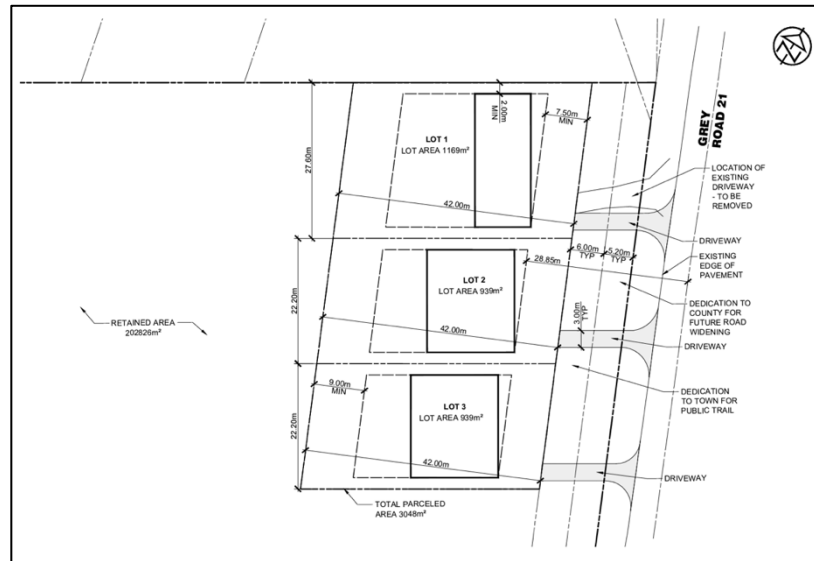


Figure 4. Proposed Residential Lots

As illustrated in **Table 1**, the proposed lot areas and frontages for the three new lots conform to the minimum requirements of the R1-1 Zone.

Table 1. Proposed Lots and R1-1 Zone Conformity

Lot	Proposed Lot Area	R1-1 Zone Minimum Lot Area	Proposed Lot Frontage	R1-1 Zone Minimum Lot Frontage
1	1169 m ²	550 m ²	27.6 m	18 m
2	939 m ²		22.2 m	
3	939 m ²		22.2 m	
Retained	20.28 ha	-	77.20 m	-

Public and Agency Comments

A Public Meeting regarding the Zoning By-law Amendment was held on February 13, 2024, with comments received from public agencies and members of the public. Comments were received from Grey County, Town of Collingwood, Grey Sauble Conservation Authority, Huron-Wendat Nation, Saugeen Ojibway Nation (SON), Blue Mountain Watershed Trust and other members of the public.

A Public Meeting regarding the Consent to Sever Applications was held on March 14, 2024, with comments received from public agencies and a member of the public. Comments were received from Grey County, Enbridge, Hydro One, Blue Mountain Watershed Trust Foundation and other members of the public.

Comments received regarding the Consent to Sever Public Meeting have been summarized as Attachment 3. Comments received regarding the previous Zoning By-law Public Meeting were previously summarized and are included as Attachment 4. Full versions of all written comments

are included as Attachment 5 to this report. Planning Staff responses to the summarized written comments are also included in Attachment 1 and 2.

D. Analysis

This section provides the staff analysis for the application for a Zoning By-law Amendment and Consent to Sever. The analysis provides a review of relevant legislation, policies and identified issues.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and provides for appropriate development while protecting the resources of the province, public health and safety, and the quality of the natural and built environment. Decisions on planning matters made by a planning authority must be consistent with the PPS.

According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns and also by accommodating an appropriate range and mix of uses. Further, the PPS directs municipalities to avoid land use patterns which may cause environmental or public health and safety concerns and instead, promotes cost-effective development patterns to minimize land consumption and servicing costs. Section 1.1.3 notes settlement areas are to be the focus of growth. Section 1.4 supports the provision of an appropriate range and mix of housing options and densities.

The proposed development would permit the creation of three new residential lots for single detached dwellings within a recreational settlement area in proximity to other residential uses. The development is proposed to be served by full municipal services.

Section 1.6 of the PPS notes infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. To ensure adequate delivery of water servicing, the Town has proposed a holding provision be placed on the land until such time water connection details are worked out via agreement or other means with the Town of Collingwood. There is sufficient wastewater capacity to service the proposed lots. A drainage swale is located to the rear of the proposed lots. In order to ensure appropriate maintenance of the swale, a condition of consent has been recommended, noting that the responsibility of the maintenance of the swale shall be determined by the Owner, in consultation with, and to the satisfaction of the Town, and any necessary agreements shall be entered into, if required.

Section 3.1 of the PPS provides policies guiding the growth and development within Natural Hazard areas, which generally directions development away from these areas unless it can be demonstrated development impacts will be minimized through mitigation and adaptation techniques. An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed a Holding

provision in the Zoning By-law Amendment to require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly.

Grey County Official Plan

The County of Grey Official Plan is intended to guide development within the whole of the County of Grey and provides broad policy framework to be included in local Municipal Official Plans, Secondary Plans and Zoning By-laws. The subject lands are designated 'Recreation Resort Area' and 'Wetlands' in the Grey County Official Plan.

The Recreation Resort Area designation applies to settlement areas which have developed as a result of site-specific amendments to the County and local Official Plan. This designation consists of a defined development area, specific recreational amenities, and residential development serviced with full municipal services. New development in the Recreation Resort Area designation shall contribute to, or promote new land uses that will contribute to, community recreational amenities and tourism activities, as well as facilitate municipal service infrastructure. The proposed development is located in proximity to other similar residential uses, where a mix of permanent and seasonal residences exist. The lands are in close proximity to recreational facilities such as ski clubs, resorts and tourism destinations (e.g. Blue Mountain Village and the Scandineve Spa). The Georgian Trail runs along the western property line. As a condition of consent, the Town is recommending that a 10-metre wide block along the length of the Georgian Trail be dedicated to the Town, for the purposes of future works to facilitate drainage improvements along the trail.

Section 7.3 of the Grey County Official Plan dealing with wetlands generally encourages development be setback from wetlands by at least 30 metres. In some cases, this 30 metre distance can be reduced based on site-specific circumstances, or through the completion of an EIS. The EIS and Addendum completed by Birks Natural Heritage Consultants identified and delineated the wetland habitat on the site which the proposed application does not encroach into. The development proposes a buffer area of 2034.74 m² and an enhancement area of 2708.87 m² from the wetland. Several mitigation measures were provided to ensure proposed development does not impact identified Key Natural Heritage Features and Key Hydrological Features and functions during construction.

Section 9.12 of the Grey County Official Plan provides policies for lot creation. Generally, development is to be carried out in an orderly and contiguous manner that is compatible with its surroundings and does not conflict with the established development pattern in the area. Future development of the subject lands is in proximity to existing similar residential development, representing contiguous residential development of the area and efficient use of land. Additionally for lot creation, the County's servicing requirements of Section 8.9 must be met; traffic hazards shall be avoided; soil drainage conditions must be suitable; and there must be sufficient potable water and suitable conditions for sewage system construction. Tatham Engineering has consulted with County and Town Staff on municipal water and sewer connections. To ensure there is sufficient capacity at both the Waste Water Treatment Plan and

Waste Water Pumping Station to accommodate three new water and sewer connections, a Holding provision is proposed to be included in the Zoning By-law Amendment.

The Blue Mountains Official Plan

The Official Plan establishes the vision for growth and development in the Town and contains policies supporting the Goals and Objectives of the Plan to achieve that vision. The policy framework builds upon Provincial and County policy as described above. The subject lands are designated Residential Recreational Area, Wetland and Hazard.

The intent of the Residential Recreational Area designation is to recognize areas in the Town with a mix of seasonal and permanent residential and recreational uses and to recognize areas where the location of some residential uses supports and provides access to resort and recreational amenities. Single detached dwellings are permitted in the Residential Recreational Area designation.

Section B3.7.4.1 sets out density and open space requirements for the Residential Recreational Area, permitting a maximum density of 10 units per gross hectare and requiring a minimum open space component of 40%. Lands designated Wetland and Hazard Lands may be included within the required open space component; however, such lands are not included for the purpose of calculating density. Based on the 0.3 hectare developable area subject to the current applications, a density of 10 units per gross hectare is proposed. However, there is also approximately 3.67 hectares of developable land in the west block of the subject property (where a future draft plan is contemplated), generating a total of approximately 3.97 hectares of developable land on the site. Based on the total developable area of the site, a density of 1 unit per gross hectare is proposed. Removing the developable lands from the open space calculation leaves the site with 16.61 ha of open space, generating an open space component of 81%, whereas 40% is required. As noted previously in this report, a condition of consent is recommended that a 10-metre wide block along the length of the Georgian Trail be dedicated to the Town, for the purposes of future works to facilitate drainage improvements along the trail, which is an added open space benefit associated with this application.

The Blue Mountains Zoning By-law

The subject lands are currently zoned Development 'D' and Hazard 'H' in the Town's Zoning By-law 2018-65. A Zoning By-law Amendment is required to rezone the subject lands to permit future residential development on the three severed parcels. The submitted request is to rezone a portion of the subject land currently zoned Development 'D' to the Residential One (R1-1) Zone. The three new lots will comply with the zone standards of the R1-1 Zone. No modifications to the existing Hazard 'H' and Wetland 'WL' Zones are requested.



Figure 5. Existing Zoning



Figure 6. Proposed Zoning

The Zoning By-law Amendment also proposes to lift the existing Hold (h1) as follows:

“The holding (h1) may be lifted if a Development Permit or exemption has been obtained from the Grey Sauble Conservation Authority and provided the proposed development will not have a negative impact on the wetland and its associated ecological functions.”

An Environmental Impact Study has been completed and submitted to the GSCA in support of lifting the holding symbol in part to allow for the development of the proposed lots.

Attachment 1 contains the Draft Zoning By-law Amendment.

Summary

In summary, we have reviewed the proposed development and find that the proposed new lots and Zoning By-law Amendment, has appropriate regard for matters of Provincial interest of S.2 Planning Act, satisfies all of the criteria of s.51(24) of the Planning Act, is consistent with the PPS, and conforms to the County and Town Official Plans. We recommend the approval of the Zoning By-law Amendment and Consent to Sever applications subject to the conditions and comments contained in this report.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

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

No adverse environmental impacts are anticipated as a result of the recommendations contained in this report.

G. Financial Impacts

Decisions of Council on planning applications may be subject to an appeal to the Ontario Land Tribunal (OLT). Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required. The Zoning By-law Amendment application is not subject to the refund of application fees due to the timing of when the application was submitted. However, the appeal window is open and it can be appealed at any time. The applicant has continued to work cooperatively with the Town on the continued processing of the applications.

H. In Consultation With

Municipal Departments, Agencies, and the general public through the circulation of the Notice of Public Meeting in accordance with the provisions of the Ontario Planning Act.

I. Public Engagement

The topic of this Staff Report has been the subject of two Public Meetings which took place on **June 13, 2022** relating to the Zoning By-law Amendments and **March 12, 2024** relating to the Consents to Sever. Those who provided comments at the Public Meetings including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report.

Any comments regarding this report should be submitted to planning@thebluemountains.ca

J. Attached

1. Draft Zoning By-law Amendment
2. Draft Consent Decision
3. Public Meeting Comments – March 12, 2024 (Summary)
4. Public Meeting Comments – June 13, 2022 (Summary)
5. Public Meeting Comments (Original)

Respectfully submitted,

David Riley, Principal
SGL Planning & Design Inc., on behalf of Planning and Development Services

Sierra Horton, Planner
SGL Planning & Design Inc. on behalf of Planning and Development Services

For more information, please contact:

planning@thebluemountains.ca

(519) 599-3131 ext. 263

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 –

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 34 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. That Schedule 'A' of By-law No. 2018-65 is hereby amended by changing the zoning symbols for the lands legally described as as PT LT 149 PL 529 COLLINGWOOD PT 1 & 2 16R801; S/T R226078; THE BLUE MOUNTAINS and PT LT 147-148 PL 529 COLLINGWOOD AS IN R262179; S/T R272237, R297829, R301646; THE BLUE MOUNTAINS from the Development (D), Hazard (H) and Wetland (WL) Zones to the Residential One Exception (R1-1-h47) Zone, Development (D), Hazard (H) and Wetland (WL) Zones and removing the Holding (h1) symbol from the lands to be zoned (R1-1-h47), as shown on the attached Schedule 'A-1'.
2. That Table 10.1 – Site-specific Holding Provisions of Zoning By-law 2018-65 is amended by adding the following Exception:

Holding Number	Zone	Special Provisions
47	R1-1-h47	<p>The holding '-h' symbol shall not be removed from these lands, and no development, other than any required development related to the fulfillment of the provisions below, shall take place until the Town is satisfied of the following:</p> <ul style="list-style-type: none">• Confirmation and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of The Blue Mountains.• That mitigation measures identified in the Environmental Impact Study (EIS) completed by Birks Natural Heritage Consultants, Inc., dated March 14, 2022, are implemented, as required, to the satisfaction of the Town and other relevant agencies as required;• That sediment and erosion control plan will be prepared to the satisfaction of the Town and other relevant agencies as required;• That a restoration and setback enhancement plan for the enhancement area be prepared to the satisfaction of the Town and other relevant agencies as required; and

		<ul style="list-style-type: none">• That a site plan be prepared showing the location of the permanent fence (for the purposes of protecting the adjacent woodlands and wetland setback from future encroachment).
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3. That Schedule 'A-1' affixed hereto is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2024

Andrea Matrosovs, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2024-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ____ day of _____, 2024.

Dated at the Town of The Blue Mountains, this ____ day of _____, 2024.


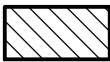
Corrina Giles, Clerk

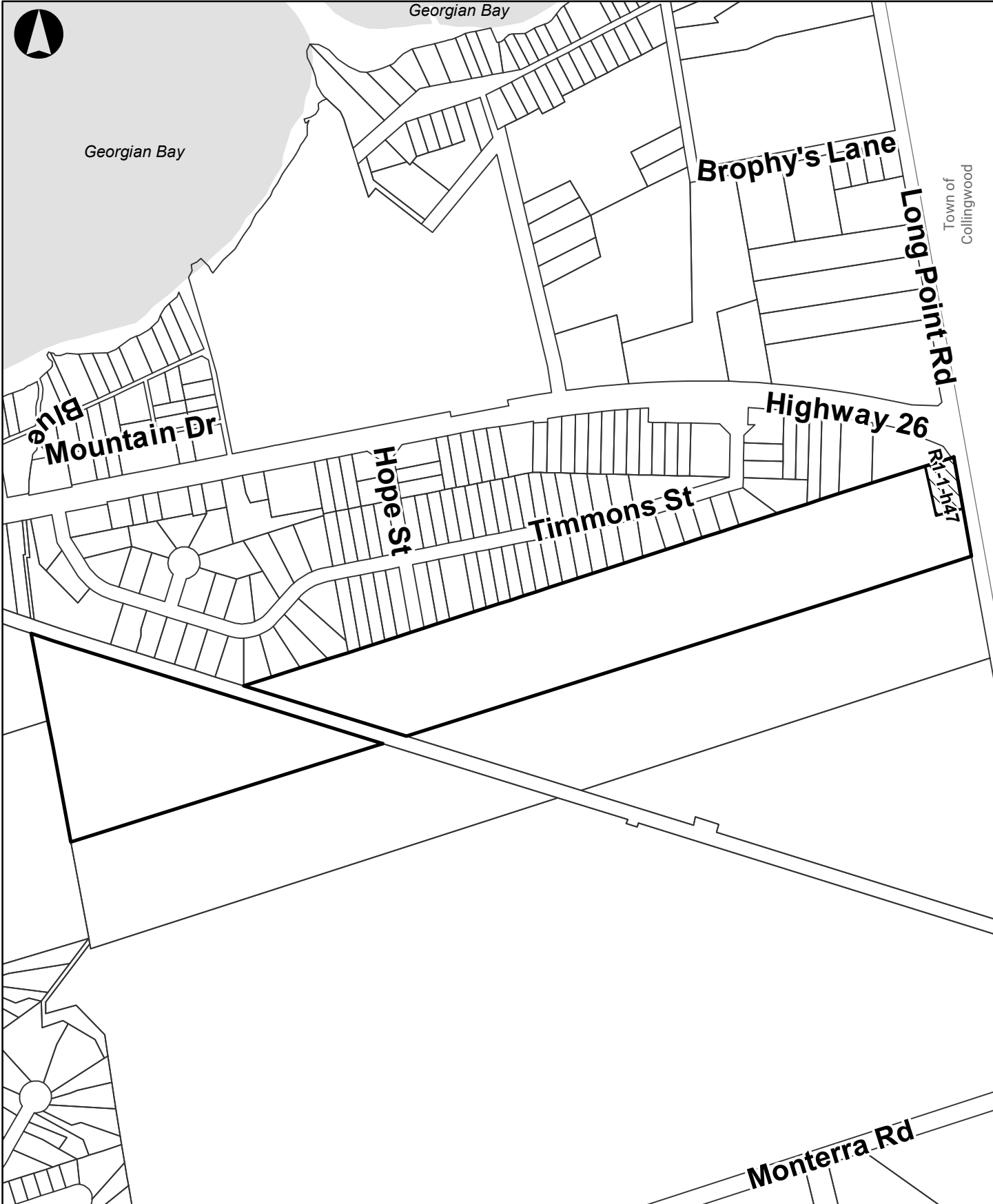
Town of The Blue Mountains

Schedule 'A-1'

By-Law No. _____

Legend

-  Subject Lands of this Amendment
-  Area To Be Rezoned From D to R1-1-h47





The Corporation of the Town of The Blue Mountains

Decisions on Consent Applications:

File Numbers: B04-2022, B05-2022, B06-2022 (as revised)

Owner/Applicant:	Rhemm Properties Ltd.		
Purpose / Effect:	The purpose and effect of this application is to sever a portion of the lands municipally known as 372 Grey Road 21 to create three new residential lots.		
Legal Description:	PT LT 149 PL 529 COLLINGWOOD PT 1 & 2 16R801; S/T R226078; THE BLUE MOUNTAINS and PT LT 147-148 PL 529 COLLINGWOOD AS IN R262179; S/T R272237, R297829, R301646; THE BLUE MOUNTAINS		
Severed Parcels:	Frontage: 27.6 m (Lot 1) and 22.2 m (Lot 2 and 3) Depth: 42m (Lot 1, 2 and 3) Area: 1169 m ² (Lot 1) and 939 m ² (Lot 2 and 3)		
Retained Parcel:	Frontage: 77.20 m Depth: Varies and Area: 20.28 ha		
Road Access:	Grey Road 21		
Municipal Water:	Yes	Municipal Sewer:	Yes

Decision: **Granted Provisional Consent**

Date of Decision: April 15, 2024

In making the decision upon this application for Consents, the Council of the Town of The Blue Mountains is satisfied that the proposed Consent Applications comply with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan and the Town of The Blue Mountains Official Plan and represents good planning.

If provisional consent is given, then the following conditions must be met by April 15, 2026.

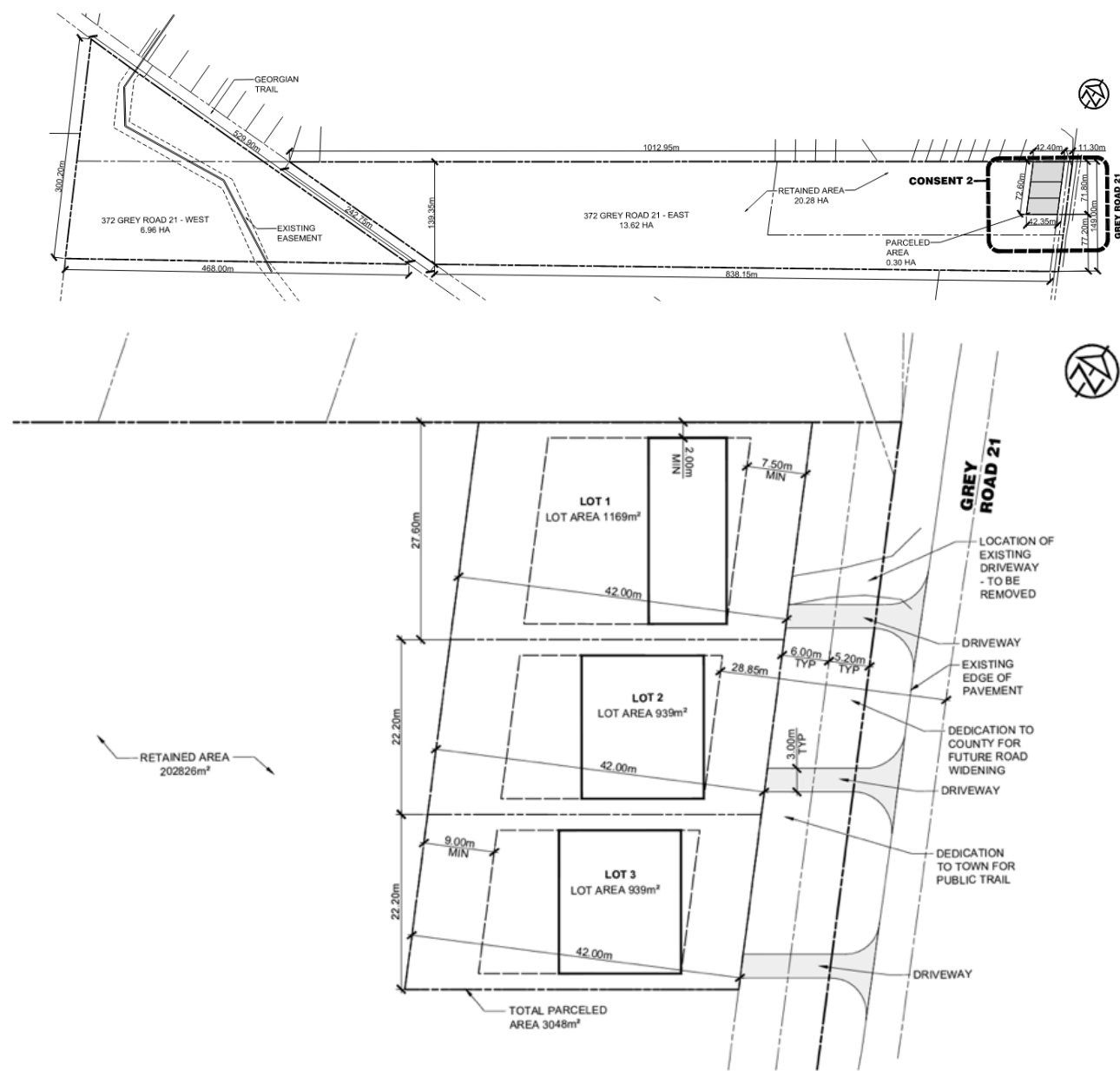
1. That the Owner obtain an amendment to The Blue Mountains Zoning By-law 2018-65 to rezone the subject lands for residential use;
2. That a draft reference plan be prepared by an Ontario Land Surveyor and that this plan be reviewed to the Town's satisfaction prior to being deposited with the Land Registry Office;
3. That the responsibility of the maintenance of the swale adjacent to the rear lot lines shall be determined by the Owner, in consultation with, and to the satisfaction of the Town, and any necessary agreements shall be entered into, if required;
4. The downstream improvement to the culvert be completed in it's entirety and be certified by the project engineers as a condition of the severance. A permit for this work will be required from GSCA;
5. Completion of the groundwater monitoring program and demonstration of the results that demonstrate that all development is located above the water table
6. That the Owner dedicate a 5.18-metre road widening of Grey Road 21 be dedicated to the County of Grey;
7. That the Owner dedicate a 6-metre trail block along the front lot line be provided to the Town
8. That the Owner dedicate a 10-metre wide block along the length of the Georgian Trail to the Town, and that this block be included on the draft reference plan;
9. That the Owner provide 5% cash-in-lieu for parkland dedication in accordance with the Planning Act;
10. That the Owner meets all the requirements of the Town, financial or otherwise, for the Certificate of Consent to be issued;
11. That the Owner provides a description of the lands which can be registered in the Land Registry Office;

12. That all above conditions be fulfilled within two years of the Notice of Decision so that the Town Clerk is authorized to issue the Certificate of Consents pursuant to Section 53(42) of the Planning Act.

Corrina Giles, Town Clerk
Town of The Blue Mountains
32 Mill Street, Box 310, Thornbury, ON, N0H 2P0

Dated: April 15, 2024

Severance Plan



Certification

I, Corrina Giles, Town Clerk of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Council of The Corporation of the Town of The Blue Mountains with respect to the application recorded therein.

Corrina Giles, Town Clerk
Town of The Blue Mountains Dated:

April 15, 2024

This document may be made available in other accessible formats as soon as practicable and upon request.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21 ZBA and Consents

Public Meeting Date: March 12, 2024

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response:
Agency Comments			
Grey County	March 7, 2024	<ul style="list-style-type: none"> The retained parcel will not have an existing entrance once the three lots have been severed off. County Transportation Services has stated that an Entrance Permit and exemption regarding the spacing of the entrances would be required. However, they've also indicated that they would support the exemption. Staff have reviewed the scoped Environmental Impact Study (EIS) and find it acceptable. Conditions of approval for the consent(s) should be added to mirror the recommended mitigation measures listed within the EIS. It is Staff's understanding that stormwater management infrastructure is not needed for the proposal. A sediment and erosion control plan will be required, at minimum. The property also lies within an area designated as having an influence on highly vulnerable aquifers, as such, low-impact development/infrastructure is recommended. Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, Staff recommend consulting the County's Forestry Management By-law http://grey.ca/forests- trails. As a condition of approval, road widening of 5.18 meters shall be conveyed to the County of Grey along the frontage of the County Road for both the severed and retained parcels, where applicable. This shall be legally conveyed at the expense of the applicant. Entrance permits must be applied for each of the three proposed entrances and for the retained parcel. 	<ul style="list-style-type: none"> Noted that there are no concerns from an environmental perspective. Noted that the County has no concerns with respect to the proposed severances.
Enbridge	February 14, 2024	<ul style="list-style-type: none"> Enbridge does have service lines running within the area which may or may not be affected by the proposed severance. Should the severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. 	<ul style="list-style-type: none"> Noted.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21 ZBA and Consents

Public Meeting Date: March 12, 2024

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response:
		<ul style="list-style-type: none"> Should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office. 	
Hydro One	March 22, 2024	<ul style="list-style-type: none"> No comments or concerns. 	<ul style="list-style-type: none"> Noted.
Public Comments			
Lucy Richmond	March 13, 2023 (June 13, 2022 Letter Resubmission)	<ul style="list-style-type: none"> Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned. The best interests of the Town, it's Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time. See: Attachment A2. Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter. There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide adequate wastewater services (including sewage and drainage systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, trailways and cycle paths. In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED. This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems. Only if the Zoning remains Development "D" Zone, can such a permission be denied. Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that 	<ul style="list-style-type: none"> See response to previous comments in Attachment 4.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21 ZBA and Consents

Public Meeting Date: March 12, 2024

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response:
		<p>was proposed at the June 13, Open House. Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live. Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound, watershed-based planning. The watershed-based planning act, for Ontario can help with that.</p>	
Blue Mountain Watershed Trust	March 11, 2024	<ul style="list-style-type: none"> • The property is almost entirely in a Provincially Significant Wetland (PSW) and development there is prohibited by the Provincial Policy Statement (PPS). Appropriate setbacks from the PSWs are also protected under the principles of development outlined in the PPS for PSWs, and in related Provincial legislation. • Our mandate is to protect PSWs by preventing development within their boundaries and their legislated setbacks while ensuring they can be re-charged naturally. • The Town's Master Transportation Plan (although deemed complete) does not demonstrate an understanding of the inadequacies of the Town's drainage system in this region of the Town. Unacceptable seasonal and intermittent flooding occurs in the vicinity of Monterra Road, around Grey Road 21, and that affects drainage at 372 Grey Road 21. Ditches along Monterra Road and Grey Road 21, cannot reliably convey heavy water flows initiated at the top of the Niagara Escarpment as they head, downhill towards Georgian Bay. • The Town's Drainage Master Plan, although almost complete, does not address the seasonal or intermittent flooding required to recharge the PSWs in the Town's floodplains in the vicinity of 372 Grey Road 21. Drainage is a municipal responsibility, as is the protection of PSWs. • The Georgian Trail transects the holding and creates an inaccessible portion to the west. Before any approval for this proposal is granted, and before the Zoning is changed from "D- Development" to any other Zone, a Master Development Plan for both segments of 372 Grey Road 21, East and West is 	<ul style="list-style-type: none"> • An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed the Holding provision for the Zoning By-law Amendment require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21 ZBA and Consents

Public Meeting Date: March 12, 2024

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response:
		<p>required so that Council can see the whole picture before arriving at a decision that would alter the Town's use of this water-soaked land. The entire property holding must be used as the framework for providing legitimate development metrics and approvals. The Town's Official Plan (OP) 2016, which is still in effect, requires a maximum density of "10 units per hectare, net of PSW and Hazard Lands" and "40% Open Space" at 372 Grey Road 21.</p> <ul style="list-style-type: none"> • Three residential units are permitted on this holding; four would be possible if the metrics proposed were to meet these requirements of the Town's OP, e.g. a quadruple on the footprint of the former residence, now demolished. • A Master plan was requested at a previous open house on this matter on June 13, 2022. It has not yet been provided. • The proposed development is in a floodplain. As this application remains incomplete and premature, the application must be denied. 	

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
Agency Comments			
Grey Sauble Conservation Authority	July 29, 2022	<ul style="list-style-type: none"> The proposed severances have not demonstrated consistency with PPS policies. GSCA staff are of the opinion that the applications should be deferred. We anticipate that the regulatory floodplain will be the primary constraint of development on the site. Should a site-specific flood plain study be provided which does support severances, the above noted natural heritage constraints should be considered. We note the following: <ol style="list-style-type: none"> 1. A site-specific floodplain study should be prepared to refine the floodplain mapping on site. To support severances, this study must demonstrate sufficient area for development outside of the existing regulatory floodplain without the requirement for infilling of the floodplain. 2. The EIS should clarify the methodology for determining the encroachment in wetland setback. 3. Lot four should be removed from the development proposal as it represents a significant encroachment into the wetland setback. 4. Detailed plans should be provided which outline the erosion and sediment control, enhancement planting and fencing recommendations of the EIS. 	<ul style="list-style-type: none"> Application has been revised to address comments. The proposed number of lots has been reduced to three. Note GSCA updated comments from March 2022.
Grey Sauble Conservation Authority	March 2, 2023	<ul style="list-style-type: none"> GSCA generally has no objection to the subject application, and we still recommend the following two conditions for the severance with some of the noted changes above: 	<ul style="list-style-type: none"> The requested conditions have been included in the Consent Decision.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<ul style="list-style-type: none"> 1. The downstream improvement to the culvert be completed in it's entirety and be certified by the project engineers as a condition of the severance. A permit for this work will be required from GSCA. 2. Completion of the groundwater monitoring program and demonstration of the results that demonstrate that all development is located above the water table 	
Huron-Wendat Nation	May 10, 2023	<ul style="list-style-type: none"> The Huron-Wendat nation wishes to be consulted and is interested in participating in all archaeological fieldwork for this project. 	<ul style="list-style-type: none"> No archaeological work is anticipated as no site alteration is proposed.
Grey County	July 7, 2022	<ul style="list-style-type: none"> An EIS was complete as part of the justification for the proposed development. Several mitigation recommendations have been provided in the EIS including the recommendation of maintaining a 30 metre setback from the wetlands. County Planning staff recommend that all recommendations provided in EIS be implemented through this or future site plan process. Appendix B also identifies the existence of 'significant woodlands' and 'other wetlands' on the subject property. Recommendations provided in the EIS also address these natural heritage features. County Transportation Services has reviewed the subject application and provided the following comments. Separation of entrances does not meet County criteria of 100 m, that will require an exemption request to the Director of Transportation to obtain. The County Setback policy appears from the drawing to be in order. 	<ul style="list-style-type: none"> The draft Zoning By-law Amendment will include a condition requiring the mitigation measures identified in the Environmental Impact Study (EIS) completed by Birks Natural Heritage Consultants, Inc., dated March 14, 2022, be implemented, as required, to the satisfaction of the Town and other relevant agencies as required. A road widening of 5.18 metres will be dedicated to the County as part of the development.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>Transportation Services requests a road widening and Entrance permit is required.</p> <ul style="list-style-type: none"> • Provided that the Conservation Authority is satisfied with the EIS and Transportation Service requirements of a Road Widening and entrance permit are met, County Planning staff have no concerns. 	
Saugeen Ojibway Nation (SON)	June 29, 2022	<ul style="list-style-type: none"> • The Saugeen Ojibway Nation does not support any further development of the Silver Creek Wetland complex without considerable mitigations. 	<ul style="list-style-type: none"> • Several mitigation measures are proposed to ensure impacts are minimized, as set out in the EIS submitted. Administering these mitigation measures will be a condition of the Zoning By-law Amendment.
Town of Collingwood	May 18, 2022	<ul style="list-style-type: none"> • The Town currently has a pause on development within the municipality of the Town of Collingwood and the approval of developments is only happening through exemptions to the Interim Control By-law, and granted to developments that have been evaluated through the municipalities newly adopted Servicing Capacity Allocation Policy. The Town has limited capacity to allocate until the completion of a water treatment plant expansion, which is planned to be complete end of 2025/early 2026. Based on the restrictions currently in place related to development within the Town of Collingwood, we are not in a position to provide water to Town of the Blue Mountain properties at this time. The Town would be willing to support connections to our water system following the water treatment plant expansion, scheduled for 2026. Alternatively, if Town of the Blue Mountains was in agreement, the lots could be connected to the Collingwood system and supported 	<ul style="list-style-type: none"> • A condition will be added to the Zoning By-law Amendment requiring the lands be connected to municipal water services and that any required agreements to secure the municipal water connections with the Town of The Blue Mountains and Town of Collingwood are in place.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		from the water allocation provided to TBM through our supply contract (i.e. Collingwood would minus the allocated SDUs from the 1,250m ³ /d allocated to TBM).	
Public Comments			
Duncan Bristow (Blue Mountain Watershed Trust)	June 13, 2022	<ul style="list-style-type: none"> Does this development maintain the minimum required buffer to the nearby Provincially Significant Wetland? There is typically flooding in this area (Town Line Creek), and we're concerned about maintaining the function of the watershed and ecosystem. Two of the proposed properties are directly impacting a wetland designated area (see attached map). Has there been or will there be an assessment with respect to the impact of this development on the hydrologic function of this wetland area? 	<ul style="list-style-type: none"> An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed the Holding provision for the Zoning By-law Amendment require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly.
Pamela Spence (Pre-Public Meeting)	June 10, 2022	<ul style="list-style-type: none"> 1) Public meeting is Premature As of June 1, 2022 there were no agency comments on file with the Town. GSCA or NVCA need to do a review of the EIS and provide comments or recommendations which are not on file. Secondly, the MTO must give driveway permits for this proposal and their position is not known. Furthermore, there is talk of a roundabout at Grey Rd 21 and Hwy 26 therefore traffic/turning conflicts need to be assessed and there is not traffic study on file. 2) EIS The EIS is poorly done. Due to its proximity to Silver Creek wetland which is provincially significant, the environmental assessment should be done for 120m from the boundary of the wetland. There is no 	<ul style="list-style-type: none"> GSCA have reviewed and provided comments on the EIS. Based on their re-review and confirmation of mitigation measures, they have no objections to the application. An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed the Holding provision for the Zoning By-law Amendment require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>hydrological study in the EIS, and the study area is not correct. Figure 2 in the EIS is inadequate. The information is unclear there is no explanation of yellow line, watershed boundary or forest count/area The Significant Woodland is recognized by EIS in the body of the report but no mapping has been done for the 3.5 ha identified The source for boundaries shown on Figure 3 is not substantiated. Key Natural Heritage Features are not shown on Fig 3 so overlap is indeterminate The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2, could be maintained if lots were not so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot #4. Setback enhancement area ownership is not clear and the zoning for that enhancement area needs to be clarified. Mitigation measures offered pertain only to construction time period; long term measures need to be outlined.</p> <ul style="list-style-type: none"> • 3) Tatham Report • Speaks to full services yet EIS speaks of septic services so EIS misinformed • Lots of historical flooding in this proximity not identified/addressed in this report • MTO permit required but no dialogue prior to or since March 15 2022 • 4) Planning Justification Report • Does not conform to PPS as it is within the 120m PSW limits without better EIS and proper understanding of hydrological/drainage consequences of house location • Misquotes the EIS • 	<p>mitigable, provided the listed mitigation measures are applied accordingly.</p> <ul style="list-style-type: none"> • The proposed lots meet the standards of the R1 Zone.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>Can not be compliant with County Official Plan til GSCA signs off and entrance permit granted • Sec. 4.4 is miscalculated – area being rezoned is only the 4 lots which is 1/3 of Hectare and therefore 3.3 units are permitted not 10 • Does not conform to Town OP as it does not conform to 30m setback, the EIS does not definitively address natural heritage features or protection • Seemingly too close to proposed turning circle to be built at Hwy 26 and Grey Rd 21.</p> <ul style="list-style-type: none"> • 5) TBM Zoning By-law • Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards • Zone designation needed for proposed enhancement area with clarity of ownership and easement to Town • Is enhancement area in lieu of parkland dedication/payment or is trail? • The footprint shown on the Consent Sketch 2 is over 4000 sq ft – another monster home • Such uniformity is boring; could be staggered and permit better visibility entering onto busy County Rd. 	
Pamela Spence (Post-Public Meeting)	July 22, 2022	<ul style="list-style-type: none"> • Public meeting is Premature - There were no comments available ahead of or at the meeting from GSCA, MTO or other agencies which are directly impacted by this proposal. Furthermore, the response came back that there is no water or sewer to the sight now or in the foreseeable future. This application is premature and must be turned down. 	<ul style="list-style-type: none"> • See response above.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<ul style="list-style-type: none"> • EIS - The comments from Ms. Loft to my question was that the diagram she referenced was in the EIS. I have perused it several times and do not find her illustration used in her presentation. I do note that the most southerly lot is almost entirely in the setback allowance, there is no math illustrating how the “average” calculation was made and there is no hydrological report. Water monitoring informs a hydrological study but does not constitute the requirement and no further study was promised. The EIS is poorly done. Significant Woodland areas and Key Natural heritage features are not sufficiently shown. Silver Creek wetland is inadequately research. Because this area is in the Silver Creek wetland which is provincially significant proposal should be turned down. • Planning and Zoning Problems - Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards. The footprint shown on the Consent Sketch 2 is over 4000 sq ft – we do not need more monster homes – furthermore, the uniformity is boring. The lots could be staggered which would permit better visibility entering onto busy County Rd 21. The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2 is not maintained because the lots are so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot 	

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>#4. Ownership of the setback enhancement area is not clear and the zoning for that enhancement area is not defined.</p> <ul style="list-style-type: none"> Finally, the matter of illegal fill on the site to alter the hydrology of the site, affect the provincially significant wetland is very concerning. If illegal the owner should have to remove it and be fined. At a minimum it should be stopped until such matters as compliance and reparation to fill by-laws are met, water and sewer are available and comments from other agencies are received. 	
Martin Kilby	May 31, 2022	<ul style="list-style-type: none"> I do not object to the proposed plan to change the zoning to create the smaller building lots along Grey 21. I am however, concerned that the entire balance of the 50 acre property would be changed to R1 thus eliminating the Hazard portion that abuts many of the property owners along Timmons street. These hazard portions are a haven for deer and ducks and turtles. It is typically very swampy for most of the year. Will the effect of removing the Hazard zoning and replacing it with R-1 along the whole of the property create a window of opportunity to future development of these lands from the other abutting land owner to south? Is it not possible to maintain the H zoning in those portions if it is not the owner's intention to ever develop? A future owner could also just create an access road off of Timmons St. With R-1 zoning on that acreage, the possibilities become financially feasible. In my opinion, 	<ul style="list-style-type: none"> Only a 0.3 hectare portion of the 20.28 hectare property currently zoned Development 'D' along Grey Road 21 is proposed to be rezoned to Residential One 'R1' and severed into three single detached residential lots. No changes are proposed to the Hazard 'H' Zone or the Wetland 'WL' Zone.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		such a drastic change would be unwelcome to neighbouring owners who purchased along Timmons St with the understanding that there was significant wetland areas that would prevent any future development. I would support maintaining the H zoned areas and protect our wetlands and grant the owner the R-1 to develop as proposed with this Zoning amendment	
Lucy Richmond	May 26, 2022	<ul style="list-style-type: none"> • Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated. • The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 in the near future have not been considered. • 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or on the as-built neighbourhood. • The Town does not practice "Watershed-based Planning", yet, as described in legislation that has been drafted by the Province on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole. 	<ul style="list-style-type: none"> • An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed the Holding provision for the Zoning By-law Amendment require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly. • A condition will be added to the Zoning By-law Amendment requiring the lands be connected to municipal water services and that any required agreements to secure the municipal water connections with the Town of The Blue Mountains and Town of Collingwood are in place.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<ul style="list-style-type: none"> The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, is required in order to understand and manage development in the area, wisely. If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay, two important Biospheres recognized globally and designated by the United Nations. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future. This application is incomplete and pre-mature. As such, it qualifies as a matter for a second full public review and consideration before coming before County or Town Council for approval. The application is to be denied at this time. PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and 	

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>further amendments have been requested. The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on. When conflicts arise, we, as citizens of the Second-Tier Municipality have recourse, in Provincial Legislation, if the Town's Council has not approved activities that are against the best interests of the Town, its citizens and the lands they live on.</p>	
Lucy Richmond	June 26, 2022	<ul style="list-style-type: none"> Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned. The best interests of the Town, it's Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time. See: Attachment A2. Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter. There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide 	<ul style="list-style-type: none"> See response above.

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		<p>adequate wastewater services (including sewage and drainage systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, trailways and cycle paths. In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED. This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems. Only if the Zoning remains Development "D" Zone, can such a permission be denied. Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that was proposed at the June 13, Open House. Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live.</p> <p>Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound,</p>	

PLANNING STAFF COMMENT Matrix

Project File: P3165 372 Grey Road 21

Public Meeting Date: June 13, 2022

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Town Response
		watershed-based planning. The watershed-based planning act, for Ontario can help with that.	
Madi Hayles	May 12, 2022	<ul style="list-style-type: none"> I do not support this application for ZONING AMENDMENT. No development. This area is part of the Silver Creek Wetlands. 	<ul style="list-style-type: none"> An Environmental Impact Study (EIS) was completed by Birks Natural Heritage Consultants, with mitigation measures recommended to avoid and mitigate any potential negative ecological impacts associated with development. The Town has proposed the Holding provision for the Zoning By-law Amendment require the mitigation measures of the EIS be met. Based on the EIS, potential ecological impacts are minimal and mitigable, provided the listed mitigation measures are applied accordingly.



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

March 7th, 2024

Shawn Postma
Town of the Blue Mountains
32 Mill Street
Thornbury, ON
N0H 2P0

**RE: Zoning By-law Amendment Application P3165 and Consent Applications
P3166, P3167, and P3168
PL 529 PT LT 147,148 & 149; RP16R801 PT 1 TO 2 PART 4; SUBJ TO
EASEMENT OVER PARTS;6 & 7 PL 16R 3613 (372 Grey Road 21)
Town of the Blue Mountains
Roll: 424200000302300
Owner: Rhemm Properties Ltd.
Applicant: Kristine Loft**

Dear Mr. Postma,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to sever three lots from an existing 20.28-hectare lot. The lots are proposed to meet the minimum lot standards of the Residential One 'R1-1' zone and are proposed to connect to the Collingwood water system and supported by the water allocation provided to The Blue Mountains through the existing supply contract. The lots are proposed to connect to The Blue Mountains municipal sanitary sewer.

Schedule A of the County OP designates the subject lands as 'Recreational Resort Settlement Area'. Section 3.8(2) states,

New development in the Recreational Resort Settlement Area land use type must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-serviced development areas and areas with development potential within the existing land use type or in settlement areas.

The proposed development would create three new vacant residential lots. The proposed severances meet these requirements as it would create growth within the settlement area and help support nearby recreational facilities. Further, the proposed development would use full municipal servicing. Therefore, County Planning staff have no concerns.

Section 3.4(21) of the County OP states,

Where new residential development is occurring on larger landholdings, it must be demonstrated that short-term development projects do not unduly prejudice the efficient use of the lands for future development purposes. Lot creation occurring on larger landholdings may require the completion of concept plans to demonstrate the efficient development of the remainder of the lands.

The retained parcel will not have an existing entrance once the three lots have been severed off. County Transportation Services has stated that an Entrance Permit and exemption regarding the spacing of the entrances would be required. However, they've also indicated that they would support the exemption.

Appendix A of the County OP indicates that the subject lands are near an 'Unknown Petroleum Well'. The Ontario Oil, Gas, and Salt Resource Library states that the well is within 1,000 metres of the mapped location. The proposed severances are located well outside of the 1,000 metres; therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates that the subject lands contain 'Provincially Significant Wetlands'. Further, Appendix B of the County OP indicates that the subject lands contains and/or is adjacent to 'Significant Woodlands', 'Significant Wildlife Habitat', potential 'Habitat for Threatened and/or Endangered Species', 'Other Wetlands', and 'Fish Habitat'. County Planning staff have reviewed the subject application and have a comment stating.

It is Grey County staffs understanding that the proposed development will be located within and/or adjacent to the features. Grey County Staffs have reviewed the scoped Environmental Impact Study (EIS) provided by Birks and find it acceptable. Conditions of approval for the consent(s) should be added to mirror the recommended mitigation measures listed within the EIS as being:

- 1) Fencing should be used appropriately as directed so that wildlife movements are only blocked when desired (i.e., as exclusion fencing during construction).*
- 2) Erosion and sediment control plan to be implemented to protect the retained watercourses/drainage features, wetland and woodland habitats. Control*

measures to be in place until site works have been completed and the risk of sedimentation is no longer a concern.

- 3) Tree cutting should be timed to occur during the calendar months of November 1 to March 31 and no cutting activity in forested areas should occur outside that period. This will ensure that no bats actively roosting in trees will be killed or harmed as a result of clearing activities and is outside of the breeding bird season.*
- 4) Refueling of all equipment should occur at least 30 m from retained natural features, including woodland and wetland habitat.*
- 5) Installation of the culverts required for construction of the lot accesses should occur under dry conditions and outside of the in-water work timing window for Townline Creek. The window should be confirmed with the NDMNRF prior to site alteration, but is generally expected to coincide with protection of spring and fall spawning habitat with in-water work permitted between June 15 and October 15.*
- 6) Control potentially contaminated materials (i.e., fill, soil, gravel, excavated materials) moved by equipment during construction to prevent the spread of invasive plants.*
- 7) Inspect and clean equipment, boots and vehicles prior to allowing access to the property to prevent the spread of invasive plant species into the site.*
- 8) Where possible, maximize the distance of construction equipment used from the woodland edge to avoid disturbing wildlife.*
- 9) Should an animal be injured or found injured during the construction phase, they should be transported to an appropriate wildlife rehabilitation center.*
- 10) A restoration/enhancement plan shall be submitted to the satisfaction of the County and must include tree compensation at a 2:1 compensation rate for any tree removal necessary to accommodate the proposed development.*

Further, it is Grey County Staffs understanding that stormwater management infrastructure is not needed for the proposal. A sediment and erosion control plan will be required, at minimum. The property also lies within an area designated as having an influence on highly vulnerable aquifers, as such, low-impact development/infrastructure is recommended.

In addition, it is Grey County Staffs understanding that the property does not contain protection areas that are subject to policies of the Source Water Protection Act.

Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County's Forestry Management By-law <http://grey.ca/forests-trails>. An exemption to the by-law includes the injuring or destruction of trees required in

order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued.

County Transportation Services have reviewed the subject application and have a comment stating,

As a condition of approval, road widening of 5.18 meters shall be conveyed to the County of Grey along the frontage of the County Road for both the severed and retained parcels, where applicable. This shall be legally conveyed at the expense of the applicant.

Entrance permits must be applied for each of the three proposed entrances and for the retained parcel.

Provided the mitigation measures listed in the EIS are implemented, a Road Widening of 5.18 metres along the County road is conveyed to the County for both the severed and retained lots, where applicable, and Entrance Permits are applied for both the severed and retained lots; County Planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,



Derek McMurdie
Planner
(548) 877 0857
Derek.McMurdie@grey.ca
www.grey.ca

Subject: RE: Development Review Committee - March 14, 2024 - Full Submission Application 1 of 3 - 372 Grey Road 21 (Rhemm Properties Inc.)
Date: Wednesday, February 14, 2024 at 3:20:07 PM Eastern Standard Time
From: Karen Long
To: Ontario Lands
CC: Carter Triana, David Riley, Sierra Horton
Attachments: image002.png, image005.jpg, image001.png, image004.jpg, image007.png

Thank you for your email,



Karen Long

Administrative Assistant for Planning Services
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723
Email: klong@thebluemountains.ca | Website: www.thebluemountains.ca

IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

From: Ontario Lands <ONTLands@enbridge.com>
Sent: Wednesday, February 14, 2024 1:09 PM
To: Karen Long <klong@thebluemountains.ca>
Subject: RE: Development Review Committee - March 14, 2024 - Full Submission Application 1 of 3 - 372 Grey Road 21 (Rhemm Properties Inc.)

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

Kelly Buchanan
Land Analyst

ENBRIDGE GAS INC.
TEL: 519-436-4673 | FAX: 519-436-5320
50 Keil Dr N, Chatham ON N7M 5M1
enbridge.com
Safety. Integrity. Respect.



March 11, 2024

Ms. Corrina Giles Via email townclerk@thebluemountains.ca

Town Clerk

The Town of The Blue Mountains

32 Mill Street

Thornbury ON N0H 2P0

Dear Ms. Giles

Re: 372 Grey Road 21 [Rhem Properties Ltd.] Application for Consent to Sever

Blue Mountain Watershed Trust Foundation Comments for Public Meeting March 12, 2024

Blue Mountains Watershed Trust Foundation issues:

The property identified as 372 Grey Road 21 is almost entirely in a Provincially Significant Wetland (PSW) and development there is prohibited by the Provincial Policy Statement (PPS). Appropriate setbacks from the PSWs are also protected under the principles of development outlined in the PPS for PSWs, and in related Provincial legislation.

- A. Our mandate is to protect PSWs by preventing development within their boundaries and their legislated setbacks while ensuring they can be re-charged naturally.
 - a) The Town's Master Transportation Plan (although deemed complete) does not demonstrate an understanding of the inadequacies of the Town's drainage system in this region of the Town. Unacceptable seasonal and intermittent flooding occurs in the vicinity of Monterra Road, around Grey Road 21, and that affects drainage at 372 Grey Road 21. Ditches along Monterra Road and Grey Road 21, cannot reliably convey heavy water flows initiated at the top of the Niagara Escarpment as they head, downhill towards Georgian Bay.
 - b) The Town's Drainage Master Plan, although almost complete, does not address the seasonal or intermittent flooding required to recharge the PSWs in the Town's floodplains in the vicinity of 372 Grey Road 21. Drainage is a municipal responsibility, as is the protection of PSWs.

The application is premature.

- B. The Georgian Trail transects the holding and creates an inaccessible portion to the west. Before any approval for this proposal is granted, and before the Zoning is changed from "D- Development" to any other Zone, a Master Development Plan for both segments of 372 Grey Road 21, East and West is required so that Council can see the whole picture before arriving at a decision that would alter the Town's use of this water-soaked land. The entire property holding must be used as the framework for providing legitimate development metrics and approvals. The Town's Official Plan (OP) 2016, which is still in effect, requires a **maximum** density of "10 units per hectare, **net of PSW and Hazard Lands**" and **"40% Open Space"** at 372 Grey Road 21.

Three residential units are permitted on this holding; four would be possible if the metrics proposed were to meet these requirements of the Town's OP, e.g. a quadruplex on the footprint of the former residence, now demolished.

A Master plan was requested at a previous open house on this matter on June 13, 2022. It has not yet been provided.

The application is incomplete.

- C. **The proposed development is in a floodplain.**

Conclusion: As this application remains incomplete and premature, the application must be denied.

Respectfully submitted,

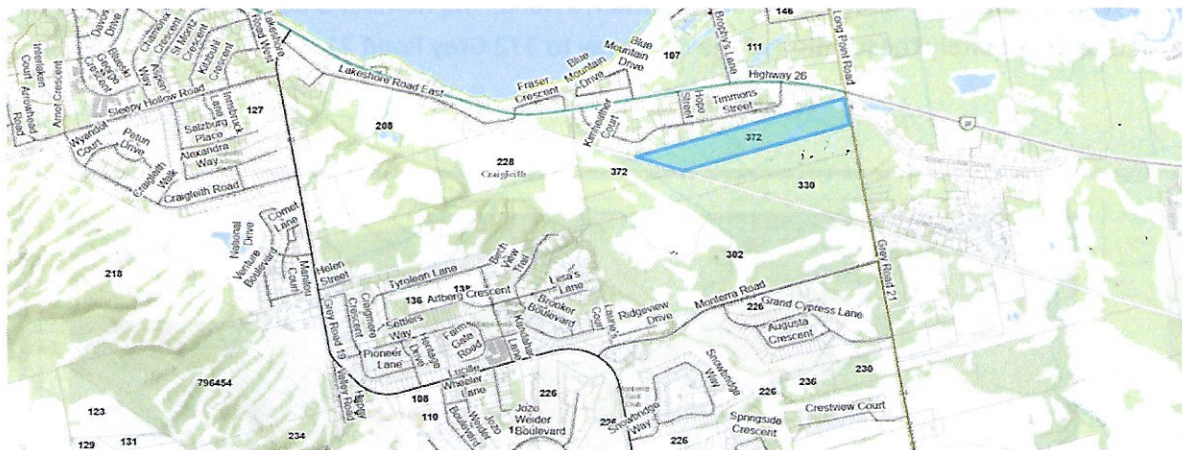


Blue Mountains Watershed Trust Foundation

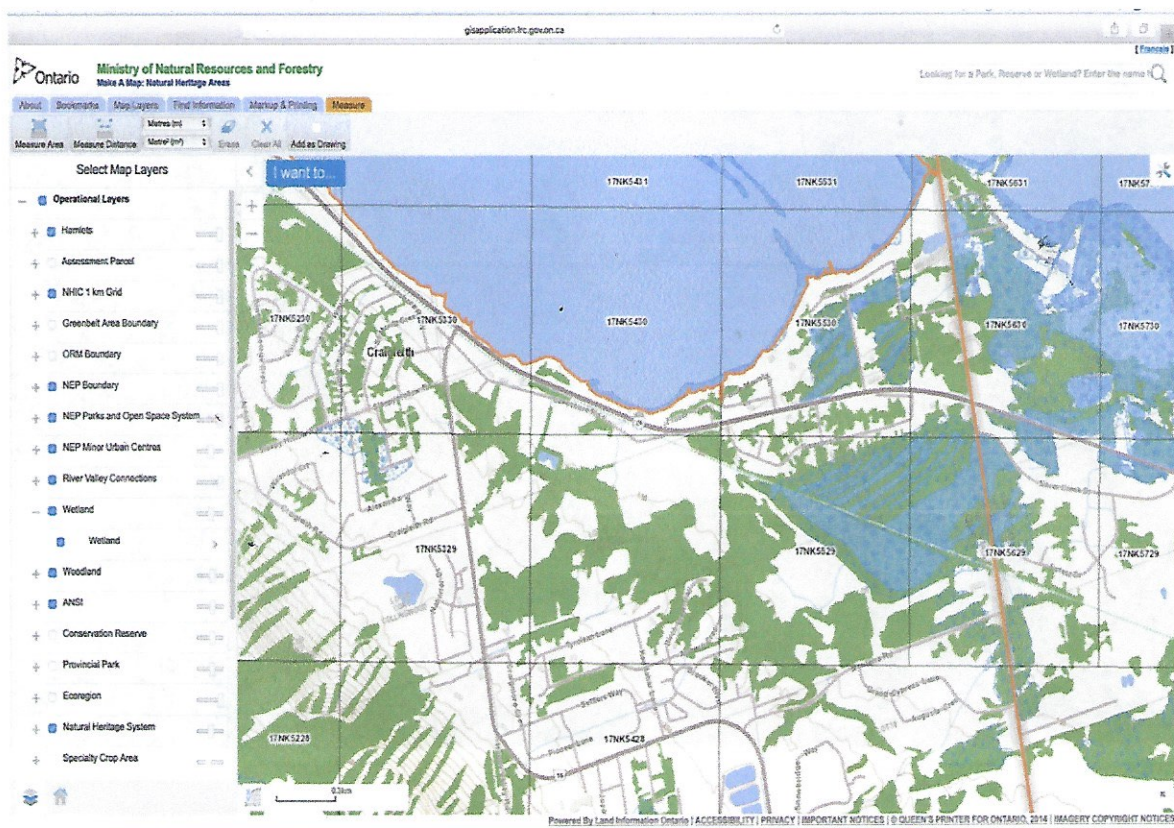
Norman J. Wingrove, CPA, CMA

Acting Secretary-Treasurer

This map shows the location of 372 Grey Road 21.



The map below illustrates the intensity of water features as mapped by the Ministry of Natural Resources and Forestry (MNR) in the vicinity of 372 Grey Road 21. The dark blue patches represent



PSWs and the dark green patches locate the Hazard Lands.

In the Tatham Report and Public Information Centre (PIC) #1, regarding The Town of The Blue Mountains (Town) Master Drainage Plan, in February 2022, this map, 5-J, was one of 14 maps presented. It shows the existing floodplain in the Craigeith shoreline area of the Town between Grey Road 19 and Grey Road 21, north of Monterra Road. The number 3 dot at the far right of the map is approximately the location of the entryway to 372 Grey Road 21.



The white notice attached to the entry gate marks the entrance as photographed in June 2022

Lucy J. Richmond

phone: [REDACTED]

e-mail: [REDACTED]

May 30, 2022

The Town of the Blue Mountains:

Mayor Soever, Deputy Mayor Bordignon.

Councillors; Abbotts, Hope, Matrosov, Uram; and,

CAO Everitt; Director of Planning and Development, Planning Department.

c/o Ms. Corrina Giles, Town Clerk

Dear Ms. Giles:

Re: Notice of Public Meeting - June 13, 2022,

[Application for Zoning By-law Amendment - 372 Grey Road 21](#)

The purpose of this letter is to provide, to the best of my ability, comprehensive information about how this property relates to the neighbourhood. The letter is addressed to the Town of the Blue Mountains for distribution by you, Madame Clerk. I also request that the content of this letter be included in the public record for this matter which will come before the Public Meeting to be held on June 13, 2022, at 1:00 pm, in Hybrid format. Hopefully, the information will serve as a foundation for review, discussion, and informed decision-making on the part of all stakeholders about this matter.

The Full Analysis can be found on pages 3 to 8 of this letter. It will illustrate the following:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 soon have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that the Province has drafted on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, are required to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one

before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay, two important Biospheres recognized globally and designated by the United Nations. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and premature. As such, it qualifies as a matter for a second full public review and consideration before coming before the County or Town Council for approval. The application clearly should be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

Conflicts can arise, between the Second-Tier Municipality (The Town) and its Upper-Tier Municipality (Grey County) in a two-tier municipal system such as ours. When decisions made by the upper-tier municipality do not serve the best interests of the Town, its citizens, and the lands they live on, the second-tier municipality (The Town) has recourse in Provincial Legislation.

**FULL ANALYSIS OF THE APPLICATION FOR ZONING BY-LAW AMENDMENT -
372 GREY ROAD 21**

- A. The map, below, shows the location of 372 Grey Road 21 in 2 segments. The East Block (highlighted) is the subject property. The West Block is also identified as Municipal Number 372 and is located just to the southwest. The Georgian Trail dissects the parcel. (Zoom to 500% if you need to expand the image.) Only the East Block is considered in the proponents' application currently.



- B. The Roads Infrastructure of the Town is being addressed in the Blue Mountains Transportation Master Plan which is under way but incomplete.

It is important to note that Grey Road 21 borders the property on its East side. The County will be widening this roadway soon to accommodate heavy use. The exact location and width of the County's Right-of-Way could come forward as an integral part of the Town's Transportation Master Plan, in due course, but this information is not yet available.

There is no access to the West Block except by the Georgian Trail which is shown as a straight path between the East Block and the West Block of the parcel identified as 372.

The Grey Road 21 Right-of-Way "future design" needs to be considered before the development is approved and before any Official Plan (OP) or By-Law amendments are granted, because the infrastructure is simply not in place. The Provincial Policy Paper (PPS) directs new development to areas where infrastructure is in place or planned. An idea is not a plan.

- C. **How WET is 372 Grey Road 21?**

The darker blue areas shown below are identified, by the province, as Provincially Significant Wetlands (PSW). When you zoom in to 500%, you can also see the blue lines that represent water courses. The light turquoise area is designated by the Grey Sauble Conservation Authority (GSCA) as a "Meander". The original dwelling was located within the meander at the far northeastern corner of the property. Note: it was not built in the PSW.



The area is inundated intermittently and seasonally.

The large, pale blue dip along the top of the map is Georgian Bay. The Blue Mountain Village Ski Runs can be seen in the southwestern quarter of the map. At the narrowest part, the distance between the Escarpment and the Bay is about 4 kilometres - a good hike. Both Georgian Bay and the Niagara Escarpment are United Nations designated Biospheres.

Below, please find 2 photos of the property taken in April of 2019, when the MNR was supervising the environmental clean-up of the illegally dumped construction materials and rusting equipment on the land. The authority to clean-up was designated to the Ministry by the Town under the Town's active, "Fill" By-Law as it was deemed too big a job for the Town to clean up with the equipment the Town had at the time. The property had been listed For Sale since before 2014.

Note the pools of water.



After this MNR clean-up, the property was sold, in 2021.

This third photo shows the entry driveway where it connects to Grey Road 21, looking westward, into the property. It was taken just after the extreme rain event in September of 2021. The County roadside, and the driveway in front of and behind the gate, are impassably flooded. The new owners propose continuing to use this property access point.



In the Tatham Report and Public Information Centre #1, regarding the Town of the Blue Mountains Master Drainage Plan, in February of 2022, this map, 5-J, was one of 14 maps presented. It shows the Existing Floodplain maps in the Craighleith shoreline area of the Blue Mountains between Grey Road 19 and Grey Road 21, north of Monterra Road. The **small red line** at the far right of the map is approximately the location of the entryway to 372 Grey Road 21.



The Town's pending Master Drainage Plan could mitigate some of the many drainage problems in this area of the Town (as documented in the Town in; Staff Report CSOPS.22.039, Drainage Master Plan PIC 1 Follow-up). The Plan has not been completed, yet.

D. Watersheds will be affected.

The next map shows the boundary of the Townline Creek Sub-watershed as mapped out by the GSCA (the more intensely blue area within the outline). The property lies just below the Timmins Street Development.



The Townline Creek Sub-Watershed is a highly functional, dynamic component of the Blue Mountains Watershed System that supports the Silver Creek Sub-watershed to the East, and the Camperdown/Craigleith Sub-watershed to the West. The Townline Creek Sub-watershed straddles Grey Road 21 between Highway #26 and Monterra Road. Floods ravaged Monterra Road's east end in the extreme water event of 2021. Cold-water fish use the ditches of the road as watercourses, spring, and fall, in their life-cycle migrations to and from the Bay and their spawning grounds.

Watershed systems and their ecosystems are irreplaceable. Their Trees and other green flora absorb huge amounts of water and carbon dioxide and release copious amounts of these elements to the atmosphere in the form of purified water and oxygen for the use of all living things. Traditional development and construction methods remove all the vegetation and topsoil covering the parcels to be developed and attempt to replace this functionality with inferior infrastructure systems in imitation of the real thing. Even the small amount of new development in the proposal under discussion in this letter will significantly disrupt the natural drainage systems in the area. The PPS advises those who would build new developments in PSW to be prohibited from doing so. Imagine being an owner of a new home, here, only to find out, too late, that it had been built in an area that floods seasonally, and intermittently!

The narrow band of dynamic watershed functionality, between the Escarpment and Georgian Bay, requires the Town's protection against continuing urban sprawl. Protection of the Watershed functions is the Town's most effective and efficient protection against flooding. There are many ways to accomplish this objective. Building new developments over Provincially Significant Wetlands is not one of them.

E. How does this proposal align with the Town's OP and Land Use and Development policies?

The following is the Legal description of the parcel as shown on Grey County Interactive Maps on May 26, 2022:

"Legal description: PL 529 PT LT 147,148 & 149:RP16R801 PT 1 TO 2 PART 4;SUBJ TO

EASEMENT OVER PARTS:6 & 7 PL 16R 3613

Property use: Seasonal/recreational dwelling
not located on water

Assessment: 1206000

Acres: 33.5533 (as mapped by Teranet, may differ from MPAC. See additional attributes for MPAC's assessed area)".

The Parcel, 372 Grey Road 21, is in the "Residential/Recreational (RRA) Land Use Area" of the Town, currently. The Town's OP 2016 clearly states that the **formula** for calculating Density in RRA Lands is:

"10 Units per Gross Hectare (and Gross Hectare is further defined as Hectares, net of Wetlands and Hazard Lands, in the Glossary to the Town's OP 2016), PLUS, 40% Open Space"
(See the chart on page 70 of the Town's OP 2016).

The Owner's Agent has mistakenly used only the first part of the formula, "10 Units per Gross Hectare" and justified 4 Units in the East Block; the rest of the formula was overlooked.

Using the Town's OP 2016 formula, the approximate Density calculation is:

- [33.55 Acres) divided by (2.2 acres per Hectare = 15.25 Hectares, the area for the East and West Blocks, combined.
- About 80% is Wetland and Hazard Land, or about 12 Hectares (ie. must be left untrammelled).
- About 20%, therefore, can be Developed, or about 3 Hectares (@10 Units/ha=30 Units).
- The requirement for Wetland and Hazard Land exceeds the stated 40% parameter for Open Space. 80% is meant to be left open for Wetlands and Hazard Lands.
- Setbacks from watercourses and provincial significant natural features are documented in legislation and must be respected.

This leaves only a portion of the West Block (which is not a part of this application), and possibly the footprint of the demolished East Block building (1 building envelope, only), with Development potential if the Town agrees to Development on the full parcel and allows a new building on the footprint of the former single-family dwelling.

It doesn't matter what the revised OP will say in 2-years' time, or more, when the Official Plan Review and redrafting is scheduled to conclude. The Current OP 2016 prevails until the Council and County both approve a new one. Changes in either the OP or the governing Zoning By-Law are subject to public review.

Because there are two Blocks planned for this development, a Master Plan, and one more opportunity for public engagement, would reassure Council, and the citizens Council represents, that this opportunity will be managed in the interests of all stakeholders. This is a watershed moment

Summary:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 shortly have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or in the as-built neighbourhood.

- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that the Province has drafted on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, are required to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and premature. As such, it qualifies as a matter for a second full public review and consideration before coming before the County or Town Council for approval. The application clearly should be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

Conflicts can arise, between the Second-Tier Municipality (The Town) and its Upper-Tier Municipality (Grey County) in a two-tier municipal system such as ours. When decisions made by the upper-tier municipality do not serve the best interests of the Town, its citizens, and the lands they live on, the second-tier municipality (The Town) has recourse in Provincial Legislation.

END

Lucy J. Richmond

PLUS
ORIG. 1

June 26, 2022

Ms. Corrina Giles, Town Clerk, for distribution to:
Mayor Soever, Deputy Mayor Bordignon,
Councilors Abbott, Matrosovs, Sampson and Uram
CAO Everitt

Re: Open House 372 Grey County 21,
Request for By-Law Amendment, June 13, 2022
Further Comments

Dear Ms. Giles:

I attended the Open House regarding 372 Grey County; Request for by-Law Amendment, June 13, and, having heard the extreme extent of shortfalls in Municipal, County and Provincial infrastructures required to service this proposal, **I, hereby, formally withdraw my support for any Zoning By-Law amendment for this holding, for any reason, whatsoever** (including the building of any Attainable Housing units during the Town's housing crisis).

The municipality has a duty in legislation to serve the best interests of the Province, the Town, its Citizens, and the Lands where they live, work and play, as codified in Town's Official Plan and By-Laws. Two concerns regarding this request remain:

1. Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. **Provincial laws direct new development to settlement areas where infrastructure is in place or planned.**

2. The best interests of the Town, its Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time.

See: Attachment A2. **Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter.**

There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide adequate wastewater services (including sewage and drainage

systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, trailways and cycle paths.

In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, **the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED.** This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that was proposed at the June 13, Open House.

Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live. Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound, watershed-based planning. The watershed-based-planning act, for Ontario can help with that. (See: Building Better Communities and Conserving Watersheds Act, 2017, S.O. 2017, c. 23 - Bill 139)

Sincerely,
Lucy Richmond.

Attachment A

A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned.

- A. The Provincial Policy Statement 2020 (PPS): Section 1.1.1 g) page 7, states, "Healthy, liveable and safe communities are sustained by . . . ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs," and, Part IV, page 6 . . . the PPS "directs development away from areas of natural and human-made hazards."
- B. The "Places to Grow Act 2005 - current": Purposes 1(b) To promote a rational and balanced approach to decisions about growth that . . . make efficient use of infrastructure"
- C. The Municipal Act: Municipalities, both the upper and lower tiers, have the authority, responsibility, and accountability for 11 Municipal Functions: "Transportation systems; public utilities (sewage treatment, collection of sanitary sewage, collection of storm water and other drainage from land, water production treatment and storage, water distribution); Drainage and flood control. . . "
- D. The Planning Act: Regarding approvals of plans of subdivision:
 "Regarding the authority for approval of certain planning matters, the Town's authority, under the Planning Act, Section 51, Subsections (5) and (6), the Act clearly states: . . .
 "Prescribed lower-tier municipality
 (6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3)."

A2. Only if the Zoning remains Development "D" Zone, can the Town, protect these lands, from seasonal and intermittent flooding and the continued loss of their dynamic, natural, watershed functions, over time.

See: The Town of the Blue Mountains By-Law No. 2002-78, (the "Fill" By-Law) as amended.

The Municipality must serve the best interests of the Province, the County, the Town, its Citizens, and the Lands where they live, work and play. It would not be in the interests of the residents living near this holding, now or in the future, to grant this request until the infrastructure "gap" is filled. Only by maintaining the Zoning as Development "D" on this holding can we protect this holding until proper assessment of the as-built conditions and hydrodynamics are analyzed and considered in preparation for the adequate infrastructure plans that would follow.

The Municipality must prohibit the granting of any permit or permission that could allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included) as defined under the Town's "Fill" By-Law.**

A change in the Zoning By-Law from "D" Development to anything else would make it possible for the proponent to ask for such permissions, by permit, and

therefore, to alter the existing grade of the land, and natural drainage patterns, before a Development Agreement has been struck between the Town and the Proponent. Such a request is PROHIBITED if the holding continues to be zoned Development "D". (See item 3.ii, below). Only if the Zoning remains Development D Zone, can such a permission be denied

Town of the Blue Mountains "Fill" By-Law

An Excerpt:

"Under section, 2. PROHIBITION

1. No person shall place or dump fill, or alter the existing grade of any land, except in accordance with the provisions of this By-law.
2. No person shall place, or dump, "fill" or alter the existing grade of any land that is defined as environmentally significant land.
3. No person shall place or dump fill, or alter the existing grade of any land, defined, and zoned as: . . .

(i) Hazard H Zone, Private Open Space OS2 Zone, Development D Zone, Deferred Development DD Zone and Holding h Zone by Zoning By-law No. 83-40 of the Corporation of the Township of Collingwood, as amended, or

(ii) Hazard H Zone, Development D Zone and Holding h Zone by Zoning By-law No. 10-77 of the Corporation of the Town of Thornbury, as amended."

No permit has been issued for this holding to the best of my knowledge, to date, under the Town's "Fill" By-Law. Nor shall any permit or permission be granted that would allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included)** until:

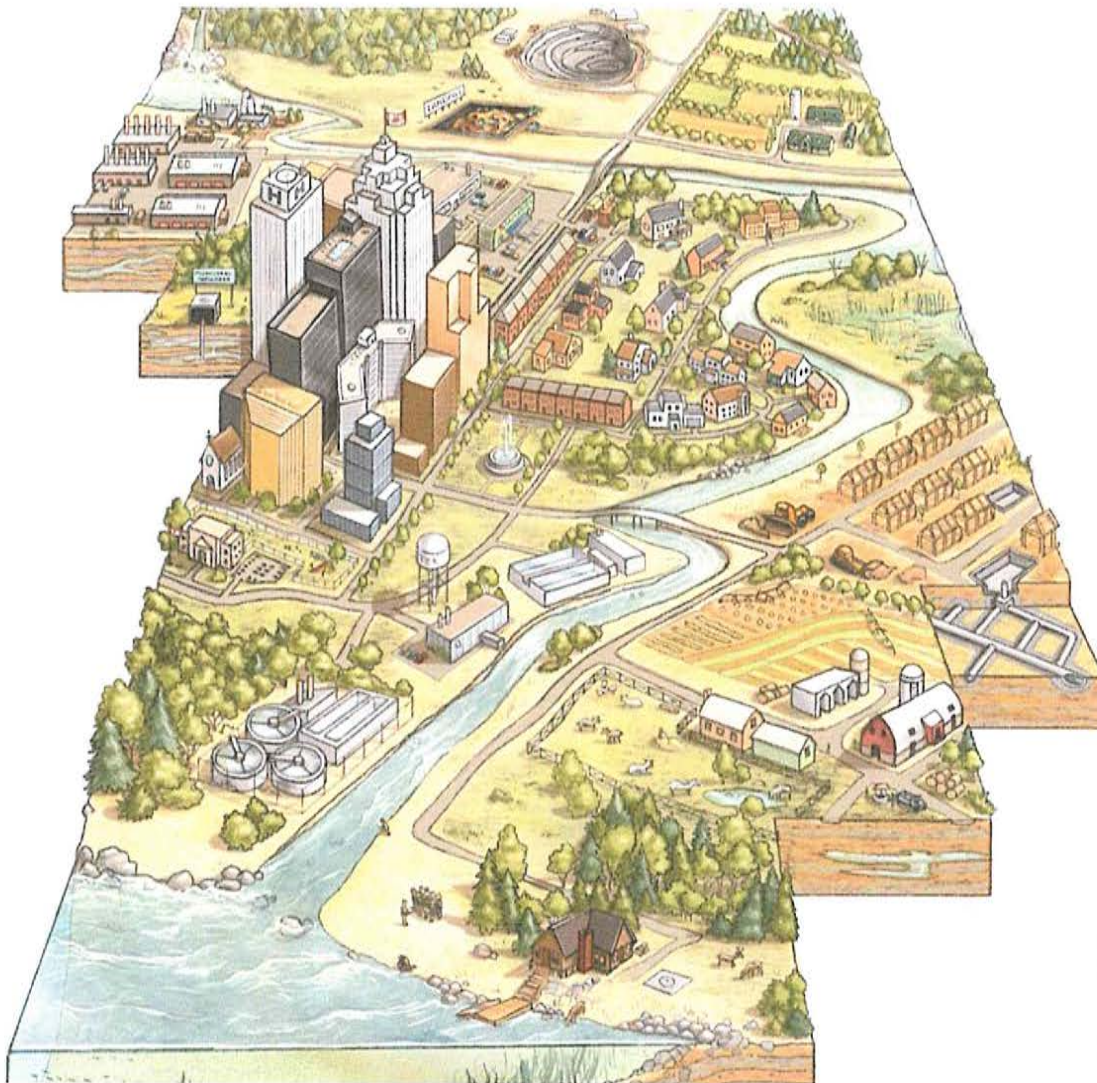
- I. It has been confirmed that no site alterations have occurred on the holding since June 13, 2022
- II. All missing/incomplete information requested at the Public Meeting has been received and duly circulated, and,
- III. Council has made their decision with regards to the request for Zoning By-Law amendment in connection with the proponent's submission of a complete Draft Master Plan the Town's approval.
- IV. The Master Plan has been approved.
- V. The missing infrastructure has been put in place or is planned and "shovel-ready".

In these ways, the Town can assure itself that all the environmentally significant features are protected, in the interim. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Attachment B: from "Conservation Ontario", the Ontario Conservation Authority is responsible for:

"Watershed Management, Development, Interference & Alteration Regulation" regarding, "... development & activities in or adjacent to river or stream valleys, Great Lakes and large inland lakes shorelines, watercourses, hazardous lands & wetlands".

"Everyone lives downstream."



From Lucy Richmond ✓
Re: B.S.



SEPT 23, 2021



JUNE 4, 2022
SOLD





Nov. 22, 2023

July 29, 2022

GSCA File: P22339

Town of the Blue Mountains
32 Mill Street, Box 310
Thornbury, ON
N0H 2P0

Sent via email: planning@thebluemountains.ca

Re: Application for Zoning By-law Amendment and Consent
Address: 372 Grey Road 21
Roll No: 424200000302300
Town of The Blue Mountains
Applicant: Rhemm Properties

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards, and our advisory comments related to Natural Heritage and Water policies as per the Memorandum of Agreement with the Town of the Blue Mountains and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The purpose of the subject proposal is to re-zone a portion of the subject lands from the Rural Residential (RUR) and Hazard (H) zones of the former Township of Collingwood Zoning By-law 83-40 to the Residential One (R1-1) zone of Town of The Blue Mountains Zoning By-law 2018-65. The effect of the application is to permit the development of the lands for four (4) single detached residential dwelling units, with four individual residential building lots proposed to be created through Consent Applications B04-2022, B05-2022, B06-2022, and B07-2022.

GSCA Regulations

The subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated areas are related to the flooding and erosion potential associated with the watercourse and wetland features that are present on and adjacent to the subject lands. The regulated areas are generally indicated on the attached map. Permits will be required for any development on the subject property.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek stream or watercourse.

Provincial Policy Statement 2020

3.1 Natural Hazards

The natural hazards present on the subject lands include watercourse and wetland features. In support of a Master Drainage Plan for the Town of The Blue Mountains, draft existing conditions mapping was completed in October 2021 by Tatham Engineering which included mapping of the regulatory floodplain. The study shows substantial portions of the area proposed for development on the subject property within the regulatory floodplain. Development within a regulatory floodplain would not be supported by the GSCA.

GSCA has reviewed the servicing brief provided in support of the application which notes that “preliminary modelling results indicate the 100-year and Timmons storm water surface elevations for the adjacent is approximately 182.00 m and 182.17 m respectively” and notes that the existing ground elevations for the proposed lots is generally 182.00 m or higher. We note that the Site Development Plan included with the servicing brief shows many points in the proposed development area at existing elevations between 181.50 m and 182.00 m. The servicing brief proposes fill placement to elevate portions of the lot above the regulatory floodplain. Filling within a regulatory floodplain to accommodate new development would not be supported by the GSCA.

Given that new information is available which shows the majority of the proposed development area has the potential to be existing floodplain, a site specific floodplain study should be prepared to refine the floodplain mapping on site. The study would need to demonstrate that the subject property has suitable development area outside of the existing regulatory floodplain as filling within the regulatory floodplain to accommodate new development would not be supported. The GSCA is of the opinion that the application is not consistent with the section 3.1 policies of the PPS without a supportive floodplain study having been completed.

2.1 Natural Heritage

The natural heritage features on and adjacent to the subject lands include fish habitat, significant woodland as identified in the County of Grey OP, provincially significant Silver Creek Wetland Complex, unevaluated wetland, potential for significant wildlife habitat, and potential habitat for threatened or endangered species. An Environmental Impact Study was completed by BIRKS Natural Heritage Consultants, Inc., File No. 04-010-2021, dated March 2022. Through this study, the natural heritage features identified on and adjacent to the site included wetlands, significant woodlands, significant wildlife habitats, habitat for threatened and endangered species, and Townline Creek watercourse (fish habitat). We note the following based on our review:

- The study proposed a delineation of the existing wetland and a 30m setback from the wetland. The setback was identified to have been taken from the Grey County Official Plan. The GSCA is generally supportive of a 30m setback to the wetland.
- The study also supported a reduction in the setback for portions of the development. An “average” setback of 25.25m is shown following the encroachment; it is not clear how this average was provided although it appears to have been calculated using the distances shown in Figure 3. We would not consider these to be accurate distances as they are shown as straight line distances, where natural heritage setbacks are typically applied as buffers (as has been done with the mapped 30m setback). The GSCA is generally understanding of some reduction in the setback given the practicality of providing rectilinear lots, and of the justification provided that the disturbed portions of the lot are of limited ecological function. However, the rear lot line appears to have been derived from the westernmost point of the 30m setback which has not been clearly justified.
- Of specific concern is lot four: the majority the building envelope (as per zoning setbacks) is shown to be within the 30m setback. We understand that the minimum lot frontage requirements prevent the narrowing of the lots to reduce this encroachment, and as such we are of the opinion that this lot is not consistent with the section 2.1 policies of the PPS.
- The EIS provided specific recommendations related to erosion and sediment control; a detailed plan should be prepared which reflects the recommendations of the EIS.
- The EIS proposed an enhancement area to compensate for the reduction in the wetland setback. A detailed planting plan should be prepared by an ecologist to support the proposed development.
- The EIS proposed a permanent fence be constructed to ensure that the adjacent woodlands and wetland setback remain protected from future encroachment. Such a fence should be shown on a site plan.

The GSCA is generally accepting of the methodology and findings of the EIS but we are unable to accept the report at this time as the natural hazard constraints noted above are anticipated to limit development further than the natural heritage concerns, and the EIS is currently based on a development plan which may be altered by further hazard studies.

2.2 Water

An increase in imperviousness is expected following construction in the area proposed for severance. GSCA is generally supportive of the approach to stormwater management outlined in the servicing brief. We are of the understanding that a hydrogeological investigation is being conducted – this may have implications for development as the area is within the area of interference of the nearby wetland and development would need to remain above the water table. This can be resolved at a later date should the development proceed to the GSCA permitting stage, but we note that the proposed Underside of Footing elevations may not be supportable.

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan

The subject property is not located within an area that is subject to the Source Protection Plan.

Recommendations

The proposed severances have not demonstrated consistency with PPS policies noted above, and GSCA staff are of the opinion that the applications should be deferred. We anticipate that the regulatory floodplain will be the primary constraint of development on the site. Should a site-specific flood plain study be provided which does support severances, the above noted natural heritage constraints should be considered. We note the following:

1. A site-specific floodplain study should be prepared to refine the floodplain mapping on site. To support severances, this study must demonstrate sufficient area for development outside of the existing regulatory floodplain without the requirement for infilling of the floodplain.
2. The EIS should clarify the methodology for determining the encroachment in wetland setback.
3. Lot four should be removed from the development proposal as it represents a significant encroachment into the wetland setback.
4. Detailed plans should be provided which outline the erosion and sediment control, enhancement planting and fencing recommendations of the EIS.

Should you have any further questions, please do not hesitate to contact the undersigned.

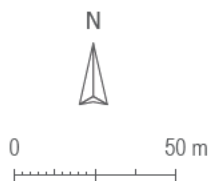
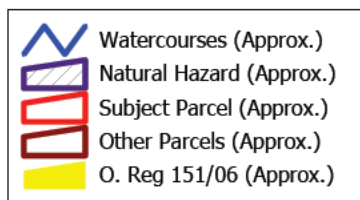
Regards,



Jake Bousfield-Bastedo, Watershed Planner

c.c. Andrea Matrosovs, GSCA Director, Town of the Blue Mountains
John Rodgers, Rhemm Properties
Kristine Loft, Loft Planning

Regulation of Development, Interference with Wetlands
and Alterations to Shorelines and Watercourses
(Ontario Regulation 151/06)



GSCA Regulations Map
Zoning By-law Amendment and Consent
Address: 372 Grey Road 21
Roll No: 424200000302300
Town of The Blue Mountains
P22339

Friday, July 29, 2022

The included mapping has been compiled from various sources and is for information purposes only. By accepting this map you agree not to edit the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. Produced by GSC with Data supplied under Licence by Members of the Ontario Geospatial Data Exchange. © Queen's Printer for Ontario and its licensors. [2021] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY. This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). They are the property of Grey Sauble Conservation Authority © 2021.

Projection: Universal Transverse Mercator - Zone 17 (N)
Datum: North American 1983 (mean for Canada)

From: planning@grey.ca
To: [Planning General](#)
Subject: County comments for P3165 Grey Road 21
Date: July 7, 2022 9:34:34 AM

County comments for P3165 Grey Road 21

Hello TBM,

Please see below for the County comments for Zoning application P3165 Grey Road 21 - Rhemm Properties Ltd.

The proposed application is to re-zone a portion of the subject lands from the Rural Residential (RUR) and Hazard (H) zones of the former Township of Collingwood Zoning By-law 83-40 to the Residential One (R1-1) zone of the Town of the Blue Mountains Zoning By-law 2018-65. The effect would be to permit the development of lands for four (4) single detached residential dwelling units, with four individual residential building lots proposed to be created through the consent process.

Schedule A of the County Official Plan is designates the subject lands as 'Recreation Resort Areas' and 'Provincially Significant Wetlands'. Section 3.8 (1) of the OP allows for residential development in areas that are fully serviced by municipal services. County Planning staff have no concerns regarding the the Recreation Resort Area designation.

Section 7.3.1 (2) of the OP states

No development or site alteration may occur within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

Development or site alteration within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type will require a permit from the appropriate conservation authority.

An EIS was complete as part of the justification for the proposed development. Several mitigation recommendations have been provided in the EIS including the recommendation of maintaining a 30 metre setback from the wetlands. County Planning staff recommend that all recommendations provided in EIS be implemented through this or future site plan process.

Appendix B also identifies the existence of 'significant woodlands' and 'other wetlands' on the subject property. Recommendations provided in

the EIS also address these natural heritage features.

County Transportation Services has reviewed the subject application and provided the following comments.

No objection to the zoning application. Separation of entrances does not meet County criteria of 100 m, that will require an exemption request to the Director of Transportation to obtain. The County Setback policy appears from the drawing to be in order.

Transportation Services requests a road widening and Entrance permit is required.

Provided that the Conservation Authority is satisfied with the EIS and Transportation Service requirements of a Road Widening and entrance permit are met, County Planning staff have no concerns.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best,

Hiba Hussain

Planning & Development, Grey County, Owen Sound ON

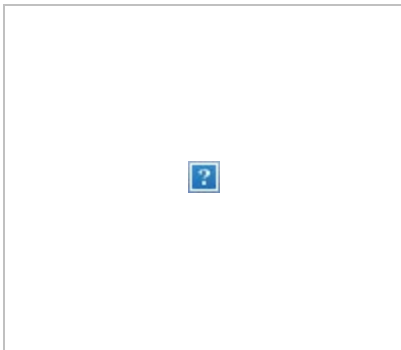
From: [Riel Warrilow](#)
To: [Planning General](#)
Subject: 372 Grey Road 21
Date: June 29, 2022 9:32:45 AM

Aanii and thank you for initiating consultation about this project.

The Saugeen Ojibway Nation does not support any further development of the Silver Creek Wetland complex without considerable mitigations.

Please note: We will respond to consultation requests in the order in which they are received. No response does not mean that SON does not require consultation on your proposal.

Riel Warrilow
Resources & Infrastructure Associate
T: (519)534-5507 ex 111



10129 Hwy 6
Georgian Bluffs, ON
N0H 2T0
saugeenojibwaynation.ca

From: [Peggy Slama](#)
To: [Jeremy Acres](#)
Cc: [Summer Valentine](#); [Heather McGinnity](#); [Allison Kershaw](#)
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections
Attachments: [image007.png](#)
[image009.png](#)
[image011.png](#)
[image013.png](#)
[image015.png](#)

Hi Jeremy,

I had an opportunity to discuss this with Summer and Heather. As you are well aware, the Town currently has a pause on development within the municipality of the Town of Collingwood and the approval of developments is only happening through exemptions to the Interim Control By-law, and granted to developments that have been evaluated through the municipalities newly adopted Servicing Capacity Allocation Policy. The Town has limited capacity to allocate until the completion of a water treatment plant expansion, which is planned to be complete end of 2025/early 2026.

Based on the restrictions currently in place related to development within the Town of Collingwood, we are not in a position to provide water to Town of the Blue Mountain properties at this time. The Town would be willing to support connections to our water system following the water treatment plant expansion, scheduled for 2026. Alternatively, if Town of the Blue Mountains was in agreement, the lots could be connected to the Collingwood system and supported from the water allocation provided to TBM through our supply contract (i.e. Collingwood would minus the allocated SDUs from the 1,250m³/d allocated to TBM).

I hope this provides you with the information you and your client require for your consent meeting.

Peggy

From: Jeremy Acres [mailto:jacres@tathameng.com]
Sent: May 17, 2022 4:07 PM
To: Peggy Slama <pslama@collingwood.ca>
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections

EXTERNAL EMAIL: This email originated outside of the Town's email system. Do not click any links or open any attachments unless you trust the sender and know the content is safe. If in doubt, please contact the helpdesk at x4357.

Hi Peggy,

Attached is aerial imagery from Grey County Maps showing the eastern portion of 372 Grey 21 highlighted in blue and the proposed four lots highlighted in red. The remainder of the property is wetland and not suitable for development.

Let me know if you require anything else.

Thanks,

Jeremy



Jeremy Acres C.E.T.
Project Manager

jacres@tathameng.com T 705-444-2565 x2002 C 519-372-4884
115 Sandford Fleming Drive, Suite 200, Collingwood, Ontario L9Y 5A6

Stay up to date on the latest Tatham news and announcements [here](#).

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From: Peggy Slama <pslama@collingwood.ca>
Sent: May 17, 2022 3:52 PM
To: Jeremy Acres <jacres@tathameng.com>
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections

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Hi Jeremy, I need more perspective on this please. Can you put a dot on a google map for me so I understand the location of the proposed severances within the larger lot?
Thanks Peggy

From: Jeremy Acres [<mailto:jacres@tathameng.com>]
Sent: May 17, 2022 3:09 PM
To: Peggy Slama <pslama@collingwood.ca>
Cc: John Rodgers <john@rhemmproperties.com>; Kristine Loft - Loft Planning Inc. (kristine@loftplanning.com) <kristine@loftplanning.com>
Subject: 121088: 372 Grey Road 21 - Proposed Water Service Connections

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Good afternoon Peggy,

As discussed, we have a client who has purchased the property at 372 Grey Road 21 in the Town of The Blue Mountains, with the intention to sever 4 residential lots fronting Grey Road 21 for single detached dwelling units. See attached plan.

Prior to Town of The Blue Mountains staff preparing a report for the Consent Application, they would like more clarity on how each lot could be provided with a water service. The Town of The Blue Mountain's preference would be to have the lots serviced from the Town of Collingwood's water system. There is currently one service from Collingwood's system to this property now; therefore, three additional (new) service connections would be required.

Are you able to confirm if new connections to these lots from Collingwood's water system are possible given the ICBL measures that are in place, and/or if you foresee any issues with timing? The owner is hoping to have the lots severed and serviced this year.

Happy to discuss at your convenience.

Sincerely,

Jeremy Acres, C.E.T.
Project Manager

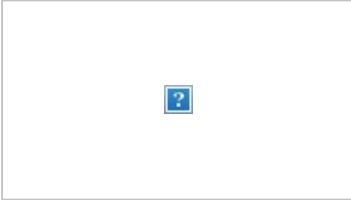
Tatham Engineering Limited

115 Sandford Fleming Drive, Suite 200 | Collingwood | Ontario | L9Y 5A6

T 705-444-2565 x2002 | C 519-372-4884 | jacres@tathameng.com | tathameng.com



Enhancing our communities



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2. It is agreed that only those hard copy documents bearing the professional seal and signature of the Tatham Engineering Limited project engineer will govern the work of the project. In the event of any dispute concerning an electronic document, the appropriately dated hard copy will be the document used by Tatham Engineering Limited to govern and resolve the dispute.

From: [Krista Royal](#)
To: [REDACTED]
Cc: [council](#); [SMT](#); [Town Clerk](#); [Trevor Houghton](#); [Travis Sandberg](#); [Karen Long](#)
Subject: FW: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)
Date: June 13, 2022 11:47:58 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
Importance: High

Good Morning Mr. Bristow:

I acknowledge receipt of your email with attached comments regarding today's June 13th Public meeting. By way of copy, I have forwarded the same to Council for information and consideration, and confirm that your comments will be included in the record of the public meetings, and attached to a followup staff report.

Kind Regards,



Krista Royal, Dipl. M.A.

Deputy Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury,
ON N0H 2P0

Tel: 519-599-3131 ext. 237 | Fax: 519-599-7723

Email: kroyal@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

From: Corrina Giles <cgiles@thebluemountains.ca>
Sent: June 13, 2022 10:46 AM
To: Krista Royal <kroyal@thebluemountains.ca>
Subject: FW: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)
Importance: High

Please acknowledge receipt of this and circulate to council and staff for information as it relates to today's Public meeting. Thanks



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON
N0H 2P0

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

From: Duncan Bristow [REDACTED]
Sent: Monday, June 13, 2022 10:44 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Cc: George & Heather Powell [REDACTED] Chris Mifflin [REDACTED]
Norm Wingrove [REDACTED]; [REDACTED] Carl Michener
[REDACTED]
Subject: RE: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)

Hi Corrina, I'm writing this note on behalf of the Blue Mountain Watershed Trust regarding the proposed development at 372 Grey Rd. 21. We have a couple of questions for today's meeting:

1. Does this development maintain the minimum required buffer to the nearby Provincially Significant Wetland?
2. There is typically flooding in this area (Town Line Creek), and we're concerned about maintaining the function of the watershed and ecosystem. Two of the proposed properties are directly impacting a wetland designated area (see attached map). Has there been or will there be an assessment with respect to the impact of this development on the hydrologic function of this wetland area?

Thanks for your consideration:

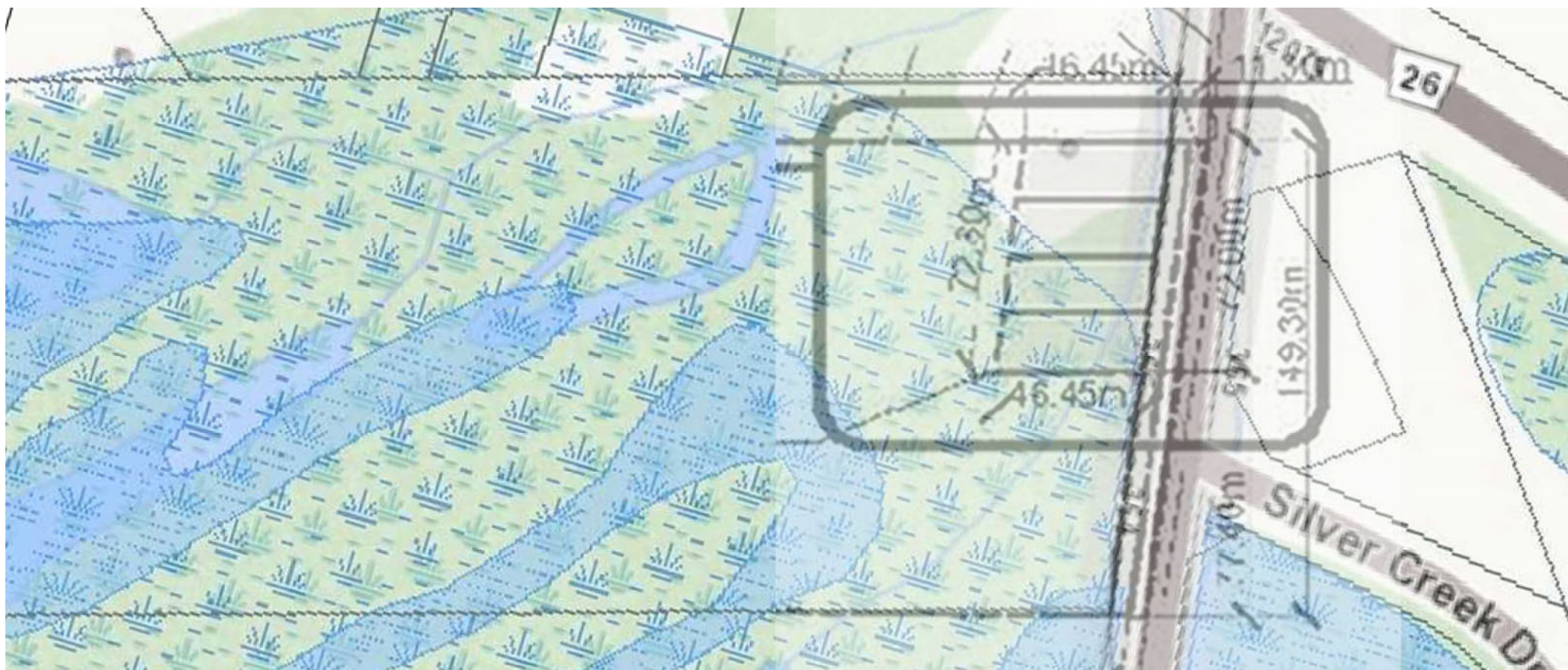
Duncan Bristow (Board Member)
Blue Mountain Watershed Trust Foundation

PS - the attached map is one I created by overlaying the proposed development (taken from the public meeting notice) onto a provincial heritage map (Make a natural heritage area map | ontario.ca) which shows the PSW (blue) and other wetland features (light green). The development is semi-transparent to show the wetland features beneath it). This overlaid map is an approximation only and should be used as such.

[Make a natural heritage area map | ontario.ca](https://www.ontario.ca/nature/make-a-natural-heritage-area-map)

Make a map of some of Ontario's natural heritage areas. Make a natural heritage map now

www.ontario.ca



From: Pamela Spence

██████████, The Blue Mountains ██████████

To: Planning and Development Services – Attn Travis Sandberg
Town of the Blue Mountains

Date: June 10, 2022

RE: 372 Grey Rd 21, The Blue Mountains – Application for Zoning By-law Amendment

Comments for Public Meeting June 13, 2022

1) Public meeting is Premature

As of June 1, 2022 there were no agency comments on file with the Town. GSCA or NVCA need to do a review of the EIS and provide comments or recommendations which are not on file. Secondly, the MTO must give driveway permits for this proposal and their position is not known. Furthermore, there is talk of a roundabout at Grey Rd 21 and Hwy 26 therefore traffic/turning conflicts need to be assessed and there is not traffic study on file.

2) EIS

The EIS is poorly done. Due to its proximity to Silver Creek wetland which is provincially significant, the environmental assessment should be done for 120m from the boundary of the wetland. There is no hydrological study in the EIS, and the study area is not correct.

Figure 2 in the EIS is inadequate. The information is unclear there is no explanation of yellow line, watershed boundary or forest count/area

The Significant Woodland is recognized by EIS in the body of the report but no mapping has been done for the 3.5 ha identified

The source for boundaries shown on Figure 3 is not substantiated. Key Natural Heritage Features are not shown on Fig 3 so overlap is indeterminate

The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2, could be maintained if lots were not so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot #4.

Setback enhancement area ownership is not clear and the zoning for that enhancement area needs to be clarified.

Mitigation measures offered pertain only to construction time period; long term measures need to be outlined.

3) Tatham Report

- Speaks to full services yet EIS speaks of septic services so EIS misinformed
- Lots of historical flooding in this proximity not identified/addressed in this report
- MTO permit required but no dialogue prior to or since March 15 2022

4) Planning Justification Report

- Does not conform to PPS as it is within the 120m PSW limits without better EIS and proper understanding of hydrological/drainage consequences of house location
- Misquotes the EIS

- Can not be compliant with County Official Plan til GSCA signs off and entrance permit granted
- Sec. 4.4 is miscalculated – area being rezoned is only the 4 lots which is 1/3 of Hectare and therefore 3.3 units are permitted not 10
- Does not conform to Town OP as it does not conform to 30m setback, the EIS does not definitively address natural heritage features or protection
- Seemingly too close to proposed turning circle to be built at Hwy 26 and Grey Rd 21

5) TBM Zoning By-law

- Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards
- Zone designation needed for proposed enhancement area with clarity of ownership and easement to Town
- Is enhancement area in lieu of parkland dedication/payment or is trail?
- The footprint shown on the Consent Sketch 2 is over 4000 sq ft – another monster home
- Such uniformity is boring; could be staggered and permit better visibility entering onto busy County Rd.

Pamela Spence

June 10, 2022

From: Pamela Spence

To: [REDACTED]
Planning and Development Services – Attn Travis Sandberg
Town of the Blue Mountains

Date: July 22, 2022

RE: 372 Grey Rd 21, The Blue Mountains – Application for Zoning By-law Amendment

Comments following Public Meeting June 13, 2022

1) Public meeting is Premature

There were no comments available ahead of or at the meeting from GSCA, MTO or other agencies which are directly impacted by this proposal. Furthermore, the response came back that there is no water or sewer to the sight now or in the foreseeable future.

This application is premature and must be turned down.

2) EIS

The comments from Ms. Loft to my question was that the diagram she referenced was in the EIS. I have perused it several times and do not find her illustration used in her presentation.

I do note that the most southerly lot is almost entirely in the setback allowance, there is no math illustrating how the “average” calculation was made and there is no hydrological report.

Water monitoring informs a hydrological study but does not constitute the requirement and no further study was promised.

The EIS is poorly done. Significant Woodland areas and Key Natural heritage features are not sufficiently shown. Silver Creek wetland is inadequately researched.

Because this area is in the Silver Creek wetland which is provincially significant proposal should be turned down.

3) Planning and Zoning Problems

Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards. The footprint shown on the Consent Sketch 2 is over 4000 sq ft – we do not need more monster homes – furthermore, the uniformity is boring. The lots could be staggered which would permit better visibility entering onto busy County Rd 21.

The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2 is not maintained because the lots are so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot #4.

Ownership of the setback enhancement area is not clear and the zoning for that enhancement area is not defined.

Finally, the matter of illegal fill on the site to alter the hydrology of the site, affect the provincially significant wetland is very concerning. If illegal the owner should have to remove it and be fined. At a minimum it should be stopped until such matters as compliance and reparation to fill by-laws are met, water and sewer are available and comments from other agencies are received.

This application should be stopped and not waste any more Council and staff time, as it should not be permitted in a Provincially Significant Wetland at all!!!

Thank you for considering these comments.

Pamela Spence

July 22, 2022

From: [REDACTED]
To: [REDACTED]; [Ruth Prince](#); [Ryan R. Gibbons](#); [Sarah Traynor](#); [Shawn Carey](#); [Shawn Everitt](#); [Tim Hendry](#); [Will Thomson](#); [Trevor Houghton](#); [Karen Long](#); [Travis Sandberg](#); [Krista Royal](#); [Kyra Dunlop](#)
Subject: RE: P3165 372 Grey 21 Zoning Amendment
Date: May 31, 2022 11:37:02 AM
Attachments: [image001.png](#)
[image002.png](#)

Good morning Mr. Kilby,

I acknowledge receipt of your comments in response to the June 13 [Public Meeting Re: 372 Grey Road 21](#) and confirm I have forwarded the same to Council for information and consideration. Your comments will be included in the record of the June 13 Public Meeting and attached to a followup staff report regarding this matter.

The Public Meeting will be livestreamed on the Town's website via the link below, and the recording of the meeting is posted to the website following the meeting.

[Council Meeting Livestreaming](#)

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON
N0H 2P0

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

-----Original Message-----

From: Martin Kilby [REDACTED]
Sent: May 31, 2022 11:20 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Cc: Sandee Roberts [REDACTED]
Subject: P3165 372 Grey 21 Zoning Amendment

My name is Martin Kilby. I am an owner that abuts on to the subject property along Timmons St.

I do not object to the proposed plan to change the zoning to create the smaller building lots along Grey 21.

I am however, concerned that the entire balance of the 50 acre property would be changed

to R1 thus eliminating the Hazard portion that abuts many of the property owners along Timmons street. These hazard portions are a haven for deer and ducks and turtles. It is typically very swampy for most of the year.

Will the effect of removing the Hazard zoning and replacing it with R-1 along the whole of the property create a window of opportunity to future development of these lands from the other abutting land owner to south?

Is it not possible to maintain the H zoning in those portions if it is not the owner's intention to ever develop?

A future owner could also just create an access road off of Timmons St.
With R-1 zoning on that acreage, the possibilities become financially feasible.

In my opinion, such a drastic change would be unwelcome to neighbouring owners who purchased along Timmons St with the understanding that there was significant wetland areas that would prevent any future development.

I would support maintaining the H zoned areas and protect our wetlands and grant the owner the R-1 to develop as proposed with this Zoning amendment.

Thank you for sharing my concerns at this public meeting.

Martin Kilby



Blue Mountains

Lucy J. Richmond

May 26, 2022

The Town of the Blue Mountains:

Mayor Soever, Deputy Mayor Bordignon;
Councilors'; Abbotts, Hope, Matrosovs, Uram; and,
CAO Everitt; Director of Planning and Development, Planning Department.
c/o Ms. Corrina Giles, Town Clerk

Dear Ms. Giles:

Re: Notice of Public Meeting - June 13, 2022,
[Application for Zoning By-law Amendment - 372 Grey Road 21](#)

The purpose of this letter is to provide, to the best of my ability, comprehensive information about how this property relates to the neighborhood. The letter is addressed to the Town of the Blue Mountains for distribution by you, Madame Clerk. I also request that the content of this letter be included in the public record for this matter which will come before the Public Meeting to be held on June 13, 2022, at 1:00 pm, in Hybrid format. Hopefully, the information will serve as a foundation for review, discussion, and informed decision-making on the part of all stakeholders with regards to this matter.

The Full Analysis can be found on pages 3 to 8 of this letter. It will illustrate the following:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 in the near future have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or on the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that has been drafted by the Province on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, is required in order to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one

before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay, two important Biospheres recognized globally and designated by the United Nations. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and pre-mature. As such, it qualifies as a matter for a second full public review and consideration before coming before County or Town Council for approval. The application is to be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

When conflicts arise, we, as citizens of the Second-Tier Municipality have recourse, in Provincial Legislation, if the Town's Council has not approved activities that are against the best interests of the Town, its citizens and the lands they live on.

FULL ANALYSIS OF THE APPLICATION FOR ZONING BY-LAW AMENDMENT - 372 GREY ROAD 21

- A. The map, below, shows the location of 372 Grey Road 21 in 2 segments. The East Block (highlighted) is the subject property. The West Block is also identified as Municipal Number 372 and located just to the south-west. The Georgian Trail dissects the parcel. (Zoom to 500% if you need to expand the image.) Only the East Block is considered in the proponents' application at this time.



- B. The Roads Infrastructure of the Town is being addressed in the Blue Mountains Transportation Master Plan which is under-way but not complete.

It is important to note that Grey Road 21 borders the property on its East side. The County will be widening this roadway soon to accommodate heavy use. The exact location and width of the County's Right-of-Way could come forward as an integral part of the Town's Transportation Master Plan, in due course, but this information is not yet available.

There is no access to the West Block except by the Georgian Trail which is shown as a straight path between the East Block and the West Block of the parcel identified as 372.

The Grey Road 21 Right-of-Way "future design" needs to be considered before the development is approved and before any Official Plan (OP) or By-Law amendments are granted. because the infrastructure is simply not in place. The Provincial Policy Paper (PPS) directs new development to areas where infrastructure is in place or planned. An idea is not a plan.

- C. How WET is 372 Grey Road 21?

The darker blue areas shown below are identified, by the province, as Provincially Significant Wetlands (PSW). When you zoom in to 500%, you can also see the blue lines that represent water courses. The light turquoise area is designated by the Grey Sauble Conservation Authority (GSCA) as a "Meander". The original dwelling was located within the meander at the far northeastern corner of the property. Note: it was not built in the PSW.



The area is inundated intermittently and seasonally.

The large, pale blue dip along the top of the map is Georgian Bay. The Blue Mountain Village Ski Runs can be seen in the southwestern quarter of the map. At the narrowest part, the distance between the Escarpment and the Bay is about 4 kilometers - a good hike. Both Georgian Bay and the Niagara Escarpment are United Nations designated Biospheres.

Below, please find 2 photos of the property taken in April of 2019, when the MNR was supervising environmental clean-up of the illegally dumped construction materials and rusting equipment on the land. The authority to clean-up was designated to the Ministry by the Town under the Town's active, "Fill" By-Law as it was deemed too big a job for the Town to clean up with the equipment the Town had at the time. The property had been listed For Sale since before 2014.

Note the pools of water.



After this MNR clean-up the property was sold, in 2021.

This third photo shows the entry driveway where it connects to Grey Road 21, looking westward, into the property. It was taken just after the extreme rain event in September of 2021. The County roadside, and the driveway in front of and behind the gate, are impassably flooded. The new owners propose continuing to use this property access point.



The Town's pending Master Drainage Plan could mitigate some of the many drainage problems in this area of the Town. They have been documented in the Town in; Staff Report CSOPS.22.039, Drainage Master Plan PIC 1 Follow-up. The Plan has not been completed, yet.

D. Watersheds will be affected.

The next map shows the boundary of the Townline Creek Sub-watershed as mapped out by the GSCA (the more intensely blue area within the outline). The property lies just below the Timmins Street Development.



The Townline Creek Sub-Watershed is a highly functional, dynamic component of the Blue Mountains Watershed System that supports the Silver Creek Sub-watershed to the East, and the Camperdown/Craigleith Sub-watershed to the West. The Townline Creek Sub-watershed straddles Grey Road 21 between Highway #26 and Monterra Road. Monterra Road's east end was ravaged by floods in the extreme water event of 2021. Cold-water fish use the ditches of the road as watercourses, spring, and fall, in their life-cycle migrations to and from the Bay and their spawning grounds.

Watershed systems and their ecosystems are irreplaceable. Their Trees and other green flora absorb huge amounts of water and carbon-dioxide and release copious amounts of these elements to the atmosphere in the form of purified water and oxygen for the use of all living things. Traditional development and construction methods remove all the vegetation and topsoil covering the parcels to be developed and attempt to replace this functionality with inferior infrastructure systems in imitation of the real thing. Even the small amount of new development in the proposal under discussion in this letter will significantly disrupt the natural drainage systems in the area. The PPS advises those who would build new developments in PSW's be prohibited from doing so. Imagine being an owner of a new home, here, only to find out, too late, that it had been built in an area that floods seasonally, and intermittently!

The narrow band of dynamic watershed functionality, between the Escarpment and Georgian Bay, requires the Town's protection against continuing urban sprawl. Protection of the Watershed functions is the Town's most effective and efficient protection against flooding. There are many ways to accomplish this objective. Building new developments over Provincially Significant Wetlands is not one of them.

E. How does this proposal align with the Town's OP and Land Use and Development policies?

The following is the Legal description of the parcel as shown on Grey County Interactive Maps on May 26, 2022:

"Legal description: PL 529 PT LT 147,148 &
149:RP16R801 PT 1 TO 2 PART 4;SUBJ TO
EASEMENT OVER PARTS:6 & 7 PL 16R 3613
Property use: Seasonal/recreational dwelling
not located on water
Assessment: 1206000
Acres: 33.5533 (as mapped by Teranet, may
differ from MPAC. See additional attributes for
MPAC's assessed area)".

The Parcel, 372 Grey Road 21, is in the "Residential/Recreational (RRA) Land Use Area" of the Town, currently. The Town's OP 2016 clearly states that the **formula** for calculating Density in RRA Lands is:

"10 Units per Gross Hectare (and Gross Hectare is further defined as: Hectares, net of Wetlands and Hazard Lands, in the Glossary to the Town's OP 2016), PLUS, 40% Open Space"
(See the chart on page 70 of the Town's OP 2016).

The Owner's Agent has mistakenly used only the first part of the formula, "10 Units per Gross Hectare" and justified 4 Units in the East Block; the rest of the formula was overlooked.

Using the Town's OP 2016 formula, the approximate Density calculation is:

- [33.55 Acres) divided by (2.2 acres per Hectare = 15.25 Hectares, the area for the East and West Blocks, combined.
- About 80% is Wetland and Hazard Land, or about 12 Hectares (ie. must be left untrammelled).
- About 20%, therefore, can be Developed, or about 3 Hectares (@10 Units/ha=30 Units).
- Requirement for Wetland and Hazard Land exceeds the stated 40% parameter for Open Space. 80% is meant to be left open for Wetlands and Hazard Lands.
- Setbacks from watercourses and Provincially Significant natural features are documented in legislation and must be respected.

This leaves only a portion of the West Block (which is not a part of this application), and possibly the footprint of the demolished East Block building (1 building envelope, only), with Development potential if the Town agrees to Development on the full parcel and allows a new building on the footprint of the former single-family dwelling.

It doesn't matter what the revised OP will say in 2-years' time, or more, when the Official Plan Review and redrafting is scheduled to conclude. The Current OP 2016 prevails until Council and County both approve a new one. Changes in either the OP or the governing Zoning By-Law are subject to public review.

Because there are two Blocks planned for this development, a Master Plan, and one more opportunity for public engagement, would re-assure Council, and the citizens Council represents, that this opportunity will be managed in the interests of all stakeholders. This is a watershed moment

Summary:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 in the near future have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or on the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that has been drafted by the Province on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, is required in order to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and pre-mature. As such it qualifies as a matter for a second full public review and consideration before coming before County or Town Council for approval. The application is to be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

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When conflicts arise, we, as citizens of the Second-Tier Municipality have recourse, in Provincial Legislation, if the Town's Council has not approved activities that are against the best interests of the Town, its citizens and the lands they live on.

END

Lucy J. Richmond

phone: [REDACTED]

e-mail: [REDACTED]

June 26, 2022

Ms. Corrina Giles, Town Clerk, for distribution to:
 Mayor Soever, Deputy Mayor Bordignon,
 Councilors Abbott, Matrosovs, Sampson and Uram
 CAO Everitt

Re: Open House 372 Grey County 21,
 Request for By-Law Amendment, June 13, 2022
 Further Comments

Dear Ms. Giles:

I attended the Open House regarding 372 Grey County; Request for by-Law Amendment, June 13, and, having heard the extreme extent of shortfalls in Municipal, County and Provincial infrastructures required to service this proposal, **I, hereby, formally withdraw my support for any Zoning By-Law amendment for this holding, for any reason, whatsoever** (including the building of any Attainable Housing units during the Town's housing crisis).

The municipality has a duty in legislation to serve the best interests of the Province, the Town, its Citizens, and the Lands where they live, work and play, as codified in Town's Official Plan and By-Laws. Two concerns regarding this request remain:

1. Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. **Provincial laws direct new development to settlement areas where infrastructure is in place or planned.**
2. The best interests of the Town, it's Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time. See: Attachment A2. **Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter.**

There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide adequate wastewater services (including sewage and drainage

systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, railways and cycle paths.

In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, **the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED.** This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that was proposed at the June 13, Open House.

Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live. Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound, watershed-based planning. The watershed-based-planning act, for Ontario can help with that. (See: Building Better Communities and Conserving Watersheds Act, 2017, S.O. 2017, c. 23 - Bill 139)

Sincerely,
Lucy Richmond.

Attachment A

A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned.

- A. The Provincial Policy Statement 2020 (PPS): Section 1.1.1 g) page 7, states, "Healthy, liveable and safe communities are sustained by . . . ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs," and, Part IV, page 6 . . . the PPS "directs development away from areas of natural and human-made hazards."
- B. The "Places to Grow Act 2005 - current": Purposes 1(b) To promote a rational and balanced approach to decisions about growth that . . . make efficient use of infrastructure"
- C. The Municipal Act: Municipalities, both the upper and lower tiers, have the authority, responsibility, and accountability for 11 Municipal Functions: "Transportation systems; public utilities (sewage treatment, collection of sanitary sewage, collection of storm water and other drainage from land, water production treatment and storage, water distribution); Drainage and flood control. . . "
- D. The Planning Act: Regarding approvals of plans of subdivision:
"Regarding the authority for approval of certain planning matters, the Town's authority, under the Planning Act, Section 51, Subsections (5) and (6), the Act clearly states: . . .
"Prescribed lower-tier municipality
 (6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3)."

A2. Only if the Zoning remains Development "D" Zone, can the Town, protect these lands, from seasonal and intermittent flooding and the continued loss of their dynamic, natural, watershed functions, over time.

See: The Town of the Blue Mountains By-Law No. 2002-78, (the "Fill" By-Law) as amended.

The Municipality must serve the best interests of the Province, the County, the Town, its Citizens, and the Lands where they live, work and play. It would not be in the interests of the residents living near this holding, now or in the future, to grant this request until the infrastructure "gap" is filled. Only by maintaining the Zoning as Development "D" on this holding can we protect this holding until proper assessment of the as-built conditions and hydrodynamics are analyzed and considered in preparation for the adequate infrastructure plans that would follow.

The Municipality must prohibit the granting of any permit or permission that could allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included) as defined under the Town's "Fill" By-Law.**

A change in the Zoning By-Law from "D" Development to anything else would make it possible for the proponent to ask for such permissions, by permit, and

therefore, to alter the existing grade of the land, and natural drainage patterns, before a Development Agreement has been struck between the Town and the Proponent. Such a request is PROHIBITED if the holding continues to be zoned Development "D". (See item 3.ii, below). Only if the Zoning remains Development D Zone, can such a permission be denied

Town of the Blue Mountains "Fill" By-Law

An Excerpt:

"Under section, 2. PROHIBITION

1. No person shall place or dump fill, or alter the existing grade of any land, except in accordance with the provisions of this By-law.
2. No person shall place, or dump, "fill" or alter the existing grade of any land that is defined as environmentally significant land.
3. No person shall place or dump fill, or alter the existing grade of any land, defined, and zoned as: . . .

(i) Hazard H Zone, Private Open Space OS2 Zone, Development D Zone, Deferred Development DD Zone and Holding h Zone by Zoning By-law No. 83-40 of the Corporation of the Township of Collingwood, as amended, or

(ii) Hazard H Zone, Development D Zone and Holding h Zone by Zoning By-law No. 10-77 of the Corporation of the Town of Thornbury, as amended."

No permit has been issued for this holding to the best of my knowledge, to date, under the Town's "Fill" By-Law. Nor shall any permit or permission be granted that would allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included)** until:

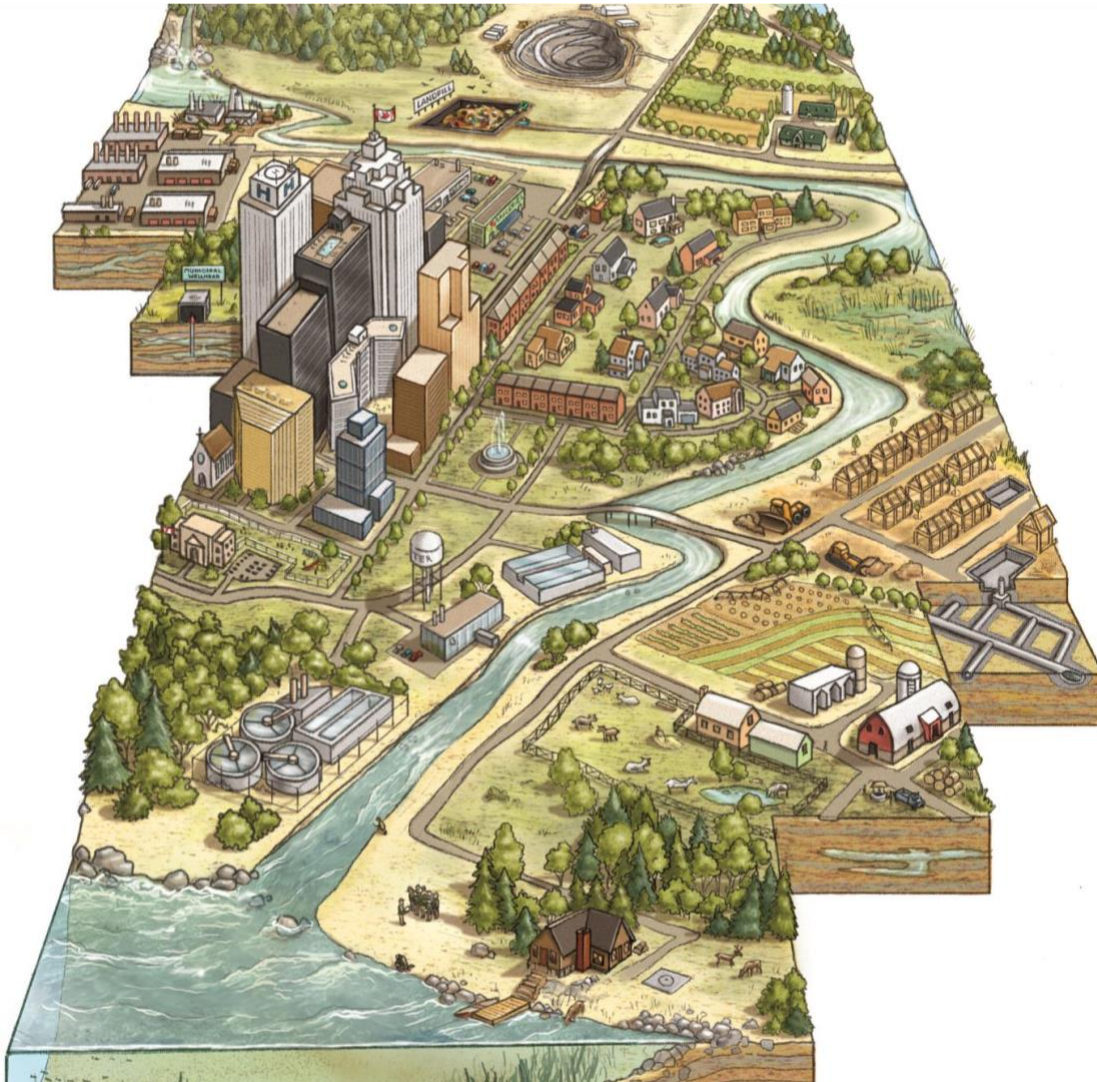
- I. It has been confirmed that no site alterations have occurred on the holding since June 13, 2022
- II. All missing/incomplete information requested at the Public Meeting has been received and duly circulated, and,
- III. Council has made their decision with regards to the request for Zoning By-Law amendment in connection with the proponent's submission of a complete Draft Master Plan the Town's approval.
- IV. The Master Plan has been approved.
- V. The missing infrastructure has been put in place or is planned and "shovel-ready".

In these ways, the Town can assure itself that all the environmentally significant features are protected, in the interim. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Attachment B: from "Conservation Ontario", the Ontario Conservation Authority is responsible for:

"Watershed Management, Development, Interference & Alteration Regulation" regarding, " . . . development & activities in or adjacent to river or stream valleys, Great Lakes and large inland lakes shorelines, watercourses, hazardous lands & wetlands".

"Everyone lives downstream."



From: [Corrina Giles](#)
To: [REDACTED]
Cc: [council](#); [Ruth Prince](#); [Ryan R. Gibbons](#); [Sarah Traynor](#); [Shawn Carey](#); [Shawn Everitt](#); [Tim Hendry](#); [Will Thomson](#); [Trevor Houghton](#); [Travis Sandberg](#); [Karen Long](#); [Kyra Dunlop](#); [Krista Royal](#)
Subject: FW: Webform submission from: Town Clerk
Date: May 18, 2022 8:41:53 AM
Attachments: [image001.png](#)
[image003.png](#)

Good morning,

I acknowledge receipt of your comments below in response to the June 13, 2022 [Notice of Application and Public Meeting Re: 372 Grey Road 21](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the June 13 Public Meeting, and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

From: Website Committee <webcommittee@thebluemountains.ca>

Sent: May 12, 2022 8:55 AM

To: Town Clerk <townclerk@thebluemountains.ca>

Subject: Webform submission from: Town Clerk

Submitted on Thu, 05/12/2022 - 08:55

Submitted by: Anonymous

Submitted values are:

Name:

Madi Hayles

Email:

[REDACTED]

Phone:

[REDACTED]

How can we help you?

In reference to Application for Zoning By-law Amendment Property location: 372 Grey Road 21
I do not support this application for ZONING AMENDMENT. No development. This area is part of the
Silver Creek Wetlands

I would like a copy of my submission sent to my email address.

Yes

Any accompanying files are attached.