



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	August 12, 2021
Subject / Report No:	Addendum to PDR-CW-18-20 Final Report
Title:	Final Report Boynton Court (formerly known as 61 Alfred Street West Subdivision) 42T-2019-03
Prepared by:	Stephanie Lacey-Avon
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	Adopted as presented by Committee of the Whole through Resolution CW133-21; Endorsed by County Council CC63-21

Recommendation

1. That Report Addendum to PDR-CW-18-20 be received; and
2. That all written and oral submission received for subdivision 42T-2019-03, known as Boynton Court (formerly known as 61 Alfred Street West) 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-2019-03, consisting of eighteen (18) total units, including ten (10) semi-detached units and two (2) townhouse blocks (8 townhouse units) on lands described as 61 Alfred Street West, in the geographic Town of Thornbury, Town of The Blue Mountains, the Grey County Committee of the Whole approves the plan of subdivision subject to the conditions set out in the Notice of decision.

Executive Summary

The County received a plan of subdivision application known as Boynton Court (formerly known as Alfred Street), County file number 42T-2019-03, to create eighteen (18) total units, with five semi-detached lots (10 units) and two townhouse blocks (8 units) within the settlement area of Thornbury. The lots will be further sub-divided at a future date through Part-lot Control By-law. The units will connect onto Victoria Street South via a cul-de-sac. Servicing for the proposed subdivision will be via municipal water and sewer services. Various technical reports have been submitted with the proposed subdivision application, as well as a zoning by-law amendment to the Town of The Blue Mountains. Based on agency review, and comments received regarding the proposed plan of subdivision, it is recommended that the proposed development be given

draft approval subject to the conditions set out in the attached Notice of Decision.

Background and Discussion

The County received a plan of subdivision application known as Boynton Court (formerly known as Alfred Street), to create eighteen (18) total units, with five semi-detached lots (10 semi-detached units) and two townhouse blocks (8 townhouse units) within the settlement area of Thornbury. When this application was initially submitted, a total of 15 units were proposed, including a mix of semi-detached, single detached, and townhouse units. Revisions have since been made to both the unit type and unit count for the proposed subdivision to meet lot density requirements of both the Town and County Official Plans, respectively. These lands are located on Part of Lots 1-3, RP No. 105 (geographic Town of Thornbury), in the Town of The Blue Mountains. Access to the development will be provided off Victoria Street South via a cul-de-sac. The subject lands are approximately 1.087 hectares (2.68 acres) and the lot density of the development is 20.45 units per net hectare

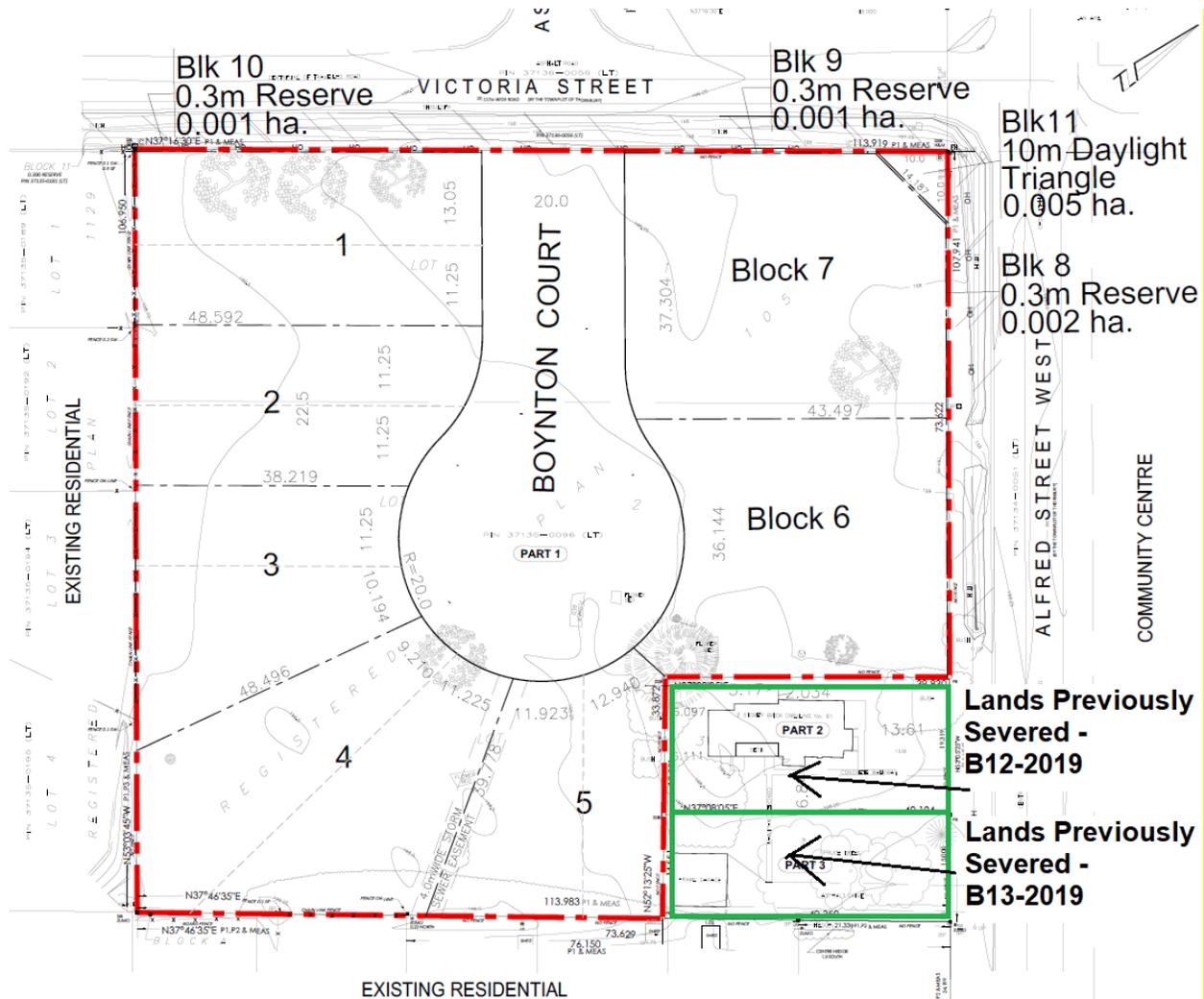
The lands immediately adjacent to the subject property are residential and recreational in nature, with Beaver Valley community centre and arena and Moreau Park along Alfred Street. Ashbury Court is located on the west side of Victoria Street South and formed part of a recently approved (2015) subdivision file 42T-2014-04. Boynton Court development mirrors similar design features as Ashbury Court with a proposed cul-de-sac for access. The proposed residential development is intended to complement the existing residential uses in proximity. On the northeast portion of the subject lands, there are two residential lots that recently formed part of consent applications B12.2019 and B13.2019. These lots were formally severed from the remnant and no longer form part of the proposed development site. The lands further to the south/southeast fronting on Orchard Drive contain existing single detached dwellings. South/southwest of the lands are existing single detached dwellings fronting onto Thorncroft Court. West of the subject lands are condominium Townhouses known locally as “Apple Jack” and the Town street of Ashbury Court with single detached dwellings.

Pre-submission consultation between the proponent, the Town of The Blue Mountains and the County identified the submission requirements for the proposed plan of subdivision. Copies of all background reports and plans can be found through this [link](#). The application and supporting studies were circulated to the prescribed agencies and public for review and comment. A virtual public meeting was held September 30th, 2020. 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.

The subject lands are currently vacant. Map 1 below shows the subject lands and surrounding area, while Map 2 shows the proposed plan of subdivision.



Map 1: Airphoto of Subject Lands



Map 2: Proposed Plan of Subdivision

(Map 2 Courtesy of MHBC Planning Consultants Inc. including 7 legal lots with 18 total units)

The proposed development also requires an amendment to the Town of The Blue Mountains Zoning By-law. This Planning Act application was enacted and passed July 12th, 2021. With the last date for filing an appeal being August 2nd, 2021. A holding symbol was applied to these lands through this process. Conditions for removal of this holding symbol include execution of a subdivision agreement with the Town, registration of a plan of subdivision, and municipal water and sanitary sewage capacity confirmed as available to service the development.

Public and Agency Comments Received

The Town of The Blue Mountain held joint virtual public meeting September 30th, 2020.

Verbal public comments associated with the proposed development were received from the following individuals at the public meeting:

- Christine and Lawrence Foy

Public Comments Raised	How Comments have been considered/addressed?
<p>Concerns about results of the Phase 1 Environmental Site Assessment (ESA).</p> <p>Concerns related to neighbourhood character and compatibility. Concerns related to site design and density. Concerned the number of units would cause snow removal and storage, garbage removal and on-street parking issues.</p>	<p>road. Sidewalks are not requested at this time until the Victoria Street reconstruction to avoid the waste of removing infrastructure. The need for a street crossing will also be assessed at that time, crossing Alfred Street West connecting the south side of Victoria Street South to the north/east side of Victoria Street South.</p> <p>Phase 2 ESA will need to be completed prior to any further development and site alteration and a Record of Site Condition (if required) filed with the Ministry of Environment, Parks and Conservation. These requirements are included in the draft plan conditions.</p> <p>The semi-detached units are proposed adjacent to the existing single-detached units, which have the same maximum zoning heights. The semis are proposed to be bungalow style. The maximum building height of the Townhouses is proposed at 11m as per the R2 zone. These units will back onto Alfred Street West, apart from the lot severed by the previous 2019 consent application. This lot has a single detached unit. Each of the proposed units will have a driveway. County and Town staff are satisfied there will be adequate on-site parking.</p> <p>A Tree Inventory and Preservation Plan have been recommended as part of the Draft Plan Conditions. These will be received and reviewed by the Town. No building will occur until these plans are approved by the Town and form part of the Subdivision Agreement.</p>

Agency Comments Received

- **Bell Canada (August 10th, 2020)** – recommended conditions of draft approval that speak to the Owner acknowledging and agreeing to convey any easement(s) as deemed necessary by Bell Canada to service this new development. And request the Owner to contact Bell Canada at planninganddevelopment@bell.ca during detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
- **Bruce Telecom (July 31st, 2020)** – Bruce Telecom has no interest in the subject development currently.
- **Canada Post (April 12th, 2021)** – The subject development will receive their mail through PO Box delivery, which is assigned to the individual residents upon occupancy. The PO Boxes are located at the Thornbury Post Office.
- **Grey Bruce Health Unit (August 5th, 2020)** – No comments.
- **Grey County Transportation Services** - The Transportation Services Department requires a 10 metre Daylight at the intersection of Victoria Street South and Alfred Street West and a 0.3 metre reserve along the County Road allowance (Alfred Street West) for the proposed subdivision.
- **Historic Saugeen Metis (August 7th, 2020)** – No objection or opposition to the proposed development as presented.
- **Enbridge Gas** – request that as a condition of final approval, the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.
- **Grey Sauble Conservation Authority** – No comments or concerns. These lands are not within a conservation authority regulated area, nor are there hazards lands or natural heritage features present.
- **Bluewater District School Board (March 20th, 2020)** – Request 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.
 - 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 buses will not enter cul-de-sacs and school bus pick up points will generally be located on the through street a location as determined by the Student Transportation Service Consortium of Grey Bruce.
 - Further request that the owner(s) shall agree in the Subdivision Agreement to provide sidewalks and pedestrian linkages to accommodate and promote safe walking routes for students to the nearby school property and throughout the surrounding community. Specifically:
 - A sidewalk be provided along the south side of Victoria Street in front of the cul-de-sac to connect to the current sidewalk that runs along the east side of Alfred St.

- That a street crossing be installed across Alfred St to connect the south side of Victoria St to the East side of Alfred St.

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 Provincial Plans or Municipal Official Plans that govern the subject lands. In this case, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan have jurisdiction over the subject property. There are no Provincial Plans in place for this section of the Town of The Blue Mountains.

Provincial Policy and Legislation

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas, where services are readily available. The proposed plan of subdivision is within a settlement area that is serviced by municipal water and sewer services. The PPS indicates that the preferred form of servicing for settlement areas is full municipal services. The subject proposal will be serviced by municipal services and a municipal roadway.

Section 1.4 of the PPS also further promotes a range and mix of housing types and densities to meet projected requirements of current and future residents. The development includes a mix of housing types (semi-detached & townhouse), aiming to meet the needs of future residents. In both the PPS and the County OP there are policies promoting minimum targets for the provision of affordable housing.

Other policies of the PPS speak to connected, walkable communities with the provision for publicly accessible built and natural settings. There are also policies that speak to ensuring lands are free from contaminants in the land prior to development. A portion of the subject property was previously used as an orchard. A phase one environmental site assessment was completed to assess any potential contaminants, and a phase-two assessment will be required and is included in the draft plan conditions.

Other policies in the PPS speak to connected, walkable communities, with provisions for public parkland and open space. No parkland will be proposed for this development, but the lands are within a short walking distance (30 metres) to Moreau Park. The Town has confirmed Victoria Street South (immediately abutting the subject lands) as a local improvement project, intended to be reconstructed soon. A date for these works has not yet been determined. Comments received from Bluewater District School Board for this development proposal recognized the need for sidewalks and pedestrian linkages to accommodate and promote safe walking routes for students to the nearby school property and throughout the community. Both the County and Town will investigate and work with the school board to review the inclusion of sidewalks and a street crossing at Alfred Street West when the Victoria Street South reconstruction project begins. Pedestrian connectivity and safety will be upheld as key objectives to achieve for these works. It should be noted that the section of Victoria Street South, located north/east of Alfred Street West has sidewalks on both sides. Town standard is to have one side of a road with sidewalks. But there may be merit to the inclusion of two sides of a road with sidewalks, this will be reviewed by Town staff when the reconstruction project begins.

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

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

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

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

These lands have been designated for growth in both the County and Municipal Official Plans. The proposed plan of subdivision is in the public interest and would not be premature.

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

The County Official Plan designates the subject lands as a 'Primary Settlement Area' and as 'Community Living Area' in the Town of The Blue Mountains Official Plan. Most of the growth within the County will be directed to settlement areas, these lands are intended for residential development.

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

Based on the background reports and technical studies, the subject lands appear suitable for residential development. Given there is a variety of housing type and size being proposed (semi-detached and townhouse), this may present some opportunity for these units to be offered at a reasonable rate. There was no expressed mention that these units will be affordable.

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

This item has been reviewed by the proponent, Town, and County staff. Draft plan conditions are included to address the final detailed design of the proposed road to the satisfaction of the Town.

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

The proposed dimensions and shapes of the proposed lots are standard and will accommodate semi-detached and townhouse units.

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

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

(h) conservation of natural resources and flood control;

The proposed development will be serviced with full municipal sewage and water services. And the stormwater management proposed intends to utilize Town stormwater infrastructure, and appropriate infiltration and directional drainage. The applicant has also advised that they will retain existing vegetation as is practical. Measures will be made to mitigate impact on existing trees, including construction fencing. Site grading plans have been designed to match grades at the property line to minimize impact on trees.

(i) the adequacy of utilities and municipal services;

The proposed lands will be adequately serviced by municipal water and sewer services. The subdivision agreement will be the process used to confirm servicing allocation and availability.

(j) the adequacy of school sites;

Bluewater District School Board was circulated for comment and review and requested several conditions of draft plan approval. There may not be guaranteed availability within a public school in the community, 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. This area has experienced significant population growth in the recent past, and school system capacity appears to be limited at this time.

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

The cul-de-sac 'Boynton Court' will be conveyed to the Town for public purposes. Blocks 8 to 10 and Block 11 will also be dedicated to the County and/or Town for road reserve and daylighting triangle requirements.

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

The lands will connect to the existing road network and services in an efficient manner.

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

The proposed development will not be going through site plan control.

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

County Official Plan

The proposed plan of subdivision is on lands designated as 'Primary Settlement Area' in the County Official Plan. Primary Settlement Areas are identified as principal centres in which to focus new residential growth in the County. The County Plan sets an average residential development density of 20 units per net hectare in Primary Settlement Areas (outside of the City of Owen Sound & the Town of Hanover). The subject proposal meets the County OP lot density requirements at 20.45 units per net hectare. These density provisions are similarly quoted in the Town of The Blue Mountains Official Plan.

Section 8.9 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in Section 8 of the Plan are policies which govern roads, transportation, and stormwater management. Section 9.13 of the County Plan provides criteria for consideration for new plans of subdivision. County staff encourage safe access for pedestrians and other modes of active transportation within the subject development. There is an existing park space north of the subject property which will prove to be an asset for the proposed development. Staff encourage the use of accessible and age-friendly design features.

County Transportation Services require a 10 metre Daylight triangle at the intersection of Victoria Street South and Alfred Street West for the proposed subdivision. This has been included in the draft plan conditions.

Town of The Blue Mountains Official Plan

The Town of The Blue Mountain Official Plan designates the subject lands as 'Community Living Area', intended for residential development. A planning recommendation was put forward regarding the subject proposal by the Town planner through staff report PDS.21.067, dated June 29th, 2021. This report was endorsed by local Council. It can be accessed here: [report](#).

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

1. has regard for matters of Provincial interest under the *Planning Act including the criteria under section 51(24) of the Act*,
2. is consistent with the Provincial Policy Statement 2020,
3. conforms to the County of Grey Official Plan, and
4. conforms to the Town of The Blue Mountains Official Plan.

Legal and Legislated Requirements

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

Financial and Resource Implications

There are no anticipated financial, staffing, or legal considerations associated with the proposed 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, Transportation Services, and Housing

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

Appendices and Attachments

[PDR-CW-18-20 Boynton Court \(formerly known as Alfred Street Subdivision\) Information Report](#)

[Draft Plan of Survey](#)

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

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

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

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

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee required by the Tribunal as prescribed under the Ontario Land 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 Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

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

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

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

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.

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

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

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

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

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

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

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

RELATED APPLICATIONS

Town of The Blue Mountains Zoning By-law Amendment 2021-58

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. Please contact the Planning Office at 519-376-2205 or 1-800-567-GREY to schedule an appointment to review the information.

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: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

General Requirements

1. That this approval applies to the draft plan of subdivision located on the property legally described as Lots 1 and 2, Part of Lot 3, Registered Plan 105, Townplot of Thornbury (geographic Town of Thornbury), Town of The Blue Mountains, County of Grey, prepared by MHBC Planning dated November 20, 2019 and signed by the Owner on November 20, 2019, showing the following:
 - 5 Residential Lots planned for a total of 10 semi-detached residential units (Lots 1-5)
 - 2 Residential Blocks planned for a total of 8 townhouse dwelling units (Blocks 6 & 7)
 - 3 Blocks for a 0.3 metre Reserve (Blocks 8 to 10)
 - 1 Block for a 10 metre Daylighting Triangle (Block 11)
 - 1 Public Street ("Boynton Court")

2. The Owner shall enter into and execute a Subdivision Agreement, in accordance with these Draft Plan Conditions, prior to final approval and registration of the Plan, to satisfy these conditions and all financial, legal, and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town and the County of Grey ("the County"), as well as any statutory requirements of other government authorities, including the payment of all applicable Town and County development charges in accordance with the applicable Development Charges By-law.

3. That the Owner shall enter into development and other necessary agreements or obtain necessary approvals, satisfactory to the Town or any other appropriate authority before any development or site alteration within the plan including filling, grading, removing trees and/or topsoil, installing any works, or constructing any buildings or structures. These Agreements may deal with matters including but not limited to the following:
 - i. Engineering works which include municipal water, sanitary sewer services;
 - ii. Professional services including preparation of reports, plans, inspections, certifications and approval;
 - iii. Drainage, stormwater management;
 - iv. Storm sewers and infiltration galleries;
 - v. Road construction, cul-de-sac and intersection;
 - vi. Securities, cash contributions, development charges;
 - vii. Emergency services;
 - viii. Land dedications and easements, reserves;
 - ix. Hydro, Street Lighting, Natural Gas and Telecommunication Utilities;
 - x. Architectural Control;
 - xi. Grading and sodding;
 - xii. Fencing & Landscaping;
 - xiii. Trails/walkways;

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

- xiv. Fire Break Plan, if required;
- xv. Construction Implementation and/or Mitigation Measures;
- xvi. Warning clauses, signed entry features and safety hoarding;

The details of which may be indicated in correspondence from appropriate commenting agencies and/or departments.

4. The Owner/Developer shall acknowledge in the Subdivision Agreement that draft approval does not in itself constitute a commitment by the Town of The Blue Mountains to providing servicing access to the Town's water or wastewater treatment plants or allocation of associated built capacity. Plans may proceed to registration provided there is sufficient residual capacity and capability to service the development.
5. The Owner shall agree in the Subdivision Agreement that all of the works required by the Town, the County, other government authorities and utility providers for the development and servicing of the lands shall be designed and installed in accordance with the Town's Engineering Standards, and Provincial & Federal Guidelines & Standards, that are in effect at the date of execution of the Subdivision Agreement to the satisfaction of the Town. Where compliance with Town Engineering Standards necessitates offsite works, (i.e. stormwater management system upgrades) the owner shall enter into agreements with the Town and/or the County to implement the requisite offsite works, to the satisfaction of the Town.
6. Prior to final approval by the County, that appropriate zoning is in effect for this proposed subdivision that conforms to the County of Grey Official Plan and the Town of The Blue Mountains Official Plan.
7. That the public street shall be named in accordance to the Town's Street Naming Policy, to the satisfaction of the Town of The Blue Mountains.

Servicing, Grading and Road Requirements

8. That prior to final approval by the County, a Site Servicing Plan is prepared to show how the development is fully serviced with sanitary sewer and water to the satisfaction of the Town of The Blue Mountains.
9. That prior to execution of a Pre-Servicing Agreement and/or Subdivision Agreement with the Town, sufficient water and sanitary sewer capacity shall be available and confirmed by the Town.
10. That prior to final approval and registration of the Plan, the Town shall provide confirmation to the County that there is sufficient water and sanitary capacity available and allocated to service the entire plan of subdivision, based on actual usage, as determined by the Town's monitoring of water flows and sanitary sewer flows.
11. That the Subdivision Agreement shall detail and confirm the water and sanitary servicing capacity allocated to this plan of subdivision.

12. That the Owner shall agree in the Subdivision Agreement to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
13. That prior to execution of a Pre-Servicing Agreement or Subdivision Agreement, a detailed engineering and drainage report will be provided which describes the stormwater drainage system for the proposed development on the subject lands to the satisfaction of the Town. The Plan shall demonstrate how the drainage system will tie into the drainage of surrounding properties and how external drainage and site drainage is appropriately conveyed.
14. That the Subdivision Agreement shall include wording for the provision of Operation and Maintenance Manuals for any non-standard infrastructure that may be required, to the satisfaction of the Town.
15. That the Subdivision Agreement shall contain specific clauses related to the required Ontario Building Code / Engineering Standards, as applicable, of the Town including but not limited to the following:
 - i. The appropriate horizontal and vertical alignments of all roads, including their intersection geometrics, and underground services;
 - ii. That suitable construction traffic routes are identified to the satisfaction of the Town; and,
 - iii. The street lighting system on roadways be designed and constructed to the satisfaction of the Town. The Subdivision Agreement shall also require that all external lighting, including street lighting, be dark-sky compliant.

Utilities

16. That the Owner shall grant all necessary easements and/or blocks and/or enter into agreements for drainage, utility and servicing purposes, including CRTC-licensed telephone and broadcasting distribution, as may be required, to the appropriate agency or public authority.
17. The Owner, in consultation with the applicable utilities and Communications Service Providers, shall prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the subdivision, as well as the timing and phasing of the installation.
18. That the Subdivision Agreement include a clause requiring that the Owner agrees to relocate any existing utilities as a result of the subject development at the sole expense of the Owner.

Vegetation, Fencing and Streetscape Requirements

19. That prior to final approval, the Owner prepares a Vegetation Assessment and Vegetation Management Plan by a qualified consultant to the satisfaction of the Town of The Blue Mountains. The Vegetation Management Plan shall include amongst other matters:
 - i. Special provisions to ensure that the existing vegetation on the periphery of the site be maintained and protected, where feasible, during the development process;
 - ii. Special provisions to ensure that existing vegetation on the adjacent lands be protected during development and construction; and,
 - iii. That said plan be incorporated into the Subdivision Agreement with the Town.
20. 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 Vegetation Assessment / Vegetation Management Plan to the satisfaction of the Town of The Blue Mountains.

Park and Open Space Requirements

21. The Owner shall pay cash-in-lieu of Parkland dedication of 5% to the Town of The Blue Mountains, in accordance with the Planning Act.

Miscellaneous

22. That the Subdivision Agreement between the Owner and the Town provide for the dedication of 0.30 metre reserves (Blocks 8 to 10) to be conveyed to the Town without monetary consideration and free of all encumbrances to be held by the Town to prohibit unauthorized access to adjacent lands.
23. That the Subdivision Agreement between the Owner and the Town provide for the dedication of a 10m daylight triangle (block 11) to be conveyed to The Corporation of the County of Grey without monetary consideration and free of all encumbrances to be held by the County for the purpose of a daylight triangle.
24. That prior to execution of any Subdivision Agreement, final approval, and registration, the Owner shall submit a Development Communications Plan for review and approval by the Town. The Development Communications Plan shall inform the Town and area residents of Significant Site activities and include:
 - i. Installation of a Project Notification Sign, 1.2 m x 2.4 m minimum, to Town template, at each construction access to the Lands and visually obvious to the public, at least two (2) weeks before the construction start date, and maintained for full duration of construction.
 - ii. Notification of the construction project to property owners as deemed appropriate in consultation with Development Engineering via hand/mail delivery.
 - iii. Schedules of intended site activities updated routinely. (typically, weekly to bi-weekly).
 - iv. A minimum of two (2) weeks' notice following Town approval and prior to commencement of:

- a. Significant site activities including such as site alteration works as tree clearing & grubbing, commencement of site servicing/grading, placement of asphalt, concrete curbs and sidewalk, and landscaping, and/or
 - b. Off-site works on Town Owned Lands/Roads following receipt of a Municipal Land Use Permit (MLUP).
25. That the Owner shall agree in the Subdivision Agreement, to advise prospective purchasers in every Offer of Purchase and Sale that:
- i. accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities, such as a portable classroom, a "holding school", or in an alternate school within or outside of the community.
 - ii. 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.
26. That prior any further development or site alteration, the Owner shall submit a Phase Two Environmental Site Assessment to the Town, completed by a Qualified Person; and the Phase Two Environmental Site Assessment and Record of Site Condition shall be filed with the Ministry of the Environment, Conservation and Parks, as per the Environmental Protection Act.
27. That prior to final approval and registration, the Owner shall obtain a letter from the Ministry of Heritage, Sport, Tourism and Culture Industries, that the Archaeological Assessment has been entered into the Ontario Public Register of Archaeological Reports.
28. Prior to final approval and registration of the Plan, the lands within this Draft Plan of Subdivision shall be appropriately zoned by a Zoning By-law that has come into effect in accordance with the provisions of the Planning Act.
29. That the Owner shall agree in the Subdivision Agreement, prior to offering any of the residential lots for purchase, to place a 'Display Map' on the wall of the sales office in a place visible to the public, which indicates the approved location of all sidewalks, walkways, trails, community mailboxes, parks, schools, open space areas, environmental protection areas/tree preservation areas, watercourses, and surrounding land uses. The Owner shall also agree to keep Accepted for Construction drawings in the sales office which show easements, hydrants, utilities, lighting, lot grading, landscaping, and noise attenuation measures, as applicable.

Administration

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

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

- i. That the Owner shall agree that all vacant lots shall be rough graded such that best efforts are taken to ensure there is no standing water and shall be maintained in general conformance with the approved comprehensive grading plan. The Owner shall further agree in the Subdivision Agreement to topsoil and seed any rough graded area not proceeding to construction in a timely manner, to the satisfaction of the Town.
- ii. That the Owner shall agree to engage a qualified engineer and that the Owner's Engineer certify that their reports conform with applicable standards to the satisfaction of the Town of The Blue Mountains and that the Engineer provides certification that the final constructed works conform to the approved design.
- iii. That the Owner shall agree to engage a qualified engineer to review and certify that the completed pre-grading works comply with the pre-grading shown on the approved grading and drainage plan.
- iv. The Owner, and/or any future Lot Owner, shall agree to engage a qualified consultant to prepare a Final Lot Grading Certificate prior to Final Inspection, indicating that the grading of the lot has been completed in conformity with the Approved for Construction Master Grading/Drainage Plan, and to submit to the Chief Building Official for approval.
- v. The Owner shall agree that any temporary stormwater management, construction mitigation, sediment and erosion control measures be approved by the Town and in place prior to site alteration, except for site alteration to install such measures.
- vi. That the Owner shall agree to obtain any required statutory permits from the County of Grey, Town of The Blue Mountains, or any other applicable authority, prior to any site alteration.
- vii. The Owner shall agree to the following:
 - a. 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 section 48 (1) of the *Ontario Heritage Act*;
 - b. 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.

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

- viii. The Owner shall agree to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
- ix. the Owner shall agree that a municipal numbering system shall be assigned to the satisfaction of the Town regarding 911 emergency servicing. The Owner shall also agree in the Subdivision Agreement to display the lot number and corresponding assigned municipal address in a prominent location on each lot prior to and during all times of construction.
31. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how Conditions 1-30 have been satisfied.
32. This draft plan approval shall lapse on <DATE>. 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 together with the applicable application fee and a resolution/letter of support from the local municipality must be submitted to the County of Grey, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.
33. That prior to final approval, a copy of the fully executed Subdivision Agreement between the Owner and the municipality shall be provided to the County of Grey.
34. That the Owner, submit to the Town of The Blue Mountains and the County of Grey a digitized copy of the Final Plan in a format acceptable to the County of Grey.

NOTES TO DRAFT APPROVAL

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

Applicant: Carey Homes (c/o Ryan Carey)

File No.: 42T-2019-03

Town of The Blue Mountains

Location: 61 Alfred Street West (Lots 1, 2 and Part 3, Plan 105), geographic Town of Thornbury,

Town of The Blue Mountains

Date of Decision:

Date of Notice:

Last Date of Appeal:

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

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

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