

## Addendum to Report PDR-PCD-32-12

**To:** Chair Wright and Members of the Planning and Community Development Committee  
**From:** Randy Scherzer, Director of Planning  
**Meeting Date:** May 20, 2014  
**Subject:** Craigleith Village Block Plan (Meridian) – 42T-2012-03  
**Status:** Recommendation adopted by Committee as presented per Resolution PCD57-14 May 20, 2014; Endorsed by County Council June 3, 2014 per Resolution CC74-14;

### Recommendation(s)

**WHEREAS** an application for a draft plan of subdivision to create a block plan being 42T-2012-03, known as Craigleith Village (Meridian), has been submitted to the County;

**NOW THEREFORE BE IT RESOLVED** that the Addendum to Report PDR-PCD-32-12 be received;

**AND THAT** in consideration of the proposed draft plan of subdivision and the matters to have regard for under Subsection 51(24) of the Planning Act RSO 1990 as amended, the Planning and Community Development Committee hereby gives draft approval to Plan of Subdivision File 42T-2012-03 to create a total of 25 blocks, including 3 single family dwelling blocks, 5 townhome blocks, 2 commercial blocks, 2 institutional blocks, 2 mixed use residential/commercial blocks, 9 open space/park blocks, one stormwater management block, and one road widening block within lands described as Lots 59, 110, 111 and 112, Part of Lots 86, 87, 88, 89, 113 and 114, Part of Block D (Closed by By-law), Registered Plan 529, Town of The Blue Mountains, subject to the conditions set out in the Notice of Decision.

## Background

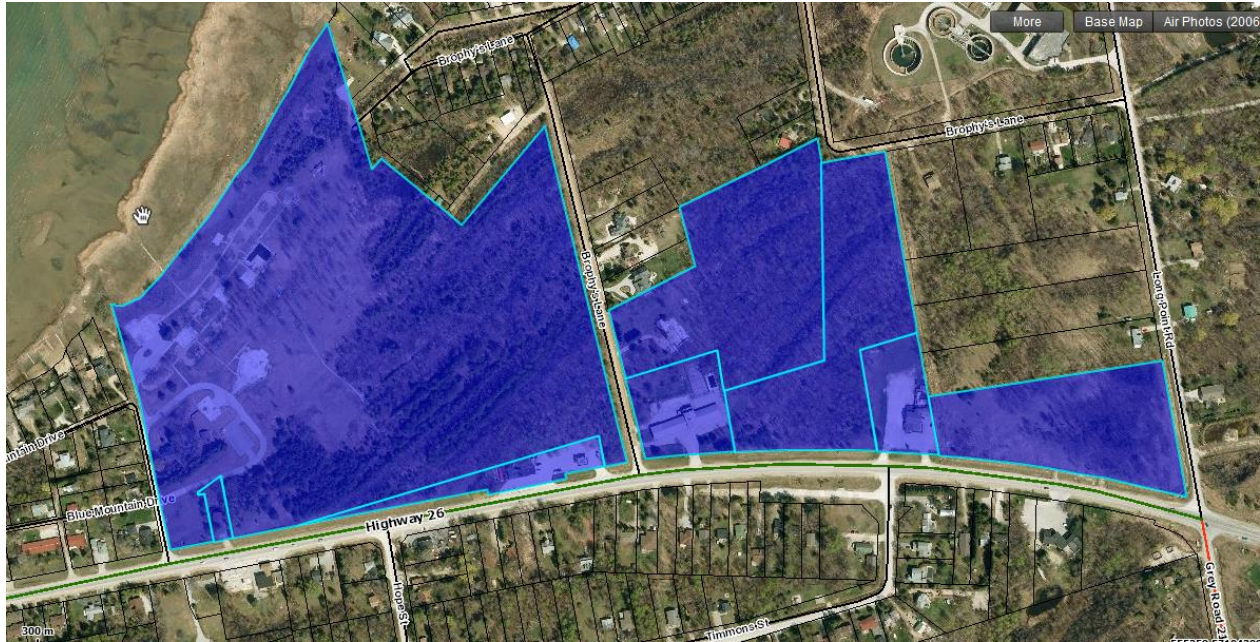
The County received plan of subdivision application 42T-2012-03 on September 14, 2012. The proposed plan of subdivision is located on lands legally described as Lots 59, 110, 111 and 112, Part of Lots 86, 87, 88, 89, 113 and 114, Part of Block D (Closed by By-law), Registered Plan 529, Town of The Blue Mountains which proposes to create 25 blocks on 25.67 hectares of land. The proposed blocks include, three (3) single family dwelling Blocks (Blocks 5, 17 and 18), five (5) townhome Blocks (Blocks 1, 3, 4, 11 and 12), two (2) mix-use residential/commercial Blocks (Blocks 19 and 24), two (2) commercial Blocks (Blocks 21 and 25), two (2) institutional Blocks (Blocks 15 and 23), ten (10) open space/park Blocks (Blocks 2, 6 to 10, 16, 20 and 22), one (1) storm water management Block (Block 13) and one (1) road widening block (Block 14). Further subdivision and/or condominium, or site plan applications will be required in the future to create lots/units within the proposed blocks.

The applicant is Meridian Credit Union who is a Mortgagee in Possession of the subject lands. The agent is Loft Planning Inc. Below is a link to the proposed plan of subdivision:

[42T-2012-03 Craigleith Village Meridian Revised Draft Plan - April 29, 2014](#)

The subject lands (formerly known as the Terrasan lands) were subject to a local official plan amendment (LOPA#20) and a zoning by-law amendment which were submitted by the Terrasan Development Corporation. LOPA#20 and the zoning by-law amendment were approved by the Board on February 4, 2011 which guides development of the area as a mixed-use, sustainable, compact and integrated community that includes residential, institutional, local and highway commercial land uses.

The subject lands are located in an area in the Town of The Blue Mountains known as Craigleith. The lands are located north of Highway 26 and west of Long Point Road (see Map 1 below).



*Map 1: Craigleith Village (Meridian)*

Loft Planning Inc. has submitted a Planning Justification Report in support of the proposal. A number of studies were submitted with the previous planning applications for the subject lands and these studies were posted on the County website at the link below:

[Link to copies of all Background reports and Plans](#)

### *Comments Received*

A Public Meeting was held on March 5, 2013 for the proposed plan of subdivision. The following is a summary of the concerns raised by residents either at the Public Meeting or through written submissions:

- Block E, Plan 529 (deeded in common shoreline access) – concerns regarding overcrowding and encroachment by potential public beach area – recommend a park management plan for shoreline involving Plan 529 residents
- Traffic Impact issues including traffic flow and congestion issues on Highway 26, Blue Mountain Drive and Long Point Road
- Potential increase in people accessing the Georgian Trail through private property (Timmons Street, Block A)

- Drainage/stormwater management concerns including flooding on Long Point Road as well as objections to any further development approvals in the area until the existing drainage issues have been resolved.
- Sanitary servicing concerns
- Tree Preservation and destruction of green space
- Realignment and upgrades to Brophy's Lane
- Concerns regarding alignment at the proposed intersection of Street B with Long Point Road
- Impact on Wildlife and natural heritage concerns (species at risk)
- Adequacy of wetland buffers
- Recommend transfer of Wetland, Wetland buffer and Environmental Blocks to a not-for-profit steward

The following summarizes the comments received from the circulated agencies with respect to the proposed plan of condominium:

### **Bruce Grey Catholic District School Board (BGCDSB)**

In correspondence dated November 21, 2012 the BGCDSB indicates they have no comment.

### **Hydro One**

In correspondence dated November 16, 2012, Hydro One indicates they have no comments or concerns.

### **Rogers Communications**

In a letter dated November 22, 2012 and February 20, 2013, Rogers Communications Inc. indicates that they intend to provide cable and telecommunications services. Rogers wishes to be notified of the decision.

### **Union Gas**

In correspondence dated November 6, 2012, Union Gas requests that conditions of draft approval be added whereby the owner/developer is to provide to Union Gas Ltd. the necessary easement and/or agreements required by Union Gas for the provision of gas services in a form satisfactory to Union Gas.

### **Grey Sauble Conservation Authority**

In correspondence dated December 28, 2012, the Grey Sauble Conservation Authority (GSCA) recommends that some issues be resolved prior to consideration of draft plan approval, including:

1. Identifying the 100 year flood limit on the draft plan (177.9 metres Geodetic Survey of Canada) along with a 15 metre setback and a 6 metre setback required for Town purposes and that Blocks 5 to 9 be reconfigured accordingly;
2. Additional evaluation and study related to species at risk is required for the site as noted in section 4.28.2(19) of LOPA#20;
3. Additional analysis of mapped significant woodlands across the site utilizing the Natural Heritage Reference Manual 2010;
4. Relocation of Street D to utilize Blue Mountain Drive at the west end of the site for access to the western portion of the property;
5. Recommend that the block plan be modified in the area of Street B to maintain at least the minimum wetland setbacks as outlined in 4.28.3.3(7)
6. Recommend that the Open Space Block 22 be modified or re-configured to provide additional wetland buffer associated with Block 20.

Subject to the satisfaction of the issues noted above, the GSCA require the following conditions for draft plan approval:

1. A detailed stormwater management plan, including site grading.
2. A detailed design plan of the construction of proposed wetlands and watercourse crossings.
3. A detailed tree retention/landscape plan.
4. A Parks Management Plan for the proposed open space and park blocks
5. A zoning by-law amendment to reflect any changes resulting from additional studies if necessary.

### **Canada Post**

In correspondence dated November 9, 2012, Canada Post indicates that the developer will be responsible for pouring concrete pads at their expense to support community mailboxes. They note that the developer will also be responsible for providing adequate access to the community mailboxes. They note that if a sidewalk is involved, the pad will need to be poured to abut the sidewalk.

### **Saugeen Ojibway Nation (SON)**

In correspondence dated October 30, 2012, SON notes that they will require consultation of this project. SON noted that they will require some time to determine the scope of consultation required but first suggested a meeting should be set up to

understand the entirety of the project and noted that they will be in contact to set-up a meeting. Further background information was provided to SON regarding the proposed development. No further comments have been received to date.

## **Ministry of Transportation**

In a letter dated February 14, 2013, the Ministry of Transportation (MTO) is of the opinion that some studies should be undertaken as a condition of the Block Plan of Subdivision. MTO would like to see a Traffic Impact Study and Master Stormwater Management Report/Study undertaken as a condition of the Block Plan of Subdivision.

- The Traffic Impact Study would provide the overall highway infrastructure needs to support the Block Plan and assist the Town with their Environmental Assessment and Preliminary Design Study on the Craigeith area that is currently being undertaken.
- The Master Stormwater Management Report/Study would provide the overall stormwater management strategy and infrastructure needs to support the Block Plan. This would provide the owner and subsequent owners of Blocks/lands within the subdivision an indication of the stormwater management needs and costs.
- With respect to access to the proposed subdivision, MTO is supportive of the new public road access to Highway 26 at Street D, opposite Hope Street. MTO is also supportive of the realignment of Long Point Road (Street B). MTO's support of these road access connections/realignments are conditional upon the following:
  - The existing intersection of Old Blue Mountain Road at Highway 26 must be closed by by-law and physically removed when new Street D is constructed
  - The existing intersection of Brophy's Lane at Highway 26 must be closed by by-law and physically removed when Long Point Road (Street B) is constructed/realigned.
  - Existing commercial and/or residential entrances along the Highway 26 corridor that currently provide access into the subdivision lands shall be physically removed by the owner at the time of development and as a condition of obtaining MTO permits
- Depending upon the outcome of the Environmental Assessment and Preliminary Design Study in the Craigeith area to be completed by the Town, the owner should be aware that additional property may be required to accommodate the preferred transportation network alternative. Therefore the owner should be advised that revisions to draft approval identifying road widening blocks could occur up to the date of final approval and/or prior to registration of the plan.

## **Town of Collingwood**

In a letter dated December 19, 2012, the comments indicate concerns in regard to the effect of the role and function of the commercial areas in both Towns as a result of the proposed development, the implications that this development may have on the Mountain Road West Corridor Secondary Plan and the transportation component affecting the town line road (being Long Point Road) and Highway 26.

## **Niagara Escarpment Commission**

In a letter dated December 28, 2012, the Niagara Escarpment Commission (NEC) identified a number of initial concerns with the proposed Block plan. Draft conditions were circulated to the various agencies including the NEC and the majority of the previous concerns raised have been addressed through the draft conditions. The following are comments provided by the NEC on March 31, 2014 identifying some recommended revisions to the draft plan conditions:

- Recommend that mitigation measures as recommended by the Applicant's consultant be included in the conditions including the preparation of a woodland management plan, edge management, landscaping and a naturalized storm water management pond.
- Additional tree retention in Block 25 is recommended to maintain this important ecological function of connectivity between natural heritage features beyond the boundary of the subdivision and municipality. The hazard area identified by the Grey Sauble Conservation Authority (GSCA) during the OPA and Zoning Amendment review along the eastern boundary of this Block is not shown on the Block Plan. Delineation of this hazard area may provide opportunity to retain trees and enhance the connectivity in this area.
- The Block Plan should make it clear to future owners that the creation of further public Open Space Blocks to increase the buffer between development and the Provincially Significant Wetland (PSW) may be required. A condition of approval should state that as part of any future plan of subdivision/condominium and/or site plan applications that actual setbacks or buffers be determined by a qualified individual through environmental study to the satisfaction of the Town, the County, the GSCA and the Niagara Escarpment Commission (NEC).
- Street D - An alternate access to the western portion of the property from Highway 26 that avoids the PSW is required. Alternatives should be provided for review prior to approval of this Block Plan.
- The SAAR Environmental Limited report states that the Blanding's Turtle has not been observed on a regular basis and that 'optimal' habitat for Blanding's Turtle is not present on the site. The subject property is not located within the identified

historical or current range of this species. The author recommends that the investigations for Species at Risk continue throughout all the development phases, that a turtle nest platform be constructed at the shoreline, and safe passage such as grated day-lit culverts be implemented at the design stage. We support the recommendation that investigations for Species at Risk should continue and agree with the suggested mitigation measures for reptiles and amphibians.

- Draft plan condition should indicate that this drainage and grading plan should not only address flooding and erosion/siltation control but address the means to maintain and protect the PSW and Significant Woodland.
- A visual impact assessment/analysis will be required as part of future planning applications to ensure that the visual quality of the area is preserved and enhanced, and to identify the proposed mitigation measures to avoid any adverse visual impacts on the Escarpment environment.
- OPA #20 and the “Holding” provisions of Zoning By-law No. 2010-47 set out requirements for further studies that would need to be completed as part of any future submission. These studies include an Environmental Assessment (MTO), Master Development Agreement, Tree Retention & Landscape Plan, scoped Environmental Impact Study, Parks Management Plan, comprehensive stormwater management plan, traffic impact study, noise study, visual impact assessment and market analysis.
- The Tree Preservation Plan and Landscape Plan required under Condition 30 should also be to the satisfaction of the NEC. The NEC must review any visual impact assessment to ensure the scenic resources of the Escarpment are protected.

The majority of the above noted comments have been addressed through revisions to the recommended draft plan conditions. Other comments raised will be addressed as part of the Environmental Assessment process or through other studies as identified in the recommended draft plan conditions.

## **Town of The Blue Mountains**

On March 31, 2014, the Town of The Blue Mountains Council supported a staff report which recommends that Council support the proposed block plan of subdivision and to forward draft plan conditions as identified in the staff report to the County for consideration. The recommended draft plan conditions have been included in the recommended conditions of draft approval attached to this report with some minor modifications.



## *Planning Analysis*

Planning authorities must be consistent with matters of Provincial Interest, the criteria of the Planning Act and the Provincial Policy Statement. Within Grey County they must also make decisions that conform to the County of Grey Official Plan and make decisions that represent good land use planning.

The following is an examination of the issues identified regarding the above-listed matters. The majority of the comments received from the agencies and members of the public can be summarized into the following topics:

- Natural Heritage issues including wetlands, wetland buffers species at risk, and Significant Woodlands
- Transportation/Traffic related issues
- Concerns with impacts on Plan 529 as it relates to open space and shoreline
- Stormwater Management concerns
- Servicing concerns

### **Provincial Interest – Legislation, Policy Guidelines**

Section 1.1 of the Planning Act outlines the purposes of the Act. The purposes of the Act promote sustainable economic development in a healthy natural environment within a land use planning system, led by provincial policy and other matters of provincial interest.

Section 2 of the Planning Act outlines matters of Provincial Interest. The most pertinent provincial interests to this application stated in Section 2 of the Act are: (a) the protection of ecological systems, including natural areas, features and functions; (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the (i) the adequate provision and distribution of...recreational facilities.

- (a) Based on the natural heritage concerns raised by some of the agencies and members of the public, Town and County staff requested a response from the Applicant's consultant to address the concerns identified. The Applicant's consultant provided further information in response to the concerns raised. The Town and the County had the submission from the Applicant's consultants peer reviewed by SAAR Environmental Ltd. who was involved with the peer reviews of the previous environmental studies associated with LOPA#20 and the zoning by-law amendment. The peer reviewer has concluded that the proposed development remains consistent with the Town and the County Official Plan policies and also notes that the application is

consistent with natural heritage policies of the Provincial Policy governed by the Planning Act, subject to draft approval conditions.

As part of LOPA#20, the Ontario Municipal Board approved a modification which requires that the Provincially Significant Wetland will be afforded varying setbacks and that the actual setbacks will be determined to the satisfaction of the Town, County GSCA, and NEC prior to draft approval of any future plan of subdivision or condominium application. County staff did not anticipate through the development of LOPA#20 that an interim step of a Block Plan would form the first submission of a subdivision application related to this proposed development. The Block Plan represents an interim step prior to a full subdivision/condominium process whereby actual lots/units would be identified within the proposed Blocks. The proposed Block Plan essentially captures the overall proposed development layout as recognized through the approval of LOPA#20 and the zoning by-law amendment.

Given the above, recommended Condition#36 proposes that specific environmental studies prepared by a qualified individual be submitted prior to Block specific development with such studies addressing matters such as Species at Risk and adequate buffering/setbacks to the Provincially Significant Wetlands and that such studies be to the satisfaction of the Town, the County, the GSCA and the NEC.

Another condition that has been included to address the natural heritage policies contained in LOPA#20 is Condition#35 which indicates that prior to final approval the Owner submit a study addressing the potential Eastern Meadowlark and Blanding's Turtle habitats to the Ministry of Natural Resources which addresses the requirements of the Endangered Species Act and Ontario Regulation 65/12 with such study being to the satisfaction of the Town, the County, GSCA and the NEC. SAAR Environmental Ltd. peer review comments identified suggested mitigation measures and it is noted in Condition#35 that these mitigation measures should be considered as part of this Study.

SAAR Environmental Ltd. has noted that they are supportive of the Block Plan approach with further more detailed studies being completed by way of future planning applications.

(f) The proposal is to service the lands using municipal water and a municipal sewage system. At this stage it has not been fully determined by the Town whether the development will be serviced with water from the Town of Collingwood system or water from the Town of The Blue Mountains system. A

condition of draft plan approval has been included to address this matter (Condition#2 and 3).

With respect to concerns raised regarding transportation/traffic related matters, a number of conditions have been included in the recommended conditions of draft approval including the requirement for an updated Traffic Impact Study prior to final approval of the Block Plan to the satisfaction of MTO, the County and the Town (Condition#21). Included within this condition is the requirement that the Town of Collingwood also be satisfied with the Traffic Impact Study as it relates to the intersection of Street A/B and Long Point Road (boundary road between the two Towns).

It should also be noted that a proposed Environmental Assessment is to be conducted which will assess the various intersections within the Craigleith area along Highway 26. Comments from some of the agencies and members of the public were concerned with the proposed location of Street D which proposes to bisect a small corner of a Provincially Significant Wetland. The proposed Street D would create a new intersection onto Highway 26, opposite Hope Street. MTO is supportive of the proposed Street D intersection onto Highway 26 subject to the existing intersection of Old Blue Mountain Road at Highway 26 and Brophy's Lane at Highway 26 being closed by by-law and physically removed when new Street D and B are constructed, and that existing commercial and/or residential entrances along Highway 26 corridor that currently provide access into the subject lands be removed as well. All of the above is subject to further review as part of the Environmental Assessment where possible options will be evaluated. If the Environmental Assessment recommends another option other than the preferred option, a redline revision to the plan would be required.

A number of conditions have been included with respect to requiring further detailed Stormwater Management Plans which address the concerns and comments made by agencies and members of the public. It should be noted that an adjacent landowner (Mr. Havens) has submitted comments indicating that they continue to have concerns about the existing drainage conditions in the Brophy's Lane area and the effect that improper drainage is having on his property and note that they object to the approval of any new development applications until the existing drainage deficiencies have been resolved. They note that current and proposed drainage from the Craigleith Village development lands crosses under Brophy's Lane and floods on to Mr. Havens' property, instead of being directed to a proper outlet (municipal ditch or drainage corridor) that outlets adequately to Georgian Bay. County staff requested further comments from the Applicant's consultant based on the comments raised and the Applicants consultant notes that the stormwater management strategy and

the recommendations contained in the above noted report were prepared to conform to current industry standards and were reviewed and accepted by the Town, GSCA and MTO. The Town is also satisfied that the draft plan conditions will adequately address the concerns raised.

- (i) Concerns with respect to Plan 529, including Block E, were raised as part of the LOPA#20 process. The residents of Plan 529 were granted common deeded access to Block E in order to access the shoreline when Plan 529 was created a number of years ago. The subject lands form part of Plan 529 and the existing residents of Plan 529 are concerned that by adding more residents within Plan 529 that there will be overcrowding of residents accessing Block E. The entire shoreline for the subject lands is to be deeded to the Town as Open Space/Park Blocks. Concerns have been raised by the existing residents within Plan 529 that there will be encroachment from the users of the proposed Open Space/Park Blocks interfering with the existing enjoyment of their properties adjacent to the Open Space/Park Blocks. The policies included in LOPA#20 address the shoreline concerns by requiring the preparation of a scoped Environmental Impact Study and a Parks Management Plan in consultation with the public and specific agencies

The proposed plan of subdivision, with the recommended conditions of draft approval, has regard for matters of Provincial interest and has regard for the matters identified in Section 51(24) of the Planning Act.

### **Provincial Policy Statement (PPS) - 2014**

The PPS provides for policy direction on matters of provincial interest related to land use planning. Section 4.7 of the PPS also identifies that official plans are the most appropriate vehicles for the implementation of the provincial policies to local circumstances. Therefore the review of the PPS includes only the most relevant provincial policies to the proposed block plan.

Section 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth. The County Official Plan identifies these lands within the Recreational Resort Area designation which is an area considered for growth.

Section 2.1 identifies policies designed to protect natural features and areas for the long-term. Comments and concerns were raised with respect to natural heritage matters. The County requested the Applicant's consultant to provide further information to address the concerns raised. The response was peer reviewed and the peer reviewer is satisfied with the information provided and is satisfied with the proposed

Block Plan subject to conditions. The recommended conditions of draft approval also address the comments raised regarding natural heritage matters.

County staff are of the opinion that the proposed block plan (subject to the recommended conditions being addressed) is consistent with the PPS.

### **County of Grey Official Plan**

The County Official Plan designates the subject lands as 'Recreational Resort Area' and 'Provincially Significant Wetlands'. Appendix B also identifies Significant Woodlands on the subject lands. The Town and County staff requested additional information to address the natural heritage concerns raised by the agencies and members of the public, including further information to address the Significant Woodlands policies contained in the County Official Plan. Additional information was provided by the Applicants consultant and subsequently peer reviewed with the peer reviewer concluding that the proposed development remains consistent with the Town Official Plan and the County Official Plan.

County staff are of the opinion that the proposed draft plan of subdivision, with the recommended conditions of draft approval, conforms to the County Official Plan.

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

In a Town staff report dated March 17, 2014, Town staff note that they are of the opinion that the proposal conforms to the Town of The Blue Mountains Official Plan and conforms with the general intent and purpose of LOPA#20. County staff concur with this opinion, subject to the recommended conditions of draft approval.

## Financial / Staffing / Legal / Information Technology

### Considerations

At this point there are no financial, staffing, legal or IT considerations beyond those normally encountered in processing a plan of subdivision application. The County has collected an application and associated fee for the proposed subdivision.

## Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan, requires the continued management of growth and the application of sound land use planning principles. New growth on lands which are designated for growth is considered sound land use planning.

Respectfully submitted by,  
Randy Scherzer, MCIP, RPP  
Director of Planning

## **NOTICE OF DECISION**

### **On Application for Approval of Draft Plan of Subdivision under Subsection 51(16) 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.

#### **WHEN AND HOW TO FILE A NOTICE OF APPEAL**

Notice to appeal the decision to the Ontario Municipal Board 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, and
- (2) be accompanied by the fee prescribed under the Ontario Municipal Board Act.

#### **WHO CAN FILE A NOTICE OF APPEAL**

Only individuals, corporations or public bodies may appeal decisions in respect of applications for approval of draft plans of subdivision to the Ontario Municipal Board. 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.

#### **RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS**

The applicant or any public body may, at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the County of Grey to the Ontario Municipal Board by filing with the Director of Planning and Development of the County, or her delegate, a Notice of Appeal.

#### **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 either,

- (1) made a written request to be notified of the decision to give or refuse to give approval of draft plan of subdivision, or
- (2) make a written request to be notified of changes to the conditions of approval of the draft plan of subdivision.

#### **GETTING ADDITIONAL INFORMATION**

**Applicant: Meridian Credit Union (Mortgagee In Possession)**

**File No.: 42T-2012-03**

**Municipality: Town of The Blue Mountains**

**Location: Lots 59, 110, 111 and 112 and Part of Lots 86, 89, 99 and Part of Block D (Closed by By-law),  
Plan 529, Town of The Blue Mountains, County of Grey (Geographic Township of Sarawak)**

**Date of Decision: May 20, 2014**

**Date of Notice: May 27, 2014**

**Last Date of Appeal: June 16, 2014**

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**

**Director of Planning & Development**



Block Plan of Subdivision File No. 42T-2012-03 has been granted **draft approval**.

The conditions of final plan approval for registration of this Draft Plan of Subdivision are as follows:

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No.    Conditions

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1. That this approval applies to the Draft Plan of Subdivision, File No. 42T-2012-03, prepared by Lloyd & Purcell Ltd. Ontario Land Surveyors Revision 11, dated April 29, 2014 providing for the creation of a total of 25 Blocks, including three (3) single family dwelling Blocks (Blocks 5, 17 and 18), five (5) townhome Blocks (Blocks 1, 3, 4, 11 and 12), two (2) mix-use residential/commercial Blocks (Blocks 19 and 24), two (2) commercial Blocks (Blocks 21 and 25), two (2) institutional Blocks (Blocks 15 and 23), nine (9) open space/park Blocks (Blocks 2, 6 to 10, 16, 20 and 22), one (1) storm water management Block (Block 13) and one (1) road widening block (Block 14) within Lots 59, 110, 111 and 112, Part of Lots 86, 87, 88, 89, 113 and 114, Part of Block D (Closed by By-law), Registered Plan 529, Town of The Blue Mountains, County of Grey.
  
2. A Master Development Agreement, in a form satisfactory to the Town of The Blue Mountains, County of Grey, Grey Sauble Conservation Authority, Ministry of Transportation and the Niagara Escarpment Commission shall be executed by the Owner in advance of any further planning approvals addressing matters including, but not limited to, financial matters; works/infrastructure; provision of recreational space and/or amenities; parkland dedication or cash in-lieu thereof; shoreline dedication or cash in lieu thereof; conveyances and other dedications; master storm water management plan/study; servicing; road design; tree retention and landscaping, including a Master Concept Plan; an Environmental Impact Study addressing endangered species and actual setbacks or buffer areas from the Provincially Significant Wetland; and, a Traffic Impact Study.
  
3. A Subdivision Agreement, in a form satisfactory to the Town of The Blue Mountains shall be executed by the Owner to satisfy all financial, legal, and engineering matters, including storm water management, grading, drainage, landscaping, tree preservation and the installation of municipal services, and other requirements of The Town of The Blue Mountains, County of Grey, Grey Sauble Conservation Authority, Ministry of Transportation and the Niagara Escarpment Commission including the payment of all applicable Town and County development charges in accordance with their applicable Development Charges By-law. Final approval may

be required in stages, however the Master Development Agreement needs to be registered against the properties associated with the entire block plan prior to consideration of blocks being registered in stages.

4. That provision be included in the Subdivision Agreement requiring that a Common Element Condominium Corporation (CECC) be established and that Block 13 be conveyed to and maintained by the CECC. The Common Element Condominium Corporations (CECCs) will be created with each phase in order to tie in parcels of tied land (POTL's).
5. That the Owner agree to participate financially, on a proportionate share basis, in the Highway 26 Environmental Assessment (Grey Road 21 to Grey Road 19).
6. That the stream corridors, natural heritage features and any easements required for drainage purposes within Blocks 2, 6, 7, 8, 9, 10, 16, 20 and 22 shall be dedicated to the Town of The Blue Mountains.
7. That prior to final approval, the County is advised by the Town of The Blue Mountains that the subject lands are appropriately zoned to implement the subject plan.

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

8. That Streets A, B, C, D and E be conveyed to the Town as public highways.
9. That Streets A, B, C, D and E be named to the satisfaction of The Town of The Blue Mountains in accordance with the Town's Street Naming Policy.
10. The horizontal and vertical alignments of all roads and underground services including their intersection geometrics shall be designed to The Town of The Blue Mountains Engineering Standards. In this regard, revisions to the road pattern and intersection alignments may be required.
11. The Owner shall convey all road allowances, road widenings, daylighting, pathways and 0.3 metre reserves as identified on the final plan to the appropriate road authority.
12. Prior to the initiation of any site grading or servicing and prior to the registration of the plan, submit for the approval of the Town's Engineering and Public Works Department, Grey Sauble Conservation Authority, Ministry of Transportation and the Niagara Escarpment Commission the following:

- a. A detailed engineering, drainage and servicing report which describes the storm water drainage system and servicing for the proposed development on the subject lands. The report shall include but not be limited to, the following:
  - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties with ensuring that the system will not negatively impact the surrounding properties;
  - ii. How external flows will be accommodated and the design capacity of the receiving system including the control of the existing ditch system and measures taken so as to address flooding.
  - iii. Location and description of all outlets and other facilities which may require permits.
  - iv. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, including how the features and functions of the Provincially Significant Wetland and Significant Woodlands will be maintained.
  - v. A detailed design plan for the construction of proposed wetlands and watercourse crossings, including provisions for wildlife movement from the site to other natural areas in the vicinity;
  - vi. A Detailed naturalized Planting Plan for the storm water management facility and drainage corridor Blocks.
- b. Overall grading plans for the subject lands

The above information shall be incorporated into the Master Development Agreement and Subdivision Agreement as deemed appropriate by the Town of The Blue Mountains.

13. Agree in the Subdivision Agreement, in wording acceptable to the Town of The Blue Mountains, Grey Sauble Conservation Authority, Ministry of Transportation and the Niagara Escarpment Commission:

- a. To carry out, or cause to be carried out, all the works referred to in condition 11;
- b. To obtain the necessary permits from the Grey Sauble Conservation Authority;

- c. To obtain the necessary permits from the Ministry of Transportation;
  - d. To obtain any necessary authorizations from the Department of Fisheries and Oceans for any harmful alteration, disruption or destruction of fish habitat; and,
  - e. Prior to the initiation of any grading or construction on the site, to erect any silt fencing as referred to or required by condition 11.
14. Storm water overland flow routes shall be kept within roads or approved walkways only.
15. Prior to the initiation of any site grading or servicing and prior to registration of this plan, submit to the satisfaction of the Town's Engineering and Public Works Department and the Grey Sauble Conservation Authority a detailed soils investigation of the site prepared by a qualified geotechnical engineer. A copy of this report shall also be submitted to the Town's Chief Building Official.
16. Prior to the initiation of any site grading or servicing, the Owner shall provide a report identifying all existing water wells and private sewage disposal systems on the lands. The Owner shall provide verification to the satisfaction of the Town that all wells and septic systems identified have been decommissioned in accordance with all applicable laws and regulations.
17. Prior to the registration of the Plan, 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.
18. Prior to the registration of the plan, arrangements shall be made to the satisfaction of the Town of The Blue Mountains for any upgrades, relocation of utilities, or other external works, to be undertaken at the Owner's expense.
19. Prior to the approval of any engineering drawings, arrangements shall be made to the satisfaction of the Town for a suitable construction traffic route.
20. The works/infrastructure within this subdivision, including street lighting, shall be designed and constructed in accordance with the Town of The Blue Mountains Engineering Standards or as otherwise approved by the Town.

## **Ministry of Transportation/The Town of The Blue Mountains Requirements re Highway 26:**

21. That prior to final approval an updated Traffic Impact Study shall be completed indicating the anticipated traffic volumes and their impact upon intersections, including the intersection of Highway 26 and Streets 'A', 'B' and 'D'. This Traffic Impact Study shall be completed to the satisfaction of the Ministry of Transportation, the County of Grey, and the Town of The Blue Mountains and implement any requirements identified in the said study. The Traffic Impact Study as it relates to the proposed intersection of Street A/B and Long Point Road shall also be completed to the satisfaction of the Town of Collingwood. The Owner should be aware that any highway improvements will be the financial responsibility of the Owner.
22. That prior to final approval, the Owner shall enter into an agreement with the Ministry of Transportation whereby the Owner agrees to assume financial responsibility for the design and construction of the new Streets 'A', 'B' and 'D' entrances and all necessary associated highway improvements.
23. Prior to final approval, the Owner shall submit to the Ministry of Transportation, the County of Grey, and the Town of The Blue Mountains for their review and approval, a Storm Water Management Report indicating the intended overall storm water management strategy and infrastructure needs for the subdivision.
24. Prior to final approval, two visibility triangle Blocks (new ROW) at the intersection of Highway 26 at Street 'D', measuring 20 m (along Highway 26) by 6 m (along Street 'D') are to be established on the Draft Plan and be dedicated as a public highway on the Owner's certificate on the final M-Plan to be deeded to the Ministry of Transportation.
25. Prior to final approval, one visibility triangle Block (new ROW) at the intersection of Highway 26 at Long Point Road (Street 'B') measuring 20 m (along Highway 26) by 6 m (along Long Point Road) is to be established on the plan in the northwest quadrant and be dedicated as a public highway on the Owner's certificate on the final M-Plan to be deeded to the Ministry of Transportation.
26. Prior to final approval, Block 14 (Road Widening) as illustrated on the draft plan is to be dedicated as a public highway on the Owner's certificate on the final M-Plan to be deeded to the Ministry of Transportation.

27. Prior to final approval, additional Blocks for road widening may be identified by the Ministry of Transportation and/or The Town of The Blue Mountains along the entire frontage of Highway 26, as identified from the outcome of The Town of The Blue Mountains Environmental Assessment and Preliminary Design Study in the Craigeleith area along the Highway 26 corridor.
28. Prior to final approval, a 0.3 m reserve extending across the entire Highway 26 frontage (with the exception of the proposed street access connections) is to be conveyed by deed to the Ministry of Transportation.
29. Prior to the final approval, the Owner and the Town of The Blue Mountains shall enter into a Subdivision Agreement that includes the following conditions of the Ministry of Transportation:
  - a. Prior to individual Block development or further subdivision of a Block, the Ministry of Transportation will require from the individual Block Owner, for its review and approval, a Traffic Impact Study indicating the anticipated traffic volumes and their impact upon the intersections of Highway 26 and Street 'D' and Highway 26 and Long Point Road (Street 'B').
  - b. Prior to individual Block development or further subdivision of a Block, the individual Block Owner or the Town of The Blue Mountains shall enter into a Legal Agreement with the Ministry of Transportation whereby the Block Owner agrees to be responsible, financial and otherwise, for the design and construction of all warranted and associated highway improvements.
  - c. Prior to individual Block development or further subdivision of a Block, the Ministry of Transportation will require from the individual Block Owner, for its review and approval, a Storm Water Management Report indicating the intended overall storm water management strategy and infrastructure needs for the Block.
  - d. Prior to individual Block development or further subdivision of a Block, the Ministry of Transportation will require from the individual Block Owner, for its review and approval, the submission of site plans, site-servicing plans, grading plans, for the proposed development.

### **Park and Open Space Requirements:**

30. The Owner shall convey parkland, or cash-in-lieu thereof in accordance with the provisions of the *Planning Act*.

### **Landscape, Fencing and Streetscape Requirements:**

31. Prior to the registration of the plan, the Owner shall complete a Tree Preservation Plan and a Landscape Plan prepared by a Qualified Landscape Consultant to the satisfaction of the Town of The Blue Mountains, Niagara Escarpment Commission, and the Grey Sauble Conservation Authority.

The Tree Preservation Plan and Landscape Plan shall be prepared in concert with the drainage and grading plan and shall demonstrate how each of the Blocks will be developed to ensure the existing vegetation will be maintained so as to address Natural Heritage buffers as much as reasonably possible.

The Owner shall save and/or remove any trees and vegetation on the subject lands as required by the Tree Preservation Plan and/or Landscape Plan. Restoration plans using native species and an edge management strategy will be addressed as part of the Tree Preservation Plan and the Landscape Plan.

The said plans shall be incorporated into the Subdivision Agreement and shall apply to individual development of the Blocks.

32. The Owner shall provide fencing to the satisfaction of The Town of The Blue Mountains so as to separate development Blocks from Open Space, Park, Natural Heritage Blocks and/or related buffers areas.

33. That prior to the design of Street B, or any development adjacent or contiguous to Highway 26, the Owner, at its sole cost and expense, shall prepare a streetscape design to satisfaction of The Town of The Blue Mountains that addresses building facades, building massing/relationships, on-site parking location/orientation, lighting, plantings, fencing and adjacent streetscape furnishings.

### **Other:**

34. That prior to final approval, an Archaeological Assessment Stage 2, and further Stages if recommended by the Stage 2, be prepared by a licensed professional archaeologist, and completed in accordance with the Ministry of Tourism, Culture

and Sport Guidelines, and that the Town of The Blue Mountains and the County of Grey be furnished with a copy of a letter from the Ministry of Tourism, Culture and Sport to the professional archaeologist receiving the Archaeological Assessment.

35. That prior to final approval the Owner submit a study addressing the potential Eastern Meadowlark and Blanding's Turtle habitats to the Ministry of Natural Resources Midhurst District Office, which addresses the requirements of the *Endangered Species Act* and Ontario Regulation 65/12 with such study being to the satisfaction of the Town of The Blue Mountains, County of Grey, Grey Sauble Conservation Authority and the Niagara Escarpment Commission. Mitigation measures as suggested in the SAAR Environmental peer review comments dated January 24, 2014 should be considered as part of this Study and incorporated in the subdivision agreement.
36. The Owner complete Block specific environmental studies prepared by a qualified individual prior to Block specific development with such studies addressing Natural Heritage matters such as Species at Risk and adequate buffering/setbacks to the Provincially Significant Wetlands and that such studies be to the satisfaction of the Town of The Blue Mountains, County of Grey, Grey Sauble Conservation Authority and the Niagara Escarpment Commission.
37. The Owner prepare a Block specific Visual Impact Assessment and a Massing/Shade Analysis prior to Block 15 development with such assessment and analysis being to the satisfaction of The Town of The Blue Mountains. The Visual Impact Assessment shall also be prepared to the satisfaction of the Niagara Escarpment Commission.
38. The Owner complete a Commercial Market Analysis prior to proceeding with commercial development beyond the first 2,000 square metres of commercial development with such Analysis being to the satisfaction of The Town of The Blue Mountains.
39. The Owner to obtain the required permits from the Grey Sauble Conservation Authority under Ontario Regulation 151/06 for site alterations and construction of buildings within the regulated area.
40. That prior to any further planning approvals the Owner prepare a Noise Impact Study as may be required and to the satisfaction of The Town of The Blue Mountains.



41. The Owner shall include the following statements in all offers of purchase and sale for all lots and blocks within the plan:
  - a. That Blocks 2, 6 to 10, 16, 20 and 22 will be developed for open space/park purposes.
  - b. That Blocks 2, 16 and 20 are part of a Provincially Significant Wetland, buffer area and wildlife corridor and shall be left in a naturalized state.
42. Prior to registration, the Owner shall remove any existing buildings from the site.
43. The Owner shall make satisfactory arrangements with Canada Post and the Town's Engineering and Public Works department, for the method of mail delivery and/or installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The Owner shall further provide the following for the Community Mailboxes if required:
  - a. An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required 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.
44. That prior to final approval, the County is advised in writing by the Grey Sauble Conservation Authority how conditions 2, 12, 13, 15, 31, 35, 36 and 39 have been satisfied.
45. That prior to final approval, the County is advised in writing by the Niagara Escarpment Commission how conditions 2, 12, 13, 31, 35 to 37 have been satisfied.
46. That prior to final approval, the County is advised in writing by the Ministry of Transportation how conditions 2, 12, 13, 21 to 29 have been satisfied.
47. That prior to final approval, the County is advised in writing by the Town of Collingwood condition 20 as it relates to the proposed intersection of Street A/B and Long Point Road has been satisfied.

48. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how conditions 2 to 42 have been satisfied.

49. If final approval is not given to this plan within three 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.

**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 42T-2012-03.
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 where personnel and construction vehicles might come in close proximity to the conductors.

3. Clearances are required from the following:

Town of The Blue Mountains  
32 Mill Street  
Thornbury Ontario, N0H 2P0

Grey Sauble Conservation Authority  
237897 Inglis Falls Road, RR#4  
Owen Sound, Ontario, N4K 5N6

Niagara Escarpment Commission  
99 King Street East  
P.O. Box 308  
Thornbury Ontario, N0H 2P0

Ministry of Transportation  
Engineering Office  
659 Exeter Road  
London Ontario, N6E 1L3

Town of Collingwood  
97 Huronontario Street  
P.O. Box 157

Collingwood, Ontario

4. It is suggested 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. It is suggested that the municipality register the subdivision agreement as provided by subsection 51(26) of the Planning Act against the land to which it applies, as notice to prospective purchasers.
6. The owner's consultant in preparing the Traffic Impact Study should refer to the Ministry of Transportation's website for a comprehensive set of traffic related documentation requirements to assist in preparing their report: [http://www.mto.gov.on.ca/english/engineering/management/corridor/TIS\\_Guidelines\\_EN.pdf](http://www.mto.gov.on.ca/english/engineering/management/corridor/TIS_Guidelines_EN.pdf) The Owner should be aware that any highway improvements identified from the Ministry of Transportation's review and analysis of the Traffic Impact Study will be the responsibility, financial and otherwise, of the owner.
7. The owner's consultant in preparing the Stormwater Management Report should refer to the Ministry of Transportation's website for a comprehensive set of ministry drainage related documentation requirements to assist in preparing their report: <http://www.mto.gov.on.ca/english/engineering/drainage/index.shtml>
8. The owner is advised that to facilitate the transfer by deed of the 0.3 metre reserve across the entire Highway 26 frontage, that a preliminary M-plan, draft deed and draft certification of title are to be submitted to the Ministry of Transportation for its review and approval prior to registering the M-Plan and/or registration of the deed. Once approved, the property owner's solicitor, on behalf of the Ministry of transportation, can register the deed and execute the certification of title. The 0.3 metre reserve shall be deeded to the Ministry of Transportation free and clear of all encumbrances.
9. Under the Public Transportation and Highway Improvement Act, Ministry of Transportation permits are required for all grading/construction located within 800 metres of the Highway 26 highway (property) limit. The Ministry of Transportation will require that all new commercial buildings and structures, both

**Applicant: Meridian Credit Union (Mortgagee In Possession)**

**File No.: 42T-2012-03**

**Municipality: Town of The Blue Mountains**

**Location: Lots 59, 110, 111 and 112 and Part of Lots 86, 89, 99 and Part of Block D (Closed by By-law),  
Plan 529, Town of The Blue Mountains, County of Grey (Geographic Township of Sarawak)**

**Date of Decision: May 20, 2014**

**Date of Notice: May 27, 2014**

**Last Date of Appeal: June 16, 2014**

above and below ground, including stormwater management ponds/facilities, be setback a minimum of 14.0 metres from the Highway 26 highway (property) limit.

10. Under the Public Transportation and Highway Improvement Act, Ministry of Transportation permits are required for all visible signs proposed to be located within 400 metres of the Highway 26 highway (property) limit.
11. Portions of the Plan may be subject to the Grey Sauble Conservation Authority's 'Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' Regulation. As such, written permission may be required from the Authority prior to any development occurring on the subject property.
12. All measurements in subdivision final plans must be presented in metric units.
13. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(59) of the Planning Act RSO 1990, as amended.