



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	July 14, 2022
Subject / Report No:	Georgian Woodlands Phase 4 / PDR-CW-28-22
Title:	Georgian Woodlands Phase 4 Draft Plan Extension Request
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	Recommendation adopted by Committee as presented per Resolution CW105-22; Endorsed by County Council July 28, 2022, per Resolution CC67-22.

Recommendation

1. That PDR-CW-28-22 be received;
2. That the County of Grey support the extension of draft plan approval for Georgian Woodlands Phase 4, legally described as Part of Lots 22 – 24, Concession 3, geographic Township of Collingwood, now in the Town of The Blue Mountains, for up to a maximum of three (3) years, subject to the revised conditions of draft approval for the draft plan of subdivision, as set out in the Appendix 1 attached to PDR-CW-28-22; and
3. That staff be directed to inform the Ontario Land Tribunal of the County's position on the request for extension, regarding Ontario Land Tribunal File Number PL030216.

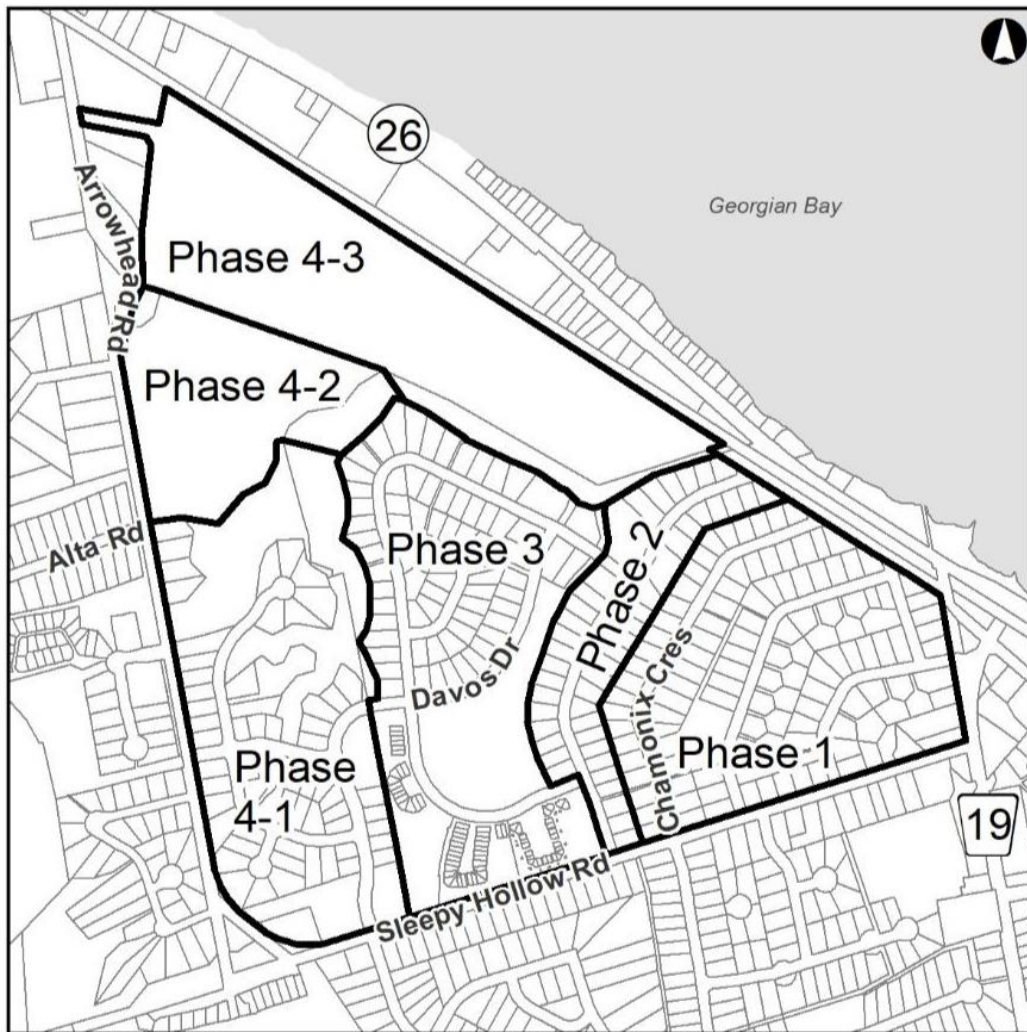
Executive Summary

Georgian Woodlands Phase 4 was approved by the Ontario Municipal Board, now the Ontario Land Tribunal (OLT), in August 2010. Extensions to the original draft plan approval have been given by the Tribunal since the initial draft plan approval. The development has been partially constructed and is currently set to lapse on August 17, 2022. As the development was approved by the Tribunal, further extensions are required to be approved by the OLT. The developer has requested an extension to the draft plan approval, which has recently been supported by the Town of The Blue Mountains for up to three years, subject to revised conditions of draft plan approval. County staff are recommending support for the same.

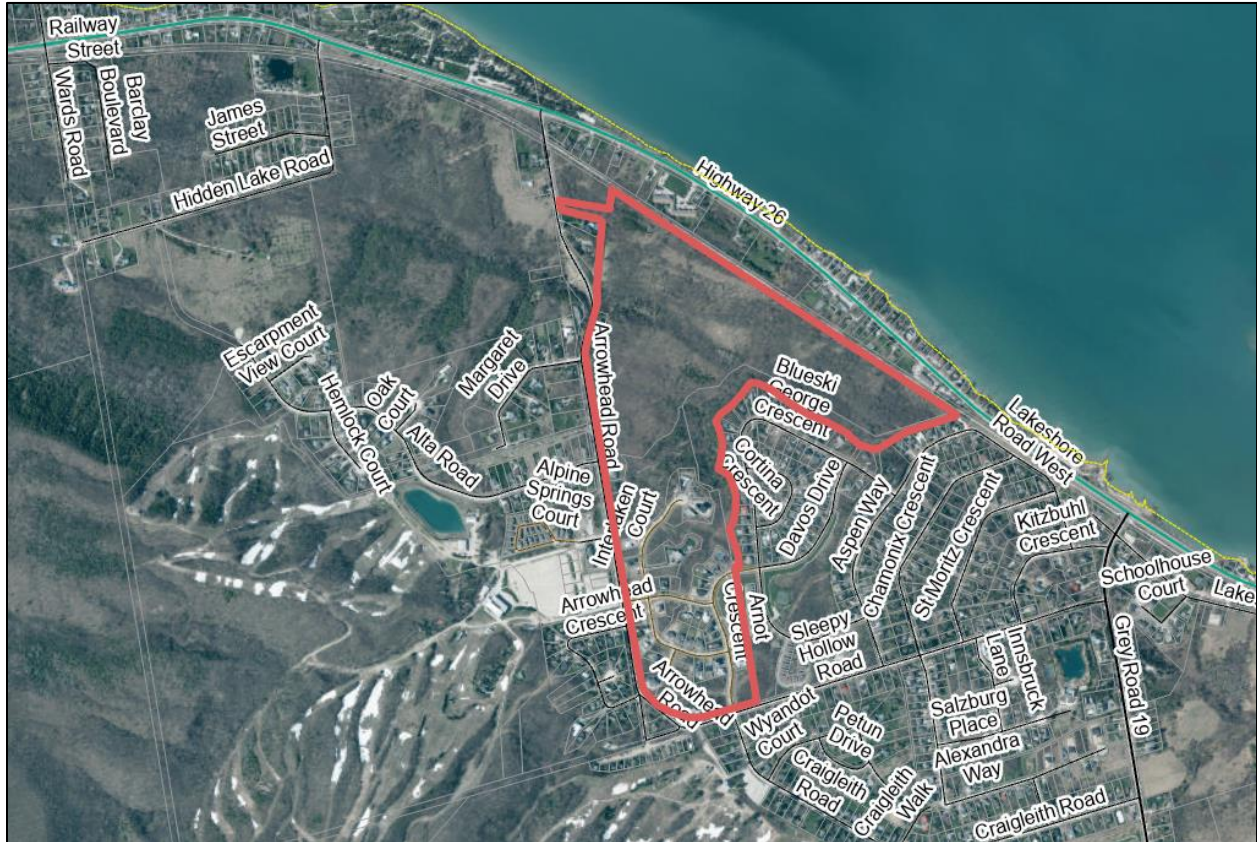
Background and Discussion

The County has received a request for support for draft plan extension for a development known as Georgian Woodlands Phase 4. This development is located in Craigleith, south of Highway 26, west of Grey Road 19, on the east side of Arrowhead Road. The subject lands are legally described as Part of Lots 22 – 24, Concession 3, geographic Township of Collingwood, now in the Town of The Blue Mountains. Map 1 shows the Georgian Woodlands phasing and approximate boundaries, while Map 2 shows a 2020 airphoto of the subject phase 4 lands.

Map 1 – Georgian Woodlands Phasing and Approximate Boundaries (map courtesy of the Town of The Blue Mountains)



Map 2 – 2020 Airphoto of the Subject Phase 4 Lands



Draft approval was originally granted on August 17, 2010, by the Ontario Municipal Board (OMB), who has since been renamed the Ontario Land Tribunal (OLT). The original draft plan approval contemplated 249 residential units. Previous extensions to this draft plan approval were granted in 2013, 2016, and 2019. The existing draft plan approval is currently set to lapse on August 17, 2022.

The proponent has indicated that they are nearing an engineering submission to the Town on Phase 4-2, shown on Map 1 above. Phase 4-1 has been registered and largely constructed.

Town of The Blue Mountains Comments

In a staff report dated June 21, 2022, Town Planning staff supported the proposed draft plan extension, with some recommended revised conditions of draft plan approval. This staff report is linked to in the Attachments section of this report. A further clause was added to the staff recommendation in the motion supported by Council as follows:

“AND THAT Council request that staff have discussions with the developer on the developer's voluntary participation in solving the attainable housing crisis in the Town of The Blue Mountains”

The above-quoted clause does not appear to modify the draft plan conditions being recommended by Town staff, but rather instructs Town staff to have further discussions with the developer.

The proponent has requested a 10-year draft plan extension, but in accordance with what was supported by the Town of The Blue Mountains, County staff are recommending a 3-year draft plan extension, with some revised draft plan conditions. County staff have included the revised draft plan conditions in Appendix 1 attached to this report. The revised draft plan conditions are standard to any modern draft plan approval in the Town, and County staff concur with their inclusion for Georgian Woodlands Phase 4.

Analysis of Planning Issues

County staff have not undertaken a fulsome review of the *Planning Act*, Provincial Policy Statement (PPS), Niagara Escarpment Plan (NEP), County Official Plan, or Town Official Plan policies. This matter is currently before the OLT, who will ultimately determine (a) if the draft approval should be extended or not, and (b) if the revised draft plan conditions should be included with the extended draft plan approval.

County staff would note that the subject lands are within a designated settlement area, the Recreational Resort Area, in the current County Official Plan. The development was approved by the OMB, and the County has previously supported draft plan extension on 3 occasions. Staff would however note that this development was approved by the OMB under a different policy regime (i.e. the PPS, NEP, County and Town Official Plans were all different when the development was approved in 2010). In 2010 the OMB was satisfied that the development met the planning policies of the day.

Staff would further note that the development is already partially constructed, and the developer is actively moving forward with the development of the additional phases. County staff raise this point, as in the current County Official Plan, this is one of the key considerations on whether or not to extend draft plan approval.

Legal and Legislated Requirements

The County has no application before us, as the Ontario Land Tribunal is the approval authority on this matter. Any decisions rendered would be done in accordance with the powers of the Tribunal under the *Planning Act*.

Financial and Resource Implications

There are no further financial or resource implications to be considered with this report.

Relevant Consultation

- Internal: Planning
- External: Town of The Blue Mountains

Appendices and Attachments

[Town of The Blue Mountains Staff Report PDS.22.087 Request for Draft Plan Extension – Georgian Woodlands Phase 4](#)

Appendix 1: Proposed Revised Conditions of Draft Approval – attached

Appendix 1: Proposed Revised Conditions of Draft Plan Approval

1. Insert the following draft plan conditions after existing draft plan condition #25 of the existing draft plan conditions as approved by the Ontario Municipal Board (now the Ontario Land Tribunal) File No. PL030216.

WATER / WASTEWATER CAPACITY

26. That execution of the Subdivision Agreement, final approval, and registration of all or part of this plan of subdivision may not take place until the Approval Authority has been notified in writing by the Town Director of Operations that:
 - a. Sufficient Water and Wastewater Plant capacity exists to accommodate this development; and,
 - b. Sufficient storage and pumping facilities and associated infrastructure relating to both water and wastewater are constructed and commissioned.
27. That the Subdivision Agreement shall contain wording that details the water and wastewater treatment capacity allocated to the development and timing related to such allocation. The Owner acknowledges that this Draft Plan Approval provides water plant and sanitary sewer plant reservation. Draft Plan Approval does not constitute a commitment by the Town to provide servicing access to the Town's water or waste wastewater treatment plants or allocation of associated built capacity.

PRESERVING WORKS

28. The Owner shall not commence any work or site alteration on the subject lands, including filling, grading, removing trees and/or topsoil, installing any works, or constructing any buildings or structures until they have entered into a Subdivision Agreement or Pre-Servicing Agreement with the Town, in a form satisfactory to the Town. The Owner shall submit all supporting materials as required by the Town or any applicable authority prepared by a qualified professional and shall agree to implement the recommendations of the reports, studies and plans in the Subdivision Agreement to the satisfaction of the Town and any other applicable authority.

WARNING CLAUSES

29. Where applicable, the Owner shall agree in the Subdivision Agreement to include a clause within all Offers of Purchase and Sale Agreements with prospective purchasers of lots adjacent to a public walkway, advising of the potential for exposure to pedestrian traffic and related noise from time to time, to the satisfaction of the Town.
30. Where applicable, the Owner shall agree in the Subdivision Agreement to include a clause within all Offers of Purchase and Sale Agreements with prospective purchasers advising that buildout of the development may generate construction related noise, vibration, dust and other such nuisances.
31. The Owner shall agree in the Subdivision Agreement to place the following notification in all offers of purchase and sale for all lots and/or units:

- a. "Purchasers are advised that winter maintenance and snow plowing from public streets and laneways will be done in accordance with the Council approved protocol and policies for snow removal."
- b. "Purchasers and/or tenants are advised that the homeowner's builder is responsible for the timing and coordination of rectifying lot grading matters which occur prior to assumption."
- c. "Purchasers and/or tenants are advised that prior to the placement of any structures in side and rear yards, the Zoning By-law should be reviewed to determine compliance and that a Site Alteration Permit may be required prior to proceeding to do any site work."
- d. "Purchasers and/or tenants are advised that private landscaping is not permitted to encroach within the Town's road allowance, public open space or environmental areas. Any unauthorised encroachments are to be removed by the homeowner prior to Assumption."
- e. "Purchasers and/or tenants are advised that an overall grade control plan has been approved for this Plan and further some lots will incorporate the drainage of adjoining lots through the design of swales and rear lot catch basins."
- f. "Purchasers are advised that any unauthorized alteration of the established lot grading and drainage patterns by the homeowner may result in negative drainage impacts to their lot and/or adjoining lots."
- g. "Purchasers and/or tenants are advised that the homeowner's Builder is required to ensure the lot is graded to the approved lot grading plan and to have the lot grading certified prior to the reduction/release of any post lot grading securities. The Builder is to advise the purchaser once the lot has been graded to the approved plan and certification has been provided to the Town. The purchaser and/or tenant will be provided a period of time in which contest any grading issues. Should the purchaser not contest the grading certificate completed by the Builder, the purchaser will then assume full responsibility for the lot grading beyond that point. Purchasers are advised that they are not permitted to modify or alter the grading of their lot without prior written approval from the Town of The Blue Mountains."
- h. "Purchasers are advised 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", or in an alternate school within or outside of the community."
- i. "Purchasers are advised 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 at a location as determined by the Student Transportation Service Consortium of Grey Bruce."

NEIGHBOURHOOD INFORMATION MAPPING

32. That prior to execution of any Subdivision Agreement, 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:

- a. 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.
- b. Notification of the construction project to property owners as deemed appropriate in consultation with Development Engineering via hand/mail delivery.
- c. Schedules of intended site activities updated routinely (typically, weekly to bi-weekly).
- d. A minimum of two (2) weeks' notice following Town approval and prior to commencement of 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, landscaping and off-site works on Town Owned Lands/Roads following receipt of appropriate approvals.

Furthermore the Owner agrees in the Subdivision Agreement to organize and participate in monthly communication meetings with abutting residents as may be required by the Town. These communication meetings will provide updates related to on-site activities such as construction access, earth movements, foundation works, installation of asphalt and curbing, dust control and house construction.

33. That the Owner shall provide in each of the sales offices a large coloured map, not less than 1.5 metres by 2 metres, of the approved land use plans to date and/or where applicable, the land use plans approved in the Official Plan for the overall community together with a copy of the Town of The Blue Mountains Official Plan and a prominent note indicating that further information can be obtained from the Town of The Blue Mountains Planning Services Department.

34. The Developer shall prepare a preliminary Neighbourhood Development Information Map for the subdivision, to the satisfaction of the Town's Director of Planning & Development Services. The Map is to be posted in a prominent location at the entrance to the development, in each sales office from where homes in the subdivision are being sold, and included within the individual purchase and sale agreements. The Map shall include the location and type of parks, open space / valleyland and walkways, a general description of their proposed facilities as well as the following information:

- a. All approved street names,
- b. The proposed land uses within the subdivision based on the draft approved plan,
- c. The immediately surrounding existing and proposed land uses,
- d. The approved phasing of the development (if applicable) and construction access routes,
- e. The approximate locations and types of other fencing within the subdivision,
- f. Where parks and open space, stormwater management facilities and walkway / vista blocks / servicing blocks are located,
- g. The types and locations of parks, valley lands and other open space (i.e. passive or active) and a general description of their proposed facilities and anticipated level of maintenance,
- h. The locations of all anticipated Community Mailboxes,
- i. The following standard notes:

- i. This map, and the following list, is intended to provide potential home buyers with general information about the neighbourhood and the surrounding area. If you have specific questions, you are encouraged to call the Town's Planning & Development Services Department during normal business hours which are 8:30 am to 4:30 pm, Monday to Friday."
- ii. "Please Note: this map is based on information available on (month/year) and may be revised without notice to purchasers."
- iii. "Some streets in this subdivision will be extended in the future and temporary access roads may be closed."
- iv. "There may be catch basins or utilities easements located on some lots in this subdivision."
- v. "Environmentally sensitive areas, hazard lands, valleys, woodlots and stormwater management ponds in this subdivision will be left in a natural condition with minimal maintenance and no grass cutting, only periodic removal of debris. Residents adjacent to these blocks are requested to limit the use of pesticides and fertilizers to reduce adverse effects on the natural environment."
- vi. "Community mailboxes (CBM's) will be directly beside or in front of some lots."
- vii. "Purchasers are advised that the final location of walkways in Blocks may change without notice."
- viii. "Streets may contain on-street parking, and may be available for overnight parking, subject to parking permits."
- ix. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings."
- x. "Neighbourhood and/or boulevard trees will be planted according to Town standards and a tree will not necessarily be located in front of every home. Purchasers are further advised that home builders are not permitted to charge a purchaser separately for the cost of trees, sodding, fencing and paving of the driveway apron. The Town will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance."
- xi. "The design of features on public lands may change. Builders' sales brochures may depict these features, however, the Town has no control over builders' sales brochures."
- xii. "Gates are not permitted in fences when lots abut publicly owned lands, including but not limited to open space lands, hazard lands, a trail, valleyland, active park, woodlot or stormwater management pond."
- xiii. "The Town's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot."
- xiv. "The Town of The Blue Mountains is responsible for household garbage, recycling and green bin collection after certain levels of occupancy have been achieved within this development or a phase. For further information, please contact the Town at 519-599-3131"
- xv. "For further general information on proposed and existing land use, please call the Town's Planning Services Division 519-599-3131."

xvi. “For detailed grading and berming information, please call the Town’s Development Engineering Division 519-599-3131”

35. The developer shall ensure that each builder selling homes within the subdivision provides prospective purchasers as part of any offer of purchase and sale agreement the material referred to in Draft Plan condition 34.

2. Modify original Draft Plan Condition #30 by deleting the following text:

“That prior to final approval being given by the County, it is advised in writing by the Town of The Blue Mountains how Conditions 2 to 25 inclusive, have been satisfied.”

And replace with the following text:

“That prior to final approval being given by the County, it is advised in writing by the Town of The Blue Mountains how Conditions 2 to 35 inclusive, have been satisfied.”

3. Renumber original Draft Plan Conditions 26 to 32 to 36 to 42 accommodate the above inserted Draft Plan Conditions.