



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	July 8, 2021
Subject / Report No:	Addendum to PDR-CW-16-20
Title:	Wilder Lake Subdivision Final Report – 42T-2019-04
Prepared by:	Randy Scherzer
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	Township of Southgate
Status:	Adopted as presented by Committee of the Whole through Resolution CW7113-21; Endorsed by County Council CC57-21

Recommendation

1. That Addendum to Report PDR-CW-16-20 be received; and
2. That all written and oral submissions received on plan of subdivision 42T-2019-04 known as the Wilder Lake plan of subdivision 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-2019-04, for lands described as Part of Lots 2, 3 and 4, Concession 21, Part of Part 1, Parts 2 and 3, RP 16R-11219, Township of Southgate, geographic Township of Egremont, the Grey County Committee of the Whole approves this plan of subdivision to create a total of twenty-nine single detached residential lots (Lots 1 to 29), one lot containing the existing buildings associated with the golf course (Lot 30), three stormwater management blocks (Blocks 31 to 33), dock block (Block 34), easements, and a future road (Sunny Rock Drive), subject to the conditions set out in the Notice of Decision.

Executive Summary

The County of Grey and Township of Southgate received development applications for a zoning by-law amendment, and a 29-estate lot residential plan of subdivision within the Inland Lakes and Shoreline designation. Public input was considered throughout the development review process and has helped shape this recommendation and the conditions of draft approval. Based on agency review, independent peer review of the hydrogeological, servicing and stormwater management studies, as well as comments received regarding the proposed plan of subdivision

(County file # 42T-2019-04), 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 of Grey received a plan of subdivision application from H. Bye Construction Ltd., to create;

- 29 new residential lots for single detached dwellings (Lots 1 to 29),
- 1 lot which would contain some existing buildings associated with the golf course (Lot 30),
- 3 blocks for stormwater management (Blocks 31 to 33),
- 1 new road (referred to as Sunny Rock Drive on the draft plan).

The proposed plan of subdivision will be serviced via individual wells and septic systems.

A corresponding Township zoning by-law amendment proposes to rezone the subject lands from the Recreational Commercial (C5) zone with exceptions, Deferred Development (D) zone, and Environmental Protection (EP) zone to the Residential Type 5 (R5) zone with exceptions, Environmental Protection (EP) zone, Open Space (OS) zone for the proposed stormwater management blocks, and the Recreational Commercial (C5) zone. Three lots (Lots 5, 12 and 19) will require relief from the lot frontage requirements from the R5 zone as these are the 'pie' shape lots at the bends in the proposed road allowance.

The purpose of this report is to formulate a recommendation with respect to the proposed plan of subdivision.

The subject lands are legally described as Part of Lots 2, 3 and 4, Concession 21, Part of Lot 1, Parts 2 and 3, RP 16R-11219, geographic Township of Egremont, Township of Southgate. The subject lands are approximately 48.96 hectares (121 acres) in size; however, the area proposed for development is approximately 21.10 hectares (approximately 52 acres). The remaining lands will be the golf course lands and will continue to be used as a golf course.

The subject lands are located in the Inland Lakes and Shoreline designation that is adjacent to Wilder Lake. The site is to be accessed from Southgate Sideroad 26 and would follow the existing internal road to the clubhouse. Further internal roadways are proposed to be constructed to provide access to the proposed lots.

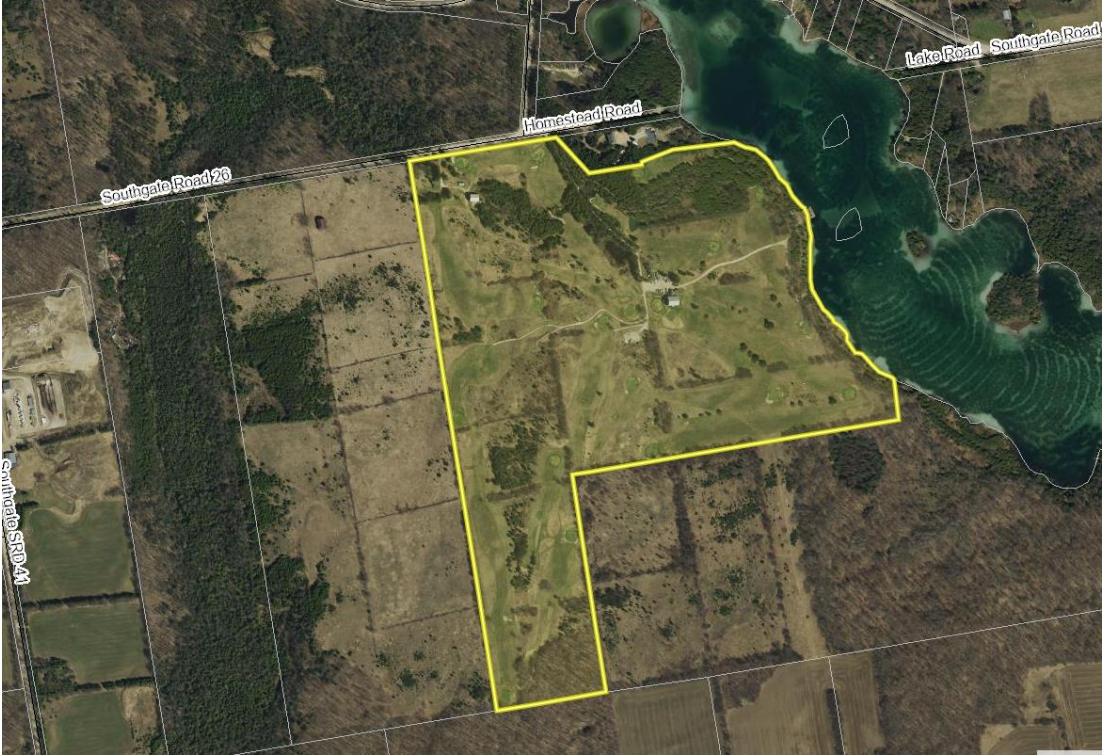
The subject lands are developed as the Homestead Golf Course and Winter Resort which currently contains a clubhouse, restaurant and rental accommodation (cottages) along the shore of Wilder Lake. The intent would be to maintain the golf course use on the subject lands in conjunction with the proposed residential development and to remove 6 of the 8 existing cottages along the shore and convert two of them that are located within the proposed Dock Block (Block 34) to non-habitable structures – one to be used as a change room and the other to support property events associated with the golf course.

This site is located on the western shore of Wilder Lake and it has been confirmed through title searches and legal documents that the portion of the lakebed adjacent to the subject lands is Crown land and not privately owned. Surrounding land uses include the existing golf course lands, farmland, vacant lands, and residential uses. An existing landfill site exists approximately

1km to the west of the proposed subdivision.

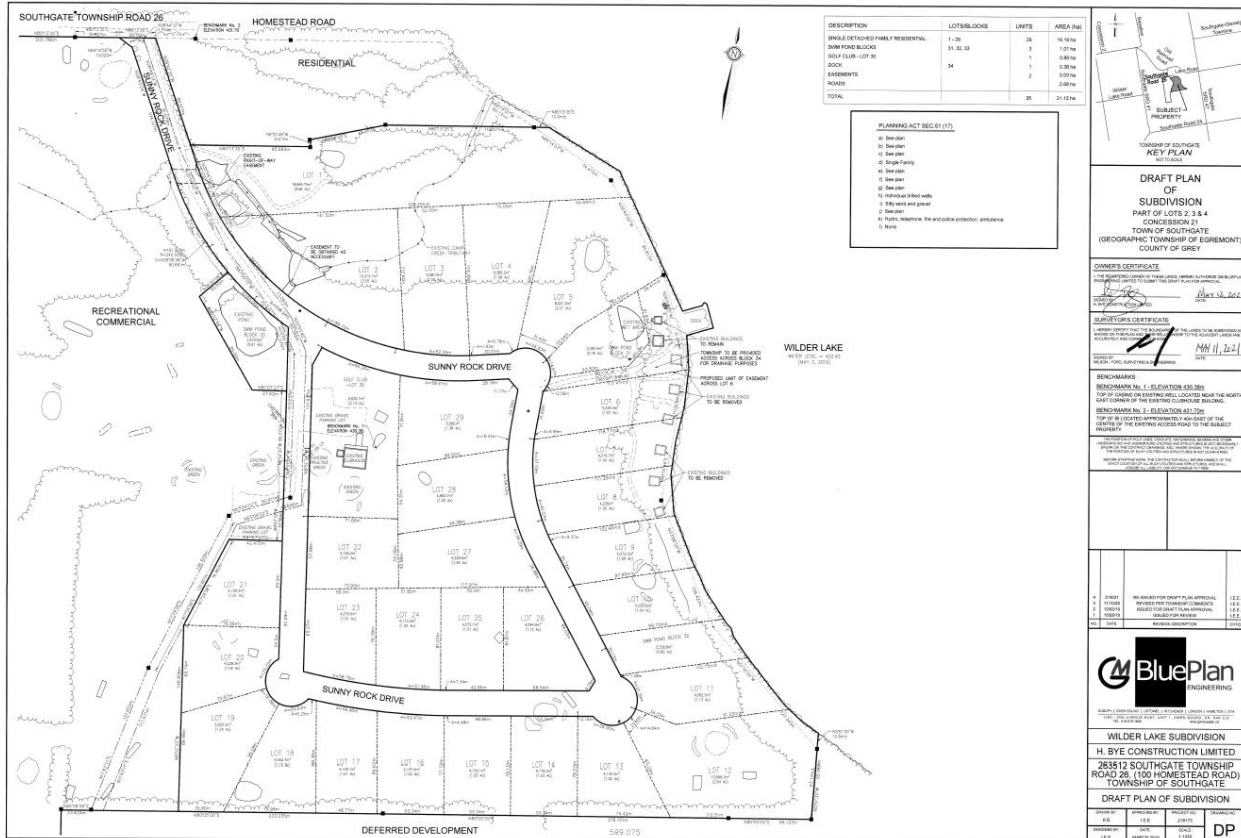
Map 1 below shows an airphoto of the subject lands and surrounding area, while map 2 shows the layout of the proposed plan of subdivision.

Map 1: Air Photo of the Subject Property and Surrounding Lands



Map 2: Proposed Plan of Subdivision

(Map 2 Courtesy of GM BluePlan Engineering)



The site is intended to be developed in two phases. The first phase will include a portion of the internal road from the entrance to the site, east to the lake, and the portion of road that runs parallel to the lake. The lots along this portion of road will be part of Phase 1 along with all stormwater features. Phase 2 will complete the remainder of the internal road and include the remainder of the lots. A condition of draft approval has been included requiring that a phasing plan be provided to the satisfaction of the Township.

A public meeting was held on June 24, 2020 by the Township of Southgate for the zoning amendment as well as the plan of subdivision application. A link to the public meeting minutes can be found at [this link](#).

A number of background reports and technical studies were prepared in support of this development, including an independent third-party peer review of some of the key technical studies including the Hydrogeological Report, the Site Servicing Study and the Stormwater Management Report. Copies of these studies, reports and peer review comments can be found at [this link](#).

Clint Stredwick, Planner for the Township of Southgate prepared a staff report (dated April 21, 2021) on the proposed zoning by-law amendment and the proposed plan of subdivision. The Township staff report provided a detailed planning analysis, recommended draft plan conditions, as well as a summary of written and oral comments on the file. A copy of this staff report can be found at [this link](#).

Public and Agency Comments Received

As part of the development application process County and Township staff received comments from several agencies and members of the public. Correspondence was received from the following agencies:

Saugeen Valley Conservation Authority (SVCA)

In initial correspondence dated March 27, 2020, the SVCA noted that they required additional information including Floodplain Analysis, responses to questions and comments they had regarding the Environmental Impact Assessment (EIA) and the Stormwater Management Plan, and they also recommended that the Hydrogeological Study be peer reviewed. Additional information was provided to SVCA to address their questions and comments, and a peer review was completed for the Hydrogeological Study. In correspondence dated March 9, 2021 and May 11, 2021, SVCA has indicated that they have no objections to the proposed development subject to the zoning amendment identifying the hazard lands/environmental protection zone as shown on a draft zone schedule dated May 11, 2021. SVCA also recommended that the following draft plan condition be included which has been incorporated in the attached recommended conditions of draft plan approval:

That the Subdivision Agreement between the Owner and the Township of Southgate contain provisions with wording acceptable to the Saugeen Valley Conservation Authority relating to the Final Lot Grading and Drainage Plan, Final Stormwater Management Report, Final Sediment and Erosion Control Plan, and mitigation and recommendations from the EIA.

Historic Saugeen Metis (HSM)

In correspondence dated March 16, 2020, the HSM noted that they 'have no objection to the proposed rezoning, and subdivision development'.

Enbridge Gas Distribution

In correspondence dated March 6, 2020, Enbridge requested a condition of draft approval be included to provide necessary easement for the provision of gas services. In further email correspondence dated April 28, 2020, Enbridge notes that their records indicate that there is no natural gas plant in the area and that it is understood that locates must be obtained through Ontario One Call.

Hydro One

In correspondence dated March 3, 2020, Hydro One noted that they have no concerns at this time.

Canada Post

In correspondence dated March 10, 2020, Canada Post noted that mail delivery will be provided through a Community Mailbox and identified developer's requirements which have been included in the recommended conditions of draft approval.

Bruce Telecom

In correspondence dated March 4, 2020, Bruce Telecom notes that they have no concerns with the proposed development.

Bell Canada

In correspondence dated May 27, 2020, WSP (on behalf of Bell Canada) notes that they have no objection to the application at this time. They ask that the Owner contact Bell Canada during detailed design to confirm the provisions of communication / telecommunication infrastructure needs to service the development. They also request the following condition of draft approval:

“The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

Eastlink

In correspondence dated March 4, 2020, Eastlink notes that they would not be able to provide service as this is outside of their service area.

Bluewater District School Board

In correspondence dated March 27, 2020, the Bluewater District School Board recommended conditions of draft approval advising purchasers of the lots that school accommodation is not guaranteed and school accommodations may be provided in temporary facilities, advising about school bus pick up points, and that sidewalks/pedestrian linkages should be provided to accommodate and promote safe walking routes.

RJ Burnsides (Independent Peer Reviewer)

RJ Burnside were tasked with providing a peer review of the Hydrogeological Report, Site Servicing Study and the Stormwater Management Plan. Subject to conditions of draft approval attached, RJ Burnside concluded that the site can be serviced with individual private wells and septic systems without impacts to the lake, and that the proposed stormwater management for the site was appropriate. It should be noted that the Hydrogeological Report (confirmed by the peer review) indicates that the underground water flow is from East to West (i.e. away from the lake) and therefore the septic systems and runoff from the lots will be directed away from the lake.

Township of Southgate

The Township and the County worked on these development applications together throughout the process. The Township has directed Township staff to prepare a zoning by-law amendment to implement the proposed plan of subdivision at a future Council Meeting and also received Township staff report [PL2021-032](#) and supported the recommended conditions of draft approval that were included in the report. The conditions of draft approval recommended by the Township have been incorporated into the recommended conditions of draft approval.

Public Comments Received

Public comments were received from the following;

- Tom and Heather Arnott

- Jackie and Darrel Beacon
- Adam and Angela Caprini
- Celena Caprini
- Rob and Monica Caprini
- Jason Gauci and Leah Holliday
- Henry Heidt and Rosemary Kropf
- David and Judy Jamieson
- Peter and Karen Jamieson
- David and Melissa Lawrence
- Wayne and Nancy Lawrence
- Andrew and Brittany Leva
- Patricia and Robert Lostracco
- Tori and Ted Runyon
- Bradi Watson

The following is a summary of the comments received and staff comments on how the comments have been addressed, or will be addressed as part of conditions to the draft plan approval, and/or implementation of the proposed zoning by-law amendment.

Questions/Concerns	Response
<p>1. Question regarding ownership of the lakebed with indications that that the lakebed is owned by the Crown.</p> <p>Comments should be obtained from the Province based on the lakebed being owned by the Crown.</p> <p>Suggested that all property owners that share a common boundary with the lake be notified of the proposed applications.</p>	<p>Initially, it was believed that the lakebed was under private ownership but after further investigations by the Applicant and following review of the information provided, it can be confirmed that the portion of the lakebed that is adjacent to the subject lands is Crown land and not in private ownership. All proposed subdivision applications are circulated to the Ministry of Municipal Affairs and Housing through their One Window planning process. County staff also noted to MMAH staff that the bed of Wilder Lake was confirmed to be Crown land and based on this asked if there were any additional comments from the Province. Through discussions that occurred on May 17th, 2021, MMAH staff noted that they sent this to their legal and MNRF for review and both indicated that they have no comments or concerns re: ownership of the lakebed or the proposed subdivision.</p> <p>Notice of the complete applications and the public meeting were circulated in accordance with the Planning Act. Notice was also posted on the County and Township websites.</p>
<p>2. Comments and questions regarding the dock and that</p>	<p>As noted above, it has been confirmed that the ownership of the lakebed adjacent to the subject lands is Crown land and not in private ownership. The Applicant made</p>

<p>ownership of lakebed needs to be clarified.</p>	<p>improvements to the dock and it is our understanding that permits/permissions were obtained by SVCA and MNRF with respect to the dock improvements. The lands associated with the dock (Block 34 – Dock Block), will be created as part of the proposed subdivision application and will be processed through a future condo exemption application as a common element condominium block. This will ensure that the lot owners of the proposed subdivision would contribute to on-going maintenance costs associated with the dock, as well as the lands adjacent to the dock, and would allow the lot owners of the subdivision access to the dock.</p>
<p>3. Comments about nighttime lighting and minimizing light pollution</p>	<p>A condition of draft approval has been included to ensure that any outdoor lighting/street lights be dark sky compliant.</p>
<p>4. Concerned about potential impacts to water quality and quantity on the lake from the proposed development.</p> <p>Concerns about Golden Brown Algae and indicated that Wilder Lake has seen an increasing algae problem.</p> <p>Concerned about scale of the development and potential impacts to Wilder Lake (including the potential addition of phosphorous from fertilizer use and septic weeping and the potential impacts to the water quality of the lake). It was suggested that a Lake Carrying Capacity Study should be undertaken for the proposed development.</p> <p>Concerns about impacts to Camp Creek</p>	<p>The hydrogeological study, site servicing study and stormwater management study for the proposed subdivision were peer reviewed by RJ Burnside.</p> <p>The studies, including the EIA, were also reviewed by SVCA. Following the initial review, the peer reviewer and SVCA had initial questions and comments. Additional information was provided by the Applicants consultant's and based on further review and additional clarification and information, the peer reviewer and SVCA are satisfied that there will be no impacts from the proposed subdivision on the lake subject to the recommended conditions of draft approval which include detail design/plans associated with lot grading, site servicing and stormwater management prior to final approval.</p> <p>One of the key findings of the detailed studies, confirmed by the peer review, was that the underground water flows away from the lake on the subject lands and therefore any effluent from the septic systems and fertilizer/phosphorus will be directed away from the lake.</p> <p>The draft plan conditions also require the implementation of the EIA recommendations and the recommended setbacks from the Lake and Creek being addressed through the subdivision agreement and the zoning by-law amendment through the zoning of the environmental protection lands.</p> <p>Township of Southgate staff also recommended that the Township consider implementing a mandatory septic inspection program for the existing lots/septic systems</p>

<p>from runoff (fertilizer, septic systems, road salt, etc.) from the development and that this drains into Wilder Lake which may cause impacts to the Lake.</p>	<p>adjacent to Wilder Lake. County staff would encourage the Township to consider such a program as these programs have been quite successful in other jurisdictions throughout the Province and will help to ensure the long-term health of the Lake. Should a mandatory inspection program be established by the Township, it is recommended that all septic systems be inspected adjacent to, and in close proximity to, the Lake including the septic systems within the proposed development in the future.</p> <p>The subject lands are designated as Inland Lakes and Shoreline within both the County Official Plan and the Township Official Plan. This designation is considered a settlement area designation which contemplates development of this nature. A Lake Carrying Capacity Study is only required when there is a proposal to expand the Inland Lakes and Shoreline designation (Section 3.7(4) of the County Official Plan). For any development proposed within the existing Inland Lakes and Shoreline designation, a hydrogeological study and site servicing study is required in order to address the servicing policies in the County OP (Section 8.9).</p> <p>The proposed septic systems for the lots nearest to the lake will be setback from the lakeshore and the creek and there is a proposed 30 metre environmental protection zone adjacent to the lake and creek which will ensure there is no new development within this 30 metre setback.</p> <p>With respect to surface water run-off, the EIA recommends that certain grasses be planted in the proposed drainage swales which will serve to attenuate phosphorous from fertilizers prior to entering the stormwater ponds. In addition to these EIA recommendations, a draft plan condition has been included that would require that a schedule be included in the subdivision agreement which would outline special provisions for the proposed lots in the subdivision which would include, but not be limited to: limiting or prohibiting certain types of fertilizers with higher concentrations of phosphorus; limitations on shoreline clearing; upgrading the side yard swales to enhanced grass swales on Lots 1 to 12; best practices for maintaining the septic systems; and recommended grasses to be planted and maintained on the proposed lots closest to the lake and the creek (Lots 1 to 12). These special provisions are to be included in an Environmental Management Plan (EMP) which will serve as a land stewardship document for future landowners outlining best practices. The subdivision agreement, along with the</p>
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	<p>special provisions, will be registered on the subject lands and subsequently registered on title to each lot created within the proposed development. The EMP will be created by the Applicant's consultants (Planning Consultant, EIA Consultant and Engineering Consultant) in consultation and to the satisfaction of SVCA and the Township.</p>
<p>5. What is the role of the County/Township in the post development period and in the future (especially as it relates to environmental mitigation recommendations)?</p>	<p>The proposed subdivision would create a new road allowance that would be a Township road and therefore the Township would be responsible for maintaining the road and any ditching adjacent to the road.</p> <p>The proposed subdivision would also create three stormwater management blocks/ponds and these would be established as common elements through a future condo exemption application and therefore the on-going maintenance of these stormwater management blocks will be the responsibility of the condominium corporation. The dock block would be the same. Easements would be provided to the Township over these blocks which would allow the Township to access these lands if they ever had to maintain these features should the condo corporation not fulfill its future obligations. Best practices for maintaining these features can be spelled out by the Township through a development agreement to ensure that these features are maintained by the condo corporation to a suitable standard.</p> <p>Should the Township move forward with a mandatory septic inspection program for existing lots/septic systems adjacent to Wilder Lake, it is recommended that the proposed lots/septic systems associated with the proposed development also be inspected on a go forward as part of the mandatory septic inspection program to ensure that the septic systems are being properly maintained.</p> <p>In terms of potential impacts from the proposed development, further detailed design will need to be provided to the Township and SVCA for final approval/clearance and the detailed plans will form part of the subdivision/development agreement which will be registered on title to the subject lands. The development will be need to developed in accordance with the approved detailed plans as well as any permits issued by the Township and SVCA. The County will ensure that all the conditions of draft approval have been addressed prior to issuing final approval of the subdivision and therefore prior to any development/construction occurring.</p>

<p>6. Concerned about increased pressure on the lake for recreation and on the roads for transportation and pedestrians.</p>	<p>The residents of the subdivision will be utilizing the lake for recreational purposes and the roads within the area to access the lots.</p> <p>With respect to the use of the lake for recreational purposes, the recommended draft plan conditions indicate that the Environmental Management Plan (EMP) shall also include best practices for minimizing any potential impacts to the lake associated with using the lake for recreational purposes. The EMP will be part of the subdivision agreement which will be registered on title to the subject lands and therefore future owners will be made aware of the EMP.</p> <p>In terms of the increased pressures on the local municipal roads, Township staff have reviewed the proposed roads and the connection to existing Township roads and have not identified any concerns.</p> <p>The Township has recommended a condition of draft approval requiring that pedestrian linkages be provided to accommodate and promote safe walking routes.</p>
<p>7. Concerns about increase in air pollution, noise and sound levels, and increased burden on plants and wildlife</p>	<p>With respect to concerns regarding noise and sound levels, the Township does have a noise by-law that regulates noise within the Township.</p> <p>Other potential impacts to plants and wildlife will be minimized based on the required setbacks from the Lake and Creek as well as implementing the EIA recommendations as per the draft plan conditions.</p>
<p>8. Should there be public parks/recreation areas for children/families? Will there be increased policing costs? Impact on taxes? Will farm practices be impacted?</p>	<p>In terms of parks/recreation areas, the residents of the subdivision will be able to access both the lake as well as the neighbouring golf course for recreational activities.</p> <p>With respect to increased policing costs or taxes, it is not anticipated that this proposed development will have a negative impact with respect to policing or taxes.</p> <p>With respect to the question regarding farm practices being impacted, the proposed development will not have an impact on any farm practices from continuing, in fact any existing normal farm practices are protected under the Farming and Food Production Protection Act. A condition has been included requiring that the subdivision agreement include wording to make future lot owners aware that there are farm practices in the area which may result in noise, dust, odour and other potential nuisances.</p>
<p>9. Why are special allowances being</p>	<p>There are three lots (Lots 5, 12 and 19) that require relief from the lot frontage requirements from the R5 zone as</p>

requested regarding lot sizing in the proposal?	these are the 'pie' shape lots at the bends in the proposed road allowance which result in a reduced lot frontage; however it should be noted that these three lots are three of the largest proposed lots within the subdivision and therefore the proposed dwelling and septic system can still be properly sited.
10. Development should be planned in areas that are equipped to handle it, and in areas where it is anticipated by the community.	The subject lands are designated as Inland Lakes and Shoreline within both the County Official Plan and the Township Official Plan. This designation is considered a settlement area designation which contemplates development of this nature.

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2020, and conform to any Provincial Plans or Municipal Official Plans that govern the subject lands. In this case, the County of Grey Official Plan and the Township of Southgate Official Plan have jurisdiction over the subject property. There are no Provincial Plans in place for this section of the County.

Provincial Legislation – The Planning Act

Section 1.1 of the Planning Act outlines the purpose of the Act. The purpose of the Act is to 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 provides matters of provincial interest which planning authorities must have regard for in rendering any decision under the Act. Most notable to this proposed plan of subdivision are clauses; (a) the protection of ecological systems, including natural areas, features, and functions, (e) the supply, efficient use and conservation of energy and water; (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems, (j) the adequate provision of a full range of housing, including affordable housing, (o) the protection of public health and safety, (p) the appropriate location of growth and development, and (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

- (a) The County Official Plan designates the subject lands Inland Lakes and Shoreline and Hazard Lands. A portion of the lands within proximity of the creek/stream and along the shoreline of Wilder Lake are identified as Significant Woodlands on Appendix B. Appendix B also identifies Wilder Lake as well as a stream/creek (Camp Creek) that flows through the subject lands and outlets to Wilder Lake. An Earth Science ANSI is also identified south of the subject lands. An Environmental Impact Assessment (EIA) was completed in support of the proposed development. SVCA staff have reviewed the EIA and identified initial questions and comments. Those questions/comments have

been addressed through additional information provided by the Applicant's consultant as well as through further discussions between SVCA and the Applicant's consultant. SVCA has no objections to the proposed development subject to the recommended conditions of draft approval and subject to the updated hazard land/environmental protection lands being incorporated into the zoning by-law amendment. It should also be noted that a condition of approval identifies that the required and recommended EIA measures identified in the EIA are included in the subdivision agreement to the satisfaction of the Conservation Authority. The conditions of draft approval also require that a Landscape Plan be provided as part of the Subdivision Agreement which would include a tree retention plan and a tree planting plan using local Ontario tree species.

- (e) Majority of the concerns from the existing property owners adjacent or near Wilder Lake were concerns about the impact this development may have on the health of the lake. Based on the technical studies that have been conducted, along with the review of the documents by the peer reviewer and by SVCA, County staff are satisfied that the proposed development can proceed without further impacts to the lake subject to the conditions of draft plan approval being addressed. Please see the responses to the questions/concerns outlined in Item 5 in the table above for further information.
- (f) The existing lots around Wilder Lake are currently serviced with individual private wells and septic systems. The developer undertook a servicing options report in addition to a detailed hydrogeological study on the subject lands, including investigating any potential for impacts to the lake. This work was subsequently peer reviewed on behalf of the Township and County by RJ Burnside. After further study, and dialogue with the developer's engineering / hydrogeological team, Township staff and the County; both the applicants consultant (GM BluePlan) and RJ Burnside (peer reviewer) has concluded that the development can be serviced in accordance with provincial guidelines, subject to appropriate conditions being attached to the draft plan of subdivision.

Improved communications infrastructure cannot be guaranteed at this time, but having additional customers for such infrastructure in this area would make it more attractive to future service providers. The proposed subdivision will be serviced by standard communications and utilities, as per existing development in Wilder Lake.

A condition of draft approval has been included in the conditions of draft approval that pedestrian linkages be provided to accommodate and promote safe walking routes.

- (j) At this stage the proposed residential development is to be entirely single detached dwellings. The rationale behind having single detached dwellings is primarily because the development will be serviced via individual private services, which are not generally appropriate for higher density development. County staff are doubtful that this development will meet the affordable definition.
- (o) The Township has recommended a condition of draft approval requiring that pedestrian linkages be provided to accommodate and promote safe walking routes. Township staff have reviewed the proposed roads and the connection to existing Township roads and have not identified any concerns.

- (p) The subject lands are designated 'Inland Lakes and Shoreline' in the County Official Plan which is considered a settlement area designation. Growth and development are meant to be directed to settlement areas, and as such this is an appropriate location for this type of development subject to demonstrating that there will be no impacts to the lake, creek, natural heritage and natural hazard features, etc. Based on the studies submitted with the applications and based on a review of those studies, the location appears to be appropriate for the development that is being proposed.
- (q) Development of this scale is not conducive to the provision of public transit. This scale of development is common in smaller privately serviced settlement areas across the Township, County, and Province; however, development of this nature is still generally car-oriented. As noted earlier, a condition of draft approval has been included for the provision of pedestrian linkages.

The proposed plan of subdivision has regard for matters of provincial interest under the *Planning Act*, and has regard for the matters under Section 51(24) of the *Planning Act*, subject to the attached conditions of draft approval.

Provincial Policy Statement (PPS)

A number of the policy sections of the PPS are duplicative of the matters of provincial interest under the *Planning Act*. For the sake of being concise, a fulsome re-review of all the duplicative policy sections will not be undertaken here.

The subject lands are within the current settlement area boundaries in the Township of Southgate and County Official Plans. Section 1 of the PPS directs the majority of new development and redevelopment to settlement areas across the Province.

Section 1.6.6 of the PPS provides a servicing hierarchy for new development wherein full municipal services are atop the hierarchy. Individual private services are permitted within the hierarchy, only once full services and communal services have been demonstrated to be unfeasible. The developer has completed a site servicing study and a hydrogeological report, including reviewing all servicing options for this site. As noted earlier in this report, an independent 3rd party peer review has also been conducted demonstrating that the development can be serviced in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) D-5 Series Guidelines.

The supply of an adequate range and distribution of residential housing types is required in both Provincial documents. In this case, the proposed plan of subdivision is providing new single detached lots, which are the common form of housing in and around Wilder Lake.

Other policies in the PPS speak to connected, walkable communities, with provisions for public parkland and open space. The proposed subdivision will provide connections to adjacent roads and the Township has recommended a condition of draft approval regarding the provision of pedestrian linkages within the subdivision. The existing golf course surrounding the proposed subdivision would provide an opportunity for recreational space.

Section 2.1 of the PPS addresses natural heritage. This matter has been discussed above in the *Planning Act* review.

Section 2.6 of the PPS addresses cultural heritage and archaeology. A Stage 1-2 Archaeological Assessment was completed for this development. This report concluded that 'no further archaeological work was required on the subject lands.' The Archaeological Assessment provided some general conditions that are included in the recommended draft plan conditions, should any further materials be found during the development of the site.

Section 3.1 of the PPS directs development away from areas of natural hazard. The SVCA has reviewed this development and offered; (a) draft approval conditions, and (b) mapping showing the regulated and hazardous areas on-site. It is recommended that the updated hazard land/environmental protection mapping supported by SVCA be incorporated into the zoning schedule to be considered by the Township.

This proposed plan of subdivision is consistent with the PPS, subject to the attached conditions of draft approval.

County of Grey Official Plan

All new development proposals within the County must conform to the purpose and policies of the Official Plan. The subject lands are designated as 'Inland Lakes and Shoreline' and 'Hazard Lands' in Recolour Grey.

The majority of the planning comments and analysis identified earlier on in this report have addressed a number of the policy matters in the County Official Plan and therefore have not been repeated in this section of the report.

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

Township of Southgate Official Plan

The subject lands are designated as 'Inland Lakes and Shoreline' and 'Rural' in the Township Official Plan. Similar to the County Official Plan, this property is also within the settlement area boundaries in the Township Plan.

Other Official Plan policies in the Township Plan mimic those in the County Plan and the PPS. The Township Official Plan does require a Visual Impact Study to be submitted for any proposed development within the Inland Lakes and Shoreline. A Visual Impact Study (VIS) has been submitted with the applications and the recommended conditions of draft approval implement the recommendations made within the VIS. Township staff prepared a report which provides planning comments and analysis with respect to the Township Official Plan and County staff generally concur with the comments in the Township staff report.

Legal and Legislated Requirements

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

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed

subdivision, beyond those normally encountered in processing a subdivision application. The County has collected the requisite fee and peer review deposit for this application.

Relevant Consultation

- ☒ Internal: Planning; Legal Services
- ☒ External: The public, Township of Southgate, Peer Reviewer, and required agencies under the *Planning Act*.

Appendices and Attachments

[PDR-CW-16-20 Wilder Lake Subdivision Information Report](#)

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

NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision

under Subsection 51(37) of the Planning Act

Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

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

WHEN AND HOW TO FILE A NOTICE OF APPEAL

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

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

1. set out the reasons for the appeal,
2. be accompanied by the fee required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
3. Include the completed appeal forms from the Tribunal's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Local Planning Appeal Tribunal (LPAT) as it relates to the proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Grey related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act. These are recent changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here - <https://www.ontario.ca/laws/statute/90p13>. For more information about these recent changes, please visit the LPAT website or contact LPAT - <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>. The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.

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

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

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

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

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

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

RELATED APPLICATIONS

Township of Southgate Zoning By-law Amendment C1-20.

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

Plan of Subdivision File No. 42T-2019-04 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

General Requirements

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2019-04 prepared by GM BluePlan Engineering dated March 2019 (last revised March 18, 2021) showing:
 - a. 29 single detached lots (Lots 1 to 29)
 - b. 1 lot associated with the golf course/golf club (Lot 30)
 - c. 3 blocks for stormwater management (Blocks 31 to 33)
 - d. 1 block associated with the dock (Block 34)
 - e. 1 future road (shown as Sunny Rock Drive)

The legal description of the subject lands is Part of Lots 2, 3 & 4, Concession 21, Part of Part 1, Parts 2 and 3, RP 16R-11219, Township of Southgate, geographic Township of Egremont, County of Grey.

2. That the owner agrees in writing, to satisfy all the requirements, financial and otherwise, of the Township of Southgate, and without limiting the generality of the foregoing, the provision of roads, installation of services, installation of sidewalks and trails, drainage, parkland, security, and other matters as determined by the Township.
3. That prior to final approval the owner enter into a Subdivision Agreement with the Township, to be registered on title to the property and then upon each lot once the plan has been registered.
4. That the road allowances included in this draft plan shall be shown and dedicated as public highways to the Township of Southgate. All roads and entrances shall be designed and constructed to a standard acceptable to the Township, and such design shall be included in the subdivision agreement. The owner agrees to provide detailed plans and specifications indicating that the roads and drainage will be constructed to the standards of the Township.
5. That the streets shall be named, subject to final approval of Township Council, and provided that such new street names are not duplicates of street names or phonetic sounding street names elsewhere in the County of Grey.
6. That any dead ends, daylighting triangles at street intersections and open sides of road allowances created by this draft plan shall be terminated in 0.3m reserves to be conveyed to, and held in trust, by the Township of Southgate.
7. That the ownership and maintenance of the Stormwater management blocks (Blocks 31 to 33) and the dock block (Block 34), be established as common elements through a

condominium exemption process with the Lots being 'parcels of tied land'. The subdivision agreement shall include provisions with respect to recognizing that these blocks will be common element blocks and that any easements required by the Township to provide any future access to the blocks be included as part of the subdivision agreement to the satisfaction of the Township of Southgate and the County of Grey.

8. That the Owner agrees to satisfy the requirements of the Township of Southgate in reference to parkland dedication in a manner satisfactory to the Township of Southgate and pursuant to the provisions of the Planning Act. R.S.O. 1990 as amended and that the Subdivision Agreement contain a provision to effect this.
9. That the proposed subdivision is zoned appropriately. This zoning shall have a holding provision for all the lands save and except the stormwater management areas and the golf course lot. The holding provision may be removed upon entering into, and registration of, a subdivision agreement.
10. The Owner shall develop a phasing plan to the satisfaction of the Township. The phasing plan shall address matters including but not limited to any necessary temporary works such as turning circles and sidewalk/trail connections, or temporary easements. The phasing plan shall also identify any lots which may be temporarily constrained by development as a result of the phasing. The subdivision agreement between the Owner and the Township shall contain provisions satisfactory to the Township to address phasing arrangements acceptable to the Township.
11. That all easements and or agreements for drainage, gas line, telecommunication, or utility purposes shall be dedicated to the appropriate authority or public authority. Should the relocation of any utilities be required as a result of this development, that all associated costs be at the Developer's expense.
12. The owner agrees to enter into a subdivision agreement for the subject lands and include provisions that include the following:
 - a) That the Subdivision Agreement between the Owner and the Township of Southgate contain provisions with wording acceptable to the Saugeen Valley Conservation Authority relating to the Final Lot Grading and Drainage Plan, Final Stormwater Management Report, Final Sediment and Erosion Control Plan, and mitigation and recommendations from the Environment Impact Assessment (EIA) prepared by SAAR Environmental.
 - b) That the owner(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community.
 - c) That the owners(s) agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are

required within the Subdivision in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce.

- d) That the Owner(s) shall agree in the Subdivision Agreement to provide pedestrian linkages throughout the subdivision to accommodate and promote safe walking routes.
- e) That the recommendations of the Visual Impact Assessment are included in the subdivision Agreement.
- f) That the Phasing of the subdivision is identified in the subdivision agreement.
- g) That a provision be included to ensure that wells are drilled to a depth of between 15mbgs and 45mbgs (as per recommendation of the Hydrogeological report) and that some form of water disinfection system be utilized such as UV or chlorination.
- h) That a Landscape plan be provided as part of the Subdivision Agreement that indicates a Tree Planting Plan and Tree Retention Plan using tree species that are natural to Ontario.
- i) That a schedule be included in the subdivision agreement which would outline special provisions to be included in an Environmental Management Plan (EMP) to be created by the Applicant's consultants (Planning Consultant, EIA Consultant and Engineering Consultant), in consultation and to the satisfaction of the Township and SVCA, which will serve as a land stewardship document for future landowners outlining best practices including, but not limited to:
 - i. limiting or prohibiting certain types of fertilizers with higher concentrations of phosphorus for all lots within the subdivision;
 - ii. limitations on shoreline clearing adjacent to the lake and the camp;
 - iii. minimizing any potential impacts to the lake associated with using the lake for recreational purposes;
 - iv. maintenance procedures associated with the septic systems;
 - v. upgrading the side yard swales to enhanced grass swales on Lots 1 to 12;
 - vi. and recommended grasses to be planted and maintained on the proposed lots closest to the lake and the creek (Lots 1 to 12).

13. The Owner agrees to provide a letter indicating how the application has satisfied the provisions of the Endangered Species Act ("ESA"), including demonstration that the methods, protocols and recommendations are in accordance with provincial requirements together with confirmation from the Ontario Ministry of Natural Resources and Forestry that the requirements of the ESA have been met.

14. That prior to final approval by the County of Grey or any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the County of Grey, Saugeen Valley Conservation Authority and the Township as applicable:

- a. A final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing and Stormwater Management Report.
- b. Detailed lot grading and drainage plans showing existing and proposed grades.
- c. An Erosion and Siltation Control Plan in accordance with the Saugeen Valley Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized, and silt maintained on-site throughout all phases of grading and construction.
- d. The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the SVCA prior to any grading within the regulated area.
- e. Engineering design drawings for all works to be constructed as part of the development including any off-site works that are the responsibility of the Owner.
- f. Landscape plan which includes a Tree Planting Plan and Tree Retention Plan using tree species that are natural to Ontario.

15. That the Owner, as part of the subdivision agreement, shall agree in writing acceptable to the Township of Southgate

- a. To maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order throughout all phases of construction.
- b. To investigate any well interference complaints received by the Developer, Developers Agents, Ministry of the Environment, Conservation and Parks (MECP) or the Township, from the start of construction until final acceptance of the first phase of the subdivision. The results of each investigation shall be submitted for review to the Township and the MECP within 60 days of the complaint being received. The owner shall be required to pay for any well interference assessment, completed to the satisfaction of the Township. If determined to be a valid complaint, acceptable well interference mitigation to a complaint may include well deepening and or pump lowering. The owner agrees to reimburse the cost of any mitigation.
- c. That all outdoor lighting and street lights be designed to minimize the impact on dark skies.
- d. To erect a subdivision sign on the property containing the following information:

- i. Identifying all proposed uses within the draft approved plan of subdivision and adjacent uses.
 - ii. Identifying off street parking restriction to be imposed by the Township upon Final Acceptance of the subdivision.
 - iii. Illustrating the location of proposed public walkways, trails, parks, fences, community mailbox locations and other significant features that may be of interest to prospective purchasers.
16. That the Subdivision Agreement between the Owner and the Township shall contain provisions whereby the Owner shall make satisfactory arrangements with the appropriate providers for the provision of permanent and /or temporary hydro, telephone, natural gas, internet and cable television services to this plan.
17. That the subdivision agreement between the Owner and the Township of Southgate contain wording to the effect that all agreements of purchase and sale shall ensure that all persons who make first purchases of land within the plan of subdivision after final approval of the subdivision plan, are informed when land is transferred, of all the development charges related to this development, including the County's Development Charges.
18. That the Owner pays the cost of supplying and erecting street name and traffic control signs in the subdivision to the satisfaction of the Township.
19. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations within the limits of the draft plan of subdivision be properly abandoned by the Owner, when no longer required, in accordance with the Ministry of Environment, Conservation and Parks Regulations and Guidelines to the satisfaction of the Township prior to final approval.
20. That the subdivision agreement includes provisions that requires the developer to submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying all structural fill placed below proposed building locations. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
21. All imported fill is to meet Ministry of Environment, Conservation and Parks Table 2 criteria for development lands.
22. That the developer shall submit a report prepared by a professional engineer to the satisfaction of the chief building official providing an opinion on the presence of soil gases (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
23. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling in the subdivision "The lands to the West of the subdivision and golf course lands are being utilized for normal agricultural operations that may result in noise, dust, odour and other potential nuisances associated with livestock or

agricultural uses. These normal agricultural practices may occasionally affect the living environment of residents in close proximity to agricultural operations.”

24. The Owner shall make satisfactory arrangements with Canada Post and the Township, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:

- e. An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required vehicle lay-bys, walkway access and/or curb depressions for wheelchair access.
- f. A suitable temporary Community Mailbox location which may be utilized by Canada Post until the 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.
- g. The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- h. The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box
- i. The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - iv. Any required walkway across the boulevard, per municipal standards
 - v. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - vi. A Community Mailbox concrete base pad per Canada Post specifications.

25. The Owner shall agree in the Subdivision Agreement to the following:

- j. Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, such resources may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act;

- k. That anyone working on the subject lands who uncovers a burial site containing human remains shall cease fieldwork or construction activities and immediately report the discovery to the police or coroner in accordance with the Funeral, Burial and Cremation Services Act.
26. The Draft Plan conditions acknowledge that the proposed Lot 6 on the draft development drawings will have a residence located on the property and prior to subdivision approval. It is the responsibility of the applicant to ensure the residence is properly situated in the final plan of subdivision for approval related to property line setbacks, road design and property access to lot 6.
27. That prior to final approval, that the 6 cottages to the south of the dock are to be demolished and removed from the property and that zoning provisions be included for the dock block (Block 34) as part of the zoning amendment to indicate that two of the existing cottages/buildings can be retained to support the use of the Wilder Lake dock as a change room and gathering space and to support property events, but neither structure can be used for the purpose of overnight accommodations.
28. Prior to final approval, the County is advised in writing from the Saugeen Valley Conservation Authority that Draft Plan Conditions 10(a),10(h) 10(i) and 14 have been addressed to their satisfaction.
29. Prior to final approval, the County is advised in writing from Canada Post that Draft Plan Condition 24 has been addressed to their satisfaction.
30. Prior to the signing of the final plan by the County of Grey, the County is to be advised that all Draft Plan conditions have been carried out to the Township's satisfaction.
31. If final approval is not given to this plan within three (3) 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.
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 or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:

Township of Southgate
185667 Grey County Road 9
Dundalk, ON, N0C 1B0

Saugeen Valley Conservation Authority
1078 Bruce Road 12
Formosa, ON, N0G 1W0

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

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:

- a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
- b) subsection 144(2) allows certain exceptions.

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

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