

To:	Warden Halliday and Members of Grey County Council
Committee Date:	June 14, 2018
Subject / Report No:	PDR-CW-23-18
Title:	Clarksbury Subdivision 42T-2017-01 – Final Report
Prepared by:	Randy Scherzer
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	Recommendation adopted by Committee of the Whole as presented as per Resolution CW155-18; Endorsed by County Council on June 28, 2018.

Recommendation

1. That Report PDR-CW-23-18 be received; and
2. That all written and oral submissions received on plan of subdivision 42T-2017-01 known as Clarksbury 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-2017-01, for lands described as Part of Lot 28, Concession 7 (geographic Township of Collingwood) in the Town of The Blue Mountains, and the matters to have regard for under Subsection 51 (24) for the Planning Act, the Grey County Committee of the Whole approves this plan of subdivision to create a total of 54 single detached lots, subject to the conditions set out in the Notice of Decision.

Executive Summary

The purpose of this report is to consider a proposed plan of subdivision in the Town of The Blue Mountains known as Clarksbury – 42T-2017-01. The proposed subdivision would create a total of 54 single detached residential lots. 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

The County has received a plan of subdivision application from Clarksbury Lands Corporation to establish a plan of subdivision. The plan of subdivision proposes to create 54 single detached residential lots (47 lots plus 7 lots within Blocks 48 and 49 currently owned by the Town). A previous draft plan of subdivision (42T-2002-06 - Georgian Glen) was draft approved in 2005 on the subject lands however draft approval has lapsed. The previous draft approved plan consisted of a total 60 residential units (44 single detached and 16 townhouses). The proposed subdivision plan replaces the former 16 townhouses with single detached dwellings. The proposed development includes the existing Street 'A' identified on the proposed plan and the completion of Street 'B' which was partially constructed in 2008. There was also some additional pre-servicing work completed in 2008 which included the installation of servicing infrastructure and street lighting.

The subject lands are described as Part of Lot 28, Concession 7 (geographic Township of Collingwood), Town of The Blue Mountains. The lands are municipally known as 828453 Grey Road 40. The subject lands include a total area of approximately 11.67 hectares (28.8 acres). The lands are located south of Highway 26 on the northwest corner of Grey Road 40 and Woodlawn Park Road. In the middle of the subject property is a square piece of land owned by the Town of The Blue Mountains. The Town Lands are comprised of a former septic tank and septic field that at one point serviced development on Lakewood Drive. Development on Lakewood Drive is now connected to full municipal sewer services and the septic tanks on the subject lands have been decommissioned. An Environmental Study was completed on the site and determined that there was no contamination from the former use as a septic system.

The subject lands are surrounded by existing residential development to the north, east and south. The Georgian Trail is directly adjacent to the northeast edge of the property boundary. The lands are located approximately 2 kilometres southwest of Thornbury. See Map 1 for an aerial view of the subject property and surrounding area, and Map 2 for a copy of the proposed plan of subdivision.

It should be noted that the intersections of Grey Road 40, Woodlawn Park Road and Highway 26 were subject to an Environmental Assessment (EA) that was conducted in partnership between the Town, the County, and MTO. The EA recommended that the intersection of Woodlawn Park Road and Highway 26 be closed as well as the intersection of Woodlawn Park Road and Grey Road 40 following the completion of a road connection from Woodlawn Park Road, crossing over the Georgian Trail, to the existing Street 'A' located within this proposed plan of subdivision. Traffic would then go through this proposed subdivision and exit out at the existing intersection of Street 'A' and Grey Road 40. Since the completion of the EA, both Town Council and County Council have passed motions to revisit the findings of the EA to reduce any further road crossings across the Georgian Trail within this area. Further comments regarding this matter can be found later in this Report.

The Applicant has submitted the following background reports and plans in support of the proposed plan of subdivision;

1. Planning Justification Report
2. Stage 1 Archaeological Assessment
3. Traffic Opinion Letter
4. Functional Servicing Report and Stormwater Management Report
5. Proposed Plan

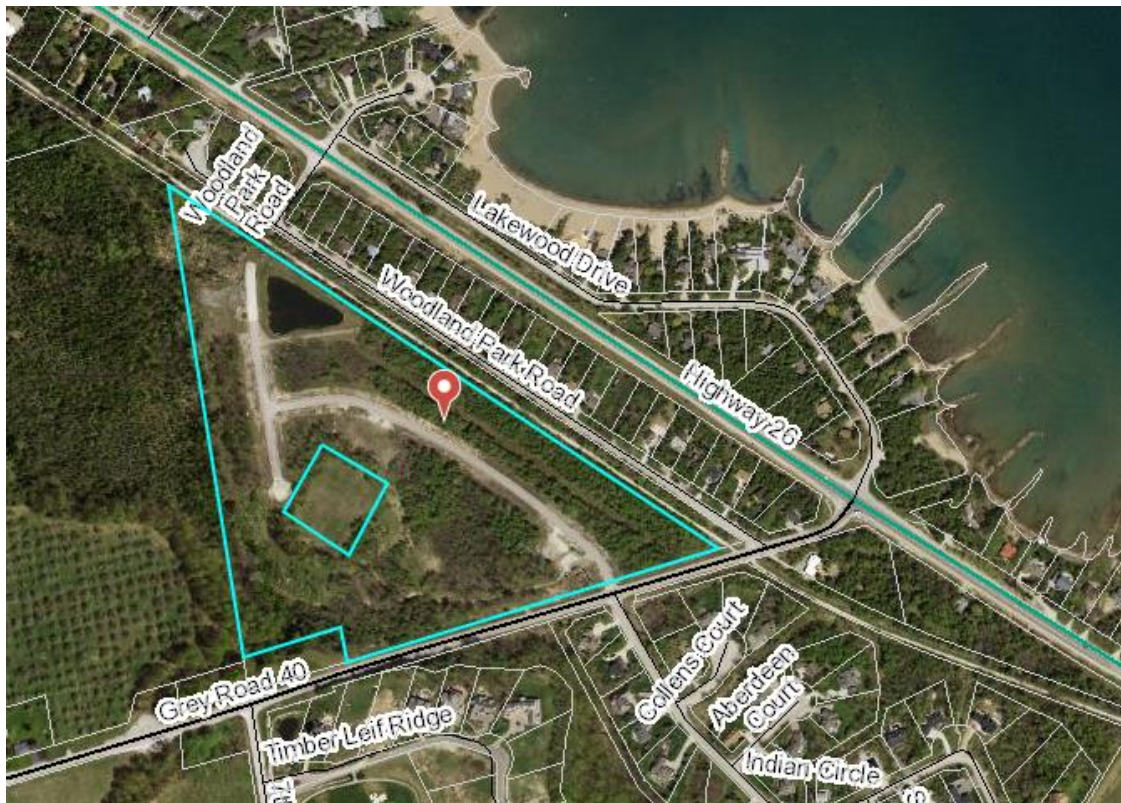
6. Arborist Report and Tree Protection Plan
7. Saugeen Ojibway Nation Archaeological Review and Letter of Opinion
8. Environmental Impact Assessment

Copies of all background reports and plans can be found at the below link:

[Link to Background Materials](#)

A zoning by-law amendment application has also been submitted to the Town of The Blue Mountains which has recently been approved by Town Council.

Map 1: Airphoto of the Subject Lands



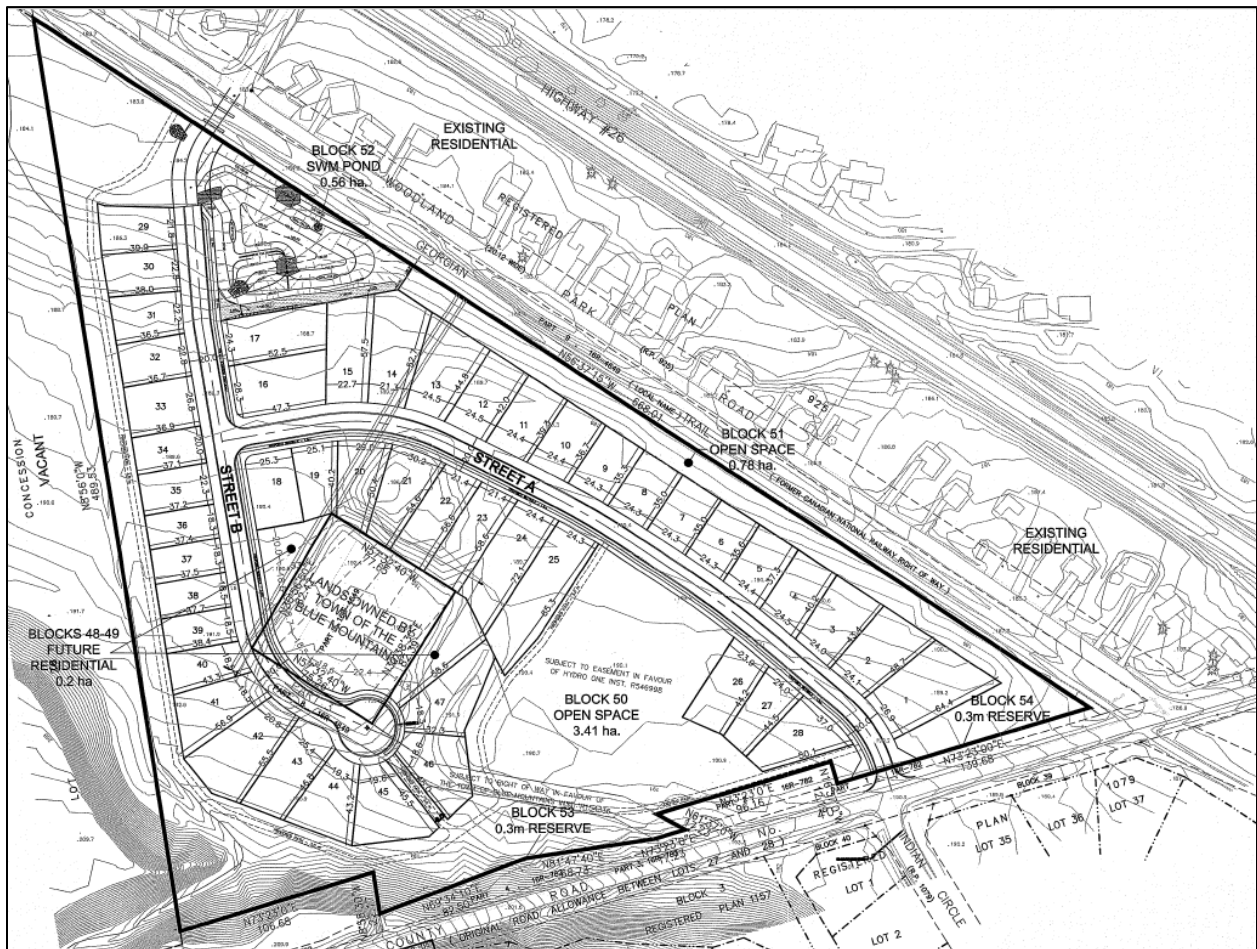
Public and Agency Comments Received

There were members of the public that made oral submissions at the public meeting which was held on December 4, 2017 in the Town of The Blue Mountains. The minutes from the Public Meeting can be found here starting at page 7 using the following link – [Town of The Blue Mountains Committee of the Whole Minutes, December 4, 2017](#). The following are the comments raised by the public:

- The existing intersections of Woodlawn Park Road and Grey Road 40 and Highway 26 and Woodlawn Park Road should be kept opened
- Concerns about trail safety if there was a road crossing across Georgian Trail between Woodlawn Park Road and the proposed Clarksbury development
- Support for the proposed development as submitted

- Comments about the proposed valuation of the Town owned lands and wanting to ensure that the Town receives fair value for the land
- Comments about environmental protection including ensuring that the birds are protected, that any trees to be removed should only be cut as recommended by the Environmental Impact Study, and ensuring that the hazard lands/wetlands on site are protected.
- Comments about encouraging affordable housing and reducing the number of single family dwellings.

Map 2: Proposed Plan of Subdivision



Below are comments that were received by various agencies regarding Clarksbury.

Grey Sauble Conservation Authority (GSCA)

In comments dated March 23, 2018, GSCA indicates that they have no objection to the proposed Plan of Subdivision. The designation of all hazard areas on the property as open space blocks provides adequate buffers from potential environmental hazards. GSCA notes that they previously reviewed and approved the stormwater management plan for the previous draft approved development and had issued permits for the stormwater management pond construction and associated drainage infrastructure. GSCA concludes that the new stormwater

management strategy is acceptable subject to final detailed design. GSCA also notes that the Arborist Report and Tree Protection Plan provides appropriate guidance on minimizing further negative impacts to the Significant Woodlands. GSCA recommends the following conditions of draft approval be included:

- That the final stormwater management plan be prepared and implemented through the subdivision agreement to the satisfaction of GSCA
- That a tree retention plan be prepared and implemented through the subdivision agreement to the satisfaction of GSCA.

GSCA also recommends that the following note be added to the subdivision agreement and notes to the draft plan approval:

A portion of the property falls within a regulated area under Ontario Regulation 151/06 administered by GSCA. Prior to development in a regulated area, permits are required from GSCA. This would include updates to the infrastructure/road extension and for Lots 29 to 46 within the subdivision.

The recommended conditions and the note above have been incorporated into the draft Notice of Decision attached to this Report.

Ministry of Transportation Ontario (MTO)

In a letter dated July 12, 2017, MTO indicates that the proposed subdivision is using means to access Highway 26 that are not consistent with the findings of the completed Environmental Assessment Study undertaken by MTO, the Town, and the County. MTO is not supportive of intensifying the traffic at proposed access locations to Highway 26, unless both the access locations are consistent with the approved EA and the traffic generation can be supported by a traffic impact study. In further correspondence dated January 2, 2018, MTO indicates that the Ministry supports the EA process and the findings. The proposed short-term improvements within MTO's jurisdiction include the closure of the Woodland Park Road and Lakewood Drive at Highway 26 and the addition of a right turn lane at the Highway 26 and Grey Road 40 intersection. MTO notes that the closure of Woodlawn Park Road at Grey Road 40 and the road connection across the Georgian Trail are not directly related to the current operational needs of Highway 26 and MTO indicates that the ministry is not pursuing these improvements at this time.

County of Grey Transportation Services Department

In comments dated June 19, 2017, Transportation Services noted that the proposed plan of subdivision does not show the recommended entrance to Woodlawn Park Road as per the EA Study through either Lot 6 or 7. They also noted that the proposed plan of subdivision does not define the proposed north entrance as an emergency only entrance.

Following the June 2017 comments, County Council approved a motion on September 14, 2017 which indicates that a strongly-worded letter voicing Grey County's objections to additional Georgian Trail crossings at Highway 26 and Grey Road 40 with a request for further consideration be sent to MTO and all involved parties.

After further discussions with Transportation Services staff, it is our understanding that in order to revisit the EA recommendations the EA would need to be re-opened and an addendum would

be required to change the recommended conclusion. This could be a lengthy process and would require additional public meetings. There is also the possibility that the conclusions from the EA process may not change. There are essentially two options that may or may not result in revisions to the proposed development. One option would be to implement the EA findings by connecting Woodlawn Park Road to the proposed Clarksbury development and then closing the intersection of Woodlawn Park Road at Grey Road 40. The second option is to not connect Woodlawn Park Road to the proposed Clarksbury development and to allow the proposed Clarksbury traffic to exit through a separate entrance onto Grey Road 40 and to keep the Woodlawn Park Road and Grey Road 40 intersection open. The second option could only be considered if the EA were to be re-opened and if the updated EA actually concluded that this is a viable option that will not create a traffic hazard. In order to keep both options open for the time being, the Town has recommended a condition of draft approval that would allow Lot 6 to be a potential road connection between Woodlawn Park Road and the proposed Clarksbury development or if an agreed upon alternative can be found that it be completed prior to final approval of the subdivision and that Lot 6 would then become a residential lot. Transportation Services staff have no objections to the recommended conditions of draft approval to keep both options open until the EA matter can be resolved.

Historic Saugeen Metis (HSM)

In an email dated June 12, 2017, HSM indicates that they have no objection or opposition to the proposed development.

Bluewater District School Board (BWDSB)

In an email dated June 8, 2017, BWDSB indicates that they have no comments or concerns with this application at this time.

Hydro One

In comments dated June 12, 2017, Hydro One indicates that they have no comments or concerns at this time.

Ministry of Tourism, Culture and Sport

In comments dated August 11, 2017, the Ministry of Tourism, Culture and Sport indicates that the Archaeological Assessment report has been deemed compliant with ministry requirements.

Town of The Blue Mountains

The Town of The Blue Mountains Committee of the Whole received Town Staff Report PDS.18.26 on April 23, 2018. The Town Committee of the Whole recommended two modifications to conditions of draft approval as recommended by Town staff. The recommended conditions of draft approval were supported by Town Council on May 7th. Town Council also enacted a zoning by-law amendment to rezone the subject lands to the Residential R3-h1, Residential R3-h2 zone, Open Space OS1 zone and Hazard H zone as recommended in the Town Staff Report. The conditions of draft approval as supported by Town Council have been incorporated in the attached conditions of draft approval with a minor modification to the condition regarding Lot 34 as a future road connection to adjacent lands to the west. This is explained later on in this Report.

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) 2014, and conform to any official plans which govern the subject lands. In this case both the County of Grey Official Plan and the Town of The Blue Mountains Official Plan have jurisdiction over the subject property.

The Planning Act

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 matters of provincial interest. Section 2 of the *Planning Act* outlines matters of Provincial Interest, which decision makers must be consistent with when carrying out their responsibilities under the Act. The most relevant matters of provincial interest to this application 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 (h) the orderly development of safe and healthy communities.

- (a) An Environmental Impact Study was completed in support of the proposed development. The EIS reconfirms the recommendations that were implemented in 2006 through the previous draft approved development on the subject lands. The EIS recommends enhancements to the stormwater management pond for suitable habitat for a variety of species. The EIS also recommends mitigation measures to protect some of the environmental features on the property during construction. A living fence is recommended to mark setback limits from the wetland and the significant woodlands. A condition of draft approval has been recommended to implement the findings of the EIS. GSCA has no objection to the proposed plan of subdivision subject to the conditions of draft approval which have been incorporated into the attached draft Notice of Decision.
- (f) The subject development will be serviced by municipal water and municipal sewer services and servicing capacity is currently available.
- (h) The subject development is within the 'Recreational Resort Area' designation in the County Official Plan which is a settlement area designation. Growth and development is considered within this designation. The proposed development includes trails that will connect with the Georgian Trail which will provide active transportation opportunities. Although staff would have preferred a higher density development, given the existing infrastructure that was installed to support the previous draft approved development and given the environmental constraints on site, the proposed density is adequate.

Section 51(24) of the Planning Act sets out criteria that municipalities shall have regard for when considering a draft plan of subdivision. The criteria relates to such things as timing, infrastructure, density, compatibility, servicing, and protecting the environment. Planning staff have reviewed the criteria and are satisfied that the proposed subdivision addresses the criteria under Section 51(24) of the Planning Act.

The proposed plan of subdivision, with the attached conditions of draft approval, would have regard for matters of Provincial Interest under *The Planning Act*.

Provincial Policy Statement

A key goal of the PPS is directing new growth to serviced settlement areas, and promoting the vitality of such settlement areas through re-development, infill and intensification. The subject lands have been designated for residential growth and are within a settlement area designation.

Section 1.6.6.1 of the PPS outlines the servicing hierarchy to be utilized in the Province of Ontario. At the top of the hierarchy are municipal water and sewer services. The proposed development will be serviced by municipal water and sewer services.

Section 2.1 of the PPS speaks to the long-term protection of significant natural heritage features. Based on the EIS and the technical review by the GSCA, the natural heritage features are being protected in a manner which is consistent with the PPS.

Section 2.6 of the PPS speaks to the protection of cultural and archaeological resources within the Province. An Archaeological Assessment was completed on this property. In comments dated April 17, 2017, SON indicates that in their opinion there is no justification or need to conduct a Stage 2 property investigation in this particular location and instead recommended a several-hour visual inspection be conducted. The Ministry of Tourism, Culture and Sport reviewed the Archaeological Assessment and has deemed it to be compliant with ministry requirements.

Section 3.1 of the PPS directs development away from areas of natural hazard. GSCA has reviewed the proposed subdivision and is generally satisfied with the proposed development subject to recommended conditions of draft approval.

It can be concluded that the proposed plan of subdivision application, with the attached conditions of draft approval, is consistent with the PPS.

Niagara Escarpment Plan

The subject lands are located within the Niagara Escarpment Plan Area. A development permit is not required from the Niagara Escarpment Commission for the subject lands as development control has been lifted within this area. In saying that, the policies contained in the Niagara Escarpment Plan (NEP) still apply to the subject lands. The NEP provides land use policies to guide development while ensuring the preservation and enhancement of the Niagara Escarpment. Some of the key objectives of the Niagara Escarpment Plan are to maintain and enhance the natural environment and the open landscape character of the escarpment and adjacent lands. The subject lands are designated as Escarpment Recreation Area in the NEP which contemplates development of this nature. Permitted uses include those uses listed under the Town of The Blue Mountains Official Plan. Some of the conditions of draft approval in the previous draft approved plan requiring NEC clearance have been added to the recommended conditions of draft approval included in the draft Notice of Decision. It can be concluded that the proposed Draft Plan of Subdivision does not conflict with the Niagara Escarpment Plan.

County of Grey Official Plan

The subject lands are designated as 'Recreational Resort Area' within the County Official Plan. Within the 'Recreational Resort Area' designation the County Plan generally defers to the detailed land use policies and development standards of the municipal official plan.

Appendix B to the County Plan identifies 'Significant Woodlands' on the subject property. The EIS has recommended some mitigation measures to protect the features and functions of the Significant Woodlands and GSCA has no objections.

Section 5.2 Road policies from the Plan have been addressed through the review by the Town, County Transportation Services, and MTO. As noted previously, the EA matter will require further discussion and direction from Council. In the interim, the recommended conditions of draft approval have been designed to keep both options open until the EA matter can be resolved. With respect to future road considerations, Town staff recommended that Lot 34 be dedicated to the Town as a future road connection to provide access to the adjacent lands to the west. The Town Council revised the condition as recommended by Town staff which indicates that Lot 34 be placed in a holding zone for a maximum of three years during which time the adjacent landowner may acquire Lot 34 based on the appraised value of the Lot. If a future road connection is required to connect to adjacent lands, the future road block is typically dedicated to the local municipality at no cost and typically there is no time constraint placed on the lands. Based on what is typically required for future road connections to adjacent lands, County staff recommends that the condition regarding Lot 34 be modified by indicating that Lot 34 be dedicated to the Town as a future road connection block unless the Developer can prove to the satisfaction of the Town and the County (if the alternative access is from Grey Road 40) that a better alternative can be provided to access the adjacent lands west of the subject lands or the adjacent landowner acquires Lot 34 prior to final approval. The modified condition also indicates that if an alternate future road connection is provided to the adjacent lands to the west through the Clarksbury lands that this will not require a redline revision. The modifications to this condition provides some further clarity and also provides some further options to consider which allows for more flexibility in exploring options to ensure that access can be provided to the adjacent lands. This modified condition has been discussed with the applicant's agent and they are satisfied with the revised wording.

Section 5.3 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above.

Section 6.12.1 of the County Plan addresses criteria to be considered in any new plan of subdivision or condominium. Section 6.12.1(a)(xi) speaks to the provision of usable parkland and green space. There are a number of open space blocks that have been identified within the Clarksbury development that will be deeded to the Town. Some of the open space blocks will contain trails that will connect to the Georgian Trail which will enhance the active transportation opportunities in this area.

Many of the remaining policies in the County Plan mimic those discussed above in the review of the *Planning Act* and the PPS. A further in-depth review of those same policies in the County Plan will not be provided below.

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

Town of The Blue Mountains Official Plan

The Town's Official Plan contains many similar policies to that of the County Plan. The subject lands are designated as 'Residential Recreational Area' and 'Hazard' in the Town Plan. The Residential Recreational Area designation permits a wide range of housing types up to a density of 10 units per hectare. The proposed development would achieve 6.7 units per hectare. The Town Official Plan indicates that new residential developments provide generous amounts of open space with at least 40% of the development being the open space component. New development must also maintain the resort, open landscape character of the area.

With respect to the Town Owned Lands, the Town has recommended a condition of draft approval stating that the Town Owned Lands be purchased by Clarksbury to the satisfaction of the Town. The Town notes that further discussions between the Town and the Developer will occur to determine the final value of the lands. The Subdivision Agreement will then contain appropriate clauses for the transfer of the lands from the Town to the Developer.

Town staff concluded in their staff report that the proposed plan of subdivision and zoning by-law amendment conforms to the Town Official Plan. County staff agrees with this conclusion.

Planning Analysis Summary

Based on the above planning analysis, it is the opinion of Planning Staff that the proposed Plan of Subdivision has regard for matters of Provincial Interest under the Planning Act, is consistent with the Provincial Policy Statement, conforms to the intent and direction of the Niagara Escarpment Plan, the County Official Plan and the Town of The Blue Mountains Official Plan, and represents good planning. Planning Staff recommends that draft approval be granted subject to the conditions of draft approval attached in the draft Notice of Decision.

Legal and Legislated Requirements

Planning Act

Financial and Resource Implications

At this point there are no financial or resource implications beyond those normally encountered in processing a plan of subdivision application. The County has collected the required application fee and peer review deposit.

Relevant Consultation

- Internal (Transportation Services)
- External (Town of The Blue Mountains, Prescribed Agencies, Public)

Appendices and Attachments

Draft Notice of Decision (conditions of draft approval) - attached

Applicant: Clarksbury Lands Corporation (c/o Scott Paris)
Municipality: Town of The Blue Mountains
Location: Part of Lot 28, Concession 7 (geographic Township of Collingwood)
Date of Decision:
Last Date of Appeal:

File No.: 42T-2017-01
Date of Notice:

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.

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 persons 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.

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.

Applicant: Clarksbury Lands Corporation (c/o Scott Paris)

File No.: 42T-2017-01

Municipality: Town of The Blue Mountains

Location: Part of Lot 28, Concession 7 (geographic Township of Collingwood)

Date of Decision:

Date of Notice:

Last Date of Appeal:

GETTING ADDITIONAL INFORMATION

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

ADDRESS FOR NOTICE OF APPEAL

County of Grey

595-9th Avenue East

OWEN SOUND, Ontario N4K 3E3

Attention: Mr. Randy Scherzer, MCIP RPP

Director of Planning & Development

Applicant: Clarksbury Lands Corporation (c/o Scott Paris)

File No.: 42T-2017-01

Municipality: Town of The Blue Mountains

Location: Part of Lot 28, Concession 7 (geographic Township of Collingwood)

Date of Decision:

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Plan of Subdivision File No. 42T-2017-01 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

The conditions have been listed under the following general headings:

- General Planning Requirements
- Servicing, Grading and Road Requirements
- Landscape, Fencing and Streetscape Requirements
- Park and Open Space Requirements
- Miscellaneous Requirements

General Planning Requirements

1. That this approval applies to the draft Plan of Subdivision as prepared by Innovative Planning Solutions dated April 24, 2017 showing a total of 54 single detached residential lots (47 lots plus an additional 7 lots within Blocks 48 and 49 being the future residential blocks currently owned by the Town), two open space blocks (Blocks 50 and 51), a stormwater management block (Block 52), two 0.3 metre reserves (Blocks 53 and 54), as well as Streets 'A' and 'B'. Lots 6 and Lots 34 may also become future road connection blocks in accordance with Conditions 15 and 16, respectively.
2. A Subdivision Agreement shall be entered into and executed by the applicant, and the Town of The Blue Mountains to satisfy all financial, legal, and engineering matters, including the installation of municipal services, landscaping and other requirements of the Town of The Blue Mountains and the County of Grey including the payment of all applicable Town and County development charges in accordance with their applicable Development Charges By-law.
3. Prior to registration, the Zoning By-law to permit the development of these lands in accordance with the Draft Plan of Subdivision, including the use of the holding '- h' provision under the Planning Act, shall be approved under Section 34 and 36 of the Planning Act.
4. All new municipal roads shall be dedicated to the Town and named to the satisfaction of the Town in accordance with the Town's Street Naming Policy.
5. That the Subdivision Agreement contain clauses for the transfer of the vacant municipal lands located at Part Lot 28, Concession 7 from the Town to the Owner.
6. That the Subdivision Agreement between the Owner and the Town be registered against the lands to which it applies, and that a copy of the registered Subdivision Agreement be filed with the County of Grey.

7. 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.

Servicing, Grading and Road Requirements

8. Prior to the initiation of any site grading or servicing and prior to the registration of the plan, the Owner shall submit for the approval of the Town Engineering and Public Works Department:
 - a. A detailed engineering and drainage report which describes the stormwater drainage system for the proposed development on the subject lands. The report should include:
 - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties
 - ii. The stormwater management techniques required to accommodate the 5 year storm event.
 - iii. The stormwater management techniques required to accommodate the 100 year storm event.
 - iv. How external flows will be accommodated and the design capacity of the receiving system
 - v. Location and description of all outlets and other facilities which may require permits
 - vi. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction

It is recommended that the developer or his consultant contact the Town Engineering Department and Grey Sauble Conservation Authority prior to preparing the above report to clarify the specific requirements of this development.

- b. Overall grading plans for the subject lands
- c. The Owner shall agree in the subdivision agreement, in wording acceptable to the Town of The Blue Mountains:
 - i. To carry out, or cause to be carried out, all the works referred to in condition 8(a) above
 - ii. To obtain any necessary permits from the Grey Sauble Conservation Authority (see Note #5)
 - iii. Prior to the initiation of any grading or construction on the site, to erect any silt fence as referred to in condition 8(a)(vi) above.

Applicant: Clarksbury Lands Corporation (c/o Scott Paris)

File No.: 42T-2017-01

Municipality: Town of The Blue Mountains

Location: Part of Lot 28, Concession 7 (geographic Township of Collingwood)

Date of Decision:

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Last Date of Appeal:

9. That the final stormwater management plan be prepared and implemented through the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority, County Transportation Services, and the Town.
10. 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 developers' expense.
11. Stormwater overland flow routes shall be kept within roads or approved walkways only to the satisfaction of the Town and County Transportation Services.
12. Prior to the initiation of any site grading or servicing and prior to registration of the plan, submit for the approval of the Town Engineering Department 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.
13. Prior to the initiation of any site grading or servicing and prior to the registration of this plan, submit to the Town:
 - a. A Phase 1 Environmental Site Assessment
 - b. A Phase 2 Environmental Site Assessment if required as a result of the Phase 1 Environmental Site Assessment
 - c. A decommissioning report if contaminated material has been identified and is removed, or alternatively, a copy of the risk assessment together with a copy of the written acknowledgement of its acceptance by the Ministry of the Environment, and
 - d. A copy of a Record of Site Condition and confirmation of the filing of the Record of Site Condition in the Environmental Site Registry.
 - e. 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 applicant 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
14. 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, minor revisions to the road pattern and intersection alignments may be required.
15. That the Subdivision Agreement contain wording acceptable to the Town and County Transportation Services:
 - i) That Lot 6 be dedicated to the Town for a potential future road connection to Woodland Park Road in accordance with the approved Highway 26 and Grey Road 40 Environmental Assessment. Or

Applicant: Clarksbury Lands Corporation (c/o Scott Paris)

File No.: 42T-2017-01

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- ii) Should Lot 6 through an updated EA process be deemed not necessary as a potential future road connection to Woodland Park Road, the developer will have permission to proceed with development in accordance with the approved Zoning. Or
- iii) Should a road connection be required from Woodland Park Road through Clarksbury and that Lot 6 is not required, that a road connection be provided across Block 50

16. That a Holding '-h' symbol be placed on Lot 34 and that Lot 34 be dedicated to the Town as a future road connection block unless it can be proven to the satisfaction of the Town and the County (if the alternative access is from Grey Road 40) that a better alternative can be provided to access the adjacent lands (e.g. connection from Woodlawn Park Road, Grey Road 40 or an alternative access provided through the Clarksbury lands) or the adjacent landowner acquires Lot 34 prior to final approval. If an alternate future road connection is provided to the adjacent lands to the west through the Clarksbury lands this will not require a redline revision.

17. Prior to the approval of any engineering drawings, arrangements shall be made to the satisfaction of the Town and County Transportation Services for a suitable construction traffic route.

18. The street lighting system on all roadways for this subdivision shall be designed and constructed in accordance with the Town of The Blue Mountains Engineering Standards or as otherwise approved by Town.

Landscape, Fencing and Streetscape Requirements

19. Prior to the registration of the Plan, the Owner shall complete a Landscape Analysis and Landscape Plan to the satisfaction of the Town and the Niagara Escarpment Commission.

20. That the Owner design and install all trails and walkways to the satisfaction of the Town and the Niagara Escarpment Commission.

21. The Subdivision Agreement shall ensure that the Owner shall save and/or remove any trees and vegetation on the subject lands as required by the Landscape Analysis / Landscape Plan to the satisfaction of the Town, Grey Sauble Conservation Authority, and the Niagara Escarpment Commission.

22. That a tree retention plan be prepared and implemented through the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission, and the Town.

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Park and Open Space Requirements

23. The Owner shall provide parkland or pay cash-in-lieu for 5% parkland dedication in accordance with the Planning Act to the satisfaction of the Town.

Miscellaneous Requirements

24. The Owner shall grant all necessary easements and/or blocks and/or enter into agreement for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
25. The Owner shall complete to the satisfaction of Canada Post any arrangements necessary for the provision of mail service to the proposed development.
26. The Owner shall dedicate Blocks 50, 51 and 52 of the Draft Plan to the Town for Open Space, Trail and Stormwater Management purposes.
27. The Owner shall dedicate Blocks 53 and 54 of the Draft Plan to the County of Grey as a 0.3 metre reserve.
28. That the mitigation measures contained in the Environmental Impact Assessment prepared by WSP dated December 2016, or any subsequent revision to the EIS, be incorporated into the Subdivision Agreement to the satisfaction of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission, and the Town.
29. Prior to the signing of the final plan by the County of Grey, the Town is to be advised that all Draft Plan conditions have been carried out to the Town's satisfaction.
30. That consistent with the County of Grey's current provisions for processing and approving plans of subdivision the Owner's surveyor shall agree to provide to the County a digitized disk of this final plan to be registered in a computerized format which is compatible with Autocad ".dwg" file.
31. That the Owner's surveyor provide to the County of Grey a copy of the deposited Reference Plan which had been submitted to the Land Registry/Land Titles Office for Grey for "First Registration Under the Land Titles Act, R.S.O. 1990, c.L.5".
32. That prior to final approval being given, the County is advised in writing by the Town of The Blue Mountains how Conditions 2 to 29 have been satisfied.
33. That prior to final approval being given, the County is advised in writing by the Grey Sauble Conservation Authority how Conditions 8, 9, 21, 22, and 28 have been satisfied.
34. That prior to final approval being given, the County is advised in writing by the County Transportation Services Department how Conditions 9, 11, 15, 17 and 27 have been satisfied.
35. That prior to final approval being given, the County is advised in writing by Canada Post

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how Condition 25 has been satisfied.

36. That prior to final approval being given, the County is advised in writing by the Niagara Escarpment Commission how Conditions 19 to 22, and 28 have been satisfied.

37. That the Owner have prepared by an Ontario Land Surveyor a final plan in accordance with the Surveys Act, and with the Registry Act or the Land Titles Act, as the case may be and have provided that plan to the County of Grey prior to the lapsing date the mylars and white prints necessary for final approval and registration.

38. That the Owner remit to the County the applicable final approval fee when the final plan is being presented to the County for the County's consideration for final approval.

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 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, P.O. Box 310, Thornbury, ON N0H 2P0
 - Grey Sauble Conservation Authority, 237897 Inglis Falls Road, RR#4, Owen Sound, ON, N4K 5N6
 - County Transportation Services, 595 9th Avenue East, Owen Sound, ON, N4K 3E3
 - Canada Post, 955 Highbury Avenue, London, ON, N5Y 1A3
 - Niagara Escarpment Commission, 99 King Street East, P.O. Box 308, Thornbury, ON N0H 2P0
4. We suggest you make yourself aware of the following subsections of the Land Titles Act:

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- 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. A portion of the property falls within a regulated area under Ontario Regulation 151/06 administered by GSCA. Prior to development in a regulated area, permits are required from GSCA. This would include updates to the infrastructure/road extension and for the following individual lots with the subdivision – Lots 29 to 46 inclusive.
6. 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 and Climate Change under the Ontario Water Resources Act, RSO 1990, as amended.
7. All measurements in subdivision final plans must be presented in metric units.
8. That the applicant contact Canada Post at the address below to determine any arrangements required by Canada Post for the provision of mail service to the proposed residential lots:

Delivery Planning Officer, Canada Post Corporation, 955 Highbury Ave, London, Ontario, N5Y 1A3
9. 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.