A. Recommendations

THAT Council receive Staff Report PDS.20.76, entitled “Application for Holding ‘-h’ Removal Clarksbury Subdivision Phase 1”;

AND THAT Council enact a By-law to remove the Holding ‘-h30’ symbol for Part of Part Lot 28 Concession 7 also known as Clarksbury Subdivision Phase 1.

B. Overview

The purpose of this report is to review the Holding ‘-h30’ requirements for the Clarksbury Subdivision (Grey Road 40 and Highway 26) and provide a recommendation to remove the Holding ‘-h30’ symbol to permit Phase 1 of the development to proceed with the construction of dwellings in accordance with the executed Subdivision Agreement.

C. Background

Planning and Development Services has received an application for Holding ‘-h30’ Removal from Clarksbury Lands Corporation for the first phase of the Clarksbury Subdivision. The Subdivision received a Rezoning and Draft Plan Approval in 2018.

Clarksbury Subdivision Phasing:

Phase 1 – Lots 1 to 36 and Blocks 37 to 43.

Phase 2 – Lots 37 to 53 (not being registered at this time)

Clarksbury Phase 1 has now received Accepted for Construction approvals (March 23, 2020) on the detail engineering design, with an executed Subdivision Agreement (July 21, 2020). The Registration of the Subdivision Agreement and Plan of Subdivision is in process at the time of writing this report, and is expected to be fully completed shortly. It is important to note that
the Accepted For Construction drawings have been prepared in accordance with the Highway 26/Grey Road 40 Environmental Assessment (EA) that has been completed. No traffic will be authorized to cross the Georgian Trail. Temporary construction across the Georgian Trail is required to connect infrastructure. An accessway for emergency services vehicles and municipal services vehicles (i.e. plows and/or waste collection vehicles) has been designed to cross the Georgian trail to meet municipal and emergency vehicle access needs. The developer is also required to communicate construction activities to area residents throughout the progressive buildout of the development.

D. Analysis

The lands are zoned Residential ‘R1-1-h30’, Residential ‘R1-1-h31’, Open Space ‘OS’ and Hazard ‘H’ in The Blue Mountains Zoning By-law 2018-65. The Residential R1-1 zone permits single detached dwellings, and related uses. The Holding ‘-h30’ symbol is on the lands and requires the Execution of a Subdivision Agreement and Registration of a Plan of Subdivision to be completed prior to building permits being issued for new dwelling units.

It is noted that a Holding ‘-h31’ symbol is on Lot 6 of the Subdivision Plan which is the location for a potential road connection from the Clarksbury Subdivision to Woodland Park Road as per recommendations of an approved Environmental Assessment for the Grey Road 40 and Highway 26 intersection area. The ‘-h31’ symbol cannot be removed until confirmation is received that the road connection is not required. The Open Space ‘OS’ zone recognizes an area adjacent to the Georgian Trail for tree preservation and the Hazard ‘H’ zone recognizes those areas unsuitable for development because of slope and watercourse hazards being present.

The Plan of Subdivision lands are to be developed in two phases. Currently Planning staff is recommending the removal of the Holding ‘-h30’ for the Phase 1 only.

Planning Staff are satisfied that the requirements to lift the Holding ‘-h30’ symbol from the Phase 1 lands have been met. An executed Subdivision Agreement is now complete, and the registration of the Agreement and Plan of Subdivision are imminent and expected to be completed well in advance of the August 25th committee meeting.

Holding ‘-h’ symbols can only be removed by Council by way of By-law. A Draft Holding ‘-h30’ Removal By-law is attached to this report.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #3 Manage Growth and Promote Smart Growth
F. **Environmental Impacts**

Environmental Impacts have been reviewed by Town Staff and Conservation Authority Staff and are mitigated in the accepted for construction design and Conservation Authority Permit requirements.

G. **Financial Impact**

Financial obligations related to this development were collected in full at time of the Subdivision Agreement.

H. **In consultation with**

Trevor Houghton, Manager of Community Planning  
Nathan Westendorp, Director of Planning and Development Services

I. **Public Engagement**

The topic of this Staff Report has been the subject of a Public Meeting on December 2017. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, have been provided notice of this Staff Report. Pursuant to Subsection 36(4) of the *Planning Act* a public meeting is not required prior to Council passing a by-law to remove a holding “h” symbol.

Comments regarding this report should be submitted to Shawn Postma,  
[planning@thebluemountians.ca](mailto:planning@thebluemountians.ca)

J. **Attached**

1. Clarksbury Phase 1 Subdivision Draft M-Plan  
2. Clarksbury Phase 1 Draft Holding ‘-h30’ Removal By-law

Respectfully submitted,

Shawn Postma, RPP MCIP  
Senior Policy Planner
Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
Shawn Postma
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519-599-3131 extension 248
AFC Drawings are only Valid as Part of Development Agreement
The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Town of The Blue Mountains Zoning By-law";

Whereas the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. The Zoning By-law of the Town of the Blue Mountains being By-law No. 2018-65, is hereby amended by removing the Holding ‘-h30’ symbol from the lands lying and being in The Town of The Blue Mountains comprised of Part of Part Lot 28, Concession 7, Town of the Blue Mountains, as indicated on the attached key map Schedule ‘A-1’.

2. Schedule ‘A-1’ is hereby declared to form part of this By-law.

Enacted and passed this 8th day of September, 2020.

________________________________________
Alar Soever, Mayor

________________________________________
Corrina Giles, Clerk
Town of The Blue Mountains
Schedule 'A-1'

By-Law No._________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R1-1-h30 to R1-1

Date: 2023-08-06