

<b>To:</b>	Warden McQueen and Members of Grey County Council
<b>Committee Date:</b>	July 9, 2020
<b>Subject / Report No:</b>	PDR-CW-29-20
<b>Title:</b>	Peaks Meadows 42T-2016-06 Final Report
<b>Prepared by:</b>	Scott Taylor
<b>Reviewed by:</b>	Randy Scherzer
<b>Lower Tier(s) Affected:</b>	Town of The Blue Mountains
<b>Status:</b>	Recommendation adopted by Committee as presented; Endorsed by County Council July 23, 2020

## Recommendation

1. **That Report PDR-CW-29-20 be received; and**
2. **That all written and oral submissions received on plan of subdivision 42T-2016-06 known as Peaks Meadows were considered; the effect of which helped to make an informed recommendation and decision; and**
3. **That in consideration of the draft plan of subdivision application 42T-2016-06, for lands described as Part of Lot 25, Concession 6, Block 46, Registered Plan 16M-20 in the geographic Township of Collingwood, now in the Town of The Blue Mountains, the Grey County Committee of the Whole approves this plan of subdivision to create a total of sixteen residential lots (lots 1 to 16), subject to the conditions set out in the Notice of Decision.**

## Executive Summary

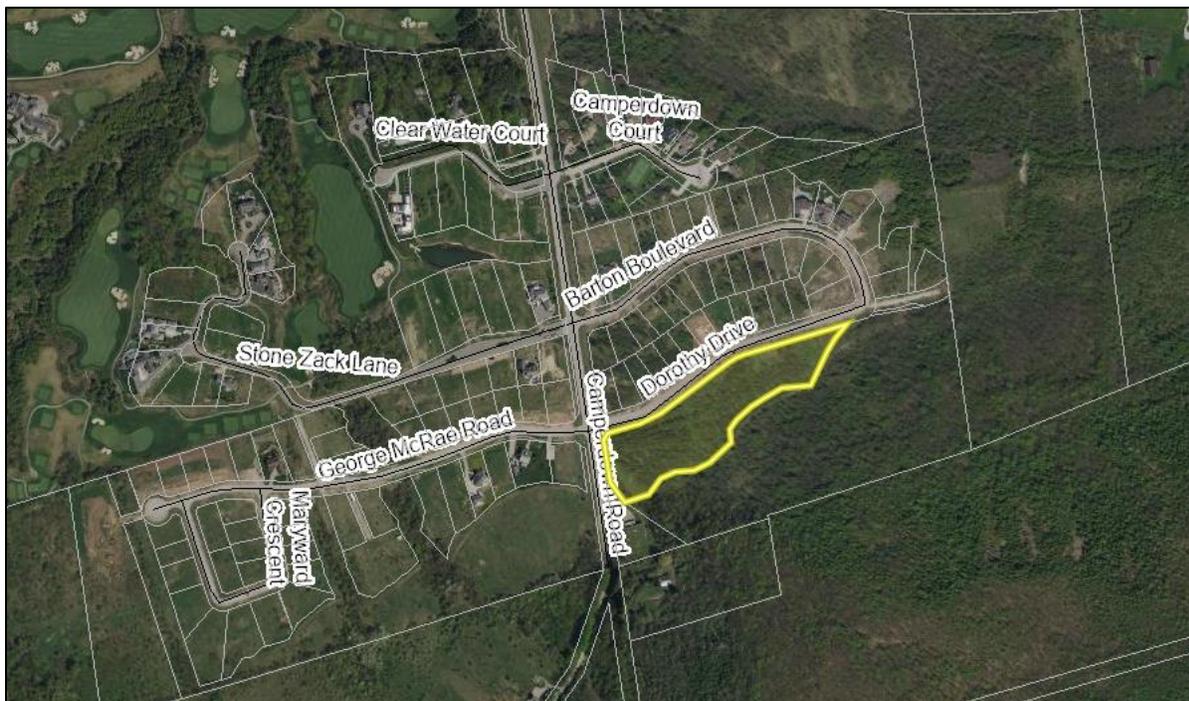
The County has received a plan of subdivision application (County file number 42T-2016-06) known as Peaks Meadows, to facilitate the construction of 16 single detached residential units (Lots 1 to 16) on a vacant piece of land (block 46). Access to the lots would be off the existing Dorothy Drive. Servicing to the proposed subdivision will be via municipal water and sewer services. A zoning by-law amendment application has also been processed by the Town of The Blue Mountains for this subdivision. Based on agency review and comments received regarding the proposed plan of subdivision, it is recommended that the proposed plan of subdivision be given draft approval subject to

the conditions set out in the attached Notice of Decision.

## Background and Discussion

In 2016 the County received a plan of subdivision application known as Peaks Meadows to create a total of 12 lots. Town and County staff raised concern over the proposed density of the plan, and it has subsequently been revised to 16 lots. The lots would gain access off the existing Dorothy Drive, and would be serviced via municipal water and sewer services.

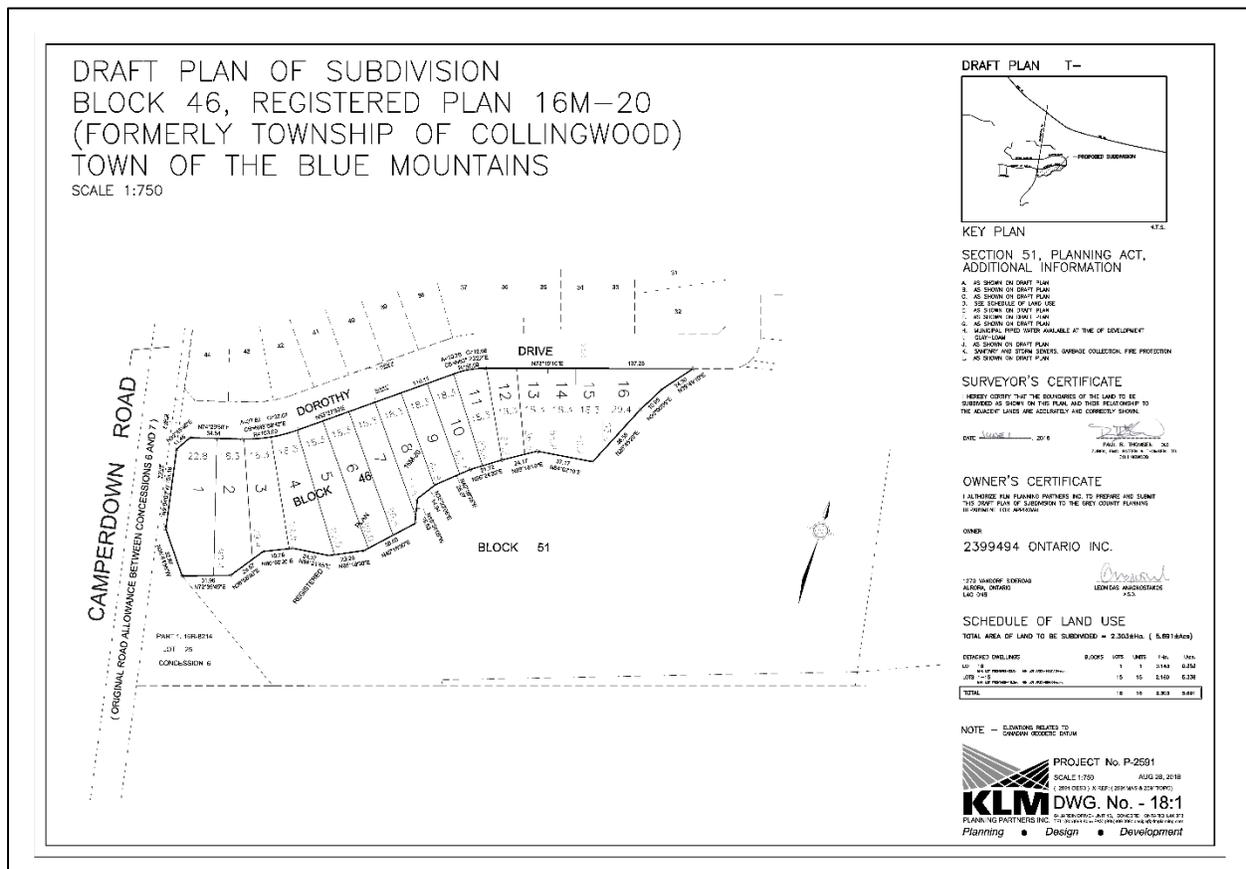
The proposed subdivision is legally described as Part of Lot 25, Concession 6, Block 46, Registered Plan 16M-20 in the geographic Township of Collingwood, now in the Town of The Blue Mountains. The subject lands are approximately 2.3 hectares in size and currently contain no buildings. These lands form part of the original Peaks Meadows subdivision that was approved by the Ontario Municipal Board (OMB) in 2006. That 2006 subdivision consisted of 45 lots, with the current subject lands, block 46, being proposed for multi-unit residential development. Map 1 below shows the subject lands and surrounding area, while Map 2 shows the proposed plan of subdivision.



Map 1: Airphoto of Subject Lands

Lands to the north of subject lands are currently being developed as part of the original Peaks Meadows subdivision. To the east and south of this property is the escarpment slope, which has been dedicated to the Town of The Blue Mountains. To the west of the

subject property another residential plan of subdivision and the Georgian Bay Club golf course.



## Map 2: Proposed Plan of Subdivision

The proposed development also required an amendment to the Town of The Blue Mountains Zoning By-law, which was recommended for approval via a Town staff report dated June 2, 2020. The amendment would implement the subdivision by rezoning the lands to Residential One with Exceptions (R1-1-44), redefining the hazard lands, and removing the previous permission for up to 65 townhouses on the subject site. The reduction in the number of units on-site is supported by agencies to better protect the environmental features on these lands, and in keeping with the objectives of the Niagara Escarpment Plan.

Following the initial submission of the 2016 plan of subdivision, additional information was required following the agency review and a public meeting which also resulted in revisions to the proposed plan (i.e. the aforementioned adjustment from 12 to 16 lots). Following the increase to 16 units a re-circulation was completed to agencies and members of the public who had requested notice on this file. Copies of all background reports and plans can be found at [this link](#).

## Public and Agency Comments Received

The Town held a public meeting for the rezoning and plan of subdivision on November 15, 2017 in the Town of The Blue Mountains. The minutes from the public meeting can be found [here](#).

The following people made comments on the development either in writing or at the public meeting:

- Caroline Bacher,
- Evelyn and Andrew Bellamy,
- Blair Boston,
- Louise Carter,
- Bina Cherian,
- Kevin Elsey,
- Dave and Beverly Matthews, and
- Wojtek.

The comments received in writing or at the public meeting have been summarized into the table below along with a response on how those comments have been considered and addressed.

<b>Public Comments Raised</b>	<b>How Comments have been considered/addressed?</b>
Opposed to 12 more lots on Dorothy Drive based on concerns for the natural environment and the escarpment.	Town staff responded via email. Environmental and slope stability studies have been completed, reviewed by agencies and in some cases peer reviewed. The subject lands are in a settlement area and are designated for residential growth.
Supportive of the rezoning to a lower density from the previous permissions which allowed for 65 units. The new density would be in keeping with the surrounding lots.	The proposed 16 lots would appear to be appropriate given site conditions and the approved development on Dorothy Drive, Barton Boulevard, and George McRae Road.
General questions about when the lots would be approved and go on sale, and the size of house permitted on these lots.	Responded and noted that a decision has yet to be rendered and that it is best to contact the developer for sale details. With respect to the size of the houses, this would be regulated by the Town zoning by-law.
Requests notice of any decisions rendered.	All residents that requested notice have been added to the notification list.

Agency comments were as follows:

- **Union Gas:** In an email dated October 27, 2017, Union Gas noted no concerns provided appropriate easements be provided for the provision of gas services.
- **Canada Post:** In an email dated January 23, 2020, Canada Post noted that the development will be serviced via a central community mailbox. Draft plan conditions have been included to address this matter.
- **Historic Saugeen Metis (HSM):** In an email dated October 27, 2017 and reconfirmed on November 22, 2019, the HSM noted that they have no objection or opposition to the proposed development.
- **Hydro One:** In an email dated November 1, 2017, Hydro One noted they have no concerns at this time.
- **Bluewater District School Board (BWDSB):** In an email dated October 19, 2017, the BWDSB noted they have no comments on this subdivision.
- **Grey Sauble Conservation Authority (GSCA):** The GSCA provided numerous comments throughout the development review stage on the proposed plan of subdivision and zoning amendment. GSCA staff initially raised some concerns with the proposed plan, but following addendum studies and changes to the plan, these concerns have generally been addressed. GSCA staff have noted that the lot sizes provide for the appropriate protection of environmental features onsite. GSCA staff have provided draft plan conditions, which have been incorporated into the proposed conditions attached to this report.
- **Niagara Escarpment Commission (NEC):** In comments emailed January 9, 2019 NEC staff noted that the subject lands are designated 'Escarpment Recreation Area' in the Niagara Escarpment Plan (NEP). NEC staff have noted that the reduction in units from a potential of 65 units to the currently proposed 16 units will better facilitate tree retention and is more in keeping with the objectives of the NEP. NEC staff have no objections to the proposed plan and have recommended draft plan conditions. These recommended conditions have been incorporated into the proposed conditions attached to this report.
- **Town of The Blue Mountains:** A staff report was presented to Town of The Blue Mountains Committee of the Whole on June 2, 2020 and was endorsed by Council on June 15, 2020, with one minor change to the draft plan conditions. The Town Staff report recommended that the Town Council support the proposed subdivision application and recommended some draft plan conditions. The Town's recommended conditions have been included in the attached draft Notice of Decision.

## *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 Provincial Plans or Municipal Official

Plans that govern the subject lands. The Niagara Escarpment Plan (NEP) is in effect for this part of the Town. In this case, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan also have jurisdiction over the subject property.

### *Provincial Policy and Legislation*

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas, where services are readily available. The proposed plan of subdivision is within a settlement area that is serviced by municipal water and sewer services. The PPS indicates that the preferred form of servicing for settlement areas is full municipal services. Municipal water and wastewater treatment capacity is currently available for the proposed units.

One of the discussion points on this proposed plan of subdivision was the lot density and efficient servicing. County and Town staff agreed that the 65 units as originally proposed for this piece of land may not be appropriate given the lot conditions and surrounding development patterns. The subject lands are adjacent to the escarpment slope, have natural features on-site, and are in close proximity to lower density single detached developments. This property is also outside of Thornbury and Craigeleith where commercial, institutional, and employment uses are located. County and Town staff requested additional density beyond the 12 units initially proposed. An interim proposal of 20 units was not favoured by Town staff. In the end, 16 units was agreed upon as an appropriate density for this site, given the above-noted considerations.

The supply of an adequate range of residential housing types is required in both Provincial documents. In this case, the proposed plan of subdivision is providing single detached units. The subject lands are not ideal for the provision of affordable housing given their location, site characteristics and proximity to other services including employment, commercial, and institutional needs.

The protection of significant environmental features is also required through the legislation and policy. An Environmental Impact Study and Addendum report were submitted in support of the proposed development. Significant environmental features were protected as part of the initial 2006 Peaks Meadows subdivision through blocks of land dedicated to the Town. Tree retention will also be required as part of this subdivision. Development outside of hazardous areas is also a requirement of provincial policy and legislation. In this regard a Geotechnical Study, and a Slope Stability Study were prepared and peer reviewed. Grey Sauble Conservation Authority (GSCA) have also reviewed the reports and recommended conditions of draft approval which have been incorporated into the recommended conditions.

Section 51(24) of the *Planning Act* also provides criteria which must be considered when assessing any new plan of subdivision. These criteria (in italics), along with staff analysis are as follows:

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The matters of provincial interest have been analyzed earlier on in this section.

*(b) whether the proposed subdivision is premature or in the public interest;*

Services can be provided to this subdivision and the proposed lots will front onto an existing road. The lands have also been designated for growth in both the County and Town Official Plan. Furthermore, there is a demand for additional residential units in the Town. As such, the proposed plan of subdivision is in the public interest and would not be premature.

*(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed development is part of the broader Peaks Meadows subdivision. The proposed lots will front onto Dorothy Drive, a public road, which connects to Camperdown Road. Further connections to the east and south are not feasible due to the escarpment slope and the lack of any future development there.

*(d) the suitability of the land for the purposes for which it is to be subdivided;  
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Based on the background reports and technical studies, the subject lands appear suitable for residential development. It is not known if any of the proposed units will be 'affordable', but it is unlikely given their location and lot size.

*(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

This item has been reviewed by the proponent, Town staff and County staff. Town staff and the proponent have had discussions with respect to the current condition of Dorothy Drive. Draft plan conditions are included to address the road condition in this location.

*(f) the dimensions and shapes of the proposed lots;*

Based on the shape of the existing parcel of land, and surrounding parcels and the escarpment slope, there are some abnormally shaped lots in this development. However, through the technical review, and the recommended draft conditions, staff are satisfied that the lands can be appropriately developed as proposed.

*(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

County staff are not aware of any restrictions or proposed restrictions on the subject lands which would prevent the proposed development. The proposed development will be subject to a subdivision agreement, as is standard for such developments.

*(h) conservation of natural resources and flood control;*

GSCA staff have provided recommended conditions of draft plan approval to address the natural resources on the subject lands. Through the associated zoning amendment, the hazard boundaries are being slightly redefined as part of this development.

*(i) the adequacy of utilities and municipal services;*

The proposed lands will be adequately serviced by municipal water and sewer services.

*(j) the adequacy of school sites;*

The two school boards were circulated on this application and did not raise any concerns.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

Blocks 47 and 51, of the original 2006 Peaks Meadows subdivision, are open space blocks which have been dedicated to the Town. These blocks include woodlands and escarpment slope areas. Town staff have noted that the parkland and open space requirements have been met via this original plan of subdivision, and additional dedications are not needed at this time.

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

As noted earlier in the report, this development generated significant discussions about what was an efficient density for this site, and 16 units was the recommended best option given the surrounding development and site conditions. The lands will connect to the existing road network and services in an efficient manner.

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.*

The proposed single detached lots do not require the utilization of site plan control.

The proposed plan of subdivision application, with the attached conditions of draft approval, would have regard for matters of Provincial Interest and the criteria of section 51(24) of the *Planning Act* and is consistent with the PPS 2020.

### *Niagara Escarpment Plan*

The proposed plan of subdivision was submitted prior to the approval of the new Niagara Escarpment Plan (NEP) in 2017. That said, the proposed development has been reviewed against the 2017 NEP. The subject lands are designated as 'Escarpment Recreation Area' in the NEP. Similar to the settlement area designations in the Town and County Official Plans, the Escarpment Recreation Area permits new residential development of this nature. Similar to comments from GSCA staff, NEC staff have noted that the reduction in units from a potential of 65 units to the currently proposed 16 units will better facilitate tree retention and is more in keeping with the objectives of the NEP. NEC staff have submitted comments and have not raised any conformity issues with the NEP, provided a Vegetation Preservation / Landscape Plan is required as a condition of draft plan approval. This requirement has been included through proposed draft plan condition # 12 attached to this report. Staff are satisfied that the proposed plan of subdivision conforms to the Niagara Escarpment Plan, with the recommended conditions of draft approval.

### *County Official Plan*

The proposed plan of subdivision was submitted prior to the approval of Recolour Grey, the County's new Official Plan. County staff have reviewed the application against Recolour Grey, as it stands as Council's most recent statement of goals and objectives for the County.

The proposed plan of subdivision is on lands designated as 'Recreational Resort Area' in the County Official Plan. Recreational Resort Areas are identified as a settlement area and permit development of this nature. For development within this designation, the County generally defers to the detailed development standards in the NEP and Town Plan.

An Environmental Impact Study and Addendum Report were submitted. The subject lands are partially identified as 'Significant Woodlands' and are adjacent to an 'Area of Natural and Scientific Interest' (ANSI). Up until recently the subject lands were also incorrectly identified as being partially within a 'Core Area'; however, this has been corrected by County Official Plan Amendment # 1. GSCA has reviewed the studies and has recommended conditions of draft approval which have been incorporated into the recommended conditions.

The Slope Stability and Geotechnical Studies have also been submitted and peer reviewed by the Town. The peer reviewer generally agreed with the findings.

Section 8.9.1 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in Section 8.9 of the Plan, are policies which govern roads, transportation, and stormwater management all of which have been addressed as noted above.

The proposed plan of subdivision conforms to the County of Grey Official Plan, with the attached conditions of draft approval.

### *Town of The Blue Mountains Official Plan*

The Town's Official Plan contains many similar policies to that of the County Official Plan. The Town's Official Plan designates the subject lands as 'Residential Recreation Area' (RRA) which contemplates development of this nature. In [Town Staff Report PDS.20.40](#), dated June 2, 2020, Town Staff indicate that the proposed development conforms to the Town's Official Plan. County staff concur with this opinion.

With the attached recommended draft plan conditions, County staff are of the opinion that the proposed development:

1. has regard for matters of Provincial interest under the *Planning Act*,
2. is consistent with the Provincial Policy Statement 2020,
3. conforms to the Niagara Escarpment Plan,
4. conforms to the County of Grey Official Plan, and
5. conforms to the Town of The Blue Mountains Official Plan.

## Legal and Legislated Requirements

The application was processed in accordance with the *Planning Act*.

## Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed subdivision, beyond those normally encountered in processing a subdivision application. The County has collected the requisite fee and peer review deposit for this application.

## Relevant Consultation

- Internal: Planning

- External: The Public, Town of The Blue Mountains, Grey Sauble Conservation Authority, and other required agencies under the *Planning Act*.

## Appendices and Attachments

[PDR-CW-43-17 Peaks Meadows Information Report](#)

*Draft Notice of Decision (conditions of draft approval) – attached*

Applicant: 2399494 Ontario Inc.  
Municipality: Town of The Blue Mountains  
Location: Block 46, Registered Plan 16M-20  
Date of Decision:  
Last Date of Appeal:

File No.: 42T-2016-06

Date of Notice:

## **NOTICE OF DECISION**

### **On Application for Approval of Draft Plan of Subdivision**

### **under Subsection 51(37) of the Planning Act**

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 Local Planning Appeal 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 required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
- (3) Include the completed appeal forms from the Tribunal'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 Local Planning Appeal 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 Local Planning Appeal 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 Local Planning Appeal Tribunal (LPAT) 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 recent 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 LPAT website or contact LPAT - <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>.

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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:

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.

### **RELATED APPLICATIONS**

Town of The Blue Mountains Peaks Meadows Zoning By-law Amendment #P2351.

### **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.

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**Date of Decision:**  
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**File No.: 42T-2016-06**

**Date of Notice:**

**ADDRESS FOR NOTICE OF APPEAL**  
**County of Grey**  
**595-9th Avenue East**  
**OWEN SOUND, Ontario N4K 3E3**  
**Attention: Mr. Randy Scherzer, MCIP RPP**  
**Director of Planning & Development**

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File No.: 42T-2016-06

Date of Notice:

Plan of Subdivision File No. 42T-2016-06 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

### **General Requirements**

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2016-06 prepared by KLM Planning Partners Inc., dated August 28, 2018 showing:

- a) Sixteen (16) lots fronting on Dorothy Drive.

The legal description of the subject lands is Part of Lot 25, Concession 6, being Blocks 46, Registered Plan 16M-20, Town of the Blue Mountains, County of Grey.

2. The Owner shall enter into and execute a Subdivision Agreement, in accordance with these Draft Plan Conditions, prior to final approval and registration of the Plan, to satisfy these conditions and all financial, legal, and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town and the County of Grey ("the County"), as well as any statutory requirements of other government authorities, including the payment of all applicable Town and County development charges in accordance with the applicable Development Charges By-law.
3. The Owner shall not commence any work on the Lands, including filling, grading, removing trees and/or top soil, installing any works, or constructing any buildings or structures until they have entered into a Pre-Servicing Agreement and/or Subdivision Agreement with the Town, in a form satisfactory to the Town.
4. The Owner shall agree in the Subdivision Agreement that all of the works required by the Town, the County, other government authorities and utility providers for the development and servicing of the lands shall be designed and installed in accordance with the Town's Engineering Standards, and Provincial & Federal Guidelines & Standards, that are in effect at the date of execution of the Subdivision Agreement. Where compliance with Town Engineering Standards necessitates off-site works, (i.e. stormwater management system upgrades, localized water storage) the owner shall enter into agreements with the Town to implement the requisite off-site works, to the satisfaction of the Town.

Applicant: 2399494 Ontario Inc.  
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5. Prior to final approval and registration of the subdivision, an amending Zoning By-law implementing the subject plan shall be approved under Section 34 and 36 of the *Planning Act*.
6. The implementing Zoning By-law shall include necessary hazard zoning to the satisfaction of the Grey Sauble Conservation Authority (the "GSCA").
7. That a restrictive covenant be placed on the lots within the draft plan of subdivision advising all future owners that short term accommodation uses are prohibited within the subdivision.

### **Servicing, Grading and Road Requirements**

8. Prior to preparation of a Subdivision Agreement by the Town, the Applicant shall submit the following to the satisfaction of the Town and the County, in consultation with the GSCA.
  - a) An updated detailed engineering and drainage report, describing the stormwater drainage system for the proposed development on the subject lands. The report should include:
    - i. Plans illustrating how the drainage system will integrate into the drainage of surrounding properties;
    - ii. The stormwater management techniques which may be required to control minor and major flows;
    - iii. How external flows will be accommodated and the design capacity of the receiving system;
    - iv. Location and description of all outlets and other facilities which may require permits;
    - v. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
    - vi. Overall grading plans for the subject lands;
    - vii. Stormwater overland flow routes shall be kept within roads, approved walkways, or an approved easement only.

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- viii. Confirmation that the treatment and conveyance approaches and facilities will have no negative effect on drainage issues within the Camperdown Service area.

It is recommended that the Owner or their consultant shall contact the Town and the GSCA, prior to preparing the above report to clarify the specific requirements of this development.

- b) A detailed Servicing Plan providing for municipal sewer and water to the satisfaction of the Town.
9. Prior to final approval and registration, the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Town in consultation with the GSCA;
- a) To carry out, or cause to be carried out, all the works referred to in condition 8(a) above; and
  - b) To comply with all statutory requirements of the GSCA, as amended from time to time.
10. Prior to final approval and registration, the Owner shall submit a detail soils investigation of the site prepared by a qualified geotechnical engineer, to the satisfaction of the Town. A copy of this report shall also be submitted to the Town's Chief Building Official.
11. Prior to final approval and registration, arrangements shall be made to the satisfaction of the Town for any relocation of utilities required by the development of the subject lands, to be undertaken at the Owner's expense.
12. The Owner shall agree to complete a full width reconstruction of Dorothy Drive, save and except the municipal services within, unless they are damaged by the owners' works or required by the site servicing design, from Station 0+020 to 0+360 to a Town Standard. The reconstruction shall be to the existing condition of Dorothy Drive at the time works commence, and shall be undertaken at the Owner's expense.

### **Landscaping, Trees, Fencing, and Streetscape Requirements**

13. Prior to entering into a Pre-Servicing Agreement or Subdivision Agreement by the Town, the Owner shall complete the following to the satisfaction of the Town, in consultation with the GSCA and the Niagara Escarpment Commission (NEC):

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**Date of Notice:**

- a) A Landscape Analysis & detailed Landscape Plan, in accordance with the Town's Official Plan and Community Design Guidelines; and
  - b) A Tree Preservation Plan and Tree Restoration Plan in accordance with the recommendations of the approved Environmental Impact Statement.
14. The subdivision agreement shall contain a provision to require the installation of warning signs by the owner, to demarcate the boundary between Block 46 and Block 51, to ensure protection of the ANSI and Woodlands features within the Town Open Space / Natural Heritage Block.

### **Parkland and Open Space Requirements**

15. The Owner shall pay cash-in-lieu for 5% parkland dedication in accordance with the Planning Act.

### **Utilities and Canada Post**

16. The Owner shall grant all necessary easements for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
17. The Owner shall make satisfactory arrangements with Canada Post and the Town, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:
- a) An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required vehicle lay-bys, walkway access and/or curb depressions for wheelchair access.
  - b) A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.

### **Administration**

18. Prior to final approval and registration, the Subdivision Agreement shall include special provisions addressing the following matters in wording acceptable to the Town:

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**Municipality: Town of The Blue Mountains**  
**Location: Block 46, Registered Plan 16M-20**  
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- a) That the Owner shall agree that all vacant lots shall be rough graded such that best efforts are taken to ensure there is no standing water and maintained in general conformance with the approved comprehensive grading plan. Efforts will be made to maintain the existing tree cover where applicable until such time as building envelopes have been established. The Owner shall further agree in the Subdivision Agreement to topsoil and seed any rough graded area not proceeding to construction in a timely manner, to the satisfaction of the Town.
- b) That the Owner shall agree to engage a qualified engineer and that the Owner's Engineer certify that their reports conform with applicable standards to the satisfaction of the Town of The Blue Mountains and that the Engineer provides certification that the final constructed works conform to the approved design.
- c) That the Owner shall agree to engage a qualified engineer to review and certify that the completed pre-grading works comply with the pre-grading shown on the approved grading and drainage plan.
- d) The Owner, and/or any future Lot Owner, shall agree to engage a qualified consultant to prepare a Final Lot Grading Certificate prior to Final Inspection, indicating that the grading of the lot has been completed in conformity with the Approved for Construction Master Grading/Drainage Plan, and to submit to the Chief Building Official for approval.
- e) The Owner shall agree that any temporary stormwater management, construction mitigation, sediment and erosion control measures be approved by the Town and in place prior to site alteration with the exception of site alteration to install such measures.
- f) That the Owner shall agree to obtain any required statutory permits from the County of Grey, Town of The Blue Mountains, the Grey Sauble Conservation Authority, or any other applicable authority, prior to any site alteration.
- g) The Owner shall agree to the following:
  - i) Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, such resources may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the

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site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with section 48 (1) of the *Ontario Heritage Act*;

- ii) That anyone working on the subject lands who uncovers a burial site containing human remains shall cease fieldwork or construction activities and immediately report the discovery to the police or coroner in accordance with the Funeral, Burial and Cremation Services Act.

19. Prior to the signing of the final plan by the County of Grey, the County is to be advised by the applicant in writing, how all Draft Plan conditions have been carried out to the Town's satisfaction.

20. 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 along with the applicable application fee and a resolution from the local municipality must be received.

21. That the Owner shall provide the Town of The Blue Mountains and County of Grey with digital copies of the Final Plan in a format acceptable to the Town of The Blue Mountains and County of Grey.

#### **NOTES TO DRAFT APPROVAL**

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations

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where personnel and construction vehicles might come in close proximity to the conductors.

3. Clearances or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:

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

Grey Sauble Conservation Authority  
237897 Inglis Falls Road, RR4  
Owen Sound, ON N4K 5N6

Canada Post Corporation  
300 Wellington Street  
London, ON N6B 3P2

Niagara Escarpment Commission  
1450 7th Avenue  
Owen Sound, ON N4K 2Z1

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:
  - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
  - b) subsection 144(2) allows certain exceptions.

The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment Conservation and Parks under the Ontario Water Resources Act, RSO 1990, as amended.
6. All measurements in subdivision final plans must be presented in metric units.
7. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.

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8. The required Landscape Analysis shall evaluate existing site vegetation and incorporate it into the Landscape Plan, wherever feasible.
9. The required Tree Preservation Plan shall identify any wooded areas or individual trees which are intended to be retained, and those which are to be removed.