

## Addendum to Report PDR-PCD-33-13

**To:** Chair Wright and Members of the Planning and Community Development Committee  
**From:** Scott Taylor, Senior Planner  
**Meeting Date:** March 17, 2015  
**Subject:** **Boulter Estates Limited Plan of Subdivision 42T-2013-04**  
**Status:** Recommendation adopted by Committee as presented per Resolution PCD39-15 March 17, 2015; Endorsed by Council April 7, 2015 per Resolution CC55-15;

### Recommendation(s)

**WHEREAS the County has received plan of subdivision application 42T-2013-04 for lands described as Part of Lot 5, Jones Range, geographic Township of Keppel, Township of Georgian Bluffs;**

**AND WHEREAS the corresponding Development Permit applications have been approved by the Niagara Escarpment Commission;**

**NOW THEREFORE BE IT RESOLVED THAT Addendum to Report PDR-PCD-33-13 be received;**

**AND THAT in consideration of the draft plan of subdivision and the matters to have regard for under Subsection 51(24) of the Planning Act RSO 1990 as amended, the Grey County Planning and Community Development Committee hereby approves plan of subdivision file 42T-2013-04 to create twenty-two (22) new lots, subject to the conditions set out in the Notice of Decision.**

### Background

The proposed plan of subdivision application from Boulter Estates Limited would create 22 new residential lots on lands described as Part of Lot 5, Jones Range, Township of Georgian Bluffs (geographic Township of Keppel). The subject application would extend Sunset Boulevard and Galloway Road from the east to connect with Wilson Drive to the west, and all 22 lots would have direct frontage off of this new road extension. The subject lands are located on the waterfront, approximately 1.6

kilometres east of Warton and one kilometre west of Oxenden. To the north of the subject property is the Warton-Keppel International Airport. See Map 1 below for an aerial view of the subject property and surrounding area.

Map 1 shows the subject property which is approximately 7.12 hectares in size. This property was created through a recent consent application (B16/2012) which severed the 7.12 hectares encompassing the entire shoreline frontage, from a 5.47 retained portion which encompasses the entire frontage along Grey Road 1. The lands subject to the plan of subdivision application are designated as 'Escarpment Recreation Area' in the County Official Plan. The retained portion, which is now a separate lot, is designated as 'Niagara Escarpment Plan Area' in the County Official Plan.



*Map 1: Boulter Estates Limited Subject Lands*

The majority of the lands surrounding the subject property have been developed for residential or cottage purposes. The retained lands referenced above constitute a slightly larger parcel with a house, barn and shed on it. To the south-west of the subject lands, across Grey Road 1 are the airport lands. To the north-east of the proposed subdivision there is a farm which is currently owned by the proponent to this plan.

The proposed plan of subdivision is proposed to be serviced by municipal water extended from Warton and private septic systems.

In support of the proposed plan of subdivision the proponent has submitted the following;

1. a Planning Report,
2. an Environmental Impact Study,
3. a Geotechnical Investigation,
4. a Nitrate Loading Impact Assessment,
5. a Functional Servicing Report,
6. a Stage 1-2 Archaeological Assessment, and
7. a Draft Plan of Subdivision.

In addition to the core studies listed above, a number of addendums and responses to comments were also issued. Copies of all background reports and plans can be found at the below link:

[Link to Boulter Estates background materials](#)

A copy of the proposed draft plan has been shown below;



## *Map 2: Boulter Estates Limited Proposed Draft Plan*

The proposed plan of subdivision also requires Niagara Escarpment Commission (NEC) Development Control Permits. These permit applications were approved by the NEC on February 19, 2015.

A public meeting for the plan of subdivision was held on November 5, 2014, and a copy of the minutes is linked to below.

[Public Meeting Minutes - Boulter Estates - November 5, 2014](#)

### *Public and Agency Comments Received*

As part of the planning application process, the following members of the public submitted written comments or made verbal submissions at the public meeting;

- Duncan J. McEachern,
- Amanda Anderson and Ben Wands,
- Kathryn O'Hagan-Todd,
- Meranie Plews,
- Patricia O'Hagan,
- Jim Mosgrove,
- Carolyn Hammel,
- Annette Voss Lake and Jeff Grenn,
- Gavin Reed and Sandra Leckie,
- Sally Ann and Bruce Leckie,
- Helen and Gord Grant,
- Ursula Phinnemore,
- Gay Ratcliffe,
- Robert Huisman,
- Cathy McKnight,
- Dan Singer,
- Marje and Jerry Beaver,
- Terry and Susan Moore,
- Patti Barber,
- Sandra Reid,
- Michael Ford,
- Ken and Joanne Lucyshyn,
- Peter and Doreen von Dungern,
- Douglas R. Briggs,
- Carol Anderson, and

- Kathryn O'Hagan-Todd on behalf of Patricia O'Hagan Todd, Shirley Kenny, Helen Todd and Stephen Todd.

A general summary of the comments received is as follows;

- decrease in property values,
- loss of green space in the area,
- this property should be turned into a municipal park with a bike trail,
- concerns over tree retention,
- impacts on the Niagara Escarpment,
- impacts on the natural environment ,
- policing with respect to environmental enforcement regarding the protection of the waterfront,
- impacts on endangered or threatened species,
- impacts on the shoreline,
- concerns over access points to the Bay,
- impacts on water quality,
- impacts on the ability to swim in the Bay,
- concerns over stormwater management,
- concerns over drainage and the ditching on the west side of the property, with questions about whether that ditching exists today or not,
- questions about why a new ditch is needed and why the ditch in the centre of the property cannot be used,
- concerns over the impact on existing infrastructure in the area,
- concerns over who has historically paid for infrastructure, and who will pay for the new development,
- concerns over the direction the new waterline is being brought in by,
- traffic concerns with respect to the through-road and would prefer the road to end in a cul-de-sac,
- traffic safety concerns with respect to neighbouring roads being used for walking, cycling and children playing,
- a traffic study should be required,
- concerns that the new road will increase traffic to neighbouring developments,
- concerns over the process surrounding how Georgian Bluffs determined that a through-road was appropriate,
- the new road should have a direct access to Grey Road 1, similar to how other developments have had to,
- noise impacts,
- dust and dirt impacts from construction,
- concerns with respect to public health,
- concerns about a potential Native burial ground,

- concerns over the past development permits which divided the farm in half,
- concerns over how people were notified of this development and this meeting,
- an additional public meeting should be required, with adequate notice given,
- without growth our area will die, and therefore we need new development in this area,
- increased growth will also help the struggling downtown of Wiarton,
- a connected street will improve year round access to and from the homes,
- property values will increase as a result of this subdivision, and
- growth will bring jobs and families to our area, and help save schools and libraries.

As part of the planning application process comments were also received by the following;

Saugeen Ojibway Nation (SON)

Multiple submissions have been received from SON; however most recently SON has issued a letter of clearance with respect to any archaeological concerns related to the site.

County of Grey Transportation Services Department

No objection.

Ministry of the Environment and Climate Change (MOECC)

MOECC has submitted numerous comments throughout the process, most recently issuing a clearance letter on October 29, 2014 with respect to the sewage impact assessment.

WSP Canada Inc. (formerly GENIVAR) Peer Review on behalf of the Township of Georgian Bluffs

WSP Canada Inc. (formerly GENIVAR) was contracted to perform an engineering peer review on behalf of the Township of Georgian Bluffs. WSP has submitted numerous comments throughout the process, most recently issuing a letter on August 26, 2014, noting that the Nitrate Loading Impact Assessment is now acceptable. WSP has submitted a few further detailed recommendations on the Functional Servicing Report.

Ministry of Tourism, Culture and Sport (MTCS)

MTCS notes that the Archaeological Assessment has been entered into the Ontario Public Register of Archaeological Reports without technical review. Please note that the Ministry makes no representation or warranty as to the completeness, accuracy or quality of the reports in the Register.

### Grey Sauble Conservation Authority (GSCA)

GSCA has submitted numerous comments throughout the process, most recently issuing a letter on May 23, 2014 with some recommended draft conditions. These recommendations have been incorporated into the County's recommended draft approval conditions as attached to this report.

### Rogers Communications

Rogers Communications Inc. does not provide cable service to the area of this proposed development. Rogers currently has a cable plant in another part of Georgian Bluffs but has no plans of extending our existing plant in this area.

### City of Owen Sound

City Council recommends that prior to County approval, the County and Province should be satisfied that the proposed plan of subdivision is consistent with the PPS policies, appropriately considers the necessary capability studies to address Ministry guidelines and conforms to the County Official Plan policies.

### Canada Post

Canada Post will provide mail delivery service through a centralized community mailbox. Given the size of the subdivision it has been determined that one community mailbox will need to be installed. County staff have included a recommended draft condition related to the need for a community mail box.

### Union Gas Limited

As a condition of final approval Union Gas Limited would request that the owner/developer provide to Union Gas Limited the necessary easements and/or agreements for the provision of gas services to the development. County staff have included a recommended draft condition related to the requisite easements in this regard.

### Township of Georgian Bluffs

On February 4, 2015, Township of Georgian Bluffs Council supported a recommendation for a series of draft approval conditions on the plan of subdivision. These recommendations have been incorporated into the County's recommended draft approval conditions as attached to this report.

### Niagara Escarpment Commission (NEC)

NEC issued two staff reports on this proposed plan of subdivision dated January 6, 2015 and February 10, 2015. The Commission then approved the development permits related to the proposed plan of subdivision on February 19, 2015. The NEC's approval

and associated conditions have been factored into the County's recommended draft approval conditions as attached to this report.

### *Planning Policy Analysis*

Planning decisions in Ontario must have regard for matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2014, and conform to the goals and objectives of any official plans governing the lands. In this case the Niagara Escarpment Plan, the County of Grey Official Plan and the Township of Georgian Bluffs Official Plan are all applicable to the subject lands.

### ***The Planning Act***

Section 1.1 of the *Planning Act* outlines the purposes of the Act. The purposes of the Act promote sustainable economic development in a healthy natural environment within a land use planning system, led by provincial policy and matters of provincial interest. Section 2 of the *Planning Act* outlines matters of Provincial Interest, which decision makers must be consistent with when carrying out their responsibilities under the Act. The most relevant matters of provincial interest to this application are: (a) the protection of ecological systems, including natural areas, features and functions; (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems, (h) the orderly development of safe and healthy communities, (j) the adequate provision of housing, including affordable housing, and (p) the appropriate location of growth and development.

- (a) Impacts on the natural environment have been minimized through the environmental impact study and the recommended mitigation measures contained therein. Consultation with the GSCA, NEC, and the Township have also aided in minimizing impacts in this regard. A 30 metre setback is being required to the waterfront, which is still under public ownership, as well as setbacks being provided to the central watercourse as potential fish habitat. A landscape preservation plan, as well as some 'no-touch' areas have also been recommended in the draft conditions, and will be marked with signage and bollards on-site.
- (f) The subject development will be serviced by municipal water extended from Wiarton and individual on-site septic services. The background studies related to the servicing were reviewed by the MOECC and the Township's peer review firm, WSP Canada Inc., for this application. After reviewing the initial studies, and responses from the proponent's engineer, the Ministry and WSP have both issued clearances on the servicing.



There has been significant public comment on the new road being proposed as part of this development, which can generally be broken down into three subcategories as follows:

1. Many members of the public have suggested that the new road should end in a cul-de-sac rather than connecting to Wilson Drive.
2. Other members of the public have suggested that this proposed subdivision should also have a direct connection to Grey Road 1 in the form of a new intersection.
3. Concerns have been raised with respect to the level of traffic generated by this new road and proposed development.

With respect to the first issue above, the proponent explored the issue of a cul-de-sac with the Township, and the Township was of the opinion that a connection to Wilson Drive here would be preferable than having the new road terminate in a cul-de-sac. Maintenance of a 'through-road' and servicing are both easier with having the connected roads, hence the recommendation from the Township Operations staff. From a general planning perspective as well, planners try to promote 'connectivity' to allow for an easier flow of pedestrians, cyclists and automobiles, as well as creating better social cohesion between neighbourhoods. There are some properties where cul-de-sacs are necessary based on the layout of a property, or existing surrounding development, but in this case the property would allow for an easy connection between Sunset Boulevard and Galloway Road from the east to Wilson Drive in the west.

With respect to the second issue above, based on the low estimated traffic levels (i.e. the traffic generated from 22 new homes), and the existing road service; a new intersection would not be warranted on the County Road. Furthermore, one of the objectives of the County Road network is to promote the efficient flow of through traffic, and creating additional intersections here could impede or slowdown said traffic.

With respect to the third issue above, it is not expected that the addition of 22 new homes will generate significant levels of traffic on existing roads. Neither is it estimated that there will be a significant increase in 'through-traffic' using the newly connected road as a 'short-cut' to Warton, as opposed to Grey Road 1.

- (h) The subject development is within the 'Escarpment Recreation Area' designation in the County Official Plan. Within this land use designation the County Plan defers to the detailed land use policies found within the Niagara Escarpment Plan and the Municipal Official Plan. The County Plan does however note that in addition to settlement areas, the Escarpment Recreation

Area will generally be a focus of growth within the County. As noted above the NEC has approved the corresponding development permit applications. The Township Plan generally focuses on settlement areas within the Township, but also contains some lot creation policies, in addition to some policies which are protective of the nearby Warton-Keppel International Airport.

- (j) The proposed development could offer either a recreational or permanent form of housing. It is highly unlikely that any of the housing being proposed would fall within the affordable range, based on the lot sizes and proximity to the waterfront.
- (p) The subject lands are located outside of a designated settlement area in the County Official Plan. The County Plan does however contemplate Escarpment Recreation Areas as a focus of growth, as does the Niagara Escarpment Plan. Furthermore, the subject lands already contain residential to the north-east and south-west, thus this proposal would represent a connection and extension of existing development patterns.

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

## **Provincial Policy Statement**

A key goal of the PPS is directing new growth to serviced settlement areas, and promoting the vitality of such settlement areas through re-development and intensification. The PPS also has policies pertaining to rural areas and lands. Section 1.1.5.2(c) of the PPS does permit limited residential development on rural lands within municipalities. While strictly speaking the subject lands are not within a defined settlement area, they are within a designation which contemplates growth in the County and Niagara Escarpment Plans.

Section 1.6.6.1 of the PPS outlines the servicing hierarchy to be utilized in the Province of Ontario. At the top of the hierarchy are municipal water and sewer services. Where municipal water and sewer systems are not feasible there are permissions for private communal systems, individual on-site private systems, or partial services. In the background work to this application the proponent's engineer reviewed servicing options for the site and determined that partial services i.e. municipal water and private on-site septic systems were appropriate. The neighbouring residential developments to the north-east and south-west are already serviced by municipal water extended from Warton. Through detailed background reports, and MOECC and WSP reviews, it has been demonstrated that site conditions are suitable for this type of servicing.

Section 2.1 of the PPS speaks to the long-term protection of significant natural heritage features. As noted above there was an EIS completed for this development which has been reviewed by County, Township, GSCA, and NEC staff. The recommendations of the EIS have also been implemented in the draft conditions attached to this report. With the appropriate conditions and mitigation measures applied to this development, it would appear that the development will be consistent with this section of the PPS.

Section 2.6 of the PPS speaks to the protection of cultural and archaeological resources within the Province. A Stage 1-2 Archaeological Assessment was completed on this property. Following review of this study by the SON Environmental Office, there were some further questions raised with respect to the history of this property. In the summer of 2014 the proponent's archaeologist, along with an archaeological team from the SON, completed some further archaeological investigations on-site. The SON Environmental Office has subsequently issued a clearance letter for this site.

Section 3.1 of the PPS directs development away from areas of natural hazard. Input was received from the GSCA at multiple points throughout the life of these applications, and the GSCA is generally satisfied with the current building envelopes, and the GSCA's recommended draft conditions have been incorporated into the conditions attached to this report.

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

### ***Niagara Escarpment Plan***

The Niagara Escarpment Plan already contemplates this development in the Escarpment Recreation designation. As noted above the NEC approved the development permit applications on February 19, 2015.

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

The subject property is designated as 'Escarpment Recreation Area' in the County Official Plan. As noted above, the County Plan generally defers to the Niagara Escarpment Plan and the Township of Georgian Bluffs Official Plan within this land use designation, but does contemplate this as an area for growth. The County Plan does not map any known environmental constraints on the subject lands, beyond requiring a 30 metre setback to Georgian Bay.

Another issue which has been raised by members of the public has been the proposed stormwater management (SWM) on-site, and the existence or non-existence of a drainage swale on the south-west of the property. Some members of the public have questioned why the stormwater cannot all be directed to the central watercourse which

already flows through the property. This possibility was investigated by the proponent, but the GSCA was not in favour of this approach, based on potential impact on fish habitat. The proponent has also confirmed existence of the drainage ditch along the south-west of the property. Members of the public have also raised concern with the impacts of the SWM on the Bay, and in particular their favoured swimming areas along the waterfront. The proponent's engineer provided a response to these concerns, suggesting that there should be little impact on water quality in this regard. The proposed SWM plan has been reviewed by the GSCA and the Township, and subject to the recommended draft conditions would appear to meet Township standards.

Further to the public requests to have the new road end in a cul-de-sac rather than connecting to Wilson Drive, County staff would note the following. Section 6.12.1 of the County Plan addresses criteria to be considered in any new plan of subdivision or condominium. More specifically section 6.12.1(a)(vi) states;

*“The street pattern of the proposed plan and how it fits with the surrounding neighbourhood. Plans which utilize a grid pattern or a modified grid pattern shall be considered more favourably than those with a curvy street pattern or cul-de-sacs,”*

In this case County and Township staff are recommending that the road network be connected here to improve connectivity for pedestrians, cyclists and automobile traffic. Staff view the increased traffic levels on neighbouring roads as minimal, would not see any land use incompatibilities associated with this connection.

Section 6.12.1(a)(xi) speaks to public access to the water front or beach. Access to the water has also been raised as a concern amongst neighbours. The proponent has investigated providing new access points to the water in the form of easements or blocks in common ownership. Township staff have however confirmed that access to the water would be preferable via the existing Township owned lands directly to the north-east and south-west of the subject lands. These accesses would primarily be for the 11 'back-lots'; however Township staff have noted that anybody could access the water at these points, not just the back-lot owners.

Section 6.12.1(a)(xi) speaks to the provision of usable parkland and green space. The Township of Georgian Bluffs has noted that they do not wish to acquire any further parkland in this location, and are instead recommending that the owner pay 5% cash-in-lieu of parkland.

Other criteria under 6.12.1(a) of the County Plan have also been addressed through the NEC development permit, including a note on the approval noting that the NEC supports dark sky initiatives to protect the night sky from excessive residential lighting, as per criterion (ix).

Section 6.12.1(b)(c) and (d) of the Plan speak to the provision of a range of housing, including affordable housing, and employment opportunities. Many shoreline and recreational areas across the County generally do not provide for affordable housing opportunities based on the elevated land costs, and lack of full municipal servicing. Combining the two aforementioned elements generally means that residential units along the shoreline are on larger lots, and not built at a density to provide for affordable housing. There are currently no employment lands being considered as part of this development.

In general the County Plan mimics the policy matters covered under the review of the *Planning Act* and the PPS.

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

## Financial / Staffing / Legal / Information Technology

### Considerations

At this point there are no financial, staffing, legal or Information Technology considerations beyond those normally encountered in processing a plan of subdivision application. The County has collected the requisite fee for the application.

Should the application be appealed to the Ontario Municipal Board (OMB) additional financial, legal, or staff resources may be required. However it should also be noted that unless the County refuses the application, the County would not by default be a party to an OMB hearing on this matter, as per the County's OMB attendance policy.

### Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan requires the continued management of growth and the application of sound land use planning principles. Following a lengthy review process, with a number of technical studies and a significant amount of public input, there will be protections in place which ensure the application is aligned with the County's strategic goals. Subject to the conditions placed on the applications through the development permit applications and the attached draft plan conditions, the proposed development would appear to align with the County's Strategic Plan.

### Attachments

Notice of Decision and Draft Conditions

Respectfully submitted by,

Scott Taylor, MCIP, RPP  
Senior Planner

Director Sign Off: *Randy Scherzer*

Applicant: Boulter Estates Limited c/o Mack Boulter  
Municipality: Township of Georgian Bluffs  
Location: Part of Lot 5, Jones Range (Geographic Township of Keppel)  
Date of Decision:  
Last Date of Appeal:

File No.: 42T-2013-04  
Date of Notice:

## **NOTICE OF DECISION**

### **On Application for Approval of Draft Plan of Subdivision**

### **under Subsection 51(16) of the Planning Act**

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

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

Notice to appeal the decision to the Ontario Municipal Board must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

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

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee prescribed under the Ontario Municipal Board Act.

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

Only individuals, corporations or public bodies may appeal decisions in respect of applications for approval of draft plans of subdivision to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group.

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

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

#### **HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS**

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

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have either,

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

#### **GETTING ADDITIONAL INFORMATION**

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.

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**Date of Decision:**  
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**Date of Notice:**

**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:** Boulter Estates Limited c/o Mack Boulter  
**Municipality:** Township of Georgian Bluffs  
**Location:** Part of Lot 5, Jones Range (Geographic Township of Keppel)  
**Date of Decision:**  
**Last Date of Appeal:**

**File No.:** 42T-2013-04  
**Date of Notice:**

Plan of Subdivision File No. 42T-2013-04 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

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No.    Conditions

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1.    That this approval applies to the draft Plan of Subdivision File No. 42T-2013-04, on Part of Lot 5, Jones Range, (geographic Township of Keppel) in the Township of Georgian Bluffs, County of Grey, prepared by Darryl M. Robins Consulting Inc., dated August 12, 2013, with a total of twenty-two (22) residential lots, one (1) internal road allowance and other blocks as necessary indicating all other easements and reserves. That such easements, right-of-ways and reserves as required for utilities, or drainage purposes shall be acquired by the owner where necessary, and granted to the appropriate authority. The blocks are to be identified prior to registration.
2.    That the owner convey 5% cash-in-lieu of parkland to the Township of Georgian Bluffs.
3.    That the road shall be dedicated as a public highway, and named to the satisfaction of the Township. The ramp structure and 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.
4.    That all entrances to lots be from the internal road of the subdivision, and that the entrances be to the satisfaction of the Township of Georgian Bluffs.
5.    That the owner agrees in writing, satisfy all the requirements, financial and otherwise, of the Township of Georgian Bluffs, concerning roads, installation of services, drainage, parkland, security, and other matters as determined by the Township.
6.    That property is within the area of Niagara Escarpment Development Control and therefore any development shall be undertaken in accordance with Development Permits G/T/2013-2014/9071 and G/R/2013-2014/9076-9097, or any subsequent successors thereto, to the satisfaction of the Niagara Escarpment Commission; and wording is incorporated into the Subdivision Agreement to the satisfaction of the Niagara Escarpment Commission, which addresses Development Permits G/T/2013-2014/9071 and G/R/2013-2014/9076-9097.

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7. 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.
8. That prior to final approval of the plan of subdivision, a final storm and surface water management report and grading and drainage plan be prepared and submitted for review, at the expense of the owner, by the Township, the Niagara Escarpment Commission and the Grey Sauble Conservation Authority. The report shall include such matters as building & sewage system envelopes, lot grading, sediment control measures. The report should also ensure that run-off, including the storm water and spring snow melt, does not adversely affect neighbouring properties, and detail all necessary upgrades to existing road and or drainage structures. This report should detail all easements or rights of way required to be dedicated to the Township. The grading and drainage plan should ensure that no dwellings will be affected by flooding of the central watercourse under the regional storm event, and follow the recommendations of the Master Vegetation Preservation and Landscape Plan.
9. That this plan of subdivision will be serviced by municipal water supply from the Oxenden/Wiarton Water System, the cost of any revisions to the certificates or improvements to the existing plant required as a result of this development will be borne by the owner, and these terms shall be included as part of the registered subdivision agreement.
10. The subdivision agreement shall include provisions protecting the ecological and natural heritage features of the lands, and implementing the recommendations of the Environmental Impact Study dated April 2013 completed by AWS Environmental Consulting, to the satisfaction of the Niagara Escarpment Commission and the Grey Sauble Conservation Authority.
11. That bollards and signage shall be installed along the lot lines, adjacent to the shoreline protection areas of Lots 1 through 11, inclusive, clearly identifying the area of no development, and that bollards and signage shall be installed along the tree retention zone adjacent to the central watercourse for Lots 6, 7, 16 and 17. Similar bollards and signage shall also be installed around vegetation community number 6, as identified in the Environmental Impact Study dated April 2013 completed by AWS Environmental Consulting. All bollards and signage shall be installed to the satisfaction of the Grey Sauble Conservation Authority and the Niagara Escarpment Commission.

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12. That wording be included in the subdivision agreement, to the satisfaction of the Grey Sauble Conservation Authority and the Niagara Escarpment Commission, requiring that all of the bollards and signage be in place prior to any site alterations and/or the issuance of a building permit. Details regarding spacing of the bollards and signage will be included within the subdivision agreement.
13. That wording be included in the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority stating that the 30 metres adjacent to the 177.9 m GSC shoreline contour be maintained in natural vegetative cover and enhanced where necessary.
14. That wording be included in the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority stating that no site alteration shall be undertaken within 30 metres of the 177.9 m GSC shoreline contour without the express written consent of the Township of Georgian Bluffs, the Grey Sauble Conservation Authority and the Niagara Escarpment Commission.
15. That a restrictive covenant be registered on title for Lots 1 through 11, inclusive. The wording of the restrictive covenant should read something to the effect of 'the area within 30 metres of the 177.9 m GSC shoreline contour, and identified on the property with bollards and signage, shall be left in a naturalized state and no topographical alterations, drainage works, placement of buildings or structures, removal of trees, grass or brush cutting, dumping of debris or yard waste or weed control (other than for noxious varieties) will be carried out within this area.' Confirmation of this covenant will be to the satisfaction of the Grey Sauble Conservation Authority and the Niagara Escarpment Commission.
16. That wording be included in the subdivision agreement, to the satisfaction of the Grey Sauble Conservation Authority, stating that the riparian rights of the Township will not be transferred to any other party and that no development of the shore lands will be permitted without the express written approval of the Township of Georgian Bluffs, the Grey Sauble Conservation Authority and the Niagara Escarpment Commission.
17. That wording be included in the subdivision agreement stating that the 15 metres adjacent to the watercourse be maintained in natural vegetative cover and enhanced as per the recommendations of the Environmental Impact Study dated April 2013 completed by AWS Environmental Consulting, and that appropriate fencing be erected, to the satisfaction of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission and the Township of Georgian Bluffs.

18. That wording be included in the subdivision agreement stating that no site alterations shall be undertaken within 15 metres adjacent to the watercourse without the express written consent of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission and the Township of Georgian Bluffs.
19. That a restrictive covenant be registered on title for Lots 6, 7, 16 and 17. The wording of the restrictive covenant should read something to the effect of 'the area within 15 metres of the identified central watercourse, and identified on the property with bollards and signage, shall be left in a naturalized state and no topographical alterations, drainage works, placement of buildings or structures, removal of trees, grass or brush cutting, dumping of debris or yard waste or weed control (other than for noxious varieties) will be carried out within this area.' Confirmation of this covenant will be to the satisfaction of the Grey Sauble Conservation Authority.
20. That wording be included in the subdivision agreement, to the satisfaction of the Grey Sauble Conservation Authority, requiring that prior to the issuance of a building permit, the above noted restrictive covenants will be registered on title, and that proof of such registration is provided to the Township of Georgian Bluffs.
21. That the requirement for a permit from the Grey Sauble Conservation Authority for any development and/or site alterations within 30 metres of the central watercourse, or 30 metres of the 177.9 m GSC shoreline contour be included in the wording of the subdivision agreement to the satisfaction of the Grey Sauble Conservation Authority.
22. That prior to final approval of the plan of subdivision wording be included in the subdivision agreement requiring the completion of a Master Vegetation Preservation and Landscape Plan to the satisfaction of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission and the Township of Georgian Bluffs.
23. That the subdivision agreement contains clauses recognizing that should human remains or other cultural heritage materials or features be discovered on-site that the requirements of the Ontario Heritage Act shall be adhered to.
24. That all easements and or agreements for drainage, gas line 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.

**Applicant: Boulter Estates Limited c/o Mack Boulter**  
**Municipality: Township of Georgian Bluffs**  
**Location: Part of Lot 5, Jones Range (Geographic Township of Keppel)**  
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**Last Date of Appeal:**

**File No.: 42T-2013-04**

**Date of Notice:**

25. That wording be included in the subdivision agreement requiring the siting and installation of a single Community Mail Box to service mail delivery for the twenty-two lots, to the satisfaction of Canada Post.
26. As per the requirements of the County's Forest Management By-law 4341-06 Exemptions section 4(d), the injuring or destruction of trees for this subdivision is exempted from the requirements of the By-law, but must still be in accordance with the Master Vegetation Preservation and Landscape Plan and to the satisfaction of the Grey Sauble Conservation Authority, the Niagara Escarpment Commission and the Township of Georgian Bluffs.
27. That prior to final approval the County is advised in writing by the Grey Sauble Conservation Authority how Conditions 8, 10 to 22 and 26 have been satisfied.
28. That prior to final approval the County is advised in writing by the Niagara Escarpment Commission how Conditions 6, 8, 10 to 12, 14 to 18, 22, and 26, have been satisfied.
29. That prior to final approval the County is advised in writing by Canada Post how Condition 25 has been satisfied.
30. That prior to final approval the County is advised in writing by the Township of Georgian Bluffs how Conditions 2 to 29 have been satisfied.
31. If final approval is not given to this plan within three years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution from the local municipality must be received by the County of Grey Director of Planning, 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.
32. That the owner, submit to the County of Grey with a computer disk containing a digitised 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 in close proximity to the conductors.
  
3. Clearances are required from the following:  
  
Township of Georgian Bluffs  
177964 Grey Road 18  
Rural Route #3 Owen Sound, ON, N4K 5N5  
  
Grey Sauble Conservation Authority  
237897 Inglis Falls Road, Rural Route #4  
Owen Sound, ON, N4K 5N6  
  
Niagara Escarpment Commission  
99 King Street East  
Thornbury, ON, N0H 2P0  
  
Canada Post  
Delivery Services Officer | Delivery Planning  
955 Highbury Ave  
London, ON, N5Y1A3
  
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.

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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 and Climate Change under the Ontario Water Resources Act, RSO 1990, as amended.
6. All measurements in subdivision final plans must be presented in metric units.
7. A portion of the subject lands are affected by Ontario Regulation 151/06: Development, Interference with Wetlands and Alteration to Shorelines and Watercourses regulation. As such permits are required from the Grey Sauble Conservation Authority prior to site alterations and/or construction within the affected area.
8. The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.

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.

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.

The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.

The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:

- i. Any required walkway across the boulevard, per municipal standards
- ii. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)

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iii. A Community Mailbox concrete base pad per Canada Post specifications.

9. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.