



Notice of Decision

This is a notice about a decision of Council on three Consent to Sever applications and a Zoning By-law Amendment application for the lands municipally known as 372 Grey Road 21.

Council approved the applications, granted Provisional Consent, and passed By-law 2024-30 on April 15, 2024.

What was the purpose and effect of the decision?

The effect of the applications is to rezone a portion of the subject lands from the Development 'D' Zone to the Residential One Holding 'R1-1-h47' Zone and to sever that portion of the lands to create three residential building lots.

Feedback from the Public

Feedback from public agencies and area residents was considered in the decision of Council. Further details on comments received and how they were responded to can be found under Planning Staff Report [PDS.24.006](#).

Rights to Appeal the Decision

If you disagree with this decision, you may file an appeal to the Ontario Land Tribunal. An appeal must include the required **Appellant Form** and **Applicable Fees** in a Certified Cheque or Money order, made out to the Minister of Finance. The Appellant Form must state the reasons for the appeal.

The Appellant Form and fees must be delivered in person or by registered mail to the Clerk of the Town of The Blue Mountains:

Town Clerk, Town of The Blue Mountains
PO Box 310, 32 Mill Street
Thornbury, Ontario N0H 2P0

The last date for filing an appeal is **Monday, May 8, 2024, by 4:30 pm.**

More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>.

Only individuals, corporations and public bodies may appeal a Zoning By-law Amendment to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 – 30

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 | <div>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:</div> <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). |
|--|--|--|

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 15th day of April, 2024


Andrea Matrosovs, Mayor


Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2024-30 as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 15th day of April, 2024.

Dated at the Town of The Blue Mountains, this 15th day of April, 2024.




Corrina Giles, Clerk

Town of The Blue Mountains

Schedule 'A-1'

By-Law No. 2024-30

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 m² (Lot 1) and 939 m² (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;

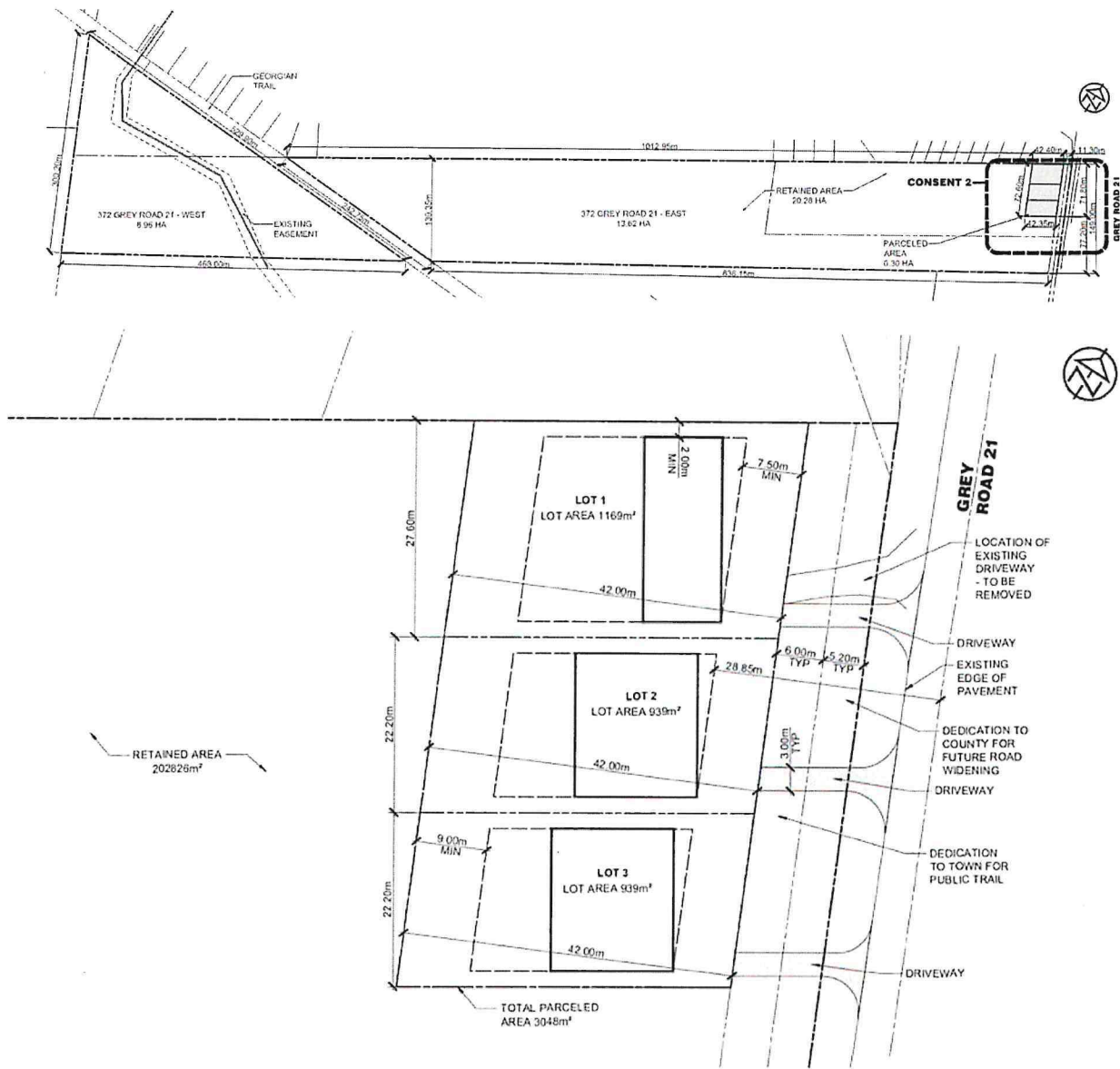
12. That all above conditions be fulfilled within two years of the Notice of Decision so that the Town Clerk is authorized to issue the Certificate of Consents pursuant to Section 53(42) of the Planning Act.



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.