



# Staff Report

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## Planning & Development Services – Planning Division

**Report To:** COW-Operations\_Planning\_and\_Development\_Services  
**Meeting Date:** February 27, 2024  
**Report Number:** PDS.24.029  
**Title:** File P3359 Zoning Bylaw Amendment 516681 7th Line  
**Prepared by:** Adam Farr, Senior Planner

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### A. Recommendations

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THAT Council receive Staff Report PDS.24.029, entitled “File P3359 Zoning Bylaw Amendment 516681 7th Line”.

AND THAT the Zoning By-law Amendment, to amend the Town of The Blue Mountains Zoning By-law 2018-65, as amended, as shown on Attachment 1 to Staff Report PDS.24.029 for the lands municipality known as 516681 7<sup>th</sup> Line from Development (D) Zone to Residential One Exception (R1-1-147-h45) be approved subject to the related site specific exceptions and Holding provisions for the reasons outlined in Report PDS.24.029 and its Attachments dated February 27, 2024.

### B. Overview

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The subject application seeks approval for a re-zoning of the subject lands from the current Development (D) designation to Residential one (R1-1) and Open Space (OS).

A concurrent application for a draft plan of vacant land condominium (County file: 42CDM-2023-05 Town file P3358) has been filed by the applicant for these lands with County of Grey and the Town. A further recommendation report regarding conditions of approval of the draft plan of vacant land condominium is targeted for the March 19, 2024 Committee of the Whole meeting.

The effect of the applications is to permit the development of the lands for a 22 lot single detached residential development, a private street and open space where the subject site is now a forested significant woodland occupied by a residential dwelling and accessory structures.

Site specific Zoning By-law exceptions have been proposed by staff to address comments and issues that emerged from the application review process.

A Holding provision is proposed that addresses various matters that are required to be addressed before the Zoning can come into effect.

On fulfillment of the associated Holding provisions, subject to site specific zoning exceptions and forthcoming draft plan conditions the applications will be in alignment with the various approval documents and can be considered to reflect good planning.

## C. Background

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The subject lands are located at 516681 7<sup>th</sup> Line adjacent to the Georgian Bay Club which includes a condominium residential development and a golf course. The lands are currently occupied by a residential dwelling and accessory structures, are otherwise forested and designated significant woodlands.

Surrounding lands are as follows:

**To the North:** condominium development of semi-detached residential dwellings on lands designated Residential/Recreational Area and zoned Residential Two Exception (R2-107).

**To the East:** golf course on lands designated Recreational Commercial Area in the Town's Official Plan and zoned Recreation Two (REC 2).

**To the South:** golf course on lands designated Recreational Commercial Area in the Town's Official Plan and zoned Recreation Two (REC 2).

**To the West:** forested lands and single detached residential and accessory buildings on forested lands designated Rural in the Town's Official Plan and zoned Rural (RU).



A pre-consultation meeting was held on April 7, 2022. The materials submitted with the applications include:

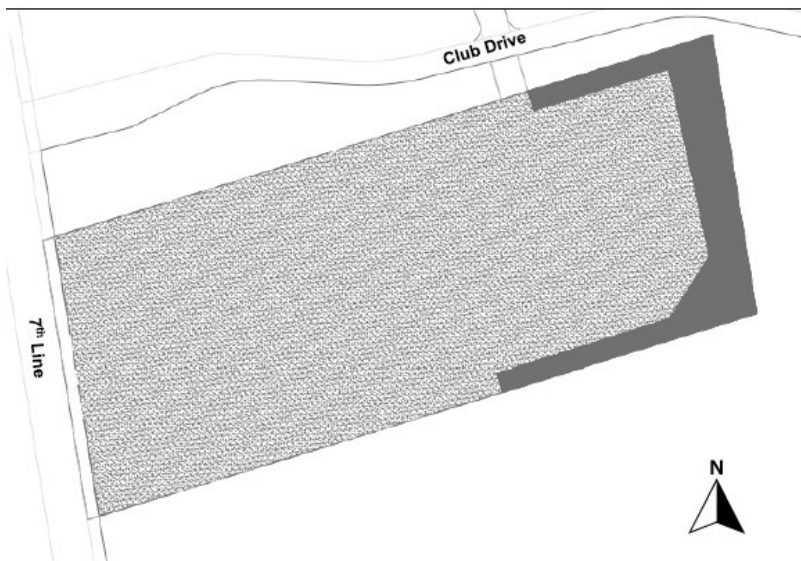
- Planning Justification Report
- Proposed Draft Plan of Vacant Land Condominium
- Environmental Impact Study
- Traffic Impact Study
- Scoped Golf Spray Analysis
- Landscape Analysis
- Stage 1 and 2 Archaeological
- Preliminary Functional Servicing Report
- Geotechnical Report
- Letters acknowledging the proposal from adjacent condominium corporation
- Confirmation of First Nation consultation

The subject application seeks approval for a re-zoning of the subject lands from the current Development (D) designation to Residential one (R1-1) and Open Space (OS).

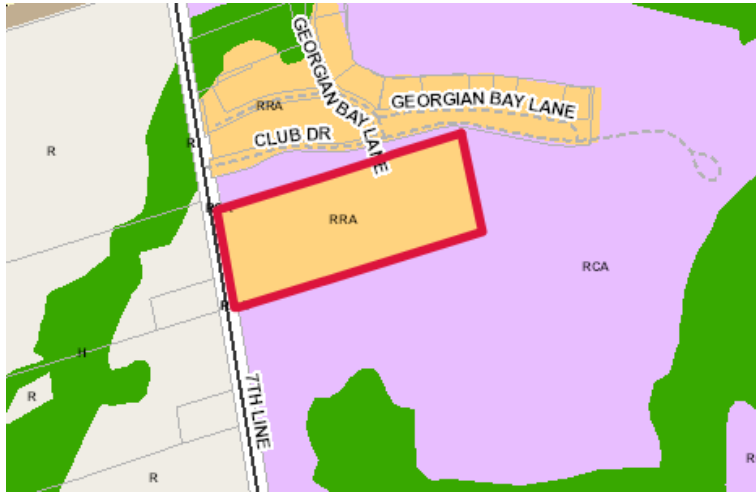


**Legend**

-  Area to be rezoned from 'D' to 'R1-1-h7'
-  Area to be rezoned from 'D' to 'OS'



The property is currently designated residential Recreation Area in the Town Official Plan.



The property is also designated as containing a significant woodland by the County and the Town.



The applicant has identified 2 wetlands on the property outlined in green in the air photo below.





The property sits within the Escarpment Recreation Area of the Niagara Escarpment Plan area in which development is required not to conflict with related policies.

The proposed re-zoning is intended to set the use permissions and land use provisions to frame a residential draft plan of vacant land condominium for which an application has been made (Town file P3359, County file 42CDM-2023-05) that proposes creation of:

- 22 residential lots;
  - private road;
  - open space designation; and
- dedication of a 7<sup>th</sup> Line road widening to the Town.



The Residential One- One (R1-1) Zoning permits single detached dwellings, home businesses, home child care, a group home and accessory apartment. The provisions that regulate the form of development on the property are:

Zone Standard	
Min lot area (m2)	550
Max lot coverage	30%
Min lot frontage (m)	18.0
Min front yard (m)	7.5
Min exterior side yard (m)	5.0
Min interior side yard (m)	2.0
Min rear yard (m)	9.0

<b>Max height (m)</b>	9.5
<b>Max height (storeys)</b>	2.5

The proposal contemplates large lot single detached custom homes subject to architectural control.

<b>Lot size</b>	from 1272m <sup>2</sup> to 2652m <sup>2</sup>
<b>Frontage</b>	from 18.68m to 27.75m
<b>Depth</b>	from 42.42m to 85.9m

The development of these lands is dependent upon easements over:

- adjacent Condo GSCC 105 lands to establish public street access which is a prerequisite for zoning by-law compliance; and
- privately held Golf Club lands for access to the stormwater pond.

Also, the use and capacity of the stormwater pond by the proposed development needs to be confirmed and secured along with conveyance from the subject lands to the pond and from the pond to its ultimate discharge point.

Official Plan policies require that, in the Residential/Recreational Designation, where applicants wish to seek relief from the minimum 40% open space requirements, Council requires that access to walkways and facilities be demonstrated to their satisfaction. The applicant has proposed to satisfy this requirement through provisions in the condominium declaration requiring owners to be members of the Golf Club which would provide related access.

The subject applications were deemed complete on December 21, 2023 at which time:

- a 90 day decision making timeline for the Zoning By-law Amendment began; and
- a 120 day decision making time frame for the Draft Plan of Vacant Land Condominium began.

The time frames expire on Friday March 21, 2024 and on April 20, 2024 respectively.

Where the municipality fails to make a decision on a Zoning By-law Amendment within 90 days the Planning Act includes provisions regarding mandatory fee returns according to the associated sliding schedule. Also, where decisions are not made within 90 days for a Zoning By-law Amendment or within 120 days for a Draft Plan of Subdivision applicants are permitted to file appeals for non-decision to the Ontario Land Tribunal.

Staff advised of various outstanding matters through the complete application and formal application review processes. The applicant agreed to provide related information to fulfill outstanding matters throughout the approvals process and staff advised that pending conclusion of application review the Town would consider the use of Holding provisions, draft plan conditions and other mechanisms as appropriate to address related issues.

The applications were circulated to property owners within 120 m of the subject lands and to Town Departments and external agencies. A public meeting was held on January 30, 2024. At the time of the public meeting not all agencies and departments had not yet commented on the complete application (Attachment 3). Comments were received from the Niagara

Escarpment Commission. One member of the public provided comment expressing general concerns over the loss of forested land. All comments on file including those received after the public meeting are attached to this report (Attachment 4).

## D. Analysis

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A complete planning analysis relative to the key documents of the Provincial Planning framework has been completed in Attachment 2. These include the:

- Niagara Escarpment Plan,
- Planning Act,
- Provincial Policy Statement,
- County of Grey Official Plan,
- Town of The Blue Mountains Official Plan, and
- Town of The Blue Mountains Zoning By-law

In addition, this property includes elements that fall within the commenting authority of the Grey Sauble Conservation Authority.

The Niagara Escarpment Commission has elected not to provide comments on the proposed Zoning By-law until such time as it has been demonstrated to their satisfaction that the proposed development does not conflict with the Niagara Escarpment Plan.

Since this report deals with the Zoning By-law alone, the analysis deals with those elements of application review that are fundamental in nature to the use permissions, provisions and boundaries of the proposed zoning. A range of issues were identified through the application review that require inclusion of site-specific provisions along with various Holding provisions and forthcoming conditions of draft plan approval in order to successfully demonstrate that this project is in alignment with the planning framework. The analysis in Attachment 2 provides the policy rationale for the site specific by-law exceptions and Holding provisions.

A separate report on recommended conditions of approval for the proposed vacant land condominium will be presented to Committee of the Whole and Council consideration targeting the March 19, 2024 and April 2, 2024 meetings dates respectively.

### Zoning By-law Exceptions

A number of exceptions to the proposed Zoning Bylaw are recommended:

- **Addition of more than one use to the list of permitted uses in the Zoning By-law**

The County of Grey includes policies within their Official Plan as follows:

*"The County does not support residential zones within the Recreational Resort Settlement Area which only allow for single detached dwellings as the only residential use in a zone. In addition to single detached dwellings, municipal zoning by-laws shall permit Additional residential units and other forms of housing such as semi-detached, townhouses, rowhouses, etc. When updating municipal zoning by-laws municipalities shall provide residential zones that provide a mix of residential unit types."*

The proposed Zoning By-law will require the inclusion of additional permitted residential use types. To that end, and in accordance with the development character of the adjacent condominium lands semi-detached units are recommended to be included as an additional use within the proposed site specific zoning by-law.

- **Provision of minimum 3m and 4.5m landscape strips**

The Town Official Plan emphasizes open space character in the Residential Recreational Designation. This includes mitigation measures to avoid adverse visual impacts to protect the open space character. Because this development is proposed directly adjacent to a municipal ROW where existing trees could be removed in the future and also contemplates potential removal of all vegetation from the site, a minimum 3m buffer strip is recommended to buffer the perimeter of the site and a 4.5m is recommended adjacent to 7<sup>th</sup> Line.

The applicant has indicated an intent to buffer the subject lands from the surrounding adjacent lands through the retention or replacement planting of a minimum 3m to 6m landscape strip. A landscape analysis was submitted that proposed enhancement plantings at various locations around the property mainly where the proposed lots meet protected Open Space and adjacent lands or where Open Space enhancement planting opportunities have been identified to supplement buffers.

The applicant is uncertain as to whether trees can be retained on the development lands pending completion of a tree inventory and protection plan and the constraints imposed by required engineering. In addition, the Niagara Escarpment Plan has raised some questions regarding the Environmental Impact Study that impact consideration of the extent of woodland protection on the property. While the Town's tree by-law provides protection of any trees intended for protection that are referenced in related agreements, the and the EIS may or may not necessitate further tree retention the proposed plantings provision is intended to ensure a minimum planting requirement and assist in mitigating potential vegetation loss. Proposed draft plan conditions will include further development of the required landscape planting plan.

- **Site Specific definition of landscape strip**

A site specific definition of landscape strip is required because the Town of The Blue Mountains Zoning By-law currently defines landscape strip as including a variety of materials including a fence whereas the intended purpose of the landscape strip as applied to this development is to achieve an opaque visual buffer of native species that protects the character of the Residential Recreational Area.

- **Maximum 340 m2 impervious surface (driveway and building footprint) coverage**

Grey Sauble Conservation Authority has advised of storm system capacity limitations that require a maximum impervious coverage limit be established for each proposed lot.

### **Holding Provisions**

There are several issues associated with this proposal that are required to be addressed as Holding provisions that must be fulfilled before the Zoning rights can take effect on this property. Until these provisions are fulfilled the proposal does not entirely meet the requirements of the planning framework (Attachment 2). Holding provisions, in this case, include typical Holding requirements and address other “threshold” issues that, if they cannot be met, could result in a requirement to revise the Zoning By-law Amendment and the draft plan of vacant land condominium:

- **Executed condominium agreement:**

This is a standard requirement of the Town where a draft plan of subdivision or vacant land condominium is considered along with a Zoning By-law Amendment to ensure all matters have been addressed and secured before the zoning comes into effect and building permits can be issued.

- **Registration of a Plan of Vacant Land Condominium**

This is a standard requirement of the Town where a draft plan of subdivision or vacant land condominium is considered along with a Zoning By-law Amendment to ensure all matters have been addressed and secured before the zoning comes into effect and building permits can be issued.

- **Confirmation and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity.**

This is a standard requirement of the Town.

- **Registration of a Condominium declaration demonstrating unit owner access to walkways and recreational facilities including but not limited to Condominium Corporation GSCC 105 and the Georgian Bay Club Golf Course to the satisfaction of the Town.**

The Town of The Blue Mountains Official Plan Policy 3.7.4.5 Open Space Exception requires that where an applicant seeks an exception from the 40% open space requirement in the RRA designation the applicant is not exempt from the provision of open space walkways as deemed appropriate by Council. Further – the preceding policy 3.7.4.4 Open Space Other Policies requires that:

*Council may establish standards for the common ownership and/or assured access by lot and unit owners to the open space component, as well as any additional recreational lands and/or facilities as provided under this Plan.*

In this instance the applicant is intending to require new owners become members of the golf course which provides them access to the related amenities. A walkway on public lands adjacent to the development is to be secured through a cash contribution.

In accordance with Official Plan policy D6.2.4 and 6.2.5 regarding parkland and other land dedication, cash in lieu of parkland will, be collected for the full extent of the eligible subject lands at the rate of 5%. Notwithstanding the current Open Space zoning proposed in the subject By-law, the Town is not required to consider treed lands along the Niagara Escarpment and the Nippising Ridge to maintain the visual quality of the resort area as a

parkland dedication under the Planning Act. However, pending, the outcome of the further review of the status of environmental features, the receipt of the tree inventory and protection plan and landscape plan, a further review of the extent of lands subject to cash in lieu requirements will be undertaken.

- **To the satisfaction of The Town of The Blue Mountains, County of Grey and Grey Sauble Conservation Authority, registration of easements will be required:**
  - to establish access to a public street,
  - to allow use of services,
  - to access to stormwater facilities; and
  - for any other purposes as may be required

The Town of The Blue Mountains Zoning By-law requires that, in order to gain building permits, lots must front on a private street within a Plan of Condominium that either provides direct access to a public street or which connects with other private streets within a Plan of Condominium or other Plans of Condominium to access a public street. In order to gain such access, the future owners of units in this development would need to have legal access over the adjacent roads which are currently a part of registered Condominium GSCC 105. Registered easements are the instrument for fulfilling this requirement.

- **Demonstration that the receiving stormwater pond 2 has sufficient capacity to receive flows from the subject lands, the outfall is appropriately designed, conveyance and storage is secured and all tenured appropriately to the satisfaction of the Town of The Blue Mountains, County of Grey, and Grey Sauble Conservation Authority.**

Additional information confirming the tenure and capacity of the receiving stormwater pond and conveyance is required.

- **Submission of an addendum Environmental Impact Study and Tree Inventory and Protection Plan including compensation as required and landscaping plan and coordinated implementation plan to the satisfaction of the Town of The Blue Mountains, County of Grey and Niagara Escarpment Commission.**

A number of questions regarding the environmental study were raised through the technical review and there is insufficient time within the review period to resolve these. This provision allows for that work to be concluded prior to the Zoning By-law coming into effect. Where any related issues cannot be overcome the applicant would be required to revise the proposal and seek approval through separate applications.

Requirements for a Tree Inventory and Protection Plan and compensation as required are intended to both identified trees that can be protected and/or require protection on the property. Enhancement plantings are proposed by the applicant at various locations and this requirement through the Holding provision would further support buffering where required.

- **Confirmation from the Niagara Escarpment Commission that the proposal does not conflict with the Niagara Escarpment Plan**

The Niagara Escarpment Commission has advised that the wetlands and woodlands on the property are subject to compliance with related sections of the Niagara Escarpment Plan. The applicant is required to demonstrate how those policies are met.

- **All the provisions above require fulfillment before the Zoning can come into effect.**

### **Open Space Zoning**

The proposed Open Space area is not intended to be owned by the municipality but rather as a common element owned by the condominium. In addition to buffering butternuts on adjacent lands, the applicant has stated the intent of the open space is to buffer the proposed lots from the golf course.

The applicant has advised that the extent of the setbacks from the located butternut trees on the subject lands are sufficient; however there is variation from the required 25 m setback and a rationale for the related reduction has been requested. A Holding provision has been recommended requiring that a satisfactory Environmental Study be finalized to Town, County and NEC satisfaction.

The Holding provisions also include, among other things, a requirement for a Tree Inventory and Protection Plan including compensation as required to the satisfaction of the Town, County and Niagara Escarpment Commission.

## **E. Strategic Priorities**

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The recommendations in this report are reflective of the following strategic priorities:

### **1. Communication and Engagement**

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.



#### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

#### **F. Environmental Impacts**

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There were no environmental impacts associated with the preparation of this report. The recommendations have appropriately considered the related environmental issues through the associated Holding provisions and forthcoming recommendations regarding the related conditions of draft plan of vacant land condominium approval. To the extent those Holding provisions are fulfilled they will either address the related requirements or alternately necessitate future potential revisions to the Zoning By-law Amendment and/or the Draft Plan Approval.

#### **G. Financial Impacts**

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There were no financial impacts associated with the preparation of this report. The development of the subject lands will ultimately contribute development charges to fund related municipal infrastructure. Also, decisions of Council on planning applications may be subject to an appeal to the Ontario Land Tribunal. Depending on the scope of an appeal (if any) and Town involvement in the appeal process, additional financial obligations may be required.

#### **H. In Consultation With**

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This report was prepared in consultation with the Director of Planning and Development Services and was the subject of interagency and interdepartmental consultation through the development approvals process.

#### **I. Public Engagement**

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The topic of this Staff Report has been the subject of a Public Meeting which took place on **January 30, 2024**. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Adam Farr, [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca).

**J. Attached**

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1. P3359 DRAFT By-law
2. P3359 Planning Analysis
3. P3359 Public Meeting Comment Summary
4. P3359 Consolidated Original Comments

Respectfully submitted,

Adam Farr, Senior Planner

For more information, please contact:

Adam Farr, Senior Planner  
planning@thebluemountains.ca  
519-599-3131 extension 283

### Report Approval Details

Document Title:	PDS.24.029 Recommendation Report - Zoning By-Law Amendment 516681 7th Line (Georgian Bay Enclave).docx
Attachments:	- PDS-24-029-Attachment-1.pdf - PDS-24-029-Attachment-2.pdf - PDS-24-029-Attachment-3.pdf - PDS-24-029-Attachment-4_Redacted.pdf
Final Approval Date:	Feb 15, 2024

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Shawn Postma was completed by delegate Adam Smith**

**Shawn Postma - Feb 15, 2024 - 4:04 PM**

**Adam Smith - Feb 15, 2024 - 4:05 PM**

## The Corporation of the Town of The Blue Mountains

### By-Law Number 2024 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "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. That Schedule 'A' to The Blue Mountains Zoning By-law 2018-65 is hereby amended by rezoning the lands described as Concession 7 Part Lot26 Register Plan 16R3261 Part 1, municipally known as 516681 7<sup>th</sup> Line from the Development 'D' Zone to the Residential One Exception 'R1-1-147-h45' Zone and Open Space 'OS' Zone in accordance with Schedule 'A-1' to this By-law;
2. That Table 9.1 – Exceptions is amended by adding the following Exceptions as follows:

Exception Number	Zone	Special Provisions
144	R1-1-147-h45	<p>For these lands the following shall apply:</p> <ol style="list-style-type: none"> <li>1) In addition to permitted uses under R1-1 semi-detached dwellings shall also be permitted</li> <li>2) A minimum 3 m landscape strip shall be required from the rear property line.</li> <li>3) A minimum 4.5 m landscape strip shall be required from the rear property line of those lots adjacent to 7<sup>th</sup> Line.</li> <li>4) Maximum 340 m2 impervious surface (driveway and building foot print) per lot</li> </ol> <p>Landscape strip shall mean a continuous row of trees and/or hedgerow of evergreens, bushes and shrubs comprised of native species, retained vegetation and enhancement plantings and/or naturalized plantings arranged so as to form a dense and opaque screen or barrier to the satisfaction of the Town of The Blue Mountains.</p>

That Table 10.1 – Site-specific Holding Provisions is amended by adding the following Holding Provision as follows:

Holding Number	Zone	Special Provisions
h45	R1-1-147-h45	<p>The Holding (h45) provision applies to the entirety of the lands.</p> <p>The Holding (h45) provision shall not be removed from these lands, and no development shall occur, until all of the following has been completed to the satisfaction of the Town and related authorities as applicable including County of Grey, Grey Sauble Conservation Authority, Niagara Escarpment Commission and others as set out below and/or as required:</p> <ol style="list-style-type: none"> <li>1) Execution of a Vacant Land Condominium Agreement.</li> <li>2) Registration of a Plan of Vacant Land Condominium.</li> <li>3) Registration of a Condominium declaration demonstrating unit owner access to/over walkways and recreational facilities including but not limited to Condominium Corporation GSCC 105 and the Georgian Bay Club to the satisfaction of the Town of The Blue Mountains.</li> <li>4) Registration of easements to the satisfaction of the Town of the Blue Mountains, the County of Grey and Grey Sauble Conservation Authority over Condominium Corporation GSCC 105, Georgian Bay Golf Club lands and any other lands as required to: <ul style="list-style-type: none"> <li>• establish access to a public street,</li> <li>• allow use of services and or easements over services,</li> <li>• secure conveyance to and use of stormwater facilities; and,</li> <li>• provide for any other easements as may be required.</li> </ul> </li> <li>5) Confirmation and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of The Blue Mountains and the County of Grey.</li> <li>6) Demonstration that the receiving stormwater pond has sufficient capacity to receive flows from the subject lands, the outfall is appropriately designed, conveyance and storage is secured and all tenured appropriately to the satisfaction of the Town of The Blue Mountains, County of Grey, and Grey Sauble Conservation Authority.</li> <li>7) Submission of an addendum Environmental Impact Study and Tree Inventory and Protection Plan including compensation as required and landscaping plan and coordinated implementation plan to the satisfaction of the Town of The Blue Mountains, County of Grey and Niagara Escarpment Commission.</li> <li>8) Prior to fulfillment of any of the Holding provisions confirmation is required from the Niagara Escarpment Commission that the subject zoning, any draft plan of subdivision/condominium and any development on these lands does not conflict with the Niagara Escarpment Plan.</li> </ol>

3. That Schedule 'A-1' is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_

Andrea Matrosovs, Mayor

\_\_\_\_\_

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2024-\_\_\_\_ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the \_\_\_\_ day of \_\_\_\_\_, 2024.

Dated at the Town of The Blue Mountains, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_




Corrina Giles, Clerk

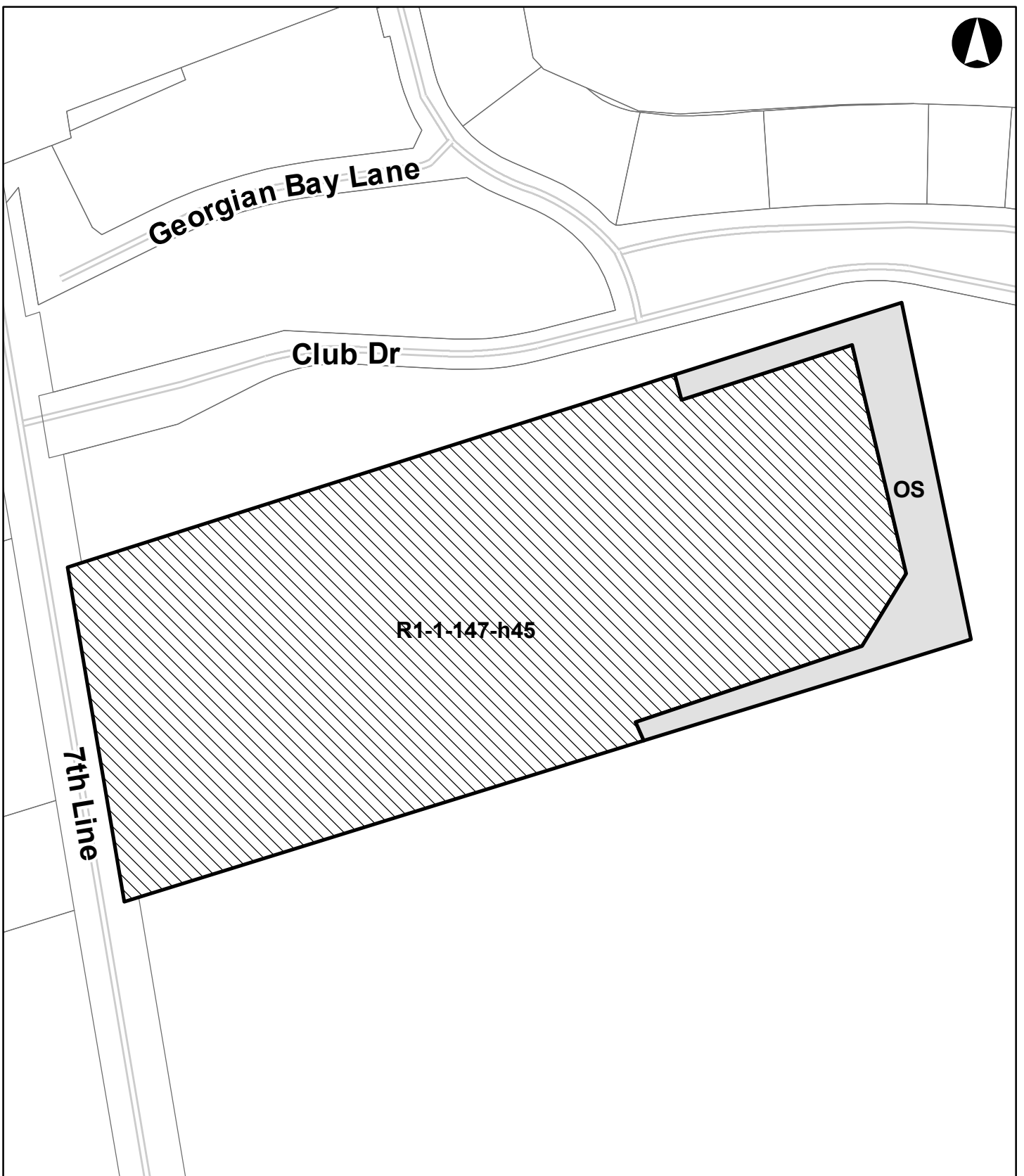
# Town of The Blue Mountains

## Schedule 'A-1'

By-Law No. \_\_\_\_\_

### Legend

-  Subject Lands of this Amendment
-  Area To Be Rezoned From D to OS
-  Area To Be Rezoned From D to R1-1-147-h45





## Attachment 2 P3359 Planning Analysis – Report PDS.24.029

### **Niagara Escarpment Planning and Development Act**

The subject lands fall within the boundaries of the Niagara Escarpment Plan (NEP) and development approvals therein are required not to be in conflict with the NEP.

The purpose of the Niagara Escarpment Planning and Development Act (NEPDA) is: “to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment.”

The NEPDA forms the legal basis for the Niagara Escarpment Plan (NEP) and Niagara Escarpment Commission operations. It includes:

- procedures for NEP reviews
- hearings
- amendments
- appeals
- regulations for setting out the planning area and establishing Development Permit requirements and exemptions.

The NEPDA also sets out the relationship of the NEP with municipal planning direction and land use policies of other public bodies.

As noted below the NEC has identified concerns with the proposal relative to NEP requirements.

### **Niagara Escarpment Plan**

The Niagara Escarpment Plan (NEP) includes policies under Part 2 Development Criteria 2.6 and 2.7 regarding hydrologic and natural heritage features. Niagara Escarpment Commission staff have advised that the policies have

*“not been addressed in the proposed development to satisfy the purpose and objective of the Niagara Escarpment Plan.”*

Based on Niagara Escarpment Commission comments, further review is required to confirm that the proposal does not conflict with the NEP. Additionally, the NEC has noted a number of concerns with the conclusions of the Environmental Impact Study and is seeking additional information.

A combination of site-specific zoning provisions and Holding provisions have been included in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

**Planning Act**

The proposal generally has regard for matters of Provincial interest under Section 2; however, with regard to *a) the protection of ecological systems, including natural areas, features and functions*, based on County of Grey and the Niagara Escarpment Commission comments, further review is required to confirm conclusions of the Environmental Impact Study and establish that the proposal has appropriate regard for the applicable section.

Regarding:

*(j) the adequate provision of a full range of housing, including affordable housing;*

*(e) the supply, efficient use and conservation of energy and water;*

*(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*

A combination of site-specific zoning provisions and Holding provisions have been included in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

**Provincial Policy Statement**

The Provincial Policy Statement includes direction as follows:

*"In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act."*

There are outstanding project matters under 1.4.3 Housing, 1.6.6 Sewage, Water and Stormwater 2.1 Natural Heritage.

A combination of site-specific zoning provisions and Holding provisions have been included in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

**County of Grey Official Plan**

Policy 3.8(6) of the County OP will need to be addressed. It states as follows:

*"The County does not support residential zones within the Recreational Resort Settlement Area which only allow for single detached dwellings as the only residential use in a zone. In addition to single detached dwellings, municipal zoning by-laws shall permit Additional residential units and other forms of housing such as semi-detached, townhouses, rowhouses, etc. When updating municipal zoning by-laws municipalities shall provide residential zones that provide a mix of residential unit types."*

The County Plan includes policies under Section 7 regarding the Natural Environment for which the County has advised:

*“The property contains and/or is adjacent to significant woodlands, significant wildlife habitat, potential habitat for threatened and/or endangered species, and fish habitat. It is Grey County staffs understanding that the proposed development will be located within and/or adjacent to the features. Staff have reviewed the EIS provided by Cambium and find the report generally acceptable provided the significant woodland proposed for removal be retained or compensated for through a tree retention/protection plan, and a tree replanting plan (if necessary). Applied through a holding provision, or otherwise, we recommend the following:*

- 1) A tree preservation/retention/protection plan be submitted to the satisfaction of the County and Municipality.*
- 2) Any tree that cannot be retained through the tree preservation/retention/protection plan be compensated for through a tree replanting plan to the satisfaction of the County and Municipality. All trees not retained by the tree retention plan must be replanted at a 2:1 compensation ratio.”*

The County advised that, at the time of providing comments, the further review of the applicability and conformity with the Niagara Escarpment Plan had not concluded and advised that:

*“...additional correspondence and information was received regarding the natural heritage matters and SWM for the proposed development. The County's planning ecologist has not had the opportunity to review these documents, and additional information received. Further comments will be shared in the forthcoming weeks.”*

A combination of site-specific zoning provisions and Holding provisions have been included in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

#### **Town of The Blue Mountains Official Plan**

The Town of Blue Mountains Official Plan includes, various policies that have not yet been met and for which site specific zoning and Holding provisions have been recommended.

Provisions of the Niagara Escarpment Plan apply to all development within the plan area and all new development must be consistent with the NEP. The NEC has advised of concerns regarding conflicts with the NEP and also concerns regarding details of the Environmental Impact Study.

**B2.11 Niagara Escarpment Plan**

*The area covered by the Niagara Escarpment Plan in the Town is shown on the Schedules to this Plan. The Niagara Escarpment Plan must be referred to for land use designations and policies within this area. Within this area, all development must be consistent with the Niagara Escarpment Plan.*

**B6 Niagara Escarpment Plan Area**

*In the event of a conflict between the policies of the Town's Official Plan and the policies of the Niagara Escarpment Plan, those of the Niagara Escarpment Plan will prevail, unless the policies of the Town's Official Plan are more restrictive, then the more restrictive policies will prevail.*

The applicant submitted a landscape analysis; however the study was not integrated with tree inventory and protection plan and landscape plans. Also, the NEC and County have advised of some outstanding questions regarding the Environmental Impact Study relative to possible features on the property. The requirement for a tree inventory and protection plan, landscape analysis and landscape plan is intended to coordinate the findings of each to support the appropriate mitigation measures and, where natural features are identified the requirements in combination with the recommendation of an approved Environmental Impact Study may result in revision to zoning boundaries and revisions to draft plan details. The landscape analysis does not provide planting details but makes various recommendations. In order to meet policy requirements of the Residential Recreational Policy section of the Official Plan a visual buffer is required on the development lands and additional plantings and/or tree retention may be required as a result of the conclusion of the required studies. The proposed site specific zoning by-law includes minimum landscape requirements which are intended to be supplemented and expanded by an approved landscape plan.

**B3.7.4.3 Landscape Analysis**

*Development proposals for a Plan of Subdivision, Plan of Condominium or other large development projects which are subject to site plan approval, shall be accompanied by a landscape analysis, prepared by a qualified professional, to address:*

- a) the suitability of the site for development;*
- b) the visual and physical complexities of the site, including areas of natural vegetation;*
- c) the measures proposed to ensure that the visual quality of the area is preserved and enhanced; and,*
- d) the proposed mitigation measures to avoid any adverse visual impacts, in a manner, which is consistent with the intent of this Plan to protect the open landscape character.*

The applicant is seeking an exemption from open space requirements under the Residential Recreation Area designation which requires that Council be satisfied with respect to open space, walkway and recreational facilities access and that the open space resort character and image of the area will be maintained. Easements and/or demonstrated access over/to walkways and the related facilities is required. The proposed Holding provisions include requirements requiring fulfillment of these policies.

***B3.7.4.4 Open Space - Other Policies***

*The open space component should serve a functional role in the design of subdivisions. In addition to trails and walkways, the provision of on-site recreational facilities shall be encouraged within the open space component.*

*The blocks of land created for the recreational open space component must be made available for use by all lot or unit owners under the plan of subdivision. For this purpose, the lands shall be registered on title as common ownership, and an association of owners or other appropriate management body must be established, to the satisfaction of Council, to ensure the ongoing maintenance and care for the property. Other open space blocks may be dedicated to maintaining the natural features of the area and should not be generally accessible.*

*At Council's sole discretion, the lands may be conveyed to an appropriate public body for management purposes.*

*Where lands comprising the required open space component are to be utilized for recreational facilities, it is intended that the common element of the open space component and/or recreational facilities shall not be held in separate or individual private ownership. An exception to this general rule may be made where major recreational facilities, such as ski hills or a golf course, are to be provided and common ownership is not realistic for management purposes, however, under this exception lot and unit owners within the development must still be assured access to the facilities. Particular regard is to be given to the provision of open space walkway access.*

*Council may establish standards for the common ownership and/or assured access by lot and unit owners to the open space component, as well as any additional recreational lands and/or facilities as provided under this Plan.*

***B3.7.4.5 Open Space - Exception***

*a) The open space component, or part thereof, may not be required in the case of new residential development associated with established ski clubs and golf courses, provided that Council is satisfied that an adequate recreational lands and facilities base exists to serve the development, and that the open space resort character and image of the area will be maintained.*

*b) Council may also exempt a developer from the required open space component, or part thereof, where the parcel being developed, because of its size, character, or other circumstances, does not lend itself well to such use, or where such open space may provide for better recreational opportunity at an alternative location.*

*c) Additional open space shall not be required where Council is satisfied that previous open space dedications have already been made through earlier phases of development.*

Proposed development includes proposed conveyance of stormwater to an offsite pond on the adjacent golf course. Stormwater management and drainage is a factor in the consideration of golf course development. The proposed development contemplates discharge into this pond. Additional details are required to demonstrate that stormwater pond and conveyance design, capacity, function and tenure are addressed. See also section C and C5 of the Official Plan. The site specific by-law exceptions and Holding provisions include requirements regarding these policies.

#### **3.7.4.6 Golf Courses**

*Required reports, studies and plans, as determined by the Town, shall be prepared by qualified consultants and submitted by the proponent addressing the following:*

*iv) Stormwater management and drainage*

The Town Official Plan includes provisions regarding Natural Heritage features and allows for their development and site alteration in significant woodlands, which this site has been designated, where it can be demonstrated to the Town and other regulatory agencies/authorities that there will be no negative impacts on the natural features or their ecological functions. The NEC and County have both provided comment on the natural heritage features and the NEC has indicated that the applicant has not yet successfully demonstrated that the relevant sections of the NEC have been addressed. A related Holding provision that must be met prior to the Zoning coming into effect requires that the NEC confirm no conflicts with the NEP exist.

#### **B5.2 Natural Heritage Features**

*All natural heritage features are considered to be important to the Town. While the location and significance of these features has yet to be determined in some cases, all of these features need to be considered when applications for development and site alteration are being evaluated. It is recognized that additional natural heritage features will be identified by the Town, County, applicable Conservation Authority or the Ministry of Natural Resources.*

##### **B5.2.1 Development and Site Alteration**

*b) Development and site alteration shall not be permitted in:*

*i) significant woodlands;*

*ii) significant valleylands;*

*iii) significant wildlife habitat; and,*

*iv) significant areas of natural and scientific interest*

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

The Town Official Plan objectives include various directions to study natural heritage features, preserve trees and wooded areas, facilitate planting of trees through the development approvals process and to encourage protection of water quality and quantity through stormwater management. These sections provide a further reasoning for the related proposed Holding and site specific zoning provisions.

### **C Water, Environmental and Hazard Policies**

It is the objectives (sic) of this Plan to:

- k) encourage the further study of natural heritage features and related ecological functions to provide information that may assist in determining appropriate measures to protect them;
  - m) preserve trees and wooded areas and facilitate the planting of trees, to the extent practicable, including through the development process;
  - o) identify the tools that are required to evaluate an application for development in or adjacent to natural heritage features and related ecological functions that are considered to be an integral component of the natural heritage system of the Town;
  - p) encourage the protection of water quality and quantity through stormwater management and sourcewater protection;
- and,

### **C5 Stormwater Management**

All proposals for major commercial, industrial, institutional and residential development (five lots or more) shall be supported by a Stormwater Management (SWM) Report. The content and scope of the SWM Report shall be determined when the development is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of the Town, applicable Conservation Authorities, County of Grey and appropriate agencies, and be prepared in accordance with the more restrictive of Stormwater Management Practices Planning and Design Manual (2003) or its successor and/or the Town's Engineering Standards and shall:

- a) provide recommendations on a stormwater quantity system, which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year flood and the regional storm flood;



- b) document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
- c) provide recommendations on how to maintain pre-development water quality and improve run-off where appropriate;
- d) document the means by which stormwater volume control will be provided;
- e) provide a design that considers recreational amenity opportunities; and,
- f) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.

Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the Town may be required as a condition of approval, to provide for their continued maintenance.

The Official Plan sets out requirements for an Environmental Impact Study of reference upon which to base both the guidance and approval threshold around development matters. The County and NEC have both commented on the Environmental Impact Study, NEC has provided comments as noted above, a Tree Inventory and Protection Plan including compensation and landscape plan are all matters addressed in related Holding provisions.

### ***C9 Requirements for an Environmental Impact Study***

*Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS shall be prepared in accordance with the requirements of this section.*

#### ***C9.1 Purpose of and EIS***

*The purpose of an EIS is to:*

- a) collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s); and,*
- b) make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the Town.*

*Any EIS required by this Plan must describe the site's natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed development. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.*

*Prior to approval of associated proposed development, Council and appropriate agencies must be*

### **C9.2 Contents of an EIS**

*The EIS should include a description of:*

- a) the proposed undertaking;*
- b) the natural features and ecological functions of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to development;*
- c) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the Wetlands and Hazard Lands designations, and Special Constraints Areas;*
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;*
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design and how they will be addressed;*
- f) any monitoring that may be required to ensure that mitigating measures are achieving the intended goals;*
- g) how the proposed use affects the possibility of linking core areas of the natural heritage system by natural corridors that may or may not be identified on the schedules to this Plan; and,*
- h) a Management Plan identifying how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be enhanced where appropriate and describing the net effect of the undertaking after implementation of the Management Plan. The Management Plan shall also establish the limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.*

Town staging and monitoring policies provide recognition of the status of water/wastewater system allocation and servicing capacity and provide direction to apply related Holding provisions.

### **D1.4 Staging Categories**

*Development approvals under this staging plan shall be dependent upon the monitoring of available design capacity, and the expansion of required municipal service infrastructure to keep pace with development needs. The staging priorities identified under Section D1.4.1 are to be implemented under staging categories which are intended to provide an order ranking for the commitment of available plant capacity on the basis of the development approval status.*

*Stage 2: Designated lands with development approvals and zoned under the holding zone category. The reservation of design capacity is committed. Advancement to Stage 1 is subject to the allocation of existing plant capacity under a development agreement and rezoning for removal of the holding symbol.*

#### ***D1.5 Monitoring of Servicing Capacity***

*The monitoring of servicing capacity is intended to identify the availability of required municipal water and sewage services for existing and future development. Development approvals shall be restricted on the basis of design capacity limitations. The design capacity of the applicable water and sewage treatment plant facilities shall be reserved for all units within any site plan, plan of subdivision and plan of condominium development approvals, including all residential and non-residential development. Where such reservation of design servicing capacity is not available, any application for development shall be considered to be premature, and development approvals shall not be given.*

The Plan also includes several provisions regarding the use of Holding provisions to address related matters and the requirement to enter into agreements.

#### ***D1.6 Holding and Deferred Development Zones***

*Holding and deferred development zones shall be established under the implementing Zoning By-law to recognize the commitment of design capacity, with particular regard for the development phasing and servicing limitations identified under this Plan. Appropriate zones shall also recognize the municipal staging priorities and categories, as further provided under this Plan. Advancement to Stage 1 and the allocation of existing plant capacity under development agreement shall be a condition of any rezoning.*

*All lots or blocks within a plan of subdivision or condominium shall generally be placed in a Holding (H) zone under the implementing Zoning By-law until such time as all necessary approvals for development have been obtained, existing plant capacity allocation is available, and all other matters required by the Town have been satisfied.*

#### ***D4.3 Subdivision Development Policies***

*Prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that:*

- a) the approval of the development is not premature and is in the public interest;*
- b) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;*
- c) the density of the development is appropriate for the area; d) the subdivision, when developed, will be easily integrated with other development in the area;*
- e) all development by plan of subdivision shall be consistent with Section D5 of this Plan;*
- f) the subdivision conforms with the environmental protection and management policies of this Plan; and,*
- g) the proposal conforms to Section 51 (24) of the Planning Act, as amended.*

*Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the Town will be required.*

The Plan includes provisions requiring that urban and architectural design be considered and addressed in development approvals. These matters will be addressed in the draft plan conditions and require related studies be completed. A more comprehensive review of policies intended to be addressed through draft plan conditions will be provided in the forthcoming related report.

***D5.2 Design Policies***

*All relevant municipal development controls will be considered in order to achieve a consistently high standard of site, building and landscape design. The community design policies of this Plan are to be implemented by:*

- b) ensuring that the design guidelines contained in the Blue Mountains Community Design Guidelines are consulted as a guidance tool;*
- c) ensuring that the Town's engineering standards are regularly refined to reflect the objectives and policies of this Plan and any Council-adopted Community Design Guidelines;*
- f) utilizing architectural control in new development areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets.*

*All development applications shall be evaluated to determine the extent to which the application respects the Community Design policies of this Plan and the relevant Council adopted Community Design Guidelines.*

The Plan includes policy direction with regard to implementation of a tree protection and preservation plan including compensation plantings. Related requirements have been set out in the Holding provisions.

***D8.2 Tree Canopy***

*Supporting the protection and enhancement of tree canopies can contribute to improvements to air and water quality, reductions in greenhouse gases, the support of biodiversity, and enhancement of natural features and systems. It is a policy of the Town to:*

- a) encourage the planting of native or non-native non-invasive tree species and vegetation that are resilient to climate change and provide high levels of carbon sequestration, particularly through new development and on municipally-owned land;*
- b) implement measures to protect, enhance, and expand the tree canopy, including but not limited to:
  - i) requiring tree planting in areas of extensive surface parking; and,*
  - ii) promoting development that maximizes areas for tree planting.**

*d) require reimbursement, in the form of new trees or financial compensation, for all healthy trees proposed to be removed in development applications, based on the findings of a Tree Inventory and Preservation Plan; and,*  
*e) encourage tree planting by local residents and organizations, and educate residents about the benefits of planting trees on their property and the environmental impact of removing trees.*

The Plan includes specific policy content setting out the matters that can be addressed with the Holding provision. The proposed content of the Holding provisions is permissible within the scope of Official Plan policies.

**E1.3 Holding Provisions**

*In accordance with the Planning Act, Council may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions of the Town have been met. The objective of utilizing a Holding Provision is to ensure that:*

- a) the appropriate phasing of development or redevelopment occurs;*
- b) development does not proceed until services and utilities are available to service the development; and/or,*
- c) agreements respecting the proposed land use or development are entered into.*

The Plan requires that all development and works be in accordance with Town Engineering standards which have been updated to 2023 and are in effect for this development. Required compliance with Town Engineering standards will be set out in the draft plan conditions.

**E1.7 Town Engineering Standards**

All development and works shall be in accordance with the Town of The Blue Mountains Engineering Standards, as amended from time to time.

A combination of site-specific zoning provisions and Holding provisions have been proposed in the draft By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

**Town of The Blue Mountains Zoning By-law**

The Town of The Blue Mountains Zoning By-law Section 4.14 Frontage on a Public Street requires that:

*Unless otherwise specified by this By-law, no person can erect any building or structure, and no person can use any building or structure or lot, unless:*

- c) The lot fronts on a private street within a Plan of Condominium that either provides direct access to a public street or which connects with other private streets within a Plan of Condominium or other Plans of Condominium to access a public street*

The Zoning for this property cannot come into effect until such time as access to a public street has been demonstrated.

The Town of The Blue Mountains Zoning By-law includes sections intended to accommodate:

- exceptions (Part 9) that apply to site-specific zoning direction;
- holding provisions (Part 10) that set out related matters that are to be fulfilled prior to zoning coming into effect.

A combination of site-specific zoning provisions and Holding provisions have been proposed in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

**Ontario Regulation 151/06**

Grey Sauble Conservation Authority has reviewed the subject application in accordance with their mandate and policies for Natural Hazards and relative to policies for the implementation of Ontario Regulation 151/06 and advises:

“Stormwater Management

GSCA has an interest in the proposed stormwater management as it related to down gradient natural hazards and features and areas regulated by Ontario Regulation 151/06 beyond the property limits. Quantity and controls are proposed via the SWM 2 wetland facility at the 14th hole of the golf course within Watershed 33. With this method of proposed stormwater management, the report has identified that each property can be developed up to a maximum of 340 square metres. The Town is to ensure this maximum is not exceeded, otherwise there will be an increase in downstream flow volumes beyond what the SWM 2 facility design.”

A combination of site-specific zoning provisions and Holding provisions have been proposed in the proposed By-law and forthcoming draft plan conditions will be crafted to ensure appropriate regard has been had for these matters.

Draft Plan Conditions will be prepared and a related planning analysis provided in the forthcoming recommendation report.

**PLANNING STAFF COMMENT Matrix\***

Project File: P3359 & P3358 516681 7<sup>th</sup> Line ZBA & Draft Plan of Vacant Land CDM

Public Meeting Date: January 30, 2024

\*denotes not all comments received at time of public meeting

Comments Received From:	Date Received:	Comments / Concerns / Questions Summary:	Staff Response:
<b>Agency Comments</b>			
<b>Niagara Escarpment Commission</b>	January 23 2024	<p>See detailed letter</p> <ul style="list-style-type: none"> <li>The NEC has concerns that the proposed development does not reflect the NEP policies specific Part 2.6 and 2.7 for hydrologic features and natural heritage features.</li> <li>The Niagara Escarpment Planning and Development Act (NEPDA) states that all development and by-laws within the NEP area shall not conflict with the NEP.</li> <li>A wetland feature is identified on the NEC mapping and located centrally within the property and the Environmental Impact Study (EIS) confirmed two wetlands (0.23 ha and 0.13 ha in size) on the property.</li> <li>The subject lands also contain significant woodlands. Part 2.7.1 of the NEP identifies significant woodlands as a key natural heritage feature.</li> <li>Additional detail on the application of the related policies is set out in the Niagara Escarpment Commission detailed comments</li> </ul>	<ul style="list-style-type: none"> <li>Town staff are facilitating further discussions between the applicant and agencies.</li> </ul>
<b>Public Comments</b>			
<b>Randy Milthorpe</b>	January 8 2024	<ul style="list-style-type: none"> <li>I object to the removal of the forested lands. It is wrong to continue to allow Developers to remove any spec of life from subject development lands. Taking every spec of topsoil down to the clay and bedrock is an unsustainable way to develop. Having the forests completely removed for development is wrong for our future.</li> </ul>	<ul style="list-style-type: none"> <li>A tree inventory and protection plan, addendum Environmental Impact Study, landscape plan and other related matters are to be required to address related issues through further review of the file.</li> </ul>



Consolidated Comments

P3359 Zoning By-law

Amendment

516681 7<sup>th</sup> Line

**From:** [planning@grey.ca](mailto:planning@grey.ca)  
**To:** [Adam Farr](#)  
**Subject:** County comments for 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave  
**Date:** Wednesday, February 7, 2024 4:32:46 PM

## County comments for 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave

Hello Mr. Farr,

County planning staff have had the opportunity to review Subdivision application 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave - The Georgian Bay Golf Club Limited.

Regarding the zoning application, policy 3.8(6) of the County OP will need to be addressed. It states as follows:

*"The County does not support residential zones within the Recreational Resort Settlement Area which only allow for single detached dwellings as the only residential use in a zone. In addition to single detached dwellings, municipal zoning by-laws shall permit Additional residential units and other forms of housing such as semi-detached, townhouses, rowhouses, etc. When updating municipal zoning by-laws municipalities shall provide residential zones that provide a mix of residential unit types."*

County staff will be looking for the proposed zoning to permit as of right, development that extends solely beyond single detached dwelling types.

There are no concerns from the County's Transportation department.

The County's planning ecologist has had the opportunity to review the subject proposal and has the following comments:

The property contains and/or is adjacent to significant woodlands, significant wildlife habitat, potential habitat for threatened and/or endangered species, and fish habitat. It is Grey County staffs understanding that the proposed development will be located within and/or adjacent to the features. Staff have reviewed the EIS provided by Cambium and find the report generally acceptable provided the significant woodland proposed for removal be retained or compensated for through a tree retention/protection plan, and a tree replanting plan (if necessary). Applied through a holding provision, or otherwise, we recommend the following:

1) A tree preservation/retention/protection plan be submitted to the satisfaction of the County and Municipality.

2) Any tree that cannot be retained through the tree preservation/retention/protection plan be compensated for through a tree replanting plan to the satisfaction of the County and Municipality. All trees not retained by the tree retention plan must be replanted at a 2:1 compensation ratio.

#### Stormwater Management

A sediment and erosion control plan will be required, at minimum.

#### Source Water Protection

It is Grey County Staffs understanding that the property does not contain protection areas that are subject to policies of the Source Water Protection Act. The property does however lie within an area designated as an area that may influence highly vulnerable aquifers, as such, low-impact development/infrastructure is recommended.

Earlier this week, additional correspondence and information was received regarding the natural heritage matters and SWM for the proposed development. The County's planning ecologist has not had the opportunity to review these documents, and additional information received. Further comments will be shared in the forthcoming weeks.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best regards,

Stephanie Lacey-Avon

## Adam Farr

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**From:** Adam Farr  
**Sent:** September 5, 2023 2:07 PM  
**To:** Michael Cook  
**Subject:** FW: 516681 7th Line Georgian Bay Residential Enclave Application  
**Attachments:** SON Environment Office - Peer Review Georgian Bay Enclave.pdf

Hi Michael –  
Hope your weekend was good and that your move went well.

FYI re: EIS peer review by SON.

Have a good day,  
Adam

Adam Farr, MES, BA(Hons), MCIP RPP  
Senior Planner  
Town of the Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext 283 | Fax: 519-599-7723  
Email: [afarr@thebluemountains.ca](mailto:afarr@thebluemountains.ca) Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

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**From:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>  
**Sent:** Tuesday, September 5, 2023 11:14 AM  
**To:** Adam Farr <[afarr@thebluemountains.ca](mailto:afarr@thebluemountains.ca)>; Saugeen Ojibway Nation <[associate.ri@saugeenojibwaynation.ca](mailto:associate.ri@saugeenojibwaynation.ca)>  
**Cc:** [aschoof@tathameng.com](mailto:aschoof@tathameng.com); Saugeen Ojibway Nation <[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)>  
**Subject:** FW: 516681 7th Line Georgian Bay Residential Enclave Application



Good morning,  
Thank you for your email.

I have copied Adam Farr, Senior Planner, on this email. Kindly include Adam on any future correspondence with respect to this Application.

Thank you,



**Karen Long**  
Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
Email: [klong@thebluemountains.ca](mailto:klong@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

### IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

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**From:** Karen Heisler <[associate.ri@saugeenojibwaynation.ca](mailto:associate.ri@saugeenojibwaynation.ca)>

**Sent:** Tuesday, September 5, 2023 10:53 AM

**To:** Andrew Schoof <[aschoof@tathameng.com](mailto:aschoof@tathameng.com)>

**Cc:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>; Karen Heisler <[associate.ri@saugeenojibwaynation.ca](mailto:associate.ri@saugeenojibwaynation.ca)>; Charlene Leonard <[manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca)>

**Subject:** 516681 7th Line Georgian Bay Residential Enclave Application

Good morning,

Please find attached the results of the peer review of the subdivision application for 516681 7th Line Georgian Bay Residential Enclave.

Regards,

Karen

**Karen Heisler, Ph.D.**  
**Resources & Infrastructure Associate**  
Direct T: (705) 798-3312



## Environment Office

**Saugeen Ojibway  
Nation.**

10129 Hwy 6 Georgian Bluffs, ON  
N0H 2T0

[saugeenojibwaynation.ca](http://saugeenojibwaynation.ca)

*I am grateful to live, work, and benefit from the Lands and Waters of the Saugeen Ojibway Nation.*

February 6, 2024  
**GSCA File: P24-018**

Town of the Blue Mountains c/o Adam Farr  
32 Mill Street, Box 310  
Thornbury, ON  
N0H 2P0

Sent via email: [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)

**Re: Application for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358) – Georgian Bay Club Enclave**  
**Property Location: 516681 7<sup>th</sup> Line**  
**Roll No: 4242000011009010**  
**Town of the Blue Mountains**  
**Applicant: Dunn Capital Corp.**

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

### **Subject Proposal**

The proposed development includes a Draft Plan of Vacant Land Condominium and a Zoning By-law Amendment. The effect of the applications is to permit the development of lands for 22 single-detached residential dwelling units.

The proposed zoning by-law amendment would rezone the property from Development 'D' zone to Residential One 'R1-1' and Open Space 'OS'.

### **Documents Reviewed**

- Environmental Impact Study, prepared by Cambium Inc., dated June 30, 2023
- Preliminary Functional Servicing Report, prepared by Tatham Engineering, dated July 28, 2023
- Geotechnical Investigation, prepared by JLP Services Inc. dated July 18, 2023

### **Site Description**

The property is located on the east side of 7<sup>th</sup> Line, just south of Club Drive, in the Town of the Blue Mountains. The property features an existing single-family dwelling with a primarily coniferous woodland feature.

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### **Member Municipalities**

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

## **GSCA Regulations**

The subject property is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. As such, no permits are required from our office for the proposed development.

It is noted, the Environmental Impact Study identified two small wetland features in the southwest and southcentral portion of the property as depicted in Figure 2 in appended figures. While wetlands are regulated features, there is certain criteria that needs to be met under the Conservation Authorities Act for a wetland to be regulated. EIS Section 4.3 offers commentary on this and concluded that the wetland definition as per the Conservation Authorities Act is not met. Based on our review of the EIS, available air photos, and 3D stereo pairs, we agree with the conclusion from Cambium.

Further to the above, wetlands are considered potentially hazardous due to their flood potential and potential for the presence of unstable soils in the form of organic soils. We have reviewed the Geotechnical Investigation report with this consideration. The report identifies ground water levels generally at 3-5 metres of depth across the site with soils on the property that do not present stability or bearing capacity concerns. Given the depths to ground water, this indicates the wetland features are areas of perched surface runoff water that have no outlet.

## **Provincial Policy Statement 2020**

### **3.1 Natural Hazards**

GSCA is satisfied that there are no natural hazard features as per the Provincial Policy Statement. As such, we are of the opinion that the proposal is consistent with the Section 3.1 PPS policies.

While we have concluded there are no natural hazard features, the wetland features can be a nuisance for proposed development if not properly considered in the site design. This can either be as a development constraint with buildings or structures setback or the proposal demonstrate how detailed site development through placing material and site grading can address the nuisance flooding conditions.

## **Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan**

The subject property is not located within an area that is subject to the Source Protection Plan.

## **Stormwater Management**

GSCA has an interest in the proposed stormwater management as it related to down gradient natural hazards and features and areas regulated by Ontario Regulation 151/06 beyond the property limits. Quantity and controls are proposed via the SWM 2 wetland facility at the 14<sup>th</sup> hole of the golf course within Watershed 33. With this method of proposed stormwater management, the report has identified that each property can be developed up to a maximum of 340 square metres. The Town is to ensure this maximum is not exceeded, otherwise there will be an increase in downstream flow volumes beyond what the SWM 2 facility design.

## **Recommended Conditions for Draft Plan Approval**

1. That prior to final approval, the following shall be prepared to the satisfaction of the Grey Sauble Conservation Authority and the Town of the Blue Mountains:
  - A final detailed Stormwater Management Report, and
  - A detailed Grading Plan that addresses site conditions within the wetland areas.

## **Recommendations**

GSCA has no objections to the proposed development subject to addressing the above matters.

We request to receive any notices of decisions, appeals, notice of draft plan approval, and/or executed subdivision agreement in relation to the subject development.

Regards,

A black rectangular redaction box covers the signature area. Above the box, there are faint, handwritten initials that appear to be 'MP'.

Mac Plewes  
Manager of Environmental Planning

Cc via email Alex Maxwell, GSCA Director, Town of the Blue Mountains  
Planning Department, County of Grey  
Travis Sandberg, Dunn Capital Corp.  
Niagara Escarpment Commission



**From:** [planning@grey.ca](mailto:planning@grey.ca)  
**To:** [Planning General](#)  
**Subject:** County comments for 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave  
**Date:** February 7, 2024 4:32:46 PM

## County comments for 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave

Hello Mr. Farr,

County planning staff have had the opportunity to review Subdivision application 42T-2023-05 & Zoning P3359 - Georgian Bay Club Enclave - The Georgian Bay Golf Club Limited.

Regarding the zoning application, policy 3.8(6) of the County OP will need to be addressed. It states as follows:

*"The County does not support residential zones within the Recreational Resort Settlement Area which only allow for single detached dwellings as the only residential use in a zone. In addition to single detached dwellings, municipal zoning by-laws shall permit Additional residential units and other forms of housing such as semi-detached, townhouses, rowhouses, etc. When updating municipal zoning by-laws municipalities shall provide residential zones that provide a mix of residential unit types."*

County staff will be looking for the proposed zoning to permit as of right, development that extends solely beyond single detached dwelling types.

There are no concerns from the County's Transportation department.

The County's planning ecologist has had the opportunity to review the subject proposal and has the following comments:

The property contains and/or is adjacent to significant woodlands, significant wildlife habitat, potential habitat for threatened and/or endangered species, and fish habitat. It is Grey County staffs understanding that the proposed development will be located within and/or adjacent to the features. Staff have reviewed the EIS provided by Cambium and find the report generally acceptable provided the significant woodland proposed for removal be retained or compensated for through a tree retention/protection plan, and a tree replanting plan (if necessary). Applied through a holding provision, or otherwise, we recommend the following:

1) A tree preservation/retention/protection plan be submitted to the satisfaction of the County and Municipality.

2) Any tree that cannot be retained through the tree preservation/retention/protection plan be compensated for through a tree replanting plan to the satisfaction of the County and Municipality. All trees not retained by the tree retention plan must be replanted at a 2:1 compensation ratio.

#### Stormwater Management

A sediment and erosion control plan will be required, at minimum.

#### Source Water Protection

It is Grey County Staffs understanding that the property does not contain protection areas that are subject to policies of the Source Water Protection Act. The property does however lie within an area designated as an area that may influence highly vulnerable aquifers, as such, low-impact development/infrastructure is recommended.

Earlier this week, additional correspondence and information was received regarding the natural heritage matters and SWM for the proposed development. The County's planning ecologist has not had the opportunity to review these documents, and additional information received. Further comments will be shared in the forthcoming weeks.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best regards,

Stephanie Lacey-Avon



January 23, 2024

Sent Via Email Only  
Afarr@thebluemountains.ca

Adam Farr, Senior Planner  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, ON. N0H 2P0

**RE: 1<sup>st</sup> Submission – Files P3359 Zoning By-Law Amendment and P3358 Draft Plan of Vacant Land Condominium P3148 516681 7<sup>th</sup> Line (Georgian Bay Club)**

NEC staff has reviewed the proposed Zoning By-Law Amendment and Draft Plan of Vacant Land Condominium, and the supporting documentation posted on the County website and offer the following comments.

The property is designated **Escarpment Recreation Area** by the **Niagara Escarpment Plan (NEP)**. Escarpment Recreation Areas are areas of existing or potential recreational development associated with the Escarpment. The property is not within the Niagara Escarpment Development Control area; therefore, the NEC is a commenting agency and not the approval authority where a development permit is issued. For lands outside of the area of Development Control, NEC staff review planning applications to ensure that the policies of the Niagara Escarpment Plan (NEP) are upheld in accordance with section 13(1) of the Niagara Escarpment Planning and Development Act (NEPDA) which states that all development and by-laws within the NEP area shall not conflict with the NEP.

*Section 13(1) of the NEPDA*

*By-laws, etc., to conform to Plan*

**13 (1) Despite any other general or special Act, when the Niagara Escarpment Plan is in effect,**

- (a) *no municipality or local board as defined in the Municipal Affairs Act having jurisdiction in the Niagara Escarpment Planning Area, or in any part of the Area, and no ministry, shall undertake any improvement of a structural nature or any other development or undertaking within the Area if the improvement, development or undertaking is in conflict with the Niagara Escarpment Plan; and*

*(b) no municipality having jurisdiction in the Niagara Escarpment Planning Area, or in any part of the Area, shall pass a by-law for any purpose if it is in conflict with the Niagara Escarpment Plan. 2000, c. 26, Sched. L, s. 7 (6); 2002, c. 17, Sched. F, Table; 2009, c. 12, Sched. L, ss. 7, 12 (1).*

The proposed development has been reviewed following the Escarpment Recreation Area designation policies in Part 1.8 and Development Criteria policies in Part 2 of the NEP.

*The purpose of the NEP is to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.*

There are seven objectives of the NEP:

- 1. To protect unique ecologic and historic areas;*
- 2. To maintain and enhance the quality and character of natural streams and water supplies;*
- 3. To provide adequate opportunities for outdoor recreation;*
- 4. To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;*
- 5. To ensure that all new development is compatible with the purpose of the Plan;*
- 6. To provide for adequate public access to the Niagara Escarpment; and*
- 7. To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.*

### **1.8 Escarpment Recreation Area**

The **New Lots** policies of the Escarpment Recreation Area designation state that subject to **Part 2**, Development Criteria of the NEP and the requirements of official plans, secondary plans and/or by-laws that are not in conflict with the NEP, new lots may be created for permitted uses. Single dwellings are a permitted use within the Escarpment Recreation Area designation (NEP 2017).

### **Part 2 Development Criteria**

A wetland feature is identified on the NEC mapping and located centrally within the property. The Environmental Impact Study (EIS) prepared by Cambium carried out a field investigation, site assessment and delineation process, resulting in confirmation of two wetlands (0.23 ha and 0.13 ha in size). In **Part 2.6 and 2.7** of the NEP for Water Resources and Natural Heritage, wetlands are identified as a key hydrologic and key natural heritage feature. The NEP and Provincial Policy Statement defines a wetland as:

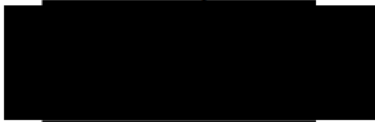
*Land that is seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens.*

The NEP does not identify a limitation i.e., size or significance of a wetland to determine if NEP policies apply, instead with confirmation that a wetland(s) are present, it is a key hydrologic and natural heritage feature and the policies for protection and where possible enhancement apply. **Part 2.6.2** and **2.7.2** state that the establishment of single dwellings is not permitted in a wetland. Proposed development shall be setback from wetlands and include measures that protect the feature and their functions that include consideration for grading, connectivity with other features, construction mitigation practices and the establishment of the minimum vegetation protection zone.

The subject lands contain significant woodlands as identified in the Town of Blue Mountain Official Plan. **Part 2.7.1** of the NEP identifies significant woodlands as a key natural heritage feature. The EIS has identified protection for a portion of the woodland located to the west side of the development. **Part 2.7.2** permits the development of single dwellings within a significant woodland subject to the proposed development demonstrating compliance with all other policies of the NEP and provided that the disturbance is minimal. In addition, development in key natural heritage features is to address diversity and connectivity between key natural heritage features and key hydrologic features (significant woodland and wetlands) and how it is maintained.

The NEC has concerns that the proposed development does reflect the NEP policies specific **Part 2.6 and 2.7** for hydrologic features and natural heritage features.

Sincerely,

A large black rectangular redaction box covering the signature area.

Janet Sperling  
Senior Planner

## TECHNICAL MEMO

**PROJECT:** Georgian Bay Enclave – Applications for Draft Plan of Vacant Condominium and Zoning By-law Amendment (Town Files P3359 and P3358)

**DATE:** February 5, 2024

**TO:** Janet Sperling, Senior Planner  
Niagara Escarpment Commission

**FROM:** Colin Travis, MCIP, RPP  
Travis & Associates

- And -

Travis Sandberg, Manager – Land Development and Planning  
Dunn Capital Corporation

**RE:** 1<sup>st</sup> Submission Review Comment Responses

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### **Background and Purpose**

Dunn Capital Corporation (“DunnCap”) has received 1<sup>st</sup> Submission review comments from the Niagara Escarpment Commission (“NEC”) related to applications for Draft Plan of Vacant Condominium and an associated Zoning By-law Amendment for the development of 516681 7<sup>th</sup> Line, Town of The Blue Mountains (“the Development”). NEC comments are attached to this Memo as Attachment 1.

The purpose of this Memo is to provide additional review of the policies of the Niagara Escarpment Plan (“NEP”). The review provided herein is intended to address NEC comments and to demonstrate that the Development maintains and does not conflict with the policy objectives of the NEP.

Relevant background information and review of planning policy documents, including the Provincial Policy Statement, 2020, (“PPS”), the County of Grey Official Plan, and the Town of The Blue Mountains Official Plan, is provided in the submitted Planning Justification Report, dated August 2023.

### **Niagara Escarpment Commission Comments and Key Issues**

Comments received from the NEC, dated January 23, 2024, express concerns that the proposed development does not reflect NEP policies under Part 2.6 and 2.7 for hydrologic features and

natural heritage features, as relates to mapped significant woodlands and wetland inclusions within the Subject Lands.

The objective of the policies under Part 2.6, entitled Development Affecting Water Resources, is “...to ensure that hydrologic features and functions including the quality, quantity and character of groundwater and surface water, at the local and watershed level, are protected and where possible enhanced” (Part 2.6 of the NEP).

The objective of the policies under Part 2.7, entitled Development Affecting Natural Heritage, is “...to protect and where possible enhance natural heritage features and functions, in order to maintain the diversity and connectivity of the continuous natural environment” (Part 2.7 of the NEP).

In support of the Development, an Environmental Impact Study (“EIS”) was completed to assess the presence and significance of natural heritage and hydrologic features on and adjacent to the site, as identified in higher order planning policy documents and plans, such as the PPS, NEP, and County and Town Official Plans. This evaluation included consideration of the ecological significance of the site in the context of the broader natural heritage system, and consideration of the hydrologic function of the site at a watershed level from a surface water perspective. Results from the Geotechnical Investigation and Groundwater Monitoring Program provide further insight into the hydrologic function of the site from a groundwater perspective. A summary of the findings of these studies are outlined herein, with the EIS and a Geotechnical Technical Memo attached as Attachment 2 and 3, respectively.

We understand that the key issues raised by the NEC comments are:

1. Is a wetland present on the lands, as defined by the Niagara Escarpment Plan?
2. If present, does the wetland provide hydrologic and/or natural heritage functions?
3. Are the Significant Woodland policies of the Town of The Blue Mountains Official Plan addressed?
4. Based on Issue 1, 2, and 3, are the policy Objectives of the Niagara Escarpment Plan maintained by the proposed Development?

Commentary on each of the key issues raised is provided herein to demonstrate that the proposed Development is not in conflict with the NEP.

**Issue 1: Is a wetland present on the lands, as defined by the Niagara Escarpment Plan?**

The NEP defines a “wetland” as:

*“Land that is seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition (Provincial Policy Statement, 2014)”.*

We note that this definition consistent with definitions provided in the PPS, Grey County Official Plan and the Town of The Blue Mountains Official Plan.

The EIS evaluated the presence of two wetland inclusions on the lands following the provincially approved Ontario Wetland Evaluation System. The EIS concludes that the areas in question contain wetland indicator vegetation and moist/very moist soil. It is noted that the soil assessment completed as part of the EIS included use of a hand auger and focused on the top 1m of the soil profile. The EIS does not indicate that the areas were covered by shallow water at the time of field investigations. Section 4.3 of the EIS provides more information about the wetland delineation.

Based on the findings of the EIS, the areas meet the definition of a “*wetland*” contained in the NEP due to the presence of water tolerant plants and moist/very moist soil. However, it is noted that geotechnical investigations, including groundwater monitoring, confirm that groundwater in these areas is not close to or at the surface (see Attachment 3).

## **Issue 2: Does the wetland provide hydrologic and/or natural heritage functions?**

### **Hydrologic Function**

The NEP defines “*hydrologic function*” as:

*“The functions of the hydrologic cycle that includes the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things (Provincial Policy Statement, 2014)”.*

As outlined in Section 4.3 of the EIS, the identified wetland inclusions do not directly contribute to the hydrologic function of the watershed through connections with surface watercourses and are hydrologically disconnected from other aquatic features in the vicinity of the Site.

The attached Technical Memorandum, prepared by JLP Geotechnical and Environmental Consultants, further suggests that the characteristics of the soil texture and groundwater conditions in the areas in question are not indicative of “*wetland*” type features. In this regard, the Memo confirms that BH/MW5 was dry during the monitoring period from November 2022 to May 2023,



and contained approximately 0.37cm-0.73cm of water through the August to November monitoring period (223.02masl to 223.38 masl, whereas the ground level at MW5 is 228.72 masl). While a monitoring well was not installed at BH6 in the southwest corner of the site, JLP notes that no free-standing water was observed during the drilling program at approximately 5.8mbgs at the completion of the borehole.

Based on the information obtained through the EIS and Geotechnical Investigation/Groundwater Monitoring, the wetland inclusions provide low hydrologic functions with respect to surface water and groundwater. Commentary regarding Section 2.6 of the NEP is provided under Issue 4 below.

#### Natural Heritage Function

In regard to woodlands, the NEP provides the following definition for “*significant*”:

*“b) in regard to woodlands, an area that is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ministry of Natural Resources and Forestry”.*

Section 4.4 and 5.1 of the EIS provide an evaluation of the vegetation communities within the woodland and the site. Through completed field investigations the EIS determined that the woodland shows no uncommon characteristics, with areas consisting of abundant non-native tree species and showing evidence of extensive anthropogenic stressors (i.e., trail network). Overall, the EIS confirms that the site does not contain any rare vegetation communities and provides relatively low vegetative diversity.

In terms of locational function, the site is located at the boundary of the settlement area and is disconnected from the broader woodland area located to the west of the 7<sup>th</sup> line. As a result, the property provides a comparatively low contribution to the forest cover in consideration of the larger tract of natural cover in the area of the site. As outlined in Section 5.1 of the EIS, the property does not act as a significant wildlife corridor or linkage area, and movement patterns will be largely maintained by the extensive forested lands to the west of the 7<sup>th</sup> Line. Wildlife movement is otherwise mainly precluded through the site by existing residential and recreational development. In this regard, the wildlife survey results under Section 4.6 indicate that no signs of wildlife passage/use of the 7<sup>th</sup> Line were observed during site investigations.

As summarized in Table 8 of the EIS, the site does not contain significant wildlife habitat, habitat of endangered species, areas of natural or scientific significance, fish habitat, or seepage

areas/springs. Given the above, it is concluded by the EIS that removal of the woodlands on the site will not negatively impact the overall ecological function of the broader woodland feature.

In consideration of the findings of the EIS, the site does not exemplify the defining characteristic of “*significant*” per the definition contained in NEP.

Further to the woodland evaluation, the EIS also completed wildlife surveys and an assessment of the sites function as significant wildlife habitat. Wildlife surveys were completed for breeding birds, amphibians, mammals, and bats, and the evaluation of the property for significant wildlife habitat followed Ministry of Natural Resources and Forestry guidelines. As outlined in Section 4.3 of the submitted EIS, the identified wetland inclusions do not meet the threshold to be considered significant at the regional or provincial level, per the Ontario Wetland Evaluation System for Southern Ontario.

It is noted that three butternut trees were identified on adjacent lands and appropriate protection buffers for the identified individuals have been incorporated into the development plan.

Based on the findings of the EIS, the site provides low quality of natural heritage function and does not contain significant wildlife habitat.

**Issue 3: Are the Significant Woodland policies of the Town of The Blue Mountains Official Plan addressed?**

Appendix 1 of the Town of The Blue Mountains Official Plan identifies *Significant Woodlands* on the subject lands. Section B5.5.2 of the Plan outlines the criteria for woodlands to be considered significant and requires development and site alteration within or adjacent to significant woodlands to be in accordance with Section B5.2.1. The Official Plan acknowledges that the identification of significant woodlands is primarily the result of a desktop exercise, and that inaccuracies or omissions may exist in the existing mapping. As such, site visits from qualified individuals may be required at the application stage, and that flexibility should be reflected in detailed studies completed as part of the development review process.

Similar to the County of Grey Official Plan, Section B5.2.1 of the Town of The Blue Mountains Official Plan generally does not permit development or site alteration within identified significant woodlands, or within 120m thereof, unless it has been demonstrated through an Environmental Impact Study, that there will be no negative impact on natural features or their ecological function.

As demonstrated in the submitted EIS, the woodlands on the site exhibit signs of regular disturbance, including an extensive trail system throughout the feature. Further, vegetative diversity within the woodland is relatively low, and no uncommon characteristics were observed within the forest community. As noted in the EIS, the woodlands do not act as a significant wildlife corridor or linkage area and the proposed development will not negatively impact the ecological

function of the overall woodland feature, which extends to the west of the site beyond the 7<sup>th</sup> Line right-of-way.

**Issue 4: Are the policy Objectives of the Niagara Escarpment Plan maintained by the proposed Development?**

The intent of the Niagara Escarpment Plan is to protect the geologic feature of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment while allowing for compatible development. The land use designations of the Plan focus on continuous landform of the Escarpment and provide a series of connected and protected areas. The NEP builds on the policies of the PPS and provides additional policy direction to ensure development occurs in a compatible manner with the natural environment. In this regard, the policies of the NEP preside over those of the PPS in the event of conflict, and where the NEP is silent on policies contained in the PPS, the policies of the PPS shall prevail.

The primary objectives of the NEP are:

1. To protect unique ecologic and historic areas.
2. To maintain and enhance the quality and character of natural streams and water supplies.
3. To provide adequate opportunities for outdoor recreation.
4. To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery.
5. To ensure that all new development is compatible with the purpose of the Plan.
6. To provide for adequate public access to the Niagara Escarpment; and
7. To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.

The primary objectives of the NEP are maintained by the proposed development in that:

- No unique ecologic or historic areas are contained within the site.
- No natural streams or water supplies are impacted by the proposed development.
- The Development is associated with an existing golf course recreational use.
- The Development is proposed at an appropriate density to maintain the open landscape character of the Niagara Escarpment.
- The purpose of the Plan is maintained, as outlined herein.
- There are no negative impacts to public access to the Niagara Escarpment.

**Part 2.6 Development Affecting Water Resources**

The primary objective of Part 2.6 of the NEP *“to ensure that hydrologic features and functions... at the local and watershed level are protected”* is maintained as the identified inclusions do not currently function as a key hydrological feature, as intended by the NEP.

As discussed under Issue 1, the identified wetland inclusions are disconnected from watercourses and other aquatic features in the vicinity of the site. The Geotechnical Memo also indicates that the soils and groundwater levels of the sites are not indicative of “wetland” type features. While the identified areas include water tolerable vegetation and wet soils, they provide little contribution to the hydrologic function of the site within the watershed and the policy objective of Part 2.6. Therefore, the proposed development is not in conflict with Part 2.6 of the NEP.

#### Part 2.7 Development Affecting Natural Heritage

The objective of Part 2.7 of the NEP *“to protect and where possible enhance natural heritage features and functions in order to maintain the diversity and connectivity of the continuous natural environment”* is maintained as the site currently provides low quality natural function.

The woodlands within the site include a low diversity of vegetative communities and are not considered to provide significant wildlife habitat. The location of the site provides for limited direct connections to natural heritage features and its function as a significant wildlife corridor is precluded by existing residential and recreational development. Based on these characteristics, the forested area on the site does not satisfy the definition of *“significant”* under the NEP. The wetland inclusions identified on the site are similarly disconnected from natural heritage features, as discussed above. Therefore, the proposed development is not in conflict with Part 2.7 to the NEP.

#### Further Comment and Opinion

Planning Policy documents in Ontario invariably direct that the Plan(s) be read in their entirety with relevant policies to be applied to each circumstance. At the same time, when more than one policy is relevant planning authorities are to consider all relevant policies. The NEP is no different.

In our opinion, the subject application is in keeping with the intent of the *Escarpment Recreation Area* polices with regards to Objectives, Permitted Uses and conformity with Local Official Plans.

In our opinion, the subject application conforms with the Development Criteria under Part 2 of the NEP on the basis that:

1. The subject application is consistent with the policy direction of the Provincial Policy Statement, 2020, where the NEP policies are silent on policy matters.
2. The subject application conforms to the Town of The Blue Mountains Official Plan and that Plan provides further implementing policy on natural heritage features and wetlands.

3. The subject application does not negatively impact the overall ecological and hydrological function of the Niagara Escarpment and does not result in further disconnection between natural heritage features or area thus maintaining the continuous escarpment environment.
4. The subject lands are located in an appropriate land use designation that does not include unique or rare ecological characteristics, as would typically be found in other locations within the NEP area, such as the *Escarpment Protection Area* designation.
5. The site does not currently contain naturally occurring streams, seepage areas, or springs. Based on completed geotechnical investigations and ground water monitoring, there is no indication that the proposed development will pose negative impacts to groundwater.
6. The site is not prone to natural hazards, including “*flooding hazard*” or “*erosion hazard*”, as defined by the NEP, in that the lands are not located along a shoreline, river system, or inland lake system, nor in proximity to significant slopes. The submitted Geotechnical Report further does not identify any concerns with respect to unstable soil or bedrock.
7. The proposed development does impact or restrict access to the Niagara Escarpment.

Thank you for the opportunity to further address the NEP and your comments. We would appreciate an opportunity to review this with NEC staff at your earliest opportunity.

**Attached:**

**Attachment 1:** Niagara Escarpment Comments, dated January 23, 2024

**Attachment 2:** Environmental Impact Study, prepared by Cambium Inc., dated June 30, 2023.

**Attachment 3:** Geotechnical Memo, prepared by JLP Geotechnical and Environmental Consultants, dated January 31, 2024.



January 23, 2024

Sent Via Email Only  
Afarr@thebluemountains.ca

Adam Farr, Senior Planner  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, ON. N0H 2P0

**RE: 1<sup>st</sup> Submission – Files P3359 Zoning By-Law Amendment and P3358 Draft Plan of Vacant Land Condominium P3148 516681 7<sup>th</sup> Line (Georgian Bay Club)**

NEC staff has reviewed the proposed Zoning By-Law Amendment and Draft Plan of Vacant Land Condominium, and the supporting documentation posted on the County website and offer the following comments.

The property is designated **Escarpment Recreation Area** by the **Niagara Escarpment Plan (NEP)**. Escarpment Recreation Areas are areas of existing or potential recreational development associated with the Escarpment. The property is not within the Niagara Escarpment Development Control area; therefore, the NEC is a commenting agency and not the approval authority where a development permit is issued. For lands outside of the area of Development Control, NEC staff review planning applications to ensure that the policies of the Niagara Escarpment Plan (NEP) are upheld in accordance with section 13(1) of the Niagara Escarpment Planning and Development Act (NEPDA) which states that all development and by-laws within the NEP area shall not conflict with the NEP.

*Section 13(1) of the NEPDA*

*By-laws, etc., to conform to Plan*

**13 (1) Despite any other general or special Act, when the Niagara Escarpment Plan is in effect,**

- (a) *no municipality or local board as defined in the Municipal Affairs Act having jurisdiction in the Niagara Escarpment Planning Area, or in any part of the Area, and no ministry, shall undertake any improvement of a structural nature or any other development or undertaking within the Area if the improvement, development or undertaking is in conflict with the Niagara Escarpment Plan; and*

*(b) no municipality having jurisdiction in the Niagara Escarpment Planning Area, or in any part of the Area, shall pass a by-law for any purpose if it is in conflict with the Niagara Escarpment Plan. 2000, c. 26, Sched. L, s. 7 (6); 2002, c. 17, Sched. F, Table; 2009, c. 12, Sched. L, ss. 7, 12 (1).*

The proposed development has been reviewed following the Escarpment Recreation Area designation policies in Part 1.8 and Development Criteria policies in Part 2 of the NEP.

*The purpose of the NEP is to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.*

There are seven objectives of the NEP:

- 1. To protect unique ecologic and historic areas;*
- 2. To maintain and enhance the quality and character of natural streams and water supplies;*
- 3. To provide adequate opportunities for outdoor recreation;*
- 4. To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;*
- 5. To ensure that all new development is compatible with the purpose of the Plan;*
- 6. To provide for adequate public access to the Niagara Escarpment; and*
- 7. To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.*

### **1.8 Escarpment Recreation Area**

The **New Lots** policies of the Escarpment Recreation Area designation state that subject to **Part 2**, Development Criteria of the NEP and the requirements of official plans, secondary plans and/or by-laws that are not in conflict with the NEP, new lots may be created for permitted uses. Single dwellings are a permitted use within the Escarpment Recreation Area designation (NEP 2017).

### **Part 2 Development Criteria**

A wetland feature is identified on the NEC mapping and located centrally within the property. The Environmental Impact Study (EIS) prepared by Cambium carried out a field investigation, site assessment and delineation process, resulting in confirmation of two wetlands (0.23 ha and 0.13 ha in size). In **Part 2.6 and 2.7** of the NEP for Water Resources and Natural Heritage, wetlands are identified as a key hydrologic and key natural heritage feature. The NEP and Provincial Policy Statement defines a wetland as:

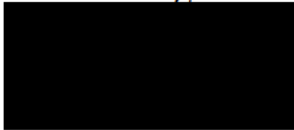
*Land that is seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens.*

The NEP does not identify a limitation i.e., size or significance of a wetland to determine if NEP policies apply, instead with confirmation that a wetland(s) are present, it is a key hydrologic and natural heritage feature and the policies for protection and where possible enhancement apply. **Part 2.6.2** and **2.7.2** state that the establishment of single dwellings is not permitted in a wetland. Proposed development shall be setback from wetlands and include measures that protect the feature and their functions that include consideration for grading, connectivity with other features, construction mitigation practices and the establishment of the minimum vegetation protection zone.

The subject lands contain significant woodlands as identified in the Town of Blue Mountain Official Plan. **Part 2.7.1** of the NEP identifies significant woodlands as a key natural heritage feature. The EIS has identified protection for a portion of the woodland located to the west side of the development. **Part 2.7.2** permits the development of single dwellings within a significant woodland subject to the proposed development demonstrating compliance with all other policies of the NEP and provided that the disturbance is minimal. In addition, development in key natural heritage features is to address diversity and connectivity between key natural heritage features and key hydrologic features (significant woodland and wetlands) and how it is maintained.

The NEC has concerns that the proposed development does reflect the NEP policies specific **Part 2.6 and 2.7** for hydrologic features and natural heritage features.

Sincerely,



Janet Sperling  
Senior Planner



**ATTACHMENT 2:**

**Environmental Impact Study, prepared by Cambium Inc., dated June 30, 2023 (submitted under separate cover)**

**ATTACHMENT 3:**

**Geotechnical Memo, prepared by JLP Geotechnical and Environmental Consultants, dated January 31, 2024 (Submitted under Separate Cover)**

Niagara Escarpment Commission

1450 7<sup>th</sup> Avenue East  
Owen Sound, ON N4K 2Z1  
Tel. No. (519) 371-1001  
necowensound@ontario.ca  
www.escarpment.org

Commission de l'escarpement du Niagara

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Niagara Escarpment Commission  
An agency of the Government of Ontario

February 7, 2024

Sent Via Email Only  
Afarr@thebluemountains.ca

Adam Farr, Senior Planner  
Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, ON. N0H 2P0

**RE: 1<sup>st</sup> Submission – Files P3359 Zoning By-Law Amendment and P3358 Draft Plan of Vacant Land Condominium P3148 516681 7<sup>th</sup> Line (Georgian Bay Club)**

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## Overview

NEC staff provided initial comments for the proposed Zoning By-Law Amendment and Draft Plan of Vacant Land Condominium, on January 23, 2024, documenting that the proposed development does not reflect the Niagara Escarpment Plan (NEP) policies specific **Part 2.6 and 2.7** for hydrologic features and natural heritage features.

Section 2.0 of the Environmental Impact Study prepared by Cambium, June 30, 2023 identifies that the form and function of natural heritage features present on, and adjacent to the site were evaluated to meet the requirements of the NEP. However, Section 6.1 states that the Part 2 policies of the Niagara Escarpment Plan, which define the development criteria for hydrologic features and natural heritage features, are not applied because the subject property is outside of the Niagara Escarpment Area of Development Control. Despite if a property is located outside the area of Development Control and not requiring a development permit from the NEC, where it is located within the NEP area, it must apply the policies of the plan, including Part 2. At a meeting hosted by Town of The Blue Mountains Planning staff, on Wednesday January 31, 2024 with the application consultants and County of Grey ecology staff, NEC staff confirmed that the NEP Part 1 and Part 2 policies apply to the subject lands. The proposed development and supporting studies shall consider how the purpose, objectives and policies of the NEP are achieved.

The property is designated **Escarpment Recreation Area** by the NEP. As the property is not within the Niagara Escarpment Development Control area; the NEC is a commenting agency and not the approval authority. NEC staff review the planning applications to ensure that the policies of the NEP are upheld in accordance with section 13(1) of the Niagara Escarpment Planning and Development Act (NEPDA)

which states that all development and by-laws within the NEP area shall not conflict with the NEP. Town of The Blue Mountains are the approval authority for this development application and must be satisfied that the Part 2 policies are fully considered and followed in considering any approvals.

As the NEP has not considered in the EIS as part of determining policy conformity or recommendations, an addendum to the EIS with the NEP analysis should be completed.

### **Technical Memo, February 5, 2024**

As a result of the January 31, 2024 meeting regarding NEC's 1<sup>st</sup> submission review comments (January 23, 2023 dated letter), it was determined by the applicant that a revised planning justification would be provided that considers the NEP policies as they apply to the proposed development lands, specifically the policies of Part 2.6 and 2.7.

NEC staff have reviewed the Technical Memo and offer the following comments.

1. The EIS and Technical Memo verify that two wetlands are present on the subject lands. The EIS affirms that wetland boundaries were delineated through field investigation using soil assessment and vegetation characteristics. The wetland locations were mapped as shown on Figure 2 Natural Heritage Features and Ecological Survey Stations.

The NEP recognizes a wetland as a key hydrologic and key natural heritage feature. The NEP **does not** identify a limitation i.e., in size, characteristics or significance of a wetland to determine if NEP policies apply. The confirmation that a wetland(s) is present, the policies for protection and where possible enhancement apply. The Technical Memo and EIS highlight that the wetlands *'do not directly contribute to the hydrologic function of the watershed through connections with surface watercourses and are hydraulically disconnected from other aquatic features in the vicinity of the site.'* The policies of the NEP afford the protection of the wetland, as an isolated feature. Part 2.6 Development Affecting Water states *'the objective is to ensure that hydrologic features and functions including the quality, quantity and character of groundwater and surface water, at the local and watershed level, are protected and where possible enhanced.'* Further the objective of 2.7 Development Affecting Natural Heritage Features *'is to protect and where possible enhance natural heritage features and functions, in order to maintain the diversity and connectivity of the continuous natural environment.'*

Both **Part 2.6.2** and **2.7.2** of the NEP state that the establishment of single dwellings is not permitted in a wetland.

The Technical Memo and the EIS have not justified that the wetlands do not qualify for protection under Part 2.6 and Part 2.7 of the NEP.

- 2.0 Town of The Blue Mountains mapping has identified significant woodland on the property. Section 4.5 of the EIS highlights that significant woodland exists on the

lands and Section 5.1 states that the proposed development would require removal of the woodlands. Where significant woodlands are identified, the NEP recognizes them as a key natural heritage feature. Part 2.7.2 of the NEP states that development is not permitted in key natural heritage features. The EIS has not included NEP policy restrictions and considerations as part of the woodland analysis. The EIS has determined that due to anthropogenic factors and the larger tract of woodland to the west remaining, that removal of significant woodland on the proposed development lands will not impact the ecological feature and function of the overall significant woodland. The EIS has not concluded that the woodlot is not a significant woodland. The NEP defines significant in regard to woodlands as *'an area that is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.'*

Part 2.7.2 of the NEP provisions that a single dwelling (not several dwellings in a condo group) where it is outside of a wetland may be permitted in a key natural feature subject to compliance with policies of the plan and provided the disturbance is minimal and where possible temporary. Analysis for whether the proposed will adversely affect significant woodland applies when the significant woodland is adjacent to (within 120 m.) of the proposed development. For the proposed development to meet Part 2.7.2 policies in respect of significant woodland, it would have to demonstrate that the lands do not meet the criteria used for mapping in Grey County/Town of the Blue Mountains as significant woodland and where the planning authority agrees that the site was incorrectly mapped.

## **EIS Comments**

NEC review of the EIS offers the following additional comments:

- Section 3.3.7, has identified a  $\geq 25$  cm Diameter at Breast Height for bat tree roosting habitat. Has the Ministry of Environment Climate and Parks (MECP) been consulted as they have indicated that 25 cm is not the minimum size cut-off and other trees need to be considered.
- The suspension for impacts to black ash expired in January of 2024. The EIS should consider what the revised approach will mean for black ash on the development site, refer to O. Reg 6/24 and 7/24. Further analysis would be required and consultation with MECP. It appears that an assessment of habitat within 30 m of every tree is required and would require some level of protection. Please consider and provide a revised planning analysis specific to black ash trees.
- Sections 4.6.1 and 4.8.2.1 highlight the presence of wood thrush. The EIS notes that this species was only noted 'incidentally' but this does not remove it from

potential breeding evidence simply because it was not heard during the formal point counts. If wood thrush is present in suitable habitat, during the breeding season, it is afforded at least possible breeding evidence. Clarification is required for why consideration for the wood thrush was restricted to probable or confirmed breeding evidence for significant wildlife habitat. The Natural Heritage Reference Manual does not distinguish between different breeding evidence codes when it refers to 'habitat of species of conservation concern' including 'special concern species identified under the ESA.' To exclude consideration, there needs to be an explanation that the species was either not there in breeding season or in suitable habitat.

- Section 4.8.1.1, Bats. The EIS has identified potential habitat for bats. Please confirm if an information gathering form has been submitted to MECP related to bat to confirm if additional consideration is required?
- Section 5.2 has not included a summary of results of the health assessment for the Butternut trees, including what category are the trees. In addition, the activity would require submission to MECP which is not referenced. Without the assessment from MECP, it is unclear if the proposal is consistent with the Endangered Species Act. Clarification is required for how a 23 m root protection zone meets the ESA when a 25 m zone is required. Please provide the full butternut health assessment and copies of any correspondence with MECP. In addition, as outlined in 7.0 (2), please also provide correspondence from MECP regarding the setbacks identified for the butternut are acceptable to them.

### **Recommendations**

The Part 2 policies for hydrologic and natural heritage features have not been addressed in the proposed development to satisfy the purpose and objective of the NEP. Further consideration is required in addressing the above concerns and not conflict with the NEP.

Sincerely,



Janet Sperling  
Senior Planner

010129 Highway 6,  
Georgian Bluffs, ON  
NOH 2T0  
(519) 534-5507  
saugeenojibwaynation.ca



**2023.09.05**

**SENT VIA EMAIL**

Dunn Capital Corporation % Ken Hale

**VIA**

TATHAM ENGINEERING % ANDREW SCHOOF  
aschoof@tathameng.com

**Re. Saugeen Ojibway Nation conditions for Georgian Bay Residential Enclave  
RESIDENTIAL ENCLAVE, a PROPOSED RESIDENTIAL DEVELOPMENT by DUNN  
CAPITAL CORPORATION at 516681 7TH LINE IN THE TOWN OF BLUE MOUNTAINS**

The Saugeen Ojibway Nation (“SON”) Environment Office and **Dunn Capital Corporation** entered into a Letter of Agreement on **December 20, 2022** with respect to our mutual goal to set out a framework for consultation and accommodation with SON regarding the proposed Georgian Bay Residential Enclave development in SON’s Territory.

This agreement was intended to support SON’s participation in and input into the technical assessments being undertaken as part of the application process. More specifically, this agreement allows SON and the **Dunn Capital Corporation** to identify a plan for addressing any potential impacts of the **Georgian Bay Residential Enclave** on SON’s lands and constitutionally protected Aboriginal and Treaty rights, proven and asserted, including SON’s land claims. This enabled a process that ensured appropriate and meaningful consultation and accommodation of SON’s rights and interests throughout the life of the Proponent’s proposed operation.

**Dunn Capital Corporation Georgian Bay Residential Enclave - Residential subdivision of  
22 single detached dwellings. 516681 7th Line, Town of The Blue Mountains, Ontario.**

The Project is located on lands within SON’s Territory and may include sensitive species and natural heritage features of specific cultural value to SON, archaeological importance, or other environmental concerns. SON members exercise their constitutionally protected rights, both asserted and proven, throughout SON’s Territory.

As per the Letter of Agreement, SON Environment Office has conducted peer reviewed documents to measure the impact of the development on SON’s Indigenous rights and interests.

## 1. List the reports that were peer reviewed

- ENVIRONMENTAL IMPACT STUDY – 516681 7TH LINE, TOWN OF THE BLUE MOUNTAINS, GREY COUNTY, ONTARIO. December 2, 2022, prepared for Dunn Capital Corporation, prepared by Cambium Inc. Cambium Reference #14562-001. ii + 37 pp + appendices
- CONCEPT PLAN: GEORGIAN BAY CLUB, TOWN OF THE BLUE MOUNTAINS, August 2022, prepared by Tatham Engineering.
- Initial Project Information – letter to SON (Emily Martin), from Tatham Engineering (Andrew Schoof), dated November 9, 2022.
- Geotechnical Investigation – Proposed GBC Residential Enclave Subdivision, 516681 7th Line, Clarksburg, Ontario prepared by JLP Services Inc. (July 18, 2023)
- GBC Residential Enclave Preliminary Functional Servicing Report prepared by Tatham Engineering (July 28, 2023)

## 2. Additional Background Research:

- ORAA (Ontario Reptile and Amphibian Atlas). 2021. Database provided to SON by Ontario Nature, May 19, 2021.
- University of Toronto Map and Data Library. 1954 Air Photos of Southern Ontario. Available:  
<https://mdl.library.utoronto.ca/collections/air-photos/1954-air-photos-southern-ontario/index>
- MECP Water Well Database Map: Well records | ontario.ca
- Surficial Geology OGSEarth (gov.on.ca)

### ***Natural Heritage Review Summary***

The EIS neglects to fully consider the cumulative effects of forest cover loss in the context of past and planned developments elsewhere within (and near) the Significant Woodland within which the Site is situated. Such effects notably include the loss of:

1. Forest cover and associated wildlife habitat;
2. Black Ash trees and habitat;
3. Amphibian breeding habitat;
4. Possible endangered bat maternity roost habitat.

### ***Natural Heritage Review Recommendations***

The following recommendations are made to address concerns with the proposed project based on the available information:

- Concerns with respect to the cumulative effects of development in the Thornbury - Collingwood area, noting that the proposed development, if approved, would occur within a Significant Woodland, and result in the destruction of wetland and amphibian breeding habitat and Endangered Black Ash trees of cultural importance to SON.  
Secondary Recommendations



- Native plant species to be used for revegetation and habitat enhancement for SON review, and modify if necessary, based on SON input.

### ***Hydrogeological Technical Review Recommendations***

Based on assessment of the limited hydrogeologic function at the proposed site as well as the general conclusions and recommendations of the Terrestrial Ecology Technical Review we conclude that the development will not cause any significant hydrogeological/hydrological impact.

### ***Archaeological Review***

There are no archaeological concerns at this time, if artefacts are uncovered during the development of the property, contact the Saugeen Ojibway Nation Environment Office immediately.

**As per, the Letter of Agreement, the above recommendations from the technical review are to be incorporated into the final plans and applications for the development.**

This is a finite landscape shared by many different forms of life that are inextricable from SON's rights, culture, ways of life, and the health of the lands and waters. In most parts of SON Territory, well over 50% of natural lands have been significantly altered. The pressures of development are ongoing, and increasing. Impacts occur at the scale of each individual project as well as on a cumulative scale. The conversion of forests, wetlands, grasslands and other natural habitats into developed lands (e.g., subdivisions, roads, utility corridors and other built environments) has led to significant impacts on healthy ecological functions (e.g., loss of habitat connectivity and biodiversity; declines in populations of plants and animals that are culturally important to SON; reduced carbon sequestration and ecological resilience in the face of climate change; introduction of invasive species) as well as impacts to fish habitat (e.g., due to shoreline alteration), surface water and groundwater quality and quantity (which can occur as a result of stormwater management and the infrastructure required for drinking water and sewage management). The combinations of these land and water related impacts are a major concern for SON, given the cumulative effects of multiple developments in a given area that typically occur over time. SON's uses of and relationships with its lands and waters since time immemorial are impacted, as are, by extension, SON's rights, interests, and responsibilities.

Miigwetch,



Manager of Resources and Infrastructure,  
Environment Office of the Saugeen Ojibway Nation

Cc' Karen Long, Administrative Assistant for Planning Services, Town of The Blue Mountains,  
[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)

Karen Heisler, Resource and Infrastructure Associate, Environment Office of the Saugeen  
Ojibway Nation, [associate.ri@saugeenojibwaynation.ca](mailto:associate.ri@saugeenojibwaynation.ca)

**PROJECT:** 516681 7<sup>th</sup> Line, Town of The Blue Mountains (Georgian Bay Enclave) – Applications for Draft Plan of Vacant Condominium and Zoning By-law Amendment - Town Files P3359 and P3358

**DATE:** February 5, 2024

**TO:** Karen Heisler, Resource and Infrastructure Associate  
Environment Office of the Saugeen Ojibway Nation

**FROM:** Travis Sandberg, Manager – Land Development and Planning  
Dunn Capital Corporation

- And -

Colin Travis, MCIP, RPP  
Travis & Associates

**RE:** Application Review Comment Responses

---

In response to comments received from the Saugeen Ojibway Nation (“SON”) by letter dated September 5, 2023, regarding the proposed development we provide the following responses and comments.

**COMMENT 1:**

***Natural Heritage Review Summary***

*The EIS neglects to fully consider the cumulative effects of forest cover loss in the context of past and planned developments elsewhere within (and near) the Significant Woodland within which the Site is situated. Such effects notably include the loss of:*

- 1. Forest cover and associated wildlife habitat;*
- 2. Black Ash trees and habitat;*
- 3. Amphibian breeding habitat;*
- 4. Possible endangered bat maternity roost habitat.*

**Response:** There are no additional development properties located near the Significant Woodland. There are no additional properties that are within an urban land use designation near the subject lands. There is no proposed additional development within the Significant Woodland designated

areas or adjacent areas. As such, there are no additional planned developments in the area of the subject lands. The EIS addressed the impacts of the proposed development on existing features.

We note that the Town of The Blue Mountains is currently updating its Official Plan and will be proposing updated land use policies and designations. We trust that SON is monitoring this important land use review as it will address medium- and long-term land development goals and objectives and are important in considering cumulative impacts of development. These goals and objectives will be key references for future development proposals.

**COMMENT 2:**

***Natural Heritage Review Recommendations***

*The following recommendations are made to address concerns with the proposed project based on the available information:*

- *Concerns with respect to the cumulative effects of development in the Thornbury - Collingwood area, noting that the proposed development, if approved, would occur within a Significant Woodland, and result in the destruction of wetland and amphibian breeding habitat and Endangered Black Ash trees of cultural importance to SON.*

**Response:** This area of concern is addressed in the Recommendations of Environmental Impact Study. The Recommendations outlined in the EIS will be required to be met as conditions of Draft Plan approval issued by Grey County and implemented through the required Subdivision Agreement to the satisfaction of Grey County and Town of The Blue Mountains.

**COMMENT 3:**

*Native plant species to be used for revegetation and habitat enhancement for SON review, and modify, if necessary, based on SON input.*

**Response:** Native plant species are included as a recommendation in the EIS and Landscape Analysis and will be used for replanting and enhancements. This will be detailed in a Landscape Plan that will be required as a condition of Draft Plan approval. The Landscape Plan will form part of the Approved for Construction drawing package and included in the Subdivision Agreement.

**COMMENT 4:**

***Hydrogeological Technical Review Recommendations***

*Based on assessment of the limited hydrogeologic function at the proposed site as well as the general conclusions and recommendations of the Terrestrial Ecology Technical Review we conclude that the development will not cause any significant hydrogeological/hydrological impact.*

**Response:**

This is consistent with the findings of completed technical studies. No further action is required.

**COMMENT 5:**

***Archaeological Review***

*There are no archaeological concerns at this time, if artefacts are uncovered during the development of the property, contact the Saugeen Ojibway Nation Environment Office immediately.*

**Response:** This is consistent with the studies completed to-date. No further action is required at this time.

**COMMENT 6:**

*As per, the Letter of Agreement, the above recommendations from the technical review are to be incorporated into the final plans and applications for the development.*

**Response:** The recommendations will be implemented through the Subdivision Agreement to be entered into with the Town of the Blue Mountains and required through Draft Plan conditions issued by the County of Grey.

We thank you for your review and comments. We trust that the above responses are satisfactory and that no further action is required at this time. It is anticipated that the Conditions of Draft Plan Approval to be issued by the County of Grey will appropriately include and address the recommendations outlined by SON.

**From:** [Karen Heisler](#)  
**To:** [Travis Sandberg](#)  
**Cc:** [manager.ri@saugeenojibwaynation.ca](mailto:manager.ri@saugeenojibwaynation.ca); [Colin Travis](#); [Adam Farr](#); [stephanie.lacey-avon@grey.ca](mailto:stephanie.lacey-avon@grey.ca)  
**Subject:** Re: 516681 7th Line, Town of The Blue Mountains (GBC Enclave) - Responses to SON Review Comments  
**Date:** Thursday, February 8, 2024 10:24:14 AM  
**Attachments:** [image001.png](#)

---

Good morning Travis,

Yes thank you for your response.

Regards,

Karen Heisler

**Karen Heisler, Ph.D.**  
**Resources & Infrastructure Associate**  
Direct T: (705) 798-3312



10129 Hwy 6 Georgian Bluffs, ON  
N0H 2T0  
[saugeenojibwaynation.ca](http://saugeenojibwaynation.ca)

*I am grateful to live, work, and benefit from the Lands and Waters of the Saugeen Ojibway Nation.*

On Mon, Feb 5, 2024 at 10:18 AM Travis Sandberg <[tsandberg@dunncap.ca](mailto:tsandberg@dunncap.ca)> wrote:

Good Morning,

Please find attached our response to SON comments regarding the proposed development at 516681 7<sup>th</sup> Line, Town of The Blue Mountains. We trust that the responses provided are satisfactory.

My Very Best Regards,

**Travis Sandberg**

Manager – Land Development and Planning

Dunn Capital Corporation

40 Huron Street, Suite 300

Collingwood, ON

P: 705-445-1660 Ext. 232

C: 705-441-3950

F: 705-443-8158

**DUNN|CAP**  
EST. 1981

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# Building Services Comments

32 Mill Street, Box 310  
THORNBURY, ON N0H 2P0  
[www.thebluemountains.ca](http://www.thebluemountains.ca)

---

**OFFICE OF:** Tim Murawsky, CBCO  
Chief Building Official  
Manager, Building Services, BCIN 20743  
Email: [CBO@thebluemountains.ca](mailto:CBO@thebluemountains.ca)  
Phone: 519-599-3131 Ext 261

DATE: August 15, 2023

PROJECT: Enclave at Georgian Bay

PREPARED BY: Tim Murawsky

DATE OF DISTRIBUTION: Aug 8, 2023

TOWN CONTACT: Adam Farr

## REVIEW COMMENTS

**Zoning:** Currently zoned Development.  
Proposed zoning Residential R1-1 and Open Space

**OBC:** No residential construction plans submitted. No OBC comments.

**Lot Development:** The servicing of the property shall be under the authority of the Town's Development Engineering Division. A building permit will not be required for the installation of underground services.

All lots should be pre-graded prior to the issuance of a basic services certificate.  
Individual lot grading certificates will be required for the completion of building permits.

**Fire Protection:** The proposed location of fire hydrants and design of roadway appears acceptable for firefighting.

**On-Site Sewage:** N/A. Municipal sewers to be provided.

**Agencies & Authorities:**



Tim Murawsky, CBCO  
Chief Building Official  
Manager, Building Services, BCIN 20743  
Town of The Blue Mountains, ON

**From:** [Dylan Stoneman](#)  
**To:** [Travis Sandberg](#)  
**Cc:** [Adam Farr](#)  
**Subject:** Enclave Comments  
**Date:** Thursday, February 8, 2024 4:20:43 PM  
**Attachments:** [Dev Eng Pre-Consultation Comments - P3148 The Enclave at the Georgian Bay Club.pdf](#)  
[image003.png](#)

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Hi Travis,

Please see our old Pre-Consult Comments.

- Detailed drawings I understand are to be submitted following draft plan approval in accordance with the pre-consultation comments.

Comments below.

1. Please note that the provided Cross-Section will need to be updated to meet our new Town cross-section for asphalt thickness and granular thicknesses. The Town new Cross-Section can be found in our new engineering standards.
2. Sanitary model to the Thornbury Waste Treatment Plant must be completed to confirm capacity.

Thanks,

Dylan.



**Dylan Stoneman, C.E.T.**

Development Reviewer- Planning and Development Services

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

Tel: 519-599-3131 ext. 300 | Fax: 519-599-7723 | Toll Free: 888-258-6867

Email: [dstoneman@thebluemountains.ca](mailto:dstoneman@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

**Adam Farr**

---

**From:** PrimeCities <WSP.PrimeCities@wspdigitalfactory.com>  
**Sent:** August 11, 2023 9:17 AM  
**To:** Planning General  
**Subject:** ZBLA and Draft Plan of Condominium (PXXXX); 516681 7th Line, The Blue Mountains



**8/11/2023**

**Planning Department**

**The Blue Mountains**

**The Blue Mountains (Town)**

**Attention: Planning Department**

**Re: ZBLA and Draft Plan of Condominium (PXXXX); 516681 7th Line, The Blue Mountains; Your File No. PXXXX**

**Our File No. DTS: 34201 / Circ: 37754**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

**Bell Canada Condition(s) of Approval**

- 1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
  
- 2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network

infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

**Concluding Remarks:**

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan  
Senior Manager - Municipal Liaison  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca).

## Adam Farr

---

**From:** Larissa Pinkney  
**Sent:** August 16, 2023 11:27 AM  
**To:** Adam Farr  
**Subject:** 516681 7th Line

Hi Adam,

Please see below for my comments regarding 516681 7th Line planning application.

### Sanitary

- Will flow to Lakeshore SPS. Per Cole Sanitary Deficiency Report / Needs Study, Replacement of 83m of existing 250mm dia. sanitary sewer on Lakeshore Road upstream of the Lakeshore Pumping Station with new 450mm dia. sanitary sewer is required.
- Flows from Lakeshore SPS to Thornbury WWTP. Based on 2022 capacity report The Thornbury WWTP is quickly approaching capacity based on allocated and reserved units. However, there are 559 units (187 reserved + 372 can connect) which are not physically connected to the Thornbury WWTP. The Town has commenced with the expansion of the Thornbury WWTP. It is anticipated that the work will be completed in the fourth quarter of 2024. The Thornbury WWTP is operating at 76% of the built capacity based on a five (5) year rolling average.

### Watermain

- Per new standards watermain will need to be private

### Storm Water

- They need to justify the existing storm ponds ability to take storm water with additional data.

### Condo Board

- Legal status – does this need to be approved by the current condo board? Will there be separate condo boards?

### Cross section

- Does the new town standard cross section apply?

Thank you,



**Larissa Pinkney**  
**C.Tech., rcji.**

Development Engineering Reviewer

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

Tel: 519-599-3131 ext. 225 | Fax: 519-599-7723

Email: [lpinkney@thebluemountains.ca](mailto:lpinkney@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

## Adam Farr

---

**From:** Karen Long  
**Sent:** August 16, 2023 12:55 PM  
**To:** OP Habitat (DFO/MPO)  
**Cc:** Adam Farr  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

**Categories:** Red Category

Good afternoon,

Thank you for your email.



### Karen Long

Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
Email: [klong@thebluemountains.ca](mailto:klong@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

### IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** OP Habitat (DFO/MPO) <DFO.OPHabitat.MPO@dfo-mpo.gc.ca>  
**Sent:** Thursday, August 10, 2023 8:41 AM  
**To:** Karen Long <klong@thebluemountains.ca>  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Hi Karen,

The *Fisheries Act* requires that projects avoid causing death of fish or any harmful alteration, disruption or destruction of fish and/or fish habitat unless authorized by the Minister of Fisheries and Oceans Canada. The Fish and Fish Habitat Protection Program of Fisheries and Oceans Canada reviews projects to ensure compliance with the *Fisheries Act* and *Species At Risk Act*.

Please note that the Fish and Fish Habitat Protection Program is not able to provide comment regarding general planning. If planned works may cause any of the prohibited effects under the *Fisheries Act* or *Species at Risk Act*, a Request for Review form should be completed for the works and submitted to [FisheriesProtection@dfo-mpo.gc.ca](mailto:FisheriesProtection@dfo-mpo.gc.ca). To better understand the review process, please visit <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-001-eng.html>. The Request for Review form can be found under Step 4 at that link.

Sincerely,

**Michael Bedford**  
Biologist | Biologiste

---

**From:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>  
**Sent:** Wednesday, August 9, 2023 4:22 PM  
**Subject:** Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Please be advised the Town has received, **but not yet deemed complete**, proposed applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) for a property municipally known as 516681 7<sup>th</sup> Line Enclave at Georgian Bay Club.

**Due to the size of the attachments, you will be receiving 2 emails with respect to this application**

This proposal includes a Zoning By-law Amendment which is one of the application types that is subject to mandatory fee return requirements introduced by the Province through Bill 109. If a decision on a ZBA application is not rendered within 90 days of the application being deemed complete fee returns are mandated by the Planning Act. Establishing completeness relative to the disposition of related applications is an important stage in the review process to support expedited review and decision making.

This application is **not** currently the subject of DRC meeting. However, pending the ongoing review, that may change and an update will be issued if the applications are deemed complete or incomplete. If incomplete the applications have no status.

Comments are requested by **September 5, 2023** for both applications.  
**If applicable** this item will be added by way of an update to the **September 14 DRC agenda**.

If you have comments on this proposal, kindly forward your written comments to [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca) by no later than **September 5, 2023**.

**Municipal File No:** PXXXX  
**Project:** Zoning By-law Amendment & Plan of Condominium  
**Municipal/Legal Description:** 516681 7<sup>th</sup> Line  
**Applicant:** Travis Sandberg  
**Agent:** Duncap  
**Municipal Reviewer:** Adam Farr, Senior Planner

**Project Description:** The proposal involves re-zoning the subject lands from D Development to R1-1 H7 Residential 1 Holding 7 and Open Space OS and a draft plan of condominium for a vacant land condominium to create 22 blocks (lots). A vacant land condominium is processed similarly to a draft plan of subdivision. The dwellings are proposed to connect to municipal water and wastewater services and access through the common elements of the adjacent existing condominium. Stormwater is proposed to drain to an existing off site facility. The property is designated significant woodlands and the applicant has proposed removal of the bulk of the vegetation from the site. Butternut trees have been identified on adjacent lands.

A key Map is provided below. For more information please see the full submission package.



**ShareFile Attachments**

Expires September 8, 2023

1. 16-0043 GBC Enclave - TBM Cover Letter.pdf	182 KB
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7a. 122017-FSR Drawings-X-SEC.pdf	834.6 KB

[Download Attachments](#)

Blue Mountains Planning uses ShareFile to share documents securely.

At this time, we trust you find this in order.



**Karen Long**

Administrative Assistant for Planning Services  
 Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
 Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
 Email: [klong@thebluemountains.ca](mailto:klong@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)



IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

## Adam Farr

---

**From:** Karen Long  
**Sent:** August 16, 2023 2:15 PM  
**To:** Ontario Lands  
**Cc:** Adam Farr  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Thank you for your email,



### Karen Long

Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON NOH 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
Email: [klong@thebluemountains.ca](mailto:klong@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

### IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

---

**From:** Ontario Lands <ONTLands@enbridge.com>  
**Sent:** Wednesday, August 9, 2023 4:57 PM  
**To:** Karen Long <klong@thebluemountains.ca>  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

**Barbara M.J. Baranow**  
**Analyst Land Support**

**Enbridge Gas Inc.**  
50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

---

**From:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>  
**Sent:** Wednesday, August 9, 2023 4:24 PM  
**Subject:** [External] RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good afternoon,

Please find attached the 2<sup>nd</sup> set of attachments for the subject application.

ShareFile Attachments	Expires September 8, 2023
10. TIS - GBC Residential Enclave v2.pdf	3.1 MB
11. 16-0043 GBC Enclave - Geotech Report ...23).pdf	2.3 MB
12. 16-0043 Scoped Golf Spray Analysis.pdf	6.8 MB
13. 16-0043 GBC Enclave - Tree Preservatio...02).pdf	56.8 KB
13. 16-0043 GBC Enclave - Tree Preservatio...lan.pdf	160 KB
14. 16-0043 GBC Enclave - First Nations Con...ted.pdf	1022.4 KB
8. 16-0043 Phase 1.2 Archaeological Assessment.pdf	18.1 MB

[Download Attachments](#)

Blue Mountains Planning uses ShareFile to share documents securely.

I trust you find this in order,



**Karen Long**

Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
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**IMPORTANT INFORMATION**

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---

**From:** Karen Long  
**Sent:** Wednesday, August 9, 2023 4:22 PM  
**Subject:** Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Please be advised the Town has received, but not yet deemed complete, proposed applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) for a property municipally known as 516681 7<sup>th</sup> Line Enclave at Georgian Bay Club.

Due to the size of the attachments, you will be receiving 2 emails with respect to this application

This proposal includes a Zoning By-law Amendment which is one of the application types that is subject to mandatory fee return requirements introduced by the Province through Bill 109. If a decision on a ZBA application is not rendered within 90 days of the application being deemed complete fee returns are mandated by the Planning Act. Establishing completeness relative to the disposition of related applications is an important stage in the review process to support expedited review and decision making.

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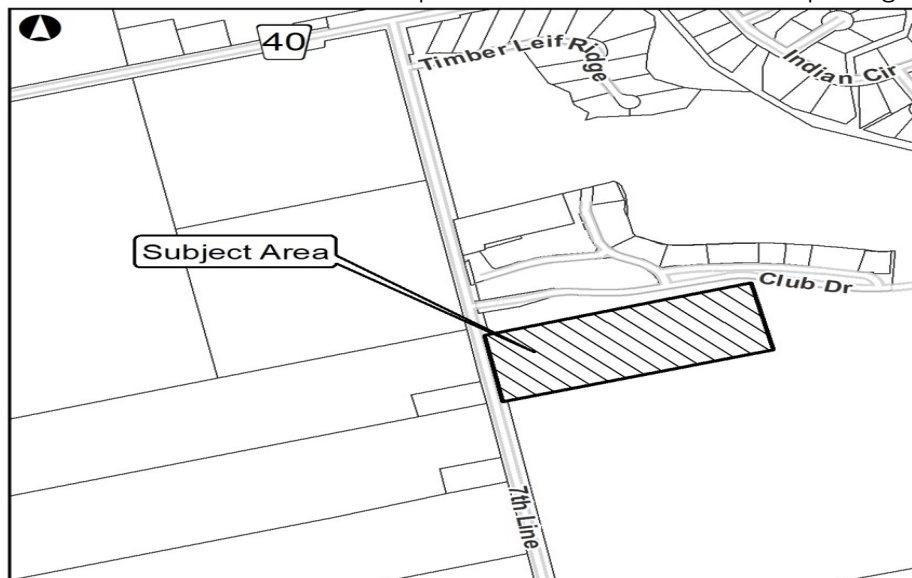
Comments are requested by **September 5, 2023** for both applications.  
**If applicable** this item will be added by way of an update to the **September 14 DRC agenda**.

If you have comments on this proposal, kindly forward your written comments to [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca) by no later than **September 5, 2023**.

**Municipal File No:** PXXXX  
**Project:** Zoning By-law Amendment & Plan of Condominium  
**Municipal/Legal Description:** 516681 7<sup>th</sup> Line  
**Applicant:** Travis Sandberg  
**Agent:** Duncap  
**Municipal Reviewer:** Adam Farr, Senior Planner

**Project Description:** The proposal involves re-zoning the subject lands from D Development to R1-1 H7 Residential 1 Holding 7 and Open Space OS and a draft plan of condominium for a vacant land condominium to create 22 blocks (lots). A vacant land condominium is processed similarly to a draft plan of subdivision. The dwellings are proposed to connect to municipal water and wastewater services and access through the common elements of the adjacent existing condominium. Stormwater is proposed to drain to an existing off site facility. The property is designated significant woodlands and the applicant has proposed removal of the bulk of the vegetation from the site. Butternut trees have been identified on adjacent lands.

A key Map is provided below. For more information please see the full submission package.



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Expires September 8, 2023

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**Karen Long**

Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
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**IMPORTANT INFORMATION**

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## Adam Farr

---

**From:** ARABIA Gabriel <Gabriel.Arabia@hydroone.com>  
**Sent:** August 16, 2023 11:08 AM  
**To:** Karen Long; Planning General  
**Subject:** Town of Blue Mountains - 516681 7th Line

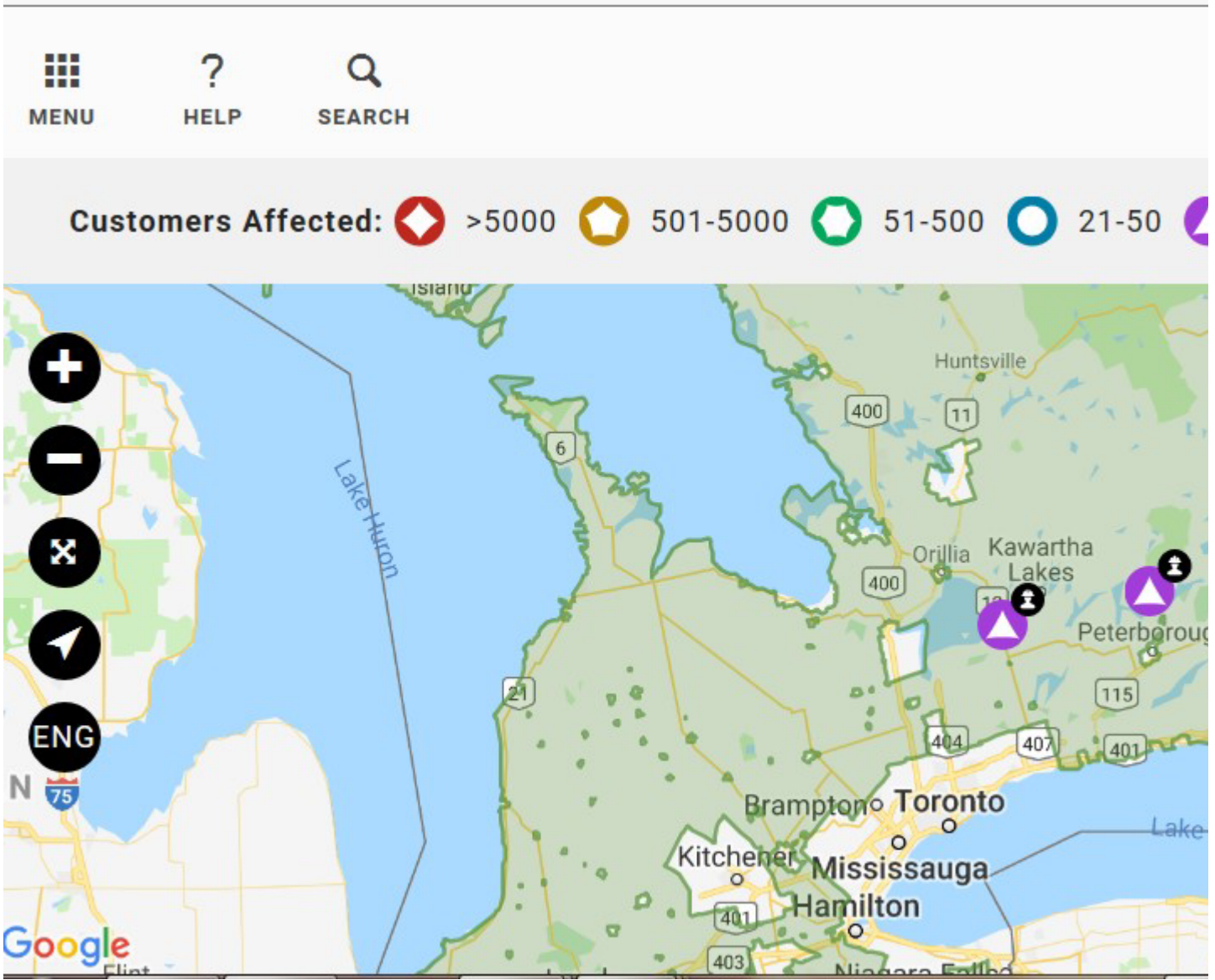
Hello,

We are in receipt of your Plan of Condominium application, 516681 7th Line dated August 9<sup>th</sup>, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [Subdivision@HydroOne.com](mailto:Subdivision@HydroOne.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:  
[HydroOne Map](#)

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

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## Adam Farr

---

**From:** Karen Long  
**Sent:** August 16, 2023 9:29 AM  
**To:** Planning Dept  
**Cc:** Adam Farr  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Good morning,

Thank you for your email.

Kindly in the future, please email your responses to [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca) to ensure the appropriate Planner receives the communications.

Thank you.



### Karen Long

Administrative Assistant for Planning Services  
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0  
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723  
Email: [klong@thebluemountains.ca](mailto:klong@thebluemountains.ca) | Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

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---

**From:** Planning Dept <[Planning@nvca.on.ca](mailto:Planning@nvca.on.ca)>  
**Sent:** Monday, August 14, 2023 11:14 AM  
**To:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>  
**Cc:** Planning Dept <[Planning@nvca.on.ca](mailto:Planning@nvca.on.ca)>  
**Subject:** RE: Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

Hi Karen,

Thank you for circulating the application to the NVCA for the above-noted property.

Please note that the NVCA will not be providing comments on this application as it is not within our jurisdiction but under the jurisdiction of Grey Sauble CA.

Thank you,

**Mariella Leccese (she/her/hers)**  
**Planning & Regulations Assistant – Co-op**

**Planning Department**  
**Nottawasaga Valley Conservation Authority**



8195 8th Line, Utopia, ON L0M 1T0  
T 705-424-1479  
[planning@nvca.on.ca](mailto:planning@nvca.on.ca) | [www.nvca.on.ca](http://www.nvca.on.ca)

**WE'RE GOING DIGITAL!** Email your complete permit application submission directly to [permits@nvca.on.ca](mailto:permits@nvca.on.ca).  
**Note: Files larger than 10MB are not received. In this case, submit the documents individually.**

To see if your property is regulated by the NVCA, use our [INTERACTIVE MAPPING](#).

To find out if your property may be affected by NVCA policies and regulations, complete our online property inquiry form at <https://www.nvca.on.ca/Pages/Property-Inquires.aspx>.

For more information about the permit process, visit our website at [https://www.nvca.on.ca/Pages/Permit\\_FAQs.aspx](https://www.nvca.on.ca/Pages/Permit_FAQs.aspx).

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---

**From:** Karen Long <[klong@thebluemountains.ca](mailto:klong@thebluemountains.ca)>  
**Sent:** Wednesday, August 9, 2023 4:22 PM  
**Subject:** Development Review Committee - September 14, 2023 - Full Submission Application 1 of 1 - 516681 7th Line

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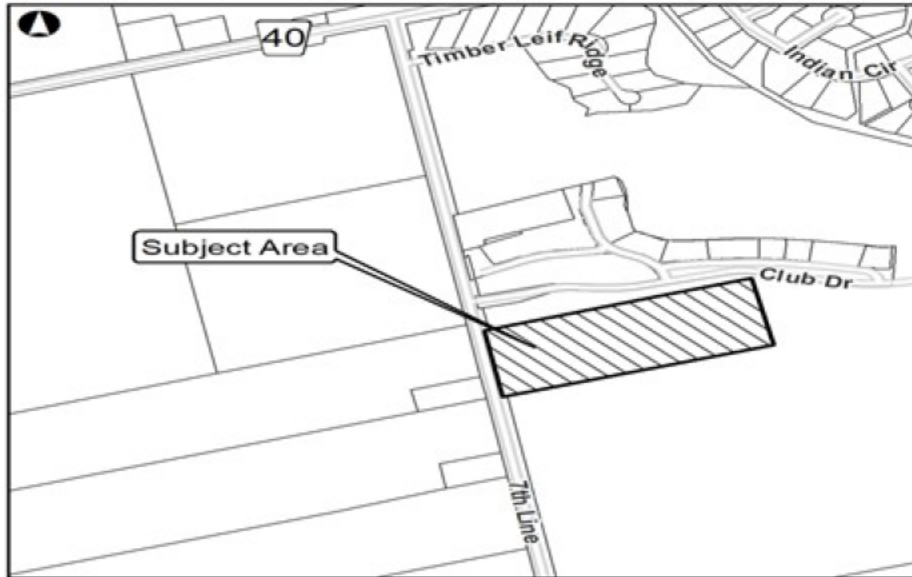
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**Municipal File No:** PXXXX  
**Project:** Zoning By-law Amendment & Plan of Condominium  
**Municipal/Legal Description:** 516681 7<sup>th</sup> Line  
**Applicant:** Travis Sandberg  
**Agent:** Dunncap  
**Municipal Reviewer:** Adam Farr, Senior Planner

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7a. 122017-FSR Drawings-X-SEC.pdf	834.6 KB

[Download Attachments](#)

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At this time, we trust you find this in order.



**Karen Long**

Administrative Assistant for Planning Services

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

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IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

**From:** [Adam Farr](#)  
**To:** [Adam Farr](#)  
**Subject:** FW: Public Comment FW: Applications for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358)  
**Date:** Monday, February 12, 2024 4:07:40 PM  
**Attachments:** [image001.png](#)

---

**From:** Stephanie Lacey-Avon <[Stephanie.Lacey-Avon@grey.ca](mailto:Stephanie.Lacey-Avon@grey.ca)>  
**Sent:** Monday, January 8, 2024 4:48 PM  
**To:** Adam Farr <[afarr@thebluemountains.ca](mailto:afarr@thebluemountains.ca)>  
**Subject:** FW: Applications for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358)

FYI

**Stephanie Lacey-Avon**  
*Senior Planner*  
Phone: +1 519-372-0219 ext. 1296

---

**From:** Stephanie Lacey-Avon  
**Sent:** Monday, January 8, 2024 4:47 PM  
**To:** [REDACTED] Group: Planning Dept Emails  
<[Group\\_PlanningDeptEmails@grey.ca](mailto:Group_PlanningDeptEmails@grey.ca)>  
**Subject:** RE: Applications for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358)

Hi Randy,

Thank you for sending along your comments and concerns regarding this development. We are still in the earlier stages of review of this application, with a public meeting being held January 30<sup>th</sup>, 2024 [PDF Notice of Complete Application and Public Meeting - 516681 7th Line - Georgian Bay Club Enclave - P3358 and P3359.pdf](#).

Your comments will be kept on file, and have been shared with the Town planner. Preliminary ecology review has occurred by the County's ecologist, where options for tree retention are being explored along with mitigative measures. Further planning review will take place after the public meeting, ensuring all comments received are being reviewed and considered throughout the planning process.

Thank you,

**Stephanie Lacey-Avon**

Senior Planner

Phone: +1 519-372-0219 ext. 1296

[REDACTED]

---

**From:** Randy Milthorpe [REDACTED]  
**Sent:** Sunday, January 7, 2024 11:56 AM  
**To:** Group: Planning Dept Emails <[planning@grey.ca](mailto:planning@grey.ca)>  
**Subject:** Applications for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358)

[EXTERNAL EMAIL]

Applications for Zoning By-law Amendment (P3359) and Draft Plan of Vacant Land Condominium (P3358)

i object to the removal of the forested lands. It is wrong to continue to allow Developers to remove any spec of life from subject development lands. Taking every spec of topsoil down to the clay and bedrock is an unsustainable way to develop. Having the forests completely removed for development is wrong for our future.

kind regards,  
Randy Milthorpe

[REDACTED]



# Town of The Blue Mountains

32 Mill Street  
Box 310  
THORNBURY, ON N0H 2P0  
[www.thebluemountains.ca](http://www.thebluemountains.ca)



Planning and Development 595 9th Avenue East,  
Owen Sound Ontario N4K 3E3 519-376-2205 / 1-  
800-567-GREY / Fax: 519-376-7970

December 21, 2023

Via Email Only

Travis Sandberg  
Dunn Capital

**RE: Notice of Complete Application  
516681 7<sup>th</sup> Line Georgian Bay Club Enclave  
Application for Zoning By-law Amendment (File #P3359) and Draft Plan of Vacant Land  
Condominium (File #3358)**

---

Dear Mr. Sandberg:

Thank you for your November 21, 2023 submission of materials in support of your proposed applications for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) at 516681 7th Line.

Notices of Incomplete application were issued on August 25, 2023 and November 14, 2023 itemizing both complete application requirements and requested documents. On October 30, 2023 and November 21, 2023 respectively submissions were received regarding complete application requirements and information requests. In response to the November 21, 2023 submission Town and County staff deem the applications complete per Sections 34 (10.4) and 51 (19.1) of the Planning Act.

Please note that the review of materials submitted with this application, materials provided in response to Notices of Incomplete to date, and requested materials set out therein may necessitate revisions to the proposal as submitted and/or the application of related conditions of approval to the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium to address related matters identified by Town staff including but not limited to:

- demonstrating legal access to a public street by way of required easements over adjacent condominium lands;
- demonstrating legal access to walkways and recreational facilities including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5;
- providing confirmed agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond;
- completing a tree inventory and protection plan prior to review of engineering submission (please note, August 25 2023 regarding scope of content):
  - *Please note that the document titled tree preservation plan that has been submitted with the application materials encompasses both lands proposed as open space on the*

*subject site and off-site lands without the context provided by a landscape analysis. The document does not identify any on lot, boundary, or adjacent healthy or degraded trees for retention or removal, has not been coordinated with the landscape analysis and, among other things, does not address on and/or off lot mitigation and/or enhancement plantings that may be required;*

Town Engineering Standards (2023) include the following provisions:

- *4.14.3. Tree Preservation A tree inventory, assessment and preservation plan and report must be completed for all developments as identified as part of the planning process. The tree assessment and preservation plan must include all boundary trees and ant trees located offsite within 6.0m of the property boundary. The developer must preserve all trees within the limits of the development in accordance with the tree inventory, assessment, and preservation plan/report.*
- integrating the landscape analysis with content of the tree inventory and protection plan;
- completing grading, stormwater management and landscape plans that address any measures emerging from tree inventory and protection plan and landscape analysis;
- addressing matters related to the submitted studies including but not limited to the review of the Environmental Impact Study (Cambian June 20 2023 ), Golf Spray Analysis (Fry Straka March 1, 2023), Landscape Analysis (Envision Tatham September 1, 2023) Preliminary Functional Servicing Report (July 28, 2023), Planning Justification Report (Dunn Capital July 25, 2023) and any other studies as required;
- community design provisions including but not limited to requirements for urban design and architectural control guidelines, provisions for pedestrian connections, landscaping and other matters as may be appropriate;
- trail design in the Town's right of way and landscape buffer provisions (on private and/or public lands as required).

The intent is that, within 15 days of the issuance of this notice of complete, public notice will be provided of a received complete application and a statutory public meeting scheduled for January 30, 2024.

If you have any questions with respect to this letter or the application process, please contact Adam Farr at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP  
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP  
Senior Planner, Grey County

Attachment 1: August 25, 2023 Notice of Incomplete

Attachment 2: November 14, 2023 Notice of Incomplete

- c. Shawn Postma, Town of the Blue Mountains  
Scott Taylor, Grey County





# Town of The Blue Mountains

32 Mill Street  
Box 310  
THORNBURY, ON N0H 2P0  
[www.thebluemountains.ca](http://www.thebluemountains.ca)



Planning and Development 595 9th Avenue East,  
Owen Sound Ontario N4K 3E3 519-376-2205 / 1-  
800-567-GREY / Fax: 519-376-7970

November 14, 2023

Via Email Only

Travis Sandberg  
Dunn Capital

**RE: Notice of Incomplete Application  
516681 7<sup>th</sup> Line Georgian Bay Club Enclave  
Application for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium)**

---

Dear Mr. Sandberg:

Thank you very much for your October 30, 2023 submission of materials in support of your proposed applications for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium) at 516681 7th Line. Your correspondence is in response to Notice of Incomplete Application for the above captioned proposed project that was sent to you on August 25, 2023.

The August 25, 2023 Notice includes comments that were divided between those requirements necessary to establish a complete application and requested information that was not set out in pre-consultation but identified afterward and is considered important in evaluating the applications and formulating recommendations for Council's consideration. The requested information for which you have provided a response will form part of the staff review and formulation of recommendations for Council consideration.

Your response to the required content has enabled staff to narrow the outstanding issues. At this time the applications continue to be incomplete in accordance with Section 34 (10.4) and 51 (19.1) of the Planning Act pending the submission of materials set out in **A** below.

## **A. Required Materials:**

### **1. Various easements in favour of the Subject Lands over the adjacent condominium**

A partial list of the required easements was received by way of the letter dated October 24, 2023 by Robson Carpenter. However, the requested endorsement from Condo Corporation GCP 105 and owner of the Georgian Bay Club of the proposed condo plan and itemized list of required easements necessary to establish conformity with related Official Plan policies and provisions of the Town's Comprehensive Zoning By-law hasn't been received.

Additionally, as previously noted, the following is required :



- a) identification and endorsement of easements necessary to establish conformity with Zoning By-law requirements for Public Street Access;
- b) requested identification and endorsement of easements or provisions for access to recreational facilities, walkways including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5; and
- c) confirmed agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond.

**B. Materials not provided but required through the review of the application and/or required as conditions of approval and/or holding provisions**

The following materials are not required for a complete application. Through the review and approvals process we look forward to further work together to achieve related common objectives.

**1. Tree Inventory and Protection/Retention Plan (TIPP)**

The updated October 30, 2023 submission withdraws the originally submitted August 1 2023 one page document entitled “tree preservation plan” which depicted removal of all trees from the site and retention only of off-site vegetation.

Town staff are of the opinion that the requirement remains for a tree inventory and protection plan in order to fulfill related policy and Engineering staff confirm their comments in pre-consultation do not negate its requirement. It is highly recommended that a tree inventory and protection plan be included with the submission materials for review as part of the disposition of the application. Alternately, a tree inventory and protection plan may be required through the processing of the application and/or as a condition of approval and/or as part of any Holding provisions.

The Town’s Official Plan references requirements for Tree Inventory and Protection Plan in:

- E10 Complete Application Requirements,
- D8.2 Tree Canopy (notably with regard to policy d); and
- A Tree Inventory and Protection Plan (TIPP) was cited as a requirement through the pre-consultation notes.

Section D8.2 Tree Canopy reads:

*Supporting the protection and enhancement of tree canopies can contribute to improvements to air and water quality, reductions in greenhouse gases, the support of biodiversity, and enhancement of natural features and systems. It is a policy of the Town to:*

- d) require reimbursement, in the form of new trees or financial compensation, for all healthy trees proposed to be removed in development applications, based on the findings of a Tree Inventory and Preservation Plan.*

The TIPP would need to be completed by a qualified professional (arborist) and the results integrated into and informing the remainder of the application content. The TIPP should contain inventory of on lot, boundary, or adjacent off lot healthy or degraded trees for retention or removal, coordination and integration with the landscape analysis and, among

other things, on and/or off lot mitigation, compensation and/or enhancement plantings that may be required.

## **2. Grading Plan, Stormwater Management Report, Landscape Plan**

Additional materials were requested through pre-consultation to be included with the subject applications which on submission will address various issues. These materials include: Stormwater Management Report, Landscape Plan, Site Grading.

These documents have not been provided. Their submission is required either as part of application processing and or as conditions of approval and/or holding provisions.

These materials are ideally integrated with the Tree Inventory and Protection Plan to identify constraints and opportunities for tree retention across the site and should inform any on and or off-site compensation, mitigation and/or enhancement plantings.

In considering the applications, the Town reserves the right to apply required conditions and/or holding provisions as may be appropriate relative to the review of the subject applications regardless of the commentary and interpretations presented by the applicant that accompanies their October 30, 2023 or the preceding August 1, 2023 correspondence.

If you have any questions with respect to this letter or the application process, please call me at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP  
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP  
Senior Planner, Grey County

Attachment 1: April 7 2022 Pre-consultation Notes

Attachment 2: August 25 2023 Notice of Incomplete

- c. Shawn Postma, Town of the Blue Mountains  
Scott Taylor, Grey County



# Town of The Blue Mountains

32 Mill Street  
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THORNBURY, ON N0H 2P0  
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Planning and Development 595 9th Avenue East,  
Owen Sound Ontario N4K 3E3 519-376-2205 / 1-  
800-567-GREY / Fax: 519-376-7970

August 25, 2023

Via Email Only

Travis Sandberg  
Dunn Capital

**RE: Notice of Incomplete Application  
516681 7<sup>th</sup> Line Georgian Bay Club Enclave  
Application for Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land Condominium)**

---

Dear Mr. Sandberg:

Thank you very much for your submission of the above referenced proposed applications and in your responsiveness to questions of clarification by Town staff to assist in advancing our completeness review. Please note that mandatory fee return requirements and other Planning Act and related legislative provisions require that materials submitted with applications be substantially complete at the time of submission in order to meet decision making timeframes. We are glad to meet in person or otherwise to discuss further.

The Town has reviewed the Zoning By-law Amendment and Draft Plan of Condominium applications and supporting material for lands municipally known as 516681 7<sup>th</sup> Line also known as the Georgian Bay Club Enclave.

Please note the following:

- Applications, supporting materials and required fees regarding the above captioned project were submitted to the Town on August 1, 2022.
- Town staff undertook a review of the submission contents relative to the pre-consultation notes issued on April 7, 2022 (Attachment 1).
- Note that the proposal submitted with the application differs from that which is the subject of the April 7 2022 pre-consultation notes in so far as: lot count has increased from 21 to 22 blocks; the road pattern has changed; and an Open Space Zone has been proposed for a portion of the development.
- Town staff and the applicant engaged in a telephone call to clarify various aspects of the submission on Thursday August 10 2023.
- It was noted in that call that the project proposal is revised now to include consideration of tree retention outside of building footprints and driveways.
- Thank you also for your supplementary clarification letter submitted Wednesday August 16 2023 in response to staff request for clarification on a number of matters to assist in the determination of complete/incomplete application, identification of deficiencies and/or narrowing of issues. An annotated response to its contents is provided in the Attachment 2.

## Notice of Incomplete

At this time the applications are deemed incomplete in accordance with Section 34 (10.4) and 51 (19.1) of the Planning Act pending the submission of materials set out in **A** below.

The structure of this letter advises of:

- A. Required Materials** for a complete application consideration as set out in the April 7 2022 pre-consultation notes; and
- B. Requested Materials** to complete an evaluation of the subject applications.

### **A. Required Materials:**

#### **1. Landscape Analysis and Tree Inventory and Protection/Retention Plan**

A Landscape Analysis (per OP policy 3.7.4.3 Landscape Analysis) and Tree Inventory and Protection/Retention Plan, both of which are cited in Official Plan E10 Complete Application Requirements, were requested in pre-consultation notes dated April 7 2022 per the excerpt below but not provided:

*Tree Inventory and Protection/Retention Plan, as part of a Landscape Analysis per Section B3.7.4.3 of the Town's Official Plan.*

Please note that the document titled tree preservation plan that has been submitted with the application materials encompasses both lands proposed as open space on the subject site and off-site lands without the context provided by a landscape analysis. The document does not identify any on lot, boundary, or adjacent healthy or degraded trees for retention or removal, has not been coordinated with the landscape analysis and, among other things, does not address on and/or off lot mitigation and/or enhancement plantings that may be required.

#### **2. Environmental Impact Study:**

An environmental impact study for peer review was requested in the pre-consultation notes. Official Plan Policy Requirements for an Environmental Impact Study are set out in section C9.

The Environmental impact study includes the recommendation:

*The Stormwater Management Plan prepared for the site should specifically address potential stormwater impacts to water quality and quantity of the surrounding features, erosion potential and a feature based water balance study (if required).*

To confirm the conclusions of the EIS the following material is required:

##### **a) FSR and SWM Report scope**

The preliminary stormwater management report does not reference the requirement set out in the EIS. Please provide a response addressing the related matters set out above.

##### **b) Water Balance Study**

No feature based water balance study has been undertaken as stated in the EIS. Please provide a response addressing the related matters set out above.

This information should come from qualified professional(s) addressing the interrelationships between engineering and environmental issues on the subject and surrounding lands.

### **3. Various easements in favour of the Subject Lands over the adjacent condominium**

Pre-consultation notes included the following request:

*"Please confirm any existing easements etc., that may be in place in favour of the Subject Lands over Club Drive."*

The Town requests endorsement from Condo Corporation GCP 105 and owner of the Georgian Bay Club of the proposed condo plan and itemized list of required easements necessary to establish conformity with related Official Plan policies and provisions of the Town's Comprehensive Zoning By-law including but not limited to:

- Required servicing easements including but not limited to access to the stormwater management pond and other services requiring approval over the private roadways;
- Public road access easements per requirements of Comprehensive Zoning By-law section *4.15 FRONTAGE ON A PUBLIC STREET*; and
- Easements or provisions for access to recreational facilities, walkways including but not limited to those required for demonstrating compliance with Official Plan policies B3.7.4.4 and B3.7.4.5.

Please also confirm agreement with the owner of the Golf Course to allow discharge of stormwater from into the stormwater pond.

4. Note that additional materials were requested through pre-consultation to be included with the subject applications which on submission would address a number of related issues. These materials include: Stormwater Management Report, Landscape Plan, Site Grading.

### **B. Requested Materials**

The following materials are requested in order to evaluate the subject proposal for Council consideration. Whether or not the materials are provided and the sufficiency of their content may impact the ultimate disposition of the applications:

1. **Please provide additional information to support statements that appear within the Planning Justification report demonstrating compliance with Local Official Plan policies with regard to:**

- a) Town Official Plan Policy D4.3 Subdivision Development Policies  
Subdivision

*e) all development by plan of subdivision shall be consistent with Section D5 of this Plan;*  
Please note the following policies of section D5 and provide supporting materials and/or information to demonstrate fulfillment of the policy content:

#### *D5.2 Design Policies*

*"The community design policies of this Plan are to be implemented by:*

*b) ensuring that the design guidelines contained in the Blue Mountains Community Design Guidelines are consulted as a guidance tool;*

*f) utilizing architectural control in new development areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets;*

*All development applications shall be evaluated to determine the extent to which the application respects the Community Design policies of this Plan and the relevant Council adopted Community Design Guidelines.*

**b) Community Design Guidelines**

As set out in the pre-consultation notes, dated April 7 2022, submission requirements included:

*Section 4. of the Community Design Guidelines, entitled 'Greenfield Design', shall be consulted in the design of the proposed development, including Section 4.5.1 entitled 'Single Detached Dwellings'.*

Insufficiently detailed materials have been provided to demonstrate that the guidelines have been consulted in accordance with the Town's request. Please provide additional materials that support the statements made in the Planning Justification Report.

While an Urban Design Brief and Architectural Control Guidelines were not cited as application requirements during pre-consultation, these documents would address the related matters and are requested as a preferred response for review of the proposed zoning to identify any required Zoning By-law provisions and also given possible pre-sales permitted upon draft approval unless a no pre-sales clause is agreed to.

**c) Other**

Please provide:

- confirmation of proposed mechanisms for securing on lot buffer lands in the event the 3.0 m on lot buffer is determined to be viable and any tree retention, mitigation, enhancement provisions within or around the proposed development area; and
- preliminary trail design details for purposes of establishing construction costs for property frontage trail and assessing impact on vegetation within the ROW that could impact buffering of lots and inform any required on and/or off lot mitigation efforts

This content should be linked to Landscape Analysis and Tree Inventory and Protection/Retention Plan.

In deeming these applications incomplete, the proposal will not advance for further review at this time. The Town reserves the right to ask for more information at a later time, if necessary, in review and consideration of this application.

If you have any questions with respect to this letter or the application process, please call me at 519-599-3131 ext. 283 or 1-888-258-6867. We're also happy to discuss with you and available to meet at a mutually agreeable time including in person if desired.

Sincerely,



Adam Farr, MES BA (Hons), MCIP RPP  
Senior Planner, Town of the Blue Mountains



Stephanie Lacey-Avon, MCIP RPP  
Senior Planner, Grey County

Attachment 1: April 7 2022 Pre-consultation Notes

Attachment 2: TOBM Annotated Correspondence of 2023-08-16 from Travis Sandberg

c. Shawn Postma, Town of the Blue Mountains  
Scott Taylor, Grey County

## Adam Farr

---

**From:** Travis Sandberg <tsandberg@dunnca.ca>  
**Sent:** Tuesday, November 21, 2023 2:40 PM  
**To:** Adam Farr  
**Cc:** Shawn Postma; Colin Travis; stephanie.lacey-avon@grey.ca; Larry Dunn; scott.taylor@grey.ca  
**Subject:** RE: The Georgian Bay Club Enclave (516681 7th Line) - Letter to GCP 105 Board of Directors  
**Attachments:** 16-0043 GBC Enclave - Georgian Bay Club Endorsement Letter.pdf; November 14 2023 - Letter of Incomplete Application 516681 7th Line Georgian Bay Club Enclave.pdf

Hi Adam,

Further to the email below, attached is an endorsement letter from GBC which addresses the Town's remaining comments. I have also copied the County to this email for their information and file.

I trust that with these two pieces of information, the applications may now be deemed complete per the Incomplete Application Letter dated November 14, 2023. Please advise of the next steps and anticipated timelines for the review.

My Best Regards,

**Travis Sandberg**

Manager – Land Development and Planning

Dunn Capital Corporation  
40 Huron Street, Suite 300  
Collingwood, ON  
P: 705-445-1660 Ext. 232  
C: 705-441-3950  
F: 705-443-8158

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EST. 1981

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---

**From:** Travis Sandberg  
**Sent:** Tuesday, November 21, 2023 11:57 AM  
**To:** Adam Farr <afarr@thebluemountains.ca>  
**Cc:** spostma@thebluemountains.ca; Colin Travis <colint@travisinc.ca>  
**Subject:** FW: The Georgian Bay Club Enclave (516681 7th Line) - Letter to GCP 105 Board of Directors

Good Morning Adam,

Please see below. Following engagement with the Board of GSCC 105, we have received confirmation that they will enter into and participate in discussions for a new shared facilities/cost sharing agreement to include the proposed development as an additional party.

I trust that this satisfies the Town's request.

My Best Regards,

**Travis Sandberg**  
Manager – Land Development and Planning

Dunn Capital Corporation  
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---

**From:** F. Ahamed <[farouk.ahamed@adfinvescap.com](mailto:farouk.ahamed@adfinvescap.com)>

**Sent:** Monday, November 20, 2023 12:01 PM

**To:** Larry Dunn <[ldunn@harbouredge.com](mailto:ldunn@harbouredge.com)>

**Cc:** GSCC 105 - David Leetham <[david@askdavid.ca](mailto:david@askdavid.ca)>; GSCC 105 - Heather Giffen <[giffenh@gmail.com](mailto:giffenh@gmail.com)>; GSCC 105 - Mark Wickware <[mwickware@outlook.com](mailto:mwickware@outlook.com)>; GSCC 105 - Mary Jane Siebens <[mjisp@rogers.com](mailto:mjisp@rogers.com)>; Allan Nolan <[allan@yhpm.ca](mailto:allan@yhpm.ca)>; Travis Sandberg <[tsandberg@dunnca.ca](mailto:tsandberg@dunnca.ca)>

**Subject:** Re: FW: The Georgian Bay Club Enclave (516681 7th Line) - Letter to GCP 105 Board of Directors

You don't often get email from [farouk.ahamed@adfinvescap.com](mailto:farouk.ahamed@adfinvescap.com). [Learn why this is important](#)

Larry,

Further to the attached letter, your presentation at the recent Board of Directors meeting and Board discussion that followed, the Board of Directors of GSCC 105 would like to inform you that they will participate in discussions for the new cost sharing agreement.

As you and I discussed, once you have all the requisite legal documents I would appreciate it if you could forward the same to Allan and copy me. As contemplated we will be looking at retaining legal counsel to advise us on this matter.

Thanks.

Farouk



**Farouk Ahamed**

ADF Invescap Inc.

Phone: 416.417.7692

Email: [farouk.ahamed@adfinvescap.com](mailto:farouk.ahamed@adfinvescap.com)



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**October 30, 2023**

**BY EMAIL**

Town of The Blue Mountains  
32 Mill Street, P.O. Box 310  
Thornbury, ON N0H 2P0  
Tel. 519.599.3131  
Fax 519.599.7723

**Attn:** Adam Farr, MCIP RPP  
Senior Planner

**Re: 16-0043 GBC Enclave – Applications for Draft Plan of Vacant Land Condominium and Zoning By-law Amendment – Response to Letter of Incomplete Application**

---

Please find responses below to comments provided in the Letter of Incomplete Application, dated August 25, 2023. We trust that the additional supporting materials and the responses below are sufficient for the applications to be deemed complete in accordance with Section 34(10.4) and Section 51(19.1) of the *Planning Act*.

The comments outlined in the Letter of Incomplete Application are outlined below in ***bold italics***, with our comments/responses immediately following.

**Required Materials**

**1. *Landscape Analysis and Tree Inventory and Protection/Retention Plan.***

**Comment:** A Landscape Analysis, prepared by Envision Tatham, is attached in accordance with Section 3.7.4.3 of the Official Plan.

The Landscape Analysis details the physical and visual complexities of the site and provides recommendations for preservation, enhancement, and mitigation measures. These measures include:

- Maintaining the vegetated buffer provided within the proposed open space block, including further fortifying the buffer with native species where clearings exist (e.g., locations of the existing internal trails).
- Investigating the viability of planting a rear yard buffer on lots 12-15 adjacent to the proposed road widening block to maintain the buffer if/when the existing vegetation is removed to accommodate a road widening. While not explicitly outlined in the Analysis, this recommendation could also be considered in the case that a construction of a municipal trail is required within this block.
- Consider planting boulevard trees internal to the site; and

- Consider foundation planting that is consistent with the existing condominiums on Georgian Bay Lane.

The existing internal trails on the subject lands are also noted to be located close to the property line in several locations resulting in gaps in vegetation along the periphery. While not included as a recommendation, the feasibility of providing plantings in these locations to establish a vegetative buffer to adjacent woodlots will be investigated in preparation of a detailed Landscape Plan and Tree Preservation/Enhancement Plan.

A detailed Landscape Plan and a Tree Preservation/Enhancement Plan will be submitted following draft plan approval in order to ensure consistency with technical design drawings, such as site servicing and detailed site grading plans. In doing so, opportunities to retain existing trees can be identified where grading/servicing allows, while any areas that require clearing can be evaluated for replanting/enhancement opportunities, where appropriate. This is consistent with pre-consultation comments received from the Town's Development Engineering Services Department and would be required through a condition of draft plan approval.

**2. Environmental Impact Study – Response to Recommendation 5.**

**Comment:** Attached are response letters from the Consulting Engineer and Environmental Consultant of record addressing this comment. Per the attached letters, a Water Balance Study is not required, and the recommendation may be deemed to be appropriately addressed.

**3. Various Easements in Favour of the Subject Lands over the adjacent condominium.**

**Response:** The easements anticipated for the proposed development are outlined in the attached letter prepared by Robson Carpenter LLP. Easements for access and servicing are to be established as a condition of draft plan approval, as outlined in the attached letter, and will include appropriate Cost Sharing Agreements with the adjacent condominium corporation.

The applicant has contacted the Board of Directors of GCP 105 regarding the proposed development and future easements, per Town Planning Staff's request. Any correspondence received in response will be provided to the Town on receipt. Notwithstanding, it is submitted that the applications should now be deemed complete as, at minimum, the public zoning by-law amendment process otherwise provides an opportunity for public comment and feedback to inform the review of the proposed development and associated draft plan.

**4. Note that additional materials were requested through the pre-consultation process to be included with the subject applications which on submission would address a number of the related issues. These materials include: Stormwater Management Report, Landscape Plan, Site Grading.**

**Response:** The current proposal includes a Draft Plan of Vacant Condominium which requires full review and approval through Section 51 of the *Planning Act*. This process includes draft plan approval and the application of conditions of draft plan approval. Pre-consultation comments

provided by Development Engineering identified that Items A-G outlined therein are required in support of Draft Plan Approval. These Items include:

a) Geotechnical Report

**Comment:** A Geotechnical Report, prepared by JLP Services Inc., was submitted to the Town and the County of Grey on August 1, 2023.

b) Hydrogeological report for where significant dewatering is anticipated and/or deemed warranted through geotechnical investigation, or where groundwater mounding, effective stress/slope stability may be impacted by flows, or seepage rates are germane, (SWM Pond, infiltration trench, downstream pond berm/dam).

**Comment:** As outlined in the Pre-Consultation Comment Response Matrix, dewatering is not expected to be required.

c) Slope Stability Analysis, if in proximity to slope.

**Comment:** The lands are not in proximity to a slope warranting a slope stability analysis.

d) Functional Servicing Report (FSR) - demonstrating how the site can be adequately serviced, including: water and wastewater treatment plant capacity, ability of existing infrastructure to meet water demands/sewage flows, fire flow calculations, water system analysis, sewer design sheets, utilities, solid waste management (garbage/recycling), mail delivery, snow storage, etc.

**Comment:** A Functional Servicing Report, prepared by Tatham Engineering, was submitted to the Town and County on August 1, 2023.

e) Stormwater Management (SWM) report - confirming how stormwater quality and quantity will be achieved in accordance with MECP guidelines and with consideration of in channel erosive hours/thresholds. If existing conditions include flooding in watershed downstream of the site, a downstream analysis is also required to characterize the flooding and verify the proposed development stormwater management system will not exacerbate (increase the frequency, depth or duration) the downstream flooding.

**Comment:** Stormwater Management is included in the Functional Servicing Report, prepared by Tatham Engineering, as submitted to the Town and County on August 1, 2023. The Response Letter attached as Attachment 1 provides further commentary regarding stormwater management for the proposed development.

f) Traffic Analysis - addressing whether the proposed development will adversely affect the operations or the safety of adjacent roads, compatibility with adjacent development(s), suitability of proposed internal road/entrance layout and

geometrics, entrance distance from other intersections to Town Engineering Standards, parking requirements and accessible parking spaces, building set back from road/entrances to allow for adequate motorist sight lines, and projected impact of proposed development on level of service on local roads (A to F) etc.

**Comment:** A Traffic Impact Brief, prepared by Tatham Engineering, was submitted to the Town and County on August 1, 2023.

- g) Comment Response Matrix - to identify how comments herein and from others have been/will be addressed.

**Comment:** A Comment Response Matrix, including response to all comments provided by Development Engineering, was submitted to the Town on August 1, 2023, as an attachment to the Planning Justification Report.

Items H-K, which include detailed technical drawings such as site grading and landscape plans, will be submitted for drawing approval (i.e. detailed design) and for a development agreement following draft plan approval in accordance with Development Engineering pre-consultation comments.

### **Requested Materials**

1. ***Please provide additional information to support statements that appear within the Planning Justification Report demonstrating compliance with Local Official Plan policies with regard to:***
  - a. ***Town Official Plan Policy D4.3 Subdivision Development Policies***
    - ***“e) all development by plan of subdivision shall be consistent with Section D5 of this Plan.” Please note the following policies of section D5 and provide supporting materials and/or information to demonstrate fulfillment of the policy content:***
      - i. ***D5.2 Design Policies***
        - “The community design Policies of this Plan are to be implemented by:***
          - b) ensuring that the design guidelines contained in the Blue Mountains Community Design Guidelines are consulted as a guidance tool;***
          - f) utilizing architectural control in new development areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets.******All development applications shall be evaluated to determine the extent to which the application respects the Community Design policies of this Plan and the relevant Council adopted Community Design Guidelines.***

**Response:** See responses below regarding the Town of the Blue Mountains Community Design Guidelines.

### ***b. Community Design Guidelines***

***As set out in the pre-consultation notes, dated April 7, 2022, submission requirements included:***

***Section 4. of the Community Design Guidelines, entitled ‘Greenfield Design’, shall be consulted in the design of the proposed development, including Section 4.5.1 entitled ‘Single Detached Dwellings’.***

***Insufficiently detailed materials have been provided to demonstrate that the guidelines have been consulted in accordance with the Town’s request. Please provide additional materials that support the statements made in the Planning Justification Report.***

***While an Urban Design Brief and Architectural Control Guidelines were not cited as application requirements during pre-consultation, these documents would address the related matters and are requested as a preferred response for review of the proposed zoning to identify any required Zoning By-law provisions and also given possible pre-sales permitted upon draft approval unless a no pre-sales clause is agreed to.***

**Response:** The *Community Design Guidelines* are intended to provide urban and architectural design guidance for the (re)development of land and to encourage and promote high-quality built form in the Town. The guidelines are intended to be flexible in their application and are not intended to be a “checklist” nor to stymie creativity in design, but instead are to be applied on a case-by-case basis depending on the specific context and nature of the proposed development or building (Part 1.1 and Part 1.3 of the *Community Design Guidelines*).

The most pertinent guidelines to the proposed development are found in Part 4, entitled *Greenfield Design*, and more specifically, Part 4.5.1, entitled *Single Detached Dwellings*. The *Greenfield Design* guidelines promote high-quality urban design within new neighbourhoods including providing for attractive and connected street networks and the incorporation of existing natural features into development plans. Part 4.5.1 provides further design guidance for individual dwelling units with respect to architectural design and building siting. The intent of these guidelines is to promote high-quality architectural styles that compliment the character of the Town and create appealing streetscapes with limited repetition in individual dwelling unit designs.

In consideration of the *Community Design Guidelines*, the proposed development will achieve the desired goal of providing for a high-quality, visually pleasing streetscape and architectural design. More specifically, residential development at the Georgian Bay Club has historically been subject to restrictive covenants related to architectural control that have implemented the overall vision of creating an exclusive, high-quality custom home golf course community. These architectural control guidelines have facilitated the use of a consistent palette of natural building materials, such as natural stone, wood siding, timber framing, large windows, and

varying rooflines, to create an affinity for and connection between individual dwelling units and the surrounding natural landscape. While providing general design parameters, the historical covenants also encourage individual design and expression resulting in complimentary and varying dwelling designs. In addition to architectural design, various guidelines for siting and lot design have resulted in attractive and interesting streetscapes being created within these residential neighbourhoods. The resulting built form achieves, and far exceeds, that desired by the Town's *Community Design Guidelines*. Restrictive covenants may be employed for the proposed development at the applicant's discretion in order to maintain the high-level of architectural design that has been established throughout the Georgian Bay Club community.

Notwithstanding the above, the provisions of the R1-1 zone together with the proposed lot fabric provides flexibility in the siting of individual dwelling units within each unit/lot. More specifically, the size of the proposed units/lots range from 1,270 sq.m. to 2,650 sq.m., resulting in building envelopes that range in area from 720 sq.m. to 1,630 sq.m. after the R1-1 zone setbacks are applied. The sizes of the building envelopes allow for varying front yard setbacks to create visual interest and depth along the streetscape, depending on individual site characteristics and design preference of future unit owners (*Community Design Guidelines*, Part 4.5.1(e)). This flexibility also facilitates the incorporation of individual trees that may be identified for tree preservation, including any appropriate rear yard buffer to adjacent woodlots, without sterilizing or significantly impacting the viability of the building lot (*Community Design Guidelines*, Part 4.1.3(b)).

Additional *Community Design Guideline* considerations include:

- Subject to preceding comments herein, the executive nature of the future dwelling units will inherently result in varying elevations along the street and will avoid identical elevations being constructed on consecutive lots (Part 4.5.1(g)(h) of the *Community Design Guidelines*).
- The proposed right-of-way is designed to measure approximately 180m east-west from the connection with Club Drive. The *Community Design Guidelines* recommend street patterns to be designed so that development blocks are between 200m-250m to promote permeability and connectivity (Section 4.2.1 Street Network(d)(e)).
- Consistent with existing approved residential development at the Georgian Bay Club, no sidewalks are proposed within the plan of condominium. Notwithstanding, the proposed/existing road network provides for efficient, comfortable, and attractive, connections to the adjacent plan of condominium and to the Golf Course Club House via private condominium roads that are bordered by natural features, golf course lands, and high-quality residential streetscapes (Part 4). For added clarity, the internal private road network is not accessible to the general public.

- The proposed right-of-way and lot fabric were altered to incorporate an Open Space Block, as needed in accordance with technical studies completed following the pre-consultation review, and in response to pre-consultation comments from the Town and County of Grey (Section 4.1.2(a) Woodlots).
- As recommended by the Landscape Analysis, the viability of street tree plantings will be investigated through preparation of a detailed landscaping plan to be submitted as part of a future technical engineering design submission (Section 5.4 Boulevard/Planting Strip).

It is submitted that the applications for Draft Plan Approval and Zoning By-law Amendment have adequately considered the *Community Design Guidelines* in the design of the proposed development, as appropriate and applicable to the locational context and nature of the subject development.

**c. Other – Please provide:**

- ***Confirmation of proposed mechanisms for securing on lot buffer lands in the event the 3.0m on lot buffer is determined to be viable and any tree retention, mitigation, enhancement provisions within or around the proposed development area; and***

**Response:** Any areas or individual trees that are determined to be viable for tree preservation will be identified in a detailed tree preservation plan submitted as part of a future technical engineering design submission. Ultimately, the tree preservation plan will form part of the *Accepted for Construction* drawing package and will be subject to a Development Agreement. Once included in the development agreement the removal of trees identified on the approved plan would fall under the authority of the Town’s Tree Preservation By-law 2010-68 (see Section 2(a), By-law 2010-68). Any violations reported to the Town by future residents, or the condominium board, would accordingly be subject to applicable fines or penalties as may apply under the By-law. Appropriate clauses will be included in future Purchase and Sale Agreements and Condominium Documents to notify purchasers/unit owners of any approved tree preservation areas and of the Town’s Tree Preservation By-law.

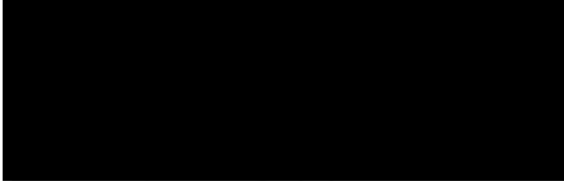
- ***Preliminary trail design details for purposes of establishing construction costs for property frontage trail and assessing impact on vegetation within the ROW that could impact buffering of lots and inform any required on and/or off lot mitigation efforts.***

**Response:** As no trail requirement was identified through the pre-consultation process, the need and design standard for any municipal trail within the 7<sup>th</sup> Line road allowance will be confirmed through the draft plan and/or technical review process. A construction cost estimate and standard design detail in accordance with the Town of Blue Mountains Trail Development Standards can be included in a future technical engineering design submission, as may be determined necessary.



We trust that the applications may now be deemed complete and undergo formal review, with the expectation that further information or clarification may be required as a result of any further comments received through the public review process.

Sincerely,



Travis Sandberg  
Manager – Land Development and Planning

Cc: Larry Dunn, President, Dunn Capital Corporation  
Colin Travis, Travis and Associates  
Shawn Postma, Manager of Community Planning (Town of The Blue Mountains)  
Scott Taylor, Director of Planning (County of Grey)  
Stephanie Lacey-Avon, Senior Planner (County of Grey)

**Attachments:**

1. Landscape Analysis, prepared by Envision Tatham, dated September 1, 2023;
2. Cambium Response Letter RE: EIS Recommendation 5, dated October 11, 2023, including Tatham Response to Stormwater Management Comments; and
3. Easement Letter, Robson Carpenter LLP, dated October 24, 2023.

**From:** [Adam Farr](#)  
**To:** [Travis Sandberg](#); [Colin Travis](#)  
**Cc:** [Tim Murawsky](#); [Steve Conn](#); [Brian Worsley](#); [Dylan Stoneman](#); [Terry Green](#); [Jim McCannell](#); [Pruthvi Desai](#); [Allison Kershaw](#); [Stephanie Lacey-Avon](#); [Michael Cook](#); [Sperling, Janet \(MNRF\)](#); [MacLean Plewes](#); [Karen Long](#); [Adam Smith](#)  
**Subject:** DRC - 516681 7th Line - Preliminary comments  
**Date:** Wednesday, February 7, 2024 4:32:00 PM  
**Attachments:** [Aug 16 2023 Hydro One.pdf](#)  
[Aug 16 2023 DFO.pdf](#)  
[Aug 16 2023 Enbridge.pdf](#)  
[Aug 11 2023 Bell comments.pdf](#)  
[PEER REVIEW for TBM - The Enclave at Gerogian Bay Club . rfma-MOOTE 30012024.pdf](#)

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Hi Travis:

The following materials are preliminary and do not confer an approval in whole or in part on the subject development proposal. These are for discussion purposes only and not intended to be exhaustive or limit the changes in Town positions or the introduction of new information.

Note – I think that given the tight turnaround time we can flag matters arising from this discussion for further review as necessary.

For tomorrow's meeting I can confirm we have comments now from:

- Bell
- Building
- Engineering\*
- NEC
- DFO
- Enbridge
- Hydro One
- Building Services
- Saugeen Ojibway Nation
- David Moote
- GSCA

\*Denotes preliminary

You have copies of GSCA, NEC and SON comments.

Please see attached DFO, HydroOne, Enbridge, David Moote comments

### **Preliminary Engineering comments:**

#### **Note 2023 Engineering standards**

##### **Sanitary**

- Will flow to Lakeshore SPS. Per Cole Sanitary Deficiency Report / Needs Study, Replacement of 83m of existing

250mm dia. sanitary sewer on Lakeshore Road upstream of the Lakeshore Pumping Station with new 450mm

dia. sanitary sewer is required.

- Flows from Lakeshore SPS to Thornbury WWTP. Based on 2022 capacity report The Thornbury WWTP is quickly

approaching capacity based on allocated and reserved units. However, there are 559 units (187 reserved + 372

can connect) which are not physically connected to the Thornbury WWTP. The Town has

commenced with the expansion of the Thornbury WWTP. **TO BE UPDATED**

### **Watermain and sanitary**

- Per new standards watermain will need to be private

### **Storm Water**

- Existing storm ponds ability to take storm water needs to be substantiated.  
- Conveyance needs to storm pond and from storm pond to lake to be securely tenured through required easements

### **Condo Board**

- Legal status – does this need to be approved by the current condo board? Will there be separate condo boards?

### **Building:**

**OBC:** No residential construction plans submitted. No OBC comments.

### **Lot Development:**

All lots should be pre-graded prior to the issuance of a basic services certificate.

Individual lot grading certificates will be required for the completion of building permits.

**Fire Protection:** The proposed location of fire hydrants and design of roadway appears acceptable for firefighting.

### **Awaiting**

- County
  - l've had some discussion with the County – they advise that the uses cant be limited to singles and need to include other built forms to meet their OP requirements. I'm awaiting comments on the EIS.
- NEC Updates
  - Waiting on this
- Canada Post
- Schoolboards
- Parks/Community Services
- Water/Wastewater
- Other

**Outstanding matters were set out in the various notices of complete and incomplete and these continue to be relevant and matters of review.**

The list of comments associated with complete and incomplete letters can be found here:

<https://www.thebluemountains.ca/planning-building-construction/current-projects/planning-development-projects/enclave-georgian-bay>

Click on submission and scroll down.

### **Zoning By-law Exceptions**

We're identifying exceptions in the Zoning By-law – those are likely to include at a minimum:

- Landscape strip
- Impervious coverage limits
- Additional use requirements

**Holds** – we are currently reviewing extent of potential Holds to address threshold issues and, in draft, they cover the following:

1. Execution of a Vacant Land Condominium Agreement.
2. Registration of a Plan of Vacant Land Condominium.
3. Registration of a Condominium declaration demonstrating unit owner access to walkways and recreational facilities including but not limited to the Georgian Bay Club Golf Course.
4. Registration of easements as required over Condo Corporation XXX and Georgian Bay Golf Club lands in favour of the subject lands.
5. Confirmation and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity.
6. Confirmation that the off site stormwater pond has sufficient capacity to receive flows from the subject lands, conveyance to and from pond and storage is secured and appropriately tenured.
7. Approval of stormwater management plan and all related works to the satisfaction of the Grey Sauble Conservation Authority.
8. Conformity with the Niagara Escarpment Plan.

**Draft plan conditions are under review and include but are not limited to matters such as**

- Plan of survey – date, signatures by owner and surveyor
- Cash in lieu
- Stormwater management
- TIPP, Protection, Compensation, Landscape Analysis
- First Nations conditions
- Construction management
- Water/wastewater and conveyance availability, allocation, modeling and capacity (comprehensive servicing analysis)
- Snow storage
- Urban design and architectural control
- 7<sup>th</sup> line trail
- Temporary construction entrance?
- Warning clauses re golf course and other
- Sediment and erosion control
- Tie in to Holding provisions – acknowledgement that if the NEP or other provisions cannot be fulfilled ZBA/ Draft Plan revisions may be required
- Landscape Plan
- Grading Plan
- Topsoil management
- 2023 engineering standards
- Lighting
- Fencing

- Easements – timing and mechanism

**Next steps**

Targeted dates