



Committee Report

To:	Deputy Warden McQueen and Members of Grey County Council
Committee Date:	May 26, 2022
Subject / Report No:	PDR-CW-20-22
Title:	Ridge Redline Revisions 42T-2018-13 & 42CDM-2018-13
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	Recommendation adopted by Committee as presented per Resolution CW79-22;

Recommendation

1. That all written submissions received on the proposed redline revisions to plan of subdivision/condominium 42T-2018-13 were considered which helped to make an informed recommendation and decision; and
2. That Report PDR-CW-20-22 be received, and that in consideration of the draft plan of subdivision/condominium 42T-2018-13, and the matters to have regard for under Subsection 51(24) of the Planning Act, the County of Grey Committee of the Whole hereby approves the revised plan of condominium on lands described as Part of Block 75, RP 16M-15, Part 3, Plan 16R-10059, (geographic Township of Collingwood) in the Town of The Blue Mountains.

Executive Summary

This report considers some proposed revisions to draft plan of subdivision and condominium 42T-2018-13 and 42CDM-2018-13 known as Ridge Estates (Peaks Meadows) in Town of The Blue Mountains. The current draft plan consists of thirty-one (31) residential units, a private condominium road, and an open space amenity area. Through the proposed redline revision there would be a slight realignment of the lot boundaries, and the creation of the open space amenity area as a separate block (it used to be combined with the condominium road). There are no increases or decreases in the total number of residential units in the proposed changes to the draft plan. The Town of The Blue Mountains has supported the proposed redline revisions. All written comments regarding the proposed revisions have been considered and it is recommended that Committee approve the revisions to the draft plan.

Background and Discussion

The County has received a request for redline revision to the Ridge Estates draft plan of subdivision/condominium (County file numbers 42T-2018-13 and 42CDM-2018-13). Ridge Estates was granted draft approval on February 25, 2021. The draft plan approval has since changed owners and the new owner is seeking minor revisions to the plan as a result of their detailed engineering work completed.

The following are the proposed revisions to the draft plan of subdivision and condominium;

- minor realignment of the lot and block boundaries, and
- the separation of the condominium road from the open space amenity area (blocks 33 and 32 respectively).

Through these changes there will be no increase or decrease in the residential unit totals.

The subject lands are in a Recreational Resort Area designation in the County Official Plan. The proposed subdivision is located on Block 38, Registered Plan 16M-24, Town of The Blue Mountains, geographic Township of Collingwood. The subject lands are approximately 2.37 hectares in size and are currently vacant with some trees located on portions of the property.

This site is located in the Camperdown area which is located south of Highway 26 between the Town of Thornbury and Craigeleith. The lands are located south of the Georgian Bay Club. A residential development exists to the east of the subject lands. Farmlands exist west of the subject lands and directly south are vacant lands. Map 1 below shows the subject lands and surrounding area, while Map 2 shows the proposed revised plan of subdivision/condominium.



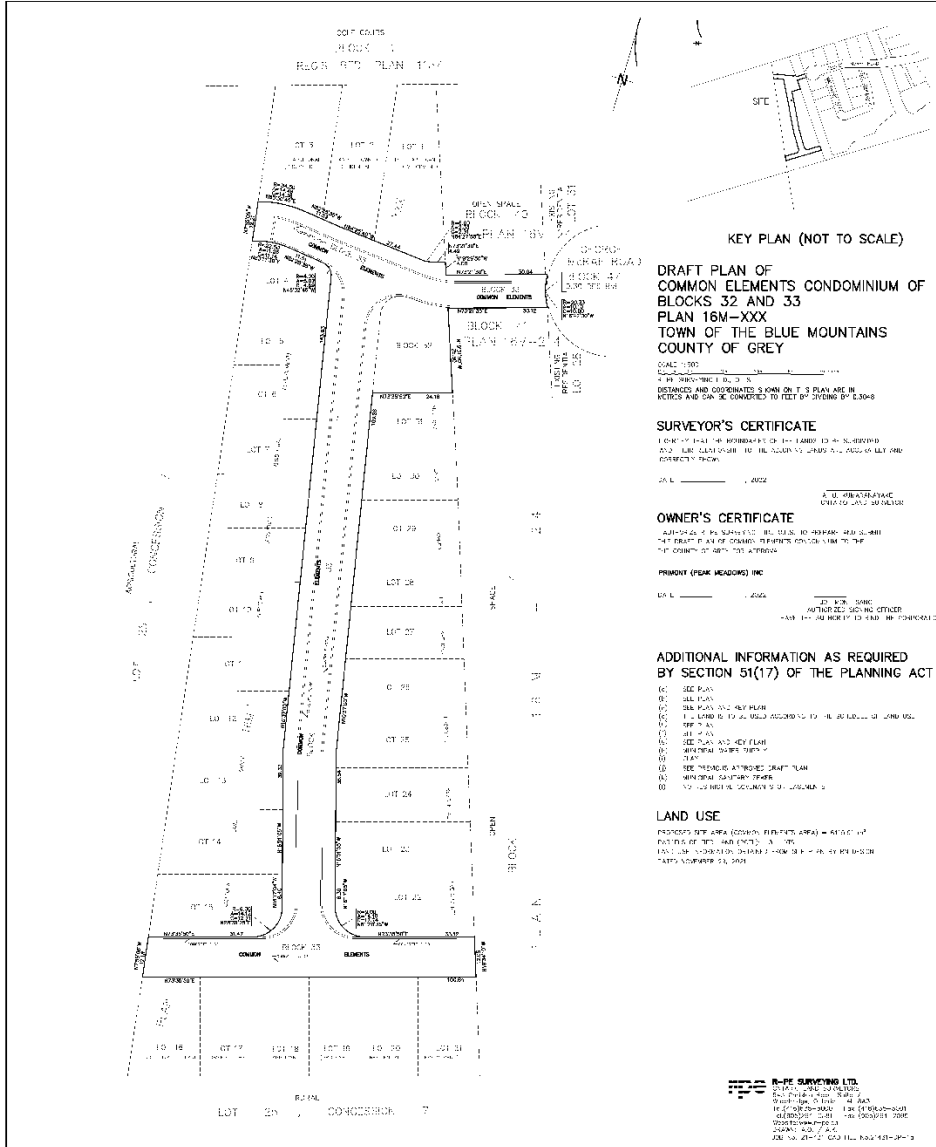
Map 1: Airphoto of the Subject Lands

The proposed changes meet the existing zoning, so no zoning amendments have been triggered in association with the draft plan revisions.

Pre-submission consultation between the proponent, the Town and the County identified the submission requirements for the proposed plan of subdivision/condominium. The following reports have been submitted with the condominium application;

1. Planning Memo,
2. Detailed Engineering, and
3. Revised Draft Plan.

Copies of all background reports and plans can be found at [this link](#).



Map 2: Proposed Revised Plan (Courtesy R-PE Surveying Ltd.)

Public and Agency Comments Received

Public Comments

As part of the planning application process, there were no public comments received, other than one member of the public asking what the changes were.

Agency Comments

As part of the planning application process comments were received by the following groups, agencies and public bodies.

Town of The Blue Mountains

On April 25, 2022, the Town of The Blue Mountains staff prepared a letter noting no objections to the redline revision. Further correspondence was received by the Town requesting 6 additional draft plan conditions be added to the draft plan approval.

County staff have added those additional draft plan conditions requested by the Town to the attached revised conditions of draft approval. The developer's planner has consented to the new draft plan conditions proposed by the Town.

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2020, and conform to any official plans or provincial plans that govern the subject lands. In this case, the Niagara Escarpment Plan, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan have jurisdiction over the subject property.

A detailed planning analysis has not been included in this report, based on the very minor nature of the proposed changes. A link to Addendum to PDR-CW-06-19 has been included in the Attachments section of this report. This staff report contained a detailed policy analysis. Staff would note that since this staff report in February 2021, there have been no major changes to the PPS, the Niagara Escarpment Plan, the County Official Plan, or the Town Official Plan as they would pertain to this development. The changes to the recommended draft plan conditions simply recognize the new draft plan, as well as adding some standard draft plan conditions that were not included in the February 2021 draft approval.

Subject to the revised conditions of draft approval attached to this report, the application;

- has regard for matters of provincial interest under the *Planning Act*,
- is consistent with the Provincial Policy Statement,
- conforms to the Niagara Escarpment Plan,
- conforms to the County Official Plan, and
- conforms to the Town Official Plan.

Legal and Legislated Requirements

The application has been processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed redline revisions, beyond those normally encountered in processing the application. The County has collected the requisite fee for this application.

Relevant Consultation

- Internal: Planning Staff
- External: Town of The Blue Mountains, required agencies under the Planning Act, and the public.

Appendices and Attachments

[Addendum to PDR-CW-06-19 Ridge Estates Subdivision Condominium](#)

Revised Conditions of Draft Approval (attached)

Applicant: Primont (Peaks Meadows) Inc.
Municipality: Town of The Blue Mountains
Location: Part of Lot 25, Concession 7, Block 38, Registered Plan 16M-24
Date of Decision:
Last Date of Appeal:

File No.: 42T-2018-13A and 42-CDM-2018-13B

Date of Notice:

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision under Subsection 51(45) of the Planning Act

Draft plan approval was given by the County of Grey on February 25, 2021. A request has been made to revise the draft plan. Revised draft plan approval is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Ontario Land Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee prescribed under the Ontario Land Tribunal Act, and
- (3) Include the completed appeal form from the OLT's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision 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 group on its behalf.

No person* or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions of the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Ontario Land Tribunal (OLT) as it relates to the proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Grey related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act. These are changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here -

<https://www.ontario.ca/laws/statute/90p13>. For more information about these recent changes, please visit the OLT website or contact OLT - <https://olt.gov.on.ca/about-olt/>.

The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

Applicant: Primont (Peaks Meadows) Inc.

File No.: 42T-2018-13A and 42-CDM-2018-13B

Municipality: Town of The Blue Mountains

Location: Part of Lot 25, Concession 7, Block 38, Registered Plan 16M-24

Date of Decision:

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1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

GETTING ADDITIONAL INFORMATION

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP, RPP, Deputy CAO

Applicant: Primont (Peaks Meadows) Inc.

File No.: 42T-2018-13A and 42-CDM-2018-13B

Municipality: Town of The Blue Mountains

Location: Part of Lot 25, Concession 7, Block 38, Registered Plan 16M-24

Date of Decision:

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That the Redline Revision to Plan of Subdivision File No. 42T-2018-13A and Plan of Condominium File No. 42-CDM-2018-13B has been granted draft approval. The previous conditions of draft approval that were approved on February 25, 2021 are hereby revised as follows.

No. Conditions

1. Condition 1 of the original draft plan approval dated February 25, 2021 is hereby deleted and replaced with the following:

1. "That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2018-13 as per drawing 21431-DP-1a prepared by R-PE Surveying Ltd. dated May 13, 2022 showing 31 lots (lots 1 – 31), one block for a 12-16 m wide Private Condominium Road (Block 33), and a private open space / private recreation block (Block 32) on Part of Lot 25, Concession 7, being Part of Block 38 Registered Plan 16M-24, Town of The Blue Mountains, County of Grey."

2. That conditions 35 – 39 of the original draft plan approval dated February 25, 2021 are hereby deleted and replaced with the following:

35. That the Owner acknowledges that this Draft Plan Approval provides water plant and sanitary sewer plant reservation. Draft Plan Approval does not constitute a commitment by the Town to provide servicing access to the Town's water or wastewater treatment plants or allocation of associated built capacity. Prior to execution of a Subdivision Agreement with the Town, sufficient water and sanitary sewer capacity shall be confirmed as available and allocated by the Town.

36. That the owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community.

37. That the owners(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required within the Subdivision in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce.

38. That the Owner(s) shall agree in the Subdivision Agreement to provide a sidewalk interior to the subdivision on the north side of Street A from existing George McRae Road to the parkette trail and on the east side of Street B to accommodate and promote safe walking routes, to the satisfaction of the Town. The required sidewalk shall be provided on one side of the street and be a width of 1.2m from the back of curb. All proposed sidewalks shall be included on the detailed engineering drawings.
 39. That the Owner(s) shall agree in the Subdivision Agreement that the detailed engineering drawings and landscape plans shall include appropriate pedestrian linkages through the private open space block to required sidewalks to accommodate and promote safe walking routes, to the satisfaction of the Town.
 40. The Owner agrees to include all required Notice and Warning Clauses in all offers of purchase and sale as identified under the Subdivision Agreement.
 41. That prior to final approval being given, that the County is advised in writing by the Town of The Blue Mountains how Conditions 2 to 40 have been satisfied.
 42. That prior to final approval being given, that the County is advised in writing by the Grey Sauble Conservation Authority how Conditions 6, 10 and 23 have been satisfied.
 43. That prior to final approval being given, that the County is advised in writing by the Niagara Escarpment Commission how Condition 23 has been satisfied.
 44. If final approval is not given to this plan within **five (5)** years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution/letter of support from the local municipality and the County must be submitted to the Local Planning Appeal Tribunal, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.
 45. That the owner, submit to the County of Grey with a computer disk containing a digitized copy of the Final Plan in a format acceptable to the County of Grey.
3. That all other conditions of draft approval as granted on February 21, 2021 remain in effect.

Applicant: Primont (Peaks Meadows) Inc.

File No.: 42T-2018-13A and 42-CDM-2018-13B

Municipality: Town of The Blue Mountains

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